

Supporting Statement for Paperwork Reduction Act Submission
30 CFR 250, Subpart J, Pipelines and Pipeline Rights-of-Way
(Proposed Rulemaking)
Forms MMS-149, MMS-153 and MMS-2030
OMB Control Number 1010-0050
Current Expiration Date: March 31, 2009

Terms of Clearance: None

General Instructions

A Supporting Statement, including the text of the notice to the public required by 5 CFR 1320.5(a)(i)(iv) and its actual or estimated date of publication in the Federal Register, must accompany each request for approval of a collection of information. The Supporting Statement must be prepared in the format described below, and must contain the information specified in Section A below. If an item is not applicable, provide a brief explanation. When statistical methods are employed, Section B of the Supporting Statement must be completed. OMB reserves the right to require the submission of additional information with respect to any request for approval.

Specific Instructions

A. Justification

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

The Outer Continental Shelf (OCS) Lands Act, as amended (43 U.S.C. 1331 et seq. and 43 U.S.C. 1801 et seq.), authorizes the Secretary of the Interior (Secretary) to prescribe rules and regulations to administer leasing of the OCS. Such rules and regulations will apply to all operations conducted under a lease. Operations on the OCS must preserve, protect, and develop oil and natural gas resources in a manner that is consistent with the need to make such resources available to meet the Nation's energy needs as rapidly as possible; to balance orderly energy resource development with protection of human, marine, and coastal environments; to ensure the public a fair and equitable return on the resources of the OCS; and to preserve and maintain free enterprise competition. Section 1334(e) authorizes the Secretary to grant rights-of-way through the submerged lands of the OCS for pipelines “. . . for the transportation of oil, natural gas, sulphur, or other minerals, or under such regulations and upon such conditions as may be prescribed by the Secretary, . . . including (as provided in section 1347(b) of this title) assuring maximum environmental protection by utilization of the best available and safest technologies, including the safest practices for pipeline burial. . . .”

The Independent Offices Appropriations Act (31 U.S.C. 9701), the Omnibus Appropriations Bill (P.L. 104-133, 110 Stat. 1321, April 26, 1996), and Office of Management and Budget (OMB) Circular A-25, authorize Federal agencies to recover the full cost of services that confer special benefits. Under the Department of the Interior's (DOI) implementing policy, the Minerals Management Service (MMS) is required to charge the full cost for services that provide special benefits or privileges to an identifiable non-Federal recipient above and beyond those which accrue to the public at large. Pipeline rights-of-way and assignments are subject to cost recovery, and MMS regulations specify service fees for these applications and requests.

Regulations governing pipelines and pipeline rights-of-way are primarily covered in 30 CFR 250, subpart J. The MMS is proposing to completely revise the current subpart J regulations and consolidate all MMS pipeline requirements. The regulations are rewritten in plain language. The proposed rule will codify various conditions of approval that MMS imposes when approving applications to ensure that pipelines are installed and operated in a safe and environmentally sound manner. It also incorporates guidance from various Notices to Lessees and Operators (NTLs) and one Letter to Lessees and Operators (LTL) into one comprehensive set of pipeline regulations, giving them the force of law. The proposed rule incorporates the existing service fees in the current 30 CFR 250, subpart J regulations. The currently approved information collection for subpart J (1010-0050) will be superseded in its entirety by this collection when final regulations take effect.

The proposed rulemaking also affects several other OCS regulations as follows:

- 30 CFR 250 subpart A contains a table that lists all of the 30 CFR 250 incorporated documents. That table will be revised to include the new 30 CFR 250, subpart J, incorporated documents. There are also several proposed changes to 30 CFR parts 253 and 254. However, these proposed changes do not affect the currently approved information collection burden of 30 CFR 250, subpart A (OMB Control Number 1010-0114) or 30 CFR parts 253 and 254 (OMB Control Numbers 1010-0106 and 1010-0091, respectively).
- The current regulations on pipeline decommissioning and associated information collection are located in 30 CFR 250, subpart Q. The rule proposes to relocate the pipeline decommissioning requirements and their respective fees into the revised 30 CFR 250, subpart J regulations. OMB approved the information collection burden of the current subpart Q regulations under OMB Control Number 1010-0142. When the new 30 CFR 250, subpart J final regulations take effect, the pertinent 30 CFR 250, subpart Q pipeline decommissioning paperwork burden (3,000 burden hours), and non-hour costs (\$417,000) will be removed from the 1010-0142 collection of information.
- The proposed paragraph (g) in 30 CFR 256.62 imposes a new information collection requirement. The paperwork burden for this proposed regulation is included in the submission to OMB for approval of the proposed 30 CFR 250 subpart J information collection. When this regulation becomes final, the 30 CFR 256 paperwork burden will be removed from this collection of information and consolidated with the information collection burden for 30 CFR 256 under OMB Control Number 1010-0006.

2. *Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection. [Be specific. If this collection is a form or a questionnaire, every question needs to be justified.]*

The lessees and transmission companies design the pipelines that they install, maintain, and operate. To ensure those activities are performed in a safe manner, MMS needs information concerning the proposed pipeline and safety equipment, inspections and tests, and natural and manmade hazards near the proposed pipeline route. MMS field offices use the information collected under subpart J to review pipeline designs prior to approving an application for a right-of-way or a pipeline permitted under a lease to ensure that the pipeline, as constructed, will provide for safe transportation of minerals through the submerged lands of the OCS. They review proposed routes of a right-of-way to ensure that the right-of-way, if granted, would not conflict with any State requirements or unduly interfere with other OCS activities. MMS field offices review plans for taking pipeline safety equipment out of service to ensure alternate measures are used that will properly provide for the safety of the pipeline and associated facilities (platform, etc.). They review notification of relinquishment of a right-of-way grant and requests to abandon pipelines to ensure that all legal obligations are met and pipelines are properly abandoned. MMS

inspectors monitor the records concerning pipeline inspections and tests to ensure safety of operations and protection of the environment and to schedule their workload to permit witnessing and inspecting operations. Information is also necessary to determine the point at which the DOI or the Department of Transportation (DOT) has regulatory responsibility for a pipeline and to be informed of the responsible operator if not the same as the right-of-way holder.

MMS-149 – Assignment of Federal OCS Pipeline Right-of-Way Grant Form

This form asks the lessee to fill in:

Part A - Assignment

- the legal description of the item being assigned (e.g., operating rights, pipeline ROW, or land/area).
- what specifically the lessee is selling, assigning, or transferring,
- the company name and number of each assignor and assignee,
- the percentage interest conveyed, and
- the percentage interest received.

Part B – Certification and Acceptance

- assignor name, title
- assignee name, title.

MMS has a brief statement on the form explaining that once this form is filed, the lessee has executed their assignment in the lease. MMS then signs and dates the form if it's been approved.

MMS-153 – Notification of Pipeline Installation/Relocation/Hydrotest

The proposed rule is incorporating a new Form MMS-153, Notification of Pipeline Installation/Relocation/Hydrotest. This form provides the minimal information MMS needs to schedule inspections and workload, and to be advised of, and provide oversight on, pipeline installations, relocations, and hydrotests. Although a new form, it should be noted that the information reported on the form is not a new burden.

This form is “fill in the blank” to provide:

- general information relating to the company performing the work;
- information concerning pipeline installation dates, locations, vessels, installations, segments;
- notice of hydrostatic pressure tests.

MMS-2030 – Right-of-Way (ROW) Grant Bond Form

The current subpart J regulations require a pipeline right-of-way holder to furnish a bond or other security for each pipeline ROW grant or an area-wide bond or other security that covers all of the holder's pipeline ROW grants in an OCS area (in addition to the bond coverage required under 30 CFR 256), as well as additional security MMS determines is necessary (\$300,000). This form has powerful impacts to MMS's compliance with environmental and safety mandates. Without the signatures and witnesses that will guarantee payment upon respondents not meeting all existing and future obligations, MMS would have no recourse when needed to obtain money from the respondent to meet its ROW obligatory requirements. The OMB approved Form MMS-2030, OCS Right-of-Way Grant Bond, is used by respondents in submitting the surety bond information. The proposed rule continues the use of this form to guarantee the financial security necessary to hold a pipeline ROW grant.

This form is either “fill in the blank” or “check a box” to provide:

- information relating to the bond, area, additional security, amount,
- general information relating to the surety,

- general information relating to the principal ROW holder/operator of the bond,
- area(s) covered by the bond and/or additional security,
- obligation requirements, and
- specific signing requirements and supporting information.

The MMS needs the information required under the proposed new § 256.62(g) for lease assignments. It is often unclear as to what is being assigned. This problem can be particularly difficult with assignments that involve lease-term pipelines. In some cases, lease-term pipelines on that lease are not a part of the lease assignment, so an action needs to be taken to convert those pipelines to ROW pipelines. This regulatory requirement is a method to catch those discrepancies. The MMS will use the information to require that those lease-term pipelines are converted to ROW pipelines. The MMS also uses the information to collect the required filing fees and rental fees for ROWs.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden [and specifically how this collection meets GPEA requirements].

The Gulf of Mexico Region (GOMR) is the only region currently involved in new pipeline construction, and it receives approximately 99 percent of the information collection under subpart J. The GOMR has a pipeline mapping system that provides the oil and gas industry and the general public with offshore pipeline location information in a timely manner. As part of the application process and as-built pipeline construction reports, respondents now submit location data digitally either by diskette or by email to the GOMR engineer reviewing their information (approximately 33 percent of the total information submitted under subpart J). The MMS inputs the incoming location data for both proposed and newly built pipelines to an existing database that is posted to the GOMR website within 2 weeks of receipt. The most notable benefit of this system is that it provides accurate and current information for applicant companies to use, thereby eliminating the time and effort necessary to research the number and location of pipelines that are in the vicinity of the route of their proposed pipeline.

The MMS Offshore Minerals Management (OMM) program is moving to implement the Government Paperwork Elimination Act with re-engineered business processes. Re-engineering select OMM business processes and related information collection burdens will take place incrementally.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

The DOI and DOT share jurisdiction over the design, construction, operation, maintenance, and inspection of offshore pipelines located on the OCS. This shared jurisdiction is administered under an MOU. Individual operators of production and transportation facilities define the boundaries of their respective adjoining facilities, thereby determining whether they are under DOI or DOT jurisdiction. According to the MOU, (a) DOI has exclusive jurisdiction for issuing ROWs and easements for off-lease pipelines on the OCS; (b) DOI acts as DOT's agent in inspecting transportation-related pipelines and associated facilities for compliance with DOT regulations; and (c) the departments work together to avoid duplication in regulations, recordkeeping, or reporting requirements. We use the recordkeeping and reporting required under subpart J in carrying out our responsibilities for pipelines on the OCS. The information is not available from other sources.

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

This collection of information does not have a significant economic effect on a substantial number of small entities. Leasehold and pipeline operations in the OCS are relatively large in scale and technically complex. The conduct of these activities requires a large source of financial resources. However, approximately 70 percent of the oil and gas companies may have less than 500 employees and would be considered small businesses as defined by the Small Business Administration. Also, a pipeline ROW holder (non-producer) is a small entity if it is a liquid pipeline company with fewer than 1,500 employees, or a natural gas pipeline company with gross annual receipts of \$25 million or less. MMS's estimates that out of the approximate 88 pipeline ROW holders who do not own an interest in any oil and gas leases on the OCS, 18 of those would be categorized as small entities. Thus, there are 218 companies affected by this rulemaking, of which 109 would be considered small businesses. The hour burden on any small entity subject to these regulations cannot be reduced to accommodate them without jeopardizing safety and environmental concerns. With respect to the requirements for abandoned pipelines, if these activities are not performed properly, it is more likely that the other users of the OCS would be adversely affected, many of which are small businesses.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

If we did not collect the information, MMS could not carry out the mandate of the OCS Lands Act. MMS would not have the information to make informed decisions on pipeline design, construction, modification, etc., or to approve applications for right-of-way grants. The frequency of submission is generally "on occasion, monthly, and annually," depending on the regulatory requirement. Under accessory inspections, if it's a compressor or booster platform, they must inspect the accessory daily for evidence of pollution; but, records are not submitted to MMS – they are kept on the facility and available to MMS. With respect to pipeline safety equipment testing and pipeline surveying, monitoring, and inspections, MMS regulations do specify the frequency of these activities. However, the specified frequencies are the minimal necessary to assure that the pipeline and its equipment or right-of-way accessory are in sound operating order, are not damaged, and perform their intended functions. The required monitoring and inspections are necessary to detect leaks and pollution at the onset to prevent further detrimental affects to the OCS environment.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

(a) Requiring respondents to report information to the agency more often than quarterly.

Primarily, information is collected on occasion of the activity with no set frequency. Respondents generally submit reports as a result of situations encountered and not at any fixed or prescribed interval.

b) Requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it.

Respondents generally respond on occasion of an activity and the timeframe varies for notifying MMS or submitting the reports. Most allow 30 days or more for submitting reports. However, there are some instances in which MMS needs immediate notification, such as evidence of sabotage or subversive activity or when a pipeline or its safety equipment is removed from service. Reports on flaring and venting operations must be submitted within 72 hours after completion. Other instances require notice to MMS within 48 hours before an activity begins so that MMS may schedule inspections or to be on hand when the activity is performed. If financial security for a pipeline right-of-way grant lapses, respondents must notify MMS within 72 hours and provide replacement financial security within 15 days or they will be in default of their grant. All of these instances in which fewer than 30 days are specified, are necessary

in the interest of safety, environmental monitoring, workload scheduling, or assuring the financial stability of respondents to meet their obligations.

(c) Requiring respondents to submit more than an original and two copies of any document.

Not applicable in this collection. Under the proposed regulations, MMS will not require more than an original and two copies of applications or a total of three copies.

(d) Requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than 3 years.

The rulemaking requires respondents to retain all records related to the design, construction, operation, maintenance, testing, repair, failures, and decommissioning of an OCS pipeline, as long as the pipeline remains in place (not removed) for the life of the pipeline, unless otherwise specified. As pipelines and accessory structures age, we must have access to the initial structural properties and inspection results to determine whether necessary standards for safety are maintained. The type of information collected is such that it is not unreasonable to expect that respondents would retain it as usual and customary business practice, even if not required in regulations. The rulemaking specifies the situations for which a lesser retention period (generally only two years) is sufficient, such as that for most testing and inspections records.

(e) In connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study.

Not applicable in this collection.

(f) Requiring the use of statistical data classification that has been reviewed and approved by OMB.

There are no special circumstances with respect to 5 CFR 1320.5(d)(2)(v) through (viii) as the collection is not a statistical survey and does not use statistical data classification.

(g) That includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use.

This collection does not include a pledge of confidentiality not supported by statute or regulation.

(h) Requiring respondents to submit proprietary trade secrets or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

This collection does not require proprietary, trade secret, or other confidential information not protected by agency procedures.

8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice [and in response to the PRA statement associated with the collection over the past 3 years] and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported. [Please list the names, titles, addresses, and phone numbers of persons contacted.] Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once

every 3 years – even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

As required in 5 CFR 1320.11, MMS is providing the initial 60-day review and comment process through the preamble of the proposed rulemaking. MMS will address in the preamble to the final rulemaking any comments received and make necessary adjustments. No individual respondents were contacted due to the proposed rulemaking nature of the collection. However, MMS based many of its estimates on the latest data and information available from previous contacts with respondents to the current regulations and its staff expertise.

The 30 CFR 250.199 regulations explain that MMS will accept comments at any time on the information collection burden of our 30 CFR 250 regulations and related forms. We display the OMB control numbers and provide the address for sending comments to MMS. Forms MMS-149 and MMS-2030 that are currently in use, also display the required PRA statement providing information on how the public may comment on the burden of these forms. The data elements of these forms remain unchanged in the proposed rule. The MMS has received no comments on the current subpart J burdens as a result of these efforts.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

The MMS will not provide payment or gifts to respondents in this collection.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

The MMS will protect information considered proprietary under the Freedom of Information Act and under regulations at 30 CFR 250.197, “Data and information to be made available to the public or for limited inspection,” and 30 CFR Part 252, “Outer Continental Shelf (OCS) Oil and Gas Information Program.”

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

The collection does not include sensitive or private questions.

12. Provide estimates of the hour burden of the collection of information. The statement should:

(a) Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.

(b) If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens.

(c) Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.

Respondents primarily are an estimated 130 Federal OCS lessees and designated lease operators and 88 pipeline ROW holders. Other potential respondents are companies that submit letters of no objection to, or comments on, pipeline applications; certified independent verification agents (IVAs) or other third-party reviewers; and surety or other third party guarantors. The frequency of response varies depending upon the requirement. We estimate the total annual burden is 337,884 reporting and recordkeeping hours. Based on a cost factor of \$65 per hour, we estimate the total annual cost to industry is \$21,962,460 (\$65 x 337,884 hours = \$21,962,460). Refer to the following table for a break out of the burden.

L/T = lease term

P/L = pipeline

ROW = right-of-way

Citation 30 CFR 250 Subpart J	Reporting & Recordkeeping Requirement	Hour Burden	Average No. of Annual Responses	Annual Burden Hours
		Fees		
General				
1000-1147; 1022(g); 1027; 1034(d)(2); 1044(c)(1); 1046(a); 1068(b); 1093(b)(5); 1101(a)	General departure and alternative compliance requests, including those not specifically covered elsewhere in subpart J regulations.	2	175 requests.	350
1001(b)	Unless otherwise specified, retain for the life of the P/L all records related to design, construction, operation, maintenance, testing, inspections, repairs, failures, and decommissioning. Make records available to MMS upon request. Retention of these general records is usual and customary business practice. Required burden is minimal to make available to MMS. Specific recordkeeping requirements are detailed separately.	10	130 lease term P/L operators.	1,300
		10	88 P/L ROW holders.	880
1004(c); 1014(d)	Petition to MMS to operate under DOT jurisdiction, or petition to MMS and DOT to operate under DOI jurisdiction.	40	2 petitions.	80
1005(a)	Identify specific point at which regulatory jurisdiction transfers from/to DOI from/to DOT by durably marking pipeline or identifying point on a schematic. Retain schematics and make available to MMS upon request. Note, the marking of the transfer point is part of the construction process with no additional burden.	1	218 provide schematics to MMS (130 L/T; 88 ROW).	218
1006	Submit applications, reports, and forms; make notifications. This section is a general table of reporting requirements—the specific burdens are included in the appropriate sections.			
Subtotal		613 responses		2,828
Forms				

Citation 30 CFR 250 Subpart J	Reporting & Recordkeeping Requirement	Hour Burden	Average No. of Annual Responses	Annual Burden Hours
		Fees		
1041(c); 1058(b); 1093(f)	Notify MMS using Form MMS-153 (Notification of Pipeline Installation/ Relocation/ Hydrotest): before construction activities commence; 48 hours before conducting hydrostatic pressure test on P/L; before modification work begins to relocate P/L.	1	350 notices/ forms.	350
		1	350 forms.	350
		1	3 relocation notices/forms.	3
1118	Submit Form MMS-2030 (OCS P/L Right-of-Way Grant Bond) for financial security for pipeline ROW grants, area-wide, and additional financial security.	30 mins.	43 forms.	22
		POCS 3 hrs.	4 forms.	12
1134(a), (b)	Submit request to assign P/L ROW grant - Form MMS-149-(Assignment of Federal OCS Pipeline Right-of-way Grant) form takes approximately 30 mins. to complete).	16	200 requests.	3,200
		\$170 x 200 P/L ROW requests = \$34,000		
Subtotal		950 responses		3,937
		\$34,000		
Applications for New Pipelines & Pipeline Application Contents				
1007 thru 1013; 1014 thru 1030; 1048(a)(1), (c)(1), (d)(1); 1049(a), (b); 1137(a)(1); 1141(a)	Submit application to install new P/L, including exceptions/departures, consents and notices, Federal/State permits, agreements, reports, attachments, all required information, etc. Provide copies of application to impacted lessees, designated lease operators, P/L ROW grant holders, and affected States.	140	505 new P/L applications (280 L/T; 225 ROW).	70,700
		\$3,100 x 280 L/T P/L applications = \$868,000		
		\$2,350 x 225 ROW P/L applications = \$528,750		
1007(c); 1011(b)(2)	NEW Notify MMS to withdraw application for new P/L.	1	10 withdrawals.	10
1009(c); 1011(a), (b)(2)	NEW Amend or change pending new P/L application.	2	5 amendments.	10
1010(a); 1015(b)	Reference to Development Operations Coordination Document or Development and Production Plan—burden covered under 1010-0151.			
1010(d)(1); 1016(h)	NEW Impacted lessees, designated lease operators, or P/L ROW grant holders submit return receipt/photocopy, letter of no objection to P/L applicant or comments to MMS.	2	770 letters of no objection, return receipts /photo- copies, or comments.	1,540
1010(g); 1029	Reference to demonstrating oil spill financial responsibility—burden covered under 1010-0106.			
1010(h); 1025(d), (e); 1050; 1082	Reference to H ₂ S contingency plans/reports—burden covered under 1010-0141.			
1011(b)	Appeal State's objection to the Secretary of Commerce under 15 CFR 930, subpart H—burden covered by Commerce Department (OMB Control Number 0648-0411).			
1013	NEW Request the Secretary to cancel P/L application approval.	1	1 request.	1
1018(c)(5); 1019(d) (5); 1033(e)	Submit review by third-party verification agent under API Spec 17J.	150	12 submissions.	1,800
1028(a), (b)	Reference to oil spill response plan/reports—burden covered under 1010-0091.			
Subtotal		1,303 responses		74,061
		\$1,396,750		
Pipeline Design and Construction				
1041(a); 1143(b)	Publish "Notice to Mariners" under USCG regulations—burden covered by USCG.			
1041(b); 1016(b)	NEW Notify commander of military installation in established military warning area before conducting construction operations.	1	200 notices.	200

Citation 30 CFR 250 Subpart J	Reporting & Recordkeeping Requirement	Hour Burden	Average No. of Annual Responses	Annual Burden Hours
		Fees		
1042(a), (c)	NEW Buoy hazards before P/L construction operations or other bottom-disturbing activities begin. Prepare location plat. Provide copies of plat to key personnel on all vessels associated with P/L construction operations.	2	350 markings/ plats.	700
1043(a)(1); 1046(c)	NEW Notify MMS if environmental or other factors have detrimentally affected existing P/L.	1	5 notices.	5
1043(a)(2); 1046(c); 1097(a), (b)	Prepare and submit corrective action plan for existing P/L.	8	4 corrective action plans.	32
1044(e);	NEW Consult with U.S. Army Corps of Engineers on burial in fairways and anchorage areas.	.5	60 consultations.	30
1047(a)(4)	NEW Enter into agreement with commander of individual command headquarters when operating or causing operations in military warning area.	2	200 agreements.	400
1047(b)	NEW Contact representatives of Industry Task Force on Offshore Lightering to discuss potential conflicts.	1	30 contacts.	30
1047(d)	NEW Contact appropriate State natural resource agency if activities could disturb State-established artificial reef.	1	15 contacts.	15
1049(b)(2)	NEW If required, conduct further archaeological investigation and submit report.	10	5 investiga- tions/reports.	50
1049(d)	Notify MMS within 72 hours of discovery of archaeological resource.	4	2 discovery notices.	8
1051; 1061(a); 1129	Submit P/L construction report to MMS, including pressure test results, etc. Submit as-built location plat to National Ocean Service.	16	173 new P/L reports/plats.	2,768
Subtotal			1,044 responses	4,238
Pipeline Risers Connected to Floating Platforms				
1053	NEW Submit riser design, fabrication, and installation verification plans, or modifications; include CVA nomination information and supporting data as well as changes in CVA or key personnel to Regional Supervisor for approval.	40	45 verification plans.	1,800
1054(c), (d); 1055, 1055(d), (e); 1056, 1056(d), (e)	NEW CVA submits interim and final reports for the design, fabrication, and installation phases, including notice of procedure changes or modifications.	35	180 interim and final verification reports.	6,300
Subtotal			225 responses	8,100
Pipeline Testing, Safety Equipment, Leak Detection, Operations, and Maintenance				
1060(d); 1061	If required, conduct MMS directed pressure test, prepare report, and submit report to MMS.	4	1 test/report.	4
1061	Submit results of pressure tests—burden included with reporting requirements in §§ 250.1051, 250.1060, 250.1086, 250.1093, 250.1095, 250.1113.			
1063(b)(3)	NEW Keep most current pressure recorder charts and well test records at nearest OCS facility. Make available to MMS for inspection.	.25	24,000 pressure recorder charts.	6,000

Citation 30 CFR 250 Subpart J	Reporting & Recordkeeping Requirement	Hour Burden	Average No. of Annual Responses	Annual Burden Hours
		Fees		
1069(b), (c)(3)(ii), (d); 1085(a), (b)(2), (c)	Notify MMS if safety equipment remains out of service for more than 12 hours in GOMR, and immediately in the Pacific or Alaska OSC Regions (P/AK). Notify MMS when repaired or replaced and resume operations. Post warning sign (current requirement).	1	3 notices.	3
1079(a), (g)	NEW Prepare written Operations and Maintenance Manual. Make copy available to MMS at nearest OCS facility upon request.	200	218 manuals (130 L/T; 88 ROW).	43,600
1079(b), (g)	NEW Prepare written Integrity Management Program. Make copy available to MMS at nearest OCS facility upon request.	300	218 manuals (130 L/T; 88 ROW).	65,400
1079(c), (g)	NEW Prepare written Emergency Plan. Make copy available to MMS at nearest OCS facility upon request.	100	218 manuals (130 L/T; 88 ROW).	21,800
1079(d), (g)	NEW Prepare written Personnel Qualification Program. Make copy available to MMS at nearest OCS facility upon request.	50	218 manuals (130 L/T; 88 ROW).	10,900
1079(f)	NEW Review and amend as necessary – Operations and Maintenance Manual; Integrity Management Program, Emergency Plan, and Personnel Qualification Program.	70	218 (130 L/T; 88 ROW).	15,260
1080(a)	NEW Durably mark MMS-assigned P/L segment number on new P/L at each platform.	This will be part of the construction process involving no additional burdens.		
1080(b)	NEW Durably mark MMS-assigned P/L segment number on existing P/Ls at each platform. Note: this will be a one-time requirement when rulemaking takes effect, after which will be part of construction process.	2	12,050 markings.	24,100
1083(b)(1)	NEW Request approval to conduct remote operations on P/L during evacuation.	3	7 requests.	21
1084(f); 1086(f)	NEW Test pipeline safety equipment; record results. Maintain records for 2 years. Make available to MMS upon request:	Hours per Test/Record	Number of P/L Safety Equipment Tests/Records	
	(a) Test flow safety valve annually.	0.1	3,050	305
	(b) Test pressure safety high and low sensors monthly.	0.1 x 12 = 1.2	12,050	14,460
	(c) Test pressure safety valve annually.	0.1	1,260	126
	(d)(1)Test shutdown valve monthly (operations).	0.1 x 12 = 1.2	3,550	4,260
	(d)(2)Test shutdown valve annually (full valve closure).	0.1	3,550	355
	(e) Test surface safety valve monthly.	0.1 x 12 = 1.2	1,800	2,160
1086(d)	Submit P/L out-of-service report to MMS.	1	120 out-of-service reports.	120
1086(e)	NEW Flush and fill out-of-service P/L. Record results and retain records at nearest OCS facility. Make available to MMS upon request.	1	80 flush/fills/recordings.	80
1086(g); 1061(a)	NEW Submit P/L out-of-service reactivation report within 30 days to MMS, including pressure test results, etc.	6	40 reactivation reports.	240
1088(b); 1095(a)	NEW Notify MMS of P/L leaking.	1	200 leak notifications.	200
1089(a)	NEW Request flaring or venting approval.	.5	6 requests.	3

Citation 30 CFR 250 Subpart J	Reporting & Recordkeeping Requirement	Hour Burden	Average No. of Annual Responses	Annual Burden Hours
		Fees		
1089(b)	NEW Submit flaring or venting report within 72 hours.	1	6 reports.	6
Subtotal		62,863 responses		209,403
Pipeline Modifications and Repairs				
1010(e); 1093 (b), (c), (d), (e); 1097(b); 1132(c)	Submit application to modify existing P/L, including exceptions/departures, notices, reports, work plan, all required information, etc.	30	320 modifications.	9,600
		\$1,800 x 185 L/T modifications = \$333,000		
		\$3,650 x 135 ROW modifications = \$492,750		
1093(g); 1061(a)	NEW Submit modification report within 30 days to MMS, including engineer certification, pressure test results, etc.	4	100 modification reports.	400
1095(a), (b); 1096(c)(1); 1097(b); 1069(e);	Submit application to repair a P/L, including exceptions/departures, notices, reports, work plan, all required information, etc; receive approval from MMS before performing work.	5	325 repair applications.	1,625
		\$340 x 325 notifications = \$110,500		
1095(e); 1061(a), (b); 1096(c)(2)	Submit repair report within 30 days to MMS, including pressure or leak test results, etc.	8	325 repair reports.	2,600
1095(f)	If required, analyze P/L failure and examine samples of failed pipe in lab; submit findings to MMS.	30	5 failure analysis findings reports.	150
1097(a), (b)	If required, submit corrective action plan if internal or external conditions could detrimentally affect a P/L.	Included with 1043 and 1046 above.		
1097(c)	If required, within 30 days submit report confirming completion of corrective action detailed in plan.	8	4 corrective action reports.	32
Subtotal		1,079 responses		14,407
		\$936,250		
Pipeline Surveying, Monitoring and Inspection				
1101(a)	Conduct monthly visual survey of P/L routes for indication of P/L leaks. Retain results for 2 years and make available to MMS upon request.	2 x 12 = 24	170 visual survey/ recordings.	4,080
1102(a)(1)	NEW Inspect P/L risers for indication of damage or corrosion in and above splash zone annually. Retain results for 2 years and make available to MMS upon request.	1	380 P/L risers above splash zone inspections/ recordings.	380
1102(a)(2)	NEW Inspect underwater portions of P/L risers in conjunction with platform inspections required by § 250.919. Retain results for 2 years and make available to MMS upon request.	4	90 P/L risers under water inspections/ recordings.	360
1102(b)	NEW Inspect flexible joints on each riser annually or every 6 months if required using diver or remotely operated vehicle. Submit results to MMS within 30 days.	8	60 flexible joint inspections/ reports.	480
1102(c)	NEW Inspect P/L impressed current sources 6 times/year. Retain results for 2 years and make available to MMS upon request.	2 x 6 = 12	8 impressed current sources inspections/ reports.	96
1102(d)	NEW Inspect anode systems annually. Submit data to MMS.	4	175 anode system inspections/ reports.	700

Citation 30 CFR 250 Subpart J	Reporting & Recordkeeping Requirement	Hour Burden	Average No. of Annual Responses	Annual Burden Hours
		Fees		
1103(a)	NEW If required, conduct visual or remote inspection of horizontal component of P/L. Submit report to MMS.	10	35 horizontal component inspections/ reports.	350
1103(b)	NEW If required, inspect P/L after major storm. Submit report to MMS.	10	40 major storm inspections/ reports.	400
1103(c)	NEW If required, inspect P/L after earthquake. Submit report to MMS.	1.5	2 earthquake inspections/ reports.	3
1103(d)	NEW If required, conduct ultrasonic (UT) inspection of P/L. Submit results to MMS.	1.5	15 UT inspections/ reports.	23
1103(e)	NEW If required, conduct in-line inspection of P/L. Submit results to MMS.	12	35 in-line inspections/ reports.	420
1103(f)	NEW If required, conduct trawl test or other survey of P/L. Submit results to MMS.	2	5 trawls/ surveys/ reports.	10
Subtotal		1,015 responses		7,302
Pipeline Decommissioning				
1107(a); 1108(a); 1109(a), (b); 1110; 1133(d)(3); 1136(a)	Submit application to decommission a P/L in place or by removal, including notices and certifications (currently approved under 1010-0142).	8	300 decommissioning applications.	2,400
		\$1,000 x 170 L/T decommissions = \$170,000		
		\$1,900 x 130 ROW decommissions = \$247,000		
1107(d)	NEW Purge, flush, and fill pipeline decommissioned in place. Retain records and make available to MMS upon request for the life of the pipeline.	.25	300 in place decommissioned P/Ls.	75
1109(c)	NEW Notify MMS to withdraw decommissioning application.	1	1 withdrawal.	1
1110(d), (e)(2)	NEW Amend pending decommissioning application.	1	2 decommission application amendments.	2
1111	Submit decommissioning report within 30 days to MMS, including certifications (currently approved under 1010-0142).	2	300 decommissioning reports.	600
1113(a)(1); 1137(a) (1); 1141(a)	NEW Submit application to MMS to re-commission decommissioned P/L.	8	15 reactivation applications.	120
1113(b); 1061(a)	NEW Submit re-commissioning report within 30 days to MMS, including pressure test results, etc.	4	15 reactivation reports.	60
Subtotal		933 responses		3,258
		\$417,000		
Pipeline Right-of-way Grants				
1113(a)(2); 1117(b); 1125; 1126; 1127	NEW Submit application for P/L ROW grant to re-commission a decommissioned P/L; additional information if required.	120	25 ROW grant re-commission applications.	3,000
1117(b); 1125; 1126; 1127	Submit application for P/L ROW grant for new P/L; additional information if required (currently included with new P/L application).	4	106 new ROW grant applications.	424
1117(b); 1125; 1126; 1127	Submit application for P/L ROW grant to convert existing Lease Term P/L to ROW P/L; additional information if required.	25	12 ROW grant conversion applications.	300

Citation 30 CFR 250 Subpart J	Reporting & Recordkeeping Requirement	Hour Burden	Average No. of Annual Responses	Annual Burden Hours
		Fees		
		\$200 x 12 conversions = \$2,400		
1117(b); 1126(c)	NEW Submit information to establish qualification file and provide updates as necessary.	20	15 qualification file submissions.	300
1117(c); 1134(f)	Request for reconsideration for acquiring/holding P/L ROW grants.	Exempt as defined in 5 CFR 1320.3(h)(9).		0
1118(c)(2)	NEW Submit written or oral arguments for use in determining additional financial security.	8	25 submissions.	200
1119(a); 1134(g); 1136(e)	NEW Surety or pipeline ROW holder requests termination of the period of liability.	1	10 requests.	10
1120(a)	NEW Request bond or financial security cancellation.	1	1 cancellation.	1
1121(b)	NEW Notify MMS within 72 hours when financial security has lapsed.	1	1 notification.	1
1125(e)	NEW Notify MMS to withdraw application for P/L ROW grant.	1	3 withdrawal notices.	3
1127(b), (c)(2)	NEW Amend pending P/L ROW grant application.	2	2 ROW grant application amendments.	4
1129(a), (b)	NEW Notify affected parties if as-built location of ROW P/L deviates from approved ROW P/L grant, and provide MMS evidence of notifications.	1	15 notices/submissions.	15
1129(c); 1132; 1133(c), (d); 1137(b)	Submit application to modify P/L ROW grant including exceptions/departures, notices, reports, all required information, etc. (currently included with P/L modification application).	4	60 ROW grant modification applications.	240
1131(b)	Submit address changes to update qualification file—exempt under 5 CFR 1320.3(h).			
1131(k)	NEW Notify MMS immediately of evidence of sabotage or subversive activity.	1	1 notice.	1
1133(d)(3); 1136	Submit request to relinquish P/L ROW grant.	8	160 requests.	1,280
Subtotal		436 responses		5,779
		\$2,400		
Accessories to Right-of-way Pipelines				
1140(c); 1141; 1142	NEW Submit application to install, operate, and maintain an accessory to a ROW P/L, or convert existing OCS platform to an accessory.	18	2 ROW P/L accessory applications.	36
1141(c)	NEW Notify MMS to withdraw application for accessory.	1	1 accessory withdrawal.	1
1142(d), (e)(2)(i)	NEW Amend pending application for accessory.	2	1 accessory amendment.	2
1143(a), (c)	NEW Notify commander of military installation and National Geospatial-Intelligence Agency (NGA) before beginning accessory installation activities.	1	4 notices.	4
1144	NEW Submit accessory installation report within 45 days to MMS.	1	1 accessory installation report.	1
1145(a)	NEW Inspect accessory according to § 250.919. Submit annual report to MMS.	45	26 accessory inspection reports.	1,170
1145(b)	NEW Inspect accessory daily for pollution in accordance with § 250.301. Retain records for 2 years and make available to MMS upon request.	½ x 365 = 182.5	10 inspections/recordings.	1,825

Citation 30 CFR 250 Subpart J	Reporting & Recordkeeping Requirement	Hour Burden	Average No. of Annual Responses	Annual Burden Hours
1146	NEW Submit application to modify approved accessory including exceptions/departures, notices, reports, all required information, etc.	4	8 accessory modification applications.	32
Subtotal		53 responses		3,071
30 CFR Part 256 Hour Burden				
256.62(g)	NEW After assignment of lease or new designation of operator, submit report to MMS listing remaining Lease Term P/Ls , including decommissioned P/Ls, on lease; indicate which P/Ls remain as Lease Term P/Ls.	1	1,500 L/T P/L listing reports.	1,500
TOTAL HOUR and FEE BURDEN			72,014 Responses	337,884 Hours
			\$ 2,786,400 Fees	

13. Provide an estimate of the total annual [non-hour] cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).

(a) The cost estimate should be split into two components: (1) a total capital and start-up cost component (annualized over its expected useful life) and (2) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information [including filing fees paid]. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.

(b) If cost estimates are expected to vary widely, agencies should present ranges of cost burden and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.

(c) Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.

Sections 250.1095-1097, as well as sections 250.1100 – 250.1146 require respondents to pay filing fees when submitting P/L applications, modifications, notifications, decommissions, conversions, and certain requests. The application filing fees are required to recover the Federal Government's processing costs. We have not identified any other “non-hour cost” burdens associated with this collection of information. We estimate a total reporting “non-hour cost” burden of \$2,786,400. Refer to the chart in Section A.12 of this supporting statement for the specific fee breakdown.

14. Provide estimates of annualized cost to the Federal Government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.

To analyze and review the information required by the proposed 30 CFR Part 250, Subpart J, rulemaking, we estimate the Government will spend an average of 1/3 hour for each hour spent by respondents for most of the requirements. In calculating the Government costs, we are excluding the hours spent by respondents to develop the initial procedural manuals under proposed § 250.1079 (141,700 initial hours), as this one-time developmental effort will not have a corresponding Government cost. Any review of these manuals is included in other Government activities under these proposed regulations. Therefore, we estimate the Government will spend 64,741 (rounded) hours annually. Based on a cost factor of \$55 per hour, the cost to the Government would be \$3,560,755 (337,884 hours -141,700 hours = 196,184 hours x 0.33 = 64,741 hours (rounded) x \$55 = \$3,560,755). However, the cost recovery service fees (estimated \$2,786,400) will offset a portion of this Government cost. This results in an annualized cost to the Government of \$774,355 (\$3,560,755 - \$2,786,400 = \$774,355).

15. Explain the reasons for any program changes or adjustments.

We are revising this ICR to include the changes due to rulemaking. However, the majority of the burden is a revision of current regulatory/condition of approval requirements and NTL/LTL procedures and, therefore, not actually new requirements. The actual program increases are those requirements indicated as “NEW” in the burden tables displayed in Section A.12 above.

a. Hour Burden: This ICR requests a total of 337,884 hours. Current subpart J regulations have 107,874 hours approved by OMB. This rulemaking ICR proposes a new burden hour increase of 230,010 hours.

For the current requirements retained in the proposed rule, we used the currently approved estimated hour burdens and average number of annual responses where discernable. However, due to the vastly different structure of the proposed rule from current regulations some adjustments (-5,334 hours adjustment decrease) occurred.

The rule proposes to relocate pertinent pipeline decommissioning requirements, 30 CFR 250, subpart Q, into the revised regulations (+3,000 hours and +\$417,000 non-hour cost fees, adjustment increase). When the new regulations take effect, the 30 CFR 250, subpart Q pipeline decommissioning burdens (hours and costs) will be removed from the 1010-0142 collection of information.

The proposed rule eliminates four currently approved information collection requirements in current regulations at §§ 250.1000(c)(2), (4), (8); and 250.1016 for a minimal burden reduction (-9 hours program decrease).

With respect to the requirements designated as “new,” many are procedures and practices that are currently being followed by respondents. However, their hour burdens are not identifiable in the OMB approved current information collection estimates, and, therefore, are considered “new” information collection burdens (+67,293 hours program increase). A proposed new section, Pipeline Risers Connected to Floating Platforms (§§ 250.1053-1056) would add new burden requirements (+8,100 hours). There is a new section § 250.1079 that will, when the rule takes effect, require an initial one-time burden (+141,700 hours program increase) on current respondents to develop the operating procedures. In future years, this burden will be drastically reduced as only new respondents will have to develop their initial operating procedures. There will be a substantially lower on-going burden to maintain and update the procedures annually (+15,260 hours program increase). Total program increase is for 232,353 hours.

107,874 – OMB currently approved hours for subpart J
- 5,334 – adjustment decreases
+ 3,000 – adjustment increases
- 9 – program decrease
+232,353 – program increase
337,884 total proposed hours

b. This requests a total of \$2,786,400. The cost burden that is currently approved by OMB for subpart J is \$2,369,400. Once the rulemaking becomes effective, we will consolidate the decommissioning fees from subpart Q totaling \$417,000, adjustment increase, into subpart J thereby making the total non-hour cost burdens \$2,786,400. All of the mentioned fees are currently approved by OMB.

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

MMS will not tabulate or publish the data.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

MMS will display the expiration date of OMB approval on Forms MMS-149, MMS-153, and MMS-2030. The remainder of this collection of information concerns requirements in regulations.

18. Explain each exception to the certification statement, “Certification for Paperwork Reduction Act Submissions.”

To the extent that the topics apply to this collection of information, we are not making any exceptions to the “Certification for Paperwork Reduction Act Submissions.”