

DEPARTMENT OF TRANSPORTATION
INFORMATION COLLECTION

SUPPORTING STATEMENT

“Hazardous Liquid Operator Notifications”
OMB Control No. 2137-0630
Docket PHMSA-2010-0229

INTRODUCTION

The Pipeline and Hazardous Materials Safety Administration (PHMSA) requests approval from the Office of Management and Budget (OMB) of a new information collection entitled, “Hazardous Liquid Operator Notifications”. The development of this information collection is necessary due to the following PHMSA action that will trigger components of the Paperwork Reduction Act:

Docket No. PHMSA-2010-0229 - Pipeline Safety: Safety of Hazardous Liquid Pipelines

- Adds 100 Responses and 25 Hours for notifications made to PHMSA following extreme weather events.
- Adds 10 Responses and 100 Hours for Non-ILI Notifications

Part A. Justification

1. Circumstances that make the collection of information necessary.

The Pipeline Safety: Safety of Hazardous Liquid Pipelines Final Rule, requires owners and operators of hazardous liquid pipelines to notify PHMSA following an extreme weather event if they are unable to assess the safety of their pipelines. Following an extreme weather event such as a hurricane or flood, an earthquake, landslide, a natural disaster, or other similar events that have the likelihood of damage to infrastructure, an operator must inspect all potentially affected pipeline facilities to detect conditions that could adversely affect the safe operation of that pipeline. The inspection must commence within 72 hours of the extreme weather event. If the operator is unable to commence the inspection due to the unavailability of personnel or equipment, the operator must notify the appropriate PHMSA Region Director as soon as practicable.

49 CFR 195.452 requires operators of hazardous liquid pipelines that cannot accommodate an in-line inspection tool to file a petition in compliance with 49 CFR 190.9. Operators must demonstrate that their pipeline is not capable of accommodating an in-line inspection tool and that the use of an alternative assessment method will provide a substantially equivalent understanding of the condition of the pipeline.

This information collection promotes the US DOT's Safety Strategic Goals. The PHMSA delegation of authority is found in 49 CFR 1.97 which allows for PHMSA to exercise the authority vested in the Secretary in under Chapter 601 of title 49, U.S.C.

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

The information collection provides PHMSA with the information necessary to hold operators accountable for assessing the integrity of their pipelines. PHMSA will use the information provided in the notifications to identify potential risks to pipeline safety in those areas.

3. Extent of automated information collection

PHMSA allows operators to send notifications electronically.

4. Describe efforts to identify duplication

There is no duplication, as the information collected is unique to specific situations.

5. Efforts to minimize the burden on small businesses.

The burden has been made as simple as possible. PHMSA expects impacted operators to be large and small businesses. For PHMSA to be able to effectively carry out its mission and monitor overall pipeline safety, it is essential that both large and small operators of pipelines comply with the associated directives.

6. Impact of less frequent collection of information.

It is not possible to conduct the collection less frequently and still ensure the necessary level of safety to life and property inherent in transporting hazardous materials. Without this information, PHMSA would not be able to adequately assess potential risks associated with hazardous liquid pipelines that may have been damaged during extreme weather events. These pipelines could potentially be detrimental to the pipeline safety and the protection of the environment. Therefore, less frequent information collection could compromise the safety of the U.S. pipeline system and the environment.

7. Special Circumstances.

The information collection contains no special circumstances.

8. Compliance with 5 CFR 1320.8(d).

PHMSA issued a Notice of Proposed Rulemaking (NPRM) on October 13, 2015 (80 FR 61610). The comment period ended on January 8, 2016.

9. Payment 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 guarantee confidentiality.

11. Justification for collection of sensitive information.

This information collection does not involve questions of a sensitive nature.

12. Estimate of burden hours for information requested.

110 Annual Responses and 125 Annual Burden Hours

IC	Responses	Burden Per Response	Total Burden
Extreme Weather Condition Notifications	100	0.25 hours	25 hours
Non-ILI Notifications	10	10 hours	100 hours
Total	110 annual responses		125 annual burden hours

Following an extreme weather event, if the operator is unable to commence inspection of a pipeline due to the unavailability of personnel or equipment, the operator must notify the appropriate PHMSA Region Director as soon as practicable. PHMSA expects to receive 100 of these notifications annually. PHMSA believes it will take operators 15 (0.25 hours) minutes to make this notification and send it to the Regional Director electronically. Therefore, the annual burden estimate for this information collection is 100 responses and 25 hours (100 operators x .25 hours).

49 CFR 195.452 requires operators of hazardous liquid pipelines that cannot accommodate an in-line inspection tool to file a petition in compliance with 49 CFR 190.9. Operators must demonstrate that their pipeline is not capable of accommodating an in-line inspection tool and that the use of an alternative assessment method will provide a substantially equivalent understanding of the condition of the pipeline. PHMSA estimates that operators will submit approximately 10 notifications each year regarding these conditions. Further, PHMSA estimates

that each notification will take 10 hours, which includes the time to assemble the necessary information to demonstrate that the pipeline is not capable of accommodating an ILI tool and specify that the alternative assessment method will provide a substantially equivalent understanding of the pipeline. This new provision will result in a burden increase of 10 responses and 100 burden hours.

13. Estimate of the total annual costs burden.

Notifications are assumed to be made by a senior engineer. Based on the industry-specific occupational and wage estimates provided by the U.S. Department of Labor's Bureau of Labor Statistics, median hourly wage of an engineering manager (for NAICS 486000 – pipeline transportation)^a is estimated as \$77.50. Using an estimated fringe benefit of approximately 35 percent, the notification requirements for pipeline operators are prepared at the average rate of \$104.63 per hour. Therefore, the cost burden associated with this information collection is estimated to $\$104.63 \times 125 \text{ hours} = \$13,078.75$.

14. Estimates of costs to the Federal Government

There is no additional cost to the Federal Government associated with this information collection.

15. Explanation of the program change or adjustments.

The Pipeline Safety: Safety of Hazardous Liquid Pipelines final rule requires owners and operators of hazardous liquid pipelines to notify PHMSA when they are unable to assess their pipelines within 72 hours of an extreme weather event. Hazardous Liquid pipeline operators are also required to file a petition with PHMSA when they are unable to assess their pipelines with an in-line inspection tool.

16. Publication of results of data collection.

This information will not be published for statistical purposes.

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

PHMSA is not seeking such approval.

18. Exceptions to the certification statement.

There is no exception.

^a https://www.bls.gov/oes/current/naics3_486000.htm