

**Department of Transportation
Office of the Chief Information Officer**

Supporting Statement

Hazardous Materials Public Sector Training and Planning Grants
OMB Control No. 2137-0586

INTRODUCTION

This is to request the Office of Management and Budget's (OMB) renewed three-year approved clearance for the information collection entitled, "Hazardous Materials Public Sector Training and Planning Grants" (OMB Control No. 2137-0586) which is currently due to expire on October 31, 2010.

Part A. Justification.

1. Circumstances that make the collection necessary.

This is a request for a revision of an existing information collection approval under OMB No. 2137-0586. Part 110 of the Hazardous Materials Regulations (49 CFR 100-180) addresses a reimbursable grant program to enhance existing State, local, and Indian tribal hazardous materials emergency preparedness response programs. This information collection supports the Departmental Strategic Goal for Safety.

This reimbursable grant program is required by Section 5116 (49 App. U.S.C.) of the Federal hazardous materials transportation law. Section 5116 authorizes the Secretary to provide assistance to States and Indian tribes for hazardous materials emergency response planning and training. The purpose of the grant program is to increase State, local, and Indian tribal effectiveness in safely and efficiently handling hazardous materials accidents and incidents; enhance implementation of the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA); and encourage a comprehensive approach to emergency planning and training by incorporating the unique challenges of response to transportation situations. Where practicable, the Department relies on its general grant provisions contained in 49 CFR Part 18, "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments."

This information collection is being revised to implement a statutory provision authorizing PHMSA to request information from states concerning fees related to the transportation of hazardous materials. We are revising the current information collection to include more detailed information from grantees to enable us to more accurately evaluate the effectiveness of the grant program in meeting emergency response planning and training needs, and to streamline the information collection process. Subsequently, we are revising the information collection burden to reflect this increase in information collection. In addition, we have identified two (2) additional respondents who will be

affected by this information collection and have included this revision in our calculations, as well.

2. How, by whom, and for what purpose is the information used.

The Hazardous Materials Public Sector Training and Planning Grants program (49 CFR Part 110) creates an appropriate role for PHMSA and other agencies at the Federal level to provide financial and technical assistance, national direction, and guidance to enhance State, local, and Indian tribal hazardous materials emergency planning and training. The programs developed under the grant program increase the emphasis on transportation in ongoing efforts, improve the capability of communities to plan, train for, and respond to, the full range of potential risks.

PLANNING GRANT PROGRAM

Planning grants may be used for specific activities that include the following:

- (1) Development, improvement, and implementation of emergency plans required under the Emergency Planning and Community Right-to-Know Act of 1986, as well as exercises which test the emergency plan. Enhancement of emergency plans to include hazard analysis as well as response procedures for emergencies involving transportation of hazardous materials, including radioactive materials.
- (2) An assessment to determine flow patterns of hazardous materials within a State, between a State and another State or Indian country, and development and maintenance of a system to keep such information current.
- (3) An assessment of the need for regional hazardous materials emergency response teams.
- (4) An assessment of local response capabilities.
- (5) Conduct of emergency response drills and exercises associated with emergency preparedness plans.
- (6) Provision of technical staff to support the planning effort.
- (7) Additional activities the Associate Administrator deems appropriate to implement the scope of work for the proposed project plan and approved in the grant.

TRAINING GRANT PROGRAM

Training grants may be used for specific activities that include the following:

- (1) An assessment to determine the number of public sector employees employed or used by a political subdivision who need the proposed training and to select courses consistent with the National Curriculum.
- (2) Delivery of comprehensive preparedness and response training to public sector employees. Design and delivery of preparedness and response training to meet specialized needs. Financial assistance for trainees and for the trainers, if appropriate, such as tuition, travel expenses to and from a training facility, and room and board while at the training facility.

- (3) Emergency response drills and exercises associated with training, a course of study, and tests and evaluation of emergency preparedness plans.
- (4) Expenses associated with training by a person (including a department, agency, or instrumentality of a State or political subdivision thereof or an Indian tribe) and activities necessary to monitor such training including, but not limited to examinations, critiques and instructor evaluations.
- (5) Provision of staff to manage the training effort designed to result in increased benefits, proficiency, and rapid deployment of local and regional responders.
- (6) Additional activities the Associate Administrator deems appropriate to implement the scope of work for the proposed project and approved in the grant.

GRANT APPLICATION

Funding for the grant program beginning in FY 1993 is generated through a registration fee to be collected from certain shippers and carriers of hazardous materials and certain packaging manufacturers. In 2006, planning grants in the amount of \$5 million were provided to eligible States and Indian tribes. In 2006, training grants in the amount of \$7.8 million were provided to eligible States and Indian tribes.

The grant program provides for multi-year scopes of work promoting the opportunity for long-term planning and training programs. By law, 75 percent of the planning funds must be passed through to local emergency planning committees established under the Emergency Planning and Community Right-to-Know-Act of 1986. Seventy-five percent of the training funds must be used for the purpose of training public sector employees to respond to emergencies involving hazardous materials. The grant program is designed to increase the emphasis on transportation in ongoing planning and training efforts. This comprehensive approach supports communities in their efforts to address the full range of potential risks they face. As prescribed by law, the grant program is intended to ensure that the maximum amount of funding and benefit of training will reach the local level.

The Grant Application package required in 49 CFR 110.30(a) must include the following:

- (1) Application for Federal Assistance for Non-Construction Programs (SF-424) and Budget Sheets (SF-424A). A single application may be used for both planning and training if the budgets for each are entered separately on all budget sheets.
- (2) For States, a letter from the Governor designating the State agency authorized to apply for a grant and written certifications to receive a grant.
- (3) For Indian tribes, a letter from the tribal government, governing body, or tribal council to the effect that the applicant is authorized to apply for a grant and to provide the written certifications required in order to receive a grant.
- (4) A written statement explaining whether the State or tribe assesses and collects fees on the transportation of hazardous materials and whether such assessments or fees are used solely to carry out purposes related to the transportation of hazardous materials.

- (5) A statement designating a project manager and providing the name, position, address, and telephone number of the individual who will be responsible for coordinating the funded activities with other agencies/organizations.
- (6) A project narrative statement of the goals and objectives of the proposed project, project design, and long-range plans. The proposed grant project and funding periods may be one or more years.
- (7) A statement of work in support of the proposed project that describes and sets priorities for the activities and tasks to be conducted, costs associated with each activity, number and types of deliverables and products to be completed, and a schedule for implementation.
- (8) A description of the major items of costs needed to implement the statement of work and a copy of any cost or price analysis if conducted.
- (9) Drug-Free Workplace Certification. The applicant must certify, as specified in Appendix C of 49 CFR Part 29, that it will comply with the Drug-Free Workplace Act of 1988 (Pub. L. 100-690).
- (10) Anti-Lobbying Certification. The applicant must certify, as specified in Appendix A of 49 CFR Part 20, that no Federal funds will be expended to pay any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress (Pub. Law 101-121).
- (11) Debarment and Suspension Certification. The applicant must certify, as specified in Subpart G of 49 CFR Part 29, that it will not make an award or permit any award to any party which is debarred or suspended or is otherwise excluded from or ineligible for participation in Federal assistance programs (Pub. L. 100-17).

Planning. In addition to the requirements specified in § 110.30(a), eligible State applicants must include the following in their application package as required by § 110.30(b):

- (1) A written certification that the State is complying with sections 301 and 303 of the Emergency Planning and Community Right-to-Know Act of 1986, including a brief explanation of how compliance has been achieved.
- (2) A written statement specifying the aggregate expenditure of funds of the State, exclusive of Federal funds, for each of its last five fiscal years for developing, improving, and implementing emergency plans under the Emergency Planning and Community Right-to-Know Act of 1986, including an explanation specifying the sources of these funds. A written certification that the State's aggregate expenditures, as defined by the State, of funds for this purpose, exclusive of Federal funds, will not fall below the average level of its expenditures for its last five fiscal years. The applicant may not claim any of these expenditures for cost-sharing.
- (3) A written statement agreeing to make at least 75 percent of the Federal funds awarded available to LEPCs and an explanation of how the applicant intends to make such funds available to them for developing, improving, or implementing emergency plans.

- (4) Designation of a project manager to serve as contact for coordinating planning funds under this program.
- (5) A project narrative statement of the goals and objectives of each proposed project, including the following:
 - (i) A background statement describing the applicant's long-term goals and objectives with respect to:
 - (A) The current abilities and authorities of the applicant's program for preparedness planning;
 - (B) The need to sustain or increase program capability;
 - (C) Current degree of participation in or intention to assess the need for a regional hazardous materials emergency response team; and
 - (D) The impact that the grant will have on the program.
 - (ii) A discussion of whether the applicant's program currently knows, or intends to assess, transportation flow patterns of hazardous materials within the State and between that State and another State.
 - (iii) A schedule for implementing the proposed grant activities.
 - (iv) A statement describing the ways in which planning will be monitored by the project manager.
 - (v) A statement indicating that all members of the State Emergency Response Commission were provided the opportunity to review the grant application.

Training. In addition to the requirements specified in § 110.30(a), eligible State and Indian tribe applicants must include the following in their application package as required by § 110.30(b):

- (1) For a State applicant, a written certification explaining how the State is complying with sections 301 and 303 of the Emergency Planning and Community Right-to-Know Act.
- (2) A written statement specifying the aggregate expenditure of funds of the State or Indian tribe, exclusive of Federal funds, for each of its last five fiscal years for training public sector employees to respond to accidents and incidents involving hazardous materials, including an explanation specifying the sources of these funds. A written certification that the applicant's aggregate expenditure, as defined by the State or tribe, of funds for this purpose, exclusive of Federal funds, will not fall below the average level of its expenditures for its last five fiscal years. The applicant may not claim any of these expenditures for cost-sharing purposes.
- (3) For a State applicant, a written statement agreeing to make at least 75 percent of the Federal funds awarded available for the purpose of training public sector employees employed or used by political subdivisions. A State applicant may elect to pass all or some portion of the grant on to political subdivisions for this purpose. The applicant must include a specific explanation of how it intends to meet this requirement.

- (4) Designation of a primary point of contact for coordinating training funded under this program. Identification of a single repository for copies of course materials delivered under the grant as specified in §110.90 of this part.
- (5) A project narrative statement of the long-range goals and objectives of each proposed project, including the following:
 - (i) A background statement describing:
 - (A) The current hazardous materials training program(s);
 - (B) Training audience, including numbers and levels of training and accreditation program for each level or criterion required to advance to the next level;
 - (C) Estimated total number of persons to be trained under the proposed project;
 - (D) The ways in which training grants will support the integrated delivery of training to meet the needs of individualized geographic and resource needs and time considerations of local responders. When appropriate, a statement describing how the proposed project will accommodate the different training needs for rural versus urban environments; and
 - (E) The impact that the grant and the National Curriculum will have on the program.
 - (ii) A statement describing how the National Curriculum will be used or modified to train public sector employees at the local level to respond to accidents and incidents involving hazardous materials.
 - (iii) A statement describing the ways in which effectiveness of training will be monitored by the project manager, including, but not limited to, examinations, critiques, and instructor evaluations.
 - (iv) A schedule for implementing the proposed training grant activities.
 - (v) A statement indicating that all members of the State or Tribal Emergency Response Commission were provided the opportunity to review the grant application.

FINANCIAL ADMINISTRATION

A State must expend and account for grant funds in accordance with State laws and procedures for expending and accounting for its own funds. Fiscal control and accounting procedures of the State, as well as its subgrantees and cost-type contractors, must be sufficient to:

- (1) Permit the preparation of reports required by 49 CFR part 18 and this part, including the tracing of funds provided for planning to a level of expenditure adequate to establish that at least 75 percent of the funds provided were made available to LEPCs for developing, improving, and implementing emergency plans; and the tracing of funds provided for training to a level of expenditure adequate to establish that at least 75 percent of the funds provided were made available for the purposes of training public sector employees employed or used by political subdivisions.

- (2) Permit the tracing of funds to a level of expenditure adequate to establish that such funds have not been used in violation of the restrictions and prohibitions of applicable statutes.

The financial management systems of Indian tribes and any subgrantees must meet the standards of 49 CFR 18.20, including the ability to trace funds provided for training to a level of expenditure adequate to establish that at least 75 percent of the funds provided were made available for the purposes of training public sector employees employed or used by political subdivisions.

Advances shall be made to States and Indian tribes consistent with 49 CFR part 18 and 31 CFR part 205. The Associate Administrator shall base these advances on demonstrated need, which will be determined on a case-by-case basis, considering such factors as State/Tribal budget constraints and reductions in amounts budgeted for hazardous materials activities. To obtain an advance, a State or Indian tribe must comply with the following requirements:

- (1) A letter from the Governor or Tribal leader or their designee is required specifying the extenuating circumstances requiring the funding advance for the grant;
- (2) The maximum advance request may not be more than \$25,000 for each State or Indian tribe;
- (3) Recipients of advance funding must obligate those funds within 3 months of receipt;
- (4) Advances including interest will be deducted from the initial reimbursement to the State or Indian tribe; and
- (5) The State or Indian tribe will have its allocation of current grant funds reduced and will not be permitted to apply for future grant funds until the advance is covered by a request for reimbursement. For example, if \$25,000 is advanced for personnel costs, this advance would be deducted from the initial reimbursement in the year the advance was made.

To be allowable, costs must be eligible, reasonable, necessary, and allocable to the approved project in accordance with OMB Circular A-87 and included in the grant award. Costs incurred prior to the award of any grant are not allowable. Recipient agencies are responsible for obtaining audits in accordance with the Single Audit Act of 1984 (31 U.S.C. 7501), 49 CFR part 90, and OMB Circular A-128. Audits shall be made by an independent auditor in accordance with generally accepted government auditing standards covering financial and compliance audits. The Associate Administrator may audit a recipient agency at any time.

GRANT MONITORING, REPORTS AND RECORD RETENTION

Grant monitoring.

Project managers are responsible for managing the day-to-day operations of grant, subgrant and contract-supported activities. Project managers must monitor performance of supported activities to assure compliance with applicable Federal requirements and achievement of performance goals. Monitoring must cover each program, function, activity, or task covered by the grant. Monitoring and reporting requirements for planning and training are contained in this part; general grant reporting requirements are specified in 49 CFR 18.40.

Reports.

- (1) The project manager shall submit a performance report at the completion of an activity for which reimbursement is being requested or with a request to amend the grant. The final performance report is due 90 days after the expiration or termination of the grant.
- (2) Project managers shall submit an original and two copies of all performance reports. Performance reports for planning and training must include comparison of actual accomplishments to the stated goals and objectives established for the performance period, and the reasons for not achieving those goals and objectives, if applicable.
- (3) Project managers shall report developments or events that occur between the required performance reporting dates which have significant impact upon the planning and training activity such as:
 - (i) Problems, delays, or adverse conditions which will impair the ability to meet the objective of the grant; and
 - (ii) Favorable developments which enable meeting time schedules and objectives sooner or at less cost than anticipated or producing more beneficial results than originally planned.
- (4) Financial reporting, except as provided in §110.70 and 49 CFR 18.41, shall be supplied quarterly using Standard Form 270, Request for Advance or Reimbursement, to report the status of funds. The project manager shall report separately on planning and training.

Records retention.

In accordance with 49 CFR 18.42, all financial and programmatic records, supporting documents, statistical records, training materials, and other documents generated under a grant shall be maintained by the project manager for three years from the date the project manager submits the final financial status report (SF 269) or Request for Advance or Reimbursement (SF 270). The project manager shall designate a repository and single-point of contact for planning and for training, or both, for these purposes. If any litigation, claim, negotiation, audit or other action involving the records has been started before the expiration of the 3-year period, the records must be retained until completion of the action and resolution of all issues which arise from it, or until the end of the regular 3-year period, whichever is later.

AFTER-GRANT REQUIRMENTS

The Associate Administrator will close out the award upon determination that all applicable administrative actions and all required work of the grant are complete in accordance with subpart D of 49 CFR part 18. The project manager must submit all financial, performance, and other reports required as a condition of the grant, within 90 days after the expiration or termination of the grant. This time frame may be extended by the Associate Administrator for Hazardous Materials Safety for cause.

DEVIATION

Recipient agencies may request a deviation from the non-statutory provisions of this part. The Associate Administrator will respond to such requests in writing. If appropriate, the decision will be included in the grant agreement. Request for deviations from part 110 must be submitted to:

Grants Manager, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, 1200 New Jersey Avenue, S.E., Washington, DC 20590-0001.

Federal hazardous materials transportation law (Federal hazmat law; 49 U.S.C. 5101 et seq.) specifies that Hazardous Materials Emergency Preparedness (HMEP) grant funds are to be allocated based on the needs of states and Indian tribes for emergency response planning and training, considering a number of factors including whether the state or tribe imposes and collects a fee on the transportation of hazardous materials and whether the fee is used only to carry out a purpose related to the transportation of hazardous materials. 40 U.S.C. 5116(b)(4). Accordingly, the HMEP grant application procedures in Part 110 require applicants to submit a statement explaining whether the applicant assesses and collects fees for the transportation of hazardous materials and whether those fees are used solely to carry out purposes related to the transportation of hazardous materials.

Section 5125(f) of the Federal hazmat law permits a state, political subdivision of a state, or Indian tribe to impose a fee related to the transportation of hazardous materials only if the fee is fair and used for a purpose related to transporting hazardous materials, including enforcement and planning, developing, and maintaining a capability for emergency response. In accordance with § 5125, the Department of Transportation may require a state, political subdivision of a state, or Indian tribe to report on the fees it collects, including: (1) the basis on which the fee is levied; (2) the purposes for which the revenues from the fee are used; and (3) the total amount of annual revenues collected from the fee. Until now, we have not proposed asking states, political subdivisions, or Indian tribes to report this information.

In response to our February 26, 2007 60-Day notice [72 FR 8421] concerning the renewal without change of the OMB approval of the information collection required of applicants for HMEP grants at its (then) current burden, we received one comment from the Interested Parties for Hazardous Materials Transportation urging us to require grant applicants to report on the hazardous materials information fees they collect in

accordance with § 5125(f) of the Federal hazmat law. The commenter stated that such information is important for both the agency and the regulated community to determine if states are in compliance with applicable provisions of the Federal hazmat law.

We agreed that we should ask states and Indian tribes to provide more detailed information about hazardous materials fees they collect. This information will help us to evaluate more fully the emergency response funding needs of states and Indian tribes, thereby promoting more effective use of HMEP grant funds. In addition, information about fees will assist us in targeting our safety assistance team activities to specific regions. Comprehensive information on the assessment, collection, and use of state and tribal fees related to the transportation of hazardous materials is not available from other sources. Only the state or Indian tribe assessing the fee can be expected to accurately report on the purposes for which the fees are assessed and the total amount of fee revenue collected each year. However, because the 60-Day Notice published on February 26, 2007 pertained to the renewal of this information collection without change, we began to formulate a list of questions to be considered for inclusion in a revised HMEP application. In the meantime, we published a 30-Day Notice on May 23, 2007 [72 FR 29033] for this, and other, information collections with expiration dates in 2007. This information collection was submitted to, and approved for, renewal without change by OMB on October 18, 2007 with an expiration date of October 31, 2010.

On July 5, 2007, we published a 60-Day Notice [72 FR 36754], soliciting comments on our intention to add questions to the HMEP application package to require grant applicants to report on the hazardous materials information fees they collect in accordance with § 5125(f) of the Federal hazmat law. The additional questions consisted of the following:

1. Does your State or tribe assess a fee or fees in connection with the transportation of hazardous materials?
2. If the answer to question 1 is "yes,"
 - a. What State agency administers the fee?
 - b. What is the amount of the fee and the basis on which the fee is assessed?
Examples of the bases on which fees may be assessed include:
(1) An annual fee for each company which transports hazardous materials within your state or tribal territory; (2) a fee for each truck or vehicle used to transport hazardous materials within your State or tribal territory; (3) a fee for certain commodities or quantities of hazardous materials transported in your State or tribal territory; or (4) a fee for each hazardous materials shipment transiting your state or tribal territory.
 - c. Is company size considered when assessing the fee? For instance, do companies meeting the Small Business Administration's (SBA) definition of a small business pay the same or lesser fee amount than companies that do not meet the SBA definition?
 - d. For what purpose(s) is the revenue from the fee used? For example, is the

revenue used to support hazardous materials transportation enforcement programs? Is the fee used to support planning, developing, and maintaining an emergency response capability?

- e. What is the total annual amount of the revenue collected for the last fiscal year or 12-month accounting period?

Planning Grants

1. Did you complete or update assessments of commodity flow patterns in your jurisdiction? If so, how many and what were the results of those assessments? What was the amount of planning dollars devoted to this effort? What percentage of total planning dollars does this represent?
2. Did you complete or update assessments of the emergency response capabilities in your jurisdiction? What factors did you consider to complete such assessments? How many assessments were completed and what were the results of those assessments? What was the amount of HMEP planning grant funds devoted to this effort? What percentage of total HMEP planning grant funds does this represent?
3. Did you develop or improve emergency plans for your jurisdiction? If so, how many plans were either developed or updated? Briefly describe the outcome of this effort. What was the amount of HMEP planning grant funds devoted to this effort? What percentage of total HMEP planning grant funds does this represent?
4. Did you conduct emergency response drills or exercises in support of your emergency plan? How many exercises or drills did you conduct? Briefly describe the drill or exercise (tabletop, computer simulation, real-world simulation, or other drill or exercise), the number and types of participants, including shipper or carrier participants, and lessons learned. What was the amount of HMEP planning grant funds devoted to this effort? What percentage of total HMEP planning grant funds does this represent?
5. Did you use HMEP planning grant funds to provide technical staff in support of your emergency response planning program? If so, what was the amount of HMEP planning grant funds devoted to this effort? What percentage of total HMEP planning grant funds does this represent?
6. How many Local Emergency Planning Committees (LEPCs) are located in your jurisdiction? How many LEPCs were assisted using HMEP funds? What was the amount of HMEP planning grant funds devoted to such assistance? What percentage of total HMEP planning grant funds does this represent?

Training Grants

1. Did you complete an assessment of the training needs of the emergency response personnel in your jurisdiction? What factors did you consider to complete the assessment? What was the result of that assessment? What was the amount of HMEP training grant funds devoted to this effort? What percentage of total HMEP training grants funds does this represent?
2. Provide details concerning the number of individuals trained in whole or in

part using HMEP training grant funds. You should include separate indications for the numbers of fire, police, emergency medical services (EMS) or other personnel who were trained and the type of training provided based on the categories listed in standards published by the Occupational Safety and Health Administration at 29 CFR 1910.120 pertaining to emergency response training. (Note that “other” personnel include public works employees, accident clean-up crews, and liaison and support officers. Note also that if HMEP training grant funds were used in any way to support the training, such as for books or equipment, you should show that the training was partially funded by HMEP training grant funds.) What was the amount of training dollars devoted to this effort? What percentage of total training dollars does this represent?

3. Did you incur expenses associated with training and activities necessary to monitor such training, including, for example, examinations, critiques, and instructor evaluations? What was the amount of HMEP training grant funds devoted to this activity? What percentage of total HMEP training grant funds does this represent?
4. Did you provide incident command systems training? If so, provide separate indications for the numbers of fire, police, EMS, or other personnel who were trained. What was the amount of HMEP training grant funds devoted to this effort? What percentage of total HMEP training grant funds does this represent?
5. Did you develop new training using HMEP training grant funds in whole or in part, such as training in handling specific types of incidents or specific types of materials? If so, briefly describe the new programs. Was the program qualified using the HMEP Curriculum Guidelines process? What was the amount of HMEP training grant funds devoted to this effort? What percentage of total HMEP training grant funds does this represent?
6. Did you use HMEP training grant funds to provide staff to manage your training program to increase benefits, proficiency, and rapid deployment of emergency responders? If so, what was the amount of HMEP training grant funds devoted to this effort? What percentage of total HMEP training grant funds does this represent?
7. Do you have a system in place for measuring the effectiveness of emergency response to hazardous materials incidents in your jurisdiction? Briefly describe the criteria you use (total response time, total time at an accident scene, communication among different agencies or jurisdictions, or other criteria). How many State and local response teams are located in your jurisdiction? What is the estimated coverage of these teams (e.g., the percent of state jurisdictions covered)?

Overall Program Evaluation

1. Using a scale of 1-5 (with 5 being excellent and 1 being poor), how well has the HMEP grants program met your need for preparing hazmat emergency responders?
2. Using a scale of 1-5 (with 5 being excellent and 1 being poor), how well do you think the HMEP grants program will meet your future needs?

3. What areas of the HMEP grants program would you recommend for enhancement?

In an effort to account for the burden on grant applicants necessary to research and gather the information needed to respond to the additional questions, in the July 5, 2007 60-Day Notice, we also increased the total annual burden hours from 4,079 to 4,302. In response to the July 5, 2007 Notice, we received 16 comments from parties affected by this information collect. All comments are included in the Docket for this Notice and are available for review at www.regulations.gov. Four (4) commenters agreed that the additional questions were needed and cited an increase in the accountability of the HMEP among their reasons. In contrast, the twelve (12) opposing commenters claimed an increase in burden without substantial justification for use of the additional questions and questioned PHMSA's motivation in revising the HMEP application.

In response to the comments received from the July 5, 2007 Notice, we revised the list of additional questions and accordingly revised the annual burden hours. A 30-Day Notice and Request for Comments that responded to the concerns of the commenters, provided a revised list of additional questions, and revised the total annual burden hours (5,428 hours) was published in the Federal Register on November 21, 2007 [72 FR 65638]. The revised questions consisted of the following:

1. Does your state or tribe assess a fee or fees in connection with the transportation of hazardous materials?
2. If the answer to question 1 is "yes,"
 - a. What state agency administers the fee?
 - b. What is the amount of the fee and the basis on which the fee is assessed?
Examples of the bases on which fees may be assessed include:
(1) An annual fee for each company which transports hazardous materials within your state or tribal territory; (2) a fee for each truck or vehicle used to transport hazardous materials within your state or tribal territory; (3) a fee for certain commodities or quantities of hazardous materials transported in your state or tribal territory; or (4) a fee for each hazardous materials shipment transiting your state or tribal territory.
 - c. Is company size considered when assessing the fee? For instance, do companies meeting the Small Business Administration's (SBA) definition of a small business pay the same or lesser fee amount than companies that do not meet the SBA definition?
 - d. For what purpose(s) is the revenue from the fee used? For example, is the revenue used to support hazardous materials transportation enforcement programs? Is the fee used to support planning, developing, and maintaining an emergency response capability?
 - e. What is the total annual amount of the revenue collected for the last fiscal year or 12-month accounting period?

Planning Grants

1. Of the total amount of HMEP planning grant funds, what amount was used to assist Local Emergency Planning Committees (LEPCs)? How many were assisted using HMEP funds?
 - a. Did the LEPCs complete or update assessments of commodity flow patterns in their jurisdictions? If so, how many? What was the total amount of HMEP planning grant funds devoted to this effort?
 - b. Did the LEPCs complete or update assessments of the emergency response capabilities in their jurisdictions? If so, how many? What was the total amount of HMEP planning grant funds devoted to this effort?
 - c. Did the LEPCs develop or improve emergency plans for their jurisdictions? If so, how many plans were either developed or updated? What was the total amount of HMEP planning grant funds devoted to this effort?
 - d. Did the LEPCs conduct exercises to support their emergency plans? If so, how many exercises were conducted? Did any of these exercises include shipper or carrier participation? What was the total amount of HMEP planning grant funds devoted to emergency response drills or exercises of all types?
 - e. What was the total amount of HMEP planning grant funds devoted to other authorized activities by LEPCs (e.g., providing technical staff in support of emergency response planning efforts)?
2. Other than to assist LEPCs as addressed in Question 1, of the total amount of HMEP planning grant funds, what amount was used by the grantee (state or tribal government) to improve emergency response planning within the grantee's jurisdiction?
 - a. Did the grantee complete or update an assessment of commodity flow patterns in its entire jurisdiction? What was the total amount of HMEP planning grant funds devoted to this effort?
 - b. Did the grantee complete or update an assessment of emergency response capabilities in its entire jurisdiction? What was the total amount of HMEP planning grant funds devoted to this effort?
 - c. Did the grantee develop or improve an emergency plan for its entire jurisdiction? What was the total amount of HMEP planning grant funds devoted to this effort?
 - d. Did the grantee conduct exercises to support its emergency plan? How many exercises were conducted? Did any of these exercises include shipper or carrier participation? What was the total amount of HMEP planning grant funds devoted to emergency response drills or exercises of all types?
 - e. What was the total amount of HMEP planning grant funds devoted to other authorized planning activities by the grantee (e.g., providing technical staff in support of emergency response planning efforts)?
3. Based on the activities outlined above, how well has the HMEP grants program met emergency response planning needs within your jurisdiction? Does your current ability to provide planning enable you to meet the needs you have identified? Do you have any recommendations for additional activities or

programs that could further enhance your emergency response planning capabilities?

Training Grants

1. What was the total amount of HMEP training grant funds utilized to assess training needs and provide training for emergency response personnel in your jurisdiction?
 - a. Did you complete or update an assessment of the training needs of the emergency response personnel in your jurisdiction? What was the total amount of HMEP training grant funds devoted to this effort?
 - b. How many individuals were trained in whole or in part using HMEP training grant funds? You should include separate totals for numbers of fire, police, emergency medical services (EMS) or other personnel who were trained and the type of training provided. (Note that "other" personnel include public works employees, accident clean-up crews, and liaison and support officers. Note also that if HMEP training grant funds were used in any way to support the training, such as for books or equipment, you should show that the training was partially funded by HMEP training grant funds.) What was the total amount of HMEP training grant funds devoted to this effort?
 - c. Did you provide incident command systems training? If so, provide separate indications for the numbers of fire, police, EMS, or other personnel who were trained. What was the total amount of HMEP training grant funds devoted to this effort?
 - d. Did you develop new training using HMEP training grant funds in whole or in part, such as training in handling specific types of incidents of specific types of materials? If so, briefly describe the new programs. Did a commodity flow assessment influence the development of new training programs? Was the program qualified using the HMEP Curriculum Guidelines process? What was the total amount of HMEP training grant funds devoted to this effort?
 - e. What was the total amount of HMEP planning grant funds devoted to other authorized training activities (e.g., activities necessary to monitor training, including examinations, critiques, and instructor evaluations; management activities to increase the benefits, proficiency, and rapid deployment of emergency responders)?
2. Do you have a system in place for measuring the effectiveness of emergency response to hazardous materials incidents in your jurisdiction? Describe the criteria you use (total response time, total time at an accident scene, communication among different agencies or jurisdictions, or other criteria). How many state and local response teams are located in your jurisdiction? What is the estimated coverage of these teams (e.g., the percent of state jurisdictions covered)?
3. Based on the activities outlined above, how well has the HMEP grants program met emergency response training needs within your jurisdiction? Does your

current ability to provide training enable you to meet the needs you have identified? Do you have any recommendations for additional activities or programs that could further enhance the effectiveness of emergency response to hazardous materials incidents in your jurisdiction?

In response to the November 21, 2007 Notice, we received a letter dated February 27, 2008 from the National Association of SARA Title III Program Officials (NASTTPO), an organization whose membership includes many HMEP grantees, indicating that there is a shared “goal of providing a measure of the success of the program relative to the preparedness continuum.” In the letter, the NASTTPO objected to the burden PHMSA’s proposed questions would place on grantees and suggested alternative questions which would be less burdensome.

PHMSA reviewed the NASTTPO proposal along with other comments received to the docket. We believe an approach which incorporates inputs from and addresses concerns of all interested parties is possible. Such an approach would reduce and clarify the information collection requirements, change when information needs to be reported, include a simplified method to report accounting information, and incorporate information already provided by grantees. This will help PHMSA evaluate the effectiveness of the grants program while reducing the burden to grantees to collect and report the information. The proposed information package is provided in three parts and is identified below along with an explanation of the relationship to questions and comments in the docket.

- *Part I – State or Tribe Assessment of Hazardous Materials Transportation Fees.* PHMSA reduced the information collected on hazardous materials transportation fees to only those areas reflected in the Federal hazardous materials transportation law (49 U.S.C. §5125(f)). This eliminates two questions. One pertained to the agency which collected the fee; the other pertained to whether company size was considered in the assessment. This will reduce the overall reporting burden. In addition, we now request that this information is collected at the end of the grant period during the close-out report. This addresses the concern expressed by several grantees that grant funding may be reduced or eliminated as a result of responses since this information cannot be used as a condition of the grant award.

- *Part II – Reporting of Authorized Expenditures.* To reduce the burden on grantees and to ensure more consistent reporting of expenditures PHMSA included a spreadsheet to be used to report total amounts and percentages of HMEP grant funds used. The spreadsheet provides a standardized format to assist grantees to report authorized expenditures which are found in 49 CFR §110.40 (a) through (b)(4). The authorized activities should total 100% of the grant funds used which will provide PHMSA with an appropriate level of accountability. Each category was previously addressed as questions in the docket and several of the questions were combined to ease reporting.

Part III – Report of HMEP Grantee Accomplishments. PHMSA accepts the comments to the docket submitted by NASTTPO on February 27, 2008. PHMSA believes these

questions are an acceptable compromise for PHMSA to receive the information it is seeking while posing less of a burden on the grantees. PHMSA has modified the NASTTPO questions into a narrative format for easier and more precise understanding. PHMSA expanded on a few of the questions to provide examples of the types of information requested and to incorporate information already being provided by HMEP grantees in their close-out reports.

The revised questions are as follows:

Part 1

State or Tribe Assessment of Hazardous Material Transportation Fees

(Note to OMB: The questions concerning the state assessed fees listed in part one of the federal register have been revised to exhibit only those questions that are currently reflected in the statute.)

Please answer the questions as part of the grant closeout report.

1. Does your state or tribe assess a fee or fees in connection with the transportation of hazardous materials?
2. If the answer to question 1 is “yes,”
 - a. What is the amount of the fee and the basis on which the fee is assessed? Examples of the basis on which fees may be assessed include: (1) an annual fee for each company which transports hazardous materials within your state or tribal territory; (2) a fee for each truck or vehicle used to transport hazardous materials within your state or tribal territory; (3) a fee for certain commodities or quantities of hazardous materials transported in your state or tribal territory; or (4) a fee for each hazardous materials shipment transiting your state or tribal territory.
 - b. For what purpose(s) is the revenue from the fee used? For example, is the revenue used to support hazardous materials transportation enforcement programs? Is the fee used to support planning, developing, and maintaining an emergency response capability?
 - c. What is the total annual amount of the revenue collected for the last fiscal year or 12-month accounting period?

Part 2

Reporting of Authorized Expenditures

Please complete the table on the funds spent on planning and training grants. The totals should account for 100 percent of the funds granted to a State, Territory, or Tribal government.

**ACCOUNTING OF HMEP GRANT FUNDS EXPENDED
IN THE REPORTED GRANT YEAR**

| Section of 49 CFR | Authorized Activity | Expenditures (Dollars) | Percent of Total Grant |
|----------------------|---|---------------------------|---------------------------|
| §110.40 (a) | <i>Planning</i> | //////////////////// | //////////////////// |
| §110.40 (a)(1) | Provide total dollar amount expended to develop, improve, and implement emergency plans, as well as exercises which test the plan and enhancements to the plan to include hazard analysis & response procedures to hazmat transportation | | |
| §110.40 (a)(2) | Provide total dollar amount expended to assess flow patterns of hazardous materials within a state and between states | | |
| §110.40 (a)(3) | Provide total dollar amount expended to assess the need for regional hazardous materials emergency response teams | | |
| §110.40 (a)(4) | Provide total dollar amount expended to assess local response capabilities | | |
| §110.40 (a)(5) | Provide total dollar amount expended to conduct emergency response drills and exercises | | |
| §110.40 (a)(6) | Provide total dollar expended for the use of technical staff to support the planning effort | | |
| §110.40 (a)(7) | Provide total dollar amount expended for additional activities the Associate Administrator deems appropriate to implement the scope of work for the proposed project and approved in the grant | | |
| | Provide the total dollar amount expended by grantees to administer the HMEP planning grant to include improvement to emergency response planning; update or complete assessments; conduct exercises; and other authorized planning activities by the grantee to include other authorized expenditures allowed under the law | | |
| | SubTotal Planning Expenditures | | |
| §110.40 (b) | <i>Training</i> | //////////////////// | //////////////////// |
| §110.40 (b)(1) | Provide total dollar amount expended to assess the number of public sector employees who need proposed training in accordance with the local emergency response plan | | |
| §110.40 (b)(2) | Provide total dollar amount expended on delivery of preparedness and response training to include tuition, travel expenses, room & board | | |
| §110.40 (b)(3) | Provide total dollar amount expended for emergency response drills and exercises, course of study, tests and evaluations of emergency response plans | | |
| §110.40 (b)(4) | Provide total dollar amount expended for expenses associated with giving training and monitoring | | |

| | | | |
|----------------|--|--|------|
| | training to include, but not limited to examinations, critiques and instructor evaluations | | |
| §110.40 (b)(5) | Provide total dollar amount expended for staff to manage the training effort designed to result in increased benefits, proficiency, and rapid deployment of local and regional responders | | |
| §110.40 (b)(6) | Provide total dollar amount expended for additional activities the Associate Administrator deems appropriate to implement the scope of work for the proposed project and approved in the grant | | |
| | SubTotal Training Expenditures | | |
| | Total Planning and Training Expenditures | | 100% |

Part 3 Report of HMEP Grant Accomplishments

The questions below are to be used by grantees to report the accomplishments and successes the HMEP grant program has achieved through the year. These questions address both the planning and training categories of the grant program. Please answer each question to the best of your ability.

Questions Pertaining to Planning

1. Provide the total number of LEPC's and break out the total number of active and inactive LEPC's. Provide the number of LEPCs that received funding and the amount received by each.

2. Provide the number of LEPCs that have identified or further evaluated risks in their communities. Provide a brief description of the methods used by the LEPCs to identify these risks, such as: community meetings; review of Tier 2 reports; commodity flow study; written or windshield surveys; hazard analysis; and vulnerability assessment as part of the emergency operations plan (EOP) process. Provide the number of commodity flow studies and hazard risk analyses accomplished.

3. Provide the methods used to update the emergency plan such as: LEPC meetings; types of infrastructure update information; point of contact lists; location of vulnerable populations; updates of maps; and response capabilities. Provide the number of LEPCs that have updated or written their emergency plan in the past year to be consistent with the changing conditions of the community and the identified risks.

4. Provide the number of LEPCs that exercised their emergency operations plan in the past year. Explain the type and total number of exercises conducted, for example: table top, real world simulation, or multiple jurisdictional drill; the agencies involved; and the number of people who participated. Provide information on whether the exercise involved a fixed facility, a mode of transportation, or a combination of both. If a mode of transportation was involved, indicate whether it was rail, water, road, or air; and whether a hazardous material(s) was used as part of the exercise scenario. If a hazardous material(s) was used, indicate the type(s) of material exercised. How many total exercises were accomplished?

5. Were lessons learned from the exercise incorporated into response planning and the community emergency plan?
6. Provide the number of LEPC members who attend meetings, conferences, or other opportunities for preparedness and response education.
7. Provide the number of LEPCs with the different types of preparedness projects and outreach initiatives they conducted to improve community awareness and safety.
8. For those LEPCs that retained HMEP, funding describe the type of projects that were funded and the cost associated with each along with a description of the process used to award the project (risk analysis, needs assessment, etc.).
9. Provide the total number of hazardous materials response teams located in each of the states/tribe/territory to include industry teams.

Questions Pertaining to Training

10. Did state grantees provide training directly? Did they go through an outside contracted organization to provide training, or a combination of both?
11. If state grantees provided training, how many people (fire, police, EMS, other*) received hazmat training in the past year in accordance with OSHA 1910.120; and to what level of training did they receive; Awareness, Operation, Specialist, Technician and refresher training of these levels. Was the training fully funded or funded in part** by HMEP grant funds?
12. Did people receive ICS or other types of response related training? Examples of other type of training events would be TRANSCAER, regional or national hazmat training conferences etc.
13. Were there classes offered other than those in accordance with NFPA or OSHA standards? If so, how was the offering of the course determined, the number of people trained, and the type of training conducted.
14. For those states that provided funding to LEPCs for training, provide the number of LEPCs to receive funding for training with the amount received for each. Provide the number of people (fire, police, EMS, other) in each level who received hazmat training in the past year in accordance with OSHA 1910.120. Break down the number of people trained in each hazmat level; Awareness, Operation, Specialist, Technician, and annual refresher training by level in accordance with OSHA 1910.120. Provide information on who provided the training, the number trained for each, and the type of training delivered. Was the training fully funded or funded in part** by HMEP grant funds?
15. For those states that provided funding to LEPCs, were classes offered other than those in accordance with NFPA or OSHA standards? If so, how was the offering of the course determined, the number of people trained, and the type of training conducted.

16. Was the training provided based on a change in the emergency plan or lessons learned through exercises? If so, explain.

Name of your State, Territory, or Native American Tribe:_____

Provide your E-mail and Fax number:_____

Please fill in the numbers on the lines provided and fax this form back to the HMEP grant Manager at 202-366-3753. If you have any questions or need assistance, please contact 202-366-0001.

Thank you,
Charles G. Rogoff
HMEP Grant Manager

* “Other” may include Public Works, EOC, emergency support functions, liaison officer, safety officer personnel, etc..

** If HMEP funds are used in any way, it counts as in part (e.g. books, prerequisite training, training equipment etc.).

3. Extent of automated information collection.

The burden has been made as simple as possible. The information is considered critical in assuring an effective grant program. The Government Paperwork Elimination Act directs agencies to allow the option of electronic filing and recordkeeping by October 2003.

4. Efforts to identify duplication. There is no duplication, as the information is unique to specific situations.

5. Efforts to minimize the burden on small businesses. The burden has been made as simple as possible.

6. Impact of less frequent collection of information. The collection of this information is reviewed periodically to ensure that the requirements involving safety in the transportation of hazardous materials are kept to the necessary standards to protect all involved.

7. Special circumstances.

This collection of information is generally conducted in a manner consistent with the guidelines in 5 CFR 11320.5(d)(2).

8. Compliance with 5 CFR 1320.8.

A 60-Day and a 30-Day notice and request for comments regarding the renewal of several ICs were published in the Federal Register on February 26, 2007 under Docket No. PHMSA-2007-27181 [72 FR 8421] and May 23, 2007 [72 FR 29033], respectively. In response to the February 26, 2007 notice, we received one comment from the Interested Parties for Hazardous Materials Transportation urging us to require grant applicants to report on the hazardous materials information fees they collect in accordance with § 5125(f) of the Federal hazmat law. The commenter stated that such information is important for both the agency and the regulated community to determine if states are in compliance with applicable provisions of the Federal hazmat law. We agreed with the commenter and published a separate 60-Day notice and request for comments on additional questions to the grant application on July 5, 2007 [72 FR 36754].

In response to comments to the July 5, 2007 notice, commenters expressed concerns about the need for the additional information, reduced funding, and increased information collection burden, we published a 30-Day notice and request for comments on November 21, 2007 [72 FR 65638]. In this notice we explained that we are required by Federal hazmat law to consider whether the state or tribe imposes and collects a fee on the transportation of hazardous materials and whether the fee is used only to carry out a purpose related to the transportation of hazardous materials. The information we are requesting in the revised grant application kit is consistent with our statutory mandate. We explained that we considered utilizing internet or other resources, but generally found that the information is not consistently available or reliably accurate. We noted in this regard that commenters' suggestions concerning other methods for collecting information on state or tribal hazardous materials fees, such as through a separate survey or stakeholder meeting, would impose a similar or greater burden on respondents as the questions we propose to add to the grant application kit. Moreover, the overall response from state or tribal governments to such methods would likely be somewhat less than the overall response to the questions in the grant application kit and would not provide data to evaluate the effectiveness of the grant program. We explained that we have no intention to penalize grant recipients by the reduction or elimination of grant funds. Rather, our purpose in proposing the revised questions is to enable us to work with grantees to promote the effective use of HMEP grant funds and identify additional state or Indian tribe emergency response planning and training needs. We explained that the information we are requesting will provide data to evaluate emergency response planning and training programs conducted by states and Indian tribes. The development of accurate output information will also summarize the achievements of the HMEP grant program. This is especially important in light of the increase in grant funding authorized under the Hazardous Materials Safety and Security Reauthorization Act (Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users), enacted on August 10, 2005. Under the Act, authorized funding for the HMEP grant program effectively doubles, from \$14.3 million to \$28 million. The information we seek from grantees will enhance emergency response preparedness and response by allowing PHMSA and its state and tribal partners to target gaps in current planning and training

efforts and focus. We also acknowledged commenters concerns regarding additional burden resulting from the added questions. We explained that we believe that grantees' performance reports should include both quantitative and qualitative data in sufficient detail to enable the grantees and PHMSA to evaluate the programs, identify effective planning and training strategies, and target areas where improvements are needed. Grantees are currently required to provide data on the planning and training programs they administer; the more detailed information we are requesting should be readily available. Nonetheless, in an effort to address the commenters' concerns, we revised the list of questions we initially proposed to modify those for which information can be obtained through other means, such as through discussions at meetings and conferences with grant recipients. We also reconfigured the questions to provide a more user-friendly format. We believe these adjustments will help to minimize the impact of the information collection burden on grantees. Finally, we identified two (2) additional grant applicants and included them in the recalculation of the burden hours based on the revised list of additional questions. This notice and request for comments was published in the Federal Register on November 21, 2007 [72 FR 65638].

9. Payments or gifts to respondents.

There is no payment or gift provided to respondents associated with this collection of information.

10. Assurance of confidentiality.

None of the data collected contain personally identifiable information (PII) or business confidential information. Therefore, no guarantees of confidentiality are provided to applicants.

11. Justification for collection of sensitive information.

Not applicable. No sensitive information is required.

12. Estimate of burden hours for information requested.

Because of the additional questions and the subsequent information collection that will be required due to the revision to the Planning Grants application as noted above, and the identification and inclusion of two additional grantees, the estimate of annual burden hours and annual burden costs has been revised as follows:

Estimate of Annual Burden including Additional Grantees and Questions:

| | |
|---|--------------------|
| Annual burden hours prior to revised HMEP application (66 grantees): | 4,079 burden hours |
| Additional burden hours resulting from ID of additional grantees (2): | 123 burden hours |

Additional 16 burden hours resulting from revised HMEP application of 68 grantees: 1,088 burden hours

Total Annual Burden Hours: 5,290 burden hours

Estimate of Annual Burden Costs including Additional Grantees and Questions:

Annual burden costs prior to revised HMEP application (66 grantees): \$124,344 burden costs

Additional burden costs resulting from ID of additional grantees (2): \$3,768 burden costs

Additional burden costs resulting from revised HMEP application of 68 grantees: \$41,344 additional burden costs

Total Annual Burden Costs: \$169,456 burden costs

Estimate of Annual Burden Hours including Additional Grantees:

The previous estimate of 66 entities that apply for and are awarded grants annually has been revised to include 2 additional grantees for a total of 68 entities. The application process is anticipated to require approximately 61.8 hours (45.5 hours of management time and 16.3 hours of clerical time per entity).

Annual Burden Hours (66 Grantees): 4,079

Annual Burden Hours (2 Additional Grantees): 123

Total Annual Burden Hours:
68 grantees x 61.8 hours = 4202.4 hours or approx: 4,202

(45.5 management hours x 68 respondents) + (16.3 clerical hours x 68 respondents) = 3,094 management hours + 1,108 clerical hours = 4,202 annual burden hours of information collection burden for grant recipients.

Management: 19 + 20.5 + 6 = 45.5

Clerical: 6.3 + 8 + 2 = 16.3

61.8

Management Hours: 1,292 + 1,394 + 408 = 3,094 hours.

One professional for each respondent spending approximately 19 hours for management level preparation and review of the grant application.

19 hours x 66 respondents = **1,254 hours.**

19 hours x 2 respondents = **38 hours**

1,254 + 38 = 1,292 hours.

One professional for each respondent spending approximately 20.5 hours for administration of grant.

20.5 hours x 66 respondents = **1,353 hours.**

20.5 hours x 2 respondents = **41 hours.**

1,353 + 41 = 1,394 hours.

One professional for each respondent spending approximately 6 hours for management level closeout of grant.

6 hours x 66 respondents = **396 hours.**

6 hours x 2 respondents = **12 hours.**

396 + 12 = 408 hours.

Clerical Hours: 428 + 544 + 136 = 1,108 hours.

One clerical for each respondent spending approximately 6.3 hours on preparation of the grant.

6.3 hours x 66 respondents = **415.8 hours.**

6.3 hours x 2 respondents = **12.6 hours.**

415.8 + 12.6 = 428.4 or approximately 428 hours.

One clerical for each respondent spending approximately 8 hours on administration.

8 hours x 66 respondents = **528 hours.**

8 hours x 2 respondents = **16 hours.**

528 + 16 = 544 hours.

One clerical for each respondent spending approximately 2 hours to closeout grants at approximately.

2 hours x 66 respondents = **132 hours.**

2 hours x 2 respondents = **4 hours.**

132 + 4 = 136 hours.

Total Annual Burden Hours: 3,094 + 1,108 = 4,202.

Estimate of Annual Burden Costs including Additional Grantees:

\$128,112 Annual Burden Costs.

An average of 66 entities are awarded for grants annually. Costs are allocated for application and administration processing, and close-out procedure.

Management costs + Clerical costs = \$110,364 + \$17,748 = \$128,112 of information collection burden costs for grant recipients.

Management Costs: \$49,096 + \$47,396 + \$13,872 = \$110,364.00

One professional for each respondent spending approximately 19 hours at \$38.00 per hour for management level preparation and review of the grant application.

19 hours x \$38.00 per hour = \$722.00 x 66 respondents = **\$47,652.00.**

19 hours x \$38.00 per hour = \$722.00 x 2 respondents = **\$1,444.00.**

\$47,652 + \$1,444 = \$49,096.00.

One professional for each respondent spending approximately 20.5 hours at \$34.00 per hour for administration of grant.

20.5 hours x \$34.00 per hour = \$697.00 x 66 respondents = **\$46,002.00.**

20.5 hours x \$34.00 per hour = \$697.00 x 2 respondents = **\$1,394.00.**

\$46,002 + \$1,394 = \$47,396.00.

One professional for each respondent spending approximately 6 hours at \$34.00 per hour for management level closeout of grant.

6 hours x \$34.00 per hour = \$204.00 x 66 respondents = **\$13,464.00.**

6 hours x \$34.00 per hour = \$204.00 x 2 respondents = **\$408.00.**

\$13,464 + \$408 = \$13,872.00.

Clerical Costs: \$6,868.00 + \$8,704.00 + \$2,176.00 = \$17,748.00.

One clerical for each respondent spending approximately 6.3 hours at \$16.00 per hour on preparation of the grant.

6.3 hours x \$16.00 per hour = \$100.80 or approximately \$101.00 x 66 respondents = **\$6,666.00.**

6.3 hours x \$16.00 per hour = \$100.80 or approximately \$101.00 x 2 respondents = **\$202.00.**

\$6,666 + \$202 = \$6,868.00.

One clerical for each respondent spending approximately 8 hours at \$16.00 per hour on administration.

8 hours x \$16.00 per hour = \$128.00 x 66 respondents = **\$8,448.00.**

8 hours x \$16.00 per hour = \$128.00 x 2 respondents = **\$256.00.**

\$8,448 + \$256 = \$8,704.00.

One clerical for each respondent spending approximately 2 hours at \$16.00 per hour to closeout grants at approximately.

2 hours x \$16.00 per hours = \$32.00 x 66 respondents = **\$2,112.00.**

2 hours x \$16.00 per hours = \$32.00 x 2 respondents = **\$64.00.**

\$2,112 + \$64 = \$2,176.00.

Total Annual Costs: \$110,364.00 + \$17,748.00 = \$128,112.00.

Estimate of Annual Burden Hours Due to Additional Questions:

It is estimated that it will take approximately 16 additional burden hours per entity to respond to the additional questions. We believe these questions will likely be submitted from the management level of the grantees and have based our estimates, especially burden cost, on this assumption. The burden cost has been revised as follows:

There are approximately 68 entities that apply for and are awarded grants annually. The revised application process is anticipated to require an increase of approximately 18.02 management hours per entity.

One professional for each respondent spending approximately 16 hours for management level preparation and review of the additional questions in the grant application.

16 hours x 68 respondents =
1,225.36 or approximately
1,088 additional burden hours.

Estimate of Annual Burden Costs Due to Additional Questions:

One professional for each respondent spending approximately 16 hours at \$38.00 per hour for management level preparation and review of the additional questions in the grant application.

16 hours x \$38.00 per hour =
\$608.00 x 68 respondents =
\$41,344.00 additional burden cost.

13. Estimate of total annual costs to respondents.

There is no cost burden to respondents except those identified in item 12 above.

14. Estimate of cost to the Federal government.

The estimated cost to the Federal government is approximately \$146,000.00.

One professional program coordinator and one professional spend a total of 1,920 hours annually each, processing and monitoring grant applications, grant allocation methods, and technical assistance at approximately \$38.00.

1,920 hours x \$38.00 per hour =
\$72,960.00 x 2 Federal employees (1 program coordinator and 1 professional) =
\$145,920.00 cost to the Federal government.

15. Explanation of program changes or adjustments.

The change in burden is the result of the addition of questions to the planning grants application.

16. Publication of results of data collection.

There is to be no publication for statistical use and no statistical techniques are involved.

17. Approval for not displaying the expiration date of OMB approval.

Approved OMB number is prominently displayed in the text of 49 CFR 171.6.

18. Exceptions to certification statement.

There is no exception to PHMSA's certification of this request for information collection approval.

Attachments.

1. Revised HMEP Application Kit.

Part B. Collections of Information Employing Statistical Methods.

1. Describe potential respondent universe and any sampling selection method to be used.

N/A.

2. Describe procedures for collecting information, including statistical methodology for stratification and sample selection, estimation procedures, degree of accuracy needed, and less than annual periodic data cycles.

N/A.

3. Describe methods to maximize response rate.

N/A.

4. Describe tests of procedures or methods.

N/A.

5. Provide name and telephone number of individuals who were consulted on statistical aspects of the information collection and who will actually collect and/or analyze the information.

N/A.

