

**Supporting Statement
for
Regulated Navigation Area; Reporting Requirements for Barges
Loaded with Certain Dangerous Cargoes, Inland Rivers, Eighth Coast
Guard District and the Illinois Waterway, Ninth Coast Guard District**

A. Justification.

1. Circumstances that make the collection of information necessary.

Terrorist attacks on September 11, 2001, inflicted catastrophic human casualties and property damage. These attacks highlighted terrorists' abilities to utilize multiple means in different geographic areas, increasing their opportunities to maximize destruction by using multiple terrorist acts. In response, the Coast Guard established Regulated Navigation Areas (RNAs) within the inland rivers of the Eighth Coast Guard District and Ninth Coast Guard District in order to safeguard vessels, ports and waterfront facilities from sabotage or terrorist acts. The RNAs apply to barges loaded with Certain Dangerous Cargoes (CDC) operating on the Illinois Waterway System in the Ninth Coast Guard District, and in the Eighth Coast Guard District on the Mississippi River above mile 235.0, Above Head of Passes, including all its tributaries; the Atchafalaya River above mile 55.0 including the Red River; the Ohio River and all its tributaries; and the Tennessee River from its confluence with the Ohio River to mile zero on the Mobile River and all other tributaries between these two rivers. The RNAs affect vessels transporting CDCs that can be used as weapons of terrorism resulting in substantial loss of life, loss of property, environmental damage, and grave economic consequences. The RNAs require operators of barges loading or loaded with CDCs within the RNAs to periodically report their position and other specified information to the Inland River Vessel Movement Center (IRVMC) to protect the infrastructure and citizens of the United States against sabotage and terrorist acts.

This information collection supports the following strategic goals:

Department of Homeland Security

- Prevention

Coast Guard

- Maritime Security

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

- Security: Eliminate marine transportation and coastal security vulnerability.

2. Purpose of the information collection.

Title 33 CFR 165.10 defines a regulated navigation area as a defined boundary for which regulations for vessels navigating within the area have been established. The

purpose of collecting information within the RNA is to allow the Coast Guard to maintain continuous maritime domain awareness on the inland rivers to ensure port safety and security, and ensure the uninterrupted flow of commerce within the Eighth and Ninth Coast Guard Districts. This awareness will help the Coast Guard respond appropriately to actual or threatened terrorist actions and enhance maritime security by escorting CDC barges in the vicinity of high-density population areas.

3. Considerations of the use of improved information technology to reduce the burden.

The Coast Guard established the IRVMC to accept reporting in one location vice requiring reports to be made to each Captain of the Port (COTP) in which the CDC barge was operating. This alleviates the burden on the operator of a CDC barge from having to determine which COTP zone they are operating in and maintaining a contact list for each COTP. The IRVMC accepts telephone (toll free), facsimile (toll free), and e-mail transmissions as means of reporting the information. Persons subject to this requirement may utilize the means that most efficiently meets their needs, provided that the information and timeliness requirements are met. The Coast Guard has also made a reporting form and an e-mail link available on the Internet at <https://www.navcen.uscg.gov/irvmc/>.

We estimate that 100% of the reporting requirements can be done electronically. In calendar year 2008, 28% of all reports were filed electronically.¹

The Coast Guard has developed an alternative reporting methods to be used by the responsible person to meet any reporting requirements if: (1) the responsible person submits a written request for the alternative to Commander, Eighth Coast Guard District (m), Hale Boggs Federal Bldg., 501 Magazine Street, New Orleans LA 70130; and, (2) the alternative provides an equivalent means of meeting the reporting requirements, which is documented in the request. See paragraph 12 for further information.

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

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

5. Methods used to minimize the burdens, to small businesses, if involved.

This information collection does not have an impact on small businesses or other small entities.

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

Less frequent collection would significantly impact the Coast Guard's ability to maintain maritime domain awareness on the inland rivers, as the Coast Guard would not have a

¹ Source: IRVMC.

timely and accurate picture of where CDCs were on defined segments of the inland rivers.

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 a manner consistent with the guidelines in 5 CFR 1320(d)(2).

8. Consultation.

A 60-day Notice and 30-day Notice were published in the Federal Register to obtain public comment on this collection. (See USCG-2009-0457; June 24, 2009; 74 FR 30104; November 10, 2009, 74 FR 58040). The USCG has not received any comments on this information collection.

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

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

10. Describe any assurance of confidentiality is 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 information collection burden.

<i>Average number of respondents:</i>	80
<i>Total number of annual responses for reporting requirements:</i>	29,287
<i>Estimated annual hour burden for reporting requirements:</i>	2,196
<i>Total annual cost burden to respondents for reporting requirements:</i>	\$79,056 ²

The average number of respondents is 80. This number was estimated by adding together the total number of phone calls, emails and faxes received during 2008 and then dividing them by the number of days.³

² The persons responsible for completing the relevant responses are assumed to have the civilian equivalent of an E-2 ranking. According to the enclosure (2) to COMDTINST 7310.1L, the out of government equivalent to this was \$36.00 per hour.

³ During 2008, the number of phone calls received was 23,013, emails 4,964 and faxes 1,310. The grand total is hence 29,287. Dividing this by the number of days in a year yields a mean of 80.2. Data supplied

a. Reporting requirements for barges loaded with CDC.

The annual number of CDC reports is 29,287. This is based on the total number of phone calls, emails and faxes received by IRVMC during calendar year 2008.⁴

The estimated number of burden hours for CDC reports is 2,196. This burden was based on the following facts and assumptions:

- A. In calendar year 2008 there were 1,704 Initial Reports for Advance Notices and Trip Originations (1,974).⁵ The IRVMC estimated that the completion of a typical report took approximately 10 minutes. Hence a total of 61.3 hours (3,678/60) were required to process these.
- B. In calendar year 2008 a total of 19,335 phone calls (that were not Initial Reports) were received by the IRVMC.⁶ The IRVMC estimated that processing a typical phone call took approximately 5 minutes. Hence a total of 1,611.5 hours ((19,335 x 5)/60) were needed to process these.
- C. In calendar year 2008 a total of 4,964 emails were processed.⁷ The IRVMC estimated that processing a typical email took approximately 5 minutes. Hence a total of 413.7 hours ((4,964 x 5)/60) were required to process these.
- D. In calendar year 2008 a total of 1,310 faxes were received.⁸ The IRVMC estimated that processing a typical fax took approximately 5 minutes. Hence a total of 109.2 hours ((1,310 x 5)/60) were required to process the faxes.

The total time required to process the above responses took a total of 2,195.7 hours. This processing time only includes that time utilized in processing the required information per se. No time is included for verification or other purposes.

The IRVMC estimates that the responses will be processed by a mariner who is the equivalent of an E-2 rank. According to Enclosure (2) to COMDTINST 7310.1L, in 2008 the out-of-government rate for this was \$36.00 per hour. Applying this rate to 2,196 hours yields a total labor cost of \$79,056.

The average labor cost associated with processing each report is \$2.70 per report.

by IRVMC.

⁴ During 2008, the number of phone calls received was 23,013, emails 4,964 and faxes 1,310. The grand total is hence 29,287. Data supplied by IRVMC.

⁵ Data provided by IRVMC.

⁶ Ibid.

⁷ Ibid.

⁸ Ibid.

b. Alternative reporting requirements for barges loaded with CDC.

This regulation allows companies that transport CDCs by barge to submit a request for alternative reporting requirements (ARR). IRVMC indicates that in calendar year 2008 no entities had submitted an ARR. In previous years this number has also been low. In 2005, for example, only one was submitted and approved. The number of burden hours for the Coast Guard required to review a request, interact with the submitting company and ensure that the alternative meet the regulatory requirements was estimated to be 40 for the one ARR that was submitted and approved in 2005.

As no ARRs were submitted in 2008 the cost associated with their processing and handling is zero.

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

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

14. Estimates of annualized cost to the Federal Government.

In 2008 it was estimated by the IRVMC that 1 MCPO⁹ (employed 9 hours a day for 260 days a year) and 4 watchstanders were needed, working 24 hours a day (an FTE burden of 24 hours per day for 365 days) were needed to provide the necessary staffing. The 4 watchstanders, depending on whether they were Coast Guard or civilian personnel, were the equivalent of an E-6 or a GS-11.¹⁰ Assuming that this staffing and simultaneously assuming no overtime and no time for training or other “off-duty” activities, the aggregate labor time amounted to 10,980 hours and the total labor time, based on this time, was \$594,180.

Estimated non-labor costs (i.e., GSA offices, electricity, equipment, phones, etc.) for calendar year 2008 were \$108,307¹¹. Thus total labor and non-labor costs overhead costs to the Federal Government came to \$702,487.

a. Reports to IRVMC:

The Coast Guard requires 10 minutes to receive and review each report. Thus for the 29,287 reports received in 2008 the burden was 4,881 hours.

b. Reviewing requests for alternate reporting:

⁹ According to Enclosure (2) to COMDTINST 7310.1L, in 2008, the in-government rate for a E-9 was \$73.00 per hour.

¹⁰ According to Enclosure (2) to COMDTINST 7310.1L, in 2008, the in-government rate for a GS-11 was \$49.00 per hour and the rate for an E-6 was also \$49.00 per hour.

¹¹ In 2005, according to IRVMC, the non-labor costs were \$100,000. Assuming that these costs increased as much as the CPI for all urban consumers in the Washington-Baltimore Metropolitan area (series ID: CUURA311SA0) between 2006 and 2008, the cost in 2008 would be \$108,307.

As no ARRs were processed in 2008 there were no costs.

15. Reasons for change in burden.

The change in burden is an ADJUSTMENT due to a change in the number of vessel transits.

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. Approval to not display expiration date.

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.