

**Supporting Statement
for
Oil and Hazardous Materials Pollution Prevention and Safety Records,
Equivalents/Alternatives and Exemptions**

OMB No.: 1625-0095
COLLECTION INSTRUMENTS: Instruction

A. Justification.

1) Circumstances that make the collection of information necessary.

The Federal Water Pollution Control Act (FWPCA) requires the issuance of regulations to prevent the discharge of oil or hazardous materials from vessels and facilities; to require installation and inspection of discharge removal equipment on vessels; and to require monitoring, reporting, and recordkeeping regarding discharges of oil or hazardous materials by facilities (33 U.S.C. 1321(j)(l)(C) and (D), (j)(6) and (m)(2)). The responsibility for issuing these regulations was delegated to the U.S. Coast Guard.

To reduce the economic impact of these regulations when compliance with the requirements is economically or physically impractical, and to ensure the local Coast Guard has the flexibility to tailor these regulations to local conditions, the regulated industries have the option of requesting, in writing, either equivalent or alternative procedures, methods, or equipment standards in lieu of any requirement or a full or partial exemption of any requirement under 33 CFR 154.107 or 33 CFR 154.108; 33 CFR 155.120 or 33 CFR 155.130 and 33 CFR 156.107 or 33 CFR 156.110.

The statutory authority is 33 U.S. Code 1321.

2) Purpose of the information collection.

This information is used by the local Coast Guard Sector office¹ to evaluate an industry request for equivalent or alternative procedures, methods, or equipment standards in lieu of any requirement or a full or partial exemption of any requirement in the regulations. The information is collected on an as requested basis by industry. The frequency that this information is collected varies widely by location.

3) Consideration of the use of improved information technology.

The required information is unique to each applicant, and there are no required forms. Requests for equivalents/alternatives or exemptions may be sent in writing or electronically via e-mail to the Coast Guard. For additional information, contact to your local CG Sector office. A list of CG sectors, as part of a comprehensive list of CG units, can be found at <https://www.uscg.mil/Units/Organization/>.

We estimate that 100% of the reporting and recordkeeping requirements can be done electronically. At this time, we estimate that approximately 75% of the responses are collected electronically.

4) Efforts to identify duplication.

This information is specific to each operation. No duplication is known to exist. No other similar Federal requirement exists.

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

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

¹ Equivalents, alternates and exemptions are typically reviewed/approved by the Coast Guard Caption of the Port (COTP) or Officer in Charge, Marine Inspection (OCMI). These roles are typically found at a Coast Guard Sector office, but may also be found at a District Office, Activity or Marine Safety Unit. See 33 CFR Part 3 for a list of units and authorities.

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

The collection of this information allows industry and the Coast Guard to tailor the requirements of these regulations to local circumstances. If industry, and the Coast Guard, were not allowed to request and approve these equivalents, alternatives or exemptions then every facility regardless of its size, complexity or capability would be forced to meet exactly the same requirements even if it were not physically or economically practical for them to do so.

7) Special collection circumstances.

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

8) Consultation.

A 60-day Notice was published in the Federal Register to obtain public comment on this collection (See [USCG-2022-0046]; February 2, 2022, 87 FR 5830) and 30-Day Notice (May 5, 2022, 87 FR 26774) were published in the Federal Register to obtain public comment on this collection. The Coast Guard has not received any comments on this information collection.

9) Provide any payments or gifts 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.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.

- Total number of annual respondents is 215.
- Total number of annual responses is 215.
- Total annual hour burden is 1,720 hours.
- Total annual cost burden is \$ 141,040.

The burden to respondents is provided in Appendix A. We estimate that each CG Sector Office receives 5 equivalent, alternative or exemption requests per year, and that each request is from a different respondent. We estimate that the preparation, submission and recordkeeping of a request takes a Technical Specialist about 6 hours and a Clerical Specialist about 2 hours per response. For the Technical Specialist wage rate, we used the Bureau of Labor Statistics (BLS) wage rate for Mechanical Engineers (17-2141) [May 2020, mean hourly wage, loaded 50%, and rounded].² For the Clerical Specialist wage rate, we used the BLS wage rate for Information and Records Clerks, All Other (43-4199) [May 2020, mean hourly wage, loaded 50%, and rounded].³

² <https://www.bls.gov/oes/2020/may/oes172141.htm>

³ <https://www.bls.gov/oes/2020/may/oes434199.htm>

13) Total of annualized capital and start-up costs.

There are no capital, start-up or maintenance costs associated with this information collection.

14) Estimates of annualized Federal Government costs.

The estimated annual Federal Government cost is \$273,695 (see Appendix B). We estimate that it will take about 19 hours by a Lieutenant Junior Grade (LTJG; O-2) to review and process each request. The wage rate shown 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.

There is no change in burden. There is no proposed change to the reporting or recordkeeping requirements of this collection. The reporting and recordkeeping requirements, and the methodology for calculating burden, remain unchanged.

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.