



**U.S. Energy Information Administration**

**Office of Energy Statistics**

**Office of Petroleum and Biofuels Statistics**

## **Supporting Statement for Survey Clearance**

### **Petroleum Supply Reporting System**

**OMB No. 1905-0165**

#### **Background and Proposal**

#### **Part A**

July 29, 2016

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Petroleum Supply Reporting System Supporting Statement, Part A

## INTRODUCTION

The U.S. Energy Information Administration (EIA) of the U.S. Department of Energy (DOE) is required to publish, and otherwise make available independent, high-quality statistical data to federal government agencies, state and local governments, the petroleum industry, academic researchers, and the general public.

To meet this obligation, EIA's Office of Petroleum and Biofuels Statistics (PBS) maintains the Petroleum Supply Reporting System (PSRS) to collect data on U.S. supplies of crude oil, petroleum products, and related biofuels. The PSRS is comprised of weekly surveys that make up the Weekly Petroleum Supply Reporting System (WPSRS) and monthly/annual surveys that make up the Monthly Petroleum Supply Reporting System (MPSRS). The following weekly, monthly, and annual surveys make up the PSRS:

- Form EIA-22M, "Monthly Biodiesel Production Survey"
- Form EIA-800, "Weekly Refinery and Fractionator Report"
- Form EIA-802, "Weekly Product Pipeline Report"
- Form EIA-803, "Weekly Crude Oil Stocks Report"
- Form EIA-804, "Weekly Imports Report"
- Form EIA-805, "Weekly Bulk Terminal and Blender Report"
- Form EIA-809, "Weekly Oxygenate Report"
- Form EIA-810, "Monthly Refinery Report"
- Form EIA-812, "Monthly Product Pipeline Report"
- Form EIA-813, "Monthly Crude Oil Report"
- Form EIA-814, "Monthly Imports Report"
- Form EIA-815, "Monthly Bulk Terminal and Blender Report"
- Form EIA-816, "Monthly Natural Gas Plant Liquids Report"
- Form EIA-817, "Monthly Tanker and Barge Movement Report"
- Form EIA-819, "Monthly Oxygenate Report"
- Form EIA-820, "Annual Refinery Report"

EIA proposes to extend the PSRS surveys for three years with minor changes to discontinue collecting information on Form EIA-812 biannually on petroleum product tank storage capacity and related bi-annual separate reporting of stocks held in those tanks and discontinue collection of crude oil lease stocks on Form EIA-803 and Form EIA-813. In a Federal Register Notice ([80 FR 39424](#)) released on July 9, 2015, the U.S. Energy Information Administration (EIA) proposed changes to the Petroleum Supply survey forms. Based on numerous stakeholder comments in response to the Federal Register Notice and internal EIA assessments of our ability to accomplish these extensive changes by May 2016, EIA decided to postpone implementing many of the proposed forms changes until a later date except for changes to Forms EIA-812 and EIA-813 and EIA-803 described above.

EIA plans to discontinue collecting crude oil lease stocks on Form EIA-803, “Weekly Crude Oil Stocks Report” and Form EIA-813, “Monthly Crude Oil Report.” Lease stocks include crude oil stored at production sites. The purpose of stocks held on oil production sites is to facilitate oil and gas production operations. Lease stocks are typically held only long enough for oil to be picked up by trucks or otherwise removed from production sites. While the total number of barrels held as lease stocks is significant, the barrels are widely dispersed at producing sites with only small quantities at any given location. For these reasons, we have determined that continued tracking of lease stocks on Form EIA-803 and Form EIA-813 has limited value for assessment of crude oil supplies available to markets. In addition, our research has shown that some or all of the barrels included as lease stocks are actually outside of the U.S. and regional crude oil balances developed by EIA. This affects estimates that are calculated to assess supply because barrels may be recorded as crude oil production, which is the first supply component of our balance, only after the barrels are withdrawn from lease stocks. EIA will create and publish historical data series of crude oil stocks excluding lease stocks in order to meet analyst requirements for crude oil inventory data that are consistent over time.

Changes are also proposed to Form EIA-812 to discontinue biannual collection of data on storage capacity and pipeline access (part 5), tank storage capacity (part 6), and stocks held in tanks (part 7). EIA will continue to use Form EIA-812 to collect combined total pipeline stocks (including pipeline fill and stocks in tanks) of petroleum products (part 3) as well as pipeline movements of petroleum products between Petroleum Administration for Defense Districts (PADDs) (part 4). EIA assessment of data collected in parts 5-7 of Form EIA-812 found limited usefulness of the data for petroleum products supply and market assessments, and may actually contribute to confusion by suggesting that pipeline storage capacity maintained for operational purposes could be used for commercial purposes.

While the other initial proposals will improve the utility and relevancy of the information collected from the Petroleum Supply data collection program in the future, more time is needed to develop the necessary data collection and processing systems to implement these proposals. Consequently, EIA requests an extension of the current Petroleum Supply survey forms (OMB No. 1905-0165) with changes described above to Forms EIA-803, EIA-812, and EIA-813.

EIA intends to continue to make the necessary changes to our systems and to work closely with respondents and its stakeholders so that when any forms changes are approved, respondents will be prepared to provide the necessary data.

### **Background of the Petroleum Supply Reporting System**

Weekly petroleum and biofuels supply surveys (Forms EIA-800, 802, 803, 804, 805, and 809) are used to gather data on petroleum refinery operations, blending, biofuels production, inventory levels, and imports of crude oil, petroleum products, and biofuels from samples of operating companies, with the sampling frame and sampled companies being different for the various surveys. Data from weekly surveys appear in EIA reports, including the following:

- *Weekly Petroleum Status Report*, [http://www.eia.gov/oil\\_gas/petroleum/data\\_publications/weekly\\_petroleum\\_status\\_report/wpsr.html](http://www.eia.gov/oil_gas/petroleum/data_publications/weekly_petroleum_status_report/wpsr.html)
- *Short-Term Energy Outlook*, <http://www.eia.gov/forecasts/steo/>
- *This Week in Petroleum*, <http://www.eia.gov/oog/info/twip/twip.asp>
- *Monthly Energy Review*, <http://www.eia.gov/totalenergy/data/monthly/>

Monthly petroleum and biofuels supply surveys (Forms EIA-810, 812, 813, 814, 815, 816, 817, 819, and 22M) are used to gather data on petroleum refinery operations, blending, biofuels production, natural gas plant liquids production, inventory levels, imports, inter-regional movements, and storage capacity for crude oil, petroleum products, and biofuels. Crude oil production data and petroleum and biofuels export data from the U.S. Census Bureau are integrated with data from EIA petroleum supply surveys to create a comprehensive statistical view of U.S. petroleum supplies that is unavailable from any other source.

Monthly petroleum and biofuels supply surveys provide essential support to weekly surveys by providing a complete set of petroleum and biofuels supply data from all in-scope companies.

The companies required to submit each of the monthly surveys comprise the sampling frame from which samples are drawn for the corresponding weekly surveys. In addition, monthly surveys provide data elements that are not collected on weekly reports such as production of natural gas plant liquids and refinery processing gain. Data from monthly petroleum and biofuels supply surveys appear in EIA reports, including the following:

- *Petroleum Supply Monthly*, <http://www.eia.gov/petroleum/supply/monthly/>
- *Petroleum Supply Annual*, <http://www.eia.gov/petroleum/supply/annual/volume1/>
- *Monthly Energy Review*, <http://www.eia.gov/totalenergy/data/monthly/>
- *Annual Energy Review*, <http://www.eia.gov/totalenergy/data/annual/>
- *Short-Term Energy Outlook*, <http://www.eia.gov/forecasts/steo/>
- *Annual Energy Outlook*, <http://www.eia.gov/forecasts/aeo/>

In addition, monthly survey data provide input for the EIA State Energy Data System and provide U.S. data submitted to the International Energy Agency.

Section 1508 of the Energy Policy Act of 2005 (EPACT 2005) (42 U.S.C. § 7135(m)) requires EIA to conduct a survey which collects the quantity of renewable fuels produced, blended, imported, and demanded as well as market prices on a monthly basis. Form EIA-22M collects production and certain blending data in order to fulfill a portion of this mandate. Form EIA-22M in combination with other PSRS surveys provides data to comply with the supply and demand data requirements of EPACT 2005 for renewable fuels.

Form EIA-820, "Annual Refinery Report," provides plant-level data on refinery capacities, as well as national and regional data on fuels consumed by refineries, natural gas consumed as hydrogen feedstock, and crude oil receipts, by method of transportation for operating and idle petroleum refineries (including new refineries under construction), and refineries shut down during the previous year. The information collected appears in the *Refinery Capacity Report*, <http://www.eia.gov/petroleum/refinerycapacity/>, Annual Energy Review, <http://www.eia.gov/totalenergy/data/annual/index.cfm>, and other reports available electronically from the EIA web site at <http://www.eia.gov>.

## JUSTIFICATION

### 1. Legal Authority

The authority for these data collections is provided by the following provisions:

15 U.S.C. §772(b), Section 13(b) of the Federal Energy Administration Act of 1974 (FEA Act), Public Law 93-275, outlines the types of individuals subject to the information collection authority delegated to the [Secretary] and the general parameters of the type of data which can be required. Section 772(b) states:

“All persons owning or operating facilities or business premises who are engaged in any phase of energy supply or major energy consumption shall make available to the [Secretary] such information and periodic reports, records, documents, and other data relating to the purposes of this Act, including full identification of all data and projections as to source, time, and methodology of development, as the [Secretary] may prescribe by regulation or order as necessary or appropriate for the exercise of functions under the Act.”

The functions of the FEA Act are set forth in 15 U.S.C. §764(b), of the FEA Act, which states that the Administrator shall, to the extent he is authorized by Section 764(a) of the FEA Act,

- “(2) assess the adequacy of energy resources to meet demands in the immediate and longer range future for all sectors of the economy and for the general public; ...
- (4) ...develop plans and programs for dealing with energy production shortages;
- (5) promote stability in energy prices to the consumer, promote free and open competition in all aspects of the energy field, prevent unreasonable profits within the various segments of the energy industry, and promote free enterprise;
- (6) assure that energy programs are designed and implemented in a fair and efficient manner so as to minimize hardship and inequity while assuring that the priority needs of the Nation are met;...
- (9) ...collect, evaluate, assemble, and analyze energy information on reserves, production, demand, and related economic data.”

As the authority for invoking Section 764(b), above, 15 U.S.C. §764(a), of the FEA Act, in turn, states:



“Subject to the provisions and procedures set forth in this Act, the [Secretary] shall be responsible for such actions as are taken to assure that adequate provision is made to meet the energy needs of the Nation. To that end, he shall make such plans and direct and conduct such programs related to the production, conservation, use, control, distribution, rationing, and allocation of all forms of energy as are appropriate in connection with only those authorities or functions:

(1) specifically transferred to or vested in him by or pursuant to this Act: ...

(3) ...otherwise specifically vested in the Administrator by the Congress.”

Additional authority for this information collection is provided by 15 U.S.C. §790a of the FEA Act, which states that the Administrator:

“... [Shall] establish a National Energy Information System ... [which] shall contain such information as is required to provide a description of and facilitate analysis of energy supply and consumption within and affecting the United States on the basis of such geographic areas and economic sectors as may be appropriate ...

(b) ...At a minimum, the System shall contain such energy information as is necessary to carry out the Administration's statistical and forecasting activities, and shall include, such energy information as is required to define and permit analysis of:

(1) the institutional structure of the energy supply system including patterns of ownership and control of mineral fuel and nonmineral energy resources and the production, distribution, and marketing of mineral fuels and electricity;

(2) the consumption of mineral fuels, nonmineral energy resources, and electricity by such classes, sectors, and regions as may be appropriate for the purposes of this Act;...

(5) ...industrial, labor, and regional impacts of changes and patterns of energy supply and consumption.”

## **2. Needs and Uses of Data**

The purpose of the PSRS package of surveys is to collect detailed petroleum industry data to meet EIA's mandates and energy data users' needs for credible, reliable, and timely energy information. Data on production, receipts, inputs, movements, and stocks of crude oil, petroleum products, natural gas plant liquids, and related biofuels in the United States is required to adequately evaluate the petroleum industry.

The need for information from the PSRS data collection can be described, as follows:

- (1) The data that EIA collects are used to address significant energy industry issues.

In line with its mandated responsibility to collect data that adequately describe the petroleum supply marketplace, EIA has been and will continue to be asked to evaluate the significance of a number of important issues related to the energy industry, in general, and the petroleum and biofuels supply industries, in particular. The data collected by the PSRS surveys are among those data that are required to address these issues.

- (2) Alternative data sources do not adequately satisfy the needs of EIA and its user communities.

Accurate, meaningful, and independent supply statistics are essential to describe and measure phenomena in the marketplace. It is necessary that this information be collected by an unbiased, independent source, if the data are to be credible.

Data from the forms in the PSRS are published or released on EIA's website in the Weekly Petroleum Status Report (WPSR), This Week in Petroleum (TWIP), Petroleum Supply Monthly (PSM), Petroleum Supply Annual (PSA), Monthly Energy Review (MER), Annual Energy Review (AER), Short-Term Energy Outlook (STEO), Annual Energy Outlook (AEO), Refinery Capacity Report, and numerous other EIA products.

EIA's petroleum supply program provides Congress, other government agencies, businesses, trade associations, and private research and consulting organizations with data for analysis, projections, and monitoring purposes.

Data collected weekly using Forms EIA-800, 802 through 805 and 809 are similar, although less detailed, than the data collected monthly using Forms EIA-810, 812 through 816 and 819. Respondents to the weekly surveys represent a sample of those reporting on the monthly surveys. The Form EIA-817 is also used to collect data on a monthly basis.

Data collected weekly appear in the EIA publications WPSR and TWIP on the Internet. This summary of petroleum supply, demand, and inventories is the only weekly government source of consistent data regarding the current status of petroleum supply and disposition in the United States. The EIA instituted the WPSR in April 1979. This report was designed to provide prompt information during gasoline shortages, which resulted from oil supply disruptions related to the revolution in Iran. Since then, the report has informed a wide audience of the

overall status of petroleum in the U.S. on a very timely basis with consistent, well-understood, and verifiable data. The TWIP was instituted in 2002 as a means to provide data, graphs, and analyses about petroleum supply and prices on the Internet.

The availability of electronic access to the WPSR and the TWIP has promoted at least 1 million views of the data, annually. Customers of the WPSR and the TWIP represent federal and state government energy staffs, managers and analysts with the petroleum, financial, and other industries, the news media, and diverse groups in the general public. Data are used within the EIA as a source of current information required to develop meaningful supply and demand forecasts published monthly in the Short-Term Energy Outlook (STEO). These data are also used in a similar manner to provide timely information for United States petroleum supply forecasts each month to the International Energy Agency (IEA).

Providing Web-based output from the WPSR and the TWIP has reduced the number of ad hoc requests to EIA for current petroleum supply information, ensured consistency in the supply information which is provided to the public, and acted as a deterrent to undue reaction to isolated petroleum supply problems. The WPSR and the TWIP are well-regarded by customers and have become necessary information and analytical tools that users heavily rely upon for timely data.

While more complete, detailed and accurate data are presented in the EIA's publication, Petroleum Supply Monthly (PSM), the monthly surveys do not capture short-term changes in petroleum market conditions. Hence, there are well-defined needs for petroleum supply data to be collected both on a weekly and monthly basis in order to meet data requirements of governments, industry, and the general public. Altering either data collection effort in order to eliminate what appears to be duplication would result in disruption to the availability of necessary, valid, and timely petroleum supply information.

EIA maintains that the data collected on these forms are unique. While some data are available from other federal agencies and/or from private or industry sources, these data cannot adequately replace the high quality, independent, internally consistent, and timely data provided by these petroleum supply survey forms.

While much of the petroleum supply reporting system is oriented toward data collection related to crude oil and products derived from crude oil, the system also provides critically important information about biofuel supplies. As a result of the Clean Air Act of 1990, the Form EIA-819 was implemented in order to monitor the availability of oxygenates. In recent years,

Form EIA-819 has become particularly important for tracking production of biofuels including fuel ethanol and Ethyl Tertiary Butyl Ether (ETBE) produced from ethanol feedstocks. This information is used by federal and other government agencies, energy analysts, and the public. The Form EIA-819 data are published electronically in the PSM. Biodiesel production and stocks data Form EIA-22M were integrated into the MPSRS, beginning with monthly data for May 2012 and revised data for January-December 2011, to permit more complete reporting of biofuel use and distillate fuel oil supplies.

Form EIA-820 is an annual survey used to collect current and projected capacity data, fuels consumed, natural gas used as input for production of hydrogen at refineries, and crude oil receipts by method of transportation. This information is used by EIA analysts, other federal and state government agencies, energy analysts, and a wide range of groups in the general public to analyze the refinery industry. Data are published on the Internet at the Refinery Capacity Report site.

### **3. Use of Information Technology**

In an effort to reduce respondent burden and to provide for more timely processing of filings, automated reporting of the PSRS data is accepted, provided such reports are prepared and transmitted to EIA in the same format as in the data collection form. Data are submitted by the Internet using secure file transfer and by facsimile, email, and the PC Electronic Data Reporting Option (PEDRO).

In various EIA surveys, several large respondents provide computer-generated reports in lieu of completing report forms. EIA encourages this type of reporting in order to reduce respondent burden.

EIA encourages its survey respondents to transmit data using the Secure File Transfer System of a Microsoft Excel® spreadsheet through the Internet, or to use PEDRO. The Secure File Transfer System encrypts (scrambles) the spreadsheet data into a code that is not readable to anyone without the key to decipher the code. The secure hypertext transfer protocol (HTTPS) is a communications protocol designed to transfer encrypted information between computers over the Internet.

### **4. Technical Considerations to Reduce Burden**

PEDRO was developed to reduce respondent burden and provide timely data to EIA. PEDRO is an advanced electronic data communications software package. It facilitates a fast, accurate, and efficient transmission of data from remote sites to a central computing facility. Through use of a personal computer for data entry, the user is provided by PEDRO with an image of a hard copy survey form. Users enter numeric data and text using the keyboard, or import data from another computer system. PEDRO has the capability to perform a variety of data checks by comparing data against lists of acceptable values, or criteria derived from historical data. Security of the data transmission is accomplished through the use of passwords and data encryption. Data accuracy is ensured by several levels of error detection.

EIA is currently engaged in work to upgrade its electronic reporting options, using the Internet. This work will ultimately replace both PEDRO and ISMS, which is used for the EIA-22M survey.

## **5. Efforts to Identify Duplication and Analysis of Similar Existing Information**

EIA has conducted extensive reviews to ensure its petroleum supply surveys do not duplicate other available data. In addition, EIA has analysts who are very knowledgeable of the petroleum data that review these survey forms. As changes are proposed to petroleum supply survey forms, EIA conducts extensive review processes to ensure the avoidance of the unnecessary collection of data. Through discussions with trade associations, private companies, and other government offices, every effort has been made to identify potential duplication of data, data that is no longer necessary, or data that can be collected more efficiently by another survey.

EIA has evaluated all known sources of data relating to petroleum supply and found no other sources to be as comprehensive or detailed to replace the data collections currently utilized by the Federal Government. Other sources were determined to not be sufficient to replace or approximate the information collected by EIA, because of differences in classification, or due to the lack of universe estimation procedures.

This is the first petroleum supply survey clearance to include Form EIA-22M “Monthly Biodiesel Production Survey” and so we include discussion of other biodiesel data sources. The U.S. Environmental Protection Agency (EPA) requires all producers of renewable fuels to report their production to EPA under authority from the Energy Policy Act of 2005 (EPACT 2005) on forms entitled Renewable Fuel Standard Compliance Report Forms. The EPA program is designed to track Renewable Identification Numbers (RINs) that are generated by producers, and not specifically to track market activities such as production, sales, etc. While RIN generation can

be useful as an indicator of biofuel production, EIA believes it is necessary to collect survey data specifically aimed at biodiesel production and other data on Form EIA-22M in order to fulfill statistical requirements for biofuel market information. The EPA data on RIN generation are collected on a quarterly basis, two months after the end of each quarter. Therefore, the timing of these EPA reports is not consistent with the monthly schedule of EIA data releases. Another survey conducted by the U.S. Census Bureau (Census Form M311K – “Fats and Oils: Production, Consumption, and Stocks, data for all fats and oils consumed in methyl ester (biodiesel)”) was discontinued. The last available data from Census Form M311K was for August 2011. The National Biodiesel Board (NBB) maintains a plant list of its members. The information collected by the NBB includes plant location, nameplate capacity and primary feedstocks used. However, these data are not collected via a statistical survey, nor are they complete, as not all biodiesel producers are members of the NBB. This source also does not always track changes in feedstocks and/or capacities on a timely basis.

When changes are proposed to petroleum supply survey forms, an extensive review of other sources relating to these types of data is performed.

## **6. Burden Reduction for Small Businesses and Small Entities**

The data requested in the PSRS collection provide the minimum information necessary to fulfill EIA's responsibility to provide meaningful, timely, objective, and accurate petroleum supply data. Respondents to the survey complete only those data elements applicable to their operations. Sampling practices are utilized for the weekly surveys in order to minimize burden on respondents while still ensuring that quality summary-level data can be estimated for publication. The use of PEDRO or the Internet by respondents reduces reporting burden by eliminating paperwork and reducing the need for follow-up calls and resubmissions of the forms. Also, EIA staff members are available during normal business hours to provide assistance by telephone.

## **7. Consequences of Less Frequent Reporting**

Less frequent reporting would degrade EIA's capability to meet its mandate of providing timely and reliable energy information. Data are required at both the weekly and monthly levels in order to satisfy EIA's programmatic needs as described in Section 2 above. EIA is recognized as

the major collector of comprehensive, internally consistent, and reliable United States energy supply and demand data. All sectors of the economy rely on EIA for energy statistics and consider its publications to be timely unbiased indicators of current energy conditions and incipient trends.

On a weekly basis, the data on the Forms EIA-800 through EIA-804 have been collected since 1979, while data on the Form EIA-805 have been collected since 2004 and on the Form EIA-809 since 2010. The data are used to generate the Weekly Petroleum Status Report and This Week in Petroleum. The reports generated from the weekly data are very much in demand by a wide audience. Forms EIA-810 through EIA-819 are collected on a monthly basis and are published in the Petroleum Supply Monthly, Monthly Energy Review, Petroleum Supply Annual and the Annual Energy Review. Monthly data are essential for assessment of seasonal changes in petroleum supplies and markets and to capture market adjustments to changes in prices and levels of economic activity. Annual data collected on Form EIA-820 are adequate for analysis and assessment of detailed refinery capacities, fuels and hydrogen feedstocks consumed, and crude oil receipts by method of transportation.

## **8. Special Circumstances**

There are not any special circumstances for the PSRS data collection.

## **9. Summary of Consultation Outside the Energy Information Administration**

A request for comments from interested persons was solicited in a notice describing the proposed extension of the forms and proposed modifications to each form. The notice was published July 9, 2015, in the Federal Register, Vol. 80, No. 131, pages 39424 - 39427. An announcement of the Federal Register notice was sent to a list of trade associations and other interested petroleum data programs. In addition, the notice and proposed versions of the forms were posted in several locations on EIA's website.

Four public comments were submitted by the following federal agencies: (1) the Bureau of Economic Analysis (BEA), (2) the Commodity Futures Trading Commission (CFTC), and (3) the U.S. Environmental Protection Agency (EPA).

Below is a summary of the responses from federal agencies and copies of the original letters are included in the Public Comment file included with this OMB package.

- Mr. Dennis Fixler, Chief Statistician at the Bureau of Economic Analysis (BEA), submitted a letter on August 27, 2015, supporting continued collection of petroleum supply data by EIA. BEA uses petroleum data collected on EIA surveys to prepare estimates of personal consumption expenditures in GDP, change in private inventories in the GDP and gross output in the annual input-output (I-O) table and in GDP-by-industry, and gross output in the annual I-O table and in GDP-by-industry. In response, EIA acknowledged the BEA letter.
- Mr. Robert Corea, Economist, Industry Directorate, Bureau of Economic Analysis, submitted an email on August 17, 2015 inquiring when the historical data series on crude oil stocks excluding lease stocks would be published as BEA uses data in estimation of Gross Domestic Product (GDP).
- Mr. Gregory Kuserk, Deputy Director, Division of Market Oversight, Commodity Futures Trading Commission (CFTC) submitted a letter on September 4, 2015 supporting continued collection of petroleum supply data by EIA. The suggested collecting data on the crude oil being held for delivery on the Nymex Light Sweet Crude oil future contract (WTI contract), which is commonly known as “Light Sweet Crude Oil Nymex Deliverable.”
- Mr. Dallas Burkholder, Office of Transportation and Air Quality, U.S. Environmental Protection Agency, supporting EIA’s proposal (1) to collect data on categories of motor gasoline not blended with ethanol (E0) and motor gasoline blended with 51 volume percent ethanol or greater (E85) on the EIA-810, 815 and 819, (2) to collect data on type of fuels produced on the biofuel and oxygenate producer form (EIA-819), such as a differentiation between cellulosic and non-cellulosic biofuels and between ethanol, butanol, naphtha and gasoline, and (3) to collect units in barrels rather than thousands of barrels.

Additional public comments from the private sector are also included in the Public Comment file included with this OMB package. Several associations (American Petroleum Institute, National Biodiesel Board, and National Propane Gas Association, research firms (Houston Biofuels Consultants, PIRA Energy Group), and several companies provided responses. In general data users wrote in support of the proposed changes to the program, indicating how the proposed change would be useful to them. API and the companies who report on EIA surveys sought clarification about the proposed changes, when and how they would be implemented, and expressed concern about the amount of time available to implement changes to their systems. EIA provided clarification, as needed, to companies and associations regarding proposed changes to surveys in the Petroleum Supply program.



EIA responded to those who submitted public comments, indicating the agency's decision not to make any of the changes proposed previously in the 60-day Federal Register Notice and notifying them that the 30-day Federal Register Notice will be available soon.

## **10. Remuneration**

There will not be any payments made or gifts given to respondents as an incentive to complete the PSRS surveys.

## **11. Disclosure of Information**

All Petroleum Supply Reporting System survey forms, with the exception of the Form EIA-814, Monthly Imports Report, utilize the same general confidentiality statement. All information reported on Form EIA-814 is considered "public information" and may be publicly released in company or individually identifiable form, and is not be protected from disclosure in identifiable form.

In addition to the use of the data collected in PSRS surveys by EIA for statistical purposes, the information may be made available, upon request, to other federal agencies authorized by law to receive such information for any non-statistical purposes such as administrative, regulatory, law enforcement, or adjudicatory purposes.

Excluding Form EIA-814, the following statement is provided in the survey instructions for each form:

### **PROVISIONS REGARDING CONFIDENTIALITY OF INFORMATION**

The information reported on Forms EIA-22M, 800, 802, 803, 804, 805, 809, 810, 812, 813, 815 through 817, 819, and 820 will be protected and not disclosed to the public to the extent that it satisfies the criteria for exemption under the Freedom of Information Act (FOIA), 5 U.S.C. §552, the Department of Energy (DOE) regulations, 10 C.F.R. §1004.11, implementing the FOIA, and the Trade Secrets Act, 18 U.S.C. §1905.

The Federal Energy Administration Act requires the EIA to provide company-specific data to other Federal agencies when requested for official use. The information reported on this form may also be made available, upon request, to another DOE component; to any Committee of Congress, the Government Accountability Office, or other Federal agencies

authorized by law to receive such information. A court of competent jurisdiction may obtain this information in response to an order. The information may be used for any non-statistical purposes such as administrative, regulatory, law enforcement, or adjudicatory purposes.

Disclosure limitation procedures are not applied to the statistical data published from this survey's information. Thus, there may be some statistics that are based on data from fewer than three respondents, or that are dominated by data from one or two large respondents. In these cases, it may be possible for a knowledgeable person to estimate the information reported by a specific respondent.”

Special provisions for the Forms EIA-22M, 810, 819 and 820 are provided below:

- **Form EIA-22M:** Biodiesel production capacity data reported on Form EIA-22M, “Monthly Biodiesel Production Survey,” are considered public information and may be released in identifiable form, by company and plant facility. Disclosure limitation procedures are applied to all other statistical data published from EIA-22M survey information, except total B100 production reported in Section 3, to ensure that the risk of disclosure of identifiable information is very small.
- **Form EIA-810:** The data collected on Form EIA-810, “Monthly Refinery Report,” is used to report aggregate statistics on and conduct analyses of the operation of U.S. petroleum refineries. Information on operable atmospheric crude oil distillation capacity reported on Form EIA-810 is not considered confidential and may be publicly released in identifiable form.
- **Form EIA-819:** Information on fuel ethanol nameplate production capacity reported on Form EIA-819, “Monthly Oxygenate Report,” is considered public information and may be released in identifiable form by company and site. All other information reported on this form will be protected and not disclosed to the public to the extent that it satisfies the criteria for exemption under the Freedom of Information Act (FOIA), 5 U.S.C. §552, the DOE regulations, 10 C.F.R. §1004.11, implementing the FOIA, and the Trade Secrets Act, 18 U.S.C. §1905.
- **Form EIA-820:** Information on operable atmospheric crude oil distillation capacity, downstream charge capacity, and production capacity reported on Form EIA-820 will be considered public information and may be released in company or individually identifiable form. In addition to the use of the information by EIA for statistical

purposes, the information may be made available, upon request, to other federal agencies authorized by law to receive such information for any non-statistical purposes such as administrative, regulatory, law enforcement, or adjudicatory purposes.”

The public release of production capacity and distillation capacity information reported on Forms EIA-22M, 810, 819, and 820 referenced above was a data protection policy change that was implemented in 2013 after the previous Information Collection Request cycle was approved by OMB on May 29, 2013. EIA immediately posted revised survey instructions that stated this policy change on its website and continued outreach and communication with survey respondents regarding the public release of distillation and production capacity information relating to Forms EIA-810, 819, and 22M. EIA hosted a stakeholder workshop on January 28-29, 2015, at the corporate headquarters facility of the Logistics Management Institute (LMI) at 7940 Jones Branch Dr., Tysons, VA 22102. The attendees included survey respondents, industry analysts, industry trade associations, researchers, consultants, and users of EIA data. The representatives of survey respondents in attendance covered all petroleum supply surveys (Forms EIA-800, 802, 803, 804, 805, and 809, 810, 812, 813, 814, 815, 816, 817, 819, 820 and 22M) encompassing refiners, importers, pipeline operators, blending terminals, crude terminals, and biodiesel and ethanol producers. EIA continued discussions with respondents and stakeholders on several issues at that conference. Respondents were reminded of EIA’s changes to the data protection policies to those survey forms that permitted monthly disclosure of reported plant-level distillation capacity data for the EIA-810, and production capacity for Forms EIA-819, and EIA-22M. The data users expressed interest in EIA making more detailed breakouts of the petroleum supply data publicly available. Survey respondents recognized the benefits of collecting more granular data but expressed concerns about what kind of additional data they would actually be asked to collect and submit to EIA. For example, survey respondents participating in the workshop felt there was no need to collect data from all points in the supply chain from upstream production to downstream marketing activities. There were no concerns raised by the respondents or analysts in attendance on the issue of the public release of refinery distillation capacity or production capacity information.

As part of its ongoing outreach activities, EIA maintains an open dialogue every year, including 2016, with the National Biodiesel Board (NBB) to compare reported plant-level production capacities to identify and resolve any discrepancy with how biodiesel production capacity information is reported to both EIA and NBB. EIA did not receive any complaints from survey respondents on Forms EIA-810, 819, and 22M regarding the 2013 change in the disclosure of

information policy in its 2015 Federal Register notice for extending the clearance of these survey forms.

For the nine (9) surveys, Forms EIA-810, 812, 813, 815, 816, 817, 819, 820 and 22M, referenced above, the additional sentence below on data sharing is also included:

“Company specific data are also provided to other DOE offices for the purpose of examining specific petroleum operations in the context of emergency response planning and actual emergencies.”

These data appear in the following EIA data publications:

- Crude Oil Imports (monthly)
- Monthly Biodiesel Production Report
- Monthly Energy Review (MER)
- Petroleum Supply Annual (PSA)
- Petroleum Supply Monthly (PSM)
- This Week in Petroleum (TWIP)
- Weekly Petroleum Status Report (WPSR)

Company-specific data are also provided to other DOE offices for the purpose of examining specific facility operations in the context of emergency response planning and actual emergencies.

EIA does not apply any statistical disclosure limitation procedures to the published tables in the PSM and the PSA based on the data submitted on these forms except for the tabular data relating to biodiesel feedstocks.

## **12. Justification for Questions of a Sensitive Nature**

The PSRS data collections do not contain questions of a sensitive nature.

## **13. Estimates of Respondent Burden (Hours and Cost)**

The estimates of respondent burden for the individual forms contained in this package are listed in Table A1.

### **Table A1 Estimated Respondent Burden**

EIA Form Number/Title	Number of Respondents	Number of Reports Annually	Total Number of Responses per Year	Average Response Rate (percent)	Burden Hours per Response	Annual Burden Hours 2016
<b>Weekly Surveys</b>						
EIA-800, Weekly Refinery and Fractionator Report	128	52	6,656	96	1.58	10,516
EIA-802, Weekly Product Pipeline Report	47	52	2,444	100	0.95	2,322
EIA-803, Weekly Crude Oil Stocks Report	69	52	3,588	100	0.50	1,794
EIA-804, Weekly Imports Report	103	52	5,356	96	1.75	9,373
EIA-805, Weekly Bulk Terminal and Blender Report	740	52	38,480	100	1.60	61,568
EIA-809, Weekly Oxygenate Report	156	52	8,112	96	1.00	8,112
<b>Monthly Surveys</b>						
EIA-22M, Monthly Biodiesel Production Survey	135	12	1,620	99	3.00	4,860
EIA-810, Monthly Refinery Report	141	12	1,692	99	5.20	8,798
EIA-812, Monthly Product Pipeline Report	87	12	1,044	99	3.00	3,132
EIA-813, Monthly Crude Oil Report	177	12	2,124	99	2.00	4,248
EIA-814, Monthly Imports Report	395	12	4,740	100	2.55	12,087
EIA-815, Monthly Bulk Terminal and Blender Report	1,465	12	17,580	100	4.20	73,836
EIA-816, Monthly Natural Gas Liquids Report	451	12	5,412	99	0.95	5,141
EIA-817, Monthly Tanker and Barge Movement Report	35	12	420	99	2.25	945
EIA-819, Monthly Oxygenate Report	202	12	2,424	96	1.6	3,878
<b>Annual Surveys</b>						
EIA-820, Annual Refinery Report	141	1	141	100	2.00	282
<b>TOTALS</b>	<b>4472</b>	<b>421</b>	<b>101,833</b>			<b>210,892</b>

The overall annual respondent burden is estimated to be 210,892 hours for 2016. The estimated costs to respondents for these burden hours are estimated to be \$15,188,442 (210,892 hours times \$72.02 per hour) for 2016. An average cost per hour of \$72.02 is used because that is the average loaded (salary plus benefits) cost for an EIA employee at this time.

EIA assumes that the survey respondent workforce completing surveys for EIA is comparable with EIA workforce.

#### **14. Estimates of Cost Burden to Respondents**

EIA estimates that there are not any additional costs to respondents associated with the surveys in the PSRS other than the costs associated with the burden hours as set forth in Item 13, above.

#### **15. Estimates of Annual Cost to the Government**

The annual costs of the PSRS data collection to the Federal Government, including personnel, systems development and maintenance, collection, processing, analysis, and publication are estimated to be \$6,100,000.

#### **16. Changes in Burden to Respondents**

The differences between the respondent burden proposed for 2016 information collection request and the previous 2013 one is an adjustment of -2,670 (210,892 - 213,562) hours annually. The decrease in burden to the respondents is due to a decline in the size of the target population (for monthly surveys) and sample size (for weekly surveys), as indicated in Table A2. For Form EI-22M, the decline in the number of respondents is due to the number of companies that ceased operations. These respondents are often smaller facilities that are sensitive to market conditions. For Form EIA-813, the 2013 frame increased during 2013-2015 by 110 companies from 167 to 277 respondents. Most of the companies that were added only reported crude oil Lease Stocks. In this clearance, EIA proposes to discontinue collecting Lease Stocks data, so these companies were removed from the frame. After removing the respondents that only reported crude oil Lease Stocks on Form EIA-813, the frame is reduced to 177.

**Table A2. Change in Burden to Respondents**

EIA Form Number/Title	Number of Respondents 2013	Number of Respondents 2016	Burden Hours per Response 2013	Burden Hours per Response 2016	Annual Burden Hours 2013	Annual Burden Hours 2016	Adjustment	Change Due to Agency Discretion	Change Due to Adjustment in Agency Estimate
<b>Weekly Surveys</b>									
EIA-800, Weekly Refinery and Fractionator Report	141	128	1.58	1.58	11,585	10,516	-1,068	0	-1068
EIA-802, Weekly Product Pipeline Report	51	47	0.95	0.95	2,519	2,322	-198	0	-198
EIA-803, Weekly Crude Oil Stocks Report	57	69	0.50	0.50	1,482	1,794	312	0	312
EIA-804, Weekly Imports Report	104	103	1.75	1.75	9,464	9,373	-91	0	-91
EIA-805, Weekly Bulk Terminal and Blender Report	750	740	1.60	1.60	62,400	61,568	-832	0	-832
EIA-809, Weekly Oxygenate Report	142	156	1.00	1.00	7,384	8,112	728	0	728
<b>Monthly Surveys</b>									
EIA-22M, Monthly Biodiesel Production Survey	150	135	3.00	3.00	5,400	4,860	-540	0	-540
EIA-810, Monthly Refinery Report	150	141	5.20	5.20	9,360	8,798	-562	0	-562
EIA-812, Monthly Product Pipeline Report	80	87	3.50	3.00	3,360	3,132	-228	-228	0
EIA-813, Monthly Crude Oil Report	167	177	2.00	2.00	4,008	4,248	240	240	0
EIA-814, Monthly Imports Report	391	395	2.55	2.55	11,965	12,087	122	0	122
EIA-815, Monthly Bulk Terminal and Blender Report	1,476	1,465	4.20	4.20	74,390	73,836	-554	0	-554
EIA-816, Monthly Natural Gas Liquids Report	451	451	0.95	0.95	5,141	5,141	0	0	0
EIA-817, Monthly Tanker and Barge Movement Report	34	35	2.25	2.25	918	945	27	0	27
EIA-819, Monthly Oxygenate Report	203	202	1.60	1.60	3,898	3,878	-20	0	-20
<b>Annual Survey</b>									

EIA-820, Annual Refinery Report	144	141	2.00	2.00	288	282	-6	0	-6
<b>TOTALS</b>	<b>4491</b>	<b>4472</b>	<b>35.43</b>	<b>35.08</b>	<b>213,562</b>	<b>210,892</b>	<b>-2670</b>	<b>+12</b>	<b>-2682</b>

## 17. Data Collection and Publication

Plans to tabulate and publish data collected by the PSRS survey forms are as follows:

a. Forms 800 through 809

The data reported on Forms EIA-800 through 809 are collected, reviewed, tabulated and used by EIA to produce weekly statistics on refinery capacity utilization, refinery inputs of crude oil, and production, stocks, and imports of selected products. The data are collected by facsimile, Internet using secure file transfer, or PEDRO. The data are published in the Weekly Petroleum Status Report (WPSR) and the This Week in Petroleum (TWIP) as well as used as preliminary estimates in the Petroleum Supply Monthly (PSM) and Monthly Energy Review (MER).

The time schedule for weeks without federal holidays for the collection, processing and submission of the final report for publishing is as follows:

1. **Data collection due date-** reports must be received by 5:00 p.m. Eastern Time (ET) on the Monday following the end of the report period. The weekly report period begins at 7:01 a.m. ET on Friday and ends at 7:00 a.m. ET on the following Friday.
2. **Closeout-** The file is closed to any data additions or corrections on Tuesday by close of business.
3. **Data processing and analysis** - the updates resulting from data validation and editing occur on Tuesday, and finalized data are available by the close of business, Tuesday.
4. **Publication-** the data are published in the WPSR and the TWIP every Wednesday for the report period ending on the previous Friday. Tables 1 and 10-20 are released electronically through EIA's website at 10:30 A.M. on Wednesday. The remainder of the tables in these publications are released at 1:00 P.M. on Wednesday.

b. Forms EIA-810 through 817, 819, and 22M



The data reported on these EIA survey forms are collected, reviewed, and tabulated and used by EIA to provide monthly statistics on stocks, production, inputs, receipts, shipments, and imports of crude oil, petroleum products, and related biofuels. The data are collected by facsimile, Internet using secure file transfer, or electronic transmission. The data appear in several agency publications, the most prominent of which are the Monthly Biodiesel Production Report, Petroleum Supply Monthly, Petroleum Supply Annual, Monthly Energy Review, and Annual Energy Review. These data are also used in EIA's State Energy Data System and for DOE short-term forecast models.

The time schedule for the collection, processing, and submission of the final report for publication is as follows:

1. **Data collection due date:** Reports must be received by the 20th calendar day after the end of the report month.
2. **Data Validation/Editing:** Automated validation rules/edits are run on monthly survey data according to rules defined in the Standard Energy Processing System (STEPS). Edit failures help with identification of data items that require further investigation with reporting companies. Depending on the situation, resolution of edit failures may include acceptance of data as reported, contacting reporting companies for further explanation and possibly resubmission of the reported data with corrections, or imputation by EIA.
3. **Closeout:** The file is closed to additions and corrections on the 10th calendar day of the second month following the report month
4. **Data Analysis and Validation:** Data are compiled in a form similar to how they will be published including crude oil production and exports, which come from sources outside of the PSRS, as well as derived data. Derived data include balancing items to account for implied disposition of certain intermediate products (e.g. fuel ethanol and motor gasoline blending components), implied net receipts to account for unreported movements of fuel ethanol and biodiesel by rail and truck, and estimates of demand for petroleum products measured as product supplied. Preliminary publication values are then manually reviewed using graphs and data summaries to identify data items that require further investigation. Data items that require investigation are traced back to their origin in the surveys or external data. Here again, possible actions include accepting data as reported, contacting the reporting companies or originators of

external data for further clarification and possible resubmission, or imputation by EIA.

5. **Publication:** The PSM is published approximately 60 days after the end of the data reporting month. Tables are released electronically through the EIA website, in most cases on the next to last business day of each month.

c. Form EIA-820

The data reported on this form are collected, reviewed, tabulated and used by EIA to provide annual statistics on refinery receipts of crude oil by method of transportation during the preceding year; fuels consumed at the refinery during the preceding reporting year; current year; and next year projections, as of January 1, for operable atmospheric crude oil distillation capacity, downstream charge capacity, and production capacity. The data are collected by facsimile and Internet using secure file transfer. Data are published in the Refinery Capacity Report.

In 2016, the Form EIA-820 will collect actual annual data for the calendar year 2015. The time schedule for the collection, processing, and submission of the final report for publication is as follows:

1. **Data collection due date:** Reports must be received by February 15th following the report year.
2. **Closeout:** The file is closed to additions or corrections approximately the middle of April following the report year.
3. **Data Validation/Editing:** Automated validation rules/edits are run on Form EIA-820 data according to rules defined in the Standard Energy Processing System (STEPS). Edit failures help with identification of data items that require further investigation with reporting companies. Depending on the situation, resolution of edit failures may include acceptance of data as reported, contacting reporting companies for further explanation and, possibly resubmission of the reported data with corrections, or imputation, by EIA.
4. **Data processing and analysis:** Most reports from refiners on Form EIA-820 are received on or before the due date of February 15. Editing begins when forms are received by EIA. Most edit failures are resolved within one to two weeks with most of the time being used by reporting companies to research questions

and possibly send resubmissions. Update of final edits occurs during the first week of April.

5. **Publication:** Data appears in the Refinery Capacity Report and is released electronically on the EIA website in June.

### **18. Display of Expiration Date and OMB Number**

The OMB Number (1905-0165) and expiration date will be displayed on all the data collection forms and instructions.