

**Supporting Statement
for
Ships' Stores Certification for
Hazardous Materials Aboard Ships**

A. JUSTIFICATION

1. Circumstances that make the collection of information necessary.

Title 46 USC 3306 authorizes the Secretary of Homeland Security to regulate the transportation, stowage, and use of ships' stores and supplies of a dangerous nature. The responsibility to issue and oversee regulations governing ships' stores has been delegated to the Coast Guard. Title 46 CFR 147 contains the regulations which govern ships' stores. The collection of information is made necessary for two important reasons: (1) so that manufacturers and suppliers will label hazardous ships' stores with certain minimum information, and (2) to allow for waivers and special approvals related to hazardous ships' stores on a case-by-case basis where detailed regulations are impracticable.

This collection comprises the following specific item:

TITLE

DESCRIPTION

Information required by the Coast Guard:

46 CFR 147.9	<p>WAIVERS. Requests for issuance of waiver from requirements of 46 CFR 147 must be submitted in writing to the Commandant with detailed explanations of reasons why the requirement is impracticable and the measures taken to ensure safety.</p>
46 CFR 147.40	<p>MATERIALS REQUIRING COMMANDANT APPROVAL. Approval is required before the following ships' stores are permitted aboard vessels:</p> <ul style="list-style-type: none"> • Poison gases of Class 2, Divisions 2.3 and toxic liquids of Class 6, Division 6.1 which are poisonous by inhalation in Hazard Zone A; • Explosives of Divisions 1.1 or 1.2; • Flammable gases, other than those addressed specifically in this subpart; and • Forbidden materials listed in 49 CFR 172.101.
46 CFR 147.60(c)	<p>COMPRESSED GASES. Pressure vessels (except cylinders) used to contain ships' stores that are compressed gases (except nitrogen or air) must not be carried unless authorized by the Commandant.</p>

Information required by the Consumer Products Safety Commission:

46 CFR 147.30 LABELING. All immediate containers or receptacles containing hazardous stores require labeling with the following information: Technical or Proper Shipping name, Manufacturer's or Supplier's name and address, Hazard classification, Procedures for proper use, First Aid instructions, and Stowage and Segregation requirements.

This information collection supports the following strategic goals:

Department of Homeland Security

- Prevention
- Protection

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 information is to be used.

The information is used by the Coast Guard to ensure that personnel aboard vessels are made aware of the proper usage and stowage instructions to protect them from bodily injury.

3. Consideration of the use of improved information technology.

The information may be submitted in writing or electronically via e-mail. This collection does not require the use of standards forms.

We estimate that 100% of the reporting requirements can be done electronically. At this time, we estimate that approximately 50% of the responses are collected electronically.

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

Each submission is unique. Labeling requirements, as set forth in 46 CFR 147.30, do not overburden the public since they are designed to be consistent with other similar requirements. Products used as consumer commodities aboard ships must comply with the similar provisions of the Federal Hazardous Substances Act

Regulations in 16 CFR 1500. In the case of waiver and approval request requirements, these are of benefit to the regulated public since they facilitate activities beyond what the regulations allow. Collection of information specific to a request is needed to facilitate processing of the request.

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

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

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

Information will not be collected at any set frequency or schedule. Information is submitted only when a manufacturer or owner seeks approval of an unusual ships' store.

7. Explain any special circumstances that would cause the information collection to be conducted in a manner inconsistent with guideline.

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

8. Consultation.

A 60-day Notice was published in the *Federal Register* to obtain public comment on this collection (see [USCG-2011-0955]; October 13, 2011; 76 FR 63626). Additionally, a 30-day Notice was published in the *Federal Register* to obtain public comment on this collection (December 16, 2011; 76 FR 78287). The Coast Guard has not received any comments on this information collection.

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 respondents.

There are no assurances of confidentiality provided to the respondents for this information collection.

11. Additional justification for 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 estimated annual number of respondents is 2
- The estimated annual number of responses is 2
- The estimated annual hour burden is 8
- The estimated annual cost burden is \$664

There are many manufacturers of products that these regulations address. The manufacturers are typically small proprietary industries that purchase bulk chemicals from larger chemical manufacturers and process these chemicals to form the products used aboard ships. Labeling is already required by other regulation so there is no specific additional burden imposed by these rules. The following estimates are for the burdens to respondents associated with the CG information collection to facilitate requests for waivers or approvals made in accordance with 46 CFR 147.9, 147.40 and 147.60(c)(2).

a) WAIVERS (46 CFR 147.9).

No requests for issuance of a waiver from requirements of 46 CFR 147 were received during the last three years, and it is assumed that none will be received the next three-year period. Therefore, there is **no estimated hour or cost burden** associated with this requirement.

b) MATERIALS REQUIRING COMMANDANT APPROVAL (46 CFR 147.40).

The number of requests expected to be received under 147.40 in the next three-year period is 5 requests. It is assumed that no more than **2 requests** will be received in any year. The collection requirement is assumed to require approximately **4 hours**. Furthermore, we assume that the request would be completed by a person with an hourly rate of \$83 per hour.¹

Under these assumptions, the annual and cost burdens to respondents are the following:

Hour burden: 8 hours = 2 requests/year x 4 hours/request.

Cost burden: \$664 = 8 hours/year x \$83/hour

c) COMPRESSED GASES (46 CFR 147.60(c)(2)).

No requests for permission under requirement in 46 CFR 147.60 (c)(2) were received during the last three years, and it is assumed that none will be received in the next 3-year period. Therefore, there is **no estimated hour or cost burden** associated with this requirement.

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

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

14. Estimate of annualized Federal Government costs.

¹ Equivalent to a GS-13 level (costing \$83/hour at the out-of-government hourly rate). Wage rates are based on Enclosure (2) of Commandant Instruction 7310.1M Standards Rates.

For the Federal Government, the estimate of the annualized burden includes the time needed to receive and evaluate a request. Furthermore, we assume that technical personnel (GS-13),² making \$77 per hour, would complete the request in approximately 4 hours.

Under these assumptions, the annual hour and cost burdens to respondents are the following:

Hour burden: 8 hours = 2 requests/year x 4 hours/request.

Cost burden: \$616 = 8 hours/year x \$77/hour

15. Explain the reasons for change in burden.

The change in burden is an ADJUSTMENT due to a decrease in the estimated number of requests per year. There is no proposed change to the reporting or recordkeeping requirements of this collection. The reporting and recordkeeping requirements, and the methodology for calculating burden, remain unchanged.

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.

² The GS-13 level (costing \$77/hour at the in-government hourly rate).