

ENVIRONMENTAL PROTECTION AGENCY
ANNUAL PUBLIC WATER SYSTEMS COMPLIANCE REPORT

1. Identification of the Information Collection

1(a) Title of the Information Collection

Annual Public Water Systems Compliance Report, ICR Number 1812.04 (Reinstatement)

1(b) Short Characterization/Abstract

Section 1414 (c)(3)(A) of the Safe Drinking Water Act requires that each state (a term that includes states, commonwealths and territories) that has primary enforcement authority under the Act shall prepare, make readily available to the public, and submit to the Administrator of EPA, an annual report of violations of national primary drinking water regulations in the state. These Annual State Public Water System Compliance Reports are to include violations of maximum contaminant levels, treatment requirements, variances and exemptions, and monitoring requirements determined to be significant by the Administrator after consultation with the states. To minimize a state's burden in preparing its annual statutorily-required report, EPA issued guidance that explains what Section 1414(c)(3)(A) requires and provides model language and reporting templates. EPA also annually makes available to the states a computer query that generates for each state (from information states are already separately required to submit to EPA's national database on a quarterly basis) the required violations information in a table consistent with the reporting template in EPA's guidance.

Fifty-five states (including Puerto Rico, the Virgin Islands, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and Navajo Nation) currently have primary enforcement authority under the Safe Drinking Water Act. The Navajo Nation was approved for

primacy on December 6, 2000. Currently the State of Wyoming and the District of Columbia neither have primary enforcement authority nor are they seeking primary authority, so the number of 56 states is unlikely to change over the next three years of this ICR. The cost of this ICR to each state with primary enforcement authority will be approximately \$4,996.40 during each of the three years of this ICR.

2. Need for and Use of the Collection

2(a) Need/Authority for the Collection

As stated above, Section 1414 (c)(3)(A) of the Safe Drinking Water Act requires that each state that has primary enforcement authority under the Act shall prepare, make readily available to the public, and submit to the Administrator of EPA, an annual report of violations of national primary drinking water regulations in the state. The states' reports are to include violations of maximum contaminant levels, treatment requirements, variances and exemptions, and monitoring requirements determined to be significant by the Administrator after consultation with the states. Section 1414(c)(3)(B) of the Safe Drinking Water Act requires EPA to prepare and make available to the public an annual report that summarizes and evaluates the reports submitted by the states pursuant to subparagraph (A).

2(b) Practical Utility/Users of the Data

EPA summarizes the data submitted by the states and uses that information in preparing its annual report that provides a national overview of the compliance performance of public water systems. In its annual national report, EPA must also use the violations data provided specified by the states to make recommendations concerning the resources necessary to improve compliance with the Safe Drinking Water Act. The information submitted by the states also helps EPA identify and resolve discrepancies between violations data in the states' reports and

the violations data states submit quarterly to EPA's national database.

3. Nonduplication, Consultations, and Other Collection Criteria

3(a) Nonduplication

The information to be obtained under this ICR has not been collected by EPA or any other federal agency. States are required to report public water system violations to EPA's national database on a quarterly basis, but states cannot satisfy their obligations under Section 1414(c)(3)(A) simply by referring interested parties to EPA's Safe Drinking Water Information System/Federal System (SDWIS/FED). EPA works with states to ensure they can efficiently extract from SDWIS/FED the calendar year violations data they need to prepare a report in which the violations data are readily available to the public. Some states elect not to use the EPA-provided query to extract the essential reporting data from SDWIS/FED, and use their own data systems instead.

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

An announcement of a public comment period for the renewal of this ICR was published in the Federal Register on July 2, 2009 (74 FR 31730) No comments were received.

3(c) Consultations

To obtain comments from actual respondents regarding the annual public water systems compliance report and the corresponding burden hour estimates, EPA staff consulted with the following individuals:

<u>Name</u>	<u>Telephone</u>	<u>Organization</u>
Robert Bomberger	717-787-0127	Pennsylvania Dept of Environmental Protection
Nancy Reilman	410-537-3729	Maryland Dept of the Environment

As states have now completed eleven of these annual reports, most of them simply generate the necessary data from SDWIS/FED, confirm the accuracy of the numbers, and update the previous year's report. As a result, the burden hours associated with preparing a report have not changed. EPA's burden hour estimates reflect input from these consultations.

3(d) Effects of Less Frequent Collection

Because Section 1414(c)(3)(A) requires the states to prepare these reports annually and to make the reports readily available to the public, states do not have the option of collecting this information less frequently.

3(e) General Guidelines

All of the collection activities described within this ICR fall within OMB's General Guidelines.

3(f) Confidentiality

The required information consists of violations data and other information that are a matter of public record. None of the information collected as part of the states' annual public water systems compliance report comprises confidential business information (CBI).

3(g) Sensitive Questions

No questions of a sensitive nature are asked or answered in the states' annual public water systems compliance report.

4. The Respondents and the Information Requested

4(a) Respondents/SIC Codes

The respondents of the recordkeeping and reporting requirements are states that have

received primary enforcement authority under the Safe Drinking Water Act. The term “state”, in this context can include states, commonwealths, territories, and Indian Tribes. Currently, primary enforcement authority has been approved for every state except Wyoming, and for the U.S. Virgin Islands, Puerto Rico, American Samoa, Guam, and the Northern Mariana Islands. Primary enforcement authority has not been approved for the District of Columbia or for Indian Tribes other than the Navajo Nation. EPA has primary enforcement authority in those jurisdictions and is likely to retain that during the three year duration of this ICR.

4(b) INFORMATION REQUESTED

(i) Data Items

The reporting items as required by section 1414(c)(3)(A) include:

- State name and reporting period
- Full report, including a description of the data in the Summary of Violations chart, specific information on the violation categories for each rule identified on the chart, a list of the systems that had maximum contaminant level or treatment technique requirement violations, explanations of any aggregated number of violations, and a description of systems that were out of compliance during the year, a discussion of variance or exemption violations;
- Summary report, including a description of the data on violations, a list of the systems that had maximum contaminant level or treatment technique requirement violations, and a discussion of variance or exemption violations; and
- Reviewed and completed Summary of Violations chart.

In addition to these items, States are encouraged to provide optional information as outlined EPA guidance. EPA provided guidance to the States to assist them in the development of their

statutorily-mandated reports.

ii. Respondent Activities

States will need to conduct the following activities in order to complete and submit their Annual State Public Water Systems Compliance Report.

- Review the instructions and other necessary materials;
- Gather inventory and violations data from SDWIS/FED and from their own data bases;
- Review and analyze inventory and violations data from SDWIS/FED and from their own data bases;
- Prepare summary of violations of variances and exemptions; and
- Prepare report and submit to EPA in hard copy or hard copy and electronic version, make report readily available to the public, prepare and distribute a summary of the report.

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

5(a) Agency Activities

During the lifetime of this ICR, EPA Headquarters activities associated with the Annual State Public Water Systems Compliance Report consist of the following:

- Modify guidance documents as necessary and distribute to states and EPA Regional Offices;
- Prepare and distribute tools for states and EPA Regional Offices to use to gather data from SDWIS/FED (annual activity);
- Answer questions from states and EPA Regional Offices (annual activity);

- Provide support for Indian Land reporting (annual activity); and
- Review Annual State Public Water System Compliance Reports, and data from SDWIS/FED, prepare the Annual National Public Water Systems Compliance Report that summarized and evaluates the annual state reports, and distribute the national report.

EPA Regional Offices will need to complete the following activities to prepare Annual State Public Water Systems Compliance Reports for states that do not have primary enforcement authority, to gather public water system compliance data for Indian lands, and to assist the states as they prepare their reports:

- Assist EPA Headquarters in the development and distribution of any necessary guidance materials;
- Assist EPA Headquarters in the development and distribution of tools for gathering data from SDWIS/FED (annual activity);
- Provide general guidance to all states in the Region for completing the Annual state Public Water Systems Compliance Report;
- Gather information from SDWIS/FED for each Indian land in the Region;
- Prepare a summary of variances and exemptions violations in each Indian land in the Region;
- Gather and submit to EPA Headquarters inventory and violations information from SDWIS/FED for each Indian land in the Region, information about enforcement and compliance assistance activities related to the Safe Drinking Water Act on Indian lands in the Region, and information about financial assistance related to implementation of the Safe Drinking Water Act on Indian

lands in the Region;

- Prepare Annual State Public water Systems Compliance Report for each State in the Region that does not have primary enforcement authority and submit it to EPA Headquarters in hard copy or hard copy and electronic version, make report readily available to the public, prepare and distribute a summary of the report.

5(b) Collection Methodology and Management

EPA asks States with primary enforcement authority to submit their Annual State Public Water System Reports to in electronic (WordPerfect compatible) and hard-copy format. Section 1414(c)(3)(A) requires that both the Annual State Public Water Systems Compliance Reports and the State-prepared summaries be accessible to the public. In its guidance, EPA recommends that States and EPA Regions use one or more of the following mechanisms for making the reports and summaries readily available:

- Publish an official notice in newspapers regarding the availability of the report or summary;
- Conduct a press conference, issue a press release, or incorporate a notice into standard press conferences to announce report availability;
- Prepare notices for distribution in public libraries and other public buildings;
- Provide copies of the report for review at public offices and locations, libraries, web sites, state/local departments of health, etc; and
- Include notices of availability in local, state and EPA web sites.

Additionally, EPA's national report, which will summarize the data collected from the states, will be posted on the Internet.

5(c) Small Entity Flexibility

None of the states, commonwealths, or territories affected by this ICR are small entities as defined by the Regulatory Flexibility Act.

5(d) Collection Schedule

Each Annual State Public Water Systems Compliance Report covers violations that occurred in a calendar year. States with primary enforcement authority have six months after the end of each calendar year to prepare their Reports, which are due to EPA on the first of July.

6. Estimating the Burden and Cost of the Collection

6(a) Estimating Respondent Burden

Table 1: presents the burden hours and costs per respondent as well as for all respondents during each year covered by this ICR. Preparing an Annual State Public Water Systems Compliance Report involves reviewing and describing information on public water systems violations. EPA encourages states to rely on SDWIS/FED data for this purpose, as the states are already obligated to provide data to SDWIS/FED on a quarterly basis. EPA further facilitates this process by providing a set of computer queries to the states every year that extracts from SDWIS/FED the violations data each state needs to prepare its annual report. Some states prefer to extract data from their own databases. Each state must also prepare a narrative describing any violations of variances or exemptions. The burden for each state of preparing an Annual State Public Water System Compliance Report is estimated to be 20880 hours.

6(b) Estimating Respondent Costs

Based on the Bureau of Labor website for State and Local governments (<http://www.bls.gov/ococg/cgs042.htm>), EPA estimates an average hourly labor rate (hourly rate plus overhead factor of 1.6) of \$68.46 for managerial staff, \$54.69 for technical staff, and \$38.01 for clerical staff. Table 1: Annual Respondent Burden, presents a summary of the

estimated respondent average annual cost associated with this ICR. No capital or operations and maintenance costs are incurred by respondents under this ICR. This ICR does not require continuous monitoring.

6(c) Estimating Agency Burden and Cost

Table 2: Annual Agency Burden, presents the estimated Agency burden hours and costs associated with the information collection activities under this ICR. Other direct costs (copying, printing, telephone, and mailing expenses) are also included.

Based on the GSA pay schedule, EPA estimates an average hourly labor rate (hourly rate plus the standard government overhead factor of 1.6) of \$60.45 for managerial staff, \$46.21 for technical staff, and \$25.08 for clerical staff.

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

Responding to this ICR by preparing an Annual State Public Water Systems Report is a statutory requirement for the 55 states with primary enforcement authority and for all 10 EPA Regions. EPA's burden estimate assumes all states and 10 EPA Regions will prepare reports.

6(e) Bottom Line Burden Hours and Cost Tables

The detailed bottom line burden hours and cost calculation for the respondents and the Agency are shown in Tables 1 and 2, respectively and summarized below.

6(f) Reasons for Change in Burden

The decrease in burden from the most recently approved ICR is due to a miscalculation of the number of states submitting reports. Wyoming was counted in the previous ICR as a respondent although it doesn't have primacy for the drinking water program and the US EPA submits its annual report. The number of respondents should be fifty-five entities, which includes 49 states, 5 territories and one tribe. Federal approval to implement the drinking water

program is call primary enforcement authority or “primacy.”

6(g) Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average 80 hours per response. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose 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-OECA-2009-0280, which is available for online viewing at www.regulations.gov, or in person viewing at the Enforcement and Compliance 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 Enforcement and Compliance Docket is (202) 566-1752. An electronic version of the public docket is available at 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-OECA-2009-0280 and OMB Control Number 2020-0020 in any correspondence.

Part B of the Supporting Statement

This part is not applicable because no statistical methods were used in collecting this information.

Table 1. Annual Respondent Burden and Cost

Annual Public Water Systems Compliance Report, EPA ICR Number 1812.04 OMB Control Number 2020-0020

Information Collection Activity	Hours and Costs Per Respondent							Total Hours and Costs		
	Mgr. \$68.46/ Hour	Tech. \$54.96/ Hour	Cler. \$38.01/ Hour	Labor Hours/ Year	Labor Cost/ Year (\$)	Capital/ Startup Cost (\$)*	O & M Cost (\$)*	Number of Respondents	Total, Hours/ Year	Total, Cost/Year (\$)**
Review instructions and other necessary materials		4		4	218.36	0	0	55	220	12,010
Gather inventory and violations data from SDWIS/FED and State databases		4		4	218.36	0	0	55	220	12,010
Review and analyze data		24		24	1,310.14	0	0	55	1,320	72,058
Prepare summary of violations of variances and exemptions		4		4	218.36	0	0	55	220	12,010
Prepare report and submit to EPA	4	28	8	40	2,106.43	0	0	55	2,200	115,854
Make report available to public			4	4	152.04	0	0	55	220	8,362
Total	4	64	12	80	4,223.69	0	0	55	4400	232,303

* Same as the Capital/Startup and Operation & Maintenance Costs addressed in Section 6(b).

** Includes Labor Cost, Capital/Startup and O&M Cost.

Table 2. Annual Agency Burden and Cost

**Annual Public Water Systems Compliance Report, EPA ICR Number 1812.04 OMB
Control Number 2020-0020**

Information Collection Activity	Agency Hours and Costs							Total Hours and Costs		
	Mgr. \$60.45/ Hour	Tech. \$46.21/ Hour	Cler. \$25.08/ Hour	Agency Hours/ Year	Labor Cost/ Year (\$)	Capital/ Startup Cost (\$)	O& M Cost (\$)*	Number of Respondents	Total Hours/ Year	Total Cost/Year (\$)
Modify guidance as necessary and distribute to states and EPA Regions	1	24		25	1,164			1	25	1,164
Prepare and distribute tools for gathering data from SDWIS/FED	1	16		17	796			12	204	9,552
Answer questions from states and EPA Regional Offices		40		40	1,840			12	480	22,080
Provide support for Indian Land reporting		120		120	5,520			9	1080	49,680
Review state reports and data from SDWIS/FED		40		40	2,080			12	480	24,960
Prepare and distribute annual report where EPA directly implements drinking water	4	80	12	96	4,220			2	192	8,440
Prepare and distribute national summary report	4	120	16	140	6,160			1	140	6,160
Total	10	440	28	478	15,620			49	2601	122,036

* O&M costs include photocopying, postage, and telephone.