




UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Silver Spring, MD 20910

MEMORANDUM FOR: Howard Shelanski
Administrator, Office of Information and Regulatory Affairs
Office of Management and Budget

FROM: Eileen Sobeck 
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SUBJECT: Request for OMB Emergency Review and Approval of an Information
Collection to allow Researchers to Request NOAA and U.S. Fish and
Wildlife Service Samples from the Deepwater Horizon Oil Spill

We are seeking an emergency Paperwork Reduction Act (PRA) clearance of an information request to allow researchers to obtain Deepwater Horizon samples collected during the oil spill response and the natural resource damage assessment conducted pursuant to the Oil Pollution Act 33 USC 2701 et seq. Expedited approval will help to limit ongoing sample storage costs (totaling approximately \$350,000 per month) by allowing the National Oceanic and Atmospheric Administration (NOAA) and the United States Fish and Wildlife Service (USFWS) to more quickly process requests and dispose of samples remaining after the distribution process is complete. The majority of the samples belong to NOAA, a small portion of the collection belongs to USFWS; the sample request form (being submitted for PRA approval) will be used by both agencies.

The types of available materials include:

- 36,000 tissue samples from Gulf of Mexico plants and wildlife, including oysters, fish, plants, vertebrates and invertebrates;
- 1,100 water samples;
- 33,000 sediment samples;
- 2,800 samples of stranded oil and other oily materials such as oiled sediments and wipes;
- Large volumes of oil (from wellhead and slicks, some artificially weathered); and reference materials (e.g., Corexit dispersant and drilling muds).

Providing the scientific community with access to samples no longer needed by the federal government provides an opportunity for research that may yield new insights and benefits from samples otherwise scheduled for disposal. The information being collected (e.g., name and address of requester, types of samples of interest, intended use of the samples, research affiliation and information about any required permits) will allow scientists to request samples from the Deepwater Horizon archive and permit NOAA or USFWS to quickly evaluate each request. The questions are similar to ones approved by OMB for the National Marine Mammal Tissue Bank (maintained at the National Institute of Standards and Technology, but operated under the direction of the National Marine Fisheries Service).

Qualified scientists have limited opportunities to obtain samples of protected species such as marine mammals and endangered sea turtles both of which are abundantly represented in the collection. The breadth of the samples being made available to researchers offers a unique opportunity to benefit many research and development objectives of the broader scientific community within and beyond the federal government.

BACKGROUND

Federal natural resource trustees collected thousands of samples across broad regions of the northern Gulf of Mexico that have been preserved pending resolution of legal claims brought against BP by the federal government. With those claims now settled, NOAA and the U.S. Fish and Wildlife Service are making available to the scientific community a portion of the sample collection. OMB's emergency review is required in order to avoid delaying NOAA's efforts to distribute/dispose of the Deepwater Horizon samples. Ongoing storage costs total approximately \$350,000 per month. The expedited review will help to minimize these costs.

The information NOAA plans to collect is needed to process requests for many of the different types of samples being made available to researchers. Delays in obtaining information from researchers regarding samples of interest would increase storage costs in both predictable and unanticipated manners. While monthly storage costs would continue to be incurred prior to samples being distributed/disposed of, there may be new costs incurred for items previously paid by BP. In particular, a cold storage warehouse lease comes due in mid-September and BP has indicated it will not pay the costs after the lease renewal date. The expedited PRA review may allow samples to be distributed to researchers on a time schedule allowing the warehouse to be cleared out prior to the lease renewal date.