

## Supporting Statement A

### 30 CFR Part 250, Subpart S, Safety and Environmental Management Systems (SEMS) Form BSEE-0131 Performance Measures Data

**OMB Control Number: 1014-0017**

**Expiration Date: March 31, 2016**

**Terms of Clearance:** None

#### General Instructions

A completed Supporting Statement A 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 below. If an item is not applicable, provide a brief explanation. When the question, "Does this information collection request (ICR) contain surveys, censuses, or employ statistical methods?" is checked "Yes," then a Supporting Statement B must be completed. The Office of Management and Budget (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.**

The Outer Continental Shelf (OCS) Lands Act at 43 U.S.C. 1334 authorizes the Secretary of the Interior (Secretary) to prescribe rules and regulations necessary for the administration of the leasing provisions of that Act related to mineral resources on 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. These responsibilities are among those delegated to the Bureau of Safety and Environmental Enforcement (BSEE).

In addition to the general rulemaking authority of the OCSLA at 43 U.S.C. 1334, section 301(a) of the Federal Oil and Gas Royalty Management Act (FOGRMA), 30 U.S.C. 1751(a), grants authority to the Secretary to prescribe such rules and regulations as are reasonably necessary to carry out FOGRMA's provisions. While the majority of FOGRMA is directed to royalty collection and enforcement, some provisions apply to offshore operations. For example, section 108 of FOGRMA, 30 U.S.C. 1718, grants the Secretary broad authority to inspect lease sites for the purpose of determining whether there is compliance with the mineral leasing laws. Section 109(c)(2) and (d)(1), 30 U.S.C. 1719(c)(2) and (d)(1), impose substantial civil penalties for failure to permit lawful inspections and for knowing or willful preparation or submission of false, inaccurate, or misleading reports, records, or other information.

Because the Secretary has delegated some of the authority under FOGDMA to BSEE, 30 U.S.C. 1751 is included as additional authority for these requirements.

Regulations governing Safety and Environmental Management Systems (SEMS) are covered in 30 CFR 250, Subpart S and are the subject of this collection.

**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.**

We consider the information to be critical for us to monitor industry's operations record of safety and environmental management of the OCS. The Subpart S regulations hold the operator accountable for the overall safety of the offshore facility, including ensuring that all employees, contractors, and subcontractors have safety policies and procedures in place that support the implementation of the operator's SEMS program and align with the principles of managing safety. The SEMS program describes management commitment to safety and the environment, as well as policies and procedures to assure safety and environmental protection while conducting OCS operations (including those operations conducted by all personnel on the facility). BSEE will use the information obtained by submittals and observed via SEMS audits to ensure that operations on the OCS are conducted safely, as they pertain to both human and environmental factors, and in accordance with BSEE regulations, as well as industry practices. The ultimate work authority (UWA) and other recordkeeping will be reviewed diligently by BSEE during inspections/audits, etc., to ensure that industry is correctly implementing the documentation and that the requirements are being followed properly.

Information on Form BSEE-0131 includes company identification, number of company/contractor injuries and/or illnesses suffered, company/contractor hours worked, EPA National Pollutant Discharge Elimination System (NPDES) permit noncompliances, and oil spill volumes for spills less than 1 barrel. All pieces of information are reported annually as collected during 1 calendar year and the information broken out quarterly. The information is used to develop industry average incident rates that help to describe how well the offshore oil and gas industry is performing. Using the produced data allows BSEE to better focus our regulatory and research programs on areas where the performance measures indicate that operators are having difficulty meeting our expectations. BSEE will be more effective in leveraging resources by redirecting research efforts, promoting appropriate regulatory initiatives, and shifting inspection program emphasis based on performance results.

However, this ICR has removed form BSEE-0130. BSEE has found that there have been no instances of organizations using form BSEE-0130 and that equivalent information can be submitted by organizations following the instructions in § 250.1922(a)(1), "... submit documentation to BSEE describing the process for assessing an ASP for accreditation and approving, maintaining, and withdrawing the accreditation of an ASP." BSEE's Office of Offshore Regulatory Programs will then review the information, request other supporting documents as needed, and propose terms of BSEE oversight, in order to ensure conformance with the entirety of § 250.1922. Since, the intent of the form BSEE-0130 is already incorporated in the regulations and will remove the duplicate information collection burden represented by form BSEE-0130, we believe this an adjustment.

**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].***

Currently, we estimate that more than 90 percent of the information will be collected in electronic format. BSEE encourages respondents to use form BSEE-0131, that is available on the website, and submit electronically as attachments to secure emails.

***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 Department of the Interior and the U.S. Coast Guard have Memoranda of Understanding that define the responsibilities of their agencies with respect to activities on the OCS. These are generally effective in eliminating duplicate reporting and recordkeeping burdens. The requirements pertaining to an operator's SEMS plan do not affect other regulatory requirements outside of BSEE's jurisdiction. Nothing will affect the U.S. Coast Guard's current authority and jurisdiction over vessels and offshore facilities. Pertaining to form BSEE-0131 in this collection, the EPA collects exceedance information in the monthly Discharge Monitoring Reports; however, companies submit these reports on a quarterly and staggered basis and report by facility rather than company. The other information is not collected by any other Federal agency, nor is any similar information available.

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

This collection of information could have a significant economic effect on a substantial number of small entities. Approximately 69 percent of the OCS lessees and operators have less than 500 employees and are considered small businesses as defined by the Small Business Administration. The information is needed to evaluate the effect of industry's continued improvement of safety and environmental management of the OCS; therefore, the hour burden on any small entity subject to these regulations cannot be reduced to accommodate them.

***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.***

The OCS Lands Act mandates that operations in the OCS be conducted in a safe and environmentally sound manner. Until recent years, we have depended on regulatory and inspection programs to ensure that this goal would be met; however, the Deepwater Horizon event highlights the importance of operators initiating and implementing a comprehensive safety management system. Without this information, BSEE would not be able to evaluate the effect of industry's continued improvement of safety and environmental management of the OCS, nor would it be able to determine if industry was in compliance with the regulations. For the majority of the collection, the frequency of submission for both forms is occasion and mandatory. Form BSEE-0131 is collected on an annual basis.

***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;*
  - (b) requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;*
  - (c) requiring respondents to submit more than an original and two copies of any document;*
- Not applicable in this collection.

*(d) requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than 3 years;*  
Document and retain all records pertaining to SEMS audits for 6 years (at least 2 audit cycles (audits are at least once every 3 years)) to allow BSEE to have the necessary information when requested, and to allow BSEE to properly evaluate the SEMS program.

*(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;*

*(f) requiring the use of statistical data classification that has not been reviewed and approved by OMB;*

*(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; or*

*(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.*

Not applicable in this collection.

**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 1320.11), 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.**

**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 1320.8(d), BSEE provided a 60-day notice in the **Federal Register** on July 8, 2015 (80 FR 39152) Also, 30 CFR 250.199 explains that BSEE will accept comments at any time on the information collection requirements and burdens of our 30 CFR 250 regulations and associated forms. We display the OMB control number and provide the address for sending comments to BSEE. We received one comment in response to the **Federal Register** notice and it was not germane to the paperwork burden or the collection.

To prepare this ICR, companies were contacted to determine the estimated burden this subpart places on respondents: The following company representatives that commented were:

Jerry Breaux – Shell E & P Company – Senior SEMS Specialist – 504-425-6248  
701 Poydras, New Orleans, LA 70139

Tery Trahan – Fieldwood Energy, LLC – SEMS Supervisor – 337-354-8025  
2014 W. Pinhook Rd., Lafayette, LA 70508

David Dykes – Chevron North America – HES Regulatory Specialist – 985-773-6213  
100 Northpark Blvd., Covington, LA 70433

David Helminiak, EnVen Energy Ventures – HSE & SEMS Manager – 504-830-7625  
3850 N. Causeway Blvd., Metairie, LA 70002

Gene Cella – Stone Energy Corporation – Director HSER – 337-521-2124  
P.O. Box 52807, Lafayette, LA 70505

Dan McKnight – Helis Oil & Gas Company – Production Manager – 504-681-3341  
New Orleans, LA 70130

Will Henderson – Venoco, Inc., - Safety Advisor – 805-745-2283  
6267 Carpinteria Ave., Ste 100, Carpinteria, CA 93013

Scott Knight – DCOR – Manager of Safety and Training – 805-535-2066  
290 Maple Court, Suite 290, Ventura, CA 93003

Samantha Smith - Hilcorp Alaska, LLC - Regulatory Compliance Coordinator – 907-777-8435  
3800 Centerpoint Drive, Suite 1400, Anchorage, AK 99503

All the different reporting and recordkeeping requirements that are listed in the Subpart S burden table (Section A.12) were thoroughly reviewed by the company representatives listed. These representatives had no concerns regarding the availability of data, frequency of collection, clarity of instructions, and elements being collected at this time. The companies that replied to our request provided the burden estimates that are reflected in Section A.12.

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

BSEE 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.**

We protect proprietary information according to the Freedom of Information Act (5 U.S.C. 552), DOI's implementing regulations (43 CFR 2), 30 CFR 250.197, *Data and information to be made available to the public or for limited inspection* and 30 CFR 252, *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; but, if we did BSEE protects information considered proprietary under the Freedom of Information Act (5 U.S.C. 552) and DOI's implementing regulations (43 CFR 2), and under regulations at 30 CFR Part 250.197, *Data and information to be made available to the public or for limited inspection*, 30 CFR Part 252, *OCS Oil and Gas Information Program*.

**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.**

Potential respondents are Federal OCS oil, gas, or sulphur lessees, operators, and/or third-party personnel or organization. It should be noted that not all of the potential respondents will submit information in any given year and some may submit multiple times. The burden estimates include the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information and are based on informal discussions with the listed respondents in Section A.8. The frequency of response varies by section, but is primarily on occasion and responses are mandatory. We estimate the total annual burden is 2,238,164 hours. Refer to the following table for a breakdown of the burdens.

**Burden Table**

<b>Citation 30 CFR 250 Subpart S</b>	<b>Reporting and Recordkeeping Requirement+</b>	<b>Hour Burden</b>	<b>Average No. of Annual Responses</b>	<b>Annual Burden Hours (rounded)</b>
1900-1933	High Activity Operator: Have a SEMS program, and maintain all documentation and records pertaining to your SEMS program, according to API RP 75, ISO 17011 in their entirety, the COS-2-01, 03, and 04 documents as listed in § 250.198,	27,054	15 operators	405,810

Citation 30 CFR 250 Subpart S	Reporting and Recordkeeping Requirement+	Hour Burden	Average No. of Annual Responses	Annual Burden Hours (rounded)
	and all the requirements as detailed in 30 CFR 250, Subpart S. Make your SEMS available to BSEE upon request.			
1900-1933	Moderate Activity Operator: Have a SEMS program, and maintain all documentation and records pertaining to your SEMS program, according to API RP 75, the three COS documents in their entirety, and all the requirements as detailed in 30 CFR 250, Subpart S. Make your SEMS available to BSEE upon request.	11,625	40 operators	465,000
1900-1933	Low Activity Operator: Have a SEMS program, and maintain all documentation and records pertaining to your SEMS program, according to API RP 75, the three COS documents in their entirety, and all the requirements as detailed in 30 CFR 250, Subpart S. Make your SEMS available to BSEE upon request.	1,525	75 operators	114,375
1911(b)	Immediate supervisor must conduct a JSA, sign the JSA, and ensure all personnel participating sign the JSA. The individual designated as being in charge of facility approves and signs all JSAs before job starts. <b>NOTE: If activity is repeated, the 1<sup>st</sup> signed JSA is allowed.</b>	15 mins.	130 operators x 365 days x 50 JSA's per day = 2,372,500*	593,125
1914(e); 1928(d), (e); 1929	Submit Form BSEE-0131. Maintain a contractor employee injury/illness log in the operation area, retain for 2 years, and make available to BSEE upon request (this requirement is included in the form burden). Inform contractors of hazards.	15	130 operators	1,950
1920(a), (b); 1921	ASP audit for High Activity Operator ASP audit for Moderate Activity Operator ASP audit for Low Activity Operator <b>NOTE: An audit is done once every 3 years.</b>	15 operators x \$217,000 audit = \$3,255,000 / 3 = \$1,085,000		
		40 operators x \$108,000 audit = \$4,320,000 / 3 = \$1,440,000		
		75 operators x \$62,000 audit = \$4,650,000 3 = \$1,550,000		
1920(b)	Notify BSEE with audit plan/schedule 30 days prior to conducting your audit.	1	130 operators /once every 3 years = 44	44 (rounded)
1920(c); 1925(a);	Submit to BSEE after completed audit, an audit report of findings and conclusions, including deficiencies and required supporting information/ documentation.	4	44 operators	176
1920(d); 1925(b);	Submit/resubmit a copy of your CAP that will address deficiencies identified in audit within 60 days of audit completion.	10	170 submissions	1,700
1922(a)	Organization requests approval for AB; submits documentation for assessing, approving, maintaining, and withdrawing accreditation of ASP.	15	3 requests	45
1922(b)	Make available to BSEE upon request, conflict of interest procedures.	20 mins.	12 requests	4
1924(b)	Make available to BSEE upon request, evaluation documentation and supporting information relating to your SEMS.	5	130 operators	650
1924(c)	Explain and demonstrate your SEMS during site visit if required; provide evidence supporting your SEMS implementation.	12	12 explanations	144

Citation 30 CFR 250 Subpart S	Reporting and Recordkeeping Requirement+	Hour Burden	Average No. of Annual Responses	Annual Burden Hours (rounded)
1925(a);	Pay for all costs associated with BSEE directed ASP audit approximately 10 percent per operator per category: 1 required audit for high operator (\$217,000 per audit x 1 audit = \$217,000); 4 required audits for moderate operator (\$108,000 per audit x 4 audits = \$432,000; and 8 required audits for low operator (\$62,000 per audit per 8 audits = \$496,000) = 13 required audits per year.	13 BSEE directed ASP audits – for a total of \$1,145,000.		
1928	(1) Document and keep all SEMS audits for 6 years (at least two full audit cycles) at an onshore location.	6	130 operators	780
	(2) JSAs must have documented results in writing and kept onsite for 30 days or until release of the MODU; retain records for 2 years. (3) All MOC records (API RP Sec 4) must be documented, dated, and retained for 2 years. (4) SWA documentation must be kept onsite for 30 days; retain records for 2 years. (5) Documentation of employee participation must be retained for 2 years.	62 hrs/mo x 12 mos/yr = 744 hrs	838 manned facilities	623,472
	(6) All documentation included in this requirement must be made available to BSEE upon request.	2	1,620 unmanned facilities	3,240
1930(c)	Document decision to resume SWA activities.	8	130 operators once every 2 wks = 130 x 52 / 2 = 3,380	27,040
1933(a)	Personnel reports unsafe practices and/or health violations.	Burden covered under 30 CFR 250, Subpart A 1014-0022.		0
1933(c)	Post notice where personnel can view their rights for reporting unsafe practices.	15 mins.	2,435 facilities	609 (rounded)
<b>TOTAL SUBPART S</b>			<b>2,381,721 Responses</b>	<b>2,238,164 Hours</b>
			<b>\$5,220,000 Non-Hour Cost Burdens</b>	

\*We calculated operators conducting 50 JSAs a day (25 JSAs for each 12 hour shift). Some contractors may perform none for a particular day, whereas others may conduct more than 50 per day. This estimate is an average. Also, in Alaska, the Alaska Safety Handbook or ASH is followed on the North Slope, which is a book containing both safety standards and the permit to work process for North Slope operations. The ASH includes work permits which include a hazards analysis and mitigation measures section on the back of the permit.

+ In the future, BSEE may require electronic filing of some submissions.

***(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 under “annual Cost to the Federal Government.”***

The average respondent cost is \$106/hour. This cost is broken out in the following table using the Society of Petroleum Engineers (SPE) data dated September 2014. See SPE document/website:

<http://www.spe.org/industry/docs/14SalarySurveyHighlights.pdf>

Position	Hourly Pay rate (\$/hour estimate)	Hourly rate including benefits (1.4* x \$/hour)	Percent of time spent on collection	Weighted Average (\$/hour/rounded)
HSE Engineer	\$84	\$118	19%	\$22
Production Engineer	\$77	\$108	15%	\$16
Computer or Information Tech	\$71	\$99	37%	\$37
Technician/Specialist/Support Staff	\$68	\$95	24%	\$23
Supervisor/Superintendent/Lead	\$112	\$157	5%	\$8
<b>Weighted Average (\$/hour)</b>				<b>\$106</b>

\*A multiplier of 1.4 (as implied by BLS news release USDL 15-1132, June 10, 2015 (see <http://www.bls.gov/news.release/ecec.nr0.htm>)) was added for benefits.

Based on a cost factor of \$106 per hour, we estimate the hour burden as a dollar equivalent to industry is \$237,245,384 (\$106 x 2,238,164 hours = \$237,245,384).

**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 Item 12).**

**(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 for form processing). 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.**

We have identified four non-hour cost burdens:

- § 250.1925(a) – Pay for all costs associated with a BSEE directed audit due to deficiencies.
- § 250.1920(a) - ASP audits conducted for High, Moderate, and Low Activity Operator.

We estimate a total reporting non-hour cost burden to industry of \$5,220,000 for this collection of

information. Refer to the chart in Section A.12 for a breakdown of the burden.

**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.**

The average government cost is \$72/hour. This cost is broken out in the below table using the current Office of Personnel Management salary data for the REST OF THE UNITED STATES (<http://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/>).

Position	Grade	Hourly Pay rate (\$/hour estimate)	Hourly rate including benefits (1.5* x \$/hour)	Percent of time spent on collection	Weighted Average (\$/hour)
Clerical	GS-7/5	\$21	\$32	5%	\$2
Petroleum Engineer/Geologist/Geophysicist	GS-13/5	\$45	\$68	75%	\$51
Supv. Petroleum Engineer/Geologist/Geophysicist	GS-15/5	\$63	\$95	20%	\$19
<b>Weighted Average (\$/hour)</b>					<b>\$72</b>

\* \*\*A multiplier of 1.5 (as implied by BLS news release USDL 15-1132, June 10, 2015 (see <http://www.bls.gov/news.release/ecec.nr0.htm>)) was added for benefits.

Please note that out of the 2,238,164 industry burden hours, only a portion of their hours are associated with submittals or being made available to BSEE upon request.

Citation	Requirement	Industry's Burden Hour	Government's Burden Hour
§§ 250.1900-1933	High, Moderate, and Low Activity Operator – Maintain SEMS, make available to BSEE upon request.	985,185	16,825
§§ 250.1900(b); 1914(d); 1928(d), (e); 1929	Submit Form BSEE-0131.	1,950	120
§ 250.1920	Notification of audit schedule.	44	5
§§ 250.1920(c); 1925(a), (c);	Submit audit reports.	176	90
§§ 250.1920(d), 1925(c)	Submit/resubmit CAP.	1,700	170
§ 250.1922	Submit documentation and relevant info about ASP.	45	6
§ 250.1922	Make available to BSEE upon request, conflict of interest procedures.	4	1
§ 250.1924(b)	Upon request make available evaluation documentation and supporting info about SEMS.	650	65
§ 250.1924(c)	Explain/demonstrate SEMS.	144	5
§ 250.1928	Documentation/recordkeeping	627,492	3,500
<b>Total</b>		<b>1,617,390 burden hours</b>	<b>20,787 hours</b>

To analyze and review the information submitted, we estimate the Government will spend an average of

20,787 hours per year. Based on a cost factor of \$72 per hour, the total estimated annualized cost to the Government is \$1,496,664 (20,787 industry hours x \$72 per hour = \$1,496,664).

**15. Explain the reasons for any program changes or adjustments in hour or cost burden.**

(a) The current OMB inventory for this collection includes 651,728 burden hours. In this submission, we are requesting a total of 2,238,164 hours. This represents an adjustment increase of 1,586,436 hours. This adjustment increase is a result of industry, the respondents listed in A.8, supplying us with more accurate information of how long it takes to accomplish each regulatory requirement since they have gone through an audit cycle.

(b) The current OMB non-hour cost burden inventory is \$9,444,000. In this submission, we are requesting a total of \$5,220,000. This represents an adjustment decrease of \$4,224,000. The decrease is due to re-estimating the average number of annual responses times its associated non-hour cost burden.

This was the very first time that an ICR went out to respondents where BSEE received documented input from industry since they have implemented their SEMS/potentially had an audit. The 1st SEMS rule came out in 2010, the 2nd rule in 2011, and the 3rd rule in 2013; when industry responded to comments during the rulemakings, while they stated the burden was too low, industry did not give us any idea/specific suggestions of how much to raise the burden. While we did raise the burden in each of the final rulemakings by a percentage across the board, this ICR shows that we underestimated the burden.

<b>Citation 30 CFR 250 Subpart S</b>	<b>Current Annual Hour Burden</b>	<b>Requested Annual Hour Burden</b>	<b>Total Change in Hour Burden</b>	<b>Change in Number of Responses</b>
§§ 250.1900-1933 – High Operator	290,732	405,810	+115,078	+2
§§ 250.1900-1933 – Moderate Operator	201,761	465,000	+263,239	-1
§§ 250.1900-1933 – Low Operator	78,052	114,375	+36,323	-1
§ 250. 1911(b) - Conduct a JSA, etc. [in the last submittal, BSEE calculated 6 JSA’s per day per operator; per averaged industry input it is now 50 JSA’s per day/per operator.	52,195	593,125	+540,930	+2,087,800*
§ 250.1914(e); 1928(d), (e); 1929 - Form BSEE-0131; contractor employee injury /illness log; retention; available	1,300	1,950	+650	0

to BSEE; etc.				
§ 250.1920(b) - notify BSEE with audit schedule 30 days in advance	43	44	+1	+1
§ 250.1920(c); 1925(a) - Submit audit report with findings/ con-clusions/deficiencies	132	176	+44	0
§ 250.1920(d); 1925(b) - Submit copy of audit plan including correction schedule	40	1,700	+1,660	+160
§ 250.1922(a) Request approval for AB; submit doc re ASP	48	45	-3	0
§250.1922(b) Make available to BSEE; conflict of interest procedures	3	4	+1	0
§ 250.1924(b) - Make available to BSEE, evaluation documentation and supporting information	260	650	+260	0
§ 250.1924(c) - Demonstrate and explain if req'd, SEMS; produce documentation	48	144	+96	+6
§ 250.1928 – Documentation and recordkeeping [in the last submittal, BSEE calculated 2 hrs/mo x 12 mos for JSA documentation; per averaged industry input this ICR requested 62 hrs/mo x 12 mos for JSA documentation]	26,042	627,492	+601,450	-996
§ 250.1930(c) – Document decision to resume SWA	208	27,040	+26,832	+3,354
§ 250.1933(c) - Post unsafe reporting practices for all to see	864	609	-255	-1,019
<b>Citation 30 CFR 250</b>	<b>Current</b>	<b>Requested</b>	<b>Total Change in Non-</b>	<b>Change per in</b>

<b>Subpart S</b>	<b>Annual Non-Hour Cost Burden</b>	<b>Annual Non-Hour Cost Burden</b>	<b>Hour Cost Burden</b>	<b>Number of Responses</b>
§ 250.1920(a), (b); 1921; Lead ASP audit cost for high, moderate and low operator	\$8,611,000	\$4,075,000	-\$4,536,000	0
§ 250.1925(a); - pay for all costs associated with a BSEE directed audit	\$833,000	\$1,145,000	+\$312,000	0

**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.**

BSEE will require the submittal of Form BSEE-0131 from respondents in the time schedule as follows:

- Operators have between January 1 and March 31 to submit the previous calendar's year data on Form BSEE-0131;
- BSEE will analyze the data between April and May;
- BSEE will make available the aggregate industry-wide data on the BSEE web site with updates by June 1.

**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.**

Not applicable. BSEE is not seeking a waiver from the requirement to display the expiration date of the OMB approved IC.

**18. Explain each exception to the topics of the certification statement identified in, "Certification for Paperwork Reduction Act Submission".**

Not applicable. To the extent that the topics apply to this collection of information, BSEE is not making any exceptions to the Certification for Paperwork Reduction Act Submissions.