

**Department of Transportation
Office of the Chief Information Officer
Supporting Statement**

**Approvals for Hazardous Materials
OMB Control No. 2137-0557**

(Expiration Date: September 30, 2023)

Introduction

This is to request the Office of Management and Budget's (OMB) for a revision of previously approved OMB control number titled, "Approvals for Hazardous Materials" (OMB Control No. 2137-0557), which is currently due to expire on September 30, 2023. This information collection justification addresses the burden associated with the provisions for approvals within the Hazardous Materials Regulations (HMR; 49 CFR parts 171-180).

Part A. Justification

1. Circumstances that make collection of information necessary

The Pipeline and Hazardous Materials Safety Administration (PHMSA) has the primary responsibility for the issuance of Department of Transportation (DOT) Special Permits and Approvals under the Hazardous Materials Regulations (HMR; 49 CFR parts 171-180). An approval is a written authorization, including a competent authority approval, issued by the Associate Administrator, the Associate Administrator's designee, or as otherwise prescribed in the HMR, to perform a function for which prior authorization by the Associate Administrator is required under subchapter C of this chapter (49 CFR parts 171-180)¹.

There are more than 100 approval provisions in the HMR and associated procedural regulations. Responses to this information collection are required to obtain benefits, including becoming an approval or certification agency, or obtaining a variance from packaging or handling requirements based on information provided by the respondent. These benefits and variances include, but are not limited to: United Nations (UN) third-party certification; authorization to examine and test lighters; authorization to examine and test explosives; and authorization to re-qualify DOT cylinders. This information collection supports the Departmental Strategic Goal for Safety. Required collections are contained in Hazardous Materials Program Procedures, 49 CFR part 107 and parts 100-185. These regulations are promulgated in accordance with 49 U.S.C. 5110, the Federal hazardous materials transportation law.

On May 11, 2020, PHMSA published a final rule titled "Hazardous Materials: Harmonization With International Standards" [HM-2150, 85 FR 27810]. This final rule

¹ As defined in § 171.8.

added a special provision that requires certain Division 1.4S explosive materials to pass Test Series 6(d) of Part I of the United Nations (UN) Manual of Tests and Criteria, ultimately requiring the manufacturer to submit an approval for classification. This increase in information collection burden reflects the increase in these approval applications from this rulemaking.

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

This information is used by PHMSA to: (1) determine whether applicants who apply to become designated approval agencies are qualified to evaluate package design, test packages, classify hazardous materials, etc.; (2) verify that various containers and special loading requirements meet the requirements of the HMR; (3) assure that regulated hazardous materials pose minimal danger to life and property during transportation; and (4) allow minor variations from regulatory requirements based on information provided by respondents, without requiring the respondent to apply using less timely and more burdensome exemption procedures.

The applicable information collection requirements are discussed in the following paragraphs. The actual section citations from the various parts of the HMR referenced in item 1 above are included in this information collection in order to provide a more user-friendly format.

Affected sections of the HMR include, but are not limited to:

1) Designated approval agencies, independent cylinder testing agencies, and prospective foreign manufacturers of cylinders - Sections 107.401; 107.402; 107.403; 107.404; 107.405; 107.801; 107.803; 107.805; 107.807; 173.301; 173.305; 173.314; 173.316; 173.318; and 178.35

These sections state that an approval from the Associate Administrator is required for parties desiring to become designated approval agencies, independent cylinder testing agencies, and prospective foreign manufacturers of cylinders. Designated approval agencies evaluate the design of packagings used for the shipments of hazardous materials. In addition, designated approval agencies actively engage in the testing of packagings to assure their conformance to applicable standards. Independent cylinder testing agencies perform tests and inspections on foreign-manufactured cylinders to verify that they meet the specifications set forth in the HMR. The information required of foreign packaging manufacturers permits PHMSA to perform quality control on packagings manufactured outside the United States, which will be marked as approved by the Associate Administrator and used for the transportation of hazardous materials within the United States.

The information collected for these approvals is used to evaluate an applicant's qualifications to perform the applicable packaging function. PHMSA must exercise a reasonable amount of oversight to ensure that applicants are qualified. Without this information, PHMSA would be unable to ensure that qualified persons perform

examinations and testing, which could lead to the use of packagings that fail to meet the required standard. For example, the incompetence of a testing facility would not surface until packagings began to fail in transportation, thereby endangering life and property.

2) Approval of cylinder and pressure receptacle requalifiers - Section 107.805

Approval by the Associate Administrator is required to inspect, test, certify, repair, or rebuild a DOT specification cylinder or a UN pressure receptacle under subpart C of part 178 or subpart C of part 180 of this chapter, under the terms of a special permit issued under this part, or a TC, CTC, CRC, or BTC specification cylinder or tube manufactured in accordance with Transport Canada's Transport of Dangerous Goods (TDG) Regulations (IBR, see §171.7 of this chapter).

3) M Numbers – Section 107.805

Under §107.805, one can apply for an “M number” which is a unique identification number assigned by PHMSA to entities such as operators, owners, and shippers involved in the transportation of hazardous materials. The M number serves as a way for PHMSA to track and identify entities for regulatory purposes, such as incident reporting, ensuring operators are properly trained and following safety standards. PHMSA receives both applications for new “M numbers” and applications to renew or modify existing “M numbers.”

4) Requalification Identification Number (RIN) Approval for Cylinders (International Shipments) - Section 107.805

Under §107.805(f)(2), RIN holders are allowed to submit an application containing all the required information prescribed in §107.705(a); identifying the TC, CTC, CRC, or BTC specification cylinder(s) or tube(s) to be inspected; certifying the requalifier will operate in compliance with the applicable TDG Regulations; and certifying the persons performing requalification have been trained and have the information contained in the TDG Regulations. This application is in addition to any existing application and burden encountered during the initial RIN application.

5) Competent Authority Approvals - Safety Determinations as to the Adequacy of the Packagings for Materials with Special Hazards - (Renewals/Modifications/Corrections) - Section 172.101, Special provisions 5, 26, 29, 53, 55, 105, 118, 121, 125, 129, 131, 136, 147, 164, 347, A54, A55, B55, B61, B69, B77, B81, N72, TP9; Sections 173.2a(c)(4); 107.803; 173.4; 173.21; 173.22; 173.24; 173.28; 173.31; 173.32; 173.124; 173.128; 173.159; 173.166; 173.168; 173.171; 173.225; 173.245; 173.306; 173.307; 173.308; 173.340; 173.411; 173.433; 173.471; 173.472; 173.473; 173.476; 175.8; 175.9; 175.701; 176.704; 178.3; 178.503

Certain hazardous materials require further determination as to the way that they should be classified, and subsequently packaged for transportation. Some examples include:

- Tear gas and tear gas devices, which pose a special hazard when transported in a closed environment such as an airplane, and therefore require additional approval before being transported on an airplane.
- Certain organic peroxides that are thermally unstable and are required to be kept at temperatures lower than the normal ranges encountered in transportation (-20 °F to +130 °F). These thermally unstable materials require special refrigeration to keep them at a temperature well below that which causes self-accelerating decomposition. PHMSA requires an approval for transportation of such materials.

6) Lithium Battery State of Charge Approval - Section 172.101, Special provision A100.

Lithium ion cells and batteries must be offered for transportation on cargo aircraft at a state of charge not exceeding 30 percent of their rated capacity. This approval allows for lithium ion cells and batteries to be offered for transportation on cargo aircraft at a state of charge greater than 30 percent of their rated capacity.

7) Alternative packagings or test methods - Sections 173.7; 173.185; 173.214; 173.222; 173.305; 173.315; 173.334; 176.340; 178.47; 178.53; 178.58; 178.509; 178.601; 178.603; 178.604; 178.605; 178.606; 178.608

An approval is required if a person wants to offer a hazardous material in transportation with alternative packaging or test methods than are currently authorized in the HMR. These approvals permit industry to make packagings not constructed as specifically detailed in the HMR, as well as permitting select testing, test methods, and test intervals.

8) Infectious Substances – Section 173.196

A live animal that contains, or is contaminated with, a genetically modified micro-organism, including a genetically modified micro-organism that also meets the definition of a Division 6.2 material, must be transported under terms and conditions approved by the Associate Administrator for Hazardous Materials Safety.

A genetically-modified micro-organism known or suspected to be dangerous to the environment may not be transported by air unless approved by the Associate Administrator for Hazardous Materials Safety.

Live animals may not be used to transport infectious substances unless such substances cannot be sent by any other means. An animal that contains or is contaminated with an infectious substance must be transported under terms and conditions approved by the Associate Administrator for Hazardous Materials Safety.

9) Testing and assignment of the classification of explosive materials Sections 173.51; 173.56; 173.58; 173.59; 173.171

The transportation of various explosives and explosives devices, including fireworks, presents both technical difficulties and extreme hazards. The safe packaging and handling of these materials during transportation by all modes is based on correct hazard classification. An incorrect classification could result in improper packaging or handling and cause damage to property, loss of life, or both during transportation. For this reason, PHMSA approves the testing and assignment of hazard classifications of these hazardous materials.

10) Packaging Exception/Exceptions for Division 1.4G consumer fireworks - Section 173.64

Under the provisions of this section, the manufacturer of consumer fireworks applies in writing to the Associate Administrator, following the applicable requirements in American Pyrotechnics Association (APA) Standard 87-1, and is notified in writing by the Associate Administrator that the fireworks have been classed, approved, and assigned an EX number. Each application must be complete and include all relevant background data and copies of all applicable drawings, test results, and any other pertinent information on each device for which approval is being requested. The manufacturer must sign the application and certify that: (1) the device for which approval is requested conforms to APA Standard 87-1; (2) the descriptions and technical information contained in the application are complete and accurate; and (3) no duplicate application has been submitted to a fireworks certification agency. If the application is denied, the manufacturer will be notified in writing of the reasons for the denial. The Associate Administrator may require that the fireworks be examined by an agency listed in §173.56(b)(1).

3. Extent of automated information collection

The burden has been made as simple as possible. Some of the information submitted to PHMSA is computer-generated. PHMSA encourages the use of automation to reduce the burden. The Government Paperwork Elimination Act directs agencies to allow the option of electronic filing and recordkeeping by October 2003, when practicable. Electronic filing and recordkeeping have been authorized and are operational. Currently, PHMSA receives approximately 90 percent of approval applications electronically.

4. Efforts to identify duplication

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

5. Efforts to minimize the burden on small businesses

Because this information is unique, similar information is unavailable. However, the collection of this information is reviewed periodically to ensure that the requirements involving safety in the transportation of hazardous materials are kept to the necessary standards to protect all involved.

6. Impact of less frequent collection of information

The frequency, for the most part, is determined by the applicants requesting an approval. It is not possible to conduct the collection less frequently and still ensure the level of safety of life and property necessary in transporting hazardous materials.

7. Special circumstances

This collection of information is generally conducted in a manner consistent with the guidelines in 5 CFR 1320.5(d)(2).

8. Compliance with 5 CFR 1320.8.

PHMSA published a 60-Day Notice and Request for Comments on the renewal of this information collection in the Federal Register on May 22, 2023, under Docket No. PHMSA-2023-0029 (Notice No. 2023-07). The comment period closed July 21, 2023. No comments were received for this information collection.

PHMSA published a 30-Day Notice and Request for Comments on the renewal of this information collection in the Federal Register on August 29, 2023 also under Docket No. PHMSA-2023-0029 (Notice No. 2023-08).

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

None of the data collected contain personally identifiable information (PII) or business confidential information. No guarantees of confidentiality are provided to applicants.

11. Justification for collection of sensitive information

No sensitive information is required.

12. Estimate of burden hours for information requested

<u>Total Number of Respondents</u>	<u>Total Number of Annual Responses</u>	<u>Total Annual Burden Hours</u>	<u>Total Annual Salary Costs</u>	<u>Total Burden Cost</u>
11,134	14,894	41,535	\$3,444,463	\$0

Sections 107.401; 107.402; 107.403; 107.404; 107.405; 107.801; 107.803; 107.805; 107.807; 173.301; 173.305; 173.314; 173.316; 173.318; and 178.35 – Designated Approval Agencies, Independent Cylinder Testing Agencies, and Prospective Foreign Manufacturers of Cylinders

Based on the number of approval applications, PHMSA estimates 15 companies submit one application per year. Each application takes approximately 4.75 hours to complete for a total of approximately 71 hours (4.75 hours x 15 responses). It is estimated that respondents make \$82.93² per hour for a total of \$5,909 (71 burden hours x \$82.93 per hour). PHMSA does not estimate any out-of-pocket expenses.

<u>Information Collection</u>	<u>Number of Respondents</u>	<u>Responses per Respondent</u>	<u>Number of Responses</u>	<u>Hours per Response</u>	<u>Total Burden Hours</u>	<u>Salary Cost per Hour</u>	<u>Total Salary Cost</u>	<u>Total Burden Cost</u>
Designated approval agencies, independent cylinder testing agencies, and prospective foreign manufacturers of cylinders	15	1	15	4.75	71	\$82.93	\$5,909	\$0

Section 107.805 – Approval of Cylinder and Pressure Receptacle Requalifiers

Based on the historical number of cylinder qualifier approval applications, PHMSA estimates 3,000 companies apply for this type of approval each year. Each application takes approximately 1.105 hours to complete for a total of 3,315 burden hours (1.105 hours x 7,130 responses). At \$82.93³ per hour in salary cost, PHMSA estimates a total salary cost of \$274,907 (7,879 burden hours x \$82.93 per hour). PHMSA does not estimate any out-of-pocket expenses.

<u>Information Collection</u>	<u>Number of Respondents</u>	<u>Responses per Respondent</u>	<u>Number of Responses</u>	<u>Hours per Response</u>	<u>Total Burden Hours</u>	<u>Salary Cost per Hour</u>	<u>Total Salary Cost</u>	<u>Total Burden Cost</u>
Approval of cylinder and pressure receptacle requalifiers	3,000	1	3,000	1.105	3,315	\$82.93	\$274,907	\$0

Sections 107.805 – M Number (New Applications)

Based on the historical number of M number approval applications, PHMSA estimates 3,000 companies apply for this type of approval each year. Each application takes approximately 1.105 hours to complete for a total of 3,315 burden hours (1.105 hours x 7,130 responses). At \$82.93⁴ per hour in salary cost, PHMSA estimates a total salary

² Occupation labor rates based on 2022 Occupational and Employment Statistics Survey (OES) for “Chemical Engineers (17-2041)” in the Chemical Manufacturing industry. The hourly mean wage for this occupation (\$56.64) is adjusted to reflect the total costs of employee compensation based on the BLS Employer Costs for Employee Compensation Summary, which indicates that wages for civilian workers are 68.3 percent of total compensation (total wage = wage rate/wage % of total compensation).

³ Ibid.

⁴ Ibid.

cost of \$274,907 (7,879 burden hours x \$82.93 per hour). PHMSA does not estimate any out-of-pocket expenses.

<u>Information Collection</u>	<u>Number of Respondents</u>	<u>Responses per Respondent</u>	<u>Number of Responses</u>	<u>Hours per Response</u>	<u>Total Burden Hours</u>	<u>Salary Cost per Hour</u>	<u>Total Salary Cost</u>	<u>Total Burden Cost</u>
M Numbers (New Applications)	30	1	30	4.75	143	\$82.93	\$11,817	\$0

Sections 107.805 – M Number (Modifications/Renewals)

Based on the historical number of M number approval applications for modifications and renewals, PHMSA estimates 150 companies apply for this type of approval each year. Each application takes approximately 1 hour to complete for a total of 150 burden hours (1 hours x 150 responses). At \$82.93⁵ per hour in salary cost, PHMSA estimates a total salary cost of \$12,439 (150 burden hours x \$82.93 per hour). PHMSA does not estimate any out-of-pocket expenses.

<u>Information Collection</u>	<u>Number of Respondents</u>	<u>Responses per Respondent</u>	<u>Number of Responses</u>	<u>Hours per Response</u>	<u>Total Burden Hours</u>	<u>Salary Cost per Hour</u>	<u>Total Salary Cost</u>	<u>Total Burden Cost</u>
M Numbers (Modifications/Renewals)	150	1	150	1	150	\$82.93	\$12,439	\$0

Sections 107.805 – Requalification Identification Number (RIN) Approval for Cylinders (International Shipments)

Based on the historic number of RIN approval applications, PHMSA estimates 3,500 companies apply for this type of approval each year. Each application takes approximately 51 minutes (0.852 hours) to complete for a total of 2,982 burden hours (0.852 hours x 3,500 responses). At a salary cost of \$82.93⁶ per hour, PHMSA estimates a total of \$247,292 (2,982 burden hours x \$82.93 per hour).

<u>Information Collection</u>	<u>Number of Respondents</u>	<u>Responses per Respondent</u>	<u>Number of Responses</u>	<u>Hours per Response</u>	<u>Total Burden Hours</u>	<u>Salary Cost per Hour</u>	<u>Total Salary Cost</u>	<u>Total Burden Cost</u>
RIN Approval for Cylinders (International Shipments)	3,500	1	3,500	0.852	2,982	\$82.93	\$247,292	\$0

Section 172.101, Special provisions 5, 26, 29, 53, 55, 105, 118, 121, 125, 129, 131, 136, 147, 164, 347, A54, A55, B55, B61, B69, B77, B81, N72, TP9; Sections 173.2a(c)(4); 107.803; 173.4; 173.21; 173.22; 173.24; 173.28; 173.31; 173.32; 173.124; 173.128; 173.159; 173.166; 173.168; 173.171; 173.225; 173.245; 173.306; 173.307; 173.308; 173.340; 173.411; 173.433; 173.471; 173.472; 173.473; 173.476; 175.8; 175.9;

⁵ Ibid.

⁶ Ibid.

175.701; 176.704; 178.3; 178.503 – Safety Determinations as to the Adequacy of the Packagings for Materials with Special Hazards – Competent Authority Approvals (New Applications)

Based on the historical number of approval applications, PHMSA estimates 154 companies apply for this type of approval approximately 4 times for year, for a total of 250 responses per year (50 companies x 5 applications). Each application takes approximately 4.75 hours to complete for a total of 1,188 burden hours (4.75 hours x 250 responses). At an estimated salary cost of \$82.93⁷ per hour, PHMSA estimates a total of \$240,349 in salary cost (3,040 burden hours x \$82.93 per hour). PHMSA does not estimate any out-of-pocket expenses.

Information Collection	Number of Respondents	Responses per Respondent	Number of Responses	Hours per Response	Total Burden Hours	Salary Cost per Hour	Total Salary Cost	Total Burden Cost
Safety Determinations as to the Adequacy of the Packagings for Materials with Special Hazards (New Applications)	50	5	250	4.75	1,188	\$82.93	\$9,847	\$0

Section 172.101, Special provisions 5, 26, 29, 53, 55, 105, 118, 121, 125, 129, 131, 136, 147, 164, 347, A54, A55, B55, B61, B69, B77, B81, N72, TP9; Sections 173.2a(c)(4); 107.803; 173.4; 173.21; 173.22; 173.24; 173.28; 173.31; 173.32; 173.124; 173.128; 173.159; 173.166; 173.168; 173.171; 173.225; 173.245; 173.306; 173.307; 173.308; 173.340; 173.411; 173.433; 173.471; 173.472; 173.473; 173.476; 175.8; 175.9; 175.701; 176.704; 178.3; 178.503 – Safety Determinations as to the Adequacy of the Packagings for Materials with Special Hazards – Competent Authority Approvals (Renewals/Modifications/Corrections)

Based on the historical number of approval applications, PHMSA estimates 120 companies apply for this type of approval approximately 4 time per year, for a total of 480 responses per year (120 companies x 4 applications per year). Each application takes approximately 1 hour to complete for a total of 480 burden hours (1 hour x 480 responses). At an estimated salary cost of \$82.93⁸ per hour, PHMSA estimates a total of \$39,806 in salary cost (480 burden hours x \$82.93 per hour). PHMSA does not estimate any out-of-pocket expenses.

Information Collection	Number of Respondents	Responses per Respondent	Number of Responses	Hours per Response	Total Burden Hours	Salary Cost per Hour	Total Salary Cost	Total Burden Cost
Safety Determinations as to the Adequacy of the Packagings for Materials with Special Hazards (Renewals/Modifications/Corrections)	120	4	480	1	480	\$82.93	\$39,806	\$0

⁷ Ibid.

⁸ Ibid.

Section 172.101, Special provision A100 – Lithium Battery State of Charge Approval

Based on the historical number of approvals submitted to PHMSA, it is estimated that 10 companies apply for this type of approval each year. Based on PHMSA estimates, each application is estimated to take 40 hours to complete, for a total of 400 burden hours (10 responses x 40 hours). At an estimated salary of \$82.93⁹ per hour, PHMSA estimates a total of \$33,171 in salary cost (400 burden hours x \$82.93). PHMSA does not estimate any out-of-pocket expenses.

<u>Information Collection</u>	<u>Number of Respondents</u>	<u>Responses per Respondent</u>	<u>Number of Responses</u>	<u>Hours per Response</u>	<u>Total Burden Hours</u>	<u>Salary Cost per Hour</u>	<u>Total Salary Cost</u>	<u>Total Burden Cost</u>
Lithium Battery State of Charge Approval	10	1	10	40	400	\$82.93	\$33,171	\$0

Sections 173.7; 173.185; 173.214; 173.222; 173.305; 173.315; 173.334; 176.340; 178.47; 178.53; 178.58; 178.509; 178.601; 178.603; 178.604; 178.605; 178.606; 178.608 – Alternative Packagings or Test Methods

Based on the historical annual number of approval applications, PHMSA estimates 24 companies apply for this type of approval each year. Each application takes approximately 4.75 hours to complete, for a total of 114 burden hours (4.75 hours x 24 responses). At a salary cost of \$82.93¹⁰ per hour, PHMSA estimates a total of \$9,454 in salary cost (114 burden hours x \$82.93 per hour). PHMSA does not estimate any out-of-pocket expenses.

<u>Information Collection</u>	<u>Number of Respondents</u>	<u>Responses per Respondent</u>	<u>Number of Responses</u>	<u>Hours per Response</u>	<u>Total Burden Hours</u>	<u>Salary Cost per Hour</u>	<u>Total Salary Cost</u>	<u>Total Burden Cost</u>
Alternative Packagings or Test Methods	24	1	24	4.75	114	\$82.93	\$9,454	\$0

Section 173.196 – Infectious Substances

Based on the historical number of infectious substance approval applications, PHMSA estimates five companies apply for this type of approval each year. Each application takes approximately 4.75 hours to complete, for a total of approximately 24 burden hours (4.75 hours x 5 responses). At a salary cost of \$82.93¹¹ per hour, PHMSA estimates a total of \$1,990 in salary cost (24 burden hours x \$82.93 per hour). PHMSA does not estimate any out-of-pocket expenses.

⁹ Ibid.

¹⁰ Ibid.

¹¹ Ibid.

<u>Information Collection</u>	<u>Number of Respondents</u>	<u>Responses per Respondent</u>	<u>Number of Responses</u>	<u>Hours per Response</u>	<u>Total Burden Hours</u>	<u>Salary Cost per Hour</u>	<u>Total Salary Cost</u>	<u>Total Burden Cost</u>
Infectious Substances	5	1	5	4.75	24	\$82.93	\$1,990	\$0

Sections 173.51; 173.56; 173.58; 173.59; 173.171 – Testing and Assignment of the Classification of Explosive Materials (New Applications)

Based on the historical number of explosive approval applications, PHMSA estimates 330 companies apply for this type of approval each year. Each application takes approximately 4.75 hours to complete, for a total of 1,568 burden hours (4.75 hours x 330 responses). At a salary cost of \$82.93¹² per hour, PHMSA estimates a total of \$130,032 in salary cost (1,568 burden hours x \$82.93 per hour). PHMSA does not estimate any out-of-pocket expenses.

<u>Information Collection</u>	<u>Number of Respondents</u>	<u>Responses per Respondent</u>	<u>Number of Responses</u>	<u>Hours per Response</u>	<u>Total Burden Hours</u>	<u>Salary Cost per Hour</u>	<u>Total Salary Cost</u>	<u>Total Burden Cost</u>
Testing and Assignment of the Classification of Explosive Materials (New Applications)	330	1	330	4.75	1,568	\$82.93	\$130,032	\$0

Sections 173.51; 173.56; 173.58; 173.59; 173.171 – Testing and Assignment of the Classification of Explosive Materials (Modifications)

Based on the historical number of explosive approval applications, PHMSA estimates 700 companies apply for this type of approval each year. Each application takes approximately 1 hours to complete, for a total of 700 burden hours (1 hours x 700 responses). At a salary cost of \$82.93¹³ per hour, PHMSA estimates a total of \$58,050 in salary cost (700 burden hours x \$82.93 per hour). PHMSA does not estimate any out-of-pocket expenses.

<u>Information Collection</u>	<u>Number of Respondents</u>	<u>Responses per Respondent</u>	<u>Number of Responses</u>	<u>Hours per Response</u>	<u>Total Burden Hours</u>	<u>Salary Cost per Hour</u>	<u>Total Salary Cost</u>	<u>Total Burden Cost</u>
Testing and Assignment of the Classification of Explosive Materials (Modifications)	700	1	700	1	700	\$82.93	\$58,050	\$0

¹² Ibid.

¹³ Ibid.

Sections 173.64 – Packaging Exception/Exceptions for Division 1.4G Consumer Fireworks

Based on the historical number of approvals of fireworks packaging exceptions, PHMSA estimate approximately 3,200 companies apply for this type of approval each year. Each application takes approximately 4.75 hours to complete for a total of 30,400 hours (4.75 hours x 6,400 responses). At a salary cost of \$82.93¹⁴ per hour, PHMSA estimates a total of \$2,521,019 in salary cost (30,400 burden hours x \$82.93 per hour). PHMSA does not estimate any out-of-pocket expenses.

<u>Information Collection</u>	<u>Number of Respondents</u>	<u>Responses per Respondent</u>	<u>Number of Responses</u>	<u>Hours per Response</u>	<u>Total Burden Hours</u>	<u>Salary Cost per Hour</u>	<u>Total Salary Cost</u>	<u>Total Burden Cost</u>
Packaging Exception/Exceptions for Division 1.4G Consumer Fireworks	3,200	2	6,400	4.75	30,400	\$82.93	\$2,521,019	\$0

13. Estimate of total annual costs to respondents

PHMSA estimates there are no out-of-pocket expenses, and therefore there is no annual cost to respondents.

14. Estimate of cost to the Federal Government

There are approximately 15,682 approval applications submitted annually to PHMSA. Each review takes 30 minutes, for a total of 7,841 annual hours (15,682 approvals x 30 minutes). Review by a GS-13 in Washington, D.C. is approximately \$64.84¹⁵ per hour, for a total cost of approximately \$508,418 to the Federal Government.

<u>Total Number of Approvals</u>	<u>Minutes per Review</u>	<u>Total Number of Review Hours</u>	<u>Salary Cost per Hour</u>	<u>Total Salary Cost</u>
15,682	30	7,841	\$64.84	\$508,418

15. Explanation of program changes or adjustments

During its recent review of this OMB Control Number, PHMSA noted that it had historically bundled "M Number" approvals under broad information collection for approvals. PHMSA has now separated "M Numbers" into its own information

¹⁴ Ibid.

¹⁵ Cost to review and approve approvals PHMSA used annual wage data from the Office of Personnel Management (OPM) to estimate wages for its staff at the 2019 General Schedule (GS) level 13, step 1, wage class for the Washington-Baltimore-Northern Virginia metropolitan area. In accordance with the OMB Circular No. A-76 (M-07-02; 2006), PHMSA included a load factor of 36.45 percent for the Federal wage to account for fringe benefits.

collections. Additionally, PHMSA has now separated new competent authority approvals into two distinct collections - one for new applications and one for modifications. Lastly, PHMSA broke out the testing and classification of explosive materials into collections for new applications and applications for modifications. By parsing these information collections based on the latest data, PHMSA has reduced the overall burden hours associated with this OMB Control Number.

16. Publication of results of data collection

Approval applications are published on the PHMSA website and can be located at: <https://www.phmsa.dot.gov/approvals-and-permits/hazmat/approvals-search>. There are no statistical techniques involved in this information collection.

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

The approved OMB Control No. is prominently displayed in the text of 49 CFR 171.6.

18. Exceptions to certification statement

There are no exceptions to PHMSA's certification of this request for information collection approval.