Supporting Statement A
30 CFR 250, subpart H, Oil and Gas Production Safety Systems
(Final Rule)
OMB Control Number 1014-0003
Current Expiration Date: December 31, 2017

Terms of Clearance: None

General Instructions

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

Specific Instructions

A. Justification

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

The Outer Continental Shelf Lands Act (OCSLA), as amended (43 U.S.C. 1331 *et seq*. and 43 U.S.C. 1801 *et seq*.), authorizes the Secretary of the Interior to prescribe rules and regulations to administer leasing of mineral resources on the Outer Continental Shelf (OCS). Such rules and regulations will apply to all operations conducted under a lease, right-of-way, or a right-of-use and easement. Operations on the OCS must preserve, protect, and develop oil and natural gas resources in a manner that is consistent with the need to make such resources available to meet the Nation's energy needs as rapidly as possible; to balance orderly energy resource development with protection of human, marine, and coastal environments; to ensure the public a fair and equitable return on the resources of the OCS; and to preserve and maintain free enterprise competition. Section 1332(6) states that "operations in the Outer Continental Shelf should be conducted in a safe manner by well trained personnel using technology, precautions, and other techniques sufficient to prevent or minimize the likelihood of blowouts, loss of well control, fires, spillages, physical obstructions to other users of the waters or subsoil and seabed, or other occurrences which may cause damage to the environment or to property or endanger life or health."

In addition to the general rulemaking authority of the OCSLA at 43 U.S.C. 1334, section 301(a) of the Federal Oil and Gas Royalty Management Act (FOGRMA), 30 U.S.C. 1751(a), grants authority to the Secretary to prescribe such rules and regulations as are reasonably necessary to carry out FOGRMA's provisions. While the majority of FOGRMA is directed to royalty collection and enforcement, some provisions apply to offshore operations. For example, section 108 of FOGRMA, 30 U.S.C. 1718, grants the Secretary broad authority to inspect lease sites for the purpose of determining whether there is compliance with the mineral leasing laws. Section 109(c)(2) and (d)(1), 30 U.S.C. 1719(c)(2) and (d)(1), impose substantial civil penalties for failure to permit lawful inspections and for knowing or willful preparation or submission of false, inaccurate, or misleading reports, records, or other information.

Because the Secretary has delegated some of the authority under FOGRMA to BSEE, 30 U.S.C. 1751 is included as additional authority for these requirements.

The Independent Offices Appropriations Act (31 U.S.C. 9701), the Omnibus Appropriations Bill (Pub. L. 104-133, 110 Stat. 1321, April 26, 1996), and Office of Management and Budget (OMB) Circular A-25, authorize Federal agencies to recover the full cost of services that confer special benefits. Under the Department of the Interior's (DOI) implementing policy, the Bureau of Safety and Environmental Enforcement (BSEE) is required to charge the full cost for services that provide special benefits or privileges to an identifiable non-Federal recipient above and beyond those which accrue to the public at large. Facility Production Safety System Applications are subject to cost recovery and BSEE regulations specify service fees for these applications.

Regulations governing production safety systems are primarily covered in 30 CFR 250, subpart H. BSEE is completely revising the current subpart H regulations and consolidating all BSEE production safety system requirements. The regulations are rewritten in plain language. The rule will codify various conditions of approval that BSEE imposes when approving applications to ensure that the systems are installed and operated in a safe and environmentally sound manner. It also incorporates guidance from various Notices to Lessees and Operators (NTLs) into one comprehensive set of regulations, giving them the force of law. The currently approved information collection for subpart H (1014-0003) will be superseded in its entirety by this collection when final regulations take effect.

The rulemaking also affects 30 CFR 250, subpart A. Once this final rule becomes effective, the subpart A paperwork burden will be removed from this collection of information and consolidated with the information collection burden under OMB Control Number 1014-0022, 30 CFR 250, subpart A, General.

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection. Be specific. If this collection is a form or a questionnaire, every question needs to be justified.

Subpart A:

BSEE uses the information required under § 250.107(c)(2) to implement the waiver allowed by the OCSLA; this will allow an operator to request a waiver from the use of BAST by demonstrating to BSEE that the incremental benefits of using BAST are not practicable to justify the incremental costs of utilizing such technologies.

Subpart H:

BSEE uses the information collected under subpart H (see the burden table under A.12 to see what specific information BSEE collects) to:

- review safety system designs prior to installation to ensure that minimum safety standards will be met;
- evaluate equipment and/or procedures used during production operations;
- review records of erosion control to ensure that erosion control programs are effective;
- review plans to ensure safety of operations when more than one activity is being conducted simultaneously on a production facility;

- review records of safety devices to ensure proper maintenance during the useful life of that equipment; and
- verify proper performance of safety and pollution prevention equipment (SPPE).

We are also incorporating into the regulations, the Gulf of Mexico OCS Region's (GOMR) policy regarding approval of requests to use a chemical-only fire prevention and control system in lieu of a water system. BSEE may require additional information be submitted to maintain approval. The information is used to determine if the chemical-only system provides the equivalent protection of a water system for the egress of personnel should a fire occur.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden and specifically how this collection meets GPEA requirements.

Currently, 50 percent of all information for this collection is submitted electronically via email, CDs, TIMS Web, and BSEE's facility safety system (FSS) which is an electronic permitting system that is part of BSEE's eInspections system. BSEE is currently expanding the eInspection system's capability to accept more information going forward.

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

BSEE and other Federal Government agencies have Memoranda of Understanding that define the responsibilities of their agencies with respect to activities on the OCS. These are effective in avoiding duplication of regulations and most reporting and recordkeeping requirements. The information collected is unique to the site, well, or operation, and is not available from other sources.

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

This collection of information could have a significant economic effect on a substantial number of small entities. Any direct effects primarily impact the OCS lessees and operators. However, many of the OCS lessees and operators have less than 500 employees and are considered small businesses as defined by the Small Business Administration. Regulations require safe work practices and protection of the environmental resources; and because of the factors involved when drilling for oil, gas, or sulfur, the hour burden on any small entity subject to these regulations cannot be reduced to accommodate them.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

If BSEE did not collect the information, we could not carry out the mandate of the OCS Lands Act to ensure safe operations in the OCS. Specifically, we could not evaluate equipment and/or procedures that lessees and operators use during production operations, including evaluation of requests for departures or use of alternate procedures or equipment under 30 CFR 250, subpart A. Information is also needed to verify that production operations are safe and protect the human, marine, and coastal environment. BSEE inspectors review the records required by this subpart to verify compliance with testing and minimum safety requirements.

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

(a) requiring respondents to report information to the agency more often than quarterly;
Under 250.803(b), industry is required to perform an investigation and a failure analysis within 120 days of having a safety equipment failure to determine the cause of the failure and that the results and any corrective action are documented.

(b) requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;
Requirements for safety and pollution prevention equipment (SPPE) contain information that must be submitted in fewer than 30 days to ensure that issues that led to SPPE failure are identified and addressed quickly. The notification/contacts under Subsea and Subsurface Safety Systems – Subsea Trees, all of these requirements pertain to SPPE and BSEE needs to be aware of any issues that could interfere with the operator identifying problems with these critical pieces of safety equipment.

(c) requiring respondents to submit more than an original and two copies of any document;
Not applicable in this collection.

(d) requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than 3 years;
Under § 250.860(d), industry is required to maintain for the life of the facility, documentation/ information about the firefighting system. This requirement ensures that the operator always has access to the latest documents related to that system in the event there is a fire.

Under § 250.876, industry is required to remove and inspect, repair, or replace the fire tube for tube-type heaters every 5 years. Due to the regulatory requirement, we have required industry to retain the documents for at least one complete inspection cycle.

(e) in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;
(f) requiring the use of statistical data classification that has been reviewed and approved by OMB;
(g) that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or
(h) requiring respondents to submit proprietary trade secrets or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.
Not applicable in this collection.

8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and in response to the PRA statement associated with the collection over the past 3 years and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

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

As required in 5 CFR 1320.11, on August 22, 2013, BSEE provided the 60-day review and comment process through the preamble of the proposed rulemaking (78 FR 52240,). BSEE received 57 sets of comments from individual entities (companies, industry organizations, or private citizens). BSEE's responses to comments pertaining to the PRA are as follows:

Comment – "Proposed language is inconsistent with the referenced standards. Given that a failure is defined in sub-paragraph (a) as being "any condition that prevents the equipment from meeting the functional specification" it is likely that a significant number of non-critical failure conditions would need to be investigated, analysed and reported in order to comply with the regulation as currently written. For example, the failure of a valve position indictor device would theoretically require investigation, analysis and reporting to the manufacturer. Furthermore, for equipment such as a subsea tree where a significant level of redundancy is typically included in the system design (e.g. use of 2 or more USVs on the subsea tree, as described in paragraph 250.833 (b)) it will often not be practical, economically feasible or even necessary to retrieve the equipment in order to continue to meet the functional specification for the tree system as a whole, i.e., to still have at least one fully functioning USV. As currently written, the regulation would likely result in a very significant additional burden on operators, suppliers and the BSEE, without delivering equivalent improvements in equipment operation, safety or future reliability. It is therefore strongly recommended that the requirement to investigate, analyse and report SPPE failures be limited to cases which involve a loss of containment, i.e., an unintended release of hydrocarbons to the environment. "
Response – BSEE disagrees with the commenter that the failure reporting be limited to cases that involve loss of containment. The failure reporting requirements are based on, and consistent with industry standards. SPPE failures may occur that do not involve loss of containment in that instance, but the failure may indicate a systemic problem with the equipment that, if not addressed, could result in loss of containment in a different situation.

Comment – "Proposed language is inconsistent with the referenced standards. Root cause failure analysis results will take longer than 60 days to produce. This is even more apparent if determining a root cause failure on subsea SPPE. The requirement to provide a written report of equipment failure to the manufacturer within 30 days after the discovery and identification of the failure, and a failure analysis performed within 60 days of the failure to determine the cause of the failure is unrealistic, especially in the case of subsea components or complicated systems. An alternative to this language may be the reporting of the failure (to BSEE and manufacturer) within 30 days and identification / analysis and report of findings within 120 days. Failure analysis would likely require cooperation with the device manufacturer as some data and design information is considered proprietary. Considering device failure without incorporating other data such as service conditions, maintenance records, etc. could result in misleading conclusions as to the reliability of a device. Additional guidance should be provided by BSEE for failures of those devices for which a manufacturer is no longer in business. Failure of this type

of device would normally result in replacement with a current model rather than the burden of failure investigation that would not yield a corresponding benefit."
Response – BSEE agrees with this suggestion and has changed the final rule to require operators to ensure that an investigation and a failure analysis are performed within 120 days of the failure to determine the cause of the failure and that the results and any corrective action are documented. If the investigation and analysis is performed by an entity other than the manufacturer, the final rule requires operators to ensure that the manufacturer and BSEE receive copies of the analysis report.

Comment – "This regulation is not needed. The process to repair or modify a subsea pipeline must be approved by the BSEE GOM Regional Pipeline Section. 30CFR250.520 requires continuous monitoring of subsea well production casing any deviation must approved by the district. SCSSVs and USVs are required to be tested at the frequency required in current 30CFR250.804 and proposed 250.880."
Response – BSEE disagrees with the comment. The existing pipeline regulations (30 CFR part 250, subpart J) do not address the issues related to testing of the valves or the monitoring of casing pressure that are relevant and necessary to this rulemaking under subpart H. The operator needs to test these valves for functionality and leakage rate, and be able to monitor for sustained casing pressure. The physical alteration or disconnection of the subsea flowline system, including the umbilical, may require submission of a pipeline permit application to the Regional Supervisor.

Comment – "Paragraph (b) is confusing regarding the temporary approvals by the District Manager. As written, it appears that the District Manager cannot approve any temporary repair for a total of 30 days. Currently the District Managers can approve any repair for a period of up to 30 days at any one time. Weather and logistics will play a key role when the permanent repair is actually conducted; however, it may take more than 30 days to actually complete the work. This recommended change will be in alignment with current agency policies."
Response – BSEE does not agree. BSEE considers pressures, type of systems, and other factors in considering requests for approval of temporary repairs to piping. The longer the temporary repair is in place, the greater the risk that the repair will fail, given that the temporary repair material is generally not designed for long-term use in accordance with industry standards for permanent piping (e.g., API RP 14E, API 570). Moreover, the temporary repair materials are often not fire-rated, which also increases risks. Based on BSEE's experience, 30 days for temporary repairs, is typically enough time to make permanent repairs. If there are concerns about the length of the 30-day period for temporary repairs, the operator should contact the appropriate District Manager. The time limit on approval of temporary repairs applies to all facility piping, not just piping in hydrocarbon service.

Comment – "The requirement to have and maintain two sets of drawings becomes burdensome and creates opportunities for errors and omissions to occur. Further the preamble references the Atlantis investigation in justifying the new requirements for drawings; however, the recommendations from the Atlantis report did not identify a need for revisions to the drawing(s) requirements of subpart H. The recommendations from the Atlantis report address issues currently covered in Subpart I."
Response – BSEE does not agree with this suggestion. The importance of correct as-built documents and professional engineer stamps was highlighted in the Atlantis incident investigation report, prepared by BSEE's predecessor agency, the Bureau of Ocean Energy Management, Regulation and Enforcement in 2011. The Atlantis report addressed the scope of the existing regulatory requirements related to engineering documents and hazard analyses, and pointed out the difficulties in identifying, organizing and tracking proper "as-built" drawings from other documents, such as "issued for design" or "issued for construction" drawings. (At the time of the report, operators were not required to submit the engineering documents, including "as-built" diagrams referenced in hazard analysis documents.) Although the Atlantis report did not make specific recommendations for revisions to subpart H, several

of the important issues identified in the report, including the need for operators to have a document management system to ensure accurate sets of drawings, are relevant to and addressed by this final rule. In particular, the issues discussed in the Atlantis report related to "as-built" P&IDs and to other diagram requirements, are addressed by the requirements for:
- Stamping of engineering documents by a registered PE;
- Certification by the operator that all listed diagrams, including P&IDs, are correct and accessible to BSEE upon request; and
- Submittal by the operator of "as-built" diagrams, as described in final § 250.842(a)(1) and (2), to the District Managers within 60 days after production begins.

Comment – "In following with our comments regarding (a)(1) above, we recommend that all references to "piping and instrument diagrams" be replaced with "process safety flow diagram."
The 60 days allotted are not sufficient to validate the drawings as correct, certify the drawings as correct, and submit to the bureau."
Response – No changes were made. Piping and Instrumentation Diagram, Safety Analysis Flow Diagram, and Safety Analysis Function Evaluation charts are required, as provided in paragraph (a), before BSEE will approve the safety system. After the platform is producing, BSEE requires the operator to submit these documents again to ensure that any minor changes made during the construction phase are captured. The 60-day timeframe is sufficient for that purpose; since the facility is built before production begins, the operator will have more than the 60 days after production begins to make these corrections and have the drawings certified. BSEE needs these documents for inspection purposes. The original drawings are used during pre-production, while the as-built drawings are necessary for any BSEE inspection conducted after the platform is on-line and to notify the operator if there are any concerns with the as-built diagrams.

Comment – "This is a new requirement for which the intent is not understood. BSEE will have the original design drawings as part of the application. BSEE will have the certification that the installation was done in accordance with the approved drawings. This requirement creates an undue paperwork burden on both the company and the bureau and the commenter believes the costs for maintaining the "as-built" drawings has been severely underestimated. "
Response – BSEE disagrees with these comments. BSEE must have up to date as-built diagrams, that accurately reflect the actual systems in place, for review and inspection purposes, including providing notification to the operator of any BSEE concerns about differences between the original approved diagrams and the as-built diagrams. Modifications are often made to systems during construction or during initial operations, potentially rendering the approved drawings that accompanied the application obsolete. If no changes are made to the system after approval, however, an operator should be able to submit the same drawings that were originally stamped by the PE at little or no extra cost. BSEE's estimates for determining the costs and burdens related to as-built diagrams were based upon BSEE's best professional judgment; furthermore, the commenter did not provide any details on the estimate of the paperwork burden.

Comment – "The proposed BAST rule's information collection is not "necessary for the proper performance of the functions" of BSEE. 44 U.S.C. § 3506(c)(2)(A)(i). Rather, the proposed BAST rule eliminates the longstanding provisions equating BAST with compliance with BSEE's regulations, and thus creates significant uncertainty as to the standards regulated entities must meet to satisfy BAST, and the circumstances under which regulated entities must seek an exception from BAST requirements pursuant to the information collection provisions of 30 C.F.R. § 250.107(c)(2). See supra pp. 3–5; see also infra Attachment B. In taking a step backward from the existing regulation, BSEE has not indicated how it intends to determine

BAST as required by statute.
Nor is "the agency's estimate of the burden of the proposed collection of information" accurate. 44 U.S.C. § 3506(c)(2)(A)(ii). Because the proposed BAST rule creates significant uncertainty as to the meaning of BAST, see supra pp. 3–5, that uncertainty is likely to force regulated entities to request exceptions from BAST under 30 C.F.R. § 250.107(c)(2) in order to ensure approval of their specific operations. In light of the need for regulated parties to confirm their compliance with the proposed BAST rule despite its significant uncertainty in the meaning of BAST, BSEE's PRA burden analysis—which estimates an average of only two 30 C.F.R. § 250.107(c)(2) collections per year—likely underestimates the information collection burden."
Response – BSEE disagrees with these comments. First, the comment presumes that the BAST provision in the final rule would eliminate the longstanding principle that compliance with BSEE regulations is deemed to be BAST. However, the final rule expressly confirms that compliance with applicable BSEE regulations is considered to be BAST unless and until the Director determines that a particular technology is BAST, which is consistent with BSEE's longstanding position under the existing regulations. Thus, the commenter's conclusion that the BAST provision would create significant uncertainty as to the meaning of BAST and thereby lead to more "exception" requests than BSEE had estimated -which is based entirely on its incorrect presumption that BSEE would eliminate that longstanding position - is unfounded. In addition, the commenter provided no alternative estimate of the number of exception requests that the commenter believed operators would submit. Accordingly, the commenter has provided no basis for BSEE to revise its estimate. Moreover, whenever BSEE determines that a specific technology is BAST, the BSEE Director will determine whether to waive that BAST determination for specific types of existing operations. Thus, operators of any existing operations covered by such a categorical waiver will not need to submit a request for an individual waiver. Further, BSEE does not expect to make many specific BAST determinations in any year, and when BSEE does make such a determination, it will take into account the practicability of that technology for existing operations. For all of these reasons, BSEE does not expect more than 2 waiver requests to be submitted per year on average. In addition, in the event that an existing operation does not come under a categorical waiver, the final rule provides a clear path for an operator to request a waiver simply by demonstrating that the use of BAST at the existing operation is not practicable. Under the final rule, BSEE cannot approve a waiver request without the information provided by the operator as to why BAST is impracticable at its existing operation; thus, the information to be collected under this provision is necessary.

Since the original publication of the proposed rule, the ICR for subpart H, 1014-0003 has been renewed and as a result some of the burden hours and non-hour cost burdens have increased/decreased based on outreach performed during the renewal process. We have accounted for the revised burdens in this final rule as follows:

§§ 250.814(a), 250.815(b), 250.828(a), and 250.829(b) - NEW: Alternate setting depth requests was identified as information collection (+ 1 hour);

§§ 250.827 and 250.869(a)(3) - NEW: Alternative Procedures is covered under subpart A (- 3 hours);

§ 250.837(b)(2) - Submit plan to shut-in wells affected by a dropped object is covered under APD or APM (- 2 hours);

§ 250.841(b) - NEW: Temporary repairs to facility piping requests was identified as information collection (+ 780 hour);

§ 250.852(c)(2) - NEW: Request a different sized PSV was listed as 1 hour, 1 response, 5 total burden hours, while it should have been 1 hour, 1 response, 1 total burden hour (- 4 hours);

§ 250.855(a) - NEW: Uniquely identify all EDS stations (NOTE: while this is considered usual and customary business practice, not all companies have done this correctly. The burden listed is only for those who have new floating facilities) (+ 32 hours);

§ 250.876 - NEW: Document and retain, for at least 5 years, all tube-type heater information / requirements; make available to BSEE upon request (+ 300 hours);

§ 250.880(a)(3) - NEW: Notify BSEE and receive approval before performing modifications to existing subsea infrastructure (+ 10 hours);

§ 250.802(c)(1) - NEW: Independent third-party for reviewing and certifying various statements (+ $550,000);

§ 250.861(b) - NEW: Send foam concentrate sample(s) to authorized representative for quality condition testing (+ $209,000); and

§ 250.876 - NEW: Have qualified 3rd party remove and inspect, repair, or replace fire tube (+ $4,500,000).

Also, between the proposed and final rulemaking, the cost recovery fees under 30 CFR 250.125 increased based on a final rule published on October 1, 2013 (78 FR 60213), which affects several of the applications subject to this final rule. The most current approved fees and burden hours pertaining to subpart H are listed in the following burden table. While the fees for each affected application increased, the number of applications went down, the remainder of the regulatory requirement burdens in the ICR increased. These changes resulted in a net decrease for non-hour cost burdens (- $20,313) and a net increase for burden hours (+ 29,218).

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

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

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

BSEE will protect proprietary information according to 30 CFR 250.197, *Data and information to be made available to the public or for limited inspection*, 30 CFR part 252, *OCS Oil and Gas Information Program*, and the Freedom of Information Act (5 U.S.C. 552) and its implementing regulations (43 CFR 2).

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

The collection does not include sensitive or private questions.

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

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

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

Potential respondents include Federal OCS oil, gas, and sulfur lessees and operators. It should be noted that not all of the potential respondents will submit information in any given year, and some may submit multiple times. The burden estimates include the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Submissions are generally on occasion and are mandatory. We estimate the total annual burden is 95,997 hours. Refer to the following table for a breakdown of the burdens.

Burden Table

Citation 30 CFR 250, Subpart A	**Reporting and Recordkeeping Requirement***	**Hour Burden**	**Average No. of Annual Responses**	**Annual Burden Hours**
107(c)(3)	**NEW:** Request waiver by demonstrating the use for BAST would not be practicable.	5	2 justifications	10
Subtotal			**2 responses**	**10 hours**
Citation 30 CFR 250 Subpart H and NTL(s)	**Reporting and Recordkeeping Requirement***	**Hour Burden**	**Average No. of Annual Responses**	**Annual Burden Hours (rounded)**
		Non-Hour Cost Burdens		
804; 805; 826; 828(c); 834; 838; 839; 870; 873; 874; 875; 880	References to Deepwater Operations Plans (DWOPs).	Burdens are covered under 1014-0024.		
804; 837(b)(2)	Reference to Applications for Permit to Drill (APD).	Burdens are covered under 1014-0025.		
804; 813; 828(b); 837(b)(2)	Reference to Applications for Permit to Modify (APM).	Burdens are covered under 1014-0026.		
800 – 890	Request approval to use new or alternative procedures or equipment; or departures to the	Burdens are covered under 1014-0022.		

	operating requirements along with supporting documentation if applicable.			
General Requirements				
800(a)	Requirements for your production safety system application.	Burden included with specific requirements below.		0
800(a); 880(a)(1), (2)	Prior to production, request approval and pre-production inspection; notify BSEE 72 hours before commencement; notify upon commencement of production.	1	41 requests	41
801(c)	Request evaluation and approval from OORP that includes all relevant information of other quality assurance programs by appropriate qualified entity; or third-party certification mark covering manufacture of SPPE.	34	1 request	34
852(e)(4);	**NEW:** Submit statement/certification for: alternate quality management system, exposure functionality; pipe is suitable and manufacturer has complied with IVA; suitable firefighting foam per original manufacturer specifications; make documentation accessible to BSEE.	Not considered IC under 5 CFR 1320.3(h)(1).		0
801(c); 802(c)(1);	**NEW:** Independent third-party for reviewing and certifying various statements throughout this subpart.**	$500 for 1,100 reviews = $550,000		
802(c)(5, (e)	**NEW:** Document all manufacturing, traceability, quality control, installation, testing, repair, redress, performance, and inspection requirements, *etc*. Retain all required documentation of SPEE equipment until 1 year after the date of decommissioning the equipment.	2	30 documents	60
803(a), (d)	**NEW:** Within 30 days of discovery and identification of SPPE failure, provide a written notice of equipment failure to manufacturer and Chief, OORP, or his designee.	2	10 notices	20
803(b), (d)	**NEW:** Document and determine the results of the SPPE failure within 120 days and corrective action taken; if appropriate, per requirements, give copy of report to manufacturer and Chief, OORP, or his designee.	5	10 documents	50
803(c), (d)	**NEW:** Submit to Chief of OORP or his designee modified procedures you made if notified by manufacturer of design changes or you changed operating or repair procedures as result of a failure, within 30 days of changes.	2	1 submittal	2
804(a); 805(b)	Submit detailed info regarding installing SSSVs and related equipment in an HPHT environment with your APD, APM, DWOP, *etc*.			0
814(a); 815(b); 828(a); 829(b);	**NEW:** BSEE will approve on a case-by-case basis.	1	1 request	1
841(b)	**NEW**: Request District Manager approval of temporary repairs to facility piping not to exceed 30 days.	1	780 requests	780
		Subtotal	**1,974 responses**	**988 hours**
			$550,000 non-hour costs	
Surface and Subsurface Safety Systems – Dry Trees				
810; 816; 830	Submit request for a determination that a well is incapable of natural flow.	14	11 wells	157

	Verify the no-flow condition of the well annually.	¼		
817(b); 869(a)	Identify well with sign on wellhead that sub-surface safety device is removed; flag safety devices that are out of service; a visual indicator must be used to identify the bypassed safety device.	Not considered IC under 5 CFR 1320.3(b)(2).		0
817(b)	Record removal of subsurface safety device.	Burden included in § 250.890 of this subpart.		0
		Subtotal	**11 responses**	**157 hours**
Subsea and Subsurface Safety Systems – Subsea Trees				
831; 833(a), (b); 837(c)(5); 838(c); 874(g)(2), (h)(1)	**NEW:** Notify/contact BSEE: (1) if you cannot test all valves and sensors; (2) 48 hours in advance if monitoring ability affected; (3) primary USV designation changes; designating USV2 or another qualified valve; (4) resuming production; (5) 12 hours of detecting loss of communication; immediately if you cannot meet value closure conditions.	Notifications		7
		(1) ½	6	
		(2) 2	1	
		(3) 1	1	
		(4) ½	1	
		(5) ½	1	
831	**NEW:** Submit a repair/replacement plan to monitor and test.	2	1 submittal	2
837(a)	**NEW:** Request approval to not shut-in a subsea well in an emergency.	½	10 requests	5
837(b)(2); (c)(2)	**NEW:** Obtain approval to resume production (1) after communication is restored; (2) P/L PSHL sensor.	½	2 approvals	1
838(a)(2); 839(a)(2)	**NEW:** Verify closure time of USV upon request of BSEE.	2	2 verifications	4
838(c)(3)	**NEW:** Request approval to produce after loss of communication - include alternate valve closure table or alternate hydraulic bleed schedule.	2	1 approval	2
		Subtotal	**26 responses**	**21 hours**
Production Safety Systems				
842;	Submit application, and all required/supporting information, for a production safety system with > 125 components.	26	1 application	26
		$5,426 per submission x 1 = $5,426 $14,280 per offshore visit x 1 = $14,280 $7,426 per shipyard visit x 1 = $7,426		
	25 – 125 components.	19	4 applications	76
		$1,314 per submission x 4 = $5,256 $8,967 per offshore visit x 1 = $8,967 $5,141 per shipyard visit x 1 = $5,141		
	< 25 components.	12	10 application	120
		$652 per submission x 10 = $6,520		
	Submit modification to application for production safety system with > 125 components.	13	174 modifications	2,262
		$605 per submission x 174 = $105,270		
	25 – 125 components.	10	615 modifications	6,150
		$217 per submission x 615 = $133,455		
	< 25 components.	7	345 modifications	2,415
		$92 per submission x 345 = $31,740		
842(b)	**NEW:** Your application must also include all required certification(s) [*i.e.*, hazards analysis, *etc*.,] that the designs for mechanical and electrical systems were reviewed, approved, and stamped by registered professional engineer.	6	32 certifications	192

	[NOTE: Upon promulgation, these certification production safety systems requirements will be consolidated into the application hour burden for the specific components]			
842(c)	**NEW:** Submit a certification letter that the mechanical and electrical systems were installed in accordance with approved designs.	6	32 letters	192
842(d), (e);	**NEW:** Submit a certification letter within 60-days after production that the as-built diagrams, piping, and instrumentation diagrams are on file, certified correct, and stamped by a registered professional engineer; submit all the as-built diagrams.	6 ½	32 letters	208
842(f)	**NEW:** Maintain records pertaining to approved design and installation features and as-built pipe and instrumentation diagrams at either the onshore field office, readily available offshore, or location available to BSEE; make available to BSEE upon request and retain for the life of the facility.	½	32 records	16
		Subtotal	**1,277 responses**	**11,657 hours**
			$323,481 non-hour cost burdens	
Additional Production System Requirements				
851(a)(2)	**NEW:** Request approval to continue using uncoded pressure and fired vessels beyond 540 days after the effective date of the final rule.	2	1 request	2
851(b); 852(a)(2), (3); 858(b); 865(b)	Maintain most current pressure-recorder information at location available to BSEE for as long as information is valid.	35	658 records	23,030
851(c)(2)	**NEW:** Request approval for activation limits set less than 5 psi.	1	10 requests	10
852(c)(1)	**NEW:** Request approval to vent to some other location.	1	10 requests	10
852(c)(2)	**NEW:** Request a different sized and upstream location of the PSV.	1	6 request	6
852(e)(1)	**NEW**: Review manufacturer's Design Methodology Verification Report and IVA's certificate to ensure compliance.	1	10 reviews	10
852(e)(3)	Submit required manufacturer's design specifications for unbonded flexible pipe.	Burden is covered by the application requirement in § 250.842.		0
855(a)	**NEW:** Uniquely identify all EDS stations. [NOTE: while this is considered a usual and customary business practice, not all companies have done this correctly. The burden listed is only for those who have new floating facilities.]	8	4 floating facilities	32
855(b)	Maintain ESD schematic listing control function of all safety devices on the platform, field office closest to facility, or at location conveniently available to BSEE for the life of the facility.	18	650 listings	11,700
858(a)(3)	**NEW:** Request approval to use different procedure for gas-well gas affected.	1	1 request	1
859(a)(3), (4)	Post diagram of firefighting system; furnish evidence firefighting system suitable for operations in subfreezing climates.	8	18 postings	144

859(a)(5)	Obtain approval before installing any firefighting equipment.	Burden is covered by the application requirement in § 250.842.		0
859(c); 860(b), (c); related NTL(s)	Request approval to use a chemical-only fire system in lieu of a water system (including extensions up to 7 days of your approved request) by submitting, including but not limited to, submittal of justification and risk assessment (and all relevant information listed in the table of this section).	39	23 requests	897
860(d)	**NEW:** Change(s) made after approval rec'd re 860(b) - document change; maintain the revised version at facility or closest field office for BSEE review/inspection; submit new request w/updated risk assessment for approval; maintain for life of facility.	½	14 changes	7
861(b)	**NEW:** Annually conduct inspection of foam concentrates and tanks; make documentation of foam available to BSEE.	2	500 submittals	1,000
	NEW: Send foam concentrate sample(s) to authorized representative for quality condition testing.**	$418 per sample x 500 samples = $209,000.		
864	Maintain erosion control program records for 2 years; make available to BSEE upon request.	21	645 records	13,545
867(a)	**NEW:** Request approval to install temporary quarters.	6	1 request	6
867(b)	**NEW:** Submit supporting information/ documentation if required by BSEE to install a temporary firewater system.	1	1 request	1
867(c)	**NEW:** Request approval to use temporary equipment for well testing/clean-up.	1	300 requests	300
869(f)	Label all pneumatic control panels and computer based control stations according to API RP 14C nomenclature.	Not considered IC under 5 CFR 1320.3(b)(2).		0
870(a)	**NEW:** Document PSL on your field test records w/delay greater than 45 seconds.	½	6 records	3
874(g)(3)	**NEW:** Submit request with alternative plan ensuring subsea shutdown capability.	2	5 requests	10
874(h)(2)	**NEW:** Request approval to continue to inject w/loss of communication.	1	5 requests	5
876	**NEW:** Document and retain, for at least 5 years, all tube-type heater information / requirements; make available to BSEE upon request. Have qualified 3rd party remove and inspect, repair or replace fire tube.**	1	300 documents	300
		$15,000 x 1,500 inspections / once every 5 years = 300 inspections = $4,500,000		
		Subtotal	**3,168 responses**	**51,019 hours**
			$4,709,000 non-hour cost burdens	
Safety Device Testing				
880(a)(3)	**NEW:** Notify BSEE and receive approval before performing modifications to existing subsea infrastructure.	½	20 requests	10
880(d)(1)	**NEW:** Request approval for a well that is completed and disconnected from monitoring capability to exceed more than 24 months.	1	1 request	1
		Subtotal	**21 response**	**11 hour**
Records and Training				

890(a), (b)	Maintain records for 2 years on subsurface and surface safety devices to include, but limited to, status and history of each device; installation date and details, inspection, testing, repair, removal, adjustments, reinstallation, *etc*.; at field office nearest facility AND a secure onshore location; make records available to BSEE.	48	658 records	31,584
890(c)	**NEW:** Submit annually a contact list (w/all required information) for all OCS operated facilities or submit when revised.	½	1,000 annual lists	550
		½	100 revised lists	
		Subtotal	**1,758 responses**	**32,134 hours**
Total Burden Hours			**8,237 Responses**	**95,997 Hours**
			$5,582,481 Non-Hour Cost Burdens	

* In the future, BSEE may require electronic filing of certain submissions.
** In the proposed rule, this burden was overlooked.

(c) Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included under "Annual Cost to Federal Government."

The average respondent cost is $144/hour (rounded). This cost is broken out in the following table using the Society of Petroleum Engineers Salary Survey. See SPE.org website: http://www.spe.org/industry/docs/15SalarySurveyHighlights.pdf

Position	Base Pay Hourly Rate ($/hr)	Hourly Rate including Benefits (1.4* x $/hr)	Percent of time spent on collection	Weighted Average ($/hour/ rounded)
Technical	$81	$113	12%	$14
Engineers - Drilling	$106	$148	63%	$93
Geologist	$106	$148	25%	$37
Weighted Average ($/hour)				**$144**

*A multiplier of 1.4 (as implied by BLS news release USDL-16-1150, June 9, 2016 (see http://www.bls.gov/news.release/ecec.nr0.htm)) was added for benefits.

Based on a cost factor of $144 per hour, we estimate the hour burden as a dollar equivalent to industry is $13,823,568 ($144 x 95,997 hours = $13,823,568).

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

(a) The cost estimate should be split into two components: (1) a total capital and start-up cost component (annualized over its expected useful life) and (2) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information (including filing fees paid for form processing). Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and

the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.

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

(c) Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.

This ICR includes 13 non-hour cost burdens totaling 5,582,481.

In § 250.842 there are 10 cost recovery fees totaling $323,481 and are as follows:

- Submit application for a production safety system with > 125 components - $5,426 per submission; $14,280 per offshore visit; and $7,426 per shipyard visit.
- Submit application for a production safety system with 25 – 125 components - $1,314 per submission; $8,967 per offshore visit; and $5,141 per shipyard visit.
- Submit application for a production safety system with < 25 components - $652 per submission.
- Submit modification to application for production safety system with > 125 components - $605 per submission.
- Submit modification to application for production safety system with 25 – 125 components - $217 per submission.
- Submit modification to application for production safety system with < 25 components - $92 per submission.

In §§ 250.801(c) and 250.802(c)(1) there is a new non-hour cost for 3rd party review for various statements throughout the subpart totaling $550,000.

In § 250.861(b) there is a new non-hour cost for 3rd party testing of foam concentrate for quality condition totaling $209,000.

In § 250.876 there is a new non-hour cost for 3rd party inspections of fire tubes totaling $4,500,000.

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

The average government cost is $67/hour (rounded). This cost is broken out in the below table using the Office of Personnel Management salary data for the REST OF THE UNITED STATES (http://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/).

Position	Grade	Hourly Pay rate ($/hour estimate)	Hourly rate including benefits (1.5* x $/hour)	Percent of time spent on collection	Weighted Average ($/hour rounded
Clerical	GS-7/5	$22	$33	10%	$3
Petroleum Engineer	GS-13/5	$46	$69	70%	$48
Supv. Petroleum Engineer	GS-14/5	$54	$81	20%	$16
Weighted Average ($/hour)					**$67**

*A multiplier of 1.5 (as implied by BLS news release USDL-16-1150, June 9, 2016 (see http://www.bls.gov/news.release/ecec.nr0.htm)) was added for benefits.

To analyze and review the information required by subpart H, we estimate the Government will spend an average of approximately .5 hour for each hour spent by the respondents for a total of 47,608 hours.

Based on a cost factor of $67 per hour, the cost to the Government is $3,215,933 (95,997 hours x .5 hour = 47,999 x $67 = $3,215,933).

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

We are revising this ICR to include the changes due to rulemaking. However, a large part of the burden is an extension of current regulatory/condition of approval requirements, NTL procedures and, are therefore, not actually new requirements.

a. This ICR requests a total of 95,997 burden hours. Current subpart H regulations have 92,341 hours approved by OMB, totaling an increase of 3,656 burden hours. This is an adjustment decrease of -160 burden hours and a program increase of new burden totaling 3,816 hours due to this rulemaking. The actual program increases are those requirements indicated as NEW in the burden tables displayed in Section A.12.

b. The current OMB approved non-hour cost burden for subpart H is $323,481 (cost recovery fees). In this submission, we are requesting a total of $5,582,481, which is an increased program change of $5,259,000 due to new non-hour cost burdens associated with 3rd party verifications, inspections, and testing being added through this rulemaking.

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

BSEE will not tabulate or publish the data.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

BSEE will display the OMB control number and approval expiration date appropriately (§ 250.199).

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

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