

SUPPORTING STATEMENT
For Paperwork Reduction Act Submission
OMB APPROVAL NO. 0710-0008

A. JUSTIFICATION

1. Need for the Information Collection

The authority for the U.S. Army Corps of Engineers to collect data on vessel operations and cargo transiting navigation locks is contained in Section 11 of the Rivers and Harbors Appropriation Act of September 22, 1922 (42 Stat. 1043), as amended, and codified in 33 U.S.C. 555. This Congressional directive provides:

“Owners, agents, masters and clerks of vessels and other craft plying upon the navigable waters of the United States, and all individuals and corporations engaged in transporting their own goods upon the navigable waters of the United States, shall furnish such statements relative to vessels, passengers, freight and tonnage as may be required by the Secretary of the Army: Provided. That this provision shall not apply to those rafting logs except upon a direct request upon the owner to furnish specific information.

Every person or persons offending against the provisions of this section shall, for each and every offense, be liable to a fine or not more than \$5,000 or imprisonment not exceeding two months, to be enforced in any district court in the United States within whose territorial jurisdiction such offense may have been committed. In addition, the Secretary may assess a civil penalty of up to \$2,500 per violation, against any person or entity that fails to provide timely, accurate statements required to be submitted pursuant to this section by the Secretary.”

These data are currently furnished on ENG Form 3102C, “Waterway Traffic Report-Vessel Log” and ENG Form 3102D, “Waterway Traffic Report-Detail Vessel Log”, each form having OMB No. 0710-0008. (See attached: 33 CFR Part 207.800 (b) (5) (F) (3) (iv) Reports to Lockmasters and Canal Operators)

2. Use of the Information

The LPMS applies to navigation system management and collects, monitors, and analyzes data regarding the use and operation of federally owned and operated locks and canals. It requires general data about the number of vessels, barges, and tows which move through each lock chamber or canal and about the operation time required for passage of these vessels or tows. It also collects general data about cargos by estimated tonnage and category of commodity. This information is then used for the sizing and scheduling of replacements, the timing of rehabilitation or maintenance actions, and the setting of operation procedures and closures for locks and canals. Additional general information may also be collected, such as on traffic delays, which might affect the availability of the lock chamber or canal and their operating procedures. The master, captain, or pilot of vessels are required to provide the data identified on these forms

and to provide other data required by the lockmaster or canal operator. Failure to provide this data may result in denial of passage through the lock or canal and in a fine or imprisonment.

The data are used primarily by the Corps of Engineers in conducting a systems wide approach to planning and management of the waterway. The Headquarters, Division and District Offices use the information specifically to assist in making determinations on: adequate staffing for operations and maintenance of the navigation locks and dams; to justify the hours of locks operation; to present navigation performance information; to provide a basis to justify the continued funding as set out in the President's Operation and Maintenance, General Budget; to schedule route maintenance and repairs; to serve as a basis for studies and plans for improvement; for lock operating procedures; to provide data to be used in analyses for major modifications or replacements to lock and dam structures; and to forecast the impact that lock delays, downtime, and proposed changes have on the diversion of waterborne commerce to other transportation modes. In addition, there is considerable demand for summary data from federal, state and local government agencies, carriers, shipping interests, trade associations, newspapers and trade publications.

3. Use of Information Technology

Use of these forms is optional and provides a backup process for data collection when circumstances such as computer equipment problems, power outages, lock operations personnel shortages occur. The information is supplied by the vessel operator via radio or phone and the government lock operator enters the information directly into the database. The lock operator uses data input software that speeds up data entry and streamlines the editing process. It eliminates the need for paper storage. The availability of standard computer-generated reports provides the users with valuable statistics on their lockages, commodity tonnages and vessels.

4. Non-Duplication

The Navigation and Civil Works Decision Support Center (NDC) continually monitors all transportation journals, periodicals and data sources. NDC personnel participate in, and attend trade conferences, association and Transportation Research Board meetings. No other similar information has been discovered and those which are published by other organizations use NDC data as a source.

Cargo data, provided by operators from bills of lading, are also available from the U.S. Army Corps of Engineers Waterborne Commerce Statistics Center. These data are not designed to determine the tow size and configurations required to transport these commodities. Furthermore, the data are not currently available until up to six months after an event occurs and, therefore, lock data are the source of timely data.

5. Burden on Small Business

The collection of information does not have a significant impact on small businesses or other entities.

6. Less Frequent Collection

Corps of Engineers navigation managers use this data on a daily basis and make operational decisions based on data availability. Analysts require continuous data for their models and predictions of traffic trends and changes. Other Corps and federal users, lock

operators and waterway system managers, need near real-time data, i.e., within a few hours to months of collection for their businesses and operations. During emergency or security events continuous information is required by government and the navigation industry to maintain open channels and keep navigation moving on the nation's waterways. The data is also needed to document events for legal cases on lock incidents and accidents.

7. Paperwork Reduction Act Guidelines

There are no special circumstances. The collection of information will be conducted in a manner consistent with the guidelines in 5 CFR 1320.5(d)(2) Controlling Paperwork Burden on the Public, General Requirements.

8. Consultation and Public Comments

33 CFR Part 207.800 (b) (5) (F) (3) (iv) Reports to Lockmasters and Canal Operators: Masters of self-propelled non-recreational vessels which pass through locks and canals operated by the Army Corps of Engineers will provide the data specified on ENG Forms 3102c and/or 3102d to the lockmaster, canal operator, or his designated representative in the manner and detail dictated. Federal Register Vol 78, No 225/Thursday, November 21, 2013/Notices Docket ID: USA-2013-0037 (copy attached) generated no comments.

During the design of the new oracle database implemented in January 2000, lock operators and planners in various districts were consulted about the data elements and reports for the new web-based system. Use of a "thin-client" architecture reduced the burden of maintaining local software, updates and backups. Comments can also be submitted via the public web site, <http://www.navigationdatacenter.us/lpms/lpms.htm> to the LPMS mailbox.

In addition, our agency has worked closely with the water transportation industry by participating in annual meetings such as Industry Days, The National Waterways Conference and the Workboat Show. Meetings have been held with the U.S. Coast Guard and, periodically, with the Maritime Administration Waterways Group, Bureau of Transportation Statistics and Tennessee Valley Authority, among others. The purpose of these meetings has been to coordinate data programs by assessing their data needs and providing data output to them. Intense correspondence has taken place with the barge industry leaders, Ingram Barge and ACBL, to minimize the data collection burden on this industry.

Since data are collected from the public by Corps Lock operators at 188 active lock sites, the public has the opportunity to comment each time an individual supplies data. We provide a statement in statistical summary documents inviting public comment.

9. Gifts or Payments

No payments or gifts of any kind are provided to respondents.

10. Confidentiality

There is no state of confidentiality presently on the forms.

11. Sensitive Questions

The forms contain no sensitive information.

12. Respondent Burden, and its Labor Costs

	<u>Form 3102C</u>	<u>Form 3102D</u>	<u>Total (Both)</u>
No. of respondents:	4,631	1,898	6,529
No. of responses per respondent:	123.0	20.9	93
Total annual responses:	569,807.4	39,752.0	607,197
Burden per response (in minutes):	2.5	3.0	2.6
Total hours:	23,742.0	1,987.6	26,311.87

Based on the information processed annually and the number of vessels operating it is estimated there are 6,529 respondents who each supply the information for an average of 93 forms annually. Approximately 71% of the respondents use Form 3102C which takes less time than the more detailed information on Form 3102D. The average of these times is approximately 2.6 minutes (.043 hours). This yields 607,197 total annual responses requiring 26,311.87 burden hours at \$10 per hour for a total cost of \$263,119.

13. Respondent Costs Other Than Burden Hour Costs

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

14. Cost to the Federal Government

The annual data collection costs (1/4 FTE) to each district are approximately \$13,051 per lock. Data processing and transmission costs are impossible to extract from the ACE-IT charges to the districts but are minimal and included in the districts cost of doing business.

15. Reasons for Change in Burden

This is an Extension of an Approved Collection. An increase in waterway traffic through the navigation locks has resulted in an increased number of respondents. The information collected has not changed.

16. Publication of Results

There are approximately 19 standard reports and 2 data extracts available from these data. In addition, the data provides input to various models used to compute lock capacity, tow configuration and impacts that improvements or changes will have on the waterways. The reports are generated from the database and available to everyone in the Corps. Summary data is posted to the public web site.

These reports and models are funded on an as-needed basis by individual districts and centrally in response to requests for information from the Office of the Chief of Engineers, and other government agencies. They are also produced as required to respond to requests from barge operators and shippers. We provide reports of cargo tonnage passing through each Corps lock to other governmental agencies, trade magazines, academia, and general public on a monthly basis and as requested.

Data collection began in 1975 and will be a continuing activity. Detailed data are available immediately and summary data is available on a monthly basis.

Statistical techniques are not presently used to collect the data.

17. Non-Display of OMB Expiration Date

Approval not to display the expiration date is not being sought.

18. Exceptions to "Certification for Paperwork Reduction Submissions"

No exceptions to the certification statement are being sought.

B. Statistical methods are not employed for collection of this information.