

**Department of Transportation
Office of the Chief Information Officer**

**Supporting Statement
Pipeline Safety: Public Awareness Program
OMB Control No. 2137-0622
Docket No. PHMSA-2017-0152**

Introduction

The Pipeline and Hazardous Materials Safety Administration (PHMSA) requests approval from the Office of Management and Budget (OMB) for the revision of an approved information collection entitled, "Pipeline Safety: Public Awareness Program," OMB Control No. 2137-0622, which is currently due to expire on November 30, 2024.

The revision of this information collection is necessary due to the following PHMSA action that will affect the current information collection burden:

Docket No. PHMSA-2017-0152 - Pipeline Safety: Unusually Sensitive Areas for the Great Lakes, Coastal Beaches, and Certain Coastal Waters

- **Adds 4 responses and 46 burden hours for recordkeeping requirements.**

Part A. Justification.

1. Circumstances that make collection of information necessary.

Current regulations require pipeline operators to develop and implement public awareness programs based on the provisions of the American Petroleum Institute's (API's) Recommended Practice RP-1162, Public Awareness Programs for Pipeline Operators.

Public awareness and understanding of pipeline operations is vital to the continued safe operation of pipelines. Pipeline operator public awareness programs are an important factor in establishing communications and providing information necessary to enhance public understanding of how pipelines function and the public's role in promoting pipeline safety.

Upon request, operators must submit their completed programs to the Pipeline and Hazardous Materials Safety Administration (PHMSA) or, in the case of an intrastate pipeline facility operator, the appropriate State agency. The operator's program documentation and evaluation results must also be available for periodic review by appropriate regulatory agencies.

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

Natural gas and hazardous liquid pipeline operators must develop and implement a written continuing public education program that follows the guidance provided in the American Petroleum Institute's Recommended Practice (RP) 1162. Upon request, operators must submit

their completed programs to PHMSA or, in the case of an intrastate pipeline facility operator, the appropriate State agency. The operator's program documentation and evaluation results must also be available for periodic review by appropriate regulatory agencies according to 49 CFR Parts 192.616 and 195.440.

This information will be used by PHMSA to evaluate compliance with the standards. Effective public awareness programs can increase awareness of the risks caused by unintentional pipeline releases and their impact on the public and the environment. Public awareness programs help outline the steps that can be taken to prevent or mitigate those risks. These programs can also improve excavation damage prevention, reduce encroachment on pipeline rights-of-way, improve pipeline safety, and enhance emergency response.

3. Extent of automated information collection.

The Government Paperwork Elimination Act directs agencies to allow the option of electronic filing and recordkeeping by October 2003, when practicable. PHMSA does not prohibit electronic maintenance of written procedures and filing when requested.

4. Efforts to identify duplication.

There is no duplication, as this recordkeeping activity is not required by any other source. Each operator system is unique. This information may not be derived from by any other source.

5. Efforts to minimize the burden on small businesses.

The American Public Gas Association has agreed to assist small gas distribution operators (who make up the bulk of small pipeline operators) in developing public education plans. PHMSA issued a final rule entitled "Pipeline Safety: Applicability of Public Awareness Regulations to Certain Gas Distribution Operators" (72 FR 70808; December 13, 2007). This final rule relaxed regulatory requirements governing public awareness programs conducted by operators of master meter systems and certain operators of petroleum gas systems. These operators typically manage property and incidentally provide gas service to customers located on the property. The change provided a less burdensome means for these operators to satisfy public awareness needs.

6. Impact of less frequent collection of information.

If this information were collected less frequently, PHMSA would be unable to evaluate compliance with the pipeline safety standards.

7. Special circumstances.

There are no special circumstances that apply to this information collection. This collection of information is conducted in a manner consistent with the guidelines in 5 CFR 1320.5(d)(2).

8. Compliance with 5 CFR 1320.8.

PHMSA issued an Interim Final Rule (IFR) on December 27, 2021 (86 FR 73173). The comment period ends on February 25, 2022.

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 grant confidentiality.

11. Justification for collection of sensitive information.

Not applicable. No sensitive information is required.

12. Estimate of burden hours for information requested.

Currently Approved Responses: 45,000 Currently Approved Hours: 517,500 hours
Estimated Annual Responses: 45,004 Estimated Burden Hours: 517,546 hours

IC	Responses	Burden per Response	Total Burden
Public Awareness Program Development	22,502	11.5 hours	258,773 hours
Public Awareness Program Records Retention	22,502	11.5 hours	258,773 hours
Total	45,004 annual responses		517,546 annual burden hours

PHMSA previously estimated that there are 22,500 operators who are required to maintain the records documenting compliance with public awareness program requirements. Each operator requires as much as 23 hours per year to develop and maintain records for their public awareness programs.

PHMSA previously estimated that it would take operators approximately 11.5 hours to develop public awareness plans and an additional 11.5 hours to evaluate and update the associated records resulting in the previous annual burden of 45,000 responses and 517,500 hours.

PHMSA estimates that the new USA definitions in the IFR will require 2 operators of rural

gathering pipelines that are now regulated under Part 195.11 to establish recordkeeping programs to comply with public awareness program requirements. With each operator taking approximately 23 hours to develop and maintain the required records, this addition will result in an **annual burden increase of 4 responses and 46 hours** for this information collection.

The total annual burden estimated for this information collection is 45,004 responses and 517,546 hours.

13. Estimate of total annual costs to respondents.

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 $\$104.63 \times 517,546$ hours = \$54,150,838.

14. Estimate of cost to the Federal Government.

Currently, 100 Federal inspectors spend an estimated 10 percent of their time reviewing records retained by pipeline operators. The average salary of a Federal transportation inspector is \$107,630. This calculates to an estimated annual cost to the Federal Government of:

100 (Federal inspectors) \times $\$107,630$ (mean salary) \times 0.10 (time) = \$1,076,300.

15. Explanation of program changes or adjustments.

The Pipeline Safety: Unusually Sensitive Areas for the Great Lakes, Coastal Beaches, and Certain Coastal Waters IFR amended the pipeline safety regulations to explicitly state that certain coastal waters, the Great Lakes, and coastal beaches are classified as unusually sensitive areas (USAs) for the purpose of compliance with pipeline safety regulations.

PHMSA estimates that the new USA definitions in the IFR will require 2 operators of rural gathering pipelines that are now regulated under Part 195.11 to establish recordkeeping programs to comply with public awareness program requirements. With each operator taking approximately 23 hours to develop and maintain the required records, this addition will result in an annual burden increase of 4 responses and 46 hours for this information collection.

16. Publication of results of data collection.

There are no plans for publication of this data.

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

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

PHMSA intends to display the OMB Control Number and the approved expiration date.

18. Exceptions to certification statement.

There are no exceptions to PHMSA's certification of this request for information collection approval.