

**Department of Transportation
Office of the Chief Information Officer**

Supporting Statement

**Recordkeeping for Gas Pipelines
Agency Requests New OMB Control No. 2137-XXXX
Docket No. PHMSA–2016–0016**

This ICR is associated with the Interim Final Rule Pipeline Safety: Safety of Underground Natural Gas Storage Facilities published on December 19, 2016.

INTRODUCTION

The Pipeline and Hazardous Materials Safety Administration (PHMSA) requests approval from the Office of Management and Budget (OMB) for the approval of a new information collection request entitled “Pipeline Safety: Recordkeeping for Underground Natural Gas Storage Facilities. This information collection request is necessary due to the following PHMSA action:

- **Docket No. PHMSA-2016-0016 - Pipeline Safety: Safety of Underground Natural Gas Storage Facilities**
 - Adds 136 responses and 220 burden hours for recordkeeping activities.

Operators of underground natural gas facilities are required to make and maintain various records in accordance with API RP 1170 and 1171. As a result of this provision, 124 newly regulated entities will be required to keep records. These operators will also be required document, and maintain the records of such documentation, if they plan to deviate from a provision of the Recommended Practices.

Part A. Justification.

1. Circumstances that make collection of information necessary.

Part 192 recordkeeping requirements currently apply to operators transporting natural and other gas by pipeline. There is a continuing need for gas pipeline operators subject to 49 CFR Part 192 to comply with the requirements for recordkeeping as presented below.

49 USC 60117 requires that:

“To enable the Secretary to decide whether a person transporting gas or hazardous liquid or operating a pipeline facility is complying with this chapter and standards prescribed or orders issued under this chapter, the person shall –

- (1) maintain records, make reports, and provide information the Secretary requires; and
- (2) make the records, reports and information available when the Secretary requests.”

The regulations set forth in 49 CFR 192 require operators to maintain a series of test, inspection and maintenance records. These recordkeeping requirements are necessary to inhibit a gas pipeline incident from occurring, to ascertain compliance with gas pipeline safety regulations, and to provide a background for incident investigations.

Section 192.12 pertains to operators of underground natural gas storage facilities. Specifically, this section incorporates American Petroleum Institute (API) Recommend Practice (RP) 1170 and 1171 into the Code of Federal Regulations (CFR). As such, operators of underground natural gas storage facilities are required to adhere to the recordkeeping requirements therein.

2. How, by whom, and for what purpose is the information used.

The information is used to assist Federal pipeline safety inspectors and State pipeline safety inspectors participating in the gas pipeline safety program. The inspectors will be able to ascertain compliance with regulations from these records.

3. Extent of automated information collection.

Operators are permitted to keep records in any retrievable form. They may use the latest information technology to reduce the additional information collection burden.

4. Efforts to identify duplication.

No similar information collection is known to exist.

5. Efforts to minimize the burden on small businesses.

There are no efforts to minimize the burden for small businesses. Records are a necessary to ascertain compliance with the regulations.

6. Impact of less frequent collection of information.

Operators of underground gas storage facilities must establish and follow written procedures for operations, maintenance, and emergencies implementing the requirements of API RP 1170 and API RP 1171, including the effective dates as applicable, and incorporate such procedures into their written procedures for operations, maintenance, and emergencies established pursuant to 49 CFR §192.605. The frequency of the collection of information is one time for the written procedures required. This information could not be collected less frequently.

7. Special circumstances.

There are no special circumstances associated with this information collection request.

8. Compliance with 5 CFR 1320.8.

PHMSA published an Interim Final Rule (IFR) [81 FR 91860] on December 19, 2016. The effective date of the rule is January 18, 2017. The comment period ended February 17, 2017. PHMSA did not receive any comments pertaining to this information collection request.

9. Payments or gifts to respondents.

There is no payment or gift provided to respondents associated with this collection of information.

10. Assurance of confidentiality.

PHMSA does not have the authority to grant confidentiality.

11. Justification for collection of sensitive information.

The recordkeeping requirements do not involve questions of a sensitive nature.

12. Estimate of burden hours for information requested.

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| Proposed Number of Responses: 136 |
| Proposed Burden Estimate: 220 hours |

Because of the provisions of the Safety of Underground Natural Gas Storage Facilities IFR, PHMSA expects that there are 124 operators of underground natural gas storage facilities that will be added to the number of existing respondents to this information collection. In addition to the 124 newly-regulated operators, PHMSA expects to receive 12 responses, annually, from operators who must document and maintain records if they choose to deviate from any of the provisions of API RP 1170 and 1171 which are being incorporated into the Code of Federal Regulations by this rulemaking action. This results in 136 estimated responses for this information collection request.

49 CFR Part 192.12 requires operators of underground natural gas facilities to comply with the recordkeeping requirements outlined in API RP 1170 and 1171. The types of records involved would include records for design activities, construction, maintenance activities, mechanical integrity tests and repairs, and other operation activities. As these activities have been widely adopted across the industry as RPs, PHMSA expects there to be minimal incremental burden. PHMSA expects the newly-regulated 124 respondents to spend one (1) hour, annually,

maintaining the required records. This will result in an estimated burden of 124 hours for this information collection request.

49 CFR Part 192.12 also requires operators of underground natural gas storage facilities to document the justification if it plans to deviate from a provision of API RP 1170 and 1171. PHMSA expects 10 percent of the affected community (approx. 12 operators) will make these deviations each year. PHMSA believes it will take operators 8 hours to complete such documentation. This includes the time to gather and draft the information necessary for sufficiently demonstrating that compliance with a RP is not practicable and not necessary for safety with respect to specified underground storage facilities or equipment. This also includes the time necessary to have any deviation technically reviewed and documented by a subject matter expert to ensure there will be no adverse impact on design, construction, operations, maintenance, integrity, emergency preparedness and response, and overall safety; the time to have the deviation dated and approved by a senior executive officer, vice president, or higher office with responsibility of the underground natural gas storage facility; and the time to incorporate such deviations into the operator's program or procedural manual. This will result in an annual burden of 12 responses and 96 hours for the creation and maintenance of deviation records.

PHMSA estimates a total burden of 220 hours for this information collection request.

13. Estimate of total annual costs to respondents.

There is no cost burden to respondents except those identified in item 12 above.

14. Estimate of cost to the Federal Government.

Currently, 100 Federal inspectors spend an estimated 10 percent of their time reviewing records retained by gas pipeline operators. The average salary of a Federal inspector is \$67,261.5. This calculates to an estimated annual cost to the Federal Government of:

$$100 \text{ (Federal inspectors)} \times \$67,261.5 \text{ (mean salary)} \times 0.10 \text{ (time)} = \$672,615.$$

15. Explanation of program changes or adjustments.

This information collection request is due to a new collection being created to address provisions of the Safety of Underground Natural Gas Storage Facilities Interim Final Rule. Operators of underground natural gas facilities are required to make and maintain various records in accordance with API RP 1170 and 1171. 124 newly regulated entities are now required to keep records. Operators of Underground Natural Gas Storage Facilities must also document, and maintain the records of such documentation, if it plans to deviate from a provision of the Recommended Practices.

16. Publication of results of data collection.

This information will not be published.

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

PHMSA's Office of Pipeline Safety is not seeking approval to not display the expiration date.

18. Exceptions to certification statement.

There is no exception to PHMSA's certification of this request for information collection approval.