

## **NonSubstantive Change for Fee Update 2013**

**Supporting Statement A for Paperwork Reduction Act Submissions  
30 CFR 250, Subpart B – Plans and Information  
BOEMRE Forms 0137, 0138, 0139, 0141, 0142, and NTLs  
OMB Control Number 1010-0151  
Current Expiration Date: 31 December 2014**

**Terms of Clearance:** (1) Agency adjusted the language in Justification #4 to clarify that the emissions information collected by MMS is not the same as that collected by EPA. Therefore, there is no duplication of effort. (2) Agency adjusted language in Justification #14 in order to add clarity and transparency to the Federal Government annualized cost estimate.

**Response:** (1) With respect to air emissions information, EPA has the primary responsibility for air quality in the US -- onshore and offshore -- except for the offshore area known as the western Gulf of Mexico (GOM) (west of the State boundary line of Alabama and Florida). As stated in the Clean Air Act, 1990, BOEMRE has air quality jurisdiction for this area. Therefore, in the western GOM, BOEMRE requires an air emission summary to be submitted with the plans (before the activity begins) in order to prepare the appropriate National Environmental Policy Act (NEPA) documents (Environmental Assessments, Environmental Impact Statements, etc.) and to assure that the proposed activity will not violate the Clean Air Act. The EPA has air quality jurisdiction for the eastern Gulf of Mexico. (2) The average Federal cost is \$60/hour. This cost is broken out in the below table using the current Office of Personnel Management salary data for the REST OF THE UNITED STATES (<http://www.opm.gov/oca/11tables/>). It should be noted that this collection, as well as others that BOEMRE submits to OMB for approval, follow the same guidelines.

### **General Instructions**

A completed Supporting Statement A must accompany each request for approval of a collection of information. The Supporting Statement must be prepared in the format described below, and must contain the information specified below. If an item is not applicable, provide a brief explanation. When the question, "Does this information collection request (ICR) contain surveys, censuses, or employ statistical methods?" is checked "Yes," then a Supporting Statement B must be completed. The Office of Management and Budget (OMB) reserves the right to require the submission of additional information with respect to any request for approval.

### **Specific Instructions**

#### **A. Justification**

**1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.**

The Outer Continental Shelf (OCS) Lands Act, as amended (43 U.S.C. 1331 *et seq.* and 43 U.S.C. 1801 *et seq.*), authorizes the Secretary of the Interior to prescribe rules and regulations to administer leasing of mineral resources on the OCS. Such rules and regulations will apply to all operations conducted under a lease, right-of-use and easement, or unit. Sections 11 and 25 of the amended OCS Lands Act require the holders of OCS oil and gas or sulphur leases to submit exploration plans (EPs) and development and production plans (DPPs) to the Secretary for approval prior to commencing these activities. As a

Federal agency, we have a continuing affirmative duty to comply with the Endangered Species Act (ESA). This includes a substantive duty to carry out any agency action in a manner that is not likely to jeopardize protected species as well as a procedural duty to consult with the Fish and Wildlife Service (FWS) and National Oceanic and Atmospheric Administration Fisheries (NOAA Fisheries) before engaging in a discretionary action that may affect a protected species.

The Independent Offices Appropriations Act (31 U.S.C. 9701), the Omnibus Appropriations Bill (Pub. L. 104-133, 110 Stat. 1321, April 26, 1996), and OMB Circular A-25, authorize Federal agencies to recover the full cost of services that confer special benefits. Several requests for approval required in subpart B are subject to cost recovery, and BOEMRE regulations specify service fees for these requests.

This request also consolidates ICR, NTL 2010-N06 - Information Requirements for Exploration Plans, Development and Production Plans, and Development Operations Coordination Documents on the OCS into this collection. This NTL ICR was submitted and approved by OMB in response to the Deepwater Horizon event. After OMB approves this ICR we will discontinue the collection under 1010-0183.

This authority and responsibility are among those delegated to BOEMRE. The regulations at 30 CFR 250, subpart B, concern plans and information that must be submitted to conduct activities on a lease, right-of-use and easement, or unit and are the subject of this collection. This request also covers the related Notices to Lessees and Operators (NTLs) that BOEMRE issues to clarify, supplement, or provide additional guidance on some aspects of our regulations.

***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. Be specific. If this collection is a form or a questionnaire, every question needs to be justified.***

BOEMRE engineers, geologists, geophysicists, and environmental scientists and other Federal agencies (e.g., FWS, NOAA Fisheries, etc.) analyze and evaluate the information and data collected under subpart B to ensure that planned operations are safe; will not adversely affect the marine, coastal, or human environment; and will conserve the resources of the OCS. We use the information to: (a) make an informed decision on whether to approve the proposed exploration or development and production plans as submitted, or whether modifications are necessary without the analysis and evaluation of the required information. The affected States also review the information collected to determine consistency with approved Coastal Zone Management (CZM) plans, and (b) report annually to NOAA Fisheries the effectiveness of mitigation, any adverse effects of the proposed action, and any incidental take, in accordance with 50 CFR 402.14(i)(3).

Also, per Secretarial Orders 3299 and 3022, on October 1, 2011, the oil, gas, and renewable energy-related management functions of BOEMRE will be transferred to a new bureau, Bureau of Ocean Energy Management (BOEM). Therefore, after October 1, the forms associated with this collection will be designated as BOEM forms; e.g., BOEMRE Form 0137 will be designated as BOEM-0137. The following forms submitted to the Gulf of Mexico Region (GOMR) under subpart B and their purposes are as follows:

- Form 0137 (Plan Information Form) is submitted to summarize plan information. BOEMRE uses the information to assist in data entry and review of submitted OCS plans. The form asks for, in either fill in the blanks or check marks:
  - general information relating to the company;

- description of proposed activities;
- tentative schedule of proposed activities;
- description(s) of drilling rig, production platform, lease term pipelines;
- proposed well structure location; and
- anchor locations for drilling rig or construction barge.

- Forms 0138 (GOM Air Emission Calculations for Exploration Plans), and, 0139 (GOM Air Emission Calculations for Development Operations Coordination Documents (DOCDs)) are submitted to standardize the way potential air emissions are estimated and approved as part of the OCS plan. These forms are intended to be thorough but flexible to meet the needs of different lessees and operators. BOEMRE uses the data from these forms to determine the effect of air emissions on the environment. These forms consist of:

- title, factors, emissions page; and a
- summary page that describes and calculates the estimated emissions from an activity.

Respondents are asked to categorize emissions into 9 factors:

- natural gas prime movers, diesel-fired prime movers, heaters/boilers/firetubes/NG-fired,
- gas flares, liquid flares, tanks, fugitives, glycol dehydrator vent, and gas venting.

- Form 0141 (ROV Survey Report) is submitted to report the observations and information recorded from two sets of ROV monitoring surveys to identify high-density benthic communities that may occur on the seafloor in deep water. The form asks respondents for general operator/facility information and a transect drawing of the survey pattern made by the ROV; a video tape (VHS) and transcript of what was visualized at the bottom throughout deployment (the form includes a guide to animal groups and a guide to physical features), and any additional imagery that helps depict bottom conditions. We use the information when such areas are found to help design mitigation measures to avoid these areas, and to help assess the effectiveness of avoidance criteria.

- Form 0142 (Environmental Impact Analysis Worksheet) is a fill-in-the-blank form that is submitted to identify the environmental impact-producing factors (IPFs) for the listed environmental resources. We use the information to help assess impacts and determine compliance with the National Environmental Policy Act. Respondents are asked to fill in the blank by placing an “x” in the space under each IPF category associated with the proposed activity that may impact a particular environmental resource.

***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 and specifically how this collection meets GPEA requirements.***

Currently, 95 percent of all information is submitted electronically. However, because of the various types of information submitted with the plans (maps, surveys, spreadsheets, etc.), some of the submission may not readily lend itself to electronic commerce. In some instances, paper copies of the non-proprietary information submitted in the plans and accompanying information may continue to be necessary for review by States, local governments, and the public.

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

The information collected is unique to the proposed operations. If information has already been submitted and is readily available to BOEMRE, respondents may simply reference the earlier submission. If changes to plans are necessary or required, only information related to the required changes must be resubmitted.

With respect to air emissions information, EPA has the primary responsibility for air quality in the US -- onshore and offshore -- except for the offshore area known as the western Gulf of Mexico (GOM) (west of the State boundary line of Alabama and Florida). As stated in the Clean Air Act, 1990, BOEMRE has air quality jurisdiction for this area. Therefore, in the western GOM, BOEMRE requires an air emission summary to be submitted with the plans (before the activity begins) in order to prepare the appropriate National Environmental Policy Act (NEPA) documents (Environmental Assessments, Environmental Impact Statements, etc.) and to assure that the proposed activity will not violate the Clean Air Act. The EPA has air quality jurisdiction for the eastern Gulf of Mexico.

Also, as it relates to ESA, no other Federal agency has the responsibility for collecting information relative to the impacts of OCS oil and gas exploration, development, and production activities. Similar information does not exist and has not been collected. Respondents will report to BOEMRE, and, in turn, BOEMRE will provide the required information to NOAA Fisheries and FWS, as appropriate. Therefore, there is no additional burden to the public.

***5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.***

This collection of information could have a significant economic effect on a substantial number of small entities. Any direct effects primarily impact the OCS lessees and operators. However, many of the OCS lessees and operators have less than 500 employees and are considered small businesses as defined by the Small Business Administration. BOEMRE is required to comply with the ESA and the NOAA Fisheries' Biological Opinions; therefore, we cannot reduce the burden to accommodate them.

***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 BOEMRE did not collect the information, we could not carry out the mandate of the OCS Lands Act, as amended, that specifies that exploration or development and production activities on the OCS may not be conducted until comprehensive plans are submitted and approved. Extensive data and information are necessary to make informed decisions on whether to approve these plans or require appropriate changes.

To be exempt from the prohibitions of Section 9 of the ESA (which prohibits taking of listed species), BOEMRE must comply with the nondiscretionary terms and conditions that outline required reporting and monitoring requirements. To monitor the impact of incidental takes resulting from exploration, development, and production activities associated with lease sales, BOEMRE must report the progress of the action and its impact on the species to NOAA. The lease sales provide hydrocarbon resources to meet the Nation's energy needs and are the second highest revenue generation mechanism for the U.S. Treasury.

The information is collected only once for each particular plan and/or is dependent only upon the activities of the respondents, therefore, the frequency of collection is not applicable nor an issue.

**7. Explain any special circumstances that would cause an information collection to be conducted in a manner:**

***(a) requiring respondents to report information to the agency more often than quarterly;***

Vessel crews must report sightings of any injured or dead protected species (marine mammals and sea turtles) immediately to the NOAA Fisheries Stranding Hotline at (877) 433-8299. In addition, if the injury or death was caused by an OCS-related activity, operators must notify BOEMRE within 24 hours of the strike by email to [protectedspecies@boemre.gov](mailto:protectedspecies@boemre.gov). This immediate response is necessary for BOEMRE to comply with the NOAA Fisheries' mandate to report "takes" promptly.

***(b) requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;***

BOEMRE requires that any marine mammal observation and monitoring reports be submitted on the 1<sup>st</sup> and 15<sup>th</sup> of each month via email. This schedule is beneficial for two reasons: (1) data and sightings gathered over a 2-week period should be a manageable quantity that can be recorded and sent quickly and easily, by mail or electronically, and (2) the rotation of a crew on typical seismic operations could make less frequent reporting problematic. A bimonthly reporting schedule will normally involve only one crew. However, there is a requirement to report to BOEMRE within 24 hours the sighting of a sperm whale in the exclusion zone (that results in a shut down of air guns). This immediate response is necessary for BOEMRE to comply with the NOAA Fisheries' mandate to report "takes" promptly.

***(c) requiring respondents to submit more than an original and two copies of any document;***

The number of copies of plans and accompanying information respondents are required to submit varies depending on the location of the proposed activities. BOEMRE is under a mandated timeframe to review and make decisions on these plans, which can be quite complex, voluminous, and detailed. Several program areas within BOEMRE must review the information simultaneously to meet the mandated timeframe. If BOEMRE had to reproduce the necessary copies for its internal reviews, it would be extremely difficult, if not impossible, to meet the deadlines imposed by the OCS Lands Act, as amended. Therefore, in all cases, respondents must submit five "proprietary" copies of their plans. In addition, the OCS Lands Act also requires that we make non-proprietary (public information) copies available for simultaneous review by State and local government entities. Depending on the State(s) involved, BOEMRE needs from 3 to 17 public information copies to distribute to the States and local governments having an interest in the project, as well as a copy to make available for the general public to review. Companies have indicated on occasion that they have no objection to providing the extra copies to expedite the review processes.

***(d) requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than 3 years;***

It is also necessary that respondents retain data and information longer than 3 years. Much of the supporting information is to be retained for the duration of the project. However, this type of information is such that respondents would be very unlikely to dispose of it sooner. It contains valuable background data and analyses that they would not want to have to duplicate should it be needed during the life of the exploration or development and production project. We consider the burden only to make the information available to BOEMRE if necessary.

***(e) in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;***

Not applicable in this collection.

***(f) requiring the use of statistical data classification that has been reviewed and approved by OMB;***

Not applicable in this collection.

***(g) that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or***

This collection does not include a pledge of confidentiality not supported by statute or regulation.

***(h) requiring respondents to submit proprietary trade secrets, or other confidential information, unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.***

This collection does not require proprietary, trade secret, or other confidential information not protected by agency procedures.

***8. 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 in response to the PRA statement associated with the collection over the past 3 years] and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.***

***Describe efforts to consult with 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.***

***Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years – even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.***

As required in 5 CFR 1320.8(d), BOEMRE provided a 60-day notice in the Federal Register on July 6, 2011 (76 FR 39419). Also, 30 CFR 250.199 and the Paperwork Reduction Act statement on BOEMRE Forms 0137, 0138, 0139, 0141, and 0142, explain that BOEMRE will accept comments at any time on the information collected and the burden. In addition, we display on the NTLs, the OMB control number and approved expiration date, and provide the address for sending comments to BOEMRE. We received two comments in response to the Federal Register notice. The first comment, from the Marine Mammal Commission, supported our request to OMB. The second comment, from the Center for Regulatory Effectiveness, requested that we should state that we are not submitting any ICRs for seismic regulations that are more stringent than current regulations, including NTL 2007-G02. Response: For the renewal of this ICR, we are not requesting anything more stringent than in current NTL 2007-G02 and 30 CFR 250, subpart B regulations, which are covered under OMB Control Number 1010-0151. We have no plans, at this time, to change the content of or the resultant burdens imposed by NTL 2007-G02. Therefore, BOEMRE should move forward with the required information collection to ensure compliance with OMB deadlines. If the lawsuit settlement or resulting decree requires changes to the NTL and/or DOI regulations, information collection coordination and OMB approval will occur before any NTL is reissued or regulations are promulgated.

During the comment period, BOEMRE requested input from several respondents on the input to the availability of data, frequency of collection, clarity of instructions, and elements being collected. The burden estimates in Section A.12 reflect their input. The following respondents that commented were:

Judy Archer, Regulatory Coordinator, (713) 659-1222, Walter Oil and Gas Corporation, 1100 Louisiana Street, Suite 200, Houston, TX 77002-5299

Cheryl Powell, Regulatory Supervisor, (713) 296-6811, Apache Corporation, 2000 Post Oak Blvd., Suite 100, Houston, TX 77056

Susan Wilson, Regulatory Coordinator, (713) 599-6349, BHP Billiton Petroleum (GOM) Inc., 1360 Post Oak Blvd., Suite 150, Houston, TX 77056-3020

Bryan Chapman, Senior Regulatory Specialist, (281) 654-1941, ExxonMobil Corporation, PO Box 4778, Houston, TX 77210

Gregory D. Roland, Regulatory Compliance Area Manager, (713) 808-2881, Petrobras America Inc., 10350 Richmond Ave., Suite 1400, Houston, TX 77042

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

BOEMRE will not provide payment or gifts to respondents in this collection.

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

BOEMRE will protect information considered proprietary under the Freedom of Information Act (5 U.S.C. 552), under regulations at 30 CFR 250.197, "Data and information to be made available to the public or for limited inspection," and 30 CFR part 252, "Outer Continental Shelf (OCS) Oil and Gas Information Program."

**11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.**

The collection does not include sensitive or private questions.

**12. Provide estimates of the hour burden of the collection of information. The statement should:**

**(a) Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.**

**(b) If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens.**

Potential respondents include Federal OCS oil, gas, and sulphur lessees and operators. It should be noted that not all of the potential respondents will submit information in any given year and some may submit multiple times. The burden estimates include the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Submissions are generally on occasion, semi-monthly, and varies by section. We estimate the total annual burden is 190,480 hours.

**BURDEN BREAKDOWN**

Citation 30 CFR 250 Subpart B and NTLs	Reporting & Recordkeeping Requirement	Hour Burden	Average No. of Annual Responses Annual	Burden Hours
		Non-Hour Costs		
200 thru 206	General requirements for plans and information; fees/refunds, etc.	Burden included with specific requirements below.		0
201 thru 206; 211 thru 228; 241 thru 262;	BOEMRE posts on FDMS, EPs/DPPs/DOCDs, and receives public comments in preparation of EAs.	Not considered IC as defined in 5 CFR 1320.3(h) (4).		0
<b>Ancillary Activities</b>				
208 NTL	Notify BOEMRE in writing and other users of the OCS before conducting ancillary activities.	11	25 notices	275
210(a)	Submit report summarizing & analyzing data/information obtained or derived from ancillary activities.	2	25 reports	50
210(b)	Retain ancillary activities data/information; upon request, submit to BOEMRE.	2	25 records	50
		2.5	1 submittal	3 (rounded)
		<b>Subtotal</b>	<b>76 responses</b>	<b>378 hours</b>
<b>Contents of Exploration Plans (EP)</b>				
209; 231(b); 232(d); 234; 235; 281(d)(3); 283; 284; 285; NTL 2010 N-06	Submit amended, modified, revised, or supplemental EP, or resubmit disapproved EP; withdraw your EP.	150	276 changed plans	41,400
209; 211 thru 228; NTL 2010 N-06	Submit EP and all required information (including, but not limited to, submissions required by BOEMRE forms 0137, 0138, 0142 used in GOMR; withdrawals; lease stipulations; reports; H2S; G&G; etc. ) and provide notifications.	600	70 plans	42,000
		<b>\$3,673 x 225* EP surface locations = \$826,425</b>		
		<b>Subtotal</b>	<b>346 responses</b>	<b>83,400 hours</b>
		<b>\$826,425 Non-Hour Costs</b>		
<b>Review and Decision Process for the EP</b>				
235(b); 272(b); 281(d)(3)(ii)	Appeal State's objection.	Burden exempt as defined in 5 CFR 1320.4(a)(2), (c)		0
<b>Contents of Development and Production Plans (DPP) and Development Operations Coordination Documents (DOCD)</b>				
266(b); 267(d); 272(a); 273;	Submit amended, modified, revised, or supplemental DPP or DOCD, or resubmit disapproved	235	214 changed plans	50,290

Citation 30 CFR 250 Subpart B and NTLs	Reporting & Recordkeeping Requirement	Hour Burden	Average No. of Annual Responses Annual	Burden Hours
		Non-Hour Costs		
281(d); 283(a-b); 284(b); 285(a-b); 209; NTL 2010 N-06	DPP or DOCD.			
241 thru 262; 209; NTL 2010 N-06, and others	Submit DPP/DOCD and accompanying/supporting information (including, but not limited to, submissions required by BOEMRE Forms 0137, 0139, 0142 used in GOMR; lease stipulations; withdrawals, etc); provide notifications.	700	40 plans	28,000
		<b>\$4,238 x 158* DPP/DOCD wells = \$669,604.</b>		
<b>Subtotal</b>			<b>254 responses</b>	<b>78,290 hours</b>
			<b>\$669,604 non-hour costs</b>	
<b>Review and Decision Process for the DPP or DOCD</b>				
267(a)	Once BOEMRE deemed DPP/DOCD submitted; Governor of each affected State, local government official; etc., submit comments/recommendations.	1	1 submittal	1
267(b)	General public comments/recommendations submitted to BOEMRE re DPPs or DOCDs.	Not considered IC as defined in 5 CFR 1320.3(h)(4).		0
269(b)	Submit information on preliminary plans for leases or units in vicinity of proposed development and production activities.	3	1 response	3
<b>Subtotal</b>			<b>2 responses</b>	<b>4 hours</b>
<b>Post-Approval Requirements for the EP, DPP, and DOCD</b>				
280	Request departure from your approved EP, DPP, or DOCD.	Burden covered under 1010-0114.		0
281(a)	Submit various applications.	Burdens included under appropriate subpart or form (1010-0050; 1010-0059; 1010-0141; 1010-0149).		0
282	Retain monitoring data/information; upon request, make available to BOEMRE.	4	300 records	1,200
	Submit monitoring plan for approval	2	12 plans	24
282(b)	Submit monitoring reports and data (including BOEMRE Form 0141 used in GOMR).	3	24 reports	72
284(a)	Submit updated info on activities conducted under approved EP/DOCD.	4	56 updates	224
<b>Subtotal</b>			<b>392 responses</b>	<b>1,520 hours</b>
<b>Submit DWOPs and CIDs</b>				
287 thru 289	Submit a Conceptual Plan for approval.	200	8 plans	1,600
291; 292	Submit DWOP and accompanying/supporting information.	750	12 plans	9,000
		<b>\$3,336 x 12 = \$40,032</b>		
294	Submit a combined Conceptual Plan and DWOP for approval.	950	3 plans	2,850
295	Submit a revised Conceptual Plan or DWOP for approval.	100	35 plan revisions	3,500
296(a); 297	Submit CID and accompanying/supporting information.	375	13 documents	4,875
		<b>\$27,348 x 13 = \$355,524</b>		
296(b); 297	Submit a revised CID for approval.	100	3 revisions	300
<b>Subtotal</b>			<b>74 responses</b>	<b>22,125 hours</b>

Citation 30 CFR 250 Subpart B and NTLs	Reporting & Recordkeeping Requirement	Hour Burden	Average No. of Annual Responses Annual	Burden Hours
			Non-Hour Costs	
			<b>\$395,556 non-hour costs</b>	
<b>Seismic Survey Mitigation Measures and Protected Species Observer Program NTL</b>				
NTL; 211 thru 228; 241 thru 262	Submit to BOEMRE observer training requirement materials and information.	1.5 hours	2 sets of material	3
	Training certification and recordkeeping.	1 hour	1 new trainee	1
	During seismic acquisition operations, submit daily observer reports semi-monthly.	1.5 hours	344 reports	516
	If used, submit to BOEMRE information on any passive acoustic monitoring system prior to placing it in service.	2 hour	6 submittals	12
	During seismic acquisition operations, submit to BOEMRE marine mammal observation report(s) semi-monthly or within 14 hours if air gun operations were shut down.	1.5 hours	1,976 reports	2,964
	During seismic acquisition operations, when air guns are being discharged, submit daily observer reports semi-monthly.	1.5 hours	344 reports	516
	Observation Duty (3 observers fulfilling an 8 hour shift ea for 365 calendar days x 4 vessels = 35,040 man-hours). This requirement is contracted out; hence the non-hour cost burden.	3 observers x 8 hrs x 365 days = 8,760 hours x 4 vessels observing = 35,040 man-hours x \$52/hr = \$1,822,080.		
<b>Subtotal</b>			<b>2,673 responses</b>	<b>4,012 hours</b>
			<b>\$1,822,080 Non-Hour Costs</b>	
<b>Vessel Strike Avoidance and Injured/Protected Species Reporting NTL</b>				
NTL; 211 thru 228; 241 thru 262	Notify BOEMRE within 24 hours of strike, when your vessel injures/kills a protected species (marine mammal/sea turtle)	1 hour	1 notice	1
<b>Subtotal</b>			<b>1 response</b>	<b>1 hour</b>
<b>Marine Trash and Debris Awareness/Elimination NTL</b>				
NTL; 211 thru 228; 241 thru 262	Submit request for training video.	1 hour	100 requests	100
	Submit annual report to BOEMRE on training process and certification.	1 hour	200 records	200
	Training recordkeeping; make available upon request.	2 hours	200 records	400
	Post placards on vessels and structures (exempt from information collection burden because BOEMRE is providing exact language for the trash and debris warning, similar to the "Surgeon General's Warning" exemption).			
<b>Subtotal</b>			<b>500 responses</b>	<b>700 hours</b>
200 thru 299	General departure and alternative compliance requests not specifically covered elsewhere in subpart B regulations.	2	25 requests	50
<b>Subtotal</b>			<b>25 responses</b>	<b>50 hours</b>
<b>TOTAL BURDEN</b>			<b>4,343 Responses</b>	<b>190,480 Hours</b>
			<b>\$3,713,665 Non-Hour Costs</b>	

\* You may have multiple locations and/or wells for each EP, EPP, or DOCD.

***(c) Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should be included under “annual Cost to the Federal Government.”***

The average respondent cost is \$85\*/hour (rounded). This cost is broken out in the below table using the Bureau of Labor Statistics data for the Houston, TX area. See BLS website: <http://www.bls.gov/bls/wages.htm>.

<b>Position</b>	<b>Level</b>	<b>Hourly Pay rate (\$/hour estimate)</b>	<b>Hourly rate including benefits (1.4** x \$/hour)</b>	<b>Percent of time spent on collection</b>	<b>Weighted Average (\$/hour)</b>
Secretaries and Administrative assistants	6	\$21	29	15%	\$4
Petroleum Engineers, Geologists	All Workers	\$68	95	70%	\$67
Supv. Engineer	All Workers	\$68	95	15%	\$14
<b>Weighted Average (\$/hour)</b>					<b>\$85</b>

\* Note that this BLS source reflects their last update from December 2009.

\*\* A multiplier of 1.4 (as implied by BLS news release USDL 11-0849, June 8, 2011 (see <http://www.bls.gov/news.release/ecec.nr0.htm>)) was added for benefits.

Based on a cost factor of \$85 per hour, we estimate the total annual cost to industry is \$16,190,800 (\$85 x 190,480 hours = \$16,190,800).

***13. Provide an estimate of the total annual non-hour cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden already reflect in Item 12).***

***(a) The cost estimate should be split into two components: (1) a total capital and start-up cost component (annualized over its expected useful life) and (2) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information (including filing fees paid for form processing). Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.***

***(b) If cost estimates are expected to vary widely, agencies should present ranges of cost burden and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.***

***(c) Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements***

**not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.**

We have identified four non-hour costs associated with this information collection that are cost recovery fees. They consist of fees being submitted with EP's (\$3,673), DPP's or DOCD's (\$4,238), DWOP's (\$3,336), and CID's (\$27,348).

There is also one non-hour cost burden associated with the protected Species Observer Program. The cost associated with this program is due to observation activities that are, usually subcontracted to other service companies with expertise in these areas. Since all of the observation duty and reporting would be done while on the vessel and by contractors, these requirements were calculated as non-hour cost burdens. See the hours, fees, and costs in the burden table in A.12.

We estimate that the annual total non-hour cost burden is \$3,713,665. We have not identified any other non-hour cost burdens associated with this collection of information.

**14. Provide estimates of annualized cost to the Federal Government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information.**

The average Federal cost is \$60/hour. This cost is broken out in the below table using the current Office of Personnel Management salary data for the REST OF THE UNITED STATES (<http://www.opm.gov/oca/11tables/>).

Position	Grade	Hourly Pay rate (\$/hour estimate)	Hourly rate including benefits (1.5 x \$/hour)	Percent of time spent on collection	Weighted Average (\$/hour)
Clerical	GS-7/5	\$21	\$32	15%	\$5
Regulatory	GS-12/5	\$37	\$56	35%	\$20
Engineers/Geologists	GS-13/5	\$44	\$66	40%	\$26
Supv. Petroleum Engineer	GS-15/5	\$62	\$93	10%	\$9
<b>Weighted Average (\$/hour)</b>					<b>\$60</b>

\* A multiplier of 1.5 (as implied by BLS news release USDL 11-0849, June 8, 2011 (see <http://www.bls.gov/news.release/ecec.nr0.htm>)) was added for benefits.

To analyze and review the information required by subpart B and related NTLs, we estimate the Government will spend an average of approximately 1/4 hour for each hour spent by respondents for a total of 47,620 hours (190,480 divided by 4 = 47,620). Based on a cost factor of \$60 per hour, the total gross annualized cost to the Government is \$2,857,200.

**15. Explain the reasons for any program changes or adjustments in hour or cost burden.**

This nonsubstantive change requests an adjustment increase of \$116,508 in the non-hour cost burden to accommodate the service fee changes per 78 FR 5836 (January 28, 2013) that became effective on February 2, 2013.

This collection has both program changes and adjustments. The currently approved annual hour burden is 291,414 hours. This submission requests 190,480 hours. The currently approved annual reporting and recordkeeping non-hour cost burden is \$4,853,530. This submission requests \$3,597,157.

- a. There is a program decrease of 44,178 hours that is a result of revising all the forms associated with this subpart. While the forms were revised dramatically, industry had the opportunity to review the changes to the forms since they were published in the FR for the 60-day notice. We believe that the burden for these requirements has lessened in part due to familiarity and the use of computers. There is also an adjustment decrease of 56,756 hours. The information is based on re-estimating the average number of annual responses and the amount of time required to respond based on consultations.
- b. There is an adjustment decrease of \$1,256,373 for non-hour cost burdens that is a result of re-estimating the number of annual responses received; specifically those associated with cost recovery fees.

It should be noted that as a result of the Deepwater Horizon incident, the hour burdens and non-hour costs decreased (over the average 3 year period) in part due to the temporary moratorium on many activities on the OCS.

***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.***

BOEMRE will not tabulate or publish the data.

***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.***

BOEMRE will display the OMB control number and approval expiration date.

***18. Explain each exception to the topics of the certification statement identified in, "Certification for Paperwork Reduction Act Submissions."***

To the extent that the topics apply to this collection of information, we are not making any exceptions to the "Certification for Paperwork Reduction Act Submissions."