

**Supporting Statement
for
Oil and Hazardous Materials Pollution Prevention and Safety Records,
Equivalents/Alternatives and Exemptions**

A. Justification.

1) Circumstances that make the collection of information necessary.

The Federal Water Pollution Control Act (FWPCA) requires the issuance of regulations to prevent the discharge of oil or hazardous materials from vessels and facilities; to require installation and inspection of discharge removal equipment on vessels; and to require monitoring, reporting, and recordkeeping regarding discharges of oil or hazardous materials by facilities (33 U.S.C. 1321(j)(1)(C) and (D), (j)(6) and (m)(2)). Under Executive Order (E.O.) 12777, 56 FR 54757, the responsibility for issuing these regulations was delegated to the U.S. Coast Guard.

To reduce the economic impact of these regulations when compliance with the requirements is economically or physically impractical, and to ensure the local Coast Guard has the flexibility to tailor these regulations to local conditions, the regulated industries have the option of requesting, in writing, either equivalent or alternative procedures, methods, or equipment standards in lieu of any requirement or a full or partial exemption of any requirement under 33 CFR 154.107 or 33 CFR 154.108; 33 CFR 155.120 or 33 CFR 155.130 and 33 CFR 156.107 or 33 CFR 156.110.

This information collection supports the following strategic goals:

Department of Homeland Security

- Protection
- Recovery
- Response

Coast Guard

- Protection of the Natural Resources

Marine Safety, Security and Stewardship Directorate (CG-5)

- 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.

This information is used by the local Coast Guard Sector office to evaluate an industry request for equivalent or alternative procedures, methods, or equipment standards in lieu of any requirement or a full or partial exemption of any requirement in the regulations. The information is collected on an as requested basis by industry. The frequency that this information is collected varies widely by location as is shown in Table 1.

Table 1

Location	Frequency (per year)
----------	----------------------

Hampton Roads, VA	0-3
Corpus Christi, TX	12
Morgan City, LA	5
New York	4
San Francisco	3

3) Consideration of the use of improved information technology.

The required information is unique to each applicant, and there are no required forms. Requests for equivalents/alternatives or exemptions may be sent in writing or electronically via e-mail to the Coast Guard. For additional information, contact to your local CG Sector office. A list of CG sectors, as part of a comprehensive list of CG units, can be found at <http://www.uscg.mil/top/units/>.

We estimate that 100% of the reporting and recordkeeping 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.

This information is specific to each operation. No duplication is known to exist. No other similar Federal requirement exists.

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 conducted less frequently

The collection of this information allows industry and the Coast Guard to tailor the requirements of these regulations to local circumstances. If industry, and the Coast Guard, were not allowed to request and approve these equivalents, alternatives or exemptions then every facility regardless of its size, complexity or capability would be forced to meet exactly the same requirements even if it were not physically or economically practical for them to do so.

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 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-2012-0149]; March 19, 2012; 77 FR 16044). Additionally, a 30-day Notice was published in the *Federal Register* to obtain public comment on this collection (May

29, 2012, 2012; 77 FR 31629). 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 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.

- **Total number of annual respondents is 180.**
- **Total number of annual responses is 180.**
- **Total annual hour burden is 1,440 hours.**
- **Total annual cost burden is \$ 105,120.**

The cost estimate was calculated using the appropriate wage rate categories for management (\$83.00)¹ and clerical (\$43.00)². The hour burden was calculated using historical figures. Cost estimates include administrative and recordkeeping expenses. Recordkeeping expenses are necessary so that vessels and facilities that have been granted an equivalent, alternative, or exemption will have this information available for field unit personnel when they conduct an inspection of a vessel or facility.

There are 36 U.S. Coast Guard Sector offices in the United States and its territories. Each Sector office receives approximately 5 requests per year. The average time burden to prepare and submit a request is approximately 8 hours (6 hrs. mgmt x \$83 + 2 hrs. clerical x \$43) (\$498 + \$86 = \$584). Each request costs industry \$584.

Annual Burden Hour Estimate

36 Sector offices x 5 req. / yr x 8 hrs / req. = 1,440 hours

Annual Cost Estimate

36 Sector offices x 5 req. / yr x \$584 = \$ 105,120

¹ This rate is equivalent to a GS-13 (Out of Gov't) pay rate per COMDTINST 7310.1M.

² This rate is equivalent to a GS-07 (Out of Gov't) pay rate per COMDTINST 7310.1M.

Table 2 below lists the population numbers and service classifications of the vessels/platforms affected by these regulations. The hour burden on specific respondents will vary widely because of differences in the size, complexity and capabilities of the vessels and facilities covered by these regulations and the wide variety of equivalents, alternatives, or exemptions that can be requested. Total annual responses are 180 (36 Sector offices x 5 requests / year).

Table 2

<u>Service of Vessel</u>	<u>Population</u>
Fixed Platforms (manned)	160
Fixed Platforms (unmanned)	2,008
Mobile Facilities: OSVs	836
MODUs	18
Tank Barges (unmanned)	3,863
Tankships	86
LNG Carriers	247
Inspected Freight Ships	272
Inspected Freight Barges	213
TOTAL	7,703

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

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

14) Estimates of annualized Federal Government costs.

The cost to the Federal Government to review and process a request for an equivalent, alternative or exemption was calculated using the average hourly standard rate (\$62.00 per hour) for the field unit personnel who normally review and process these requests (E-5 to O-3)³. The field units surveyed, as shown in Table 3, supplied the hour burden figures. The cost estimate varies widely depending on the nature and complexity of the request, the level of experience of the personnel reviewing the request, whether field unit personnel have to physically visit the vessel or facility, the frequency of requests (i.e., more requests the faster they are processed), and whether additional information will be needed to fully evaluate the request. Further, some Sector offices are required to obtain formal approval from their respective District offices under certain circumstances. Cost estimates include administrative and recordkeeping expenses.

³ The pay rate for the Federal Government review and process of requests is determined by the average of the E-5 to E10 and O1 to O3 pay rates from COMDTINST 7310.1M.

Table 3

Location	Review Time (in hours)
Hampton Roads, VA	30
Corpus Christi, TX	4-6
Morgan City, LA	6-8
New York, NY	20
San Francisco, CA	20-30
Average	19

There are 36 U.S. Sector offices in the United States and its territories. Each Sector office receives approximately 5 requests per year. The average cost to review and process (@ 19 hours) a request is approximately \$1,178

Annual Cost Estimate

36 Sector offices X 5 req. / yr. X \$1,178/ req. = \$ 212,040.

15) Explain the reasons for the change in burden.

There is no change in burden. 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 of 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.