

2007 Coalbed Methane Industry Screener

INSTRUCTION GUIDE

Instructions for Completing the Screener
Please read all instructions.

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Part I – EPA’s Purpose for Collecting the Data

The U.S. Environmental Protection Agency (EPA) is conducting this screener as part of its annual review of existing effluent guidelines, which is required by the Clean Water Act (CWA) sections 301(d) and 304(b). As part of this review, EPA is collecting information about coalbed methane (CBM) extraction operations as part of its effort to determine whether to initiate a rulemaking to potentially revise the effluent guidelines for the Oil and Gas Extraction Point Source Category (40 CFR 435) to include limits for pollutants discharged in CBM produced water. The screener collects only information that EPA needs to select a representative sample of the industry for the detailed questionnaire. To ensure that the detailed questionnaire sample:

- Contains only CBM operations, the screener verifies that the establishment name is correct and operates CBM wells.
- Includes small businesses, the screener asks whether the parent company is “small” according to the Small Business Administration.
- Includes projects of various sizes, the screener asks for total gas production and number of wells.
- Identifies specific projects using names familiar to the operator, the screener requests the operator’s name or identifier for the project.
- Includes projects that discharge into rivers and streams in and near the Power River Basin in Wyoming and Appalachian Basin, the screener requests information about water discharge practices.

Part II – Duty to Respond Within 30 Days

EPA is conducting this data collection under the authority of Section 308 of the Clean Water Act (Federal Water Pollution Control Act, 33 U.S.C. Section 1318). You must respond to this questionnaire within 30 days of receiving it. Failure to respond, late filing, or failure to comply with the instructions may result in criminal fines, civil penalties, and other sanctions, as provided by law.

The public reporting and recordkeeping burden for this collection of information is estimated to average 5 hours per response. 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 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.

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 No. EPA-HQ-OW-2006-0771, which is available for public viewing at the Water Docket in the EPA Docket Center (EPA/DC), EPA West, Room B102, 1301 Constitution Ave., NW, Washington, DC 20004. 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 Water Docket is (202) 566-2426. An electronic version of the public docket is available through the federal data management system (FDMS) at <http://www.regulations.gov>. Use FDMS 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. Also, you can send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, DC 20503, Attention: Desk Officer for EPA. Please include the EPA Docket ID No. EPA-HQ-OW-2006-0771 and OMB control number (2040-NEW) in any correspondence.

Part III – Filing for an Extension

If you wish to request an extension, you must do so **in writing** within 30 days of receipt of this questionnaire. Written requests may be e-mailed to Mr. Carey Johnston at johnston.carey@epa.gov with “CBM Survey Extension Request” in the e-mail subject line or may be mailed to:

United States Postal Service

Mr. Carey Johnston
U.S. EPA, Office of Water
Mail Code: 4303T
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

One- or Two-Day Delivery (e.g., FedEx)

Mr. Carey Johnston
U.S. EPA, Office of Water
Room 6231G, EPA West
1301 Constitution Avenue, NW
Washington, DC 20004

Extension requests will be evaluated on a case-by-case basis. Submittal of an extension request to EPA does **not** alter the due date of your questionnaire unless and until EPA agrees to the extension and establishes a new date.

Part IV – Claiming Business Information to be Confidential

If no business confidentiality claim accompanies the information when it is received by EPA, EPA may make the information available to the public without further notice.

Regulations governing the confidentiality of business information are contained in the Code of Federal Regulations (CFR) at Title 40 Part 2, Subpart B. You may assert a business confidentiality claim covering part or all of the information you submit, other than effluent data and information or data that is otherwise publicly available, as described in 40 CFR 2.203(b):

“(b) Method and time of asserting business confidentiality claim. A business which is submitting information to EPA may assert a business confidentiality claim covering the information by placing on (or attaching to) the information, at the time it is submitted to EPA, a cover sheet, stamped or typed legend, or other suitable form of notice complying language such as ‘trade secret,’ ‘proprietary,’ or ‘company confidential.’ Allegedly confidential portions of otherwise non-confidential documents should be clearly identified by the business, and may be submitted separately to facilitate identification and handling by EPA. If the business desires confidential treatment only until a certain date or until the occurrence of a certain event, the notice should so state.”

You may claim as confidential all information included in the response to a question by stating so in the Remarks section of the Screener. Note that you may be required to justify any claim of confidentiality at a later time. Note also that facility effluent data are not eligible for confidential treatment, pursuant to Section 308(b) of the Clean Water Act, and thus will be treated as non-confidential even if the CBI box is checked. In addition, information that is publicly-available should not be claimed confidential. Note also that information claimed confidential cannot be accessed, verified, or used by the industry to evaluate data and analyses supporting the results of the CBM study.

Information covered by a claim of confidentiality will be disclosed by EPA only to the extent of, and by means of, the procedures set forth in 40 CFR Part 2, Subpart B. In general, submitted information protected by a business confidentiality claim may be disclosed to other employees, officers, or authorized representatives of the United States concerned with implementing the Clean Water Act. Exemption 4 of the Freedom of Information Act (FOIA) protects from disclosure "trade secrets and commercial or financial information obtained from a person and privileged or confidential." See 5 U.S.C. 552(b)(4).

Information covered by a claim of confidentiality will be made available to EPA contractors and subcontractors under EPA Contract Numbers No. 68-C02-095, EP-C-07-029, and EP-C-05-030 to enable the contractors to perform the work required by their contracts with EPA. All EPA contracts provide that contractor employees use the information only for the purpose of performing the work required by their contracts and will not disclose any CBI to anyone other than EPA without prior written approval from each affected business or from EPA's legal office. EPA has approved written procedures for each contractor on how they will gather, safeguard, and secure CBI. Any comments you may wish to make on this issue must be submitted in writing along with your completed survey.

Part V – Contacting Us

If you would like an electronic version of the screener questionnaire, it is available on the EPA Web site at <http://www.epa.gov/guide/cbm/>.

EPA has contracted with private firms, PG Environmental and ERG, to operate a telephone and email helpline to assist respondents with any questions or concerns about the screener. You will receive a reply within 24 hours of contacting:

CBM Helpline: **XXX-XXX-XXXX**

Internet Electronic Mailing Address: **XXX@XXX.com**

Part VI – Returning the Screener

After you have completed the screener, please return it to:

U.S. Environmental Protection Agency
CBM Industry Screener
c/o/ PG Environmental, LLC
447B Carlisle Drive
Herndon, VA 20170