

**Supporting Statement
for
Carriage of Bulk Solids Requiring Special Handling -- 46 CFR Part 148**

OMB No.: 1625-0025
COLLECTION INSTRUMENTS: Instruction

A. Justification

1. Circumstances that make the collection necessary.

The U.S. Coast Guard administers and enforces the laws, regulations and international conventions for the safe transportation and stowage of hazardous materials, including bulk solids. The International Convention for the Safety of Life at Sea, 1974, as amended (SOLAS 74/83) contains, in Chapter VII Regulation 7-2, a requirement that Shipping Papers and a Dangerous Cargo Manifest accompany all shipments of hazardous materials in bulk solid form. This international requirement is translated into U.S. regulation in 46 CFR Part 148.

The Coast Guard issues Special Permits as part of its mission to ensure maritime safety and facilitate U.S. commerce. These Special Permits are issued to allow the carriage of hazardous bulk solid materials that are not addressed in 46 CFR Part 148. The authority for the above requirements is found in 33 U.S.C. 1602 and 49 U.S.C. 5103.

This information collection supports the following strategic goals:

Department of Homeland Security

- Prevention
- Protection

U.S. Coast Guard

- Safety
- Protection of the Natural Resources

Prevention Policy & Response Policy Directorates (CG-5P & CG-5R)

- Safety: Eliminate deaths, injuries, and property damage associated with commercial maritime operations.
- Economic Growth and Trade/Mobility: Reduce interruptions and impediments that restrict the economical flow of goods and people, while maximizing safe, effective, and efficient waterways for all users.

2. Purpose of the information collection.

The Special Permits allow the Coast Guard to control the conditions under which shipments of hazardous materials can be made, and at the same time allow the shipping industry a greater amount of flexibility than would otherwise be afforded without the Special Permit provision. The information that must be submitted when applying for a Special Permit allows the Coast Guard to make a well-informed determination as to the severity of the hazard posed by the material in question, and allows them to set specific guidelines for safe carriage or, if it is determined that a material presents too great a hazard, to deny permission for shipping the material. If the required information were not submitted, the Coast Guard would be unable to issue Special Permits with adequate precautions for shipping the cargo, and thus could not permit shipment.

Shipping Papers and Dangerous Cargo Manifests are not required to be submitted to the Coast Guard and are not required to be retained on board the vessel once the cargo has been off-loaded. However, the information contained in these documents may be used in an emergency situation, which is why they are required to be in a readily retrievable location. If an emergency such as a fire occurs on board the vessel, the required documents will provide the master with: (1) the identity of the cargo and its hazards,

and a point of contact for additional information about the cargo (the shipping paper); and (2) the quantity and location of the material on board the vessel (Dangerous Cargo Manifest).

3. Consideration of the use of improved technology.

The required information for Special Permits may be submitted to the Coast Guard by email, fax, or regular mail, depending on the vessel owners' preferences. Shipping Papers and Dangerous Cargo Manifests are not submitted to the Coast Guard, but are instead retained as records on the vessel in any format. We estimate that 100% of this collection's reporting requirements can be done electronically. At this time, we estimate that 50% is done electronically.

4. Efforts to identify duplication.

The Coast Guard have made an effort in the regulations to eliminate the duplicate submission of information when requesting a Special Permit. Previously, each individual desiring to ship a cargo not listed in Part 148 was required to submit detailed information concerning the material and the proposed method of transport. The regulations require that the first person to request the permit submit detailed information on the proposed method and on the cargo to be carried. This cargo information may be submitted in the form of a Material Safety Data Sheet (MSDS). The MSDS is required by the Occupational Safety and Health Administration (OSHA) for all hazardous materials handled in land-based operations, and thus should be readily available, reducing the need to develop duplicate information for submission to the Coast Guard.

5. Methods used to minimize the burden on small businesses if involved.

Special Permits are necessary for the safety of the vessel and its personnel. The required submissions are the minimum consistent with this objective. The respondent's size is not relevant to safety. However, since the shipping industry is comprised mainly of large corporations, it is anticipated that few, if any, small businesses will be affected.

6. Consequences to the Federal program if collection were conducted less frequently.

The only information submitted to the Coast Guard is the Special Permit. The original submission is required when a Special Permit is requested. By law, any exemption issued under the rules promulgated by the Secretary must be issued for a period not to exceed 4 years. Therefore, permit holders must renew their Special Permit every 4 years. To ensure that the carriage requirements imposed by the Special Permit are sufficient and that the permit holder is complying with the terms of the permit, it is necessary to require the submission of information concerning the history of shipments made under the terms of the Special Permit.

7. Special collection circumstances.

This information collection is conducted in a manner consistent with the guidelines in 5 CFR 1320.5(d)(2).

8. Consultation.

A 60-Day Notice (See [USCG-2016-1000], December 28, 2016, 81 FR 95625) and 30-Day Notice (July 28, 2017, 82 FR 35235) were published in the Federal Register to obtain public comment on this collection. The Coast Guard has not received any comments on this information collection.

9. Decisions to provide payment or gift to respondents.

There is no offer of monetary or material value for this information collection.

10. Assurance of confidentiality provided to respondents.

There are no assurances of confidentiality provided to the respondents for this information collection. This information collection request is covered by the Marine Information for Safety and Law Enforcement (MISLE) Privacy Impact Assessment (PIA) and System of Records Notice (SORN). Links to the MISLE PIA and SORN are provided below:

- https://www.dhs.gov/sites/default/files/publications/privacy_pia_uscg_misle.pdf
- <https://www.gpo.gov/fdsys/pkg/FR-2009-06-25/html/E9-14906.htm>

11. Additional justification for questions of a sensitive nature.

There are no questions of sensitive language.

12. Estimate of the hour and cost burdens.

- The estimated annual number of respondents is 582.
- The estimated annual number of responses is 768.
- The estimated annual hour burden is 850.
- The estimated annual cost burden is \$47,450.

The burden to respondents is provided in Appendix A. The wage rates used are in accordance with the current edition of COMDTINST 7310.1(series) for "Out-Government" personnel.

We estimate that a chemical manufacturing specialist will take about 15 hours complete and submit a Special Permit petition. The position of a chemical manufacturing specialist is analogous to a GS-12.

The Coast Guard estimate that a crew member or shore side technical specialist will take about 30 minutes (0.5 hours) to prepare a Dangerous Cargo Manifest¹ and 1 hour to prepare a vessel's Shipping Papers.² The position of a crew member or shore side technical specialist is equivalent to a GS-9.

13. Total annualized capital and start-up costs.

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

14. Estimates of annualized cost to the Federal Government.

The estimated annual Federal Government cost is \$8,160 (see Appendix B). The Coast Guard estimate that it takes a GS-12 about 15 hours to review and process each Special Permit petition. The wage rate shown is in accordance with the current edition of COMDTINST 7310.1(series) for "In-Government" personnel.

15. Reasons for the change in burden.

The change in burden is an ADJUSTMENT due to a change (i.e., decrease) in the estimated annual number of special permit petitions. The reporting and recordkeeping requirements, and the methodology for calculating burden, remain unchanged.

16. Plans for tabulation, statistical analysis, and publication.

This information collection will not be published for statistical purposes.

17. Approval for not explaining the expiration date for OMB approval.

¹ Dangerous Cargo Manifests are not required when the cargo otherwise regulated by 46 CFR 148 is carried on an unmanned barge.

² All shippers of cargos regulated by 46 CFR 148 are required to develop Shipping Papers.

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The Coast Guard will display the expiration date for OMB approval of this information collection.

18. Exception to the certification certificate.

The Coast Guard does not request an exception to the certification of this information collection.

B. Collection of Information Employing Statistical Methods

This information collection does not employ statistical methods.