

**Supporting Statement
for
Waste Management Plans, Refuse Discharge Logs,
Letters of Instruction for Certain Persons-in-Charge (PIC), and Great
Lakes Dry Cargo Residue Recordkeeping
[w/ proposed changes per USCG-2004-19621]**

A. Justification.

1) Circumstances that make the collection of information necessary.

This collection is a combination of the following four approved information requests.

- **(a)** Waste Management Plans.
- **(b)** Refuse Discharge Logs.
- **(c)** Letter of Instruction for Persons-in-Charge (PIC) on Uninspected Vessels.
- **(d)** Dry Cargo Residue (DCR) Recordkeeping

(a) and (b) The International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 (MARPOL 73/78) and codified in 33 USC §§ 1901-1909, requires that the Secretary of the Department in which the Coast Guard is operating to prescribe regulations for refuse record books and waste management plans. These statutory provisions are addressed in 33 CFR Part 151.55 and 151.57 respectively.

(c) The letter of instruction's contents should verify the PIC's credentials, stating that the holder has received sufficient formal instruction from the owner, operator, or agent of the vessel, as required by 33 CFR 155.710(e) (2) and 155.715.

(d) DCR Recordkeeping would be required under an amendment to 33 CFR 151.66 that the Coast Guard recently proposed in a Notice of Proposed Rulemaking (NPRM) 73 FR 30014, on May 23, 2008. **The Coast Guard intends to amend 33 CFR 151.66 by September 30, 2008, and seeks approval of the amended collection before that date, so that the new DCR Recordkeeping requirement can take effect simultaneously.**

Existing Coast Guard regulations, 33 CFR 151.05, define DCR as "operational waste" and hence as "garbage." As per 33 CFR 151.66, garbage may not be discharged into the navigable waters of the United States. However, with Congressional sanction, the Coast Guard has for many years permitted limited DCR discharges in the Great Lakes, due to the unique nature of those waters, where long voyages are possible but vessels may never leave navigable waters of the United States Pub. L. 105-383, § 415; Pub. L. 106-554, § 1117; Pub. L. 108-293, § 623. Congressional sanction for that approach expires September 30,

2008, but the Coast Guard is given the authority to regulate DCR discharges in the Great Lakes “notwithstanding any other law” Pub. L. 108-293, § 623. The legislative history for that statute states: “It is expected that [the current approach] will be made permanent or replaced with an alternative regime that appropriately balances the needs of maritime commerce and environmental protection” House Report 108-617. The Coast Guard has made a preliminary determination that limited DCR discharges should continue to be permitted in the Great Lakes after September 2008, but that vessels should be required to keep records of their DCR loadings, unloadings, and discharges so that the Coast Guard can better monitor the environmental impact of those discharges and collect information on measures to mitigate any such impact. This is the approach proposed in the May 2008 NPRM.

This information collection supports the following strategic goals:

Department of Homeland Security

- Prevention
- Protection

U.S. Coast Guard

- Safety
- Protection of the Natural Resources

Marine Safety, Security and Stewardship Directorate (CG-5)

- Safety: Eliminate deaths, injuries, and property damage associated with commercial maritime operations.
- Human and Natural Environment: Eliminate environmental damage associated with maritime transportation and operations on and around the nation’s waterways.

2) By whom, how, and for what purpose the information is to be used.

(a) Vessel operators of U.S. oceangoing ships, 40 feet or more in length, engaged in commerce or equipped with galleys and berths are required to develop waste management plans. The purpose of a waste management plan is to prevent the discharge of waste, including plastics, into water. These plans are used to determine whether a ship is in compliance with MARPOL 73/78 Annex V.

(b) Vessel operators of U.S. oceangoing ships of 400 gross tons or more, and U.S. ships involved on international voyages carrying 15 passengers or more, are required to maintain refuse record books. Refuse record books (discharge logs) are used to document waste discharges from the ships. These are also used to determine whether a ship is in compliance with MARPOL 73/78 Annex V. If noncompliance is indicated, these records may serve as evidence that a ship has violated discharge restrictions.

(c) To ensure that fuel transfer competency standards are met, all persons in charge (PICs) on un-inspected vessels must carry a Letter of Instruction if they do not hold a Coast Guard issued license or properly endorsed Merchant Mariner's Document.

(d) DCR Recordkeeping would require foreign carriers conducting bulk dry cargo operations on the U.S. waters of the Great Lakes, and U.S. carriers conducting those operations anywhere on the Great Lakes, to record data about:

- Cargo handled;
- Shoreside facilities involved in loading and unloading;
- Control measures used by the facility or vessel to reduce the accumulation of DCR (and hence the volume of DCR needing discharge);
- Time needed to implement control measures;
- Estimated volume of DCR resulting from each loading or unloading; and
- Date, time, vessel location, and speed during each discharge.

Carriers would enter this data on a form (CG-33), a prototype of which appears in our May 2008 NPRM. The form would be kept aboard the vessel for two years, and copies of the form would be submitted to the Coast Guard each quarter.

This data would give the Coast Guard a more comprehensive picture of what causes DCR accumulation, the conditions under which DCR is swept overboard, the volume of DCR being discharged into the Great Lakes, and the efficacy of control measures in reducing DCR accumulation and the volume of DCR discharges. This data is essential if the Coast Guard is to monitor and respond to future trends in Great Lakes DCR discharges. For example, as we announced in our May 2008 NPRM, we intend to begin a new rulemaking that would consider requiring the use of control measures. The proposed information collection would provide important data on the efficacy of any control measures that carriers now voluntarily employ.

3) Consideration of the use of improved information technology.

(a) We believe that most waste management plans and related materials can be recorded electronically, but at this time few are maintained in this fashion. This is because the information required is particular to each vessel's operation and configuration.

(b) and (c) Not applicable. To meet international treaty obligations and national compliance and enforcement requirements, the logs and Letter of Instruction must be maintain and available in written (i.e., non-electronic) format.

(d) We believe that most DCR recordkeeping can be recorded and sent electronically. The proposed CG-33 form can be used to record, store, and report data electronically.

We estimate that 60% of all of this collection's recordkeeping requirements can be done electronically. At this time, we estimate that 15% are done electronically.

4) Efforts to identify duplication. Why similar information cannot be used.

(a), (b), (c): There are no State or local regulations relating to this issue. No similar information collection is conducted by other Federal agencies. Similar information does not exist.

(d): Some Great Lakes DCR carriers already keep voluntary records pertaining to DCR, but the proposed amendment to 1625-0072 is not similar to any existing information collection requirement imposed by Federal, State, or local agencies.

5) Methods to minimize the burden to small businesses if involved.

(a) Owing to the nature of the industry, recordkeeping requirements for small entities are generally proportionately less. This can be attributed to smaller vessels, simpler transfer systems and waste handling methods, and smaller numbers of people involved. The procedures are in a narrative form and no particular format is specified.

(b) The Coast Guard believes that these recordkeeping requirements will not adversely affect on a substantial number of small entities because recordkeeping is expected to require six minutes per day for smaller vessels and no particular record book or format is prescribed.

(c) To ensure safety on un-inspected vessels, all PICs must comply with the letter carriage requirement. The small burden imposed on small businesses cannot be lessened relative to the burden on larger entities.

(d) There are 13 small businesses that would be affected by the proposed amendment to 1625-0072. We would minimize the impact on those businesses by providing a standard form CG-33, allowing data to be recorded and stored on that form electronically, and by allowing reports to be made to the Coast Guard electronically. In addition, we would prepare a Small Entity Compliance Guide to assist those businesses.

6) Consequences to the Federal program if collection were conducted less frequently.

(a) Written waste management plans ensure personnel responsible for the handling of ship generated refuse are aware of the garbage pollution regulations and that waste is handled aboard the ship in a consistent manner. If this information were not recorded, vessel personnel would be unfamiliar with waste handling procedures, which might result in the unintentional disposal of garbage in violation of the regulations. This information is a one-time requirement and revised whenever waste handling procedures are modified.

(b) This information is collected whenever applicable ships discharge garbage. If recordkeeping were required less frequently, the Coast Guard would not be able to use these records as an enforcement tool. Less frequent recordings of disposal/discharge operations would also hinder the Coast Guard's ability to accurately evaluate the level of compliance among ships with MARPOL 73/78 Annex V discharge restrictions. Lastly, if the crew is not held accountable for documenting every disposal/discharge operation, the recordkeeping process will no longer be an effective tool to promote knowledge of discharge regulations and awareness of waste handling practices on the ship.

(c) If information was submitted or recorded less frequently, no assurance could be given that vessels are operating within the applicable requirements that ensure marine safety.

(d) Under the proposed amendment to 1625-0072, data would be recorded after each DCR loading, unloading, or discharge operation. If the data were recorded less frequently, the Coast Guard would expect the data to be less accurate, and this would reduce our ability to enforce compliance with the conditions under which DCR discharges are permitted in the Great Lakes, as well as our ability to monitor and respond to long term developments in DCR discharge practices.

The proposed amendment to 1625-0072 would also require copies of the CG-33 form to be submitted quarterly to the Coast Guard. This is vital to our ongoing study of the costs and effectiveness of control measures for reducing DCR accumulation and the volume of DCR discharges. Our May 2008 NPRM announced the Coast Guard's intention to open a new rulemaking to consider requiring the use of control measures, and to complete that rulemaking within a 6 to 10-year "short term" period; the NPRM's accompanying Draft Environmental Impact Statement (DEIS) describes this period as that in which we can have high confidence that continued DCR discharges would have only a minor and indirect adverse impact on the Great Lakes environment. If the data were submitted to the Coast Guard less frequently than once per quarter, it would reduce our ability to collect and analyze comprehensive data that we must have in order to complete the new rulemaking within that 6 to 10-year timeframe.

7) Explain any special circumstances that would cause the information collection to be conducted in a manner inconsistent with guidelines.

Information is collected in a manner consistent with the guidelines.

8) Consultation.

(a), (b), (c): A 60-day Notice was published in the Federal Register to obtain public comment on this collection. (See [USCG-2007-27793]; April 2, 2007; 72 FR 18483). The USCG has not received any comments on this information collection.

(d): On May 23, 2008, the Coast Guard published an NPRM titled “Dry Cargo Residue Discharges in the Great Lakes” [USCG-2004-19621; 73 FR 30014]. Our May 2008 NPRM requests comments on the proposed collection of information and provides a 60-day public comment period that closes on July 22, 2008. Two public meetings, in Duluth, MN and Cleveland, OH, will be conducted within that public comment period and will provide additional opportunity for public comment 73 FR 32273, June 6, 2008. Public comments received during the public comment period will be considered and reflected in our Final Rule.

9) Explain any decision to provide any payment or gift to respondents.

No payments or gifts of any kind are provided to respondents.

10) Describe any assurance of confidentiality provided to respondents.

No assurance of confidentiality is provided to respondents.

11) Additional justification for any questions of a sensitive nature.

There are no issues of a sensitive nature involved in this information collection.

12) Estimates of reporting and recordkeeping hour and cost burdens of the collection of information.

The burden for each of the three aspects of this collection is contained in the following paragraphs and in Tables 12.1, 12.2, 12.3, 12.4. Table 12.5 provides a summation of the burden for all aspects of this collection. It should be noted that the applicability of each regulation is different, as described in paragraph 2. All hour burdens are for recordkeeping.

The burden associated with the Waste Management Plan portion of this collection is reported in 12.1.

Table 12.1 - Waste Management Plans

Universe of Potential Respondents	18,497
# New Plans Developed Annually	217
# Plans Modified Periodically	3,656
Annual # of Respondents	3,873
Annual # of Responses	3,873
Clerical Effort/Response, New Plans (hrs)	1.25
Clerical Hourly Rate	\$31
Management Effort/Response, New Plans (hrs)	1.25
Management Hourly Rate	\$75
New Plan Hour Burden/Plan	2.5
New Plan Cost Burden/Plan	\$133
Total New Plan Hour Burden	543
Total New Plan Cost Burden	\$28,753
Clerical Effort/Response, Plan Modification (hrs)	0.5
Clerical Hourly Rate	\$31
Management Effort/Response, Plan Modification (hrs)	0.5
Management Hourly Rate	\$75
Plan Modification Hour Burden/Plan	1
Plan Modification Cost Burden/Plan	\$53
Total Plan Modification Hour Burden	3,656
Total Plan Modification Cost Burden	\$193,768
TOTAL BURDEN HOURS	4,199
TOTAL BURDEN COST	\$222,521

Notes on Table 12.1:

a. The Coast Guard estimates that these plans will be modified, on average, once every five years. The estimated number of responses is therefore 20 percent of the universe of potential respondents (number of vessels required to maintain a waste management plan.)

b. We estimate that, on average, five percent of the population consists of new vessels, requiring the creation of a new waste management plan.

c. The positions of management and clerical staff are analogous to a Lieutenant (O-3) and a GS-5, respectively. The rates shown are in accordance with the current edition of COMDTINST 7310.1 (series).

The burden associated with the Refuse Discharge Log portion of this collection is reported in 12.2.

Table 12.2 - Refuse Discharge Logs

<i>Vessel Type</i>	<i># Vessels</i>	<i>Avg Annual # of Days in Operation</i>	<i>Avg Daily Entries</i>	<i>Total # Entries</i>	<i>Annual Hour Burden Per Vessel Type</i>
Commerical fishing vsls	192	330	1	63,360	5,280
Freight Ship	158	330	2	104,280	8,690
Industrial vsls	94	330	1	31,020	2,585
MODUs	67	365	1	24,455	2,038
OSVs	209	365	1	76,285	6,357
Oil recovery vsls	44	330	1	14,520	1,210
Passenger vsls	144	330	2	95,040	7,920
Research vsls	0	200	1	0	0
School Ship	10	200	1	2,000	167
Tank Ship	73	330	2	48,180	4,015
Towing Vessel	19	262	1	4,978	415
Unclassified	10	200	1	2,000	167
Manned Platforms	788	365	1	287,620	23,968
TOTAL	1,808			753,738	62,812

Cost/Hour \$75

TOTAL NUMBER OF RESPONDENTS	1,808
TOTAL NUMBER OF RESPONSES	753,738
TOTAL ANNUAL HOUR BURDEN	62,812
TOTAL ANNUAL COST BURDEN	\$4,710,900

Notes on Table 12.2:

- a. The Coast Guard estimates that each log entry will take no more than five minutes to complete.
- b. The responsibilities of the individual making the log entry are commensurate with that of a Lieutenant (O-3). The wage rate shown is in accordance with the current edition of COMDTINST 7310.1 (series).

The burden associated with the PIC Letter of Designation portion of this collection is reported in 12.3.

Table 12.3 - PIC Letter of Designation

# Vessels Requiring PIC Designation	192
# PICs On Board Each Vessel	2
Total # PICs Holding Designation	384
Estimated Annual Attrition Rate	30%
Estimated # Replacement Letters Created	115
Hour Burden per Designation Letter	0.167
Total Hour Burden	19
Wage Rate of Individual Creating Letter	\$59
Total Cost Burden	\$1,133

TOTAL NUMBER OF RESPONDENTS	115
TOTAL NUMBER OF RESPONSES	115
TOTAL ANNUAL HOUR BURDEN	19
TOTAL ANNUAL COST BURDEN	\$1,133

Notes on Table 12.3:

- a. The Coast Guard estimates that each vessel will be required to maintain two designated PICs.
- b. Because this collection is performed only once during an individual's period of employment, the number of responses is assumed to match the rate of attrition (turnover), conservatively estimated at 30 percent.
- b. The responsibilities of the individual creating the Letter of Designation are commensurate with that of a Lieutenant, Junior Grade (O-2). The wage rate shown is in accordance with the current edition of COMDTINST 7310.1 (series).
- c. We estimate that each letter will take no more than 10 minutes to create.

The burden associated with the DCR Recordkeeping portion of this collection is reported in 12.4.

Table 12.4 Discharge Cargo Residue

U.S. Recordkeeping Burden:

U.S. Respondents	55
U.S. Clerical Responses	9,295
U.S Master Response	1,320
Time Spent (MIN)	5.00
Clerical Hourly Rate	\$61
Clerical Total Hours	775
Master/Captain Hourly Rate	\$115
Master/Captain Total Hours	110

Total Clerical Cost	\$47,275
Total Master/Captain Cost	\$12,650
Total Hour Burden	885
Total Burden Cost	\$59,925
Canadian Recordkeeping Burden:	
Canadian Respondents	33
Canadian Clerical Responses	2,558
Canadian Master Responses	363
Time Spent (MIN)	5.00
Clerical Hourly Rate	\$61
Clerical Total Hours	213
Master/Captain Hourly Rate	\$115
Master/Captain Total Hours	30
Total Clerical Cost	\$12,993
Total Master/Captain Cost	\$3,450
Total Hour Burden	243
Total Burden Cost	\$16,443
Non-Canadian Foreign Recordkeeping Burden:	
Non-Canadian Foreign Respondents	186
Non-Canadian Foreign Clerical Responses	2,046
Non - Canadian Master Responses	186
Time Spent (MIN)	5.00
Clerical Hourly Rate	\$61
Clerical Total Hours	171
Master/Captain Hourly Rate	\$115
Master/Captain Total Hours	16
Total Clerical Cost	\$10,431
Total Master/Captain Cost	\$1,840
Total Hour Burden	187
Total Burden Cost	\$12,271
Total DCR Recordkeeping Burden:	
Total Respondents	274
Total Responses	15,768
Total Recordkeeping Hours	1,159
Total Master/Captain Hours	156
TOTAL BURDEN HOURS	1,315
TOTAL BURDEN COST	\$88,639

Notes on Table 12.4:

a. The Coast Guard estimates that each Clerical Recordkeeping Entry will take .083 hours or 5 minutes to complete and each Master/Captain Certification will take .083 hours or 5 minutes to complete.

b. The responsibilities of the individuals making the recordkeeping entry and

certification are commensurate with that of GS-11 and GS-15 respectively. The wage rate shown is in accordance with the current edition of COMDTINST 7310.1 (series).

The summation of the four aspects of this collection is provided in the following table:

Table 12.5 - Summation of Collection Burden

	Waste Management Plans	Refuse Discharge Logs	PIC Designation Letters	Dry Cargo Residue Recordkeeping	GRAND TOTALS
Total # Respondents	3,873	1,808	115	274	6,070
Total # Responses	3,873	753,738	115	15,768	773,494
Total Burden Hours	4,199	62,812	19	1,315	68,345
Total Burden Cost	\$222,521	\$4,710,900	\$1,133	\$88,639	5,023,193

13) Estimates of annualized capital and start-up costs.

There are no annualized annual or start-up costs.

14) Estimates of annualized Federal Government costs.

(a), (b), (c): This collection is for recordkeeping purposes only, and the public need not submit the information for review to the Coast Guard. Instead, Coast Guard personnel review these documents during periodic inspections, random boardings, and post-casualty, in conjunction with other vessel documentation and equipment. The incremental burden to the Government is negligible, and therefore not herein calculated.

(d): For the proposed collection of DCR Recordkeeping data, the Coast Guard would review records during periodic vessel inspections, random boardings, and post-casualty, in conjunction with other vessel documentation and equipment. In addition, we would analyze reported data in a formal study performed in conjunction with the proposed new rulemaking which would consider requiring the use of DCR control measures on the Great Lakes. The incremental burden to the Government is negligible, and therefore not herein calculated.

15) Explain the reasons for the change in burden.

(a), (b), (c) & (d): The change (i.e., increase) in hour burden is a PROGRAM CHANGE and is solely due to addition of the DCR recordkeeping requirements. DCR recordkeeping would allow the Coast Guard to better monitor compliance with Great Lakes DCR discharge requirements, monitor long term developments in Great Lakes DCR discharge practices, and determine the efficacy of control

measures in reducing DCR accumulation and the volume of Great Lakes DCR discharges.

- 16) For collections of information whose results are planned to be published for statistical use, outline plans for tabulation, statistical analysis and publication.

(a), (b), (c): There is no plan to use statistical analysis or to publish this information.

(d): For the proposed DCR Recordkeeping collection, records from individual carriers or vessels would not be published. However, the Coast Guard plans to analyze all submitted records as a whole and provide the public with that analysis in support of a proposed new rulemaking to consider requiring the use of control measures for reducing DCR accumulation and the volume of Great Lakes DCR discharges.

- 17) Explain the reasons for seeking not to display the expiration date for OMB approval of the information of collection.

We would display the expiration date for OMB approval of proposed form CG-33 on that form.

- 18) Explain each exception to the certification statement.

There are no exceptions to the certification statement.

B. Collection of Information Employing Statistical Methods.

This information collection does not employ statistical methods.