

**Supporting Statement  
for  
Requirements for Lightering of Oil and Hazardous Material Cargoes,  
and Advance Notice of Transfer**

*OMB No.: 1625-0042  
COLLECTION INSTRUMENTS: CG-4020 and Instruction*

**A. Justification**

1) Circumstances that make the collection of information necessary.

The Port and Tanker Safety Act of 1978 (Pub. L. 95-474, October 17, 1978) amended the Tank Vessel Act. The Act required the Secretary of the Department of Transportation to develop regulations for the lightering of oil and hazardous materials which take place in the navigable waters of the U.S. or the high seas if the cargo is destined for a port or place subject to the jurisdiction of the United States. The requirements of the lightering provision are in Title 33 CFR 156.200-330. The requirements for Ship-to-Ship (STS) Operations are in 33 CFR 156.400-420. The requirements for advance notice of transfer are in 33 CFR 156.118. The statutory authority is 33 U.S.C. 1225, 1231 & 1321 and 46 U.S.C. 3703, 3703a & 3715.

2) Purpose of the information collection.

The purpose of this collection is to inform the local Coast Guard Captain of the Port of the time and place of the cargo transfer and to ensure the vessels involved are in compliance with Coast Guard inspection requirements, possess a valid Certificate of Financial Responsibility, and have approved pollution response plans on file. Offshore cargo lightering involves the transfer of large volumes of oil or other hazardous substances from one vessel to another. Offshore transfers of bulk liquids between vessels are riskier than transfers to or from waterfront facilities creating a higher potential for a major spill. Additionally, shore side transfers of oil or hazardous materials can pose risks to the vessel, port facility and environment.

3) Consideration of the use of improved technology.

The information collection may be in written or electronic form. Advance are commonly given electronically by—telephone, marine radio, fax or e-mail. We estimate about 100% of the reporting requirements are done electronically.

4) Efforts to identify duplication.

There is no duplication of this information at the Federal level. The Coast Guard is the only Federal agency that collects this information from the marine industry and the public.

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

This information collection does not have an impact on small businesses or other small entities.

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

If information were collected less frequently the Coast Guard would have incomplete knowledge of vessel activity which could significantly slow response to a vessel emergency and result in increased environmental damage from oil or hazardous materials spills near environmentally sensitive areas.

7) Special collection circumstances.

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

8) Consultation.

A 60-Day Notice (See [USCG-2019-0253], April 8, 2019, 84 FR 13945) and 30-Day Notice (June 19, 2019, 84 FR 28567) was published in the *Federal Register* to obtain public comment on this collection. The Coast Guard has not received any comments on this information collection.

In the Notice we will seek specific comments on the new optional form CG-4020, 4 Hour Advance Notice of Transfer. We believe that the new form will improve communications and enhance information exchange accuracy. The optional form provides a facility representative with a simple means of complying with the existing advance notice of transfer requirements in 33 CFR 156.118.

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.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 7,300.
- The estimated annual number of responses is 8,300.
- The estimated annual hour burden is 985 hours.
- The estimated annual cost burden is \$52,205.

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

We estimate it takes about 10 minutes (0.167 hours) for a vessel crewmember to notify the Coast Guard about a lightering or STS transfer operation. We estimate it takes about 6 minutes (0.1 hours) for a facility representative to make an advance notice of a transfer. The position of a vessel crewmember or facility representative is analogous to a GS-09.

13) Estimates of 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 Federal Government costs.

The annualized Federal Government cost estimate is \$177,550 (see Appendix B). We estimate that it takes about 30 minutes (0.5 hours) for Chief Petty Officer (E-7) to receive and process offshore lightering or STS Operation information. We estimate that it takes about 15 minutes (0.25 hours) for Chief Petty Officer (E-7) to receive and process an advance notice of transfer. The wage rate used is in accordance with the current edition of COMDTINST 7310.1(series) for "In-Government" personnel.

15) Explain the reasons for the change in burden.

The change in burden is due to both a PROGRAM CHANGE and an ADJUSTMENT. The PROGRAM CHANGE is an increase due to the new optional form CG-4020, 4 Hour Advance Notice of Transfer. The ADJUSTMENT is a change (i.e., increase) in the estimated annual number of responses. The reporting requirements, and the methodology for calculating burden, remain unchanged.

With the addition of this new optional form, we request an ICR title change from “Requirements for Lightering of Oil and Hazardous Material Cargoes” to “Requirements for Lightering of Oil and Hazardous Material Cargoes, and Advance Notice of Transfer.”

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.

**B. Collection of Information Employing Statistical Methods**

This information collection does not employ statistical methods.