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## 1 IDENTIFICATION OF THE INFORMATION COLLECTION

### 1(a) Title And Number Of The Information Collection

**TITLE:** Information Collection Request for Final Short Term Regulatory Revisions and Clarifications to the National Primary Drinking Water Regulations for Lead and Copper

**U.S. EPA ICR Number:** 1896.07

**OMB Control Number:** 2040-0204

### 1(b) Short Characterization/Abstract

The National Primary Drinking Water Regulations (NPDWRs) for Lead and Copper (The Lead and Copper Rule or LCR), promulgated by EPA in 1991, is a regulatory program mandated by the Safe Drinking Water Act (SDWA). The LCR's goal is to reduce the levels of lead and copper at the tap as close to the maximum contaminant level goals (MCLG) of 0 parts per billion (ppb) of lead and 1.3 ppb of copper as possible. To accomplish this, the LCR requires community and non-transient non-community water systems<sup>1</sup> to optimize corrosion control and, under specified conditions, install source water treatment, conduct public education, and/or replace lead service lines in the distribution system.

Water systems include Federal, State, Tribal, and local governmental entities as well as private entities. States (and Tribes) that have been granted primary enforcement authority (*i.e.*, primacy) for the LCR are responsible for overseeing rule implementation by systems within their jurisdiction. In instances where a State or Tribe does not have primacy, the EPA Region is the Primacy Agent.<sup>2</sup> Systems demonstrate compliance through reporting the analytical results of collected samples and other information to the State. Systems use these data to demonstrate compliance, assess treatment options, operate and maintain installed treatment, and communicate water quality information to consumers served by the system. States utilize the data to determine compliance and designate treatment to be installed and enforceable operating parameters. States also are required to report a subset of the data to EPA which utilizes this information to protect public health by ensuring compliance with the LCR, measuring progress toward meeting the LCR's goals, and evaluating the appropriateness of State implementation activities. EPA stores the information reported by States in the Safe Drinking Water Information System (SDWIS).

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<sup>1</sup> Community water systems (CWSs) are public water systems (PWSs) that have at least 15 service connections used by year round residents or regularly serve at least 25 year-round residents. Nontransient non-community water systems (NTNCWSs) are PWSs that are not CWSs but regularly serve at least 25 of the same persons over six months a year. Throughout the rest of this document, the reference to water systems, systems, utilities, and PWSs include only these two types of PWS.

<sup>2</sup> Throughout the rest of this document, the term State/Primacy Agency refers to a State or federally-recognized Indian Tribe that has been granted primacy with respect to the LCR or the appropriate EPA Region (where the State or Tribe does not have primacy).

System implementation of the LCR begins with initial monitoring for lead and copper at the tap and, in some cases, for water quality parameters (WQPs) and/or source water lead/copper concentrations.

States deem some systems to have optimized corrosion control based on the results of this initial monitoring. Deemed systems must continue to monitor periodically for lead and copper at the tap and, in some cases for lead and copper in source water, but are not required to conduct routine WQP monitoring or to implement the LCR's other treatment technique requirements. All other systems are required to assess alternative corrosion control technologies, and to make corrosion control treatment and source water treatment recommendations to the State who then must specify what treatment the system is to install. Systems exceeding the lead Action Level also must conduct public education programs.<sup>3</sup> Following installation of required treatment, systems must conduct follow-up monitoring, after which the State specifies the optimal water quality parameter levels or ranges and, if appropriate, maximum permissible source water levels, within which the system must then operate. Such systems must continue periodic lead/copper tap water monitoring and, in some cases, WQP and source water monitoring. Systems with lead service lines in the distribution system must implement a lead service line replacement program if they continue to exceed the lead Action Level after the installation of corrosion control and/or source water treatment.

The *Final Information Collection Request for the National Primary Drinking Water Regulations for Lead and Copper*, April 1991, supports the 1991 LCR rule and contains the system, State, and Agency record keeping and reporting burden and costs for the LCR (hereafter referred to as the 1991 ICR). The LCR burdens and costs were subsequently incorporated into a comprehensive Information Collection Request (ICR) document for the drinking water program, entitled, the *Collection Request for the Public Water System Supply Program*, December 1993, EPA tracking number 0270.39 and OMB number 2040-090. A stand-alone Lead and Copper Rule ICR, entitled, *Information Collection Request for the National Primary Drinking Water Regulations for Lead and Copper*, June 1999, EPA tracking number 1912.01 and OMB number 2040-0210, addressed the impacts of the Lead and Copper Rule Minor Revisions (LCRMR) on the LCR burden and costs for 1999 through 2001 (hereafter referred to as the 1999 ICR). OMB extended the expiration date of the 1999 ICR through the end of 2003. The most recent ICR regarding lead and copper, entitled, *Disinfectants/Disinfection Byproducts, Chemical, and Radionuclides Rules*, September 2004, EPA tracking number 1896.05 and OMB number 2040-0204, estimates burden and costs from of the LCR, as well as other rules, from 2005-2007 (hereafter referred to as the 2004 ICR).

The purpose of this ICR document is to present the impacts of the Short Term Regulatory Revisions and Clarifications to the Lead and Copper Rule (hereafter referred to as LCRSTR) in terms of the burden and costs for the first three years after the final rule is published (estimated as late September 2007 through late September 2010). The LCRSTR is intended to strengthen the implementation of the LCR in the areas of monitoring, customer awareness, and lead service

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<sup>3</sup> The LCR defines Action Levels for lead and copper in tap water samples. These levels are set at the 90<sup>th</sup> percentile level and establish a limit, which cannot be exceeded by more than ten percent of the tap water samples. The lead Action Level is 0.015 mg/L and the copper Action Level is 1.3 mg/L.

line replacement in the short-term. Some of the changes clarify the intent of the LCR for provisions that have generated questions. Other provisions reconsider LCR requirements in light of recent experience. These changes are expected to ensure and enhance more effective protection of public health through the reduction in lead exposure. Action Levels and MCLGs are not changed in the LCRSTR. The specific regulatory changes that are the subject of the LCRSTR are as follows.

#	Final Revision	Purpose of Revision
<b>Monitoring</b>		
III.A	Minimum number of samples required	To address confusion about sample collection
III.B	Definitions for compliance and monitoring periods	To clarify when compliance and monitoring periods begin and end
III.C	Reduced monitoring criteria	To prohibit systems that exceed the lead Action Level from initiating or remaining on reduced monitoring based solely on results of water quality parameter monitoring
<b>Treatment Processes</b>		
III.D	Advanced notification and approval requirement for water systems that intend to make any change in water treatment or add a new source of water that could affect the system's optimal corrosion control	To require systems to obtain state approval to add a new source of water or change a treatment process prior to implementation
<b>Customer Awareness</b>		
III.E	Notification of sampling results	To require utilities to provide sampling results to consumers at sampling sites that are tested for lead and copper, as part of the utility's monitoring program
III.F	Public Education Requirements	To modify public education requirements by changing the content of the message to be provided to consumers, how the materials are delivered to consumers, and the timeframe for delivery
<b>Lead Service Line Replacement</b>		
III.G	Reevaluation of lead service lines deemed replaced through testing	To require that systems reevaluate lead service lines classified as "replaced" through testing if the system resumes a lead service line replacement program

For the three-year period of late September 2007 to late September 2010, the average annual burden associated with the LCRSTR is 189,369 – 271,997 hours for the 72,213 system respondents, depending on the assumed timing of early implementation. The annual burden is estimated at 17,628 – 25,125 hours for the 57 State and Primacy Agency respondents. The average annual costs for systems and States are \$5.6 – \$8.4 million per year and \$0.8 – \$1.1 million per year, respectively. The average annual burden per system is 2.6 – 3.8 hours per year and the average annual costs per system are \$77 - \$117 per year. The average annual burden per State is estimated to be 309 - 441 hours per year and the average annual costs per State are estimated to be \$13,500 - \$19,300 per year.

These burden and cost estimates represent those activities that EPA expects would occur in the initial three-year period. During this period, systems and States would perform the initial,

one-time activities related to rule review and primacy requirements and activities directly triggered by the seven targeted regulatory changes. EPA assumes that the timing of implementation activities and activities related to the regulatory changes will vary, depending on the early adoption practices of States. However, EPA expects that the upper bound estimates of burden and cost are more reflective of the actual burden and costs to public water systems and States given that many States will likely opt for early implementation of the regulatory changes to increase public health protection from exposure to lead and copper.

## **2 NEED FOR AND USE OF THE COLLECTION**

The following sections describe the need for this information collection, the legal authority under which this information can be collected, and how collecting this information will support drinking water program objectives.

### **2(a) Need/Authority For The Collection**

EPA needs comprehensive and current information on lead and copper contamination and associated enforcement activities to implement its program oversight and enforcement responsibilities mandated by the Safe Drinking Water Act (SDWA). Recent highly publicized incidences of elevated drinking water lead levels prompted EPA to review and evaluate the implementation and effectiveness of the LCR on a national basis. As a result this multi-part review, EPA identified seven targeted rule changes that clarify the intent of the LCR and ensure and enhance protection of public health through reduction in lead exposure. EPA will use the information collected as a result of the LCRSTR to support the responsibilities outlined in SDWA by strengthening the implementation of the LCR in the areas of monitoring, customer awareness, and lead service line replacement. The modifications outlined in this document are intended to improve the implementation of the LCR, and do not alter the original maximum contaminant level goals or the fundamental approach to controlling lead and copper in drinking water.

Section 1401(1)(D) of the SDWA requires that “there must be criteria and procedures to assure a supply of drinking water which dependably complies with such maximum contaminant levels, including quality control and testing procedures to insure compliance with such levels and to insure proper operation and maintenance of the system...” Furthermore, Section 1445(a)(1) of the SDWA requires that “every person who is a supplier of water...shall establish and maintain such records, make such reports, conduct such monitoring, and provide such information as the Administrator may reasonably require by regulation to assist him in establishing regulations, in determining whether such person has acted or is in compliance with this title...” In addition, Section 1413(a)(3) of the SDWA requires States to “keep such records and make such reports...as the Administrator may require by regulation.”

Section 1412(b) of the 1986 SDWA, as amended in 1996, requires the Agency to publish maximum contaminant level goals and promulgate NPDWRs for contaminants that may have an adverse effect on the health of persons, are known to or anticipated to occur in PWSs, or, in the opinion of the Administrator, present an opportunity for health risk reduction. The NPDWRs specify maximum contaminant levels or treatment techniques for drinking water contaminants (42 USC 300g-1). Promulgation of the LCR complies with statutory requirements.

The sections from the SDWA 1996 Amendments, discussed above, are included as Appendix A to this document.

## **2(b) Uses/Users of the Data**

### **2(b)(i) Uses of the Data**

Primary users of the data collected under this ICR are EPA Headquarters, PWS managers, consumers, and primacy agencies, which include State regulators, Indian Tribes, and, in some instances, EPA Regional Administrators. This section contains more information about how the lead and copper data generated by the regulatory changes will be used.

Under Regulatory change III.A, systems with fewer than 5 taps in States that allow 1 sample per tap will generate and submit to the State a letter documenting the number of applicable taps for future sampling. States will use these letters to determine the appropriateness of a system submitting fewer than 5 samples per monitoring cycle.

Under Regulatory change III.C, systems that exceed the lead Action Level collect additional tap monitoring data when they resume regular monitoring after having previously been on reduced monitoring. Tap monitoring data is used for the following purposes.

- Evaluate the quality of water delivered to customers;
- Evaluate system-specific needs, including examining treatment effectiveness;
- Assess compliance and to determine when it is necessary to alert the public of possible health risks resulting from non-compliance with federal or State regulations;
- Modify monitoring frequencies, schedules, and variances to address potential health risks; and,
- Alert the public, through notices in the mass media or water bills, when the system is not in compliance with Federal and State regulations so that they may take actions to minimize exposure to potentially harmful drinking water contaminants.

Regulatory change III.D provides States with information on treatment changes or source additions in a timely manner – before the change has been made rather than after the fact. States use this information to assist systems in evaluating potential impacts of these modifications on corrosion control and identifying system needs and problem areas through a review and approval process.

Regulatory change III.E provides customers with information on lead tap sampling results for individual establishments. Regulatory change III.F provides customers with more timely and understandable information on lead levels within a system, particularly after an Action Level exceedance. Consumers use this information to evaluate health risks and take action to minimize exposure to potentially harmful levels of lead or copper.

Regulatory change III.G provides systems with additional information on the lead levels from a subset of lead service lines under current water quality conditions. Systems use this information to evaluate whether these lines continue to contribute low lead levels or whether changed conditions have impacted corrosivity.

## **2(b)(ii) Users of the Data**

Primary users of the data generated under the seven regulatory changes are systems and their customers, States and primacy agencies, and EPA. EPA often receives requests for PWS monitoring data under the Freedom of Information Act (FOIA; 40 CFR, Chapter 1, Part 2). Many FOIA Act requests require extracting information contained in the SDWIS regarding the number of PWSs in violation of drinking water standards in a particular geographic area and those PWSs that have exceeded the lead or copper Action Level.

Other agencies that may utilize the data include the following.

- News Organizations
- Staff from other EPA programs (such as Superfund, the Resource Conservation and Recovery Act, and the OECA)
- The Federal Emergency Management Administration
- Centers for Disease Control and Prevention (CDC)
- Military bases
- Farmers Home Administration
- Department of Interior
- Department of Housing and Urban Development
- U.S. Army Corps of Engineers
- White House Task Forces
- American Water Works Association
- Association of Metropolitan Water Agencies
- National Rural Water Association
- National Association of Water Companies
- Association of State Drinking Water Administrators
- Natural Resources Defense Council
- Consumers Federation of America



### 3 NON-DUPLICATION, CONSULTATIONS, AND OTHER COLLECTION CRITERIA

The following sections verify and affirm that this information collection satisfies the Office of Management and Budget's (OMB's) collection guidelines, has public support, and does not duplicate another collection. EPA has consulted with other federal agencies, State agencies, industry organizations, water systems, and tribal organizations to ensure non-duplication of this information collection.

#### 3(a) Non-duplication

To the best of the Agency's knowledge, data required by the LCRSTR are not available from any other source.

#### 3(b) Public Notice Required Prior to ICR Submission to OMB

To comply with the 1995 Amendments to the Paperwork Reduction Act, the Agency solicited public comment on the draft ICR<sup>4</sup> during a 60-day public comment period coincident with the comment period for the proposed LCRSTR. The Agency published notice in the *Federal Register* (71 FR 137, July 18, 2006) that requested comment on the respondent burden and other aspects of this information collection. Comments received were considered by the Agency and used to adjust the burden and costs estimates presented in this ICR.

#### 3(c) Consultations<sup>5</sup>

The short term changes to the Lead and Copper Rule described in this document were identified through a comprehensive national review of compliance and implementation of the LCR. In conducting this review, EPA consulted with a wide range of interested parties. The comprehensive review consisted of several elements, including a series of workshops designed to elicit issues, comments, and suggestions from stakeholders on particular topics, and a review of LCR implementation by States and utilities. These activities are described below.

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<sup>4</sup> This document is entitled, *National Primary Drinking Water Regulations for Lead and Copper: Short-Term Regulatory Revisions and Clarifications*, May 2006, EPA-HQ-OW-2005-0034-0029.

<sup>5</sup> **Consultations Prior to LCR 1991 and LCRMR:** Please refer to the 1999 ICR, entitled, *Information Collection Request for the National Primary Drinking Water Regulations for Lead and Copper*, June 1999, EPA tracking number 1912.01, for a more detailed chronology of consultations used to solicit comments and suggestions from stakeholders when creating the LCR 1991 and LCRMR 2000.

## Workshops

One method that EPA used to elicit comments and suggestions from stakeholders was to hold five workshops in 2004-2005 on various issues related to lead in drinking water. Participant information for each workshop is available in the publicly available meeting summary.<sup>6</sup> These workshops include the following.

- \$ Simultaneous Compliance, May 2004, St. Louis, MO: Expert participants from utilities, academia, state governments, and other stakeholder groups identified issues, proposed solutions, and identified information gaps with respect to simultaneous compliance with the LCR and other rules such as the Total Coliform Rule, the Surface Water Treatment Rules, and the Disinfection Byproducts Rules. Issues and suggestions were developed for four topic areas: coagulation impacts on corrosion control; impacts of disinfectant changes on corrosion control; corrosion inhibitor; and distribution system management. Among the issues identified by the group were information gaps on impacts of treatment changes under various water quality conditions/chemistries and the need for additional guidance on a variety of topics.
- \$ Sampling Protocols, May 2004, St. Louis, MO: Expert participants from utilities, academia, state governments, and other stakeholder groups identified issues, proposed solutions, and identified information gaps with respect monitoring and sampling under the LCR. Topic areas included sampling frequency and triggers; sampling site selection/location; sampling protocol; and sampling of water quality parameters. The issues included sampling after treatment changes and Action Level exceedances and the re-examination of flushing instructions.
- \$ Public Education, September 2004, Philadelphia, PA: Expert participants from utilities, governments, consumer and environmental groups, and other stakeholder groups discussed the public education requirements under the lead and copper rule, drinking water risk communication, and effective communication with the public. Participants suggested ways to improve risk communication to the public through establishing partnerships with health departments and other groups, refining the message content, improving delivery of the message, and spending more time planning and evaluating the effectiveness of the risk communication.
- \$ Lead Service Line Replacement, October 2004, Atlanta, GA: Expert participants from utilities, academia, state governments, and other stakeholder groups discussed the challenges and problems encountered by the participants in implementing lead service line replacement, as well as strategies and solutions for overcoming those difficulties. Specific topic areas addressed included monitoring, customer communications, replacement technologies, and managing inventory. Continued sampling after lead service line replacement and the need to notify customers of testing results were mentioned during the discussions.

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<sup>6</sup> [http://www.epa.gov/safewater/lcrr/lead\\_review.html](http://www.epa.gov/safewater/lcrr/lead_review.html)

- \$ Lead in Plumbing, July 2005, Washington, DC: Expert participants from utilities, academia, state governments, and other stakeholder groups discussed lead in plumbing fittings and fixtures. Topic areas included NSF standards and testing protocols, alternative materials, national/state/local/industry/consumer practices, and miscellaneous issues

### **Review of Implementation and Consultation with States**

In 2004, EPA carried out a review of the implementation of LCR requirements by States. EPA asked State programs who have primary oversight responsibility a number of questions about how they implement different aspects of the LCR. The questions were centered on the following general categories: sampling issues, calculation of the 90<sup>th</sup> percentile value, treatment issues, lead service line replacement, public education and enforcement.

Generally, the State responses to the survey indicate that the States are following the minimum State requirements of the LCR. However, the information provided to EPA indicates that many States may not be taking full advantage of the opportunities to oversee implementation of the rule. Also, the States' responses did highlight a few areas in which there is some confusion about the requirements of the rule as well as areas in which some States are going above and beyond the minimum obligations.

### **Future Consultations**

It should be noted that EPA has also identified a number of issues that require longer-term consideration that will continue to be reviewed as part of potential, more comprehensive revisions to the rule or guidance. In many cases, these issues require additional data collection, research, and analysis to fill critical data gaps. Also, some issues require full stakeholder involvement to support decisions. Issues that are the subject of longer-term consideration include the following:

- Requirements for consecutive systems
- Broader revisions to monitoring and lead service line replacement requirements
- Revision to lead content in plumbing fittings and fixture requirements

### **LCRSTR Workgroup**

In addition, EPA also consulted with States and EPA Regional Offices. In May 2005, EPA formed a work group to consider issues related to the regulatory changes, called the Short-term Regulatory Revisions and Clarifications to The Lead & Copper Rule Workgroup (LCRSTR Workgroup). The LCRSTR Workgroup included EPA staff from a variety of Headquarters and Regional offices, as well as representatives from State drinking water lead programs. The LCRSTR Workgroup identified alternatives, drafted regulatory language, and discussed issues related to the changes.

## **National Drinking Water Advisory Committee Working Group on Public Education Requirements of the Lead and Copper Rule**

As part of the review of the LCR, EPA identified a number of issues relating to the public education requirements of the LCR. In order to address these concerns, the National Drinking Water Advisory Council (NDWAC), EPA's advisory body on the Safe Drinking Water Act, formed a working group to consider possible revisions to the public education requirements. The charge for the NDWAC Working Group was to 1) review the current public education requirements for lead in drinking water to make recommendations for improvements; 2) develop recommended revised language for communicating to the public the risk of lead in drinking water and how affected persons should respond; and 3) review and make recommendations for changes to the means of delivery of lead information to the public.<sup>7</sup>

The NDWAC Working Group met in person four times between October 2005 and April 2006. The Working Group was comprised of 16 individuals representing an array of backgrounds and perspectives. Collectively, these individuals brought into the discussion the perspectives of State drinking water agencies, environmental and consumer groups, drinking water utilities, small system advocates, State health officials, and risk communication experts. The recommendations from the NDWAC Working Group form the basis of the regulatory changes on public education (III.F).

### **3(d) Effects of Less Frequent Collection**

EPA has considered a wide range of alternatives for frequency of data collection. EPA has chosen to require the least frequent collection that remains consistent with the overall goal of protecting public health. If data are collected less frequently, primacy agencies may not identify in a timely fashion significant contaminant concentrations that might threaten the health and safety of drinking water consumers. Monitoring frequencies have been carefully devised based on the following factors—

- Data quality needed for a representative sample.
- Precision and accuracy needed from the representative sample.
- Number of people served by the system.
- Source of the supply (e.g., surface water or ground water).
- Contaminants likely to be found.
- Temporal variability in occurrence.

Specific changes to monitoring frequencies that may result from the LCRSTR are discussed in the following section.

Regulatory change III.A restates EPA's position on the frequency of sampling for small systems, but allows for States to reduce the number of samples to 1 per tap for systems on a case by case basis. This issue is discussed more fully in the Federal Register Notice on the regulatory changes.

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<sup>7</sup> 70 FR 54375, US EPA, 2005.

Regulatory change III.C increases the frequency of data collection for systems that had been on reduced monitoring and then exceeded the lead Action Level. EPA believes that the additional data is critical in the timely evaluation of health risks and treatment effectiveness for systems that have lead levels over the Action Level.

Regulatory change III.F increases how often materials are delivered to customers and shortens the timeframe in which they must be delivered. EPA believes this increase in frequency is necessary for consumers, especially at-risk populations, to receive information they need to limit their exposure to lead in drinking water.

Regulatory change III.G increases the frequency of data collection for systems that initiated a required lead service line replacement program, “tested-out” lines to meet replacement targets, brought lead levels under the Action Level and suspended lead service line replacement, and then subsequently re-exceeded the Action Level. The additional data is necessary to confirm that previously “tested-out” lines continue to contribute low levels of lead under the possibly changed conditions after an exceedance.

### **3(e) General Guidelines**

The LCRSTR comply with the guidelines published under the Paperwork Reduction Act and in accordance with the April 2005 version of the ICR Handbook prepared by EPA’s Office of Environmental Information, Office of Information Collection, Collection Strategies Division, with the exception that records are required to be retained for a period greater than three years. In particular, the 1991 LCR requires all PWSs to retain on their premises original records of all sampling data and analyses, reports, surveys, letters, evaluations, schedules and any other information required by the State for no fewer than 12 years. States are subject to the same record retention period, except that States are required to retain information relating to the decisions in §142.14(d)(8) until a new decision, determination, or designation has been issued, if no change is made to the State decision during the 12-year retention period. The Agency justified these record retention periods and received approval for them under the original 1991 ICR. The LCRSTR do not alter the system or State record-keeping requirements.

### **3(f) Confidentiality**

This ICR does not raise confidentiality issues.

### **3(g) Sensitive Questions**

This ICR does not ask sensitive questions.

## **4 THE RESPONDENTS AND THE INFORMATION REQUESTED**

The following sections contain information on the respondents and the information they are requested to provide.

### **4(a) Respondents/SIC Codes**

Data associated with this ICR are collected and maintained at the PWS, State, and Federal levels. Respondents include—

- Owners/operators of PWSs, classified as community water systems (CWSs) and non-transient non-community water systems (NTNCWSs)
- Primacy agencies that must report to EPA Headquarters.

The Standard Industrial Classification (SIC) code for investor-owned water systems is 4941. The SIC code for both publicly-owned water systems and State agencies is 9511. Ancillary systems (a system where providing water is ancillary to its primary business, *e.g.*, a mobile home park) cannot be categorized in a single SIC code. States are respondents when reporting compliance data to EPA and when retaining federally-required records. The LCRSTR affects the same respondent classes as the LCR.

### **4(b) Information Requested**

#### *(i) Data items*

For each of the final regulatory changes, we list the changed data item requirements for PWSs and States in Exhibits 1 and 2, respectively. Regulatory change III.B does not request additional information. Instead, it clarifies existing requests. The remaining changes either request addition information or modify in some way the reporting or distribution of existing information.

A summary of the data items required by the LCRSTR is discussed below.

### Exhibit 1. Changes in PWSs Reporting Data Items

Regulatory Change	Requirement	Change in Requirement	New Requirement	Regulatory Citation	Frequency
III.A	For systems with fewer than 5 taps, clarifies that water systems must sample all taps at least once and take repeat samples on different days until five samples are obtained.	Gives States the discretion to allow 1 sample per tap for systems that have fewer than 5 taps	NTNCWSs and CWSs serving <101 with fewer than 5 taps request approval to take one sample per tap	40 CFR 141.86 (c)	One time
III.C	For a water system, prohibit systems that exceed the lead Action Level from initiating or remaining on reduced monitoring based solely on results of water quality parameter monitoring		Additional tap monitoring information is generated and reported	40 CFR 141.90(a) (3)	As necessary
III.D	For systems deemed to have optimized corrosion control, notify the State in writing <i>prior</i> to any change in treatment or the addition of a new source.	Changes the timing of notification from after the treatment change or source addition under the existing regulation to before the change		40 CFR 141.81(b) (3)(iii)	As necessary
III.E	Water systems must provide consumers who occupy homes or buildings that are part of the utility's monitoring program, with testing results when their drinking water is tested for lead and copper. Water systems certify to State that results have been distributed.	Requires the distribution of currently available data. No new data is required.	Certification that results have been delivered is provided to State.	40 CFR 141.85(d)	As necessary
III.F	Water systems that exceed the lead action level must provide information to additional at-risk populations and must conduct specified public education activities. Water systems must include a statement on lead in their CCR. Water systems certify to State that activities have been conducted.	Requires the distribution of specified information to additional at-risk populations and additional public education activities.	Additional statement on lead is added to the CCR. Certification that activities have been conducted is provided to State.	40 CFR 141.85(a) & (b)	As necessary
III.G	Water systems that exceed the lead Action Level must reevaluate lead service lines classified as "replaced" through testing if they resume lead service line replacement programs.		Additional lead service line sampling data is generated.	40 CFR 141.84(b) & (c)	As necessary

## Exhibit 2. State/Primacy Agency Reporting Data Items

Regulatory Change	Requirement	Change in Requirement	New Requirement	Regulatory Citation	Frequency
III.A	If applicable, review system request and approve in writing or by site verification the number of taps for sampling.	Gives States discretion to allow certain systems with fewer than 5 taps to take 1 sample per tap	States review systems' request and approve in writing or through onsite verification	40 CFR 141.86 (c)	One time
III.C	Review additional monitoring data and reports from systems that have exceeded the lead Action Level.		Additional tap monitoring information is generated and reported	40 CFR 141.90(a) (3)	As necessary
III.D	Notify the system after an approval decision has been made in regards to the system's request to add a new source of water or change a treatment process prior to implementation.	Changes the timing of notification from after the treatment change or source addition under the existing regulation to before the change	Additional requirement for approval, rather than simply review.	40 CFR 141.81(b) (3)(iii)	As necessary
III.E	Review and track system certification regarding distribution of tap samples to individual monitoring locations.		Additional requirement for review and tracking.	40 CFR 141.85(d)	As necessary
III.F	Review public education materials content and consult on activities. Review and track system certification.		Additional requirement for review, consultation, and tracking.	40 CFR 141.84(b) & (c)	As necessary

### *(ii) Respondent Activities*

#### **Activities from Regulatory Change III.A**

Regulatory Change III.A clarifies EPA's intent that systems with fewer than 5 taps take 5 samples per monitoring period. However, III.A gives States the discretion to allow systems with fewer than 5 taps on a case by case basis to take 1 sample per tap.

#### *Additional Activities for Utilities*

Systems with fewer than 5 taps that are in States that allow 1 sample per tap will undertake a one time activity to document the number of appropriate taps, communicate this information with the State, and request approval to take 1 sample per tap.

#### *Additional Activities for States*



States that will allow 1 sample per tap will engage in a one time effort to review, track, and approve submittals from the systems with fewer than 5 taps on the number of appropriate taps for future sampling.

### **Activities for Regulatory Change III.B**

Regulatory Change III.B should not result in new net activity, although the timing of activities may be altered in response to the modified definitions of reporting and compliance periods.

### **Activities for Regulatory Change III.C**

Regulatory Change III.C specifies that if a system on reduced monitoring exceeds the lead Action Level with their tap water samples, the system must revert to the regular monitoring schedule for lead tap sampling. State/Primacy agencies will be involved in review of utility monitoring reports.

#### *Additional Activities for Utilities*

If utilities are triggered into regular monitoring, they will need to collect and analyze additional samples. Specifically, each utility will conduct additional monitoring events in each three year period by switching from a reduced monitoring schedule (annual or triennial) to standard tap monitoring (semi-annual). In addition, the number of samples collected in each monitoring period will change when the utility switches from reduced monitoring to standard monitoring.

In addition to new monitoring activities, utilities will have to meet reporting requirements to the State/Primacy agency. For example, utilities will need to analyze and summarize monitoring results from the additional monitoring events in a report to the State/Primacy agency.

#### *Additional Activities for States*

Regulatory Change III.C will require State/Primacy agencies to review additional utility monitoring reports as a result of resuming the standard monitoring schedule.

### **Activities for Regulatory Change III.D**

The current rule in Section 141.90(a)(3) requires that systems deemed to have optimized corrosion control under §141.81(b)(3), systems subject to reduced monitoring pursuant to §141.86(d)(4), or systems subject to a monitoring waiver pursuant to §141.86(g) must notify States no later than 60 days after of a treatment change or the addition of a new source. The rule modification requires that these systems notify States of treatment changes or additions of new sources in advance and the States determine when and if these changes may be made through a formal review and approval process. This gives water systems the opportunity to consult with their States as much as they want and to take other measures necessary to avoid problems with

corrosion. It also allows States to design monitoring programs upfront or require additional actions for the systems for those situations when it is necessary to ensure that corrosion control is being maintained adequately after the change has been made.

#### *Additional Activities for Utilities*

System activities will include the preparation of a submittal to the State (e.g. water quality data, LCR tap monitoring data, description of existing treatment and proposed treatment); and coordination with the State/Primacy agency during the review. These are all reporting activities.

#### *Additional Activities for States*

The activities associated with the formal review and approval process for changes in treatment that may influence optimal corrosion control are a new requirement for those States that do not currently have such a requirement. Other State/Primacy agency activities will include review of system data/reports, internal meetings regarding approval, and coordination with systems. These activities are all review activities.

### **Activities Associated with Regulatory Change III.E**

Systems take tap samples to test for lead for several purposes, most notably to calculate compliance with the Action Level. The purpose of this change in rule language is to add the requirement that systems provide consumers (owners and occupants) with the tap monitoring results for samples taken at routine lead and copper monitoring sites. The change modifies Sections 141.80(g) and 141.85, and adds a new Section 41.85(e) on the notification of results. This new section specifies the timing (within 30 days of learning of the results), the content of the notification, and the method of delivery for the notification.

#### *Additional Activities for Utilities*

Regulatory Change III.E will require CWSs to provide written notification to each owner/occupant of the lead level found in the tap sample collected for LCR compliance monitoring. The notification burden for NTNCWSs will be different, and may consist of posting a notice on community bulletin boards or web sites.

New activities will not be triggered for utilities that are already required by their State/Primacy agency to notify individual owners/occupants of lead results or are already notifying on a voluntary basis.

Specific activities for CWSs include the increase in labor in order to prepare and distribute a customer letter containing monitoring results and the preparation and submittal of a letter to the State certifying that customers have been notified.

Specific activities for NTNCWSs include the labor required to prepare a consumer notice, post the notice, and prepare and submit a letter to the State certifying that consumers have been notified.

#### *Additional Activities for States*

Specific activities for States include reviewing and tracking self-certifications from water systems.

### **Activities Associated with Regulatory Change III.F**

The purpose of this regulatory change is to modify the public education requirements of the Lead and Copper Rule (LCR) in the Code of Federal Regulations §141.85. Water systems would still be required to deliver public education materials after a lead Action Level exceedance. However, the content of the message to be provided to consumers, how the materials are delivered, and the timeframe for delivery will be modified. The changes to the delivery requirements include additional organizations that systems must partner with to disseminate the message to at-risk populations as well as changes to the media used to disseminate information to ensure water systems reach consumers when there is an Action Level exceedance.

#### *Additional Activities for Utilities*

Regulatory Change III.F will require systems that exceed the lead Action Level to change mandatory language of public notification, deliver materials to additional at-risk populations, include information on quarterly billings, and conduct additional public education activities. All CWSs are required to include language on lead in their CCRs.

Specific activities for CWSs that exceed the lead Action Level include preparing notification language, identifying additional at-risk populations and distributing materials to these populations, conducting additional public education activities, including a notice on quarterly billings, and posting a notice on a website. All CWSs will include mandatory language on lead in the CCR. Systems will also consult with States on the content of public education materials and the choice of public education activities. Systems will also prepare a letter certifying the activities have been undertaken.

Specific activities for NTNCWSs that exceed the lead Action Level include preparing notification language and conducting additional public education activities. Systems will also consult with States on the content of public education materials and the choice of public education activities. Systems will also prepare a letter certifying the activities have been undertaken.

#### *Additional Activities for Utilities*

Specific activities for States include consulting with systems on the content of public education materials and the choice of public education activities, and reviewing and tracking self-certifications from water systems.

### **Activities Associated with Regulatory Change III.G**

Under the existing rule, systems that are replacing lead service lines in response to an Action Level exceedance may sample lead levels from lead lines. If the sampled lead levels from an individual service lines is below the Action Level (15 ppb), that line would not have to be physically replaced, but could be considered replaced towards meeting the goal of 7 percent replacement. Since these “tested-out” lines are considered replaced, they do not have to re-evaluated if water quality conditions or treatments change.

Regulatory Change III.G requires that these “tested-out” lines be re-evaluated if a system subsequently exceeds the Action Level and is triggered back into further lead service line replacements. The tested-out lines are put back into the inventory of lead service lines and are then treated as any other line in the inventory, to be either re-tested and “tested-out” or re-tested and replaced if the lead levels for the line exceed the Action Level.

#### *Additional Activities for Utilities*

The primary activities as a result of this regulatory change include collecting samples from previously “tested-out” lead service lines (LSLs) and analyzing them for lead.

### **One-Time Activities to Review and Implement Regulatory Changes**

Systems and State/Primacy Agencies will conduct one-time activities associated with reviewing and implementing the overall LCR regulatory changes.

#### *New Activities for Utilities*

For systems, implementation activities include reviewing the rule changes and communicating the requirements with staff.

#### *New Activities for States*

For States/Primacy Agencies, activities will include regulation adoption, program development, and miscellaneous communication with systems.

### **Summary of Additional Activities Required by LCRSTR**

A summary of the types of new activities required by LCRSTR is summarized in Exhibit 3.

### Exhibit 3. Summary of Additional Activities Required by LCRSTR

Regulatory Change	System Costs			State Costs
	System Reporting	Tap Water Monitoring	Public Education	State Review
Regulatory Change III.A	X			X
Regulatory Change III.B	None – Included in existing information collection requests			
Regulatory Change III.C	X	X		X
Regulatory Change III.D	X			X
Regulatory Change III.E	X		X	X
Regulatory Change III.F	X		X	X
Regulatory Change III.G		X		

#### 4(c) ICR Approval Activities

The activities that will take place during the 3-year period covered by this ICR will vary based on the timing of State implementation. The rule is structured to allow for early implementation by States within 6 months of rule publication. Alternatively, States can take up to 2 years to implement the rule provisions. Due to the uncertainty in predicting which States will adopt early implementation and which States will take the full two years, this ICR contains an upper bound estimate that assumes that all States will adopt early implementation and a lower bound estimate that assumes that all States will take the full 2 years. The implication for the timing of activities is described below.

#### Upper Bound: All States Choose Early Implementation (6 months after publish date) for all activities

Implementation Activities take place from late November 2007 (effective date) through early start date (after late March 2008). All annual costs and the one time costs for Regulatory Change III.A begin in April 1, 2008. There will be 6 months of annual costs in Year 1 (April, May, June, July, August, September).

Cost Element	Year 1:	Year 2:	Year 3:
	Late 9/07 – Late 9/08	Late 9/08 – Late 9/09	Late 9/09 – Late 9/10
One time Implementation	100%	0%	0%
One time III.A	100%	0%	0%
Annual Costs	50%	100%	100%

**Lower Bound: All States Choose Standard Implementation (2 years after publish date) for all activities**

Implementation Activities take place from late November 2007 (effective date) through start date (after late September 2009) a period of 22 months (10 months in Year 1 and 12 months in Year 2). All annual costs and the one time costs for Regulatory Change III.A begin in October 1, 2009.

<b>Cost Element</b>	<b>Year 1: Late 9/07 – Late 9/08</b>	<b>Year 2: Late 9/08 – Late 9/09</b>	<b>Year 3: Late 9/09 – Late 9/10</b>
<b>One time Implementation</b>	45%	55%	0%
<b>One time III.A</b>	0%	0%	100%
<b>Annual Costs</b>	0%	0%	100%

## **5 THE INFORMATION COLLECTED—AGENCY ACTIVITIES, COLLECTION METHODOLOGY, AND INFORMATION MANAGEMENT**

The following sections describe the Agency activities related to analyzing, maintaining, and distributing the information collected.

### **5(a) Agency Activities**

The Agency is responsible for promulgating and overseeing the implementation of the short term revision to the LCR. The Agency is involved in the following activities that assist States in implementing the modifications:

- Develop the short-term regulations; and
- Respond to questions on the short-term regulations.

### **5(b) Collection Methodology and Management**

The data generated as a result of the regulatory changes will be integrated in the existing quarterly SDWIS reporting process. The collection methodology and management of SDWIS is described in the 2004 ICR.

### **5(c) Small Entity Flexibility**

EPA has previously described considerations pertaining to small systems in the 1991 ICR, (refer to pages 14-18). In addition, EPA has made revisions to the 1991 LCR which reduce to the extent practicable and appropriate the burden on PWSs, especially smaller systems. These revisions establish differing compliance or reporting requirements or schedules that take into account the resources available to smaller water systems; clarify, consolidate or simplify compliance and reporting requirements; and eliminate unnecessary or redundant requirements. Such objectives are consistent with the Regulatory Flexibility Act (RFA) which requires all executive agencies to consider small entities in their regulatory design and implementation processes.

EPA considered the particular needs of small business when proposing rule changes in the LCRSTR. For example, Regulatory Change III.C requires systems that have exceeded the lead Action Level to resume tap monitoring for lead on a regular, rather than reduced, schedule. Originally, EPA had considered extending this requirement to both lead and copper monitoring. Based on suggestions from the work group to minimize impacts on small systems, EPA limited the requirement to only lead Action Level exceedances.

Regulatory Change III.E requires systems to provide lead monitoring results to consumers. The work group discussed including copper monitoring results in the notification, but deferred that suggestion for future consideration, thereby limiting the increase in burden for small systems. In addition, EPA continues to be interested in the potential impacts of the rule on small entities and welcome comments on issues related to such impacts

EPA has prepared a Regulatory Flexibility Act analysis for the short term changes, which can be found in the Economic Analysis.

EPA recognizes that some water systems are small entities; therefore, the LCRSTR reduces to the extent practicable and appropriate the burden on PWSs, especially smaller systems. The regulations include the following examples of reduced burden for small systems:

- Different compliance or reporting requirements or schedules that take into account the resources available to smaller water systems.
- Consolidated or simplified compliance and reporting requirements.
- No unnecessary or redundant requirements.

#### **5(d) Collection Schedule**

For both the LCR and LCRSTR the Agency considered a wide range of alternatives for frequency of data collection, and has chosen the option that requires the least frequent collection possible while still protecting public health. When possible, State discretion in adjusting these frequencies has been allowed. Monitoring frequencies for PWSs have been carefully devised based on the following factors: system size, source type, system construction, and contaminant history.

Some of the regulatory changes associated with the LCRSTR increase the frequency of data collection and reporting. EPA has deemed this change necessary to continue to protect public health and ensure the quality of drinking water. For example, Regulatory Change III.C prevents systems from switching to reduced monitoring based solely on results of water quality parameter monitoring.

Regulatory Change III.D clarifies the initial intent of the regulatory change proposed in the LCRMR. This change requires systems monitoring annually or less frequently to notify the State prior to changes in the system's treatment(s) or an addition of a new source of water. This allows the State to detect in a timely fashion whether the corrosivity of the water will increase due to these changes in the system's treatment. Otherwise, a State would be unaware of potential changes in lead and copper levels until the next monitoring results were submitted, which could be as long as nine years.

Regulatory Change III.F requires all systems to provide specific information language on lead in their annual CCR. Previously, only systems whose 95 percentile exceeded the lead action level were required to report lead levels to their CCR. Regulatory Change III.F also requires systems that exceed the lead action level to notify customers more frequently than previously required. These efforts better ensure at-risk populations receive adequate and timely lead information and are able to act to reduce their lead exposure.

Regulatory Change III.G requires systems to reevaluate lead service lines classified as "replaced" through testing if the system resumes a lead service line replacement program.



Reevaluating “replaced” lead service lines ensures that all potential sources of lead are examined in order to increase public health after lead exceedences.

## 6. ESTIMATING THE BURDEN AND COST OF THE COLLECTION

This section describes the estimates of burden and direct costs to implement the final regulatory changes to utilities and States.<sup>8</sup> This ICR only focuses on the incremental changes to burden and costs that will result from the short term regulatory changes. The burden and costs associated the other elements of the Lead and Copper rule continue to be described and accounted for in the 2004 ICR.

The burden and cost estimates in this ICR are based on the calculations documented in the Economic Analysis and Supporting Analyses for the Short Term Regulatory Revisions and Clarifications to the Lead and Copper Rule. Major underlying assumptions and data sources are summarized in Appendix B and detailed in the Economic Analysis. Detailed calculations are found in Appendix C.

### 6(a) Estimating Respondent Burden

The following sections discuss the costs and burden faced by PWSs and States. Exhibit 4 presents a summary of estimated responses, burden, and costs for the 3-year window of the ICR for the upper bound estimate. Exhibit 5 presents the same information for the lower bound estimate.

**Exhibit 4: Average Annual Responses, Average Total Burden and Average Total Costs for the LCRSTR - Upper Bound Estimate**  
(4<sup>th</sup> Quarter 2006\$)

	Responses	Burden Hours	Annualized Capital Costs	Annual Labor Costs	Annual O&M Costs	Annual Labor and O&M Costs	Total Annual Costs
<b>PWSs</b>	391,671	271,997	\$0	\$8,129,188	\$293,920	\$8,423,108	\$8,423,108
<b>States &amp; Territories</b>	34,812	25,125	\$0	\$1,096,473	\$1,284	\$1,097,758	\$1,097,758
<b>Total</b>	<b>426,483</b>	<b>297,122</b>	<b>\$0</b>	<b>\$9,225,661</b>	<b>\$295,205</b>	<b>\$9,520,866</b>	<b>\$9,520,866</b>

Notes: Detail may not add exactly to total due to independent rounding.

<sup>8</sup> There are two types of costs that may result from the LCRSTR rule changes – direct and indirect. Direct costs are from those activities that are specified by the rule change, such as costs for additional monitoring or distribution of consumer notices. A second type of cost may also result when systems and States use the information generated by the directly –related rule activities to modify or enhance practices to reduce lead levels. Section 6 focuses solely on the estimation of direct costs for implementation activities

**Exhibit 5: Average Annual Responses, Average Total Burden and Average Total Costs for the LCRSTR - Lower Bound Estimate**

(4<sup>th</sup> Quarter 2006\$)

	<b>Responses</b>	<b>Burden Hours</b>	<b>Annualized Capital Costs</b>	<b>Annual Labor Costs</b>	<b>Annual O&amp;M Costs</b>	<b>Annual Labor and O&amp;M Costs</b>	<b>Total Annual Costs</b>
<b>PWSs</b>	171,849	189,369	\$0	\$5,466,403	\$117,886	\$5,584,289	\$5,584,289
<b>States &amp; Territories</b>	14,675	17,628	\$0	\$768,412	\$831	\$769,243	\$769,243
<b>Total</b>	<b>186,524</b>	<b>206,997</b>	<b>\$0</b>	<b>\$6,234,816</b>	<b>\$118,717</b>	<b>\$6,353,532</b>	<b>\$6,353,532</b>

Notes: Detail may not add exactly to total due to independent rounding.

### **6a(i) Burden and Cost to PWSs**

Information collection activities of PWSs required under this rule will result in average annual national cost of \$8.4 million and a corresponding annual burden of 271,997 person-hours at the upper bound and \$5.6 million and 189,369 hours at the lower bound. Of the \$8.4 million average annual cost, \$8.1 million is for labor costs and \$0.3 million is for O&M costs, mainly for postage, materials and laboratory costs. Of the \$5.6 million at the lower bound, \$5.5 million is for labor costs and \$0.1 million is for O&M costs (postage, materials, and laboratory costs). Appendix B provides the detailed assumptions and Exhibit C displays the calculations used to derive the burden and costs estimates.

During the initial 3-year period, systems will incur one-time startup activities, including reading the rule and training staff, and ongoing annual activities after rule implementation is complete.

#### **6a(i)a Start-Up Activities**

Systems will incur a one-time burden associated with the upfront activities for the final regulatory changes, such as reviewing the rule changes and communicating regulatory requirements to staff and management. These activities will be undertaken by the 72,213 CWSs and NTNCWSs that must comply with the LCR.<sup>9</sup> The burden per system is estimated to range from 5 to 40 hours, depending on the size of the system. The total burden, for the 3-year period, for all systems is estimated to be 399,159 hours, at an annual average over the 3 years of 133,053 hours. Costs associated with the start-up activities are estimated at \$11.0 million over 3 years, \$3.66 million annually.

#### **6a(i)b Annual Activities**

After rule implementation is complete, total annual activity costs and burden for PWSs are estimated to be \$5.7 million and 165,256 burden hours per year. Included in this category are

<sup>9</sup> Date Source: SDWIS/FED database 2004; See Exhibit 1 for details.

costs and burden for each of the regulatory changes. Details of these estimates can be found in Appendix B.

### **6a(ii) Burden and Cost to States**

Total annual average State labor cost is \$1.1 million and 25,125 hours burden at the upper bound and \$0.8 million and 17,628 hours burden at the lower bound. The vast majority of costs are for State labor, with only \$1,284 for O&M at the upper bound and \$831 for O&M at the lower bound, consisting of costs for postage and materials.

#### **6a(ii)a Start-Up Activities**

States will also incur a one-time burden associated with upfront activities for the final regulatory changes, such as regulation adoption, program development, and miscellaneous communication. Fifty-seven primacy agencies will review and implement the final LCRSTR, which includes 50 States, 6 territories and 1 Indian Tribe. The burden per State is estimated to be 600 hours/State. Applying these assumptions result in a total upfront burden of 34,200 at a cost of \$1.5 million. The average annual burden over the 3-year period for these start-up activities is estimated at 11,400 hours per year, \$0.5 million.

#### **6a(ii)b Annual Activities**

After implementation is complete, the States are expected to spend a total of 14,993 burden hours annually performing at a cost of \$0.7 million. Details of these estimates can be found in Appendix B.

### **6(b) Time Frame for Cost and Burden Estimates**

The activities that will take place during the 3-year period covered by this ICR will vary based on the timing of State implementation. The rule is structured to allow for early implementation by States within 6 months of rule publication. Alternatively, States can take up to 2 years to implement the rule provisions. Due to the uncertainty in predicting which States will adopt early implementation and which States will take the full two years, this ICR contains an upper bound estimate that assumes that all States will adopt early implementation and a lower bound estimate that assumes that all States will take the full 2 years. The implication for the timing of activities is described below.

#### **Upper Bound: All States Choose Early Implementation (6 months after publish date) for all activities**

<b>Cost Element</b>	<b>Year 1: Late 9/07 – Late 9/08</b>	<b>Year 2: Late 9/08 – Late 9/09</b>	<b>Year 3: Late 9/09 – Late 9/10</b>
<b>One time Implementation</b>	100%	0%	0%
<b>One time III.A</b>	100%	0%	0%
<b>Annual Costs</b>	50%	100%	100%

**Lower Bound: All States Choose Standard Implementation (2 years after publish date) for all activities**

<b>Cost Element</b>	<b>Year 1: Late 9/07 – Late 9/08</b>	<b>Year 2: Late 9/08 – Late 9/09</b>	<b>Year 3: Late 9/09 – Late 9/10</b>
<b>One time Implementation</b>	45%	55%	0%
<b>One time III.A</b>	0%	0%	100%
<b>Annual Costs</b>	0%	0%	100%

Based on these assumptions, Exhibits 6 - 11 display the timing of the burden for Systems and States by year and regulatory activity. Exhibits 12 - 17 display the costs by year and regulatory activity.

**Exhibit 6: System Burden By Year, Upper Bound**

Regulatory Change	Year 1: Late 9/07 - Late 9/08	Year 2: Late 9/07 - Late 9/08	Year 3: Late 9/09 - Late 9/10	Total Late 9/07 - Late 9/10	Average Late 9/07 - Late 9/10	Number of Respondents Per Year	Average Per Respondent Per Year
III.A	3,692	0	0	3,692	1,231	3,692	0.3
III.B	0	0	0	0	0	N/A	0.0
III.C	42,507	85,015	85,015	212,536	70,845	903	78.5
III.D	4,003	8,006	8,006	20,015	6,672	1,067	6.3
III.E	20,118	40,236	40,236	100,590	33,530	64,273	0.5
III.F	14,368	28,737	28,737	71,842	23,947	52,257	0.5
III.G	1,632	3,263	3,263	8,158	2,719	34	80.0
Rule Review	399,159	0	0	399,159	133,053	72,213	1.8
<b>TOTAL</b>	<b>485,479</b>	<b>165,256</b>	<b>165,256</b>	<b>815,991</b>	<b>271,997</b>	<b>72,213</b>	<b>3.8</b>

**Exhibit 7: State Burden By Year, Upper Bound**

Regulatory Change	Year 1: Late 9/07 - Late 9/08	Year 2: Late 9/07 - Late 9/08	Year 3: Late 9/09 - Late 9/10	Total Late 9/07 - Late 9/10	Average Late 9/07 - Late 9/10	Number of Respondents Per Year	Average Per Respondent Per Year
III.A	3692	0	0	3,692	1,231	57	22
III.B	0	0	0	0	0	N/A	0
III.C	930	1,860	1,860	4,651	1,550	57	27
III.D	4,003	8,006	8,006	20,015	6,672	57	117
III.E	1,835	3,671	3,671	9,177	3,059	57	54
III.F	728	1,456	1,456	3,640	1,213	57	21
III.G	0	0	0	0	0	57	0
Rule Review	34,200	0	0	34,200	11,400	57	200
<b>TOTAL</b>	<b>45,389</b>	<b>14,993</b>	<b>14,993</b>	<b>75,375</b>	<b>25,125</b>	<b>57</b>	<b>441</b>

**Exhibit 8: Total Burden By Year, Upper Bound**

Regulatory Change	Year 1: Late 9/07 - Late 9/08	Year 2: Late 9/07 - Late 9/08	Year 3: Late 9/09 - Late 9/10	Total Late 9/07 - Late 9/10	Average Late 9/07 - Late 9/10
III.A	7,384	0	0	7,384	2,461
III.B	0	0	0	0	0
III.C	43,438	86,875	86,875	217,188	72,396
III.D	8,006	16,012	16,012	40,029	13,343
III.E	21,953	43,907	43,907	109,767	36,589
III.F	15,096	30,193	30,193	75,482	25,161
III.G	1,632	3,263	3,263	8,158	2,719
Rule Review	433,359	0	0	433,359	144,453
<b>TOTAL</b>	<b>530,868</b>	<b>180,249</b>	<b>180,249</b>	<b>891,366</b>	<b>297,122</b>

**Exhibit 9: System Burden By Year, Lower Bound**

Regulatory Change	Year 1: Late 9/07 - Late 9/08	Year 2: Late 9/07 - Late 9/08	Year 3: Late 9/09 - Late 9/10	Total Late 9/07 - Late 9/10	Average Late 9/07 - Late 9/10	Number of Respondents Per Year	Average Per Respondent Per Year
III.A	0	0	3,692	3,692	1,231	3,692	0.3
III.B	0	0	0	0	0	N/A	0.0
III.C	0	0	85,015	85,015	28,338	903	31.4
III.D	0	0	8,006	8,006	2,669	1,067	2.5
III.E	0	0	40,236	40,236	13,412	64,273	0.2
III.F	0	0	28,737	28,737	9,579	52,257	0.2
III.G	0	0	3,263	3,263	1,088	34	32.0
Rule Review	179,622	219,537	0	399,159	133,053	72,213	1.8
<b>TOTAL</b>	<b>179,622</b>	<b>219,537</b>	<b>168,948</b>	<b>568,107</b>	<b>189,369</b>	<b>72,213</b>	<b>2.6</b>

Exhibit 10: State Burden By Year, Lower Bound

Regulatory Change	Year 1: Late 9/07 - Late 9/08	Year 2: Late 9/07 - Late 9/08	Year 3: Late 9/09 - Late 9/10	Total Late 9/07 - Late 9/10	Average Late 9/07 - Late 9/10	Number of Respondents Per Year	Average Per Respondent Per Year
III.A	0	0	3692	3,692	1,231	57	22
III.B	0	0	0	0	0	N/A	0
III.C	0	0	1,860	1,860	620	57	11
III.D	0	0	8,006	8,006	2,669	57	47
III.E	0	0	3,671	3,671	1,224	57	21
III.F	0	0	1,456	1,456	485	57	9
III.G	0	0	0	0	0	57	0
Rule Review	15,390	18,810	0	34,200	11,400	57	200
<b>TOTAL</b>	<b>15,390</b>	<b>18,810</b>	<b>18,685</b>	<b>52,885</b>	<b>17,628</b>	<b>57</b>	<b>309</b>

Exhibit 11: Total Burden By Year, Lower Bound

Regulatory Change	Year 1: Late 9/07 - Late 9/08	Year 2: Late 9/07 - Late 9/08	Year 3: Late 9/09 - Late 9/10	Total Late 9/07 - Late 9/10	Average Late 9/07 - Late 9/10
III.A	0	0	7,384	7,384	2,461
III.B	0	0	0	0	0
III.C	0	0	86,875	86,875	28,958
III.D	0	0	16,012	16,012	5,337
III.E	0	0	43,907	43,907	14,636
III.F	0	0	30,193	30,193	10,064
III.G	0	0	3,263	3,263	1,088
Rule Review	195,012	238,347	0	433,359	144,453
<b>TOTAL</b>	<b>195,012</b>	<b>238,347</b>	<b>187,633</b>	<b>620,992</b>	<b>206,997</b>

Exhibit 12: System Cost By Year, Upper Bound

(4<sup>th</sup> Quarter 2006\$)

Regulatory Change	Year 1: Late 9/07 - Late 9/08	Year 2: Late 9/07 - Late 9/08	Year 3: Late 9/09 - Late 9/10	Total Late 9/07 - Late 9/10	Average Late 9/07 - Late 9/10	Number of Respondents Per Year	Average Per Respondent Per Year
III.A	\$104,094	\$0	\$0	\$104,094	\$0	3,685	\$28.25
III.B	\$0	\$0	\$0	\$0	\$0	N/A	\$0.00
III.C	\$1,347,938	\$2,695,876	\$2,695,876	\$6,739,689	\$2,246,563	903	\$2,487.89
III.D	\$382,541	\$765,083	\$765,083	\$1,912,707	\$637,569	1,067	\$597.29
III.E	\$624,061	\$1,248,122	\$1,248,122	\$3,120,306	\$1,040,102	64,273	\$16.18
III.F	\$429,575	\$859,150	\$859,150	\$2,147,875	\$715,958	52,257	\$13.70
III.G	\$54,704	\$109,407	\$109,407	\$273,519	\$91,173	34	\$2,681.56
Rule Review	\$10,971,135	\$0	\$0	\$10,971,135	\$3,657,045	72,213	\$50.64
<b>TOTAL</b>	<b>\$13,914,048</b>	<b>\$5,677,638</b>	<b>\$5,677,638</b>	<b>\$25,269,324</b>	<b>\$8,423,108</b>	<b>72,213</b>	<b>\$116.64</b>

### Exhibit 13: State Cost By Year, Upper Bound

(4<sup>th</sup> Quarter 2006\$)

Regulatory Change	Year 1: Late 9/07 - Late 9/08	Year 2: Late 9/07 - Late 9/08	Year 3: Late 9/09 - Late 9/10	Total Late 9/07 - Late 9/10	Average Late 9/07 - Late 9/10	Number of Respondents Per Year	Average Per Respondent Per Year
III.A	\$162,269	\$0	\$0	\$162,269	\$54,090	57	\$949
III.B	\$0	\$0	\$0	\$0	\$0	N/A	\$0
III.C	\$40,938	\$81,877	\$81,877	\$204,692	\$68,231	57	\$1,197
III.D	\$174,212	\$348,424	\$348,424	\$871,060	\$290,353	57	\$5,094
III.E	\$81,678	\$163,355	\$163,355	\$408,388	\$136,129	57	\$2,388
III.F	\$31,686	\$63,372	\$63,372	\$158,431	\$52,810	57	\$926
III.G	\$0	\$0	\$0	\$0	\$0	N/A	\$0
Rule Review	\$1,488,433	\$0	\$0	\$1,488,433	\$496,144	57	\$8,704
<b>TOTAL</b>	<b>\$1,979,216</b>	<b>\$657,029</b>	<b>\$657,029</b>	<b>\$3,293,273</b>	<b>\$1,097,758</b>	<b>57</b>	<b>\$19,259</b>

### Exhibit 14: Total Cost By Year, Upper Bound

(4<sup>th</sup> Quarter 2006\$)

Regulatory Change	Year 1: Late 9/07 - Late 9/08	Year 2: Late 9/07 - Late 9/08	Year 3: Late 9/09 - Late 9/10	Total Late 9/07 - Late 9/10	Average Late 9/07 - Late 9/10
III.A	\$266,363	\$0	\$0	\$266,363	\$88,788
III.B	\$0	\$0	\$0	\$0	\$0
III.C	\$1,388,876	\$2,777,753	\$2,777,753	\$6,944,382	\$2,314,794
III.D	\$556,753	\$1,113,507	\$1,113,507	\$2,783,766	\$927,922
III.E	\$705,739	\$1,411,478	\$1,411,478	\$3,528,694	\$1,176,231
III.F	\$461,261	\$922,522	\$922,522	\$2,306,306	\$768,769
III.G	\$54,704	\$109,407	\$109,407	\$273,519	\$91,173
Rule Review	\$12,459,568	\$0	\$0	\$12,459,568	\$4,153,189
<b>TOTAL</b>	<b>\$15,893,264</b>	<b>\$6,334,667</b>	<b>\$6,334,667</b>	<b>\$28,562,597</b>	<b>\$9,520,866</b>



**Exhibit 15: System Cost By Year, Lower Bound**  
(4<sup>th</sup> Quarter 2006\$)

Regulatory Change	Year 1: Late 9/07 - Late 9/08	Year 2: Late 9/07 - Late 9/08	Year 3: Late 9/09 - Late 9/10	Total Late 9/07 - Late 9/10	Average Late 9/07 - Late 9/10	Number of Respondents Per Year	Average Per Respondent Per Year
III.A	\$0	\$0	\$104,094	\$104,094	\$0	3,685	\$28.25
III.B	\$0	\$0	\$0	\$0	\$0	N/A	\$0.00
III.C	\$0	\$0	\$2,695,876	\$2,695,876	\$898,625	903	\$995.16
III.D	\$0	\$0	\$765,083	\$765,083	\$255,028	1,067	\$238.92
III.E	\$0	\$0	\$1,248,122	\$1,248,122	\$416,041	64,273	\$6.47
III.F	\$0	\$0	\$859,150	\$859,150	\$286,383	52,257	\$5.48
III.G	\$0	\$0	\$109,407	\$109,407	\$36,469	34	\$1,072.62
Rule Review	\$4,937,011	\$6,034,124	\$0	\$10,971,135	\$3,657,045	72,213	\$50.64
<b>TOTAL</b>	<b>\$4,937,011</b>	<b>\$6,034,124</b>	<b>\$5,781,732</b>	<b>\$16,752,867</b>	<b>\$5,584,289</b>	<b>72,213</b>	<b>\$77.33</b>

**Exhibit 16: State Cost By Year, Lower Bound**  
(4<sup>th</sup> Quarter 2006\$)

Regulatory Change	Year 1: Late 9/07 - Late 9/08	Year 2: Late 9/07 - Late 9/08	Year 3: Late 9/09 - Late 9/10	Total Late 9/07 - Late 9/10	Average Late 9/07 - Late 9/10	Number of Respondents Per Year	Average Per Respondent Per Year
III.A	\$0	\$0	\$162,269	\$162,269	\$54,090	57	\$949
III.B	\$0	\$0	\$0	\$0	\$0	N/A	\$0
III.C	\$0	\$0	\$81,877	\$81,877	\$27,292	57	\$479
III.D	\$0	\$0	\$348,424	\$348,424	\$116,141	57	\$2,038
III.E	\$0	\$0	\$163,355	\$163,355	\$54,452	57	\$955
III.F	\$0	\$0	\$63,372	\$63,372	\$21,124	57	\$371
III.G	\$0	\$0	\$0	\$0	\$0	N/A	\$0
Rule Review	\$669,795	\$818,638	\$0	\$1,488,433	\$496,144	57	\$8,704
<b>TOTAL</b>	<b>\$669,795</b>	<b>\$818,638</b>	<b>\$819,297</b>	<b>\$2,307,730</b>	<b>\$769,243</b>	<b>57</b>	<b>\$13,495</b>

**Exhibit 17: Total Cost By Year, Lower Bound**  
(4<sup>th</sup> Quarter 2006\$)

Regulatory Change	Year 1: Late 9/07 - Late 9/08	Year 2: Late 9/07 - Late 9/08	Year 3: Late 9/09 - Late 9/10	Total Late 9/07 - Late 9/10	Average Late 9/07 - Late 9/10
III.A	\$0	\$0	\$266,363	\$266,363	\$88,788
III.B	\$0	\$0	\$0	\$0	\$0
III.C	\$0	\$0	\$2,777,753	\$2,777,753	\$925,918
III.D	\$0	\$0	\$1,113,507	\$1,113,507	\$371,169
III.E	\$0	\$0	\$1,411,478	\$1,411,478	\$470,493
III.F	\$0	\$0	\$922,522	\$922,522	\$307,507
III.G	\$0	\$0	\$109,407	\$109,407	\$36,469
Rule Review	\$5,606,806	\$6,852,762	\$0	\$12,459,568	\$4,153,189
<b>TOTAL</b>	<b>\$5,606,806</b>	<b>\$6,852,762</b>	<b>\$6,601,029</b>	<b>\$19,060,597</b>	<b>\$6,353,532</b>

### **6(c) Estimating Agency Burden and Cost**

Information-related activities that may be undertaken by both EPA headquarters and regional offices include reviewing, interpreting and explaining the new regulations to States that ask for guidance. For example, during the implementation process, EPA headquarters or regions might be asked for explanations or interpretations of the intent of the new regulations. EPA believes that these regulatory changes are relatively straightforward and limited in scope, and expects that the preamble language will generally be sufficient for the purpose of explaining EPA's intent. Therefore, the additional burden incurred by headquarters and regional offices is expected to be minimal.

Further, the burden and costs incurred by EPA's drinking water program at headquarters and regional offices to assist primacy agencies in implementing drinking water regulations are already included in existing ICRs. EPA burden and costs for on-going regulatory development and support activities for all EPA drinking water regulations are accounted for under the PWSS Program ICR.<sup>10</sup> Agency activities specifically related to the LCR have also been addressed in the 2004 ICR. Thus, any minimal burden that may be incurred by the Agency related to the LCRSTR has already been adequately captured under existing ICRs.

### **6(d) Respondent Universe**

There are a total of 72,213 PWSs and 57 States and territories considered for this Information Collection Request.

### **6(e) Bottom Line Burden Hours and Costs**

This section provides a description of bottom line estimates for implementation of the rule. The bottom line burden hours and costs for systems and States are the summaries of the hours and costs collectively incurred for all activities. The first part of this section describes the estimated average annual costs and hourly burdens for respondents to the rule. The second part discusses the potential cost and burden to EPA. Exhibit 18 presents a summary of the average annual respondent burden over 3 years for PWSs and States.

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<sup>10</sup> Information Collection Request for the Public Water System Supervision Program, OMB control number 2040-0090.

**Exhibit 18. Bottom Line Average Annual Burden and Costs, Upper and Lower Bound**  
(4<sup>th</sup> Quarter 2006\$)

	<b>Lower Bound</b>	<b>Upper Bound</b>	
<b>Number of Respondents</b>	<b>72,270</b> =72,213 +57	<b>72,270</b> =72,213 +57	Public water systems States
<b>Total Annual Responses</b>	<b>186,524</b> =171,849 +14,675	<b>426,483</b> =391,671 +34,812	Public water system responses State responses
<b>Number of Responses per PWS</b>	<b>2.4</b> =171,849 /72,213	<b>5.4</b> =391,671 / 72,213	Total annual PWS responses from above Total public water systems from above
<b>Number of Responses per State</b>	<b>257</b> =14,675 /57	<b>611</b> =34,812 /57	Total annual State responses from above Total States from above
<b>Total Annual Respondent Burden Hours</b>	<b>206,997</b> =189,369 +17,628	<b>297,122</b> =271,997 +25,125	Public water system hours State hours
<b>Hours per System for Public Water Systems</b>	<b>2.6</b> = 189,369 /72,213	<b>3.8</b> = 271,997 /72,213	Total PWS annual hours from above Total PWS from above
<b>Hours per State for States</b>	<b>309</b> =17,628 /57	<b>441</b> =25,125 /57	Total State annual hours from above Total States from above
<b>Annual O&amp;M Costs</b>	<b>\$118,717</b> = \$117,886 +\$831	<b>\$295,205</b> =\$293,920 +\$1,284	Public water system O&M costs State O&M costs
<b>Total Annual Respondent Cost</b>	<b>\$6,353,532</b> =\$5,584,289 + \$769,243	<b>\$9,520,866</b> =\$8,423,108 +\$1,097,758	Public water system costs State costs
<b>Total Annual Hours (respondent plus Agency)</b>	<b>206,997</b> =206,997 +0	<b>297,122</b> =297,122 +0	Total respondent hours Total EPA hours
<b>Total Annual Cost (respondent plus Agency)</b>	<b>\$6,353,532</b> =\$6,353,532 +\$0	<b>\$9,520,866</b> =\$9,520,866 +\$0	Total respondent cost Total EPA cost

Note: Detail may not add exactly to total due to independent rounding. EPA burden and cost estimated under PWSS program.

**6e(i) Bottom Line Burden and Cost Estimates for Respondents**

The total annual average respondent burden associated with this ICR is estimated to be 206,997- 297,122 burden hours. The corresponding total annual average respondent costs are estimated to be \$6.4 to \$9.5 million.

EPA estimates the annual respondent burden for PWSs to be 189,369 - 271,997 hours. Annual respondent costs for PWSs are estimated to be \$5.6 to \$8.4 million. The Agency estimates that the annual respondent burden for States is 17,628 – 25,125 hours. The

corresponding annual average respondent costs for States are estimated to be \$0.8 to \$1.1 million.

#### **6e(ii) Bottom Line Estimate for Agency**

Any additional burden or cost that EPA may incur as a result of the LCRSTR implementation activities is expected to be minimal and is already accounted for in existing ICRs, as explained in 6(c).

#### **6(f) Reasons For Change In Burden**

The LCRSTR is intended to strengthen the implementation of the LCR in the areas of monitoring, customer awareness, and lead service line replacement in the short-term. Some of the changes clarify the intent of the LCR for provisions that have generated questions. Other provisions reconsider LCR requirements in light of recent experience. These changes are expected to ensure and enhance more effective protection of public health through the reduction in lead exposure.

#### **6(g) Burden Statement**

For the ICR period of September 2007 through September 2010 associated with the LCRSTR, the average annual burden per system for the LCRSTR is estimated to be 2.6 to 3.8 hours per system per year. System burden includes the time required for implementation activities, such as reviewing the rule changes and communicating results, as well as activities related to the regulatory changes. The average annual cost per system is expected to be \$77 - \$117 per system per year. The average annual burden per State is estimated to be 309 - 441 hours per State per year. This burden includes the time required for implementation activities, such as informing systems of the requirements, regulation adoption, program development, and miscellaneous communication, as well as activities related to the regulatory changes. The estimated average annual cost per State is estimated to be \$13,500 - \$19,300 per State per year.

Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR Part 9 and 48 CFR Chapter 15.

To comment on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including the use of automated collection techniques, EPA has established a public docket for this ICR under

Docket ID Number EPA-HQ-OW-2005-0034, which is available for public viewing at the Office of Water Docket in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Avenue, NW, Washington, D.C. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is (202) 566-1744, and the telephone number for the Office of Water Docket is (202) 566-2426. An electronic version of the public docket is available through EPA Dockets (EDOCKET) at <http://www.epa.gov/edocket>. Use EDOCKET to submit or view public comments, access the index listing of the contents of the public docket, and to access those documents in the public docket that are available electronically. When in the system, select “search,” then key in the Docket ID Number identified above. Also, you can send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, D.C. 20503, Attention: Desk Officer for EPA. Please include the EPA Docket ID Number EPA-HQ-OW-2005-0034 and OMB Control Number 2040-0204 in any correspondence.

# **APPENDICES**

Appendix A:  
SDWA Sections that Provide Authority for the Collection

Appendix B:  
Detailed Assumptions Used to Estimate Burdens, Costs, and Number of Responses

Appendix C:  
Detailed Calculations for the Estimates of Burden, Cost, and Responses

# **APPENDIX A**

Safe Drinking Water Sections that  
Provide Authority for the Collection

**APPENDIX A**  
**Relevant Authorities in the SDWA 1996 Amendments**

**Section 1401.** For purposes of this title:

(1) The term “primary drinking water regulation” means a regulation which-

(D) contains criteria and procedures to assure a supply of drinking water which dependably complies with such maximum contaminant levels; including accepted methods for quality control and testing procedures to insure compliance with such levels and to insure proper operation and maintenance of the system, and requirements as to (i) the minimum quality of water which may be taken into the system and (ii) siting for new facilities for public water systems. At any time after promulgation of a regulation referred to in this paragraph, the Administrator may add equally effective quality control and testing procedures by guidance published in the Federal Register. Such procedures shall be treated as an alternative for public water systems to the quality control and testing procedures listed in the regulation.

**Section 1412(b)(1)** Identification of contaminants for listing.–

(A) General authority.– The Administrator shall, in accordance with the procedures established by this subsection, publish a maximum contaminant level goal and promulgate a national primary drinking water regulation for a contaminant (other than a contaminant referred to in paragraph (2) for which a national primary drinking water regulation has been promulgated as of the date of enactment of the Safe Drinking Water Act Amendments of 1996) if the Administrator determines that–

(i) the contaminant may have an adverse effect on the health of persons;

(ii) the contaminant is known to occur or there is a substantial likelihood that the contaminant will occur in public water systems with a frequency and at levels of public health concern; and

(iii) in the sole judgment of the Administrator, regulation of such contaminant presents a meaningful opportunity for health risk reduction for persons served by public water systems.

(B) Regulation of unregulated contaminants.–

(i) Listing of contaminants for consideration.–

(I) Not later than 18 months after the date of enactment of the Safe Drinking Water Act Amendments of 1996 and every 5 years thereafter, the Administrator, after consultation with the scientific community, including the Science Advisory Board, after notice and opportunity for public comment, and after considering the occurrence data base established under section 1445(g), shall publish a list of contaminants which, at the time of publication, are not subject to any proposed or promulgated national primary drinking water regulation, which are known or anticipated to occur in public water systems, and which may require regulation under this title.

(II) The unregulated contaminants considered under subclause (I) shall include, but not be limited to, substances referred to in section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, and substances registered as pesticides under the Federal Insecticide, Fungicide, and Rodenticide Act.

(III) The Administrator's decision whether or not to select an unregulated contaminant for a list under this clause shall not be subject to judicial review.



(ii) Determination to regulate.–

(I) Not later than 5 years after the date of enactment of the Safe Drinking Water Act Amendments of 1996, and every 5 years thereafter, the Administrator shall, after notice of the preliminary determination and opportunity for public comment, for not fewer than 5 contaminants included on the list published under clause (i), make determinations of whether or not to regulate such contaminants.

(II) A determination to regulate a contaminant shall be based on findings that the criteria of clauses (i), (ii), and (iii) of subparagraph (A) are satisfied. Such findings shall be based on the best available public health information, including the occurrence data base established under section 1445(g).

(III) The Administrator may make a determination to regulate a contaminant that does not appear on a list under clause (i) if the determination to regulate is made pursuant to subclause (II).

(IV) A determination under this clause not to regulate a contaminant shall be considered final agency action and subject to judicial review.

(iii) Review.– Each document setting forth the determination for a contaminant under clause (ii) shall be available for public comment at such time as the determination is published.

(C) Priorities.– In selecting unregulated contaminants for consideration under subparagraph (B), the Administrator shall select contaminants that present the greatest public health concern. The Administrator, in making such selection, shall take into consideration, among other factors of public health concern, the effect of such contaminants upon subgroups that comprise a meaningful portion of the general population (such as infants, children, pregnant women, the elderly, individuals with a history of serious illness, or other subpopulations) that are identifiable as being at greater risk of adverse health effects due to exposure to contaminants in drinking water than the general population.

(D) Urgent threats to public health.– The Administrator may promulgate an interim national primary drinking water regulation for a contaminant without making a determination for the contaminant under paragraph (4)(C), or completing the analysis under paragraph (3)(C), to address an urgent threat to public health as determined by the Administrator after consultation with and written response to any comments provided by the Secretary of Health and Human Services, acting through the director of the Centers for Disease Control and Prevention or the director of the National Institutes of Health. A determination for any contaminant in accordance with paragraph (4)(C) subject to an interim regulation under this subparagraph shall be issued, and a completed analysis meeting the requirements of paragraph (3)(C) shall be published, not later than 3 years after the date on which the regulation is promulgated and the regulation shall be repromulgated, or revised if appropriate, not later than 5 years after that date.

(E) Regulation.– For each contaminant that the Administrator determines to regulate under subparagraph (B), the Administrator shall publish maximum contaminant level goals and promulgate, by rule, national primary drinking water regulations under this subsection. The Administrator shall propose the maximum contaminant level goal and national primary drinking water regulation for a contaminant not later than 24 months after the determination to regulate under subparagraph (B), and may publish such proposed regulation concurrent with the determination to regulate. The Administrator shall publish a maximum contaminant level goal and promulgate a national primary drinking water regulation within 18 months after the proposal thereof. The Administrator, by notice in the Federal Register, may extend the deadline for such promulgation for up to 9 months.

(F) Health advisories and other actions.— The Administrator may publish health advisories (which are not regulations) or take other appropriate actions for contaminants not subject to any national primary drinking water regulation.

**Section 1412(b)(4) Goals and standards.—**

(A) Maximum contaminant level goals.— Each maximum contaminant level goal established under this subsection shall be set at the level at which no known or anticipated adverse effects of health of persons occur and which allows an adequate margin of safety.

(B) Maximum contaminant levels.— Except as provided in paragraphs (5) and (6), each national primary drinking water regulation for a contaminant for which a maximum contaminant level goal is established under this subsection shall specify a maximum contaminant level for such a contaminant which is as close to the maximum contaminant level goal as is feasible.

(C) Determination.— At the time the Administrator proposes a national primary drinking water regulation under this paragraph, the Administrator shall publish a determination as to whether the benefits of the maximum contaminant level justify, or do not justify, the costs based on the analysis conducted under paragraph (3)(C).

(D) Definition of feasible.— For the purposes of this subsection, the term “feasible” means feasible with the use of the best technology, treatment techniques, and other means which the Administrator finds, after examination for efficacy under field conditions and not solely under laboratory conditions, are available (taking cost into consideration). For the purpose of this paragraph, granular activated carbon is feasible for the control of synthetic organic chemicals, and any technology, treatment technique, or other means found to be the best available for the control of synthetic organic chemicals must be at least as effective in controlling synthetic organic chemicals as granular activated carbon.

(E) Feasible technologies.—

(i) In general.— Each national primary drinking water regulation which establishes a maximum contaminant level shall list the technology, treatment techniques, and other means which the Administrator finds to be feasible for purposes of meeting such maximum contaminant level, but regulation under this subsection shall not require that any specified technology, treatment technique, or other means be used for purposes of meeting such maximum contaminant level.

(ii) List of technologies for small systems.— The Administrator shall include in the list any technology, treatment technique, or other means that is affordable, as determined by the Administrator in consultation with the States, for small public water systems serving—

(I) a population of 10,000 or fewer but more than 3,300;

(II) a population of 3,300 or fewer but more than 500; and

(III) a population of 500 or fewer but more than 25;

and that achieves compliance with the maximum contaminant level or treatment technique, including packaged or modular systems and point-of-entry or point-of-use treatment units. Point-of-entry and point-of-use treatment units shall be owned, controlled and maintained by the public water system or by a person under contract with the public water system to ensure proper operation and maintenance and compliance with the maximum contaminant level or treatment technique and equipped with mechanical

warnings to ensure that customers are automatically notified of operational problems. The Administrator shall not include in the list any point-of-use treatment technology, treatment technique, or other means to achieve compliance with a maximum contaminant level or treatment technique requirement for a microbial contaminant (or an indicator of a microbial contaminant). If the American National Standards Institute has issued product standards applicable to a specific type of point-of-entry or point-of-use treatment unit, individual units of that type shall not be accepted for compliance with a maximum contaminant level or treatment technique requirement unless they are independently certified in accordance with such standards. In listing any technology, treatment technique, or other means pursuant to this clause, the Administrator shall consider the quality of the source water to be treated.

(iii) List of technologies that achieve compliance.— Except as provided in clause (v), not later than 2 years after the date of enactment of this clause and after consultation with the States, the Administrator shall issue a list of technologies that achieve compliance with the maximum contaminant level or treatment technique for each category of public water systems described in subclauses (I), (II), and (III) of clause (ii) for each national primary drinking water regulation promulgated prior to the date of enactment of this paragraph.

(iv) Additional technologies.— The Administrator may, at any time after a national primary drinking water regulation has been promulgated, supplement the list of technologies describing additional or new or innovative treatment technologies that meet the requirements of this paragraph for categories of small public water systems described in subclauses (I), (II), and (III) of clause (ii) that are subject to the regulation.

(v) Technologies that meet surface water treatment rule.— Within one year after the date of enactment of this clause, the Administrator shall list technologies that meet the Surface Water Treatment Rule for each category of public water systems described in subclauses (I), (II), and (III) of clause (ii).

**Section 1413(a)** For purposes of this title, a State has primary enforcement responsibility for public water systems during any period for which the Administration determines (pursuant to regulations under subsection (b)) that such State-

(1) has adopted drinking water regulations that are no less stringent than the national primary drinking water regulations promulgated by the Administrator under subsections (a) and (b) of section 1412 not later than 2 years after the date on which the regulations are promulgated by the Administrator, except that the Administrator may provide for an extension of not more than 2 years if, after submission and review of appropriate, adequate documentation from the State, the Administrator determines that the extension is necessary and justified;

(2) has adopted and is implementing adequate procedures for the enforcement of such State regulations, including conducting such monitoring and making such inspections as the Administrator may require by regulation;

(3) will keep such records and make such reports with respect to its activities under paragraphs (1) and (2) as the Administrator may require by regulation.

**Section 1445 (a)(1)(A)** Every person who is subject to any requirement of this title or who is a grantee, shall establish and maintain such records, make such reports, conduct such monitoring, and provide such information as the Administrator may reasonably require by regulation to assist the Administrator in establishing regulations under this title, in determining whether such person has acted or is acting in compliance with this title, in administering any program of financial assistance under this title, in evaluating the health risks of unregulated contaminants, or in advising the public of such risks. In

requiring a public water system to monitor under this subsection, the Administrator may take into consideration the system size and the contaminants likely to be found in the system's drinking water.

(B) Every person who is subject to a national primary drinking water regulation under section 1412 shall provide such information as the Administrator may reasonably require, after consultation with the State in which such person is located if such State has primary enforcement responsibility for public water systems, on a case-by-case basis, to determine whether such person has acted or is acting in compliance with this title.

(C) Every person who is subject to a national primary drinking water regulation under section 1412 shall provide such information as the Administrator may reasonably require to assist the Administrator in establishing regulations under section 1412 of this title, after consultation with States and suppliers of water. The Administrator may not require under this subparagraph the installation of treatment equipment or process changes, the testing of treatment technology, or the analysis or processing of monitoring samples, except where the Administrator provides the funding for such activities. Before exercising this authority, the Administrator shall first seek to obtain the information by voluntary submission.

(D) The Administrator shall not later than 2 years after the date of enactment of this subparagraph, after consultation with public health experts, representatives of the general public, and officials of State and local governments, review the monitoring requirements for not fewer than 12 contaminants identified by the Administrator, and promulgate any necessary modifications.

# **APPENDIX B**

## Detailed Assumptions and Tables Used to Estimate Burdens, Costs, and Number of Responses

## Overall Burden and Cost Methodologies and Assumptions

As part of its comprehensive review of the Lead and Copper Rule, EPA collected and analyzed new data on various aspects of LCR implementation. When available, this new information is the first choice source for use in estimating burden and costs. Sources of the new information include the following.

- *Medium and Large Public Water Systems Exceeding the Lead Action Level Summary from SDWIS/FED data as of January 27, 2005* provides up-to-date counts of the number of medium and large systems that have exceeded the Action Level since 2000 and 2003.
- *Summary, Lead Action Level exceedances for public water systems subject to the Lead and Copper Rule (For data through September 13, 2004)* provides up-to-date counts of the number of small systems that have exceeded the Action Level since 2000 and 2003.
- *State responses to EPA's "Survey of States Questions on State Implementation of the Lead and Copper Rule" (July 2004)* provides information on the number of systems that are conducting lead service line replacement under the LCR, the fraction of systems on reduced LCR monitoring, and system practices with regard to notification of customers of sampling results.

If new information was not available about a cost item or assumption, previous analyses of LCR requirements were reviewed to determine if a suitable estimate was available. The 1991 RIA, the 1996 RIA Addendum, and the various Information Collection Requests were all used as sources of information and assumptions.

### *Inventory of Systems*

The primary inventory of systems that will be subject to the information collection activities was derived from a pull of data from the SDWIS/FED system in the 4<sup>th</sup> quarter of 2004, available at <http://www.epa.gov/safewater/data/pivottables.html>, summarized in *FACTOIDS: Drinking Water and Ground Water Statistics for 2004*, and presented in Exhibit 1.<sup>11</sup>

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<sup>11</sup> [http://www.epa.gov/safewater/data/pdfs/data\\_factoids\\_2004.pdf](http://www.epa.gov/safewater/data/pdfs/data_factoids_2004.pdf)

**Exhibit B-1: Number of Systems by Size Category and Type Subject to Information Collection Activities SDWIS/FED 2004 Data**

	CWS	NTNCWS	TOTAL LCR
<=100	13,766	9,548	23,314
101-500	16,240	6,997	23,237
501-1,000	5,914	1,925	7,839
1,001-3,300	8,298	795	9,093
3,301-10,000	4,707	96	4,803
10,001-25,000	2,107	7	2,114
25,001-50,000	950	6	956
50,001-75,000	343	1	344
75,001-100,000	141	0	141
100,001-500,000	322	0	322
500,001-1,000,000	32	0	32
	18		
>1,000,000		0	18
Grand Total	52,838	19,375	72,213

*Wage Rates*

Wage rates for systems were taken from the report *Labor Costs for National Drinking Water Rules* prepared by Science Applications International Corporation (SAIC) in October 2003 for EPA's Office of Ground Water and Drinking Water. Exhibits 20 and 21 of that report summarize recommended average technical and managerial wage rates by system size for EPA to use in cost analyses. These rates are updated to 4<sup>th</sup> quarter 2006 levels using the Employment Cost Index. To represent the composition of staff at PWSs of smaller sizes (e.g., systems serving fewer than 3,300 people), EPA uses only the updated technical rate. For systems serving 3,300 or more people, EPA uses a ratio of 80 percent technical labor to 20 percent managerial labor to arrive at a weighted labor rate. Exhibit B-2 presents the wage rates for systems used in the cost analyses.

**Exhibit B-2: Wage Rates for Systems**  
(4<sup>th</sup> Quarter 2006\$)

System Size Category	Labor Rate (\$/hour)
<= 100	\$23.86
101 to 500	\$25.70
501 to 3,300	\$27.54
3,301 to 10,000	\$33.96
10,001 to 100,000	\$34.59
>100,000	\$39.23

Wage rates for States are based on information provided by the Association of State Drinking Water Administrators (ASDWA) as presented in the *Information Collection Request for Contaminant Occurrence Data in Support of EPA's Second Six Year Review of National Primary Drinking Water Regulations* (August 2006). The average loaded wage rate for States

used in the analysis is \$43.52 per hour.



## Detailed Assumptions and Calculations for the Regulatory Changes

### ***A. Burden Associated with Regulatory Change III.A***

Regulatory change III.A clarifies EPA's intent that a minimum of five samples must be drawn when conducting compliance monitoring. If a system has fewer than the minimum number of sites required for sampling, than those systems will have to collect multiple samples on different days from the same site so that the total number of samples per monitoring period is at least five. EPA does, however, give States the discretion to allow systems with less than 5 taps to take 1 sample per tap, on a case by case basis. This analysis assumes that systems in a subset of States will undertake a one-time activity to prepare and submit to the State a letter verifying the number of applicable taps for monitoring. States will incur an activity to review, track, and approve the letters.

### ***B. Burden Associated with Regulatory Change III.B***

Regulatory change III.B clarifies the terms *monitoring period* and *compliance period*, which are used throughout the LCR. Based on the rule change, if a system exceeds the Action Level during a monitoring period, non-compliance starts at the end of the monitoring period, which for most systems, is on September 30. Under the previous language, systems were confused as to whether non-compliance began at the end of that compliance period (which is typically December 31) rather than the monitoring period (September 30).

As a result of the rule change, activities triggered by an Action Level exceedance could begin three months earlier (i.e., at the end of September rather than at the end of December), but it is not clear if such activities would last any longer. As explained in Section 4(b)(ii), the net result is a change in the timing of activities, including the taking and processing of samples, determination of compliance, and notification of the State. A shorter time frame for processing samples might result in systems inserting bid conditions for laboratories, but it is not clear if this will result in a burden or cost impact. For this reason, EPA does not believe that regulatory change III.B will result in increased burden.

### ***C. Burden Associated with Regulatory Change III.C***

#### *Burden to utilities*

As a result of regulatory change III.C, utilities under reduced monitoring that calculate a 90<sup>th</sup> percentile lead level that exceeds the lead Action Level will be required to resume a standard lead and copper monitoring schedule. In addition to these monitoring activities, utilities will have to meet reporting requirements to the State/primacy agency.

The subset of systems that will have additional burden under this regulatory change are those systems that exceed the lead Action Level and that had been on reduced monitoring. These systems are assumed to undertake an additional 5 monitoring events after an Action Level exceedance covering a 3 year period (6 monitoring events in three years under regular

monitoring instead of 1 monitoring event in three years under reduced monitoring). Based on previous EPA documents, the labor required to collect and analyze each lead tap sample is estimated at 3.5 hours (2.5 hours to collect and 1.0 hour to analyze), with an additional material cost of \$9.07 per sample (also referred to as the O&M cost). The burden for calculating the 90<sup>th</sup> percentile and reporting results to EPA range from 1.5 hours to 2 hours per monitoring event based on system size.

The annual system burden, which includes both the reporting and monitoring burden, associated with regulatory change III.C is 85,014 hours per year.

#### *Burden to States*

Regulatory change III.C will require States to review additional utility monitoring reports as a result of systems conducting additional monitoring events while on a standard monitoring schedule. EPA applied the same assumptions as described in the system burden section to estimate the number of system in each system size category that are affected by regulatory change III.C, and the number of additional tap monitoring events as affected systems are required to switch from a reduced monitoring schedule (one monitoring period every 3 years) to a standard monitoring schedule (one monitoring period every 6 months).

The annual State review burden per monitoring event is a combination of the time it takes for States to review a tap sample letter, 1.0 hour, and the time it takes for States to review a tap sample calculation, 0.17 to 1.0 hour depending on the system size. These burden estimates are based on assumptions in the 2004 ICR, page H-12.

The annual State review burden associated with regulatory change III.C is 1,860 hours per year. A summary of the State burden associated with this regulatory change is described in Exhibit B-3.

#### **Exhibit B-3: Summary of the Annual Burden Associated with Regulatory Change III.C**

	<b>Labor per Event (hours)</b>	<b>Respondent Burden (hours/year)</b>
Tap Monitoring	3.5	82,734
Reporting	1.5 to 2.0	2,280
<b>Total System Burden</b>	<b>5 to 5.5</b>	<b>85,014</b>
Review Costs	1.17 to 2.0	1,860
<b>Total State Burden</b>	<b>1.17 to 2.0</b>	<b>1,860</b>

#### ***D. Burden Associated with Regulatory Change III.D***

Regulatory change III.D revises the notification requirement if systems change the treatment or add new source water. Under the regulatory change, systems must notify States *in advance* of making treatment changes or adding new source water that could potentially interfere with optimal corrosion control. In addition, the changes must undergo a formal review and

approval process by the State prior to implementation by the system. Based on projected rule-related treatment changes and expert judgment, this analysis assumes that approximately 20% of the systems affected by the LCR will institute a treatment change in the next ten years. It is assumed that these changes occur uniformly over that 10-year period, so that approximately one-tenth of these systems (or 2 percent of the total) institute a treatment change or source addition each year. Systems that have a treatment change or source addition in a State without an existing review and approval process would undertake the following activities:

Utility Activity	Burden (hours)
Preparation of letter to State	4 hours
Coordination with State	4 hours
Total	8 hours

The current LCR regulatory requirements on notification of treatment changes cause a system burden of 0.5 hours per treatment change. Therefore, the new system burden is expected to be 8 minus 0.5 hours or 7.5 hours per treatment change.<sup>12</sup>

In addition, 10 to 20% of medium and large CWSs will need to conduct an engineering study in order to gain State approval for a treatment change or new source addition<sup>13</sup> at a burden of approximately 700 – 750 hours per study.

The total annual burden for utilities is estimated to be 8,006 hours per year, as summarized in Exhibit B-4.

#### *Burden to States*

The burden associated with the State's formal review and approval process is a new requirement for those States that do not currently have such a requirement. Additional burden to the State will be from a review of system data/reports, internal meetings regarding approval, and coordination with systems.

Applying the same assumptions as explained above, EPA assumes that there are 1,067 affected systems.

EPA calculated a high and low estimate of the State labor burden per review of a system's proposed treatment change or new source addition. Based on the input of EPA and contractor staff familiar with State LCR implementation, EPA assumed that States may spend from 4 to 8 hours reviewing a system's submission, preparing a conclusion, and coordinating with the system. Since the current LCR requires 0.5 hours per treatment change, net burden increase per change is 3.5 to 7.5 hours.

<sup>12</sup> Source: *Information Collection Request: Disinfectants/Disinfection Byproducts, Chemical, and Radionuclides Rules*, USEPA, Office of Water, September 2004, page H-27.

<sup>13</sup>

<sup>?</sup> Based on agreement of expert panelists (11/21/05)

The annual State burden is estimated to be 8,006 hours per year after applying the high assumptions and 3,736 hours per year after applying the low assumptions, as summarized in Exhibit B-4.

#### **Exhibit B-4: Summary of Burden Associated with Regulatory Change III.D**

	<b>Labor per Treatment Change (hours)</b>	<b>Respondent Burden (hours/year)</b>
<b>Burden to Systems</b>		
High Estimate	7.5	8,006
Low Estimate	7.5	8,006
<b>Burden to State</b>		
High Estimate	7.5	8,006
Low Estimate	3.5	3,736

Note: Only the high estimate is used in subsequent calculations in the ICR.

#### ***E. Burden Associated with Regulatory Change III.E***

##### *Burden to utilities*

Regulatory change III.E will require 52,838 CWSs to provide written notification to each customer that participated in tap sampling of the lead level found in the tap sample collected for LCR compliance monitoring. The notification requirements for the 19,375 NTNCWSs that must comply with the LCR will be different, and may consist of posting a notice on community bulletin boards or web sites. The number of systems required to comply with the LCR is based on SDWIS/FED data 2004.

To calculate burden, EPA assumed that a fraction of utilities already notify participants of lead sampling results. The fraction was estimated depending on the system type, system size, and results from the USEPA Survey of States. The utilities that already notify will not incur additional burden as a result of regulatory change III.E

For CWSs, burden results from the labor required to prepare and mail a customer letter to owners/occupants describing monitoring results. The number of tap monitoring events was estimated by assuming that 91 percent of all systems are on a reduced monitoring schedule, which requires one monitoring event every three years, and that the remaining 9 percent of systems employ a standard monitoring schedule, which requires six monitoring events every three years, or two monitoring events per year.<sup>14</sup> In addition, the number of increased monitoring events that would result from regulatory change III.C (1,692 additional monitoring events per year) are added to the total. EPA assumed that the number of letters reporting the sample results to customers is the number of monitoring events multiplied by the number of samples required for each system size on standard or reduced monitoring. The burden to write and send letters to consumers is assumed to be one hour per monitoring event for systems serving <3,300 people and one hour per 20 letters for systems serving > 3,300 people. Systems will also incur a burden

<sup>14</sup> Source: USEPA Survey of States - Questions on State Implementation of Lead and Copper Rule. July 2004

of .12 hours to prepare a letter submitted to States certifying that sampling participants have been notified.

The burden to NTNCWSs includes the labor required to prepare a consumer notice and post the notice. The number of affected systems and the number of monitoring events is calculated using the same assumptions as explained for CWSs. However, NTNCWS will prepare and post a consumer notice, rather than preparing and sending individual letters. Systems will also incur a burden of .12 hours to prepare a letter submitted to States certifying that customers have been notified. EPA estimated that all NTNCWSs will spend one hour to prepare a notice for each monitoring event.

The total annual burden for all public water systems as a result of regulatory change III.E is estimated to be 40,236 hours per year, as summarized in Exhibit B-5.

#### *Burden to State*

States will incur a burden for collecting, reviewing, and tracking self-certification letters from systems of .10 hours per system per year. The annual State burden is estimated to be 3,671 hours per year, as summarized in Exhibit B-5.

#### **Exhibit B-5: Summary of Burden Associated with Regulatory Change III.E**

	<b>Labor per Event (hours)</b>	<b>Respondent Burden (hours/year)</b>
<b>Burden to Systems</b>		
Public Education Activities	1 hour/monitoring event -or - 1 hour/20 letters (See Exhibit B-8)	35,831
System Reporting Activities	.12/monitoring event for self-certification letter	4,405
<b>Burden to State</b>		
Review Costs	.10 per self-certification letter	3,681

#### ***F. Burden Associated with Regulatory Change III.F***

##### *Burden to utilities*

##### *(a) Changes to the mandatory text of the written materials*

##### *(a)(1) Customer Notification*

Regulatory change III.F(a)(1) substantially reduces the mandatory language required for delivery to all bill paying customers after a lead Action Level exceedance and gives systems more flexibility in developing the notification. Systems are required to address several topics in the notification, namely: “sources of lead”, “steps to reduce exposure”, “what happened”, and

“what is being done”. This analysis assumed that template language will be provided for the sources of lead and steps to reduce exposure sections. However, by their nature, the “what happened” and “what is being done” sections will need to be customized by each system to reflect their specific conditions. Therefore, the additional activity under this change is the effort required to develop the sections specific to the system, at an additional burden of 3.5 hours of labor per system

***(b) Changes to better reach at-risk populations***

***(b)(1) Delivery of brochures to organizations***

*Activities resulting from regulatory change*

Regulatory change III.F(b)(1) requires that CWSs exceeding the lead Action Level distribute brochures to three additional types of organizations – obstetric/gynecologist offices, licensed child care facilities, and pre-schools. Also, a cover letter must now be included with the brochures and the public health agency must be directly contacted by phone, rather than through a mailed brochure. Systems serving greater than 3,300 will incur an additional 1 hour in burden to generate and update lists of additional facilities. These systems will also incur production costs of 0.25 hours for every 100 additional brochures and applicable mailing and materials costs, as well as an hour to develop the cover letter and 0.5 hours to directly contact the public health agency.

***(b)(2) Additional activities***

Regulatory change III.F(b)(2) requires systems to perform additional public notification activities. Systems are given a choice of 8 activities. Systems serving fewer than 3,300 must implement 1 activity from the list while other systems must implement 3 activities. The burden for individual activities varies greatly and are detailed fully in the LCRSTR Economic Analysis. Also, determining which activity or combination of activities systems will regularly choose is subject to considerable uncertainty. Systems will consider many factors in choosing activities. Certainly cost will be an important factor, but effectiveness and ability to reach a variety of audiences may also be considered. In the absence of information on the selection of activities, this analysis conservatively assumes that all activities are equally likely to be chosen. The average burden per system to conduct additional public education activities after an Action Level exceedance is summarized below.

<b>System Size Category</b>	<b>Average Burden per System</b>
25-100	1.90
101-500	1.91
501-3,300	3.25
3.3K-10K	9.83
10K-50K	31.53
50K-100K	64.77
>100K	92.05

***(c) Changes to help systems maintain communication with consumers throughout the exceedance***

***(c)(1) Adding Note to Customer Bills for CWSs that Exceed the Lead Action Level***

Regulatory change III.F(c)(1) requires that CWSs exceeding the lead Action Level include a specific message on every quarterly water bill during the period of exceedance, instead of on just one bill per year, resulting in 3 extra billing notifications per year. The burden associated with each additional billing notification is 1 hour per billing cycle, or 3 hours per year.

***(c)(2) Posting notice on website***

Regulatory change III.F(c)(2) requires that CWSs serving greater than 100,000 and exceeding the lead Action Level post a notice of the exceedance on their website, at an annual burden of 0.5 hours per system.<sup>15</sup>

***(c)(3) Public Service Announcements and Press Releases***

*Activities resulting from regulatory change*

Regulatory change III.F(c)(3) eliminates the need for systems to submit public service announcements (PSAs) to radio and TV stations once every 6 months and add the requirement to submit a press release to these entities once per year while under an Action Level exceedance. The 2004 ICR assumes that, for a PSA, a system will submit the text of a notice to a radio or TV outlet, not produce a tape or video. Thus, the level of effort required to submit a PSA is equivalent to the level of effort required to submit a press release in the 2004 ICR. The substitution of a press release for a PSA does not result in any change in burden. However, the reduction in frequency from once every 6 months to once every year results in reduced effort of 1 notification per year, at a reduced burden of 1 hour per year.

***d. Changes to the required timing***

There are no burden implications associated with changing the timing of notifications.

***e. Changes to the Consumer Confidence Report***

***(e)(1) Adding an informational statement on lead to Consumer Confidence Report***

Regulatory change III.F(e)(1) requires that all CWSs include an informational statement on lead in their Consumer Confidence Report, at an additional burden of 15 minutes (0.25 hours) per system per year to include the informational statement in their CCR.

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<sup>15</sup> USEPA, *Public Water System Supervision Information Collection Request*, July 2004, page B-6.

## System Reporting Activities

Systems will incur 2 hours per year during an Action Level exceedance to consult with the States on the choice of activities, alternative delivery mechanisms, and the timing of activities. Systems will also incur .12 hours per year to prepare and submit a letter to States certifying that they have identified and notified the applicable at-risk populations and have completed required activities.

### Exhibit B-6: Summary of Burden to Systems Associated with Regulatory Change III.F

Activity	Requirement	Annual Burden per System	Total Annual Burden
<b>a. Changes to the Mandatory Text of the Written Materials</b>			
III.F(a)(1)	Customer Notification		3,479
<b>b. Changes to Better Reach At-Risk Populations</b>			
III.F(b)(1)	Notify Additional Organizations		737
III.F(b)(2)	Additional Activities i-viii		9,749
<b>c. Changes to Help Systems Maintain Communication with Consumers Throughout the Exceedance</b>			
III.F(c)(1)	Customer Bills		1,743
III.F(c)(2)	Post on Website		4
III.F(c)(3)	PSAs and Press Releases		-108
<b>d. Changes to the Required Timing</b>			
No burden impact			
<b>e. Changes to Consumer Confidence Report</b>			
III.F(e)(1)	CCR Statement		13,064
<b>Systems Reporting to States</b>			
	Self Certification Letter & State Consult		70
<b>Total Burden to Systems for PE Requirements (III.F)</b>			
TOTAL			<b>28,737</b>

Note: Totals may not add due to rounding.

#### *Costs to States (for III.F)*

Under Regulatory Change, States will incur costs to review the language of public notifications after Action Level exceedances and to consult with systems on their additional activities. States will no longer have to approve changes to the communication activities for systems serving between 501-3,300, resulting in a slight decrease in burden. The decrease in burden for States to approve a waiver for systems serving 500-3,301 is assumed to be 0.5 (based on comparable waiver activities in the 2004 ICR). States will incur an increase in burden to review the language in the utility's notice to consumers to make sure the utility is including the necessary information of 20 minutes per review, based on existing reviews in the 2004 ICR. States will spend an additional 2 hours to consult with each system about the choice of additional activities after an Action Level exceedance, alternative delivery mechanisms, and schedules. States will also spend an additional .10 hour to review and track self-certification letters from systems.



The burden to States for compliance with Regulatory Change #III.F are summarized in Exhibit B-7 and estimated to be 1,456 hours annually.

### **Exhibit B-7: Summary of Burden Associated with Regulatory Change III.F**

	<b>Labor per Event (hours)</b>	<b>Respondent Burden (hours/year)</b>
<b>Burden to Systems</b>		
Public Education Activities	See Exhibit B-6	28,667
System Reporting Activities	See Exhibit B-6	70
<b>Burden to State</b>		
Review Costs	.10 per self-certification letter 2 hours consultation	1,456

### **G. Burden Associated with Regulatory Change III.G**

#### *Burden to utilities*

The primary burden for systems that have recently exceeded the lead Action Level and require LSL replacement includes the following: collecting lead samples from LSLs that have “tested-out,” analyzing the samples for lead, and reconsidering the LSLs for replacement.

EPA estimates that there are 34 systems that have been required to conducted LSL replacement. This estimate is based on the States’ responses to a USEPA Survey. Based on the assumption that these systems will exceed the lead Action Level at the same rate as the universe of systems, this analysis assumes that 1.4 percent of the affected systems, or 1 system annually, will re-exceed the lead Action Level and, therefore, will be required to continue the LSL replacement program.<sup>16</sup>

To determine how many LSLs are sampled in each affected system per year, EPA assumed that each utility conducts LSLs replacements at a rate of 7 percent per year over 15 years. According to the preliminary findings of a survey being conducted by Black & Veatch for AWWA, 26 respondent utilities had an inventory of 558,135 lead service lines in 1992. Based on this data, the average number of lead service lines per system is 21,467. In the absence of specific information on the number of lead service lines in the subset of systems that have been required to do replacement, this analysis uses the average value from the Black & Veatch study.<sup>17</sup> EPA estimates that 1,431 LSLs are sampled per year in each system.<sup>18</sup>

<sup>16</sup> Data source: [www.epa.gov/safewater/lcrmr/lead-data.html](http://www.epa.gov/safewater/lcrmr/lead-data.html), 8/30/05; Based on lead exceedance data for medium and large systems.

<sup>17</sup> Source: *Notes from the EPA Lead Service Line Replacement Workshop*, December 10, 2004, [http://www.epa.gov/safewater/lcrmr/pdfs/summary\\_lcmr\\_review\\_lead\\_line\\_replacement\\_workshop\\_10-26-04.pdf](http://www.epa.gov/safewater/lcrmr/pdfs/summary_lcmr_review_lead_line_replacement_workshop_10-26-04.pdf)

<sup>18</sup> ? 21,467 LSL’s per systems divided by 15 years equals 1,431 LSL’s per system per year. [www.epa.gov/safewater/lcrmr/pdfs/summary\\_lcmr\\_review\\_lead\\_line\\_replacement\\_workshop\\_10-26-04.pdf](http://www.epa.gov/safewater/lcrmr/pdfs/summary_lcmr_review_lead_line_replacement_workshop_10-26-04.pdf)

Costs for this regulatory change apply only to those lead service lines that have been deemed replaced through “testing-out” in a lead service line replacement program. Information was available for the lead service line replacement program for one system (DC WASA) that indicated that for one year (2003), 76 percent of the lead service lines were deemed replaced through sampling, while 24 percent were physically replaced. Because this was early in the replacement program, the percent of lines tested out might be high in comparison with replacement over an entire program. In the absence of additional data, this analysis assumes that 76 percent of lead service lines are “tested-out” and would then be put back into the inventory upon re-exceedance.<sup>19</sup>

Applying these assumptions, EPA estimates that a system would re-analyze 1,088 samples per year (1,431 LSL times 76 percent of the LSLs that are “tested-out”) at an estimated 3 hours burden to collect and analyze samples. These calculations suggest that regulatory change III.G will result in an annual burden of 3,263 hours per year as summarized in Exhibit B-8.

#### *Burden to States*

No direct burden is expected for States as a result of regulatory change III.G. Although the State will review utility LSL replacement program annual reports, these costs were captured previously in the Final Regulatory Impact Analysis of National Primary Drinking Water Regulations for Lead and Copper, April 1991.

#### **Exhibit B-8: Summary of the Burden Associated with Regulatory Change III.E**

	<b>Labor per Sample (hours)</b>	<b>Respondent Burden (hours/year)</b>
<b>Burden to Systems</b>		
Tap Monitoring	3.0	3,263
<b>Burden to State</b>		
N/A	--	--

#### ***H. Burden Associated with One Time Implementation Activities***

##### *Burden to Systems*

Systems will incur a one-time burden associated with the upfront activities for the regulatory changes, such as reviewing the rule changes and communicating regulatory requirements to staff and management. These activities will be undertaken by the 72,213 CWSs and NTNCWSs that must comply with the LCR.<sup>20</sup> The burden per system is estimated to range from 5 to 40 hours, depending on the size of the system. The total burden, for the 3-year period,

<sup>19</sup>

<sup>2</sup> Source: Lead Service Line Replacement Program Annual Report for 2003, District of Columbia Water and Sewer Authority, September 2003.

<sup>20</sup> Date Source: SDWIS/FED database 2004; See Exhibit 1 for details.

for all systems is estimated to be 399,159 hours, at an annual average over the 3 years of 133,053 hours.

### *Burden to States*

States will also incur a one-time burden associated with upfront activities for the regulatory changes, such as regulation adoption, program development, and miscellaneous communication. Fifty-seven primacy agencies will review and implement the LCRSTR, which includes 50 States, 6 territories and 1 Indian Tribe. The burden per State is estimated to be 600 hours/State. Applying these assumptions result in a total upfront burden of 34,200 burden for the 3-year period, at an average of 11,400 per year.

### **Exhibit B-9: Summary of Burden Associated with Upfront Activities for LCRSTR**

	<b>Labor per System or State (hours)</b>	<b>Respondent Burden (hours/year)</b>
<b>Burden to Systems</b>		
Read/Communicate Rule	5 to 40	133,053
<b>Total Burden to Systems</b>	--	<b>133,053</b>
<b>Burden to State</b>		
<b>All States</b>	<b>600</b>	<b>11,400</b>

### *Summary of Costs to States and Systems*

The annual costs for systems associated with the upfront activities for the regulatory changes are equal to the annual respondent burden multiplied by the appropriate labor rate. The estimated labor rate ranges from \$22.70/hour to \$33.10/hour, depending upon the system size category, as explained in Exhibit 2.<sup>21</sup> Annual system costs are summarized in Exhibit B-10 and one-time costs in Exhibit B-11.

The annual labor costs for States associated with the annual activities for all seven regulatory changes are equal to the annual State burden multiplied by the labor rate. Annual State costs are summarized in Exhibit B-10 one-time costs in Exhibit B-11.

<sup>21</sup> Labor rates from SAIC contract study, "Labor Costs for National Drinking Water Rules" (2003) updated to 2005 dollars.

**Exhibit B-10: Summary of Annual Direct Costs to Systems and States from Regulatory Changes**  
(4<sup>th</sup> Quarter 2006\$)

Regulatory Change	System Costs			System Total	State Costs	TOTAL
	System Reporting	Monitoring	Public Education		Review & Consult	
III.A	-	-	-	-	-	-
III.B	-	-	-	-	-	-
III.C	\$60,688	\$2,635,188	-	\$2,695,876	\$81,877	\$2,777,753
III.D	\$765,083	-	-	\$765,083	\$348,424	\$1,113,507
III.E	\$135,693	-	\$1,112,429	\$1,248,122	\$163,355	\$1,411,478
III.F	\$33,734	-	\$825,416	\$859,150	\$63,372	\$922,522
III.G	-	\$109,407	-	\$109,407	-	\$109,407
<b>Total - High</b>	<b>\$995,198</b>	<b>\$2,744,596</b>	<b>\$1,937,845</b>	<b>\$5,677,639</b>	<b>\$657,029</b>	<b>\$6,334,667</b>

**Exhibit B-11: Summary of One Time Direct Costs to Systems and States**  
(4<sup>th</sup> Quarter 2006\$)

	System Costs	State Costs	TOTAL
III.A	\$103,897	\$161,961	\$265,858
Implementation	\$10,971,135	\$1,488,433	\$12,459,568
<b>Total</b>	<b>\$11,075,032</b>	<b>\$1,650,394</b>	<b>\$12,725,426</b>

# **APPENDIX C**

Detailed Calculations for the Estimates of Burden, Costs and Response

**Exhibit C-1: Calculation of Burden Estimates for Regulatory Change III.A**

ONE TIME BURDEN FOR SYSTEMS IN STATES THAT ALLOW 1 TAP PER SAMPLE TO PREPARE AND SUBMIT TO STATE LETTER VERIFYING NUMBER OF TAPS

<b>11 States that Favor 1 Sample</b>	<b># Small Systems With &lt;5 taps</b>	<b>One-Time System Burden for Verification Letters (1)</b>
AK	17	17
IN	380	380
MI	901	901
WI	511	511
IL	249	249
TX	521	521
VT	140	140
UT	45	45
WA	254	254
MD	320	320
MN	322	322
TN	32	32
Total	3692	3692

Notes:

(1) Assumes 1 hour per system to verify number of taps, prepare letter, and submit to State

ONE TIME BURDEN FOR STATES TO REVIEW AND TRACK LETTERS

<b>Number of Letters for State Review</b>	<b>One-Time Burden for State Review of Verification Letters (1)</b>	<b>Respondent Burden in Year 1 (hours)</b>
3685	3692	3692

Notes:

(1) Assumes 1 hour of State labor required to review and track letters from systems with <5 taps

**Exhibit C-2: Calculation of Cost Estimates for Regulatory Change III.A**  
(4<sup>th</sup> Quarter 2006\$)

ONE TIME COSTS FOR SYSTEMS IN STATES THAT ALLOW 1 TAP PER SAMPLE TO PREPARE AND SUBMIT TO STATE LETTER VERIFYING NUMBER OF TAPS

11 States that Favor 1 Sample	# Small Systems With <5 taps	One-Time System Burden for Verification Letters (1)	One-Time System Labor Cost for Verification Letters (2)	One-Time System O&M Cost for Verification Letters (3)	Total System One-Time Cost for 'Verification Letters
AK	17	17	\$472	\$7	\$479
IN	380	380	\$10,551	\$163	\$10,714
MI	901	901	\$25,016	\$387	\$25,403
WI	511	511	\$14,188	\$220	\$14,407
IL	249	249	\$6,913	\$107	\$7,020
TX	521	521	\$14,465	\$224	\$14,689
VT	140	140	\$3,887	\$60	\$3,947
UT	45	45	\$1,249	\$19	\$1,269
WA	254	254	\$7,052	\$109	\$7,161
MD	320	320	\$8,885	\$138	\$9,022
MN	322	322	\$8,940	\$138	\$9,079
TN	32	32	\$888	\$14	\$902
Total	3692	3692	\$102,507	\$1,588	\$104,094

Notes:

(1) Assumes 1 hour per system to verify number of taps, prepare letter, and submit to State

(2) Assumes average labor cost per hour of \$27.76

(3) Assumes O&M cost equals \$0.43 per letter (\$0.39 postage, \$0.01 paper and \$0.03 envelope).

ONE TIME COSTS FOR STATES TO REVIEW AND TRACK LETTERS

Number of Letters for State Review	One-Time Burden for State Review of Verification Letters (1)	State Labor Cost to Review and Document Number of Taps (2)	State O&M Costs to Mail Approval Letter	Total Annual State Costs
3692	3692	\$160,681	\$1,588	\$162,269

Notes:

(1) Assumes 1 hour of State labor required to review, track, and approve letters from systems with <5 taps. Assumes \$0.43 materials and postage to mail approval letter.

(2) Assumes State labor costs of \$43.52 per hour.

**Exhibit C-3: Calculation of Burden Estimates for Regulatory Change III.C****ANNUAL SYSTEM BURDEN RELATED TO TAP SAMPLING**

<b>System Size Category</b>	<b># Systems that Exceed Lead AL (1) (2)</b>	<b># Systems Affected by Regulatory Change (3)</b>	<b>Total Additional # Tap Samples Due to Regulatory Change (4)</b>	<b>Total Burden for Sample Collection and Analysis (Hrs) (5)</b>	<b>Annual Respondent Burden (hours/year) (5)</b>
<= 100	402	366	9,150	32,025	10,675
101 to 500	298	271	14,905	52,168	17,389
501 to 3,300	184	167	18,370	64,295	21,432
3.3K-10K	55	50	11,000	38,500	12,833
10K-50K	41	37	12,210	42,735	14,245
50K-100K	7	6	1,980	6,930	2,310
>100K	7	6	3,300	11,550	3,850
<b>Total</b>	<b>994</b>	<b>903</b>	<b>70,915</b>	<b>248,203</b>	<b>82,734</b>

**Notes:**

1. Assume 884 systems serving <3,300 people exceed the lead AL each year based on SDWIS/Fed database for monitoring period ending after January 2003. (Data source: USEPA Survey of States - Questions on State Implementation of Lead and Copper Rule. July 2004)
2. For systems serving >3,300 people, the # systems is based on systems that have exceeded the lead action level since 2003. data source: [www.epa.gov/safewater/lcrmr/lead-data.html](http://www.epa.gov/safewater/lcrmr/lead-data.html), 8/30/05.
3. Of systems that exceed the lead action level, assume 91% of these systems are on reduced monitoring based on USEPA Survey of States July 2004.
4. Assume systems required to change from reduced monitoring schedule (one monitoring period per 3 years) to standard monitoring (monitoring every 6 months). "total" means total samples per 3 year period. Sampling schedule based on system size as summarized in Table 5.2.a below. For example, systems serving between 101 and 500 people are required to monitor 10 sites for standard monitoring and 5 sites for a reduced monitoring schedule. Since there are 271 systems in this category that are on reduced monitoring, the total additional number of tap samples to be collected in each 3 year period equals  $(10 \times 6 \times 271) - (5 \times 1 \times 271)$  or 14,905.
5. Assume 3.5 hours average labor for collection and analysis per sample (source: 2004 ICR, page H-43).
6. Annual burden equals total burden divided by 3

**ANNUAL SYSTEM BURDEN RELATED TO REPORTING OF SAMPLING RESULTS**

<b>System Size Category</b>	<b># Systems that Exceed Lead AL</b>	<b># Systems Affected by Regulatory Change</b>	<b>Total Additional # Monitoring Events Due to Regulatory Change</b>	<b>System Reporting Burden (Hrs.) Per Monitoring Event (1)</b>	<b>Total System Reporting Burden (Hrs.)</b>	<b>Average Annual Respondent Burden (hours/year)</b>
25-100	402	366	1,830	1.5	2,745	915
101-500	298	271	1,355	1.5	2,033	678
501-3,300	184	167	835	1.5	1,253	418
3.3K-10K	55	50	250	1.5	375	125
10K-50K	41	37	185	1.75	324	108
50K-100K	7	6	30	1.75	53	18
>100K	7	6	30	2	60	20
<b>Total</b>	<b>994</b>	<b>903</b>	<b>4,515</b>	<b>--</b>	<b>6,841</b>	<b>2,280</b>

**Notes:**

1. Based on 2004 ICR Page H-27 Assumptions of Reporting Burden for Tap Sample Letter and Tap Sample Calcs.



## ANNUAL STATE BURDEN RELATED TO REVIEWING SAMPLING RESULTS

System Size Category	# Systems that Exceed Lead AL <sup>1,2</sup>	# Systems Affected by Regulatory Change <sup>3</sup>	Additional # Monitoring Events for 3 year cycle Due to Regulatory Change <sup>4</sup>	State Labor Burden per Monitoring Event <sup>5,6</sup>	Respondent Burden (hours/year) <sup>7</sup>
<= 500	700	637	3,185	1.17	1,242
501-3.3K	184	167	835	1.25	348
3.3K-10K	55	50	250	1.50	125
10K-50K	41	37	185	1.75	108
50K-100K	7	6	30	1.75	18
>100K	7	6	30	2.00	20
<b>Total</b>	<b>994</b>	<b>903</b>	<b>4,515</b>	<b>--</b>	<b>1,860</b>

*Notes:*

1. Assume 884 systems serving <3,300 people exceed the lead AL each year based on SDWIS/Fed database for monitoring period ending after January 2003. (Data source: USEPA Survey of States - Questions on State Implementation of Lead and Copper Rule. July 2004)
2. For systems serving >3,300 people, the # systems is based on systems that have exceeded the lead action level since 2003. data source: [www.epa.gov/safewater/lcrmr/lead-data.html](http://www.epa.gov/safewater/lcrmr/lead-data.html), 8/30/05.
3. Of systems that exceed the lead action level, assume 91% of these systems are on reduced monitoring based on USEPA Survey of States July 2004.
4. For a 3 year monitoring cycle, assume systems have 5 additional tap monitoring events due to switching from a reduced monitoring schedule (once in 3 years) to standard monitoring (every 6 months).
5. Estimated burden based on 2004 ICR, Page H-12. The ICR estimates State burden to be 1 hour to review sample letter and between 0.17 hour and 1 hour to review sample calculations, depending on system size.
6. Total labor per monitoring event is equal to labor per monitoring event for State review of the tap sample letter plus the labor per monitoring event for the tap sample calculations.
7. Respondent burden in hours/year is equal to the number of additional tap monitoring events for a 3 year cycle, divided by three years, multiplied by the total labor per monitoring event.

**Exhibit C-4: Calculation of Cost Estimates for Regulatory Change III.C**  
(4<sup>th</sup> Quarter 2006\$)

ANNUAL SYSTEM COST RELATED TO TAP SAMPLING

System Size Category	Labor per Sample (hours) <sup>1</sup>	Labor Rate (\$/hour) <sup>2</sup>	Respondent Burden (hours/year) <sup>3</sup>	Annual Labor Costs <sup>4</sup>	Annual O&M Costs <sup>5</sup>	Total Annual Monitoring Costs <sup>6</sup>
<= 100	3.5	\$23.86	10,675	\$254,706	\$24,888	\$279,594
101 to 500	3.5	\$25.70	17,389	\$446,901	\$40,542	\$487,443
501 to 3,300	3.5	\$27.54	21,432	\$590,228	\$49,966	\$640,195
3.3K-10K	3.5	\$33.96	12,833	\$435,794	\$29,920	\$465,714
10K-50K	3.5	\$33.96	14,245	\$483,732	\$33,211	\$516,943
50K-100K	3.5	\$34.59	2,310	\$79,903	\$5,386	\$85,289
>100K	3.5	\$39.23	3,850	\$151,036	\$8,976	\$160,012
<b>Total</b>	--	--	<b>82,734</b>	<b>\$2,442,299</b>	<b>\$192,889</b>	<b>\$2,635,188</b>

Notes:

1. Assume 3.5 hours average labor for collection and analysis per sample (Data source: 2004 ICR, page H-43).
2. Wage rate from SAIC contract study "Labor Cost for National Drinking Water Rules." 2003 wage rates are updated to 4<sup>th</sup> Qtr 2006.
3. Respondent Hours/Year equals the total # of additional monitoring events from 2006-2006, divided by 3 years, multiplied by the Total Reporting Burden per monitoring event (which ranges from 1.5 to 2.0 hrs).
4. Annual Labor Costs are the Respondent Hours per Year multiplied by the labor rate.
5. Assume average O&M cost per sample is \$8.16 as described in, "Derivation of estimates for tap monitoring" in Appendix C of the EA.
6. Total annual monitoring costs per year are the sum of the annual labor costs for monitoring and the annual O&M costs for monitoring.

ANNUAL SYSTEM COST RELATED TO REPORTING OF SAMPLING RESULTS

System Size Category	Labor per Monitoring Event (hours) <sup>1</sup>	Labor Rate (\$/hour) <sup>2</sup>	Respondent Burden (hrs/yr) <sup>3</sup>	Annual Labor Costs <sup>4</sup>	Annual O&M Costs <sup>5</sup>	Total Annual Reporting Costs <sup>6</sup>
25-100	1.5	\$23.86	915	\$21,832	\$262	\$22,094
101-500	1.5	\$25.70	678	\$17,412	\$194	\$17,606
501-3.3K	1.5	\$27.54	418	\$11,498	\$120	\$11,618
3.3K-10K	1.5	\$33.96	125	\$4,245	\$36	\$4,281
10K-50K	1.75	\$33.96	108	\$3,664	\$27	\$3,691
50K-100K	1.75	\$34.59	17.5	\$605	\$4	\$610
>100K	2	\$39.23	20	\$785	\$4	\$789
<b>Total</b>	--	--	<b>2,280</b>	<b>\$60,040</b>	<b>\$647</b>	<b>\$60,687</b>

Notes:

1. Assume 1.5 - 2.0 hours average labor for reporting burden associated with the tap sample letter and tap sample calculations. (Data source: 2004 ICR, page H-27).
2. Wage rate from SAIC contract study "Labor Cost for National Drinking Water Rules." 2003 wage rates are updated to 4<sup>th</sup> Qtr 2006.
3. Respondent Hours/Year equals the total # of additional monitoring events from 2006-2006, divided by 3 years, multiplied by the Total Reporting Burden per monitoring event (which ranges from 1.5 to 2.0 hrs).
4. Annual Labor Costs are the Respondent Hours per Year multiplied by the labor rate.
5. Annual O&M costs include postage and materials @ \$0.43 per monitoring event per year.
6. Total Reporting Cost per year is the sum of the labor costs per year and the O&M costs per year.

## ANNUAL STATE COST RELATED TO REVIEWING SAMPLING RESULTS

System Size Category	Labor per Monitoring Event (hours) <sup>1,2</sup>	Respondent Burden (hours/year) <sup>3</sup>	Annual Labor Costs <sup>4</sup>	Annual O&M Costs <sup>5</sup>	Total Annual Costs <sup>6</sup>
<= 500	1.17	1,242	\$54,060	\$639	\$54,699
501 to 3,300	1.25	348	\$15,142	\$168	\$15,309
3.3K-10K	1.50	125	\$5,440	\$50	\$5,490
10K-50K	1.75	108	\$4,697	\$37	\$4,734
50K-100K	1.75	18	\$762	\$6	\$768
>100K	2.00	20	\$870	\$6	\$876
<b>Total</b>	--	<b>1,860</b>	<b>\$80,971</b>	<b>\$906</b>	<b>\$81,877</b>

## Notes:

1. Use State labor rate of \$43.52 /hour (Source: Information Collection Request for Contaminant Occurrence Data in Support of EPA's Second Six Year Review of National Primary Drinking Water Regulations (August 2006)).
2. Total Review Burden is equal to the burden for State review of the tap sample letter (1.0 hr) plus burden for State review of for the tap sample calculations (0.17 hr; Data source: 2004 ICR, page H-12)
3. Respondent Hrs/Year is equal to the # of additional tap monitoring events (2006-2008) divided by three years, multiplied by the Total Review Burden per Monitoring Event (1.17 hrs)
4. Annual Labor Costs are the Respondent Hours per Year multiplied by the labor rate (\$43.52/hour).
5. Unit O&M cost per event is \$0.43 per letter (postage & materials) per ICR page H-12. Assume State sends one letter to utility for each tap monitoring event and two additional letters to each utility regarding WQP monitoring.
6. Total State Review Costs per year is the sum of the labor costs per year and the O&M costs per year.

**Exhibit C-5: Calculation of Burden Estimates for Regulatory Change III.D****ANNUAL SYSTEM BURDEN RELATED TO PREPARING SUBMITTALS ON CHANGES**

	<b># of CWSs and NTNCWSs Affected Each Year (1)</b>	<b>Labor per Treatment Change (hours) (2)</b>	<b>Respondent Burden (hours/year) (3)</b>
System Burden to Prepare Submittals and Coordinate with States	1,067	7.5	8,006

*Notes:*

- 1. The number of systems affected by Regulatory Change III.D is based on the USEPA Survey of States Questions on State Implementation of Lead and Copper Rule (July 2004). Survey results show that 14 States explicitly require review and approval of treatment changes. 53,372 systems in States other than these 14 States would be affected by this Regulatory Change. It is assumed that each year 2% of systems have a treatment or source change that requires review and approval (per the 1999 ICR, page B-8). Therefore the number of systems to be affected by this regulatory change each year is estimated to be  $53,372 \times 0.02 = 1,067$  systems.*
- 2. It is assumed that all systems will spend 8 hours to prepare a submittal letter, coordinate with State, and participate in meeting with State. The current system of notification for treatment changes requires 0.5 hours (per 1999 ICR) so this is deducted from the 8 hours for a total of 7.5 hours. The burden assumption is based on consensus of expert panelists on 11.21.05.*
- 3. Respondent burden is the number of affected systems multiplied by the labor hours per treatment change.*

**ANNUAL STATE BURDEN RELATED TO REVIEWING SUBMITTALS ON CHANGES**

	<b># of Affected Systems (1)</b>	<b>Labor per Review (hours) (2) (3)</b>	<b>Respondent Burden (hours/year)</b>
State Burden to Review Submittals	1,067	7.5	8,006

*Notes:*

- 1. The number of systems affected by Regulatory Change III.D is based on the USEPA Survey of States Questions on State Implementation of Lead and Copper Rule (July 2004). Survey results show that 14 States explicitly require review and approval of treatment changes. 53,372 systems in States other than these 14 States would be affected by this Regulatory Change. It is assumed that each year 2% of systems have a treatment or source change that requires review and approval (per the 1999 ICR, page B-8). Therefore the number of systems to be affected by this regulatory change each year is estimated to be  $53,372 \times 0.02 = 1,067$  systems.*
- 2. It is assumed that States spend 7.5 hours to review each system's data/reports, coordinate with system and make approval decision and formalize with management.*
- 3. State burden is the number of affected systems multiplied by the labor hours per treatment change.*

**Exhibit C-6: Calculation of Cost Estimates for Regulatory Change III.D**  
(4<sup>th</sup> Quarter 2006\$)

**ANNUAL SYSTEM COST RELATED TO PREPARING SUBMITTALS ON CHANGES**

	<b>Labor per Review (hours)</b>	<b>Respondent Burden (hrs/year)</b>	<b># of CWSs Conducting an Engineering Study Each Year (2)</b>	<b>Cost of Engineering Study (3)</b>	<b>Annual Labor Cost (1) (4)</b>	<b>Annual O &amp; M Cost (4)</b>	<b>Total Annual Cost (5)</b>
System Cost	7.5	8,006	26	\$20,000	\$765,083	\$0	\$765,083

*Notes:*

1. Assume labor rate of \$30.81 per hour, which is the average of wage rates from SAIC contract study, "Labor Costs for National Drinking Water Rules" (2003) updated to 4<sup>th</sup> Qtr 2006.
2. Assume that 20 percent of medium and large systems must conduct an engineering study due to Reg Change III.D based on consensus agreement of expert panelists on 11.21.05. Since 99 percent of NTNCWS are small systems (serving <3,300 people), it is assumed that only medium and large CWSs must conduct an engineering study. Assume 16% of CWS are medium or large systems based on the USEPA "Factoids: Drinking Water and Groundwater Statistics for 2004". The estimate equals 810 CWS x 0.16 x 0.20 = 26 systems.
3. Annual cost is equal to the total system burden (hours) multiplied by a labor rate of \$30.81 per hr. (average of wage rates from SAIC contract study, "Labor Costs for National Drinking Water Rules"2003) updated to 4<sup>th</sup> Qtr 2006 plus \$20,000 for an engineering study for a subset of medium and large CWS.
4. O&M costs assumed to be negligible.
5. Total Annual Costs equals Labor plus O&M costs.

**ANNUAL STATE COST RELATED TO REVIEWING SUBMITTALS ON CHANGES**

	<b>Labor per Review (hours) (1)</b>	<b>Respondent Burden (hours)</b>	<b>Annual Labor Costs (2)</b>	<b>Annual O&amp;M Costs (3)</b>	<b>Total Annual Costs (4)</b>
State Cost	7.5	8,006	\$348,424	\$0	\$348,424

*Notes:*

1. Use State labor rate of \$43.52/hour (Source: Information Collection Request for Contaminant Occurrence Data in Support of EPA's Second Six Year Review of National Primary Drinking Water Regulations (August 2006)).
2. Annual labor costs are the State labor rate (\$43.52) multiplied by the number of respondent burden hours per year.
3. O&M costs are assumed to be negligible.
4. Total State Costs per year is the sum of the labor costs per year and the O&M costs per year.

**Exhibit C-7: Calculation of Burden Estimates for Regulatory Change III.E****ANNUAL SYSTEM BURDEN RELATED TO NOTIFICATION OF SAMPLING RESULTS**

<b>System Size Category</b>	<b>Number of Systems (1)</b>	<b>Percentage of Systems That Currently Do Not Notify Customers (2)</b>	<b>Subtotal Systems Affected by Reg Change III.E (3)</b>	<b># Systems Affected by Regulatory Change III.C That Are Affected by Reg. Change III.E (4)</b>	<b>Total Annual Monitoring Events (5)</b>	<b>Total Customer Notification Letters (6)</b>	<b>Annual System Burden (hrs) (7)</b>
<b>CWSS:</b>							
<100	13,766	89%	12,252	158	6,237	31,186	6,237
101-500	16,240	90%	14,616	131	7,326	51,089	7,326
501-1K	5,914	89%	5,263	108	2,760	39,237	2,760
1k-3.3K	8,298	89%	7,385		3,570	48,989	3,570
3.3K-10K	4,707	90%	4,236	44	2,136	59,735	2,987
10K-50K	3,057	90%	2,751	32	1,395	58,648	2,932
50K-100K	484	90%	436	5	221	9,316	466
100K-500K	322	91%	293	5	153	10,810	541
500K-1M	32	89%	28		14	945	47
>1 M	18	93%	17		8	555	28
<b>NTNCWSS:</b>							
<100	9,548	87%	8,307	189	4,393	-	4,393
101-500	6,997	88%	6,157	126	3,228	-	3,228
501-1K	1,925	89%	1,713	29	887	-	887
1k-3.3K	795	90%	716	16	378	-	378
3.3K-10K	96	93%	89	1	45	-	45
10K-50K	13	92%	12	1	8	-	8
50K-100K	1	100%	1				
<b>Total</b>	<b>72,213</b>	<b>89%</b>	<b>64,273</b>	<b>846</b>	<b>32,757</b>	<b>310,510</b>	<b>35,831</b>

**Notes:**

1. Number of CWS and NTNCWS systems per SDWIS/FED Data 2004.

2. Data source: USEPA Survey of States - Questions on State Implementation of Lead and Copper Rule (July 2004).

3. The number of systems affected by Reg. Change III.E equals the total number of CWS and NTNCWS systems (see Note 1) multiplied by the percentage of systems that currently do not notify their customers.

4. Regulatory Change III.E will also affect systems that are affected by regulatory change III.C that exceeded the lead action level while on reduced monitoring and had to revert to standard monitoring, and do not currently notify their customers of lead test results. The number of systems affected by regulatory change III.C is based on the number of systems exceeding the lead action level as reported in the SDWIS Fed data 2003. It is also assumed that 91% of these systems are on reduced monitoring based on USEPA Survey of States July 2004.

5. It is assumed that 9% of systems use a standard monitoring schedule with 6 monitoring events in 3 years or 2 monitoring events each year. It is also assumed that 91% of systems are on a reduced monitoring schedule with 1 monitoring event in 3 years. In addition, systems affected by Reg. Change III.C that are also affected by Reg. Change III.E use a standard monitoring schedule with 2 monitoring events each year. (Source: USEPA Survey of States - Questions on State Implementation of Lead and Copper Rule. July 2004). For systems affected by Reg. Change III.C, assume all systems have reverted to a standard monitoring schedule.

6. The number of customer notification letters on lead monitoring results is based on the sampling schedule for standard and reduced monitoring. It is assumed that one letter is sent for each sampling site required by 40 CFR 141.86c.

7. For CWSSs, assume burden of 1 hour per monitoring event for systems serving <3,300 people. For systems serving > 3,300 people, assume burden of 1 hour per 20 letters. For NTNCWSSs, assume 1 hour per monitoring event for all system sizes. Burden estimates based on recommendations of Expert Review Panel (November 2005).

## ANNUAL SYSTEM BURDEN RELATED TO REPORTING TO STATE

System Size Category	Number of Systems <sup>1</sup>	# Systems Affected by Regulatory Change III.C That Are Affected by Reg. Change III.E <sup>4</sup>	Total Annual Monitoring Events <sup>5</sup>	Total Self Certification Letters to State	Annual System Burden (hrs) <sup>1</sup>
CWSs:					
<100	13,766	149	6,952	6,952	834
101-500	16,240	128	8,105	8,105	973
501-1K	5,914	116	3,090	3,090	371
1k-3.3K	8,298		4,011	4,011	481
3.3K-10K	4,707	49	2,373	2,373	285
10K-50K	3,057	36	1,550	1,550	186
50K-100K	484	6	246	246	30
100K-500K	322	6	168	168	20
500K-1M	32		15	15	2
>1 M	18		9	9	1
NTNCWSs:					
<100	9,548	217	5,049	5,049	606
101-500	6,997	143	3,668	3,668	440
501-1K	1,925	33	996	996	120
1k-3.3K	795	18	420	420	50
3.3K-10K	96	1	48	48	6
10K-50K	13	1	8	8	1
50K-100K	1				
100K-500K					
500K-1M					
>1 M					
Total	72,213	903	36,708	36,708	4,405

## Notes:

1. Assumes .12 hours to prepare self-certification letter to State based on estimate to prepare self-certification for the CCR.

## ANNUAL STATE BURDEN RELATED TO REVIEWING SELF CERTIFICATION LETTERS

System Size Category	Number of Systems	# Systems Affected by Regulatory Change III.C That Are Affected by Reg. Change III.E	Total Annual Monitoring Events	Total Self Certification Letters to State	Annual State Burden for Self-Certification Letters <sup>1</sup>
CWSs:					
<100	13,766	149	6,952	6,952	695
101-500	16,240	128	8,105	8,105	811
501-1K	5,914	116	3,090	3,090	309
1k-3.3K	8,298		4,011	4,011	401
3.3K-10K	4,707	49	2,373	2,373	237
10K-50K	3,057	36	1,550	1,550	155
50K-100K	484	6	246	246	25
100K-500K	322	6	168	168	17
500K-1M	32		15	15	2
>1 M	18		9	9	1
NTNCWSs:					
<100	9,548	217	5,049	5,049	505
101-500	6,997	143	3,668	3,668	367
501-1K	1,925	33	996	996	100
1k-3.3K	795	18	420	420	42
3.3K-10K	96	1	48	48	5
10K-50K	13	1	8	8	1
50K-100K	1				
100K-500K					
500K-1M					
>1 M					
Total	72,213	903	36,708	36,708	3,671

## Notes:

1. Assumes .10 hours to review and file self-certification letter by State based on estimate to review and file self-certification for the CCR.



**Exhibit C-8: Calculation of Cost Estimates for Regulatory Change III.E**(4<sup>th</sup> Quarter 2006\$)

## ANNUAL SYSTEM COST RELATED TO NOTIFICATION OF SAMPLING RESULTS

System Size Category	Total Customer Notification Letters	Annual System Burden (hrs) (1)	Annual System Labor Cost (\$) (2)	Annual System O&M Cost (\$) (3)	Total Annual System Cost (\$)
CWSs:					
<100	31,186	6,237	\$148,817	\$13,410	\$162,227
101-500	51,089	7,326	\$188,270	\$21,968	\$210,239
501-1K	39,237	2,760	\$76,015	\$16,872	\$92,887
1k-3.3K	48,989	3,570	\$98,305	\$21,065	\$119,370
3.3K-10K	59,735	2,987	\$101,423	\$25,686	\$127,109
10K-50K	58,648	2,932	\$101,431	\$25,218	\$126,649
50K-100K	9,316	466	\$16,113	\$4,006	\$20,119
100K-500K	10,810	541	\$21,205	\$4,649	\$25,853
500K-1M	945	47	\$1,853	\$406	\$2,259
>1 M	555	28	\$1,089	\$239	\$1,328
NTNCWSs:					
<100	-	4,393	\$104,805	\$0	\$104,805
101-500	-	3,228	\$82,953	\$0	\$82,953
501-1K	-	887	\$24,423	\$0	\$24,423
1k-3.3K	-	378	\$10,416	\$0	\$10,416
3.3K-10K	-	45	\$1,529	\$0	\$1,529
10K-50K	-	8	\$264	\$0	\$264
50K-100K					
100K-500K					
500K-1M					
>1 M					
Total		35,831	\$978,910	\$133,519	\$1,112,429

**Notes:**

1. For CWSs, assume burden of 1 hour per monitoring event for systems serving <3,300 people. For systems serving > 3,300 people, assume burden of 1 hour per 20 letters. For NTNCWSs, assume 1 hour per monitoring event for all system sizes. Burden estimates based on recommendations of Expert Review Panel (November 2005).
2. Use loaded wage rates from SAIC contract study, "Labor Costs for National Drinking Water Rules (2003) updated to 4<sup>th</sup> Qtr 2006. Annual labor cost equals hourly labor rate multiplied by annual burden.
3. For CWSs, the annual system O&M cost equals \$0.43 per sample letter (\$0.39 postage, \$0.01 paper and \$0.03 envelope) multiplied by the number of sample letters. For NTNCWSs, the O&M cost is assumed to be negligible.

## ANNUAL SYSTEM COST RELATED TO REPORTING TO STATE

System Size Category	Number of Systems	Annual System Burden (hrs) (1)	Annual System Labor Costs (\$)	Annual System O&M Cost(\$)(2)	Total Annual System Cost
CWSs:					
<100	13,766	834	\$21,146	\$3,176	\$24,322
101-500	16,240	973	\$25,879	\$3,608	\$29,487
501-1K	5,914	371	\$10,550	\$1,373	\$11,923
1k-3.3K	8,298	481	\$13,255	\$1,725	\$14,979
3.3K-10K	4,707	285	\$9,678	\$1,021	\$10,700
10K-50K	3,057	186	\$6,440	\$667	\$7,107
50K-100K	484	30	\$1,021	\$106	\$1,127
100K-500K	322	20	\$789	\$72	\$861
500K-1M	32	2	\$73	\$7	\$79
>1 M	18	1	\$41	\$4	\$45
NTNCWSs:					
<100	9,548	606	\$14,456	\$2,171	\$16,627
101-500	6,997	440	\$11,312	\$1,577	\$12,889
501-1K	1,925	120	\$3,293	\$428	\$3,721
1k-3.3K	795	50	\$1,389	\$181	\$1,570
3.3K-10K	96	6	\$197	\$21	\$218
10K-50K	13	1	\$34	\$4	\$38
50K-100K	1				
100K-500K					
500K-1M					
>1 M					
Total	72,213	4,405	\$119,553	\$16,140	\$135,693

*Notes:*

1. Assumes .12 hours to prepare self-certification letter to State based on estimate to prepare self-certification for the CCR.
2. Assumes \$0.43 postage and materials cost (\$0.39 postage, \$0.01 paper and \$0.03 envelope).

## ANNUAL STATE COST RELATED TO REVIEWING SELF CERTIFICATION LETTERS

System Size Category	Number of Systems	Total Annual Self-Certification Letters to State	Annual State Burden (hrs) <sup>1</sup>	Annual State Labor Costs (\$)	Annual State O&M Cost(\$) <sup>2</sup>	Total Annual State Cost
CWSs:						
<100	13,766	6,952	695	\$32,143	\$0	\$32,143
101-500	16,240	8,105	811	\$36,520	\$0	\$36,520
501-1K	5,914	3,090	309	\$13,894	\$0	\$13,894
1k-3.3K	8,298	4,011	401	\$17,455	\$0	\$17,455
3.3K-10K	4,707	2,373	237	\$10,337	\$0	\$10,337
10K-50K	3,057	1,550	155	\$6,753	\$0	\$6,753
50K-100K	484	246	25	\$1,070	\$0	\$1,070
100K-500K	322	168	17	\$730	\$0	\$730
500K-1M	32	15	2	\$67	\$0	\$67
>1 M	18	9	1	\$38	\$0	\$38
NTNCWSs:						
<100	9,548	5,049	505	\$21,973	\$0	\$21,973
101-500	6,997	3,668	367	\$15,963	\$0	\$15,963
501-1K	1,925	996	100	\$4,337	\$0	\$4,337
1k-3.3K	795	420	42	\$1,829	\$0	\$1,829
3.3K-10K	96	48	5	\$211	\$0	\$211
10K-50K	13	8	1	\$36	\$0	\$36
50K-100K	1					
100K-500K						
500K-1M						
>1 M						
Total	72,213		3,671	\$163,355	\$0	\$163,355

## Notes:

1. Assumes .10 hours to review and files self-certification letter by State based on estimate to review and file self-certification for the CCR.
2. Assumes no O&M costs.

**Exhibit C-9: Calculation of Burden Estimates for Regulatory Change III.F****ANNUAL SYSTEM BURDEN RELATED TO PUBLIC EDUCATION ACTIVITIES**

<b>Requirement</b>	<b>Affected Party</b>	<b>Number of Systems Affected</b>	<b>Annual Systems Burden (hours)<sup>1</sup></b>
Customer Notification	Systems that Exceed LAL	994	3,479
PSAs and Press Rel.	CWS that Exceed LAL	581	-108
Customer Bills	CWS that Exceed LAL	581	1,743
Notify 3 New Orgs.	CWS that Exceed LAL	581	737
Post on Website	Large CWS that Exceed LAL	7	4
Add'l Activities 7A-H	CWS that Exceed LAL	581	9,749
State consult & letter	CWS that Exceed LAL	581	70
CCR Statement	CWS that Don't Exceed LAL	52,257	13,064
<b>TOTAL</b>			<b>28,737</b>

*Notes:*

1. Various assumption used for each requirement. Please refer to the LCRSTR Economic Analysis for further details.

**ANNUAL STATE BURDEN RELATED TO PUBLIC EDUCATION ACTIVITIES**

<b>State Review Activity</b>	<b># States (1)</b>	<b>Net Annual Change in State Burden (Hrs) (2) (3) (4) (5)</b>
Customer Notification Review	57	236
Review and Filing of Self-Certification Letter	57	58
Consultation on Activities	57	1,162
		1,456

*Notes:*

1. The LCR Regulatory Changes apply to 50 states, 6 territories and 1 Indian Tribe, for a total of 57 entities.

2. States no longer have to approve changes for systems serving between 501 and 3,300 people. Assume 0.5 hours savings for each of the 184 systems in this size category (Refer to Table 1 above). The total reduction in burden equals 92 hours (184 \* 0.5 hours).

3. For customer notification, States need to review additional language for 994 systems that are estimated to exceed the LAL at an estimated 20 minutes per system. The total new burden to States equals 328 hours (994 systems \* 0.33 hours). The net new burden to States equals 328 hours minus 92 hours equals 236 hours.

4. For consultation on activities, review of cover content, discussion of alternative mechanisms, and discussion of extending deadlines, States need to review activities with CWSs that exceed the LAL once per year at 2 hours per year.

5. For review and filing of letter from CWSs that exceed the LAL self-certifying that additional PE activities have taken place, States will require .10 hours per system per year, based on similar activity for the CCR.

**Exhibit C-10: Calculation of Cost Estimates for Regulatory Change III.F**  
(4<sup>th</sup> Quarter 2006\$)

**ANNUAL SYSTEM COSTS RELATED TO PUBLIC EDUCATION ACTIVITIES**

<b>Requirement</b>	<b>Affected Party</b>	<b>Number of Systems Affected</b>	<b>Annual Systems Cost (\$) (1)</b>
Customer Notification	Systems that Exceed LAL	994	\$91,421
PSAs and Press Rel.	CWS that Exceed LAL	581	(\$4,198)
Customer Bills	CWS that Exceed LAL	581	\$47,383
Notify 3 New Orgs.	CWS that Exceed LAL	581	\$43,347
Post on Website	Large CWS that Exceed LAL	7	\$137
Add'l Activities 7A-H	CWS that Exceed LAL	581	\$292,739
State consult & letter	CWS that Exceed LAL	581	\$33,734
CCR Statement	CWS that Don't Exceed LAL	52,257	\$354,586
<b>TOTAL</b>			<b>\$859,150</b>

*Notes:*

1. Various assumption used for each requirement. Please refer to the LCRSTR Economic Analysis for further details.

**ANNUAL STATE COSTS RELATED TO PUBLIC EDUCATION ACTIVITIES**

<b>State Review Activity</b>	<b># States (1)</b>	<b>Net Annual Change in State Cost (\$) (2) (3) (4) (5) (6)</b>
Customer Notification Review	57	\$10,272
Review and Filing of Self-Certification Letter	57	\$2,529
Consultation on Activities	57	\$50,572
		\$63,372

*Notes:*

1. The LCR Regulatory Changes apply to 50 states, 6 territories and 1 Indian Tribe, for a total of 57 entities.
2. States no longer have to approve changes for systems serving between 501 and 3,300 people. Assume 0.5 hours savings for each of the 184 systems in this size category. The total reduction in burden equals 92 hours (184 \* 0.5 hours).
3. For customer notification, States need to review additional language for 994 systems that are estimated to exceed the LAL at an estimated 20 minutes per system. The total new burden to States equals 328 hours (994 systems \* 0.33 hours). The net new burden to States equals 328 hours minus 92 hours equals 236 hours.
4. Use state labor rate of \$43.52/hour (Source: Information Collection Request for Contaminant Occurrence Data in Support of EPA's Second Six Year Review of National Primary Drinking Water Regulations (August 2006)).
5. For consultation on activities, review of cover content, discussion of alternative mechanisms, and discussion of extending deadlines, States need to review activities with CWSs that exceed the LAL once per year at 2 hours per year.
6. For review and filing of letter from CWSs that exceed the LAL self-certifying that additional PE activities have taken place, States will require .10 hours per system per year, based on similar activity for the CCR.

**Exhibit C-11: Calculation of Burden Estimates for Regulatory Change III.G**

## ANNUAL SYSTEM BURDEN RELATED TO SYSTEM MONITORING

Number of Affected Systems (1)	# of Systems that Re-exceed Lead AL & Continue LSL Replacement (2)	Number of LSLs per System (3)	Annual Number of LSL Samples (4)	Annual Number of Samples that Must be Retested (5)	Labor Per Sample (6)	Annual Burden Per Year
34	1	21,467	1,431	1,088	3	3,263

*Notes:*

1. Systems that have been required to conduct a lead service line replacement program may potentially be affected by Reg. Change III.G if they discontinue the program, then later re-exceed the lead action level. The number of systems was estimated based on survey responses from the USEPA Survey of States Questions on State Implementation of Lead and Copper Rule (July 2004). Six states indicated the specific number of systems that have been required to initiate LSL replacement programs (total of 28 systems). Five other states indicated that they had systems that were required to have LSL programs but did not indicate the specific number of systems. For these 5 States, it is assumed that each State has 5 systems with LSL programs required by State, for a total of 25 systems. One system is added for DCWASA. The total number of systems affected by Reg. Change III.G is assumed to be  $28+25+1=54$  systems
2. Assume 1.4% systems re-exceed lead action level and are required to continue LSL replacement program (data source: [www.epa.gov/safewater/lcrrm/lead-data.html](http://www.epa.gov/safewater/lcrrm/lead-data.html), 8/30/05). Assumption is based on current exceedance rate for lead action level by medium and large systems
3. Based on 26 utilities reporting 558,135 LSLs in 1992 or 21,467 LSLs per system (Black and Veatch survey July 2005). Assuming each utility conducts LSL replacements at a rate of 7% per year or over 15 years, this equals 21,467 divided by 15 or 1,431 LSLs per system per year ([www.epa.gov/safewater/lcrrm/pdfs/summary\\_lcrrm\\_review\\_lead\\_line\\_replacement\\_workshop\\_10-26-04.pdf](http://www.epa.gov/safewater/lcrrm/pdfs/summary_lcrrm_review_lead_line_replacement_workshop_10-26-04.pdf)). The number of samples in the sampling pool is equal to the number of systems that re-exceed the lead AL, x (annual # samples per system) x 15 years.
5. Assume the utility replaces 24% of LSLs and tests-out the remaining 76% based on data from DCWASA (2003). The number of samples that needs to be retested equals the number of samples in the sampling pool x 76%
6. Assume burden is 3 hours for sample collection and analysis.
7. Respondent burden is equal to the labor per sample (3 hours/samples) times the number of samples that must be retested (1,088), which is equal to 3,263 hours per year.

**Exhibit C-12: Calculation of Burden Estimates for Regulatory Change III.G**  
(4<sup>th</sup> Quarter 2006\$)

ANNUAL SYSTEM COST RELATED TO SYSTEM MONITORING

	<b>Labor per Sample (hours) (1)</b>	<b>Respondent Burden (hours/year)</b>	<b>Annual Labor Costs (2)</b>	<b>Annual O&amp;M Costs (3)</b>	<b>Total Annual Costs (4)</b>
Total	3	3,263	\$100,533	\$8,874	\$109,407

Notes:

1. Assume burden is 3 hours for sample collection and analysis.
2. Annual labor costs equals the respondent burden (3,263 hours/year) times the labor rate (\$26.81/hour). The assumed labor rate of \$30.81 per hour is the average of the wage rates from SAIC contract study, "Labor Costs for National Drinking Water Rules"
3. O&M costs are \$8.16 per sample.
4. Total annual costs are the sum of the labor costs per year and the O&M costs per year.