

**Supporting Statement
for
Vessel and Facility Response Plans (Domestic and Int'l), and
Additional Response Requirements for Prince William Sound, Alaska
[as modified per USCG-1998-3417]
[as modified per USCG-2001-8661]
[w/ proposed changes per USCG-2008-1070]**

A. Justification

1. Circumstances that make the collection of information necessary.

Facility Response Plan (FRP): Section 4202(a)(6) of the Oil Pollution Act of 1990 (OPA 90) amended section 311(j) of the Federal Water Pollution Control Act (FWCPA). It requires the owner or operator of a facility to prepare and submit “a plan for responding, to the maximum extent practicable, to a worst case discharge, and to a substantial threat of such a discharge of oil or hazardous substances.” This requirement applies to any offshore facility and to an onshore facility that "because of its location, could reasonably be expected to cause substantial harm to the environment by discharging into or on the navigable waters, adjoining shorelines, or the exclusive economic zone." Under Title 33 CFR 154 subpart H, § 154.1220 and § 154.1225 require an owner or operator of a facility that handles animal fats and vegetable oils to modify the facility response plans to incorporate average most probable discharge planning.

Vessel Response Plan (VRP): Section 4202(a)(6) of the Oil Pollution Act of 1990 (OPA 90) amended section 311(j) of the Federal Water Pollution Control Act (FWPCA). The plan requires that vessels carrying oil in bulk as cargo and operating in waters subject to U.S. jurisdiction prepare and submit a written response plan for a worst case discharge of oil or hazardous substances.

Nontank Vessel Response Plan (NTVRP): Section 701 of the Coast Guard and Maritime Transportation Act of 2004 (CG&MTA 2004) (Public Law 108-293) amended section 311 (a) and (j) of the FWPCA. This plan requires that nontank vessels of 400 ITC gross tons and above which carry oil as fuel for propulsion and operating in navigable waters of the U.S. to prepare and submit a written vessel response plan for a worst case discharge.

Prince William Sound (PWS): Section 5005 of the Oil Pollution Act of 1990 (OPA 90) establishes requirements for a tanker operating in PWS and loading cargo at the Trans Alaska Pipeline System (TAPS), in addition to those required by section 4202(a)(5) of OPA 90. This rule ensures that response plans provide for pre-positioned oil spill containment and removal equipment, an oil spill removal organization, training of local residents in oil spill removal and containment techniques, practice exercises, and periodic testing and certification of equipment.

Shipboard Oil Pollution Emergency Plan (SOPEP): The information collection requirements described below are necessary to comply with the statute (33 USC 1901, *et. seq.*) This section implements Regulation 37 of Annex I of MARPOL 73/78 for United States flag ships. It requires every oil tanker of 150 gross tons and above and every ship other than an oil tanker of

400 gross tons and above to carry on board an approved SOPEP.

This information collection supports the following strategic goals:

Department of Homeland Security

- Protection
- Recovery

Coast Guard

- Maritime 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.

FRP, VRP, and NTVRP: The purpose of OPA 90 is to reduce the number of oil and hazardous substance spills and to minimize the impact of the oil and hazardous substance spills when they do occur in U.S. waters. The requirements for preparation, submission, and approval of Vessel Oil and Hazardous Substance Spill Response Plans (VRPs), Facility Oil and Hazardous Substance Spill Response Plans (FRPs) and Nontank Vessel Response Plans (NTVRPs) are central to the contingency planning elements of the Federal Water Pollution Control Act. The VRP, FRP & NTVRP requirements are necessary to ensure that vessels entering U.S. waters and certain facilities are adequately prepared to respond in the event of an incident involving the spill of oil or a hazardous substance. Without the proposed requirements some operators may not maintain the necessary internal resources (effective planning, training, drilling, etc.) or external resources (adequate response capability) to meet one major intent of FWPCA to reduce the consequences of an oil or hazardous substance spill when it occurs.

Submission of Response Plans to the U.S. Coast Guard for approval is considered to be the most efficient way to ensure compliance and necessary for the Coast Guard to meet its obligations under OPA 90/FWPCA.

PWS: The additional requirements in section 5005 of OPA 90, for trained personnel and pre-positioned response equipment, reflect the particular environmental sensitivity of Prince William Sound (PWS). Without these requirements for tankers operating in Prince William Sound and loading cargo at TAPS, it is believed that sufficient response resources would not be available or be properly maintained to clean up a future oil spill. Certification and testing of response equipment will help ensure the readiness of this equipment for a future response.

SOPEP: The purpose of Regulation 37 to Annex I of MARPOL 73/78 is to improve response capabilities and minimize the environmental impact of oil discharges from ships. Without the requirements for "Shipboard Oil Pollution Emergency Plans," there is a greater likelihood of a vessel which is not prepared to handle an unauthorized discharge of oil having a spill and causing a major environmental incident. The submission and approval of these plans ensures

that vessels have in place an appropriate plan that deals with such an occurrence.

3. Consideration of the use of improved information technology.

The information required is particular to each vessel and facility. Depending on the size of the document, response plans, updates and correspondence may be submitted in writing via mail, or electronically submitted via e-mail. It is estimated that 10% of the correspondence is done via electronic submission.

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

FRP: The Coast Guard conducted a review of both State and Federal regulations to identify the degree to which facilities affected by the Coast Guard information collection requirements would have already prepared similar information in order to comply with existing regulations. At least 14 states have regulations requiring varying degrees of response planning. The extent of duplication was estimated by evaluating the overlap of response plan requirements and affected facilities between each State regulation and the Coast Guard requirements. For example, the contingency planning requirements of New York State apply only to facilities with an oil storage capacity of 400,000 gallons, which excludes a substantial portion of the Coast Guard regulated facilities in the State.

In addition, State requirements do not generally cover all sections of the facility response plan requirements stated by the Coast Guard, including certain statutorily mandated requirements. Based on a review of the overlap in response plan requirements and facility coverage between current state response planning requirements and the Coast Guard requirements, the extent of overlap is not significant.

In addition to State facility response planning requirements, Environmental Protection Agency (EPA) has facility response plan regulations. These response plan requirements affect certain non-transportation-related facilities that have the potential to discharge oil into the navigable waters or adjoining shorelines of the U.S. and meet certain storage capacity thresholds.

EPA's regulations do not apply to equipment or operations of onshore marine transportation-related facilities that are subject to the authority and control of the Department of Homeland Security (by delegation to the Coast Guard). However, certain businesses have both transportation-related and non-transportation-related components, such as petroleum bulk terminals that have storage tanks and transfer petroleum to and from vessels. These businesses may be subject to both the Coast Guard's proposed regulation and EPA's proposed regulation. This analysis designates these facilities as complexes.

To avoid duplicative paperwork burdens on complexes, the Coast Guard and EPA have been working together very closely to ensure that their response plan requirements and response plan formats are consistent. As a result of this effort, complexes will be able to comply with both response plan requirements with a single response plan, thereby mitigating duplication of paperwork related burdens. Where available, similar information from EPA is used.

PWS: The information being required is unique. There is no known duplication of filing requirements with other Federal information collections.

NTVRP: The information required is unique. Section 701 of the Coast Guard and Maritime Transportation Act of 2004 amended 33 U.S.C. 1321(j)(5)(a) and (j) requiring that nontank vessel response plans be submitted consistent with other plans required by the Federal Water Pollution Control Act.

SOPEP and VRP: The information required is unique. Regulation 37 of Annex I of MARPOL 73/78 requires specific response planning. These requirements work in conjunction with, and not in duplication of, the Vessel Response Plan requirements discussed elsewhere in this supporting statement.

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

FRP: Although the Coast Guard regulation has certain reduced requirements for smaller facilities, these are primarily not paperwork related. However, because of the nature of the information collection requirements, the level of effort to prepare the facility response plan is estimated to vary directly with the size and complexity of the facility. As a result, smaller facilities are estimated to incur a lesser burden than larger facilities (i.e., the paperwork burden is not constant across sizes and types of affected facilities).

Furthermore, in drafting OPA 90, it was clearly Congress' intent that certain small facilities be subject to the same response planning requirements as large facilities. Specifically, in discussing the selection of facilities that could cause "substantial harm" to the environment (i.e., those subject to the information collection activities), the OPA Conference report states:

The criteria should not result in the selection of facilities based solely on the size or age of storage tanks. Specifically, the selection criteria should not necessarily omit those smaller facilities that are near major drinking water supplies or that are near environmentally sensitive areas. H. Rep. No. 101-653, 101st Cong. 2nd Sess. 1990, p. 150.

VRP: Due to the nature of the industry, smaller entities tend to own smaller vessels, e.g., barges rather than large tankers. The reporting requirements are less than those for smaller vessels; vessels have fewer personnel, carry less cargo, and require less response capability. Vessels that carry oil as secondary cargo, i.e., fishing vessels, offshore supply vessels and towing vessels, require a less comprehensive VRP and have reduced resubmission requirements. In addition, there is a very small number of these vessels applicable to these requirements. Unmanned barge owners or operators are required to maintain a corporate plan with a notification and emergency procedures list on each barge.

NTVRP: The Federal Water Pollution Control Act (33 U.S.C. 1321(j)(5)) as amended by Section 701 of the Coast Guard and Maritime Transportation Act of 2004 requires the same level of information from vessels in order to receive interim operating approval.

PWS: The paperwork requirements for smaller vessels are less because they have fewer

personnel on board, carry less oil, and will require less response equipment than larger vessels. In addition, non-TAPS vessels (most of which are smaller) were eliminated from the requirements.

SOPEP: The small business burden should be minimized as few small entities own ships of the gross tonnage to which this regulation applies.

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

FRP, VRP, and NTVRP: The Coast Guard recognizes the need to minimize the burden of any information collection to the extent permitted under the requirements of the Federal Water Pollution Control Act as amended by OPA 90 and the Coast Guard and Maritime Transportation Act of 2004. Section 4202(a)(6) of OPA 90 requires facilities and vessels to update the response plan periodically, and resubmit for approval of each significant change. Under the regulation, facilities and vessels would be required to: conduct an annual review of the response plan and submit changes to the Coast Guard; or, if no changes are necessary, submit a letter stating that the review has taken place.

The Coast Guard has determined that requiring facilities and vessels to review and update their response plans less frequently than once a year would undermine the intent of the Federal Water Pollution Control Act, which is to ensure that all facilities and vessels have an up-to-date plan at all times. For example, contact lists of spill response personnel may require revision every year, and possibly more frequently. Because the majority of information collection activities (in terms of both hours and cost) would involve initial preparation of the response plan, reducing the frequency of the annual information collection activities would not significantly reduce the overall burden of the information collection activities required under these regulations.

PWS: Less frequent oversight and review of plans and equipment may result in inadequate equipment and poorly trained personnel.

SOPEP: Because the plan must be used in an emergency, less frequent review and submission could result in outdated information impeding a response.

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.

On 31 Dec 2008, the Coast Guard published a Final Rule entitled "Salvage and Marine Firefighting Requirements; Vessel Response Plans for Oil" (S&F) [73 FR 80618; USCG-1998-3417].

- No comments were received as it relates to this collection of information.

On 31 Aug 2009, the Coast Guard published a Final Rule entitled “Vessel and Facility Response Plans for Oil: 2003 Removal Equipment Requirements and Alternative Technology Revisions” (CAPS) [74 FR 45004; USCG-2001-8661]. The Coast Guard amended VRP requirements to —

- No comments were received as it relates to this collection of information.

On 31 Aug 2009, the Coast Guard published an NPRM entitled “Nontank Vessel Response Plans and Other Vessel Response Plan Requirements” [74 FR 44970; USCG-2008-1070]. The Coast Guard proposes to—

- Specify the content of a response plan, and among other issues, address the requirement to plan for responding to a worst case discharge and a substantial threat of such a discharge.
- Update the international Shipboard Oil Pollution Emergency Plan (SOPEP) requirements that apply to certain nontank vessels and tank vessels.
- The Coast Guard is currently analyzing NTVRP NPRM comments.

This change is necessary to further protect the Nation from the threat of oil spills in the maritime domain. The NPRM has a 90-day comment period that closes 30 Nov 2009.

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.

12-1. **FRP:** This section presents the number of respondents and presents the burden and cost estimates.

(a) Number of Respondents

There are 3,881 facilities subject to the Coast Guard facility response plan requirements. It has been assumed for the purposes of document that the number of facilities remains constant due to the mature nature of the industry. However, facilities are sold and new ones are built as older ones are taken out of service, there it has been assumed that 360 new facility response plans will be submitted per year. This figure represents 10% of the affected population.

(b) Summary of Paperwork Burdens and Cost

The paperwork requirements consist of the initial preparation and submission of the response plan, annual submission of revisions to the Coast Guard as changes occur, and annual recordkeeping activities. The burden and cost were estimated over a 5 year period. These are described in more detail below.

Response Burden. The primary response burden in the first year is for facilities to prepare and submit to the Coast Guard the facility response plan. In subsequent years, facilities would be required to perform an annual review of their response plan and submit to the Coast Guard either (1) any revision made to the response plan, or (2) a letter indicating that the annual review was conducted. In addition, facilities would be required to resubmit their response plans to the Coast Guard every five years.

Recordkeeping Burden. Recordkeeping activities include revising and maintaining an updated response plan based on information collected primarily during the annual review. In addition, facilities are required to maintain records of drills and training. Copies of the updated plan must be maintained by the facility owner or operator and by the qualified individual.

Change. This change to the collection of information will require that the FRP holders, excluding mobile facilities, update their plans to include a provision for aerial surveillance. This will not change the number of respondents or the number of responses. There are 2,798 FRP holders that will be impacted by this addition to the collection. The increased burden to these planholders is estimated at 27.5 hours the first year and 8 hours in the following years. For the three years covered by this collection the average annual burden per planholder is 15.83 hours with an industry burden of 44,302 (2,798 planholders x 15.83 hours). The cost associated with this burden is calculated at the same FRP recordkeeping wage rate of \$35 per hour for a total of \$1,550,558 (44,302 hours x \$35 per hour).

Total Burden and Cost. The estimated annual burden and cost for FRPs is **138,021 hours** at a cost of **\$4,830,751**. See FRP Table for details.

12-2. **VRP:** This section presents the number of respondents and presents the burden and cost estimates.

(a) Number of Respondents

Based on information from the U.S. Coast Guard Office of Vessel Activities (G-PCV), the office responsible for reviewing and approving VRPs, there are approximately 797 VRPs covered by this collection of information (175 planholder and 622 plan preparer from 33 companies). As of the fourth quarter of 2007, there were 3,365 correspondence letters for plan revisions. Companies will approach the plan development requirement in different ways. Some companies will develop the VRPs entirely in-house; some will contract out to consultants or use a combination of consultant and in-house resources for plan development; while others may rely on industry associations for core "generic" VRPs that are then modified to suit the particulars of

a vessel or company.

(b) Summary of Paperwork Burdens and Cost

The paperwork requirements consist of the initial preparation and submission of the response plan, annual review and submission of revisions to the Coast Guard as changes occur, annual recordkeeping activities, and resubmit of the plan every 5 years. The burden and cost were estimated over a 5-year period. These are described in more detail below.

Response Burden. The primary response burden, consists of the 1) initial preparation of the vessel response plan; 2) submission of the plan to the U.S. Coast Guard for approval; 3) submission of revisions or modifications to a response plan, as material changes occurs for the vessel to prepare, and 4) submit to the Coast Guard the vessel response plan. In addition, the plans are to be resubmitted every five years and the paperwork burden for the resubmission is expected to be the same as for the annual review plus additional time for copying/ mailing.

Recordkeeping Burden. Recordkeeping activities include revising and maintaining an updated response plan based on information collected primarily during the annual review. In addition, vessels are required to maintain records of drills and training. Copies of the updated plan must be maintained by the vessels response planholder and by the qualified individual.

Change. This change to the collection of information will require that the VRP holders update their plans to include provisions for aerial surveillance and aerial dispersant application. This will not change the number of respondents or the number of responses. There are 795 FRP holders that will be impacted by this addition to the collection. The increased burden to these planholders is estimated at 27.5 hours the first year and 8 hours in the following years. For the three years covered by this collection the average annual burden per planholder is 15.83 hours with an industry burden of 12,588 (795 planholders x 15.83 hours). The cost associated with this burden is calculated at the same VRP recordkeeping wage rate of \$40 per hour for a total of \$503,500 (12,588 hours x \$40 per hour).

In addition, we estimated the unit cost for planholders and plan preparers to update and submit their plans to the Coast Guard. Plans are resubmitted once every 5 years. The exact number of plans varies periodically but has remained generally the same during the past several years or about 800. For plan holders, we estimate the amount of managerial time per plan to be about 20 hours and the amount of clerical time to be about 5 hours. Based on industry labor rates obtained from the U.S. Department of Labor, we estimate the managerial labor cost to be about \$70/hour and the clerical labor cost to be about \$21/hour. We maintain the previous estimate of 20 hours per plan for managerial time and 5 hours per plan of clerical time. We estimate the total hours for plan holders to be about 4,375 hours (175 plan holders x 25 hours). We estimate the total cost to plan holders to be about \$1,505 per plan (20 hours x \$70/hour + 5 hours x \$21/hour). We estimate the total cost to plan holders to be about \$263,375 (\$1,505 per plan x 175 plans).

We estimate the total hour for plan preparers to be about 15,550 hours (622 plan preparers x 25 hours). We estimate the total cost to plan preparers to be about \$1,505 per plan (20 hours x

\$70/hour + 5 hours x \$21/hour). We estimate the total cost to plan preparers to be about \$936,110 (\$1,505 per plan x 622 plans). We estimate the total cost to be about \$1.2 million annually (\$263,375 + \$936,110) and the total annual burden hours to be about 19,925 (4,375 + 15,550).

Total Burden and Cost. The estimated annual burden and cost for VRPs is **42,159 hours** (+ 19,925 hours) at a cost of **\$3,222,100 (+ \$1,199,485)**. See VRP Table for details.

12-3. **NTVRP:** This section presents the number of respondents and presents the burden and cost estimates.

(a) Number of Respondents

For the proposed rule, we estimate a total of 2,951 U.S.-flag vessels would be required to submit NTVRPs along with about 9,264 foreign-flag vessels. We contacted six plan preparer companies to obtain our cost information along with other pertinent information. In the analysis for the proposed rule, planholders prepare plans as well as plan preparers. A majority of planholders choose to have plans prepared by plan preparers although some still choose to prepare plans themselves.

(b) Summary of Paperwork Burdens and Cost

The paperwork requirements consist of the initial preparation and submission of the response plan, annual review and submission of revisions to the Coast Guard as changes occur, annual recordkeeping activities, and resubmit of the plan every 5 years. We estimate burden hours for plan development in the first year and again in the fifth year for resubmittal. Initial-year plan development is burden hour and cost intensive for the proposed rule. Annually, after the initial year, cost and hour burden decreases as planholders maintain and update their plans.

Response Burden. The primary response burden, consists of the 1)initial preparation of the vessel response plan; 2)submission of the plan to the U.S. Coast Guard for approval; 3) submission of revisions or modifications to a response plan, as material changes occurs for the vessel to prepare, and 4) submit to the Coast Guard the vessel response plan. In addition, the plans are to be resubmitted every five years and the paperwork burden for the resubmission is expected to be the same as for the annual review plus additional time for copying/mailing.

Recordkeeping Burden. Recordkeeping activities include revising and maintaining an updated response plan based on information collected primarily during the annual review. In addition, vessels are required to maintain records of drills and training. Copies of the updated plan must be maintained by the vessels response planholder and by the qualified individual. We estimate the recordkeeping burden based on the number of plans we estimated that would be submitted as a result of the proposed rule.

Total Burden and Cost. The estimated annual burden and cost for NTVRPs is 14,415 hours annually notwithstanding the approved burden of 35,268 hours. See the regulatory analysis for the estimation of costs. See NTVRP Table for details.

12-4. **PWS:** There will be one spill response organization working in Prince William Sound. It will serve the Trans Alaska Pipeline System (TAPS) traffic and includes large tankers receiving oil at the Valdez terminal.

Burden to Industry

There are 600 total clerical hours (80 hrs for operational readiness + 120 hrs for drills + 400 hrs for training) required for reporting and recordkeeping. Total clerical cost is \$12,000 for information collection for section 5005 of OPA 90 (600 hours x \$20 clerical cost/hour).

There are 680 total technical hours (200 hrs for operational readiness + 480 hrs for drills) required for information collection. The total technical cost is \$34,000 for information collection for section 5005 of OPA 90 (680 hours x \$50 technical cost/hour)

Total Burden and Cost. The estimated annual burden and cost for PWS requirements is **1,280 hours** at a cost of **\$46,000**. See PWS Table for details.

12-5. **SOPEP:** This section presents the number of respondents and presents the burden and cost estimates.

(a) Number of Respondents

Based on information from the U.S. Coast Guard Office of Vessel Activities (G-PCV), the office responsible for reviewing and approving SOPEPs, there are approximately 2,794 SOPEPs annually covered by this collection of information. The Coast Guard estimates 921 new SOPEP get approved annually. There are 2,820 correspondence letters annually for plan revisions. It is assumed that 2 new US flagged tank vessels will be built each year. Companies will approach the plan development requirement in different ways. Some companies will develop the SOPEPs entirely in-house; some will contract out to consultants or use a combination of consultant and in-house resources for plan development; while others may rely on industry associations for core "generic" SOPEPs that are then modified to suit the particulars of a vessel or company.

(b) Summary of Paperwork Burdens and Cost

The paperwork requirements consist of initial preparation of the Shipboard Oil Pollution Emergency Plan (SOPEP), submission of the plan to the U.S. Coast Guard for approval, and submission of revisions or modifications to a plan as material changes occur. All vessels require certification every year. US flagged tank vessels are assumed to be in compliance with the MARPOL 73/78 by submitting their plans in conjunction with their VRPs, with a small additional time increased. The Coast Guard estimates the cost of adding the MARPOL requirements into the VRP to be 18 hours per plan. The burden and cost were estimated over a 5 year period.

Total Burden and Cost. The estimated annual burden and cost for SOPEP requirements is

60,703 hours at a cost of **\$2,731,635**. See SOPEP Table for details.

12-6. **Total Burden and Cost of submitting form CG-6083.** The Coast Guard has created the form “Application for Approval/Revision of Vessel Response Plans.” The purpose of the form is to provide for an easier and clearer method to request a specific USCG review a submitted vessel response plan or revision to a response plan. The Coast Guard estimates that approximately 50% of submissions will voluntarily use this form. It will take approximately 16 hours to complete form, therefore the total hours of burden will be about 16,400 (32,675 x 0.5) at a cost of \$118,080 (16,400 x (\$45/hr x 0.16)). However, this burden is not added to the total, as use of the form replaces the need to draft a letter explaining what action is requested.

12.7. Summary

Total Number of Respondents. The number of respondents subject to the information collection requirements is estimated to be a total of **10,606** (**10,606 = 2,772 + 9,834 – 2,000**) in terms of response burden [(FRP: 3,881 + 360) + (VRP: 797) + (NTVRP: 2,772) + (PWS: 1) + (SOPEP: 2,794)]. We subtracted the approved value of 2,000 from the total approved number of respondents of 9,834 and added the new number (2,772) of respondents for the NTVRP NPRM.

Total Number of Responses. The number of responses subject to the information collection requirements is estimated to be a total of **57,382** (not counting approved responses of 6,596 for NTVRP = **27,532 = 32,675 – 6,596 + 1,453**) [(FRP: **11,726 = 360 + 3,881 + 3,881 + 2,798 + 90 + 716**) + (VRP: **8,793 = 111 + 6,840 + 797 + 795 + 90 + 160**) + (NTVRP: **1,453**) + (PWS: **1**) + (SOPEP: **9,331 = 921 + 2 + 2,820 + 2,794 + 2,794**)].

Total Respondent Hour Burden. The hour burden is estimated to be about 276,503 hours [(FRP: 138,021 - 93,720 approved) + (VRP: 42,159 + 19,925 - 29,588 approved) + (NTVRP: 14,415 annually - 35,268 approved) + (PWS: 1,280) + (SOPEP: 60,703) or 276,503 (220,558 – 35,268 + 14,415 + 44,301 + 32,496) hours. The total annual hour burden takes into account the approved hour burden for each portion of the collection.

Total Respondent Cost Burden. The cost burden of collection on the respondents is expected to total **\$13,757,286 + \$1,199,485** [(FRP: \$4,830,751) + (VRP: \$3,222,100 + \$1,199,485) + (NTVRP: see regulatory analysis for proposed rule in the docket) + (PWS: \$46,000) + (SOPEP: \$2,731,635)].

Summary Table

	No. of Respondents	No. of Responses	Hour Burden	Cost Burden
FRP	4,241	11,726	138,021	\$4,830,751
VRP	797	8,793	62,084	\$4,421,585
NTVRP	2,772	27,532	14,415	See reg eval
SOPEP	2,794	9,331	60,703	\$2,731,635
PWS	1	1	1,280	\$46,000
Total	-	-	276,503*	-

Note: Other than hour burden, columns are not additive.

*Includes total burden for entire collection.

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

There are no annualized capital and start-up costs associated with this information collection.

14. Estimates of annualized Federal government costs.

14-1 **FRP**

Based on Coast Guard estimates, about 18 full time equivalents are utilized annually for this program to process, review, and approve facility response plans. Additional information-related collection burdens also may be incurred to conduct inspections, oversee drills, and perform other tasks to implement the program. The Coast Guard is expected to spend approximately 36,000 hours (18 billets x 250 work days x 8 hour work days) or \$1,075,320, based on full-year salaries of \$59,740.

14-2 **VRP, NTVRP, and SOPEP**

Based on information from the Coast Guard's Office of Vessel Activities (CG-543) the cost to the Federal government to administer the NTVRP, VRP and SOPEP program is approximately \$3,318,675 annually [+ \$112,682 for the adjustment to VRPs for salvage and firefighting (using 697 deficiency letters and revisions and using 10 minutes of administrative time equals 116 hours at a wage of \$29/hour, which is equivalent to a GS-5 for a total of \$3,369 for both deficiency letters and revisions. For revision review, it will take an analyst 1 hour and for file revisions it will take 0.75 hours at a wage of \$48/hour, which is equivalent to a GS-11 for a total cost of \$33,456 and 25,092, respectively. Updates will take 2 hours for an analyst at a wage equivalent to a GS-7, or \$34/hour for a total cost of \$47,396, or 697 plans x 2 hours x \$34/hour. The total annual cost is about \$112,682)]. To accomplish this, the Coast Guard utilizes a private support contract to accomplish administrative and technical requirements.

14-3 **PWS**

It is estimated that this requirement would require 20% of the time of a lieutenant assigned to the USCG Marine Safety Unit in Valdez. Estimated at 400 hours annually.

Four hundred hours for a lieutenant at \$51/hour will cost the Coast Guard \$20,400 annually (\$51 x 400 = \$20,400).

Total Government Cost Burden. Therefore, annual costs to the Coast Guard are expected to total **\$6,906,395** [(FRP: \$1,075,320) + [VRP/NTVRP/SOPEP: \$3,318,675 (+ \$112,682) (+ \$2.5 million) + (PWS: \$12,400)].

15. Explain the reasons for the change in burden.

The change in burden is a PROGRAM CHANGE. The program change is due to the addition of the S&F, CAPS and NTVRP rulemakings. The program change from the 3 rulemakings results in increases to the number of respondents, number of responses and burden hours associated with the collection. NOTE—CG&MTA 2004 mandated that nontank vessel owners/operates

submit response plans to the Coast Guard by August 2005 (i.e., prior to the issuance of the CG NTVRP NPRM). Due to this mandate, the CG began accounting for NTVRP burden in collection 1625-0066 at the last renewal (OMB approved 13 Dec 2006).

To highlight how the above rulemakings impact specific VRP, FRP and NTVRP elements of this ICR, see the table below.

Rulemaking (R/M)	ICR element	pre-R/M ICR total	post-R/M ICR total
S&F and CAPS	VRP responses	7,909	8,793
	VRP burden hours	29,588	62,084
CAPS	FRP responses	8,838	11,726
	FRP burden hours	93,720	138,021
NTVRP	NTVRP respondents	2,000*	2,772
	NTVRP responses	6,596*	27,532
	NTVRP burden hours	35,268*	14,415

* Prior ICR submission (pre-R/M) reflected first-time NTVRP plan development, to account for CG&MTA 2004 mandate that NTVRP owners/operators submit NTVRPs to CG within 1 year of passage of the Act.

NOTE—For specific cost information, see individual R/M Regulatory Assessments.

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 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.