

Department of Transportation
Office of the Chief Information Officer

Supporting Statement
Emergency Notification Requirements for Gas Operators
OMB Control No. Will Request from OMB

Docket No. PHMSA-2021-0046
RIN 2137-AF53

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 “Emergency Notification Requirements for Gas Operators”. 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: Safety of Gas Distribution Pipelines and Other Pipeline Safety Initiatives

- Increases annual burden by 194 responses and 838 for notifications in the event of an emergency

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 for gas distribution operators in the event of a pipeline safety emergency.

In the event of a release of gas resulting in one or more fatalities, all operators would also be required to immediately and directly notify emergency response officials upon receiving notice of the same.

PHMSA's proposed expansion of the list of emergencies would also include the unintentional release of gas and shutdown of gas service to 50 or more customers (or 50 percent of its customers if it has fewer than 100 total customers). Operators would need to immediately and directly notify emergency response officials on receiving notice of the same.

PHMSA also proposes a new requirement for gas distribution operators to notify their customers and public officials in certain instances.

These notification requirements are necessary to ensure safe operation of gas distribution 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 distribution pipeline release.

7. Special circumstances.

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

8. Compliance with 5 CFR 1320.8.

On September 7, 2023 PHMSA published a Notice of Proposed Rulemaking (88 FR 61746) to seek public comments on the proposed data collection. The comment period closes on November 6, 2023.

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 recordkeeping 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 owners and operators of gas distribution pipelines to notify public officials, their customers, and emergency responders in the event of an unintended release of gas.

PHMSA estimates there will be an average of 75 incidents per year where gas distribution operators will need to make emergency notifications to public officials. PHMSA expects gas distribution operators will spend approximately 8 hours notifying the public in each instance, resulting in an annual burden of 600 hours.

PHMSA expects gas distribution operators to spend an additional 2 hours per incident notifying their customers, resulting in an added burden of 150 hours.

PHMSA also requires operators of all gas pipelines to notify and communicate with emergency responders if gas is detected inside or near a building; fire is located near or directly involving a pipeline facility; and explosion occurs near or directly involving a pipeline facility; or in the event of a natural disaster. Based on incident report trends, PHMSA expects there to be 44 incidents (1 gas gathering, 16 gas transmission, 27 gas distribution) annually, which would require gas operators to notify emergency responders. PHMSA estimates each notification will take 2 hours per incident resulting in an annual burden of 88 hours.

Table 2 below details this burden calculation:

Table 2: Estimated Burden Calculation

IC	Number of Notifications	Hours to Complete	Total Burden
Emergency	75	8	600 hours

Notifications to Public Officials			
Emergency Notifications to Customers	75	2	150 hours
Notifications to Emergency Responders	44	2	88 hours
Total Annual Burden	194		838

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 838 hours x \$104.63/hour = \$87,679.94

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.

The Pipeline Safety: Safety of Gas Distribution Pipelines and Other Pipeline Safety Initiatives NPRM requires operators of gas distribution pipeline systems to make emergency notifications in certain instances.

In the event of a release of gas resulting in one or more fatalities, all operators would also be required to immediately and directly notify emergency response officials upon receiving notice of the same. For distribution pipeline operators only, PHMSA's proposed expansion of the list of emergencies discussed above would also include the unintentional release of gas and shutdown of gas service to 50 or more customers (or 50 percent of its customers if it has fewer than 100 total customers). Operators would need to immediately and directly notify emergency response officials on receiving notice of the same.

PHMSA also proposes a series of regulatory amendments requiring gas distribution operators to update their emergency response plans to improve communications with the public during an emergency. First, PHMSA proposes to introduce a new requirement for gas distribution

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

operators to establish and maintain communications with the general public as soon as practicable during an emergency.

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.

