

# 1 Supporting Statement for ICR 1463.08

## **Part A.**

### **1. Identification of the Information Collection**

#### 1(a) Title:

National Oil and Hazardous Substances Pollution Contingency Plan (NCP)(Renewal), EPA ICR 1463.08, OMB Control Number 2050-0096.

#### 1(b) Abstract:

ICR 1463.08 is a renewal of ICR 1463.07; the renewal is due July 31, 2011. ICR 1463.08 addresses the portion of the NCP that details the requirements for remedial activities at sites on the National Priority List (Superfund Sites). The NCP is the rule that stipulates requirements for fulfilling the legislative mandates of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 as amended (CERCLA or Superfund). This ICR covers remedial activities conducted at state-lead sites, participation by community members at all Superfund sites, Federally-conducted community involvement activities, and Federal oversight of state activities. The information collected via these activities is critical to characterizing contamination at sites, determining appropriate remedies and goals for cleanup, and involving the community in the process. All of these steps help ensure that some of the nation's worst hazardous waste sites are cleaned up in a manner that is protective of human health and the environment, and, where practical, returned to productive use.

### **2. Need for and use of the Information Collection**

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

CERCLA authorizes the President to undertake removal and remedial actions in response to releases, or threats of releases, of hazardous substances and certain pollutants and contaminants into the environment. Revisions were made to the NCP in 1982 to incorporate the provisions of CERCLA. These revisions to the NCP established procedures for data collection, analysis, and reporting to be conducted during remedial and removal responses at Superfund sites. Subsequent revisions to the NCP in 1985 added additional procedures. Finally, the Superfund Amendments and Reauthorization Act of 1986 (SARA) amended CERCLA and mandated, among other provisions, that the NCP be revised within 18 months of the date of enactment of SARA to incorporate provisions of the new law (42 USC 9605(b)). The revised NCP, published in March 1990, included new reporting and record keeping provisions for Superfund remedial responses as described in 40 CFR 300.430 and 300.435.

EPA uses the information provided by the states to ensure state actions are consistent with the provisions of CERCLA and SARA and that their decisions are protective of human health and the environment. EPA uses the information gathered from private citizens to plan activities geared to educating them where necessary, keeping them informed of activities within the community, and ensuring they have had an opportunity to assume an active role in the decision making process that affects their community. EPA also uses information from private citizens to measure the effectiveness of community involvement activities and to improve those activities as needed. EPA believes involvement of the members of the community surrounding a Superfund site is critical to ensuring effective site cleanups.

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

The lead agency, whether EPA or the state, conducts many data-gathering activities, including development of the Remedial Investigation/Feasibility Study (RI/FS) and the preparation of the Proposed Plan and the Record of Decision (ROD). This data is used by the lead agency to make informed decisions regarding remedial responses. When states assume the lead agency responsibilities, EPA Regions use the information collected to oversee states in the conduct of remedial responses at hazardous waste sites. Specifically, this information is used to ensure that remedies are selected in accordance with CERCLA and the NCP, that cleanup standards are attained, and that community concerns are appropriately addressed. The data are also made available to the public and may help community members understand health risks and participate in site-related decisions.

States also identify all potential applicable, relevant, and appropriate requirements (ARARs) at all state- and Federal-lead sites during the RI/FS. The ARARs are used to determine cleanup levels and to select the remedy to be used at a site. ARARs include chemical-specific, location-specific, and action-specific levels that may need to be met at a site for it to be determined protective of human health and the environment. These levels may be contained in federal statutes, such as the Safe Drinking Water Act or the Endangered Species Act, or in state laws, which must be used if the levels are more stringent than those promulgated in a corresponding federal statute.

Community interviews and information provided by community groups are used by the lead agency to ensure public involvement in site-related decisions, as required by CERCLA and SARA, and provide appropriate opportunities for the community to learn about the site. EPA uses the information gathered through research instruments, such as satisfaction surveys, to obtain timely feedback on the community involvement process at the site level. Communities are viewed as integral participants in the Superfund cleanup process and their early and often involvement can often expedite cleanup and result in future reuse that meets the communities' needs.

## **3. Non-duplication, consultations, and other ICR criteria**

### 3(a) Non-duplication

Duplication of other Federal data collection efforts is expected to be minimal. Site information is gathered cumulatively from identification through remedial action. To the extent practicable, respondents are encouraged to use information in the site file to inform other subsequent activities at the site.

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

The Paperwork Reduction Act requires that ICRs be made available to the public for comment prior to submission to OMB. This is done through two notices to the Federal Register. The first Federal Register Notice, which describes the ICR and provides numbers for burden hours and costs and solicits public comment, was published on May 4, 2011. A 60-day comment period was given; no comments were received. The second Federal Register Notice will be published at the same time the ICR is submitted to OMB. This notice states that the ICR has been submitted and provides an abstract and final burden numbers.

### 3(c) Consultations

In addition to EPA Regional offices, state representatives participated in NCP workgroup meetings leading to the 1990 NCP revisions. State representatives provided guidance on avoiding problems associated with implementation of the NCP requirements. The public and other Federal and state agencies also had the opportunity to submit comments on the proposed revisions to the NCP (53 FR 51394; December 21, 1988). These comments are addressed in the preamble to the final rule and in the Response to Comments document supporting the final rule.

An EPA Superfund database which is updated daily and contract records from the past eight years provide a basis for some estimates in this ICR. Estimates are also informed by specific consultation with subject matter experts in both EPA Headquarters and Regional offices. Discussions with these experts involved feedback on the accuracy of burden and cost estimates. Agency experience in addressing community issues has included semi-annual or annual meetings with Regional community involvement staff, meetings with groups of states, and meetings with citizen groups.

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

Information is collected as appropriate to the remedial stage of the Superfund process. The frequency of these collections vary depending on several factors at the site, such as complexity of issues, cleanup technology used, level of community interest, and duration of cleanup. Information collection frequencies outlined in the NCP are the minimal amount necessary to ensure cleanup of NPL sites and the proper implementation of CERCLA.

### 3(e) General Guidelines

States have at least 30 days in which to respond to any information requests specified in the NCP. This time frame is in compliance with the Paperwork Reduction Act guidelines. The record retention period for administrative records is not specified in the NCP. The site records are to be maintained for the duration of remedial responses at sites and for as long as necessary for litigation purposes. Responsibility for these files will continue beyond the three-year ICR period as cleanups typically take more than three years.

### 3(f) Confidentiality

The nature of the data being gathered as part of this information collection is not confidential. Information may be gathered from Potentially Responsible Parties (PRPs) that the PRP considers to be Confidential Business Information (CBI). When information is designated as CBI by a PRP, EPA follows restricted access procedures in handling the information. These procedures include keeping the information in locked areas and only allowing CBI-cleared personnel access to the information. PRP information is gathered in anticipation of litigation. EPA, therefore, does not have to grant Freedom of Information Act requests for this information.

Lists of participants in community interviews and lists of attendees of public meetings are not confidential. Some data gathered during community interviews may not be releasable, however, due to privacy concerns.

### 3(g) Sensitive Questions

The information gathering activities discussed in this ICR generally do not involve any sensitive questions.

## **4. Respondents and Information requested**

### 4(a) Respondents/SIC Codes

Respondents to this ICR are state/tribal governments and individual community members who voluntarily participate in the remedial phase of the Superfund program and in associated community involvement activities throughout the Superfund process. SIC Codes are OSHA's Standard Industrial Classification System used to identify different groups. State/tribal governments are categorized as Division J: Public Administration, Major Group 95: Administration of Environmental Quality and Housing Programs, Industry Group 951: Administration of Environmental Quality, subgroup 9511: Air and Water Resource and Solid Waste Management. The other respondents, community members, do not have a SIC Code as they do not constitute an industry.

### 4(b) Information requested

This ICR requests information from states at state-lead sites as it relates to CERCLA activities. Each of the following categories will be addressed in detail in this section: RI/FS, Proposed Plans, RODs, ARARs, Administrative Record, initial and revised Community Involvement Plans (CIP), Fact Sheets, focus groups, and workshops. Information is also requested on a voluntary basis from community members at all active Federal and state lead sites. The following community activities will be addressed in detail in this section: initial and revised CIP interviews, focus group participation, workgroup participation, TAG application, TAG management, and satisfaction surveys. Federal activities will be discussed in a subsequent section of this document.

### (i) Data items, including record-keeping requirements

#### Remedial Investigation/Feasibility Study

The first step in conducting the RI/FS, which is authorized under CERCLA §104 (42 USC 9604(a)(1); 40 CFR 300.430), is the development of a project plan, which describes the scope and content of the RI/FS and includes work plans. Work plans are developed as part of the project plan and detail the site management strategy. The work plans identify initial boundaries of the study area, likely remedial response objectives, operable units (if any), and the procedures that will be followed to satisfy the strategy. In addition, an initial site evaluation is presented in the typical work plan. This evaluation includes:

- Site description;
- Preliminary definition of the contamination problems;
- Likely contaminant migration pathways;
- Environmental and health effects associated with migration; and
- Description of any initial remedial measures for the site.

A preliminary assessment of remedial alternatives may be included in the work plan. The data requirements necessary to support the selection of a remedy are also discussed.

Based on preliminary site information, the objectives and the scope of work for the RI and FS are developed. The scope of work for the RI includes many components, including plans for project operations that will be followed in conducting a survey of the study area, in characterizing the source of contamination, and in identifying Federal and state ARARs. The work plan also includes procedures that will be followed in evaluating contamination pathway and transport, and in evaluating the potential risk to public health posed by the site. Plans for testing the feasibility of remedial technologies may also be included. Initial data quality objectives, quality assurance procedures that will be followed, procedures to be followed in preparing the RI report, and information on the technical and financial management of the RI project also are discussed in the RI scope of work section of a site work plan.

The sampling and analysis plan for a site is developed during the scoping phase of the RI.

This plan describes the sampling, calibration, and analytical procedures that will be followed in collecting air, water, soil and source samples. Additionally, quality assurance objectives to be met throughout the sampling task are discussed. These objectives include procedures that will be followed to ensure the accuracy and precision of the analysis, as well as the completeness, representativeness, and comparability of the sampling. Hundreds of samples are taken during the typical RI, and the analysis of the site samples provides basic information on the concentration, source, and potential paths of migration of contaminants at a site. Sampling and analysis plans generally include a project description that summarizes the site history, environmental setting, and project objectives such as the media to be sampled, sampling locations on the site, and sampling schedule. A health and safety plan is drafted that identifies potentially hazardous operations and exposures, and prescribes appropriate protective measures.

In the scope of work for the FS, procedures are established for developing remedial alternatives for the site. Alternative screening and analysis procedures, methods for conducting a comparative evaluation of acceptable alternatives, and details on preparing the FS report are included.

Concurrent with the preparation of the RI work plan, EPA conducts community interviews, as required by the NCP, in preparation for the required Community Involvement Plan, which must be finalized before any RI field work begins.

Upon completion and approval of the work plans and sampling and analysis plans, the RI/FS can begin. The RI/FS includes site work, analysis of data, and preparation of the RI report. Drilling and sampling detailed in the sample and analysis plan requires not only time spent at the site boring holes in the earth and taking air and water samples, but also time to mobilize drilling equipment and to train personnel in the sampling and decontamination techniques to be used at the site. Upon completion of the site work, the samples are sent to a laboratory for evaluation, and the results of the analyses are verified. Standard evaluation techniques include analyzing samples for organics, metals, and cyanide.

The RI serves as the mechanism for collecting data for site and waste characterization and for conducting treatability testing as necessary to: (1) evaluate the performance and cost of the treatment technologies considered for use at a site; and (2) support the design of selected potential remedies. The FS serves as the mechanism for the development, screening, and detailed evaluation of potential remedial alternatives. The RI and FS are conducted concurrently. Data collected in the RI influence the development of remedial alternatives in the FS, which in turn affects the data needs and scope of treatability studies and additional field investigations. The site characterization developed during the RI provides the data necessary to estimate the risks to human health and the environment posed by a site, to establish cleanup goals or ranges, and to identify viable cleanup alternatives. The FS draws upon the data collected and analyzed during the RI in the process of developing alternatives and conducting a detailed analysis of the most viable alternatives. Because of the interactive nature of this process, the sequence of the various phases and associated activities frequently will not be distinct in practice.

A risk assessment is conducted during the RI to estimate the health consequences of exposure to contaminants at a site. In this assessment, the physical and chemical properties of hazardous substances and their toxicological effects are studied to determine the potential for the substances to cause adverse health effects, and the likely pathways and magnitude of exposure of populations and/or individuals near the site. An evaluation of dose-response information is completed to estimate the health effects (e.g., incident of certain diseases) that may result from exposure to the hazardous or toxic substances at a site.

A risk characterization brings together the exposure and the dose-response information to predict the likely range and severity of health effects that may occur as a result of the substances at a site, and the number of people affected. The uncertainty evaluation is an integral part of the risk assessment process; it identifies the degree of uncertainty associated with the final risk estimates by identifying uncertainties related to the data and the assumptions. This uncertainties evaluation places bounds on the final estimate and target areas needing improvement. The FS process includes the initial evaluation and screening of a number of potential alternatives. Alternatives are eliminated from further evaluation for a number of reasons, including technical problems, lack of effectiveness in the long term or short term, failure to protect human health and the environment, cost, or implementation time. The universe of potential remedies is reduced to a reasonable number (usually between three and five) of good alternatives on which detailed analyses are conducted. If existing site and treatment data are insufficient to evaluate the alternatives adequately, treatability tests may be necessary to evaluate a particular technology or specific site wastes. Treatability tests generally involve bench-scale testing to assess the feasibility of a technology, although a pilot-scale study may be required in a few situations.

Once sufficient data are available, alternatives are evaluated in detail with respect to nine evaluation criteria: protection of human health and the environment; compliance with ARARs; long-term effectiveness and permanence; reduction of toxicity, mobility, or volume; short-term effectiveness; implementability; cost; support agency acceptance; and community acceptance. The alternatives are evaluated individually against each criterion and then relative to other alternatives to understand the strengths and weaknesses of each alternative. At the end of this analysis process, the RI/FS report is prepared.

For the purposes of this analysis, EPA estimates that there will be an average of 95 RI/FS per year. This estimate includes new and on-going RI/FS. The state-lead portion of these RI/FS is estimated to be 19 RI/FS per year over the three-year ICR period. The Federal government will have the lead on the 76 remaining sites per year. These estimates are based on historical and planned data obtained from a

Superfund database. On average, 90 percent of RI/FS are completed within 2-5 years (13-60 mos.) of the start date. This average represents an analysis of actual and planned date from Fiscal Year (FY) 2001 to FY 2006, grouped both by three-year ICR periods and across the years. The number of RI/FS that EPA expects at both Federal and state lead sites represents an average taken across each three-year grouping for number of starts and for total time to completion.

### Proposed Plans

The requirement to issue a Proposed Plan was added to the remedial process by SARA, (42 USC 9617(a); 40 CFR 300.430(f)(2)). This document is to be prepared by the lead agency, in consultation with the support agency, at a site after completion of the RI/FS report and prior to selection of a response action. The lead agency's primary objective in preparing and releasing the Proposed Plan is to seek public comment on the preferred alternative for addressing a problem at a site, and on the other alternatives discussed in the detailed analysis section of the RI/FS. The Proposed Plan serves as a precursor to the Record of Decision (ROD), which details the remedial action to be conducted at the site. The ROD is usually in draft form while the Proposed Plan is finalized and released for public comment.

The Proposed Plan is written using information from the RI/FS report. The purpose of the Proposed Plan is to highlight the RI/FS report, provide a brief analysis of remedial alternatives under consideration, identify a preferred alternative, and provide the public with information on how they can participate in the remedy selection process.

In developing the Proposed Plan, the lead and support agencies first review the RI/FS report prepared for a site, identify an initial preferred alternative, and prepare a draft Proposed Plan. The lead agency's management is briefed on the draft Proposed Plan, which is then forwarded to the support agency for comments. At the end of the support agency review period, the Proposed Plan is finalized and released to the public for comment.

CERCLA, as amended, also requires the lead agency to publish a brief notice and description of the Proposed Plan in a local newspaper of general circulation. As required by CERCLA §117(a) (42 USC 9617(a)), this notice includes information sufficient to provide a reasonable explanation of the preferred alternative and the other alternatives studied. This notice will also announce the availability of the RI/FS report and any planned public participation activities, especially the required Proposed Plan Public Meeting and 30-day comment period.

Finally, CERCLA §117 requires the lead agency to offer the opportunity for a public meeting to discuss and answer questions and to obtain feedback about the RI/FS report and the Proposed Plan. The lead agency establishes a date and time for the meeting, reserves a facility, and arranges for any special needs. The lead agency also designs the meeting program, including identifying specific issues and tasks to be addressed, preparing an agenda, identifying presenters, and rehearsing presentations. Printed materials, visual aids or graphics, and other materials are prepared and special arrangements made, such as hiring a court reporter. Finally, the meeting is held, and a transcript of the meeting notes is prepared by the lead agency. The transcript is made available to the public as required by CERCLA §117.

Because the Proposed Plan typically is followed closely in time by the ROD, the total number estimated to be written annually at state-lead sites is based on data collected for RODs. Proposed Plans are completed in a discrete amount of time and are assumed not to extend beyond one year. The ROD data

comes from the Superfund database and will be discussed in detail in the following section. EPA estimates that Proposed Plans will be finalized at 10 state-lead sites in each year of the three years covered by this ICR.

### Records of Decision

The lead agency prepares a ROD in response to the statutory requirements in CERCLA §113 (42 USC 9613) for a statement of basis and purpose of the selected remedy at a site and in CERCLA §117 (42 USC 9617), which calls for a remedial action plan to be adopted and released to the public.

The ROD is prepared by the lead agency in consultation with the support agency for a site. It is the decision document used to describe the selected remedy for a site or a particular component of a site (e.g., geographic area, pathway, or source control), and to explain the rationale for the selected remedy. In addition, RODs demonstrate the lead agency's decision-making process has been carried out in accordance with CERCLA and the NCP. RODs typically have three major sections: the Declaration, the Decision Summary, and the Responsiveness Summary. All RODs are signed by EPA Regional Administrators or the Assistant Administrator for OSWER. In addition, a representative from a state may sign a ROD.

The Declaration is the formal statement (signed by the EPA regional administrator or the OSWER assistant administrator) that affirms the selected remedy for a site is selected in accordance with CERCLA and is consistent, to the extent practicable, with the NCP. It provides a brief description of the selected remedy. The Decision Summary is the focus of the ROD. The Summary begins with a brief discussion of the site history and a detailed site description, including:

- Site area and topography,
- Adjacent land uses;
- Natural resource uses;
- Distance to nearby populations;
- General water resources, and
- Surface and subsurface features.

Next, the history of state and Federal site investigations and CERCLA enforcement actions at the site are summarized. This historical summary is followed by a discussion of the community involvement activities that have been conducted for the site.

The Decision Summary summarizes the scope of the response action and the site characteristics. The site characteristics section draws on information presented in the RI/FS report and includes details on:

- Types, quantity, and concentration of hazardous substances at a site;
- All known or suspected sources of contamination;
- All known or potential routes of migration, including the mobility, toxicity, and volume of waste;
- Lateral and vertical extent of contamination at the site; and
- Potential surface and subsurface pathways of migration.

Maps illustrating the location of units or contaminants and charts of contaminant types and concentrations often are used in the site characterization section of the Decision Summary. In addition, the results of the site risk assessment and any significant changes made to the preferred alternative in the Proposed Plan are summarized.



Another major component of the Decision Summary is the evaluation of the remedial alternatives considered for the site and identification of the selected remedy. The evaluation of alternatives section first presents a brief description of each of the remedial alternatives. Each alternative for which a detailed analysis was completed (typically five) is discussed. These discussions include:

- Summaries of the technology considered, such as in-situ treatment, clean closure, or thermal treatment;
- The type and quantity of waste to be contained or treated; and
- The major ARARs and standards being met or utilized for specific components of the waste management process.

The estimated capital and O&M costs, as well as estimated implementation time of alternatives, also are presented. A comparative analysis is presented in which the remedial alternatives are evaluated based on the nine criteria described under the RI/FS process and comments on the Proposed Plan. At the end of this analysis, the selected remedy is highlighted as a remedy that meets the statutory requirements of CERCLA and provides the best balance among the evaluation criteria.

The Decision Summary concludes with a detailed discussion of the selected remedy. The summary presents the risk levels to be attained after implementation of the remedy and summarizes the cleanup objectives for the different media at the site. Finally, the selected remedy section of the Decision Summary demonstrates that the selected remedy complies with the statutory requirements in CERCLA §121 (42 USC 9621), that is, the remedy will protect human health and the environment, attain Federal and state ARARs, be cost-effective, and utilize permanent solutions and alternative treatment technologies or resource recovery technologies to the maximum extent practicable. A discussion of the extent to which the selected remedy fulfills the statutory preference for treatment that reduces the mobility, toxicity, or volume of the principal threats at a site is presented in this section.

The final component of the ROD is the Responsiveness Summary, which is a requirement in CERCLA §117 (42 USC 9617). This part summarizes the written and oral public comments received on the RI/FS report, the Proposed Plan, and the Administrative Record and the lead agency's responses to each major category of comments. The Responsiveness Summary not only provides decision makers with information about community preferences regarding the remedial alternatives considered for a site, but also demonstrates to the public how their comments were taken into account as an integral part of the decision making process.

In preparing the Responsiveness Summary, background research is done to identify citizen input and concerns. In this process, transcripts of the public meeting on the RI/FS report and the Proposed Plan are reviewed, major public comments are organized and summarized, and the lead agency's responses to these comments are prepared. The level of effort to be devoted to this section of the ROD varies, depending in part on the number, length, and complexity of comments and the number of policy issues outstanding at a site.

For the purposes of this ICR, it is estimated that 20 RODs will be completed annually at state-lead sites over the three-year ICR period, while 80 RODs will be completed annually by the Federal government. This average is based on data in a Superfund database concerning the actual number of RODs issued between FY 2007-2010 and those planned through 2015. The average takes into account that planned numbers routinely are higher than actual numbers.

### Applicable or Relevant and Appropriate Requirements

SARA added a requirement to CERCLA §121(d) (42 USC 9621(d)) that all remedial actions must be in compliance with promulgated state ARARs that are more stringent than Federal ARARs. To this end, the current revisions to the NCP require states to identify potential state ARARs for all Federal, state or Federal facility-lead sites. States are not reimbursed for any costs associated with researching and identifying ARARs for a site.

Potential state ARARs are to be identified as early in the RI/FS process as possible. Therefore, the estimate of sites where ARAR identification is necessary is based on RI/FS start data from a Superfund database. The average for each type of site is taken across actual and planned dates for RI/FS starts. It is estimated that a total of 95 sites will require ARAR identification each year.

### Administrative Records

SARA amended CERCLA §113 to require that an Administrative Record be established to document the basis for selection of response action. The record must be made available to the public at a location near the site (42 USC 9613 (1)). As a result, two records, one near the site and one at the lead agency office, are compiled and maintained at each remedial site. In developing the records, an appropriate location for the record must be identified. This location must be publicly accessible. Then, documents included in the record must be maintained by updating information as necessary, and verifying the information is available that should be included in the record. The information record will be maintained as long as site remediation continues and for as long as is needed in the event there is litigation. Because remedial responses often last longer than three years, the record keeping associated with remedial responses typically will be maintained for more than three years.

The Administrative Record must be maintained at all active Superfund sites each year. For the purposes of this ICR, active sites are those that have not yet achieve the Construction Complete milestone. These sites may have studies pending, design and study underway, or construction underway. Based on historical program data, EPA estimates there to be approximately 530 active Federal and state-lead Superfund sites. For RI/FS, RD, and RA activities, states have historically had the lead on 20 percent of sites. This percentage of active sites also is applicable for the revised CIP, fact sheets, and focus groups. Therefore, it is estimated that the state will maintain the administrative record at 106 sites each year.

### Initial Community Involvement Plan (CIP)/Revised CIP

Community Involvement Plans are developed at remedial sites to identify community concerns and to select techniques and approaches to use in addressing these concerns. The initial CIP developed for a site presents the community involvement program that is to be followed during the RI/FS stage of the remedial phase. The NCP requires the CIP be completed and in place before field work begins for the RI. However, as the Agency seeks to accomplish RI field work during pre-remedial actions to expedite cleanups, EPA is finding it necessary to begin its community involvement activity, including preparation of the CIP, very early in the pre-remedial phase. The NCP also requires that EPA review its CIP prior to the Remedial Design/Remedial Action phase, and make any changes necessary to accommodate changes in the community.

The initial steps in the preparation of CIPs involve conducting a review of the site and the surrounding community. Lead agency technical personnel summarize the problems at a site, the origins of those problems, and potential steps for addressing the problems. As part of this process, lead agency files on the site are reviewed and local newspaper files are searched. Once a basic understanding of the site and previously performed activities is established, community involvement personnel from the lead agency conduct interviews with local community members to better determine community concerns and the level of community knowledge of site activities. In this process, a contact list is prepared, interviews are scheduled and conducted, and the results of the interviews are summarized. This process also includes the use of interviews for the purpose of establishing baseline measures of citizen concerns and attitudes from which changes can be measured, as well as to gain additional information that will help in the preparation of the CIP.

Once the background research is completed, a community involvement program is designed.

This program may recommend such activities as distributing information brochures and fact sheets that explain Superfund program activities and the role of the lead agency in the remediation of Superfund sites. Small group meetings between lead agency staff, citizens, and local officials may be held to promote an informal exchange of ideas. To maximize the potential to bring about improvement in government services, EPA will utilize telephone interviews of fact sheet recipients and meeting attendees to assess the effectiveness of specific outreach products. EPA may also use focus groups to gather citizen input. At some sites, formal community groups may be established that provide regular involvement and input to site activities.

In some cases, updates or comprehensive CIP revisions are undertaken at specific benchmarks in the Superfund cleanup process, such as after a record of decision (ROD) is signed, at Explanations of Significant Differences or ROD amendments, when the remedial action has begun, or at the time of the five-year review. Others are updated or revised according to a timetable, such as every three or five years.

The decision to undertake a comprehensive revision of the CIP sometimes is made based on a change in the level or nature of community interest. When there is a high level of interest at a site, the CIP should be revised regularly so that the document continues to reflect current conditions and community interests. On the other hand, it may be time to conduct a comprehensive CIP revision when community interest has waned over a long period of time. It also may be appropriate to revise a CIP after demographic, economic, or political change in the community. A CIP revision is in order when CICs believe that a change their strategy on involving communities may be necessary.

Since the Initial CIP is generally developed concurrent with the RI/FS, the estimated number of sites at which the state will conduct an RI/FS each year is applied to the Initial CIP. Therefore, EPA expects 19 CIPs to be completed by states each year of the three-year ICR period. Federal-lead sites are expected to complete 76 initial CIPs each year. Assuming CIPs are revised every five years for all active Superfund sites, Superfund data indicates that states have the lead on approximately 106 active Superfund sites; therefore, a rough estimate is that each year 21 of these sites will require a CIP revision. EPA estimates that CIPs will be revised at 85 active Federal-lead Superfund sites each year.

#### Fact Sheets

The lead agency provides fact sheets to communities at various points, both pre and post Construction Completion, in the Superfund remedial process. The number and frequency of fact sheets developed varies depending on community interest, complexity of remedial technologies, PRP/enforcement issues, and the extent of relocation and reuse potentials. Fact sheets may describe the details of a specific technology used, the physical changes that may occur at the site, the extent of contamination and health risks, the status of enforcement actions and negotiations with PRPs, etc. The lead agency develops fact sheets on an “as needed” basis. These fact sheets may be mailed to a list of interested community members.

EPA estimates that the states are the lead agency for 106 active Superfund sites and, thus, are expected to write fact sheets for these sites. A group of experienced EPA Headquarters and Regional Community Involvement staff estimate that an average of four (4) fact sheets will be completed at each active Superfund site. Because of the site-specific need for fact sheets, it is anticipated that some sites will generate far more than four (4) fact sheets in a single year and other sites will require far fewer.

#### Focus Groups

For this ICR, focus groups are defined as meetings or sessions the purpose of which is to obtain community input and in which the lead agency asks the community specific questions. These groups typically involved a small select group of community members who are gathered to provide feedback from the community perspective on particular on-going issues and concerns. A group of EPA Headquarters and Regional Community Involvement staff provided information and estimates for this analysis. EPA estimates that focus groups will be conducted an average of four (4) times per year at 1 percent of active sites (one [1] at state-lead sites, four [4] at Federal-lead sites).

#### Workshops

This ICR defines workshops as meetings or sessions that are open to the general public and whose subject matter is broad in scope. These workshops are often used as planning tools in which specific broad overview questions are asked of the community to gather ideas about their visions for the site and potential future uses. EPA headquarters and regional Community Involvement staff estimates that a workshop is conducted at 2 percent (currently ~10 sites) of all active sites each year. Since the state has the lead on 20 percent of active sites, EPA estimates that the state will prepare and conduct a workshop at two (2) sites annually. EPA estimates that it will conduct a workshop at eight (8) Federal-lead sites each year.

### Technical Assistance Grant Application/TAG Management

SARA amended CERCLA §117(e) to provide for Technical Assistance Grants (TAGs) to eligible community groups for an initial grant up to \$50,000. The purpose of these grants is to give communities that are affected by Superfund sites the opportunity to obtain expert information and consultation about the site. The TAG allows community groups to hire an independent advisor who can help them understand various technical aspects of the site, such as characteristics of the contamination, the proposed remedies, the remedial design, the technical aspects of the remedy, the health risk and analysis, and site construction. TAGs may be renewed to facilitate public participation throughout the Superfund remedial process. Community groups apply for TAGs and manage those that they already have. TAGs are processed and granted by the Federal government. There is no state burden or cost for TAGs. EPA Community Involvement staff estimate that 10 TAG applications will be filed and 75 maintained each year.

### Satisfaction Surveys

Satisfaction surveys are used by EPA to gather community input about EPA's community involvement efforts. These surveys consist of up to ten questions asking community members to provide opinions and to rank EPA's community interactions, the level of knowledge citizens have gained about the site and issues, how citizens learned information about the site, and the desires of the community for how they would like to interact with EPA. The information gathered in these satisfaction surveys helps EPA improve its community involvement activities and relationships with communities at Superfund sites. EPA estimates that these surveys will be completed at five (5) active Superfund Federal-lead sites each year.

### (ii) Respondent Activities

In complying with reporting and record-keeping requirements at state-lead sites, state employees may need to:

- Read instructions;
- Plan activities;
- Receive training;
- Gather information;
- Conduct tests, investigations, and studies;
- Write documents;
- Process, compile, and review information for accuracy and appropriateness;
- Complete written forms or other paperwork;
- Substantiate claims of confidential business information;
- Record and disclose information; and
- Store, file, and maintain the information.

In identifying ARARs at Federal, state, and Federal facility-lead sites, state employees may need to:

- Gather information on new state laws and regulations;
- Process, compile, and review information for accuracy and appropriateness;
- Record and disclose information; and
- Store, file, and maintain information.

In participating in the remedial phase, community members may disclose information to state and EPA personnel during interviews. Community members may perform any or all of the following activities:

- Participate in interviews;
- Participate in focus groups;
- Participate in workshops;
- Apply for a Technical Assistance Grant (TAG)
- Manage a TAG; and
- Respond to surveys.

## **5. Information collected: Agency activities, collection methodology, information management**

### 5(a) Agency activities

Agency activities that relate to the information gathered from states are predominantly oversight functions at state-lead sites to ensure that the Superfund sites are being addressed according to CERCLA and to EPA's current policies. In this role, the Agency may obtain, review, and maintain the information gathered by states. The Agency also reviews the state ARARs at all Superfund sites. A standard 10 percent of annual hours is applied to Federal oversight of the following state activities: RI/FS, Proposed Plans, RODs, ARAR evaluation, and initial and revised CIPs. A group of experienced EPA headquarters and regional Community Involvement employees provided the oversight hours estimates for all other activities: Administrative Record, fact sheets, focus groups, and workshops.

At all Federal-lead sites, the Agency conducts the following activities: maintaining the Administrative Record, initial CIP, revised CIP, fact sheets, focus groups, workshops, TAG applications, TAG management, and satisfaction surveys.

### 5(b) Collection methodology and management

The information collection methodology varies depending on the type of activity being conducted. For example, an RI/FS requires many more hours than other activities because it involves field work and sampling. In contrast, evaluation of ARARs involves systematic and routine research. A large component of Proposed Plans and RODs is the actual preparing and finalizing of the document.

States provide information to EPA Regional Offices in the form of document copies. Regions review the documents to ensure consistency with the NCP. Regions and states use various media avenues (e.g., local newspaper announcements, mailings, etc.) to notify the public about meetings, focus groups, and workshops. The regions and states may also communicate with Community Advisory Groups (CAGs) and other involved citizen groups. Phone calls and office hours are other means by which the governments communicate with communities.

The activities reflected in this ICR do not lend themselves to automation because of the decentralized nature of each remedial activity. These activities are site-specific and, therefore, are not conducive to mass data collection efforts. The NCP does not specify a particular method of accomplishing information collection; the use of improved information technology is not prohibited in any way.

### 5(c) Small entity flexibility

Information collection from small entities (individual community members, community organizations, etc.) is primarily done on a voluntary basis. Since these respondents are providing information voluntarily, the Federal government is not placing any undue burden on small entities and does provide plenty of flexibility.

### 5(d) Collection schedule

Information is collected according to the sequence of remedial activities at Superfund sites: RI/FS, ARAR evaluation, Proposed Plan, ROD, and initial Community Involvement Plan (CIP). Other activities are conducted throughout the remedial process as needed. These include maintenance of the Administrative Record, revising the CIP, issuing fact sheets, processing Technical Assistance Grants (TAGs), gathering community satisfaction surveys, and conducting focus groups and workshops with community members. The frequency of these activities will depend on many site-specific factors such as complexity of clean-up technologies, level of community interest, and duration of each of the remedial stages.

## **6. Estimating the burden and cost of the Information Collection**

### 6(a) Estimating respondent burden

Respondent burden estimates are calculated from a combination of sources: historic and projected data from Superfund databases, contract records, consultation with EPA headquarters and regional staff, and information contained in the 2007 version of this ICR. Burden hours are estimated for the number of hours expected annually for each activity. The annual hours per activity figure is multiplied by the number of sites expected to be engaging in the activity every year. This calculation gives the total annual hours for all sites by activity. All burden hours, with the exception of ARARS, placed on states refer to only activities conducted at state-lead sites. All burden hours placed on communities refer to activities that are conducted at all Federal and state-lead sites.

The estimated number of respondents reported for this information collection is 11,397. This number is the sum of all state-lead activities, 372, and people participating in community activities at all sites, 11,025. The estimated number of responses is 12,977. This is the sum of state responses, 727 state-lead activities at all sites each year, and community responses, 12,250 people participating in all activities at all sites.

#### (i) State Burden Hours

The total hours for an RI/FS is assumed to consist of 80 percent contractor work and 20 percent government work. The total contractor hours for an RI/FS project, 4,200 hours, is calculated from Office of Superfund Remediation and Technology Innovation (OSRTI) contract records from 1996 through 2006. Data for costs billed as direct labor across all projects and years provides information about the number of hours spent on an average RI/FS. Burden hours can be divided among different labor categories based on contract records: 62 percent professional labor, 30 percent direct labor, 4 percent clerical labor, and 4 percent technical labor. Total contractor hours per RI/FS is estimated to be 4,200 hours per year, which is estimated to account for 80 percent of the hours for an RI/FS. The remaining 20

percent of RI/FS work, 1,050 hours, is done by the state government. Therefore, the total annual time devoted to a single RI/FS is estimated to be 5,250 hours. This ICR estimates that 19 state-lead sites will be in the process of conducting an RI/FS every year. The total annual burden hours is 19,950 (Table 1).

Total burden hours for each Proposed Plan is estimated to be 80 hours. This figure covers the time taken for writing, printing, notification, and distribution of the Proposed Plan. This estimate remains the same from the previous ICR renewal. Since Proposed Plans are expected to be completed at 20 state-lead sites each year, a total annual estimate of burden is 1,600 hours.

The hours required to complete a ROD are highly variable across the Superfund program given site complexity and enforcement issues. The burden hours for a ROD are assumed to include the time needed for writing, reviewing, negotiating, and obtaining concurrence. The ROD finalization process is one that takes quite a lot of time and energy. The estimates are based on consultation with EPA staff experienced in writing RODs and involved in writing the ROD guidance document (“A Guide to Preparing Superfund Proposed Plans, Records of Decision, and Other Remedy Selection Decision Documents,” EPA 540-R-98-031, OSWER 9200.1-23.P, July 1999). Experience with very complex and more straight-forward RODs was used in calculating an average value for ROD burden hours. For the purpose of this ICR it is estimated that the average ROD requires a total of 1,300 hours. This estimate is based on a nine-month time frame in which one full-time employee dedicates 50 percent of work time to the ROD for a total of 720 hours, and, two full-time employees dedicate 20 percent of work time for a total of 576 hours. The former employee is typically the Remedial Project Manager (RPM) for the site and the latter two employees consist of policy analysts, attorneys and managers. This ICR estimates that RODs will be completed at 20 state-lead sites each year; thus, the estimated total annual ROD burden to states is 26,000 hours.

The total estimated annual burden for identification of ARARs is 33 hours at each Federal, state or Federal facility-lead site. This estimate is the same as the ARAR estimate in the previous version of this ICR. The figure is also confirmed by EPA staff experienced in evaluating ARARs. ARARs are expected to be evaluated at 95 sites annually, resulting in an estimated burden of 3,135 hours.

The establishment and maintenance of one site’s Administrative Record is estimated to take 40 hours annually. Since states are estimated to have the lead on 106 active Superfund sites, EPA expects states to spend 4,240 total hours on Administrative Records. This estimate is provided by a group of experienced EPA headquarters and regional staff.

Total estimated annual burden hours for each initial and revised CIP are 200 and 100, respectively. Initial CIPs are estimated to be completed at 19 state-lead sites each year for a total annual burden of 3,800 hours. Revised CIPs are estimated to be completed at 21 state-lead sites each year for a total annual burden of 2,100 hours. These hours are estimated by a group of EPA headquarters and regional staff experienced in the development and revisions of CIPs.

EPA estimates that each fact sheet will require an average of 40 hours of work per year. This estimate is the result of discussion by a group of experienced EPA headquarters and regional Community Involvement staff. An average of four (4) fact sheets are expected at each of the 106 estimated state-lead active sites. Therefore, fact sheets will require a total annual estimate of 160 burden hours at each site.



EPA estimates that states will issue fact sheets at 106 active sites per year. Thus, the total estimated annual burden hours for fact sheets is 16,960.

The estimated time that each focus group session will require of the state is 30 hours. This includes preparation for the meeting and attendance. EPA expects the state to conduct four (4) focus group sessions at one site in each year, resulting in a total annual estimated burden of 120 hours. These estimates are provided by a group of experienced EPA Community Involvement staff.

The estimated annual burden for each workshop is 80 hours. EPA estimates that the state will be conducting one (1) workshop at two (2) sites in the course of one year and will, thus, devote 160 hours to workshop efforts. These estimates are based on the knowledge of EPA Community Involvement staff experienced in preparing and conducting workshops at Superfund sites.

**Table 1: Estimated Burden Hours placed on States**

<b>Activity</b>	<b># of Sites with State-lead Activities/yr</b>	<b># of Activities at each site/yr.</b>	<b>Hrs. per Activity/yr</b>	<b>Annual Hrs. for Activity at a Site</b>	<b>Total Annual Hrs. for all Sites</b>
RI/FS	19	1	5,250	5,250	99,750
Proposed Plans	20	1	80	80	1,600
RODs	20	1	1,300	1,300	26,000
ARARs	95	1	33	33	3,135
Administrative Record	106	1	40	40	4,240
Initial CIP	19	1	200	200	400
Revised CIP	21	1	100	100	2,100
Fact Sheets	106	4	40	160	16,960
Focus Groups	1	4	30	120	120
Workshops	2	1	80	80	160
				<b>TOTAL</b>	154,465

(ii) Community Burden Hours

All community burden hours are due to voluntary participation in activities at Superfund sites. The Paperwork Reduction Act (PRA) requires the inclusion of information gathering activities in which the community participates. These activities are those for which information is expressly collected from community members. The PRA (5 CFR part 1320, "Controlling Paperwork Burdens on the Public, FRN 8/29/1995, Sect. 1320.3 (h)(8)) excludes the following activities from the definition of information for the purpose of Information Collection Requests: attendance at public informational meetings or briefings, response to comments on EPA documents, participation in community groups for which EPA is not a

sponsor, reading fact sheets, and making use of EPA open office hours. This ICR records estimated burden hours for community members for initial and revised CIP interviews, participation in focus groups and workshops, TAG application and management, and completion of satisfaction surveys. All estimates are provided by a group of experienced EPA Headquarters and Regional Community Involvement Staff.

EPA estimates that 40 people will be interviewed for one hour each at 95 Federal and State lead Superfund sites each year for initial CIPs. The total annual estimated burden for initial CIP interviews at all sites is 3,800 hours. It is estimated that 25 people will be interviewed for 1 hour each at 106 active Superfund sites each year for the purpose of revising the CIPs. Therefore, the total estimated annual burden is 2,650 hours (Table 2).

EPA estimates that an average of 15 people will participate in a two-hour focus group 4 times a year at 5 active Superfund sites. The total estimated burden for all sites for each year is 600 hours.

An average of 50 people is expected to participate in a three-hour workshop session once a year at 10 active Superfund sites. The total estimated annual burden for all sites is 1,500 hours.

EPA estimates that community groups will apply for available TAGs at 10 Superfund sites. The application process is estimated to take approximately 60 hours. The total estimated annual burden for all sites is 600 hours. Management of TAGs takes place each year at an estimated 75 sites. This requires approximately 200 hours per year. The total estimated annual burden for all sites is 15,000 hours.

EPA expects to distribute satisfaction surveys at five (5) sites each year. It is estimated that 800 people will spend 0.25 hours (15 minutes) completing each survey. The total estimated annual burden hours at all sites is 1,000.

**Table 2: Estimated Burden Hours placed on Communities**

<b>Activity</b>	<b># Federal and State-lead Sites/yr.</b>	<b># of Activities at each site</b>	<b># of People involved</b>	<b>Hrs. per Activity/yr.</b>	<b>Annual Hrs. for Activity at a Site</b>	<b>Total Annual Hrs. for all Sites</b>
Initial CIP Interview	95	1	40	1	40	3,800
Revised CIP Interviews	106	1	25	1	25	2,650
Focus Group Participation	5	4	15	2	120	600
Workshop Participation	10	1	50	3	150	1,500
TAG application	10	1	N/A	60	60	600
TAG management	75	1	N/A	200	200	15,000
Satisfaction Surveys	5	1	800	0.25	200	1,000
					<b>TOTAL</b>	<b>25,150</b>

6(b) Estimating respondent costs

Respondent costs are divided into labor costs and other costs, which includes all operation and maintenance, non-labor, and capital costs. The methodology for calculating these costs for the three year ICR period is addressed in detail below.

All costs the state incurs, with the exception of the ARARs analysis, is ultimately paid for by the Federal government through any one of two relevant cooperative agreements (CAs) as stipulated in Subpart O of the NCP. These cooperative agreements are CORE agreements which provide fund for infrastructure work and are non-site-specific in nature, and Remedial CAs that provide site-specific money for remedial process actions in Superfund.

(i) Estimating labor costs

Labor rates for government employees are estimated using the Office of Personnel Management's General Schedule pay tables for 2011. For the purposes of this ICR, state government salaries are assumed to be the same as Federal pay scales. It is assumed that the average unit of remedial work is comprised of 10 percent managerial, 80 percent technical, and 10 percent support staff effort. Thus, a weighted average is used to represent the hourly labor rate of government work. To determine the hourly wage, 50 percent of the value of a Step 5, GS-12 (\$32.73) and GS-13, (\$38.72) are summed (\$71.65) and then adjusted for locality pay using a factor of 1.20, which results in \$43.00. To further adjust for overhead, \$43 is multiplied by 1.6, which results in \$68.80, the governmental hourly labor rate applied to the following activities conducted by state agencies for the Superfund remedial program: Proposed Plans, RODs, ARARs, Administrative Records, initial CIPs, revised CIPs, fact sheets, focus groups, and workshops. The same hourly labor rate applies to all Federal activities.

The hourly labor rate for the RI/FS activity is calculated as 20 percent government and 80 percent contractor effort. These assessments involve a great deal of field work and typically involve lots of contractor support. Using past historical rates, the average contractor hourly labor rate is estimated to be approximately 62 percent of the average government hourly labor rate. Therefore, the average contractor hourly labor rate is estimated to be \$42.65. The average government hourly labor rate of \$68.80 is used for the government's 20 percent. Therefore, the average hourly labor rate for RI/FS work is \$47.88, calculated by:  $[0.2(68.80) + 0.8(42.65)]$ .

The hourly labor rate for community members who participate in Superfund remedial activities on a voluntary, and non-paid, basis is \$19.20. The value is based on Bureau of Labor Statistics January 2010 data, which reports an average hourly wage of \$18.80 for "production, non-supervisory on private non farm payrolls, seasonally-adjusted" employees. The recent trend in this category of BLS data is for the rate to increase approximately \$0.40 per year. Therefore, \$19.20 is the average rate over the three-year period of this ICR for all activities in which the community may participate. Labor costs for community activities represent hypothetical costs only.

(ii) Estimating capital, operations and maintenance, and other costs

Capital, operation and maintenance (O&M), and non-labor costs to states apply for the following Superfund remedial activities: RI/FS, Proposed Plans, RODs, Administrative Records, and fact sheets. The Federal government incurs none of these costs for oversight of state activities. The Federal government does incur non-labor costs for the Administrative Records, fact sheets, and satisfaction

surveys. Community members have no O&M, non-labor or capital costs. States, communities, and the Federal government do not incur any capital costs in these Superfund remedial activities as no new equipment is purchased for their purposes.

All O&M and non-labor costs for RI/FS conducted at state-lead sites are calculated from OSRTI contracts records from 1996-2006, adjusted for inflation, using a factor of 2.37, which is the average inflation rate in the United States from 2000-2010, based on the Bureau of Labor Statistics' Consumer Price Index. The RI/FS contractor non-labor cost includes \$84,301 in fees and profits, \$121,301 for equipment, and \$80,812 for indirect costs such as travel and reports. The equipment costs reflect charges for the use of equipment, such as computers and sampling instruments, which the contractor already owns. The total non-labor cost for each RI/FS in a single year is, therefore, estimated at \$286,413 (Table 3).

Operation and maintenance is defined as activities that are required to keep projects supported and moving forward. For the RI/FS it is estimated that contractors incur approximately \$40,977 in a single year for each project. These costs include charges for mail, supplies, and faxes. O&M costs incurred by the Agency are discussed in the following paragraph.

The bulk of O&M costs associated with Proposed Plans, RODs, Administrative Records, and fact sheets are those costs that are required for printing, document distribution, newspaper announcements, and records management. Costs for mailing and data collection with contractor support also apply to the satisfaction survey. Annual non-labor costs for satisfaction surveys are estimated by EPA staff conducting the survey to be \$6,142. For all other activities with O&M costs, the values from the 2007 version of this ICR are used and adjusted for inflation. Inflation is calculated by using a percent of cost change value of 2.37. This value is estimated for the three-year period of the ICR based on calculations from the Bureau of Labor Statistics' Consumer Price Index. This number represents an average of the percent of cost change from three 3-year periods (2002-2005; 2003-2006; 2007-2010). Using 2.37 as an inflation value, the following O&M annual costs for each activity are:

-Proposed Plan:	\$1,726
-RODs:	\$1,860
-Administrative Record:	\$1,398
-Fact Sheets:	\$1,676

(iii) Annualizing capital costs

No significant capital costs are incurred during the activities described in this ICR.

**Table 3: Estimated Cost to States**

Activity	Total State-lead Activities at Sites per year	Hours per Activity per year	Hourly Labor Rate	Labor Costs per Activity *	Capital Costs per Activity per year	Contractor Related Non-labor Costs per Activity per year *	O&M Costs per Activity per year *	Total Annual Costs per Activity	Total Annual Labor Costs for all Sites	Total Annual Capital Costs for all sites	Contractor Related Total Annual Non-labor Costs for all sites	Total Annual O&M Costs for all Sites	Total Annual Costs for all Sites	
RI/FS	19	5,250	\$47.88	\$251,370	\$0	\$286,143	\$40,977	\$578,490	\$4,776,030	\$0	\$5,436,717	\$778,563	\$10,991,310	
Proposed Plans	20	80	\$68.80	\$5,504	\$0	\$0	\$1,726	\$7,230	\$110,080	\$0	\$0	\$34,520	\$144,600	
RODs	20	1,300	\$68.80	\$89,440	\$0	\$0	\$1,860	\$91,300	\$1,788,800	\$0	\$0	\$37,200	\$1,826,000	
ARARs	95	33	\$68.80	\$2,270	\$0	\$0	\$0	\$2,270	\$261,440	\$0	\$0	\$0	\$261,440	
Admin Record	106	40	\$68.80	\$2,752	\$0	\$0	\$1,398	\$4,150	\$291,712	\$0	\$0	\$148,188	\$439,900	
Initial CIP	19	200	\$68.80	\$13,760	\$0	\$0	\$0	\$13,760	\$261,440	\$0	\$0	\$0	\$261,440	
Revised CIP	21	100	\$68.80	\$6,880	\$0	\$0	\$0	\$6,880	\$144,480	\$0	\$0	\$0	\$144,480	
Fact Sheets	424	40	\$68.80	\$2,752	\$0	\$0	\$1,676	\$4,428	\$699,176	\$0	\$0	\$710,624	\$1,409,800	
Focus Groups	1	30	\$68.80	\$2,064	\$0	\$0	\$0	\$2,064	\$2,064	\$0	\$0	\$0	\$2,064	
Workshops	2	80	\$68.80	\$5,504	\$0	\$0	\$0	\$5,504	\$11,008	\$0	\$0	\$0	\$11,008	
											<b>TOTAL \$</b>		15,492,042	
											<b>Federal Funds Used \$</b>		1,709,095	15,230,602
											<b>State</b>	0	261,44	

\* Rounded to the nearest whole dollar

**Funds  
Used \$**

0

**Table 4: Estimated Costs to Communities (Voluntary activities, not actually expended costs)**

<b>Activity</b>	<b>Total Activities at Federal and State-lead Sites/yr</b>	<b>Hours per Activity per year</b>	<b>Hourly Labor Rate</b>	<b>Annual Labor Costs per Activity</b>	<b>Capital, O&amp;M, Non-labor Costs per Activity per year</b>	<b>Total Annual Costs per Activity</b>	<b>Total Annual Labor Costs for all Sites *</b>	<b>Total Annual Capital, O&amp;M, Non-labor Costs for all Sites</b>	<b>Total Annual Costs for all Sites</b>
Initial CIP Interview	3,800	1	\$19.20	\$19.20	\$0	\$19.20	\$72,960	\$0	\$72,960
Revised CIP Interviews	2,650	1	\$19.20	\$19.20	\$0	\$19.20	\$50,880	\$0	\$50,880
Focus Group Participation	600	2	\$19.20	\$38.40	\$0	\$38.40	\$23,040	\$0	\$23,040
Workshop Participation	1,500	3	\$19.20	\$57.60	\$0	\$57.60	\$86,400	\$0	\$86,400
TAG application	10	60	\$19.20	\$1,152.00	\$0	\$1,152.00	\$11,520	\$0	\$11,520
TAG management	75	200	\$19.20	\$3,840.00	\$0	\$3,840.00	\$288,000	\$0	\$288,000
Satisfaction Surveys	4,000	0.25	\$19.20	\$4.80	\$0	\$4.80	\$19,200	\$0	\$19,200
								<b>TOTAL</b>	<b>\$552,000</b>



6(c) Estimating Agency burden and cost

Burden on the Environmental Protection Agency covered in the ICR includes those hours and costs incurred in overseeing state activities. For the RI/FS, Proposed Plans, ARARs, initial and revised CIPs, the assumption is that Federal oversight hours are 10 percent of the state’s burden hours for respective activities. For the Administrative Record, fact sheets, focus groups, and workshops the assumption is that Federal oversight hours are 5 percent of the state’s burden hours. These assumptions were provided by a group of Headquarters and Regional Community Involvement EPA employees with the experience to estimate the average Federal oversight hours for these activities. The total estimated annual burden hours placed on EPA for oversight of state activities is 14,713 (Table 5).

**Table 5: Estimated Burden Hours for Federal Oversight of State Activities**

Activity	# of Sites with State-lead Activities/yr	# of Activities at each site	Hrs. per Activity/yr	Annual Hrs. for Activity at a Site	Total Annual Hrs. for all Sites
RI/FS	19	1	525	525	9,975
Proposed Plans	20	1	8	8	160
RODs	20	1	130	130	2,600
ARARs	95	1	3.3	3.3	314
Administrative Record	106	1	2	2	212
Initial CIP	19	1	20	20	380
Revised CIP	21	1	10	10	210
Fact Sheets	106	4	2	8	848
Focus Groups	1	4	1.5	6	6
Workshops	2	1	4	4	8
				<b>TOTAL</b>	<b>14,713</b>

Burden on EPA covered in the ICR also includes those hours and costs incurred in the implementation of Community Involvement activities. These activities include initial and revised CIPs, fact sheets, focus groups, workshops, satisfaction surveys, and TAGs. For these activities that are also conducted by states at state-lead sites, the average hours required per activity is the same as the burden hours placed on the states. Total number of activities and the Federal hours required to complete them are estimated by a group of Headquarters and Regional Community Involvement EPA employees. EPA is also responsible for maintaining the Administrative Record at all active Federal-lead sites at all stages of the cleanup process. It is estimated that these sites comprise about 80 percent of all active sites. At the time of this writing there are approximately 530 active NPL sites (EPA database). Therefore, EPA is responsible for maintaining the AR at 424 sites. The total estimated annual burden hours placed on EPA for Community Involvement activities is 119,730 (Table 6).

**Table 6: Estimated Burden Hours for Federal Community Activities**

Activity	# Federal-lead Sites/yr.	# of Activities at each site	Hrs. per Activity/yr.	Annual Hrs. for Activity at a Site	Total Annual Hrs. for all Sites
Administrative Record	424	1	40	40	16,960
Initial CIP	76	1	200	200	15,200
Revised CIP	85	1	100	100	8,500
Fact Sheets	450	4	40	160	72,000
Focus Group	4	4	30	120	480
Workshop	8	1	80	80	640
TAG application	10	1	120	120	1,200
TAG management	75	1	50	50	3,750
Satisfaction Surveys	5	1	200	200	1,000
				<b>TOTAL</b>	<b>119,730</b>

Labor costs to EPA were calculated using a weighted average hourly rate for government employees. The assumption is made that the typical division of labor for these activities is 10 percent managerial, 80 percent technical, and 10 percent support. To determine the hourly wage, 50 percent of the value of a Step 5, GS-12 (\$32.73) and GS-13, (\$38.72) are summed (\$71.65) and then adjusted for locality pay using a factor of 1.20, which results in \$43. To further adjust for overhead, \$43 is multiplied by 1.6, which results in \$68.80. The annual labor cost for each activity that involves use of Federal hours is calculated using this labor rate. Labor costs to EPA are the only Federal costs accounted for oversight of state activities. The total estimated annual costs incurred by EPA for oversight of state activities is \$1,012,254 (Table 7). The total estimated annual costs EPA incurs for Community Involvement activities is \$11,846,976 (Table 8).

**Table 7: Estimated Costs for Federal Oversight of State Activities**

Activity	Total State-lead Activities at Sites per year	Hours per Activity per year	Hourly Labor Rate	Annual Labor Costs per Activity *	Annual Capital, O&M, Non-labor Costs per Activity	Total Annual Costs per Activity	Total Annual Labor Costs for all Sites *	Total Annual Capital, O&M, Non-labor Costs for all Sites	Total Annual Costs for all Sites
RI/FS	19	525	\$68.80	36,120	\$0	36,120	686,280	\$0	686,280
Proposed Plans	20	8	\$68.80	550	\$0	550	11,000	\$0	11,000
RODs	20	130	\$68.80	8,944	\$0	8,944	178,880	\$0	178,880
ARARs	95	3.3	\$68.80	227	\$0	227	21,568	\$0	21,568
Administrative Record	106	2	\$68.80	138	\$0	138	14,586	\$0	14,586
Initial CIP	19	20	\$68.80	1,376	\$0	1,376	26,144	\$0	26,144
Revised CIP	21	10	\$68.80	689	\$0	689	14,469	\$0	14,469
Fact Sheets	424	2	\$68.80	138	\$0	138	58,512	\$0	58,512
Focus Groups	4	1.5	\$68.80	103	\$0	103	413	\$0	413
Workshop	2	4	\$68.80	275	\$0	275	550	\$0	550
<b>SUBTOTAL</b>									1,012,402
<b>Cooperative Agreement Federal \$ to States (Table 3)</b>									15,230,602
<b>TOTAL \$</b>									16,243,004

\* Rounded to the nearest whole dollar

**Table 8: Estimated Costs to the Federal Government for Community Activities**

Activity	Total Activities at Federal lead Sites/yr	Hours per Activity per year	Hourly Labor Rate	Annual Labor Costs per Activity *	Annual Capital Costs per Activity	Annual Non-labor Cost per Activity	Annual O&M Costs per Activity	Total Annual Costs per Activity	Total Annual Labor Costs for all Sites *	Total Annual Capital Costs for all sites	Total Annual Non-labor Costs for all sites	Total Annual O&M Costs for all Sites	Total Annual Costs for all Sites
Admin. Record	424	40	\$68.80	2,752	\$0	\$0	1,398	4,150	1,166,848	\$0	\$0	592,752	1,759,600
Initial CIP	76	200	\$68.80	13,760	\$0	\$0	\$0	13,760	1,045,760	\$0	\$0	0	1,045,760
Revised CIP	85	100	\$68.80	6,880	\$0	\$0	\$0	6,880	584,800	\$0	\$0	0	584,800
Fact Sheets	1800	40	\$68.80	2,752	\$0	\$0	\$1,676	4,428	4,953,600	\$0	\$0	3,016,800	7,970,400
Focus Group	16	30	\$68.80	2,064	\$0	\$0	\$0	2,064	33,024	\$0	\$0	0	33,024
Workshop	8	80	\$68.80	5,504	\$0	\$0	\$0	5,504	44,032	\$0	\$0	0	44,032
TAG application	10	120	\$68.80	8,256	\$0	\$0	\$0	8,256	82,560	\$0	\$0	0	82,560
TAG management	75	50	\$68.80	3,440	\$0	\$0	\$0	3,440	258,000	\$0	\$0	0	258,000
Satisfaction Surveys	5	200	\$68.80	13,760	\$0	\$0	\$	13,760	68,800	\$0	\$0	0	68,800
												<b>TOTAL</b>	<b>11,846,976</b>

\* Rounded to the nearest whole dollar



(d) Estimating the respondent universe and total burden and cost

The respondent universe is based on the number of state-lead and active Superfund sites predicted for the three year period of the ICR. These numbers come from Superfund data about past activities and scheduled plans for future activities. The number of community members involved at each site clearly varies and this respondent universe is based on past program averages. The total burden and cost to each respondent is a summation of all activities described in detail in previous sections of this document.

6(e) Bottom-line burden hours and cost tables

(i) Respondent tally

The total burden hours and costs displayed in the table below reflects the combined burden and costs on both categories of respondents: states at state-lead sites and individual community members participating voluntarily at Superfund sites. Community costs of \$552,000 (Table 4) are all hypothetical and do not represent the actual expenditure of dollars because all participation is voluntary. The majority of state costs may be paid through various grants from the Federal government. The actual cost to states is \$261,440 (Table 3) for the ARAR analysis.

**Table 9: Total Respondent Burden Hours and Costs**

<b>Respondent</b>	<b>Annual Burden</b>	<b>Annual Cost</b>	<b>Total 3 yr. Burden</b>	<b>Total 3 yr. Cost</b>
States	154,465	\$261,440	463,395	\$784,320
Communities	25,150	\$552,000	76,530	\$1,656,000
<b>Total</b>	<b>179,615</b>	<b>\$813,440</b>	<b>539,925</b>	<b>\$2,440,320</b>

(ii) Agency tally

The total burden and costs represented in the following table is the amount EPA expects to spend directly in oversight of state activities and the information gathering activities EPA conducts with communities at Superfund sites.

**Table 10: Total Federal Agency Burden Hours and Costs**

<b>Agency</b>	<b>Annual Burden</b>	<b>Annual Cost</b>	<b>Total 3 yr. Burden</b>	<b>Total 3 yr. Cost</b>
Federal Oversight-States	14,713	\$16,243,004	44,139	\$48,729,012
Federal-Community Activities	119,730	\$11,846,976	359,190	\$35,540,928
<b>Federal Total</b>	<b>134,443</b>	<b>\$28,089,980</b>	<b>403,329</b>	<b>\$84,269,940</b>

(iii) Variations in the annual bottom line

Variations to the annual bottom line numbers may occur as sites enter different phases of the remedial process in different years. Additional, activities that depend almost exclusively on the need at the site, such as fact sheet, are likely to vary year to year. However, EPA expects the relative number of annual activities to be similar in each year of the ICR period.

6(f) Reasons for change in burden

The burden in terms of cost and hours for this ICR has increased, There is an increase of 108,000 hours in the total estimated burden currently identified in the OMB Inventory of Approved ICR Burdens. This increase is primarily due to an adjustment in estimates attributable to the increase in the number of sites estimated to have RI/FS starts and ongoing RI/FS activity as well as an the increase in the number of sites expected to have Proposed Plans developed. In addition, cost models were updated to reflect wage inflation.

The net total estimated annual burden hours for respondents has increased by approximately 108,000 hours. This increase affects states whose annual estimated burden has increased from 40,185 hours to 154,465 hours. Again, this increase is attributable to a greater number of state-lead RI/FS and Proposed Plans. On the other hand, the estimated community-related annual burden hours has decreased from 30,980 hours to 25,150 due to fewer TAG applications and the number of ongoing TAGs. The total estimated annual costs to respondents has increased for both communities (by \$40,830) and states (by \$200,195); these increases are attributable to wage inflation for both and, for states, is also due to the increase in the number of sites for which the identification of ARARs is estimated to be required (an additional 50 sites). The estimated amount that will actually be funded with state monies is \$261,440.

#### 6(g) Burden statement

The total estimated annual burden hours placed on state governments for all remedial activities is 154,465. The total estimated annual burden hours placed on communities is 25,510. Total burden hours placed on 11,397 respondents through 12,977 responses is 179,615 hours. The annual public reporting and recordkeeping burden for this collection of information is estimated to average 13.84 hours per response.

The ICR covers an array of activities that may occur at various discrete points in time or periodically throughout the entire Superfund remedial process. Therefore, the number of likely respondents per Superfund site in both the state and community categories will vary by site depending on its position in the remedial process, the lead agency, and the level of community involvement warranted. Additionally, the frequency of response to all activities covered by the ICR can only be described as occurring when required to meet CERCLA requirements and the needs of the Superfund site and the community.

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 No. EPA-HQ-SFUND-2011-0177. This docket is available for public viewing at the Superfund Docket in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Ave., NW, Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is (202) 566-1744, and the telephone number for the Superfund Docket is (202) 566-0276. An electronic version of the public docket is available at <http://www.regulations.gov>. Use [www.regulations.gov](http://www.regulations.gov) to submit or view public comments, access the index listing of the contents of the public docket, and access those documents in the public docket that are available electronically.

Once in the system, select "search," then key in the docket ID number identified above. Comments can also be sent to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, DC 20503, Attention: Desk Office for EPA. Please include the EPA Docket ID No. EPA-HQ-SFUND-2011-0177 and OMB control number 2050-0096 in any correspondence.



**Part B.**

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