

**Department of Transportation
Office of the Chief Information Officer
Supporting Statement
Inspection and Testing of Meter Provers
OMB Control No. 2137-0620**

(Expiration Date: August 31, 2011)

Introduction

This is to request the Office of Management and Budget's (OMB) renewed three-year approved clearance for the information collection entitled, "Inspection and Testing of Meter Provers," OMB Control No. 2137-0620 which is currently due to expire on August 31, 2011. This information collection was originally initiated as a result of a January 24, 2005 rulemaking [70 FR 3302], entitled "Hazardous Materials; Incorporation of Exemptions Into Regulations" under Docket HM-233, which amended the Hazardous Materials Regulations by incorporating into the regulations the provisions of certain widely used exemptions which have established a history of safety and which may be converted into regulations for general use. One of the provisions was for the transportation of mechanical displacement meter provers.

Part A. Justification

1. Circumstances that make collection of information necessary.

This is a request for an extension without change of a current information collection and recordkeeping burden under OMB No. 2137-0620, "Inspection and Testing of Meter Provers." This information collection is the result of efforts to incorporate the use, inspection, and maintenance of mechanical displacement meter provers (meter provers) used to check the accurate flow of liquid hazardous materials into bulk packagings, such as portable tanks and cargo tank motor vehicles, under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). This information collection supports the Departmental Strategic Goal for Safety. The HMR are promulgated in accordance with U.S.C. 5110, the Federal hazardous materials transportation law.

2. How, by whom, and for what purpose is the information used.

Meter provers are used to ensure that the proper amount of liquid hazardous materials is being loaded and or unloaded involving bulk packagings, such as cargo tanks and portable tanks. These meter provers consist of a gauge and several pipes that always contain small amounts of the liquid hazardous material in the pipes as residual material, and, therefore must be inspected and maintained in accordance with the HMR to ensure they are in proper calibration and good working order. These meter provers are not subject to the specification testing and inspection requirements in Part 178. However,

these meter provers must be visually inspected annually and pressure tested every five years in order to ensure they are properly working as specified in § 173.5a of the HMR.

The Pipeline and Hazardous Materials Safety Administration (PHMSA) has authorized the transportation of meter provers under special permits for several years with a safe and satisfactory transportation experience. Meter provers are excepted from the specification packaging requirements when they: (1) have a capacity not over 1,000 gallons; (2) are permanently mounted on a truck chassis or a trailer; and (3) contain only the residue of a Class 3 or Division 2.1 material. The meter prover must be designed and constructed in accordance with ASME Standard B31.4, and is subject to periodic visual inspection and hydrostatic retesting. This information collection is necessary in order to ascertain whether meter provers are manufactured, inspected, and maintained in accordance with the HMR. The information is used to verify that meter provers meet required performance standards prior to being authorized for use with bulk packagings used in the transportation of liquid hazardous materials. In addition, the HMR requires that meter provers be visually inspected annually and hydrostatically (pressure) tested every 5 years.

A. Annual visual inspection.

Each meter prover must undergo and pass an external visual inspection annually to ensure that the meter provers used in the flow of liquid hazardous materials into bulk packagings are accurate and in conformance with the performance standards in the HMR.

B. Hydrostatic pressure test.

Each meter prover must undergo and pass a hydrostatic pressure test at least every five years to ensure that the meter provers used in the flow of liquid hazardous materials into bulk packagings are accurate and in conformance with the performance standards in the HMR.

As required in the HMR, meter provers must be visually inspected once a year; and pressure-tested once every 5 years at not less than 75% of design pressure. Each meter prover successfully completing the test and inspection must be marked in accordance with § 180.415(b). The marking must be on the side of a tank or the largest piping component in letters 2 inches high on a contrasting background. The owner must retain a record of the most recent visual inspection and pressure test until the meter prover is requalified.

The test or inspection report must include the following:

- (a) Serial number or other meter prover identifier;
- (b) Type of test or inspection performed;
- (c) Test date (month/year);
- (d) Location of defects found and method used to repair each defect;
- (e) Name and address of person performing the test or inspection; and
- (f) Disposition statement, such as “meter Prover returned to service” or “meter prover

removed from service.”

These records must be available for inspection by a representative of the Department of Transportation upon request. These records are used by owners and DOT enforcement personnel to determine whether the meter provers have been properly repaired or maintained. In addition, each meter provers must be marked as specified in § 173.5a. All required markings must be maintained in a legible manner.

3. Extent of automated information collection.

The information required is particular and unique. Industry is encouraged to use any type of technology to meet the information collection and recordkeeping requirements provided the required information can be retrieved when necessary. The Government Paperwork Elimination Act directs agencies to allow the option of electronic filing and recordkeeping by October 2003, when practicable. Electronic filing and recordkeeping is authorized. However, we do not require any information to be submitted to PHMSA, so this is not applicable.

4. Efforts to identify duplication.

There is no duplication as the information requested is not required by any other source. Each response is unique and information derived from one may not be inferred to another.

5. Efforts to minimize the burden on small businesses.

Because this information is unique, similar information is unavailable. However, the collection of this information is reviewed periodically to ensure that the requirements involving safety in the transportation of hazardous materials are kept to the necessary standards to protect all involved.

6. Impact of less frequent collection of information.

Due to the hazards involved, if collection of information and recordkeeping was required less frequently, the hazards to public safety would increase due to the probability of incidents during transportation.

7. Special circumstances.

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

8. Compliance with 5 CFR 1320.8.

We published a 60-Day Notice and Request for Comments under Docket No. PHMSA–2010–0373 (Notice No. 10–10) on December 29, 2010, in the Federal Register [75 FR 82142] requesting public comment on the renewal of this information collection. The comment period closed on February 28, 2011. No comments pertaining to this information collection were received.

We published a 30-Day Notice and Request for Comments under Docket No. PHMSA-2010-0373 (Notice No. 11-2) on March 30, 2011, in the Federal Register [76 FR 17748]. The comment period closed on April 29, 2011. No comments pertaining to this information collection were received.

9. Payments or gift to respondents.

There is no payment or gift provided to respondents associated with this collection of information.

10. Assurance of confidentiality.

None of the data collected contain personally identifiable information (PII) or business confidential information. Therefore, no guarantees of confidentiality are provided to applicants.

11. Justification for collection of sensitive information.

Not applicable. Information is not of a sensitive nature.

12. Estimate of burden hours for information requested.

This information collection is the result of efforts to incorporate the use, inspection, and maintenance of meter provers used to check the accurate flow of liquid hazardous materials into bulk packagings, such as portable tanks and cargo tank motor vehicles, under the HMR. This information collection and recordkeeping burden request is the result of the requirement in the HMR for meter provers to be visually inspected annually and hydrostatically pressure-tested every 5 years.

We estimate that there are approximately 250 meter provers currently in use, with approximately 50 owners/users having approximately 5 meter provers each.

Annual Burden Hour Estimate: 175 hours (125 + 50).

The total annual burden hours for information collection and recordkeeping is estimated to be 175 total burden hours.

Annual Burden Cost Estimate: \$ 9,500.00 (\$6,250.00 + \$ 3,250.00).

The total annual cost burden for information collection and recordkeeping annual for the visual inspection and hydrostatic pressure test (every 5 years) is estimated to be approximately \$ 9,500.00.

We estimated the total information collection and recordkeeping burden for the inspection and maintenance of meter provers as follows:

(A) Annual Visual Inspection:

Approximately 250 meter provers are currently in use and will require an annual visual inspection. The annual visual inspection will take approximately 30 minutes per meter prover which includes completion of the inspection reports and marking. The annual information collection and recordkeeping burden for completing the visual inspection is approximately 125 burden hours.

$250 \text{ meter provers} \times 30 \text{ min/inspection} = 7,500 \text{ minutes} / 60 \text{ min/hr} = 125 \text{ hours.}$

The total annual burden cost for the visual inspection is estimated at \$6,250.

$250 \times \$50.00 \text{ average hourly wage per inspection} \times \frac{1}{2} \text{ hour} = \$6,250.$

(B) Hydrostatic pressure test (every 5 years):

Approximately 250 meter provers are currently in use and will require a hydrostatic pressure test every 5 years. The pressure test will take approximately 1 hour per meter prover which includes completion of the inspection reports and marking. The annual information collection and recordkeeping burden for completing the hydrostatic pressure test is approximately 50 burden hours.

$250 \text{ meter provers} \times 1 \text{ hour} = 250 \text{ hours} / 5 \text{ years} = 50 \text{ hours}$

The total annual burden cost for the hydrostatic pressure test is estimated at \$3,250.

$250 \times \$65 \text{ average hourly wage} = \$16,250 / 5 \text{ years} = \$3,250$

Total burden cost for the annual visual inspection and hydrostatic pressure test (every 5 years) is
\$ 9,500.00.

13. Estimate of total annual costs to respondents.

There is no cost burden to respondents except those identified in item 12 above.

14. Estimate of cost to the Federal government.

There is no cost to the Federal government.

15. Explanation of program changes or adjustments.

There is no change in burden resulting from the renewal of this information collection.

16. Publication of results of data collection.

There is no publication for statistical use and no statistical techniques are involved.

17. Approval for not displaying the expiration date of OMB approval.

Approved OMB number is prominently displayed in the text of 49 CFR 171.6.

18. Exceptions to certification statement.

There is no exception to PHMSA's certification of this request for information collection approval.

Attachments:

Not applicable.

Part B. Collections of Information Employing Statistical Methods.

1. Describe potential respondent universe and any sampling selection method to be used.

Not applicable.

2. Describe procedures for collecting information, including statistical methodology for stratification and sample selection, estimation procedures, degree of accuracy needed, and less than annual periodic data cycles.

Not applicable.

3. Describe methods to maximize response rate.

Not applicable.

4. Describe tests of procedures or methods.

Not applicable.

5. Provide name and telephone number of individuals who were consulted on statistical

aspects of the information collection and who will actually collect and/or analyze the information.

Not applicable.