ICR Supporting Statement
Information Collection Request:
National Pretreatment Program

OMB Control No. 2040-0009, EPA ICR No. 0002.16

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Prepared for
United States Environmental Protection Agency
Office of Wastewater Management
1200 Pennsylvania Avenue, NW
Washington, DC 20460

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Contents

A. Justification

1. Explain the circumstances that make the collection necessary and explain the legal or administrative requirements relevant to the collection and attach a copy of the statute or regulation authorizing the collection

This Information Collection Request (ICR) calculates the burden and costs associated with managing and implementing the National Pretreatment Program as mandated under sections 402(a) and (b) and 307(b) of the Clean Water Act (CWA or the Act). This ICR includes all existing tasks under the National Pretreatment Program, as amended by the U.S. Environmental Protection Agency's (EPA) Streamlining Rule.

EPA's Office of Wastewater Management (OWM) implements the National Pretreatment Program on the basis of requirements first promulgated in the CWA in June 1978. The CWA requires EPA to develop these regulations to establish responsibilities among federal, state, and local government, industry, and the public to implement pretreatment standards to control pollutants that pass through or interfere with publicly owned treatment works' (POTW) treatment processes or that may contaminate sewage sludge. The regulations have been revised numerous times since they were first published in 1978; currently, they consist of 20 sections and several appendices. The most recent revision, the Streamlining Rule (Federal Register [FR] vol. 70, page 60134), was published on October 14, 2005, and became effective November 14, 2005. See Appendix D for a copy of the regulations authorizing the information collection.

Unlike other environmental programs that rely on federal or state governments to implement and enforce specific requirements, the National Pretreatment Program places most of the responsibility on local municipalities. Specifically, the program requires all POTWs with design flows of more than 5 million gallons per day (mgd), as well as small POTWs with design flow less than 5 mgd that receive discharges from significant industrial users (SIUs), which may pass through or interfere with the operation of the POTW, or are otherwise subject to National Pretreatment Standards, to establish local pretreatment programs. Approved POTWs enforce all national Pretreatment Standards and Requirements, as well as any more stringent local requirements determined necessary to protect the POTW and its workers, through local programs. Authorized states may opt to implement statewide pretreatment programs in lieu of requiring POTWs to do so. In statewide pretreatment programs, industrial users (IUs) submit data directly to state control authorities.

Each control authority, in turn, must have its program approved by the entity responsible for overseeing implementation and enforcement of the National Pretreatment Program. An approval authority is either a state, provided it is authorized by EPA to implement the National Pollutant Discharge Elimination System (NPDES) and National Pretreatment Program, or an EPA regional office. EPA Regional Offices are the approval authorities for states that opt to implement statewide pretreatment programs rather than requiring their POTWs to implement programs. Information is routinely shared between approval authorities and control authorities to ensure

that the National Pretreatment Program is being properly implemented.

The active ICR (OMB Control No. 2040-0009, EPA ICR No. 0002.15) was published in the Federal Register on August, 25, 2011 (76 FR 53123). This ICR renewal estimates the program burden and costs for January 2016, through January 2019.

2. Indicate how, by whom and for what purpose the information is to be used

Section 402(b) of CWA requires EPA to develop national pretreatment standards to control industrial discharges into sewage systems. The purpose of these standards is to prevent pollutants from passing through the treatment plant or interfering with treatment plant operations, possibly resulting in damage to the environment or a threat to public health. As detailed below, several serious problems can occur when industrial wastes are introduced into sewage systems.

- *Pass through of toxic pollutants into receiving waters.* Industrial pollutants that pass through treatment systems into receiving waters can cause fish kills, destroy aquatic habitat, increase the risk of cancer in humans, and render receiving waters unsuitable for drinking or recreation.
- *Interference with treatment plant operations.* Municipal wastewater treatment systems are designed to handle typical household waste and biodegradable commercial and industrial wastes. Toxic industrial compounds that do not pass directly through the system might interfere with plant operations.
- *Contamination of sewage sludge.* Toxic compounds remaining in sewage sludge might render it unsuitable for certain disposal methods, such as land application or incineration.
- *Corrosion of pipes and equipment*. Industrial discharges with high or low pH values can cause corrosion in the sewage collection system or the treatment plant, resulting in the need for premature repair or replacement of pipes and equipment.
- *Explosion of highly volatile wastes.* Industrial wastes can explode under particular conditions within the sewage collection system or treatment operations as a result of inadvertent mixing of volatile compounds, causing widespread damage to treatment facilities and posing a serious risk to plant operators.
- *Interaction of wastes to produce toxic gases.* Industrial discharges such as acidic wastes can interact with other wastes in the collection system, causing the release of toxic gases.

EPA has developed National Pretreatment Program standards for situations common to all sewage systems, as well as those serving specific industries. National standards apply regardless of whether the source is subject to other federal, state, or local pretreatment standards. The regulations establish general and specific discharge prohibitions (40 CFR 403.5(a) and (b)) that apply to all IUs.

In addition to the general and specific prohibitions, EPA has developed specific standards for certain industrial categories; they are called *categorical pretreatment standards*. These standards specify maximum and average quantities or concentrations of certain pollutants or pollutant properties that IUs in certain industrial categories may discharge to a POTW. The categorical

standards may also specify other practices that categorical industrial users (CIUs) must employ to protect POTWs. EPA develops these categorical standards to restrict the discharge of certain toxic pollutants that the Agency has identified as posing the greatest threat to human health or the environment. Facilities subject to categorical standards must also comply with the general and specific prohibitions. Certain categorical standards allow CIUs to submit periodic certifications or develop pollution prevention plans to reduce or take the place of analytical sampling requirements.

Finally, EPA requires the *control authority* (CA), which is usually the POTW, to develop and enforce limits according to local, site-specific situations. These local limits ensure that IUs meet general and specific prohibitions detailed at 40 CFR 403.5(a) and (b). They are federally enforceable pretreatment standards, as defined in section 307(d) of the CWA. If the local limits are more stringent than the categorical standards, the more stringent limit applies and is enforceable as a federal standard.

EPA, together with the various *approval authorities* and *control authorities* (described below), implements these standards through the National Pretreatment Program. These entities need information to

- Authorize state and local programs
- Monitor and enforce compliance with the national standards
- Determine the applicability of categorical standards
- Develop and enforce local limits

The information collection requirements discussed in this ICR are authorized by sections 301, 307(b), 308, 402(a), and 402(b) of the CWA. These sections provide for state administration of the NPDES program, which controls point source discharges of pollutants to waters of the United States. According to the CWA, states must also develop programs to ensure POTW compliance with the requirements of the national pretreatment regulations. Under the same authority, POTWs must identify all IUs that discharge pollutants subject to categorical standards under section 307(b) of the Act and certain POTWs must develop a pretreatment program to ensure compliance with these standards.

The administration of the National Pretreatment Program involves three levels of authority, as described below.

- *Oversight Authority (OA).* EPA Regional Offices oversee state pretreatment programs. They also assume the responsibilities of the approval authority (AA) or control authority (CA) where states or POTWs do not have authorized pretreatment programs.
- *Approval Authority (AA).* A state applying for an approved NPDES program must also obtain approval authority for its pretreatment program. The AA approves POTW pretreatment programs, oversees POTW program implementation, and assumes the responsibility of the CA for POTWs that do not have a pretreatment program.
- *Control Authority (CA).* The CA is responsible for implementing the pretreatment program, including establishing control mechanisms for compliance assessment and enforcement of the national standards, categorical standards, and local limits. A POTW with a pretreatment

program approved by the AA becomes the CA. If the POTW does not obtain such approval, the state or the EPA region assumes the responsibility of the CA.

Table 2.1 shows the possible combinations of authority, while Table 2.2 outlines the responsibilities of each authority.

Table 2.1 Authority under the pretreatment program

POTW with Approved Pretreatment Program	State with Approved Pretreatment Program	Control Authority	Approval Authority	Oversight Authority
Yes	Yes	POTW	State	EPA
Yes	No	POTW	EPA	EPA
No	Yes	State	State	EPA
No	No	EPA	EPA	EPA

Table 2.2 Responsibilities of each authority

Oversight Authority (EPA) ▪ Evaluates pretreatment programs on a national basis and oversees state pretreatment programs to ensure that they meet federal requirements. ▪ Approves state pretreatment program requests. ▪ Acts as AA or CA in cases where states or POTWs do not have pretreatment programs.
Approval Authority (Approved States or EPA Regions) ▪ Reviews POTW pretreatment programs to determine adequacy. ▪ Assists POTWs in ensuring compliance with pretreatment requirements. ▪ Audits/inspects approved POTWs to assess compliance (may also inspect IUs). ▪ Takes appropriate action against POTWs that fail to implement or enforce pretreatment standards at IUs not in compliance (where POTW does not take action). ▪ Acts as CA in cases where the POTW does not have a pretreatment program.
Control Authority (Approved POTWs, Approved States, or EPA Regions) ▪ Has primary responsibility for implementing the pretreatment program. ▪ Ensures that IUs comply with discharge standards, reporting requirements, and certification requirements. ▪ Inspects or reviews self-monitoring reports from IUs. ▪ Enforces against noncomplying IUs.

The monitoring, recordkeeping, and reporting requirements for these three types of pretreatment standards (general, specific, and local limits) are explained in more detail in Appendix A. In general, EPA, states, and POTWs use the information collected under the National Pretreatment Program for program development and implementation purposes. Tables 2.3 through 2.5 summarize the information collected by type and indicate how and by whom the

information is used. Users of the information include oversight authorities, approval authorities, control authorities, POTWs, IUs, and the public.

Table 2.3 Uses of data collected for program development

Type of Data Collected	From	To	Authority/ Citation (40 CFR)	Uses of the Data
State pretreatment program approval request	State	OA	403.10	To evaluate the adequacy of the state's pretreatment program in terms of legal authority, procedural requirements, and appropriate staff and funding
POTW pretreatment compliance schedule progress report	POTW	AA	403.8, 403.9, 403.12(k)	To determine whether the POTW is on schedule in developing its program so that the AA can provide assistance or take enforcement action, if necessary
POTW pretreatment program approval request	POTW	AA	403.8(b), 403.9	To evaluate the adequacy of the POTW's pretreatment program in terms of legal authority, justification of local limits, compliance monitoring, administrative procedures, and appropriate staff and funding
Maintain pretreatment program information*	AA, OA, POTW	Stored on-site	403.11(f), 403.14	To provide public access to information characterizing the pretreatment program (e.g., information about POTW program approval submissions)

*This is a recordkeeping requirement, not a reporting requirement. Though no submission is required, AAs, OAs, and POTWs incur burden.

Oversight authorities evaluate state pretreatment programs based on information about the programs' legal authority, procedural requirements, and staff and funding appropriateness. In addition, oversight authorities use information about an IU to determine whether a particular categorical standard or subcategory applies to the IU. The oversight authority burden is incurred by the federal government only and is a small component of overall burden.

Approval authorities use information collected under the pretreatment program to identify and locate IUs that might be subject to national pretreatment standards. Approval authorities also use information about IUs to protect the POTW and its workers by prohibiting ignitable, obstructive, or reactive discharges from IUs. These authorities also use the data to determine whether a POTW's pretreatment program is adequate and properly implemented. In addition, approval authorities use the information to monitor a POTW's compliance with pretreatment program requirements. Note that much of the data used by approval authorities could also be used by control authorities.

Control authorities use data from IUs to determine the types and amounts of pollutants that industries are discharging to a POTW, to track IU compliance with installation schedules for pretreatment equipment, and to ensure IU compliance with applicable certification requirements. Control authorities also use IU data to monitor an industry's compliance with pretreatment standards, to enforce these standards, to note changes in the volume or nature of pollutants, and

to evaluate the effects of an anticipated bypass. In addition, control authorities use IU inspections to determine whether the IU needs to take steps to reduce the risks of slug, spill, and batch discharges.

Control authorities use information from approval authorities to determine their obligations under the national pretreatment regulations, specifically those for operating and maintaining equipment and those requiring sampling and reporting of pollutant levels.

IUs use information received from control authorities to understand the pollutant levels that must not be exceeded in their discharges and related treatment, sampling, and reporting requirements.

The public also uses information received under the National Pretreatment Program when notices of significant noncompliance (SNC) by IUs or control authorities are published in local newspapers.

Table 2.4 Uses of data collected for program implementation

Type of Data Collected	From	To	Authority/ Citation (40 CFR)	Uses of the Data
Baseline monitoring report	IU	CA	403.12(b)	To identify appropriate pretreatment standards; to ensure compliance with the standards by each source; to determine whether schedules for compliance are reasonable; and to establish, verify, or expand knowledge of the types and extent of industrial contributions to POTWs
IU compliance schedule progress report	IU	CA	403.12(c)	1To determine compliance with scheduled deadlines for installation of pretreatment technology and categorical standards
IU compliance attainment report	IU	CA	403.12(d)	1To determine compliance with final applicable pretreatment standards and whether IU needs additional operation and maintenance (O&M) or pretreatment to attain standards
IU resampling compliance report	IU	CA	403.12(g)	1To demonstrate return to compliance.
IU request for coverage under general control mechanism	IU	CA	403.8(f)(1)(A)(2)	To determine whether an IU qualifies for a general permit
IU self-monitoring compliance report	IU	CA	403.12(e), 403.12(h)	1To ensure continued IU compliance with the pretreatment standards and to determine whether enforcement actions are necessary
Pollution prevention plan (Voluntary)	IU	CA	455.41	To support decisions regarding allowing CIUs to reduce or eliminate analytical sampling requirements; 1to ensure that IUs covered by the Pesticides Formulating, Packaging, and Repackaging effluent

Type of Data Collected	From	To	Authority/ Citation (40 CFR)	Uses of the Data
				guidelines have prepared a pollution prevention plan as an alternative to zero discharge
Periodic certifications	IU	CA	Varies**	To ensure IUs practicing reduced monitoring comply with certification requirements and meet criteria for reduced monitoring
POTW monitoring records and documentation of best management practices (BMPs)*	POTW	Stored on site	403.12(o),	1To allow AA to verify POTW compliance with national pretreatment standards and requirements
IU monitoring records and documentation of BMPs*	IU	Stored on site	403.12(o)	1To allow CA to verify IU compliance with national pretreatment standards and requirements
Annual POTW reports	CA	AA	403.12(i)	1To adequately oversee POTW pretreatment programs and resulting national implementation status; also, to ensure compliance with national pretreatment standards and requirements
Pretreatment Compliance Inspection (PCI)	AA	OA	Compliance Monitoring Strategy	The PCI evaluates the POTW's implementation of its authorized pretreatment program. It includes a review of the POTW's records on monitoring, inspections, and enforcement activities for its industrial users. The PCI may be supplemented with industrial user inspections.
POTW program modifications	CA	AA	403.18	1To modify pretreatment programs on the basis of local conditions and to provide AAs with opportunities to accept or deny such requests
Notice of potential problems, including slug loading	IU	CA	403.12(f)	1To enable the POTW to plan and carry out protective actions immediately after a change in volume or character of an IU discharge
Notification of significant change affecting equivalent mass limits or concentration limits	IU	CA	403.6(c)(9)	To ensure that the CA has a reasonable basis for calculating mass or concentration limits based on a production-based standard
Notification of changed discharge	IU	CA	403.12(j)	1To ensure that the CA has the necessary information to adequately notify the NPDES pretreatment authority of substantial changes in discharge
Upset notification	IU	CA	403.16	To inform the CA of descriptions of known upsets at the IU. Reporting of upsets is required particularly if IU wishes to

Type of Data Collected	From	To	Authority/ Citation (40 CFR)	Uses of the Data
				establish the affirmative defense of the upset for an action brought for non-compliance
Bypass notification	IU	CA	403.17	1To inform the CA of the intentional diversion of wastestreams from any portion of an IU's treatment facility
Notification of changed monitoring location	IU	CA	403.6(e)(4)	1To inform the CA of any change in location of an IU's monitoring point(s) so that the CA may carry out its compliance monitoring and enforcement responsibilities
Determination of non-significant categorical industrial users (NSCIUs) and middle tier CIUs (Voluntary)	CA IU	AA, IU CA	403.3(v)(2), 403.8(f)(2)(v), 403.12(e), (g), (i), and (q)	For CA to determine whether IU is an NSCIU or middle tier CIU and thus subject to less stringent reporting, inspection, and sampling requirements
Issuance of discharge permits or other control mechanisms for SIUs	CA	IU	403.8(f)	1To give SIUs notice of all pretreatment requirements and to improve enforcement
Inspection and sampling of IU effluent (including slug control plans)	CA	AA	403.8(f)(2)(v)	1To monitor industrial discharges to POTW treatment facilities
Public notification of significant noncompliance	CA	Public	403.8(f)(2)(viii)	1To inform the public of instances of significant noncompliance
Prevention and control plan for spills and batch discharges	IU CA	CA AA	403.8(f)(2)(vi)	For CAs t1o notify SIUs of the need for planning to minimize the risk of slug, spill, and batch discharges. Documentation of the POTW's activities must be made available to the AA upon request so the AA can determine whether the POTW is adequately evaluating whether its SIUs need slug discharge control plans.
Evaluation of the need to revise local limits	CA	AA	403.5(c)	1To evaluate whether CAs have developed appropriate local limits to implement the general and specific prohibitions.
POTW enforcement response plan	CA	AA	403.8(f)(5)	1To assist in determining whether CAs have effective enforcement programs

*This is a recordkeeping requirement, not a reporting requirement. Though no submission is required, IUs incur burden.

**See section 2 of this ICR.

Table 2.5 Uses of data collected for program/categorical determinations

Type of Data Collected	From	To	Authority / Citation (40 CFR)	Uses of the Data
Categorical determination request	IU, CA	AA/OA	403.6(a)	To enable the AA/OA to determine the applicability of a categorical standard or subcategory to an IU
Alternative limits modification request	IU	CA	403.6(e)	1To notify the CA of any material or significant change in the values used to calculate an alternative limit
Fundamentally different factors variance request	IU, CA	OA	403.13	1To provide plant-specific data necessary for a CA to determine whether an IU's production processes or technologies are fundamentally different from the representative facilities used to determine the limits specified in a categorical standard and, if so, to adjust the limits. This information provides the empirical data used to evaluate the appropriateness of national standards.
Net/gross adjustment request	IU	CA	403.15	1To enable CA to determine whether an applicable pretreatment standard should be revised (i.e., to ensure that an IU is not required to remove a greater amount of a pollutant than is already present in its intake water)
Removal credit approval request	POTW	AA	403.7	1To enable AA to authorize a POTW to calculate a revised categorical standard reflecting pollutant removals already resulting from specific POTW design capabilities
Removal credit self-monitoring report	POTW	AA	403.7	1To enable AA to monitor ongoing POTW pollutant removals, which form the basis for revised categorical standards for the POTW's users

3. Describe whether and to what extent the collection involves the use of automated processes or information technology to aid with the collection

In general, IUs and POTWs provide written requests and reports. IUs and POTWs give oral notices in emergencies; however, the IUs and POTWs follow these notices with written ones. EPA uses the Integrated Compliance Information System (ICIS) to electronically store, track, and access pretreatment-related program information.

4. Describe the efforts to identify duplication

1EPA has examined all other reporting requirements contained in the CWA and 40 CFR Part 403. In addition, the Agency has examined the following sources to determine whether similar or duplicative information is available elsewhere:

- Integrated Compliance Information System (ICIS)
- Management Information and Data Systems Division Inventory of Automated Systems
- Environmental Information Clearinghouse
- Inventory of ICRs

EPA did not find any similar or duplicative reporting requirements. No other mechanism for obtaining information on continued compliance with pretreatment standards is available.

5. Explain whether or not the collection impacts small entities

In developing this ICR, EPA considered the requirement of the Small Business Regulatory Enforcement Fairness Act (SBREFA) to minimize the burden of information collections on small entities. Small entities include small businesses, small organizations, and small government jurisdictions, all of which are defined as follows in section 601 of the Regulatory Flexibility Act:

- A *small business* is any business that is independently owned and operated and not dominant in its field, as defined by the Small Business Administration (SBA) Regulations under section 3 of the Small Business Act.
- A *small organization* is any non-profit enterprise that is independently owned and operated and not dominant in its field.
- A *small governmental jurisdiction* is the government of a city, county, town, township, village, school district, or special district that has a population fewer than 50,000. This definition may also include Indian tribes.

The reporting requirements for pretreatment program development affect only state governments and municipal governments (i.e., POTWs). Requirements for pretreatment program implementation and program/categorical determinations involve some small businesses. The information requested, however, is not available from other sources and is essential for implementing the pretreatment program.

Overall, the burden for small industries is likely to be inherently smaller than that for other IUs because their facilities are less complex. Reporting burdens are less for SIUs than for CIUs. Under the Streamlining Rule, EPA modified some of the sampling requirements for CIUs to provide greater flexibility; these changes will benefit some of the smaller CIUs. Under the Streamlining Rule, EPA also provided states and POTWs opportunities to reduce reporting requirements for CIUs that never discharge more than 100 gpd of total process wastewater. POTWs and states may also categorize some CIUs as *middle tier,* meaning they, too, may be subject to fewer reporting requirements. A number of small facilities are likely to fall into these categories.

6. Describe the consequences to the program if the collection is not conducted or is conducted less frequently

1EPA considers the reporting requirements associated with the pretreatment program (both the one-time and ongoing monitoring and reporting requirements) the minimum necessary for effective administration of the program. EPA also considers the reporting requirements the minimum necessary to ensure effective control of hazardous wastes and to implement RCRA section 3018(b). Most alternatives to the present set of minimal requirements would entail an increase in reporting burden to respondents. In addition, EPA considers the specific requirements for SIUs and for reporting the discharge of RCRA hazardous substances preferable to repealing the domestic sewage exclusion. The domestic sewage exclusion is a RCRA provision that excludes domestic sewage and any mixture of domestic sewage and other wastes that pass through a sewer system to a POTW for treatment from being classified as a RCRA hazardous waste.

The data collection is mandatory and the consequences of not collecting the information would result in a failure of the regulated facilities and/or control authorities to comply with the authorizing Pretreatment Program regulations. Failure to comply could result in enforcement actions including civil or criminal penalties.

7. Explain any special circumstances associated with "extraordinary burden" placed on respondents

There are no special circumstances where "extraordinary burden" is placed on respondents. The collection of information is conducted in a manner consistent with the Paperwork Reduction Act guidelines at 5 CFR 1320.5(d)(2). Requests for supplemental information for the purposes of emergency response or enforcement activities are exempt from the Paperwork Reduction Act requirements.

8. Provide a copy and identify the date and page number of the notice in the Federal Register

This ICR was published in the Federal Register on October 5, 2015 (80 FR 60142). The notice included a request for comments on the content and impact of these information collection requirements on the regulated community. EPA did not receive any comments on this ICR. See Appendix D for a copy of the Federal Register notice.

9. Explain any decision to provide compensation to respondents

No payments or gifts are provided to respondents.

10. Describe any assurance of confidentiality provided to respondents

The following reporting requirements may contain confidential business information (CBI), proprietary information, or information containing compromising trade secrets:

- Pretreatment Baseline Monitoring Report (BMR)
- IU Compliance Schedule Report
- POTW and IU Maintenance or Monitoring Records (excluding effluent data)
- Pretreatment Categorical Determination Request
- Pretreatment Fundamentally Different Factors (FDF) Variance Request

In such cases, the respondent has the right to request that the information be treated as CBI. EPA and its agents will handle all data so designated in accordance with the requirements at 40 CFR 403.14(a):

> In accordance with 40 CFR Part 2, any information submitted to EPA pursuant to these regulations may be claimed as confidential by the submitter. Any such claim must be asserted at the time of submission in the manner prescribed on the application form or instructions, or, in the case of other submissions, by the words "confidential business information" on each page containing such information. If no claim is made at the time of submission, EPA may make the information available to the public without further notice. If a claim is asserted, the information will be treated in accordance with the procedures in 40 CFR Part 2 (Public Information).

The pretreatment regulations, however, stipulate at 40 CFR 403.14(b) that industrial effluent data "… shall be made available to the public without restriction."

11. Provide additional justification for any questions of a sensitive nature

Questions of a sensitive nature are not found in this information collection.

12. Provide estimates of the hour burden of the collection of information

Appendix A presents a detailed description of the information collected and methodology for estimating respondent burden and cost of collection. The total annual respondent burden associated with this ICR is estimated to be 1.74 million hours per year. Table 12.1 presents the distribution of annual number of respondents, average annual burden, and average annual total labor costs between states, POTWs, and IUs.

Table 12.1 Summary of Respondent Burden and Labor Costs

	Average Annual Respondents	Average Annual Total Burden (hours)	Average Annual Total Labor Costs (2014$)
States	36	128,774	$5,609,378
POTWs	1,576	836,040	$34,077,004
IUs	22,139	779,592	$41,754,968
Totals	23,751	1,744,406	$75,391,717

Cost of labor is based on a loaded hourly rate of $43.56 for states, $40.76 for POTWs, and

$53.56 for IUs. See section A.2 of Appendix A for more details.

13. Provide an estimate of the total annual cost burden to Respondents

The only non-labor costs for capital and O&M are those incurred by IUs that receive mass limits as an alternative to concentration based standards. The total annual non-labor respondent costs associated with this ICR are estimated to be $2,515,470 and are adjusted for inflation to November 2014 dollars using the CPI.

14. Provide an estimate of the annualized cost to the federal government

The federal government (EPA Regions and Headquarters) incurs burden and costs to process, analyze, and maintain the information collected. EPA Regions, in their role as OAs, are users of the State Program Approval Requests, Categorical Determination Requests, FDF Variance Requests, and other types of information.

Most of the respondent activities described in Appendix A of this ICR generate reports, information, or data, which must be received, reviewed, and stored by an OA. Table C.8 in Appendix C calculates the burden to federal agencies (primarily EPA Regions) as users of these data. Where EPA is the AA (i.e., in 25.7 percent of pretreatment programs), the Agency reviews reports generated by pretreatment POTWs. Therefore, the associated review burden for the activities detailed in Appendix C, Table C.3 for which reports or data are submitted to federal agencies (as AAs) has been apportioned accordingly.

Appendix C, Table C.8, outlines the hours per response, number of responses per year, and total hours per year expended by the federal government (EPA) for reviewing state and POTW reports. Appendix C, Table C.6, outlines the hours per response, number of responses per year, and total hours per year expended by the federal government (EPA) in instances where the federal government regulates SIUs as the control authority. The annual average number of hours expended by EPA as a user of the data is 21,582. Based on an average hourly rate of $42.40[1] for a federal employee, the estimated annual cost to EPA is $915,086.

In addition, EPA is the OA for states acting as AAs. Data or reports generated by the activities listed in Table C.2 of Appendix C will be sent to EPA Regions for review. The burden for these review activities is also included in Appendix C, Table C.8. The agency burden for the federal government is summarized in Table 14.1.

[1] The hourly employment cost of federal employees was determined using a methodology established in previous ICRs. According to the U.S. Office of Personnel Management, 2015 General Schedule (2015-GS), the average annual salary of a government employee at the GS-9, Step 10, level is $55,116. At 2,080 hours per year, the hourly wage would be $26.50. Assuming overhead costs of 60 percent, or $15.90 per hour, the fully loaded cost of employment for a federal employee would be $42.40.

Table 14.1 Summary of Average Annual Respondents, Responses, Burden, and Costs for Federal Agency for the 3-Year Period Covered by this ICR

	Average Annual Burden (hours)	Average Annual Labor Costs (2014$)	Average Annual O&M Costs (2014$)	Total Average Annual Costs (2014$)
Agency Totals	21,582	$915,086	$0	$915,086

15. Explain the reasons for an adjustments reported in items 13 or 14 of OMB Form 83-I

The current burden approved by OMB for the existing ICR (OMB Control No. 2040-0009, EPA ICR No. 0002.15) is 1,806,516 hours. The burden request in this ICR is 62,110 (3.6%) hours less than the current approved burden. There were no new rules, agency actions or program changes that resulted in changes to the burden estimates. The estimated burden for this ICR is based upon the assumptions presented in Appendix B including number of SIUs and approved pretreatment programs. These assumptions are based upon previous ICR estimates plus adjustments to the number of SIUs and pretreatment programs that resulted from extensive consultation with the States and EPA Regions. The adjustment in burdens are minor and mostly result from changes in the number of SIUs which will include the net effect of reductions due to facilities that closed, were downgraded from CIU or SIU status, and the addition of facilities that opened or are newly permitted. The reduction also reflects a reduction in the number of POTWs projected to develop a pretreatment program during the three-year ICR period from 64 to 20. Another small component of this adjustment was the reassignment of burden from the states to the federal government for instances where the federal government regulated SIUs as the control authority. In the previous ICR, this component had been included in the state burden estimate. Table 15.1 presents a summary of the adjustments in burden estimates from the previously approved ICR.

Table 15.1 Summary of Adjustments in Burden Estimate

	Reason	Previous Burden	New Burden	Difference	Percent Difference
Annual Responses	Revised Estimate	98,438	95,462	-2,976	-3.1%
Annual Burden Hours	Revised Estimate	1,806,516	1,744,406	-62,110	-3.6%
Annual Costs	Revised Estimate	$2,318,913	$2,515,470	$196,557	7.8%

16. Outline any plans for tabulation and publication of the information

EPA uses ICIS to store, track, and access pretreatment program related information. ICIS is the national computerized management information system that automates entry, updates, and facilitates retrieval of NPDES data and tracks permit issuance, permit limits and monitoring data, and other data pertaining to facilities regulated under NPDES. In general, pretreatment related data contained in ICIS includes data concerning pretreatment programs, pretreatment compliance

inspections, and other program oversight related activities. Information concerning IUs overseen by the state or EPA may also be included in ICIS. Pretreatment program-related data can be accessed by the public in one of two ways:

- via an on-line query using EPA's Envirofacts Data Warehouse and Applications website at http://www.epa.gov/enviro/index_java.html. Accessing data via Envirofacts provides a method to combine ICIS data with other EPA databases and mapping tools,
- via the Freedom of Information Act (FOIA) by submitting a request to EPA, the state, or the POTW.

17. Explain any requests to not display the expiration date of OMB approval

EPA has not made a request regarding display of the expiration date.

18. Explain any exceptions to the certification statement 5 CFR 1320.9, "Agency Certifications for Proposed Collections of Information."

The agency is able to certify compliance with all provisions under Item 19 of OMB Form 83-I.B.

B. Statistical Methods (used for collection of information employing statistical methods)

Statistical methods are not used with this collection.

Appendix A - Description of the Information Collected and Methodology for Estimating Respondent Burden and Cost of Collection

This appendix section provides the methodology for estimating the burden and cost to states, POTWs, and IUs for complying with the National Pretreatment Program requirements summarized in section 12. This section also discusses the assumptions used to estimate costs and burden. Additional detail about assumptions is provided in Appendix B. Detailed burden and cost calculations are shown in Appendix C.

A.1. Respondent Burden

Changes related to EPA's Streamlining Rule were incorporated into previous Pretreatment ICRs and are carried forward into this ICR. Specifically, the Streamlining Rule enabled CAs to designate certain NSCIUs and other CIUs as *middle tier CIUs*. Those CIUs designated as NSCIUs and Middle tier CIUs may have reduced reporting burdens. Based on data from annual reports, award applications, public comments, and other EPA sources, 9.3[2] percent of existing CIUs discharge more than 0 gpd, but less than 100 gpd. An additional 5.7[2] percent of existing CIUs are zero dischargers. Approximately 30[2] percent of existing CIUs are assumed to have flows more than 100 gpd, but less than 5,000 gpd and less than 0.01 percent of their POTW's design flow (referred to as *middle tier CIUs*). EPA developed these estimates for a previous ICR and did not attempt to recalculate the numbers as there is no indication these assumptions are incorrect or require revision

Based on discussions between EPA OWM and EPA regional staff, all zero-discharging CIUs may be considered NSCIUs. Based on data collected from eight POTW programs, EPA estimates that 71[2] percent of small CIUs currently monitor more frequently than the minimum requirement of twice a year. Therefore, this ICR assumes that the monitoring and reporting frequency will not change for IUs that already monitor and report more frequently than the current minimum requirement (twice a year). In addition, EPA estimates that CAs will not reduce the frequency with which they issue permits, monitor, or conduct inspections for these systems (i.e., 71 percent of small CIUs). NSCIUs (the remaining 29 percent along with all zero-discharging CIUs) will complete annual certifications in lieu of annual monitoring and reporting. To gather data to complete this certification, IUs with flows greater than zero will monitor once every 5 years, on average. CAs will discontinue control mechanism issuance and formal inspections for this 29 percent of NSCIUs with flows greater than zero (along with all zero-discharging CIUs); instead, CAs will conduct an annual 2-hour evaluation, as required by the revised regulations.

EPA estimates that 29 percent of the middle tier CIUs will be authorized to reduce their monitoring and reporting requirements from semiannually to annually. This estimate is based on the estimate that 71[2] percent are currently subject to monitoring and reporting requirements that exceed the minimum requirements. In addition, this ICR assumes that for 29 percent of potential

[2] EPA developed these estimates for a previous ICR and did not attempt to recalculate the numbers as there is no indication these assumptions are incorrect or require revision.

middle tier CIUs, CAs will reduce inspections to once every 2 years instead of once a year.

The Streamlining Rule (incorporated into previous Pretreatment ICRs) also enabled zero-discharging CIUs that previously reported data semiannually to instead conduct an annual certification. CAs, in turn, shifted from issuing control mechanisms and conducting annual inspections of these facilities to conducting an annual evaluation. EPA estimates that the burden for this evaluation to be 2 hours.

A.1.1. Burden to States

Table A.1 at the end of this section shows the annual burden hours on an activity-specific basis, and Appendix B summarizes the assumptions EPA made in developing the estimates. The following paragraphs briefly describe the bases for the burden estimates.

Program Development

State Pretreatment Program Approval Request

Pursuant to consultation with the National Pretreatment Coordinator and EPA Regional Offices, EPA anticipates one state will seek pretreatment program authority during this 3-year ICR period.

Program Implementation

Issuance of SIU Discharge Permits

EPA assumes that all approved pretreatment states (36) will issue some permits to SIUs. EPA assumes that some of these states might issue general control mechanisms in place of individual permits. The number of responses per year is calculated based on information submitted by states and EPA Regions that indicate that states directly regulate 8.5 percent of all SIUs. (See Appendix B for additional information about this assumption.) CAs will no longer be required to issue permits to NSCIUs. Because some SIUs can now be regulated with general control mechanisms, EPA estimates that 2 percent of SIUs will no longer require an individual permit. Thus, the number of responses for each state was reduced by 2 percent. EPA also estimates that it takes 20 burden hours for a CA to issue a discharge permit; this estimate is carried forward in this ICR.

Inspection and Sampling of SIUs

Inspection: EPA estimates that all 36 pretreatment states will provide oversight for some SIUs. This ICR assumes 8 burden hours to perform one inspection per year for 8.5 percent of all SIUs. Middle-Tier SIUs will be inspected less frequently (every other year instead of every year). This includes the time necessary to collect an effluent sample.

Sampling and Analysis: All pretreatment states are assumed to perform in-house analyses for the SIUs that they regulate. This ICR estimates an average sample analysis burden of 15.2 hours. This burden was estimated based on regional feedback during the development of the ICR for the Streamlining Rule, and it is carried forward from previous ICRs. Pesticide formulating, packaging, and repackaging (PFPR) industry facilities opting for the pollution prevention option are excluded because there are no

monitoring requirements.

Public Notification of Significant Noncompliance

In this ICR, EPA estimates that only the five states that directly implement the pretreatment program at the local level (40 CFR 403.10(e) states) will be required to publish notices of SNC for their POTWs. EPA estimates that, on average, approximately 17 POTWs per state (a total of 85 POTWs in the five 403.10(e) states) receive discharges from SIUs. One-third of the POTWs in these states (approximately 28 POTWs, or 5.6 per state) are estimated to have SIUs in SNC in a given year. EPA estimates that 3 burden hours are required to complete this activity.

Evaluation of the Need to Revise Local Limits

This ICR assumes that only the five 40 CFR 403.10(e) states will be required to develop local limits for their POTWs. Each POTW for which the state has assumed CA responsibility (85 total) will require local limits development once every 5 years. The Agency estimates a burden of 50 hours for this activity.

Program/Categorical Determination

There is no burden for states associated with program/categorical determinations.

States as Users of the Data

Under the National Pretreatment Program, AAs (or the state acting as a CA) must receive, review, and store various requests and reports filed by IUs and POTWs. Table C.6 in Appendix C calculates the burden to state agencies as users of these data.

When states are the AA (i.e., for 74.3 percent of pretreatment programs), the states review reports generated by pretreatment POTWs. Therefore, the associated review burden for IU and POTW activities described below and in Appendix C (Table C.3) for which reports or data are submitted to states (as AAs) has been apportioned accordingly. The numbers of respondents and responses are linked directly to the corresponding activities.

In addition to AA activities, states are the CAs for approximately 8.5 percent of SIUs. As CAs, the states are responsible for receipt and review of 8.5 percent of all reports, certifications, and data submitted by SIUs. Table C.6 in Appendix C, therefore, includes burden for these activities. Table C.1 shows the total state review burden associated with the aforementioned activities.

Recordkeeping

Maintain Pretreatment Program Information

This ICR assumes that each pretreatment state (as the AA) spends 50 hours per year maintaining records from POTW pretreatment programs. In addition, states act as CAs for 8.5 percent of SIUs. An additional burden of 5 hours per SIU per year (i.e., 5 * 2,487) is included for states acting as CAs. (See Appendix C, Table C.5, for the calculations.)

The Streamlining Rule amended the pretreatment regulations to require that states maintain records for IUs regulated under general control mechanisms, for IU's initial

samples to demonstrate pollutants not present nor expected to be present, and for POTWs that request a significant modification. Because states already maintain records on IUs under individual permits, IU sampling records, and records on POTW significant modification requests, EPA does not expect the Streamlining Rule changes to result in changes in the recordkeeping burden.

A.1.2. Burden to POTWs

Table A.2 (at the end of this section) shows the annual burden hours on an activity-specific basis, and Appendix C details these burden calculations. The following paragraphs briefly describe the bases for the burden estimates.

Program Development

POTW Pretreatment Program Approval Request

EPA Regions have indicated that they expect 20 new programs over the next 3 years. EPA estimates that preparing a program approval request will require 250 burden hours. The regulations also require all approved POTWs to develop and implement enforcement response plans describing procedures for investigating and responding to IU noncompliance. EPA assumes that POTWs will have completed this requirement as part of their approval request and therefore has not included any additional burden for this activity. This burden was included in the 250 hours for a new program.

The Streamlining Rule did not make any changes to the pretreatment regulations that affect program development burden.

POTW Pretreatment Compliance Schedule Progress Report

EPA expects 46[3] POTWs per year to be subject to pretreatment-related compliance schedules. The Agency estimates that each schedule will require the submission of three reports per year. EPA estimates that each report will require 5 burden hours to complete.

Program Implementation

Annual POTW Report

For this program activity, EPA assumes one report per program per year. EPA further estimates that report preparation will take each POTW 40 burden hours to develop.

POTW Program Modifications

EPA estimates that 20 percent of approved programs will request program modifications of some type each year. EPA estimates that preparing program approval requests will take each POTW 40 burden hours.

Issuance of Discharge Permits or Other Control Mechanisms for SIUs

Because SIU control mechanisms typically have 5-year terms, EPA estimates that each year POTWs (as CAs) will issue control mechanisms to 20 percent of the SIUs that are regulated by POTWs (88.8 percent of all SIUs). Under Streamlining, POTWs will not be required to issue permits to NSCIUs. In addition, because POTWs may regulate some

[3] EPA developed this estimate for a previous ICR and did not attempt to recalculate the numbers as there is no indication these assumptions are incorrect or require revision.

SIUs with general control mechanisms, EPA estimates that 2 percent of SIUs will no longer require an individual control mechanism. Thus, the number of responses for each POTW will fall by 2 percent. EPA estimates that POTWs will require 20 hours to issue a control mechanism. EPA's estimate of the number of SIUs to be covered by general control mechanisms is carried forward from the Pretreatment Streamlining ICR. EPA's estimate of the number of hours POTWs will require to issue individual control mechanisms is carried forward from the Pretreatment Program ICR.

Inspection and Sampling of CIU and SIU Effluent

Inspection: This ICR assumes 8 burden hours to perform one inspection per year for all SIUs regulated by POTWs. Middle tier CIUs will be inspected less frequently (every other year instead of every year). This includes the time necessary to collect an effluent sample. This assumption was carried forward from the previous ICR.

Sampling and Analysis: EPA assumes that in-house sampling and analysis will require 15.2 hours. PFPR facilities opting for the pollution prevention option are excluded because there are no monitoring requirements.

Mass Limits

POTWs establishing equivalent mass limits as an alternative to concentration limits to meet concentration-based categorical pretreatment standards must determine whether the application of a mass limit is appropriate. POTWs will perform these demonstrations. Currently, 14 Pretreatment Standards categories are expressed as concentration limits alone and are therefore eligible for equivalent mass limits under 40 CFR 403.6(c)(5). The following categories are included in this list:

- Inorganic Chemicals (§ 415)
- Fertilizer manufacturing (§ 418)
- Petroleum refining (§ 419)
- Steam Electric Power Generating (§ 423)
- Leather Tanning (§ 425)
- Glass Manufacturing (§ 426)
- Rubber Manufacturing (§ 428)
- Metal Finishing (§ 433)
- Pharmaceutical Manufacturing (§ 439)
- Transportation Equipment Cleaning (§ 442)
- Paving and Roofing Materials (§ 443)
- Commercial Hazardous Waste Combustors Subcategory of the Waste Combustors Point Source Category (§ 444)
- Carbon Black Manufacturing (§ 458)
- Electrical and Electronic Components (§ 469)

EPA estimates that there are approximately 12,000 facilities in these categories and that 1 percent of them will request that the POTW assess flow variability, which will require 8 burden hours to complete. These estimates are carried forward from the assumptions in the recalculation of the entire pretreatment program, which was done as part of the Pretreatment Streamlining ICR (EPA ICR No. 0002.12) and is explained at the beginning

of section 1.

Equivalent Concentration Limits

CAs establishing concentration-based pretreatment standards instead of mass-based limits must document that dilution is not being used as a substitute for treatment (see 40 CFR 403.6(d) and 414.111(a) and Part 419). In addition, the CA is required to adjust permit limits using the combined wastestream formula in 40 CFR 403.6(e) when the wastestream used for demonstrating compliance with the permit limits is mixed with non-process wastewater or wastewater from other processes. The POTW will perform these demonstrations. Currently, three Pretreatment Standards categories are eligible to use this provision—Organic Chemicals, Plastics and Synthetic Fibers (OCPSF); Petroleum Refining; and Pesticide Chemical manufacturing facilities. EPA estimates that there are 420 facilities in these categories. EPA further estimates that 4 percent of these facilities will request that the POTW assess flow variability; each assessment will require a POTW 8 burden hours to complete. These estimates are carried forward from the assumptions in the recalculation of the entire pretreatment program, which was done as part of the Pretreatment Streamlining ICR (EPA ICR No. 0002.12) and is explained at the beginning of this section.

Evaluation of SIUs for Slug Control Plan

The final regulatory changes eliminate the requirement that POTWs evaluate the need for a slug control plan for each SIU every 2 years. POTWs may now review the need for slug control plans as part of their ongoing oversight of IUs. Therefore, EPA estimates no burden for this requirement.

Public Notification of Significant Noncompliance

EPA expects POTWs to require 3 hours for public notification activities. EPA assumes that one-third of POTWs with pretreatment programs will have SIUs in SNC in a given year.

Evaluation of the Need to Revise Local Limits

EPA assumes in this ICR that all pretreatment programs will reevaluate the need to develop local limits once every 5 years. EPA estimates that POTWs will require 50 hours to complete this activity.

SIU Notification of Applicable Standards and Regulations

At the time of promulgation of this ICR, EPA has not promulgated any new categorical standards. EPA is in the process of developing new categorical standards that may be in effect during the 3-year life of this ICR. At this time, it is not possible to assess the expected impacts of the new standards. Therefore, EPA will develop revised burden estimates once these new standards are finalized.

Program/Categorical Determination

Removal Credit Approval Requests

Based on input from EPA Regional Offices, the Agency estimates three respondents per year. EPA further estimates that a POTW will require 125 hours to prepare and submit each request.

Removal Credit Self-Monitoring Reports

EPA estimates 25 respondents per year based on the number of POTWs with approved removal credit variances as reported by EPA Regional Offices. EPA assumes that a POTW will require 40 hours per report.

POTWs as Users of the Data

Most of the IU respondents described below and in Table A.3 generate reports, information, or data that CAs must receive, review, and store. Table C.7 in Appendix C calculates the burden to POTWs as users of these data. As CAs, POTWs are responsible for receiving and reviewing 88.8 percent of all reports, certifications, and data submitted by SIUs. EPA has, therefore, apportioned the review burden for reports or data submitted by SIUs to POTWs (as CAs). The numbers of respondents and responses are linked directly to the corresponding activities. Table A.2 shows the total POTW review burden associated with each activity.

Recordkeeping

Maintenance of Monitoring Records

EPA expects each pretreatment POTW to spend 100 hours per year maintaining SIU monitoring records. Changes in the pretreatment regulations due to the Streamlining Rule means that POTWs will have to maintain records for IUs regulated under general control mechanisms, as well as IUs' initial samples to demonstrate pollutants neither present nor expected to be present. Because POTWs already maintain records on IUs under individual permits and IU sampling records, EPA has not estimated any additional recordkeeping burden for POTWs as a result of the Streamlining Rule.

A.1.3. Burden to Industrial Users

Table A.3 (at the end of this section) shows the estimated annual burden hours for each type of information collected, and Appendix C details these burden calculations. The bases for the burden estimates are detailed below.

Program Development

EPA assumes no IU reporting and recordkeeping burden program development.

Program Implementation

The program implementation burden estimates for IUs were calculated per activity, as detailed below.

Baseline Monitoring Report

For new sources, EPA assumes a 2 percent gross annual growth in the number of CIUs. EPA does anticipate the promulgation of a new effluent guidelines for indirect dischargers in the Dental Category and in the Unconventional Oil & Gas Drilling Categories. However, the reporting burden for these categories will be included in separate ICRs specific to those rulemaking efforts. EPA does not anticipate the promulgation of other new effluent guidelines for indirect dischargers which would result in additional associated BMR requirements.

EPA assumes 14.3 hours for new source CIUs conducting baseline monitoring analysis and 28 burden hours for preparing a Baseline Monitoring Report.

IU Compliance Schedule Progress Report

For new sources, EPA assumes a 2 percent gross annual growth in the number of CIUs. In the recalculation of the entire pretreatment program, done as part of the Pretreatment Streamlining ICR (EPA ICR No. 0002.12) and explained in section 1, EPA estimated that 25 percent of new sources or facilities subject to new effluent guidelines would need to complete compliance schedules. The Agency further assumed an IU would require 4 hours to prepare each compliance schedule progress report. EPA is carrying forward these assumptions for this ICR.

IU Compliance Attainment Report

CIUs must complete a compliance attainment report within 90 days following the date for final compliance with a categorical pretreatment standard. New source CIUs must provide such a report within 90 days of commencing discharge of the categorically regulated wastestream to the POTW. EPA has annualized the burden for new sources over the 3-year ICR period. EPA estimates that CIUs will require 20 hours to prepare the compliance attainment reports and 14.3 hours to conduct the associated analyses.

IU Resampling Compliance Report

All IUs are required to notify the CA immediately of all discharges that could potentially cause problems for the POTW. IUs are further required to notify the CA and resample following a violation. EPA assumes that 10 percent of all IUs will need to resample every year. The 1,500 IUs with PFPR P2 certification are not included in the estimate because the resampling requirements do not apply to these facilities. EPA assumes that an IU will require 4 hours for sampling, 12 hours for analysis, and 1 hour for reporting each year.

IU Self-Monitoring Compliance Report

Under the Streamlining Rule, NSCIUs are not required to conduct periodic self-monitoring; instead, they are required to submit annual certifications. (This ICR assumes that sampling and analysis is required once every 5 years to complete this certification.) In addition, certain middle tier CIUs will monitor and report once a year instead of twice a year. These assumptions are carried forward from the Pretreatment Streamlining ICR.

The Streamlining Rule ICR assumed that a CIU will require 11.6 hours and a non-categorical SIU will require 9.5 hours to complete the report twice per year. EPA has excluded PFPR facilities opting for the P2 option from the estimate because these facilities have no monitoring requirements.

Pollution Prevention Plans

This ICR assumes that all PFPR facilities (1,500 facilities) will opt for the P2 alternative and that all 1,500 facilities have already prepared and submitted an initial certification for the P2 alternative. Consistent with the assumptions in the preamble for the PFPR rule (61 FR 57541), this ICR assumes that 10 percent of the facilities that are implementing a P2 alternative plan will submit modifications to P2 plans. The burden for the periodic certification requirements is discussed below under “Periodic Certifications.”

Minimum Monitoring Requirements for Indirect Discharging Mills in the Bleached Papergrade Kraft and Soda Subcategory and the Papergrade Sulfite Subcategory of the Pulp, Paper, and Paperboard Point Source Category

EPA estimates that 10 facilities would be subject to these requirements. EPA estimates that the burden to respondents associated with collecting, reporting and maintaining records of monitoring data is 826 hours.

Pollution Prevention Compliance Alternative; Transportation Equipment Cleaning Point Source Category.

EPA estimates that 84 facilities would be subject to these requirements.

Best Management Practices for the Bleached Papergrade Kraft and Soda Subcategory and the Papergrade Sulfite Subcategory of the Pulp, Paper and Paperboard Point Source Category

EPA estimates that 10 facilities would be subject to these requirements.

Request for Coverage Under a General Control Mechanism

This ICR assumes that 2 percent of all SIUs will be covered under a general control mechanism. EPA estimates that an IU will require 0.5 hour to complete each request.

Periodic Certifications

Below is a summary of assumptions about the universe of indirect dischargers with certification potential (the number of facilities covered by the relevant part or subpart(s) of 40 CFR, Chapter I, Subchapter N). EPA assumes in this ICR that periodic certifications require CIUs 1 hour to complete, which is consistent with the *Information Collection Request for the NPDES/ Compliance Assessment/ Certification Information* (OMB No. 2040-0110, EPA ICR No. 1427.07). Assumptions regarding the percentage of facilities that will undertake certifications activities are summarized below. Except where noted, these assumptions are also consistent with the *Information Collection Request for the NPDES/ Compliance Assessment/ Certification Information.* Assumptions regarding the number of responses per year are also explained below. EPA developed these estimates for a previous ICR and did not attempt to recalculate the numbers as there is no readily available source or indication that these assumptions are incorrect or require revision.

- *Aluminum Forming Point Source Category (Part 467)*. The estimated number of indirect dischargers in the Aluminum Forming Point Source Category (72 facilities) is from the *Development Document for Effluent Limitations Guidelines and Standards for the Aluminum Forming: Point Source Category* (EPA 440184073, June 1984). EPA estimates that approximately 75 percent of these 72 aluminum forming facilities will choose to submit an annual certification requesting an exemption from cyanide monitoring.
- *Canmaking (Part 465, Subpart D)*. Canmaking facilities covered by Part 465, Subpart D, are required to submit a one-time notification if the alloy used in making cans contains less than 1 percent manganese. For indirect dischargers, EPA expects few (if

any) such notifications in the future. As a conservative estimate, this ICR assumes one such notification during the next 3 years.

- *Centralized Waste Treatment Point Source Category (Part 437)*. The preamble to the final Central Waste Treatment Rule indicates that 37 facilities "accept wastes from multiple subcategories and could be subject to the multiple wastestream subcategory" (65 FR 81267). Based on data in the development document for the final rule, approximately 91.5 percent of CWT facilities are indirect dischargers (pp. 4–6). In this ICR, EPA applies the overall percentage of indirect dischargers to the total number of dischargers that accept wastes from multiple subcategories to arrive at 34 indirect discharger that accept waste from multiple subcategories (37 * 91.5% = 34). EPA also assumes that 34 respondents complete initial certification statements for coverage under Part 437, Subpart D. Each of these 34 facilities must submit an annual certification. (This burden was discussed in the 2003 Pretreatment Program ICR, but it is repeated here for completeness.)
- *Coil Coating Point Source Category (Part 465)*. The estimated number of indirect dischargers in the Coil Coating Point Source Categories (41 facilities) is from the *Technical Support Document for the 2004 Effluent Guidelines Program Plan* (EPA-821-R-04-014, August 2004) ("the TSD").[4] EPA estimates that approximately 75 percent of these 41 coil coating facilities will choose to submit an annual certification requesting an exemption from cyanide monitoring. This information collection item does not apply to canmaking facilities (Part 465, Subpart D) because they are not required to monitor for cyanide.
- *Electrical and Electronic Components (Part 469)*. The number of indirect dischargers in the Electrical and Electronic Components Point Source Category (91 facilities) is also from the August 2004 TSD, which in turn uses Toxics Release Inventory (TRI) data. EPA estimates that approximately 50 percent of these 91 electrical and electronic components facilities will choose to submit a total toxic organic (TTO) certification in lieu of TTO monitoring. Certifications must be submitted twice a year.
- *Electroplating Point Source Category (Part 413)* and *Metal Finishing Point Source Category*. The estimated number of indirect dischargers in the Electroplating and Metal Finishing Point Source Categories (7,644 total) is from data compiled by EPA's Office of Science and Technology (OST) during the development of the Metal Products and Machinery (MP&M) rule. The categories are combined because the facilities' operations are similar. EPA estimates that approximately 75 percent of these 7,644 electroplating and metal finishing facilities will choose to submit a TTO certification semiannually in lieu of TTO monitoring. This assumption is consistent with the assumptions associated with the Metal Finishing category.

[4] The TSD estimates the number of indirect dischargers based on data from the TRI. There are limitations associated with these TRI data. Because neither small establishments (fewer than 10 employees) nor facilities that do not meet the reporting thresholds are required to report, facilities reporting to TRI might be a very small subset of an industry. Also, because facilities are identified by SIC code, not by point source category, it might be difficult or impossible to identify the point source category that is the source of the toxic wastewater releases for some SIC codes. For example, coil coating is an operation that is part of canmaking (3411, metal cans). Some of these facilities have coil coating operations, but they cannot be identified from the data in TRI.

- *Pesticide Chemicals (Part 455)*. The estimated number of indirect dischargers covered by PFPR regulations (1,500 facilities) is from the preamble to the PFPR rule (61 FR 57541). Consistent with that preamble, EPA assumes in this ICR that all 1,500 indirect dischargers in the PFPR category will opt for the P2 alternative and that all 1,500 facilities will submit two certifications per year. These assumptions are consistent with the 1996, 2000, and 2005 pretreatment program ICRs and with the preamble to the PFPR rule (61 FR 57541). For consistency with the *Information Collection Request for the NPDES/ Compliance Assessment/ Certification Information*, EPA assumes that certifications will require IUs 1 hour each.
- *Pharmaceutical Manufacturing Point Source Category (Part 439)*. The estimated number of facilities (286) subject to guidelines for the Pharmaceutical Manufacturing Point Source Category is based on data gathered by OST during the development of the 1998 final rule. EPA estimates, on the basis of data in effluent guideline development documents, that approximately 40 percent of the pharmaceutical facilities are in a subcategory that potentially uses cyanide. Of these, EPA estimates that 75 percent will choose to submit a certification once every permit cycle (once every 5 years).
- *Porcelain Enameling Point Source Category (Part 466).* The estimated number of indirect dischargers in the Porcelain Enameling Category (146) is from data collected by OST during development of the TSD but not included in the final TSD. The estimate includes TRI data from facilities with SIC codes 3431, 3469, 3479, 3631, 3633, 3632, and 3639, each of which reported transfers of TRI chemicals to POTWs in 2000. Although this number represents EPA's best estimate, the Agency is uncertain about the fit between these SIC codes and indirect dischargers covered in the Porcelain Enameling Category because operations in these SIC codes could be covered by the Metal Finishing Category. EPA estimates that 50 percent of these 146 porcelain enameling facilities will choose to submit an annual certification requesting an exemption from chromium monitoring
- *Pulp, Paper, and Paperboard Source Category (Part 430)*. To estimate the universe of potentially affected facilities, EPA has used estimates in this ICR from the *Supplemental Technical Development Document for Effluent Limitations Guidelines and Standards for the Pulp, Paper, and Paperboard Category: Subpart B (Bleached Papergrade Kraft and Soda) and Subpart E (Papergrade Sulfite)* and from EPA's *Guidance Manual for Pulp, Paper and Paperboard and Builders' Paper and Board Mills Pretreatment Standards* (September 21, 1984). EPA estimates that 119 of the Pulp, Paper, and Paperboard Category not including Subpart B (Bleached Papergrade Kraft and Soda) and Subpart E (Papergrade Sulfite) will choose to submit an annual certification requesting an exemption Based on EPA ICR No. 2015.02, OMB Control Number 2040-0242, EPA estimated that six Subpart B (Bleached Papergrade Kraft and Soda) facilities would certify.

- *Steam Electric Power Generating Point Source Category (Part 423)*. The estimated number of facilities in the Steam Electric Power Generating Point Source Category is from the *Development Document for Effluent Limitations Guidelines and Standards and Pretreatment Standards for the Steam Electric Point Source Category* (November 1982). EPA estimates that approximately 75 percent of these 117 facilities will choose to provide an annual demonstration and provide a certification requesting an exemption from monitoring requirements for priority pollutants other than chromium and zinc.

IU Slug Load Notification

In this ICR, EPA assumes that 100 SIUs per year will be required to provide a slug load notification. EPA estimates the average burden per CIU response to be 2 hours. The Agency further estimates that an additional 450 non-categorical SIUs per year will be required to provide a slug load notification. EPA estimates the average burden per SIU response to be 0.25 hour.

Notification of Changed Discharge

EPA assumes that 1,000 IUs per year will provide notification of a changed discharge. EPA estimates that this notification will require 4 burden hours.

Bypass Notification

In this ICR, EPA carries forward from the previous ICR the assumption that 1,427 SIUs per year will report bypasses and that CAs will require 75 percent of these SIUs (1,070 SIUs) to conduct follow-up activities. EPA assumes IUs will require 5 hours for bypass notification and 2 hours for follow-up activities.

Notification of Changed Monitoring Location

For this ICR, EPA estimates that 50 SIUs will provide notification of a changed monitoring location per year. EPA estimates the SIUs will require 1 hour to provide notification.

Slug Control Plan

EPA estimates that 10 percent of all new CIUs will need to develop a slug control plan. EPA based the number of new CIUs on an assumed growth rate of 2 percent for existing CIUs and to account for any facilities that will be covered under new categorical standards. While new categorical standards are anticipated during this ICR cycle, the expected impacts of the new standards cannot be specifically assessed at this time. EPA also estimates that 5 percent of all new non-categorical SIUs will need to develop a slug control plan. The Agency estimates that this activity will require 2 hours per SIU

Program/Categorical Determination

Categorical Determination Request

The deadline for a categorical determination request has passed for all existing effluent guidelines. While new categorical standards are anticipated during this ICR cycle, the expected impacts of the new standards cannot be specifically assessed at this time Therefore, no estimate for formal categorical determination requests are included for this 3-year ICR period. A New Source must request this certification prior to commencing

discharge.

Alternative Limits Modification Request

In this ICR, EPA assumes that 10 percent of all new CIUs will request alternative limits (i.e., use the combined wastestream formula). EPA estimates that an IU will require 2 hours to complete a request.

Fundamentally Different Factors Variance Request

FDF variance requests must be submitted within 180 days following publication of a new effluent guideline. EPA knows of no pending FDF variance requests associated with recently promulgated guidelines. While new categorical standards are anticipated during this ICR cycle, the expected impacts of the new standards cannot be specifically assessed at this time, no estimate for FDF variance requests are included. In addition, no new dischargers under existing guidelines are anticipated because facilities are required to submit requests no later than 180 days after promulgation of the categorical pretreatment standard.

Net/Gross Adjustment Request

Based on information provided by EPA Regional Pretreatment Coordinators, EPA estimates that two net/gross adjustment requests will be submitted each year. The Agency further estimates that IUs will require 50 hours per request.

Recordkeeping

Maintain Monitoring Records

All SIUs must maintain monitoring records. EPA estimates that SIUs will require 2 hours per year to maintain pretreatment records. Also, IUs with general control mechanisms have to maintain associated records. CIUs that request a variance for pollutants neither present nor expected to be present also have to maintain sampling and reporting records. Because IUs already maintain individual permit and sampling records, EPA estimates no additional SIU reporting and recordkeeping burden.

A.2. Respondent Costs

A.2.1. Cost to States

Table A.1 shows that the annual costs to states are approximately $5.6 million. The labor costs, which account for all state costs, are based on an hourly rate of $43.56 from the U.S. Department of Labor, Bureau of Labor Statistics, Employer Costs for Employee Compensation, Table 3: Employer costs per hour worked for employee compensation and costs as a percent of total compensation: State and local government workers, by major occupational and industry group, September 2014.

Table A.1. Average Annual State Burden and Costs

Activity	Annual Burden Hours	Annual Cost ($K)			Responses
		Capital and O&M Cost	Labor Cost	Total Cost	
Program development	100	$0	$4.4	$4.4	0.3
Program implementation	49,559	$0	$2,159	$2,159	2,346
Program/categorical determination	0	$0	$0	$0	0
States as users of data	67,875	$0	$2,957	$2,957	NA
Recordkeeping	11,240	$0	$490	$490	NA
Total	128,774	$0	$5,609	$5,609	2,347

NOTE: Detail may not add due to independent rounding. Costs in thousands of dollars.

A.2.2. Cost to POTWs

Table A.2 shows that the annual costs to POTWs are approximately $34.1 million. The average hourly rate for municipal employees, which account for all POTW costs, as determined by the U.S. Department of Labor, Bureau of Labor Statistics, is $40.76 (including 50% overhead). Updated rates are derived from the U.S. Department of Labor, Bureau of Labor Statistics, in a table entitled *May 2013 National Industry-Specific Occupational Employment and Wage Estimates* and adjusted to September 2014 dollars using the ECI.

Table A.2 Average Annual POTW Burden and Costs

Activity	Annual Burden Hours	Annual Cost ($K)			Responses
		Capital and O&M Cost	Labor Cost	Total Cost	
Program development	2,357	$0	$96	$96	145
Program implementation	598,825	$0	$24,408	$24,408	26,611
Program/categorical determination	1,375	$0	$56	$56	28
POTWs as users of data	75,883	$0	$3,093	$3,093	NA
Recordkeeping	157,600	$0	$6,424	$6,424	NA
Total	836,040	$0	$34,077	$34,077	26,783

NOTE: Detail may not add due to independent rounding. Costs in thousands of dollars.

A.2.3. Cost to Industrial Users

Table A.3 shows the total costs for IUs over the 3-year ICR period. Annual costs are approximately $44 million, comprised of labor and capital and O&M cost. Table C.4 in Appendix C presents the detailed calculations.

Labor costs are based on the number of burden hours times the average hourly wage rate, including overhead. For all IU activities, EPA used the hourly rate of $53.56 based on the rate for U.S. Department of Labor, Bureau of Labor Statistics, Total Compensation for Management, professional, and related category from *Employer Costs for Employee Compensation, Table 5-Employer costs per hour worked for employee compensation and costs as a percent of total*

compensation: Private industry, by major occupational group and bargaining status, September 2014.

Capital and O&M costs are incurred by IUs that receive mass limits as an alternative to concentration based standards.

Table A.3. Average Annual Industrial User Burden and Costs

Activity	Annual Burden Hours	Annual Cost ($k)			Responses
		Capital and O&M Cost	Labor Cost	Total Cost	
Program development	0	$0	$0	$0	0
Program implementation	735,175	$2,515	$39,376	$41,891	66,310
Program/categorical determination	139	$0	$7	$7	22
IUs as users of data	0	$0	$0	$0	NA
Recordkeeping	44,278	$0	$2,372	$2,372	NA
Total	779,592	$2,515	$41,755	$44,270	66,332

NOTE: Detail may not add due to independent rounding. Costs in thousands of dollars.

Appendix B – Assumptions for Developing Burden and Cost Estimates

The table below summarizes the assumptions and input values used to calculate burden. These assumptions are based upon previous ICR estimates plus adjustments to the number of SIUs and pretreatment programs that resulted from extensive consultation with the States and EPA Regions.

Pretreatment Program Data	**Numbers**	**Basis**
Total Number of SIUs	22,139	A
Number of CIUs	9,541	A
Number of noncategorical-SIUs	12,598	A
Number of Zero-Discharge NSCIUs	548	B
Number of CIUs that Discharge > 0 and < 100 gpd	883	B
Number of Non-Zero-Discharge NSCIUs	256	B
Number of NSCIUs	804	B
Number of Middle Tier CIUs	2,862	B
Number of Middle Tier CIUs that reduce monitoring	830	B
Number of State Run POTW Pretreatment Programs in 40 CFR §403.10(e) States	85	A
Total Number of Approved Programs	1,576	A
Number of 40 CFR §403.10(e) States	5	A
Number of States with approved Pretreatment Programs	36	A
Number of SIUs with POTWs as Control Authority	19,652	A
Percentage of SIUs with POTWs as Control Authority	88.8%	A
Number of SIUs with State/EPA as Control Authority	2,487	A
Percentage of SIUs with State as Control Authority	8.5%	A
Percentage of SIUs with EPA as Control Authority	2.7%	A
Percentage of SIUs Resampling (for violations)	10%	A
Hourly Rate for federal employees (50% Overhead (OH))	42.40	C
Hourly Rate for State employees (50% OH)	43.56	C
Hourly Rate for POTW employees (50% OH)	40.76	C
Hourly Rate for Private Industry employees (100% OH)	53.56	C
Number of New Source CIUs	195	B
Number of POTWs with EPA as Approval Authority	405	A
Percentage of POTWs with EPA as Approval Authority	25.7%	A
Number of POTWs with State as Approval Authority	1,171	A
Percentage of POTWs with State as Approval Authority	74.3%	A
Number of POTWs projected to develop a pretreatment program during the three-year ICR period	20	D
Removal Credit Approval Requests	3	E
Percentage of CIUs that are < 100 (including zero)	15.0%	E
Of which, percent that are zero dischargers	38.3%	E

Percentage of CIUs in the middle tier	30.0%	E
Percentage of middle tier that will reduce monitoring	29.0%	E

Basis Codes:

A: Based on consultation with States and EPA Regions

B: Based on A (consultation) combined with assumed factors.

C: Described in supporting statement

D: Revised EPA estimate

E: Assumed factors/values from previous ICR

Appendix C – Detailed Results of Respondent Burden and Cost Analysis for the Information Collection Requirements of the National Pretreatment Program

(See Tables C.1 through C.8 in attached PDF document)

Appendix D - Copy of Regulation Authorizing Data Collection and Federal Register Notice

D.1 Pretreatment Streamlining Rule

(See attached PDF document)

D.2 ICR Federal Register Notice

(See attached PDF document)