

Supporting Statement A
30 CFR 282, Operations in the Outer Continental Shelf for
Minerals Other than Oil, Gas, and Sulphur
OMB Control Number 1014-0021
Expiration Date: August 31, 2018

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

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 (OCS) Lands Act, as amended (43 U.S.C. 1334 and 43 U.S.C. 1337(k)), authorizes the Secretary of the Interior to implement regulations to grant leases of any mineral other than oil, gas, and sulphur to qualified parties. This regulation governs mining operations within the OCS and establishes a comprehensive leasing and regulatory program for such minerals. This regulation has been designed to: (1) recognize the differences between the OCS activities associated with oil, gas, and sulphur discovery and development and those associated with the discovery and development of other minerals; (2) facilitate participation by States directly affected by OCS mining activities; (3) provide opportunities for consultation and coordination with other OCS users and uses; (4) balance development with environmental protection; (5) insure a fair return to the public; (6) preserve and maintain free enterprise competition; and (7) encourage the development of new technology.

The authorities and responsibilities described above are among those delegated to the Bureau of Safety and Environmental Enforcement (BSEE). Therefore, this ICR addresses the regulations at 30 CFR 282, Operations in the Outer Continental Shelf for Minerals Other than Oil, Gas, and Sulphur. It should be noted that there has been no activity in the OCS for minerals other than oil, gas and sulphur for many years and no information collected. However, because these are regulatory requirements, the potential exists for information to be collected; therefore, we are renewing this collection of information.

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.

BSEE will use the information required by 30 CFR 282 to determine if lessees are complying with the regulations that implement the mining operations program for minerals other than oil, gas, and sulphur. Specifically, BSEE will use the information:

- To ensure that operations for the production of minerals other than oil, gas, and sulphur in the OCS are conducted in a manner that will result in orderly resource recovery, development, and the protection of the human, marine, and coastal environments.
- To ensure that adequate measures will be taken during operations to prevent waste, conserve the natural resources of the OCS, and to protect the environment, human life, and correlative rights.
- To determine if suspensions of activities are in the national interest, to facilitate proper development of a lease including reasonable time to develop a mine and construct its supporting facilities, and to allow for the construction or negotiation for use of transportation facilities.
- To identify and evaluate the cause(s) of a hazard(s) generating a suspension, the potential damage from a hazard(s) and the measures available to mitigate the potential for damage.
- For technical evaluations that provide a basis for BSEE to make informed decisions to approve, disapprove, or require modification of the proposed activities.

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 no information is submitted using electronic technology due to the fact that there are no current mining operations for minerals other than oil, gas, or sulphur on the OCS. With an active lease in operation, we would expect 50 percent to be submitted electronically via eWell, eInspections, CDs, TIMS Web, etc.

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.

There is no duplication. The Department of the Interior has specific statutory authority. No other Federal agency collects this operation information, and no similar information is available because it pertains to a specific OCS mining operation. To the extent that identical information or data were available from other mining operations or sources, such duplicate information would not be required to be submitted.

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

Not applicable in this collection.

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 we did not collect the information, BSEE would not be able to carry out the mandate of the OCS Lands Act, nor would the Federal Government receive royalty income from such activities when operations exist. Respondents have to submit a monthly report for minerals produced, but for the most part submit reports as a result of situations encountered and not at any fixed or prescribed interval.

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;**
- (b) requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
- (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;

It is normal industry practice to retain records as part of their permanent records, *i.e.*, longer than 3 years. The times specified in the regulations provide minimum times for BSEE access.

(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 1320.8(d), BSEE provided a 60-day notice in the *Federal Register* on November 16, 2017 (82 FR 53519). Also, the Paperwork Reduction Act explains that the agency, in this case BSEE, will accept comments at any time on the information collected and the burden. We display the OMB control number and provide the address for sending comments to BSEE. We received two comments in response to the *Federal Register* notice or unsolicited comments from respondents covered under these regulations. None of the comments received were germane to the paperwork burden of this information collection renewal.

There are currently no mining operations in the OCS and none planned in the near future. Because of this, there are no companies to contact for information pertaining to this ICR. As there are no active respondents, the hour burden will remain the same and the estimates were verified by in-house experts who previously worked in private industry doing similar functions.

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

If requested, under § 282.13(e)(1), BSEE will arrange for possible payment of a required study by a third-party. BSEE will pay respondents if they request reimbursement for food, quarters, or transportation they provide BSEE representatives under § 282.27(d)(2) during inspections. We will not provide 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.

We protect proprietary information according to the Freedom of Information Act (5 U.S.C. 552) and DOI's implementing regulations (43 CFR 2), and §§ 282.5, 282.6, and 282.7.

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.

As there are no active respondents, we estimated the potential annual number of respondents to be one. Respondents are Federal OCS lessees and/or operators. Submissions are as a result of situations

encountered. 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. We estimate the total annual reporting and recordkeeping burden is 56 hours. Refer to the following table for a break out of the burden.

BURDEN TABLE

Citation 30 CFR 282	Reporting or Recordkeeping Requirement	Hour Burden	Average No. of Annual Responses	Annual Burden Hours
		Non-Hour Cost Burden		
5	Request non-disclosure of data and information.	10	1 request	10
6	Governor(s) of adjacent State(s) request for proprietary data, information, samples, etc., and disclosure agreement with BSEE.	1	1 submission	1
7	Governor of affected State requests negotiation to settle jurisdictional controversy, etc; enters into an agreement with BSEE.	1	1 request	1
11(d)(1);	Request consolidation/unitization of two or more leases or lease portions into a single mining unit.	1	1 request	1
11(d)(4)	State requests different method of allocating production.	1	1 request	1
12(f); 13(d); 28(c)	Request approval(s) of applicable applications and/or plans; including environmental information, monitoring program, and various requests for approval; submit modifications as appropriate.	20	1 request	20
12(h)	Request departures from the operating requirements.	Burden covered under 30 CFR 250, Subpart A, 1014-0022.		0
13(b), (f) (2); 31	Request suspension or temporary prohibition or production or operations; include all documentation - or any other information BSEE may require.	2	1 request	2
13(d); 13(e)(2)	Submit a Delineation, Testing, or Mining Plan or revised Plan.	BOEM requirement covered under 30 CFR 582, 1010-0081.		
13(e)	Submit site-specific study plan and results.	8	1 study	8
		1 study x \$100,000 = \$100,000		
14	Submit response copy of Form BSEE-1832 indicating date violations (INCs) corrected, etc.	2	1 response	2
27(b)	Request use of new or alternative technologies, techniques, etc.	1	1 request	1
27(c)	Notify BSEE of death or serious injury; fire, explosion, or other hazardous event, pollution etc.; submit report.	1	1 notification	1
27(d)(2)	Request reimbursement for furnishing food, quarters, and transportation for BSEE representatives (no requests received in many years; minimal burden).	2	1 request	2
27(e)	Identify vessels, platforms, structures, etc. with signs.	1	1 sign	1
27(f)(2)	Log all drill holes susceptible to logging; submit copies of logs to BSEE.	3	1 log	3
27(h)(3-4)	Mark equipment; record items lost overboard; notify BSEE.	1	1 notification	1
27(k)	Enter weight or quantity and quality of each mineral produced.	BOEM requirement covered under 30 CFR 582, 1010-0081.		0
28(d)	Demonstrate effectiveness procedure(s) for mitigating environmental impacts.	1	1 demonstration	1
50	File an appeal.	Burden exempt under 5 CFR 1320.4(a)(2), (c).		0

Citation 30 CFR 282	Reporting or Recordkeeping Requirement	Hour Burden	Average No. of Annual Responses	Annual Burden Hours
		Non-Hour Cost Burden		
TOTAL BURDEN			16 Responses	56 Hours
			\$100,000 Non-Hour Cost Burden	

(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.

The average respondent cost is \$141/hour (rounded). This cost is broken out in the below table using the Society of Petroleum Engineers Salary Survey. See SPE.org website: <http://www.spe.org/industry/docs/2017-Salary-Survey-Highlight-Report.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	\$76.69	\$107.36	15%	\$16.10
Engineers - Drilling	\$108.30	\$151.62	63%	\$95.52
Geologist	\$94.80	\$132.72	22%	\$29.20
Weighted Average (\$/hour)				\$141

*A multiplier of 1.4 (as implied by BLS news release USDL-18-0944, June 8, 2018 (see <http://www.bls.gov/news.release/ecec.nr0.htm>)) was added for benefits.

Based on a cost factor of \$141 per hour, we estimate the hour burden as a dollar equivalent to industry is \$7,896 (\$141 x 56 hours = \$7,896).

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: (a) a total capital and start-up cost component (annualized over its expected useful life) and (b) 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.

Pursuant to § 282.13(e)(1), a site-specific study to determine and evaluate hazards that results in a suspension of operation would have a non-hour cost burden. Since this has not been done to date, we estimated that the cost of such a study for industry would be approximately \$100,000 to comply with the requirement.

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.

To analyze and review the information, the Government would spend an average of 0.5 hour for each hour spent by respondents. The total estimated Government time would be 28 hours (56 x 0.5 = 28).

The average government cost is \$75/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 (<https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/2018/general-schedule/>).

Position	Grade	Hourly Pay rate (\$/hour estimate)	Hourly rate including benefits (1.6* x \$/hour)	Percent of time spent on collection	Weighted Average (\$/hour rounded)
Clerical	GS-7/5	\$22.46	\$35.94	10%	\$3.59
Petroleum Engineer	GS-13/5	\$47.38	\$75.81	70%	\$53.07
Supv. Petroleum Engineer	GS-14/5	\$55.99	\$89.58	20%	\$17.92
Weighted Average (\$/hour)					\$75

*A multiplier of 1.6 (as implied by BLS news release USDL-18-0944, June 8, 2018) was added for benefits.

Based on a cost factor of \$75 per hour, the cost to the Government is \$2,100 (56 hours x 0.5 hour = 28 x \$75 = \$2,100).

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

(a) The current OMB inventory is 56 burden hours for this collection of information and it remains the same.

(b) The current OMB non-hour cost burden inventory is \$100,000 and it remains the same.

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 expiration date.

18. Explain each exception to the topics of the certification statement identified in, “Certification for Paperwork Reduction Act Submission.”

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.”