

Supporting Statement
1014-AA49, High Pressure High Temperature (HPHT)
30 CFR 250, Subpart B, Plans and Information
OMB Control Number 1014-NEW
Expiration Date: ??/??/????

Terms of Clearance: None

General Instructions

A completed Supporting Statement 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

A. 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), authorizes the Secretary of the Interior to prescribe rules and regulations necessary for the administration of the leasing provisions of that act related to mineral resources on the OCS. Such rules and regulations will apply to all operations conducted under a lease, right-of-use and easement, or unit. Operations on the OCS must preserve, protect, and develop oil and natural gas resources in a manner that is consistent with the need to make such resources available to meet the Nation's energy needs as rapidly as possible; to balance orderly energy resource development with protection of human, marine, and coastal environments; to ensure the public a fair and equitable return on the resources of the OCS; and to preserve and maintain free enterprise competition.

In addition to the general rulemaking authority of the OCSLA at 43 U.S.C. 1334, section 301(a) of the Federal Oil and Gas Royalty Management Act (FOGRMA), 30 U.S.C. 1751(a), grants authority to the Secretary to prescribe such rules and regulations as are reasonably necessary to carry out FOGRMA's provisions. While the majority of FOGRMA is directed to royalty collection and enforcement, some provisions apply to offshore operations. For example, section 108 of FOGRMA, 30 U.S.C. 1718, grants the Secretary broad authority to inspect lease sites for the purpose of determining whether there is compliance with the mineral leasing laws. Section 109(c)(2) and (d)(1), 30 U.S.C. 1719(c)(2) and (d)(1), impose substantial civil penalties for failure to permit lawful inspections and for knowing or willful preparation or submission of false, inaccurate, or misleading reports, records, or other information. Because the Secretary has delegated some of the authority under FOGRMA to BSEE, 30 U.S.C. 1751 is included as additional authority for these requirements.

The Independent Offices Appropriations Act (31 U.S.C. 9701), the Omnibus Appropriations Bill (Pub. L. 104-133, 110 Stat. 1321, April 26, 1996), and OMB Circular A-25, authorize Federal agencies to

recover the full cost of services that confer special benefits. Under the Department of the Interior's implementing policy, the Bureau of Safety and Environmental Enforcement (BSEE) is required to charge fees for services that provide special benefits or privileges to an identifiable non-Federal recipient above and beyond those which accrue to the public at large. Deepwater Operations Plans are subject to cost recovery, and BSEE regulations specify a service fee for this request.

Regulations implementing these responsibilities are under 30 CFR Part 250, Subpart B, and are among those delegated to BSEE. This request also covers any related Notices to Lessees and Operators (NTLs) that BSEE issues to clarify, supplement, or provide additional guidance on some aspects of our regulations.

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.

Post-Approval Requirements for the EP, DPP, and DOCD: While the information is submitted to BOEM, BSEE analyzes and evaluates the information and data collected under this section of subpart B to verify that an ongoing/completed OCS operation is/was conducted in compliance with established environmental standards placed on the activity.

Deepwater Operations Plan (DWOP): BSEE analyzes and evaluates the information and data collected under this section of subpart B to ensure that planned operations are safe; will not adversely affect the marine, coastal, or human environment; and will conserve the resources of the OCS. We use the information to make an informed decision on whether to approve the proposed DWOPs, or whether modifications are necessary without the analysis and evaluation of the required information.

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, the information BSEE obtains from BOEM is received electronically – approximately 70 percent, with the remaining consisting of raw sonar survey data, remotely-operated vehicle (ROV) video, geographic information system (GIS) files, and photographs/images of such size that though electronic, the information is required to be submitted on DVDs, external hard drives, and other high-volume data storage devices. However, since the high-volume devices are the standard transfer tools for such data, it would not present any additional burden.

Deepwater Operations Plan (DWOP): Currently, 100 percent of all information is submitted electronically. BSEE has implemented an internet-based system called the Technical Information Management System (TIMS Web) (<http://timsweb.bsee.gov>) that provides a tool for conducting business with BSEE electronically. The eDWOP component of TIMS Web provides owners and operators a means to submit and track applications for DWOP. The eDWOP system is like the electronic well permitting and reporting system referred to as eWell.

The use of this electronic system replaces the need to submit duplicate copies of an application in hard-copy format. This electronic submittal system provides a better means of submitting, reviewing, and

approving DWOP applications.

However, because of the various types of information submitted with the plans (drawings, spreadsheets, etc.), some of the submissions may not readily lend itself to electronic commerce. In some instances, paper copies of the non-proprietary information submitted in the plans and accompanying information may continue to be necessary for review by States, local governments, and the public; therefore, we also receive one hard (paper) copy.

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.

The information collected is unique to the proposed operations. If information has already been submitted and is readily available to BSEE, respondents may simply reference the earlier submission. As related to DWOPs, if changes to plans are necessary or required, only information related to the required changes must be resubmitted.

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

This collection of information could have a significant economic effect on a substantial number of small entities. Any direct effects primarily impact the OCS lessees and operators. However, many of the OCS lessees and operators have less than 500 employees and are considered small businesses as defined by the Small Business Administration. The information contained in environmental monitoring plans and reports is necessary for BSEE's mission to verify industry's compliance with applicable environmental standards. The information contained in a DWOP is necessary for our approval of industry's deep-water drilling, and as such, we cannot reduce the burden.

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 BSEE did not collect the information, we could not carry out the mandates of the OCS Lands Act, as amended, that specifies that exploration, development, or production activities on the OCS may not be conducted until comprehensive plans are submitted and approved and that OCS operations are monitored/reviewed for compliance with all applicable regulations, terms, and conditions. Extensive data and information are necessary to make informed decisions on whether to approve OCS plans or require appropriate changes (DWOPs) and conduct the necessary level of analyses to confirm environmental compliance or recommend enforcement. The information is dependent only upon the activities of the respondents; therefore, the frequency of collection is not applicable nor an issue.

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 also necessary that respondents retain data and information longer than 3 years. Much of the supporting information is to be retained for the duration of the project. However, this type of information is such that respondents would be very unlikely to dispose of it sooner. It contains valuable background data and analyses that they would not want to have to duplicate should it be needed during the life of the development and production project. We consider the burden only to make the information available to BSEE if necessary.

(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 1320.11(d), BSEE is providing the initial 60-day review and comment process through the preamble of the proposed rulemaking. BSEE will address in the preamble to the final rulemaking any comments received and make necessary adjustments where applicable. No individual respondents were contacted due to the proposed rulemaking nature of the collection.

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

BSEE will not provide payment or 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.

BSEE will protect any confidential commercial or proprietary information according to the Freedom of Information Act (5 U.S.C. 552) and DOI's implementing regulations (43 CFR 2); section 26 of OCSLA (43 U.S.C. 1352); 30 CFR 250.197, *Data and information to be made available to the public or for limited inspection*; and 30 CFR part 252, *OCS Oil and Gas Information Program*.

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.

This collection does not include questions of a sensitive nature.

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.

Potential respondents include Federal OCS oil, gas, and sulphur lessees and operators. Currently there are approximately 60 Oil and Gas Drilling and Production Operators in the OCS. Not all the potential respondents will submit information in any given year, and some may submit multiple times. 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 and are based on informal discussions with the listed respondents in Section A.8. Submissions are generally on occasion, and responses are mandatory or are required to obtain or retain a benefit. We estimate the total annual burden is 36,043 hours. Refer to the following table for a breakdown of the burdens.

BURDEN BREAKDOWN

Citation 30 CFR 250 Subpart B and NTLs	Reporting & Recordkeeping Requirement	Hour Burden	Average No. of Annual Responses Annual	Burden Hours
		Non-Hour Cost Burdens		
General Information				
200 thru 295	General departure and alternative compliance requests not specifically covered elsewhere in subpart B regulations.	Burden covered under 1014-0022.		0
201 thru 295	Submission of plans, documents/information with applicable permit (NUT Conceptual Plans, NUT Barrier CP, Project CP, and DWOP); any additional information required by Reg. Sup.	Burden included with specific requirements below.		0
Post-Approval Requirements for the EP (Exploration Plan), DPP (Development and Production Plan), Deep Water Operations Plan (DWOP), and DOCD (Development Operation Coordination Document) [for BSEE apps/permits which include drilling, workovers, production, pipelay, facility installation, and decommissioning, etc.]				
210	Retain monitoring data/information; make available to BSEE if requested.	.5	2 retentions	1
	Submit monitoring plan for approval	.5	2 plans	1
	Submit monitoring reports and data.	5	2 reports	10
211	Notify Reg. Sup. w/in 30-days of new or unusual technology (NUT) failure; provide written report including findings of root cause analysis.	200	2 reports	400
			\$23,608 I3P x 2 reports = \$47,216	
Deepwater Operations Plan (DWOP) PROCESS				
221(b)	Contact the Reg. Sup. for guidance if you are unsure if your project contains subsea tieback development technology or NUT.	15 min	25 inquiries	6
226	Submit Project Conceptual Plan for approval.	2	8 plans	16
			\$2,510 Fee x 8 plans = \$20,080	
	Submit NUT Conceptual Plan for approval.	1	10 plans	10
			\$32,611 Fee x 10 plans = \$326,110	
Submit NUT Barrier Conceptual Plan for approval.	1	13 plans	13	
		\$71,570 Fee x 13 plans = \$930,410		
227; 226; 204	Submit w/Project Conceptual Plan, an explanation of the general design basis and philosophy, and all required information, including but not limited to: overviews, system control type, distances, confirmations, installation information, modification statements, schedules, schematics, estimated pressures or discussion of PVT, temperature ratings, the pay.gov confirmation receipt and any additional information required.	40	8 plans	320
			\$4,722 I3P costs x 8 plans = \$37,776	
228; 226; 204	Submit w/NUT Conceptual Plan, all required information, including but not limited to: descriptions, discussions, demonstrations, inspection and testing capabilities, risk assessment, operating procedures, history of the technology, design verifications/testing, schematics, justifications, certifications, list alternative compliance procedures / departures, and any additional information required. Use of an I3P if required, Contact Reg. Sup., for questions related to I3P verifications, the pay.gov confirmation receipt and any additional information required.	360	10 plans	3,600
			\$67,613 I3P costs x 10 plans = \$676,130	

Citation 30 CFR 250 Subpart B and NTLs	Reporting & Recordkeeping Requirement	Hour Burden	Average No. of Annual Responses Annual	Burden Hours
		Non-Hour Cost Burdens		
229; 226; 204	Submit w/NUT Barrier Conceptual Plan, all required information, including but not limited to: diagrams, lists of barriers, engineering standards, alternative compliance procedures / departures, functional requirements, descriptions, I3P nomination and verification plan, I3P reports certification statements, the pay.gov confirmation receipt and any additional information required.	720	13 plans	9,360
			\$227,363 I3P costs x 13 plans = \$2,955,719	
230	Submit I3P nomination capable to certify and verify documentation, I3P must be technical class. Society, licensed PE firm, or registered PE. Make all documentation and equipment available to I3P.	30 min	17 nominations	9
231(a)	I3P must review information of the applicable equipment and/or system; including but not limited to basis of design, technical specs., & function requirements, etc., all required info.	980	17 submissions	16,660
231(b); 232	Submit report documenting each review covered under 250.231(a). Report must identify all OEM and Operator documents reviewed.	30 min	119 reports	60
231(c), (d); 232	Submit a final report summarizing the review requirements, including equipment and/or system's technical specifications, including certification statement and verification of equipment's technical specifications.	30 min	17 reports	9
235; 236; 237; 238; 239; 240; 241, 242, 243; 204; 732(c)	Submit DWOP for approval; include all required information, and the pay.gov confirmation receipt.	214	5 plans	1,070
			\$13,907 Cost Recovery Fee x 5 plans = \$69,535	
			\$25,024 I3P costs x 5 plans = \$125,120	
245	Submit a combined Conceptual Plan/DWOP for approval on or before deadline for submitting Conceptual Plan.	214	2 plans	428
			\$8,959 Cost Recovery Fee x 2 plans = \$17,918	
246	Submit a revised Conceptual Plan or DWOP	40	2 plan revisions	80
			\$896 Cost Recovery Fee x 2 plan revs. = \$1,792	
247 248	Submit supplements to DWOP reflecting additions or changes; include same information for wells or equipment as required per Conceptual Plan and DWOP, information for each Conceptual Plan or DWOP section being impacted, and the pay.gov confirmation receipt.	133	30 supp.	3,990
			\$8,959 Cost Recovery Fee x 30 supp. = \$268,770	
			\$15,581 I3P costs x 30 submissions = \$467,430	
Total for Subpart B			304 responses	36,043 Burden hours
			\$5,944,006 Non-hour Cost Burdens	

(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 be included under “annual Cost to the Federal Government.”

The average respondent cost is \$126/hour. This cost is broken out in the following table using the Society of Petroleum Engineers (SPE) data dated November 2020. See SPE document/website: <https://www.spe.org/en/industry/oil-and-gas-salary-survey/>

Position	Hourly Pay rate (\$/hour estimate)	Hourly rate including benefits (1.4* x \$/hour)	Percent of time spent on collection	Weighted Average (\$/hour/rounded)
Non-Engineering Technical	\$62.67	\$87.74	24%	\$21.06
HSE Engineer	\$101.63	\$142.28	31%	\$44.11
Production Engineer	\$96.56	\$135.18	45%	\$60.83
Weighted Average (\$/hour)				\$126

*A multiplier of 1.4 (as implied by BLS news USDL-21-1094, June 17, 2021, (see <http://www.bls.gov/news.release/ecec.nr0.htm>)) was added for benefits.

Based on a cost factor of \$126 per hour, we estimate the hour burden as a dollar equivalent to industry is \$4,541,418 (\$126 x 36,043 hours = \$4,541,418).

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 reflect in Item 12).

(a) The cost estimate should be split into two components: (1) a total capital and start-up cost component (annualized over its expected useful life) and (2) 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.

We have identified 13 non-hour cost associated with this IC:

Requirement	Non-Hour Costs	Cost per submission	Estimated No. of Submissions	Total Non-hour Costs Burden
211	Independent Third Party (I3P)	\$23,608	2 reports	\$47,216
226	Project Conceptual	\$2,510	8 plans	\$20,080

	Plan.			
	NUT Conceptual Plan.	32,611	10 plans	\$326,110
	NUT Barrier Conceptual Plan.	\$71,570	13 plans	\$930,410
227; 226; 204	I3P – Project Conceptual Plan	\$4,722	8 plans	\$37,776
228 ; 226; 204	I3P – NUT Conceptual Plan	\$67,613	10 plans	\$676,130
229 ; 226; 204	I3P – NUT Barrier Conceptual Plan	\$227,363	13 plans	\$2,955,719
235; 236 ; 237; 238; 239; 240; 241, 242 , 243 ; 204 ; 732(c)	Cost Recovery fee + I3P - Deep Water Operations Plan (DWOP)	\$13,907 – CR fee \$25,024 – I3P	5 plans	\$69,535 \$125,120
245	Cost Recovery Fee - combined Conceptual Plan/DWOP	\$8,959	2 plans	\$17,918
246	Cost Recovery Fee - revised Conceptual Plan/DWOP	\$896	2 plan revs.	\$1,792
247 248	Cost Recovery fee + I3P – Supplements to DWOP	\$8,959 – CR fee \$15,581 – I3P	30 submissions	\$268,770 \$467,430
Total Non-Hour Costs Burdens:				\$5,944,006

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.

The average government cost is \$84/hour. This cost is broken out in the below table using the current Office of Personnel Management salary data for the REST OF THE UNITED STATES (<http://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/>).

Position	Grade	Hourly Pay rate (\$/hour estimate)	Hourly rate including benefits (1.6* x \$/hour)	Percent of time spent on collection	Weighted Average (\$/hour)
Petroleum Engineer	GS-13/5	\$50.04	\$80.06	75%	\$60.05
Supv. Petroleum Engineer	GS-14/5	\$59.13	\$94.61	25%	\$23.65
Weighted Average (\$/hour)					\$84

*A multiplier of 1.6 (as implied by BLS news release USDL-21-1094, June 17, 2021 (see <http://www.bls.gov/news.release/ecec.nr0.htm>)) was added for benefits.

To analyze and review the information required by 30 CFR 250, Subpart B, we estimate the government will spend an average of 1 hour for each hour spent by respondents for a total of 36,043 burden hours.

Based on a cost factor of \$84 per hour, we estimate the hour burden as a dollar equivalent annualized cost to the Government is \$3,027,612 (36,043 hours x \$84 = \$3,027,612).

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

BSEE is requesting a new OMB Control Number for this rulemaking; however, once this proposed rule becomes effective, we will move all burden into our current OMB control number 1014-0024. The current OMB inventory for 1014-0024 (30 CFR Part 250, subpart B – Plans) information collection includes 44,458 burden hours; although, we are in the middle of the renewal cycle. The renewal cycle package is requesting an adjustment decrease in burden hours of 22,000 for a total hour burden of 22,458. The adjustment decrease is due to receiving half the number of plans BSEE received from the previous cycle. This proposed rulemaking is a complete rewrite of 30 CFR Part 250, subpart B and is requesting a total hour burden of 36,043, a program increase of 13,585 burden hours due to new requirements being added.

BSEE is requesting a total of \$5,944,006 in Non-hour costs burdens. Once this proposed rule becomes effective, we will move all non-hour costs to 1014-0024. The current OMB non-hour cost burden inventory for 1014-0024 is \$68,381 and due to the renewal cycle is requesting an adjustment decrease of \$35,990 for a total of \$32,391. The decrease is due to receiving almost half the plans BSEE received from the previous renewal cycle. This proposed rulemaking is adding 13 new non-hour costs burdens as shown in 13(c).

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 control number and approved expiration date.

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

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.”