

**Exhibit A**  
**Summary of the Burden, Respondents, Responses, and**  
**Costs for New Activities by Year and Annual Averages**

**Facilities**

Item	Year 1	Year 2	Year 3	Three Year	Annual Average
	2008	2009	2010	Total	
Burden (hours)	49,637	51,898	35,701	137,236	45,745
Respondents (number)	17,983	18,661	16,531	22,129	17,725
Responses (number)	27,059	28,230	20,882	76,171	25,390
Costs (labor)	\$1,709,878	\$1,784,743	\$1,302,357	\$4,796,978	\$1,598,993
Costs (Capital)	\$0	\$0	\$0	\$0	\$0
Costs (O&M)	\$0	\$0	\$0	\$0	\$0
<b>Total Costs</b>	<b>\$1,709,878</b>	<b>\$1,784,743</b>	<b>\$1,302,357</b>	<b>\$4,796,978</b>	<b>\$1,598,993</b>

**States**

Item	Year 1	Year 2	Year 3	Three Year	Annual Average
	2008	2009	2010	Total	
Net Burden (hours)	119,837	122,925	122,074	364,836	121,612
Respondents (number)	44	44	44	44	44
Responses (number)	8,868	9,231	6,812	24,911	8,304
Net Costs (Labor)	\$4,839,003	\$4,963,699	\$4,929,361	\$14,732,063	\$4,910,688
Costs (O&M)	\$0	\$0	\$0	\$0	\$0
<b>Total Costs</b>	<b>\$4,839,003</b>	<b>\$4,963,699</b>	<b>\$4,929,361</b>	<b>\$14,732,063</b>	<b>\$4,910,688</b>

**Totals for Respondents (Facilities and States)**

	Three Year	Annual Average
	Total	
Total Respondent Burden (hours)	502,072	167,357
Total Respondents (number)	22,173	17,769
Total Responses (number)	101,082	33,694
Total Respondent Labor Costs	\$19,529,041	\$6,509,680
Total Respondent Capital and O&M Costs	\$0	\$0
<b>Total Respondent Cost for All Activities</b>	<b>\$19,529,041</b>	<b>\$6,509,680</b>

**Federal**

Item	Year 1	Year 2	Year 3	Three Year	Annual Average
	2008	2009	2010	Total	
Net Burden (hours)	5,233	5,308	5,319	15,860	5,287
Responses (number)	362	376	292	1,030	343
Net Costs (Labor)	\$225,918	\$229,126	\$229,612	\$684,657	\$228,219
Costs (O&M)	\$0	\$0	\$0	\$0	\$0
<b>Total Costs</b>	<b>\$225,918</b>	<b>\$229,126</b>	<b>\$229,612</b>	<b>\$684,657</b>	<b>\$228,219</b>

## Exhibit B

### Burden for New Activities for Each Response and Frequency of Response

#### Facilities

Activities	Hours per Response	Frequency of Response
<b>Nutrient Management Plan</b>		
Modify NMP	11.5	every year
Submit Nutrient Management Plan	0.5	every 5 years
Prepare and Submit Annual Report (additional burden)	1.0	every year
<b>No Discharge Certification</b>		
Preparing the paperwork for the certification documentation	2.0	every 5 years
Engineering analysis	4.0	every 5 years
Submission to the Director	0.5	every 5 years

#### States

Activities	Hours per Response	Frequency of Response
<b>Program Modification and Request</b>		
	80.0	One time
<b>State General NPDES Permit Application Activities</b>		
Public Hearings <sup>a</sup>	200.0	every 5 years
Review NMP (Administrative)	20.0	every 5 years
<b>State Individual Permit Application Activities</b>		
Review NMP (Administrative)	20.0	every 5 years
<b>State General NPDES Permit Application Activities Due to Significant NMP Modifications</b>		
Review and Approve NOIs/ Record Keeping	4.0	every year
Public Hearings	40.0	every year
Review NMP (Administrative)	4.0	every year
Notify Public, Respond to Comments	1.0	every year
<b>State Individual Permit Application Activities Due to Significant NMP Modifications</b>		
Review and Approve Permits/ Record Keeping	20.0	every year
Public Hearings	40.0	every year
Review NMP (Administrative)	4.0	every year
Notify Public, Respond to Comments	1.0	every year
<b>No Discharge Certification</b>		
Log and file each certification	0.5	every 5 years

a. Time for public notification and response to comments for NOIs is included in the active 2003 rule ICR (OMB No. 2040-0250, EPA ICR No. 1989.04)

## Exhibit C

### Number of Respondents for New Activities and Annual Averages

additional activities as a result of this rule.

#### Facilities

Activities	Respondents per year				
	Year 1 2008	Year 2 2009	Year 3 2010	3 Year Total	Annual Average
<b>Nutrient Management Plan</b>					
Modify NMP <sup>a</sup>	1,354	1,396	1,444	4,194	1,398
Submit Nutrient Management Plan <sup>b</sup>	2,318	2,381	2,443	7,142	2,381
Prepare and Submit Annual Report (additional burden)	15,281	15,765	16,299	16,299	15,782
<b>No Discharge Certification</b>					
Preparing the paperwork for the certification documentation	2,702	2,896	232	5,830	1,943
Engineering analysis	2,702	2,896	232	5,830	1,943
Submission to the Director	2,702	2,896	232	5,830	1,943
<b>Total Respondents</b>	<b>17,983</b>	<b>18,661</b>	<b>16,531</b>	<b>22,129</b>	<b>17,725</b>

a. It was assumed that every year, 11% percent of permitted facilities would require substantial changes to their NMPs, but facilities using the narrative rate approach will have 50 percent less permit modifications. See Section 5(d).

b. 72 percent of CAFOs are already required to submit their NMPs to the permit authority. See Section 6(a)

#### States

Activities	Respondents per year				
	Year 1 2008	Year 2 2009	Year 3 2010	3 Year Total	Annual Average
<b>Program Modification and Request</b>	22	22	-	44	15
<b>State General NPDES Permit Application Activities<sup>a</sup></b>					
Public Hearings <sup>b</sup>	274	281	285	840	280
Review NMP (Administrative)	1,318	1,347	1,366	4,031	1,344
<b>State Individual Permit Application Activities<sup>a</sup></b>					
Review NMP (Administrative)	565	577	586	1,727	576
<b>State General NPDES Permit Application Activities Due to Significant NMP Modifications</b>					
Review and Approve NOIs/ Record Keeping	915	944	976	2,836	945
Public Hearings <sup>b</sup>	110	113	117	340	113
Review NMP (Administrative)	915	944	976	2,836	945
Notify Public, Respond to Comments	915	944	976	2,836	945
<b>State Individual Permit Application Activities Due to Significant NMP Modifications</b>					
Review and Approve Permits/ Record Keeping	392	405	418	1,215	405
Public Hearings <sup>b</sup>	47	49	50	146	49
Review NMP (Administrative)	392	405	418	1,215	405
Notify Public, Respond to Comments	392	405	418	1,215	405
<b>No Discharge Certification</b>					
Log and file each certification	2,610	2,797	224	5,631	1,877
<b>Total Respondents</b>	<b>44</b>	<b>44</b>	<b>44</b>	<b>44</b>	<b>44</b>

a. EPA assumed that 30 percent of CAFOs apply for an individual NPDES permit and 70 percent submit an NOI for coverage under a

b. EPA Assumed that 12% of individual permits and NOIs would require a public hearing. From EPA ICR 1989.04

#### Total Respondents for New Items (Facilities and States)

	Respondents per year				
	Year 1 2008	Year 2 2009	Year 3 2010	3 Year Total	Annual Average
<b>Facilities</b>	17,983	18,661	16,531	22,129	17,725
<b>States and Territories</b>	44	44	44	44	44
<b>Total Respondents</b>	<b>18,027</b>	<b>18,705</b>	<b>16,575</b>	<b>22,173</b>	<b>17,769</b>

## Exhibit D

### Number of Responses for New Activities and Annual Averages

#### Facilities

Activities	Responses per year				
	Year 1	Year 2	Year 3	3 Year Total	Annual Average
	2008	2009	2010		
<b>Nutrient Management Plan</b>					
Modify NMP <sup>a</sup>	1,354	1,396	1,444	4,194	1,398
Submit Nutrient Management Plan <sup>b</sup>	2,318	2,381	2,443	7,142	2,381
Prepare and Submit Annual Report (additional burden)	15,281	15,765	16,299	47,345	15,782
<b>No Discharge Certification</b>					
Preparing the paperwork for the certification documentation	2,702	2,896	232	5,830	1,943
Engineering analysis	2,702	2,896	232	5,830	1,943
Submission to the Director	2,702	2,896	232	5,830	1,943
<b>Total Responses</b>	<b>27,059</b>	<b>28,230</b>	<b>20,882</b>	<b>76,171</b>	<b>25,390</b>

a. It was assumed that every year, 11% percent of permitted facilities would require substantial changes to their NMPs. See

b. 72 percent of CAFOs are already required to submit their NMPs to the permit authority. See Section 6(a)

#### States

Activities	Responses per year				
	Year 1	Year 2	Year 3	3 Year Total	Annual Average
	2008	2009	2010		
<b>Program Modification and Request</b>	22	22	-	44	15
<b>State General NPDES Permit Application Activities<sup>a</sup></b>					
Public Hearings <sup>b</sup>	274	281	285	840	280
Review NMP (Administrative)	1,318	1,347	1,366	4,031	1,344
<b>State Individual Permit Application Activities<sup>a</sup></b>					
Review NMP (Administrative)	565	577	586	1,727	576
<b>State General NPDES Permit Application Activities Due to Significant NMP Modifications</b>					
Review and Approve NOIs/ Record Keeping	915	944	976	2,836	945
Public Hearings <sup>b</sup>	110	113	117	340	113
Review NMP (Administrative)	915	944	976	2,836	945
Notify Public, Respond to Comments	915	944	976	2,836	945
<b>State Individual Permit Application Activities Due to Significant NMP Modifications</b>					
Review and Approve Permits/ Record Keeping	392	405	418	1,215	405
Public Hearings <sup>b</sup>	47	49	50	146	49
Review NMP (Administrative)	392	405	418	1,215	405
Notify Public, Respond to Comments	392	405	418	1,215	405
<b>No Discharge Certification</b>					
Log and file each certification	2,610	2,797	224	5,631	1,877
<b>Total Responses</b>	<b>8,868</b>	<b>9,231</b>	<b>6,812</b>	<b>24,911</b>	<b>8,304</b>

a. EPA assumed that 30 percent of CAFOs apply for an individual NPDES permit and 70 percent submit an NOI for coverage under a general permit, and 96.6 percent of CAFOs are located in authorized states. See Section 6(a)

b. EPA Assumed that 12% of individual permits and NOIs would require a public hearing. From EPA ICR 1989.04

#### Total Responses for New Items (Facilities and States)

	Responses per year				
	Year 1	Year 2	Year 3	3 Year Total	Annual Average
	2008	2009	2010		
<b>Facilities</b>	27,059	28,230	20,882	76,171	25,390
<b>States and Territories</b>	8,868	9,231	6,812	24,911	8,304
<b>Total Responses</b>	<b>35,927</b>	<b>37,461</b>	<b>27,694</b>	<b>101,082</b>	<b>33,694</b>

## Exhibit D (Continued)

### Number of Responses for New Activities and Annual Averages

#### Federal

Activities	Responses per year				
	Year 1	Year 2	Year 3	3 Year Total	Annual Average
	2008	2009	2010		
<b>Federal General NPDES Permit Application Activities</b>					
Public Hearings <sup>b</sup>	10	10	10	30	10
Review NMP (Administrative)	81	83	84	247	82
<b>Federal Individual Permit Application Activities</b>					
Review NMP (Administrative)	35	35	36	106	35
<b>Federal General NPDES Permit Application Activities Due to Significant NMP Modifications</b>					
Review and Approve NOIs/ Record Keeping	32	33	35	100	33
Public Hearings <sup>b</sup>	4	4	4	12	4
Review NMP (Administrative)	32	33	35	100	33
Notify Public, Respond to Comments	32	33	35	100	33
<b>Federal Individual Permit Application Activities Due to Significant NMP Modifications</b>					
Review and Approve Permits/ Record Keeping	14	14	15	43	14
Public Hearings <sup>b</sup>	2	2	2	6	2
Review NMP (Administrative)	14	14	15	43	14
Notify Public, Respond to Comments	14	14	15	43	14
<b>No Discharge Certification</b>					
Log and file each certification	92	99	8	199	66
<b>Total Responses</b>	<b>362</b>	<b>376</b>	<b>292</b>	<b>1,030</b>	<b>343</b>

## Exhibit E

### Burden for New Activities by Year and Annual Averages

#### Facilities

Activities	Burden (hour per year)				
	Year 1	Year 2	Year 3	3 Year Total	Annual Average
	2008	2009	2010		
<b>Nutrient Management Plan</b>					
Modify NMP	15,634	16,119	16,673	48,425	16,142
Submit Nutrient Management Plan	1,159	1,191	1,222	3,571	1,190
Prepare and Submit Annual Report (additional burden)	15,281	15,765	16,299	47,345	15,782
<b>No Discharge Certification</b>					
Preparing the paperwork for the certification documentation	5,404	5,792	464	11,660	3,887
Engineering analysis	10,808	11,584	928	23,320	7,773
Submission to the Director	1,351	1,448	116	2,915	972
<b>Total Burden</b>	<b>49,637</b>	<b>51,898</b>	<b>35,701</b>	<b>137,236</b>	<b>45,745</b>

#### States

Activities	Burden (hour per year)				
	Year 1	Year 2	Year 3	3 Year Total	Annual Average
	2008	2009	2010		
<b>Program Modification and Request</b>	1,760	1,760	-	3,520	1,173
<b>State General NPDES Permit Application Activities</b>					
Public Hearings	54,800	56,200	57,000	168,000	56,000
Review NMP (Administrative)	26,351	26,935	27,325	80,611	26,870
<b>State Individual Permit Application Activities</b>					
Review NMP (Administrative)	11,293	11,544	11,711	34,548	11,516
<b>State General NPDES Permit Application Activities Due to Significant NMP Modifications</b>					
Review and Approve NOIs/ Record Keeping	3,662	3,775	3,905	11,342	3,781
Public Hearings	4,400	4,520	4,680	13,600	4,533
Review NMP (Administrative)	3,662	3,775	3,905	11,342	3,781
Notify Public, Respond to Comments	915	944	976	2,836	945
<b>State Individual Permit Application Activities Due to Significant NMP Modifications</b>					
Review and Approve Permits/ Record Keeping	7,847	8,090	8,368	24,305	8,102
Public Hearings	1,880	1,960	2,000	5,840	1,947
Review NMP (Administrative)	1,569	1,618	1,674	4,861	1,620
Notify Public, Respond to Comments	392	405	418	1,215	405
<b>No Discharge Certification</b>					
Log and file each certification	1,305	1,399	112	2,816	939
<b>Total Burden</b>	<b>119,837</b>	<b>122,925</b>	<b>122,074</b>	<b>364,836</b>	<b>121,612</b>

#### Total Burden for New Items (Facilities and States)

	Burden (hour per year)				
	Year 1	Year 2	Year 3	3 Year Total	Annual Average
	2008	2009	2010		
<b>Facilities</b>	49,637	51,898	35,701	137,236	45,745
<b>States and Territories</b>	119,837	122,925	122,074	364,836	121,612
<b>Yearly Total</b>	<b>169,473</b>	<b>174,823</b>	<b>157,776</b>	<b>502,072</b>	<b>167,357</b>

**Exhibit E (Continued)**  
**Burden for New Activities by Year and Annual Averages**

**Federal**

Activities	Burden (hour per year)				
	Year 1 2008	Year 2 2009	Year 3 2010	3 Year Total	Annual Average
<b>Federal General NPDES Permit Application Activities</b>					
Public Hearings <sup>b</sup>	2,000	2,000	2,000	6,000	2,000
Review NMP (Administrative)	1,617	1,652	1,676	4,945	1,648
<b>Federal Individual Permit Application Activities</b>					
Review NMP (Administrative)	693	708	718	2,119	706
<b>Federal General NPDES Permit Application Activities Due to Significant NMP Modifications</b>					
Review and Approve NOIs/ Record Keeping	129	133	138	401	134
Public Hearings <sup>b</sup>	160	160	160	480	160
Review NMP (Administrative)	129	133	138	401	134
Notify Public, Respond to Comments	32	33	35	100	33
<b>Federal Individual Permit Application Activities Due to Significant NMP Modifications</b>					
Review and Approve Permits/ Record Keeping	277	286	296	859	286
Public Hearings <sup>b</sup>	80	80	80	240	80
Review NMP (Administrative)	55	57	59	172	57
Notify Public, Respond to Comments	14	14	15	43	14
<b>No Discharge Certification</b>					
Log and file each certification	46	49	4	99	33
<b>Total Burden</b>	<b>5,233</b>	<b>5,308</b>	<b>5,319</b>	<b>15,860</b>	<b>5,287</b>

## Exhibit F

### Costs for New Activities by Year and Annual Averages

#### Facilities

Activities	Cost (\$ per year)				
	Year 1	Year 2	Year 3	3 Year Total	Annual Average
	2008	2009	2010		
<b>Nutrient Management Plan</b>					
Modify NMP	\$681,627	\$702,771	\$726,935	\$2,111,333	\$703,778
Submit Nutrient Management Plan	\$35,048	\$36,001	\$36,938	\$107,987	\$35,996
Prepare and Submit Annual Report (additional burden)	\$462,097	\$476,734	\$492,882	\$1,431,713	\$477,238
<b>No Discharge Certification</b>					
Preparing the paperwork for the certification documentation	\$163,417	\$175,150	\$14,031	\$352,598	\$117,533
Engineering analysis	\$326,834	\$350,300	\$28,063	\$705,197	\$235,066
Submission to the Director	\$40,854	\$43,788	\$3,508	\$88,150	\$29,383
<b>Total Cost</b>	<b>\$1,709,878</b>	<b>\$1,784,743</b>	<b>\$1,302,357</b>	<b>\$4,796,978</b>	<b>\$1,598,993</b>

#### States

Activities	Cost (\$ per year)				
	Year 1	Year 2	Year 3	3 Year Total	Annual Average
	2008	2009	2010		
<b>Program Modification and Request</b>	\$71,069	\$71,069	\$0	\$142,138	\$47,379
<b>State General NPDES Permit Application Activities</b>					
Public Hearings	\$2,212,824	\$2,269,356	\$2,301,660	\$6,783,840	\$2,261,280
Review NMP (Administrative)	\$1,064,054	\$1,087,643	\$1,103,370	\$3,255,067	\$1,085,022
<b>State Individual Permit Application Activities</b>					
Review NMP (Administrative)	\$456,023	\$466,133	\$472,873	\$1,395,029	\$465,010
<b>State General NPDES Permit Application Activities Due to Significant NMP Modifications</b>					
Review and Approve NOIs/ Record Keeping	\$147,863	\$152,450	\$157,692	\$458,005	\$152,668
Public Hearings	\$177,672	\$182,518	\$188,978	\$549,168	\$183,056
Review NMP (Administrative)	\$147,863	\$152,450	\$157,692	\$458,005	\$152,668
Notify Public, Respond to Comments	\$36,966	\$38,113	\$39,423	\$114,501	\$38,167
<b>State Individual Permit Application Activities Due to Significant NMP Modifications</b>					
Review and Approve Permits/ Record Keeping	\$316,850	\$326,679	\$337,911	\$981,440	\$327,147
Public Hearings	\$75,914	\$79,145	\$80,760	\$235,819	\$78,606
Review NMP (Administrative)	\$63,370	\$65,336	\$67,582	\$196,288	\$65,429
Notify Public, Respond to Comments	\$15,843	\$16,334	\$16,896	\$49,072	\$16,357
<b>No Discharge Certification</b>					
Log and file each certification	\$52,691	\$56,475	\$4,524	\$113,690	\$37,897
<b>Total Cost</b>	<b>\$4,839,003</b>	<b>\$4,963,699</b>	<b>\$4,929,361</b>	<b>\$14,732,063</b>	<b>\$4,910,688</b>

#### Total Cost for New Items (Facilities and States)

	Cost (\$ per year)				
	Year 1	Year 2	Year 3	3 Year Total	Annual Average
	2008	2009	2010		
<b>Facilities</b>	\$ 1,709,878	\$ 1,784,743	\$ 1,302,357	\$ 4,796,978	\$ 1,598,993
<b>States and Territories</b>	\$ 4,839,003	\$ 4,963,699	\$ 4,929,361	\$ 14,732,063	\$ 4,910,688
<b>Yearly Cost</b>	<b>\$ 6,548,881</b>	<b>\$ 6,748,442</b>	<b>\$ 6,231,718</b>	<b>\$ 19,529,041</b>	<b>\$ 6,509,680</b>



**Exhibit F (continued)**

**Costs for New Activities by Year and Annual Averages**

**Federal Government**

Activities	Cost (\$ per year)				3 Year Total	Annual Average
	Year 1 2008	Year 2 2009	Year 3 2010			
<b>Federal General NPDES Permit Application Activities</b>						
Public Hearings <sup>b</sup>	\$86,340	\$86,340	\$86,340		<b>\$259,020</b>	<b>\$86,340</b>
Review NMP (Administrative)	\$69,786	\$71,334	\$72,365		<b>\$213,485</b>	<b>\$71,162</b>
<b>Federal Individual Permit Application Activities</b>						
Review NMP (Administrative)	\$29,908	\$30,572	\$31,014		<b>\$91,494</b>	<b>\$30,498</b>
<b>Federal General NPDES Permit Application Activities Due to Significant NMP Modifications</b>						
Review and Approve NOIs/ Record Keeping	\$5,586	\$5,759	\$5,958		\$17,303	\$5,768
Public Hearings <sup>b</sup>	\$6,907	\$6,907	\$6,907		\$20,722	\$6,907
Review NMP (Administrative)	\$5,586	\$5,759	\$5,958		\$17,303	\$5,768
Notify Public, Respond to Comments	\$1,397	\$1,440	\$1,489		\$4,326	\$1,442
<b>Federal Individual Permit Application Activities Due to Significant NMP Modifications</b>						
Review and Approve Permits/ Record Keeping	\$11,970	\$12,342	\$12,766		\$37,078	\$12,359
Public Hearings <sup>b</sup>	\$3,454	\$3,454	\$3,454		\$10,361	\$3,454
Review NMP (Administrative)	\$2,394	\$2,468	\$2,553		\$7,416	\$2,472
Notify Public, Respond to Comments	\$599	\$617	\$638		\$1,854	\$618
<b>No Discharge Certification</b>						
Log and file each certification	\$1,991	\$2,134	\$171		\$4,295	\$1,432
<b>Total Cost</b>	<b>\$225,918</b>	<b>\$229,126</b>	<b>\$229,612</b>		<b>\$684,657</b>	<b>\$228,219</b>

## Exhibit G Summary Results from the Net Reductions from the Court's Decision to Require NPDES Permits Only from Dischargers

Facilities	Baseline (2003 rule) using the 2008-2010 universe-All CAFOs require permit		Baseline (2003 rule) using the 2008-2010 universe-Only discharging CAFOs require permit		Annual Average change
	3 Year Total	Annual Average	3 Year Total	Annual Average	
Item					
Burden (hours)	8,002,796	2,667,599	5,893,613	1,964,538	-703,061
Respondents (number)	64,177	21,392	47,345	15,782	-5,611
Responses (number)	402,871	134,290	293,105	97,702	-36,589
Costs (labor)	\$143,496,506	\$47,832,169	\$107,405,789	\$35,801,930	\$ (12,030,239)
Costs (Capital)	\$368,872	\$122,957	\$263,606	\$87,869	\$ (35,089)
Costs (O&M)	\$18,265,673	\$6,088,558	\$12,405,420	\$4,135,140	\$ (1,953,418)
<b>Total Costs</b>	<b>\$162,131,052</b>	<b>\$54,043,684</b>	<b>\$120,074,815</b>	<b>\$40,024,938</b>	<b>\$ (14,018,746)</b>

### States

Item	Three Year Total	Annual Average	Three Year Total	Annual Average	Annual Average
Net Burden (hours)	1,069,555	356,518	790,429	263,476	-93,042
Respondents (number)	44	44	44	44	0
Responses (number)	102,092	34,031	75,253	25,084	-8,946
Net Costs (Labor)	\$43,188,638	\$14,396,213	\$31,917,528	\$10,639,176	\$ (3,757,037)
Costs (O&M)	\$6,172,320	\$2,057,440	\$4,707,026	\$1,569,009	\$ (488,432)
<b>Total Costs</b>	<b>\$49,360,958</b>	<b>\$16,453,653</b>	<b>\$36,624,554</b>	<b>\$12,208,185</b>	<b>\$ (4,245,468)</b>

### Totals for Respondents (Facilities and States)

Item	Three Year Total	Annual Average	Three Year Total	Annual Average	Annual Average change
Total Respondent Burden (hours)	9,072,351	3,024,117	6,684,042	2,228,014	-796,103
Total Respondents (number)	64,221	21,436	47,389	15,826	-5,611
Total Responses (number)	504,963	168,321	368,358	122,786	-45,535
Total Respondent Labor Costs	\$186,685,144	\$62,228,381	\$139,323,317	\$46,441,106	\$ (15,787,275)
Total Respondent Capital Cost	\$368,872	\$122,957	\$263,606	\$87,869	\$ (35,089)
Total Respondent O&M Costs	\$24,437,993	\$8,145,998	\$17,112,446	\$5,704,149	\$ (2,441,849)
<b>Total Respondent Cost</b>	<b>\$211,492,010</b>	<b>\$70,497,336</b>	<b>\$156,699,369</b>	<b>\$52,233,123</b>	<b>\$ (18,264,213)</b>

### Federal

Item	3 Year Total	Annual Average	3 Year Total	Annual Average	Annual Average change
Total Burden (hours)	38,792	12,931	28,647	9,549	-3,382
Total Responses (number)	3,610	1,203	2,661	887	-317
Total Labor Costs	\$1,674,652	\$558,217	\$1,236,694	\$412,231	\$ (145,986)
Total O&M Costs	\$498,114	\$166,038	\$390,274	\$130,091	\$ (35,947)
<b>Total Costs</b>	<b>\$2,172,765</b>	<b>\$724,255</b>	<b>\$1,626,968</b>	<b>\$542,323</b>	<b>\$ (181,932)</b>

This exhibit includes the burden and cost reductions expected to result from the court's decision to require NPDES permits only from CAFOs that discharge or design, construct, operate, or maintain their facility such that a discharge will occur. This reduction was calculated from a baseline of the information collection burden imposed under the 2003 CAFO rule, adjusted to present conditions.

This exhibit does not calculate the additional costs that those CAFOs that do not have a duty to apply for an NPDES permit will incur as part of qualifying for the agricultural stormwater exemption.

## Exhibit H State NMP Handling

State	NMP Submission	NMP review level
Connecticut	No	N/A
Maine	No	N/A
Massachusetts	No	N/A
New Hampshire	No	N/A
Rhode Island		
Vermont	No	N/A
New Jersey	Yes	
New York	No	None
Puerto Rico	Yes	
Virgin Islands		
Delaware	Yes	Basic technical Review
Maryland	Yes	Basic technical Review
Pennsylvania	Yes	Basic technical Review
Virginia	Yes	Comprehensive technical review
West Virginia		
Alabama	Yes	Basic technical Review
Florida	Yes	Comprehensive technical review
Georgia	Yes	Comprehensive technical review
Kentucky	Yes	Comprehensive technical review
Mississippi	Yes	Comprehensive technical review
North Carolina	Yes	Basic technical Review
South Carolina	Yes	Comprehensive technical review
Tennessee	Yes	Comprehensive technical review
Illinois	Yes	Not clear
Indiana	No	Not clear
Michigan	Yes (partial)	Not clear
Minnesota	Yes	Not clear
Ohio	No	Not clear
Wisconsin	Yes	Not clear
Arkansas	Yes	Comprehensive technical review
Louisiana	No	Comprehensive technical review
New Mexico	No	None
Oklahoma	No	None
Texas	No	Comprehensive technical review
Iowa	Yes	Comprehensive technical review
Kansas	Yes	Comprehensive technical review
Missouri	Yes	Basic technical Review
Nebraska	Yes	Comprehensive technical review
Colorado	No	N/A
Indian Country (R8)		
Montana	No	Basic technical Review
North Dakota	No	Basic technical Review
South Dakota	Yes	Comprehensive technical review
Utah	No	None
Wyoming	Yes	Comprehensive technical review
Arizona	No	No
California	No	No
Hawaii	No	No
Indian Country (R9)	NA	NA
Nevada	Yes	Basic technical Review
Alaska		
Idaho	No	None
Oregon	Yes	Comprehensive technical review
Washington	Yes	Comprehensive technical review

Source: Nina J. Bonnelycke. Rural Branch, Water Permits Division, Office of Water U.S. Environmental Protection Agency. April 20, 2007