

**SUPPORTING STATEMENT FOR
EPA INFORMATION COLLECTION REQUEST NUMBER 2002.05
“CROSS-MEDIA ELECTRONIC REPORTING RULE”**

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Office of Environmental Information
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1. IDENTIFICATION OF THE INFORMATION COLLECTION

1(a) TITLE AND NUMBER OF THE INFORMATION COLLECTION

This Information Collection Request (ICR) is entitled “Cross-Media Electronic Reporting Rule,” EPA ICR Number 2002.05, OMB Control Number 2025-0003.

1(b) CHARACTERIZATION OF THE INFORMATION COLLECTION

The U.S. Environmental Protection Agency (EPA) allows regulated entities to report electronically to EPA by allowing the use of electronic document receiving systems to receive electronic documents in satisfaction of certain document submission requirements in EPA’s regulations.¹ The Cross-Media Electronic Reporting Rule (CROMERR) also allows State, Tribal, and local governments to seek EPA approval, as provided under 40 Code of Federal Regulations (CFR) 3.1000, to accept electronic documents to satisfy reporting requirements under authorized or delegated environmental programs that they administer. In seeking EPA approval, these State, Tribal, and local governments must upgrade existing electronic document receiving systems or develop new electronic document receiving systems to satisfy the criteria laid out at 40 CFR 3.2000. Regulated entities that use an electronic signature device in submitting electronic documents to the EPA or a State, Tribal, or local government receiving system must comply with identity proofing requirements, as applicable. In the remainder of this document, we refer to State, Tribal, and local governments as “States/Locals” because, at the current time, EPA is not aware of any Tribal governments that have electronic document receiving systems or are planning to develop such systems during the next three years.

CROMERR does not require any regulated entity to report electronically to EPA or States/Locals. CROMERR establishes requirements for utilizing electronic reporting as an alternative to paper-based reporting. It does not require States/Locals to implement electronic reporting; rather, it establishes the framework for implementing the electronic reporting alternative for Federal laws that they administer. In this regard, regulated entities are affected only as follows:

- Entities that report electronically to EPA have to register with EPA’s electronic document receiving system (e.g., log on to the EPA Web site and enter requested information), comply with the identity proofing provisions, and then commence electronic reporting. In this document, we refer to these entities as “direct reporters.”
- States/Locals must upgrade existing electronic document receiving systems or develop new electronic document receiving systems to meet 40 CFR 3.2000 requirements. These States/Locals must apply for EPA program modification approval under 40 CFR 3.1000. They also must implement the identity proofing requirements at 40 CFR 3.2000(b)(5).

¹ In this document, EPA is using the term “electronic reporting” in a sense that excludes submission of a report via magnetic media, (i.e., via diskette, compact disc, or tape). EPA is also excluding transmission via hard copy facsimile. Likewise, EPA’s use of the term “electronic document” throughout this document refers exclusively to documents that are transmitted via a telecommunications network, excluding hard copy facsimile.

- Entities that report electronically to States/Locals must comply with the identity proofing requirements at 40 CFR 3.2000(b)(5). In this document, we refer to these entities as “indirect reporters.”
- Entities that opt to implement the local registration authority (LRA) alternative for identity proofing must identify an individual who will collect subscriber agreements from each individual that intends to use an electronic signature device in reporting electronically to a State/Local electronic document receiving system. In this document, we refer to these entities as “indirect reporting firms.”
- The LRA must collect and store subscriber agreements from individuals in his/her indirect reporting firm. The LRA also must prepare an agreement collection certification and submit a certification of receipt and secure storage to the corresponding State/Local agency.

Sections 1 through 5 of this document describe the information collection requirements covered in this ICR (e.g., in regard to need and use of the information collected). Section 6 estimates the annual burden to respondents. This ICR does not address the burden savings to respondents in reporting electronically under EPA programs. EPA’s programs will amend their program-specific ICRs to address these impacts.

CROMERR establishes requirements applicable to electronic reporting and receiving systems, as specified. Many of the activities to be conducted by direct reporters will be determined by the instructions associated with EPA’s electronic document receiving system. Specifically, EPA has developed an Agency-wide receiving system, the Central Data Exchange (CDX), which guides direct reporters through the registration and reporting procedures. In developing this ICR, EPA referred to the regulatory text, as well as CDX, in describing direct reporters’ activities and associated burden.

The following paragraphs describe the respondent activities examined in this ICR.

NOTE: As used in this document, the term “respondent” includes:

- Direct reporters, indirect reporters, indirect reporting firms, and LRAs complying with the registration and identity proofing requirements covered in this ICR, as applicable. This includes:
 - Private sector entities; and
 - State/Local agencies that are regulated entities².
- State/Local agencies administering electronic document receiving systems subject to CROMERR³. In this document, we refer to these respondents as “State/Local agencies acting as regulators.”

² Addressing State/Local agencies as “respondents” is consistent with EPA’s interpretation of the definition of respondent in the Paperwork Reduction Act (PRA).

³ Ibid.

- State/Local agencies seeking EPA approval to allow electronic reporting under CROMERR⁴. In this document, we refer to these respondents as “State/Local agencies that are regulated entities.”

(1) Registering with EPA Electronic Document Receiving System

40 CFR 3.10(a) and (b) establish Federal environmental reporting requirements that facilities must satisfy to submit electronic documents to EPA. Among other things, Section 3.10(a) provides that a person may use an electronic document to satisfy a Federal reporting requirement, or otherwise substitute for a paper document or submission permitted or required under other provisions of 40 CFR only if the person submits the electronic document to EPA’s CDX, or to another EPA electronic document receiving system that the Administrator may designate for the receipt of specified submissions, complying with the system’s requirements for submission. The electronic document must bear all valid electronic signatures as required under 40 CFR to sign the paper document for which the electronic document substitutes, unless EPA announces special provisions to accept the signature on separate paper submission.

In accordance with the above requirements, as well as the requirements of CDX, direct reporters must register initially with CDX. They also must update their registration information as needed.

(2) Compliance with Identity Proofing Requirements

Direct and indirect reporters must comply with the identity proofing provisions of CDX and CROMERR, as applicable. As provided by CDX and 40 CFR 3.2000(a)(2), any electronic document must bear the valid electronic signature of a signatory if that signatory would be required under the EPA or State/Local environmental program to sign the paper document for which the electronic document substitutes, unless the program makes special provisions to accept a handwritten signature on a separate paper submission, as specified.

In the case of an electronic document that must bear electronic signatures of individuals, as provided by CDX or 40 CFR 3.2000(a)(2), each signatory must sign either an electronic signature agreement or a subscriber agreement with respect to the electronic signature device used to create their electronic signature on the electronic document.

CDX and 40 CFR 3.2000(b)(5)(vii) require that, for each electronic signature device used to create an electronic signature on the document, the identity of the individual uniquely entitled to use the device and their relation to any entity for which they will sign electronic documents must be determined with legal certainty by EPA or States/Locals, as applicable. In the case of priority reports, this determination must be made before the electronic document is received, by means of:

- Identifiers or attributes that are verified by attestation of disinterested individuals to be uniquely true of the individual in whose name the application is submitted, based

⁴ Ibid.

on information or objects of independent origin, at least one item of which is not subject to change without governmental action or authorization.

- A method of determining identity no less stringent than the one above.
- Collection of either a subscriber agreement or a certification from a LRA that such an agreement has been received and securely stored.

(3) Approval of State/Local Electronic Document Receiving System Applications

States/Locals that receive, or wish to begin receiving, electronic documents in lieu of paper documents to satisfy requirements under authorized programs must revise or modify the EPA-approved State/Local environmental program to ensure that it meets the requirements of 40 CFR Part 3. In making these program revisions or modifications, States/Locals must submit an application that complies with 40 CFR 3.1000(b)(1), and use either the applicable procedures for revision or modification of such programs in other parts of 40 CFR; or, at their option, the procedures provided in 40 CFR 3.1000(b) through (e). The procedures provided in Sections 3.1000(b) through (e) may only be used for revising or modifying an authorized program to provide for electronic reporting and for subsequent revisions or modifications to the electronic reporting elements of the authorized program as provided under 40 CFR 3.1000(a)(4). (40 CFR 3.1000(a)(1))

States/Locals that accept electronic documents in lieu of paper documents under an authorized program for which EPA has approved program revisions or modifications under the procedures provided in 40 CFR 3.1000(a)(1), must keep EPA apprised of those changes to laws, policies, or the electronic document receiving systems that have the potential to affect program conformance with 40 CFR 3.2000. Where the Administrator determines that such changes require EPA review and approval, EPA may request that States/Locals submit an application for program revision or modification. Additionally, States/Locals may submit applications on their own initiative for program revision or modification respecting their receipt of electronic documents. (40 CFR 3.1000(a)(4))

To obtain EPA approval of program revisions or modifications using procedures provided under 40 CFR 3.1000, States/Locals must submit an application to the Administrator that includes the elements in Section 3.1000(b)(1)(i)-(iv). (40 CFR 3.1000(b)(1))

States/Locals that revise or modify more than one (1) authorized program for receipt of electronic documents, in lieu of paper documents, may submit a consolidated application covering more than one (1) authorized program, provided the consolidated application complies with Section 3.1000(b)(1) for each authorized program. (40 CFR 3.1000(b)(2))

State/Local programs must satisfy the requirements at 40 CFR 3.2000. Pursuant to Section 3.2000(a), authorized programs that receive electronic documents, in lieu of paper documents, to satisfy requirements under such programs must use an acceptable electronic document receiving system as specified and require that any electronic document must bear the valid electronic signature of a signatory if that signatory would be required under the authorized

program to sign the paper document for which the electronic document substitutes unless the program makes special provisions to accept a handwritten signature on a separate paper submission, where such provisions are addressed in the application submitted under Section 3.1000(b)(1) and ensure that the paper submission contains references to the electronic document sufficient for legal certainty that the signature was executed with the intention to certify to, attest to, or agree to the content of that electronic document.

As provided at 40 CFR 3.2000(b), an electronic document receiving system that receives electronic documents, submitted in lieu of paper documents, to satisfy requirements under an authorized program must be able to generate data with respect to any such electronic document, as needed and in a timely manner, including a copy of record for the electronic document, that meets the criteria specified in Sections 3.2000(b)(1) through (5).

2. NEED FOR AND USE OF THE COLLECTION

2(a) NEED AND AUTHORITY FOR THE COLLECTION

EPA established the CROMERR requirements to ensure compliance with the Government Paperwork Elimination Act (GPEA).⁵ GPEA requires that Federal agencies be prepared, by October 21, 2003, to allow persons who are required to maintain, submit, or disclose information, the option of doing so electronically, when practicable, as a substitute for paper; and to use electronic authentication (electronic signature) methods to verify the identity of the sender and the integrity of electronic content. GPEA specifically provides that electronic records, and their related electronic signatures, are not to be denied legal effect, validity, or enforceability merely because they are in electronic form.

(1) Registering with EPA Electronic Document Receiving System

Regulated entities must initially register with the EPA electronic document receiving system to establish a user account. EPA needs the registration information to identify the registrant, contact information, and registrant's organization. Registrants also select a password and user name during registration. This information is needed to ensure that only the registrant has access to his/her account.

(2) Compliance with Identity Proofing Requirements

The identity proofing provisions in 40 CFR 3.2000(b)(5) are needed to strengthen the non-repudiation provisions of CROMERR. The electronic signature agreement, required in Section 3.2000(b)(5)(v), establishes that the signatory was informed of their obligation to keep the signature device from compromise, by ensuring that it is not made available to anyone else. These provisions are intended to ensure that the Federal laws regarding the falsification of information submitted to the government still apply to any and all electronic transactions, and that fraudulent electronic submissions will be prosecuted to the fullest extent of the law. In establishing clear requirements for electronic reporting systems, CROMERR helps to minimize fraud by assuring that the responsible individuals can be readily identified.

(3) Approval of State/Local Electronic Document Receiving System Applications

EPA needs information submitted by States/Locals in their program modification applications to evaluate the States/Locals' upgraded or new electronic document receiving systems to ensure they satisfy the criteria at 40 CFR 3.2000.

EPA also needs the information to evaluate whether the State/Local's modified program has been satisfactorily revised or modified in regard to their electronic document receiving system. In particular, the application must include a certification that the State/Local has sufficient legal authority provided by lawfully enacted or promulgated statutes or regulations to implement the electronic reporting component of its authorized program covered by the application; and to enforce the affected programs using electronic documents collected under

⁵ Title XVII of Pub. L. 105 277.

these programs. The certification must be signed by the governmental official who is legally competent to certify with respect to legal authority on behalf of their government. In the case of a State, this official must be the Attorney General or designee. In the case of a Tribe or local government, this official must be the chief administrative official or officer or designee. As a legal matter, EPA's position is that Attorneys General or their designees are the only officials capable of certifying with respect to their States' legal authority. Where there are substantial administrative obstacles involving the Attorney General in such certifications, EPA urges the State Attorney General to provide for a legally competent designee who is available to participate in the submission of the State's application.

2(b) PRACTICAL UTILITY AND USERS OF THE DATA

(1) Registering with EPA Electronic Document Receiving System

Regulated entities must initially register with the EPA electronic document receiving system to establish a user account and create a password. EPA uses the information to identify the registrant (e.g., by name and/or organization), establish the account, and contact the registrant if needed. Regulated entities use the password to access their account and to protect it from unauthorized use.

(2) Compliance with Identity Proofing Requirements

EPA, States/Locals, and LRAs use the identity proofing information from registrants to determine each registrant's identity and relationship to their regulated entity. The information may be used in an EPA or State/Local enforcement action to rebut a signatory's attempt to repudiate their electronic signature and/or other elements of the document that was signed.

When EPA or State/Local agency receives a subscriber agreement, certification of receipt and secure storage, or other identity-proofing information, the agency will review, process, and file the submittal. EPA or State/Local agency would then provide the registrant with access to the electronic document receiving system (e.g., open its account) so that it may begin using the electronic signature device in reporting electronically.

(3) Approval of State/Local Electronic Document Receiving System Applications

EPA uses the information submitted by States/Locals in their program modification applications to evaluate the States/Locals' upgraded or new electronic document receiving systems against the criteria at 40 CFR 3.2000(b)(1)-(5). For example, EPA will review the application to determine if the systems are able to generate data as needed, and in a timely manner, including copy of record for each electronic document received, sufficient to prove that the electronic document was not altered without detection during transmission or at any time after receipt.

EPA also reviews the application to ensure that the State/Local has taken all necessary steps to modify its regulations and statutes, as needed, so that it has authority to implement electronic reporting and enforce the affected programs using electronic documents collected

under its programs. This includes, among other things, an evaluation of the Attorney General's certification under 40 CFR 3.1000(b)(1)(i).

3. NONDUPLICATION, CONSULTATIONS, AND OTHER COLLECTION CRITERIA

3(a) NONDUPLICATION

CROMERR establishes uniform, Agency-wide criteria for electronic document receiving systems, thereby minimizing the potential for duplication or redundancy across EPA or State/Local programs. In addition, electronic reporting is voluntary, and will likely be used by facilities only if cost-effective and non-duplicative with their other compliance activities. CROMERR does not alter the reporting requirements under existing regulations and statutes, and does not affect whether a document must be created, submitted, or retained under the existing provisions 40 CFR.

3(b) PUBLIC NOTICE

In compliance with the Paperwork Reduction Act of 1995, EPA issued a public notice in the Federal Register on February 2, 2011 (76 FR 5802). The public comment period extended through April 4, 2011. EPA did not receive any written comments on the ICR in response to the Federal Register notice.

3(c) CONSULTATIONS

Most of the underlying assumptions in this ICR (e.g., hour and cost burden estimates) are based on EPA consultations with industry and States/Locals during the development of CROMERR and renewal of previous CROMERR ICRs. For example, EPA analyzed State feedback on the number of electronic document receiving systems and reporting facilities, and reflected updated input in the supporting statement. No additional consultations were conducted in the development of this ICR.

3(d) EFFECTS OF LESS FREQUENT COLLECTION

(1) Registering with EPA Electronic Document Receiving System

Facilities must initially register with the EPA electronic document receiving system to establish a user account. Registration information is collected at the time of registration (i.e., a one-time event) and updated if needed. Because it is a one-time activity, the information cannot be collected less frequently. If this information were not collected, EPA would not have a way to learn the identity of the registrant and establish its account.

(2) Compliance with Identity Proofing Requirements

Facilities must comply with the identity proofing provisions of CDX and 40 CFR 3.2000(b)(5), as applicable. These provisions provide that, in the case of priority reports for which an electronic signature device was used to create an electronic signature, a determination of identity must be made before the electronic document is received. It is critical that registrants submit the identity proofing paperwork in advance of their priority reports so that the Agency

can establish a link between each registrant and its electronic signature device to hold them accountable for their submittals. Facilities also must report any compromise or surrender of its electronic signature device to EPA or State/Local.

LRAs must report any breach of storage of its subscriber agreements. These are as-needed submittals. If these reports were not collected, EPA and States/Locals would not have a way to learn about the signature compromise/surrender or storage breaches. Hence, they would not be in a position to take follow up action as needed (e.g., to temporarily prevent access to an account whose signature device has been compromised). This could result in the unauthorized use an electronic signature device.

(3) Approval of State/Local Electronic Document Receiving System Applications

CROMERR sets forth timeframes for EPA receipt, review, and approval of State/Local program modification applications to implement electronic document receiving systems. States/Locals that did not have an electronic document receiving system in use or substantially developed on or before October 13, 2005 must apply to EPA for program modification approval before receiving electronic documents (40 CFR 3.10000(a)(2)). If this frequency were not specified, EPA would not have assurance that States/Locals are developing and using electronic document receiving systems that comply with CROMERR's provisions at 40 CFR 3.2000.

3(e) GENERAL GUIDELINES

This ICR adheres to the guidelines stated in the Paperwork Reduction Act (PRA), Office of Management and Budget's (OMB's) implementing regulations, applicable OMB guidance, and EPA's ICR Handbook.

EPA notes that subscriber agreements must be kept on file until five years after deactivation of the associated electronic signature device. A five-year retention period is necessary to ensure that such records are available in case of an EPA or State/Local enforcement action. EPA recognizes that a registrant may use an electronic signature device in signing a range of enforcement-sensitive reports. Certain reports may have relevance to an enforcement action long after it is submitted to EPA or State/Local. Because of this, EPA needed to establish a sufficiently long retention period for the subscriber agreements so that they would available for such enforcement actions.

3(f) CONFIDENTIALITY

If a confidentiality claim were asserted, EPA would treat the information in accordance with the confidentiality regulations at 40 CFR Part 2, Subpart B. EPA also would ensure that the information collection procedures comply with the Privacy Act of 1974 and the OMB Circular 108.

3(g) SENSITIVE QUESTIONS

Persons registering with CDX are asked to provide knowledge-based information (e.g., date of birth) to ensure the security of their password, user name, and other information supplied. If the person loses his/her password or user name, or otherwise needs to confirm his/her identity to EPA, EPA could use the knowledge-based information to confirm his/her identity.

4. THE RESPONDENTS AND THE INFORMATION REQUESTED

4(a) RESPONDENTS AND NAICS CODES

The information collection requirements covered in this ICR will likely have broad applicability across industries. Refer to Appendix A for a list of the North American Industry Classification System (NAICS) codes associated with industries most likely affected by these requirements.

4(b) INFORMATION REQUESTED

Following is a description of the data items and activities associated with the information collection requirements covered in this ICR. Refer to Section 1(b) for the types of respondents examined in this subsection.

(1) Registering with EPA Electronic Document Receiving System

Facilities must register their employees with CDX before reporting electronically to EPA. The employees must update their registration information if it changes.

(i) Data Items:

- An on-line registration application:
 - Registrant name.
 - Organization name.
 - Address.
 - Knowledge-based information (e.g., user-supplied secret question-and-answer pair).

(ii) Respondent Activities:

Facility employees must perform the following activities:

- Log on to receiving system site and enter requested information.
- Update the information, as needed.

(2) Compliance with Identity Proofing Requirements

Direct reporters, indirect reporters, indirect reporting firms, and LRAs must comply with the identity proofing provisions of CDX and CROMERR, as applicable. In addition, States/Locals that accept electronic documents to satisfy reporting requirements under authorized or delegated environmental programs that they administer must process, review, and approve the identity proofing information submitted by indirect reporters.

CDX and 40 CFR 3.2000(a)(2) require that any electronic document must bear the valid electronic signature of a signatory if that signatory would be required under the authorized

program to sign the paper document for which the electronic document substitutes, except as otherwise specified. In the case of an electronic document that must bear electronic signatures of individuals as provided by CDX and 40 CFR 3.2000(a)(2), each signatory must sign either an electronic signature agreement, or a subscriber agreement with respect to the electronic signature device used to create their electronic signature on the electronic document.

CDX and 40 CFR 3.2000(b)(5)(vii) require that the identity of the individual uniquely entitled to use the device and their relation to any entity for which he or she will sign electronic documents must be determined with legal certainty by EPA or State/Local, as applicable. In the case of priority reports, this determination must be made before the electronic document is received, by means of:

- Identifiers or attributes that are verified by attestation of disinterested individuals to be uniquely true of the individual in whose name the application is submitted, based on information or objects of independent origin, at least one item of which is not subject to change without governmental action or authorization.
- A method of determining identity no less stringent than the one above.
- Collection of either a subscriber agreement or a certification from a LRA that such an agreement has been received and securely stored.

The term “subscriber agreement” means an electronic signature agreement signed by an individual with a handwritten signature. The agreement must be signed by an individual with respect to an electronic signature device that the individual will use to create his/her electronic signature requiring such individual to protect the electronic signature device from compromise; to promptly report to the agency or agencies relying on the electronic signatures created any evidence discovered that the device has been compromised; and to be held as legally bound, obligated, or responsible by the electronic signatures created as by a handwritten signature. This agreement must be stored until five years after the associated electronic signature device has been deactivated.

The term “Local Registration Authority” means an individual who is authorized by a State/Local to issue an agreement collection certification, whose identity has been established by notarized affidavit, and who is authorized in writing by a regulated entity to issue agreement collection certifications on its behalf. Once approved by EPA or State/Local, the LRA would collect subscriber agreements from each individual in the regulated entity that intends to use an electronic signature device in reporting electronically to EPA or State/Local electronic document receiving system. The LRA would collect and store the subscriber agreements in a manner that prevents authorized or unauthorized access to these agreements by anyone other than the LRA. The LRA would prepare an agreement collection certification and submit a certification of receipt and secure storage to the EPA or State/Local.

(i) Data Items:

- Compliance with identity proofing requirements by means of identifiers, attributes, or alternative method:
 - Identifiers or attributes that are verified by attestation of disinterested individuals to be uniquely true, as specified.
 - Other information necessary to determine identity.
- Compliance with subscriber agreement provisions:
 - Subscriber agreement.
 - Report of compromised or surrendered electronic signature.
- Submission of subscriber agreement to LRA:
 - Subscriber agreement.
 - Report of breach of security.
 - Report of compromised or surrendered electronic signature.
- Designation of LRA:
 - Application to designate a LRA, including notarized affidavit and a written authorization from the regulated entity to issue collection agreement certifications on its behalf.
- Collection of subscriber agreements by LRA:
 - Agreement collection certification. This is a signed statement by which a LRA certifies that a subscriber agreement has been received from a registrant; the agreement has been stored in a manner that prevents authorized or unauthorized access to these agreements by anyone other than the LRA; and the LRA has no basis to believe that any of the collected agreements have been tampered with or prematurely destroyed.
 - Certification of receipt and secure storage.

(ii) Respondent Activities:

Direct and indirect reporters must perform the following activities, as applicable:

- Comply with requirements for identifier, attribute, or alternative method:
 - Prepare and submit information on identifiers, attributes, or other identity-proofing information.
- Comply with subscriber agreement provisions:
 - Prepare and submit a subscriber agreement.
 - File subscriber agreement.
 - Prepare and submit new subscriber agreement, for employee turnover.
 - File new subscriber agreement, for employee turnover.
 - Contact the Help Desk for technical support.

- Report compromised or surrendered electronic signature device and prepare/submit new subscriber agreement if necessary.
- Submit subscriber agreement to LRA:
 - Prepare subscriber agreement and send to LRA.
 - Prepare and submit new subscriber agreement to LRA, for employee turnover.
 - Report breach of security or compromise/surrender of electronic signature device.
 - Prepare and submit new subscriber agreement to LRA subsequent to breach of security or compromise of electronic signature device, if necessary.
- Conduct ongoing management:
 - Identify and resolve problems.

Indirect reporting firms and LRAs must perform the following activities, as applicable:

- Designating a LRA:
 - Develop a process or plan to implement the requirement, designate the LRA, and submit LRA application to agency.
 - Register the LRA with the electronic document receiving system.
 - Redesignate LRA, due to turnover, and send application materials.
 - Register new LRA with electronic document receiving system.
- Collect subscriber agreements from reporters:
 - Collect and securely store subscriber agreements
 - Prepare agreement collection certification after securely storing subscriber agreements, and submit certification of receipt and secure storage.
 - Collect and securely store subscriber agreements, for employee turnover.
 - Prepare agreement collection certification after securely storing subscriber agreements, and submit certification of receipt and secure storage, for employee turnover.
 - Collect and securely store subscriber agreements, for breach of security/compromise of electronic signature device.
 - Prepare agreement collection certification after securely storing subscriber agreements, and submit certification of receipt and secure storage, for breach of security/compromise of electronic signature device.

State/Local agencies acting as regulators must perform the following activities:

- Collect identifiers, attributes, or alternative information:
 - Receive, process, review, and approve identifier, attribute, or alternative information.

- Collect subscriber agreements:
 - Receive, process, review, approve, and file new subscriber agreements.
 - Receive, process, review, approve, and file new subscriber agreements, for employee turnover.
 - Receive, process, review, and approve report of compromise or surrender of electronic signature device.
- Collect submittals from LRAs:
 - Receive, process, review, and approve certification of receipt and secure storage.
 - Receive, process, review and approve updated certification of receipt and secure storage, for employee turnover.
 - Receive notification of breach of security or compromise/surrender of electronic signature and take action.
 - Receive, process, review, and approve certification of receipt and secure storage, for breach of security or compromise/surrender of electronic signature device.
- Collect applications for designation of LRAs:
 - Receive application to designate first-time LRA.
 - Receive application to designate LRA, for LRA turnover.
- Conduct ongoing management:
 - Identify and resolve problems.
 - Respond to information requests.

(3) Approval of State/Local Electronic Document Receiving System Applications

To obtain EPA approval of authorized program revision or modification using procedures provided under 40 CFR 3.1000, a State /Local must submit an application for program revision to EPA that includes the elements specified in Sections 3.1000(b)(1)(i) through(iv).

A State/Local that revises or modifies more than one (1) authorized program for receipt of electronic documents, in lieu of paper documents, may submit a consolidated application covering more than one authorized program, provided the consolidated application complies with applicable requirements for each authorized program.

If the State/Local receives a notice from EPA that its application is incomplete or does not satisfy the requirements at 40 CFR 3.2000, the State/Local must submit an amendment to the original application that includes the missing information.

A State/Local that accepts electronic documents in lieu of paper documents under an authorized program for which EPA has approved program revisions or modifications under the procedures provided in 40 CFR 3.2000(a)(1) must keep EPA apprised of those changes to laws, policies, or the electronic document receiving systems that have the potential to affect program conformance with Section 3.2000.

The State/Local program must satisfy the requirements at 40 CFR 3.2000. Pursuant to Section 3.2000, authorized programs that receive electronic documents, in lieu of paper documents, to satisfy requirements under such programs must use an acceptable electronic document receiving system as specified and require that any electronic document must bear valid electronic signatures to the same extent that the paper submission for which it substitutes would bear handwritten signatures under the authorized program, unless otherwise specified. An electronic document receiving system that receives electronic documents, submitted in lieu of paper documents, to satisfy requirements under an authorized program must be able to generate data with respect to any such electronic document, as needed and in a timely manner, including a copy of record for the electronic document, that meets the criteria specified at Sections 3.2000(b) (1) through (5).

(i) Data Items:

- An application (or application amendment) for program revision that includes the following elements:
 - A certification that the State/Local has sufficient legal authority provided by lawfully enacted or promulgated statutes or regulations that are in full force and effect on the date of certification to implement the electronic reporting component of its authorized programs covered by the application in conformance with Section 3.2000 and to enforce the affected programs using electronic documents collected under these programs, together with copies of the relevant statutes and regulations, signed by the State Attorney General or designee, or in the case of an authorized Tribal or local government program, by the Chief Administrative Official or Officer of the governmental entity or designee.
 - A listing of all State/Local electronic document receiving systems to accept the electronic documents being addressed by the program modification or revisions that are covered by the application, together with a description for each such system that specifies how the system meets the applicable criteria in Section 3.2000(b) with respect to those electronic documents.
 - A schedule of upgrades for electronic document receiving systems that have the potential to affect the program's continued conformance with Section 3.2000, if appropriate.
 - Other such information as the Administrator may request to fully evaluate the application.
- Appraisals to EPA of changes to laws, policies, or electronic document receiving systems.

(ii) Respondent Activities:

State/Local agencies that are regulated entities must perform the following activities:

- Upgrade existing electronic document receiving system or develop new electronic document receiving system to meet 40 CFR 3.2000 requirements and apply for EPA program modification approval under 40 CFR 3.1000.
- Submit amendment to original application for EPA program modification approval under 40 CFR 3.1000.
- Submit notification to EPA about changes to laws, policies, or electronic document receiving systems that have the potential to affect program conformance with 40 CFR 3.2000.

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

5(a) AGENCY ACTIVITIES

(1) Registering with EPA Electronic Document Receiving System

EPA activities associated with facility reporting to EPA's electronic document receiving system (i.e., CDX) include:

- Develop, operate, and maintain CDX.

(2) Compliance with Identity Proofing Requirements

EPA activities associated with the identity proofing requirements covered in this ICR include:

- Collect identifiers or attributes or other information:
 - Receive, process, review, and approve identifier, attribute, or alternative information.
- Collect subscriber agreements:
 - Receive, process, review, approve, and file new subscriber agreements.
 - Receive, process, review, approve, and file new subscriber agreements, for employee turnover.
 - Receive, process, review, and approve report of compromise or surrender of electronic signature device.
- Conduct ongoing management:
 - Identify and resolve problems.
 - Respond to information requests.

(3) Approval of State/Local Electronic Document Receiving System Applications

EPA activities associated with the approval of State/Local electronic document receiving systems include:

- Process and file applications submitted by States/Locals seeking to modify their programs, as required by 40 CFR 3.1000.
- Process and file amendments to program modification applications submitted by States/Locals.
- Process and file appraisals of changes to laws, policies, or electronic document receiving systems.

5(b) COLLECTION METHODOLOGY AND MANAGEMENT

CDX serves as EPA's primary gateway for electronic documents received by EPA. CDX functions include:

- Access management allowing or denying an entity access to CDX.
- Data interchange accepting and returning data via various file transfer mechanisms.
- Signature/certification management providing devices and required scenarios for individuals to sign and certify what they submit.
- Submitter and data authentication assuring that electronic signatures are valid and data is uncorrupted.
- Transaction logging providing date, time, and source information for data received to establish "chain of custody."
- Acknowledgment and provision of copy of record providing the submitter with confirmations of the data received.
- Archiving placing files received and transmission logs into secure, long term storage.
- Error checking flagging obvious errors in documents and document transactions, including duplicate documents and unauthorized submissions.
- Translating, forwarding, and converting submitted documents into formats that will load to EPA databases, and forwarding them to the appropriate systems.
- Outreach providing education and other customer services to CDX users (e.g., user manuals, Help Desk).

5(c) SMALL ENTITY FLEXIBILITY

CROMERR allows electronic reporting by permitting the use of electronic document receiving systems to receive electronic documents in satisfaction of certain document submission requirements in EPA's regulations. Electronic reporting under CROMERR is voluntary. These changes will reduce the burden on all affected entities, including small businesses. In addition, facilities will find that the initial set up process requires little expenditure of time and resources, and in the long run, this process will reduce the time spent on submissions each year.

5(d) COLLECTION SCHEDULE

The collection frequencies associated with CDX include the following:

- Registrants must initially register with the electronic document receiving system and obtain electronic signature certification, if applicable.
- Facilities must comply with requirements for determining the identity of individuals who use electronic signature devices (e.g., prepare/submit subscriber agreements or certification of receipt and secure storage), before submitting electronic reports using the associated device.
- Registrants must submit a notice of compromise or surrender of electronic signature device promptly, should this occur.

States/Locals that did not have an electronic document receiving system in use or substantially developed on or before October 13, 2005 must, using specified procedures, apply for and receive EPA approval of revisions or modifications to the authorized program before the program may receive electronic documents in lieu of paper documents to satisfy requirements of such program.

Within 75 calendar days of receiving an application for program revision or modification, the Administrator will respond with a letter that either notifies the State/Local that the application is complete or identifies deficiencies in the application that render the application incomplete. The State/Local receiving a notice of deficiencies may amend the application and resubmit it. Within 30 calendar days of receiving the amended application, the Administrator will respond with a letter that either notifies the applicant that the amended application is complete or identifies remaining deficiencies that render the application incomplete.

Except where an opportunity for public hearing is required, if the Administrator does not take any action on a specific request for revision or modification of a specific authorized program addressed by an application submitted within 180 calendar days of notifying the State/Local that the application is complete, the specific request for program revision or modification for the specific authorized program is considered automatically approved by EPA at the end of the 180 calendar days unless the review period is extended at the request of the State/Local submitting the application.

If a State/Local submits material to amend its application after the date that the Administrator sends notification that the application is complete, this new submission will constitute withdrawal of the pending application and submission of a new, amended application for program revision or modification, and the 180-day time period will begin again only when the Administrator makes a new determination and notifies the State/Local under that the amended application is complete.

6. ESTIMATING THE HOUR AND COST BURDEN OF THE COLLECTION

6(a) ESTIMATING RESPONDENT BURDEN HOURS

Exhibit 1 provides estimates of the respondent hourly burden associated with the information collection requirements covered in this ICR. The exhibit includes burden hours (total and by labor type) per respondent, as well as the overall burden hours for all respondents. The majority of the hour estimates in Exhibit 1 are based on the Agency's technical background document, *Cross Media Electronic Reporting Rule Cost Benefit Analysis*.

6(b) ESTIMATING RESPONDENT COSTS

Exhibit 1 provides estimates of the annual respondent costs associated with the information collection requirements covered in this ICR. These costs are based on the cost of labor, capital, and operation and maintenance (O&M).

(1) Labor Costs

Using the total burden hours discussed in Section 6(a) and the hourly respondent labor costs outlined in this section, Exhibit 1 illustrates the labor costs associated with the information collection requirements covered in this ICR.

(a) Direct Reporters, Indirect Reporters, Indirect Reporting Firms, and Local Registration Authorities

EPA estimates an average hourly respondent labor cost (including fringe and overhead) of \$57.87 for legal staff, \$37.09 for managerial staff, \$36.78 for technical staff, and \$16.18 for clerical staff. These respondent labor costs were obtained from the previously approved CROMERR ICR (i.e., EPA ICR Number 2002.04, dated February 15, 2008), and updated to 2011 levels using Employment Cost Indexes developed by the Bureau of Labor Statistics.⁶

⁶ Bureau of Labor Statistics; "Table 4. Employment Cost Index for total compensation, for civilian workers, by occupational and industry;" *Employment Cost Index, Historical Listing, Continuous Occupational and Industry Series, September 1975 – March 2011*; April 29, 2011. Available online at: <http://www.bls.gov/web/eci/ecicois.pdf>, last accessed on June 8, 2011. Civilian Workers, All Workers, March 2008=107.6 and March 2011=114.0.

(b) State/Local Agencies

EPA estimates an average hourly respondent labor cost (including fringe and overhead) of \$38.95 for legal staff, \$38.95 for managerial staff, \$29.50 for technical staff, and \$14.00 for clerical staff. These respondent labor costs were obtained from the previously approved CROMERR ICR (i.e., EPA ICR Number 2002.04, dated February 15, 2008), and updated to 2011 levels using Employment Cost Indexes developed by the Bureau of Labor Statistics.⁷

(2) Capital Costs

Capital costs usually include any produced physical good needed to provide the needed information, such as machinery, computers, and other equipment.

(a) Direct Reporters, Indirect Reporters, Indirect Reporting Firms, and Local Registration Authorities

EPA does not anticipate that direct reporters, indirect reporters, indirect reporting firms, and LRAs will incur capital costs in carrying out the information collection requirements covered in this ICR.

(b) State/Local Agencies

EPA anticipates that State/Local agencies will incur capital costs in upgrading their existing electronic document receiving systems or developing new electronic document receiving systems to satisfy CROMERR standards at 40 CFR 3.2000 (e.g., copy of record, Secure Sockets Layer (SSL), e-mail notification, electronic signature, electronic signature agreement). In particular, EPA estimates that each State agency will incur a cost of \$144,330 and that each Local agency will incur a cost of \$54,817. These capital costs were obtained from the previously approved CROMERR ICR (i.e., EPA ICR Number 2002.04, dated February 15, 2008), and updated to 2011 levels using Consumer Price Indexes developed by the Bureau of Labor Statistics.⁸ The above capital costs are shown in Exhibit 1 for all applicable respondent activities.

EPA notes that capital costs for Local agencies are estimated to be lower than the capital costs for State agencies because Local agencies are expected to have simpler electronic document receiving systems that cover fewer programs and fewer electronic reports than State systems. For example, EPA has received only one application from a Local agency under CROMERR, and that system only accepts reports under one authorized program.

⁷ Bureau of Labor Statistics, "Table 7. Employment Cost Index for total compensation, for State and local government workers, by occupational and industry," Employment Cost Index, Historical Listing, Continuous Occupational and Industry Series, September 1975 – March 2011; April 29, 2011. Available online at: <http://www.bls.gov/web/eci/ecicois.pdf>, last accessed on June 8, 2011. State and Local Government Workers, All Workers, March 2008=108.9 and March 2011=116.6.

⁸ Bureau of Labor Statistics, Table Containing History of CPI-U U.S. All Items Indexes and Annual Percent Changes From 1913 to Present, May 13, 2011. Available online at: <ftp://ftp.bls.gov/pub/special.requests/cpi/cpi.txt>, last accessed on June 8, 2011. All items, March 2008=213.528 and April 2011=224.906.

(3) Operation and Maintenance Costs

O&M costs are those costs associated with an information collection requirement incurred continually over the life of the ICR.

(a) Direct Reporters, Indirect Reporters, Indirect Reporting Firms, and Local Registration Authorities

O&M costs include:

- EPA estimates that employee registrants that submit subscriber agreements to EPA or States/Locals will incur a cost of \$3.31 to mail a one-ounce letter by certified mail (i.e., \$0.44 for first-class letter postage, \$2.85 for the certified-mail fee, and \$0.02 for standard business envelope).^{9, 10, 11}
- EPA estimates that employee registrants that submit subscriber agreements to their LRA will incur a cost of \$0.46 to mail a one-ounce letter using first-class mail (i.e., \$0.44 for first-class letter postage and \$0.02 for standard business envelope).^{12, 13}
- EPA estimates that indirect reporting firms will incur a cost of \$2.63 for obtaining a notarized affidavit to establish the identity of a LRA. This O&M cost was obtained from the previously approved CROMERR ICR (i.e., EPA ICR Number 2002.04, dated February 15, 2008), and updated to 2011 levels using Consumer Price Indexes developed by the Bureau of Labor Statistics.¹⁴

The above O&M costs are shown in Exhibit 1 for all applicable respondent activities.

⁹ U.S. Postal Service; “First-Class Mail Prices.” Available online at: <http://www.usps.com/prices/first-class-mail-prices.htm>, last accessed on June 8, 2011.

¹⁰ U.S. Postal Service; “Extra Services Prices.” Available online at: <http://www.usps.com/prices/extra-services-prices.htm>, last accessed on June 8, 2011.

¹¹ Standard business envelope cost based on current market price, as of March 7, 2011 (i.e., box of 500 standard business envelopes with gummed closure at \$8.99).

¹² U.S. Postal Service; “First-Class Mail Prices.” Available online at: <http://www.usps.com/prices/first-class-mail-prices.htm>, last accessed on June 8, 2011.

¹³ Standard business envelope cost based on current market price, as of March 7, 2011 (i.e., box of 500 standard business envelopes with gummed closure at \$8.99).

¹⁴ Bureau of Labor Statistics, Table Containing History of CPI-U U.S. All Items Indexes and Annual Percent Changes From 1913 to Present, May 13, 2011. Available online at: <ftp://ftp.bls.gov/pub/special.requests/cpi/cpi.txt>, last accessed on June 8, 2011. All items, March 2008=213.528 and April 2011=224.906.

(b) State/Local Agencies

For State/Local agencies, O&M costs include mailing costs. In particular, EPA estimates that State/Local agencies submitting documentation to EPA (e.g., applications for program modification approval under 40 CFR 3.1000) will incur a cost of \$5.42 to mail a nine-ounce large envelope by certified mail (\$2.48 for first-class large envelope postage, \$2.85 for the certified-mail fee, and \$0.09 for catalog envelope).^{15, 16, 17} These O&M costs are shown in Exhibit 1 for all applicable respondent activities.

6(c) ESTIMATING AGENCY HOUR AND COST BURDEN

EPA estimates the Agency hour and cost burden associated with the information collection requirements covered in this ICR in Exhibit 2. As shown in the exhibit, EPA estimates an average hourly labor cost of \$64.93 for legal staff (GS-14, Step 5), \$54.94 for managerial staff (GS-13, Step 1), \$46.21 for technical staff (GS-12, Step 1), and \$23.44 for clerical staff (GS-06, Step 1). To derive these hourly estimates, EPA referred to the General Schedule (GS) Salary Table 2011.¹⁸ This publication summarizes the unloaded (base) hourly rate for various labor categories in the Federal government. EPA then applied the standard government overhead factor of 1.6 to the unloaded rate to derive loaded hourly rates.

EPA estimates that, each year, the Agency will incur a capital cost of \$159,360 in CDX development, operation, and maintenance activities.¹⁹ This capital cost is shown in Exhibit 2.

O&M costs include electronic transaction fees associated with the processing of electronic subscriber agreements (ESA) by a third party vendor. In particular, EPA estimates that the Agency will incur an electronic transaction cost of \$1.20 per subscriber agreement.²⁰ This O&M cost is shown in Exhibit 2 for all applicable activities.

¹⁵ U.S. Postal Service; "First-Class Mail Prices." Available online at: <http://www.usps.com/prices/first-class-mail-prices.htm>, last accessed on June 8, 2011.

¹⁶ U.S. Postal Service; "Extra Services Prices." Available online at: <http://www.usps.com/prices/extra-services-prices.htm>, last accessed on June 8, 2011.

¹⁷ Catalog envelope cost based on current market price, as of March 7, 2011 (i.e., box of 100 6" x 9" brown kraft catalog envelopes with gummed closure at \$8.79).

¹⁸ US Office of Personnel Management, "Base Hourly Rate," *2011 General Schedule (Base)*, January 2011. Available online at: <http://opm.gov/oca/11tables/indexgs.asp>, last accessed on June 8, 2011.

¹⁹ Based on EPA's Capital Planning and Investment Control (CPIC) for CDX. Data current as of May 26, 2011.

²⁰ Based on data current as of May 26, 2011.

6(d) ESTIMATING RESPONDENT UNIVERSE AND TOTAL HOUR AND COST BURDEN

In this section, EPA first describes the estimated respondent universe. EPA then estimates the annual burden to respondents under the information collection requirements covered in this ICR.

EPA notes that, as used in this document, the term “respondent” includes:

- Direct reporters, indirect reporters, indirect reporting firms, and LRAs complying with the registration and identity proofing requirements covered in this ICR, as applicable. This includes:
 - Private sector entities; and
 - State/Local agencies that are regulated entities²¹.
- State/Local agencies administering electronic document receiving systems subject to CROMERR²². In this document, we refer to these respondents as “State/Local agencies acting as regulators.”
- State/Local agencies seeking EPA approval to allow electronic reporting under CROMERR²³. In this document, we refer to these respondents as “State/Local agencies that are regulated entities.”

(1) Respondent Universe

(a) Direct Reporters

Table 1 presents information on the annual number of employee registrants expected to register with CDX during the three-year period covered by the ICR. As shown in the table, EPA estimates that, on average, 28,084 employees will register with CDX each year.

Appendix B provides detailed information on the methodology used to estimate the average annual number of direct reporters expected to register with the CDX during the three-year period covered by this ICR.

²¹ Addressing State/Local agencies as “respondents” is consistent with EPA’s interpretation of the definition of respondent in the Paperwork Reduction Act (PRA).

²² Ibid.

²³ Ibid.

Table 1
Annual Number of Direct Reporters Expected to Register with EPA's CDX during the Three-Year Period Covered by the ICR

Respondent Universe	Average Annual Number of New Employee Registrants ^a
Private Sector Entities	23,880
State/Local Agencies that are Regulated Entities	4,204
Total	28,084

^a Federal government employees are not reflected in the table because they are exempt from ICR requirements.

Table 2 presents information on the estimated annual number of subscriber agreements to be submitted to EPA during the three-year period covered by the ICR. As shown in the table, direct reporters have various options for complying with the subscriber agreement requirements covered in this ICR:

- **Paper subscriber agreement.** Direct reporters have the option of preparing and mailing a paper subscriber agreement (i.e., a non-ESA).
- **Electronic subscriber agreement (ESA).** Direct reporters have the option of completing and submitting an ESA directly to CDX (i.e., without using a third party vendor). This eliminates the requirement to prepare and mail new paper subscriber agreements.
- **Reuse (Consolidated) ESA.** Direct reporters now have the option of “reusing” an ESA. CDX has the ability to recognize when a registrant has already provided sufficient forensic evidence through wet-ink signature, organization information, and audit information tying forensic evidence to CDX credentials in order to allow reuse of the forensic evidence and accept a digitally signed (electronic) signature using the registrant’s existing CDX credential. This eliminates the requirement to prepare and mail new paper subscriber agreements.
- **Third Party ESA.** Direct reporters now have the option of completing and submitting an ESA through a third party vendor. CDX provides a voluntary method for real-time identity proofing using a third party vendor to validate government identification (ID) and additional personal information in compliance with OMB Memorandum M-04-04, while retaining repeatable digital evidence of validation using cryptographic hash technology and not retaining the highly sensitive personally identifying information. The third party process validates both identity and business affiliation. This eliminates the requirement to prepare and mail new paper subscriber agreements.

Appendix B provides detailed information on the methodology used to estimate the average annual number of subscriber agreements to be submitted to EPA during the three-year period covered by this ICR.

Table 2
Annual Number of Subscriber Agreements to Be Submitted to EPA
during the Three-Year Period Covered by the ICR

Type of Subscriber Agreement	Annual Number of Subscriber Agreements ^{a, b}			Average
	2011	2012	2013	
Private Sector Entities				
Non-ESA Registrants	7,684	6,690	6,990	7,121
ESA Registrants	17,444	14,232	14,027	15,234
Reuse (Consolidated) ESA Registrants	4,077	5,301	5,317	4,898
Third Party ESA Registrants	496	1,060	1,047	868
<i>Subtotal</i>	29,701	27,283	27,381	28,122
State/Local Agencies that Are Regulated Entities				
Non-ESA Registrants	1,353	1,178	1,230	1,254
ESA Registrants	3,071	2,505	2,469	2,682
Reuse (Consolidated) ESA Registrants	718	933	936	862
Third Party ESA Registrants	87	187	184	153
<i>Subtotal</i>	5,229	4,803	4,819	4,950
Total				
Non-ESA Registrants	9,037	7,868	8,220	8,375
ESA Registrants	20,515	16,737	16,496	17,916
Reuse (Consolidated) ESA Registrants	4,795	6,234	6,253	5,761
Third Party ESA Registrants	583	1,247	1,231	1,020
Total	34,930	32,086	32,200	33,072

^a Table contains data provided by EPA's Office of Information Collection (OIC), and are current as of May 26, 2011.

^b Federal government employees are not reflected in the table because they are exempt from ICR requirements.

(b) Indirect Reporters

Table 3 presents information on the annual number of employee registrants expected to register and comply with identify proofing requirements of State/Local electronic document receiving systems during the three-year period covered by the ICR. As shown in the table, EPA estimates that, on average, 25,924 employees from indirect reporting facilities will register and comply with identify proofing requirements of State/Local electronic document receiving systems each year.

For indirect reporters, EPA assumes that only a portion of employee registrants from medium-size and large firms will use the LRA alternative. The remaining facility employees will comply with the subscriber agreement provisions. Thus, in order to perform the analysis, EPA categorized employee registrants based on the size of their firms (i.e., small firm or medium-size and large firm). Table 3 presents information on the annual number of employee registrants by type of firm.

As shown in Table 3, EPA estimates that, on average, 13,960 employees from small firms and 11,964 employees from medium-size and large firms will register and comply with identify proofing requirements of State/Local electronic document receiving systems each year.

Appendix C provides detailed information on the methodology used to estimate the average annual number of indirect reporters for the three-year period covered by this ICR.

Table 3
Annual Number of Indirect Reporters Expected to Register and Comply with Identify Proofing Requirements during the Three-Year Period Covered by the ICR

Type of Firm	Average Annual Number of Employee Registrants ^a
Private Sector Entities	
Small Firms	11,870
Medium-Size and Large Firms	10,173
<i>Subtotal</i>	22,043
State/Local Agencies that are Regulated Entities	
Small Firms	2,090
Medium-Size and Large Firms	1,791
<i>Subtotal</i>	3,881
Total	
Small Firms	13,960
Medium-Size and Large Firms	11,964
Total	25,924

^a Federal government employees are not reflected in the table because they are exempt from ICR requirements.

(c) Indirect Reporting Firms

As shown in Table 3, EPA estimates that, on average, 13,960 employees from small indirect reporting firms will register and comply with identify proofing requirements of State/Local electronic document receiving systems each year. Each small firm is expected to have an average of three employees²⁴, for a total of 4,654 small *firms* (i.e., 13,960 employees ÷ 3 employees/firm).

EPA also estimates that, on average, 11,964 employees from medium-size and large indirect reporting firms will register with State/Local electronic document receiving systems each year. Each medium-size and large firm is expected to have an average of 18 employees²⁵, for a total of 665 medium-size and large *firms* (i.e., 11,964 employees ÷ 18 employees/firm).

²⁴ This assumption was taken from *Cross-Media Electronic Reporting and Records Rule (CROMERRR) Cost Benefit Analysis, Final*, dated November 17, 2004.

²⁵ This assumption was taken from *Cross-Media Electronic Reporting and Records Rule (CROMERRR) Cost Benefit Analysis, Final*, dated November 17, 2004.

(d) States/Locals Submitting Electronic Document Receiving System Applications to EPA

Based on information currently available to EPA on the submission and approval of program modification applications under 40 CFR 3.1000 (i.e., CROMERR applications), EPA estimates that, on average, five States/Locals (i.e., 4 States and 1 Local) will upgrade their existing electronic document receiving systems or develop new electronic document receiving systems and submit CROMERR applications each year.

EPA also estimates that, on average, 15 States/Locals (i.e., 15 States and 0 Locals) will submit amendments to their original CROMERR applications each year.

In addition, EPA estimates that, on average, 4 States/Locals (i.e., 4 States and 0 Locals) will submit notifications to EPA about changes to laws, policies, or electronic document receiving systems each year.

(2) Annual Respondent Burden (Exhibit 1)

(a) Registering with EPA Electronic Document Receiving System – Direct Reporters

EPA estimates that, on average, 28,084 employees of direct reporting facilities will register with EPA's electronic document receiving system each year. EPA also estimates that, of the 28,084 employee registrants, approximately 10 percent (or 2,808) will need to update their registration information each year.

(b) Compliance with Identity Proofing Requirements – Direct Reporters

The following paragraphs discuss the assumptions associated with compliance with the identity proofing requirements by direct reporters.

Comply with Requirements for Identifier, Attribute, or Alternative Method

EPA does not anticipate that direct reporters will prepare and submit information on identifiers or attributes, or other identity-proofing information.

Comply with Subscriber Agreement Provisions

EPA assumes that all direct reporters will comply with the subscriber agreement requirements.

Non-ESA Registrants. EPA estimates that, on average, employee registrants from direct reporting facilities will prepare, submit, and file a total of 8,375 paper subscriber agreements each year. EPA also estimates that, of the 8,375 paper subscriber agreements prepared each year, 89 percent (7,454) will be from new and existing employee registrants (e.g., employees registering for the first time with a data flow); 10 percent (837) will be associated with employee

turnover, which requires the submittal of a new subscriber agreement by the employee replacement; and one percent (84) will be associated with a compromised electronic signature, which requires the submittal of a new subscriber agreement. EPA anticipates that all employee registrants preparing a paper subscriber agreement will contact the Help Desk for technical support.

ESA Registrants. EPA estimates that, on average, employee registrants from direct reporting facilities will prepare, submit, and file a total of 17,916 ESAs each year. EPA also estimates that, of the 17,916 ESAs prepared each year, 89 percent (15,945) will be from new and existing employee registrants (e.g., employees registering for the first time with a data flow); 10 percent (1,792) will be associated with employee turnover, which requires the submittal of a new subscriber agreement by the employee replacement; and one percent (179) will be associated with a compromised electronic signature, which requires the submittal of a new subscriber agreement. EPA anticipates that all employee registrants preparing an ESA will contact the Help Desk for technical support.

Reuse (Consolidated) ESA Registrants. EPA estimates that, on average, 5,761 employee registrants from direct reporting facilities will reuse their ESA each year. EPA also estimates that, of the 5,761 reuse (consolidated) ESAs, 89 percent (5,127) will be from existing employee registrants (e.g., existing employee registrants registering for the first time with a data flow); 10 percent (576) will be associated with employee turnover, which requires the submittal of a new subscriber agreement by the employee replacement; and one percent (58) will be associated with a compromised electronic signature, which requires the submittal of a new subscriber agreement. EPA anticipates that all employee registrants reusing an ESA will contact the Help Desk for technical support.

Third Party ESA Registrants. EPA estimates that, on average, employee registrants from direct reporting facilities will prepare, submit, and file a total of 1,020 third party ESAs each year. EPA also estimates that, of the 1,020 third party ESAs prepared each year, 89 percent (908) will be from new and existing employee registrants (e.g., employees registering for the first time with a data flow); 10 percent (102) will be associated with employee turnover, which requires the submittal of a new subscriber agreement by the employee replacement; and one percent (10) will be associated with a compromised electronic signature, which requires the submittal of a new subscriber agreement. EPA anticipates that all employee registrants preparing a third party ESA will contact the Help Desk for technical support.

Conduct On-Going Management

EPA assumes that, of the 33,072 employee registrants from direct reporting facilities, three percent (992) will have to work with EPA to resolve problems involving their agreements or certifications each year.

(c) Compliance with Identity Proofing Requirements – Indirect Reporters

The following paragraphs discuss the assumptions associated with compliance with the identity proofing requirements by indirect reporters.

Comply with Requirements for Identifier, Attribute, or Alternative Method

EPA does not anticipate that indirect reporters will prepare and submit information on identifiers or attributes, or other identity-proofing information.

Comply with Subscriber Agreement Provisions

For indirect reporters, EPA assumes that all *employee registrants* from small firms (13,960) and 98 percent of *employee registrants* from medium-size and large firms ($11,964 \times 0.98 = 11,725$) will comply with the subscriber agreement requirements. In addition, EPA estimates that indirect reporters submit information to 1.3 State/Local electronic document receiving systems, on average; hence, their employees must submit subscriber agreements for 1.3 receiving systems, on average.²⁶ EPA assumes that all employee registrants from indirect reporting facilities will submit paper subscriber agreements.

Based on the above assumptions, EPA estimates that, on average, employee registrants from indirect reporting facilities will prepare, submit, and file a total of 33,391 subscriber agreements each year (i.e., $[13,960 \text{ small firm employees} + 11,725 \text{ medium-size and large firm employees}] \times 1.3 \text{ subscriber agreements/employee}$).

EPA also estimates that, of the 33,391 subscriber agreements prepared each year, 89 percent (29,718) will be from new and existing employee registrants (e.g., employees registering for the first time with a data flow); 10 percent²⁷ (3,339) will be associated with employee turnover, which requires the submittal of a new subscriber agreement by the employee replacement; and one percent (334) will be associated with a compromised electronic signature, which requires the submittal of a new subscriber agreement.

EPA anticipates that all employee registrants preparing a subscriber agreement will contact the Help Desk for technical support.

Submit Subscriber Agreements to Local Registration Authority

EPA assumes that two percent of medium-size and large firms will use the LRA alternative. EPA also assumes that indirect reporting firms submit information to 1.3 State/Local electronic document receiving systems, on average; hence, their employees must submit subscriber agreements for 1.3 receiving systems, on average.²⁸ Based on these assumptions, EPA estimates that, on average, *employees* from indirect reporting firms will prepare and send to their

²⁶ Ibid.

²⁷ This assumption was taken from Section 2.3.4.2 (page 29) of *Cross-Media Electronic Reporting and Records Rule (CROMERRR) Cost Benefit Analysis, Final*, dated November 17, 2004.

²⁸ Ibid.

LRA a total of 239 subscriber agreements each year (i.e., [11,964 medium-size and large firm employees x 0.02] x 1.3 subscriber agreements/employee).

EPA estimates that, of the 239 subscriber agreements prepared each year, 89 percent (213) will be from new employee registrants; 10 percent (24) will be associated with employee turnover, which requires the submittal of a new subscriber agreement by the employee replacement; and one percent (2) will be associated with a compromised electronic signature, which requires the submittal of a new subscriber agreement.

Conduct On-Going Management

EPA assumes that, of the 25,685 employee registrants from indirect reporting facilities (13,960 + 11,725 = 25,685), three percent (771) will have to work with States/Locals to resolve problems involving their agreements each year.

(c) Implementation of Local Registration Authority Alternative – Indirect Reporting Firms and Local Registration Authorities

The following paragraphs discuss the assumptions associated with implementation of the LRA alternative by indirect reporting firms and LRAs.

Designating a Local Registration Authority

As stated above, EPA assumes that two percent of medium-size and large indirect reporting *firms* ($665 \times 0.02 = 14$) will use the LRA alternative. These *firms* will develop a process or plan to implement the LRA alternative, designate the LRA, submit the LRA application to the agency, and register the LRA with the electronic document receiving system.

Of the 14 medium-size and large indirect reporting *firms* that will use the LRA alternative, two percent (1) will need to redesignate the LRA annually due to turnover, which requires registration of the new LRA with the electronic document receiving system.

Collect Subscriber Agreements from Reporters

EPA estimates that, on average, LRAs will collect a total of 239 subscriber agreements each year. Of these 239 subscriber agreements, 213 will be from new employee registrants, 24 will be associated with employee turnover, and 2 will be associated with a compromised electronic signature. For each of these subscriber agreements, LRAs will need to prepare an agreement collection certification after securely storing the subscriber agreements, and submit a certification of receipt and secure storage.

(d) Compliance with Identity Proofing Requirements – State/Local Agencies Acting as Regulators

Collect Identifier, Attribute, or Alternative Information

EPA does not anticipate that indirect reporters will prepare and submit information on identifiers or attributes, or other identity-proofing information.

Collect Subscriber Agreements

EPA estimates that, on average, employee registrants from indirect reporting facilities will prepare, submit, and file a total of 33,391 subscriber agreements each year. This includes 29,718 subscriber agreements from new employee registrants, 3,339 subscriber agreements associated with employee turnover, and 334 subscriber agreements associated with a compromised electronic signature. State/Local agencies will receive, process, review, approve, and file all these subscriber agreements.

Collect Submittals from Local Registration Authority

EPA estimates that, each year, employee registrants from indirect reporting facilities will submit 239 subscriber agreements to their LRAs. This includes 213 subscriber agreements from new employee registrants, 24 subscriber agreements associated with employee turnover, and 2 subscriber agreements associated with a compromised electronic signature. State/Local agencies will need to receive, process, review, and approve the certification of receipt and secure storage submitted by the LRAs.

Collect Applications for Designation of Local Registration Authority

EPA estimates that, each year, 14 indirect reporting *firms* will use the LRA alternative. EPA also estimates that, each year, one of these firms will need to redesignate the LRA due to turnover. State/Local agencies will need to receive and approve these LRA applications.

Conduct On-Going Management

EPA estimates that, each year, State/Local agencies will have to work with 771 employee registrants to resolve problems involving their agreements or certifications, and respond to information requests.

(e) Approval of State/Local Electronic Document Receiving System Applications – State/Local Agencies that Are Regulated Entities

Read the Regulations

EPA estimates that, on average, 24 States/Locals will submit documentation to EPA associated with the approval of State/Local electronic document receiving systems each year. These States/Locals are expected to read the regulations at 40 CFR Part 3.

Submit Electronic Document Receiving System Application

EPA estimates that, on average, five States/Locals will upgrade their existing electronic document receiving systems or develop new electronic document receiving systems and submit a CROMERR application each year. This includes four States and one Local.

Submit Amendment to Original Application

EPA estimates that, on average, 15 States will submit amendments to their original CROMERR application each year. EPA does not anticipate that Locals will submit amendments to their original CROMERR applications during the three-year period covered by this ICR.

Submit Notification on Changes to Laws, Policies, or Electronic Document Receiving System

EPA estimates that, on average, four States will submit a notification about changes to laws, policies, or electronic document receiving systems that have the potential to affect program conformance with 40 CFR 3.2000. EPA does not anticipate that Locals will submit this notification during the three-year period covered by this ICR.

6(e) BOTTOM LINE HOUR AND COST BURDEN

(1) Respondent Tally

Exhibit 3 summarizes the total annual respondent hour and cost burden associated with all the requirements covered in this ICR. As used in this document, the term “respondent” includes private sector and State/Local entities.²⁹ As shown in the exhibit, EPA estimates the annual respondent burden to be 39,763 hours and \$2,167,446. The bottom line burden to respondents over three years is estimated to be 119,289 hours and \$6,502,338.

(2) Agency Tally

Exhibit 4 summarizes the total annual EPA hour and cost burden associated with all the requirements covered in this ICR. As shown in the exhibit, EPA estimates the annual agency burden to be 21,771 hours and \$1,169,096. The bottom line burden to the agency over three years is estimated to be 65,313 hours and \$3,507,288.

6(f) REASONS FOR CHANGE IN BURDEN

The annual respondent burden estimate in the previously approved CROMERR ICR (EPA ICR Number 2002.04) was 78,035 hours. The annual respondent burden estimate for this ICR (EPA ICR Number 2002.05) is 39,763 hours. This represents a decrease of 38,272 hours.

This decrease occurred for two primary reasons. First, there was a decrease in the annualized number of respondents. The total number of employees registering with EPA’s

²⁹ Refer to Section 6(d) for additional clarification on the types of respondents examined in this ICR.

electronic document receiving system and/or complying with CROMERR's identity proofing requirements decreased from 93,325 in the previously approved ICR to 87,080 in this ICR. In addition, the total number of State/Local authorized programs upgrading their existing electronic document receiving systems or developing new electronic document receiving systems, and submitting documentation associated with the approval of CROMERR applications decreased from 61 in the previously approved ICR to 24 in this ICR. EPA conducted a thorough examination of available information (e.g., number of application received over the past three years) in estimating the number of respondents subject to the requirements of this ICR. EPA thinks that the number of respondents included in this ICR is a reasonable approximation of the actual respondent universe.

Second, in developing this ICR, EPA carefully reviewed the respondent activities associated with compliance with identify proofing requirements. EPA made a few changes to the assumptions associated with subscriber agreement and LRA alternatives to be consistent with actual compliance of respondents with these requirements. For example, EPA reduced the proportion of respondents that use the LRA alternative while increasing the proportion of respondents that comply with subscriber agreement requirements. This resulted in a burden decrease because the burden associated with subscriber agreements is less than the LRA burden. EPA notes that few, if any, respondents opted to use the LRA alternative over the past three years.

Table 4 provides information on changes in burden. As shown in Table 4, all changes are considered "adjustments," since they resulted from changes in the size of the respondent universe and refinements to the assumptions used in the development of the ICR.

Table 4
Reasons for Change in Respondent Burden Hours from EPA ICR Number 2002.04 to EPA ICR Number 2002.05 ^a

Changes in EPA ICR Number 2002.05	Type of Change	Burden Hours in EPA ICR Number 2002.04	Burden Hours in EPA ICR Number 2002.05	Change in Total Annual Burden Hours in EPA ICR Number 2002.05
Registering with EPA Electronic Document Receiving System - Direct Reporters				
Increase in the number of employees that will register with EPA's electronic document receiving system (CDX)	Adjustment	1,477	4,269	2,792
Compliance with Identity Proofing Requirements - Direct and Indirect Reporters				
Comply with Subscriber Agreement Provisions				
Decrease in the number of first-time subscriber agreements	Adjustment	23,583	17,762	(5,821)
Decrease in the number of subscriber agreements, due to employee turnover	Adjustment	2,359	1,996	(363)
Decrease in the number of subscriber agreements, due to compromised electronic signature	Adjustment	76	53	(23)
Decrease in the number of employee registrants that contact the Help Desk for technical support	Adjustment	7,439	3,988	(3,451)
Submit Subscriber Agreement to Local Registration Authority				
Decrease in the number of new employee registrants that prepare subscriber agreements	Adjustment	5,830	70	(5,760)
Decrease in the number of subscriber agreements, due to employee turnover	Adjustment	593	8	(585)
Decrease in the number of subscriber agreements, due to compromised electronic signature	Adjustment	1,173	1	(1,172)
Conduct On-Going Management				
Decrease in the number of employee registrants that will have to work with EPA or State/Locals to resolve problems involving their agreements or certifications	Adjustment	5,770	1,763	(4,007)
Implementation of Local Registration Authority Alternative - Indirect Reporting Firms and Local Registration Authorities				
Designating a Local Registration Authority				
Decrease in the number of firms that opt to use the LRA alternative	Adjustment	13,652	184	(13,468)
Decrease in the number of redesignated LRAs, due to turnover	Adjustment	157	1	(156)
Collect Subscriber Agreements from Reporters				
Decrease in the number of new employee registrants that prepare subscriber agreements	Adjustment	1,016	72	(944)
Decrease in the number of subscriber agreements, due to employee turnover	Adjustment	190	8	(182)

Table 4 (continued)
Reasons for Change in Respondent Burden Hours from EPA ICR Number 2002.04 to EPA ICR Number 2002.05 ^a

Changes in EPA ICR Number 2002.05	Type of Change	Burden Hours in EPA ICR Number 2002.04	Burden Hours in EPA ICR Number 2002.05	Change in Total Annual Burden Hours in EPA ICR Number 2002.05
Decrease in the number of subscriber agreements, due to compromised electronic signature	Adjustment	2	1	(1)
Compliance with Identity Proofing Requirements - State/Local Agencies Acting as Regulators				
Inclusion of State/Local burden associated with compliance with subscriber agreement provisions as "respondent burden"	Adjustment	0	5,676	5,676
Inclusion of State/Local burden associated with the LRA alternative as "respondent burden"	Adjustment	0	43	43
Inclusion of State/Local burden associated with designating a LRA as "respondent burden"	Adjustment	0	8	8
Inclusion of State/Local burden associated with on-going management as "respondent burden"	Adjustment	0	1,928	1,928
Approval of State/Local Electronic Document Receiving System Application - State/Local Agencies as Regulated Entities				
Decrease in the number of States/Locals reading the regulations	Adjustment	92	36	(56)
Decrease in the number of States/Locals upgrading their existing electronic document receiving systems or developing new electronic document receiving systems and submitting CROMERR applications to EPA	Adjustment	14,625	1,534	(13,091)
Addition of new activity under which States/Locals submit amendment to original CROMERR application to EPA	Adjustment	0	360	360
Increase in number of States/Locals submitting notification to EPA about changes to laws, policies, or electronic document receiving systems that have the potential to affect program conformance with 40 CFR 3.2000	Adjustment	0	3	3
Total Change in Burden Hours				(38,272)

^a Exhibit includes rounding error.

6(g) PUBLIC BURDEN STATEMENT

(1) Registering with EPA Electronic Document Receiving System – Direct Reporters

The reporting burden is estimated to be 10 minutes for a facility employee to register with CDX. This includes time for preparing the on-line application and calling the CDX Help Desk. There are no recordkeeping requirements associated with registering with the CDX application.

(2) Compliance with Identity Proofing Requirements – Direct and Indirect Reporters

The reporting burden is estimated to be 80 minutes for a facility employee to prepare and submit identifier, attribute, or alternative information. There are no recordkeeping requirements associated with this requirement, and as such, there is no recordkeeping burden.

The reporting burden is estimated to range from 15 minutes to 20 minutes for a facility employee to prepare and submit a subscriber agreement. The recordkeeping burden for the facility employee is estimated to be 5 minutes to file an agreement on site.

(3) Implementation of Local Registration Authority Alternative – Indirect Reporting Firms and Local Registration Authorities

The reporting burden is estimated to be 13 hours for a firm to develop a process or plan to use the LRA alternative, designate the LRA, submit the LRA application to the agency, and register the LRA with the electronic document receiving system. There are no recordkeeping requirements associated with this requirement, and as such, there is no recordkeeping burden.

The reporting burden is estimated to be 1 hour for a firm to redesignate the LRA, due to turnover; send the LRA application to the agency; and register the new LRA with the electronic document receiving system. There are no recordkeeping requirements associated with this requirement, and as such, there is no recordkeeping burden.

The reporting burden is estimated to be 10 minutes for a LRA to prepare and submit a certification of receipt and secure storage after receiving a subscriber agreement. The recordkeeping burden is estimated to be 10 minutes for a LRA to compile subscriber agreements from employee registrants within the LRA's firm and place them in secure storage.

(4) Compliance with Identity Proofing Requirements – State/Local Agencies Acting as Regulators

The reporting burden is estimated to be 30 minutes for a State/Local agency to receive, process, review, and approve identifier, attribute, or alternative information. There are no recordkeeping requirements associated with this requirement, and as such, there is no recordkeeping burden.

The reporting burden is estimated to be 10 minutes for a State/Local agency to receive, process, review, and approve subscriber agreements. There are no recordkeeping requirements associated with this requirement, and as such, there is no recordkeeping burden.

The reporting burden is estimated to be 30 minutes for a State/Local agency to receive, process, review, and approve an LRA application. There are no recordkeeping requirements associated with this requirement, and as such, there is no recordkeeping burden.

The reporting burden is estimated to be 2.5 hours for a State/Local agency to resolve problems involving subscriber agreements or certifications, and respond to information requests. There are no recordkeeping requirements associated with this requirement, and as such, there is no recordkeeping burden.

(5) Approval of State/Local Electronic Document Receiving System Applications – State/Local Agencies that Are Regulated Entities

The reporting burden is estimated to range from 210 hours to 331 hours for a State/Local agency to prepare and submit the CROMERR application to EPA. The recordkeeping burden is estimated to be 90 minutes to read the regulations.

The reporting burden is estimated to be 24 hours for a State/Local agency to prepare and submit an amendment to its original CROMERR application to EPA. The recordkeeping burden is estimated to be 90 minutes to read the regulations.

The reporting burden is estimated to be 45 minutes for a State/Local agency to notify EPA about changes to laws, policies, or electronic document receiving systems that have the potential to affect program conformance with 40 CFR 3.2000. The recordkeeping burden is estimated to be 90 minutes to read the regulations.

Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR Part 9 and 48 CFR Chapter 15.

To comment on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including the use of automated collection techniques, EPA has established a public docket for this ICR under Docket ID Number EPA-HQ-OEI-2011-0096, which is available for online viewing at

www.regulations.gov, or in person viewing at the Office of Environmental Information (OEI) Docket in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Avenue, NW, Washington, D.C. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is (202) 566-1744, and the telephone number for the OEI Docket is (202) 566-1752. An electronic version of the public docket is available at www.regulations.gov. This site can be used to submit or view public comments, access the index listing of the contents of the public docket, and to access those documents in the public docket that are available electronically. When in the system, select “search,” then key in the Docket ID Number identified above. Also, you can send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, D.C. 20503, Attention: Desk Officer for EPA. Please include the EPA Docket ID Number EPA–HQ–OEI–2011–0096 and OMB Control Number 2025–0003 in any correspondence.

EXHIBIT 1

CROSS-MEDIA ELECTRONIC REPORTING RULE

ESTIMATED ANNUAL RESPONDENT HOUR AND COST BURDEN ^a

	Hours and Costs Per Respondent Per Activity								Total Hours and Costs		
	Leg. \$57.87/ Hour	Mgr. \$37.09/ Hour	Tech. \$36.78/ Hour	Cler. \$16.18/ Hour	Respon. Hours/ Activity	Labor Cost/ Activity	Capital/ Startup Cost	O&M Cost	Number of Respon. Activities	Total Hours/ Year	Total Cost/ Year
INFORMATION COLLECTION ACTIVITY											
Registering with EPA Electronic Document Receiving System - Direct Reporters											
Log on to the receiving system site and enter requested information	0.00	0.00	0.15	0.00	0.15	\$5.52	\$0.00	\$0.00	28,084	4,212.60	\$155,023.68
Update the information as needed	0.00	0.00	0.02	0.00	0.02	\$0.74	\$0.00	\$0.00	2,808	56.16	\$2,077.92
Subtotal	Varies	Varies	Varies	Varies	Varies	Varies	Varies	Varies	Varies	4,268.76	\$157,101.60
Compliance with Identity Proofing Requirements - Direct Reporters											
Comply with Requirements for Identifier, Attribute, or Alternative Method											
Prepare and submit requested information	0.00	0.25	1.00	0.10	1.35	\$47.67	\$0.00	\$0.00	0	0.00	\$0.00
Comply with Subscriber Agreement Provisions - Non-ESA Registrants											
Prepare and submit a subscriber agreement	0.00	0.00	0.25	0.00	0.25	\$9.20	\$0.00	\$3.31	7,454	1,863.50	\$93,249.54
File subscriber agreement	0.00	0.00	0.08	0.00	0.08	\$2.94	\$0.00	\$0.00	7,454	596.32	\$21,914.76
Prepare and submit a new subscriber agreement, for employee turnover	0.00	0.00	0.25	0.00	0.25	\$9.20	\$0.00	\$3.31	837	209.25	\$10,470.87
File new subscriber agreement, for employee turnover	0.00	0.00	0.08	0.00	0.08	\$2.94	\$0.00	\$0.00	837	66.96	\$2,460.78
Report compromised or surrendered electronic signature device and prepare/submit new subscriber agreement if necessary	0.00	0.00	0.08	0.00	0.08	\$2.94	\$0.00	\$3.31	84	6.72	\$525.00
Contact the Help Desk for technical support	0.00	0.00	0.06	0.00	0.06	\$2.21	\$0.00	\$0.00	8,375	502.50	\$18,508.75
Comply with Subscriber Agreement Provisions - ESA Registrants											
Prepare and submit a subscriber agreement	0.00	0.00	0.17	0.00	0.17	\$6.25	\$0.00	\$0.00	15,945	2,710.65	\$99,656.25
File subscriber agreement	0.00	0.00	0.08	0.00	0.08	\$2.94	\$0.00	\$0.00	15,945	1,275.60	\$46,878.30
Prepare and submit a new subscriber agreement, for employee turnover	0.00	0.00	0.17	0.00	0.17	\$6.25	\$0.00	\$0.00	1,792	304.64	\$11,200.00
File new subscriber agreement, for employee turnover	0.00	0.00	0.08	0.00	0.08	\$2.94	\$0.00	\$0.00	1,792	143.36	\$5,268.48
Report compromised or surrendered electronic signature device and prepare/submit new subscriber agreement if necessary	0.00	0.00	0.08	0.00	0.08	\$2.94	\$0.00	\$0.00	179	14.32	\$526.26
Contact the Help Desk for technical support	0.00	0.00	0.06	0.00	0.06	\$2.21	\$0.00	\$0.00	17,916	1,074.96	\$39,594.36
Comply with Subscriber Agreement Provisions - Reuse (Consolidated) ESA Registrants											
Prepare and submit a subscriber agreement	0.00	0.00	0.17	0.00	0.17	\$6.25	\$0.00	\$0.00	5,127	871.59	\$32,043.75
File subscriber agreement	0.00	0.00	0.08	0.00	0.08	\$2.94	\$0.00	\$0.00	5,127	410.16	\$15,073.38
Prepare and submit a new subscriber agreement, for employee turnover	0.00	0.00	0.17	0.00	0.17	\$6.25	\$0.00	\$0.00	576	97.92	\$3,600.00
File new subscriber agreement, for employee turnover	0.00	0.00	0.08	0.00	0.08	\$2.94	\$0.00	\$0.00	576	46.08	\$1,693.44
Report compromised or surrendered electronic signature device and prepare/submit new subscriber agreement if necessary	0.00	0.00	0.08	0.00	0.08	\$2.94	\$0.00	\$0.00	58	4.64	\$170.52
Contact the Help Desk for technical support	0.00	0.00	0.06	0.00	0.06	\$2.21	\$0.00	\$0.00	5,761	345.66	\$12,731.81
Comply with Subscriber Agreement Provisions - Third Party ESA Registrants											
Prepare and submit a subscriber agreement	0.00	0.00	0.17	0.00	0.17	\$6.25	\$0.00	\$0.00	908	154.36	\$5,675.00
File subscriber agreement	0.00	0.00	0.08	0.00	0.08	\$2.94	\$0.00	\$0.00	908	72.64	\$2,669.52
Prepare and submit a new subscriber agreement, for employee turnover	0.00	0.00	0.17	0.00	0.17	\$6.25	\$0.00	\$0.00	102	17.34	\$637.50
File new subscriber agreement, for employee turnover	0.00	0.00	0.08	0.00	0.08	\$2.94	\$0.00	\$0.00	102	8.16	\$299.88
Report compromised or surrendered electronic signature device and prepare/submit new subscriber agreement if necessary	0.00	0.00	0.08	0.00	0.08	\$2.94	\$0.00	\$0.00	10	0.80	\$29.40
Contact the Help Desk for technical support	0.00	0.00	0.06	0.00	0.06	\$2.21	\$0.00	\$0.00	1,020	61.20	\$2,254.20
Conduct On-Going Management											
Identify and resolve problems	0.00	0.00	1.00	0.00	1.00	\$36.78	\$0.00	\$0.00	992	992.00	\$36,485.76
Subtotal	Varies	Varies	Varies	Varies	Varies	Varies	Varies	Varies	Varies	11,851.33	\$463,617.51

^a Exhibit includes rounding error.

EXHIBIT 1 (CONTINUED)

CROSS-MEDIA ELECTRONIC REPORTING RULE
ESTIMATED ANNUAL RESPONDENT HOUR AND COST BURDEN

	Hours and Costs Per Respondent Per Activity								Total Hours and Costs		
	Leg. \$57.87/ Hour	Mgr. \$37.09/ Hour	Tech. \$36.78/ Hour	Cler. \$16.18/ Hour	Respon. Hours/ Activity	Labor Cost/ Activity	Capital/ Startup Cost	O&M Cost	Number of Respon. Activities	Total Hours/ Year	Total Cost/ Year
INFORMATION COLLECTION ACTIVITY											
Compliance with Identity Proofing Requirements - Indirect Reporters											
Comply with Requirements for Identifier, Attribute, or Alternative Method											
Prepare and submit requested information	0.00	0.25	1.00	0.10	1.35	\$47.67	\$0.00	\$0.00	0	0.00	\$0.00
Comply with Subscriber Agreement Provisions - Non-ESA Registrants											
Prepare and submit a subscriber agreement	0.00	0.00	0.25	0.00	0.25	\$9.20	\$0.00	\$3.31	29,718	7,429.50	\$371,772.18
File subscriber agreement	0.00	0.00	0.08	0.00	0.08	\$2.94	\$0.00	\$0.00	29,718	2,377.44	\$87,370.92
Prepare and submit a new subscriber agreement, for employee turnover	0.00	0.00	0.25	0.00	0.25	\$9.20	\$0.00	\$3.31	3,339	834.75	\$41,770.89
File new subscriber agreement, for employee turnover	0.00	0.00	0.08	0.00	0.08	\$2.94	\$0.00	\$0.00	3,339	267.12	\$9,816.66
Report compromised or surrendered electronic signature device and prepare/submit new subscriber agreement if necessary	0.00	0.00	0.08	0.00	0.08	\$2.94	\$0.00	\$3.31	334	26.72	\$2,087.50
Contact the Help Desk for technical support	0.00	0.00	0.06	0.00	0.06	\$2.21	\$0.00	\$0.00	33,391	2,003.46	\$73,794.11
Submit Subscriber Agreement to Local Registration Authority											
Prepare subscriber agreement and send to LRA (non-ESA registrant)	0.00	0.00	0.33	0.00	0.33	\$12.14	\$0.00	\$0.46	213	70.29	\$2,683.80
Prepare new subscriber agreement and send to LRA, for employee turnover (non-ESA registrant)	0.00	0.00	0.33	0.00	0.33	\$12.14	\$0.00	\$0.46	24	7.92	\$302.40
Report breach of security or compromise/surrender of electronic signature device	0.00	0.00	0.08	0.00	0.08	\$2.94	\$0.00	\$0.00	2	0.16	\$5.88
Prepare new subscriber agreement and send to LRA subsequent to breach of security/compromise of electronic signature device (non-ESA registrant)	0.00	0.00	0.33	0.00	0.33	\$12.14	\$0.00	\$0.46	2	0.66	\$25.20
Conduct On-Going Management											
Identify and resolve problems	0.00	0.00	1.00	0.00	1.00	\$36.78	\$0.00	\$0.00	771	771.00	\$28,357.38
Implementation of Local Registration Authority Alternative - Indirect Reporting Firms and Local Registration Authorities											
Designating a Local Registration Authority											
Develop a process or plan to implement the requirement, designate the LRA, and submit LRA application to agency	1.00	0.00	12.00	0.00	13.00	\$499.23	\$0.00	\$5.94	14	182.00	\$7,072.38
Register LRA with the electronic document receiving system	0.00	0.00	0.17	0.00	0.17	\$6.25	\$0.00	\$0.00	14	2.38	\$87.50
Redesignate LRA, due to turnover, and send application materials	0.00	0.00	1.00	0.00	1.00	\$36.78	\$0.00	\$5.94	1	1.00	\$42.72
Register new LRA with electronic document receiving system	0.00	0.00	0.17	0.00	0.17	\$6.25	\$0.00	\$0.00	1	0.17	\$6.25
Collect Subscriber Agreements from Reporters											
Collect and securely store subscriber agreements	0.00	0.00	0.17	0.00	0.17	\$6.25	\$0.00	\$0.00	213	36.21	\$1,331.25
Prepare agreement collection certification after securely storing subscriber agreements, and submit certification of receipt and secure storage	0.00	0.00	0.17	0.00	0.17	\$6.25	\$0.00	\$2.57	213	36.21	\$1,878.66
Collect and securely store subscriber agreements, for employee turnover	0.00	0.00	0.17	0.00	0.17	\$6.25	\$0.00	\$0.00	24	4.08	\$150.00
Prepare agreement collection certification after securely storing subscriber agreements, and submit certification of receipt and secure storage, for employee turnover	0.00	0.00	0.17	0.00	0.17	\$6.25	\$0.00	\$2.57	24	4.08	\$211.68
Collect and securely store subscriber agreements, for breach of security/compromise of electronic signature device	0.00	0.00	0.17	0.00	0.17	\$6.25	\$0.00	\$0.00	2	0.34	\$12.50
Prepare agreement collection certification after securely storing subscriber agreements, and submit certification of receipt and secure storage, for breach of security/compromise of electronic signature device	0.00	0.00	0.17	0.00	0.17	\$6.25	\$0.00	\$2.57	2	0.34	\$17.64
Subtotal	Varies	Varies	Varies	Varies	Varies	Varies	Varies	Varies	Varies	14,055.83	\$628,797.50

^a Exhibit includes rounding error.

EXHIBIT 1 (CONTINUED)

CROSS-MEDIA ELECTRONIC REPORTING RULE

ESTIMATED ANNUAL RESPONDENT HOUR AND COST BURDEN

	Hours and Costs Per Respondent Per Activity								Total Hours and Costs		
	Leg. \$38.95/ Hour	Mgr. \$38.95/ Hour	Tech. \$29.50/ Hour	Cler. \$14.00/ Hour	Respon. Hours/ Activity	Labor Cost/ Activity	Capital/ Startup Cost	O&M Cost	Number of Respon. Activities	Total Hours/ Year	Total Cost/ Year
INFORMATION COLLECTION ACTIVITY											
Compliance with Identity Proofing Requirements - State/Local Agencies Acting as Regulators											
Collect Identifier, Attribute, or Alternative Information											
Receive, process, review and approve identifier, attribute, or alternative information	0.00	0.00	0.50	0.00	0.50	\$14.75	\$0.00	\$0.00	0	0.00	\$0.00
Collect Subscriber Agreements											
Receive, process, review, approve and file new subscriber agreements	0.00	0.00	0.17	0.00	0.17	\$5.02	\$0.00	\$0.00	29,718	5,052.06	\$149,184.36
Receive, process, review, approve and file new subscriber agreements, for employee turnover	0.00	0.00	0.17	0.00	0.17	\$5.02	\$0.00	\$0.00	3,339	567.63	\$16,761.78
Receive, process, review, approve report compromise/surrender electronic signature device	0.00	0.00	0.17	0.00	0.17	\$5.02	\$0.00	\$0.00	334	56.78	\$1,676.68
Collect Submittals from Local Registration Authority											
Receive, process, review, and approve certification of receipt and secure storage	0.00	0.00	0.17	0.00	0.17	\$5.02	\$0.00	\$0.00	213	36.21	\$1,069.26
Receive, process, review and approve updated certification of receipt and secure storage, for employee turnover	0.00	0.00	0.17	0.00	0.17	\$5.02	\$0.00	\$0.00	24	4.08	\$120.48
Receive notification of breach of security or compromise/surrender of electronic signature device and take action	0.00	0.00	1.00	0.00	1.00	\$29.50	\$0.00	\$0.00	2	2.00	\$59.00
Receive, process, review and approve certification of receipt and secure storage, for breach of security	0.00	0.00	0.17	0.00	0.17	\$5.02	\$0.00	\$0.00	2	0.34	\$10.04
Collect Applications for Designation of Local Registration Authority											
Receive application to designate first-time LRA	0.00	0.00	0.50	0.00	0.50	\$14.75	\$0.00	\$0.00	14	7.00	\$206.50
Receive application to designate LRA, for LRA turnover	0.00	0.00	0.50	0.00	0.50	\$14.75	\$0.00	\$0.00	1	0.50	\$14.75
Conduct On-Going Management											
Identify and resolve problems	0.00	0.00	1.00	0.00	1.00	\$29.50	\$0.00	\$0.00	771	771.00	\$22,744.50
Respond to information requests	0.00	0.00	1.50	0.00	1.50	\$44.25	\$0.00	\$0.00	771	1,156.50	\$34,116.75
Subtotal	Varies	Varies	Varies	Varies	Varies	Varies	Varies	Varies	Varies	7,654.10	\$225,964.10

^a Exhibit includes rounding error.

EXHIBIT 1 (CONTINUED)

CROSS-MEDIA ELECTRONIC REPORTING RULE

ESTIMATED ANNUAL RESPONDENT HOUR AND COST BURDEN

	Hours and Costs Per Respondent Per Activity								Total Hours and Costs		
	Leg. \$38.95/ Hour	Mgr. \$38.95/ Hour	Tech. \$29.50/ Hour	Cler. \$14.00/ Hour	Respon. Hours/ Activity	Labor Cost/ Activity	Capital/ Startup Cost	O&M Cost	Number of Respon. Activities	Total Hours/ Year	Total Cost/ Year
INFORMATION COLLECTION ACTIVITY											
Approval of State/Local Electronic Document Receiving System Application - State/Local Agencies that Are Regulated Entities											
Read the Regulations											
Read the regulations	0.00	0.75	0.75	0.00	1.50	\$51.34	\$0.00	\$0.00	24	36.00	\$1,232.16
Submit Electronic Document Receiving System Application											
Upgrade existing electronic document receiving system or develop new electronic document receiving system to meet 40 CFR 3.2000 and apply for EPA program modification approval under 40 CFR 3.1000 (States)	0.00	31.00	300.00	0.00	331.00	\$10,057.45	\$144,330.00	\$5.42	4	1,324.00	\$617,571.48
Upgrade existing electronic document receiving system or develop new electronic document receiving system to meet 40 CFR 3.2000 and apply for EPA program modification approval under 40 CFR 3.1000 (Locals)	0.00	20.00	190.00	0.00	210.00	\$6,384.00	\$54,817.00	\$5.42	1	210.00	\$61,206.42
Submit Amendment to Original Application											
Submit amendment to original application for EPA program modification approval under 40 CFR 3.1000 (States/Locals)	0.00	8.00	16.00	0.00	24.00	\$783.60	\$0.00	\$5.42	15	360.00	\$11,835.30
Submit Notification on Changes to Laws, Policies, or Electronic Document Receiving System											
Submit notification to EPA about changes to laws, policies, or electronic document receiving systems that have the potential to affect program conformance with 40 CFR 3.2000 (States/Locals with approved applications)	0.00	0.25	0.50	0.00	0.75	\$24.49	\$0.00	\$5.42	4	3.00	\$119.64
Subtotal	Varies	Varies	Varies	Varies	Varies	Varies	Varies	Varies	Varies	1,933.00	\$691,965.00
TOTAL	Varies	Varies	Varies	Varies	Varies	Varies	Varies	Varies	Varies	39,763.02	\$2,167,445.71

^a Exhibit includes rounding error.

**EXHIBIT 2
CROSS-MEDIA ELECTRONIC REPORTING RULE
ESTIMATED ANNUAL EPA HOUR AND COST BURDEN ^a**

	Hours and Labor Costs Per Respondent Per Activity								Total Hours and Costs		
	Leg. \$64.93/ Hour	Mgr. \$54.94/ Hour	Tech. \$46.21/ Hour	Cler. \$23.44/ Hour	Respon. Hours/ Activity	Labor Cost/ Activity	Capital/ Startup Cost	O&M Cost	Number of Respon. Activities	Total Hours/ Year	Total Cost/ Year
INFORMATION COLLECTION ACTIVITY											
Registering with EPA Electronic Document Receiving System											
Develop, operate, and maintain CDX	0.00	285.00	8,598.00	0.00	8,883.00	\$412,971.48	\$159,360.00	\$0.00	1	8,883.00	\$572,331.48
Subtotal	0.00	285.00	8,598.00	0.00	8,883.00	\$412,971.48	\$159,360.00	\$0.00	1	8,883.00	\$572,331.48
Compliance with Identity Proofing Requirements											
Collect Identifier, Attribute, or Alternative Information											
Receive, process, review and approve identifier, attribute, or alternative information	0.00	0.00	0.50	0.00	0.50	\$23.11	\$0.00	\$0.00	0	0.00	\$0.00
Collect Subscriber Agreements - Non-ESA Registrants											
Receive, process, review, approve and file new subscriber agreements ^b	0.00	0.00	0.00	0.00	0.00	\$0.00	\$0.00	\$0.00	7,454	0.00	\$0.00
Receive, process, review, approve and file new subscriber agreements, for employee turnover ^b	0.00	0.00	0.00	0.00	0.00	\$0.00	\$0.00	\$0.00	837	0.00	\$0.00
Receive, process, review, approve report compromise/surrender electronic signature device	0.00	0.00	0.17	0.00	0.17	\$7.86	\$0.00	\$0.00	84	14.28	\$660.24
Collect Subscriber Agreements - ESA Registrants											
Receive, process, review, approve and file new subscriber agreements	0.00	0.00	0.52	0.00	0.52	\$24.03	\$0.00	\$0.00	15,945	8,291.40	\$383,158.35
Receive, process, review, approve and file new subscriber agreements, for employee turnover	0.00	0.00	0.52	0.00	0.52	\$24.03	\$0.00	\$0.00	1,792	931.84	\$43,061.76
Receive, process, review, approve report compromise/surrender electronic signature device	0.00	0.00	0.17	0.00	0.17	\$7.86	\$0.00	\$0.00	179	30.43	\$1,406.94
Collect Subscriber Agreements - Reuse (Consolidated) ESA Registrants											
Receive, process, review, approve and file new subscriber agreements ^c	0.00	0.00	0.00	0.00	0.00	\$0.00	\$0.00	\$0.00	5,127	0.00	\$0.00
Receive, process, review, approve and file new subscriber agreements, for employee turnover ^c	0.00	0.00	0.00	0.00	0.00	\$0.00	\$0.00	\$0.00	576	0.00	\$0.00
Receive, process, review, approve report compromise/surrender electronic signature device	0.00	0.00	0.17	0.00	0.17	\$7.86	\$0.00	\$0.00	58	9.86	\$455.88
Collect Subscriber Agreements - Third Party ESA Registrants											
Receive, process, review, approve and file new subscriber agreements ^d	0.00	0.00	0.00	0.00	0.00	\$0.00	\$0.00	\$1.20	908	0.00	\$1,089.60
Receive, process, review, approve and file new subscriber agreements, for employee turnover ^d	0.00	0.00	0.00	0.00	0.00	\$0.00	\$0.00	\$1.20	102	0.00	\$122.40
Receive, process, review, approve report compromise/surrender electronic signature device	0.00	0.00	0.17	0.00	0.17	\$7.86	\$0.00	\$0.00	10	1.70	\$78.60
Conduct On-Going Management											
Identify and resolve problems	0.00	0.00	1.00	0.00	1.00	\$46.21	\$0.00	\$0.00	992	992.00	\$45,840.32
Respond to information requests	0.00	0.00	1.50	0.00	1.50	\$69.32	\$0.00	\$0.00	992	1,488.00	\$68,765.44
Subtotal	Varies	Varies	Varies	Varies	Varies	Varies	Varies	Varies	Varies	11,759.51	\$544,639.53

^a Exhibit includes rounding error.

^b Labor cost associated with the collection of subscriber agreements from non-ESA registrants is equal to \$0.00 because it is included in the registration costs covered under "Reporting to EPA Electronic Document Receiving System."

^c Labor cost associated with the collection of subscriber agreements from reuse (consolidated) ESA registrants is equal to \$0.00 because, under this option, registrants can use their existing CDX credential. As a result, EPA does not need to receive, process, review, approve, and file new paper subscriber agreements from these registrants.

^d Labor cost associated with the collection of subscriber agreements from third party ESA registrants is equal to \$0.00 because, under this option, a third party vendor processes the subscriber agreements for an electronic transaction fee of \$1.20 per subscriber agreement.

EXHIBIT 2 (CONTINUED)
 CROSS-MEDIA ELECTRONIC REPORTING RULE
 ESTIMATED ANNUAL EPA HOUR AND COST BURDEN ^a

	Hours and Labor Costs Per Respondent Per Activity								Total Hours and Costs		
	Leg. \$64.93/ Hour	Mgr. \$54.94/ Hour	Tech. \$46.21/ Hour	Cler. \$23.44/ Hour	Respon. Hours/ Activity	Labor Cost/ Activity	Capital/ Startup Cost	O&M Cost	Number of Respon. Activities	Total Hours/ Year	Total Cost/ Year
INFORMATION COLLECTION ACTIVITY											
Approval of State/Local Electronic Document Receiving System Applications											
Process and file receiving system documentation submitted by State/Local seeking to modify their programs, as required by 40 CFR 3.1000 (States)	0.00	0.00	160.00	0.00	160.00	\$7,393.60	\$0.00	\$0.00	4	640.00	\$29,574.40
Process and file receiving system documentation submitted by State/Local seeking to modify their programs, as required by 40 CFR 3.1000 (Locals)	0.00	0.00	80.00	0.00	80.00	\$3,696.80	\$0.00	\$0.00	1	80.00	\$3,696.80
Process and file amendment to original application for EPA program modification approval under 40 CFR 3.1000 (States/Locals)	0.00	0.00	24.00	0.00	24.00	\$1,109.04	\$0.00	\$0.00	15	360.00	\$16,635.60
Process and file notifications about changes to laws, policies, or electronic document receiving systems that have the potential to affect program conformance with 40 CFR 3.2000 (States/Locals with approved applications)	0.00	0.00	12.00	0.00	12.00	\$554.52	\$0.00	\$0.00	4	48.00	\$2,218.08
Subtotal	Varies	Varies	Varies	Varies	Varies	Varies	Varies	Varies	Varies	1,128.00	\$52,124.88
TOTAL	0.00	Varies	Varies	Varies	Varies	Varies	Varies	Varies	Varies	21,770.51	\$1,169,095.89

^a Exhibit includes rounding error.

EXHIBIT 3
CROSS-MEDIA ELECTRONIC REPORTING
TOTAL ESTIMATED RESPONDENT HOUR AND COST BURDEN SUMMARY ^a

	Annual Burden Hours	Annual Labor Cost	Annual Capital/Startup Cost	Annual O&M Cost	Total Annual Cost
Private Sector Respondents					
Registering with EPA Electronic Document Receiving System - Direct Reporters	3,629.76	\$133,584.72	\$0.00	\$0.00	\$133,584.72
Compliance with Identity Proofing Requirements - Direct Reporters	10,077.74	\$370,662.97	\$0.00	\$23,570.51	\$394,233.48
Compliance with Identity Proofing Requirements - Indirect Reporters	11,952.26	\$440,019.89	\$0.00	\$94,669.83	\$534,689.72
<i>Subtotal</i>	<i>25,659.76</i>	<i>\$944,267.58</i>	<i>\$0.00</i>	<i>\$118,240.34</i>	<i>\$1,062,507.92</i>
State/Local Respondents					
Reporting to EPA Electronic Document Receiving System - Direct Reporters	639.00	\$23,516.88	\$0.00	\$0.00	\$23,516.88
Compliance with Identity Proofing Requirements - Direct Reporters	1,773.59	\$65,233.29	\$0.00	\$4,150.74	\$69,384.03
Compliance with Identity Proofing Requirements - Indirect Reporters	2,103.57	\$77,440.13	\$0.00	\$16,667.65	\$94,107.78
Compliance with Identity Proofing Requirements - State/Local Agencies Acting as Regulators	7,654.10	\$225,964.10	\$0.00	\$0.00	\$225,964.10
Approval of State/Local Electronic Document Receiving System Application - State/Local Agencies that Are Regulated Entities	1,933.00	\$59,697.92	\$632,137.00	\$130.08	\$691,965.00
<i>Subtotal</i>	<i>14,103.26</i>	<i>\$451,852.32</i>	<i>\$632,137.00</i>	<i>\$20,948.47</i>	<i>\$1,104,937.79</i>
All Respondents (i.e., Private Sector and State/Local)					
Registering with EPA Electronic Document Receiving System - Direct Reporters	4,268.76	\$157,101.60	\$0.00	\$0.00	\$157,101.60
Compliance with Identity Proofing Requirements - Direct Reporters	11,851.33	\$435,896.26	\$0.00	\$27,721.25	\$463,617.51
Compliance with Identity Proofing Requirements - Indirect Reporters	14,055.83	\$517,460.02	\$0.00	\$111,337.48	\$628,797.50
Compliance with Identity Proofing Requirements - State/Local Agencies Acting as Regulators	7,654.10	\$225,964.10	\$0.00	\$0.00	\$225,964.10
Approval of State/Local Electronic Document Receiving System Application - State/Local Agencies that Are Regulated Entities	1,933.00	\$59,697.92	\$632,137.00	\$130.08	\$691,965.00
Total	39,763.02	\$1,396,119.90	\$632,137.00	\$139,188.81	\$2,167,445.71
3-year Total	119,289	\$4,188,360	\$1,896,411	\$417,567	\$6,502,338

^a Exhibit includes rounding error.

Note: The exhibit presents hour and cost burden for private sector and State/Local respondents. Information is needed in this format for submission of the ICR into EPA's Information Collection Request, Review, and Approval System (ICRAS), the electronic system that EPA uses to transmit ICRs to OMB for approval.

EXHIBIT 4
CROSS-MEDIA ELECTRONIC REPORTING
TOTAL ESTIMATED EPA HOUR AND COST BURDEN SUMMARY ^a

	Annual Burden Hours	Annual Labor Cost	Annual Capital/ Startup Cost	Annual O&M Cost	Total Annual Cost
Registering with EPA Electronic Document Receiving System	8,883.00	\$412,971.48	\$159,360.00	\$0.00	\$572,331.48
Compliance with Identity Proofing Requirements	11,759.51	\$543,427.53	\$0.00	\$1,212.00	\$544,639.53
Approval of State/Local Electronic Document Receiving System Applications	1,128.00	\$52,124.88	\$0.00	\$0.00	\$52,124.88
Total	21,770.51	\$1,008,523.89	\$159,360.00	\$1,212.00	\$1,169,095.89
3-year Total	65,313	\$3,025,572	\$478,080	\$3,636	\$3,507,288

^a Exhibit includes rounding error.

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Appendix A
List of North American Industry Classification System (NAICS)
Codes Associated with Industries Most Likely Affected by the
Information Collection Requirements Covered in this ICR

11	Agriculture, Forestry, Fishing and Hunting	42	Wholesale Trade
111	Crop Production	421	Wholesale Trade, Durable Goods
112	Animal Production	422	Wholesale Trade, Nondurable Goods
113	Forestry and Logging		
114	Fishing, Hunting and Trapping	44-45	Retail Trade
115	Support Activities for Agriculture and Forestry	441	Motor Vehicle and Parts Dealers
		442	Furniture and Home Furnishings Stores
		443	Electronics and Appliance Stores
21	Mining	444	Building Material and Garden Equipment and Supplies Dealers
211	Oil and Gas Extraction		
212	Mining (except Oil and Gas)	445	Food and Beverage Stores
213	Support Activities for Mining	446	Health and Personal Care Stores
		447	Gasoline Stations
22	Utilities	448	Clothing and Clothing Accessories Stores
221	Utilities		
		451	Sporting Goods, Hobby, Book, and Music Stores
23	Construction	452	General Merchandise Stores
233	Building, Developing, and General Contracting	453	Miscellaneous Store Retailers
234	Heavy Construction	454	Nonstore Retailers
235	Special Trade Contractors		
		48-49	Transportation and Warehousing
31	Manufacturing	481	Air Transportation
311	Food Manufacturing	482	Rail Transportation
312	Beverage and Tobacco Product Manufacturing	483	Water Transportation
		484	Truck Transportation
313	Textile Mills	485	Transit and Ground Passenger Transportation
314	Textile Product Mills		
315	Apparel Manufacturing	486	Pipeline Transportation
316	Leather and Allied Product Manufacturing	487	Scenic and Sightseeing Transportation
		488	Support Activities for Transportation
321	Wood Product Manufacturing	491	Postal Service
322	Paper Manufacturing	492	Couriers and Messengers
323	Printing and Related Support Activities	493	Warehousing and Storage
324	Petroleum and Coal Products Manufacturing		
325	Chemical Manufacturing	51	Information
326	Plastics and Rubber Products Manufacturing	511	Publishing Industries
327	Nonmetallic Mineral Product Manufacturing	512	Motion Picture and Sound Recording Industries
		513	Broadcasting and Telecommunications
331	Primary Metal Manufacturing	514	Information Services and Data Processing Services
332	Fabricated Metal Product Manufacturing		
333	Machinery Manufacturing		
334	Computer and Electronic Product Manufacturing	52	Finance and Insurance
335	Electrical Equipment, Appliance, and Component Manufacturing	521	Monetary Authorities Central Bank
		522	Credit Intermediation and Related Activities
336	Transportation Equipment Manufacturing	523	Securities, Commodity Contracts, and Other Financial Investments and Related Activities
337	Furniture and Related Product Manufacturing	524	Insurance Carriers and Related Activities
339	Miscellaneous Manufacturing	525	Funds, Trusts, and Other Financial Vehicles

53	Real Estate and Rental and Leasing	924	Administration of Environmental Quality Programs
531	Real Estate	925	Administration of Housing Programs, Urban Planning, and C
532	Rental and Leasing Services	926	Administration of Economic Programs
533	Lessors of Nonfinancial Intangible Assets (except Copyrighted Works)	927	Space Research and Technology
		928	National Security and International Affairs
54	Professional, Scientific, and Technical Services		
541	Professional, Scientific, and Technical Services		
55	Management of Companies and Enterprises		
551	Management of Companies and Enterprises		
56	Administrative and Support and Waste Management and Remediation Services		
561	Administrative and Support Services		
562	Waste Management and Remediation Services		
61	Educational Services		
611	Educational Services		
62	Health Care and Social Assistance		
621	Ambulatory Health Care Services		
622	Hospitals		
623	Nursing and Residential Care Facilities		
624	Social Assistance		
71	Arts, Entertainment, and Recreation		
711	Performing Arts, Spectator Sports, and Related Industries		
712	Museums, Historical Sites, and Similar Institutions		
713	Amusement, Gambling, and Recreation Industries		
72	Accommodation and Food Services		
721	Accommodation		
722	Food Services and Drinking Places		
81	Other Services (except Public Administration)		
811	Repair and Maintenance		
812	Personal and Laundry Services		
813	Religious, Grantmaking, Civic, Professional, and Similar		
814	Private Households		
92	Public Administration		
921	Executive, Legislative, and Other General Government Support		
922	Justice, Public Order, and Safety Activities		
923	Administration of Human Resource Programs		

Appendix B

Methodology for Estimating the Annual Number of Facility Employees Expected to Register and Comply with the Identity Proofing Requirements of EPA’s Electronic Document Receiving System during the Three-Year Period Covered by the ICR

This appendix describes the methodology for estimating the annual number of facility employees expected to register and comply with the identity proofing requirements of EPA’s electronic document receiving system (i.e., CDX) during the three-year period covered by the ICR.

1. Annual Number of New Employee Registrants

This section describes the methodology for estimating the annual number of facility employees expected to register with CDX during the three-year period covered by the ICR (i.e., new employee registrants). Section 1.1 provides an overview of the methodology, Section 1.2 provides a detailed discussion of the methodology, and Section 1.3 presents the results.

1.1. Overview

In estimating the annual number of facility employees expected to register with CDX, EPA first compiled historical information on the cumulative number of employee registrants for years 2007 through 2010. We then estimated the annual number of new employee registrants for the three-year period covered by the ICR (i.e., years 2011 through 2013) based on analysis of new registrant growth rates.

1.2. Detailed Discussion

EPA took the following steps to carry out the methodology.

- A. *Compile historical information on cumulative number of employee registrants.* EPA referred to CDX in order to compile historical information on the cumulative number of registrants for years 2007 through 2010.

Year	Cumulative Number of Employee Registrants
2007	70,669
2008	91,761
2009	120,653
2010	150,820

- B. *Estimate cumulative number of employee registrants for years 2011 through 2013 (i.e., the three-year period covered in the ICR). We estimated the cumulative number of registrants for years 2011 through 2013 by using the following equation:*

$$\text{Cumulative Number of Registrants for Year Y} = \text{Registrants}_{Y-1} + \frac{([3 \times (\text{Registrants}_{Y-1} - \text{Registrants}_{Y-2})] + [2 \times (\text{Registrants}_{Y-2} - \text{Registrants}_{Y-3})] + [\text{Registrants}_{Y-3} - \text{Registrants}_{Y-4}])}{6}$$

The table below shows the results of using the above equation for years 2011 through 2013:

Year	Calculation	Cumulative Number of Employee Registrants ^a
2011	$150,820 + ([3 \times (150,820 - 120,653)] + [2 \times (120,653 - 91,761)] + [91,761 - 70,669]) / 6$	179,050
2012	$179,050 + ([3 \times (179,050 - 150,820)] + [2 \times (150,820 - 120,653)] + [120,653 - 91,761]) / 6$	208,036
2013	$208,036 + ([3 \times (208,036 - 179,050)] + [2 \times (179,050 - 150,820)] + [150,820 - 120,653]) / 6$	236,967

^a Includes rounding error.

- C. *Estimate total number of new employee registrants for years 2011 through 2013. We estimated the total number of new registrants for years 2011 through 2013 by using the following equation:*

$$\frac{\text{Number New Registrants For Year Y}}{\text{For Year Y}} = \text{Registrants}_Y - \text{Registrants}_{Y-1}$$

The table below shows the results of using the above equation for years 2011 through 2013:

Year	Calculation	Number of New Employee Registrants ^a
2011	$179,050 - 150,820$	28,230
2012	$208,036 - 179,050$	28,986
2013	$236,967 - 208,036$	28,931
Total for Years 2011 through 2013		86,147

^a Includes rounding error.

- D. *Estimate annual number of new employee registrants over the three-year period covered in the ICR. We assumed that one third of the total three-year projection will register with CDX in each year of the ICR. That is, we assumed that 28,716 new registrants (i.e., $86,147 \div 3$) will register with CDX each year.*

- E. *Estimate annual number of new registrants by type of ownership (i.e., private sector vs. State/Local) and remove Federal government employee registrants from this analysis.* We referred to data published by the Bureau of Labor Statistics on the number of employees in the U.S. These data indicate that 83.16 percent of U.S. employees work for the private sector, 14.64 percent of employees work for States/Locals, and 2.20 percent of employees work for the Federal government. We applied these percentages to the annual number of new employee registrants in Step D. We then excluded Federal Government employees from the analysis because they are exempt from ICR requirements.

1.3. Results

Exhibit B-1 presents information on the average annual number of facility employees expected to register with CDX.

Exhibit B-1
Annual Number of Facility Employees Expected to Register with EPA's CDX during the Three-Year Period Covered by the ICR

Respondent Universe	Average Annual Number of New Employee Registrants ^a
Private Sector	23,881
States/Locals	4,205
Total	28,086

^a Federal government employees are not reflected in the table because they are exempt from ICR requirements.

2. Annual Number of Subscriber Agreements

This section describes the methodology for estimating the annual number of subscriber agreements submitted to EPA to comply with the identity proofing requirements of CDX during the three-year period covered by the ICR. Section 2.1 provides an overview of the methodology, Section 2.2 provides a detailed discussion of the methodology, and Section 2.3 presents the results.

2.1. Overview

In estimating the annual number of subscriber agreements submitted to CDX, EPA first compiled information on the number of ESAs for years 2007 through 2010. We then estimated the annual number of subscriber agreements (i.e., paper subscriber agreements, electronic subscriber agreements (ESAs), reuse (consolidated) ESAs, and third party ESAs) for the three-year period covered by the ICR (i.e., years 2011 through 2013) based on analysis of growth rates and implementation rates.

2.2. Detailed Discussion

EPA took the following steps to carry out the methodology.

Non-Electronic Subscriber Agreements

- A. *Compile historical information on number of non-ESAs (i.e., paper subscriber agreements), by CROMERR data flow. Some of the CROMERR data flows do not support ESAs. For purposes of this analysis, the subscriber agreements associated with these data flows are categorized as “non-ESAs” or paper subscriber agreements.*

To estimate the number of paper subscriber agreements for years 2011 through 2013, we referred to CDX in order to compile historical information on the number of non-ESAs, by CROMERR data flow, for years 2007 through 2010.

CROMERR Data Flow	Number of Paper Subscriber Agreements			
	2007	2008	2009	2010
e-GGRT	552	1,072	1,924	4,442
EMTS	157	288	550	1,319
SDWIS	235	225	200	196
UCMR2	3,525	3,276	2,919	1,861
Total	4,469	4,861	5,593	7,818

- B. *Estimate total number of paper subscriber agreements, by CROMERR data flow, for years 2011 through 2013 (i.e., the three-year period covered in the ICR). We estimated the total number of paper subscriber agreements, by CROMERR data flow, for years 2011 through 2013 by using the following equations:*

For year 2011:

$$\begin{aligned} \text{Total Number of Subscriber Agreements for Year Y} &= \text{Subscriber Agreements}_{Y-1} + ([3 \times (\text{Subscriber Agreements}_{Y-1} - \text{Subscriber Agreements}_{Y-2})] + [2 \\ &\quad \times (\text{Subscriber Agreements}_{Y-2} - \text{Subscriber Agreements}_{Y-3}) + \\ &\quad [\text{Subscriber Agreements}_{Y-4}]] / 6 \end{aligned}$$

For years 2012 and 2013:

$$\begin{aligned} \text{Total Number of Subscriber Agreements for Year Y} &= ([3 \times \text{Subscriber Agreements}_{Y-1}] + [2 \times \text{Subscriber Agreements}_{Y-2}] + \\ &\quad [\text{Subscriber Agreements}_{Y-3}]) / 6 \end{aligned}$$

The table below shows the estimated number of paper subscriber agreements, by CROMERR data flow, for years 2011 through 2013. Note that, for certain data flows, we revised the estimated number of subscriber agreements based on available program information.

CROMERR Data Flow	Number of Paper Subscriber Agreements ^a		
	2011	2012	2013
e-GGRT	6,072	4,837	5,183
EMTS	1,813	1,319 ^b	1,484
SDWIS	184	196 ^b	192
UCMR2	1,172	1,693	1,547
Total	9,240	8,045	8,405

^a Table includes rounding error.

^b Estimate is based on available program information, not on use of equation.

Electronic Subscriber Agreements

- C. *Compile historical information on number of ESAs, by CROMERR data flow. EPA referred to CDX in order to compile historical information on the number of ESAs, by CROMERR data flow, for years 2008 through 2010.*

CROMERR Data Flow	Number of ESAs ^a		
	2008	2009	2010
OTAQ	387	367	610
ODS-CBI	35	23	13
TRIMEWeb	10,043	11,779	8,994
RMPeSubmit	694	5,483	1,976
eTSCA	19	34	293
eTSCA-PDS ^b			
eIUR	94	145	32
eIUR2 ^b			
Total	11,272	17,831	11,918

^a Table includes rounding error.

^b New CROMERR data flow for years 2011 through 2013. Data flow is included in this table to facilitate discussion in subsequent steps.

- D. *Estimate number of ESAs, by CROMERR data flow, for years 2011 through 2013 (i.e., the three-year period covered in the ICR). We estimated the number of ESAs, by CROMERR data flow, for years 2011 through 2013 by using the following equation:*

$$\text{Number of ESAs for Year } Y = ([3 \times \text{Registrants}_{Y-1}] + [2 \times \text{Registrants}_{Y-2}] + [\text{Registrants}_{Y-3}]) / 6$$

The table below shows the estimated number of ESAs, by CROMERR data flow, for years 2011 through 2013. Note that, for certain data flows, we revised the estimated number of ESAs based on available program information.

CROMERR Data Flow	Number of ESAs ^a		
	2011	2012	2013
OTAQ	1,719 ^c	1,124	1,236
ODS-CBI	20	18	18
TRIMEWeb	10,097	10,010	9,870
RMPeSubmit	2,931	3,038	2,826
eTSCA	161	184	194
eTSCA-PDS	5,000 ^c	2,500 ^c	2,500 ^c
eIUR ^b	80		
eIUR2	968 ^c	240 ^c	225 ^c
Total	20,976	17,114	16,868

^a Table includes rounding error.

^b eIUR was discontinued and replaced by eIUR2.

^c Estimate is based on available program information, not on use of equation.

- E. *Estimate number of reuse (consolidated) ESAs, by CROMERR data flow, for years 2011 through 2013.* We estimated the number of reuse (consolidated) ESAs, for participating data flows, by applying implementation rates provided by CDX to the number of ESAs obtained in Step D. The implementation rates are presented in the table below:

CROMERR Data Flow	Implementation Rates for Reuse (Consolidated) ESAs		
	2011	2012	2013
OTAQ	100%		
ODS-CBI			
TRIMEWeb		50%	50%
RMPeSubmit			
eTSCA			50%
eTSCA-PDS	50%	50%	50%
eIUR			
eIUR2	70.7%	50%	50%

The table below shows the estimated number of reuse (consolidated) ESAs, by CROMERR data flow, for years 2011 through 2013.

CROMERR Data Flow	Number of Reuse (Consolidated) ESAs ^a		
	2011	2012	2013
OTAQ	1,719		
ODS-CBI			
TRIMEWeb		5,005	4,935
RMPeSubmit			
eTSCA			97
eTSCA-PDS	2,500	1,250	1,250
eIUR			
eIUR2	684	120	112
Total	4,903	6,375	6,394

^a Table includes rounding error.

- F. *Estimate number of third party ESAs, by CROMERR data flow, for years 2011 through 2013.* We estimated the number of third party ESAs for participating data flows by applying implementation rates provided by CDX to the number of ESAs obtained in Step D. Specifically, we estimated that third party ESAs are 10 percent of the estimated ESAs for the following data flows:
- For year 2011: eTSCA-PDS and eIUR2.
 - For years 2012 and 2013: eTSCA-PDS, eIUR2, and TRIMEWeb.

The table below shows the estimated number of third party ESAs, by CROMERR data flow, for years 2011 through 2013.

CROMERR Data Flow	Number of Third Party ESAs ^a		
	2011	2012	2013
OTAQ			
ODS-CBI			
TRIMEWeb		1,001	987
RMPeSubmit			
eTSCA			
eTSCA-PDS	500	250	250
eIUR			
eIUR2	97	24	22
Total	597	1,275	1,259

^a Table includes rounding error.

- G. *Estimate annual number of subscriber agreements for the three-year period covered by the ICR.* Using the number of subscriber agreements obtained in Steps B, D, E, and F, we estimated the annual number of subscriber agreements for the three-year period covered by the ICR. To do this, we averaged the number of subscriber agreements for years 2011 through 2013. The results are presented in the table below.

Type of Subscriber Agreement	Number of Subscriber Agreements			
	Year 2011	Year 2012	Year 2013	Average
Non-ESAs (Paper Subscriber Agreements)	9,240	8,045	8,405	8,563
ESAs	20,976	17,114	16,868	18,319
Reuse (Consolidated) ESAs	4,903	6,375	6,394	5,891
Third Party ESAs	597	1,275	1,259	1,044

- H. *Estimate number of subscriber agreements by type of ownership (i.e., private sector vs. State/Local) and remove subscriber agreements from Federal government employee registrants from this analysis.* We referred to data published by the Bureau of Labor Statistics on the number of employees in the U.S. These data indicate that 83.16 percent of U.S. employees work for the private sector, 14.64 percent of employees work for States/Locals, and 2.20 percent of employees work for the Federal government. We applied these percentages to the number of ESAs obtained in Step G. We then excluded the subscriber agreements from Federal Government employees from the analysis because Federal government employees are exempt from ICR requirements.

2.3. Results

Exhibit B-2 presents information on the average annual number of subscriber agreements to be submitted to CDX during the three-year period covered by this ICR.

Exhibit B-2 Annual Number Subscriber Agreements to be Submitted to EPA's CDX during the Three-Year Period Covered by the ICR

Type of Subscriber Agreement	Average Annual Number of Subscriber Agreements ^a
Private Sector	
Non-ESAs (Paper Subscriber Agreements)	7,121
ESAs	15,234
Reuse (Consolidated) ESAs	4,898
Third Party ESAs	868
<i>Subtotal</i>	28,122
States/Locals	
Non-ESAs (Paper Subscriber Agreements)	1,254
ESAs	2,682
Reuse (Consolidated) ESAs	862

Third Party ESAs	153
<i>Subtotal</i>	<i>4,950</i>
All (Private Sector and States/Locals)	
Non-ESAs (Paper Subscriber Agreements)	8,375
ESAs	17,916
Reuse (Consolidated) ESAs	5,761
Third Party ESAs	1,020
Total	33,072

^a Federal government employees are exempt from ICR requirements. As a result, their subscriber agreements are not included in the exhibit.

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Appendix C

Methodology for Estimating the Annual Number of Facility Employees Expected to Register and Comply with Identity Proofing Requirements of State/Local Electronic Document Receiving Systems during the Three-Year Period Covered by the ICR

This appendix describes the methodology for estimating the annual number of facility employees expected to register and comply with identity proofing requirements of State/Local electronic document receiving systems during the three-year period covered by the ICR. Section 1 provides an overview of the methodology, Section 2 provides a detailed discussion of the methodology, and Section 3 presents the results.

1. Overview

EPA estimated the number of facilities reporting to State/Local electronic document receiving systems by first identifying States with existing and new systems and compiling them into a table (referred to as the “Master Table” in this analysis).^{30, 31} We then referred to survey data compiled by EPA in 2002 from States that estimated the number of facilities subject to their respective receiving systems by environmental program. We updated these State estimates to current (2011) levels based on analysis of respondent universe growth rates in EPA program ICRs. We then extrapolated the updated survey data to the States in the Master Table to estimate their number of facilities. The extrapolation was performed by first finding the total number of commercial establishments in each State based on U.S. Census data, comparing the number of establishments in the survey States to the States in the Master Table, and using a scaling factor to extrapolate the number of facilities in the survey States to the States in the Master Table based on their respective number of commercial establishments. We performed this extrapolation by environmental program for all States in the Master Table. Finally, we estimated the number of employees based on the number of facilities.

2. Detailed Discussion

EPA took the following steps to carry out the methodology.

Find the Number of States with Receiving Systems, by State Environmental Program

³⁰ “Existing electronic document receiving system” means an electronic document receiving system that is being used to receive electronic documents in lieu of paper to satisfy requirements under an authorized program on October 13, 2005 or the system, if not in use, has been substantially developed on or before that date as evidenced by the establishment of system services or specifications by contract or other binding agreement (40 CFR 3.3). Pursuant to 40 CFR 3.1000(a)(3), States/Locals with an existing electronic document receiving system for an authorized program must submit an application to revise or modify such authorized program in compliance with 40 CFR 3.1000(a)(1) no later than January 13, 2010.

³¹ “New electronic document receiving system” refers to an electronic document receiving system that was not being used to receive electronic documents in lieu of paper to satisfy requirements under an authorized program on October 13, 2005 or the system, if not in use, that had not been substantially developed on or before that date. Pursuant to 40 CFR 3.1000(a)(2), States/Locals with new electronic document receiving systems must receive EPA approval of revisions or modifications to the authorized program before the program may receive electronic documents in lieu of paper documents to satisfy program requirements.

- A. *Identify States with existing and new electronic document receiving systems.* To identify States with existing electronic document receiving systems, we referred to EPA's "Status of CROMERR Applications from States" Web site (http://www.epa.gov/cromerr/application_status.html), which contains data current as of December 2010.

To identify States with new electronic document receiving systems, we referred to EPA's CROMERR universe tracking spreadsheet, which contains data current as of September 14, 2010. For purposes of this analysis, "new electronic document receiving systems" are those that meet the following criteria, as indicated in the spreadsheet:

- Name of the system is available;
- System is subject to CROMERR; and
- System is categorized as "planned."

- B. *Estimate the number of existing and new State receiving systems, by environmental program.* Existing and new receiving systems were categorized into State environmental programs based on the statute associated with the authorized program (e.g., Clean Air Act (CAA), Clean Water Act (CWA)). Attachment C-1 presents a table of the States with existing and new receiving systems, by State environmental program. This table is called the "Master Table" in this memorandum.

Estimate the Number of Facilities, by State Environmental Program

- C. *Estimate number of facilities by State environmental program, based on CROMERR cost-benefit analysis (CBA) survey data.* To obtain information on the number of facilities by State environmental program, we referred to "Table V-2. Existing State Receiving Systems" of *Cross-Media Electronic Reporting and Records Rule (CROMERRR) Cost Benefit Analysis - Final*; dated November 17, 2004. This table contains information on the number of facilities associated with State receiving systems reported in a survey conducted by EPA during the summer of 2002. Attachment C-2 shows the number of facilities by State environmental program based on CBA survey data.
- D. *Update CBA's facility estimate for each State environmental program, based on ICR respondent data.* The data on number of facilities developed under Step C are based on 2002 data. In order to bring these numbers to the present (2011), we took the following steps:
- Referred to the Information Collection Request, Review, and Approval System (ICRAS) to obtain data on annual number of respondents in the ICRs listed in Attachment C-3. For each ICR, we obtained respondent universe estimates for at least two different years (e.g., 2002 and 2008) to enable us to estimate the annual percent change in the universe.
 - Estimated the annual percent change in number of respondents for each ICR.
 - Multiplied the annual percent change by 9 to estimate percent change over the 2002-2011 period.
 - Applied the 2002-2011 percent change to facility estimates in order to update the number of facilities for each environmental program.

Attachment C-4 shows the ICR data used to update the CBA's facility estimates, by State environmental program.

Extrapolate Updated State Survey Data on Number of Facilities to All States in Master Table

- E. *Develop a scaling factor for use in extrapolation.* We referred to U.S. Census Bureau data on number of establishments by employment size for States.³² Based on these data, which are presented in Attachment C-5, we obtained the following information for each environmental program:
- Number of commercial establishments in the survey States for which respondent data were available; and
 - Number of commercial establishments in States in the Master Table with existing and/or planned receiving systems.

We then used these data to derive a scaling factor to be used in Step F. This scaling factor was derived using the following equation:

$$\text{Scaling Factor} = \frac{\text{Number of establishments in States in Master Table}}{\text{Number of establishments in survey States}}$$

- F. *Extrapolate the CBA's updated facility estimates to States with existing and new receiving systems.* In deriving the total number of facilities in all States in the Master Table, we first estimated the total number of facilities associated with each environmental program. To do this, we multiplied the updated survey data (Step D) by the corresponding scaling factor derived in Step E. This gave us the total number of facilities reporting to the receiving systems of States in the Master Table, by environmental program. We then added up the total number of facilities in States in the Master Table across all environmental programs.
- G. *Estimate annual number of facilities subject to the ICR requirements.* In estimating the annual number of facilities subject to the ICR requirements, we made the following assumptions:
- Existing receiving systems: For purposes of this analysis, we assume that existing systems have been in operation since 2005. EPA estimates that 30 percent of facilities began to use the receiving system in the first year (i.e., 2005) and 10 percent in each subsequent year.
 - New receiving systems: We assume that one third of facilities will begin reporting in each year of the three-year period covered by the ICR. In each year of the ICR, EPA estimates that 30 percent of facilities will begin to use the receiving system in the first year and 10 percent in each subsequent year.

The above implementation rates for use of an electronic receiving system were taken from the CBA (Exhibit 2-5).

³² U.S. Census Bureau, "Number of Firms, Number of Establishments, Employment, and Annual Payroll by Enterprise Employment Size for the United States and States, Totals: 2008," February 15, 2011. Available online at: <http://www.census.gov/econ/subs/>, last accessed on February 23, 2011. These are the latest Statistics of U.S. Businesses (SUSB) annual data.

- H. *Estimate average annual number of facilities subject to the ICR requirements, by employment size.* In estimating the average annual number of facilities by employment size, we referred to the U.S. Census Bureau data presented in Attachment C-5. Based on these data, in the U.S., 70 percent of establishments have less than 20 employees and 30 percent of establishments have 20 or more employees. We applied these percentages to the annual number of facilities in Step G. Once we estimated the annual number of facilities for each year from 2011 through 2013 (i.e., the three-year period covered by the ICR), we obtained the average over three years.
- I. *Estimate average annual number of facility employees subject to the ICR requirements.* In estimating the average annual number of facility employees, we assumed that small firm facilities have three employees and that medium/large firm facilities have six employees. These estimates were taken from the CBA (Section 2.3.3, “Facilities;” page 26).
- J. *Estimate average annual number of facility employees subject to the ICR requirements by type of ownership (i.e., private sector vs. State/Local) and remove Federal government facilities from this analysis.* In estimating the average annual number of facility employees by type of ownership, we referred to data published by the Bureau of Labor Statistics on the number of employees in the U.S.³³ These data indicate that 83.16 percent of U.S. employees work for the private sector, 14.64 percent of employees work for States/Locals, and 2.20 percent of employees work for the Federal government. We applied these percentages to the annual number of facility employees in Step I. We then excluded Federal government employees from the analysis because they are exempt from ICR requirements.

Attachments C-6 and C-7 present details on the application of the above methodology to existing and new receiving systems, respectively.

³³ Bureau of Labor Statistics; Quarterly Census of Employment and Wages; Number of Employees (US Total, All Industries, All Establishment Sizes); 2009 (Annual). Available online at: <http://data.bls.gov/pdq/querytool.jsp?survey=en>, last accessed on April 27, 2011.

3. Results

Exhibit C-1 presents information on the average annual number of facility employees expected to register with existing and new State/Local receiving systems.

Exhibit C-1
Average Annual Number of Facility Employees Expected to
Register with Existing and New State/Local Receiving Systems
during the Three-Year Period Covered by the ICR

Type of Firm	Average Annual Number of Facility Employees		
	Existing Receiving Systems	New Receiving System	All Receiving Systems (i.e., Existing and New)
Private Sector			
Small Firms	8,714	3,156	11,870
Medium-Size and Large Firms	7,469	2,704	10,173
<i>Subtotal</i>	<i>16,183</i>	<i>5,860</i>	<i>22,043</i>
States/Locals			
Small Firms	1,534	556	2,090
Medium-Size and Large Firms	1,315	476	1,791
<i>Subtotal</i>	<i>2,849</i>	<i>1,032</i>	<i>3,881</i>
All (Private Sector and States/Locals)			
Small Firms	10,248	3,712	13,960
Medium-Size and Large Firms	8,784	3,180	11,964
Total	19,032	6,892	25,924

^a Federal government employees are not reflected in the table because they are exempt from ICR requirements.

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Attachment C-1
Number of Existing and New State/Local Electronic Document
Receiving Systems, by State Environmental Program
(also referred to as the “Master Table”)

State	Existing Systems			New Systems		
	Air	Water	Waste	Air	Water	Waste
Alabama		X	X			
Alaska	X	X			X	
American Samoa						
Arizona		X				
Arkansas		X	X			
California		X				
Colorado		X		X		
Connecticut		X				
Delaware	X	X	X			
District of Columbia						
Florida	X	X	X			
Georgia	X	X			X	
Guam						
Hawaii		X			X	
Idaho	X					
Illinois	X	X				
Indiana	X	X	X			
Iowa	X	X				
Kansas	X	X	X			
Kentucky	X	X	X			
Louisiana		X				
Maine	X	X				
Maryland		X			X	
Massachusetts	X	X	X			X
Michigan	X	X	X			
Minnesota	X	X	X			
Mississippi	X	X	X			
Missouri ^b	X	X	X		X	
Montana				X	X	X
Nebraska					X	
Nevada		X	X			
New Hampshire		X			X	
New Jersey	X	X	X			
New Mexico	X					

Attachment C-1 (continued)
Number of Existing and New State/Local Electronic Document
Receiving Systems, by State Environmental Program
(also referred to as the “Master Table”)

State	Existing Systems			New Systems		
	Air	Water	Waste	Air	Water	Waste
New York	X		X		X	
North Carolina	X	X			X	
North Dakota		X				
Northern Mariana Islands						
Ohio	X	X	X			
Oklahoma	X	X	X			
Oregon		X				X
Pennsylvania	X	X	X			
Puerto Rico						
Rhode Island		X			X	
South Carolina	X	X				
South Dakota	X	X	X		X	
Tennessee		X		X		
Texas	X	X	X			
U.S. Virgin Islands						
Utah		X				
Vermont	X	X	X			
Virginia		X				
Washington	X	X	X			
West Virginia		X				
Wisconsin	X	X	X			
Wyoming	X	X	X			

Sources: (1) U.S. Environmental Protection Agency (USEPA), “Status of CROMERR Applications from States” Web site (http://www.epa.gov/cromerr/application_status.html), data current as of December 2010.

(3) U.S. Environmental Protection Agency (USEPA), “Master Sprdsht with EPA sprdsht” worksheet of the “Summary CROMERR Universe 20100914 Draft V1.xls” Excel file, dated September 14, 2010.

**Attachment C-2
 Number of Facilities Associated with Existing State Electronic Document Receiving Systems
 in the CROMERR Cost-Benefit Analysis Survey, by State Environmental Program
 (Data Current as of Summer 2002)**

State	Air								Water				Waste, USTs, Emergency Planning		
	Air (CEM)	Air Permits	Air (NEI)	Air Title V Emissions	Emission Reports (Non-Title V)	Air Quality	PTO Applications	Asbestos Notification	EDMR	Drinking/ Ground Water	Wastewater	UIC	HW Annual Report	UST	Risk Management
Florida									3						
New Jersey	12	1,500												1,000	
New Mexico			200												
North Dakota												250			
Ohio		200		780	2,400		780			5,700	1,550		480		500
Pennsylvania						125		6,000							
Wisconsin					5,200				22				600		

^a For purposes of this analysis, data for Wisconsin’s “Consolidated (air, haz waste)” program was divided among the “Air” and “HW Annual Report” categories. Specifically, 90 percent of the facilities were allocated to the “Air” category and the remaining 10 percent were allocated to the “HW Annual Report” category. This allocation was based on Ohio’s data and available information on the number of hazardous waste handlers that reported to the 2007 Hazardous Waste Report.

Source: U.S. Environmental Protection Agency (USEPA), “Table V-2. Existing State Receiving Systems” of Cross-Media Electronic Reporting and Records Rule (CROMERRR) Cost Benefit Analysis, Final; November 17, 2004.

Acronyms

- CEM Continuous Emissions Monitoring
- EDMR Electronic Discharge Monitoring Report
- HW Hazardous Waste
- NEI National Emission Inventory
- PTO Permit to Operate
- UIC Underground Injection Control
- UST Underground Storage Tank

Attachment C-3
List of ICRs Used in Analysis, by Environmental Program

ICR Numbers	ICR Name
Air	
916.12 916.13	Consolidated Emissions Reporting (NEI)
1587.06 1587.07	State Operating Permit Regulations
111.10 111.12	NESHAP for Asbestos
1088.10 1088.12	NSPS for Industrial-Commercial-Institutional Steam Generating Units
Water	
229.15 229.16	NPDES and Sewage Sludge Monitoring Reports (DMR)
1842.04 1842.05	Notice of Intent for Storm Water Discharges Associated with Construction Activity Under a NPDES General Permit
2.11 2.14	National Pretreatment Program
270.42 270.43	Public Water System Supervision Program
Waste, USTs, Emergency Planning	
261.14	Notification of Regulated Waste Activity
976.11	2007 Hazardous Waste Report
976.14	Notification of Regulated Waste Activity and 2009 Hazardous Waste Report
1380.07 1380.08	Underground Storage Tanks: Technical and Financial Requirements, and State Program Approval Procedures

Source: U.S. Environmental Protection Agency (USEPA), Information Collection Request, Review, and Approval System (ICRAS). Data obtained on February 22-28, 2011.

Attachment C-4a ICR Data Used to Update Number of Facilities Obtained from CROMERR CBA Air Programs

Consolidated Emissions Reporting (NEI)								
Respondent Universe	Annual Number of Respondents		Percent Change in Number of Respondents	Number of Years	Annual Percent Change in Number of Respondents	Weight	Weighted Annual Percent Change in Number of Respondents	Average Annual Percent Change for Environmental Program
	EPA ICR Number	EPA ICR Number						
	916.12	916.13						
	2006	2009						
Industry Respondents and States/Territories/Local Agencies	2,038	1,863	-8.6%	3	-2.9%	0.06	-0.2%	-1.1%
State Operating Permit Regulations								
Respondent Universe	Annual Number of Respondents		Percent Change in Number of Respondents	Number of Years	Annual Percent Change in Number of Respondents	Weight	Weighted Annual Percent Change in Number of Respondents	
	EPA ICR Number	EPA ICR Number						
	1587.06	1587.07						
	2004	2007						
Permitting Authorities and Sources Subject to Permitting under 40 CFR Part 70	17,738	16,930	-4.6%	3	-1.5%	0.57	-0.9%	
NESHAP for Asbestos								
Respondent Universe	Annual Number of Respondents		Percent Change in Number of Respondents	Number of Years	Annual Percent Change in Number of Respondents	Weight	Weighted Annual Percent Change in Number of Respondents	
	EPA ICR Number	EPA ICR Number						
	111.10	111.12						
	2003	2009						
Respondents	9,848	9,432	-4.2%	6	-0.7%	0.32	-0.2%	
NSPS for Industrial-Commercial-Institutional Steam Generating Units								
Respondent Universe	Annual Number of Respondents		Percent Change in Number of Respondents	Number of Years	Annual Percent Change in Number of Respondents	Weight	Weighted Annual Percent Change in Number of Respondents	
	EPA ICR Number	EPA ICR Number						
	1088.10	1088.12						
	2003	2010						
Respondents	1,230	1,500	22.0%	7	3.1%	0.05	0.2%	
Total Number Respondents for All ICRs		29,725						

Attachment C-4b
ICR Data Used to Update Number of Facilities Obtained from CROMERR CBA
Water Programs

NPDES and Sewage Sludge Monitoring Reports (DMR)

Respondent Universe	Annual Number of Respondents		Percent Change in Number of Respondents	Number of Years	Annual Percent Change in Number of Respondents	Weight	Weighted Annual Percent Change in Number of Respondents	Average Annual Percent Change for Environmental Program
	EPA ICR Number	EPA ICR Number						
	229.15	229.16						
	2001	2005						
Permittees and States/Tribes/Territories	86,135	81,988	-4.8%	4	-1.2%	0.19	-0.2%	-3.4%

Notice of Intent for Storm Water Discharges Associated with Construction Activity Under a NPDES General Permit

Respondent Universe	Annual Number of Respondents		Percent Change in Number of Respondents	Number of Years	Annual Percent Change in Number of Respondents	Weight	Weighted Annual Percent Change in Number of Respondents
	EPA ICR Number	EPA ICR Number					
	1842.04	1842.05					
	2003	2006					
Permittees and States/Tribes/Territories	201,259	157,546	-21.7%	3	-7.2%	0.37	-2.7%

National Pretreatment Program

Respondent Universe	Annual Number of Respondents		Percent Change in Number of Respondents	Number of Years	Annual Percent Change in Number of Respondents	Weight	Weighted Annual Percent Change in Number of Respondents
	EPA ICR Number	EPA ICR Number					
	2.11	2.14					
	2004	2007					
Industrial users (IUs), POTWs, and States	28,285	24,740	-12.5%	3	-4.2%	0.06	-0.3%

Public Water System Supervision Program

Respondent Universe	Annual Number of Respondents		Percent Change in Number of Respondents	Number of Years	Annual Percent Change in Number of Respondents	Weight	Weighted Annual Percent Change in Number of Respondents
	EPA ICR Number	EPA ICR Number					
	270.42	270.43					
	2004	2008					
Existing PWSs, Primary Agencies, and Laboratories	161,682	158,113	-2.2%	4	-0.6%	0.37	-0.2%

Total Number Respondents for All ICRs 422,387

Attachment C-4c ICR Data Used to Update Number of Facilities Obtained from CROMERR CBA Waste, USTs, Emergency Planning Programs

Notification of Regulated Waste Activity								
Respondent Universe	Annual Number of Respondents		Percent Change in Number of Respondents	Number of Years	Annual Percent Change in Number of Respondents	Weight	Weighted Annual Percent Change in Number of Respondents	Average Annual Percent Change for Environmental Program
	EPA ICR Number 2003	EPA ICR Number 2009						
Initial and Subsequent Notifications under RCRA Section 3010; 40 CFR Part 273, Subpart C; and 40 CFR Part 279	31,125	46,186	48.4%	6	8.1%	0.16	1.3%	-0.2%
Hazardous Waste Report								
Respondent Universe	Annual Number of Respondents		Percent Change in Number of Respondents	Number of Years	Annual Percent Change in Number of Respondents	Weight	Weighted Annual Percent Change in Number of Respondents	
	EPA ICR Number 2003	EPA ICR Number 2009						
Respondents to the Hazardous Waste Report	10,178	8,542	-16.1%	6	-2.7%	0.03	-0.1%	
Underground Storage Tanks: Technical and Financial Requirements, and State Program Approval Procedures								
Respondent Universe	Annual Number of Respondents		Percent Change in Number of Respondents	Number of Years	Annual Percent Change in Number of Respondents	Weight	Weighted Annual Percent Change in Number of Respondents	
	EPA ICR Number 2004	EPA ICR Number 2008						
Private and Governments	254,705	237,578	-6.7%	4	-1.7%	0.81	-1.4%	
Total Number Respondents for All ICRs		292,306						

Attachment C-5
Number of Establishments (Facilities) by Employment Size, 2008

STATE	Less than 20 Employees	20 or More Employees	Total
<i>United States</i>	<i>5,349,024</i>	<i>2,252,145</i>	<i>7,601,169</i>
Alabama	68,196	35,679	103,875
Alaska	14,718	5,216	19,934
Arizona	94,436	45,645	140,081
Arkansas	45,595	21,073	66,668
California	638,535	240,490	879,025
Colorado	115,392	41,292	156,684
Connecticut	65,132	27,465	92,597
Delaware	16,475	8,699	25,174
District of Columbia	12,554	8,527	21,081
Florida	379,105	127,922	507,027
Georgia	156,600	70,993	227,593
Hawaii	22,584	10,320	32,904
Idaho	34,635	11,611	46,246
Illinois	226,845	95,097	321,942
Indiana	98,736	51,365	150,101
Iowa	56,204	26,149	82,353
Kansas	52,079	24,017	76,096
Kentucky	60,675	31,912	92,587
Louisiana	70,230	33,777	104,007
Maine	30,944	10,811	41,755
Maryland	96,416	42,191	138,607
Massachusetts	123,065	51,225	174,290
Michigan	160,153	69,157	229,310
Minnesota	104,812	44,033	148,845
Mississippi	40,811	20,107	60,918
Missouri	103,753	48,687	152,440
Montana	29,247	8,071	37,318
Nebraska	36,457	15,695	52,152
Nevada	41,596	20,230	61,826
New Hampshire	27,520	11,386	38,906
New Jersey	179,269	59,171	238,440
New Mexico	31,797	14,403	46,200
New York	399,765	118,867	518,632
North Carolina	153,708	71,450	225,158
North Dakota	15,221	6,337	21,558
Ohio	171,583	92,178	263,761
Oklahoma	63,606	27,776	91,382
Oregon	81,131	30,419	111,550

Attachment C-5 (continued)
Number of Establishments (Facilities) by Employment Size, 2008

STATE	Less than 20 Employees	20 or More Employees	Total
Pennsylvania	205,633	97,482	303,115
Rhode Island	22,096	7,663	29,759
South Carolina	72,043	34,635	106,678
South Dakota	18,839	6,850	25,689
Tennessee	86,991	49,594	136,585
Texas	346,045	176,291	522,336
Utah	52,244	19,189	71,433
Vermont	16,829	5,292	22,121
Virginia	134,612	63,104	197,716
Washington	133,446	48,761	182,207
West Virginia	26,362	13,279	39,641
Wisconsin	98,516	45,565	144,081
Wyoming	15,788	4,997	20,785

Source: U.S. Census Bureau, "Number of Firms, Number of Establishments, Employment, and Annual Payroll by Enterprise Employment Size for the United States and States, Totals: 2008," February 15, 2011. Available online at: <http://www.census.gov/econ/subb/>, last accessed on February 23, 2011. These are the latest Statistics of U.S. Businesses (SUSB) annual data.

Attachment C-6
Application of Methodology to Existing Receiving Systems

Environmental Program	States with Facility Data in CBA	Total Number of Facilities in CBA	Average Annual Percent Change for Environmental Program	2002-2011 Percent Change for Environmental Program	Updated Total Number of Facilities in CBA
Air	NJ, NM, OH, PA, WI	17,197	-1.1%	-9.9%	15,494
Water	FL, ND, OH, WI	7,525	-3.4%	-30.6%	5,222
Waste, USTs, Emergency Planning	NJ, OH, WI	2,580	-0.2%	-1.8%	2,534
Environmental Program	Number of Establishments for States with Facility Data in CBA	Number of Establishments for States with <u>Existing</u> Receiving Systems	Scaling Factor		
Air	995,597	5,067,196	5.09		
Water	936,427	6,879,540	7.35		
Waste, USTs, Emergency Planning	646,282	4,181,706	6.47		
Environmental Program	Updated Total Number of Facilities in CBA	Scaling Factor	Total Number of Facilities for States with <u>Existing</u> Receiving Systems		
Air	15,494	5.09	78,864		
Water	5,222	7.35	38,382		
Waste, USTs, Emergency Planning	2,534	6.47	16,395		
Total Number of Facilities for All Environmental Programs			133,641		

Attachment C-7
Application of Methodology to New Receiving Systems

Environmental Program	States with Facility Data in CBA	Total Number of Facilities in CBA	Average Annual Percent Change for Environmental Program	2002-2011 Percent Change for Environmental Program	Updated Total Number of Facilities in CBA
Air	NJ, NM, OH, PA, WI	17,197	-1.1%	-9.9%	15,494
Water	FL, ND, OH, WI	7,525	-3.4%	-30.6%	5,222
Waste, USTs, Emergency Planning	NJ, OH, WI	2,580	-0.2%	-1.8%	2,534
Environmental Program	Number of Establishments for States with Facility Data in CBA	Number of Establishments for States with New Receiving Systems	Scaling Factor		
Air	995,597	330,587	0.33		
Water	936,427	1,499,092	1.60		
Waste, USTs, Emergency Planning	646,282	323,158	0.5		
Environmental Program	Updated Total Number of Facilities in CBA	Scaling Factor	Total Number of Facilities for States with New Receiving Systems		
Air	15,494	0.33	5,113		
Water	5,222	1.60	8,355		
Waste, USTs, Emergency Planning	2,534	0.50	1,267		
Total Number of Facilities for All Environmental Programs			14,735		
Annual Number of Facilities that Will Come Online			4,912		
Year System Will Come Online	Number of Facilities per Year				
	Year 1	Year 2	Year 3		
Year 1	1,474	344	309		
Year 2	0	1,474	344		
Year 3	0	0	1,474		
Total	1,474	1,818	2,127		
Type of Firm	Number of Facilities per Year			Average Annual Number of Facilities	Average Annual Number of Facility Employees
	Year 1	Year 2	Year 3		
Small Firms	1,032	1,273	1,489	1,265	3,795
Medium-Size and Large Firms	442	545	638	542	3,252
Total	1,474	1,818	2,127	1,807	7,047