

**Justification for Non-Substantive Change
EPA ICR 2402.02, OMB 2040-0283**

**Willingness to Pay Survey for Section 316(b) Existing Facilities
Cooling Water Intake Structures**

EPA submitted an ICR, titled “Willingness to Pay Survey for Section 316(b) Existing Facilities Cooling Water Intake Structures: Instrument, Pre-test, and Implementation,” for review and approval to OMB according to the procedures prescribed in 5 CFR 1320.12. OMB approved a pilot survey which corresponded to the Northeast region of analysis (OMB Control No. 2040-0283). EPA has partially conducted that pilot survey. The Northeast pilot has been fielded and the survey to date has had a 15% response rate. The non-response analysis has not yet been conducted. However, since the Section 316(b) rulemaking must be finalized by July 27, 2012, as prescribed by a settlement agreement between the U.S. EPA and Riverkeeper, EPA is requesting that OMB approve a non-substantive change to the ICR allowing the Agency to begin fielding the remaining three regional and the national surveys, as detailed in the original ICR.

The remaining Inland, Southeast and Pacific regions plus the national survey would result in an increase of burden to potential survey respondents. The ICR’s approved total burden hours for respondents would increase by 976 to a total of 1,194 hours. The total approved cost to survey respondents would increase by \$19,937 bringing the total approved respondent cost to \$24,381. (See tables in Supporting Statement for 2402.01)

The findings from all four regional and the national surveys will be used by EPA to improve estimates of the economic benefits of the section 316(b) regulation for existing facilities as required under Executive Order 12866. This project is exploring how public values for fishery resources are affected by fish losses from impingement and entrainment (I&E) mortality at cooling water intake structures. Understanding total public values for fishery resources, including the more difficult to estimate non-use values, is necessary to determine the full range of benefits associated with reductions in I&E mortality losses, and whether the benefits of government action to reduce I&E mortality losses at existing facilities are commensurate with the costs of such actions.