

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

**Hazardous Materials Public Sector Training and Planning Grants
OMB Control No. 2137-0586
(Expiration Date: September 30, 2023)**

Introduction

This is to request the Office of Management and Budgets (OMB) renewal without change of a three-year clearance for the information collection titled, “Hazardous Materials Public Sector Training and Planning Grants,” OMB Control No. 2137-0586, which is currently due to expire on September 30, 2023. This information collection addresses the burden associated with the required paperwork for applicants applying for hazardous materials sector training and planning grants.

Part A. Justification.

1. Circumstances that make collection of information necessary.

This is a request for a renewal without change of an existing information collection approval under OMB No. 2137-0586. Part 110 of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) addresses a reimbursable grant program to enhance existing State, Territories, and Indian tribes hazardous materials emergency preparedness response programs. This information collection supports the Departmental Strategic Goal for safety.

This reimbursable grant program is required by Section 5116 (49 App. U.S.C.) of the Federal hazardous materials transportation law. Section 5116 authorizes the Secretary of Transportation to provide assistance to States, Territories, and Indian tribes for hazardous materials emergency response planning and training. The purpose of the grant program is to increase the effectiveness of States, Territories, and Indian tribes in safely and efficiently handling hazardous materials accidents and incidents; enhance implementation of the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA); and encourage a comprehensive approach to emergency planning and training by incorporating the unique challenges of response to transportation situations. Where practicable, the requirements contained in 2 CFR part 200 “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” apply to grants issued by the Pipeline and Hazardous Materials Safety Administration (PHMSA).

This revision stems from a General Accounting Office (GAO) recommendation (GAO-17-91) to develop a process for regularly collecting information to ensure that State Emergency Response Commissions (SERCs) are receiving and distributing information provided from the railroads regarding certain hazardous materials shipments to local planning entities. In response to this recommendation, PHMSA is adding questions to grant applications in order to determine if SERCs have received copies of the information provided by railroads and if the SERCs are

disseminating this information to local planning entities. PHMSA is estimating an increase in burden because of this additional questions.

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

The Hazardous Materials Emergency Preparedness (HMEP) grant, as mandated by 49 U.S.C. 5101 et seq., provides Federal financial and technical assistance to States, Territories, and Indian tribes to “develop, improve, and carry out emergency plans” within the National Response System and the Emergency Planning and Community Right-To-Know Act of 1986 (EPCRA, Title III), 42 U.S.C. 11001 et seq. The programs developed under the grant program increase the emphasis on transportation in ongoing efforts, and improve the capability of communities to plan, train for, and respond to the full range of potential risks.

The information is collected by PHMSA in applications for grant awards from all HMEP grant recipients. It will provide critical data on locations where PHMSA’s grant dollars are being used to plan and train to respond to hazmat transportation incidents. This information will provide PHMSA with an indication of where gaps exist in training and planning, as well as information on where training and planning for hazmat transportation incidents has reduced such incidents. In addition to current and past reports to Congress, which detail “outputs” from grant awards, such as numbers of entities trained, number of plans exercised, or number of commodity flow studies completed, PHMSA will be able to provide to Congress in its annual report a correlation between planning and training funded by the HMEP grant and hazmat incident levels within a given jurisdiction.

The Grant Application package is outlined in 49 CFR 110.30 and, must comply with the applicable Notice of Funding Opportunity, and is to be submitted electronically on the OMB designated website.

3. Extent of automated information collection.

The burden has been made as simple as possible. The information is considered critical in ensuring an effective grant program. The Government Paperwork Elimination Act directs agencies to allow the option of electronic filing and recordkeeping by October 2003, when practicable. All HMEP grant applications are allowed to be submitted via electronic means.

4. Efforts to identify duplication.

There is no duplication as the grant award is unique. Nonetheless, PHMSA has worked to ensure that the information is not duplicated.

5. Efforts to minimize the burden on small businesses.

The collection of this information is reviewed periodically to ensure that the amount of information needed to implement the grant program is kept to a minimum. However, it is not possible to substantially reduce or eliminate the requirements contained in this collection and still maintain standards necessary to implement the grants program.

6. Impact of less frequent collection of information.

It is essential that PHMSA receives the required information from the grant applicants to ensure that funding resources are properly distributed to applicants most in need. 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 parties involved. However, it is not possible to substantially reduce or eliminate the requirements contained in this collection and still maintain standards necessary to implement the grants program.

7. Special circumstances.

This collection of information is generally conducted in a manner consistent with the guidelines in 5 CFR 11320.5(d)(2). However, it is not possible to substantially reduce or eliminate the requirements contained in this collection and still maintain standards necessary to implement the grants program.

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. Therefore, no guarantees of confidentiality are provided to applicants.

11. Justification for collection of sensitive information.

Not applicable. No sensitive information is required.

12. Estimate of burden hours for information requested.

<u>Information Collection</u>	<u>Respondents</u>	<u>Responses per</u>	<u>Number of</u>	<u>Hours per</u>	<u>Burden</u>	<u>Salary Cost</u>	<u>Total Salary</u>	<u>Total Burden</u>

		<u>Respondent</u>	<u>Responses</u>	<u>Responses</u>	<u>Hours</u>	<u>per Hour</u>	<u>Cost</u>	<u>en Cost</u>
Hazardous Materials Public Sector Training & Planning Grants	62	1	62	83.26	5,162	\$76.66	\$395,753	\$0

On average, PHMSA receives 62 grant applications¹ per year. Based on stakeholder feedback, each application takes approximately 83.26 hours per year to complete, for a total of approximately 5,162 annual burden hours (62 responses x 83.23 hours/response). For the salary of an employee providing grant information of \$76.66² per hour, PHMSA estimates a total salary cost of \$395,753 (5,162 burden hours x \$76.66). PHMSA does not estimate any out-of-pocket expenses.

This information collection reflects the increase in burden hours from the additional information requested in this revision.

13. Estimate of total annual costs to respondents.

PHMSA does not estimate any out-of-pocket expenses to respondents.

14. Estimate of cost to the Federal government.

The estimated cost to the Federal government is approximately \$265,976.

<u>Hours/FTE</u>	<u>Number of FTEs</u>	<u>Total Hours</u>	<u>Salary + Fringe and Overhead Per Hour</u>	<u>Total Salary Cost</u>
1,920	2	3,840	\$73.68	\$282,943

PHMSA estimates that a Grants Management Specialist and Grants Management Team Lead each spend a total of 1,920 hours processing and monitoring grant applications for a total of 3,480 hours. At approximately \$73.68/hour³, this costs the federal government approximately \$282,943 (3,840 hours x \$73.68/hour).

15. Explanation of program changes or adjustments.

There is no change in burden resulting from the renewal of this information collection.

¹ Estimate of 50 states and 12 Indian tribe applications

² Occupation labor rates based on 2022 Occupational and Employment Statistics Survey (OES) for “Transportation, Storage, and Distribution Managers (11-3071).” <https://www.bls.gov/oes/current/oes113071.htm> The hourly mean wage for this occupation (\$52.36) 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 For cost to review grant applications, PHMSA used hourly wage data from the Office of Personnel Management (OPM) to estimate wages for its staff at the 2023 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.

16. Publication of results of data collection.

Information regarding PHMSA's grant application program is published in an annual report to congress titled "Hazardous Materials Grant Program Report to Congress."

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

This information collection OMB Control number is prominently displayed in the HMR, specifically under § 171.6, entitled, "Control Numbers under the Paperwork Reduction Act."

18. Exceptions to certification statement.

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