

**Supporting Statement
for
Application and Permit to Handle Hazardous Material**

OMB No.: 1625-0005
COLLECTION INSTRUMENTS: CG-4260 and Instruction

A. Justification

1. Circumstances that make the collection of information necessary.

The Coast Guard and the Pipeline and Hazardous Materials Safety Administration (formerly Research and Special Programs Administration) have issued regulations to ensure the safe handling and transportation of explosives and hazardous materials. The Coast Guard's regulations establish procedures and standards for the handling, loading and unloading, storage, and movement of hazardous material on a vessel and/or a waterfront facility. These regulations are covered in 33 CFR 126.17 for facilities, and 49 CFR 176.100 and 49 CFR 176.415 for vessels. Improper stowage and handling of explosives or other hazardous material have led to catastrophic explosions which have caused extensive damage and death.

The statutory authority for the requirements is 46 U.S. Code (U.S.C.) 70011 and 70034, and 49 U.S.C. 5101-5108. 46 U.S. C. 70011 (formerly 33 U.S.C. 1225) and 70034 (formerly 1231) authorize the Coast Guard to establish standards for the handling, storage, and movement of hazardous materials on a vessel and waterfront facility. This authority is delegated by the Secretary to the Coast Guard via the Department of Homeland Security Delegation No. 0170.1, Revision No. 01.2. (II)(70). Regulations in 33 CFR 126.17, 49 CFR 176.100, and 176.415.

2. Purposes of the information collection.

The Coast Guard Captain of the Port (COTP) uses these permits to determine whether safe practices are being followed in the stowage and handling of explosives and hazardous materials. Permits are issued, at times, for extended periods of time up to one year. COTPs schedule their patrols around permits in force to maximize people and equipment resources.

3. Consideration of the use of improved information technology.

Information may be submitted in writing or electronically via fax or e-mail, to the CG COTP at the local Sector Office. Contact info for CG COTPs can be found at— <https://www.uscg.mil/Units/Organization/>. The "Application and Permit to Handle Hazardous Materials" form (CG-4260) can be downloaded from the Coast Guard's web site at this [LINK](#). We estimate that 100% of the reporting requirements can be done electronically via e-mail. At this time, we estimate that 100% of responses are collected electronically.

4. Efforts to identify duplication.

This information is specific to each operation. There are no other similar Federal requirements or duplications known to exist.

5. Methods to minimize the burden to small business if involved.

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

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

If the information were not collected the COTP would be forced to expend more resources to ensure that the port was safe from potential hazardous conditions due to the possible improper handling of explosives

or other hazardous materials. The COTP would no longer be able to target patrols for the most effective use of people and resources. The program is presently at a minimum level with most permits being issued for extended periods of time, up to one year in many cases, with terminals being able to notify via telephone only when they are handling explosive or other hazardous materials required to have a permit.

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-2022-0050]; February 9, 2022, 87 FR 7475) and 30-Day Notice (May, 18 2022, 87 FR 30243) 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.

- The estimated annual number of respondents is 440.
- The estimated annual number of responses is 440.
- The estimated annual hour burden is 484 hours.
- The estimated annual cost burden is \$28,468.

The burden to respondents is provided in Appendix A. We estimate that for each request,¹ there is 0.5 hours of management time and 0.6 hours of clerical time. For the management wage rate, we used the Bureau of Labor Statistics (BLS) wage rate for General and Operations Managers (11-1021) [May 2020, mean hourly wage, loaded 50%, and rounded].² For the clerical 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

13. Total annualized capital and start-up costs.

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

¹ Application submission (1 hour estimate for completing form CG-4260 includes 0.5 hours management time plus 0.5 hours clerical time) and permit recordkeeping (0.1 hour of clerical time).

² <https://www.bls.gov/oes/2020/may/oes111021.htm>

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

14. Estimates of annualized Federal Government costs.

The estimated annual Federal Government cost is \$47,740 (see Appendix B). We estimate that for each request, it takes 1.0 hours of Lieutenant Commander (O-4) time and 0.1 hours of petty officer (E-5) time. The wage rates shown are in accordance with the current edition of COMDTINST 7310.1(series) for "In-Government" personnel.

15. Reasons for the change in burden.

The change (i.e., increase) in burden is an ADJUSTMENT due to an increase in the estimated number of responses. There is no change to the reporting and recordkeeping requirements of this collection. The reporting and recordkeeping requirements, and the methodology for calculation 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 requests an exemption from the requirement to display the OMB expiration date on form CG-4260 "Application and Permit to Handle Hazardous Materials" for several reasons. First, the addition of an OMB expiration date will impose an unnecessary burden on U.S.-flag vessel owners/operators and U.S. port facility owners/operators. For instances of regular/routine vessel arrivals/cargo transfers, the permit may be valid for up to 1-year. If form CG-4260 had an OMB expiration date, then a U.S. owner/operator would have to periodically interact with the Coast Guard to reissue the form so that it stays current. Reissuance of a form where the cargo transfer circumstances remain unchanged is considered an unnecessary administrative burden. Second, vessel/facility owners/operators may be required to show evidence of a valid permit. Having a "past due" expiration date on the form may cause confusion with State/local fire marshals or port safety personnel, resulting in cargo transfer operations being stopped or delayed. Eliminating the OMB expiration date would remove this potential problem. For these reasons, we request that the OMB expiration date be omitted from form CG-4260. However, the OMB expiration date will be displayed on the instruction sheet.

18. Explain each exception to the certification statement.

The Coast Guard does not request an exception to the certification of this information collection.

B. Collections of Information Employing Statistical Methods.

Collection does not employ statistical methods.