Department of Transportation
Office of the Chief Information Officer
Supporting Statement—Introduction and Part A
Hazardous Materials Shipping Papers and Emergency Response Information

(Expiration Date: October 31, 2015)

Introduction

This is to request approval from the Office of Management and Budget (OMB) for a revised information collection entitled, "Hazardous Materials Shipping Papers and Emergency Response Information," under OMB Control No. 2137-0034. This information collection is currently due to expire on October 31, 2015.

This information collection is being revised as a result of a pilot program the Pipeline and Hazardous Materials Safety Administration (PHMSA) intends to conduct to determine the feasibility of electronic shipping papers. Specifically, Section 33005 of the "Moving Ahead for Progress in the 21st Century Act'' (MAP-21) authorizes PHMSA to conduct a pilot program to evaluate the feasibility and effectiveness of using paperless hazard communications systems. The overall pilot program will include a variety of outreach activities, including the conduct of pilot tests. In accordance with MAP-21, in conducting the pilot tests, PHMSA may not waive the current shipping paper requirements and must include at least one rural area pilot test. Upon completion of the pilot tests, PHMSA must prepare a report to be delivered by the Secretary to the Committee on Commerce, Science, and Transportation of the U.S. Senate and to the Committee on Transportation and Infrastructure of the U.S. House of Representatives by October 1, 2014. The report must provide: (1) a detailed description of the pilot tests; (2) an evaluation of each pilot test to include an evaluation of the performance of electronic hazardous materials (e-HM) communication systems (e-systems); (3) an assessment of the safety and security impacts of using e-systems to include the impact on the public, emergency responders, law enforcement, and on conducting inspections and investigations; (4) an analysis of the associated benefits and costs of using e-systems for each mode of transportation; and (5) a recommendation on whether e-systems should be permanently incorporated into the Federal hazmat regulations.

In addition, this information collection is also being revised to account for a decrease in the total number of annual responses that resulted from a previous rulemaking. Specifically, a final rule entitled "Hazardous Materials: Harmonization With the United Nations Recommendations, International Maritime Dangerous Goods Code, and the International Civil Aviation Organization Technical Instructions for the Safe Transport of Dangerous Goods by Air," provided additional shipping paper exceptions that eliminated approximately 25% (75,000,000) of the total annual responses, and subsequently, 25% (1,875,000) of the total annual burden hours. Although this decrease was noted in the previous Supporting Statement for this information collection, the actual calculation was not executed in the appropriate field of the software that maintains information collection burden totals (ROCIS). Therefore, this reduction of 75,000,000 responses is being noted in this current Supporting Statement and will be correctly adjusted in the total number of information collection and responses for OMB Control No. 2137-0034, "Hazardous Materials Shipping Papers and Emergency Response Information."

Part A. Justification:

1. Circumstances that make collection of information necessary.

This is a request for a renewal with change of an existing information collection for information and recordkeeping requirements pertaining to shipping papers and emergency response information under the hazardous materials regulations (HMR) (Title 49, Part 172, Subpart C). Below is an explanation of the circumstances for why the revision is necessary, as well as supporting baseline information regarding the collection of HM shipping papers and emergency response information.

Revision to collection (MAP-21 pilot program)

This information collection is being revised to conduct pilot tests to test the performance of e-systems and evaluate potential impacts. These pilot tests represent the second of three parts that PHMSA needs to complete to satisfy the requirements established under Section 33005 of MAP-21, to evaluate the feasibility and effectiveness of using paperless hazard communications systems. First, PHMSA needs to consult with organizations representing fire services personnel, law enforcement and other appropriate enforcement personnel, other emergency response providers, persons who offer HM for transportation, and persons and employees of persons who transport HM by air, highway, rail, and water. Second, PHMSA will conduct pilot tests of e-system communication of HM shipping paper information with volunteer HM stakeholders (shippers, carriers, law enforcement personnel, and emergency responders) in all transportation modes (air, highway, rail, and water); at least one pilot test must be conducted in a rural area. Third, PHMSA needs to prepare a report for submittal to Congress by October 1, 2014. The report must include a detailed description of the pilot tests; an evaluation of each pilot test, including the performance of each e-system; an assessment of the safety and security impacts of using e-systems, including any impact on the public, emergency response, law enforcement, and on the conduct of inspections and investigations; an analysis of the associated benefits and costs of using e-systems; and a recommendation on whether regulations should be changed to allow for the option to use e–systems for communicating HM information.

Lessons learned from similar PHMSA efforts and from consultations with HM stakeholders conducted in the first part of this information collection activity indicate that use of e-systems to communicate HM shipping paper information should be allowed, but not mandated. In addition, future regulations to allow for the use of e-communication should be written utilizing a performance-based approach, meaning that regulations need to be flexible and not mandate the use of a specific means or technology for communicating the shipping paper information electronically. The expectation is that a regulatory change to allow for the option to use e-systems to communicate HM shipping paper information will improve the availability and accuracy of hazard and response information for shipments and packages; the speed and accuracy by which information is available to emergency responders; the security of imported containers through better knowledge of shipments; and will allow U.S. companies to compete more effectively in the global economy by using the best tools available.

Baseline collection information

HM shipping papers and emergency response information collection supports the Department of Transportation's (DOT's) Strategic Goal for Safety. These regulations are promulgated under the Federal HM transportation law, 49 U.S.C. 5101-5128.

Shipping papers and emergency response information are considered to be a basic communication tool relative to the transportation of HM. The definition of a shipping paper in 49 CFR 171.8 includes a shipping order, bill of lading, manifest, or other shipping document serving a similar purpose and containing the information required by §§ 172.202, 172.203, and 172.204 of the HMR. A shipping paper with emergency response information must accompany most HM shipments and be readily available at all times during transportation. They serve as the principal source of information regarding the presence of HM, identification, quantity, and emergency response procedures. They also serve as the source of information for compliance with other requirements, such as placement of rail cars containing different HM in trains; prevent the loading of poisons with foodstuffs; maintain the separation of incompatible HM; and limit the amount of radioactive materials that may be transported in a vehicle or aircraft. Shipping papers and emergency response information serve as a means of notifying transport workers that HM are present. Most importantly, shipping papers serve as a principal means of identifying HM during transportation emergencies. Firefighters, police, and other emergency response personnel are trained to obtain the DOT shipping papers and emergency response information when responding to HM transportation emergencies. The availability of accurate information concerning HM being transported significantly improves response efforts in these types of emergencies.

It is necessary that HM and emergency response information be displayed on shipping papers in a uniform manner to ensure accuracy and consistency. DOT regulations require that when HM and materials not subject to the HMR are described on the same shipping paper, the HM entries required by § 172.202 and those additional entries that may be required by § 172.203 must be entered first, or entered in a color that clearly contrasts with any description on the shipping paper of materials not subject to the requirements, or highlighted, or identified by the entry with an "x" in an HM column opposite the HM entry.

Experience has shown that some shipping papers may contain many different items in a shipment. To require emergency response personnel, during an accident situation, to sort through multiple entries to determine what HM are in a vehicle would cause serious delays in making proper determinations concerning the mitigation of the accident. Therefore, shipping paper requirements include emergency response communication information, providing and maintaining emergency information on vehicles, aircraft, and vessels and at facilities handling HM, and requires additional general information on shipping papers.

Uniformity of national and international HM transportation regulations is critical to enhance safety and facilitate trade. Consistency between U.S. and international regulations helps to assure the safety of international HM transportation through better understanding of the regulations, an increased level of industry compliance, the smooth flow of HM from their points of origin to their points of destination, and consistent emergency response in the event of an HM

incident. For example, many shippers find that consistency in requirements aids their understanding of what is required, thereby permitting them to more easily comply with the regulations when shipping HM in international commerce.

To facilitate the safe and efficient transportation of HM in international commerce, the HMR, with certain limitations, permit both domestic and international shipments of HM to be offered for transportation and transported under provisions of the International Civil Aviation Organization's Technical Instructions for the Safe Transport of Dangerous Goods by Air (ICAO Technical Instructions), the International Maritime Dangerous Goods Code (IMDG Code), the Canadian Transportation of Dangerous Goods Regulations (TDG Regulations), and the International Atomic Energy Agency Safety Standards Series: Regulations for the Safe Transportation of Radioactive Material (IAEA Regulations), as appropriate.

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

This section contains a description of how, by whom, and for what purpose the revision to the information collection is to be used, as well as supporting baseline information regarding the collection of HM shipping paper and emergency response information.

Revision to collection (MAP-21 pilot program)

Pilot tests will be conducted with selected volunteers (shippers, carriers, law enforcement personnel, and emergency responders) in multiple U.S. regions, including at least one rural area, during HM transportation by various modes. The pilot test volunteer participant selection criteria are explained in the Supporting Statement, Part B. The purpose of the pilot tests is to test the performance of paperless hazard communications systems to convey hazard information between all parties in the transportation chain, including emergency responders and law enforcement personnel. The hazard information being tested is the same shipping paper information that is currently required by existing HMR; the only difference during the simulations is that the shipping paper information will be communicated electronically. Hardcopy HM shipping papers will be carried on all pilot test HM transport conveyances (in accordance with current regulatory requirements), as the requirements under Section 5110 of Title 49, United States Code cannot be waived per MAP-21.

The aim of the pilot tests is to conduct emergency response and inspections simulations during different scenarios to test the ability of emergency responders and law enforcement personnel to obtain electronic shipping paper information under varying conditions. Potential scenarios include when the conveyance operator is available to provide the information, when the conveyance operator is not available, when conveyance information is available, and when conveyance information is not available. To the extent possible, inspection simulations will be conducted involving each mode and at representative standard fixed (facility) and non-fixed locations, such as at ports, rail yards, airports, weigh stations, roadsides, etc. The scenarios tested will be limited and determined in part by the volunteers available to participate. The pilot tests will involve testing the performance of shipper and carrier participants' own existing e-systems to communicate electronic shipping paper information during simulated modal

inspections and emergency response conditions while being transported via roadway, rail, maritime, and air.

Volunteering does not guarantee an entity's participation in the pilot tests. PHMSA will screen volunteers and select those that satisfy a minimum set of requirements (described in the 60- and 30-Day Notices) for consideration and are judged to be best capable to aid PHMSA in achieving the objectives of MAP-21.

Desired law enforcement and emergency responder participants are those with jurisdiction in areas where HM are transported by shipper and carrier participants and who are willing to assist in the collection of information during the pilot tests. PHMSA will contact each law enforcement and emergency responder volunteer to verify that the volunteer is an individual entity (not volunteering as an association); is part of an active inspection or emergency response company/organization that performs inspections or responds to HM incidents on a routine (daily, weekly, monthly, or annually) basis; is willing to conduct simulations following his/her company's/organization's established protocols using the company's/organization's existing equipment and resources; is willing to complete an on-line data collection question set and submit a copy of the electronic HM shipping paper received for each simulation conducted; and is able to participate in the pilot test orientation meeting.

Law enforcement and emergency response participants will be responsible for conducting the simulations. For the simulations to be an effective tool for evaluating the feasibility of e-systems, they should mimic actual field conditions and established procedures rather than adhering to a piloted script. Therefore, simulations will not be conducted following a prescribed script; instead, they will be conducted by law enforcement and emergency response participants following each participant company's/organization's established inspection and response procedures and using the company's/organization's own existing equipment and resources. Law enforcement and emergency response participants will also be responsible for collecting information on each simulation conducted. The data being collected during the pilot test simulations is intended for PHMSA's use in support of the MAP-21 Paperless Hazard Communications Pilot Program. Any violations observed by law enforcement participants while conducting the simulations will be processed according to their established protocols.

Desired shipper and carrier (i.e., "regulated entities") pilot test participants are those who offer HM for transportation and/or transport HM by a variety of modes, under differing conditions, within differing locations, and interact with other intermodal carriers for HM transfers. PHMSA will not test vendors of electronic communication technologies or products during the pilot tests. As part of PHMSA's participant evaluation and selection process, each volunteering regulated entity will need to complete an on-line shipper and carrier participant selection question set to verify its qualifications and capabilities. As part of the selection process, PHMSA may also utilize information available on volunteers' public websites and/or directly contact volunteers to clarify information for obtaining a better understanding of their capabilities and qualifications. A requirement for participation is that participants utilize their existing e-systems. There are a variety of different electronic and wireless technologies and electronic data exchange formats that can be used to communicate electronic shipping papers. Potential technologies include, but are not limited to, personal digital assistants (PDAs), vehicle laptops, workplace computers,

computer aided dispatch (CAD) terminals, smartphones, facsimile (FAX) machines, etc. Some of the more common data exchange formats include Extensible Markup Language (XML), Electronic Data Interchange (EDI), and Universal Business Language (UBL). To be selected for participation, volunteering shippers and carriers need to be an individual entity (not volunteering as an association); ship and/or transport HM within areas of high concentrations of HM registrants and incidents; currently possess an e-system(s) capable of managing and communicating the HM shipping paper information at their own expense; and possess their own equipment and personnel and/or contractor resources necessary to transport HM shipments. In addition, volunteering shippers and carriers need to be willing to allow, and participate in, pilot test modal inspections and emergency response simulations conducted by law enforcement and emergency response participants; provide feedback on experiences regarding electronic communication during the pilot tests; provide information on the basic function and capabilities of their e-system(s); and provide information on administrative, business, training, equipment, and operational-related benefits and costs associated with implementing e-system(s).

Four separate question sets have been developed in support of data collection activities, each of which will be completed online. Each online question set is designed with answers to most questions to be yes/no, multiple choice, or checkbox, to minimize burden to participants and to aid in data analysis.

Volunteering shippers and carriers will need to answer an online set of shipper and carrier participant questions to provide information on their qualifications and whether they have the capability to satisfy the requirements for participation. Law enforcement and emergency response participants will be responsible for providing an electronic copy of the HM shipping paper they received during the simulation and for answering online inspection and emergency response simulation question sets to provide information on each simulation conducted. The online inspection simulation and emergency response simulation question sets have been designed to evaluate the feasibility and effectiveness of the e-system(s) involved in each pilot test. These question sets include questions to collect information on technology involved, ability and performance of the e-system(s), including duration of transfer and data quality of the electronic shipping paper information received as a result of the electronic transfer.

The fourth online question set is designed to collect information from HM stakeholders (shippers, carriers, law enforcement personnel, emergency responders, and other HM professionals) to aid in the assessment of potential impacts associated with using e-systems. The online impact analysis questions set will be available for both pilot test participants and non-pilot participants to answer. Although not required, pilot test participants will be encouraged to complete the online impact analysis question set, in addition to participating in the actual pilot tests.

The pilot test implementation schedule will be determined when PHMSA receives Office of Management and Budget (OMB) approval to proceed with the data collection activities, in accordance with the Paper Reduction Act (PRA). For estimating purposes, below is an approximate implementation schedule for completing the remaining major MAP-21 activities. The time period indicated below is the total time from receiving OMB approval to completing the activity.

Activity	Task Initiation	Estimated Time to Completion
Select participants and conduct participant orientation meeting	Upon receiving OMB approval of information collection effort	within 7 weeks of OMB approval
Conduct pilot tests and impact analysis data collection		within 4.5 months of OMB approval
Evaluate pilot tests results and analyze impact data		within 5.5 months of OMB approval
Prepare DRAFT report		within 6.5 months of OMB approval
Submit DRAFT report to OST		within 7 months of OMB approval
Receive OST comments on DRAFT report		within 8 months of OMB approval
Finalize report and submit to OST for submittal to Congress		within 9 months of OMB approval

Under MAP-21, PHMSA must complete the pilot tests and deliver a report to Congress regarding the feasibility and effectiveness of using paperless hazard communication systems by October 2014. If PHMSA determines that, once it receives OMB approval, insufficient time remains to complete all of the above activities before the October 1, 2014 deadline, PHMSA intends to prepare an interim report for submittal by the October 1 deadline. The interim report will provide Congress with the status and findings to-date as they relate to the required MAP-21 stakeholder consultation and pilot test requirements. Upon receiving OMB approval, PHMSA will proceed with collecting information from pilot test volunteers on their qualifications, evaluating volunteer qualifications, selecting and orienting pilot test participants, conducting pilot tests with selected participants in multiple U.S. regions, collecting information from stakeholders to evaluate potential impacts, evaluating the results of the pilot tests and impact analysis data collection effort, and preparing a feasibility and assessment report for the DOT Secretary to provide to Congress. The specific time period for the pilot tests has yet to be determined, but as indicated within the 60-Day Federal Register Notice, it is expected to be 8 to 12 weeks in duration.

These pilot tests are PHMSA's first assessment of using e-systems to communicate required HM shipping paper information in the HM transportation environment. The objective of the pilot tests is to determine the feasibility and effectiveness of whether paperless HM communication systems provide an equivalent or better level of safety to the current paper-based HM shipping paper requirements. Because these pilot tests are PHMSA's initial assessment, PHMSA will select participants from agencies/companies/organizations who responded to either the 60-Day Notice or the April 2013 web announcement (refer to section 8 of this statement). The number of pilot test simulations conducted will not be statistically relevant compared to the amount or variation of HM shipments being transported each year, and will not involve a statistical sampling of the entire HM community. As described in the Supporting Statement, Part B, the pilot tests will be limited in number and will represent a snapshot in time. The nonprobability data collected will be limited by the number and type of simulations conducted, which in large

part will be limited by the number, locations, qualifications, and different e-systems used by volunteer participants. The nonprobability data collected will be used as part of a qualitative study of the safety and security impacts of using e-systems, including any non-generalizable impact on the public, emergency response, law enforcement, and the conduct of inspections and investigations, as required under MAP-21. Although a critical requirement under MAP-21, PHMSA's feasibility and effectiveness determination will not solely rely on the results of the pilot tests; rather, the determination and ultimately PHMSA's regulatory recommendation will be based on a combination of the entirety of the data collection activities (pilot test results and impact analysis questions) and the MAP-21 required stakeholder consultation efforts previously conducted. The MAP-21 required report to Congress and associated recommendation on whether regulations should be changed to allow for the option to use e-systems for communicating HM shipping paper information will include data qualifications regarding the limitations of the pilot tests, potential limitations associated with the option to allow for the use of e-systems to communicate HM shipping paper information, and may potentially include a recommendation for further study by means of additional and potentially more comprehensive pilot tests. It will not result in a recommendation to mandate the use of paperless hazard communication systems.

Baseline collection information

The shipping paper is considered a basic hazard communication tool when transporting HM by all modes. For example, it is the mechanism by which an aircraft operator knows the nature and potential of hazardous cargo on board the aircraft. It informs railroad employees of the potential hazards of the materials and is the primary means of communicating information leading to required car handling and placement in trains. Shipping papers communicate information on cargo compatibility to motor carrier personnel and emergency responders, and advises the vessel master where HM cargo should be stowed to assure compatibility and accessibility. Consequences which could result from not having the required information on shipping papers include:

- Co-mingling of HM in a shipment that could react chemically and cause explosion, fire, poison gas, or other types of reactions in the event of a container failure or accident.
- Contamination of foodstuffs and feed by poisons being shipped on the same transport vehicle.
- Shipment of radioactive materials in the same transport vehicle in quantities which could exceed criticality safety controls, resulting in excessive exposure to vehicle operators/crew or passengers, or with non-radioactive materials (such as x-ray film) that could be contaminated by the radiation emitted from packages of radioactive materials.
- Shipment of HM greater than authorized to be carried in passenger carrying vehicles.
- Shipment of forbidden materials aboard passenger carrying aircraft, the release of which could cause death or illness to passengers and crew due to contamination of the air system of an aircraft or structural damage to an aircraft.
- Injury, death, and/or severe environmental damage due to lack of accurate emergency response communication information.
- Incorrect emergency response procedures resulting from lack of sufficient information regarding the hazards of the materials being transported. For example, firefighters may

attempt to extinguish fires with water leading to catastrophic consequences if they are not advised by shipping papers and emergency response information that the materials are water reactive.

3. Extent of automated information collection and whether, and to what extent, the revision to the information collection 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.

This collection uses information technology to reduce burden, as well as supporting baseline information regarding the collection of HM shipping paper and emergency response information. Four separate question sets have been developed in support of data collection activities, each of which will be completed online by volunteer participants. The data collected by means of the four online questions sets will be used to evaluate the feasibility and effectiveness of participants' systems to transmit and receive electronic shipping paper information and to assess potential impacts, such as benefits, costs, safety, and security impacts on the public, emergency responders, and law enforcement. PHMSA expects the percentage of respondents reporting electronically to be 100% for this information collection.

4. Efforts to identify duplication.

Revision to collection (MAP-21 pilot program)

The information collection is specific to the pilot tests under Section 33005 of MAP-21. PHMSA has done extensive research to ensure that this information is not collected as part of another data collection.

Baseline collection information

DOT HM shipping paper and emergency response information requirements do not duplicate any other documentation system for identifying HM transported in commerce. For instance, DOT and the Environmental Protection Agency (EPA) coordinated the hazardous waste manifest requirements to avoid duplication. EPA agreed that DOT regulations prevail for carriers of hazardous wastes and revised its manifest requirements so the required entries could be made on one document to comply with both EPA hazardous waste requirements and DOT shipping paper and emergency response information requirements.

To a limited degree, some of the information required on the shipping papers is already available through required markings on the outside of packages. However, it would be very difficult to accomplish effective communication for emergency response and compliance with various transportation requirements by using only the markings on packages. In most cases, the packages are not visible during transportation and would not serve the same benefit as the shipping paper and emergency response information in providing effective communication.

5. Efforts to minimize the burden on small businesses.

Revision to collection (MAP-21 pilot program)

Participation in the pilot tests, including participation by small businesses, is strictly voluntary. In addition, PHMSA anticipates that any resulting regulatory recommendation will at most recommend that the use of paperless hazard communication systems be allowed as an optional, not mandatory alternative.

Baseline collection information

Unless specifically excepted in the HMR, shipping papers and emergency response information must be prepared by all persons offering HM for transportation. Some type of shipping document is issued in all normal business transactions; therefore, the DOT HM shipping paper requirements are not considered duplicative to documents already used in commerce.

6. Impact of less frequent collection of information.

Revision to collection (MAP-21 pilot program)

This is a one-time data collection activity required under Section 33005 of MAP-21. Failure to conduct the data collection will prevent PHMSA from obtaining the data necessary to evaluate the feasibility and effectiveness of paperless HM communication systems to provide an equivalent or better level of safety to the current paper-based HM shipping paper requirements. The data collection is critical to PHMSA's ability to prepare a MAP-21 required report to Congress and to develop an associated recommendation on whether regulations should be changed to allow for the option to use e-systems for hazard communication.

Baseline collection information

This is a one-time requirement each time an HM shipment is offered for transportation in commerce.

7. Special circumstances.

Revision to collection (MAP-21 pilot program)

There are no special circumstances associated with this information collection.

Baseline collection information

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

- It is not possible to eliminate or shorten the information required by the HMR for shipping papers and still provide the information necessary for emergency response personnel, carriers, and transport workers.

- Shipping papers are already required to be retained by other Federal and state requirements, and therefore are not considered duplicative. PHMSA has no discretion regarding this requirement.

- HM shipping paper and emergency response information is also required when transporting HM in international commerce.

8. Compliance with 5 CFR 1320.8.

Revision to collection (MAP-21 pilot program)

PHMSA published a 60-Day Notice in the Federal Register on July 19, 2013 [78 FR 43263] describing PHMSA's strategy for conducting the pilot tests that will enable PHMSA to evaluate paperless hazard communication systems capabilities from a real-world perspective, and explained its process and criteria for evaluating all pilot test volunteers and selecting those participants that satisfy the pilot test qualification requirements, meet the criteria specified in MAP-21, and are best able to aid in testing a variety of scenarios. PHMSA encouraged shippers, carriers, law enforcement personnel, and emergency responders interested in participating in the pilot tests to provide statements of interest via comments to the 60-Day Notice. In addition to the 60-Day Notice, PHMSA indicated it was seeking shippers, carriers, law enforcement personnel, and emergency responders who may be interested in volunteering to participate in the pilot tests via an April 2013 website announcement. PHMSA published a 30-Day Notice in the Federal Register on November 25, 2013 [78 FR 70399] to acknowledge comments received in response to the 60-Day Notice and the April 2013 website announcement, and to provide details on the four information collection efforts to be conducted during the pilot tests.

PHMSA received 83 responses to the web announcement and 60-Day Notice. These responses can be categorized as follows:

- Category 1: 88% of the entities, those expressing interest in participating in the pilot tests.

- Category 2: 10% of the entities, those not wanting to participate in the pilot tests but commenting on use of e-systems; confirming the importance of certain aspects of e-communication/validating observations in stakeholder information papers; and/or providing comments outside of the defined data collection and more pertinent to anticipatory regulatory changes.

- Category 3: 2% of the entities, those submitting only their contact information, and entities posting unclear comments regarding pilot test participation.

No comments were posted specifically referring to the intended types of data collection questions or the estimated burden.

9. Payments or gifts to respondents.

Revision to collection (MAP-21 pilot program)

Participation in the pilot tests is completely voluntary. PHMSA will not provide monetary compensation for participants, and participants will receive no direct benefit from participating in the pilot tests. Participants will be required to use their own agency's/company's/organization's equipment and resources, and will not receive monetary compensation from PHMSA.

Baseline collection information

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

10. Assurance of confidentiality.

PHMSA is collecting the names of POCs and business contact information. PHMSA makes no assurances of confidentiality, nor does it guarantee to participants that the name of their agency/company/organization will be kept confidential.

11. Justification for collection of sensitive information.

Not applicable. Information is not of a sensitive nature.

12. Estimates of burden hours for information requested.

Estimate of annual burden hours:

Currently Inventory:	4,625,846
MAP-21 Pilot Program:	1,538.25
Total Annual Burden Hours:	4,627,384.2

Revision to collection (MAP-21 pilot program)

In a Federal Register 30-Day Notice entitled "Paperless Hazard Communications Pilot Program," PHMSA estimated an additional 1,538.25 hours would be added to this information collection due to information that would be requested from potential volunteer pilot test participants. This pilot program will involve 644 respondents conducting 2,305 responses. This additional burden was calculated as follows:

Information Collection	**Number of Respondents**	**Number of Responses**	**Hours per Response**	**Total Hours**
Information Collection Instruments:				
Shippers and Carriers – Consent Form	55	55	0.083	4.6
Email Script – Initial	*55	55	0.166	9.2
Email Script – Follow up	*55	55	0.166	9.2
Shipper and Carrier Participant Questions	*55	55	0.5	27.5
Sub-totals:	*55*	***220***		***50.5***
Law Enforcement Inspectors – Consent Form	260	260	0.083	21.7
Inspection Simulation Questions	*260	260	1.0	260
Subtotals:	***260***	***520***		***281.7***
Emergency Responders – Consent Form	24	24	0.083	2
Emergency Response Questions	*24	24	1.0	24
Subtotals:	***24***	***48***		***26***
Impact Analysis – Consent Form	250	250	0.083	20.8
Impact Analyses Questions	*250	250	1.0	250
Subtotals:	***250***	***500***		***270.8***
Webinar – Consent Form	*339	339 (55 shippers and carriers, 260 inspectors, 24 emergency responders)	0.083	28.25
Subtotals:	***--***	***339***		***28.25***
Pilot Test Information and Participation:				
Pilot Test Webinar Orientation Meetings	*339	339	2.0	678
Shippers and Carriers (different from those shippers and carriers who completed the consent forms and participant questions)	55	55	3.0	165
Inspectors	*260	260	0.1	26
Emergency Responders	*24	24	0.5	12
Subtotals:	***55***	***623***		***881***
Totals:	**644**	**2,305**		**1,538.25**

** = respondents already accounted for in consent forms*

2,305 Responses **1,538.25 Hours**

Shippers and carriers will perform HM transportation commerce according to their normal business schedules and without disrupting the normal flow of commerce. In addition, shippers and carriers are already subject to conveyance inspections, and the emergency response simulations will only involve testing the e-communication of the requested shipping paper information. Performance of HM inspections and response activities are an existing part of inspectors' and emergency responders' jobs; as such, volunteer inspectors and emergency responders will conduct the simulations in accordance with their existing, established procedures.

Participation in the pilot tests does not require the purchase of any equipment. To the contrary, PHMSA is looking to test the ability of participants' existing equipment to successfully communicate electronic shipping paper information. For business purposes, participants have already invested in various equipment and technology to support their operations. Many transportation and logistics industries have embraced modern innovations to communicate information to address competitive demands, just-in-time delivery requirements, and the globalization of supply chains. PHMSA is looking to gain an understanding of the estimated cost of stakeholders' e-systems by means of the online impact analysis question set, which requests information on equipment cost, employee training costs, and costs associated with customer outreach.

Revision to collection (ROCIS)

In addition, we are reducing the total number of annual responses by 75,000,000 to account for the reduction in annual responses that was overlooked during the previous revision of this information collection.

Baseline Estimate

6,500,000 + 834 - 1,875,000 +12.5 = 4,625,846.5 Burden Hours.

It is estimated that there are as many as 260 million shipments per year (1 million/day x 5 days/week x 52 weeks) of HM in the United States. We have taken into consideration the additive requirements to the existing railroad waybill system, the dangerous cargo manifest required on vessels, the uniform manifest, and the emergency response communications requirements.

It is estimated that approximately 250,000 shippers/carriers of HM (including hazardous waste and hazardous substances) will prepare an average of 1,040 shipping papers and emergency response information annually. Each shipping paper, with emergency response information, will take approximately 1 minute and 30 seconds or a baseline of approximately 6,500,000 annual burden hours. In addition, we estimated that approximately 100,000 of the total annual responses are affected by the requirement that a lithium cell or battery, including a cell or battery packed with or contained in equipment, is not subject to the HMR provided it is accompanied by a document indicating that the package contains lithium batteries and that special procedures should be followed in the event that the package is damaged. This requirement imposed an additional 30 seconds per response, or approximately 834 additional burden hours.

PHMSA has also published rulemakings in recent years that have altered this baseline. For example, a final rule entitled "Hazardous Materials: Harmonization With the United Nations Recommendations, International Maritime Dangerous Goods Code, and the International Civil Aviation Organization Technical Instructions for the Safe Transport of Dangerous Goods by Air," provided additional shipping paper exceptions that eliminated approximately 25% (75,000,000) of the total annual responses, and subsequently, 25% (1,875,000) of the total annual burden hours. In addition, at an estimated cost of $1.00 per shipping paper, the decrease in burden costs would result in $1,875,000.00. Conversely, a final rule entitled "Hazardous Materials: Miscellaneous Amendments," required non-odorized liquefied petroleum gas (LPG) shipments to indicate ''non-odorized'' on the shipping papers resulted in a minimal increase. Since only 5% (1,492.5) of LPG shipments (29,850) are non-odorized, we estimated a minimal increase of 12.5 burden hours to include this additional notation on the shipping paper. At an average hourly wage of $25.00 for a person to complete a shipping paper, we estimate the additional burden cost to be $312.50. Subsequently, these revisions have resulted in an updated baseline of 4,625,846.5 or approximately 4,625,846 total annual burden hours.

13. Estimate of total annual costs to respondents.

There is no cost burden to respondents except as noted in Question 12.

14. Estimate of annualized cost to the Federal government.

The estimated one-time annualized cost to the Federal Government for the proposed information collection effort is $20,156.00. This estimate is based on a GS 13, Step 10 Federal employee spending an average of 15 minutes reviewing and analyzing completed question sets (55 shipper and carrier participant question sets, 260 inspection simulation question sets, 24 emergency response simulation question sets, and 250 impact analysis question sets), for input into the Congressional report.

15. Reasons for change in burden.

This information collection is being revised to reflect an increase in burden hours as a result of pilot tests PHMSA intends to conduct to determine the feasibility of allowing for the optional use of e-systems for conveying HM shipping paper information. These pilot tests are a necessary part of the pilot program mandated by the MAP-21 statute.

In addition, this information collection is also being revised to account for a decrease in the total number of annual responses that resulted from a previous rulemaking. Specifically, a final rule entitled "Hazardous Materials: Harmonization With the United Nations Recommendations, International Maritime Dangerous Goods Code, and the International Civil Aviation Organization Technical Instructions for the Safe Transport of Dangerous Goods by Air," provided additional shipping paper exceptions that eliminated approximately 25% (75,000,000) of the total annual responses, and subsequently, 25% (1,875,000) of the total annual burden hours. Although this decrease was noted in the previous Supporting Statement for this information collection, the actual calculation was not executed in the appropriate field of the

software that maintains information collection burden totals (ROCIS). Therefore, this reduction of 75,000,000 responses is being noted in this current Supporting Statement and will be correctly adjusted in the total number of information collection responses for OMB Control No. 2137-0034, "Hazardous Materials Shipping Papers and Emergency Response Information."

16. Plans for tabulation, statistical analysis and publication.

Although the nonprobability data obtained during the pilot tests will be non-generalizable and qualitative, PHMSA will include tabulations of the question set data elements. Tabulations may include, but are not limited to, any or all of the following:

- Percent of successful e-data transmission (overall, by mode, by region)
- Electronic transmissions by data type
- Data formats employed by mode
- Geographic similarities and differences
- Modal similarities and differences

This information will be made available in the October 2014 mandated MAP-21 feasibility and assessment report for the DOT Secretary to provide to Congress and will be aggregated so that no individual agency/company/organization can be identified.

17. Display of expiration date of OMB Approval.

Approved OMB number is prominently displayed in the text of 49 CFR 171.6 and on all information collection instruments related to this information collection.

18. Exceptions to certification statement (OMB Form 83-I, Item 19).

There are no exceptions to the certification statement.