

**Supporting Statement
for
Declaration of Inspection Before Transfer
of Liquid Cargo in Bulk**

A. Justification

1. Circumstances that make the collection of information necessary.

Title 33 U.S.C. 1221 authorizes the Coast Guard to establish procedures, methods, and equipment requirements to prevent the discharge of oil and hazardous material from vessels and both onshore and offshore facilities. Title 33 U.S.C. 1225 and 46 U.S.C. 3703 authorized the Coast Guard to establish procedures, methods, and equipment requirements to prevent damage to vessels and facilities resulting from an unauthorized discharge of oil or hazardous substances into the environment. The Declaration of Inspection (DOI) is required to ensure safety during transfer of liquid cargo in 33 Code of Federal Regulations (CFR) 156.150 and 46 CFR 35.35-30. A Person-in-Charge (PIC) designated under 33 CFR 154.710 and 155.700 completes the DOI for each bulk transfer conducted. A copy of the DOI must be kept on board the vessel and facility for one month from the date of signature.

Coast Guard personnel, under the direct supervision of the Captain of the Port (COTP), conduct regulatory compliance inspections of vessels and facilities that transfer oil and hazardous materials in bulk. The DOI is checked to ensure compliance and to determine culpability in spill and accident investigations.

This information collection supports the following strategic goals:

Department of Homeland Security

- Prevention
- Protection

Coast Guard

- Maritime Safety
- Protection of 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.

As part of the Coast Guard's Port Safety and Security Program, this information is used in order to identify potential or actual violations of the regulations. The DOI must be continued for the U.S. to ensure compliance with specific procedures to prevent pollution of U.S. waters or damage to vessels and facilities. If no records were kept, a PIC may not know their

responsibilities (in case of foreign nationals working on foreign ships that transfer oil or hazardous materials in bulk in U.S. ports) or they may not follow all of the proper procedures. The result would be a significant increase in the risk of pollution or damage. Also, it would be more difficult to ascertain culpability for accidents and spills.

3. Consideration of the use of improved information technology.

Improved information technology is not applicable here, because a signed copy of the DOI must be kept at the facility and on board the vessel.

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

The Coast Guard monitors State and local regulatory activity in this field. No state, local, or other Federal agencies have been identified that require equivalent information. No similar information is available.

5. Methods to minimize the burden 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 not done or conducted less frequently.

Presently, a DOI is completed each time a bulk transfer is conducted and is kept for one month following each transfer operation. Reducing the use of DOIs could be detrimental in determining the causal factor for accidents and spills. Also, there is the possibility of increased pollution if proper prevention procedures are not followed.

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-2009-0116], March 12, 2009, 74 FR 10750) and 30-day (See [USCG-2009-0116], July 20, 2009, 74 FR 35202) Notice were published in the *Federal Register* to obtain public comment on these collections. 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 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 annual number of respondents is 11,463.**
- **The annual number of responses is 220,606.**
- **The estimated annual hour burden is 67,825.**
- **The estimated annual cost burden is \$3,776,340.**

Each time a vessel conducts a transfer of oil or other hazardous materials, a DOI must be written and kept. Writing the DOI constitutes a response. This requirement covers all U.S. vessels and all non-U.S. flagged ships that carry oil and hazardous materials in bulk.

Number of Respondents. The Coast Guard's Marine Information for Safety and Law Enforcement (MISLE) yielded **11,463 vessels** that transport oil and hazardous materials. See Table 1. These vessels would have to comply with the recordkeeping requirement.

Table 1
Estimate of Vessels that Complete the Declaration of Inspection

Non-Tank Vessels		
Freight Barge	193	
Freight Ship	303	
MODU	55	
Oil Recovery	75	
Pub. Tank Ship/Barge	2	
Total Non-Tank Vessels		628
Tank Barges		
Tank Barge	1,383	
Tank Barge: Subchpt. "OD"	2,176	
Tank Barge: Subchpt. "OI"	129	
Total Tank Barges		3,688
Tank Ships		105
Non-U.S. Vessels¹		7,042
Grand Total		11,463

Number of Responses: The Coast Guard expects about **220,606 responses** annually (See Table

¹ The MISLE database shows an average of 7,042 distinct non-U.S. vessels that arrived to the U.S. over a period of three years (2005-2007), transporting cargo that would require a declaration of inspection. Each year and for the three year period in this submission, we assume that the same average number of foreign ships would enter the United States with cargoes required to have a declaration of inspection while unloading or loading.

2).

- The Coast Guard estimates that U.S. tank vessels conduct about 52 transfers annually, and that non-tank vessels conduct 26 transfers annually.

Table 2
Total Number of Responses

	Number of Vessels	Entries/Vessel	Total Number of Responses
Tank Ships	105	52	5,460
Tank Barges	3,688	52	191,776
Non-Tank Vessels	628	26	16,328
Non-U.S. Vessels ²	7,042		7,042
Total	11,463		220,606

We estimate that it takes 0.3 hours (18 minutes) to verify that the required procedures have been followed and to sign the DOI. Table 3 shows the burden hours per vessel type.

Table 3
Annual Hour Burden per Vessel Type

	Entries per Vessel	Hours per Entry	Hr. Burden per Vsl
Tank Ships	52	0.3	16
Tank Barges	52	0.3	16
Non-Tank Vessels	26	0.3	8

Burden Hours: The total annual burden for the affected vessels is expected to be **67,825 hours**. (See Table 4).

Table 4
Total Annual Hour Burden to Industry

	Vessels	Burden per Vessel	Total Hour Burden
Tank Ships	105	16	1,680
Tank Barges	3,688	16	59,008
Non-Tank Vessels	628	8	5,024
Non-U.S. Vessels ³	7,042		2,113
Total Vessels	11,463		67,825

Costs: The corresponding annual cost to industry is **\$3,776,340** (See Table 5).

- We estimate that for tank ships and non-U.S. ships, the equivalent of a Lieutenant would fill out the declaration. The hourly wage of a Lieutenant is \$84 (O-3 out of Government). For all other vessels, we expect the equivalent of an Ensign to fill out the declaration. The hourly wage of an Ensign is \$54 (O-1 out of Government). These wages are per

² The MISLE Database also shows that the 7,042 non-U.S. distinct vessels that entered the U.S. to load or unload oil or other hazardous materials made an average total of 7,042 combined visits. We assume that one transfer took place per visit, and it follows that one declaration of inspection would occur per transfer. Therefore, we assume that an average of 7,042 declarations of inspections were filed between 2005-2007, and that same number of declarations would continue to be filled out during the three years covered in this submission.

³ This is the accumulated hour burden to all non-U.S. ships (7,042 declarations x 0.3 hours per declaration).

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Table 5
Annual Industry Cost of Completing the Declarations of Inspection

	Total Hour Burden	Cost per Hour	Total Cost
Tank Ships	1,680	84	\$141,120
Tank Barges	59,008	54	3,186,432
Non-Tank Vessels	5,024	54	271,296
Non-US Vessels	2,113	84	177,492
Total Vessels	67,825		\$3,776,340

13. Estimates of 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.

We assume that Coast Guard personnel monitor 5 percent of the 220,606 transfers conducted annually in the U.S. It takes approximately 0.1 hours (6 minutes) to review a DOI for completeness. A Petty Officer will typically perform this duty. The average hourly wage of a Petty Officer is \$42.⁴ Therefore, the cost to the Coast Guard is about \$46,327 (220,606 transfers x 5% x 0.1 hours x \$42).

15. Explain the reasons for the change in burden.

The change in the burden is an ADJUSTMENT due to a change in vessel population and a change in the methodology for calculating the hour burden for non-U.S. vessels (see footnote 2 for details).

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.

⁴ The average hourly wage of a Petty Officer (E-4, E-5 and E-6) is \$42 [(\$36+\$42+\$49)/3 = \$42]. This information is listed in COMDTINST 7310.1L