



February 27, 2008

Office of Information and Regulatory Affairs
Office of Management and Budget
Washington, D.C. 20503

Via Electronic Mail

Attention: Mr. Nathan Lesser, Desk Officer
U.S. Department of Homeland Security/NPPD

Re: Information Collection Request for the Chemical Security Assessment Tool

Dear Mr. Lesser:

Marathon Oil Corporation (“Marathon”), through its various subsidiaries, including Marathon Oil Company, Marathon Petroleum Company LLC, and Marathon Pipe Line LLC and others, is a fully integrated oil company which conducts worldwide exploration and production of crude oil and natural gas, as well as domestic refining, marketing, and transportation of oil and gas to meet the world’s energy needs. Health, environmental, safety, and security represent core Marathon values, and Marathon has implemented stringent protocols and policies to ensure that Marathon products, people, and communities remain safe and secure. Marathon continues to monitor the evolving nature of chemical facility security regulation and is committed to full compliance with all applicable laws.

Like thousands of other critical infrastructure owners and operators, Marathon used the Chemical Security Assessment Tool (CSAT) to obtain and submit information pursuant to the Chemical Facility Anti-Terrorism Standards (CFATS). The Office of Management and Budget (OMB) seeks information on the effectiveness, accuracy, and utility of the CSAT collection process as well as measures to minimize the collection burden.

Marathon is pleased to offer the following comments:

The User Registration and Top-Screen Portions of the CSAT were User-Friendly: Marathon found that the User Registration and Top-Screen portions of the CSAT were relatively easy to use and navigate. Marathon appreciates that DHS elected to use a web-based collection tool, which facilitated data entry.

The Estimated Time Burden Associated with Various CSAT Tasks was Generally Accurate: The time burden associated with filing a User Registration, submitting a Top-Screen, and completing Chemical-Terrorism Vulnerability Information (CVI) training were generally accurate. For example, completing online CVI training and submitting the required non-

disclosure agreement took approximately 30 minutes, and the submission of a User Registration did not exceed one hour in most cases.

With regard to the Top-Screen, it is difficult to estimate a precise time burden due to the realization of economies of scale: for companies that filed multiple Top-Screens, the submission process – to include the collection of the underlying data – became easier and faster following each submission. Accordingly, the completion of the first Top-Screen was disproportionately more time consuming than the completion of the last Top-Screen.

Marathon found that DHS's estimates regarding the Help Desk, however, were inaccurate. During the week of January 14, for example, Marathon experienced telephone hold times that easily exceeded one hour.

The Timely Publication of the Top-Screen User's Manual would have Improved the Top-Screen Submission Process: Marathon regularly consulted DHS's various CSAT guidance documents, but DHS did not post a revised Top-Screen User's Manual to its website until December 20, 2007 – 30 days after Appendix A's publication in the *Federal Register* and approximately 30 days prior to the Top-Screen's January 22, 2008 due date. During approximately one-half of the Top-Screen submission period, therefore, Marathon lacked official guidance regarding important aspects of the Top-Screen.

When DHS finally posted a revised Top-Screen User's Manual to its website on December 20, DHS failed to similarly revise the Top-Screen questions that were available for download from its website. Consequently, questions that appeared in the actual CSAT version of the Top-Screen differed from those that appeared in the "hard copy." For example, the CSAT version of the Top-Screen included a check-box for fuels, such as gasoline and diesel. The Top-Screen questions that were available for download from DHS's website had not been revised to reflect this important feature.

DHS Failed to Provide Timely Clarification Regarding the Treatment of Release-Flammable Mixtures with Two or More Chemicals of Interest: DHS failed to provide timely clarification regarding the treatment of release-flammable mixtures with two or more Chemicals of Interest. It was not until January 8, 2008 that DHS posted the following guidance on the CSAT Frequently Asked Questions webpage: "The facility should determine the percentage of each release-flammable COI that exists in the mixture at or above 1%. Then the facility should select the release-flammable COI that exists in the highest percentage and enter the entire weight of the mixture next to that release-flammable COI at the appropriate place on the Top-Screen questionnaire."

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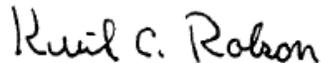
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Because DHS did not provide this clarification until the second week of January, it was impossible to answer certain Top-Screen questions accurately. This, in turn, delayed the submission of many Top-Screens until after January 8.

How DHS Intends to Use the Information it has Collected Remains Unclear: Data collected via the Top-Screen will assist DHS determine which facilities present a high-level of security risk. Despite this difficult task, it remains unclear *how* DHS intends to use the information that has been collected to make such determinations. The underlying methodology and assumptions that DHS will employ are not known because DHS has not shared them. Thus, Marathon cannot offer constructive commentary in response to OMB's request to "evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, *including the validity of the methodology and assumptions used.*" (See 73 Fed. Reg. 4886)(Emphasis added).

Marathon values the opportunity to provide comments to OMB and hopes that this information is useful and responsive. Should you have any questions or require additional clarification, please do not hesitate contact me by telephone (419-421-3419) or email (kcrobson@marathonoil.com).

Respectfully submitted,

A handwritten signature in black ink that reads "Keith C. Robson". The signature is written in a cursive, slightly slanted style.

Keith C. Robson
Manager of Corporate Safety, Business Continuity,
and Infrastructure Protection
Marathon Oil Company