

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

Supporting Statement

**Qualification of Pipeline Personnel
OMB Control No. 2137-0600**

INTRODUCTION

This is to request the Office of Management and Budget's (OMB) renewed three-year approved clearance for the information collection entitled, "Qualification of Pipeline Personnel" (OMB Control No. 2137-0600, which is currently due to expire on December 31, 2008.

Part A. Justification.

1. Circumstances that make collection of information necessary.

As specified in the Accountable Pipeline Safety and Partnership Act of 1996 (Pub. L. No. 104-34), Congress amended its statute of 1992 to require, "All individuals who operate and maintain pipeline facilities shall be qualified to operate and maintain the pipeline facilities." PHMSA's regulations 49 CFR part 192 Subpart N and 49 CFR Part 195 Subpart G are applicable to natural gas operators and hazardous liquid operators under its jurisdiction respectively.

This information collection request supports DOT's safety performance goal of reducing total incidents for gas and hazardous liquid pipelines which directly supports the DOT's safety strategic objective of enhancing public health and safety by working toward the elimination of transportation-related deaths and injuries.

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

This information collection requirement is necessary to ensure pipeline personnel have the necessary qualifications to competently perform operation, and maintenance functions. The intended effect of the information collection requirements is to improve pipeline safety by assuring the competency of pipeline personnel through qualification.

Federal and state pipeline safety inspectors participating in the pipeline safety program may use the information to ascertain compliance with this rulemaking.

3. Extent of automated information collection.

Operators are permitted to keep records in any retrievable form. They may use the latest information technology to reduce the additional burden. There are no legal obstacles to reducing the burden.

4. Efforts to identify duplication.

The recordkeeping requirements will not duplicate any other recordkeeping requirements for pipeline operators.

5. Efforts to minimize the burden on small businesses.

The American Public Gas Association, a trade association representing municipal small gas operators, which represent the bulk of the small entities being impacted by this regulation (few small entities operate hazardous liquid pipelines or gas transmission lines as these are generally highly capitalized operations), indicate that it will provide its members with assistance in complying with this information collection by assisting in the development of programs. Much of the remaining cost of complying with the information collection will be on a per employee basis. Small entities will generally have fewer employees and, therefore, will have lower total costs than large entities.

All operators will also be permitted to use individuals who do not meet qualification standards to perform covered functions when accompanied and directed by a qualified persons. For some small gas distribution systems, this allowance may mean only one person is required to be qualified.

6. Impact of less frequent collection of information.

The frequency of the collection of information is one time for the identification of covered functions. This information could not be collected less frequently.

The qualification program needs to be developed only once, however it does require periodic updates to ensure compliance with current company procedures.

Other exceptions include: (1) review of the emergency response training every 15 months, and (2) changes in technology and procedures requiring qualification on an occasional basis. In addition, an incident involving an employee's lack of training may also result in requalification training.

7. Special circumstances.

The collection is consistent with all OMB guidelines, except guideline 5 CFR 1320.6(f) (maximum retention 3 years). Section 192.817 requires operators to maintain records which verify personnel requiring qualification have been qualified. Operators will be required to maintain these records at least five years after the person ceases to be employed by the operator.

It is essential these records be maintained for this period of time in order to review records of personnel involved in an emergency condition, incident or accident, abnormal operating condition, or violation of a pipeline's operating procedures. Maintenance of the records will also allow operators to evaluate the effectiveness of qualification programs.

8. Compliance with 5 CFR 1320.8.

A 60-day Federal Register notice was published on May 22, 2008 (73 FR 29846). No comments were received regarding this information collection. A 30-day Federal Register Notice was published on September 10, 2008 (73 FR 52722).

9. Payments or gifts to respondents.

There is no remuneration provided.

10. Assurance of confidentiality.

The information collection requirements do not include any matters considered private or sensitive.

11. Justification for collection of sensitive information.

The information collection requirements do not involve questions of a sensitive nature.

12. Estimate of burden hours for information requested.

The American Gas Association (AGA) estimated that there are 175,000 covered employees including both contract employees (75,000) and operator personnel (100,000). PHMSA estimates there are approximately 46,560 paid employees in pipeline transportation. This analysis assumes the AGA estimation of total employees which includes both own and contract employees.

The burden hour for training (including transitional evaluation and recordkeeping) is approximately 16 hours per employee. The total industry burden hour estimate for subsequent evaluation is approximately 2.8 million hours (175,000 X 16 hours). However, as assumed in previous submissions, not all operators are trained every year. There is an approximate 6-year training cycle for the impacted personnel. Therefore, the annual burden hour requested for this information collection is approximately 466,667 hours (2.8 million hours divided by 6 years).

The incremental cost of establishing an operator qualification program is estimated to be \$1,200 per employee. The total industry cost was estimated at \$210 million (175,000 * \$1,200 = \$210 million). PHMSA estimates that the program should be amortized over 10 years. **Amortizing the \$210 million cost at 7% interest rate the annual cost of this program of \$29.3 million.**

Given the recordkeeping requirements in this information collection:

Each operator shall maintain records that demonstrate compliance with this subpart.

(a) Qualification records shall include:

- (1) Identification of qualified individual(s);
- (2) Identification of the covered tasks the individual is qualified to perform;
- (3) Date(s) of current qualification; and
- (4) Qualification method(s).

(b) Records supporting an individual's current qualification shall be maintained while the individual is performing the covered task. Records of prior qualification and records of individuals no longer performing covered tasks shall be retained for a period of five years.

The annual burden hour requested for this information collection is approximately 466,667 hours.

13. Estimate of total annual costs to respondents.

There are no additional costs beyond the paperwork expenses stated under item 12.

14. Estimate of cost to the Federal government.

The costs to the Federal Government associated with this ICR is minimal.

15. Explanation of program changes or adjustments.

There is no change in burden due to the renewal of this information collection.

16. Publication of results of data collection.

This information will not be published for statistical purposes.

17. Approval for not explaining the expiration date for OMB approval.

OPS is not seeking such approval.

18. Exceptions to certification statement:

There is no exception.

Part B. Collections of Information Employing Statistical Methods.

This information collection does not employ statistical methods.

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

There is no potential respondent universe or any sampling selection method being used.

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.

There are no 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.

3. Describe methods to maximize response rate.

There are no methods to maximize the response rate.

4. Describe tests of procedures or methods.

There are no tests of procedures or methods.

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.

There were no individuals consulted on statistical aspects of this information collection.