

# **INFORMATION COLLECTION SUPPORTING STATEMENT**

## **Pipeline Corporate Security Review (PCSR)**

- 1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information. (Annotate the CFR parts/sections affected).***

Under the Aviation and Transportation Security Act (ATSA) (Pub. L. 107-71, 115 Stat. 597 (November 19, 2001)) and delegated authority from the Secretary of Homeland Security, TSA has broad responsibility and authority for “security in all modes of transportation... including security responsibilities...over modes of transportation that are exercised by the Department of Transportation.”

Section 403(2) of the Homeland Security Act (HSA) of 2002 (Pub. L. 107-296, 116 Stat. 2315 (November 25, 2002)) transferred all functions of TSA, including those of the Secretary of Transportation and Under Secretary of Transportation related to TSA, to the Secretary of Homeland Security. Pursuant to DHS Delegation Number 7060.2, the Secretary delegated to the Assistant Secretary for TSA (also called the Administrator of TSA), subject to the Secretary’s guidance and control, the authority vested in the Secretary with respect to TSA, including that section in 403(2) of the HSA.

Pipeline transportation is a mode of transportation over which TSA has jurisdiction under ATSA and under sections 1557 and 1558 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (Pub. L. 110-53) (9/11 Act). The Pipeline Security Division within the Office of Transportation Sector Network Management (TSNM) has the lead within the TSA for pipeline matters. In order to execute its security responsibilities within the pipeline industry, it is necessary for TSNM Pipeline Security Division to assess current industry security practices by way of its Pipeline Corporate Security Review (PCSR) program. The PCSR encompasses interviews and site visits with pipeline operators regarding company security planning and implementation. TSA is seeking OMB approval for this information collection so that TSA can continue reviewing pipeline operator security planning and implementation, determine baseline security standards for the industry, and identify areas of security weakness in the pipeline mode.

- 2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.***

TSA will use the information collected during the PCSR process to determine baseline security standards and areas of security weakness in the pipeline mode. This information is collected during a voluntary, face-to-face visit with the pipeline operator, during which TSA will discuss the operator’s security plan and also complete the PCSR Form. The PCSR Form asks approximately 89 questions concerning the operator’s security planning and program, covering security topics such as threat assessments, criticality, vulnerability, credentialing, training, physical security countermeasures, and exercises and drills.

- 3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden. [Effective 03/22/01, your response must SPECIFICALLY reference the Government Paperwork Elimination Act (GPEA), which addresses electronic filing and recordkeeping, and what you are doing to adhere to it. You must explain how you will provide a fully electronic reporting option by October 2003, or an explanation of why this is not practicable.]**

The collection is conducted by means of a site visit to a pipeline operator's headquarters location. During the site visit, TSA discusses the operator's security planning, observes implemented security measures, and all information captured during the visit is later recorded electronically onto a collection form. The collection form is secured and retained electronically upon completion within TSA's Pipeline Security Division. An electronic reporting option is not practical for this collection. The PCSR program intent is to verify that the operator is implementing its security program. The PCSR program is also a means for the TSA Pipeline Security Division to build stakeholder relations through a face-to-face exchange of security information, a goal which is not readily achievable or practicable if an electronic reporting option were available.

- 4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purpose(s) described in Item 2 above.**

There is no other similar information collection currently that specifically targets the security planning and implementation of the pipeline mode.

- 5. If the collection of information has a significant impact on a substantial number of small businesses or other small entities (Item 5 of the Paperwork Reduction Act submission form), describe the methods used to minimize burden.**

This information collection should not have a significant impact on small businesses or other small entities. The PCSR primarily focuses on the nation's top 100 pipeline systems, as determined by energy throughput. It is possible that TSA will visit pipeline systems outside the top 100, but only as circumstances dictate (e.g. intell determines a smaller system is the target of a credible threat).

- 6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.**

If the PCSR collection is discontinued, this would impede TSA's ability to determine minimum security standards and identify coverage gaps, two activities that are critical to the agency's carrying out its transportation security mission. Without means of collection this

information, TSA will be unable to confidently identify security gaps and weakness in the mode and, as a consequence, will not be able to effectively identify areas to develop programs to better strengthen modal security. Moreover, TSA would not be able to discharge specific obligations under the 9/11 Act, including a review of the industry's implementation of 2002 security guidance issued by the Department of Transportation and a determination whether to issue security regulations. See 9/11 Act section 1557.

**7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with the general information collection guidelines in 5 CFR 1320.5(d) (2).**

There are no special circumstances that would require the collection to be conducted in a manner inconsistent with general information collection guidelines.

**8. Describe efforts to consult persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d) soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.**

TSA published a Federal Register notice, with a 60-day comment period soliciting comments, of this collection of information on August 20, 2009, 74FR 42086-42087. A 30-day notice was published on November 29, 2010, 75FR 73117. No comments were received in response to the notices.

**9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.**

No payment or gift will be provided to respondents.

**10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.**

The portion of the collection that is deemed Sensitive Security Information (SSI) will be handled as required by 49 CFR Parts 15 and 1520.

**11. Provide additional justification for any questions of sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.**

No personal questions of a sensitive nature will be posed during the information collection.

**12. Provide estimates of hour burden of the collection of information.**

There are approximately 2200 pipeline companies in the United States. TSA estimates that pipeline operators will require a maximum of 8 hours to participate in the PCSR process. Assuming that TSA is able to visit every company in the pipeline mode, the potential burden is 17,600 hours (2200 companies X 8 hours= 17,600 hours). However, TSA is normally able to complete only 12 PCSRs, given time and staffing constraints, in any one year. Thus, the potential burden to the public is estimated to be close to 100 hours a year (12 companies X 8 hours= 96 hours).

Collection	Number of Respondents	Hour Burden for Collection	Total Burden
PCSR (universe)	2200	8	17,600 hours
PCSR (annual)	12	8	96 hours

**13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).**

When a Corporate Security Review takes place, the operator's security operations manager is the usual participant. A security operations manager at a pipeline company makes a median hourly salary of \$53.88/hr (U.S. Department of Labor, Bureau of Labor Statistics, North American Industry Classification System (NAICS), 486000-Pipeline Transportation, May 2009).

As such, the opportunity costs associated with the collection for a pipeline operator participating in a CSR equals the following:

$\$44.55 \times 8.33 \text{ hours} = \$923.04$  in opportunity cost associated with each CSR collection.

Total Annual Cost:  $\$923.04 \times 12 = \$11,076.48$ .

**14. Provide estimates of annualized cost to the Federal Government. Also, provide a description of the method used to estimate cost, and other expenses that would not have been incurred without this collection of information.**

A Pipeline Corporate Security Review is conducted by 3 representatives from TSA- 1 government manager and 2 government analysts. Each review takes approximately 8 man hours. This totals 24 total labor hours across all three government employees.

Once the review is conducted, an additional 4 days of labor is devoted to completing the form. This labor is split fairly equally between the government manager and the 2 government analysts. This accounts for another 32 labor hours across all three government employees.

According to U.S. Department of Labor, Bureau of Labor Statistics, NAICS, 999000 - Federal, State, and Local Government, May 2009, the average median hourly salary of each of the following occupations is as follows:

Government Analysts= \$36.18  
 Government Manager-\$44.55

Additionally, there travel costs to account for in the conduct of each review. Approximately \$1200.00 is allocated for each review, per each employee.

Total opportunity costs to the government equal the following:

- \$1200 travel cost x 3 TSA employees= \$3600 in travel/per review
- Total labor hours devoted to each review = 56 government labor hours
- 18.66 government management labor hours x \$44.55= \$831.30 in opportunity costs associated with each CSR
- 37.33 -government analysts labor hours x \$36.18= \$1350.60 in opportunity costs associated with each CSR

Travel-                                 \$ 3600 X 12=   \$43,200.00  
 Government Manager-     \$831.30 X12=   \$9,975.60  
 2 Government Analysts -   \$1350.60 X12= \$16,207.20

Total Government Annual Government Cost- \$69,389.80

**15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.**

This is a new collection.

**16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.**

Operator security information collected during the PCSR will not be published or shared. To the extent information collected via the PCSR process is considered to be SSI, it will be protected from disclosure and publication, and will be handled as described in 49 CFR Parts 15 and 1520.

**17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.**

Not applicable.

**18. Explain each exception to the certification statement identified in Item 19, “Certification for Paperwork Reduction Act Submissions,” of OMB Form 83-I.**

No exceptions noted.