

# SUPPORTING STATEMENT FOR THE NATIONAL ESTUARY PROGRAM

## **A. JUSTIFICATION**

### **1. Identification of the Information Collection**

**1(a) Title** - National Estuary Program (Renewal)

#### **1(b) Characterization/Abstract**

Section 320 of the Clean Water Act (CWA) amendments of 1987 established the National Estuary Program (NEP) to promote long-term planning and management in nationally significant estuaries threatened by pollution, development, or overuse. The NEP's objectives are to protect, preserve, and restore estuaries. The strategy of the Program is to focus on estuaries that are nationally significant in recreational and commercial value and are of great importance for fish and wildlife resources. Another facet of national significance is whether lessons learned in working with the estuary can be applied to other coastal areas. Further, the NEP strategy emphasizes estuaries that are facing increasing environmental stressors and where there is a greater likelihood that NEP efforts will result in improvements in water and sediment quality, as well as in the abundance and variety of living resources.

Nationally significant estuaries are identified in one of two ways: 1) the estuary is nominated by the State in which it lies; or 2) the Administrator identifies an estuary and decides to convene a Management Conference (the local managing entity of an NEP). When the Governor of the State in which the estuary is located nominates the estuary for acceptance into the NEP, EPA then evaluates the Governor's nomination. If EPA approves the addition of an estuary to the NEP, a Management Conference is convened which involves community stakeholders including Federal, State, local, and interstate agencies with jurisdiction over the estuary, and other interested groups.

Estuaries have come into the NEP in five groups. The first two groups included 12 estuaries which Congress recommended for priority consideration. In 1987, Albemarle-Pamlico Sounds in North Carolina; Buzzards Bay in Massachusetts; Long Island Sound in New York and Connecticut; Narragansett Bay in Rhode Island; Puget Sound in Washington; and San Francisco Bay in California entered in to the NEP. In 1989, Delaware Inland Bays in Delaware; Delaware Bay in Delaware, New Jersey, and Pennsylvania; Galveston Bay in Texas; New York-New Jersey Harbor in New York and New Jersey; Santa Monica Bay in California; and Sarasota Bay in Florida entered in to the NEP. The nominations were evaluated using EPA Nomination Guidance. In 1991, the third group of estuaries was designated based on Governors' nominations. These estuaries were Indian River Lagoon in Florida; Tampa Bay in Florida; Barataria-Terrebonne Estuarine Complex in Louisiana; Casco Bay in Maine; and Massachusetts Bays in Massachusetts.

The first 17 estuaries were established on the basis of completing a Comprehensive Conservation and Management Plan (CCMP) within five years. In an effort to maximize successes of these, the Administrator opened a fourth group of nominations in 1991 which called for the completion of the planning process in four years. In 1992, four estuaries were designated under this streamlined approach: Peconic Bay in New York; San Juan Bay in Puerto Rico; Corpus Christi Bays in Texas; and Tillamook Bay in Oregon. Continuing the theme of streamlining, the Administrator designated seven new estuaries in 1995 which were to complete their CCMPs in three years: Great Bay in New Hampshire; Barnegat Bay in New Jersey; Maryland Coastal Bays in Maryland, Charlotte Harbor in Florida; Mobile Bay in Alabama; Morro Bay in California; and Lower Columbia River in Washington and Oregon.

Once an estuary is designated by the Administrator, an agreement of intent between the EPA and the State or States, called a Conference Agreement, establishes the governing entity for the project which is called a Management Conference. The Management Conference performs an objective, technical assessment of the condition of the estuary. Based on this assessment, the Conference summarizes the estuary's environmental challenges and indicates which challenges will be addressed by the Conference. After the estuary's priorities are identified, the Management Conference establishes goals and objectives for the estuary. Specific actions and commitments to protect and restore the estuary are developed and the costs and benefits of options are evaluated. This information is used by the Management Conference to develop a CCMP for the estuary. Once the CCMP is approved by the Administrator, the NEP is responsible for oversight, coordination, and facilitation of CCMP implementation activities.

To obtain funding to administer Management Conferences, to characterize and define environmental challenges of the estuary, and to develop the CCMP, States and other eligible applicants may apply for federal funds using a standard General Federal Assistance application. To ensure efficient use of allotted resources, an annual work plan for each estuary program must be developed by the Management Conference before individual awards can be approved. The approved work plan then becomes a part of the grant agreement between EPA and the recipient.

In addition, NEPs must also undergo a program evaluation every three years. The purpose of the program evaluation is to document progress made in implementing the CCMP; to highlight successes, strengths, and environmental results; and identify areas for improvement. This information is used by EPA to make decisions regarding funding to NEPs who are implementing their management plans, to transfer lessons learned in the NEPs to other coastal watersheds and EPA programs, and to provide guidance and programmatic support to NEPs based on needs identified in the program evaluation.

Individual NEPs must also develop Government Performance Results Act (GPRA) reports that provide information about environmental results and progress implementing their CCMPs. These are submitted annually with the information being presented to the Office of Management and Budget (OMB) with other EPA GPRA measures.

## **2. Need for and use of the Collection**

### **2(a) Need/Authority for the Collection**

Statutory authority for the NEP is provided by Section 320 of the Clean Water Act, as amended. The terms and conditions of grants under the NEP are provided in 40 CFR Section 35.9040 and Section 35.9045, including the requirement for the 50 percent matching funds from non-Federal sources and applications that are consistent with the annual work plan prepared by each Management Conference.

For each NEP, other than standard application data, EPA needs: 1) the Governor's voluntary nomination to determine whether an estuary should be included in the NEP; 2) the annual work plan to determine how the Federal and non-Federal matching funds will be spent; 3) program evaluation package documenting CCMP implementation progress to justify continued EPA funding under Section 320; and 4) annual GPRA reports to show environmental results.

The State's participation in the NEP is voluntary. A Governor nominates an estuary for the NEP on his or her own initiative using Guidance which EPA has established. The information from the Governor includes already available knowledge about the estuary and its importance. The nomination also contains the Governor's views concerning the significance of the estuary, the need for designation, and the State's goals and objectives for the estuary with it's a strategy for meeting them. To select an estuary for designation, EPA uses the nomination and other existing public information on the national significance of the estuary, considers the importance of the estuary on a regional scale, and analyzes the environmental challenges facing the estuary.

To obtain funding under the NEP, the General Federal Assistance Grant application must be filed and an annual work plan must be prepared. The burden of the actual grant application is covered under the ICR for General Federal Assistance applications (ICR No. 0938.11; OMB No. 2030-0020). The only burdens covered under this ICR are the burdens of preparing the annual work plan, the program evaluation package, and GPRA reports which are specific to the NEP. General Federal Assistance Grant application burdens are not unique to the NEP and are not covered by this document.

The annual work plan identifies and discusses major projects with goals and milestones that will be pursued in the upcoming year. The goals are comprehensive and broad and are based on the individual NEP's goals established by the Management Conference. In addition, the work plan must document the sources, amounts, and kinds of funds for the upcoming year's activities, including a demonstration of how the required matching funds will be provided from non-Federal sources.

NEPs must report every three years to EPA on their progress in implementing the CCMP and achieving environmental results through the program evaluation.

NEPs must also annually prepare a GPRA report estimating: 1) the number of acres of habitat being restored within their study areas, and 2) the number of CCMP priority actions being initiated.

## **2(b) Practical Utility/Users of the Data**

The EPA Administrator uses the information collected under this ICR to evaluate Governors' voluntary nominations of estuaries for the NEP and whether grant applications under the NEP should be approved. The following paragraphs describe information required by the NEP:

- Respondents
- Process and techniques used to obtain this information
- How and by whom the information is used
- Flow of information and where it is submitted, filed, etc.

### **(A) Governor's Nomination**

A Governor's nomination is submitted on a one-time basis only by States that wish to participate in the NEP, and nominations are accepted only when the Administrator determines that additional programs are needed and that sufficient resources are available to support them. At this time, the EPA does not anticipate soliciting nominations in the information collection period of 2010-2012. A Governor's nomination is submitted by a State in which the target estuary lies. If the estuary is located in more than one State, a single nomination may be submitted for the estuary which combines the information from all the participating States.

The National Estuary Program Final Guidance on the Contents of the Governor's Nomination states that three general topics should be addressed in the nomination: 1) national significance of the estuary, 2) need for a Management Conference, and 3) likelihood of success.

Much of the information included in a Governor's nomination is based on previous accomplishments by States, EPA Regions, and local organizations. Information is also available in EPA's 305(b) reports; NOAA's National Estuarine Inventory; NOAA's Coastal Zone Management, Estuarine Research, and Marine Sanctuary Programs; and university studies. In the Guidance, States are urged to use existing and readily available information in the nominations. New research and studies are not required. For example, data attained from the State economic development agency or a community business group can be used to evaluate recreational and/or commercial value of the estuary. The uses of the specific information recommended for inclusion in the nomination are described below:

*Describe estuary's boundaries*

-To determine if estuary meets CWA definition.

*Describe estuary's value*

-To determine if estuary is nationally significant.

*Demonstrate how problems will yield transferable results*

-To determine how an estuary will enhance results that can be applied to other estuarine

or coastal watersheds.

*Data on economic and living resources*

-To determine if estuary has significant local or regional value.

*Data on problems*

-To determine if problems reduce value of estuarine resources.

*Discussion of cause and effect*

-To determine if the problem is sufficiently understood so as to be addressed effectively.

*Assess existing laws, regulations, control programs, enforcement, and coordination*

-To determine if the proposed estuary program entails studies and control efforts beyond these programs.

*List overall goals for the estuary and provide examples of specific objectives and action plans*

-To demonstrate whether State has an understanding of the work which must be done to mitigate problems.

*List structure and membership of proposed Management Conference*

-To demonstrate broad stakeholder support for the program.

*Document existence of and/or potential for generating public support*

- To determine whether there is or will be sufficient public support for successful implementation of the program.

*Discuss interests and agencies already working in the estuary*

-To determine these public entities' interest in and commitment to protecting or restoring estuarine water quality.

*Discuss ability to fund the coordination of the Management Conference and action plans*

-To determine if the non-Federal cost share requirement of the statute can be met and if sufficient funding exists to implement the program.

After an estuary is accepted into the NEP, the information in the Governor's nomination is used to initiate consensus among Management Conference members on priorities to be addressed by the program and to set goals and objectives.

(B) Annual Work Plan

In order to receive funds, grantees must submit an annual work plan to EPA. The contents of annual work plans are specified in 40 CFR Section 35.9045. Work plans should include: 1) a listing and discussion of completed projects and projects planned for the upcoming year, and 2) describe the types of funding and amounts to be supplied by each funding source. The work plan is reviewed by EPA and also serves as the scope of work for the grant agreement. Annual work plans must be approved by EPA after they are approved by the Management Conference so that assistance funding can be awarded. The EPA also uses these work plans to track performance of the 28 programs currently in the NEP.

Information presented in the work plan is based on the EPA/State Conference Agreement developed for the Management Conference, but may further define the goals and milestones in the overall plan and modify them based on the success or failure of activities completed in the previous years. The information is available from the Conference Agreement. The EPA uses

the work plan to determine whether the monies requested in the grant application serve the seven statutory purposes of the Management Conference, whether they fund activities consistent with the individual program goals, and whether their expenditure is an efficient use of resources. The budget information is also used to determine whether 50 percent of the funding is provided by non-Federal sources as required by 40 CFR 35.9040.

(C) Program Evaluation

Each NEP must submit a program evaluation (PE) package documenting the CCMP implementation progress. The purpose of the PE is to document progress made in implementing the CCMP; to highlight successes, strengths, and environmental results; and identify areas for improvement. The NEPs must submit a PE package to EPA every three years.

For the years covered in the PE cycle, the NEP must submit as part of the PE package: 1) the program management core elements response (standardized measures), 2) a work plan narrative summary, and 3) a budget summary.

Annual work plans are submitted as a component of the PE and cannot serve in place of the PE because annual work plans are limited to the activities of the grant recipient. The PE encompasses the progress made by the overall estuary program which is a collaboration of many stakeholders each contributing to the implementation of the CCMP and the restoration and protection of the estuary. Only the NEP can collect this information from stakeholders because, according to purpose (6) of Section 320 of the CWA, the NEP is responsible for monitoring the effectiveness of actions taken to implement the CCMP. In addition, Section 320(h) of the CWA requires grant recipients to report on the progress made under Section 320. The standard recordkeeping requirement for EPA grants is three years after the date the recipient submits the final Financial Status Report (FSR).

(D) Government Performance Results Act (GPRA) Reporting

The Government Performance and Results Act (GPRA) require that each agency report annually to Congress on the results of its activities in each fiscal year. This Annual Performance Report forms the bridge between the goals and objectives presented in the EPA Strategic Plan and budgeted activities. The Annual Performance Report tracks the progress made toward implementing goals and objectives in any single fiscal year. To assist in fulfilling this requirement, the NEPs are asked to report on two items: 1) number of acres of habitat that have been restored within individual study areas including type of restoration and type of habitat; and 2) priority action items within the CCMP that have been initiated, are ongoing, or have been completed. NEP reporting on these items helps to measure EPA's overall goal of clean and safe water.

Use of Improved Information Technology

States can access numerous computerized databases to obtain information necessary for the Governor's nomination. These databases are particularly useful in assessing water quality. The EPA databases available are: Surf Your Watershed, Index of Watershed Indicators (IWI), Reach File, Water Quality File, Industrial Facilities Discharge File, Permit Compliance System, BIOS, Complex Effluent Toxicity Information System, Water Body File, Federal Reporting Data System, Needs Survey File, and Grants Information Control System. The EPA encourages the use of internet resources to the maximum extent in all NEP transactions.

### **3. Non Duplication, Consultations, and Other Collection Criteria**

#### **3(a) Non Duplication**

The NEP is administered by the Office of Wetlands, Oceans, and Watersheds (OWOW). The Governor's nomination, the annual work plan, the program evaluation, and GPRA reporting are unique documents addressing particular NEP requirements. No other EPA office or any other Federal, State, or local agency requests these same data organized in this particular manner.

Although there are no duplicative reporting requirements, some data required for the Governor's nomination may be available from other EPA programs and from other Federal, State and local agencies. However, no one source contains all the data required for the Governor's nomination. Therefore, the data must be compiled from other sources and organized in a manner detailed in the NEP Nomination Guidance and it must reflect the Governor's priorities and recommendations. The Nomination Guidance also affords the States considerable flexibility in style and interpretation. Some of the Federal agencies that compile information relevant to the Governor's nomination are the Department of Interior, National Oceanic and Atmospheric Administration, and the Natural Resources Conservation Service. In addition, public interest groups, such as the Nature Conservancy, may possess appropriate information. For example, data on declining fish catches to assess the estuary's commercial and recreational value can be obtained from the National Oceanic and Atmospheric Administration. For annual work plans, program evaluations, and GPRA reporting, the NEP Management Conferences are the only source of information.

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

EPA Published a Federal Register notice on October 8, 2009 (74 FR 51849) to announce the renewal of this ICR. No comments were received.

#### **3(c) Consultations**

The EPA convenes one NEP national meeting each year for the purpose of achieving the mission of the Oceans and Coastal Protection Division. The NEP national meeting is held in Washington, DC and brings together EPA HQ staff, EPA Regional staff, and NEP Directors and staff to discuss policy, budget, and implementation issues on coastal watershed protection. The meeting is an annual opportunity to strengthen partnerships with EPA and the NEP community.

EPA also has regulations that address the grants portion of the NEP. These regulations

require that a Management Conference be convened and that certain program objectives are complete before funds are awarded under Section 320(g)(3) of the CWA. In addition, EPA has issued the guidance package, “The National Estuary Program: Final Guidance on the Contents of a Governor’s Nomination.”

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

A Governor’s nomination is submitted on a one-time basis by States that request participation in the NEP, and when the Administrator determines that there is an opportunity for additional programs with sufficient resources to support these actions. At this time, EPA does not anticipate soliciting nominations in the information collection period of 2010-2012. Therefore, frequency of collection is not an issue for the reporting requirements contained in this ICR.

Annual work plans are prepared every year and are submitted with the grant application. Priorities for Management Conferences can change during a year, and numerous projects are tied to the results of projects completed during the year. Therefore, work plans must be developed annually to plan and track the progress.

Program Evaluations (PEs) are conducted every three years. Three years is adequate time for significant progress to be made implementing the CCMP. Longer than three years poses the risk of not identifying program challenges in time to take corrective action. Waiting longer than three years also puts the Agency at risk of funding programs that are not using EPA funds for appropriate purposes or achieving expected results. PEs conducted in less than three year intervals would be a burden with nominal, if any, increases in useful information.

GPRA reporting is performed on an annual cycle, typically near the beginning of the new fiscal year. Therefore, the NEP GPRA reports need to be provided annually to measure progress toward annual targets.

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

This information collection is consistent with OMB guidelines contained in 5 CFR 1320.6 in that:

- Information is not collected more often than quarterly.
- Responses are not required in less than 30 days.
- Respondents are not required to submit more than an original and two copies of the document.
- It does not provide for remuneration of respondents other than contractors or grantees.
- It does not require records to be kept for more than three years.
- It is not in conjunction with a statistical survey.
- Provisions for small businesses and other small entities are appropriate.
- Confidentiality is protected.
- It does not require provision of information in a format other than that which it is customarily maintained.



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

The Governor's nomination is considered an application and is confidential until a Management Conference is convened. Similarly, applications for 320(g)(3) grants are confidential until an offer or award is accepted by the applicant. After acceptance, all documents are public.

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

No information of a sensitive nature is requested by this ICR.

## **4. The Respondents and the Information Requested**

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

Respondents are mainly State and local government workers. The SIC code applicable to the State and local governments is 9511.

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

- (i) Data items: annual work plans, program evaluation packages, GPRA Reports. For annual work plans the standard recordkeeping requirement for EPA grants is three years after the date the recipient submits the final Financial Status Report (FSR).
- (ii) Respondent Activities: Compiling information on activities for each NEP such as restoration projects, outreach material that has been developed, and workshop proceedings. This may include reviewing and transmitting information or searching established databases.

## **5. The Information Collected: Agency Activities, Collection Methodology, and Information Management**

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

For annual work plans, program evaluation packages, and GPRA reports, the Agency typically will answer respondent questions, hold conference calls, review and analyze the submissions, record the submissions, and store the information.

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

Annual work plans serve as a scope of work for the grant agreement and are submitted in hard copy form or electronically as part of the grant application. Program evaluation (PE) packages are submitted in hard copy form or electronically. PE submissions may include brochures, pictures, and other public outreach tools that have been developed. GPRA reports are submitted through an online reporting tool. Quality is checked by follow-up conversations with the respondents. For example, with PE, conference calls are set up to go over the PE package and discuss overall progress being made implementing the CCMP. The processing technology at this time is standard desktop computer with word processing software. Agency staff will enter and store some data electronically using these formats. GPRA information is also stored in a manner that allows public access through the EPA website. Some information is not electronic and will be disseminated at conferences and workshops, as appropriate.

### 5(c) Small Entity Flexibility

States and local governments are the most likely respondents to this information request. The burden on small organizations is therefore not an issue for the reporting requirements contained in this ICR.

### 5(d) Collection Schedule

Annual work plans are required each year from the 28 NEPs by February 28<sup>th</sup>. Program evaluations are scheduled as follows: nine NEPs for FY2010, nine NEPs for FY2011, and 10 NEPs for FY2012. GPRA reports are submitted annually to correspond with the Agency reporting process and are requested to be provided by the end of the fiscal year.

## 6. Estimating The Burden and Cost of the Collection

### 6(a) Estimating Respondent Burden

The total number of estuary programs in the NEP is limited by the amount of funds appropriated from Congress. Current status and budget projections provide for up to a total of 28 estuaries in the NEP in FY2010. During the term of this ICR, all 28 are operating in the post-CCMP implementation stage which, as discussed in the abstract in section 1(b), concerns oversight and implementation of the CCMP. During the post-CCMP phase, the NEPs receive significantly less funding and the annual work plan encompasses less effort than those of the pre-CCMP period. Based on the experience of NEPs to date, we will continue to use the burden hour estimates developed for the 2002 ICR calculations for the Agency as well as respondents.

(A) Annual Work Plans: It is estimated that 100 burden hours are required for State personnel to prepare and gather information to summarize the previous year's activities, to plan for the current year, and to produce the annual work plan. This is the same value used in the previous review cycle. It is expected that Management Conferences will be moving to more improved records keeping and tracking, which should result in a lower burden for the following cycle.

The annual work plan burden to respondent is:

FY2010: 28 Annual Work Plans

FY2011: 28 Annual Work Plans      2,800 hours/year \* 3 years = 8,400 hours/3 years

FY2012: 28 Annual Work Plans

28 annual work plans \* 100 hours/work plan = 2,800 hours/year

2,800 hours/year \* 3 years = **8,400 hours/3 years**

(B) Program Evaluations: It is estimated that 250 burden hours are required for respondents to prepare and gather information to summarize the previous period's activities. Because it is expected that the NEPs will be continually reviewing and reassessing priorities, 250 hours is considered to be an upper limit on the effort required to prepare a program evaluation package.

The 2002 ICR value of 250 burden hours will be used for this cycle. The personnel required to complete this effort is a mix of white collar staff: approximately 55 percent technical, 5 percent secretarial, and 40 percent administration or managerial level.

The program evaluation burden to the respondent is:

FY2010: 9 Program Evaluations

FY2011: 9 Program Evaluations

FY2012: 10 Program Evaluations

28 Program Evaluations \* 250 hours/report = **7,000 hours/3 years**

(C) Government Performance Results Act Reporting: The 2006 ICR value will be used for GPRA reporting. The 2006 value was derived based on discussions with respondents. It was estimated that an upper limit for burden hours to the NEPs for reporting GPRA information is 60 hours with a lower limit of ten hours for those NEPs with established information management systems in place. The annual average estimate of burden hours for the NEPs to collect and report GPRA information is presently 25 hours per report.

The GPRA reporting burden to the respondent is:

FY2010: 28 GPRA Reports

FY2011: 28 GPRA Reports

FY2012: 28 GPRA Reports

28 GPRA Reports \* 25 hours/report = 700 hours/year

700 hours/year \* 3 years = **2,100 hours/3 years**

### **6(b) Estimating Respondent Costs 6(b)(I) Estimating Labor Costs**

(A) Annual Work plans: The post-CCMP annual work plan is estimated to take 100 hours of preparation time by State and local government personnel. For estimates on respondent costs, the US Department of Labor's occupational employment statistics most recent estimates (May 2008) will be applied (see [http://stats.bls.gov/oes/2008/may/naics4\\_999200.htm#b11-0000](http://stats.bls.gov/oes/2008/may/naics4_999200.htm#b11-0000)). These wage estimates are calculated with data collected from state and local governments of all sizes, in metropolitan and nonmetropolitan areas in every State and the District of Columbia. The mean hourly wage estimate of \$25.88 + a benefits/overhead multiplier of 1.6 (total \$41.41) will be applied for the occupational group of life, physical, and social science.

The annual work plan cost to the respondent is:

FY2010: 28 Annual Work Plans

FY2011: 28 Annual Work Plans

FY2012: 28 Annual Work Plans

28 Annual Work Plans \* 100 hours/workplan = 2,800 hours/year

2,800 \* 3 years = 8,400 hrs/3 years  
8,400 hrs/3 years \* \$41.41/hour = **\$347,844/3 years**

(B) Program Evaluations: It is estimated that 250 burden hours are required for respondents to prepare and gather information to summarize the previous period's activities. Because it is expected that NEPs will be continually reviewing and reassessing priorities, 250 hours is considered to be an upper limit on the effort required to prepare a program evaluation package. The mean hourly wage estimate of \$25.88 + a benefits/overhead multiplier of 1.6 (total \$41.41) will be applied for the occupational group of life, physical, and social science (see Annual Work plan cost description above).

The Program Evaluation cost to the respondent is:

FY2010: 9 Program Evaluations  
FY2011: 9 Program Evaluations  
FY2012: 10 Program Evaluations

28 Program Evaluations \* 250 hours/report = 7,000 hours/3 years  
7,000 hours/3 years \* \$41.41/hour = **\$289,870/3 years**

(C) Government Performance Results Act Reporting: Based on discussions with respondents, it is estimated that an upper limit for burden hours to the NEPs for reporting GPRA information is 60 hours with a lower limit of 10 hours for those programs with established information management systems in place. As programs begin to establish tracking systems and information management systems the burden hours should decrease. Presently, the annual average estimate of burden hours for the NEPs collecting and reporting GPRA information is 25 hours per report. The mean hourly wage estimate of \$25.88 + a benefits/overhead multiplier of 1.6 (total \$41.41) will be applied for the occupational group of life, physical, and social science (see Annual Work plan cost description above).

The GPRA annual reporting cost to the respondent is:

FY2010: 28 GPRA Reports  
FY2011: 28 GPRA Reports  
FY2012: 28 GPRA Reports

28 GPRA Reports \* 25 hours/report = 700 hours/year  
700 hours/year \* 3 years = 2,100 hours/3 years  
2,100 hours/3 years \* \$41.41/hour = **\$86,961/3 years**

(6)(b)(ii) Estimating Capital and Operations and Maintenance Costs:  
As in the last review cycle, 2006, no Capital and Operations and Maintenance Costs are expected.

(6)(b)(iii) Capital/Start-up Operating and Maintenance (O&M) Costs:

As in the last review cycle, 2006, no Capital and Operations and Maintenance Costs are expected.

(6)(b)(iv) Annualizing Capital Costs: N/A

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

(A) Annual Work plans:

Part of the overall burden and cost to the Federal Government is based on the number of annual work plans expected each year as estimated in Item No. 6(a). The burden also is based on the 2002 ICR cycle. In the 2002 ICR cycle, reviewing the post-CCMP annual work plan required 16 hours of Federal workers' time. These estimates were collected from several EPA Regional Offices and also from Headquarters staff reviewers. Cost estimates are based on the 2010 General Schedule (GS) locality pay for a GS-12, Step 1 Federal employee for the Washington, DC area (see <http://www.opm.gov/oca/10tables/indexGS.asp>). With these estimates applied, the hourly wage estimate is \$35.88 + a benefits/overhead multiplier of 1.6 (total \$57.41). The burden and cost to the Federal Government for reviewing annual work plans is summarized below.

The Annual Work Plan burden and cost to the Agency is:

FY2010: 28 Annual Work Plans

FY2011: 28 Annual Work Plans

FY2012: 28 Annual Work Plans

28 Work Plans \* 16 hours/plan = 448 hours/year  
448 hours/year \* 3 years = 1,344 hours/ 3 years  
1,344 hours/ 3 years \* \$57.41/hour = **\$77,159/3 years**

(B) Program Evaluations:

Part of the overall burden and cost to the Federal Government is based on the number of program evaluations expected each year as estimated in Item No. 6(a). The burden is based on the 2002 ICR cycle. In the 2002 ICR cycle reviewing the program evaluation packages required 40 hours of Federal workers' time. These estimates were collected from several EPA Regional Offices and also from HQ staff reviewers. The 40 hour value is still applicable for this review cycle. Cost estimates are based on the 2010 General Schedule (GS) locality pay for a GS-12, Step 1 Federal employee for the Washington, DC area (see <http://www.opm.gov/oca/10tables/indexGS.asp>). With these estimates applied, the hourly wage estimate is \$35.88 + a benefits/overhead multiplier of 1.6 (total \$57.41). The burden and cost to the Federal Government for reviewing program evaluation packages is summarized below.

The Program Evaluation burden and cost to the Agency is:

FY2010: 9 Program Evaluations

FY2011: 9 Program Evaluations

FY2012: 10 Program Evaluations

28 Program Evaluations \* 40 hours/report = 1,120 hours/3 years  
1,120 hours/3 years \* \$57.41/hour = **\$64,299/3 years**

(C) Government Performance Results Act Reporting:

Part of the overall burden and cost to the Federal Government is based on the number of GPRA reports expected each year as estimated in Item No. 6(a). Based on Headquarters experience approximately 8 hours of Federal workers time is required to review a GPRA report. Cost estimates are based on the 2010 General Schedule (GS) locality pay for a GS-12, Step 1 Federal employee for the Washington, DC area (see <http://www.opm.gov/oca/10tables/indexGS.asp>). With these estimates applied, the hourly wage estimate is \$35.88 + a benefits/overhead multiplier of 1.6 (total \$57.41). The burden and cost to the Federal Government for reviewing GPRA reports is summarized below.

The GPRA burden and cost to the Agency is:

FY2010: 28 GPRA Reports  
FY2011: 28 GPRA Reports  
FY2012: 28 GPRA Reports

28 GPRA Reports \* 8 hours/report = 224 hours/year  
224 hours/year \* 3 years = 672 hours/3 years  
672 hours/3 years \* \$57.41/hour = **\$38,580/3 years**

**6(d) Estimating the Respondent Universe and Total Burden and Costs**

The total universe of respondents is 28, as every NEP is required to submit annual work plans, program evaluation packages, and GPRA reports over this three year cycle.

Total Burden to Respondent:

Annual Work plans	8,400 hrs/3 years
Program Evaluations	7,000 hrs/3 years
GPRA Reports	2,100 hrs/3 years
TOTAL	17,500 hrs/3 years
<b>Annualized</b>	<b>5,833 hours/year</b>

Total Cost to Respondent:

Annual Work plans	\$347,844/3 years
Program Evaluations	\$289,870/3 years
GPRA Reports	\$ 86,961/3 years
TOTAL	\$724,675/3 years
<b>Annualized</b>	<b>\$241,558/year</b>

Total Burden for Agency:

Annual Work plans	1,344 hours/3 years
Program Evaluations	1,120 hours/3 years
GPRAs Reports	672 hours/3 years
TOTAL	3,136 hours/3 years
<b>Annualized</b>	<b>1,045 hours/year</b>

Total Cost to Agency:

Annual Work plans	\$ 77,159/3 years
Program Evaluations	\$ 64,299/3 years
GPRAs Reports	\$ 38,580/3 years
TOTAL	\$180,038/3 years
<b>Annualized</b>	<b>\$60,013/year</b>

**6(e) Bottom Line Burden Hours and Cost Tables**

(I) Respondent Tally                      Total Burden: **5,833 hours/year**                      Total Cost: **\$241,558/year**

(ii) The Agency Tally                      Total Burden: **1,045 hours/year**                      Total Cost: **\$60,013/year**

(iii) Variations in the Annual Bottom Line: It is not anticipated that there will be a significant variation (>25%) for the burden or cost to either respondents or Agency over this ICR cycle.

**6(f) Reasons for Change in Burden**

There have been no changes in burden since the last ICR cycle.

**6(g) Burden Statement**

The public reporting and recordkeeping burden for this collection of information is estimated to average 100 hours per response for Annual Work plans, 250 hours per response for program evaluations, and 25 hours per response for GPRAs reporting. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, 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 No. EPA-HQ-OW-2006-0369, which is available for on-line viewing at [www.regulations.gov](http://www.regulations.gov) or in person at the Water Docket in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Ave., NW, Washington, DC. 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 at [www.regulations.gov](http://www.regulations.gov). Use Regulations.gov 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. Once 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, DC 20503, Attention: Desk Office for EPA. Please include the EPA Docket ID No. (EPA-HQ-OW-2006-0369) and OMB control number 2040-0138 in any correspondence.

#### **B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS**

This section is not applicable because no statistical procedures are employed for the data collection.