

**Supporting Statement
for
Ballast Water Management for Vessels with
Ballast Tanks Entering U.S. Waters**

[w/ proposed changes by USCG-2018-0245; RIN 1625-AC45]

OMB No.: 1625-0069

COLLECTION INSTRUMENTS: BWM Reporting forms & Instructions

A. Justification.

1) Circumstances that make the collection of information necessary.

The information is necessary to carry out the reporting requirement of Title 16 United States Code (U.S.C.) 4711, which concerns the management of ballast water to prevent the introduction of aquatic nuisance species (ANS) into United States (U.S.) waters. There are 2 elements to this collection.

First, there is a mandatory requirement imposed on an owner/operator of a vessel who enters a U.S. port after operating outside of our Exclusive Economic Zone (EEZ). The master of the vessel provides information to the Coast Guard that details the vessel operator's ballast water management (BWM) efforts [BWM Voyage reports].

Second, there is a voluntary reporting requirement to allow a vessel owner/operator to request an extension if they cannot practicably comply with the ballast water discharge standards (BWDS) compliance date applicable to their vessel. This extension provision gives flexibility to a vessel owner/operator to comply with this rule [BWDS Compliance Extension requests].

This information collection supports the following strategic goals:

Department of Homeland Security

- Protection

Coast Guard

- Protection of the Natural Resources

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

- Human and Natural Environment: Eliminate environmental damage associated with maritime transportation and operations on and around the nation's waterways.

2) Purposes of the information collection.

The purpose of the information collection is to monitor and ensure that vessels are in compliance with the Coast Guard's ballast water regulations. Info is sent by form.

3) Consideration of the use of improved information technology.

(a) BWM Voyage reports: The information may be submitted by the following methods—electronically via an on-line form or e-mail. For details, go to <http://invasions.si.edu/nbic/>.

(b) BWDS Compliance Extension requests: Extension requests must be made no later than 12 months before the scheduled implementation date listed in 33 CFR 151.1512(b) and submitted in writing to the Commandant (CG-OES), Attn: Office of Operating and Environmental Standards, U.S. Coast Guard Stop 7509, 2703 Martin Luther King Jr Ave SE, Washington, DC 20593-7509, or via e-mail to environmental.standards@uscg.mil. Extension evaluations will be on a per-vessel basis.

(a) & (b) We estimate that 100% of the reporting requirements can be done electronically. At this time, we estimate that approximately 95% of the responses are collected electronically.

4) Efforts to identify duplication.

As a result of State agencies imposing their own ballast water reporting requirements, and to alleviate redundant reporting requirements on vessels, the Coast Guard and National Ballast Information Clearinghouse (NBIC) hope to remain the single clearinghouse of BWM reporting data and will make this information directly available to State agencies who would otherwise require vessels to submit ballast water reports to them.

5) Methods to minimize the burden to small businesses if involved.

This information collection does not have a significant impact on small businesses or other small entities. This BWDS compliance extension provision will give flexibility to vessel owners and operators to comply with this rule.

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

The consequence of not collecting the information would mean that no reliable, systematic method of establishing that vessels have complied with the regulations would exist. Verbal reports would be the only method of collection, with no means to validate such information. Consequently, there would be insufficient data available to study the long-term effects of BWM. There would be no basis for future decision-making actions to reduce the threat of ANS in the United States.

7) Special collection circumstances.

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

8) Consultation.

The Coast Guard published on May 9, 2018, a Notice of Proposed Rulemaking (NPRM) entitled "Ballast Water Management—Annual Reporting Requirement" (BWM-ARR) [USCG-2018-0245; RIN 1625-AC45; 83 FR 21214]. The rulemaking proposed—

- to amend its regulations on ballast water management by eliminating the requirement for vessels operating on voyages exclusively between ports or places within a single Captain of the Port Zone to submit an Annual Ballast Water Summary Report for calendar year 2018. The Coast Guard views this current reporting requirement as unnecessary to analyze and understand ballast water management practices. This proposal would also serve to reduce the administrative burden on the regulated population of vessels which are equipped with ballast tanks.

The NPRM 30-day comment period closed on June 8, 2018.

9) Provide any payment or gift to respondents.

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

10) Describe any 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 any questions of a sensitive nature.

There are no questions of sensitive language.

12) Estimate of annual hour and cost burdens to respondents.

- The estimated annual number of respondents is 8,383.
- The estimated annual number of responses is 90,667.¹
- The estimated total hour burden is 60,961.
- The estimated annual cost burden is \$3,113,925.

The burden to respondents is provided in Appendix A. We estimate that a BWM Voyage report takes approximately 40 minutes (0.67 hours) to complete. A BWDS Compliance Extension request takes approximately 8 hours to complete. For the calculations, we use a GS-09 wage rate for the Voyage and Annual reports and a GS-12 for the compliance extension request. The wage rate used is in accordance with the current edition of COMDTINST 7310.1(series) for “Out-Government” personnel.

NOTE—The reporting and recordkeeping burdens include time to complete the information, file a log entry, and maintain and/or supply the necessary data to the Coast Guard, private researchers, and other government agencies.

13) Total annualized capital and start-up costs.

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

14) Estimates of annualized Federal Government costs.

The estimated total annual Federal Government cost is \$962,718 (see Appendix B). We estimate that a BWM Voyage takes approximately 15 minutes (0.25 hours) to review. A BWDS Compliance Extension request takes approximately 4 hours to review. For the calculations, we use a GS-07 wage rate for the Voyage and Annual reports and a GS-14 for the compliance extension request. The rates shown are 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 a PROGRAM CHANGE due to the 1625-AC458 BWM-ARR rulemaking. The Coast Guard proposes removing a reporting requirement to require vessels (with ballast tanks) operating solely on voyages among ports or places within a single COTP Zone to submit an Annual (summary) report of their BWM practices.

The BWM Voyage reporting and BWDS Compliance Extension request 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.

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

18) Exception to the certification statement.

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

¹ We estimate that of the total responses there will be 29.2 responses per year due to requests for extension for compliance with the “Standards for Living Organisms in Ships’ Ballast Water Discharged in U.S. Waters” final rule. This estimate is based on the assumption that approximately 2 percent of the total BWDS vessel population (1,459 vessels) will be requesting extension annually. The BWDS vessel population is a subset of the total respondent population for this collection.

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B. Collection of Information Employing Statistical Methods

This information collection does not employ statistical methods.