

Department of Transportation
Office of the Chief Information Officer

Supporting Statement
Notification Requirements for Leak Detection and Repair
OMB Control No. Will Request from OMB

Docket No. PHMSA-2021-0039
RIN 2137-AF51

INTRODUCTION

The Pipeline and Hazardous Materials Safety Administration (PHMSA) requests approval from the Office of Management and Budget (OMB) for a new information collection entitled “Notification Requirements for Leak Detection and Repair.” PHMSA requests a new OMB Control No. for this information collection.

The creation of this information collection is necessary due to the following PHMSA action that will affect the current collection of information:

Pipeline Safety: Gas Leak Detection and Repair Proposed Rule:

- Increases annual burden by 1,000 responses and 8,000 for various notifications involving the detection and remediation of gas leaks.

Part A. Justification.

1. Circumstances that make collection of information necessary.

49 USC 60117 requires that:

“To enable the Secretary to decide whether a person transporting gas or hazardous liquid or operating a pipeline facility is complying with this chapter and standards prescribed or orders issued under this chapter, the person shall –

- (1) maintain records, make reports, and provide information the Secretary requires; and
- (2) make the records, reports and information available when the Secretary requests.”

The regulations set forth in 49 CFR 192 require operators to make various notifications upon the occurrence of certain events. The provisions covered under this ICR involve notification requirements pipeline operators regarding gas leak detection and remediation events.

In the Pipeline Safety: Gas Leak Detection and Repair Proposed Rule, PHMSA proposes to require operators to make notifications in accordance with § 192.18 90 days in advance of using an alternative technology or assessment method. Operators may proceed only if they do not receive a letter objecting to the proposed use of other technology and/or methods.

PHMSA also proposes, in § 192.706(a), to allow operators to request the use of human senses, in lieu of leak detection equipment, when conducting a leak survey if the operator provides advance notification to PHMSA in accordance with § 192.18.

In, § 192.763(c), PHMSA proposes to allow operators to request to use an alternative advanced leak detection performance standard if the operator notifies PHMSA, in accordance with § 192.18. For gas transmission, offshore gathering, and Types A, B, and C gathering pipelines located in Class 1 or Class 2 locations, an operator may use an alternative performance standard with prior notification to, and review by, PHMSA in accordance with § 192.18. The notification must include: mileage by system type; known material properties, location, HCAs, operating parameters, environmental conditions, leak history, and design specifications, including coating, cathodic protection status, and pipe welding or joining method; the proposed performance standard; any safety conditions such as increased survey frequency; the leak detection equipment, procedures, and leakage survey frequencies the operator proposes to employ; and data on the sensitivity and the leak detection performance of the proposed alternative ALDP standard.

PHMSA also proposes to allow operators to request an extension of the leak repair deadline requirements for an individual grade 3 leak with advance notification to, and review by, PHMSA pursuant to § 192.18. The operator's notification must show that the delayed repair timeline would not result in an increased risk to public safety, as well as that either the required repair deadline is impracticable, or that remediation within the specified time frame would result in the release of more gas to the environment than would occur with continued monitoring. The notification must include: a description of the leaking facility including the location, material properties, the type of equipment that is leaking, and the operating pressure; a description of the leak and the leak environment, including gas concentration readings, leak rate if known, class location, nearby buildings, weather conditions, soil conditions, and other conditions that could affect gas migration, such as pavement; a description of the alternative repair schedule and a justification for the same; and proposed emissions mitigation methods and monitoring and repair schedule.

These notification requirements are necessary to ensure safe operation of gas pipelines, ascertain compliance with gas pipeline safety regulations, and to provide a background for incident investigations.

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

The information is used to assist Federal pipeline safety inspectors and State pipeline safety inspectors participating in the gas pipeline safety program. From these notifications, the inspectors will be able to ascertain compliance with regulations. The information will also provide important information needed in incident investigations.

3. Extent of automated information collection.

Operators are permitted to use the latest information technology to reduce the additional information collection burden.

4. Efforts to identify duplication.

No similar information is known to exist.

5. Efforts to minimize the burden on small businesses.

There are no efforts to minimize the burden for small businesses. These notifications are necessary to ascertain compliance with the regulations, and to ensure safe and proper communication with the public regarding natural gas pipeline releases.

6. Impact of less frequent collection of information.

It is imperative that the notifications are made in each qualified instance of a natural gas pipeline release.

7. Special circumstances.

There are no special circumstances that apply to this information collection.

8. Compliance with 5 CFR 1320.8.

On May 18, 2023, PHMSA published a Notice of Proposed Rulemaking (88 FR 31890) to seek public comments on the proposed data collection.

On May 5, 2021, PHMSA held a two-day virtual Pipeline Leak Detection, Leak Repair and Methane Emission Reductions public meeting to engage stakeholders on gas pipeline leak detection and repair issues as an important step in fulfilling the requirements of Sections 113 and 114 of the PIPES Act of 2020 ("Act"). During the meeting, stakeholders—including environmental and public safety groups, Federal and state governments, and the pipeline industry shared perspectives on improving gas pipeline leak detection and repair. Topics discussed included the scope of the current problem, as well as advanced technologies and practices to address methane emissions from natural gas pipeline systems.

Additionally, PHMSA maintains an “open-door” policy with its stakeholders where continual engagement on ways to improve pipeline safety are routine. In this vein, PHMSA participates in various discussions where updates on this information collection are provided. PHMSA includes updates on this information collection in its regulatory updates presentation that is used to update stakeholders on the status of pending actions. PHMSA takes all feedback received into consideration in the proposed adjustments.

9. Payments 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 grant confidentiality.

11. Justification for collection of sensitive information.

The notification requirements of Part 192 do not involve questions of a sensitive nature.

12. Estimate of burden hours for information requested.

This information collection covers the requirement for operators to notify PHMSA in various instances pertaining to leak detection and repair activities. PHMSA estimates that it will receive approximately 1,000 notifications, annually, with each notification taking operators 8 hours to submit.

The table below details the estimated burden for respondents:

Table: Estimated Burden Calculation

IC	Number of Notifications	Hours to Complete	Total Burden
Use of Alternate Technology Notification	164	8	1,312 hours
Use of Human Senses for Leak Detection Notification	164	8	1,312 hours
Request to Use Alternative Advanced Leak Detection Performance Standard	164	8	1,312 hours
Request to Extend Deadline for Remedying Leaks Notification	508	8	4,064 hours
Total Annual Burden	1,000		8,000

13. Estimate of total annual costs to respondents.

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)¹ 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 1,000 hours x \$104.63/hour = \$104,630.00

14. Estimate of cost to the Federal Government.

PHMSA expects there to be no additional cost to the Federal Government associated with this information collection.

15. Explanation of program changes or adjustments.

Pipeline Safety: Gas Leak Detection and Repair NPRM proposes to require pipeline operators to notify PHMSA in the event that alternative or expanded technologies and methods are used when conducting leak detection and repair activities.

16. Publication of results of data collection.

The information will not be published for statistical purposes.

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

OPS is not seeking approval to not display the expiration date.

18. Exceptions to certification statement.

There is no exception to PHMSA's certification of this request for information collection approval.

¹ https://www.bls.gov/oes/current/naics3_486000.htm

