

Authority Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35

Dated: April 1, 2014.

Colette Pollard,

*Department Reports Management Officer,
Office of the Chief Information Officer.*

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DEPARTMENT OF THE INTERIOR

Bureau of Safety and Environmental Enforcement

[Docket ID BSEE-2013-0013; OMB Control Number 1014-0011; 14XE1700DX EEEE500000 EX1SF0000.DAQ000]

Information Collection Activities: Platforms and Structures; Submitted for Office of Management and Budget Review; Comment Request

ACTION: 30-day Notice.

SUMMARY: To comply with the Paperwork Reduction Act of 1995 (PRA), the Bureau of Safety and Environmental Enforcement (BSEE) is notifying the public that we have submitted to the Office of Management and Budget (OMB) an information collection request (ICR) to renew approval of the paperwork requirements in the regulations under Subpart I, *Platforms and Structures*. This notice also provides the public a second opportunity to comment on the revised paperwork burden of these regulatory requirements.

DATES: You must submit comments by May 7, 2014.

ADDRESSES: Submit comments by either fax (202) 395-5806 or email (*OIRA_Submission@omb.eop.gov*) directly to the Office of Information and Regulatory Affairs, OMB, Attention: Desk Officer for the Department of the Interior (1014-0011). Please provide a copy of your comments to BSEE by any of the means below.

- *Electronically:* go to <http://www.regulations.gov>. In the Search box, enter BSEE-2013-0013 then click search. Follow the instructions to submit public comments and view all related materials. We will post all comments.

- *Email nicole.mason@bsee.gov*mailto:cheryl.blundon@mms.gov, fax (703) 787-1546, or mail or hand-carry comments to the Department of the Interior; Bureau of Safety and Environmental Enforcement; Regulations and Standards Branch; ATTN: Nicole Mason; 381 Elden Street, HE3313; Herndon, Virginia 20170-4817. Please reference ICR 1014-0011 in your

comment and include your name and return address.

FOR FURTHER INFORMATION CONTACT: Nicole Mason, Regulations and Standards Branch, (703) 787-1605, to request additional information about this ICR. To see a copy of the entire ICR submitted to OMB, go to <http://www.reginfo.gov> (select Information Collection Review, Currently Under Review).

SUPPLEMENTARY INFORMATION:

Title: 30 CFR 250, Subpart I, *Platforms and Structures*.

OMB Control Number: 1014-0011.

Abstract: 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 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, right-of-way, or a right-of-use and easement. 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 43 U.S.C. 1356 requires the issuance of ". . . regulations which require that any vessel, rig, platform, or other vehicle or structure . . . (2) which is used for activities pursuant to this subchapter, comply . . . with such minimum standards of design, construction, alteration, and repair as the Secretary . . . establishes. . . ." Section 43 U.S.C. 1332(6) also states "operations in the [O]uter Continental Shelf should be conducted in a safe manner . . . to prevent or minimize the likelihood of . . . physical obstruction to other users of the water or subsoil and seabed, or other occurrences which may cause damage to the environment or to property, or endanger life or health."

In addition to the general authority of OCSLA, 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 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. The Secretary has delegated some of the authority under FOGRMA to BSEE.

The Independent Offices Appropriations Act (31 U.S.C. 9701), the Omnibus Appropriations Bill (Pub. L. 104-133, 110 Stat. 1321, April 26, 1996), and 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 implementing policy, BSEE is required to charge fees 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. Various applications and reports for Platform Verification Program, fixed structure, Caisson/Well Protector, and modification repairs are subject to cost recovery, and BSEE regulations specify service fees for these requests.

These authorities and responsibilities are among those delegated to BSEE. The regulations at 30 CFR part 250, Subpart I, pertain to Platforms and Structures and are the subject of this collection. This request also covers the related Notices to Lessees and Operators (NTLs) that BSEE issues to clarify, supplement, or provide additional guidance on some aspects of our regulations.

Regulations implementing these responsibilities are among those delegated to BSEE. While most responses are mandatory, some are required to obtain or retain a benefit. No questions of a sensitive nature are asked. The BSEE protects information considered proprietary under the Freedom of Information Act (5 U.S.C. 552) and DOI's implementing regulations (43 CFR part 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*.

The BSEE uses the information submitted under Subpart I to determine the structural integrity of all OCS platforms and floating production facilities and to ensure that such integrity will be maintained throughout the useful life of these structures. We use the information to ascertain, on a case-by-case basis, that the fixed and floating platforms and structures are structurally sound and safe for their intended use to ensure safety of

personnel and prevent pollution. More specifically, we use the information to:

- Review data concerning damage to a platform to assess the adequacy of proposed repairs.
- Review applications for platform construction (construction is divided into three phases—design, fabrication, and installation) to ensure the structural integrity of the platform.
- Review verification plans and third-party reports for unique platforms to ensure that all nonstandard situations are given proper consideration during

the platform design, fabrication, and installation.

- Review platform design, fabrication, and installation records to ensure that the platform is constructed according to approved applications.
- Review inspection reports to ensure that platform integrity is maintained for the life of the platform.

Frequency: On occasion, as a result of situations encountered; and annually.

Description of Respondents: Potential respondents include Federal OCS oil, gas, or sulphur lessees and/or operators.

Estimated Reporting and Recordkeeping Hour Burden: The estimated annual hour burden for this information collection is a total of 261,313 hours. The following chart details the individual components and estimated hour burdens. In calculating the burdens, we assumed that respondents perform certain requirements in the normal course of their activities. We consider these to be usual and customary and took that into account in estimating the burden.

BURDEN BREAKDOWN

Citation 30 CFR 250 Subpart I and related NTLs	Reporting and/or Recordkeeping Requirement*	Hour Burden	Average No. of Annual Reponses	Annual Burden Hours
		Non-Hour Cost Burdens		
General Requirements for Platforms				
900(b), (c), (e); 901(b); 905; 906; 910(c), (d); 911(c), (g); 912; 913; 919; NTL(s) [PAP 904- 908; PVP 909-918]	Submit application, along with reports/surveys and relevant data, to install new platform or floating production facility or significant changes to approved applications, including but not limited to: summary of safety factors utilized in design of the platform; use of alternative codes, rules, or standards; CVA changes; and Platform Verification Program (PVP) plan for design, fabrication, and installation of new, fixed, bottom-founded, pile-supported, or concrete-gravity platforms and new floating platforms. Consult as required with BSEE and/or USCG. Re/Submit application for major modification(s)/repairs to any platform and obtain approval; and related requirements.	817	100 applications	81,700
		\$22,734 x 3 PVP = \$68,202		
		\$3,256 x 12 fixed structure = \$39,072		
		\$1,657 x 20 Caisson/Well Protector = \$33,140		
\$3,884 x 65 modifications/repairs = \$252,460				
900(b)(4)	Submit application for approval to convert an existing platform for a new purpose.	105	4 applications	420
900(b)(5)	Submit application for approval to convert an existing mobile offshore drilling unit (MODU) for a new purpose.	120	2 applications	240
900(c)	Notify BSEE within 24 hours of damage and emergency repairs and request approval of repairs. Submit written completion report within 1 week upon completion of repairs.	7	14 notices/ requests; reports	98
		17		238
900(e)	Submit platform installation date and the final as-built location data to the Regional Supervisor within 45 days after platform installation.	19	140 submittals	2,660
900(e)	Resubmit an application for approval to install a platform if it was not installed within 1 year after approval (or other date specified by BSEE).	58	6 applications	348
901(b)	Request approval for alternative codes, rules, or standards.	Burden covered under 30 CFR 250, Subpart A, 1014-0022.		0
903	Record original and relevant material test results of all primary structural materials; retain records during all stages of construction. Compile, retain, and provide location/make available to BSEE for the functional life of	204	111 lessees	22,644

Citation 30 CFR 250 Subpart I and related NTLs	Reporting and/or Recordkeeping Requirement*	Hour Burden	Average No. of Annual Reponses	Annual Burden Hours
		Non-Hour Cost Burdens		
	platform, the as-built drawings, design assumptions/analyses, summary of nondestructive examination records, inspection results, and records of repair not covered elsewhere.			
903(c); 905(k)	Submit certification statement [a certification statement is not considered information collection under 5 CFR 1320.3(h)(1); the burden is for the insertion of the location of the records on the statement and the submittal to BSEE].	This statement is submitted with the application.		0
Subtotal			377 responses	108,348 hours
			\$392,874 Non-Hour Cost Burdens	
Platform Verification Program				
911(c-e); 912(a-c); 914;	Submit complete schedule of all phases of design, fabrication, and installation with required information; also submit Gantt Chart with required information and required nomination/documentation for CVA, or to be performed by CVA.	173	5 schedules	865
912(a)	Submit design verification plans with your DPP or DOCD.	Burden covered under 30 CFR 550, Subpart B, 1010-0151.		0
913(a)	Resubmit a changed design, fabrication, or installation verification plan for approval.	87	2 plans	174
916(c)	Submit interim and final CVA reports and recommendations on design phase.	230	10 reports	2,300
917(a), (c)	Submit interim and final CVA reports and recommendations on fabrication phase, including notices to BSEE and operator/lessee of fabrication procedure changes or design specification modifications.	183	10 reports	1,830
918(c)	Submit interim and final CVA reports and recommendations on installation phase.	133	10 reports	1,330
Subtotal			37 responses	6,499 hours
Inspection, Maintenance, and Assessment of Platforms				
919(a)	Develop in-service inspection plan and keep on file. Submit annual (November 1 of each year) report on inspection of platforms or floating production facilities, including summary of testing results.	171	117 lessees	20,007
919(b) NTL	After an environmental event, submit to Regional Supervisor initial report followed by updates and supporting information.	45 (initial)	150 reports	6,750
		30 (update)	90 reports	2,700

Citation 30 CFR 250 Subpart I and related NTLs	Reporting and/or Recordkeeping Requirement*	Hour Burden	Average No. of Annual Reponses	Annual Burden Hours
		Non-Hour Cost Burdens		
919(c) NTL	Submit results of inspections, description of any damage, assessment of structure to withstand conditions, and remediation plans.	159	200 results	31,800
920(a)	Demonstrate platform is able to withstand environmental loadings for appropriate exposure category.	130	400 occurrences	52,000
920(c)	Submit application and obtain approval from the Regional Supervisor for mitigation actions (includes operational procedures).	153	200 applications	30,600
920(e)	Submit a list of all platforms you operate, and appropriate supporting data, every 5 years or as directed by the Regional Supervisor.	94	112 operators / 5 years = 23 lists per year	2,162
920(f)	Obtain approval from the Regional Supervisor for any change in the platform.	64	2 approvals	128
Subtotal			1,182 responses	146,147 hours
General Departure				
900 thru 921	General departure and alternative compliance requests not specifically covered elsewhere in Subpart I regulations.	29	11 requests	319 hours
Subtotal			11 responses	319 hours
TOTAL BURDEN			1,607 Responses	261,313 Hours
			\$392,874 Non-Hour Cost Burdens	

* In the future, BSEE will be allowing the option of electronic reporting for certain requirements.

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Estimated Reporting and

Recordkeeping Non-Hour Cost Burden:

We have identified four non-hour cost burdens, which are service fees required to recover the Federal Government's processing costs of certain submissions, for various platform applications/installations. The platform fees are as follows: \$22,734 for installation under the Platform Verification Program; \$3,256 for installation of fixed structures under the Platform Approval Program; \$1,657 for installation of Caisson/Well Protectors; and \$3,884 for modifications and/or repairs (see § 250.125). We have not identified any other non-hour cost burdens associated with this collection of information, and we estimate a total reporting non-hour cost burden of \$392,874.

Public Disclosure Statement: The PRA (44 U.S.C. 3501, *et seq.*) provides that an agency may not conduct or sponsor a collection of information unless it

displays a currently valid OMB control number. Until OMB approves a collection of information, you are not obligated to respond.

Comments: Section 3506(c)(2)(A) of the PRA (44 U.S.C. 3501, *et seq.*) requires each agency “. . . to provide notice . . . and otherwise consult with members of the public and affected agencies concerning each proposed collection of information . . .” Agencies must specifically solicit comments to: (a) Evaluate whether the collection is necessary or useful; (b) evaluate the accuracy of the burden of the proposed collection of information; (c) enhance the quality, usefulness, and clarity of the information to be collected; and (d) minimize the burden on the respondents, including the use of technology.

To comply with the public consultation process, on January 16, 2014, we published a **Federal Register** notice (79 FR 2859) announcing that we

would submit this ICR to OMB for approval. The notice provided the required 60-day comment period. In addition, § 250.199 provides the OMB Control Number for the information collection requirements imposed by the 30 CFR 250, Subpart I regulations. The regulation also informs the public that they may comment at any time on the collections of information and provides the address to which they should send comments. We received one comment in response to the **Federal Register** notice; however, it was not germane to the paperwork burden of this information collection.

Public Availability of Comments: Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment

to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Information Collection Clearance Officer: Cheryl Blundon, 703-787-1607.

Dated: March 25, 2014.

Robert W. Middleton,

Deputy Chief, Office of Offshore Regulatory Programs.

[FR Doc. 2014-07677 Filed 4-4-14; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS-R8-ES-2014-N055; FXES11120000-145-FF08ECAR00]

Endangered and Threatened Wildlife and Plants; Incidental Take Permit Application; Proposed Low-Effect Habitat Conservation Plan and Associated Documents; San Bernardino County, CA

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability; request for comments.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), have received an application from City of Rialto (applicant), for a 3-year incidental take permit (permit); the application includes the applicant's proposed habitat conservation plan (HCP), as required by the Endangered Species Act of 1973, as amended (Act). If approved, the permit would authorize incidental take of the endangered Delhi Sands flower-loving fly in the course of routine activities associated with the construction activities associated with the widening of San Bernardino Avenue, Riverside Avenue, and Willow Avenue. We invite public comment on the permit application and proposed HCP, and on our preliminary determination that the HCP qualifies as "low-effect" for a categorical exclusion under the National Environmental Policy Act. To make this determination, we used our environmental action statement and low-effect screening form, which are also available for review.

DATES: To ensure consideration, please send your written comments by May 7, 2014.

ADDRESSES: *Obtaining Documents:* You may request a copy of the incidental take permit application, proposed HCP, and associated documents by email, telephone, fax, or U.S. mail (see below). These documents are also available for public inspection by appointment

during normal business hours at the office below. Please send your requests or comments by any one of the following methods, and specify "San Bernardino Avenue, Riverside Avenue, and Willow Avenue Street Improvements HCP" in your request or comment.

Submitting Comments: You may submit comments or requests for more information by any of the following methods:

Email: ken_corey@fws.gov. Include "San Bernardino Avenue, Riverside Avenue, and Willow Avenue Street Improvements HCP" in the subject line of your message.

Telephone: Kennon A. Corey, Palm Springs Fish and Wildlife Office, 760-322-2070.

Fax: Kennon A. Corey, Palm Springs Fish and Wildlife Office, 760-322-4648, Attn.: San Bernardino Avenue, Riverside Avenue, and Willow Avenue Street Improvements HCP.

U.S. Mail: Kennon A. Corey, Palm Springs Fish and Wildlife Office, Attn.: San Bernardino Avenue, Riverside Avenue, and Willow Avenue Street Improvements HCP, U.S. Fish and Wildlife Service, 777 East Tahquitz Canyon Way, Suite 208, Palm Springs, CA 92262.

In-Person Viewing or Pickup of Documents, or Delivery of Comments: Call 760-322-2070 to make an appointment during regular business hours at the above address.

FOR FURTHER INFORMATION CONTACT:

Kennon A. Corey, Assistant Field Supervisor, Palm Springs Fish and Wildlife Office; telephone 760-332-2070. If you use a telecommunications device for the deaf (TDD), please call the Federal Information Relay Service (FIRS) at 800-877-8339.

SUPPLEMENTARY INFORMATION:

Introduction

The applicant, City of Rialto, requests an incidental take permit under section 10(a)(1)(B) of the Act. If we approve the permit, the applicant anticipates taking Delhi Sands flower-loving fly (*Rhaphiomidas terminatus abdominalis*) as a result of minor disturbances to habitat the species uses for breeding, feeding, and sheltering. Take of Delhi Sands flower-loving fly would be incidental to the applicant's routine activities associated with the construction activities associated with the widening of San Bernardino Avenue, Riverside Avenue, and Willow Avenue, in the City of Rialto, San Bernardino County, California. We published a final rule to list Delhi Sands flower-loving fly as endangered on

September 23, 1993 (58 FR 49881). The rule became effective September 22, 1993. A 5-year review of the species was published in March 2008.

Background

Section 9 of the Act (16 U.S.C. 1531 *et seq.*) and our implementing Federal regulations in the Code of Federal Regulations (CFR) at 50 CFR 17 prohibit the "take" of wildlife species listed as endangered or threatened. Take of listed wildlife is defined under the Act as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect listed species, or to attempt to engage in any such conduct" (16 U.S.C. 1538). "Harm" includes significant habitat modification or degradation that actually kills or injures listed wildlife by significantly impairing essential behavioral patterns such as breeding, feeding, or sheltering (50 CFR 17.3). Under limited circumstances, we may issue permits to authorize incidental take of listed wildlife species, which the Act defines as take that is incidental to, and not the purpose of, the carrying out of otherwise lawful activities.

Regulations governing incidental take permits for threatened and endangered species are at 50 CFR 17.32 and 17.22, respectively. In addition to meeting other criteria, activities covered by an incidental take permit must not jeopardize the continued existence in the wild of federally listed wildlife or plants.

Applicant's Proposal

The applicant requests a 3-year permit under section 10(a)(1)(B) of the Act. If we approve the permit, the applicant anticipates taking Delhi Sands flower-loving fly (*Rhaphiomidas terminatus abdominalis*) as a result of street improvements which will permanently and temporarily impact 0.74 acre (ac) (0.30 hectare (ha)) of habitat the species uses for breeding, feeding, and sheltering. The take would be incidental to the applicant's routine construction activities associated with the widening of San Bernardino Avenue, Riverside Avenue, and Willow Avenue, in the City of Rialto, San Bernardino County, California.

A portion of the street widening project is on Delhi Sands soils. This soil type, which consists of fine wind-blown sand deposits, along with sparse native shrubs and annual plants defines the Delhi Sands flower-loving fly habitat. Less than 5 percent of the species' historic range is left, found in a few disjunct locations in southwestern San Bernardino and northwestern Riverside Counties. Development and exclusion by invasive plant species continue to be