

Department of Transportation
Office of the Chief Information Officer

Supporting Statement

Pipeline Safety: Transportation of Hazardous Liquids by Pipeline: Recordkeeping and
Accident Reporting
OMB Control No. 2137-0047
Docket No. PHMSA-2019-0141

INTRODUCTION

The Pipeline and Hazardous Materials Safety Administration (PHMSA) requests approval from the Office of Management and Budget (OMB) for a revision of a currently approved collection entitled “Pipeline Safety: Transportation of Hazardous Liquids by Pipeline: Recordkeeping and Accident Reporting” (OMB Control No. 2137-0047). The current expiration date for this information collection is January 31, 2023. The amendments to this information collection will:

- Add 812 burden hours for accident reporting

Part A. Justification

1. Circumstances that make collection of information necessary.

Hazardous liquid pipeline operators must keep records to ensure that their pipelines are operated safely. Operators must also report accidents. This information collection promotes the U.S. DOT’s Safety and Environmental Strategic Goals by identifying areas which would benefit from targeted regulatory actions to decrease incidents involving hazardous liquid low-stress lines.

The requirements for incident reporting and recordkeeping are found in 49 CFR Part 195. 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 the information is to be used.

The information collection provides PHMSA with the information necessary to evaluate the risk posed by these lines. PHMSA will use the information provided in the reports to more accurately assess the risks to pipeline infrastructure, understand emerging safety related trends, and identify opportunities for improving the regulatory system for rural low-stress pipelines.

3. Extent of automated information collection.

PHMSA's Hazardous Liquid Accident Reports may be submitted electronically on-line on the PHMSA website. PHMSA encourages the use of electronic technology. PHMSA expects at least 95 percent of data collection and reporting to be completed electronically.

4. 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 legislative mandate and monitor overall pipeline safety, it is essential that both large and small operators of pipelines provide incident reports.

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. PHMSA would not be able to adequately assess potential risks associated with these pipelines, which 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.

This collection of information is generally conducted in a manner consistent with the guidelines in 5 CFR 1320.5(d)(2). There are three anticipated potential special circumstances regarding information collection: (1) A special circumstance could occur if an operator has more than one low-stress pipeline incident or accident within an officially recognized business quarter; (2) An operator may have an accident or incident in the same quarter as their annual report is submitted; and (3) More than a single safety-related condition within a single business quarter is also possible. Operators' safety measures and vigilance can avoid such circumstances. As such, PHMSA does not mandate information collection occur twice within a single quarter.

8. Compliance with 5 CFR 1320.8.

PHMSA issued a Notice of Proposed Rulemaking (NPRM) on March 9, 2020 (85 FR 13700). The comment period ended on May 8, 2020. In response to the March 9, 2020, Federal Register notice and request for comment, PHMSA received comments from the Institute for Policy Integrity at New York University School of Law (Policy Integrity), from the American Petroleum Institute (API), and the Association of Oil Pipe Lines (AOPL). Comments recommending changes, organized by topic area, were summarized and addressed in the 30-Day Notice.

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 guarantee confidentiality, however, the reporting and recordkeeping requirements of this information collection do not include anything of a sensitive nature or of any matters considered private.

11. Justification for collection of sensitive information.

The reporting and recordkeeping requirements of this information collection do not involve questions of a sensitive nature.

12. Estimate of burden hours for information requested.

- Currently Approved Responses: 1,232 Currently Approved Hours: 52,429 hours
- Estimated Annual Responses: 1,644 Estimated Burden Hours: 52,692 hours

IC	Responses	Burden Per Response	Total Burden
Haz Liquid Accident Report	406	12 hours	4,872 hours
Haz Liquid Recordkeeping	335	136.25 hours	45,647 hours
Safety Data Sheet Notifications	406	0.5 hours	203 hours
<u>Written Plans for Telephonic Notification of HL Accidents</u>	447	6 hours	2,682 hours
IBR of Industry Standard on Leak Detection	50	2 hours	100 hours
Total	1,644 annual responses		53,504 annual burden hours

PHMSA estimates that this revision will add 812 burden hours for new accident reporting requirements as detailed below.

Burden for Accident Reporting (PHMSA Form 7000-1 and PHMSA Form 7000-2):

Previously Approved burden: 406 responses and 4,060 burden hours
Added Burden: 0 responses and 812 burden hours (revision)
Estimated total burden: 406 responses and 4,872 burden hours

PHMSA is proposing to revise the form and instructions for PHMSA F7000-1 Accident Report - Hazardous Liquid Pipeline Systems for editorial and clarification purposes and to collect additional data. Details regarding the changes are outlined in Question 15 below.

Accident reporting occurs on occasion. Currently, PHMSA estimates that 406 Hazardous Liquid Accident Report forms are submitted each year with operators spending, on average, 10 hours to complete each report. While this revision does not add any new reports to the currently-approved burden, it gives operators an extra two hours to complete each report to account for the additional questions. This results in an added burden of 812 hours for accident reporting. **The overall total burden estimate for accident reporting is now 406 responses and 4,872 burden hours.**

Burden for Hazardous Liquid Recordkeeping Requirements:

Previously approved burden: 335 responses and 45,647 burden hours
Added burden: 0 responses and 0 burden hours (no change)
Estimated total burden: 335 responses and 45,647 burden hours

Previously, PHMSA estimated that 335 HL operators spend 45,647 hours maintaining records. This equates to approximately 136.26 hours per operator. PHMSA is not requesting any change to this portion of the information collection.

Burden for Safety Data Sheet Notifications:

Previously approved burden: 0 responses and 0 burden hours (new requirement)
Added burden: 406 responses and 203 burden hours
Estimated total burden: 406 responses and 203 burden hours

Operators of hazardous liquid pipeline facilities, following accidents that result in hazardous liquid spills, are required to provide safety data sheets on those spilled hazardous liquids to the designated Federal On-Scene Coordinator and appropriate State and local emergency responders within 6 hours of a telephonic or electronic notice of the accident to the National Response Center. PHMSA expects hazardous liquid operators to file approximately 406 accident reports per year. This will result in an added burden of 406 new notifications per year. PHMSA expects that it will take operators 30 minutes to conduct the required task. **This will result in an added burden of 406 responses and 203 (406 x 0.5 hours per response) burden hours for safety data sheet notifications.**

Burden for Written Plans for Telephonic Notification of HL Accidents:

Previously approved burden: 447 responses and 2,682 burden hours
Added burden: 0 responses and 0 burden hours (no change)
Estimated total burden: 447 responses and 2,682 burden hours

49 CFR 195.52 (c) requires operators to have a written procedure to calculate and provide reasonable initial estimate of the amount of released product whenever there is a reportable accident as described in 49 CFR 195.50.

PHMSA assumes that approximately 335 HL pipeline operators will be impacted by the requirement for operators to have and use a procedure to calculate and report a reasonable initial estimate of released product. Since these operators submit 447 annual reports, PHMSA estimates that each report represents a separate facility and therefore, a separate procedure. PHMSA estimates that it will take approximately 6 hours to develop and maintain each procedure on an annual basis. The total burden will be approximately 2,682 hours (447 * 6) each year.

Burden for IBR of Industry Standard on Leak Detection:

Previously approved burden: 50 responses and 100 burden hours

Added burden: 0 responses and 0 burden hours (no change)

Estimated total burden: 50 responses and 100 burden hours

49 CFR 195.444 requires operators of Hazardous Liquid pipelines to comply with API RP 1130 which was incorporated by reference into the Pipeline Safety Regulations in 49 CFR 195.3. This standard requires recordkeeping activities that pertain to computational pipeline monitoring (CPM) leak detection systems.

PHMSA estimates that there are 50 operators in the U.S. using CPM systems. PHMSA expects there to be 50 respondents and 50 responses annually. Each of these responses will require approximately 2 hours of an engineer's time to prepare and record the CPM test results for an overall industry burden of 100 hours (50 responses x 2 hours) for to this information collection.

The revised overall burden estimate for this information collection is 1,644 responses and 53, 504 burden hours.

13. Estimate of total annual costs to respondents.

Accident reports are assumed to be filled out 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)¹ is estimated as \$77.50. Using an estimated fringe benefit of approximately 35 percent, the accident reporting requirements for pipeline operators are prepared at the average rate of \$104.63 per hour.

The cost burden associated with this information collection is estimated to \$104.63 x 53,504 hours = \$5,598,123.52.

¹ https://www.bls.gov/oes/current/naics3_486000.htm

14. Estimate of cost to the Federal government.

PHMSA spends an estimated cost of \$61,325 to operate and maintain this information collection. Operations and maintenance includes PRA compliance, interface improvements, database management, planning, revisions, and customer service.

	Monthly Average (Hrs)	Hourly Rate	Annual Hours	Total Costs
Salary Costs	2	\$38.82/hr	24	\$930
Contracting Costs Haz. Liquid Accident Forms	39	\$128.50/ hr	470	\$60,395
TOTAL				\$61,325

15. Explanation of program changes or adjustments.

PHMSA is revising the form and instructions for PHMSA F7000-1 Accident Report - Hazardous Liquid Pipeline Systems for editorial and clarification purposes and to collect additional data. The revisions include:

- Reorganizing existing questions to display the sequence of operator actions and interactions as the incident proceeds.
- Adding questions about initial actions the operator took to control the flow of products to the failure location.
- Modifying the selections for the item that failed in an effort to reduce the number of times “other” is selected and allow a more meaningful analysis of the data.
- Adding data about exemptions from state damage prevention laws when the cause of the incident is excavation damage.
- Adding two less severe categories of injury to the forms to enable a more thorough determination of the consequences of the incident.
- Collecting data on the number of relief valve lifts and compressor station emergency shutdown (ESD) events that occurred within a calendar year
- Updating the Excavation Damage section to be consistent with recent changes in the Common Ground Alliance Damage Information Reporting Tool.
- Collecting data about contributing factors in line with a recommendation made by NTSB in a January 2015 safety study report (<http://www.nts.gov/safety/safety-studies/Documents/SS1501.pdf>).

PHMSA expects that these changes will result in additional time being needed to complete each accident report. PHMSA has increased the burden for this report from 10 hours to 12 hours per report. This result in an overall burden increase of 812 hours as detailed in Question 12 above.

16. Publication of results of data collection.

The results of the accident reports will be summarized and posted on PHMSA's website.

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

PHMSA 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.