

whether the information would have a practical use;

- The accuracy of the Department's estimate of the burden of collection of information including the validity of assumptions used;
- The quality, usefulness and clarity of the information to be collected; and minimizing the burden of collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology e.g., permitting electronic submission of responses.

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless a valid OMB control number is displayed. The valid OMB control number for this information collection will be published in the **Federal Register** after it is approved by the OMB. For details see, the complete Paperwork Reduction analysis available for copying and review in the public docket.

Executive Order 13084

This final rule has been analyzed in accordance with the principles and criteria contained in Executive Order 13084 ("Consultation and Coordination with Indian Tribal Governments"). Because this final rule does not significantly or uniquely affect the communities of the Indian tribal governments and does not impose substantial direct compliance costs, the funding and consultation requirements of Executive Order 13084 do not apply.

Executive Order 13132

This final rule has been analyzed in accordance with the principles and criteria contained in Executive Order 13132 ("Federalism"). This final rule does not have any requirement that:

- (1) Has substantial direct effects on the States, the relationship between the national government and the States, or the distribution of power and responsibilities among the various levels of government;
- (2) Imposes substantial direct compliance costs on States and local governments; or
- (3) Preempts state law.

Therefore, the consultation and funding requirements of Executive Order 13132 (64 FR 43255; August 10, 1999) do not apply. Nevertheless, in November 18–19, 1999, and in February 12–14, 2001 public meetings, RSPA/OPS invited National Association of Pipeline Safety Representatives (NAPSR), which includes State pipeline safety regulators, to participate in a

general discussion on pipeline integrity. Since then, RSPA/OPS has held conference calls with NAPSR, to receive their input before proposing an HCA definition and integrity management rule. RSPA/OPS has invited NAPSR representatives to all the public meetings held subsequent to the publication of the pipeline integrity management NPRM.

Executive Order 13211

This rulemaking is not a "significant energy action" within the meaning of Executive Order 13211 ("Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use"). It is a significant regulatory action under Executive Order 12866 because of its significant public and government interest. As concluded from our Energy Impact Statement discussed in the following section, the rulemaking is not likely to have a significant adverse effect on the supply, distribution, or use of energy. Further, this rulemaking has not been designated by the Administrator of the Office of Information and Regulatory Affairs as a significant energy action.

Summary of the Energy Impact Statement

(For the detailed Energy Impact Statement, refer to Docket RSPA–00–7666)

The Research and Special Program Administration's Office of Pipeline Safety (RSPA/OPS) is currently promulgating regulations to assess, evaluate, remediate, and validate the integrity of natural gas transmission pipelines through comprehensive analysis and inspection of pipeline systems. The current rule applies to all gas transmission pipelines, including pipelines transporting petroleum gas, hydrogen, and other gas products covered under 49 CFR Part 192.

In compliance with the Executive Order 13211 (66 FR 28355), the RSPA/OPS has evaluated the effects of the natural gas IMP rule on energy supply, distribution, or use. The RSPA/OPS has determined that this regulatory action would not have significant adverse effects on energy supply, distribution, or use nationally, however there may be some regional effect on natural gas distribution.

The current rule will not have any significant impact on the wellhead production capacity or prices. The rule affects natural gas transmission pipelines in HCAs and has no effect on the wellhead production capacity or prices. The rule does not impact gas gathering pipelines and offshore gas transmission pipelines, and has limited

effect on the onshore gas transmission lines that are not located in the HCAs. Therefore, the rule will have no significant impact on natural gas production or wellhead prices. The RSPA/OPS estimates that about 22,000 miles of gas transmission pipelines are located in the HCAs in a network of 300,000 miles of gas transmission pipelines, as well as 900,000 miles of gas distribution pipelines. Therefore, a relatively small proportion of pipelines, less than 1 percent of the total gas transmission pipelines, are located in the HCAs.

This rule may affect the movement of natural gas in certain areas during integrity inspection. Inspection requirements may temporarily affect transportation capacity in some pipelines, but not in all pipelines. Built-in redundancies, such as loop lines, multiple lines, storage facilities, are part of natural gas transportation infrastructures. The intricate interconnections between pipelines, the availability of storage at the market centers, and a well-developed capacity release market all contribute towards meeting natural gas demand with efficient movement of supply. Therefore, inspections can be conducted without any significant disruption of throughput especially during off-peak seasons.

This rule may not have any significant price effects on end-use consumers. In general, inter-fuel competition and gas-storage availability play significant roles in short-term price determination in U.S. because of extensive fuel switching capability in industry and power generation and the existence of a sizable storage capacity. Weather is the other significant player determining the spot market prices. Transportation cost only accounts for a small proportion of the cost paid by the end-users. The pipeline capacity reduction due to the integrity rule would be pre-planned and the market would have time to adjust for the reduction, minimizing shortages and avoiding short-term price increases. The RSPA/OPS recognizes that there may be some temporary and regional natural gas price impact due to the increased assessment and inspection requirements of the rule. While RSPA/OPS did not estimate the size of such temporary impacts, it could lead to small changes in natural gas prices for certain areas on the spot market if the inspection coincides with peak season and there is no other pipeline (no parallel, lateral, or loop lines) serving that particular area. Recognizing the possibility of temporary spot price fluctuations at the regional level, RSPA/OPS believes this regulation will not significantly impact