



***Information Collection Request for the National  
Primary Drinking Water Regulations: Aircraft  
Drinking Water Rule***

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## ACRONYM LIST

ADWR	Aircraft Drinking Water Rule
AOCs	Administrative Orders on Consent
BLS	Bureau of Labor Statistics
CFR	Code of Federal Regulations
EPA	United States Environmental Protection Agency
FDA	United States Food and Drug Administration
FAA	United States Federal Aviation Administration
GS	General Schedule
ICR	Information Collection Request
MCL	Maximum Contaminant Level
NAIC	North American Industry Classification
NPDWR	National Primary Drinking Water Regulation
O&M	Operations and Maintenance
OECA	Office of Enforcement and Compliance Assurance
OMB	Office of Management and Budget
PWS	Public Water System
SDWA	Safe Drinking Water Act
SIC	Standard Industrial Classification
SOC	Standard Occupational Classification
TNCWS	Transient Non-community Water System
USC	United States Code

## **Information Collection Request for the Aircraft Drinking Water Rule**

### 1. Identification of the Information Collection

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

Information Collection Request for the Aircraft Drinking Water Rule (OMB Control Number 2040-0277; EPA ICR No. 2279.01).

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

The Aircraft Drinking Water Rule (ADWR) requires information collection regarding the quality of water onboard aircraft public water systems (PWSs), the effectiveness of disinfection and flushing procedures, and the implementation of corrective actions or the need to implement corrective actions. The final ADWR applies to all aircraft regulated under the Safe Drinking Water Act (SDWA) and that board only finished water. Aircraft PWSs are considered transient non-community water systems (TNCWSs); such systems regularly serve an average of at least 25 individuals daily at least 60 days per year. Several distinct types of data are being collected under the ADWR, including coliform sampling and routine disinfection and flushing frequency, inventory information, sampling data, and self-inspection certification.

The U.S. Environmental Protection Agency (EPA or Agency) Office of Ground Water and Drinking Water is promulgating the ADWR to tailor existing health-based drinking water standards to the unique characteristics of aircraft. Section 1411 of the SDWA considers carriers involved in interstate conveyance to be PWSs. As with other PWSs, water used for human consumption onboard an aircraft must meet the requirements of the SDWA. Human consumption includes handwashing, teeth brushing, drinking, water used in food preparation, and water used to brew coffee and tea. Water onboard an aircraft may be accessible to consumers through taps, either in the lavatory or galley setting, or through food service provided by aircraft crew.

The final ADWR assumes that only finished water is boarded onto aircraft. Finished water is defined in 40 CFR 141.2 as water that is introduced into the distribution system of a PWS and is intended for distribution and consumption without further treatment, except as treatment necessary to maintain water quality in the distribution system. Prior to boarding the water, compliance with U.S. Food and Drug Administration (FDA) and U.S. Federal Aviation Administration (FAA) requirements<sup>1</sup> is expected to ensure that water from the supplier meets National Primary Drinking Water Regulation (NPDWR) standards and that the equipment used in transferring this water to the aircraft is maintained and operated so as to preserve that level of water quality.

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<sup>1</sup> Compliance with FAA and FDA regulations is required of both aircraft water systems and water suppliers. Any FAA and FDA requirements are in addition to those imposed by the ADWR.

However, because aircraft board water from airport watering points via temporary connections, the potential exists for contamination to be introduced in the act of transferring the water from the watering point, water cabinet, truck, or cart via a hose(s) to the aircraft water system. Contamination can also occur through inadequately protected cross connections within the aircraft water system itself. In addition, water quality can deteriorate within the water system. Although aircraft are already regulated PWSs, the Agency has determined that a rule that is more specifically adapted to aircraft water systems would be more conducive to compliance and enforcement. The requirements of the final ADWR are described in more detail below.

As part of ADWR implementation, the air carriers will need to read and understand the rule requirements. They will also need to train appropriate personnel to implement the regulation.

Under the final rule, air carriers must develop their aircraft water system operations and maintenance (O&M) plans to include specific requirements for coliform monitoring, issuance of public notification when appropriate, training of appropriate personnel, and disinfection and flushing procedures. The O&M plan must be incorporated into the air carrier’s FAA-accepted O&M program for aircraft. The rule will not require submission of the O&M plan to EPA, but copies must be available for review upon request.

The final rule will require monitoring for total coliform bacteria at frequencies ranging from monthly to annually, depending on routine disinfection and flushing schedules. The rule will require routine disinfection and flushing of the aircraft water system in accordance with manufacturers’ guidelines (where manufacturers do not specify a frequency, the rule will allow air carriers to choose a frequency). Air carriers must develop a coliform sampling plan and report sampling frequencies, along with disinfection and flushing frequencies, to EPA. The monitoring and disinfection and flushing frequencies are described in Exhibit 1.

**Exhibit 1. Routine Disinfection and Flushing and Coliform Monitoring Requirements of the Final ADWR**

<b>Routine Disinfection and Flushing Frequency</b>	<b>Routine Monitoring Frequency for Total Coliform Bacteria</b>
At least 4 times per year = At least once within every three-month period (quarterly)	At least 1 time per year = At least once within every twelve-month period (annually)
At least 3 times per year = At least once within every four-month period	At least 2 times per year = At least once within every six-month period (semi-annually)
At least 2 times per year = At least once within every six-month period (semi-annually)	At least 4 times per year = At least once within every three-month period (quarterly)
At least 1 time per year or less = At least once within every twelve-month period (annually) or less	At least 12 times per year = At least once every month (monthly)

Two routine coliform samples (or one sample for certain aircraft) are collected at a frequency dependent on the disinfection and flushing schedule. If one or more routine samples is total coliform-positive, the aircraft can choose to either perform repeat sampling (collecting 3 samples), or corrective action to include disinfection and flushing and follow-up monitoring. If the air carrier chooses to conduct corrective action, it must determine whether it will do so within 72 hours. If it is not able to do so within 72 hours, it must restrict public access to the water on the aircraft and provide public notification. Notification must be posted and/or announced until the water system is disinfected and flushed and a set of follow-up samples is submitted for analysis.

All total coliform-positive samples must have their culture medium analyzed for the presence of *Escherichia coli* (*E. coli*). If within any monitoring period any one sample is *E. coli*-positive, then public access to water must in all cases be restricted and public notice must be posted and/or announced as described above. The rule will require electronic submission of all coliform results to EPA.

Aircraft must also perform a comprehensive self-inspection of each aircraft's water system components no less than every 5 years. Certification of this self-inspection must be submitted to EPA, along with an indication that all deficiencies have been addressed, within 90 days of the inspection. For any deficiencies not addressed within 90 days of identification of the deficiency, the report of the self-inspection must include a description of the deficiency, an explanation of why it has not yet been addressed, and a schedule for addressing it as expeditiously as possible.

EPA will use the data submitted under the final rule to track the aircraft that are subject to the rule, to determine compliance with regulatory requirements, and to ensure public health is protected.

Under the SDWA, for traditional and stationary PWSs, primary enforcement authority for the NPDWRs may be delegated to states and Indian tribes. However, due to the interstate nature of aircraft travel, EPA must be responsible for implementation, including enforcement, of the ADWR. Therefore, the final ADWR requires EPA to oversee compliance. EPA will need to train its employees, develop systems to maintain monitoring and other data submitted by the air carriers, and review the submitted data. EPA may also conduct compliance audits of air carriers as needed. Compliance audit activities may include coliform sampling, review of aircraft water system records, and/or observation of procedures.

This Information Collection Request (ICR) covers the period of the first 3 years after rule promulgation, although EPA has estimated and described the burden and costs that will be incurred in the 12 years following promulgation. During the first two years of the 3-year ICR period, burden will be incurred for startup, O&M plan development, and monitoring plan development. During the third year, burden will be incurred for all other activities required under this rule. The average burden per air carrier respondent for the 3-year ICR period is estimated to be 837 hours, and the average cost per respondent is \$112,057. The total respondent burden for the ICR period is 52,750 hours, and the total cost is \$7,059,572.



## 2. Need for and Use of the Collection

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

EPA needs the information collected under the final ADWR to demonstrate that air carriers are complying with regulations established under the SDWA, thereby meeting their obligations to protect public health. Specifically, Section 1412(b)(1)(A) of the SDWA authorizes EPA to promulgate NPDWRs for certain contaminants:

#### *b) Standards*

##### *1) Identification of contaminants for listing.—*

*(A) General authority.— The Administrator shall, in accordance with the procedures established by this subsection, publish a maximum contaminant level goal and promulgate a national primary drinking water regulation for a contaminant . . . if the Administrator determines that—*

- (i) the contaminant may have an adverse effect on the health of persons;*
- (ii) the contaminant is known to occur or there is a substantial likelihood that the contaminant will occur in public water systems with a frequency and at levels of public health concern; and*
- (iii) in the sole judgment of the Administrator, regulation of such contaminant presents a meaningful opportunity for health risk reduction for persons served by public water systems.*

Section 1411 of the SDWA states that aircraft that meet the definition of a PWS must comply with the NPDWRs:

*Subject to sections 1415 and 1416, national primary drinking water regulations under this part shall apply to each public water system in each State; except that such regulations shall not apply to a public water system*

- 1) which consists only of distribution and storage facilities (and does not have any collection and treatment facilities);*
- 2) which obtains all of its water from, but is not owned or operated by a public water system to which such regulations apply;*
- 3) which does not sell water to any person; and*
- 4) which is not a carrier which conveys passengers in interstate commerce.*

The final ADWR is intended to facilitate aircraft compliance with the existing NPDWRs. EPA will use information collected under this rule to ensure and track compliance.

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

EPA will use the information collected to populate a database of the regulated aircraft and their associated compliance data. EPA will use the data to ensure that air carriers are complying with the ADWR and to determine the effectiveness of the regulations for protecting public health.

### 3. Nonduplication, Consultation, and Other Collection Criteria

#### **3(a) Nonduplication**

Air carriers are currently required to collect similar information under existing NPDWRs. However, the ADWR modifies and replaces the existing requirements for aircraft such that no duplication will occur.

The NPDWRs applicable to TNCWSs address contaminants that pose an acute health risk (a health risk associated with short term exposure). TNCWSs using finished surface water received from another PWS as source water, such as consecutive systems, are subject to the Total Coliform Rule; the Surface Water Treatment Rule's requirement for monitoring disinfectant residual in the distribution system; and public notification requirements for violations of NPDWRs.

EPA determined that, in general, U.S. air carriers have not been complying with existing NPDWRs; therefore, EPA's Office of Enforcement and Compliance Assurance (OECA) issued administrative orders on consent (AOCs) to require the air carriers to monitor for total coliform and disinfectant residual and to disinfect and flush aircraft water systems as interim public health measures while EPA develops the ADWR. The AOCs require 2 years of monitoring, with large fleets sampling each aircraft once a year and small fleets sampling each aircraft quarterly. EPA may extend or issue new AOCs as an interim measure up to the effective date of the final ADWR. Therefore, no duplication will occur.

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

Agencies developing rule-related ICRs must solicit public comments for a 60-day period prior to submitting the request to OMB. EPA notified the public regarding the preparation of this ICR in the *Federal Register* preamble for the proposed ADWR (73 FR 19324, April 9, 2008). EPA solicited comments on specific aspects of the proposed information collection, as described below:

- 1) Whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;
- 2) Whether the Agency's burden estimate is accurate including the validity of the methodology and assumptions used; and

- 3) How to minimize the burden on respondents, including use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology.

No comments were received specifically on the ICR; however, based on public comment received on the proposed rule, modifications were made to the rule and underlying analyses prior to promulgation of the final rule. Where appropriate, these modifications are also reflected in this ICR. For a full discussion of public comments on the proposed ADWR, as well as EPA's responses, see the *Public Comment and Response Document for the Final Aircraft Drinking Water Rule* (U.S. EPA, 2009).

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

EPA consulted with stakeholders during development of the proposed rule using a facilitated, collaborative process, and solicited and received public comment on the proposed rule. Stakeholders included representatives from air carriers, airline associations, flight attendant associations, public interest groups, and others. EPA held a public meeting on the subject on June 1, 2005. Stakeholder consultations were implemented during several one-on-one meetings with Agency personnel and during 2-day collaborative workshops held in January 2006 and March 2007. Stakeholders represented at these consultations included:

ACI-NA  
Aerosafe Products, Inc.  
Airbus North America  
Airline Pilots Association  
AirTran Airways  
Air Transport Association  
Alaskan Airlines  
American Airlines  
American Association of Airport Executives  
American Water Works Association  
Amtrak  
Airports Council International  
Association of Flight Attendants  
Association of State Drinking Water Administrators  
ATA Airlines  
Atlantic Southeast Airlines  
Bio-Cide International  
Celeste Corporation  
Continental Airlines  
Delta Airlines  
EMD Chemicals  
ENSR  
Goodrich Corporation

Hawaiian Airlines  
Health Canada  
IDEXX Laboratories, Inc.  
International Airline Passengers Association  
International Air Transport Association  
International Water-Guard Industries, Inc.  
Jet Blue Airways  
Joseph Cotruvo and Associates  
Mesa Airlines  
Midwest Airlines  
Minnesota Department of Health  
Monogram Systems  
National Air Carrier Association  
National Air Transportation Association  
Natural Resources Defense Council  
Northwest Airlines  
Omni Air International  
Pace Airlines  
PSA Airlines  
Purac  
Republic Airways Holdings  
Regional Airlines Association  
Semler Industries  
Southwest Airlines  
Spirit Airlines  
Sun County Airlines  
Underwriters Laboratories  
United Airlines  
U.S. Air Force Environmental Quality  
US Airways  
U.S. Food and Drug Administration  
U.S. Federal Aviation Administration

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

The final ADWR will require some information to be collected as often as monthly (this frequency, for total coliform monitoring, is the same as that in the existing Total Coliform Rule); however, the rule provides air carriers with flexibility on this matter. Monthly routine monitoring requirements will apply to air carriers that disinfect and flush the aircraft PWS once per year or less. Air carriers that disinfect and flush quarterly will be required to monitor only once a year. EPA believes that where best management practices such as disinfection are applied less frequently (e.g., annually), frequent monitoring is needed to ensure that water provided to aircraft passengers and crew meets standards. EPA believes that less frequent collection of

monitoring data would prevent EPA from determining in a timely manner whether a risk to public health exists.

Under the final ADWR, electronic reporting of monitoring results will be required within 10 days after the end of the monitoring period during which the sample was collected. These reporting frequencies are consistent with existing reporting frequencies under the NPDWRs (40 CFR 141.31).

The final rule will also require reporting of changes in aircraft inventory within 10 days after the end of the month in which the change occurred. Less frequent collection of inventory data would prevent EPA from overseeing the implementation of the rule for new aircraft added to an air carrier's fleet. EPA expects such changes in inventory to occur only occasionally.

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

This ICR has been completed in accordance with the November 2005 version of the *ICR Handbook: EPA's Guide to Writing Information Collection Requests Under the Paperwork Reduction Act of 1995*. The ICR Handbook was prepared by EPA's Office of Environmental Information, Collection Strategies Division. The ICR Handbook provides the most current instructions for ICR preparation to ensure compliance with the 1995 Paperwork Reduction Act Amendments and OMB's implementation guidelines.

EPA has taken an approach to rule development that minimizes burden on the respondents. However, the final ADWR will not follow some of the OMB guidelines for information collection activities in an effort to be consistent with existing regulations. Particularly, the ADWR may require reporting more often than quarterly and recordkeeping for periods longer than 3 years, two requirements that differ from OMB guidelines. Existing NPDWRs require records of bacteriological analyses to be kept for 5 years and records of sanitary surveys to be kept for 10 years. The final ADWR recordkeeping requirements for coliform results and disinfection and flushing will be consistent with these requirements, as will the recordkeeping requirements for self-inspections.

As described above, the final ADWR will require electronic reporting of monitoring results within 10 days after the end of the monitoring period during which the sample was collected, consistent with existing reporting requirements under 40 CFR 141.31. Thus, if an air carrier monitors total coliform monthly, it will also need to report sample results monthly. Approximately 10 percent of air carriers are expected to monitor monthly. Others will monitor and therefore report quarterly or less frequently.

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

EPA has already implemented practices to protect confidential information submitted by the air carriers as part of the AOCs issued to many of the air carriers. While EPA expects to continue following these practices, all information collected by EPA is subject to the Freedom of Information Act.

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

EPA is not asking any sensitive questions concerning sexual behavior or attitudes, religious beliefs, or other matters as part of the ADWR.

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

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

The ADWR will apply to all commercial air carriers that fly routes between two or more locations within the United States, and meet the definition of a PWS. EPA has determined that this rule will apply to 63 commercial air carriers based on January 2007 data, although the Agency recognizes the air carrier industry is in a state of flux

SIC codes 4512 and 4522 apply to scheduled and unscheduled air transportation industries, respectively. These SIC codes have been replaced by NAIC codes 481111 and 481211, respectively.

EPA will be responsible for collecting the information from the air carriers.

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

#### *4(b)(i) Data Items, Including Recordkeeping Requirements*

Air carriers will be required to submit the following items to EPA:

- Information on total coliform sampling frequency and disinfection and flushing frequency.
- Water system inventory and any subsequent changes.
- Monitoring results for total coliform bacteria samples taken as part of routine, repeat, and post-disinfection follow-up sampling.
- Analytical results for *E. coli*, required when total coliform results are positive.
- Notification that the O&M manual has been developed.

- Evidence of self-inspection of water system components completed every 5 years, including an indication that deficiencies have been corrected and if not corrected, a description of the deficiency, an explanation of why it has not been corrected, and a schedule for correction.
- Notification of all events requiring public notice and corrective action.
- Failure to comply with the monitoring and disinfection and flushing procedures.

Air carriers will also be required to maintain records for the activities above. An O&M plan for the aircraft PWS must be developed and included in the aircraft O&M program required by FAA and must be made available for EPA review upon request. Air carriers must also develop a coliform sampling plan as part of their O&M plan, which must be available for EPA review upon request.

#### *4(b)(ii) Respondent Activities*

Air carriers will need to undertake the following activities in order to meet reporting requirements under the final ADWR:

##### *Startup*

- Read and become familiar with the rule.
- Train staff on rule requirements.

##### *As Needed*

- Develop and maintain a sampling plan, and submit monitoring and disinfection and flushing frequency information (one-time requirement).
- Develop and maintain an O&M plan, including training for appropriate personnel, to be incorporated into the FAA-accepted aircraft operations and maintenance program (one-time requirement).
- Report initial aircraft fleet inventory within 18 months after rule promulgation and subsequent changes in aircraft water system inventory within 10 days after the end of the month in which they occurred.
- Take routine coliform samples, including preparing for shipping and sending off for analysis.
- Take repeat coliform samples, including preparing for shipping and sending off for analysis.
- Take post-disinfection follow-up coliform samples following corrective action, including preparing for shipping and sending off for analysis.
- Submit routine sampling results to EPA.

- Submit repeat sampling results to EPA.
- Submit post-disinfection sampling results to EPA.
- Record routine coliform sampling activities.
- Record repeat coliform sampling activities.
- Record post-disinfection sampling activities.
- Record routine disinfection and flushing activities.
- Record corrective action disinfection and flushing activities.
- Prepare and provide public notification to passengers and crew, and report to EPA that public notification occurred.
- Conduct a comprehensive self-inspection of aircraft water system components at least every 5 years (burden for this is not included in this ICR, however).
- Submit evidence of self-inspection to EPA, including report of deficiencies corrected and unresolved deficiencies and their correction schedule.

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

### 5(a) Agency Activities

The Agency will be responsible for collecting the information generated as air carriers comply with the rule. EPA activities include the following:

- Read and become familiar with the rule.
- Train EPA staff.
- Develop program.
- Provide technical assistance to air carriers.
- Develop mechanisms for storing submitted data, including confidential information.
- Review sampling frequency and disinfection and flushing frequency information.
- Review routine, repeat, and post-disinfection monitoring results.
- Review information on public notification events.
- Review aircraft water system inventory changes.
- Review certifications and reports of air carrier comprehensive self-inspections.
- Conduct onsite compliance audits, as needed.

### 5(b) Collection Methodology and Management

EPA is collecting the information as part of its implementation of the ADWR. No surveys or questionnaires will be required. EPA will require air carriers to electronically submit their data



to reduce reporting burden. EPA will modify an existing database to store inventory and monitoring data.

EPA reserves the right to conduct compliance audits to check data quality, sampling techniques, disinfection and flushing procedures, records management systems, or other areas of concern. These compliance audits may involve checking reported results against records kept onsite by the air carriers. The public may also review the data; all information EPA collects is subject to the Freedom of Information Act with the exception of confidential business information.

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

EPA has developed the ADWR to provide flexibility to all air carriers including small entities or small businesses. For example, where a maintenance frequency is not specified by the water tank manufacturer, air carriers can choose the combination of monitoring and disinfection and flushing that accommodates existing routine aircraft maintenance schedules. The final rule allows air carriers with positive total coliform samples 72 hours to implement disinfection and flushing as corrective action or the alternative of 24 hours to collect repeat samples. It also allows them additional time before corrective action is required if they prevent public access to the water by physically shutting off or disconnecting the water system or preventing the flow of water through the taps. The rule also permits air carriers to take only one routine sample (instead of two) for certain aircraft with a removable/portable water tank that is drained every day of passenger service, and the aircraft has only one tap. (Note that this ICR assumes two samples are taken for all aircraft due to lack of data on aircraft that meet the criteria for one sample).

A “Small Business” is any business that is independently owned and operated and not dominant in its field, as defined by the Small Business Administration under Section 3 of the Small Business Act. This definition applies to several air carriers subject to the final ADWR.

EPA has chosen to apply the same requirements to air carriers of all sizes.

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

EPA will require air carriers to submit some information 18 months after promulgation. This includes information on the inventory of aircraft, planned frequency of monitoring and flushing/disinfection, as well as a statement that the air carrier’s O&M plan has been developed. EPA will begin collecting all other information required under the rule 2 years after the promulgation of the ADWR. Monitoring and maintenance information will be required to be submitted on a monthly, quarterly, twice annually, or annual basis, depending on the compliance strategy undertaken.

6. Estimating the Burden and Cost of the Collection

**6(a) Estimating Respondent Burden**

The respondent burden estimates in this ICR were taken from the economic analysis for the final ADWR. For this ICR, air carriers are the only respondents. Burden for EPA is addressed in section 6(c). Although this ICR covers only the first 3 years after promulgation of the ADWR, for informational purposes EPA has described the burden and cost incurred during subsequent years.

EPA assumes that air carrier burden will be incurred by air carrier workers falling into the following standard occupational classification (SOCs) categories developed by the Bureau of Labor Statistics, as shown in Exhibit 2:

**Exhibit 2. Transportation Labor Categories**

SOC Code	Occupation
<b>Managerial</b>	
SOC 11-3071	Transportation, Storage, and Distribution Managers
<b>Technical</b>	
SOC 53-6051	Transportation Inspectors
SOC 51-9061	Inspectors, Testers, Sorters, Samplers, and Weighers

For this ICR, EPA assumes the applicable labor categories are transportation, storage, and distribution managers (referred to in this document as transportation managers); transportation inspectors; and inspectors, tester, sorters, samplers, and weighers (referred to in this document as aircraft inspection staff).

Estimates for burden incurred in association with monitoring will be described on a per-sample or per-sample set basis (where a sample set consists of two or three samples). Other burdens, such as that associated with implementation and development of sampling plans, will be estimated on a per-air carrier or per-aircraft basis. These burdens are described below and are shown in Appendix A.

EPA assumes that 63 air carriers will be subject to the rule, based on the number of air carriers with aircraft that qualified as PWSs as of January 2007. The universe of aircraft that meet the definition is shown below in Exhibit 3, along with the number of aircraft with a given number of sampling points (usually galleys and lavatories). Based on these data, EPA estimates that 7,327 aircraft will be subject to the final ADWR. The number of available sampling points is used for data-presentation purposes only; it is not used in estimating costs of the ADWR.

**Exhibit 3. Number of Aircraft Regulated as Public Water Systems**

Number of Available Sampling Points	Number of Aircraft
1	381
2	2,080
3	756
4	421
5	956
6	871
7	298
8	809
≥ 9	755
<b>Total</b>	<b>7,327</b>

Source: Exhibit 4.1 of the Economic and Supporting Analyses for the final ADWR. Aircraft data as of January 2007.

*Implementation Burden*

Under the final ADWR, air carriers are assumed to incur burden for startup activities as follows, starting in the first year after rule promulgation and continuing into the second year (see Exhibit A.1 in Appendix A):

- Read and become familiar with the rule. EPA estimates that it will take transportation inspectors 8 hours to complete this task. EPA assumed that transportation inspectors, as the highest-paid technical staff in the BLS technical labor category for air carriers, would have some managerial or oversight responsibilities.
- Train other supervisory personnel on the rule requirements. EPA estimates that this will take transportation inspectors 8 hours.

*Post-Implementation Burden*

Following implementation, air carriers will incur burden on a one-time basis, or on an annual or other periodic basis, to comply with the following requirements:

- Submit the initial inventory within 18 months after promulgation and any subsequent changes within 10 days after the end of the month in which they occur. EPA assumes that the initial submission will be included with the sampling plan. EPA assumes that in subsequent years the inventory submission will require 1 hour per air carrier per year. EPA assumes that aircraft inspection staff will perform this task.
- Develop a coliform sampling plan similar to the plans required for other public water systems as specified in 40 CFR 141.21 within 18 months after rule promulgation. EPA assumes that each air carrier will develop one plan that will incorporate monitoring for each type of aircraft the air carrier owns. Air carriers will not be required to submit the

plan; however, they must submit information from the plan on the frequency of monitoring and disinfection and flushing. EPA estimates that it will take transportation inspectors 10 hours to complete these tasks (see Exhibit A.4). EPA assumes the burden will be split between the first and second year of the 3-year ICR period.

- Develop the aircraft water system O&M plan within 18 months of rule promulgation, including training for appropriate personnel, to be incorporated into the FAA-accepted aircraft operations and maintenance program. As with the sampling plan, this plan will include O&M information for each type of aircraft. Although air carriers will not be required to submit the plan, they must notify EPA when the plan is complete. EPA estimates that air carrier transportation inspectors will need 80 hours to develop this plan (see Exhibit A.6). EPA assumes burden will be split between the first and second year of the ICR period.
- Take routine total coliform samples, including preparing for shipping to the laboratory for analysis (see Exhibit A.8), beginning 2 years after promulgation. For each monitoring event, air carriers must take two samples, one in the aircraft galley and one in the aircraft lavatory. If an aircraft has only one tap, two samples must be collected from the same tap. As long as tanks are drained daily, aircraft with only one tap and with removable/portable tanks require only one routine sample; however, EPA did not include this provision in its burden estimate due to lack of data on the number of aircraft that would qualify. Air carriers will have a choice of monitoring frequencies (monthly, quarterly, twice annually, and annually); the frequency is tied to the routine disinfection and flushing frequency. The more often an aircraft is disinfected and flushed, the less often monitoring is required. For this analysis, EPA assumes that air carriers will choose to monitor 30 percent of their aircraft annually, 30 percent twice annually, 30 percent quarterly, and 10 percent monthly. EPA estimates that aircraft inspection staff will take samples, and that it will take 0.5 hours to collect each sample. Each sample that is positive for total coliform must also be analyzed for *E. coli* bacteria, but EPA assumes no additional labor is required for this step because it is included in the analytical methodology for the approved methods for total coliforms.
- Take repeat samples, including preparing for shipping to the laboratory for analysis (see Exhibit A.8), as needed, beginning 2 years after promulgation. When any routine samples are total coliform-positive but *E. coli*-negative, air carriers may choose to conduct corrective action immediately, or they may choose to take repeat samples. Air carriers choosing to take repeat samples must take three samples from three taps (the tap where the positive sample occurred, one lavatory, and one galley tap). If fewer than three taps are available, air carriers must collect samples from all available taps for a total of 300 mL, collected as 3 100-mL samples. If the repeat samples are negative, no corrective action is required. If any repeat sample is positive for total coliform, the air carrier must conduct corrective action. Sampling is assumed to take 0.5 hours per sample, with aircraft inspection staff conducting sampling. EPA assumes that 3.6 percent of routine coliform samples will be positive. EPA assumes that the number of air carriers choosing to take repeat samples depends on whether the routine samples are taken close to the time when routine disinfection and flushing is scheduled. If routine samples are taken just before

routine disinfection and flushing, air carriers with positive routine samples will most likely conduct corrective action rather than take repeat samples, since routine disinfection and flushing will count toward corrective action disinfection and flushing if two follow-up coliform samples are collected and they were planning on conducting routine disinfection and flushing anyway.

- Take post-disinfection samples following corrective action, including preparing for shipping to the laboratory for analysis (see Exhibit A.8), as required, beginning 2 years after promulgation. For any aircraft that undergoes corrective action, two post-disinfection follow-up samples (at one galley and one lavatory tap used for routine monitoring) must be analyzed for total coliform to ensure that the disinfection was effective. As described in the paragraph above, EPA assumes there will be some overlap between corrective action and routine disinfection and flushing. Of all aircraft requiring repeat samples, 5.7 percent are assumed to detect coliform in those samples and to then conduct corrective action and collect post-disinfection samples. If an air carrier detects *E. coli* in any sample, it must also conduct corrective action. Sampling is assumed to take 0.5 hours per sample, with aircraft inspection staff conducting sampling.
- Submit routine, repeat, post-disinfection, and any *E. coli* sampling results to EPA, beginning 2 years after promulgation. EPA assumes this will take aircraft inspection staff 0.25 hours per sample set per year (a sample set consists of two samples for routine and post-disinfection sampling and three samples for repeat sampling) (see Exhibit A.8).
- Record each sample set in the maintenance log, beginning 2 years after promulgation. EPA assumes this recordkeeping will take aircraft inspection staff 0.25 hours per sample set per year (see Exhibit A.8).
- Record routine disinfection and flushing in the maintenance log, beginning 2 years after promulgation. EPA assumes this recordkeeping will take aircraft inspection staff 0.25 hours per aircraft per year (see Exhibit A.10).
- Record corrective action in the maintenance log (see Exhibit A.11), as needed, beginning 2 years after promulgation. EPA assumes this recordkeeping will take aircraft inspection staff 0.25 hours per aircraft per year (for those aircraft that perform corrective action only).
- Notify the public (passengers and crew) as needed, beginning 2 years after rule promulgation (see Exhibit A.14). If an air carrier chooses to conduct corrective action within 72 hours of learning of a total coliform-positive sample, it does not need to notify the public. If the carrier is not able to conduct corrective action within 72 hours, it must notify the public within 72 hours of learning of the positive sample. If *any* sample is *E. coli*-positive, public notification *must* be provided within 24 hours of learning of the positive sample. If the air carrier is able to shut off the aircraft water system or prevent the flow of water through the taps, notification needs to be provided only to the crew. If the water cannot be shut off or the flow prevented, public notification must be provided to crew and passengers. Notification to passengers consists of a broadcasted, hand-delivered, or posted notice stating that water should not be used for drinking, food or

beverage preparation, teeth brushing, handwashing, or other consumptive uses. Air carriers are assumed to use a standardized statement for passenger notification; thus, this burden is assumed to be negligible. Notification to the crew requires preparation of a customized notice with additional details of the specific situation; a burden of 3.5 hours to prepare the notice and report the event to EPA is assumed. This burden is the same as that assumed for non-aircraft PWSs with Tier 2 violations in the ICR for the public water system supervision program.

Notification is also required for failure to take required routine, repeat, or follow-up samples. For the purposes of this ICR, EPA assumes all air carriers will take required samples; therefore, the burden for failure to collect samples is assumed to be negligible. The ADWR also requires notification when water is boarded at watering points that are not in accordance with the U.S. Food and Drug Administration (FDA) regulations. EPA also assumes water will be boarded from watering points that meet FDA requirements because this is an existing FDA regulation; therefore, EPA assumes no new burden for this requirement.

- Conduct a self-inspection of aircraft water system components at least once every 5 years (see Exhibit A.12), beginning 2 years after rule promulgation. Components to be inspected include but are not limited to the storage tank, distribution system, treatment facilities (if applicable), fixtures, valves, and backflow prevention devices. EPA assumes this inspection will be conducted as part of the existing aircraft maintenance checks based on stakeholder comment received during development of the proposed rule, and therefore, this is not a new requirement. EPA assumes no new burden for this requirement.
- Submit evidence of self-inspection to EPA within 90 days of the inspection. This includes a report that deficiencies were corrected, along with identification and explanation of uncorrected deficiencies and a schedule to address them. EPA assumes transportation inspectors for each air carrier will require a total of 24 hours to complete the paperwork for all their aircraft during the 5-year audit cycle (see Exhibit A.12).

The total burden incurred by the air carriers during the 3-year period covered by this ICR is estimated to be 52,750 hours. This burden is associated with all the activities described above.

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

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

EPA obtained labor rates for air carrier employees from the May 2007 *Bureau of Labor Statistics (BLS) Occupational Employment Survey*. The labor rates are shown below in Exhibit 4.

**Exhibit 4. Labor Rates by Standard Occupational Classification (SOC) Code (\$2007)**

SOC Code	Occupation	Mean Hourly Wage
<b>Managerial</b>		
SOC 11-3071	Transportation, Storage, and Distribution Managers	\$42.60
<b>Technical</b>		
SOC 53-6051	Transportation Inspectors	\$27.91
SOC 51-9061	Inspectors, Testers, Sorters, Samplers, and Weighers	\$22.32

Source: Bureau of Labor Statistics (BLS) Occupational Employment Survey (May 2007), Air Transportation 481000, [http://www.bls.gov/oes/current/naics3\\_481000.htm](http://www.bls.gov/oes/current/naics3_481000.htm)

These rates were multiplied by 1.03, based on the change in BLS’s Employment Cost Index from the second quarter of 2007 to the third quarter of 2008, to bring the rates to 2008 levels.<sup>2</sup> EPA then multiplied these adjusted rates by a load factor of 1.5 to account for benefits paid to air carrier workers.<sup>3</sup> The final labor rates EPA used to determine labor costs for the final ADWR are shown below in Exhibit 5.

**Exhibit 5. Loaded Labor Rates Used in the ICR for the Final ADWR - \$2008**

SOC Code	Occupation	Mean Hourly Wage
<b>Managerial</b>		
SOC 11-3071	Transportation, Storage, and Distribution Managers	\$65.42
<b>Technical</b>		
SOC 53-6051	Transportation Inspectors	\$42.86
SOC 51-9061	Inspectors, Testers, Sorters, Samplers, and Weighers	\$34.27

*6(b)(ii) Estimating Capital and Operations and Maintenance Costs*

In addition to the labor costs incurred as air carriers comply with the ADWR, air carriers will incur O&M costs associated with coliform monitoring. Monitoring costs include the costs of laboratory analysis, shipping, and certain equipment used to temporarily store the samples during sample collection events and to ship the samples. Air carriers will also incur capital costs to purchase equipment to store samples. These O&M and capital costs are described below.

<sup>2</sup> BLS Employment Cost Index, Total Compensation, Private Industry, Not Seasonally Adjusted, Index Number, Transportation and Material Moving. <http://www.bls.gov/ncs/ect/home.htm>

<sup>3</sup> BLS Employer Costs for Employee Compensation Report, Table 9, June 2008. All workers in private industry. Production, transportation, and material moving. Transportation and material moving subsector. <http://www.bls.gov/ncs/ect/home.htm>

Laboratory analysis for coliform (including *E. coli*) is assumed to cost \$22.16 per sample on average, based on a survey of several laboratories around the United States in late 2006, with costs updated to 2008 dollars using the consumer price index<sup>4</sup>. The rule assumes that all air carriers will comply with the requirement to send their samples to a certified laboratory for analysis. Shipping is estimated to cost \$107.48 per sample set (2 samples for routine and corrective action follow-up or 3 samples for repeat sampling), based on the cost of courier service from airports to laboratories in major cities, and assumes an airport distance of 20-30 miles from the laboratory. EPA also assumes the courier will return to the air carrier the cooler used to transport the sample. Shipping costs include an adjustment from 2006 to 2008 dollars.

EPA assumes that air carriers will purchase 3 coolers at \$33 each, 9 gel packs at \$4 each, and 2 thermometers at \$42 each, for a total of \$219, to ensure that coliform samples are kept at the proper temperature during shipment, and EPA assumes that these will require annual replacement.

EPA assumes that air carriers will also need to make a periodic purchase of 3 small refrigerators, at a cost of \$199 each, to store samples until they are ready for shipping. These refrigerators are the only capital costs air carriers are expected to incur under the ADWR. Air carriers are expected to purchase refrigerators when they begin monitoring and to replace the refrigerators after 10 years.

The tables in Appendix A show how labor, O&M, and capital costs are calculated for all the activities air carriers will conduct under the final ADWR.

During the 3-year period covered by the ICR, air carriers are expected to incur labor, O&M, and capital costs in association with implementation and post-implementation activities. The total cost for air carriers during the ICR period is \$7,059,572. See section 6(e) for more detail.

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

EPA will incur burden for overseeing the initial implementation of the final ADWR (during the first and second year after promulgation). For cost estimating purposes, EPA's burden is presented as burden for each of the 10 Region offices for the following activities:

#### *Start-up Implementation Burden*

- Read and become familiar with the rule. EPA estimates that it will take each Region 8 hours to complete this task (see Exhibit A.2).
- Program development. EPA estimates that it will take each Region 40 hours to complete this task.

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<sup>4</sup> CPI-U. U.S. city average, by expenditure category and commodity and service group, all items, not seasonally adjusted (1982-1984=100), from November 2006 to October 2008.



- Develop mechanisms for storing submitted data, including confidential information. Each Region is assumed to spend 115 hours on this task.
- Provide technical assistance and training to air carriers. EPA estimates that each Region will spend 80 hours completing this task.
- Train regional staff. EPA assumes that each Region will spend 40 hours on this task.

### *Post-Implementation Burden*

EPA assumes that, in addition to start-up implementation, the Agency will also have annual implementation burden associated with continuing technical assistance and staff training, beginning 2 years after rule promulgation. No burden is associated with lab certification under the ADWR because it is unlikely EPA will need to oversee lab certification programs in addition to those for the Total Coliform Rule. EPA will have oversight over the monitoring program conducted by the air carriers. EPA will also incur some one-time burden for reviewing submissions associated with sampling and disinfection and flushing frequencies during the first and second years after promulgation. The estimated burden for each activity is described below.

- Provide ongoing technical assistance to air carriers. EPA assumes it will spend 500 hours per year per Region on this task (see Exhibit A.3).
- Conduct staff training. EPA estimates that it will need 16 hours per year per Region to complete this task of providing ongoing staff training (see Exhibit A.3).
- Review sampling plan information—monitoring frequency and disinfection and flushing frequency—submitted by air carriers for all their aircraft, along with aircraft inventory data. EPA estimates that it will need 4.5 hours to review the information for each air carrier (one-time burden) (see Exhibit A.5). EPA assumes the burden will be split between the first and second year of the 3-year ICR period.
- Review air carrier notification that O&M plans have been developed, beginning 18 months after rule promulgation (one-time burden) (see Exhibit A.7). EPA assumes that it will need 0.5 hours per air carrier to review the notification and burden will be split between the first and second year of the ICR period.
- Review routine, repeat, and post-disinfection monitoring results. EPA assumes it will need 0.5 hours to review results for each total coliform-positive sample (see Exhibit A.9).
- Review aircraft water system inventory. EPA assumes that this will take 0.5 hours per air carrier (see Exhibit A.9) per year, beginning 18 months after rule promulgation. The burden for the initial inventory submission is included with the burden for reviewing sampling plan information. The burden for subsequent years is addressed separately.
- Review any information associated with public notification (air carriers are required to inform EPA within 10 days of an event that requires public notification). EPA assumes that such review will take 0.5 hours per event (see Exhibit A.15).

- Conduct onsite compliance audits, including sampling, review of records, and observation of procedures. EPA estimates that this will take 16 hours per air carrier per compliance audit and that one-fifth of all air carriers will be audited each year (see Exhibit A.13).

During the 3-year period covered by this ICR, EPA is estimated to incur a total burden of 9,541 hours. See section 6(e) for more detail.

### *Agency Costs*

The costs EPA will incur under the final ADWR include the cost of labor associated with implementation. EPA will not incur any O&M or capital costs under this rule. EPA assumes that EPA staff at a GS 12-Step 5 grade level will have oversight of rule implementation. The rate for this grade level is \$31.34.<sup>5</sup> EPA multiplied this rate by 1.6, as specified in the ICR Handbook, for a loaded rate of \$50.14.

Appendix A presents the calculations for labor costs for activities EPA will conduct under the final ADWR. For cost estimating purposes, the burden has been calculated as if each of the 10 EPA Regions will share implementation the responsibilities equally.

The total cost to the Agency during the 3-year implementation period covered by this ICR is \$477,643. Section 6(e) provides more detail.

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

EPA estimates that 63 air carriers will be respondents under the final ADWR. All 63 air carriers will incur costs associated with becoming familiar with the rule; requirements to submit sampling frequencies; to prepare paperwork related to comprehensive self-inspections of the aircraft water systems; to sample for total coliform at least once per year; to periodically disinfect their systems, and to keep records of sampling and disinfection activities. The specific assumptions regarding how often air carriers will monitor and disinfect are discussed under section 6(b). The total burden incurred by air carriers during the 3-year period covered by this ICR is 52,750 hours. The cost associated with this burden is \$7,059,572. Burden and cost for EPA are described in section 6(e). The total burden for both air carriers and EPA during the 3-year period covered by this ICR is 62,291 hours. The cost associated with this burden is \$7,537,215. See section 6(e) for more detail.

The burden and costs of complying with the rule over the 12 years following rule promulgation for both air carriers and EPA is shown in Appendix A, in Exhibits A.16 and A.17.

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<sup>5</sup> Office of Personnel Management. Salary Table 2008-GS. [http://www.opm.gov/oca/08tables/html/gs\\_h.asp](http://www.opm.gov/oca/08tables/html/gs_h.asp)

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

*6(e)(i) Respondent Tally*

Exhibit 6 shows the bottom line burden hours and costs for the 63 air carriers under the final ADWR. As described in section 6(d) above, the total burden for air carriers for the 3-year ICR period is 52,750 hours. During this period air carriers will undertake 179,773 responses. The respondent costs for the same period are \$7,059,572. The labor cost is \$1,896,785. The O&M cost (for sample analysis and shipping) is \$5,158,608. The capital cost is \$4,179. The average annual respondent burden is 17,583 hours, and the average cost per year is \$2,353,191.

**Exhibit 6. Summary of Agency and Air Carrier Burden and Costs Associated with Compliance with the ADWR**

	Total	Annual Average	Year 1	Year 2	Year 3
<b>Total (Air Carriers and Agency)</b>					
Burden (in hours)	62,291	20,764	4,912	4,912	52,468
Respondents	73	73	73	73	73
Responses	182,176	60,725	428	428	181,370
<b>Costs (\$)</b>	<b>\$ 7,537,215</b>	<b>\$ 2,512,405</b>	<b>\$ 221,954</b>	<b>\$ 1,402,728</b>	<b>\$ 5,912,532</b>
Labor (\$)	\$ 2,374,428	\$ 791,476	\$ 221,954	\$ 221,954	\$ 1,930,519
O&M (\$)	\$ 5,158,608	\$ 1,719,536	\$ -	\$ 1,180,774	\$ 3,977,835
Capital (\$)	\$ 4,179	\$ 1,393	\$ -	\$ -	\$ 4,179
<b>Burden per Response</b>	0.3				
<b>Cost per Response</b>	\$ 41				
<b>Burden per Respondent</b>	853	284	67	67	719
<b>Cost per Respondent</b>	\$ 103,250	\$ 34,417	\$ 3,040	\$ 19,215	\$ 80,994
<b>Air Carriers</b>					
Burden (in hours)	52,750	17,583	3,339	3,339	46,072
Respondents	63	63	63	63	63
Responses	179,773	59,924	252	252	179,269
<b>Costs (\$)</b>	<b>\$ 7,059,572</b>	<b>\$ 2,353,191</b>	<b>\$ 143,103</b>	<b>\$ 1,323,877</b>	<b>\$ 5,592,592</b>
Labor (\$)	\$ 1,896,785	\$ 632,262	\$ 143,103	\$ 143,103	\$ 1,610,578
O&M (\$)	\$ 5,158,608	\$ 1,719,536	\$ -	\$ 1,180,774	\$ 3,977,835
Capital (\$)	\$ 4,179	\$ 1,393	\$ -	\$ -	\$ 4,179
<b>Burden per Response</b>	0.3				
<b>Cost per Response</b>	\$ 39				
<b>Burden per Respondent</b>	837	279	53	53	731
<b>Cost per Respondent</b>	\$ 112,057	\$ 37,352	\$ 2,271	\$ 21,014	\$ 88,771
<b>Agency</b>					
Burden (in hours)	9,541	3,180	1,573	1,573	6,396
Respondents	10	10	10	10	10
Responses	2,404	801	176	176	2,102
<b>Costs (\$)</b>	<b>\$ 477,643</b>	<b>\$ 159,214</b>	<b>\$ 78,851</b>	<b>\$ 78,851</b>	<b>\$ 319,940</b>
Labor (\$)	\$ 477,643	\$ 159,214	\$ 78,851	\$ 78,851	\$ 319,940
O&M (\$)	\$ -	\$ -	\$ -	\$ -	\$ -
Capital (\$)	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Burden per Response</b>	4				
<b>Cost per Response</b>	\$ 199				
<b>Burden per Respondent</b>	954	318	157	157	640
<b>Cost per Respondent</b>	\$ 47,764	\$ 15,921	\$ 7,885	\$ 7,885	\$ 31,994

Exhibits A.16 and A.17 show the burden and costs for both air carriers and EPA over the 12-year period following promulgation.

*6(e)(ii) Agency Tally*

Under the final ADWR, EPA will be responsible for directly implementing the rule. Exhibit 6 also shows the bottom line burden hours and costs for EPA during the ICR period. EPA will conduct 2,404 responses to air carrier submittals. The total burden for EPA for the ICR period is 9,541 hours. The EPA costs for the period are \$477,643; these costs include labor only. There are no EPA O&M or capital costs associated with the rule during the ICR period. The average annual EPA burden is 3,180 hours, and the average annual Agency cost is \$159,214.

*6(e)(iii) Variations in the Annual Bottom Line*

EPA expects that there will be significant differences in burden for both air carriers and EPA from year to year during the ICR period. During the first and second year, startup implementation burden will be incurred, along with burden associated with development, submission, and review of sampling plan and O&M plan information. In the third year, monitoring, disinfection and flushing, self-inspections, and compliance audits will begin. The differences in burden from year to year are shown in Exhibit 6.

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

Not applicable. The ADWR is a new rule.

**6(g) Burden Statement**

Exhibit 6 presents the average annual respondent burden for each air carrier. During the ICR period, the average burden associated with startup, sampling and O&M plan development, coliform monitoring, disinfection and flushing, and self-inspections is 279 hours per year for each air carrier.

Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR Part 9 and 48 CFR Chapter 15.

To comment on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including the use of

automated collection techniques, EPA has established a public docket for this ICR under Docket ID Number EPA-HQ-OW-2005-0025 which is available for public viewing at the Water Docket, EPA/DC, EPA West, Room 3334, 1301 Constitution Avenue, 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 [www.regulations.gov](http://www.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. Also, you can send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17<sup>th</sup> Street, NW, Washington, DC 20503, Attention: Desk Officer for EPA. Please include the EPA Docket ID Number EPA-HQ-OW-2005-0025 and OMB Control Number 2040-0277 in any correspondence.