

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

**Supporting Statement
Pipeline Safety: Public Awareness Program
OMB Control No. 2137-0622**

Introduction

This is to request the Office of Management and Budget's (OMB) renewed three-year approved clearance for the information collection entitled, "Pipeline Safety: Public Awareness Program," OMB Control No. 2137-0622, which is currently due to expire on October 31, 2011.

Part A. Justification.

1. Circumstances that make collection of information necessary.

Current regulations require pipeline operators to develop and implement public awareness programs based on the provisions of the American Petroleum Institute's (API's) Recommended Practice RP-1162, Public Awareness Programs for Pipeline Operators.

Public awareness and understanding of pipeline operations is vital to the continued safe operation of pipelines. Pipeline operator public awareness programs are an important factor in establishing communications and providing information necessary to enhance public understanding of how pipelines function and the public's role in promoting pipeline safety.

Upon request, operators must submit their completed programs to the Pipeline and Hazardous Materials Safety Administration (PHMSA) or, in the case of an intrastate pipeline facility operator, the appropriate State agency. The operator's program documentation and evaluation results must also be available for periodic review by appropriate regulatory agencies.

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

This information will be used by PHMSA to evaluate compliance with the standards. Effective public awareness programs can increase awareness of the risks caused by unintentional pipeline releases and their impact on the public and the environment. Public awareness programs help outline the steps that can be taken to prevent or mitigate those risks. These programs can also improve excavation damage prevention, reduce encroachment on pipeline rights-of-way, improve pipeline safety, and enhance emergency response.

3. Extent of automated information collection.

The Government Paperwork Elimination Act directs agencies to allow the option of electronic filing and recordkeeping by October 2003, when practicable. PHMSA does not prohibit electronic maintenance of written procedures and filing when requested.

4. Efforts to identify duplication.

There is no duplication, as the recordkeeping is not required by any other source. Each operator system is unique and information derived from one may not be inferred to another.

5. Efforts to minimize the burden on small businesses.

The American Public Gas Association has agreed to assist small gas distribution operators (who make up the bulk of small pipeline operators) in developing public education plans. PHMSA issued a final rule entitled "Pipeline Safety: Applicability of Public Awareness Regulations to Certain Gas Distribution Operators" (72 FR 70808; December 13, 2007). This final rule relaxed regulatory requirements governing public awareness programs conducted by operators of master meter systems and certain operators of petroleum gas systems. These operators typically manage property and incidentally provide gas service to customers located on the property. The change provided a less burdensome means for these operators to satisfy public awareness needs. This rulemaking contained no new or amended information collection or recordkeeping requirements that have been approved or required approval by OMB.

6. Impact of less frequent collection of information.

This is an ongoing program.

7. Special circumstances.

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

8. Compliance with 5 CFR 1320.8.

A notice and request for comments was published in the Federal Register on June 9, 2011 under Docket No. PHMSA-2011-0136 [76 FR 33808] inviting public comment on the renewal of this information collection. The comment period closed on August 8, 2011. No comments pertaining to this information collection were received.

A notice and request for comments was published in the Federal Register on August 15, 2011 under Docket No. PHMSA-2011-0136 [76 FR 50539] inviting public comment on the renewal of this information collection. The comment period closes on September 14, 2011.

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.

Natural gas and hazardous liquid pipeline operators must develop and implement a written continuing public education program that follows the guidance provided in the American Petroleum Institute's Recommended Practice (RP) 1162. Upon request, operators must submit their completed programs to PHMSA or, in the case of an intrastate pipeline facility operator, the appropriate State agency. The operator's program documentation and evaluation results must also be available for periodic review by appropriate regulatory agencies. (49 CFR Parts 192.616 and 195.440). PHMSA estimates that there may be as many as 22,500 operators who are required to maintain the records for the program. Each operator required as much as 23 hours per operator per year to comply with the requirement ($22,500 \times \text{approximately } 23 = 517,480$). With the cost estimated at \$62.75 per hour, the cost to each operator is \$1,443.25 ($23 \text{ hours} \times \$62.75 = \$1,443.25$), and a total industry cost of \$32,473,125.00 ($\$144.25 \times 22,500 = \$32,473,125.00$).

PHMSA implemented a reduced set of requirements for master meter operators and other pipeline systems with similar characteristics (72 FR 70808; December 13, 2007). PHMSA concluded that it could reduce the public awareness program requirements for master meter operators without compromising safety. In fact, PHMSA concluded that continuing to require master meter operators to conform to the full set of requirements might be confusing for the customers of the master meter systems, and thus deleterious to safety, since those would be receiving public awareness program information from two distinctly different sources.

The amendment to 49 CFR 192.616 states that the operators of master meter systems and petroleum gas systems, except those that transport gas as a major part of its business, are not required to develop a public awareness program, but instead must develop and implement a written procedure to provide its customers public awareness messages twice annually.

13. Estimate of total annual costs to respondents.

There is no cost burden to respondents except those identified in item 12 above.

14. Estimate of cost to the Federal Government.

Costs to the Federal Government should be minimal.

15. Explanation of program changes or adjustments.

There are no new information collection requirements.

16. Publication of results of data collection.

There are no statistics used and no plans for publication.

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

PHMSA will display the OMB approval in 49 CFR Parts 192 and 195.

18. Exceptions to certification statement.

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