

Supporting Statement for Paperwork Reduction Act Submissions
30 CFR 250, Subpart B – Plans and Information
Forms MMS-137, MMS-138, MMS-139, MMS-141, MMS-142 and NTLs
OMB Control Number 1010-00151
Current Expiration Date: 31 July 2008

Terms of Clearance: None

General Instructions

A Supporting Statement, including the text of the notice to the public required by 5 CFR 1320.5(a)(i)(iv) and its actual or estimated date of publication in the Federal Register, must accompany each request for approval of a collection of information. The Supporting Statement must be prepared in the format described below, and must contain the information specified in Section A below. If an item is not applicable, provide a brief explanation. When statistical methods are employed, Section B of the Supporting Statement must be completed. The Office of Management and Budget (OMB) reserves the right to require the submission of additional information with respect to any request for approval.

Specific Instructions

A. Justification

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

The Outer Continental Shelf (OCS) Lands Act, as amended (43 U.S.C. 1331 *et seq.*, and 31 U.S.C. 9701), authorizes the Secretary of the Interior to prescribe rules and regulations to administer leasing of the OCS. Such rules and regulations will apply to all operations conducted under a lease. Operations on the OCS must preserve, protect, and develop oil and natural gas resources in a manner that is consistent with the need to make such resources available to meet the Nation's energy needs as rapidly as possible; to balance orderly energy resource development with protection of human, marine, and coastal environments; to ensure the public a fair and equitable return on the resources of the OCS; and to preserve and maintain free enterprise competition. Sections 11 and 25 of the amended OCS Lands Act require the holders of OCS oil and gas or sulphur leases to submit exploration plans (EPs) or development and production plans (DPPs) to the Secretary for approval prior to commencing these activities. As a Federal agency, we have a continuing affirmative duty to comply with the Endangered Species Act (ESA). This includes a substantive duty to carry out any agency action in a manner that is not likely to jeopardize protected species as well as a procedural duty to consult with the Fish and Wildlife Service (FWS) and National Oceanic and Atmospheric Administration Fisheries (NOAA Fisheries) before engaging in a discretionary action that may affect a protected species.

To provide supplementary guidance and procedures, MMS issues Notices to Lessees and Operators (NTLs) on a regional or national basis. Regulation 30 CFR 250.103 allows MMS to issue NTLs to clarify, supplement, or provide more detail about certain requirements. We will continue to supplement the regulations with NTLs that provide more detailed guidance on the accompanying information respondents should submit with their plans. However, NTLs will not impose additional information collection requirements that are not in the regulations or approved by OMB.

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection. [Be specific. If this collection is a form or a questionnaire, every question needs to be justified.]

The MMS engineers, geologists, geophysicists, environmental scientists, and other Federal agencies (e.g., FWS, NOAA Fisheries, etc.) analyze and evaluate the information and data collected under subpart B to ensure that planned operations are safe; will not adversely affect the marine, coastal, or human environment; and will conserve the resources of the OCS. We use the information to: (a) report annually to NOAA Fisheries the effectiveness of mitigation, any adverse effects of the proposed action, and any incidental take, in accordance with 50 CFR 402.14(i)(3), and (b) allow the Regional Supervisor to make an informed decision on whether to approve the proposed exploration or development and production plans as submitted, or whether modifications are necessary without the analysis and evaluation of the required information. The affected States also review the information collected for consistency with approved Coastal Zone Management (CZM) plans.

Specifically, MMS uses the information to evaluate, analyze, determine, or ensure that:

- Exploration, development, and production activities do not cause undue or serious harm or damage to the human, marine, or coastal environment.
- Ancillary activities comply with appropriate laws or regulations and are conducted safely, protect the environment, and do not interfere or conflict with the other uses of the OCS (i.e., military use, subsistence activity).
- Points of contact and responsible parties are designated for proposed activities.
- Surveying, monitoring, or other activities do not interfere or conflict with preexisting and other uses of the area.
- Plans or actions meet or implement lease stipulation requirements.
- Proposed exploration, drilling, production, and pipeline activities are conducted in a safe and acceptable manner for the location and water depth proposed and conserve reservoir energy to allow enhanced recovery operations in later stages of lease development.
- Unnecessary or incompatible facilities are not installed on the OCS.
- Shallow drilling hazards (such as shallow gas accumulations or mudslide areas) are avoided.
- Areas are properly classified for H₂S, and appropriate procedures are in place.
- Appropriate oil spill response planning measures and procedures are implemented.
- Expected meteorological conditions at the activity site are accommodated.
- Environmentally sensitive areas are identified, and the direct and cumulative effects of the activities are minimized.

- Offshore and onshore air quality is not significantly affected by the proposed activities.
- Waste disposal methods and pollution mitigation techniques are appropriate for local conditions.
- State CZM requirements have been met.
- Archaeological or cultural resources are identified and protected from unreasonable disturbances.
- Socioeconomic effects of the proposed project on the local community and associated services have been determined.
- Support infrastructures and associated traffic are adequately covered in plans.

The following forms used in the Gulf of Mexico Region (GOMR) are also submitted to MMS.

- Form MMS-137 (Plan Information Form) is submitted to summarize plan information. The MMS uses the information to assist in data entry and review of submitted OCS plans. The form asks for, in either fill in the blanks or check marks:

- general information relating to the company;
- description of proposed activities;
- tentative schedule of proposed activities;
- description(s) of drilling rig, production platform, lease term pipelines;
- proposed well structure location; and
- anchor locations for drilling rig or construction barge.

- Forms MMS-138 (GOM Air Emission Calculations for Exploration Plans), and, MMS-139 (GOM Air Emission Calculations for Development Operations Coordination Documents (DOCDs)) are submitted to standardize the way potential air emissions are estimated and approved as part of the OCS plan. These forms are intended to be thorough but flexible to meet the needs of different operators. The data from these forms determine the air emissions on the environment. These forms consist of:

- title sheet;
- factors sheet;
- emissions spreadsheet; and a
- summary sheet that will describe and calculate emissions from an activity.

Respondents are asked to categorize emissions into 9 factors:

- natural gas prime movers, diesel-fired prime movers, heaters/boilers/firetubes/NG-fired,
- gas flares, liquid flares, tanks, fugitives, glycol dehydrator vent, and gas venting.

- MMS-141 (ROV Survey Report) is submitted to report the observations and information recorded from two sets of ROV monitoring surveys to identify high-density biological communities that may occur on the seafloor in deep water. The form asks respondents for general operator/facility information and a transect drawing of the survey pattern made by the ROV; a video tape (VHS) and transcript of what was visualized at the bottom throughout deployment (the form includes a guide to animal groups and a guide to physical features), and any additional imagery that helps depict bottom conditions. We use the information when such areas are found to help design mitigation measures to avoid these areas in the future. We also use the information to help assess the effectiveness of avoidance criteria and expand the knowledge base regarding the benthic habitats of the deep water seafloor.

- MMS-142 (Environmental Impact Analysis Worksheet) is a fill in the blank form that is submitted to identify the environmental impact-producing factors (IPFs) for the listed environmental resources. We use the information to assess impact and determine compliance with the National Environmental Policy Act. Respondents are asked to fill in the blank by placing an “x” in the space under each IPF category associated with the proposed activity that may impact a particular environmental resource. The environmental resources listed on this form are: Site-specific at Offshore Location such as chemosynthetic communities, water quality, fisheries to name a few; Vicinity of Offshore Location such as essential fish habitat; Coastal and Onshore such as beaches and wetlands.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden [and specifically how this collection meets GPEA requirements].

The MMS encourages respondents to use any of the forms available on the website and submit them electronically. Currently, 75 percent of all information is submitted electronically. However, because of the various types of information submitted with the plans (maps, surveys, spreadsheets, etc.), some of the submission may not readily lend itself to electronic commerce. In some instances, paper copies of the non-proprietary information submitted in the plans and accompanying information may continue to be necessary for review by States, local governments, and the public.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

The information collected is unique to site operations. If information has already been submitted and is readily available to MMS, respondents may simply reference the earlier submission. If changes to plans are necessary or required, only information related to the required changes must be resubmitted.

With respect to air emissions information, EPA has the primary responsibility for air quality in the United States -- onshore and offshore -- except for the offshore area known as the western Gulf of Mexico (GOM) (west of the State boundary line of Alabama and Florida). As stated in the Clean Air Act, 1990, MMS has the air quality authority for this area. Therefore, in the western GOM, MMS requires an air emission summary to be submitted with the exploration plans and development and production plans (before any activity begins) in order to prepare the appropriate National Environmental Policy Act documents (Environmental Assessments, Environmental Impact Statements, etc.) and to assure that the proposed activity will not violate pertinent Federal environmental laws. The EPA monitors air emissions in the rest of the GOM.

Also, as it relates to ESA, no other Federal agency has the responsibility for collecting information relative to the impacts of OCS oil and gas exploration, development, and production activities. Similar information does not exist and has not been collected. Respondents will report to MMS, and, in turn, MMS will provide the required information to NOAA Fisheries and FWS. Therefore, there will be no additional burden to the public.

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

This collection of information does not have a significant economic effect on a substantial number of

small entities. Any direct effects primarily impact the OCS lessees and operators. Approximately 70 percent of the OCS lessees and operators have less than 500 employees and are considered small businesses as defined by the Small Business Administration. The hour burden on any small entity subject to these regulations cannot be reduced to accommodate them. We are required to comply with the ESA and the NOAA Fisheries' Biological Opinions, so therefore, we cannot reduce the burden to accommodate them.

It should be noted that it has become common practice for OCS lessees and operators to subcontract the marine mammal observation and monitoring activities associated with the requirements of one of the NTLs. This has a positive monetary impact on small business third-party respondents who benefit from those service subcontracts. This is also true for small businesses that provide training for the observers. Refer to item A.8 for respondent listing.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

If MMS did not collect the information, we could not carry out the mandate of the OCS Lands Act, as amended, that specifies that exploration or development and production activities on the OCS may not be conducted until comprehensive plans are submitted and approved. Extensive data and information are necessary to make informed decisions on whether to approve these plans or require appropriate changes.

To be exempt from the prohibitions of Section 9 of the ESA (which prohibits taking of listed species), MMS must comply with the nondiscretionary terms and conditions that outline required reporting and monitoring requirements. To monitor the impact of incidental takes resulting from exploration, development, and production activities associated with lease sales, the MMS must report the progress of the action and its impact on the species to NOAA. The lease sales provide hydrocarbon resources to meet the Nation's energy needs and are the second highest revenue generation mechanism for the U.S. Treasury.

The information is collected only once for each particular plan and/or is dependent only upon the activities of the respondents, therefore, the frequency of collection is not applicable nor an issue.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

(a) requiring respondents to report information to the agency more often than quarterly.

Vessel crews must report sightings of any injured or dead protected species (marine mammals and sea turtles) immediately to the NOAA Fisheries Stranding Hotline at (877) 433-8299. In addition, if the injury or death was caused by an OCS-related activity, operators must notify MMS within 24 hours of the strike by email to protectedspecies@mms.gov. This immediate response is necessary for MMS to comply with the NOAA Fisheries' mandate to report "takes" promptly.

(b) requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it.

The MMS requires that any marine mammal observation and monitoring reports be submitted to MMS the 1st and 15th of each month via email. This schedule is beneficial for two reasons: (1) data and sightings gathered over a 2-week period should be a manageable quantity that can be recorded and sent quickly and easily, by mail or electronically, and (2) the rotation of a crew on typical seismic operations

could make less frequent reporting problematic. A bimonthly reporting schedule will normally involve only one crew. However, there is a requirement to report to MMS within 24 hours the sighting of a sperm whale in the exclusion zone (that results in a shut down of air guns). This immediate response is necessary for MMS to comply with the NOAA Fisheries' mandate to report "takes" promptly.

(c) requiring respondents to submit more than an original and two copies of any document.

The number of copies of plans and accompanying information respondents are required to submit varies depending on the location of the proposed activities. The MMS is under a mandated timeframe to review and make decisions on these plans. The plans and accompanying information are quite complex, voluminous, and detailed. They can include maps, surveys, spreadsheets, etc. Several program areas within MMS must review the information simultaneously to meet the mandated timeframe. If MMS had to reproduce the necessary copies for its internal reviews, it would be extremely difficult, if not impossible, to meet the deadlines imposed by the OCS Lands Act, as amended. Therefore, in all cases, respondents must submit five "proprietary" copies of their plans. In addition, the OCS Lands Act also requires we make non-proprietary (public information) copies available for simultaneous review by State and local government entities. Depending on the State(s) involved, MMS needs from 3 to 17 public information copies to distribute to the States and local governments having an interest in the project, as well as a copy to make available for the general public to review. Companies have indicated on occasion that they have no objection to providing the extra copies to expedite the review processes. With the development of our electronic commerce capabilities, and depending on the capability of States and local governments to receive the plans electronically, some of the copies might be eliminated in the future.

(d) requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than 3 years.

It is also necessary that respondents retain data and information longer than 3 years. Much of the supporting information should be retained for the duration of the project. However, this type of information is such that respondents would be very unlikely to dispose of it sooner. It contains valuable background data and analyses that they would not want to have to duplicate should it be needed during the life of the exploration or development and production project. We consider the burden only to make the information available to MMS if necessary.

(e) in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study.

Not applicable in this collection.

(f) requiring the use of statistical data classification that has been reviewed and approved by OMB.

There are no special circumstances with respect to 5 CFR 1320.5(d)(2)(v) through (viii) as the collection is not a statistical survey and does not use statistical data classification.

(g) that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use.

This collection does not include a pledge of confidentiality not supported by statute or regulation.

(h) requiring respondents to submit proprietary trade secrets or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's

confidentiality to the extent permitted by law.

This collection does not require proprietary, trade secret, or other confidential information not protected by agency procedures.

8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice [and in response to the PRA statement associated with the collection over the past 3 years] and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported. [Please list the names, titles, addresses, and phone numbers of persons contacted.] Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years – even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

As required in 5 CFR 1320.8(d), MMS provided a 60-day notice in the Federal Register on November 15, 2007 (72 FR 64238). Also, 30 CFR 250.199 and the Paperwork Reduction Act statement on forms MMS-137, MMS-138, MMS-139, MMS-141, and MMS-142, explain that the MMS will accept comments at any time on the information collected and the burden. In addition, we display on the NTLs, the OMB control number and approved expiration date, and provide the address for sending comments to MMS. We received no comments in response to the Federal Register notice or unsolicited comments from respondents covered under these regulations.

During the comment period, MMS regional offices requested input from several respondents. The burden estimates in A.12 and A.13 reflect their input. The following companies were contacted:

Sandi Fury, Senior Advisor for Advocacy, (504) 592-6095, Chevron Texaco
935 Gravier Street, New Orleans, LA 70112

Dan Allen, Senior Ecologist, (504) 592-6301, Chevron Texaco
935 Gravier Street, New Orleans, LA 70112

Allen Verret, Executive Director, (504) 934-2159, Offshore Operators Committee
1 Lakeview Building, 3900 N. Causeway Blvd, Suite #700, Metairie, LA 70002

G.C. Gill, President, (713) 957-8080, International Association of Geophysical Contractors
2550 North Loop West, Suite 104, Houston, TX 77092

Philip Fontana, Geophysicist, (832) 351-8300, Veritas Geophysical Corporation
10300 Town Park Drive, Houston, TX 77072

Dan Quinn, Manager-Business Development, (713) 625-5488, Baker Atlas
17015 Aldine Westfield, Houston, TX 77073

Mary Jo Barkaszi, Director of Ecological Programs, (281) 325-1080 GeoCet Group, LLC
One Sugar Creek Center Blvd., Suite 355, Sugar Land, TX 77478 (Observer Subcontractor)

David Rose, Environmental, Health and Safety Manager, (805) 934-8220, Plains E & P
201 S. Broadway, Orcutt, CA 93455

Cash Fey, Health and Safety, (907) 339-5067, BP Exploration (Alaska)
P. O. Box 196612, Anchorage, AK 99519-6612

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

The MMS will not provide payment or gifts to respondents in this collection.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

The MMS will protect information considered proprietary under the Freedom of Information Act (5 U.S.C. 552), under regulations at 30 CFR 250.197, "Data and information to be made available to the public or for limited inspection," and 30 CFR part 252, "Outer Continental Shelf (OCS) Oil and Gas Information Program."

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

The collection does not include sensitive or private questions.

12. Provide estimates of the hour burden of the collection of information. The statement should:

(a) Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.

(b) If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens.

The MMS estimates there are approximately 130 respondents (Federal OCS lessees) to this collection of information. The frequency of response is on occasion. We estimate the annual burden is 291,414 reporting and recordkeeping hours. Refer to the chart below for a breakdown of the burden.

With respect to sections 211 thru 228, 241 thru 262, 267(d), 272(a), 273, 283, 284, and 285 of the table, the hours for submitting a plan and/or its revision, are significantly higher in both the Pacific (POCS)

and Alaska (AKOCS) Regions than in the Gulf of Mexico Region. This difference is due to political/environmental issues; therefore where applicable, their burdens are listed separately.

BURDEN BREAKDOWN

Citation 30 CFR 250 Subpart B and NTLs	Reporting & Recordkeeping Requirement	Hour Burden	Average No. of Annual Responses Annual	Burden Hours
		Non-Hour Cost s		
200 thru 206	General requirements for plans and information.	Burden included with specific requirements below.		0
Ancillary Activities				
208	Notify MMS and other users of the OCS before conducting ancillary activities.	10	23 notices	230
210(a)	Submit report summarizing & analyzing data/information obtained or derived from ancillary activities.	1	25 reports	25
210(b)	Retain ancillary activities data/information.	2	130 recordkeepers	260
Subtotal			178 responses	515 hours
Contents of Exploration Plans (EP)				
211 thru 228	Submit EP and accompanying information (including forms MMS-137, MMS 138, MMS-142 used in GOMR) and provide notifications.	640	200 plans	128,000
		\$3,250 x 454* EP surface locations = \$1,475,500		
		AKOCS – 1,000	1 plan	1,000
		201 responses		129,000 hours
\$1,475,500 Non-Hour Costs				
Seismic Survey Mitigation Measures and Protected Species Observer Program				
211 thru 228; 241 thru 262; NTLs	Submit to MMS observer training requirement materials and information.	½ hour	24 reports x 4 vessels = 96	48
	Training certification and recordkeeping.	½ hour	20	10
	If used, submit to MMS information on any passive acoustic monitoring system prior to placing it in service.	1 hour	3	3
	Submit to MMS marine mammal observation report(s) (This includes observer duty and training and are the occasional activities done in-house and not subcontracted out.)	345 hours**	2 reports	690
	Observer training*** (in-house training is in hours – contracted out training is in non-hour cost burdens).	8	3	24
	Observation Report/Form.	8 hours x 72 observers = 576 hours x \$37.50/hr = \$21,600.		
	Observation Duty (3 observers fulfilling an 8 hour shift ea for 365 calendar days x 4 vessels = 35,040 man-hours).	1 hour x 200 reports/forms = 200 x \$52/hr = \$10,400.		
		3 observers x 8 hrs x 365 days = 8,760 hours x 4 vessels observing = 35,040 man-hours x \$52/hr = \$1,822,080.		
		124 responses		775 hours
\$1,854,080 Non-Hour Costs				
Protected Species Report				
211 thru	Submit injured/dead protected species report.	½ hour	2 reports	1

Citation 30 CFR 250 Subpart B	Reporting & Recordkeeping Requirement	Hour Burden	Average No. of Annual Responses Annual	Burden Hours
228: 241 thru 262; NTLs			2 responses	1
Trash and Debris Awareness/Elimination				
211 thru 228: 241 thru 262; NTLs	Submit request for training video.	½ hour	100 requests	50
	Submit annual report to MMS on training process and certification.	½ hour	200 records	100
	Training recordkeeping.	½ hour	200 records	100
	Post placards on vessels and structures. (Exempt from information collection burden because MMS is providing exact language for the trash and debris warning, similar to the “Surgeon General’s Warning” exemption.)		Exempt	0
Subtotal			827 responses	130,026 hours
			\$3,329,580 Non-Hour Costs	
Review and Decision Process for the EP				
231(b); 232(d); 234; 235(a); 281(d) (3); 283; 284; 285; 209	Submit amended, modified, revised, or supplemental EP, or resubmit disapproved EP.	120	224 changed plans	26,880
235(b); 272(b); 281(d)(3)(ii)	Appeal State’s objection.	Burden exempt as defined in 5 CFR 1320.4(a)(2), (c)		0
Subtotal			224 responses	26,880 hours
Contents of Development and Production Plans (DPP) and Development Operations Coordination Documents (DOCD)				
241 thru 262; 209	Submit DPP or DOCD and accompanying information (including forms MMS-137, MMS 139, MMS-142 used in GOMR) and provide notifications.	690	110 plans	75,900
		\$3,750 x 306* DPP/DOCD wells = \$1,147,500		
		AKOCS – 1,700	1 plan	1,700
Subtotal			111 responses	77,600 hours
			\$1,147,500 Non-Hour Costs	
Review and Decision Process for the DPP or DOCD				
266(b); 267(d); 272(a); 273, 283; 284; 285; 209	Submit amended, modified, revised, or supplemental DPP or DOCD, or resubmit disapproved DPP or DOCD.	95	250 changed plans	23,750
		POCS - 680	1 changed plan	680
269(b)	Submit information on preliminary plans for leases or units in vicinity of proposed development and production activities.	2	1 response	2
Subtotal			252 responses	24,432 hours
Post-Approval Requirements for the EP, DPP, and DOCD				

Citation 30 CFR 250 Subpart B	Reporting & Recordkeeping Requirement	Hour Burden	Average No. of Annual Responses Annual	Burden Hours
281(a)	Submit various applications.	Burdens included under appropriate subpart or form (1010-0050; 1010-0059; 1010-0141; 1010-0149).		0
282	Retain monitoring data/information.	2	313 records	626
	Submit monitoring plans.	1	30 plans	30
282(b)	Submit monitoring reports and data (including form MMS-141 used in GOMR).	2	2 each for 33 wells = 66	132
Subtotal			409 responses	788 hours
Submit DWOPs, CIDs, and Departure/Alternative Compliance Requests				
287 thru 295	Submit DWOP.	750	35 plans	26,250
		\$3,150 x 35 = \$110,250		
296 thru 298	Submit CID.	443	11 documents	4,873
		\$24,200 x 11 = \$266,200		
200 thru 299	General departure and alternative compliance requests not specifically covered elsewhere in subpart B regulations.	2	25 requests	50
Subtotal			71 responses	31,173 hours
			\$376,450 Non-Hour Costs	
TOTAL BURDEN			2,072 Responses	291,414 Hours
			\$4,853,530 Non-Hour Costs	

* You may have multiple locations and/or wells for each EP, EPP, or DOCD.

** Hours are based on 14 days of observing, attending a training session, and writing report(s).

*** Allowed minimal hour burden for in-house training.

(c) Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here.

The average respondent cost is \$76 per hour. This cost is broken out in the below table using the Bureau of Labor Statistics* data for the Houston, TX area. See BLS website: <http://www.bls.gov/bls/wages.htm>.

Position	Level	Hourly Pay rate (\$/hour estimate)	Hourly rate including benefits (1.4 x \$/hour)	Percent of time spent on collection	Weighted Average (\$/hour)
General Office Clerk	7	\$20	\$28	5%	\$1
Petroleum Engineer	12	\$55	\$77	50%	\$39
Geologists	13	\$59	\$83	15%	\$12
Disciplinary/Various	13	\$55	\$77	20%	\$15
Supv. Petroleum Engineer	15	\$66	\$92	10%	\$9
Weighted Average (\$/hour)					\$76

* The BLS source reflects their last update from 2004.

Based on a cost factor of \$76 per hour, we estimate the total annual cost to industry is \$22,147,464 (\$76 x 291,414 hours = \$22,147,464).

13. Provide an estimate of the total annual [non-hour] cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).

(a) The cost estimate should be split into two components: (1) a total capital and start-up cost component (annualized over its expected useful life) and (2) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information [including filing fees paid]. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.

(b) If cost estimates are expected to vary widely, agencies should present ranges of cost burden and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.

(c) Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.

We have identified seven non-hour costs associated with this information collection.

Four of these non-hour cost burdens are cost recovery fees. They consist of fees being submitted with EP's, DPP's or DOCD's, DWOP's, and CID's.

There are also three non-hour cost burdens that are associated with the Protected Species Observer Program. The costs associated with this program are due to activities that are, for the most part, subcontracted to other service companies with expertise in these areas. To allow for in-house training by lessees/operators, we have retained a minimal hour burden in the burden table for the Protected Species Observer Program training requirement. Since all of the observation duty and reporting would be done while on the vessel and by contractors, these requirements were calculated as non-hour burden costs. See the hours, fees, and costs in the burden table in A.12.

We estimate that the annual non-hour cost burden is \$4,853,530. We have not identified any other "non-hour cost" burdens associated with this collection of information.

14. Provide estimates of annualized cost to the Federal Government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.

The average Federal cost is \$60/hour. This cost is broken out in the below table using the Office of Personnel Management 2008 pay schedule for New Orleans, LA.

Position	Grade	Hourly Pay rate (\$/hour estimate)	Hourly rate including benefits (1.5 x \$/hour)	Percent of time spent on collection	Weighted Average (\$/hour)
Clerical	GS-7/5	\$18	\$27	5%	\$1
Disciplinary/Various	GS-13/5	\$37	\$56	70%	\$39
Supv. Petroleum Engineer	GS-15/5	\$52	\$78	24%	\$19
Executive	SES (\$140K)	\$68	\$102	1%	\$1
Weighted Average (\$/hour)					\$60

To analyze and review the information required by subpart B and related NTLs, we estimate the Government will spend an average of approximately 1/4 hour for each hour spent by respondents for a total of 72,854 (rounded) hours (291,414 / 1/4 = 72,854). Based on a cost factor of \$60 per hour, the total gross annualized cost to the Government is \$4,371,240.

15. Explain the reasons for any program changes or adjustments.

There are no program changes reported for this collection of information. We are requesting adjustments as follows:

(a) The currently approved OMB inventory is 321,817 hours. This submission requests 291,414 burden hours representing an adjustment decrease of 30,403 hours resulting from re-estimating the “hour” burdens and the annual number of responses from the respondents.

(b) The currently approved OMB non-hour cost burden is \$8,906,784. This submission requests \$4,853,530 representing an adjustment decrease. This decrease is based upon our actual experience during the 1st year in which these fees were collected.

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

The MMS will not tabulate or publish the data.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

The MMS will display the OMB approval expiration date on forms MMS-137, MMS-138, MMS-139, MMS-141, MMS-142 and any related NTLs. The remainder of this collection concerns regulatory requirements.

18. Explain each exception to the certification statement, “Certification for Paperwork Reduction Act Submissions.”

To the extent that the topics apply to this collection of information, we are not making any exceptions to the “Certification for Paperwork Reduction Act Submissions.”