

1. IDENTIFICATION OF THE INFORMATION COLLECTION

1(a) Title and Number of the Information Collection

This Information Collection Request (ICR) is entitled “Underground Storage Tanks: Technical and Financial Requirements, and State Program Approval Procedures, EPA ICR Number 1360.12.

1(b) Short Characterization

Subtitle I of the Resource Conservation and Recovery Act (RCRA), as amended, requires the U.S. Environmental Protection Agency (EPA) to develop standards for underground storage tank systems (USTs), as may be necessary, to protect human health and the environment, and procedures for approving state programs in lieu of the federal program. EPA promulgated technical and financial responsibility requirements for owners and operators of USTs in Title 40 of the Code of Federal Regulations (40 CFR) Part 280, and state program approval procedures at 40 CFR Part 281.

This ICR covers the UST information collection requirements of 40 CFR Parts 280 and 281 and covers requirements for Technical and Financial Responsibility and State Program Approval Procedures.

2. NEED FOR AND USE OF THE COLLECTION

2(a) Need and Authority for the Collection

This section describes the need and authority for each type of information collection analyzed in this ICR. The ICR covers all aspects of management of UST, owner and operator duties, and states submitting their own programs for approval, to be administered in lieu of the federal UST program. This data collection is critical for detecting releases from leaking UST systems, spills, and overfills. The UST reporting and recordkeeping requirements are intended to yield valuable information on UST systems and to ensure prompt action when releases are detected.

(1) Technical and Financial Responsibility Requirements

Subtitle I of RCRA, as amended, contains UST statutory requirements. Section 9002 of RCRA, as amended, directs EPA to promulgate notification requirements for new USTs. Submitted notifications help EPA to track the number and location of new USTs and their design specifications. EPA needs to collect this information to ensure that new USTs meet design standards and other requirements.

Section 9003(a) through (c) of RCRA, as amended, direct EPA to promulgate technical regulations for all USTs. The regulations include, but are not limited to, requirements for maintaining records of any monitoring or leak detection system, requirements for reporting

releases and corrective actions taken in response to an UST release, and requirements for the closure of tanks. EPA requires this reporting and recordkeeping to facilitate prompt detection of releases and to prevent future releases of regulated substances into the environment.

Section 9003(d) of RCRA, as amended, requires that EPA promulgate regulations for demonstrating financial responsibility for taking corrective action and compensating third parties for bodily injury and property damage caused by sudden and nonsudden accidental releases from USTs. In order to comply with the regulations, private owners and operators and local government owners and operators must demonstrate financial responsibility using one or a combination of the mechanisms specified at 40 CFR Part 280, Subpart H. The need for financial responsibility for corrective action and third party liability is evidenced by numerous instances of environmental damage resulting from regulated substances being released from tanks. EPA requires this reporting and recordkeeping to ensure the financial ability of owners and operators of USTs to remediate or pay for damages resulting from releases.

(2) State Program Approval Procedures

Section 9004 of RCRA, as amended, specifies procedures for states to gain approval to implement their own UST programs in lieu of the federal program. To receive approval, a state must demonstrate that its program is no less stringent than the federal UST program and provides adequate enforcement of its regulations.

EPA needs to collect this information to determine whether a state program can sufficiently protect human health and the environment. A state must prove that it has the ability to enforce its UST regulations relating to tank management and operations as well as releases.

2(b) Practical Utility and Users of the Data

(1) Technical and Financial Responsibility Requirements

The data collected for new and existing UST system operations and financial responsibility requirements are used by the owners and operators and/or EPA or the implementing agency. Data maintained in records are used to monitor results of testing, inspections, and operations of UST systems, as well as to demonstrate compliance with regulations.

Notifications and submitted information on technical standards or financial assurance are used by EPA or the implementing agency to monitor compliance with UST regulations. The financial information is also used in the event of a release to decide whether funds from the Leaking Underground Storage Tank Trust Fund will be used to pay for corrective action.

(2) State Program Approval Procedures

EPA uses state program applications to determine whether to approve a state program. Before granting approval, EPA must determine that programs will be no less stringent than the federal program and contain adequate enforcement mechanisms. EPA uses each part of the program application to determine how the state program corresponds to the federal program, how the state

will administer the program, and how to define and coordinate efforts between EPA and the state.

3. NONDUPLICATION, CONSULTATIONS, AND OTHER COLLECTION CRITERIA

3(a) Nonduplication

Most of the information required by the UST regulations is not available from any source but the respondents. To avoid duplicating previous work, respondents may draw upon similar analyses in compiling data for UST monitoring, recordkeeping, reporting, and testing requirements, provided the information meets the requirements specified in the regulations.

3(b) Public Notice

In compliance with the Paperwork Reduction Act of 1995, EPA issued a 60-day public notice in the *Federal Register* on August 10, 2010 (Volume 75, Number 153, Pages 48325-48327). The public comment period ended on October 12, 2010. No comments were received during the comment period. The public will have a second chance to comment when the ICR is submitted to the Office of Management and Budget (OMB).

3(c) Consultations

Most of the underlying assumptions in this ICR (e.g., burden hour estimates) are based on EPA consultations with industry and states that were conducted in renewing previous UST ICRs. In renewing this current ICR, EPA carefully reviewed all of the ICR's assumptions as well as feedback from industry and states and determined that at this time no significant modifications to the existing burden hour estimates were warranted. In conducting its consultations, EPA focused on those assumptions that have the greatest effect on the ICR's burden estimates (e.g., labor rates). EPA's assumptions regarding hour and cost burden are fully discussed in section 6(d) of this document.

Name of Organization	Name of Contact Person	Telephone Number
Industry		
Ami Adini & Associates	Larry Witwer	323-913-4073
Cobb Environmental and Technical Services	Brian Cobb	662-841-0995
ECS Mid-Atlantic	Adam Meurer	434-973-3232
SCS Engineers	Scott Mortimer	804-378-7440
States		
Missouri Department of Natural Resources, Hazardous Waste Program	Laura Luther	573-751-6822
Nebraska State Fire Marshal, Fuels Safety Division	Clark Conklin	402-471-9467

During this renewal, EPA conducted its consultations with the following organizations:

3(d) Effects of Less Frequent Collection

EPA has carefully considered the burden imposed upon the regulated community by the information collection requirements covered in this ICR. EPA is confident that those activities required of respondents are necessary; to the extent possible, the Agency has attempted to minimize the burden imposed. EPA believes strongly that if the minimum information collection requirements specified under the regulations are not met, neither the facilities nor EPA can ensure that UST systems are being managed in a manner protective of human health and the environment.

3(e) General Guidelines

This ICR adheres to the guidelines stated in the Paperwork Reduction Act of 1995, OMB's implementing regulations, EPA's ICR Handbook, and other applicable OMB guidance.

3(f) Confidentiality

Section 3007(b) of RCRA and 40 CFR Part 2, Subpart B, which define EPA's general policy on public disclosure of information, contain provisions for confidentiality. However, the Agency does not anticipate that businesses will assert a claim of confidentiality covering all or part of the requirements covered in this ICR. If such a claim were asserted, EPA must and will treat the information in accordance with the regulations cited above. EPA will also ensure that this information collection complies with the Privacy Act of 1974 and OMB Circular 108.

3(g) Sensitive Questions

No questions of a sensitive nature are included in any of the UST information collection requirements.

4. THE RESPONDENTS AND THE INFORMATION REQUESTED

4(a) Respondents and SIC/NAICS Codes

The following is a list of Standard Industrial Classification (SIC) codes and corresponding North American Industrial Classification System (NAICS) codes associated with industries most likely affected by the information collection requirements covered in this ICR.

SIC Code	SIC Code Description	NAICS Code	NAICS Code Description
2819	Industrial Inorganic Chemicals	211112	Natural Gas Liquid Extraction
		325998	All Other Miscellaneous Chemical Product and Preparation Manufacturing
		331311	Alumina Refining
		325131	Inorganic Dye and Pigment Manufacturing
		325188	All Other Basic Inorganic Chemical Manufacturing
2821	Plastics Materials and Resins	325211	Plastics Material and Resin Manufacturing
2851	Paints and Allied Products	325510	Paint and Coating Manufacturing
2869	Industrial Organic Chemicals	325110	Petrochemical Manufacturing
		325188	All Other Basic Inorganic Chemical Manufacturing
		325193	Ethyl Alcohol Manufacturing
		325120	Industrial Gas Manufacturing
		325199	All Other Basic Organic Chemical Manufacturing
2899	Chemical Preparations	325510	Paint and Coating Manufacturing
		311942	Spice and Extract Manufacturing
		325199	All Other Basic Organic Chemical Manufacturing
		325998	All Other Miscellaneous Chemical Product and Preparation Manufacturing
2911	Petroleum Refining	324110	Petroleum Refineries
3599	Industrial Machinery	336399	All Other Motor Vehicle Parts Manufacturing
		332999	All Other Miscellaneous Fabricated Metal Product Manufacturing
		333319	Other Commercial and Service Industry Machinery Manufacturing
		332710	Machine Shops
		333999	All Other Miscellaneous General Purpose Machinery Manufacturing

SIC Code	SIC Code Description	NAICS Code	NAICS Code Description
3714	Motor Vehicle Parts and Accessories	336211	Motor Vehicle Body Manufacturing
		336312	Gasoline Engine and Engine Parts Manufacturing
		336322	Other Motor Vehicle Electrical and Electronic Equipment Manufacturing
		336330	Motor Vehicle Steering and Suspension Components (except Spring) Manufacturing
		336340	Motor Vehicle Brake System Manufacturing
		336350	Motor Vehicle Transmission and Power Train Parts Manufacturing
		336399	All Other Motor Vehicle Parts Manufacturing
4212	Local Trucking Without Storage	562112	Hazardous Waste Collection
		562119	Other Waste Collection
		484110	General Freight Trucking, Local
		484210	Used Household and Office Goods Moving
		484220	Specialized Freight (except Used Goods) Trucking, Local
4911	Electric Services	221111	Hydroelectric Power Generation
		221112	Fossil Fuel Electric Power Generation
		221113	Nuclear Electric Power Generation
		221119	Other Electric Power Generation
		221121	Electric Bulk Power Transmission and Control
		221122	Electric Power Distribution
		486210	Pipeline Transportation of Natural Gas
5171	Petroleum Bulk Stations and Terminals	454311	Heating Oil Dealers
		454312	Liquefied Petroleum Gas (Bottled Gas) Dealers
		424710	Petroleum Bulk Stations and Terminals
5511	New and Used Car Dealers	441110	New Car Dealers
5541	Gasoline Service Stations	447110	Gasoline Stations with Convenience Store
		447190	Other Gasoline Stations
7538	General Automotive Repair Shops	811111	General Automotive Repair

4(b) Information Requested

In the following paragraphs, EPA describes the UST technical and financial responsibility requirements and the state program approval application requirements contained at 40 CFR Parts 280 and 281, respectively.

(1) Technical and Financial Responsibility Requirements

Regulations at 40 CFR Part 280 contain technical and financial responsibility requirements for owners and operators of USTs. Part 280 is divided into eight subparts (Subparts A through H). This ICR summarizes the information collection requirements, and associated data items and respondent activities, in the order in which they appear in Part 280, in the following subparts:

- Program Scope and Interim Prohibition (Subpart A);
- UST Systems: Design, Construction, Installation and Notification (Subpart B);
- General Operating Requirements (Subpart C);
- Release Detection (Subpart D);
- Release Reporting, Investigation and Confirmation (Subpart E);
- Release Response and Corrective Action for UST Systems Containing Petroleum or Hazardous Substances (Subpart F);
- Out-of-Service UST Systems and Closure (Subpart G); and
- Financial Responsibility (Subpart H).

(a) Program Scope and Interim Prohibition

Interim prohibition requires a new UST system to have corrosion protection if it is deferred from the regulations. Deferrals include the following types of UST systems, unless a corrosion expert finds the site to be relatively non-corrosive: (1) wastewater treatment tank systems, (2) regulated radioactive material systems, (3) emergency generation systems at a nuclear power generation facility, (4) airport hydrant fuel distribution systems, and (5) field-constructed tank systems. Section 280.11(b) requires owners or operators that have installed an UST system without corrosion protection at sites listed above to maintain records documenting that a corrosion expert determined the site was not corrosive enough to cause the UST system to have a release due to corrosion during its operating life. These records of compliance must be maintained for the remaining life of the tank (§280.11(b)).

(i) Data Items:

- Records documenting that a corrosion expert determined the site was not corrosive enough to cause the UST system to have a release due to corrosion during its operating life.

(ii) Respondent Activities:

- Have a corrosion expert inspect the site; and
- Maintain the records demonstrating compliance.

(b) UST Systems: Design, Construction, Installation, and Notification

(b1) Performance Standards for New UST Systems - Tanks and Piping Without Corrosion Protection

Tanks and piping in contact with the ground that routinely contain regulated substances must have corrosion protection unless a corrosion expert finds the site to be relatively non-corrosive (§§280.20(a) and (b)). Sections 280.20(a)(4)(i) and (ii) and 280.20(b)(3)(i) and (ii) require owners or operators that have installed an UST system with metal tanks and/or piping without corrosion protection to maintain records that demonstrate that a corrosion expert determined the site not to be corrosive enough to cause the UST system to have a release due to corrosion during its operating life. These records of compliance must be maintained for the remaining life of the tank and/or piping.

(i) Data Items:

- Records documenting that a corrosion expert determined that the site is not corrosive enough to cause the UST system to have a release due to corrosion during its operating life.

(ii) Respondent Activities:

- Have a corrosion expert inspect the site; and
- Maintain the records demonstrating compliance.

(b2) Certification of Installation

Section 280.20(e) requires owners and operators to ensure that tanks and piping were installed properly through certification, testing, or inspection. Owners and operators must demonstrate compliance of proper installation methods by providing a certification of compliance on the UST notification form in accordance with section 280.22 (§280.20(e)).

(i) Data Item:

- Certification of compliance of proper installation.

(ii) Respondent Activities:

- Obtain and provide a certification of compliance of proper installation on the notification form.

(b3) Periodic Lining Inspections

Section 280.21 establishes requirements for all UST systems that have been upgraded.¹ Section 280.21(b)(1)(ii) requires that all tanks upgraded by internal lining be inspected within 10 years after lining and every 5 years thereafter. The purpose of the inspection is to determine whether the tank is structurally sound and the lining is still performing in accordance with original design specifications.

(i) Data Items:

- Records that show the lined tank to be structurally sound and that the lining is still performing in accordance with original design specifications.

(ii) Respondent Activities:

- Conduct internal tank inspection within 10 years after lining and every 5 years thereafter; and
- Maintain records.

[NOTE: Although section 280.21(b) does not explicitly require maintenance of inspection records, the regulations do require the use of a code of practice developed by a nationally recognized association or independent testing laboratory in order to comply with the regulations under this section. Because most of these codes of practice require maintenance of inspection records, EPA has included this burden in this ICR. In addition, EPA notes that the Agency may use these inspection records for enforcement purposes.]

(b4) Notification Requirements

Section 280.22 describes the notification requirements for new UST systems. All of the information in sections I through VII of the notification form (see 40 CFR Part 280, Appendix I), or similar state forms used in lieu of the form in Appendix I, must be filled out completely (§280.22). In addition, owners and operators selling an UST must notify the purchaser of such tanks of the owner's notification obligations under section 280.22(a) (§280.22(g)).

(i) Data Item:

- Completed notification form that includes:
 - A notice of existence for each tank system located at a separate place of operation (§§280.22(a) through (d));
 - Certificate of compliance with installation, cathodic protection, financial responsibility, and release detection requirements (§§280.22(e) and (f));² and

¹ As specified at 40 CFR 280.21(a), all open UST systems should have been upgraded by December 22, 1998.

- o Notice to purchaser of an UST of the owner's notification obligations (§280.22(g)).
- (ii) Respondent Activities:
- Prepare and submit notification form within 30 days of bringing an UST system into use; and
 - Notify purchaser of an UST of the owner's notification obligations.
- (c) General Operating Requirements**

(c1) Operation and Maintenance of Corrosion Protection

Owners and operators with cathodically-protected steel UST systems must periodically inspect their systems and conduct periodic tests by a qualified cathodic protection tester. Sections 280.31(d)(1) and (2) require owners and operators to maintain records that demonstrate compliance with performance standards for UST systems using cathodic protection.

- (i) Data Items:
- Records that demonstrate compliance with performance standards for UST systems using cathodic protection, including:
 - o For all tanks with cathodic protection, results of testing from the last two inspections of the cathodic protection system (§§280.31(b)(1) and (2)); and
 - o For tanks using impressed cathodic protection systems, results of the last three inspections of the cathodic protection equipment on UST systems (§280.31(c)).
- (ii) Respondent Activities:
- Have a qualified cathodic protection tester conduct the test for all cathodic protection systems within six months of installation, at least every three years thereafter, and within six months of the repair of any cathodically protected UST system (§280.33(e));
 - Conduct the inspection for impressed current cathodic protection systems every 60 days; and
 - Maintain records.

² Note that this section only includes the burden for compiling these data items, not for obtaining them. The burden associated with obtaining these data items is covered in other parts of the ICR under section 280.20(e) (certification of installation), sections 280.20(a) and (b) (cathodic protection of steel tanks and piping), sections 280.95 through 280.114 (financial responsibility), and sections 280.40 through 280.45 (release detection).

(c2) Maintenance of Repair Records

Section 280.33(f) requires owners and operators to maintain records of each repair for the operating life of the UST system. These records must demonstrate that repairs will prevent releases due to structural failure or corrosion as long as the UST system is used to store regulated substances (§280.33(f)).

(i) Data Items:

- Records of each repair for the operating life of the UST system.

(ii) Respondent Activities:

- Gather information on each repair;
- Conduct tightness testing 30 days after repair in accordance with sections 280.43(c) and 280.44(b), except as provided in sections 280.33(d)(1) through 280.33(d)(3) (§280.33(d)); and
- Maintain records.

(c3) Reporting

Section 280.34(a) requires owners and operators to cooperate fully with the implementing agency concerning submission of information. Owners and operators must submit to the implementing agency the information gathered and requested in sections 280.20(e), 280.22, 280.50, 280.53, 280.61, 280.62, 280.63, 280.64, 280.65, 280.66, and 280.71. Data items and respondent activities, as well as the associated hour and cost burden, are specified and covered in each of the respective sections (§280.34(a)).

(c4) Recordkeeping

Sections 280.34(b) and (c) require owners and operators to cooperate fully with the implementing agency concerning the recordkeeping, availability, and maintenance of information. Owners and operators must maintain the information requested in sections 280.20(a)(4), 280.20(b)(3), 280.31, 280.33(f), 280.45, 280.74. Data items and respondent activities, as well as the associated hour and cost burden, are specified and covered in each of the respective sections.

(d) Release Detection

(d1) General Requirements for All UST Systems

Section 280.40 outlines release detection requirements that are applicable to all UST systems. Section 280.40 also provides that, when a release detection method indicates that a release may have occurred, owners and operators must notify the implementing agency in accordance with Subpart E. Data items and respondent activities associated with release detection requirements are covered under sections 280.43, 280.44, and 280.45. Data items and respondent activities associated with the reporting of suspected releases are covered in the subsequent section, “Release Reporting, Investigation, and Confirmation” (40 CFR Part 280, Subpart E).

(d2) Release Detection for Tanks

Section 280.43 specifies methods that UST owners and operators may use to meet the release detection requirements for tanks at section 280.41(a). Owners and operators are required to record results of measurements or tests indicating whether a release has or has not occurred.

(i) Data Items:

- Records of inventory control, including the following:
 - Inventory volume measurements for regulated substance inputs, withdrawals, and remaining substance for each operating day (§§280.43(a)(1) and (3));
 - Records of product dispensing, recorded to local standards for meter calibration or within six cubic inches for every five gallons withdrawn (§280.43(a)(5)); and
 - Records of measurements of any water level in the bottom of the tank, to the nearest one-eighth inch, at least once per month (§280.43(a)(6));
 - Records of manual tank gauging,³ including weekly records of tank liquid level measurements, taken at the beginning and end of a minimum time period during which the contents of the tank are not disturbed (§280.43(b)(1));
 - Records of tank tightness testing that demonstrate that testing is capable of detecting a 0.1 gallon per hour leak rate (§280.43(c));
 - Records of automatic tank gauging tests, including the following:
 - Monthly automatic product level monitor tests (§280.43(d)(1)); and
 - For automatic tank gauging systems that do not meet the performance standard found in section 280.40(a)(3), records of inventory control (or another test of equivalent performance, conducted in accordance with the requirements of section 280.43(a) (§280.43(d)(2)));
 - Monthly records of vapor monitoring within the soil gas of the excavation zone (§280.43(e));
 - Monthly records of groundwater monitoring (§280.43(f));

³ Tanks exceeding a 2,000-gallon capacity may not use this method of release detection (also see previous footnote).

- o Monthly records of interstitial monitoring between the UST system and a secondary barrier immediately around or beneath it (§280.43(g)); and/or
- o A demonstration for another release detection method (§280.43(h)(2)); and
- o Monthly records of another approved release detection method, if necessary (§280.43(h)(2)).

(ii) Respondent Activities:

- If using inventory control, record delivery, dispensing, and inventory measurements each operating day, reconcile measurements monthly, record monthly water level measurements, and perform tank tightness testing;⁴
- If using manual tank gauging with tank tightness testing, record two consecutive tank liquid level measurements at the beginning and ending of a minimum time period each week, reconcile measurements monthly, and perform tank tightness testing;⁵
- If using manual tank gauging only (i.e., without tank tightness testing), record two consecutive tank liquid level measurements at the beginning and ending of a minimum time period each week, and reconcile measurements monthly;
- If using automatic tank gauging, record results of monthly automatic product level monitoring tests, and, if necessary, daily inventory volume measurements;
- If using vapor monitoring, record results of monthly vapor monitoring;
- If using groundwater monitoring, record results of monthly groundwater monitoring;
- If using interstitial monitoring, record results of monthly interstitial monitoring; and/or
- If wishing to use an alternative technology, prepare, and submit a demonstration for an alternative release detection method and, if necessary, record monthly results.

(d3) Release Detection for Piping

Section 280.44 specifies methods that UST owners and operators may use to meet the release detection requirements for piping at section 280.41(b). Owners and operators are required to maintain the following types of measurement records to demonstrate compliance.

(i) Data Items:

- Records of an annual automatic line leak detector test conducted according to the manufacturer's requirements (§280.44(a)); and either,

⁴ If an UST system meets the performance standards in section 280.20 or section 280.21, product inventory control may be used in conjunction with tank tightness testing every 5 years until 10 years after installation of the tank (see §280.41(a)(1)).

⁵ See previous footnote.

- Records from a line tightness test conducted per section 280.44(b); or
- Records from any of the methods identified in sections 280.43(e) through (h) (as described above for tanks) if they are designed to detect a release from any portion of the underground piping that routinely contains regulated substances (§280.44(c)). [Burden associated with this requirement is already covered in the Release Detection for Tanks subsection above.]

(ii) Respondent Activities:

- Conduct and record annual test of the operation of the automatic line leak detector in accordance with the manufacturer's requirements; and either
- Conduct and record results of an annual line tightness test;⁶ or
- Conduct and record results of monthly monitoring.⁷

(d4) Release Detection Recordkeeping

Section 280.45 requires that owners and operators maintain records which contain information about each release detection system in place at an UST system.

(i) Data Items:

- All written performance claims about any system used, and the way the claims were justified or tested by the manufacturer or installer (§280.45(a));
- Results of any sampling, testing, or monitoring (§280.45(b));
- Written documentation of all calibration, maintenance, and repair of any release detection system located permanently on site (§280.45(c)); and
- Any schedule of required calibration, and maintenance provided by the equipment manufacturer (§280.45(c)).

(ii) Respondent Activities:

- Maintain records for the periods of time as follows:
 - Performance claims - five years from date of installation, unless implementing agency advises otherwise;

⁶ Based on program experience, EPA believes that approximately 84 percent of the lines are pressurized and 16 percent are suction lines. However, EPA was unable to estimate the number of suction lines which require leak detection monitoring and use three-year line tightness testing. Therefore, this ICR assumes that all lines used are pressurized piping for line tightness testing calculations. Because suction lines do not have to comply with certain leak detection requirements, this ICR overestimates the burden for this section.

⁷ The burden associated with monthly monitoring is covered in other parts of the ICR under sections 280.43 (e) (vapor monitoring), 280.43 (f) (groundwater monitoring), 280.43 (g) (interstitial monitoring), and 280.43 (h) (other methods).

- Sampling, testing, or monitoring results - one year unless implementing agency advises otherwise, except for tank tightness testing, in which case records are to be maintained until the next test is conducted;
- Documentation of all calibrations, maintenance, and repairs - one year after servicing was completed, unless implementing agency advises otherwise; and
- Manufacturer calibration and maintenance schedules - five years from date of installation.

(e) Release Reporting, Investigation, and Confirmation

(e1) Reporting of Suspected Releases

Section 280.50 requires owners and operators to report within 24 hours to the implementing agency if a release is suspected and the release exceeds 25 gallons (or for hazardous substances that exceed the reportable quantity), or if a smaller release cannot be cleaned up within 24 hours.

(i) Data Items:

- Information on a discovery of released regulated substances at the UST site or surrounding area (§280.50(a));
- Information on unusual operating conditions, unless system equipment is found to be defective but not leaking, and is immediately repaired (§280.50(b)); and
- Monitoring results from a release detection method required under sections 280.41 and 280.42 that indicate a release may have occurred, unless (1) a monitoring device is found to be defective, and upon repair, re-calibration, or replacement, does not confirm a release, or (2) a second month of data from inventory control does not confirm the initial result (§§280.50(c)(1) and (2)).

(ii) Respondent Activities:

- Gather information on the suspected release; and
- Report the suspected release.

(e2) Reporting and Cleanup of Spills and Overfills

Sections 280.53(a) through (b) require owners and operators to immediately contain and clean up a spill or overfill, and to report certain releases. Owners and operators must report to the implementing agency within 24 hours, or another reasonable time period specified by the implementing agency, in the following cases:

- Spill or overfill that results in a release to the environment that exceeds 25 gallons or another reasonable amount as specified by the implementing agency, or that causes a sheen on nearby surface water (§280.53(a)(1)); and
- Spill or overfill of a hazardous substance that equals or exceeds its reportable quantity under CERCLA (40 CFR Part 302) (§280.53(a)(2)).

In addition, owners and operators must contain and immediately cleanup a spill or overflow of petroleum that is less than 25 gallons or another reasonable amount specified by the implementing agency, and a spill of a hazardous substances that is less than the reportable quantity.

If cleanup cannot be accomplished within 24 hours, or another reasonable time period specified by the implementing agency, owners and operators must immediately notify the implementing agency.

(i) Data Items:

- Report on spill or overflow that exceeds 25 gallons or equals or exceeds a reportable quantity under CERCLA; and
- Notification of spill or overflow of less than 25 gallons, if it cannot be cleaned up within 24 hours.

(ii) Respondent Activities:

- Report spill or overflow within 24 hours if over 25 gallons or the reportable quantity; and
- Notify the implementing agency if unable to cleanup a spill less than 25 gallons or the reportable quantity.⁸

(f) Release Response and Corrective Action for UST Systems Containing Petroleum or Hazardous Substances

(f1) Initial Response

Upon confirmation of a release in accordance with section 280.52 or another procedure, owners and operators must conduct initial response actions within 24 hours of a release or within another reasonable time period determined by the implementing agency. The initial response is a release report, which may be submitted to the implementing agency by telephone or electronic mail (§280.61(a)).

(i) Data Item:

- Release report.

(ii) Respondent Activity:

⁸ Spill and overflow reporting specified in sections 280.53(a) through (b) represents a subset of similar reporting that must be initiated for all releases meeting certain criteria; in this ICR, these burdens are covered under section 280.50.

- Report the release to the implementing agency (e.g., by telephone or electronic mail).

(f2) Initial Abatement Measures Report and Site Check

Section 280.62(b) requires owners and operators to submit within 20 days, or another reasonable period of time determined by the implementing agency, a report summarizing initial abatement steps taken and any resulting information or data in accordance with section 280.62(a).

(i) Data Item:

- Report on initial abatement steps and resulting information or data.

(ii) Respondent Activities:

- Gather information during initial abatement; and
- Prepare and submit a summary report of initial abatement steps.

(f3) Initial Site Characterization

Section 280.63 requires owners and operators to assemble information about the site and the nature of the release, including information from initial abatement measures in sections 280.60 and 280.61. Under section 280.63(b), the information collected must be submitted to the implementing agency within 45 days of the release confirmation or another reasonable period of time determined by the implementing agency, in a manner that demonstrates its applicability and technical adequacy, or in a format and according to the schedule required by the implementing agency.

(i) Data Items:

- Data on the nature and estimated quantity of release (§280.63(a)(1));
- Data on surrounding populations, water quality, use and locations of wells, subsurface soil conditions, locations of subsurface sewers, climatological conditions, and land use (§280.63(a)(2));
- Results of the site check under section 280.62(a)(5) (§280.63(a)(3)); and
- Results of free product investigations under section 280.62(a)(6) (§280.63(a)(4)).

(ii) Respondent Activities:

- Gather information for the initial site characterization; and
- Prepare and submit information per implementing agency instructions.

(f4) Free Product Removal

Section 280.64 requires owners and operators to remove free product to the maximum extent practicable if investigations under section 280.62(a)(6) indicate that removal is warranted. Under section 280.64(d), owners and operators must assemble information and prepare and submit a free product removal report within 45 days after confirmation of a release.

(i) Data Items:

- Names of people responsible for free product removal measures (§280.64(d)(1));
- Estimated quantity, type, and thickness of free product observed or measured (§280.64(d)(2));
- Type of recovery system used (§280.64(d)(3));
- Location of discharge, if any (§280.64(d)(4));
- Type of treatment applied to, and effluent quality expected from, any discharge (§280.64(d)(5));
- Steps that have been or are being taken to obtain permits for discharges (§280.64(d)(6)); and
- Disposition of recovered free product (§280.64(d)(7)).

(ii) Respondent Activities:

- Gather information for free product removal report; and
- Prepare and submit report.

(f5) Investigations for Soil and Groundwater Cleanup

Section 280.65 requires owners and operators to conduct investigations of soil and groundwater if any of the following conditions exist: (1) there is evidence that groundwater wells have been affected; (2) free product is found; (3) there is evidence of contaminated soils in contact with groundwater; or (4) there are potential effects of soil or groundwater on nearby surface water and groundwater resources. Under section 280.65(b), owners and operators must submit information covering the release, the release site and the area affected by the release after investigating the impacts of the release on the soils and groundwater. The information must be collected and submitted within a reasonable time established by the implementing agency if the conditions in sections 280.65(a)(1) through (4) exist.

(i) Data Item:

- Information on soil and groundwater impacts of release.

(ii) Respondent Activities:

- Gather information from soil and groundwater cleanup investigations; and
- Submit collected information.

(f6) Corrective Action Plan

Section 280.66 specifies corrective action requirements for USTs. The implementing agency may require owners and operators to submit additional information or a corrective action plan for responding to contaminated soils or groundwater. Upon approval, owners and operators must implement the plan and report the results of implementation. In addition, in order to keep contamination at a site to a minimum, owners and operators may begin cleanup prior to plan approval by notifying the implementing agency of the intention to begin cleanup and including the cleanup measures in the corrective action plan, provided they comply with any conditions imposed by the implementing agency and incorporate self-initiated cleanup measures into the corrective action plan.

(i) Data Items:

- Additional information or a corrective action plan for responding to contaminated soils or groundwater;
- Notification of commencing cleanup prior to obtaining corrective action plan approval; and
- A report on the results of implementing the plan.

(ii) Respondent Activities:

- Prepare and submit a corrective action plan or additional information;
- If applicable, notify the implementing agency of early cleanup; and
- Report the results of implementing the plan.

(g) Out-of-Service UST Systems and Closure

(g1) Permanent Closure and Changes-in-Service Notification

Section 280.71(a) requires that owners and operators notify the implementing agency of any decision to permanently close or make a change-in-service at an UST system. The notification must be made at least 30 days prior to beginning permanent closure or change-in-service actions. The notification can be made using section X of the general notification form, available on OUST's website. After notifying, but before completing a closure or change-in-service, the owner or operator must complete an excavation zone assessment under section 280.72(a).

(i) Data Item:

- Notification of close or change-in-service at an UST system.

(ii) Respondent Activities:

- Notify the implementing agency of permanent closure or a change-in-service; and
- Conduct excavation zone assessment.

(g2) Closure Records

Section 280.74 requires owners and operators to maintain records in accordance with section 280.34 that are capable of showing compliance with closure requirements. Owners and operators also are required to maintain results of the excavation zone assessment required in section 280.72 for at least three years after completion of permanent closure or change-in-service.

(i) Data Items:

- Records showing compliance with closure requirements (§280.74).

(ii) Respondent Activities:

- Maintain closure records after permanent closure or a change-in-service for at least three years after the results of the excavation zone assessment are obtained; or
- Mail the records to the implementing agency if the records cannot be maintained at the closed UST site.

(h) Financial Responsibility

(h1) Financial Responsibility Mechanisms

40 CFR Part 280, Subpart H financial responsibility requirements apply to all owners of petroleum USTs, except those exempted in sections 280.10(b) and (c), as specified by section 280.90(d). Owners of existing USTs, except for local government entities, were required to comply with the financial responsibility requirements by the dates specified in section 280.91.

An owner or operator may use any one or combination of the mechanisms listed in sections 280.95 through 280.103 to demonstrate financial responsibility. In addition to these options, a local government operator may use any one or a combination of the mechanisms listed in sections 280.104 through 280.107. Each of these options is described in detail below in Subsections (2) through (14). [NOTE: This ICR aggregates the burden associated with each of these financial mechanisms; the reporting burden for financial responsibility requirements is presented under section 280.110 and the recordkeeping burden is presented under section 280.111.]

Financial Test of Self Assurance

Section 280.95 outlines the procedures for a financial test of self assurance as a means of satisfying the financial responsibility requirements. Owners and operators have the option of meeting the criteria specified in either section 280.95(b) or 280.95(c).

(i) Data Items:

The section 280.95(b) criteria require the following data items:

- A letter signed by the Chief Financial Officer (CFO), worded exactly as in section 280.95(d) (§280.95(b)(3)); and
- Annual financial statements (§280.95(b)(4)(i)) or annual tangible net worth statements (§280.95(b)(4)(ii)).

The section 280.95(c) criteria require the following data items:

- Fiscal year-end financial statements of the owner or operator, or the guarantor, and an independent certified public accountant (CPA) report (§280.95(c)(2));
- A letter signed by the CFO, worded exactly as in section 280.95(d) (§280.95(c)(4)); and
- A special report from an independent CPA, if annual financial statements were not submitted to the Securities and Exchange Commission, Energy Information Administration, or Rural Electrification Administration (§280.95(c)(5)).

The implementing agency also may require the following data items to be submitted at any time:

- Reports of financial condition (§280.95(f)); and
- A notification of failure to find alternate financial assurance, if the owner or operator cannot find such assurance within 150 days of finding that he or she cannot meet the requirements of the financial test, or within 30 days of notice from the implementing agency (§280.95(g)).

(ii) Respondent Activities:

- Obtain and keep on file a signed and dated letter from the CFO;
- File financial statements annually with the U.S. Securities and Exchange Commission, Energy Information Administration, or Rural Electrification System; or report annually the tangible net worth to Dun and Bradstreet; and
- Maintain current financial condition records.

Owners and operators demonstrating the financial test under section 280.95(c) must conduct the following activities:

- Have an independent CPA examine financial statement and prepare a report;
- Obtain and keep on file a signed and dated letter from the CFO;
- Obtain a special report from an independent CPA if annual financial statements were not submitted to the SEC, Energy Information Administration, or Rural Electrification Administration; and
- Maintain current financial condition records.

Owners and operators also may have to perform the following activities:

- Submit current financial condition reports, if requested by the implementing agency; and
- Notify implementing agency within 10 days if owner or operator fails to obtain alternative financial assurance within 150 days of discovering, or within 30 days of being notified by the implementing agency, that he or she no longer meets the financial test.

[NOTE: This ICR covers the burden associated with these activities under section 280.110 (reporting) and section 280.111 (recordkeeping).]

Guarantee

Section 280.96 outlines the procedures for obtaining a guarantee as a means of satisfying the financial responsibility requirements.

- (i) Data Items:
 - A letter from the CFO of the guarantor, as worded in section 280.95(d) (§280.96(a));
 - A guarantee, as specified in section 280.96(c); and
 - A standby trust agreement worded exactly as in section 280.103(b) (§280.96(d)). [The trust agreement burden is covered subsequently in this ICR.]
- (ii) Respondent Activities:
 - Obtain and keep on file a letter from the CFO of the guarantor; and
 - Obtain and keep on file a guarantee from the guarantor.

[NOTE: This ICR covers the burden associated with these activities under section 280.111 (recordkeeping).]

Insurance and Risk Retention Group Coverage

Section 280.97 outlines the procedures for obtaining liability insurance as a means of satisfying the financial responsibility requirements.

- (i) Data Item:
 - Insurance or risk retention group coverage policy with endorsement amendment (§§280.97(a) through (b)).
- (ii) Respondent Activities:
 - Obtain and keep on file an insurance or risk retention group coverage policy.

[NOTE: This ICR covers the burden associated with this activity under section 280.111 (recordkeeping).]

Surety Bond

Section 280.98 outlines the procedures for obtaining a surety bond as a means of satisfying the financial responsibility requirements.

- (i) Data Items:
 - A surety bond worded exactly as in section 280.98(b); and
 - A standby trust agreement worded exactly as in section 280.103(b) (§280.98(d)).
[The trust agreement burdened is covered subsequently in this ICR.]
- (ii) Respondent Activities:
 - Obtain and keep on file a copy of the surety bond.

[NOTE: This ICR covers the burden associated with this activity under section 280.111 (recordkeeping).]

Letter of Credit

Section 280.99 outlines the procedures for obtaining a letter of credit as a means of satisfying the financial responsibility requirements.

- (i) Data Items:
 - An irrevocable standby letter of credit worded exactly as in section 280.99(b); and
 - A standby trust agreement worded exactly as in section 280.103(b) (§280.99(c)).
[The trust agreement burden is covered subsequently in this ICR.]
- (ii) Respondent Activities:
 - Maintain and keep on file the irrevocable standby letter of credit.

[NOTE: This ICR covers the burden associated with this activity under section 280.111 (recordkeeping).]

Use of State-Required Mechanisms

Section 280.100 allows UST owners and operators in states without program approval to satisfy the requirements of section 280.93 by using a state-required financial mechanism, if approved by the EPA region. The owner or operator, state, or any other party may request approval.

- (i) Data Items:

- A written petition requesting that one or more of the state-required mechanisms be considered for meeting section 280.93 requirements (§280.100(c));
 - Copies of state statutory and regulatory requirements and amounts of funds for coverage (§280.100(c)); and
 - Additional information, as deemed necessary by the region (§280.100(c)).
- (ii) Respondent Activities:
- Prepare and submit the petition package; and
 - Retain a copy of the petition package.

[NOTE: This ICR covers the burden associated with these activities under section 280.110 (reporting) and section 280.111 (recordkeeping).]

State Fund or Other State Assurance

Section 280.101 allows UST owners and operators in states without program approval to satisfy the requirements of section 280.93 by using a state fund or other state assurance, if approved by the EPA region. To satisfy the requirements of section 280.93, the owner or operator must obtain a letter or certificate from the state.

- (i) Data Item:
- A letter or certificate issued by the state containing: (1) the facility's name and address and (2) the amount of funds for corrective action and/or for compensating third parties that is assured by the state (§280.101(d)).
- (ii) Respondent Activities:
- Obtain and keep on file a letter or certificate from the state.

[NOTE: This ICR covers the burden associated with this activity under section 280.111 (recordkeeping).]

Trust Fund

Section 280.102 outlines the procedures for using a trust fund as a means of satisfying the financial responsibility requirements.

- (i) Data Items:
- A trust agreement worded exactly as in section 280.103(b)(1), accompanied by formal certification of acknowledgment as specified in section 280.103(b)(2) (§280.102(b)); and

- If the value of the trust fund is greater than the required amount of coverage, or if other financial assurance is substituted, a written request for the release of excess funds (§§280.102(d) through (e)).
- (ii) Respondent Activities:
- Release report.
 - Prepare and keep on file the trust agreement and formal certification of acknowledgment; and
 - Prepare and submit written request for release of excess funds, if applicable.

[NOTE: This ICR covers the burden associated with these activities under section 280.110 (reporting) and section 280.111 (recordkeeping).]

Standby Trust Fund

Section 280.103 outlines the procedures for using a standby trust fund as a means of satisfying the financial responsibility requirements. Owners and operators using mechanisms described in sections 280.96, 280.98, and 280.99 must establish a standby trust fund in addition to satisfying the other requirements of those sections.

- (i) Data Items:
- A trust agreement worded exactly as in section 280.103(b)(1) accompanied by formal certification of acknowledgment as specified in section 280.103(b)(2).
- (ii) Respondent Activities:
- Prepare and keep on file the standby trust fund agreement and any amendments.

[NOTE: This ICR covers the burden associated with this activity under section 280.111 (recordkeeping).]

Local Government Bond Rating Test

Section 280.104 states that a general purpose local government owner or operator and/or a local government as a guarantor may satisfy the requirements of section 280.93 by having outstanding issues of bonds of \$1 million or more.

- (i) Data Items:
- A copy of the owner or operator's bond rating of the past 12 months by Moody's or Standard and Poor's (§280.104(c));

- A letter from the CFO exactly as stated in section 280.104(d) for a general purpose local government owner or operator and/or guarantor, or as stated in section 280.104(e) for a non-general purpose local government owner or operator and/or guarantor; and
- Current records of financial condition (§280.104(f)).

(ii) Respondent Activities:

- Maintain current copy of bond ratings;
- Prepare and keep on file a signed letter from the CFO; and
- If requested, prepare and submit records of current financial conditions.

[NOTE: This ICR covers the burden associated with these activities under section 280.110 (reporting) and section 280.111 (recordkeeping).]

Local Government Financial Test

Section 280.105 states that a local government UST owner or operator may satisfy the requirements of section 280.93 by passing a financial test.

(i) Data Items:

- Financial statements for the latest completed fiscal year with information on the following (§280.105(b)(1)):
 - Total revenues;
 - Total expenditures;
 - Local revenues;
 - Debt service;
 - Total funds; and
 - Population served by the local government.
- Letter from CFO exactly as stated in section 280.105(c) (§280.105(b)(3));
- Current records of financial condition (§280.105(e)); and
- Notice within 10 days of failure to obtain alternate assurance, if the owner or operator no longer meets the financial test requirements (§280.105(f)).

(ii) Respondent Activities:

- Maintain a copy of the financial statements for the last completed fiscal year;
- Prepare and keep on file a signed letter from the CFO;
- If requested, prepare and submit records of current financial conditions;
- Notify implementing agency within 10 days if owner or operator fails to obtain alternative financial assurance within 150 days of discovering, or within 30 days of being notified by the implementing agency, that he or she no longer meets the financial test requirements.

[NOTE: This ICR covers the burden associated with these activities under section 280.110 (reporting) and section 280.111 (recordkeeping).]

Local Government Guarantee

A local government owner or operator may satisfy the requirements of section 280.93 by obtaining a guarantee as specified in section 280.106. The guarantor must be the state in which the local government owner or operator is located or a local government having a “substantial governmental relationship” with the owner of operator.

(i) Data Items:

- A demonstration of meeting the bond rating test of section 280.104 and a copy of the CFO letter in section 280.104(c) (§280.106(a)(1)); or
- A demonstration of meeting the worksheet test requirements of section 280.105 and a copy of the CFO letter in section 280.105(c) (§280.106(a)(2)); or
- A demonstration of meeting the local government fund requirements of section 280.107(a), 280.107(b), or 280.107(c) and a copy of the CFO letter in section 280.107 (§280.106(a)(3));
- If necessary, a notice of inability to demonstrate financial assurance (§280.106(b)); and
- Guarantee worded exactly as stated in section 280.106(d) or (e), depending on which of the alternative guarantee arrangements is selected (§280.106(c)).

(ii) Respondent Activities:

- Prepare and keep on file a demonstration meeting the requirements of section 280.104, 280.105, or 280.107(a) through (c) and a signed letter from the CFO;
- If necessary, prepare and submit a notice of inability to meet financial assurance requirements; and
- Obtain and keep on file a guarantee agreement.

[NOTE: This ICR covers the burden associated with these activities under section 280.110 (reporting) and section 280.111 (recordkeeping).]

Local Government Fund

Section 280.107 states that a local government owner or operator may satisfy the requirements of section 280.93 by establishing a dedicated fund account. The fund is dedicated to pay for corrective action and for compensating third parties in the event of accidental releases from petroleum USTs.

(i) Data Items:

- A signed letter from the local government’s CFO and/or guarantor, worded exactly as stated in section 280.107(d);

- A copy of the constitutional provision or local government statute, charter, ordinance or order dedicating the fund (§§280.107(d) and 280.111(b)(9)(i));
- Year-end financial statements for the most recent year, and the previous year's balance, if applicable (§§280.107(d) and 280.111(b)(9)(ii)); and
- If an owner or operator is using incremental funding backed by bonding authority, results of a voter referendum or an attestation by the state attorney general (§§280.107(c)(2) and 280.111(b)(9)(iii)).

(ii) Respondent Activities:

- Obtain and keep on file a signed letter(s) from the CFO and/or the guarantor;
- Maintain a copy of the statute or other mandate dedicating the fund;
- Maintain all year-end financial statements; and
- Maintain documentation of the bonding authority, including either the results of a voter referendum or attestation by the state attorney general;

[NOTE: This ICR presents the burden associated with these activities under section 280.111 (recordkeeping).]

Substitution of Financial Assurance Mechanisms by the Owner or Operator

Section 280.108(b) states that an owner or operator may cancel a financial assurance mechanism after obtaining alternate financial assurance.

(i) Data Item:

- Notice to the provider of the original financial assurance (§280.108(b)).

(ii) Respondent Activities:

- Prepare and submit a notice of alternate financial assurance to the original financial assurance provider.

[NOTE: This ICR covers the burden associated with this activity under section 280.110 (reporting) and section 280.111 (recordkeeping).]

(h2) Cancellation or Nonrenewal by a Provider of Financial Assurance

A provider of financial assurance may cancel or fail to renew an assurance mechanism according to the procedures outlined in section 280.109. The data item associated with such an action is a notice of termination, which is submitted to the UST owner or operator. If alternate financial coverage is not obtained within 60 days of being notified of the termination, owners or operators must inform the implementing agency of the failure to obtain coverage.

(i) Data Items:

- Notice of termination to UST owner or operator (§280.109(a));
- Notice of failure to obtain alternate coverage to the implementing agency;
 - Name and address of the provider of financial assurance (§280.109(b)(1));
 - Effective date of the termination (§280.109(b)(2)); and
 - Evidence of the financial assurance mechanism subject to termination (§280.109(b)(3)).

(ii) Respondent Activities:

- Prepare and submit a notice of termination;
- Prepare and submit to the implementing agency a notification if unable to obtain alternate coverage within 60 days of receiving a notice of termination.

(h3) Reporting

Section 280.110 establishes financial responsibility reporting requirements for owners and operators who: (1) identify a reportable UST release; or (2) fail to obtain alternative coverage.

(i) Data Item:

- Report of the appropriate forms listed in section 280.111(b).

(ii) Respondent Activities:

- Gather and submit forms listed in section 280.111(b) to the implementing agency documenting current evidence of financial responsibility.

(h4) Recordkeeping

Section 280.111(b)(11) requires an owner or operator to maintain an updated copy of a certification of financial responsibility, as worded in section 280.111(b)(11)(i).

(i) Data Item:

- Record of updated certification of financial responsibility.

(ii) Respondent Activities:

- Prepare and keep on file a certification of financial responsibility; and
- Update the certification whenever the financial assurance mechanism is modified.

[NOTE: This is the only recordkeeping requirement under section 280.111 that is not covered elsewhere in this ICR Supporting Statement. All other recordkeeping requirements under section 280.111 (i.e., 40 CFR 280.111(b)(1)-(b)(10)) are covered under each section of the regulations in which the paperwork is generated.]

(h5) *Bankruptcy or Other Incapacity*

Section 280.114 sets forth notification requirements regarding bankruptcy or other incapacities for UST owners and operators, and providers of financial assurance. Data items associated with these requirements must be submitted within 10 days after commencement of bankruptcy proceedings:

(i) Data Items:

- For owners and operators, a notification to the implementing agency of commencement of bankruptcy proceedings and forms listed in section 280.111(b) documenting current financial responsibility (§280.114(a));
- For financial assurance providers, a notice to the UST owner or operator of commencement of bankruptcy proceedings as required under the terms of the guarantee specified in section 280.96 (§280.114(b));
- For local government owners and operators, a notification to the implementing agency of commencement of bankruptcy proceedings and forms documenting current financial responsibility (§280.114(c));
- For local government financial assurance providers, a notice to the local government owner or operator of commencement of bankruptcy proceedings and forms documenting current financial responsibility (§280.114(d)); and
- For owners and operators who are unable to obtain alternate financial assurance within 30 days after receiving notice of bankruptcy from a provider, a notice to the implementing agency of such failure (§280.114(e)).

(ii) Respondent Activities:

- Prepare and submit a notification within 10 days of commencement of bankruptcy procedures; and
- If necessary, prepare and submit a notification of inability to obtain alternate financial assurance within 30 days.

(2) State Program Approval Procedures

Regulations at 40 CFR Part 281 contain state program approval procedures for states that wish to administer their own UST programs in lieu of the federal program. A state must obtain approval for its program from the federal agency administering the program. Part 281 is divided into six subparts (i.e., Subparts A through F), four of which contain information collection requirements. This ICR summarizes the information collection requirements and the associated data items and respondent activities, in the order in which they appear in Part 281, in the following subparts:

- Components of a Program Application (Subpart B);
- Adequate Enforcement of Compliance (Subpart D);
- Approval Procedures (Subpart E); and
- Withdrawal of Approval of State Programs (Subpart F).

(a) Components of a Program Application

(a1) Transmittal Letter

Section 281.20(a) states that any state seeking to administer its own UST program must submit in its application a transmittal letter from the governor of the state requesting program approval (§281.20(a)).

(i) Data Item:

- Transmittal letter from the governor of the state requesting program approval (§281.20(a)).

(ii) Respondent Activities:

- Obtain a transmittal letter from the governor's office; and
- Submit the letter to the implementing agency.

(a2) Description of State Program

Sections 281.20(b) and 281.21 outline that any state seeking to administer its own UST program must submit in its application a description of the program that the state plans to implement in place of the federal program.

(i) Data Items:

- The scope of the program, including whether (§281.21(a)):
 - Regulation is for UST systems containing petroleum or hazardous substances or both;
 - The program is more stringent or broader in scope than the federal program, and in what ways; and
 - The state has jurisdiction over Indian lands or agreements with Indian tribes.
- Organization and structure of state and local agencies responsible for administering the program (§281.21(b));
- State staff resources for execution of the program (§281.21(c)); and
- Existing state funding mechanisms to meet the cost of administering the program (§281.21(d)).

(ii) Respondent Activities:

- Prepare and submit the description of the program.

(a3) Procedures for Adequate Enforcement

Section 281.22 states that any state seeking to administer its own UST program must submit in its application a description of compliance monitoring and enforcement policies and procedures, including judicial review procedures (§§281.22 and 281.20(c)).

- (i) Data Item:
 - Description of compliance monitoring and enforcement policies and procedures, including judicial review procedures (§§281.22 and 281.20(c)).
- (ii) Respondent Activities:
 - Gather and submit information on compliance monitoring and enforcement procedures.

(a4) Memorandum of Agreement

Section 281.24 states that any state seeking to administer its own UST program must negotiate with EPA areas of coordinated effort and responsibilities.

- (i) Data Item:
 - A Memorandum of Agreement (MOA) concerning roles and responsibilities of EPA and the state (§§281.24 and 281.20(e)).
- (ii) Respondent Activities:
 - Negotiate an MOA with EPA; and
 - Prepare and submit the MOA with the program application.

(a5) Attorney General's Statement

Section 281.25 states that any state seeking to administer its own UST program must submit a written demonstration from the attorney general stating that the laws of the state are sufficiently stringent to enforce the state program proposed. The statement must include citations to statutes, regulations, judicial decisions, and analysis of any state authority to regulate USTs on Indian lands (§§281.25 and 281.20(f)).

- (i) Data Item:
 - Written demonstration from the attorney general stating that the laws of the state are sufficiently stringent to enforce the proposed state program, including citations to statutes, regulations, judicial decisions, and analysis of any state authority to regulate USTs on Indian lands (§§281.25 and 281.20(f)).
- (ii) Respondent Activities:

- Draft and submit the statement from the attorney general.

(a6) Copies of Statutes and Regulations

Section 281.20(g) states that any state seeking to administer its own UST program must submit in its application copies of all applicable state statutes and regulations (§281.20(g)).

(i) Data Items:

- Copies of all applicable state statutes and regulations (§281.20(g)).

(ii) Respondent Activities:

- Research and gather statutes and regulations; and
- Submit copies as a part of the application.

(b) Adequate Enforcement and Compliance

Section 281.43(a) requires states with approved programs to furnish to EPA, at any time, information in state files on the administration of the program, including data on enforcement and compliance under section 281.40. This includes information submitted to the state with or without a claim of confidentiality (§281.43(a)).

(i) Data Item:

- Information on program administration, including data on enforcement and compliance under section 281.40.

(ii) Respondent Activities:

- Maintain files and current information on program administration; and
- Submit information to EPA, if requested.

(c) Approval Procedures

Section 281.50(b) specifies that before submitting an application to EPA for approval of a state program, states must provide an opportunity for public notice and comment.

(i) Data Items:

- Notification soliciting public comment on development of underground storage tank program.

(ii) Respondent Activities:

- Issue notification; and
- Receive and review public comments.

Sections 281.52(a) through (b) specifies program revision requirements which may be initiated by either EPA or the approved state.

- (i) Data Items:
 - Notification of changes in the state program that may require a revision of the approved program; and
 - A revised application, if requested by EPA.
- (ii) Respondent Activities:
 - Collect and submit information on changes in regulations or shifts in responsibilities; and
 - Prepare and submit revised application, if requested by EPA.

(d) Withdrawal of Approval of State Programs

A state with an approved program may transfer voluntarily any responsibilities required by federal law (§281.61(a)(1)).

- (i) Data Items:
 - A notice of the transfer to be given to EPA; and
 - A plan for orderly information transfers from the state to EPA of all program information.
- (ii) Respondent Activities:
 - Gather information;
 - Prepare and submit transfer notification; and
 - Develop and submit a plan for information transfer between the state and EPA at least 90 days before the transfer occurs.

5. THE INFORMATION COLLECTED – AGENCY ACTIVITIES, COLLECTION METHODOLOGY, AND INFORMATION MANAGEMENT

The following section discusses how EPA or the implementing agency will collect and manage the information received from respondents. This section also includes a discussion of how EPA has taken steps to ensure that the information collections are not overly burdensome on small entities.

5(a) Agency Activities

(1) Technical and Financial Responsibility Requirements

Most information required of UST owners and operators is maintained in records at the facility and is only formally submitted to EPA or the implementing agency if requested. This analysis assumes that the Agency will spend a minimal amount of time reviewing these data during facility inspections.

This ICR assumes that EPA or the implementing agency reviews and files submitted information, including notification forms; site, chemical property, and health information; information on suspected releases, spills or overfills; site characterizations; abatement procedure information; free product information; soil and groundwater information; corrective action plans and implementation reports; and applicable financial assurance information. Much of the information listed above is also entered into a database for the purposes of recordkeeping and analysis.

EPA or the implementing agency must notify owners and operators of approval or disapproval of corrective action plans. The implementing agency also is responsible for conducting public involvement activities, such as notifying the public of a release or failure to sufficiently remediate a release. EPA or the implementing agency also must notify owners and operators if they fail to meet the requirements of financial assurance at any time.

(2) State Program Approval Procedures

States applying for program approval must follow procedures at 40 CFR Part 281. EPA must review and file program applications and all associated information, as described in section 281.50. EPA must determine approval or disapproval for all new or revised state program applications. EPA is required to issue public notice of all decisions and consider public comments. EPA must issue public notice of any transfer of program responsibilities. EPA also must inform a state with an approved program if EPA is planning to take enforcement action against violators of the UST regulations.

5(b) Collection Methodology and Management

In collecting and analyzing the information associated with this ICR, EPA uses electronic equipment such as personal computers and database and modeling software, as applicable. EPA ensures the accuracy and completeness of the collected information by reviewing each submittal.

5(c) Small Entity Flexibility

In promulgating the UST regulations covered under this ICR, EPA attempted to minimize the reporting and recordkeeping burden for small businesses. In addition, EPA provided flexibility to small- and medium-sized owners and operators of petroleum USTs for meeting financial responsibility requirements in order to reduce burden and cost to these groups.

5(d) Collection Schedule

(1) Technical and Financial Responsibility Requirements

EPA or the implementing agency collects information on a one-time, on-going, or special circumstance basis. EPA or the implementing agency collects various types of data according to the following schedules:

- *One-time collections*: Notification forms, certification of compliance with corrosion protection and system installation, alternative technology information and demonstrations, excavation zone assessments, closure records, and change-in-service forms.
- *On-going collections*: Inspection and testing of corrosion protection; performance of release detection; maintenance of installation, inspection, corrosion protection, repair, release detection, and financial responsibility records.
- *Special circumstance collections*: Release reporting and response information, including site information and characterization, chemical property and health information, abatement reports, free product removal reports, soil and groundwater investigation information, corrective action plans, and implementation reports.

(2) State Program Approval Procedures

States applying for program approval submit most of their information in a one-time application, but also must submit additional information if requested by EPA. EPA collects all submitted information according to the following frequency:

- *One-time collections*: Complete program application and associated information and revised application.
- *Special circumstance collections*: Withdrawal of approval of state program information, transfer of program information, and plans for the transfer of program responsibilities.

6. ESTIMATING THE HOUR AND COST BURDEN OF THE COLLECTION

6(a) Estimating Respondent Hours

EPA estimates the respondent time burden for all the information collection requirements covered in this ICR in Exhibits 1 and 2. Exhibit 1 covers information collections related to UST technical and financial responsibility requirements. Exhibit 2 covers information collections associated with state program approvals. The burden estimates for each activity presented in Exhibits 1 and 2 include the burden hours (total and by labor type) per respondent, as well as the overall burden hours for all respondents.

For certain information collection activities, Exhibit 1 presents a burden for both the owner/operator and for any contractors hired by the owner/operator. For example, for the activity “Gather information” under “Reporting of Suspected Releases (280.50),” this ICR assumes that owner/operators will spend 5 hours associated with this information collection activity and that contractors that bill by the hour will spend 51 hours on this activity. In total, the owner/operator time plus contractor time necessary to fulfill this information collection activity is 56 hours.

6(b) Estimating Respondent Costs

EPA estimates respondent costs for all activities covered in this ICR in Exhibits 1 and 2. These costs are based on the cost of labor, capital, and operation and maintenance (O&M).

Labor Costs

Table 1 shows the estimated average hourly labor cost (including overhead and fringe), by labor category, for facilities/contractors and states.⁹ These labor rates were used to calculate the labor cost to all respondents in conducting the reporting and recordkeeping activities covered in this ICR, as shown in Exhibits 1 and 2.

Table 1
Estimated Average Hourly Respondent Labor Cost, by Labor Category

Respondent	Legal	Managerial	Technical	Clerical
Facilities/Contractors	\$105	\$53	\$29	\$18
States	\$76	\$78	\$44	\$27

To obtain hourly labor costs for facilities/contractors and states, EPA referred to May 2009 mean hourly wages provided by the Bureau of Labor Statistics (BLS).¹⁰ EPA adjusted these 2009

⁹ Note that, for purposes of this ICR, states are considered to be *respondents* when they submit documents to EPA to satisfy applicable 40 CFR regulations (e.g., applying for EPA approval of state program). States are considered to be *regulators* when administering a regulatory program (e.g., receiving UST release reports from facilities).

¹⁰ Data source for legal: BLS, May 2009 National Occupational Employment and Wage Estimates by ownership, http://www.bls.gov/oes/current/ownership_data.htm. Mean hourly wages for lawyers (occupation code 23-1011). For facilities and contractors, mean hourly wages are from the “Cross-industry, private ownership only” tables, <http://www.bls.gov/oes/current/000001.htm>. For states, mean hourly wages are from the “State government, including schools and hospitals” tables, <http://www.bls.gov/oes/current/999201.htm>.

Data source for managerial, technical, and clerical: BLS, May 2009 National Industry-Specific Employment and Wage Estimates, NAICS 447000 - Gasoline Stations, http://www.bls.gov/oes/current/naics3_447000.htm. Mean hourly wages for management occupations (occupation code 11-0000), first-line supervisors/managers of transportation and material-moving

wages to 2010 dollars using the BLS Employment Cost Index.¹¹ EPA then factored in the costs of fringe benefits: 28.3 percent of total compensation for facilities/contractors, and 39.8 percent of total compensation for states.¹² EPA then added an overhead factor of 12 percent for facilities/contractors and states.¹³

Capital Costs

Capital costs usually include any produced physical good needed to provide the needed information, such as machinery, computers, and other equipment. For this ICR, capital costs include the cost of monitoring equipment for facilities that choose to comply with release detection requirements by using vapor monitoring, groundwater monitoring, or interstitial monitoring methods. These capital costs are shown in Exhibit 1 and are further described in section 6(d).

Operation and Maintenance Costs

O&M costs are those costs associated with a paperwork requirement incurred continually over the life of the ICR. They are defined by the Paperwork Reduction Act of 1995 as “the recurring dollar amount of costs associated with O&M or purchasing services.” For this ICR, O&M costs include:

- Mailing costs: EPA estimates that respondents will incur a cost of \$0.46 to mail a 1-ounce package (i.e., \$0.44 for postage and \$0.02 for standard size envelope). EPA also estimates that respondents will incur a cost of \$4.44 for mailing a larger package (i.e., 5-ounce package) by certified mail (i.e., \$1.56 for postage, \$2.80 for the certified mail fee, and \$0.08 for a large envelope).

machine and vehicle operators (occupation code 53-1021), and office clerks, general (occupation code 43-9061).

¹¹ BLS Employment Cost Index, “Table 1. Employment Cost Index for total compensation, by occupational group and industry (Seasonally adjusted)”;¹¹ available at <http://www.bls.gov/web/eci/echistrynaics.pdf>. For facilities/contractors, the index for private industry was used. For states, the index for state and local government was used.

¹² BLS, Employer Costs for Employee Compensation; available at <http://www.bls.gov/news.release/ecec.toc.htm>. For facilities/contractors, see “Table 10. Employer costs per hour worked for employee compensation and costs as a percent of total compensation: Private industry workers, by industry group, June 2010”; using line “All workers, service-providing industries.” For states, see “Table 4. Employer costs per hour worked for employee compensation and costs as a percent of total compensation: State and local government workers, by occupational and industry group, June 2010”; using the “Service” occupational group.

¹³ Office of Management and Budget, Circular No. A-76 (Revised); available at http://www.whitehouse.gov/sites/default/files/omb/assets/omb/circulars/a076/a76_incl_tech_correction.pdf. See Figure C-1, page C-4.

- Photocopying costs: EPA estimates that respondents will incur a cost of \$0.09 for each photocopy they make.
- Purchase of contractor or laboratory services: EPA believes that owners and operators of USTs will incur O&M costs on contractor and laboratory services. These O&M costs are further described in section 6(d) for all applicable respondent activities. O&M costs do not include contractors who bill by the hour.

These O&M costs are shown in Exhibits 1 and 2.

6(c) Estimating Agency Hour and Cost Burden

EPA estimates the Agency hour and cost burden associated with all information collection requirements covered in this ICR in Exhibits 3 and 4. As shown in the exhibits, EPA estimates an average hourly labor cost of \$107.54 for legal staff (GS-15, Step 5), \$68.26 for managerial staff (GS-13, Step 1), \$47.89 for technical staff (GS-11, Step 1), and \$29.12 for clerical staff (GS-6, Step 1). To derive these hourly estimates, EPA referred to unloaded (base) hourly rates for various labor categories in the Federal Government from the U.S. Office of Personnel Management.¹⁴ EPA then applied the standard government loading factor of 60 percent, which includes fringe benefits and overhead.

6(d) Estimating the Respondent Universe and Total Hour and Cost Burden

(1) Respondent Universe

(a) Technical and Financial Responsibility Requirements

Table 2 presents the estimated UST universe over the three years covered by this ICR. As shown in the table, there will be an average of 585,667 existing USTs in operation over the period covered by this ICR. EPA also estimates that, each year, owners and operators will close an average of 26,000 USTs and install an average of 15,000 new USTs.¹⁵ EPA estimates that a portion of the new USTs will be installed at new facilities (i.e., facilities that have not operated USTs in the past), with the remainder of new USTs installed at existing UST facilities.

¹⁴ U.S. Office of Personnel Management. Locality pay area of Washington-Baltimore-Northern Virginia, DC-MD-VA-WV-PA. Salary Table 2010-DCB (January 2010); available at http://www.opm.gov/oca/10tables/html/dcb_h.asp.

¹⁵ These estimates are based on UST performance measures reports from 2006-2010. See <http://www.epa.gov/oust/cat/camarchv.htm>

Table 2
Estimated UST Universe

	Year 2011	Year 2012	Year 2013	Average
Underground Storage Tanks				
Existing USTs	596,000	586,000	575,000	585,667
New USTs installed	15,000	15,000	15,000	15,000
USTs closed	26,000	26,000	26,000	26,000
Facilities with Underground Storage Tanks ^a				
Existing facilities	215,000	211,000	207,000	211,000
New facilities	5,000	5,000	5,000	5,000

^a Number of facilities estimated based on a ratio of 2.78 USTs per facility (based on FY2009 data from 48 states' public records).

(b) State Program Approval Procedures

Table 3 presents the estimated number of states expected to seek and obtain EPA program approval during the three-year period covered by this ICR. It shows that EPA expects one state, on average, to seek program approval each year.

Table 3
Annual Number of States Expected to Receive
EPA Program Approval During the Period Covered by the ICR

	Number of State Program Approvals per Year			Average Annual Number of State Program Approvals During 2011 to 2013
	Year 2011	Year 2012	Year 2013	
State Program Approvals	1	1	0	1 ^a

^a This number has been rounded from 0.7 to 1.

(2) Total Hour and Cost Burden

(a) Technical and Financial Responsibility Requirements

40 CFR Part 280 subjects owners and operators of USTs to technical and financial responsibility requirements. Information collecting, reporting, and recordkeeping may be required on a one-time, on-going, or special circumstance basis. The remainder of this subsection describes how EPA arrived at each of the respondent estimates contained in Exhibit 1.

(a1) Program Scope and Interim Prohibition

EPA expects all owners and operators of deferred UST systems to equip them with corrosion protection if these systems are constructed of steel. Therefore, EPA expects that no owners or operators will have to read this part of the regulations, have a corrosion expert assess their sites, or maintain records.

(a2) UST Systems: Design, Construction, Installation, and Notification

The owners and operators of newly regulated facilities will read the design, construction, installation, and notification regulations. Thus, this activity will be performed each year at an average of 5,000 facilities (see Table 2).

EPA expects all owners and operators to equip UST systems with corrosion protection if these systems are constructed of steel. Therefore, EPA expects that no owners or operators will have a corrosion expert assess their sites or will have to maintain records.

EPA expects owners and operators to prepare and submit a certificate of installation and a notification in a single form for a new or replaced facility with USTs or for a new or replaced individual UST system. EPA estimates that 75 percent of new USTs are installed together with other new USTs, with 2.78 USTs per facility (number of notifications = $75\% * 15,000 / 2.78$), and 25 percent of new USTs are installed as a single UST at a facility ($25\% * 15,000$). Thus, EPA expects that an average of 7,797 notifications will be submitted each year (see Table 2).

EPA estimates that 5 percent of existing tanks (i.e., $5\% * 585,667 = 29,283$) have been upgraded with an internal lining to meet corrosion protection requirements. EPA expects all owners and operators of these UST systems to inspect their tanks every five years. EPA estimates that each year 5,857 tanks ($29,283 / 5 = 5,857$) will undergo the required 5-year inspection. Owners and operators of lined tanks also are expected to maintain inspection records for all tanks that have an internal lining to meet corrosion protection requirements.¹⁶

EPA believes that tank owners and operators will incur additional O&M costs for tank interior lining inspection. The O&M cost for tank interior lining inspection is \$1,475, which includes a \$1,365 contractor fee for conducting the inspection and \$110 to cover the cost of the tank being out-of-service for one day (i.e., lost profit).

EPA estimates that 10 percent of USTs (i.e., $10\% * 585,667 = 58,567$ USTs) are sold each year. Owners and operators selling an UST must inform the buyer of his or her notification obligations.

¹⁶ Although section 280.21(b) does not explicitly require maintenance of inspection records, the regulations do require the use of a code of practice developed by a nationally recognized association or independent testing laboratory in order to comply with the regulations under this section. Because most of these codes of practice require maintenance of inspection records, EPA has included this burden in this ICR. In addition, EPA notes that it may use these inspection records for enforcement purposes.

(a3) General Operating Requirements

EPA assumes that owners and operators of newly regulated facilities (5,000 annually) will read the regulations on general operating requirements.

In addition, owners and operators of steel USTs with cathodic protection are required to have their cathodic protection systems tested within six months of installation, once every three years thereafter and within six months of the repair of any cathodically protected system. EPA estimates that 45 percent of USTs (i.e., $45\% * 585,667 = 263,550$) are protected by cathodic systems.¹⁷ Thus, EPA estimates that, on average, 87,850 tanks (i.e., $263,550 / 3 = 87,850$) will undergo the required three-year inspection each year during the three-year period covered by this ICR. EPA estimates that 5 percent of USTs will be repaired each year. Therefore, EPA estimates that 5 percent of USTs with cathodically protected systems (i.e., $5\% * 263,550 = 13,178$) will have their cathodic protection system tested within six months of a repair. Together, EPA estimates that 101,028 USTs (i.e., $87,850 + 13,178 = 101,028$) will be inspected each year during the three-year period covered by this ICR.¹⁸

EPA estimates that of the 263,550 USTs with cathodic protection, 70 percent (184,485 USTs) are protected by sacrificial anode cathodic systems and 30 percent (79,065 USTs) are protected by impressed current cathodic systems. Owners and operators of impressed current cathodic systems must conduct inspections every 60 days (i.e., six times per year). Typically there is one impressed current system that needs to be inspected per facility.¹⁹ Therefore, EPA estimates that 179,015 inspections of impressed current cathodic systems ($79,065 / 2.78 * 6 = 170,644$) will be conducted each year.

Facilities have to maintain records of all cathodic protection system inspections conducted on an every-three-years basis (i.e., 101,028 USTs).²⁰ In addition, facilities with USTs protected by impressed current cathodic systems will have to maintain the results of the last three facility inspections of the cathodic protection equipment (i.e., $(3/6) * 170,644 = 85,322$). Thus, facilities will have to maintain a total of 186,350 records (i.e., $101,028 + 85,322 = 186,350$) associated with the inspection of cathodic protection systems.

EPA expects facilities to incur O&M costs of \$267 paid to certified contractors to test tanks'

¹⁷ Based on EPA's best professional judgment.

¹⁸ This ICR does not include the burden of cathodic protection system inspections required within six months of installation due to lack of sufficient data; as a result, this ICR slightly underestimates total burden for general operating requirements.

¹⁹ A single facility usually only has 1 rectifier, which requires checking every 60 days.

²⁰ Under section 280.31(b), facilities are required to maintain records of the last two inspections of the cathodic protection system, which are conducted every three years. This ICR assumes that one of these two inspections will be conducted by facilities during the three-year period covered in this ICR. The ICR further assumes that the other inspection was already conducted, and that the results are already being maintained by the facilities.

cathodic protection system. This ICR does not cover the capital cost for purchasing rectifiers for impressed current systems because such equipment is purchased as a standard business practice to monitor tank performance.

Owners and operators also are required to maintain records for each repair made to an UST system. EPA estimates that 5 percent of USTs will be repaired each year, for a total of 29,283 annual repairs (i.e., $5\% * 585,667 = 29,283$). Approximately 20 percent of repaired USTs will also have tightness test conducted (i.e., $20\% * 29,283 = 5,857$). EPA believes that tank owners and operators will incur additional O&M costs for tightness testing. The O&M cost for tightness testing is \$528, which includes a \$418 contractor fee for performing the test and \$110 to cover the cost of the tank being out-of-service for one day (i.e., lost profit).

[NOTE: Sections 280.34(a) and (b) respectively summarize reporting and recordkeeping requirements for UST owners and operators and cross reference the 40 CFR Part 280 sections that describe these requirements in detail. This ICR describes these reporting and recordkeeping burdens in each of the respective sections.]

(a4) Release Detection

Owners and operators must have a compliant leak detection system installed at each UST. Section 280.43 describes acceptable methods and required maintenance activities. Owners and operators must record the results of tests or measurements at prescribed intervals. Table 4 presents EPA's estimates of the number of owners and operators choosing each detection system option and the information collection requirements associated with each option.

All 5,000 owners and operators of new UST facilities are expected to read the release detection regulations.²¹

Because the methodologies set forth under inventory control, manual tank gauging, and automatic tank gauging (§§280.43(a) through (c)) describe activities that UST operators perform as standard business practices, they are not included as burdens in this ICR. The Agency expects that all of the facilities using inventory control and facilities using manual tank gauging with tank tightness testing will perform the tank tightness test every five years.²² Thus, EPA expects that, each year, facilities will perform tank tightness testing on 8,199 USTs with an inventory control system (i.e., $40,997 / 5 = 8,199$) and on 5,857 USTs with manual tank gauging and a tank tightness testing system (i.e., $29,283 / 5 = 5,857$). EPA estimates that facilities will incur contractor-related O&M costs of \$528 for the cost of performing each tank tightness test. This O&M cost includes a \$418 contractor fee for performing the test and \$110 to cover the cost of the tank being out-of-service for one day (i.e., lost profit).

²¹ EPA expects that owners and operators of existing UST facilities have already read the release detection regulations (40 CFR Part 280, Subpart D).

²² EPA expects that all tanks will be tested every five years because the 1998 deadline required the shutdown of all tanks for which annual testing was required.

Table 4
Leak Detection Systems Installed at USTs

UST Leak Detection System	Estimated Percent of USTs Using System ^a	Estimated Number of USTs Using System	Associated Information Collection Requirement(s) and Collection Frequencies
Inventory control and tightness testing	7	40,997	Record daily inventory volume measurements (standard business practice; therefore, there is no incremental labor burden); record monthly water level measurements (standard business practice; there is no incremental labor burden).
Manual tank gauging with tank tightness testing	5 ^b	29,283	Record two consecutive weekly tank liquid level measurements, taken at the beginning and end of a minimum time period (standard business practice; there is no incremental labor burden).
Manual tank gauging only (i.e., without tank tightness testing)	3	17,570	Record two consecutive weekly tank liquid level measurements, taken at the beginning and end of a minimum time period (standard business practice; there is no incremental labor burden).
Automatic tank gauging	45 ^b	263,550	Record results of monthly automatic product level monitoring; record results of daily inventory control tests (automated activity; therefore there is no incremental labor burden).
Vapor monitoring	5	29,283	Record results of monthly vapor monitoring.
Groundwater monitoring	5	29,283	Record results of monthly groundwater monitoring.
Interstitial monitoring	20 ^b	117,133	Record results of monthly interstitial monitoring.
Other method (e.g., statistical inventory reconciliation)	13	76,137	No activities specified in the federal regulations. However, the implementing agency may specify certain activities to be conducted by owner or operator (e.g., record test results).
Leak Detection System for Piping			
Line leak detectors	84	491,960	Conduct annual test of the operation of the automatic line leak detection test and record results.
Line tightness testing	37	216,697	Conduct annual line tightness test and record results.

^a Percentages are based on EPA research, except where noted. Total will add up to more than 100 percent, because multiple release detection systems can be used in the same UST system.

^b Based on EPA's best professional judgment.

Those facilities that choose to comply with release detection requirements by using either vapor monitoring, groundwater monitoring, or interstitial monitoring methods will incur capital costs for monitoring equipment.²³ The annualized cost of a vapor monitoring system (control box with sensors), assuming an average of four 20-foot-deep wells, amounts to an estimated \$767 per facility.²⁴ The annualized cost of a groundwater monitoring system is estimated at \$491 per facility.²⁵ The annualized cost of an interstitial monitoring system (control box with sensors), including installation costs, is approximately \$402 per tank.²⁶ Maintenance of the monitoring sensors is not considered a significant cost because maintenance of the sensors is inexpensive.

EPA estimates that 84 percent of USTs use line leak detectors to detect catastrophic releases from piping. Thus, facilities are expected to conduct an annual line leak detector test on 491,960 tanks (i.e., $84\% * 585,667 = 491,960$). The cost of purchasing line leak detectors is not included as a burden in this ICR, because the use of these devices is considered a standard business practice. EPA estimates that 37 percent of USTs use line tightness testing to detect releases from piping.²⁷ These facilities are expected to conduct an annual line tightness test on 216,697 tanks (i.e., $37\% * 585,667 = 216,697$).

EPA expects that each year, every UST facility (average = 211,000 facilities) will maintain records of their test and measurement results, regardless of the release detection method used.

(a5) Release Reporting, Investigation, and Confirmation

EPA estimates that each year, all 5,000 new UST owners and operators will read the regulations. EPA also estimates that each year, 8,000 uncontrolled releases from USTs will be confirmed. Assuming that 60 percent of suspected releases are confirmed, EPA estimates that every year 13,333 owners and operators will suspect that a release has occurred from one of their USTs.²⁸ These owners and operators will gather information and submit a report on the suspected release.

²³ Capital costs were annualized over 20 years (i.e., the expected life of equipment) using OMB's approved discount rate of 7 percent (OMB Circular A-94).

²⁴ Prior to discounting, purchase price is estimated at \$8,128.

²⁵ Prior to discounting, purchase price is estimated at \$5,199.

²⁶ Prior to discounting, purchase price is estimated at \$4,257.

²⁷ Based on program experience, EPA believes that approximately 84 percent of the lines are pressurized and 16 percent are suction lines. However, EPA was unable to estimate the number of suction lines that require leak detection monitoring and use three-year line tightness testing. Therefore, this ICR assumes that all lines used are pressurized piping for line tightness testing calculations. Because suction lines do not have to comply with certain leak detection requirements, this ICR overestimates the burden for this section.

²⁸ These data are based on historical tank release records maintained by EPA.

When characterizing a suspected leak, EPA believes that facilities will incur contractor-related O&M costs of \$2,775 associated with basic soil characterization work and lab analysis activities.

(a6) Release Response and Corrective Action for UST Systems Containing Petroleum or Hazardous Substances

EPA estimates that each year, all 5,000 new UST owners and operators will read the regulations on release response. Owners and operators must provide information on all 8,000 releases. Owners and operators of facilities with releases also must gather information and prepare and submit reports on initial abatement measures and initial site characterization. EPA assumes that facilities will incur O&M costs in preparing a summary report of the initial abatement steps based on information obtained from initial characterization activities. This activity could require additional sampling and analysis depending on the scope of the problem. EPA assumes that facilities will incur contractor-related O&M costs in gathering, preparing, and submitting information for the initial site characterization, as this activity often requires sampling well borings and laboratory analyses.

EPA estimates that initial investigations at 20 percent of confirmed releases (i.e., $20\% * 8,000 = 1,600$ releases) will determine the presence of free product. These facilities must prepare and submit a free product removal report, thereby incurring contractor-related O&M costs.

EPA estimates that initial investigations at 75 percent of confirmed releases (i.e., $75\% * 8,000 = 6,000$ releases) will demonstrate that soil and groundwater investigations are warranted. These facilities are expected to gather information and prepare and submit a report. Facilities will incur further contractor-related O&M costs preparing soil and groundwater investigation reports. Additional characterization work could be required depending on the scope of the release and the geology of the site.

EPA estimates that initial investigations at 60 percent of confirmed releases (i.e., $60\% * 8,000 = 4,800$ releases) will demonstrate that corrective action is warranted. These facilities must prepare and submit a corrective action plan and report on the results of corrective action implementation. EPA estimates that at 10 percent of these releases (i.e., $10\% * 4,800 = 480$ releases), the owner or operator will notify the implementing agency that they will begin corrective action before they receive corrective action plan approval. The Agency believes that facilities will incur contractor-related O&M costs when preparing a corrective action plan and reporting (quarterly) the results of a corrective action implementation plan.

(a7) Out-of-Service UST Systems and Closure

EPA estimates that owners and operators will close 26,000 USTs each year (see Table 2). EPA estimates that each year, 9,353 owners and operators of closing facilities (i.e., $26,000 \text{ USTs closed} / 2.78 \text{ USTs per facility} = 9,353$) will read the out-of-service UST systems and closure regulations. Owners of these closing USTs must notify the implementing agency of closure, conduct an excavation zone assessment, and maintain closure records.

EPA estimates that facilities will incur contractor-related O&M costs when conducting a site

assessment of an excavation zone. EPA further estimates that for 25 percent of these USTs, owners and operators will not be able to maintain the records on-site for each UST closure. These owners and operators must mail closure records for 6,500 USTs (i.e., 25% * 26,000 = 6,500) to the implementing agency each year.

(a8) Financial Responsibility²⁹

EPA estimates that each year, all 5,000 new UST owners and operators will read the financial responsibility regulations.³⁰

40 CFR Part 280, Subpart H requires owners and operators to demonstrate financial responsibility for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental UST releases. A current certificate of financial responsibility must be maintained at each site where USTs are located. According to recent EPA data, approximately 70 percent of UST facilities (i.e., 70% * 211,000 = 147,700 facilities) demonstrate financial responsibility through a state fund or other state assurance, with the remaining 30 percent of facilities (i.e., 30% * 211,000 = 63,300 facilities) using one or more of the other mechanisms described in 40 CFR Part 280, Subpart H. All 211,000 facilities will have to perform the respondent activities associated with their financial responsibility mechanism, as described in section 4 of this ICR, and keep on file a certification of financial responsibility. [NOTE: This ICR covers the burden associated with these activities under section 280.110 (reporting) and section 280.111 (recordkeeping).]

In addition to maintaining financial responsibility records, facilities with releases (estimated at 8,000 releases per year) will submit their records to EPA or the implementing agency under section 289.110(b) as a result of a release. EPA also expects 25 percent of the overall universe of facilities (i.e., 25% * 211,000 = 52,750 facilities) to update their certification each year to reflect changes in their financial assurance mechanism.

EPA estimates that providers of financial assurance will cancel or fail to renew policies at 2 percent of UST facilities (i.e., 2% * 211,000 = 4,220 facilities) each year. EPA also estimates that 10 percent of those facilities experiencing a cancellation or non-renewal (i.e., 10% * 4,220 = 422 facilities) will be unable to obtain alternative financial coverage within 60 days and will notify the implementing agency of such failure.

²⁹ Although financial responsibility is not required for hazardous substance tanks, this ICR does not remove hazardous substance tanks from the financial responsibility analysis due to lack of sufficient data. Therefore, this ICR slightly overestimates the burden for financial responsibility.

³⁰ While EPA has included the requirement to obtain financial assurance as an annual burden, it is expected that all existing UST owners and operators have already read the financial responsibility regulations. Therefore, this ICR assumes that owners and operators of only the 5,000 new UST facilities will read the financial responsibility regulations each year.

EPA estimates that each year an additional 1 percent of UST facilities (i.e., $1\% * 211,000 = 2,110$ facilities) will experience a disruption in financial coverage due to the bankruptcy of their financial provider. EPA estimates that 10 percent of those owners or operators experiencing such a disruption (i.e., $10\% * 2,110 = 211$ facilities) will be unable to obtain alternative financial coverage within 60 days and will notify the implementing agency of such failure.

(b) State Program Approval Procedures

40 CFR Part 281 outlines procedures that states must follow to obtain approval to implement their own UST program in lieu of the federal program. Based on recent program data, EPA estimates that two states (or territories) will apply for state program approval over the next three years. For the purposes of this ICR, it is assumed that an average of one state will apply for state program approval each year.

States applying for state program approval between 2011 and 2013 must submit an application to EPA for review under section 281.50. The application includes a transmittal letter, a description of the state program, information on enforcement procedures, a memorandum of agreement with EPA, an attorney general's statement, and copies of state statutes and regulations. These states must also allow for public notice and comment on their efforts to develop their underground storage tank programs.

All approved programs must maintain files and current information on program administration. There are currently 38 approved state programs.³¹ Between 2011 and 2013, EPA assumes that an average of 40 state programs will maintain files on program administration. Finally, EPA estimates that it will ask one state per year to submit this information.

EPA expects that no states will be submitting revised state program applications over the next three years. EPA does not expect any states to withdraw or transfer portions of their programs.

Respondent burden hours and costs for the activities included as burdens under this ICR are shown in Exhibits 1 and 2 on the following pages. The burden and cost for Agency activities are shown in Exhibits 3 and 4.

³¹ As of April 2007, 36 states and the District of Columbia and the Commonwealth of Puerto Rico have approved programs.

**EXHIBIT 1
ANNUAL ESTIMATED RESPONDENT HOUR AND COST BURDEN
TECHNICAL AND FINANCIAL REQUIREMENTS**

Information Collection Activity	Hours and Costs Per Respondent Per Activity								Total Hours and Costs		
	Legal Hours	Managerial Hours	Technical Hours	Clerical Hours	Respon. Hours/ Activity	Labor Cost/ Activity	Capital/ Startup Costs per Activity	O&M Costs/ Activity	Number of Respon. or Activ.	Total Hours/ Year	Total Cost/ Year
PROGRAM SCOPE AND INTERIM PROHIBITION											
Reading the Regulations											
Read the regulations	0.25	0.25	0.25	0.25	1.00	\$51.34	\$0.00	\$0.00	0	0	\$0
Deferred UST System Installations (280.11(a))											
Have a corrosion expert inspect the site	0.00	6.00	22.00	11.00	39.00	\$1,149.28	\$0.00	\$436.00	0	0	\$0
Maintain records	0.00	0.00	0.00	0.10	0.10	\$1.82	\$0.00	\$0.09	0	0	\$0
Subtotal										0	\$0
UST SYSTEMS: DESIGN, CONSTRUCTION, INSTALLATION, AND NOTIFICATION											
Reading the Regulations											
Read the regulations	0.25	0.25	0.50	0.00	1.00	\$53.95	\$0.00	\$0.00	5,000	5,000	\$269,741
Performance Standards for New UST Systems - Tanks and Piping Without Corrosion Protection (280.20(a)(b))											
Have a corrosion expert inspect the site	0.00	6.00	22.00	11.00	39.00	\$1,149.28	\$0.00	\$436.00	0	0	\$0
Maintain records	0.00	0.00	0.00	0.10	0.10	\$1.82	\$0.00	\$0.09	0	0	\$0
Certification of Installation (280.20(e))											
Obtain and provide a certification of compliance of proper installation on the notification form	0.00	0.50	1.00	0.50	2.00	\$64.39	\$0.00	\$0.00	7,797	15,594	\$502,019
Periodic Lining Inspections (280.21)											
Have the lined tank inspected within ten years after lining and every five years thereafter	0.00	0.00	6.00	0.00	6.00	\$171.50	\$0.00	\$1,475.00	5,857	35,142	\$9,643,522
Maintain records	0.00	0.00	0.00	0.10	0.10	\$1.82	\$0.00	\$0.09	29,283	2,928	\$55,826
Notification Requirements (280.22)											
Prepare and submit forms within 30 days of bringing an UST system into use	0.00	0.00	0.50	0.00	0.50	\$14.29	\$0.00	\$1.36	15,000	7,500	\$234,718
Notify purchaser of an UST of owner's notification obligations	0.25	0.25	0.50	0.25	1.25	\$58.49	\$0.00	\$1.36	58,567	73,209	\$3,504,988
Subtotal										139,373	\$14,210,814

EXHIBIT 1 (continued)
ANNUAL ESTIMATED RESPONDENT HOUR AND COST BURDEN
TECHNICAL AND FINANCIAL REQUIREMENTS

	Hours and Costs Per Respondent Per Activity								Total Hours and Costs		
	Legal Hours	Managerial Hours	Technical Hours	Clerical Hours	Respon. Hours/Activity	Labor Cost/Activity	Capital/Startup Costs per Activity	O&M Costs/Activity	Number of Respon. or Activ.	Total Hours/Year	Total Cost/Year
Information Collection Activity											
GENERAL OPERATING REQUIREMENTS											
Reading the Regulations											
Read the regulations	0.25	0.25	0.50	0.00	1.00	\$53.95	\$0.00	\$0.00	5,000	5,000	\$269,741
Operation and Maintenance of Corrosion Protection (280.31)											
Have a qualified tester conduct inspection for all cathodic protection systems within six months of installation, at least every three years thereafter, and within six months of the repair of any cathodically protected system	0.00	0.10	0.15	0.00	0.25	\$9.63	\$0.00	\$267.00	101,028	25,257	\$27,947,546
Conduct inspection for impressed current cathodic protection systems every 60 days	0.00	0.10	0.15	0.00	0.25	\$9.63	\$0.00	\$0.00	170,644	42,661	\$1,643,590
Maintain records	0.00	0.00	0.00	0.10	0.10	\$1.82	\$0.00	\$0.09	186,350	18,635	\$355,263
Maintenance of Repair Records (280.33)											
Gather information on each repair	0.00	0.00	1.00	0.00	1.00	\$28.58	\$0.00	\$0.00	29,283	29,283	\$836,982
Conduct tightness testing 30 days after repair	0.00	0.25	0.15	0.25	0.65	\$22.19	\$0.00	\$528.00	5,857	3,807	\$3,222,275
Maintain records	0.00	0.00	0.00	0.10	0.10	\$1.82	\$0.00	\$0.09	29,283	2,928	\$55,826
Subtotal											
										127,571	\$34,331,223
RELEASE DETECTION											
Reading the Regulations											
Read the regulations	0.50	0.50	1.00	0.00	2.00	\$107.90	\$0.00	\$0.00	5,000	10,000	\$539,481
Release Detection for Tanks (280.43)											
<i>Inventory Control</i>											
Record delivery, dispensing and inventory measurements on a daily basis	0.00	0.00	0.25	0.00	0.25	\$7.15	\$0.00	\$0.00	0	0	\$0
Record monthly water level measurements, reconcile measurements monthly	0.00	0.00	0.00	0.50	0.50	\$9.08	\$0.00	\$0.00	0	0	\$0
Perform tank tightness testing (in conjunction with inventory control)	0.00	0.25	0.15	0.25	0.65	\$22.19	\$0.00	\$528.00	8,199	5,329	\$4,511,002
<i>Manual Tank Gauging with Tank Tightness Testing</i>											
Record monthly water level measurements, reconcile measurements monthly	0.00	0.00	0.00	0.50	0.50	\$9.08	\$0.00	\$0.00	0	0	\$0
Record weekly tank liquid level measurements	0.00	0.00	0.00	0.05	0.05	\$0.91	\$0.00	\$0.00	0	0	\$0
Perform tank tightness testing (in conjunction with manual tank gauging)	0.00	0.25	0.15	0.25	0.65	\$22.19	\$0.00	\$528.00	5,857	3,807	\$3,222,458

EXHIBIT 1 (continued)
ANNUAL ESTIMATED RESPONDENT HOUR AND COST BURDEN
TECHNICAL AND FINANCIAL REQUIREMENTS

	Hours and Costs Per Respondent Per Activity								Total Hours and Costs		
	Legal Hours	Managerial Hours	Technical Hours	Clerical Hours	Respon. Hours/Activity	Labor Cost/Activity	Capital/Startup Costs per Activity	O&M Costs/Activity	Number of Respon. or Activ.	Total Hours/Year	Total Cost/Year
Information Collection Activity											
<i>Manual Tank Gauging Only (without Tank Tightness Testing)</i>											
Record monthly water level measurements, reconcile measurements monthly	0.00	0.00	0.00	0.50	0.50	\$9.08	\$0.00	\$0.00	0	0	\$0
Record weekly tank liquid level measurements	0.00	0.00	0.00	0.05	0.05	\$0.91	\$0.00	\$0.00	0	0	\$0
<i>Automatic Tank Gauging</i>											
Record results of monthly automatic product level monitoring tests	0.00	0.00	0.05	0.00	0.05	\$1.43	\$0.00	\$0.00	0	0	\$0
Record daily inventory volume measurements	0.00	0.00	0.02	0.00	0.02	\$0.57	\$0.00	\$0.00	0	0	\$0
<i>Vapor Monitoring</i>											
Record results of monthly vapor monitoring	0.00	0.00	1.67	0.00	1.67	\$47.73	\$767.00	\$0.00	10,533	17,590	\$8,581,581
<i>Groundwater Monitoring</i>											
Record results of monthly groundwater monitoring	0.00	0.00	1.67	0.00	1.67	\$47.73	\$491.00	\$0.00	10,533	17,590	\$5,674,473
<i>Interstitial Monitoring</i>											
Record results of monthly interstitial monitoring	0.00	0.00	0.60	0.00	0.60	\$17.15	\$402.00	\$0.00	117,133	70,280	\$49,096,240
<i>Alternative Technology</i>											
Prepare and submit a demonstration of the effectiveness of an alternative technology	0.00	2.00	8.00	1.00	11.00	\$353.71	\$0.00	\$4.44	0	0	\$0
Release Detection for Piping (280.44)											
Conduct annual test of the operation of the automatic line leak detector in accordance with the manufacturer's requirements	0.00	0.00	0.25	0.00	0.25	\$7.15	\$0.00	\$0.00	491,960	122,990	\$3,515,365
Record results of annual line leak detection test	0.00	0.00	0.05	0.00	0.05	\$1.43	\$0.00	\$0.00	491,960	24,598	\$703,073
Conduct annual line tightness test	0.00	0.00	1.50	0.00	1.50	\$42.87	\$0.00	\$0.00	216,697	325,046	\$9,290,621
Record results of annual line tightness test	0.00	0.00	0.02	0.00	0.02	\$0.57	\$0.00	\$0.00	216,697	4,334	\$123,875
Release Detection Recordkeeping (280.45)											
Maintain records for specified time periods	0.00	0.00	0.00	1.00	1.00	\$18.16	\$0.00	\$0.00	211,000	211,000	\$3,832,667
Subtotal										812,564	\$89,090,836
RELEASE REPORTING, INVESTIGATION, AND CONFIRMATION											
Reading the Regulations											
Read the regulations	0.25	0.25	0.50	0.00	1.00	\$53.95	\$0.00	\$0.00	5,000	5,000	\$269,741
Reporting of Suspected Releases (280.50)											
Gather information - Facility	0.00	1.00	4.00	0.00	5.00	\$167.77	\$0.00	\$2,775.00	13,333	66,665	\$39,235,995
Gather information - Contractor	0.00	5.00	31.00	15.00	51.00	\$1,425.74	\$0.00	\$0.00	13,333	679,983	\$19,009,369
Report the suspected release	0.00	0.25	0.00	0.00	0.25	\$13.36	\$0.00	\$1.36	13,333	3,333	\$196,227
Subtotal										754,981	\$58,711,332

EXHIBIT 1 (continued)
ANNUAL ESTIMATED RESPONDENT HOUR AND COST BURDEN
TECHNICAL AND FINANCIAL REQUIREMENTS

Information Collection Activity	Hours and Costs Per Respondent Per Activity								Total Hours and Costs		
	Legal Hours	Managerial Hours	Technical Hours	Clerical Hours	Respon. Hours/ Activity	Labor Cost/ Activity	Capital/ Startup Costs per Activity	O&M Costs/ Activity	Number of Respon. or Activ.	Total Hours/ Year	Total Cost/ Year
RELEASE RESPONSE AND CORRECTIVE ACTION FOR UST SYSTEMS CONTAINING PETROLEUM OR HAZARDOUS SUBSTANCES											
Reading the Regulations											
Read the regulations	0.50	0.50	1.00	0.00	2.00	\$107.90	\$0.00	\$0.00	5,000	10,000	\$539,481
Initial Response (280.61(a))											
Report the confirmed release by telephone or electronic mail	0.00	0.50	0.50	0.00	1.00	\$41.01	\$0.00	\$0.00	8,000	8,000	\$328,103
Initial Abatement Measures Report and Site Check (280.62(a)(b))											
Gather information during initial abatement	0.00	3.00	1.00	0.00	4.00	\$188.91	\$0.00	\$848.00	8,000	32,000	\$8,295,295
Prepare and submit summary report of initial abatement steps - Facility	0.50	1.50	1.00	0.00	3.00	\$161.34	\$0.00	\$346.00	8,000	24,000	\$4,058,715
Prepare and submit summary report of initial abatement steps - Contractor	0.00	4.00	27.00	13.00	44.00	\$1,221.64	\$0.00	\$0.00	8,000	352,000	\$9,773,092
Initial Site Characterization (280.63)											
Gather information for initial site characterization - Facility	0.00	6.00	1.00	0.00	7.00	\$349.24	\$0.00	\$3,279.00	8,000	56,000	\$29,025,930
Gather information for initial site characterization - Contractor	0.00	9.00	54.00	27.00	90.00	\$2,514.88	\$0.00	\$0.00	8,000	720,000	\$20,119,043
Prepare and submit information per instructions	0.50	1.50	1.00	0.00	3.00	\$161.34	\$0.00	\$456.00	8,000	24,000	\$4,938,715
Free Product Removal (280.64)											
Gather information for free product removal report - Facility	0.00	1.50	3.25	0.00	4.75	\$173.06	\$0.00	\$402.00	1,600	7,600	\$920,093
Gather information for free product removal report - Contractor	0.00	6.00	38.00	19.00	63.00	\$1,751.92	\$0.00	\$0.00	1,600	100,800	\$2,803,066
Prepare and submit report	0.50	1.00	0.00	0.00	1.50	\$106.04	\$0.00	\$137.00	1,600	2,400	\$388,856
Investigations for Soil and Groundwater Cleanup (280.65)											
Gather information for investigation report - Facility	0.00	2.00	0.00	0.00	2.00	\$106.89	\$0.00	\$3,120.00	6,000	12,000	\$19,361,317
Gather information for investigation report - Contractor	0.00	10.00	69.00	31.00	110.00	\$3,069.72	\$0.00	\$0.00	6,000	660,000	\$18,418,312
Submit collected information	0.50	0.75	0.00	0.00	1.25	\$92.67	\$0.00	\$405.00	6,000	7,500	\$2,986,047
Corrective Action Plan (280.66)											
Prepare and submit corrective action plan or additional information - Facility	2.00	2.25	0.00	0.00	4.25	\$330.62	\$0.00	\$1,006.00	4,800	20,400	\$6,415,755
Prepare and submit corrective action plan or additional information - Contractor	0.00	20.00	78.00	39.00	137.00	\$4,006.71	\$0.00	\$0.00	4,800	657,600	\$19,232,193
Notify implementing agency of early cleanup	0.00	0.50	0.00	0.00	0.50	\$26.72	\$0.00	\$1.36	480	240	\$13,478
Report results of implementing plan - Facility	2.00	2.75	0.00	0.00	4.75	\$357.34	\$0.00	\$728.00	4,800	22,800	\$5,209,619
Report results of implementing plan - Contractor	0.00	8.00	37.00	19.00	64.00	\$1,830.22	\$0.00	\$0.00	4,800	307,200	\$8,785,056
Subtotal										3,024,540	\$161,612,166

EXHIBIT 1 (continued)
ANNUAL ESTIMATED RESPONDENT HOUR AND COST BURDEN
TECHNICAL AND FINANCIAL REQUIREMENTS

	Hours and Costs Per Respondent Per Activity								Total Hours and Costs		
	Legal Hours	Managerial Hours	Technical Hours	Clerical Hours	Respon. Hours/ Activity	Labor Cost/ Activity	Capital/ Startup Costs per Activity	O&M Costs/ Activity	Number of Respon. or Activ.	Total Hours/ Year	Total Cost/ Year
Information Collection Activity											
OUT-OF-SERVICE UST SYSTEMS AND CLOSURE											
Reading the Regulations											
Read the regulations	0.25	0.25	0.50	0.00	1.00	\$53.95	\$0.00	\$0.00	9,353	9,353	\$504,577
Permanent Closure and Change-In-Service Notification (280.71(a))											
Notify the implementing agency of permanent closure or change-in-service	0.00	0.25	0.00	0.00	0.25	\$13.36	\$0.00	\$1.36	26,000	6,500	\$382,651
Conduct site assessment of excavation zone - Facility	0.00	2.75	0.00	0.00	2.75	\$146.97	\$0.00	\$2,545.00	26,000	71,500	\$69,991,183
Conduct site assessment of excavation zone - Contractor	0.00	6.00	40.00	18.00	64.00	\$1,790.92	\$0.00	\$0.00	26,000	1,664,000	\$46,563,843
Closure Records (280.74)											
Maintain records after permanent closure or change-in-service for at least three years	0.00	0.00	0.00	0.10	0.10	\$1.82	\$0.00	\$0.09	26,000	2,600	\$49,567
Mail records to implementing agency if they cannot be maintained on site	0.00	0.00	0.00	0.50	0.50	\$9.08	\$0.00	\$4.44	6,500	3,250	\$87,893
Subtotal										1,757,203	\$117,579,714
FINANCIAL RESPONSIBILITY											
Reading the Regulations											
Read the regulations	0.50	0.50	1.00	0.00	2.00	\$107.90	\$0.00	\$0.00	5,000	10,000	\$539,481
Cancellation or Nonrenewal by a Provider of Financial Assurance (280.109)											
Prepare and submit a notice of termination of financial assurance	0.25	0.00	0.50	0.25	1.00	\$45.13	\$0.00	\$1.36	4,220	4,220	\$196,167
If necessary, prepare and submit notice of failure to obtain alternative coverage within 60 days	0.00	0.50	1.00	0.25	1.75	\$59.85	\$0.00	\$1.36	422	739	\$25,827
Reporting (280.110)											
Gather and submit forms listed in Section 280.111(b) to the implementing agency documenting current evidence of financial responsibility	0.00	0.00	0.00	0.25	0.25	\$4.54	\$0.00	\$1.36	8,000	2,000	\$47,181
Recordkeeping (280.111)											
Obtain and keep on file proof of financial responsibility	0.00	0.00	0.25	0.10	0.35	\$8.96	\$0.00	\$0.09	211,000	73,850	\$1,909,985
Update certification if financial assurance mechanism is modified	0.00	0.00	0.50	0.25	0.75	\$18.83	\$0.00	\$0.00	52,750	39,563	\$993,406
Bankruptcy or Other Incapacity (280.114)											
Prepare and submit notification of commencement of bankruptcy procedures	0.50	0.25	0.50	0.25	1.50	\$84.79	\$0.00	\$1.36	2,110	3,165	\$181,759
If necessary, prepare and submit notice of inability to obtain alternative coverage within 30 days	0.00	0.50	1.00	0.25	1.75	\$59.85	\$0.00	\$1.36	211	369	\$12,914
Subtotal										133,906	\$3,906,720
TOTAL										6,750,138	\$479,442,805

**EXHIBIT 2
ANNUAL ESTIMATED RESPONDENT HOUR AND COST BURDEN
STATE PROGRAM APPROVAL**

	Hours and Costs Per Respondent Per Activity								Total Hours and Costs		
	Legal Hours	Managerial Hours	Technical Hours	Clerical Hours	Respon. Hours/Activity	Labor Cost/Activity	Capital/Startup Costs per Activity	O&M Costs/Activity	Number of Respon. or Activ.	Total Hours/Year	Total Cost/Year
Information Collection Activity											
COMPONENTS OF A PROGRAM APPLICATION											
Reading the Regulations											
Read the regulations	4.00	8.00	8.00	0.00	20.00	\$1,279.55	\$0.00	\$0.00	1	20	\$1,280
Transmittal Letter (281.20(a))											
Obtain a transmittal letter from the governor's office	1.00	1.00	2.00	1.00	5.00	\$268.22	\$0.00	\$0.00	1	5	\$268
Submit letter to implementing agency	0.00	0.00	0.00	0.10	0.10	\$2.68	\$0.00	\$1.36	1	0.1	\$4
Description of State Program (281.20(b) and 2801.21)											
Prepare and submit description of state program	2.00	8.00	80.00	0.00	90.00	\$4,261.62	\$0.00	\$13.44	1	90	\$4,275
Procedures for Adequate Enforcement (281.22 and 281.20(c))											
Gather and submit information on compliance monitoring and enforcement procedures	2.00	4.00	40.00	2.00	48.00	\$2,260.31	\$0.00	\$13.44	1	48	\$2,274
Memorandum of Agreement (281.24 and 281.20(e))											
Negotiate an MOA with EPA	10.00	6.00	15.00	5.00	36.00	\$2,016.79	\$0.00	\$0.00	1	36	\$2,017
Prepare and submit written MOA with application	6.00	6.00	16.00	4.00	32.00	\$1,729.85	\$0.00	\$13.44	1	32	\$1,743
Attorney General's Statement (281.25 and 2801.20(f))											
Draft and submit statement from attorney general	47.00	4.00	40.00	2.00	93.00	\$5,676.73	\$0.00	\$13.44	1	93	\$5,690
Copies of Statutes and Regulations (281.20(g))											
Research and gather statutes and regulations	8.00	0.00	15.00	4.00	27.00	\$1,367.42	\$0.00	\$0.00	1	27	\$1,367
Submit copies as a part of the application to EPA	0.00	0.00	0.00	0.10	0.10	\$2.68	\$0.00	\$13.44	1	0.1	\$16
Subtotal										351	\$18,934
ADEQUATE ENFORCEMENT AND COMPLIANCE											
Reading the Regulations											
Read the regulations	1.00	1.00	1.00	0.00	3.00	\$197.90	\$0.00	\$0.00	1	3	\$198
Sharing of Information (281.43(a))											
Maintain files and current information on program administration	0.00	5.00	4.00	5.00	14.00	\$700.34	\$0.00	\$0.00	40	560	\$28,014
Submit information to EPA, if requested	0.00	0.00	0.00	0.10	0.10	\$2.68	\$0.00	\$13.44	1	0.1	\$16
Subtotal										563	\$28,228

EXHIBIT 2 (continued)
ANNUAL ESTIMATED RESPONDENT HOUR AND COST BURDEN
STATE PROGRAM APPROVAL

Information Collection Activity	Hours and Costs Per Respondent Per Activity								Total Hours and Costs		
	Legal Hours	Managerial Hours	Technical Hours	Clerical Hours	Respon. Hours/ Activity	Labor Cost/ Activity	Capital/ Startup Costs per Activity	O&M Costs/ Activity	Number of Respon. or Activ.	Total Hours/ Year	Total Cost/ Year
APPROVAL PROCEDURES											
Reading the Regulations											
Read the regulations	1.00	2.00	2.00	0.00	5.00	\$319.89	\$0.00	\$0.00	0	0	\$0
Approval Procedures for State Programs (281.50(b))											
Issue public notice of the development of underground storage tank program	0.00	0.50	0.00	0.25	0.75	\$45.93	\$0.00	\$0.00	1	1	\$46
Receive and review public comments	0.00	1.00	4.00	0.00	5.00	\$252.56	\$0.00	\$0.00	1	5	\$253
Revision of Approved State Programs (281.52(a)-(b))											
Collect and submit information on changes in regulations or shifts in responsibilities	2.00	10.00	8.00	5.00	25.00	\$1,418.58	\$0.00	\$13.44	0	0	\$0
Prepare and submit revised application, if requested by EPA	4.00	2.00	30.00	6.00	42.00	\$1,927.13	\$0.00	\$13.44	0	0	\$0
Subtotal										6	\$299
WITHDRAWAL OF APPROVAL OF STATE PROGRAMS											
Reading the Regulations											
Read the regulations	1.00	1.00	2.00	0.00	4.00	\$241.43	\$0.00	\$0.00	0	0	\$0
Procedures for Withdrawal of Approval of State Programs (281.61(a)(1))											
Gather information for program transfer	2.00	2.00	16.00	8.00	28.00	\$1,219.50	\$0.00	\$0.00	0	0	\$0
Prepare and submit transfer notification	0.00	0.50	1.00	1.00	2.50	\$109.55	\$0.00	\$1.36	0	0	\$0
Develop and submit plan for information transfer at least 90 days before the transfer	4.00	2.00	8.00	2.00	16.00	\$862.39	\$0.00	\$13.44	0	0	\$0
Subtotal										0	\$0
TOTAL										920	\$47,461

**EXHIBIT 3
ANNUAL ESTIMATED AGENCY HOUR AND COST BURDEN
UST TECHNICAL AND FINANCIAL REQUIREMENTS**

Information Collection Activity	Hours and Costs Per Respondent Per Activity								Total Hours and Costs		
	Legal Hours	Managerial Hours	Technical Hours	Clerical Hours	Respon. Hours/Activity	Labor Cost/Activity	Capital/Startup Costs per Activity	O&M Costs/Activity	Number of Respon. or Activ.	Total Hours/Year	Total Cost/Year
UST SYSTEMS: DESIGN, CONSTRUCTION, INSTALLATION, AND NOTIFICATION											
Review and file notification forms	0.00	0.00	0.50	0.25	0.75	\$31.22	\$0.00	\$0.00	15,000	11,250	\$468,300
Enter information into a database	0.00	0.00	0.00	0.10	0.10	\$2.91	\$0.00	\$0.00	15,000	1,500	\$43,650
Subtotal										12,750	\$511,950
RELEASE DETECTION											
Review demonstration of the effectiveness of an alternative method of release detection	0.00	2.00	8.00	0.00	10.00	\$519.62	\$0.00	\$0.00	0	0	\$0
Subtotal										0	\$0
RELEASE REPORTING, INVESTIGATION, AND CONFIRMATION											
Review and file information on suspected releases	0.00	0.50	2.00	0.50	3.00	\$144.46	\$0.00	\$0.00	13,333	39,999	\$1,926,085
Enter information into a database	0.00	0.00	0.00	0.10	0.10	\$2.91	\$0.00	\$0.00	13,333	1,333	\$38,799
Review and file information on confirmed releases	0.00	0.50	2.00	0.50	3.00	\$144.46	\$0.00	\$0.00	8,000	24,000	\$1,155,680
Enter information into a database	0.00	0.00	0.00	0.10	0.10	\$2.91	\$0.00	\$0.00	8,000	800	\$23,280
Subtotal										66,132	\$3,143,844

EXHIBIT 3 (continued)
ANNUAL ESTIMATED AGENCY HOUR AND COST BURDEN
UST TECHNICAL AND FINANCIAL REQUIREMENTS

Information Collection Activity	Hours and Costs Per Respondent Per Activity								Total Hours and Costs		
	Legal Hours	Managerial Hours	Technical Hours	Clerical Hours	Respon. Hours/Activity	Labor Cost/Activity	Capital/Startup Costs per Activity	O&M Costs/Activity	Number of Respon. or Activ.	Total Hours/Year	Total Cost/Year
RELEASE RESPONSE AND CORRECTIVE ACTION FOR UST SYSTEMS CONTAINING PETROLEUM OR HAZARDOUS SUBSTANCES											
Receive and review initial response report	0.00	0.00	0.50	0.00	0.50	\$23.94	\$0.00	\$0.00	8,000	4,000	\$191,520
Enter information into a database	0.00	0.00	0.00	0.50	0.50	\$14.56	\$0.00	\$0.00	8,000	4,000	\$116,480
Review and file summary report of initial abatement measures	0.00	1.00	4.00	0.25	5.25	\$267.09	\$0.00	\$0.00	8,000	42,000	\$2,136,720
Enter information into a database	0.00	0.00	0.00	0.25	0.25	\$7.28	\$0.00	\$0.00	8,000	2,000	\$58,240
Review and file information on initial site characterization	0.00	1.00	4.00	0.25	5.25	\$267.09	\$0.00	\$0.00	8,000	42,000	\$2,136,720
Enter information into a database	0.00	0.00	0.00	0.25	0.25	\$7.28	\$0.00	\$0.00	8,000	2,000	\$58,240
Review and file free product removal report	0.00	1.00	4.00	0.25	5.25	\$267.09	\$0.00	\$0.00	1,600	8,400	\$427,344
Enter information into a database	0.00	0.00	0.00	0.10	0.10	\$2.91	\$0.00	\$0.00	1,600	160	\$4,656
Review and file soil and groundwater investigation report	0.00	1.00	4.00	0.25	5.25	\$267.09	\$0.00	\$0.00	6,000	31,500	\$1,602,540
Enter information into a database	0.00	0.00	0.00	0.25	0.25	\$7.28	\$0.00	\$0.00	6,000	1,500	\$43,680
Review and file corrective action plan	1.00	2.00	8.00	0.25	11.25	\$634.43	\$0.00	\$0.00	4,800	54,000	\$3,045,264
Enter information into a database	0.00	0.00	0.00	0.25	0.25	\$7.28	\$0.00	\$0.00	4,800	1,200	\$34,944
Notify public of the release and the corrective action plan through an appropriate means	0.00	0.00	1.00	0.25	1.25	\$55.17	\$0.00	\$0.00	4,800	6,000	\$264,816
Hold a public hearing and consider comments on the proposed corrective action plan	0.00	2.00	8.00	0.00	10.00	\$519.62	\$0.00	\$0.00	4,800	48,000	\$2,494,176
Notify the owner or operator whether plan is approved or disapproved	0.00	0.25	0.00	0.25	0.50	\$24.34	\$0.00	\$1.36	4,800	2,400	\$123,344
Review and file the report on results of implementing the plan	2.00	4.00	16.00	0.25	22.25	\$1,261.58	\$0.00	\$0.00	4,800	106,800	\$6,055,584
Enter information into a database	0.00	0.00	0.00	0.25	0.25	\$7.28	\$0.00	\$0.00	4,800	1,200	\$34,944
Give public notice if the approved plan fails to achieve established cleanup levels, and termination of plan is being considered (failure rate of 5 percent)	0.00	0.00	1.00	0.25	1.25	\$55.17	\$0.00	\$0.00	240	300	\$13,241
Subtotal										357,460	\$18,842,453
OUT-OF-SERVICE UST SYSTEMS AND CLOSURE											
Review and file notification of closure or a change in service	0.00	0.00	0.50	0.25	0.75	\$31.22	\$0.00	\$0.00	26,000	19,500	\$811,720
Subtotal										19,500	\$811,720

EXHIBIT 3 (continued)
ANNUAL ESTIMATED AGENCY HOUR AND COST BURDEN
UST TECHNICAL AND FINANCIAL REQUIREMENTS

Information Collection Activity	Hours and Costs Per Respondent Per Activity								Total Hours and Costs		
	Legal Hours	Managerial Hours	Technical Hours	Clerical Hours	Respon. Hours/Activity	Labor Cost/Activity	Capital/Startup Costs per Activity	O&M Costs/Activity	Number of Respon. or Activ.	Total Hours/Year	Total Cost/Year
FINANCIAL RESPONSIBILITY											
Review and file submitted financial assurance information	0.00	0.00	0.50	0.25	0.75	\$31.22	\$0.00	\$0.00	8,000	6,000	\$249,760
Enter financial assurance information into a database	0.00	0.00	0.00	0.10	0.10	\$2.91	\$0.00	\$0.00	8,000	800	\$23,280
Notify owners or operators if they no longer meet financial assurance responsibilities	0.00	0.25	0.00	0.25	0.50	\$24.34	\$0.00	\$1.36	4,220	2,110	\$108,440
Review and file notification of failure to obtain alternative financial assurance due to cancellation or non-renewal of policy	0.00	0.25	1.00	0.25	1.50	\$72.23	\$0.00	\$0.00	422	633	\$30,481
Enter financial assurance information into a database	0.00	0.00	0.00	0.10	0.10	\$2.91	\$0.00	\$0.00	422	42	\$1,228
Review and file notification of commencement of bankruptcy procedures	0.00	0.25	1.00	0.25	1.50	\$72.23	\$0.00	\$0.00	2,110	3,165	\$152,405
Enter financial assurance information into a database	0.00	0.00	0.00	0.10	0.10	\$2.91	\$0.00	\$0.00	2,110	211	\$6,140
Review and file notification of failure to obtain alternative financial assurance due to bankruptcy	0.00	0.25	1.00	0.25	1.50	\$72.23	\$0.00	\$0.00	211	317	\$15,241
Enter financial assurance information into a database	0.00	0.00	0.00	0.10	0.10	\$2.91	\$0.00	\$0.00	211	21	\$614
Subtotal										13,299	\$587,589
TOTAL										469,141	\$23,897,556

**EXHIBIT 4
ANNUAL ESTIMATED AGENCY HOUR AND COST BURDEN
STATE PROGRAM APPROVAL**

Information Collection Activity	Hours and Costs Per Respondent Per Activity								Total Hours and Costs		
	Legal Hours	Managerial Hours	Technical Hours	Clerical Hours	Respon. Hours/ Activity	Labor Cost/ Activity	Capital/ Startup Costs per Activity	O&M Costs/ Activity	Number of Respon. or Activ.	Total Hours/ Year	Total Cost/ Year
COMPONENTS OF A PROGRAM APPLICATION											
Examine state program application and notify the state whether the application is complete	0.00	1.00	4.00	0.00	5.00	\$259.81	\$0.00	\$0.00	1	5	\$260
Review the complete state program application and tentatively determine approval or disapproval for state program	8.00	16.00	40.00	0.00	64.00	\$3,867.90	\$0.00	\$0.00	1	64	\$3,868
Issue public notice of the tentative decision	0.00	0.50	0.00	0.25	0.75	\$41.41	\$0.00	\$0.00	1	1	\$41
Receive and review public comments	0.00	1.00	4.00	0.00	5.00	\$259.81	\$0.00	\$0.00	1	5	\$260
Conduct public hearing, if necessary	0.00	2.00	2.00	0.00	4.00	\$232.29	\$0.00	\$0.00	1	4	\$232
Make a final decision on approval or disapproval for a state program	0.00	1.00	4.00	0.00	5.00	\$259.81	\$0.00	\$0.00	1	5	\$260
Issue notice of the final decision	0.00	0.50	0.00	0.25	0.75	\$41.41	\$0.00	\$0.00	1	1	\$41
Subtotal										85	\$4,962
APPROVAL PROCEDURES											
Review the revision of approved state program and tentatively determine approval or disapproval	2.00	4.00	10.00	0.00	16.00	\$966.98	\$0.00	\$0.00	0	0	\$0
Issue public notice of the tentative decision	0.00	0.50	0.00	0.25	0.75	\$41.41	\$0.00	\$0.00	0	0	\$0
Notify state if decision receives negative public comment and either withdraw the decision or respond to the negative public comments	0.00	1.00	4.00	0.25	5.25	\$267.09	\$0.00	\$1.36	0	0	\$0
Subtotal										0	\$0
WITHDRAWAL OF APPROVAL OF STATE PROGRAMS											
Review and file transfer notification and plan	1.00	2.00	8.00	0.25	11.25	\$634.43	\$0.00	\$0.00	0	0	\$0
Publish notice of the transfer	0.00	0.50	0.00	0.25	0.75	\$41.41	\$0.00	\$0.00	0	0	\$0
Conduct withdrawal proceedings in accordance with 40 CFR 271.23(b) and (c)	2.00	4.00	16.00	0.00	22.00	\$1,254.30	\$0.00	\$0.00	0	0	\$0
Subtotal										0	\$0
TOTAL										85	\$4,962

6(e) Bottom Line Hour and Cost Burden

(1) Respondent Tally

Exhibit 5 summarizes the total annual hour and cost burden to UST owners and operators and to states (as respondents seeking program approval or program revision). As shown in the exhibit, EPA estimates the annual respondent burden to be approximately 6.8 million hours and \$479 million. The bottom line burden to respondents over three years is estimated to be approximately 20.3 million hours and \$1.4 billion.

**EXHIBIT 5
TOTAL ESTIMATED ANNUAL RESPONDENT HOUR AND COST BURDEN SUMMARY**

Information Collection Activity	Total Hours/Year	Labor Cost	Capital/Startup Cost	O & M Cost	Total Cost/Year
Technical and Financial Requirements	6,750,138	\$199,794,372	\$60,337,980	\$219,310,452	\$479,442,805
State Program Approval	920	\$47,381	\$0	\$79	\$47,461
TOTAL	6,751,058	\$199,841,753	\$60,337,980	\$219,310,531	\$479,490,266

(2) Agency Tally

Exhibit 6 summarizes the total annual Agency hour and cost burden associated with all of the requirements covered in this ICR. As shown in the exhibit, EPA estimates the annual Agency burden to be approximately 470,000 hours and \$24 million. The bottom line burden to the Agency over three years is estimated to be approximately 1.4 million hours and \$72 million.

**EXHIBIT 6
TOTAL ESTIMATED ANNUAL AGENCY HOUR AND COST BURDEN SUMMARY**

Information Collection Activity	Total Hours/Year	Labor Cost	Capital/Startup Cost	O & M Cost	Total Cost/Year
Technical and Financial Requirements	469,141	\$23,885,319	\$0	\$12,237	\$23,897,556
State Program Approval	85	\$4,962	\$0	\$0	\$4,962
TOTAL	469,226	\$23,890,281	\$0	\$12,237	\$23,902,518

6(f) Reasons for Change in Burden

This ICR presents a comprehensive description of the total annual respondent burden for all information collection activities related to the UST program. In renewing this ICR, EPA has updated its respondent universe and burden estimates based on updated data from the Office of Underground Storage Tanks (OUST) and the regulated community. Because of these updated data, the total annual time burden to respondents has increased 13 percent (781,841 hours) from the previous ICR (from 5,969,217 hours per year to 6,751,058 hours per year). The 13% increase is primarily attributed to the increased number of tank closures when compared to the 2007 ICR.

6(g) Burden Statement

Exhibit 7 presents the average annual respondent time burden for each UST facility and for each state that has a federally-approved UST program, or will apply for program approval. For UST facilities, as shown in the exhibit, the total time burden for conducting the activities covered in this ICR is estimated to average approximately 32 hours per respondent annually. Of this, the reporting burden is estimated to average 18 hours per respondent per year. This estimate includes time for preparing and submitting notices, preparing and submitting demonstrations and applications, reporting releases, gathering information, and preparing and submitting reports. The recordkeeping burden for UST facilities is estimated to average 14 hours per respondent per year. This estimate includes time for gathering information and for developing and maintaining records. The burden for third party disclosure is estimated to average 0.4 hours per respondent per year. This estimate includes time to notify a purchaser of an UST of the owner's notification obligations.

EXHIBIT 7 TOTAL AVERAGE ANNUAL RESPONDENT BURDEN

Information Collection Activity	Average Reporting Burden (Hours)	Average Recordkeeping Burden (Hours)	Average Third Party Disclosure Burden (Hours)	Total Average Burden (Hours)
Technical and Financial Requirements	18.05	13.60	0.35	32.00
State Program Approval	8.43	14.58	0.00	23.01

For states applying for program approval and for states that have approved programs, the total time burden is estimated to average approximately 23 hours per state annually. The reporting burden is estimated to average approximately 8 hours per respondent per year. This estimate includes time for preparing and submitting an application and associated information. The recordkeeping burden is estimated to average approximately 15 hours per respondent per year. This estimate includes time for maintaining application files.

Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, disclose, or provide information to or for a federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, verifying, processing, maintaining, 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.

To comment on the Agency's need for this information, the accuracy of the provided burden estimates and any suggested methods for minimizing respondent burden, including the use of automated collection techniques, EPA has established a public docket for this ICR under Docket ID No. EPA-HQ-UST-2010-0625, which is available for online viewing at www.regulations.gov, or in person at the UST Docket in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Ave., NW,

Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is 202-566-1744 and the telephone number for the UST Docket is 202-566-0270. Use www.regulations.gov to submit or view public comments, to access the index listing of the contents of the public docket and to access those documents in the public docket that are available electronically. Comments can also be sent to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, DC 20503, Attention: Desk Office for EPA. Please include the EPA Docket ID No. (EPA-HQ-UST-2010-0625).