

## **Supporting Statement for Barge Fleeting Facility Records**

### **A. Justification.**

#### 1) Circumstances that make the collection of information necessary.

The regulations in 33 CFR 165.803(h)(3)(i) "Fleeting facility: Records" were issued under the authority of the Port and Waterways Safety Act of 1972. They require the person in charge of a barge fleeting facility to keep records of the twice daily inspections of the barge moorings and the movements of barges and hazardous cargo in and out of the facility. Barge fleeting facilities are storage facilities made up of empty and loaded barges, temporarily moored together and located outside the river channel.

This information collection supports the following strategic goals:

##### Department of Homeland Security

- Protection
- Prevention

##### Coast Guard

- Safety
- Protection of the Natural Resources

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

- Reduce the number of collisions, allisions, and groundings
- Reduce the amount of oil discharged into the marine environment
- Reduce the amount of chemicals entering the environment

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

This recordkeeping requirement is part of the regulations in 33 CFR 165.803, which were written to help prevent barges from breaking away from a fleeting facility and drifting downstream out of control in a very congested area of the Mississippi River. The records are required only for barge fleeting facilities located between New Orleans, LA, and Baton Rouge, LA, to assure compliance with the rules and to provide documentary evidence should enforcement action be necessary.

#### 3) Consideration of the use of improved information technology.

The information required may be in any format (i.e., written or electronic). We estimate that 100% of the recordkeeping requirements can be done electronically. At this time, we estimate that 15% of recordkeeping is done electronically.

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

The Coast Guard monitors State and local regulatory activity in this field. To date no equivalent State and local programs have been identified that require equivalent information, and no other Federal agencies have similar or equivalent regulatory requirements.

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

It is likely that some of the companies in question would be considered small entities, however the overall impact of the requirement is minimal. Due to the nature of the industry, recordkeeping requirements for small entities are generally proportionately less due to the smaller numbers of barges involved. The record is in narrative form and no particular format is specified.

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

If this information collection were not required, the Coast Guard Captain of the Port (COTP) may have to inspect each fleeting facility more frequently (e.g. weekly), resulting in greater burden to both the respondents and the Federal Government.

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

This information collection is conducted in manner consistent with the guidelines in 5 CFR 1320.5(d)(2).

8) Consultation.

A 60-day (See [USCG-2009-0412], June 4, 2009, 74 FR 26872) and 30-Day (See [USCG-2009-0412], September 25, 2009, 74 FR 48998) Notice has been published in the *Federal Register* to obtain public comment on these collections. These Notices have not received any comments from the public.

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

There is no offer of monetary or material value for this information collection.

10) Describe any assurance of confidentiality provided to respondents.

There are no assurances of confidentiality provided to the respondents for this information collection.

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

There are no questions of sensitive language.

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

information.

- The total number of respondents is – **79** barge fleeting facilities.
- The total number of responses is – **57,670**.
- The estimated annual hour burden is – **60,390 hours**.
- The estimated annual cost burden is – **\$2,959,110**.

Calculation of the estimated annual number of responses is as follows:

- 79 barge fleeting facilities;
- 2, the minimum number of inspections (responses) per day that are required in 33 CFR 165.803(h)(2); and
- 365, the number of days per year.

79 facilities X 2 responses/facility--day X 365 days/year = **57,670 responses/year**

The annualized hour and cost burden to respondents are based on the following assumptions:

- 1) There are 79 barge fleeting facilities between river miles 88 and 240 that must record:
  - The time of commencement and termination of each inspection of barge moorings required in 33 CFR 165.803(h)(2);
  - The name of each person who does the inspection; and
  - The identification of each barge entering and departing the facility along with the date and time of entry and the names of any hazardous cargoes in them.
- 2) The number of recordings per day consists of:
  - 2, the minimum number of inspections per day that are required in 33 CFR 165.803(h)(2); and
  - 125, the average number of barges entering and departing a fleeting facility per day.<sup>1</sup>

Calculation of the estimated annual hour and cost burden is as follows:

**1) Inspections records:**

No. of recordings per day:	2
Est. time per recordings:	.33 hours (20 mins)
Number of days:	365 days
Average wage:	\$49 <sup>2</sup> per hour
No. of fleeting facilities:	79

- 2 recordings per day x 365 days x 79 facilities x .33 hours (20 mins) per recording divided by 60 (minutes per hour) = **317 hours**.
- 317 hours x \$49/hour = **\$15,533**.

**2) Barges records:**

No. of recordings per day:	125
Est. time per recordings:	.0167 hours (1 minute)

<sup>1</sup> Note: The range of fleeting facility barge capacities is 12 to 480. 125 is the average capacity for the region of consideration, departures and arrivals are merged as it is assumed that each facility will only have to document 50% of its capacity in a given day.

<sup>2</sup> As prescribed in COMDTINST 7310.1L, equivalent to WG-12 at out-of-govt rate.

Number of days: 365 days  
 Average wage: \$49 per hour  
 125 recordings per day x 365 days x 79 facilities x .0167 hours (1min) per recording divided by 1hour (60 mins) = **60,073 hours**. **60,073** hours x \$49/hour = **\$2,943,577**

**Total Estimated Burden:**

<b>Hour burden:</b>	<b>317 hours</b>	<b>+</b>	<b>60,073</b>	<b>=</b>	<b>60,390 hours.</b>
<b>Cost burden (\$):</b>	<b>\$15,533</b>	<b>+</b>	<b>\$2,943,577</b>	<b>=</b>	<b>\$2,959,110</b>

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

There are no capital, start-up or maintenance costs associated with this information collection.

14) Estimates of annualized Federal Government costs.

This is a recordkeeping requirement. There are no costs associated with reporting data as there is no such requirement. Fleeting facility records are examined by Coast Guard personnel during routine inspections of barge facilities.

15) Explain the reasons for the change in burden.

The change in burden is an ADJUSTMENT due to a change (i.e., decrease) in the estimated population of barge fleeting facilities. The decrease in barge fleeting facilities is based on information from the U.S. Coast Guard database, the Marine Information for Safety and Law Enforcement (MISLE).

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

This information collection will not be published for statistical purposes.

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

The Coast Guard will display the expiration date for OMB approval of this information collection.

18) Explain each exception to the certification statement.

The Coast Guard does not request an exception to the certification of this information collection.

**B. Collection of Information Employing Statistical Methods.**

This information collection does not employ statistical methods.