



U.S. Department
of Transportation
**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

March 25, 2022

Mr. Joseph B. Nye
Policy Analyst
Office of Information and Regulatory Affairs
Office of Management and Budget
Executive Office of the President

Dear Mr. Nye:

This is a request for Office of Management and Budget (OMB) emergency clearance for a new information collection request (ICR) to enable the Department of Transportation's Pipeline and Hazardous Materials Safety Administration (PHMSA) to implement the Natural Gas Distribution Infrastructure Safety and Modernization (NGDISM) Grant Program. This program was authorized in the Infrastructure Investment and Jobs Act (Act) (Pub. L. 117-58), enacted on November 15, 2021. As you are aware, this Act is the most significant investment in our Nation's infrastructure in more than half a century. The Act includes funding for PHMSA's first ever infrastructure grant program.

Critical Nature of the Information Collection Request

The NGDISM Grant Program is crucial to enabling eligible municipality and community owned utilities (not including for-profit entities) to repair, rehabilitate, or replace legacy natural gas distribution pipeline systems, or portions thereof, or to acquire equipment to reduce incidents and fatalities, and to avoid economic loss.

The statutory requirements of the NGDISM Grant Program are found under the heading "Department of Transportation -- Pipeline and Hazardous Materials Safety Administration -- Natural Gas Distribution Infrastructure Safety and Modernization Grant Program" in title VIII of division J of Public Law 117-58 (see enclosure). Those statutory requirements necessitate swift issuance of a notification of funding opportunity (NOFO) and a tight deadline to issue awards. Specifically, PHMSA is statutorily required to issue a NOFO no later than 180 days from the date the funds were made available and to make awards to eligible municipality and community owned utilities no later than 270 days after publication of the NOFO. The Act was enacted on November 15, 2021; therefore, it is the date that the funds were made available. Accordingly, PHMSA is required to issue the NOFO no later than May 15, 2022.

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Considerations to make funds available under the Act include but are not limited to: (1) the risk profile of the applicant's existing pipeline system, including the presence of pipe prone to leakage; (2) the potential of the pipeline project for creating jobs; (3) the potential of the pipeline project for benefiting disadvantaged rural and urban communities; and (4) the economic impact or growth resulting from pipeline projects.

Need for Emergency Approval

The statutory requirements for PHMSA's implementation of the NGDISM Grant Program are mandatory, and PHMSA is clearly expected to implement the program as swiftly as possible to reduce incidents, fatalities, and adverse impacts to the public and/or the environment, particularly in disadvantaged communities. This is a completely new program and, as such, there are currently no existing ICRs that will cover the collection of the required information. The use of normal clearance procedures for ICR approval will prevent PHMSA from meeting the statutory deadlines. If PHMSA does not receive emergency approval for this ICR by May 10, 2022, implementation of the NGDISM Grant Program will be delayed and we will not meet the statutory deadlines.

Due to the urgency of executing the newly authorized grant program, the unforeseen requirements of the Act and its tight deadlines, and the associated urgency to protect the public and environment, PHMSA respectfully requests that OMB issue emergency approval of the ICR within 30 days of receipt of this letter.

If you have any questions regarding this request, please contact Scott Bohnhoff, Director of Policy and Programs Strategy and Planning Division, Office of Pipeline Safety, by phone at (202) 713-7076 or by email at scott.bohnhoff@dot.gov.

Sincerely,

Alan K. Mayberry
Associate Administrator for Pipeline Safety