DEPARTMENT OF TRANSPORTATION
1INFORMATION COLLECTION

SUPPORTING STATEMENT

"Rupture Mitigation Valve Notification Requirements"

OMB Control No. 2137-0638
RIN: 2137- AF06
Docket No. PHMSA-2013-0255

INTRODUCTION

The Pipeline and Hazardous Materials Safety Administration (PHMSA) requests approval from the Office of Management and Budget (OMB) of a new information collection entitled, "Rupture Mitigation Valve Notification Requirements". The development of this information collection is necessary due to the following PHMSA action that triggers components of the Paperwork Reduction Act:

Docket No. PHMSA-2013-0255 - Pipeline Safety: Amendments to Parts 192 and 195 to Require Valve Installation and Minimum Rupture Detection Standards

- **This collection will add 598Annual Responses and 2, 378 Annual Burden Hours for operator notifications to PHMSA.**

Part A. Justification

1. Circumstances that make the collection of information necessary.

On April 22, 2022, PHMSA issued a final rule titled "Pipeline Safety: Amendments to Parts 192 and 195 to Require Valve Installation and Minimum Rupture Detection Standards" which made revisions to 49 CFR parts 192 and 195. Based on the provisions contained within the final rule, operators must notify PHMSA in the event of certain circumstances involving their valve rupture-mitigation operations. These provisions are detailed below.

- 49 CFR § 192.634 and 49 CFR § 195.418 require operators who elect to use alternative equivalent technology to notify the Office of Pipeline Safety at least 90 days in advance of use. An operator choosing this option must submit a technical and safety evaluation, including design, construction, and operating procedures for the alternative equivalent technology to the Associate Administrator of Pipeline Safety with the notification. PHMSA would then have 90 days to object to the alternative equivalent technology via letter from the Associate Administrator of Pipeline Safety; otherwise, the alternative equivalent technology would be acceptable for use.
- Operators must notify PHMSA if a rupture-mitigation valve cannot be made operational within 14 days of installation.
- Operators must notify PHMSA if a valve cannot be repaired or replaced within 12 months.

- An operator may seek exemption from certain regulatory requirements by notifying PHMSA in certain instances.

- An operator may plan to leave a rupture-mitigation valve open for more than 30 minutes following rupture identification if the operator demonstrates to PHMSA, in accordance with the notification procedures in § 192.18, that closing a rupture mitigation valve, or alternative equivalent technology would be detrimental to public safety.
- Likewise, for pipeline segments in a non- high consequence area (HCA) or a non-HCA could-affect segment, an operator may request exemption from specified requirements if it can demonstrate to PHMSA, in accordance with the notification procedures in § 195.18, that installing an otherwise-required rupture-mitigation valve, or alternative equivalent technology, would be economically, technically, or operationally infeasible.
- The maximum valve spacing for highly volatile liquid pipelines can be increased by 1.25 times the distance if the operator notifies PHMSA with a determination that the installation of a valve at the otherwise-required spacing is impracticable.
- Additionally, operators may notify PHMSA if, in particular cases, the valve installation or valve spacing requirements are not necessary to achieve an equivalent level of safety.

All notifications must be made in accordance with in accordance with § 192.18 for natural gas operators and § 195.18 for hazardous liquid operators.

This information collection promotes the US DOT's Safety Strategic Goals. The PHMSA delegation of authority is found in 49 CFR 1.97 which allows for PHMSA to exercise the authority vested in the Secretary in under Chapter 601 of title 49, U.S.C.

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

The information collection provides PHMSA with the information necessary to evaluate the safety of the use of alternate technologies for pipeline operators. PHMSA will use the information provided in the notifications to ensure that alternative methods used provide an equivalent level of safety and effectiveness.

3. Extent of automated information collection

PHMSA allows operators to send notifications via electronic mail.

4. Describe efforts to identify duplication

There is no duplication, as the information collected is unique to specific situations.

5. Efforts to minimize the burden on small businesses.

The burden has been made as simple as possible. PHMSA expects impacted operators to be large and small businesses. For PHMSA to be able to effectively carry out its mission and monitor overall pipeline safety, it is essential that both large and small operators of pipelines comply with the associated directives.

6. Impact of less frequent collection of information.

It is not possible to conduct the collection less frequently and still ensure the necessary level of safety to life and property inherent in transporting natural gas. Without this information, PHMSA would not be able to adequately assess potential risks associated with the use of alternative technologies. Therefore, less frequent information collection could compromise the safety of the U.S. pipeline system and the environment.

7. Special Circumstances.

The information collection contains no special circumstances.

8. Compliance with 5 CFR 1320.8(d).

PHMSA issued a Notice of Proposed Rulemaking (NPRM) on February 6, 2020 (85 FR 7162). The comment period ended on April 6, 2020. PHMSA did not receive any comments pertaining to this information collection request.

9. Payment 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 guarantee confidentiality.

11. Justification for collection of sensitive information.

This information collection does not involve questions of a sensitive nature.

12. Estimate of burden hours for information requested.

Proposed Number or Responses: 598
Proposed Burden Estimate: 2,378 hours

PHMSA requires operators to make notification in certain instances pertaining to rupture valve mitigation. PHMSA estimates 1,812 operators (1,304 gas and 508 hazardous liquid) will be subject to the following notification requirements. The following information details the various notifications operator are required to make:

- §192.179 - *Alternative Technology Notification for Natural Gas Operators* - If an operator elects to use alternative equivalent technology the operator must notify PHMSA in accordance with the procedures in § 192.18. The operator must include a technical and safety evaluation in its notice to PHMSA, including design, construction, and operating procedures for the alternative equivalent technology. PHMSA expects to receive 2 such notifications with each operator taking 40 hours each to comply with this notification requirement for an overall burden of 80 hours.

- §192.634 - *Inoperable Rupture-Mitigation Valve Notification for Natural Gas Operators* - Rupture-mitigation valves, as defined in § 192.3, must be operational within 14 days of placing the new or replaced pipeline segment into service, unless the operator notifies PHMSA in accordance with § 192.18 that a rupture-mitigation valve cannot be made operational within 14 days. PHMSA expects that 129 operators will make such notifications with each operator taking 1 hour to comply with this notification request for an overall burden of 129 hours.

- §192.636 (c) - *Open Rupture-Mitigation Valve Notification for Natural Gas Operators* - An operator may request to plan to leave a rupture-mitigation valve open for more than 30 minutes following rupture identification if the operator demonstrates to PHMSA, in accordance with the notification procedures in § 192.18, that closing a rupture mitigation valve, or alternative equivalent technology would be detrimental to public safety. PHMSA expects that it will take 129 operators 8 hours each to comply with this notification request for an overall burden of 1, 032 hours.

- §192.745 (d)(1) - *Irreparable Valve Notification for Natural Gas Operators* - An operator must notify PHMSA in accordance with § 192.18 if a valve cannot be repaired or replaced within 12 months PHMSA expects that it will take 129 opertors 1 hour each to comply with this notification request for an overall burden of 129 hours.

- §195.258 (e) - *Alternative Technology Notification for Hazardous Liquid Operators* - If an operator installs alternative equivalent technology pursuant to this section, the operator must notify PHMSA in accordance with § 195.18. The operator must include a technical and safety evaluation in its notification to PHMSA, including design, construction, and operating procedures for the alternative equivalent technology.

PHMSA expects to receive 2 of these notifications annually with each operator taking 40 hours to comply with this notification request for an overall burden of 80 hours.

- §195.260 - *HVL Valve Spacing Increase Notification for Hazardous Liquid Operators* - The maximum valve spacing for highly volatile liquid pipelines can be increased by 1.25 times the distance if the operator notifies PHMSA, in accordance with § 195.18, with a determination that the installation of a valve at the otherwise-required spacing is impracticable. Additionally, operators may notify PHMSA, using the procedure at § 195.18, if, in particular cases the valve installation or valve spacing requirements are not necessary to achieve an equivalent level of safety. PHMSA expects to receive 51 of these notifications annually with each operator taking 8 hours to comply with this notification request for an overall burden of 408 hours.

- §195.418 (a) *Inoperable Rupture-Mitigation Valve Notification for Hazardous Liquid Operators* - Rupture-mitigation valves must be operational within 14 days of placing the new or replaced pipeline segment in service, unless the operator notifies PHMSA, in accordance with § 195.18, that a rupture-mitigation valve cannot be made operational within 14 days. PHMSA expects that it will take 51 opertors 1 hour to comply with this notification request for an overall burden of 51 hours.

- §195.419 (g) *Non-HCA/ Non- HCA Could Affect Exemption Notification for Hazardous Liquid Operators* - For pipeline segments in a non-HCA area or a non-HCA could-affect segment, an operator may request exemption from the requirements of this section if it can demonstrate to PHMSA, in accordance with the notification procedures in § 195.18, that installing an otherwise-required rupture-mitigation valve, or alternative equivalent technology, would be economically, technically, or operationally infeasible. PHMSA expects that it will take 51 opertors 8 hours to comply with this notification request for an overall burden of 408 hours.

- §195.420 (e)(1) - *Irreparable Valve Notification for Hazardous Liquid Operators* - An operator must notify PHMSA in accordance with § 195.18 if a valve cannot be repaired or replaced within 12 months. PHMSA expects that it will take 51 opertors 1 hour to comply with this notification request for an overall burden of 51 hours.

The following table details the burden estimate for each notification requirement:

IC	Responses	Burden Per Response	Total Burden
192.179 Alternative Technology Notification for Natural Gas Operators	2 responses	40 hours	80 hours
192.634 - Inoperable Rupture-Mitigation Valve Notification for Natural Gas Operators	130 responses	1 hour	130 hours
192.636 (c) - Open Rupture-Mitigation Valve Notification for Natural Gas Operators	130 responses	8 hours	1,040 hours
192.745 (d)(1) - Irreparable Valve Notification for Natural Gas Operators	130 responses	1 hour	130 hours
195.258 (e) - Alternative Technology Notification for Hazardous Liquid Operators	2 responses	40 hours	80 hours
195.260 - HVL Valve Spacing Increase Notification for Hazardous Liquid Operators	51 responses	8 hours	408 hours
195.418 (a) Inoperable Rupture-Mitigation Valve Notification for Hazardous Liquid Operators	51 responses	1 hour	51 hours
195.419 (g) Non-HCA/ Non- HCA Could Affect	51 responses	8 hours	408 hours

Exemption Notification for Hazardous Liquid Operators			
195.420 (e)(1) - Irreparable Valve Notification for Hazardous Liquid Operators	51 responses	1 hour	51 hours
Total	**598 annual responses**		**2, 378 annual burden hours**

13. Estimate of the total annual costs burden.

PHMSA expects the notifications in this information collection to be made by a senior engineer. 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)[a] is estimated as $77.50. Using an estimated fringe benefit of approximately 35 percent, the notification requirements for gas pipeline operators are prepared at the average rate of $104.63 per hour.

The total cost to the industry is 2, 378 hours x $104.63/hour = $248,810.14.

14. Estimates of costs to the Federal Government

PHMSA expects the review of these notifications to fall under the basic responsibilities of a PHMSA employee. Therefore, PHMSA expects there to be no additional cost to the Federal Government associated with this information collection.

15. Explanation of the program change or adjustments.

Based on the amendments to 49 CFR parts 192 and 195 by the Pipeline Safety: Amendments to Parts 192 and 195 to Require Valve Installation and Minimum Rupture Detection Standards final rule, operators must notify PHMSA in the event of certain circumstances involving their valve rupture-mitigation operations. 49 CFR § 192.634 and 49 CFR § 195.418 require operators who elect to use alternative equivalent technology to notify the Office of Pipeline Safety at least 90 days in advance of use. An operator choosing this option must submit a technical and safety evaluation, including design, construction, and operating procedures for the alternative equivalent technology to the Associate Administrator of Pipeline Safety with the notification. PHMSA would then have 90 days to object to the alternative

[a] https://www.bls.gov/oes/current/naics3_486000.htm

equivalent technology via letter from the Associate Administrator of Pipeline Safety; otherwise, the alternative equivalent technology would be acceptable for use.

Operators must notify PHMSA if a rupture-mitigation valve cannot be made operational within 14 days of installation. Operators must also notify PHMSA if a valve cannot be repaired or replaced within 12 months.

An operator may seek exemption from certain regulatory requirements by notifying PHMSA in certain instances. An operator may plan to leave a rupture-mitigation valve open for more than 30 minutes following rupture identification if the operator demonstrates to PHMSA, in accordance with the notification procedures in § 192.18, that closing a rupture mitigation valve, or alternative equivalent technology would be detrimental to public safety. Likewise, for pipeline segments in a non-HCA area or a non-HCA could-affect segment, an operator may request exemption from specified requirements if it can demonstrate to PHMSA, in accordance with the notification procedures in § 195.18, that installing an otherwise-required rupture-mitigation valve, or alternative equivalent technology, would be economically, technically, or operationally infeasible. The maximum valve spacing for highly volatile liquid pipelines can be increased by 1.25 times the distance if the operator notifies PHMSA with a determination that the installation of a valve at the otherwise-required spacing is impracticable. Additionally, operators may notify PHMSA if, in particular cases, the valve installation or valve spacing requirements are not necessary to achieve an equivalent level of safety.

16. Publication of results of data collection.

This information will not be published.

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

PHMSA is not seeking such approval.

18. **Exceptions to the certification statement.**

There is no exception.