

Supporting Statement A
Proposed Rule 1014-AA52
Blowout Preventer Systems and Well Control Revisions
30 CFR 250, Subpart G, Well Operations and Equipment
Rig Movement Notification Report, Form BSEE-0144
OMB Control Number 1014-0028
OMB Expiration Date: January 31, 2023

Terms of Clearance: None.

General Instructions

A completed Supporting Statement A must accompany each request for approval of a collection of information. The Supporting Statement must be prepared in the format described below and must contain the information specified below. If an item is not applicable, provide a brief explanation. When the question, "Does this information collection request (ICR) contain surveys, censuses, or employ statistical methods?" is checked "Yes," then a Supporting Statement B must be completed. The Office of Management and Budget (OMB) reserves the right to require the submission of additional information with respect to any request for approval.

Specific Instructions

Justification

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.

The Outer Continental Shelf (OCS) Lands Act, as amended (43 U.S.C. 1334), authorizes the Secretary of the Interior to prescribe rules and regulations necessary for the administration of the leasing provisions of that Act related to mineral resources on the OCS. Such rules and regulations will apply to all operations conducted under a lease, right-of-way, or a right-of-use and easement. Operations on the OCS must preserve, protect, and develop oil and natural gas resources in a manner that is consistent with the need to make such resources available to meet the Nation's energy needs as rapidly as possible; to balance orderly energy resource development with protection of human, marine, and coastal environments; to ensure the public a fair and equitable return on the resources of the OCS; and to preserve and maintain free enterprise competition.

The Independent Offices Appropriations Act (31 U.S.C. 9701), the Omnibus Appropriations Bill (Pub. L. 104-133, 110 Stat. 1321, April 26, 1996), and OMB Circular A-25, authorize Federal agencies to recover the full cost of services that confer special benefits. Under the Department of the Interior's implementing policy, the Bureau of Safety and Environmental Enforcement (BSEE) is required to charge fees for services that provide special benefits or privileges to an identifiable non-Federal recipient above and beyond those which accrue to the public at large. Various applications and/or permits are subject to cost recovery, and BSEE regulations specify service fees for these requests.

In addition to the general rulemaking authority of OCSLA, section 301(a) of the Federal Oil and Gas Royalty Management Act (FOGRMA), 30 U.S.C. 1751(a), grants authority to the Secretary to prescribe such rules and regulations as are reasonably necessary to carry out FOGRMA's provisions. While the majority of FOGRMA is directed to royalty collection and enforcement, some provisions apply to offshore operations. For example, section 108 of FOGRMA, 30 U.S.C. 1718, grants the Secretary broad authority to inspect lease sites for the purpose of determining whether there is compliance with the mineral leasing laws. Section 109(c)(2) and (d)(1), 30 U.S.C. 1719(c)(2) and (d)(1), impose substantial civil penalties for failure to permit lawful inspections and for knowing or willful preparation or submission of false, inaccurate, or misleading reports, records, or other information. Because the Secretary has delegated some of the authority under FOGRMA to BSEE, 30 U.S.C. 1751 is included as additional authority for these requirements.

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection. Be specific. If this collection is a form or a questionnaire, every question needs to be justified.

BSEE uses the information to ensure safe drilling, workover, completion, and decommissioning operations and to protect the human, marine, and coastal environment. BSEE analyzes and evaluates these information/requirements to reduce the likelihood of a similar Deepwater Horizon event and to reduce the risk of fatalities, injuries, and spills. BSEE also utilizes these requirements in the approval, disapproval, or modification process for well operations.

Specifically, BSEE uses the information in Subpart G to ensure:

- certain well designs and operations have been reviewed by appropriate third parties/engineers/classification societies that, after one year, have been approved by BSEE;
- rig tracking data is available to locate rigs during major storms;
- casing or equipment repairs are acceptable and tested;
- up-to-date engineering documents are available;
- the Blowout Preventer (BOP) and associated components are fit for service for its intended use;
- that the BOP will function as intended;
- that BOP components are properly maintained and inspected;
- the proper engineering reviews and approvals for all BOP designs, repairs, and modifications are met.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden and specifically how this collection meets GPEA requirements.

BSEE encourages respondents to use the forms available on the website and submit them electronically as attachments to secure emails; or to use eWell--an internet based system that provides respondents with the ability to submit most of the forms listed in this collection electronically using a secure web application in lieu of submitting paper forms. We estimate that an average of 90 percent of submittals pertaining to this collection will be submitted electronically.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

The DOI has several Memoranda of Understanding (MOU) that define the responsibilities of each agency with respect to activities in the OCS. These MOUs are effective in avoiding duplication of regulations and reporting requirements. The information collected is specific to a well, a lessee/operator, or a particular request for BSEE approval and is unique to the site and well operation.

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

This collection of information could have an economic effect on a number of small entities. Any direct effects primarily impact the OCS lessees and operators. However, many of these OCS lessees and operators may have less than 500 employees and would be considered small businesses as defined by the Small Business Administration. Regulations require safe work practices and protection of the environmental resources; therefore, the hour burden on any small entity subject to these regulations and associated collections of information cannot be reduced to accommodate them.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

If BSEE did not collect the information, we could not determine whether lessees and operators are properly providing for the safety of drilling, workover, completion, and decommissioning operations; and the protection of the environment and resources. The information is generally collected on occasion of drilling activity and initiated by respondents' activity. During drilling operations, respondents must submit reports on a daily (or weekly in the Gulf of Mexico) basis. We must have accurate and timely information on the condition of the drilling site to be able to make informed decisions on requests for alternative compliance and departures and for inspection purposes. Respondents maintain the information reported on a daily basis, and the burden of submitting to BSEE is not substantial. Quarterly reporting would be ineffectual.

BSEE also needs this information for the approval, disapproval, or modification process for well operations; to ensure cement jobs are adequate for the well conditions, and that industry can

demonstrate source control and containment capabilities; information on production packer setting depth would ensure consistent permitting.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

- (a) requiring respondents to report information to the agency more often than quarterly;**
- (b) requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
- (c) requiring respondents to submit more than an original and two copies of any document;**
- (d) requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than 3 years;**
- (e) in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;**
- (f) requiring the use of statistical data classification that has been reviewed and approved by OMB;**
- (g) that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**
- (h) requiring respondents to submit proprietary trade secrets or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

Not applicable in this collection.

8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.11, soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and in response to the PRA statement associated with the collection over the past 3 years and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years – even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

As required in 5 CFR 1320.11, BSEE is providing the initial 60-day review and comment process through the preamble of the proposed rulemaking. BSEE will address in the preamble to

the final rulemaking any comments received and make necessary adjustments where applicable. No individual respondents were contacted due to the proposed rulemaking nature of the collection. However, BSEE based its estimates on the latest data and information available from previous contacts with respondents to the current regulations and its staff expertise.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

BSEE will not provide payment or gifts to respondents in this collection.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

We protect information considered proprietary under the Freedom of Information Act (5 U.S.C. 552) and DOIs implementing regulations (43 CFR 2), and under regulations at 30 CFR Part 250.197, *Data and information to be made available to the public or for limited inspection*, 30 CFR Part 252, *OCS Oil and Gas Information Program*.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

The collection does not include sensitive or private questions.

12. Provide estimates of the hour burden of the collection of information. The statement should:

(a) Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.

(b) If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens.

Potential respondents comprise Federal oil and gas OCS lessees and operators. It should be noted that not all of the potential respondents will submit information at any given time and some may submit multiple times. The burden estimates include the time for reviewing

instructions, searching existing data sources, gathering and maintaining the data needed, and completing the collection of information. Responses to this collection of information are mandatory, or are required to obtain or retain a benefit. Submissions are generally on occasion, Refer to the chart for a breakdown of the burden hours.

BSEE requests +10 hours to 250.732(b), shown in BOLD. This change is due to Proposed Rule 1014-AA52, *Oil and Gas and Sulfur Operations in the Outer Continental Shelf-Blowout Preventer Systems and Well Control Revisions*. Once the rulemaking is final and effective, BSEE will request to transfer the 10 hours to 1014-0028 and then discontinue the new OMB Control Number.

BURDEN TABLE

30 CFR 250 Subpart G	Reporting & Recordkeeping Requirement	Hour Burden	Average No. of Annual Responses	Annual Burden Hours (rounded)
732(b)	Make available to BSEE independent third party accreditation and qualifications for review.	2	5 submissions	10
Total Subpart G			5 Responses	10 Hours
			\$0.00 Non-Hour Cost Burden	

(c) Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here.

The average respondent cost is \$140/hour (rounded). This cost is broken out in the below table using the Society of Petroleum Engineers Salary Survey data dated December 2021. See SPE.org website: <https://www.spe.org/industry/docs/2018-Salary-Survey-Highlight-Report.pdf>.

Position	Base Pay Hourly Rate (\$/hr)	Hourly Rate including Benefits (1.4* x \$/hr)	Percent of time spent on collection	Weighted Average (\$/hour/ rounded)
Non-Engineering Technical	\$67.79	\$94.90	15%	\$14.24
Engineers - Drilling	\$109.04	\$152.66	67%	\$102.28
Earth Science/ Geologist	\$93.60	\$131.04	18%	\$23.59
Weighted Average (\$/hour)				\$140.11

*A multiplier of 1.4 for private industry (as implied by BLS news release USDL-22-1176, June 16, 2022 (see <http://www.bls.gov/news.release/ecec.nr0.htm>)) was added for benefits.

Based on a cost factor of \$140 per hour, we estimate the hour burden as a dollar equivalent is \$1,400 (\$140 x 10 hours = \$1,400).

13. Provide an estimate of the total annual non-hour cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected in Item 12).

(a) The cost estimate should be split into two components: (1) a total capital and start-up cost component (annualized over its expected useful life) and (2) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information (including filing fees paid-for form processing). Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.

(b) If cost estimates are expected to vary widely, agencies should present ranges of cost burden and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.

(c) Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.

We have not identified any new non-hour cost burdens due to 1014-AA52.

14. Provide estimates of annualized cost to the Federal Government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information.

To analyze and review the information required by Subpart G, we estimate the Government will spend an average of approximately 1 hour for each hour spent by the respondents for a total of 10 hours.

The average government cost is \$91/hour (rounded). This cost is broken out in the below table using the Office of Personnel Management salary data for the REST OF THE UNITED STATES (<https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/>).

Position	Grade	Hourly Pay rate	Hourly rate including	Percent of time spent	Weighted Average
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		(\$/hour estimate)	benefits (1.6* x \$/hour)	on collection	(\$/hour)
Clerical	GS-7/5	\$24.30	\$38.88	5%	\$1.94
Petroleum Engineer	GS-13/5	\$51.25	\$82.00	60%	\$49.20
Supv. Petroleum Engineer	GS-15/5	\$71.24	\$113.98	35%	\$39.89
Weighted Average (\$/hour)					\$91.03

*A multiplier of 1.6 for government employees (as implied by BLS news release USDL-22-1176, June 16, 2022 (see <http://www.bls.gov/news.release/ecec.nr0.htm>)) was added for benefits.

Based on a cost factor of \$91 per hour, we estimate the total annual cost to Government is \$910 (10 hours x hours x \$91 = \$910).

15. Explain the reasons for any program changes or adjustments.

In this submission, we are requesting a program increase of +10-hour burdens. This change is due to Proposed Rule 1014-AA52, *Oil and Gas and Sulfur Operations in the Outer Continental Shelf-Blowout Preventer Systems and Well Control Revisions*. The proposed rule would revise 250.732(b) to include third-party accreditation and qualifications for BSEE review when requested. Once the rulemaking goes final and effective, BSEE will request to transfer the 10 hours to 1014-0028 and then request a discontinuation.

In this submission, we are not requesting any additional non-hour cost burdens.

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

BSEE will not tabulate or publish the data.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

BSEE will display the OMB control number and approval expiration date.

18. Explain each exception to the topics of the certification statement identified in, “Certification for Paperwork Reduction Act Submission.”

We are not making any exceptions to the “Certification for Paperwork Reduction Act Submissions.”