

**INFORMATION COLLECTION REQUEST
SUPPORTING STATEMENT**

**Effluent Limitations Guidelines and New Source Performance Standards for the
Airport Deicing Category**

OMB Control No. 2040-0285, EPA ICR No. 2326.03

**U.S. Environmental Protection Agency
Office of Water
Office of Wastewater Management**

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PART A OF THE SUPPORTING STATEMENT

1. Identification of the Information Collection

a. Title of the Information Collection

Effluent Limitations Guidelines and New Source Performance Standards for the Airport Deicing Category (40 CFR Part 449). EPA ICR No. 2326.03.

b. Short Characterization/Abstract

This Information Collection Request (ICR) seeks approval of the information requirements in the Final Rule for the Effluent Guidelines and Standards for the Airport Deicing Category. EPA promulgated wastewater regulations (effluent guidelines and standards or ELGs) for airports that conduct deicing operations in 2012. Aircraft are deiced by the spraying of chemicals called aircraft deicing fluids (ADF), which contain water pollutants. Airports also apply airfield pavement deicing chemicals to runways, taxiways and ramps which similarly contain water pollutants.

The rule requires airports to certify that they are not using deicers containing urea for airfield pavement deicing operations. EPA and the states will use this information to determine permittee compliance with the regulations and administer enforcement actions if needed.

2. Need for and Use of the Collection

a. Need/Authority for the Collection

EPA promulgated the ELG pursuant to sections 301, 304, 306, 308, 402, 501 and 510 of the Clean Water Act, as amended; 33 U.S.C. 1311, 1314, 1316, 1318, 1342, 1361 and 1370. Airports are required by existing regulations (40 CFR Parts 122-125) to obtain wastewater discharge permits (NPDES program) and conduct periodic monitoring of effluent. CWA sec. 308 provides EPA and the states with explicit authority to require that permittees demonstrate compliance with regulatory requirements.

b. Practical Utility/Users of the Data

The users of the data include both the airports and their permitting authorities. The rule requires airports to certify annually that no urea is used for deicing of airfield pavement (i.e. runways, taxiways, aprons and ramps). A compliance alternative allows airports to meet an effluent limitation for ammonia, and the airport would demonstrate compliance by monitoring the effluent.

3. Non-Duplication, Consultations, and Other Collection Criteria

a. Non-Duplication

The rule does not duplicate other information requirements. In developing the rule, EPA reviewed existing NPDES permits held by airports. Permittees did not previously provide data to permit authorities on the usage of deicing chemicals. There are no public sources available from which a permitting authority would be able to obtain this information; the information must be submitted directly from the permittee with a signed certification, for enforcement purposes.

b. Public Notice Required Prior to ICR Submission to OMB

A notice of renewal of this ICR was published in the Federal Register on December 30, 2014 (79 FR 78428). Only one comment was received, and it did not address the information collection or burden.

c. Consultations

EPA met with industry stakeholders and attended airport deicing conferences during the development of the rule. Participants included members of the Airports Council International-North America (ACI-NA), American Association of Airport Executives (AAAE) and Air Transport Association (ATA). Stakeholders offered recommendations on the design of airport and airline industry questionnaires (OMB No. 2040-0267) that were used to develop data for the proposed rulemaking, and discussed EPA's research findings, and related regulatory issues. EPA also consulted with the Federal Aviation Administration (FAA). Some stakeholders, as well as the general public, submitted comments on the 2009 proposed rule.

d. Effects of Less Frequent Collection

Airport permittees provide the certification of no use of urea to the permitting authority annually. Data submission less frequent than annually would prevent the permitting authorities from carrying out their duties to enforce the permit requirements.

e. General Guidelines

The information collection requirements of the rule are in accordance with the Paperwork Reduction Act guidelines in 5 CFR 1320.5(d)(2).

f. Confidentiality

Applications for an NPDES permit may contain confidential business information. However, EPA does not consider the specific information being requested by the rule to be typical of confidential business or personal information. If a respondent does consider this information to be of a confidential nature, the respondent may request that such information be treated as such. All confidential data will be handled in accordance with 40 CFR 122.7, 40 CFR Part 2, and EPA's Security Manual Part III, Chapter 9, dated August 9, 1976.

g. Sensitive Questions

The rule does not require respondents to divulge information of a sensitive nature, such as private or personal information.

4. The Respondents and the Information Requested

a. Respondent NAICS Codes

The respondents affected by this information collection request are commercial airports. The North American Industry Classification System (NAICS) identification number applicable to airport respondents is: 488119: Other Airport Operations. The U.S. Census Bureau describes this U.S. industry as establishments primarily engaged in (1) operating international, national, or civil airports, or public flying fields or (2) supporting airport operations, such as runway maintenance services, hangar rental, and/or cargo handling services.

b. Information Requested

i. Data Items, Including Record Keeping Requirements

The rule requires airports to certify that airfield pavement deicers containing urea are not used. The compliance alternative establishes effluent limitations for discharges resulting from the deicing of airfield pavement and requires an airport to provide monitoring data for ammonia. The airport would collect samples at each outfall discharging airfield deicing stormwater and provide the analytical results of the samples.

ii. Respondent Activities

For airfield pavement deicing, the airports would prepare a certification letter certifying non-use of urea-based deicers. EPA estimates that preparation of the certification letter would take 1 hour per airport. For the compliance alternative, airports that use urea-based deicers would monitor their effluent and provide monitoring reports once a year. These airports would collect one sample a day at each deicing outfall impacted for five days a week during the deicing season (26 weeks). EPA estimates that up to 37 airports that reported use of urea could be required to monitor ammonia on an annual basis.

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

a. Agency Activities

Every airport is currently covered by either EPA’s Multi-Sector General Permit (MSGP), an equivalent state general permit, or an individual permit, and the NPDES permitting authorities already receive, process, and review permit applications and Notices of Intent (NOIs). Permitting authorities will also process and review certifications of non-use of urea-based deicers, and monitoring data as applicable for airports selecting the compliance alternative.

b. Collection Methodology and Management

Permittees will submit their certifications (or effluent monitoring data, as applicable) in a manner specified by the permitting authority. The permitting authority will review the information as part of the compliance review, and retain the information in the official permit file.

c. Small Entity Flexibility

The rule affects only a small number of “small” airports. (See section XI.C, Regulatory Flexibility Act, in the preamble of the final rule.) The reporting requirements discussed in this document are intended to give flexibility to airports that must comply with the regulations.

d. Collection Schedule

The rule requires annual certification of non-use of airfield pavement deicers containing urea. The frequency of monitoring requirements for ammonia, for airports choosing the urea compliance alternative, would be once a year or as directed by the permitting authority.

6. Estimating the Burden and Cost of the Collection

a. Estimating Respondent Burden

Airports will prepare a certification letter certifying non-use of urea-based deicers for airfield pavement deicing. EPA estimates it will take an average of 1 hour to prepare a certification letter, and the total respondent hours to prepare the letters is 198 hours.

Airports that elect to use the compliance alternative for airfield pavement are required to monitor their discharges and comply with an ammonia limit. EPA anticipates that airports will discontinue urea use and prepare certification letters, as opposed to continuing use of urea-based deicers, because the capture and treatment of airfield runoff is prohibitively expensive, much more so than not using urea. However, EPA has prepared a burden estimate for the compliance alternative, as it is included in the rule.

EPA estimates that 37 airports currently use urea-based deicers. If these airports would collect one sample per day at each affected airfield outfall for five days for 26 weeks during the deicing season, EPA estimates it would take an average of 1,212 hours per airport to monitor for ammonia. EPA estimates the maximum total respondent burden to monitor ammonia would be 44,844 hours. For the compliance alternative, EPA estimates the total potential respondent burden to monitor ammonia and prepare certification letters would be 45,005 hours. Table A.6-1 presents the average hour burden for airports to monitor ammonia or prepare certification letters and the total respondent burden to demonstrate compliance with the ammonia effluent limitations.

New ELGs are typically implemented in permits as they are issued or re-issued. The majority of facilities affected by the rule have not had permits re-issued since the effective date of the rule. Therefore, data are not yet available to confirm or refute EPA’s expected preference

of facility operators for certification rather than the compliance alternative; EPA continues to anticipate that airports will choose to prepare certification letters. The Agency estimates that the Total Minimum Response Burden of 198 hours is the most representative.

Table A.6-1. Estimated Respondent Burden for Certification of No Use of Urea or Ammonia Monitoring

Activity	Estimated Hours Burden	Estimated Cost Burden ^a	Number of Airports Conducting Activity	Total Hours	Total Cost
Total Minimum Respondent Burden (all airports certify)					
Certify No Use of Urea	1	\$33	198	198	\$6,534
Total Maximum Respondent Burden – Compliance Alternative (airports currently certifying + remaining airports monitor for ammonia)					
Sample Collection	1,212	\$19,672	37	44,844	\$727,864
Sample Analysis (by contract laboratory)	NA	\$12,692	37	NA	\$469,604
Certify No Use of Urea	1	\$33	161	161	\$5,313
Total for Compliance Alternative			198	45,005	\$1,202,781

a – Labor rate of \$33/hours based on average labor costs from EPA’s airport questionnaire database. Sample analysis costs estimated by EPA, for ammonia sample analysis by contract laboratory.

b. Estimating Respondent Costs

i. Estimating Labor Costs

EPA estimated respondent labor costs for the specific activities related to the reporting and monitoring requirements of the rule. Costs for the collection of data by airport personnel are based on average labor costs from EPA’s airport questionnaire database and the average labor rate is \$33/hour. EPA used the estimated hours required to respond to the requirements of the rule and multiplied these costs by this labor rate. Table A.6-1 presents the total respondent costs to meet the reporting and monitoring requirements related to this rule.

ii. Estimating Capital and Operations and Maintenance (O&M) Costs

Because EPA is not requiring respondents to purchase any nonexpendable goods, including equipment or machinery, to perform compliance demonstration reporting, the Agency does not expect capital costs to result from the administration of these reporting requirements. Operation and maintenance costs include only photocopying and postage for the completed permit application. These are costs that a facility would experience without the promulgation of this regulation. All airports are subject to existing NPDES permits.

iii. Capital/Start-up Operating and Maintenance Costs

There are no capital or start-up costs associated with compliance demonstration reporting, as described above.

iv. Annualizing Capital Costs

There are no capital costs associated with compliance demonstration reporting, as described above.

c. Estimating Agency Burden and Costs

The costs to permitting authorities (EPA or state agencies) for review of the annual certification on pavement deicers is negligible.

d. Estimating the Respondent Universe and Total Burden Costs

The estimated respondent universe for compliance reporting under the rule is 198 airports. Airports must certify no use of urea for airfield pavement deicing. The annual burden and costs are presented in Table A.6-1. Table A.6-2 below presents a summary of the total estimated activity burden for airport respondents.

Table A.6-2. Estimated Annual Respondent Burden

Activity	Total Hours	Total Cost
Urea Certification		
Total Respondent Burden	198	\$6,534
Total for All Respondent Activities		
Total Respondent Burden	198	\$6,534

e. Bottom Line Burden Hours and Cost Tables

i. Respondent and Agency Burden Hours and Costs

Table A.6-3 presents the average annual burden and costs for airports and permitting authorities for this ICR. The average annual airport burden uses the burden estimates summarized in Table A.6-2.

Table A.6-3. Summary of Average Annual Burden and Costs for Respondents (Airports) and Permitting Authority

	Respondents	Average Annual Burden (Hours)	Average Annual Costs
Airports	198	198	\$6,534
Permitting Authority		negligible	\$ 0
TOTAL		198	\$6,534

ii. Variations in the Annual Bottom Line

Respondent burden may vary as shown in Table A.6-1 if an airport decides to switch from product substitution and certification, to effluent monitoring.

f. Reasons for Change in Burden

There is no expected change in burden.

g. Burden Statement

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 1 hour per response. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR part 9 and 48 CFR chapter 15.

To comment on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including the use of automated collection techniques, EPA has established a public docket for this ICR under Docket ID Number EPA-HQ-OW-2008-0719, which is available for online viewing at www.regulations.gov, or in person viewing at the Water 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 Water Docket is (202) 566-2426. 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 at oir_submission@omb.eop.gov. Please include the EPA Docket ID Number EPA-HQ-OW-2008-0719 and OMB Control Number 2040-0285 in any correspondence.