

**INFORMATION COLLECTION REQUEST  
SUPPORTING STATEMENT**

**FOR**

**TURBIDITY MONITORING REQUIREMENTS FOR CONSTRUCTION SITES  
REGULATED BY THE EFFLUENT LIMITATIONS GUIDELINES AND STANDARDS  
FOR THE CONSTRUCTION AND DEVELOPMENT POINT SOURCE CATEGORY  
(40 CFR PART 450)**

**EPA ICR No. 2336.02**

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U.S. Environmental Protection Agency  
Office of Water  
Engineering and Analysis Division  
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## **1. IDENTIFICATION OF THE INFORMATION COLLECTION**

### **1(a) Title of the Information Collection**

ICR: Turbidity Monitoring Requirements For Construction Sites Regulated By The Effluent Limitations Guidelines and Standards For The Construction and Development Point Source Category (40 CFR Part 450) (EPA ICR No. 2336.02).

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

This Information Collection Request (ICR) presents estimates of the burden and costs to the regulated community associated with implementation of the monitoring requirements of the Effluent Limitations Guidelines and Standards For The Construction and Development Point Source Category (40 CFR Part 450). The guidelines require regulated operators to perform turbidity monitoring through the measurement and recording the levels of effluent nephelometric turbidity units (NTU). This is a new ICR.

EPA estimates that total burden and costs of the proposed guidelines for the first three years after promulgation are 635,612 hours and \$22.1 million, affecting approximately 6,432 new and on-going construction projects. The burden and costs are associated with the monitoring and reporting requirements of the rule. These requirements are being phased, and do not become effective until 18 months after promulgation, at which time the requirements will apply to projects disturbing 20 or more acres. Four years after promulgation, the monitoring and reporting requirements will apply to projects disturbing 10 or more acres. As a result of the phase-in of the requirements there are no affected projects during the first year. However, during the second year, some on-going projects from earlier years will be affected. Construction projects vary considerably by start date and duration, with some projects lasting more than one year. Please note that, for purposes of burden and costs calculations, because of this project scheduling and duration variability, there are an estimated 1,233 new and on-going projects that are active at some point during year two and 5,199 during year three. These projects are estimated to generate 47,473 Discharge Monitoring Reports (DMRs) over the course of the ICR approval period.

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

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

As mentioned above, EPA established monitoring requirements for construction sites under authority of Clean Water Act (CWA) Section 308 to demonstrate compliance with effluent limitations and standards for turbidity promulgated under 40 CFR Part 450. Sediment, created as a result of construction and development (C&D) activity and measured by turbidity, is the primary pollutant that causes water quality impairment for streams and rivers. It is also one of the leading causes of lake and reservoir water quality impairment and wetland degradation. The sediment entrained in stormwater discharges from construction activity can harm aquatic ecosystems, increase drinking water treatment costs, and degrade recreational uses of impacted waters. Sediment can also accumulate in rivers, lakes, and reservoirs, leading to the need for dredging or other mitigation. Additionally, Section 402(a)(2) of the CWA directs EPA to prescribe permit conditions to assure compliance with requirements “including conditions on data and information collection, reporting and such other requirements as [the Administrator] deems appropriate.”

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

The primary users of the data are the owners and operators of construction sites and NPDES permitting and enforcement authorities. Citizen groups also use this data to independently assess compliance.

EPA expects that the monitoring reports will be used by NPDES control authorities to determine compliance with the effluent limitations and standards. EPA, States, and local authorities also analyze monitoring data when establishing permit conditions and revise permit requirements based on data from monitoring reports. Furthermore, EPA and States refer to discharge monitoring reports and monitoring data on pollutants when developing lists of waters not meeting applicable water quality standards. EPA anticipates that State NPDES permitting authorities will only need to conduct detailed technical reviews of monitoring reports in the event the monitoring reports indicate noncompliance with the NPDES permit conditions.

EPA anticipates that permittees will use the monitoring data to track the effectiveness and progress of reducing pollutant discharges. Collection and reporting of data to permitting authorities also provides permittees with an incentive to remain in compliance with their established permit limitations and conditions.

As public information, monitoring data is used by public environmental/citizen groups for a variety of purposes. Citizen groups review monitoring data to independently assess discharger compliance. In some instances the data forms the basis for citizen suits that are authorized under Section 505 of the CWA. In addition, environmental groups, academicians and others use monitoring data to estimate pollutant loadings to streams, lakes, oceans, and estuaries.

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

#### **3(a) Non-duplication**

EPA has examined all other reporting requirements contained in the Clean Water Act and 40 CFR Parts 122, 123, 124, 125, 430, 501, and 503. The Agency also has consulted the following sources of information to determine if similar or duplicate information is available elsewhere:

- EPA Information Systems Inventory,
- State permits,
- Government Information Locator System (GILS), and
- Toxic Chemical Release Inventory.

Examination of these databases revealed no duplicate collection requirements. EPA has concluded that there is no other way to obtain the compliance demonstration information addressed in this ICR.

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

EPA solicited comment on the draft version of this ICR when proposing effluent limitations under 40 CFR 450 (73 FR 72562), prior to formal submission to OMB. Commenters made no significant comments about the draft ICR.

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

EPA consulted with the public, industry, and States on the monitoring requirements during the rulemaking process.

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

EPA has established its turbidity monitoring frequency to coincide with effluent discharges from construction sites. Since this frequency depends on local weather conditions and sediment basin characteristics, monitoring will be somewhat sporadic. EPA determined that this minimum required monitoring frequency was necessary because of the degree of the temporal variability in effluent discharges from construction sites that can and do occur frequently and at any time. Therefore, EPA was concerned that less frequent monitoring would not provide the information necessary to ensure compliance with the effluent limitations guidelines and standards promulgated for this industry.

In establishing the minimum monitoring frequency for turbidity, EPA has struck a balance between the cost of the monitoring regimen and the need to ensure that sufficient data is

consistently available to permitting authorities. Permitting authorities need to have an adequate basis to verify compliance with the effluent limitations guidelines and standards, given the environmental significance of large discharges of sediment, and the generation of which is variable, as available data clearly demonstrate. This monitoring regimen also ensures sufficient data is available to the site operator so that it may quickly become aware of noncompliance with the limits of the rule and remedy it as soon as practicable.

**3(e) General Guidelines**

This information collection is consistent with OMB guidelines contained in 5 CFR 1320.5(d)(2).

**3(f) Confidentiality**

EPA does not expect that confidential business information (CBI) or trade secrets will be required from C&D site operators as part of this ICR. Where information submitted in conjunction with this ICR contains CBI, the respondent may request that this information be treated as confidential business information. All data so designated will be handled pursuant to 40 CFR Part 2 when EPA is the permitting authority, and pursuant to applicable state rules and regulations governing CBI when states are the permitting authorities. Pursuant to Section 308(b) of the Clean Water Act, effluent data may not be treated as confidential.

**3(g) Sensitive Questions**

The reporting requirements addressed in this ICR do not include sensitive questions.

**4. THE RESPONDENTS AND THE INFORMATION REQUESTED**

**4(a) Respondents and SIC Codes**

The respondent universe for this ICR will be new construction projects with disturbed areas 20 acres or larger at some point during the year. Because some projects can last multiple years, the number of new and on-going projects in year two is estimated to be 1,233 projects that generate 9,222 DMRs for control authority review during a year. In year three, the number of new and on-going projects is expected to be 5,199 that generate 38,251 DMRs.

**4(b) Information Requested**

The following sections outline the monitoring, reporting, and recordkeeping requirements for construction sites under 40 CFR 450. Table 4.1 outlines the information requirements for respondents and the data requirements are listed by regulation number.

<b>Table 4.1: Turbidity Monitoring Requirements for Construction Sites</b>		
40 CFR Citation	Regulatory Description	Monitoring and/or Reporting Frequency
<i>Monitoring Requirements: Sample Collection and Analysis</i>		
450.22(a)(1 and 2)	For each site at which construction activity disturbs 10 or more acres at one time, including non-contiguous land disturbances that take place at the same time and are part of a larger common plan of development or sale: <ul style="list-style-type: none"> <li>• Turbidity.....</li> </ul>	Upon all instances of discharge of stormwater; at least three samples are required per day from each discharge point when a discharge occurs during normal working hours.
<i>Reporting and Recording Requirements</i>		
122.41(l)(4)	Requires direct dischargers to report all monitoring results to the permitting authority using Discharge Monitoring Reports (DMRs).	Permit-specific/At Least Annually
122.41(j)(2)	Requires direct dischargers to retain ongoing monitoring records and copies of all reports for at least 3 years from the date of the sample.	

Should a permittee choose to collect and analyze more samples than specified in its permit, the permittee must include all monitoring data in the reports. See 40 CFR 122.41(j)(4)(ii). As indicated in Table 4.1, submission of reports shall be at the frequency established by the NPDES permit authority, but in no case less than once per year. Also, the permittee must collect and analyze representative samples and must conduct all monitoring requirements according to permit specific conditions and/or approved test procedures as set forth under 40 CFR Parts 136, 430, and 503. See 40 CFR 122.41(j).

A sample of a pre-printed discharge monitoring form may be obtained from the



NPDES/Sewage Sludge Monitoring Reports ICR. Direct dischargers are required to maintain monitoring records, copies of all reports required by the NPDES permit agreement and records of all data used to complete the permit application for at least 3 years. See 40 CFR 122.41(j)(2).

Construction site respondent activities include the following:

- **Preparing basic information.** All permittees must conduct a variety of basic activities, including reviewing regulatory and permit requirements, conducting monitoring; preparing DMRs, and submitting reports to the NPDES permit authority.
- **Maintaining records.** All permittees must keep records of monitoring information as required by the regulation.

NPDES-authorized States respondent activities include the following:

- DMR Review
- Follow-up Activities
- Reporting and Recordkeeping Requirements

Data review varies from State to State. Generally, the permitting authority routinely screens data to identify permit violations and conducts a more thorough technical review and follow-up when violations are detected. Follow-up activities may include informal contact with the permittee (by telephone or letter) requesting prompt corrective action, technical assistance, field inspections to further substantiate violations, or a formal enforcement action, such as an Administrative Order or referral to the EPA regional office and/or the U.S. Attorney (or State's Attorney General in the case of NPDES-authorized States). Table 4.2, on the next page, summarizes NPDES-authorized State requirements.

<b>Table 4.2: NPDES-authorized State Requirements (As Users of Data)</b>		
40 CFR Citation	Regulatory Description	Response Frequency
<u>DMR Data Review</u>		
123.26(a)	Requires the NPDES permitting authority to have procedures for reviewing DMR submissions, using the reported data to evaluate permittee compliance. The permitting authority must also have procedures for conducting an initial screening of compliance-related information.	Variable/Permit-specific
123.26(e)	When warranted, requires the permitting authority to have procedures to follow-up the initial screening with a substantive technical evaluation to determine permittee compliance with permit conditions.	As Necessary
<u>Recordkeeping Requirements</u>		
123.26(e)(4)	Requires the permitting authority to have the procedures and ability for maintaining a management information system that supports the compliance evaluation activities.	Ongoing

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

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

Activities undertaken by EPA under this information collection primarily include oversight of the NPDES programs and, where EPA is the NPDES permitting authority, review of monitoring data and, where necessary, follow-up actions.

The extent to which EPA reviews data in assessing permit compliance may vary. For example, EPA may conduct a more extensive review of permittees that are, or have been, in violation of their permit requirements, than of permittees who have been in full compliance. In cases of continued noncompliance, EPA may use monitoring report data to identify patterns of non-compliance and/or to support Agency enforcement efforts. EPA and/or the permitting authorities may limit its review of data submitted by fully compliant permittees to a simple determination of continuing compliance. EPA may also review data from minor permittees that may cause water quality problems (i.e., significant minors). EPA may review data from other minor permittees less frequently. In most cases, EPA will forward copies of reports to the States. EPA does not require the unauthorized States to review data, but several States voluntarily conduct the review and use the results in their own programs.

EPA regions may also review data from major direct discharging permittees while performing program oversight functions (e.g., during file audits and when compiling statistical compliance summaries). Reported data is often stored in the Permit Compliance System (PCS) for reference. EPA and States may use this data to evaluate potential compliance problems, focus inspection efforts, conduct spot check reviews and determine appropriate enforcement action. PCS is available for public review at the following location:

[http://www.epa.gov/enviro/html/pcs/pcs\\_overview.html](http://www.epa.gov/enviro/html/pcs/pcs_overview.html).

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

Respondents typically report collected compliance data for all pollutant parameters on Discharge Monitoring Reports (DMRs). Use of preprinted DMR forms is one method that EPA has used to improve its collection methodology. EPA has developed policy guidance for the electronic submission of data (see 61 FR 46683-46694). The electronic submission of DMR data is voluntary and will be an alternative to the paper submissions. EPA makes use of the PCS database to store, track and access this information.

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

EPA has certified that effluent guidelines for C&D sites, including the monitoring requirements considered by this ICR, will not have a significant economic impact on a substantial number of small entities and therefore is not establishing any reporting or recordkeeping alternatives for small entities. See Section XII.7 of the Preamble.

**5(d) Collection Schedule**

The information collection activities included in this ICR are anticipated to coincide with existing reporting schedules. The timeframes for submitting compliance assessment information and associated activities are outlined below:

- Monitoring, reporting, and recordkeeping are performed on a continual basis;
- Reports are to be prepared for submission to NPDES permit authorities at a frequency to be determined by these authorities, but no less than once per year. EPA expects that such reporting frequencies will be consistent with existing reporting requirements already applicable to permittees. For the purpose of this ICR, EPA assumes that sites will be required to submit DMRs on a monthly basis.

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

### **6(a) Estimating Respondent Burden**

This section describes the methods EPA used to estimate the burden to respondents associated with the monitoring and reporting requirements reports of 40 CFR Part 450. The number of sites potentially affected during the three year covered under the ICR reporting is estimated at 6,432, with the number of rain events that would subsequently require effluent monitoring being set at two per month. These 6,432 projects are expected to generate an estimated total of 47,473 DMRs during the three year period.

#### **(i) *Sampling and Reporting Activities***

During the ICR approval period, all construction sites with total disturbed areas greater than 20 acres at any given point in time will be required to monitor effluent turbidity following rain events that lead to stormwater discharges from the sites. The Agency assumes the use of simple turbidimeters and four hours per rain event per laborer for sampling, recordkeeping, and reporting, with larger sites requiring more laborers to make measurements at a greater number of outfalls. The Agency also assumed that larger projects would require larger numbers of sampling laborers. The monthly permittee burden per laborer is, therefore, estimated as follows:

Sites greater disturbing 10 or more acres, but less than 40 acres

$$(4 \text{ hours/laborer}) * (1 \text{ laborer}) * (2 \text{ rain events/site/month}) = 8 \text{ hours/month}$$

Sites greater disturbing 40 or more acres, but less than 100 acres

$$(4 \text{ hours/laborer}) * (2 \text{ laborers}) * (2 \text{ rain events/site/month}) = 16 \text{ hours/month}$$

Sites greater disturbing 100 or more acres

$$(4 \text{ hours/laborer}) * (3 \text{ laborer}) * (2 \text{ rain events/site/month}) = 24 \text{ hours/month}$$

This information was combined with EPA's analysis of the distribution of project sizes and duration to produce a final estimate of annual permittee burden of 116,398 hours during year two and 483,877 during year three.

#### **(ii) *NPDES-authorized State Respondent Burden***

The burden and associated costs to NPDES-authorized State authorities for reviewing DMRs, revising NPDES permits, and conducting follow-up actions are estimated at 0.55 hour per report. The annual State respondent burden is, therefore, estimated as follows:

$$(0.55 \text{ hour/report}) * (6,746 \text{ reports/year } 2) = 3,710 \text{ hours/year } 2$$

$$(0.55 \text{ hour/report}) * (32,554 \text{ reports/year } 3) = 17,905 \text{ hours/year } 3$$

The Agency's estimate for total respondent burden is presented in Table 6.1 below.

<b>Table 6.1 Total Respondent Burden (hours)</b>					
<b>Respondent Type</b>	<b>Activity</b>	<b>Year 1 Burden</b>	<b>Year 2 Burden</b>	<b>Year 3 Burden</b>	<b>Total Burden</b>
Permittee (construction site)	Sampling & Recording	0	116,398	483,877	600,275
NPDES-authorized States	Review and Process DMR	0	3,710	17,905	21,615
<b>Total Respondent Burden</b>		<b>0</b>	<b>120,108</b>	<b>501,782</b>	<b>621,890</b>

**6(b) Estimating Respondent Cost**

*(i) Estimating Annual Labor Costs*

Estimates for respondent labor costs were prepared using industry-specific labor rates identical to those used for the cost model in the rulemaking and are assumed to be \$30/hour for permittees and \$39.25/hour for control authorities. Annual labor costs for permittees are, therefore, estimated as follows:

$$(\$30/\text{hour}) \times (116,398 \text{ hours/year } 2) = \$3,491,926/\text{year } 2$$

$$(\$30/\text{hour}) \times (483,877 \text{ hours/year } 3) = \$14,516,311/\text{year } 3$$

Similarly, annual labor costs for NPDES-authorized States are as follows:

$$(\$39.25/\text{hour}) \times (3,710 \text{ /year } 2) = \$145,629/\text{year } 2$$

$$(\$39.25/\text{hour}) \times (17,905 \text{ /year } 3) = \$702,766/\text{year } 3$$

*(ii) Capital/Start-up and Operations and Maintenance (O&M) Costs*

The principle capital/start-up cost for the industry is the purchase and O&M costs associated with monitoring. EPA assumes that a firm will use one turbidimeter per project and that the firm will purchase a calibration kit for each year that the project is active. So to estimate the total number of turbidimeters and calibration kits that would be required, EPA had to determine how many projects may be simultaneously active at any one time during the year. For the engineering and economic analyses, EPA distributed the estimated new projects over 12 duration categories that range from 1 month to 3 years in length. Since larger projects will likely have more monitoring sights EPA estimates that projects over 40 disturbed acres will need two turbidimeters and projects over 100 acres will need three turbidimeters. Using the distribution of project sizes and durations, the Agency has estimated that there will need to be 1,507 turbidimeters used during the course of year two, and 6,270 active projects during year three.

The total cost of a turbidimeter is approximately \$750. The annualized turbidimeter cost, assuming a 10-year useful life for the equipment and an industry-average cost of capital of 14.3 percent is approximately \$145. Therefore, total capital/start-up cost for regulated sites are as follows:

$$(\$145/\text{turbidimeter}) * (7,777 \text{ turbidimeters}) = \$1,127,735$$

EPA has estimated that the use of each turbidimeter will require the purchase of an annual calibration kit, at a price of \$100/turbidimeter. The total O&M cost for permittees is, therefore, estimated to be as follows:

$$(\$100/\text{turbidimeter}) * (7,777 \text{ turbidimeters}) = \$777,748$$

The Agency has also estimated that each State will incur capital/start-up costs of \$31,280 per State. The estimated cost for data gathering infrastructure is \$25,000 and the cost for program development is \$6,280 (\$39.25/hr\*160 labor hours). EPA assumes that states will develop these programs during the same year that they renew their construction general permit, and there will be five states during the first year, seven in year two, and twelve in year three. The total capital/start-up costs for NPDES-authorized States is, therefore, estimated to be as follows:

$$(\$31,280/\text{NPDES-authorized State}) * (23 \text{ NPDES-authorized States}) = \$719,440$$

The Agency has assumed no additional O&M costs for the NPDES-authorized States, since it expects that maintenance agreements will be part of the cost of acquiring the necessary infrastructure to receive DMRs from the industry.

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

### **(i) Estimating Labor Costs**

EPA burden is based on management and support activities for construction sites located in the following:

**States without NPDES authority:** EPA activities include analysis of monitoring data and review of DMRs; this would translate to an incremental burden in addition to current activities. Recurring incremental EPA burden for processing and analyzing monitoring data, including entry into the PCS database (reporting and recordkeeping), is estimated to be 0.55 hour per site per DMR. EPA assumes that these sites submit DMRs at a similar rate to those in NPDES-authorized states. In addition, EPA assumes that approximately 10 percent of all DMRs submitted will require follow-up action, with an estimated burden of one hour per DMR.

**States with NPDES control authority:** EPA activities include program support, such as review of NPDES permit renewal applications and draft permits, and review of monitoring data (39,300 DMRs). To estimate Agency burden support activities, EPA assumes that approximately 10 percent of all DMRs submitted will require follow-up assistance from EPA with an estimated burden of one hour per DMR.

The Agency anticipates renewing its construction general permit for the four unauthorized states (Massachusetts, New Hampshire, New Mexico, Idaho) and the District of Columbia during the

second year. The total annual Agency burden and costs are summarized in Table 6.2, assuming an hourly rate of \$50, as follows:

<b>Table 6.2: Summary of Annual Agency Burden and Costs</b>						
<b>Activity</b>	<b>Labor Hours</b>	<b>Labor Cost</b>	<b>Labor Hours</b>	<b>Labor Cost</b>	<b>Total Hours</b>	<b>Total Cost</b>
	<b>Year 2</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Year 3</b>		
Processing and analyzing monitoring data from Unauthorized States	1,362	\$68,093	3,133	\$156,656	4,495	\$224,749
Follow-up actions for 10 percent of DMRs from All States	922	\$46,110	3,825	\$191,254	4,747	\$237,365
<b>Total Agency Burden and Costs</b>	<b>2,284</b>	<b>\$114,203</b>	<b>6,958</b>	<b>\$347,910</b>	<b>9,242</b>	<b>\$462,114</b>

**(ii) Capital/Start-up and Operations and Maintenance (O&M) Costs**

The Agency has estimated that it will incur capital/start-up costs of \$33,000 (\$25,000 for data gathering infrastructure and \$8,000 for program development) for each State that it manages the NPDES program for. EPA assumes that it will develop these programs during the same year that it renews its construction general permit. The total capital/start-up costs for NPDES- unauthorized States and the District of Columbia is, therefore, estimated to be as follows:

$$(\$33,000/\text{NPDES-authorized State}) * (5 \text{ NPDES-unauthorized States}) = \$165,000$$

The Agency has assumed no additional O&M costs, since it expects that maintenance agreements will be part of the cost of acquiring the necessary infrastructure to receive DMRs from the industry.

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

The following four tables (6.3, 6.4, 6.5, and 6.6) summarize the annual number of respondents, responses, hourly burden, and costs for the three years covered under the ICR. The activities covered by these tables are the sampling, analysis, reporting, and recordkeeping by sites, as well as the program start-up and DMR review and processing by State NPDES permitting authorities.

<b>Table 6.3: Summary of Annual Respondents</b>				
<b>Respondent Category</b>	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Total Respondents</b>
Construction Sites	0	1,233	5,199	6,432
NPDES-authorized States	4	11	23	23
<b>Total Annual Respondents</b>	<b>4</b>	<b>1,244</b>	<b>5,222</b>	<b>6,455</b>



<b>Table 6.4: Summary of Annual Responses</b>				
<b>Respondent Category</b>	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Total Responses</b>
Construction Sites	0	18,444	76,502	94,946
NPDES-authorized States	4	6,753	32,566	39,319
<b>Total Annual Responses</b>	<b>4</b>	<b>25,197</b>	<b>109,068</b>	<b>134,269</b>

<b>Table 6.5: Summary of Annual Respondent Burden</b>				
<b>Respondent Category</b>	<b>Labor Hours Year 1</b>	<b>Labor Hours Year 2</b>	<b>Labor Hours Year 3</b>	<b>Total Hours</b>
Construction Sites	0	116,398	483,877	600,275
NPDES-authorized States	640	4,830	19,825	25,295
<b>Total Annual Burden</b>	<b>640</b>	<b>121,228</b>	<b>503,702</b>	<b>625,570</b>

<b>Table 6.6: Summary of Annual Respondent Costs</b>							
<b>Respondent Category</b>	<b>Year 1</b>		<b>Year 2</b>		<b>Year 3</b>		<b>Total Costs</b>
	<b>Capital and O&amp;M</b>	<b>Labor</b>	<b>Capital and O&amp;M</b>	<b>Labor</b>	<b>Capital and O&amp;M</b>	<b>Labor</b>	
Construction Sites	0	0	\$369,287	\$3,491,926	\$1,536,196	\$14,516,311	\$19,913,720
NPDES-authorized States	\$100,000	\$25,120	\$175,000	\$189,589	\$300,000	\$778,126	\$1,567,835
<b>Total Annual Cost</b>	<b>\$100,000</b>	<b>\$25,120</b>	<b>\$544,287</b>	<b>\$3,681,515</b>	<b>\$1,836,196</b>	<b>\$15,294,437</b>	<b>\$21,481,555</b>

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

**(i) Respondent Tally**

The bottom line burden and costs for respondents are presented in Table 6.7 below.

<b>Table 6.7: Respondent Bottom-Line Burden and Cost</b>					
<b>Respondent Category</b>		<b>Responses</b>	<b>Burden</b>	<b>Labor Costs</b>	<b>Capital/O&amp;M Costs</b>
Construction Sites	<b>3-year Total</b>	94,946	600,275	\$18,008,237	\$1,905,483
	<b>Annual</b>	31,649	200,092	\$6,002,746	\$635,161
NPDES-authorized States	<b>3-year Total</b>	39,319	25,295	\$992,835	\$575,000
	<b>Annual</b>	13,106	8,432	\$330,945	\$191,667

**(ii) Agency Tally**

The bottom line annual Agency tally for DMR review and follow-up is presented in Table 6.8.

Table 6.8: Agency Bottom-Line Burden and Cost					
Respondent Category		Responses	Burden	Labor Costs	Capital/O&M Costs
Agency	<b>3-year Total</b>	94,946	10,042	\$462,114	\$165,000
	<b>Annual</b>	31,649	3,347	\$154,038	\$55,000

**6(f) Burden Statement**

EPA estimates that for the Construction and Development Point Source Category there are no projects during year one, 1,233 new and on-going projects during year two and 5,199 during year three that have information collection requirements. These sites will perform additional sample collection and pollutant analyses and reporting and recordkeeping to permit authorities, as part of NPDES permit requirements. For monitoring and reporting activities, EPA estimates affected sites to incur no burden in year one, due to the phase-in of monitoring requirements, a burden of 116,398 hours in year two, and a burden of 483,877 hours in year three. The costs corresponding to these burden estimates are \$3,491,926 in year two and \$14,516,311 in year three. On a per-site basis, the average number of monitoring events is 14.8 per year resulting in an average of 7.4 DMRs submitted each year. Sites are anticipated to incur an average of 93 hours per year for sampling, reporting and recordkeeping for monthly DMRs. This burden corresponds to an average annual cost of \$3,096 for labor and equipment.

NPDES-authorized States are estimated to incur 6,746 burden hours in year two and 32,554 in year three for processing and analyzing monitoring data captured in submitted DMRs. This hourly burden translates to an estimated \$145,629 cost for year two and a \$702,766 cost for year three.

EPA is not anticipating any cost or burden during the first year. EPA burden is estimated to be 3,084 hours in year two and 6,958 in year three for support of State follow-up activities, as well as acting as the NPDES permit authority where the States are not authorized NPDES authorities. These yearly burdens correspond to a cost of \$279,203 in year two and \$347,910 in year three.

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-2008-0465], which is available for online viewing at [www.regulations.gov](http://www.regulations.gov), or in person viewing at the 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 Water Docket is (202) 566-2426. An electronic version of the public docket is available at [www.regulations.gov](http://www.regulations.gov). This site can be used 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-2008-0465 and EPA ICR Number 2336.02 in any correspondence.