

**ICR Supporting Statement
Information Collection Request for
National Pollutant Discharge Elimination
System (NPDES) Program (Renewal)**

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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

1.1 Short Characterization/Abstract

This Information Collection Request (ICR) renews Office of Management and Budget (OMB) Number 2040-0004 National Pollutant Discharge Elimination System (NPDES) Program ICR.

This consolidated ICR calculates the burden and costs associated with the NPDES program, identifies the types of activities regulated under the NPDES program, describes the roles and responsibilities of state governments and the Agency, and presents the program areas that address the various types of regulated activities. It is an update of the 2011 Information Collection Request for the NPDES Program (OMB Control Number: 2040-0004; EPA ICR Number: 0229.20) that consolidated the burden and costs associated with activities previously reported in ten of the 15 NPDES program or NPDES-related ICRs administered by EPA's Water Permits Division. This renewal includes the addition of the burden and costs for the Airport Deicing Category previously contained in a separate ICR.

The objective of the Clean Water Act (CWA) is to restore and maintain the chemical, physical, and biological integrity of the nation's waters (CWA section 101). The NPDES program, established under CWA section 402, is an important tool for controlling pollutant discharges. The CWA authorizes the Agency to issue permits for the discharge of pollutants to waters of the United States. The Agency regulates point source discharges of pollutants to waters of the United States under its NPDES program. CWA section 402(b) allows states (defined to include Indian tribes and U.S. territories) to acquire authority for the NPDES program. This authority enables them to issue and administer NPDES permits. At present, 46 NPDES-authorized states and the U.S. Virgin Islands have NPDES permit program authority, but only eight states have received authorization to manage the Biosolids (Sludge) Program. In states that do not have authority for these programs, the Agency issues and administers NPDES permits. Because some permit applications are processed by states and some by EPA, this ICR calculates government burden and costs for both states and EPA. See Appendix E.1 for a copy of the authorizing regulation.

1.2 Need/Authority for the Collection

The purpose of the Clean Water Act (CWA) is "to restore and maintain the chemical, physical and biological integrity of the nation's waters" [section 101(a)]. CWA section 402(a) establishes the NPDES program to regulate the discharge of any pollutant from point sources¹ into waters of

¹ EPA defines a point source as, "any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, CAFO, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not

the United States. Section 402(a) of the CWA, as amended, authorizes the EPA Administrator to issue permits for the discharge of pollutants if those discharges meet the following requirements:

- All applicable requirements of CWA sections 301, 302, 306, 307, 308, and 403; or
- Any conditions the Administrator determines are necessary to carry out the provisions and objectives of the CWA.

The primary mechanism to ensure that the permits are adequately protective of those requirements is the permit application process. In particular, CWA section 402(a)(2) requires EPA to prescribe permit conditions to assure compliance with requirements “including conditions on data and information collection, reporting and such other requirements as [the Administrator] deemed appropriate.” EPA’s application forms require applicants to submit data that help determine what those conditions should be.

The CWA also establishes an administrative framework for the NPDES permitting program. CWA section 402(b) authorizes states (which include U.S. territories and Indian tribes that have been authorized in the same manner as a state) to administer the NPDES program once EPA is assured that they meet minimum federal requirements. Authorizations vary by program. Table 1.1 summarizes the number of states authorized for each major program element. Authorized states are considered permitting authorities and are responsible for issuing, administering, and enforcing permits for most point source discharges within their borders. In states without an authorized NPDES program, EPA is the permitting authority and undertakes all permitting activities, although CWA section 401 requires states to certify that EPA-issued NPDES permits establish “effluent limitations, and monitoring requirements necessary to assure that any applicant...will comply with any applicable effluent limitations and other limitations (pursuant to the CWA) and with any other appropriate requirement of state law...” states, tribes, and U.S. territories may waive their right to certify permits if they wish. CWA section 510 provides that states, tribes, and territories may adopt requirements equal to or more stringent than standards established pursuant to CWA provisions.

Table 1.1 States with program authorization as of May 2015

Type	Number
NPDES Base Permit Program	47*
General Permits Program	47*
Biosolids Program	8
Federal Facilities	43

* includes the U.S. Virgin Islands

CWA section 405 prohibits the discharge of pollutants caused by the disposal of sewage sludge except in accordance with an NPDES permit (or an authorized state permit issued to control such disposal of sewage sludge). In addition, this section establishes a comprehensive sewage sludge permitting program and requires EPA to develop technical criteria for controlling sewage sludge disposal and use. CWA section 405 allows states with sludge management authority to issue and modify permits that regulate the use and disposal of sewage sludge. EPA implements CWA section 405 through its NPDES Biosolids Program.

include return flows from irrigated agriculture or agricultural stormwater runoff” (40 CFR 122.2).

The 1987 Water Quality Act (WQA) added a provision to the CWA [section 402(p)] that directed EPA to establish final regulations governing stormwater discharges under the NPDES program. EPA considers stormwater requirements as part of the NPDES Permit Program and as such, included them in this consolidated ICR. The NPDES program requires permits for stormwater discharges from certain municipal separate storm sewer systems (MS4s), industrial activities, and construction activities disturbing one acre or more. CWA section 402(p) establishes the authority for EPA to permit stormwater discharges and identifies the applicable requirements, which in some instances are different from the requirements applicable to other NPDES permittees.

The NPDES program procedures and requirements are codified in Title 40 of the *Code of Federal Regulations* (CFR) Parts 122, 123, 124, and 125 (and Parts 501 and 503 for Biosolids). Regulations governing permit requirements for NPDES discharges and sewage sludge management activities are contained in 40 CFR Parts 122, and 501, and 503, respectively. EPA has developed its NPDES discharge and sewage sludge application requirements to ensure that it obtains adequate information about applicants before it issues permits. Most application requirements are contained in forms developed by EPA. Table 2.1 in the next section provides an overview of the types of respondents required to submit NPDES application forms and identifies the form(s) that they must submit.

The specific monitoring, reporting, and record-keeping requirements for NPDES and biosolids permits are applicable to both EPA- and state-administered NPDES permit programs, NPDES permittees (including stormwater), and treatment works that treat, use, or dispose of sewage sludge. CWA section 308 provides EPA with the authority to request this type of information from permittees. While these provisions establish EPA's authority and requirement to collect pollutant information, EPA has specific needs for collecting the data. These needs include the following:

- To provide information on pollutant discharge trends;
- To provide information to permitting authorities to prioritize permit activities;
- To determine whether permittees are in compliance with their permit conditions; and
- To provide information to the permit writer to determine the need for permit limits.

Permit modification and variance provisions are found in CWA sections 301(c), (g), (h), (k), (n); 302(b); and 316(a). Additionally, 40 CFR 122.21, 122.24, 122.41, 122.42, 122.47, 122.62, 122.63, 122.64, 124.5, 125.3, and 501.15 give states with NPDES or sewage sludge management program authority and EPA the flexibility to respond quickly and efficiently to the dynamic nature of facility operation, technology advancements, and regulatory changes.

Effluent limitations guidelines and standards are national wastewater limitations that apply to specific categories of industrial dischargers. The regulations are promulgated by EPA under the authority of CWA sections 301, 304, 306, and 307 and implemented through NPDES permits. In some instances, EPA establishes requirements for permittees to provide certification to the permitting authority or develop pollution prevention plans to demonstrate compliance with

certain aspects of the effluent limitations guidelines and standards, often in lieu of monitoring for one or more pollutants. This ICR also integrates those certifications and planning documents.

CWA section 402(q) requires that permits, orders, and decrees that include discharges from combined sewer systems conform to the 1994 Combined Sewer Overflow Control Policy (59 *Federal Register* [FR] 18,688, April 19, 1994). The information collection activities described in this ICR provide the minimum data necessary for EPA to ensure that all municipalities with combined sewer systems are (1) developing and implementing combined sewer overflow (CSO) control programs that are consistent with the CSO Control Policy, and (2) that these CSO control programs will meet the requirements of the CWA and will achieve compliance with applicable state water quality standards (WQS).

On November 16, 1990, Congress enacted the Great Lakes Critical Programs Act (CPA). Section 101 of the CPA amends Section 118 of the CWA and directs EPA to publish water quality guidance for the Great Lakes System. Provisions of the Guidance are codified in 40 CFR Part 132. The Guidance establishes minimum water quality criteria, implementation procedures, and antidegradation provisions for the Great Lakes System.

In 2008, in response to a court order removing a regulatory exclusion, EPA issued (and has subsequently reissued) the NPDES Vessel General Permit (VGP) covering discharges incidental to the normal operation of a vessel when operating in a capacity as a means of transportation (“incidental discharges”). Specifically, the VGP is available for (1) incidental discharges from vessels greater than 79 feet in length, and (2) ballast water discharges from vessels of any size. The VGP defines effluent limits for multiple discharge categories and specifies certain practices for various vessel categories.

The types of vessels eligible for coverage under the VGP include, but are not limited to: cruise ships; ferries; barges; oil, petroleum, and chemical tankers; bulk carriers, container ships, and other cargo ships; refrigerant ships; research vessels; commercial fishing vessels; and emergency response vessels.

In 2014, EPA issued the small Vessel General Permit (sVGP) in anticipation of a requirement for non-military, non-recreational vessels less than 79 feet to obtain NPDES permit coverage for incidental discharges; however, Congress enacted legislation that extended the incidental discharge permitting moratorium (except for ballast water) for these smaller vessels and for commercial fishing vessels until December 2017. As such, the sVGP currently is only applicable to the control of ballast water from vessels less than 79 feet that were previously able to be covered under the VGP. These vessels now have the option of being covered under either the VGP or sVGP for their ballast water discharges. While EPA is including the activities and burden estimates for the sVGP in this ICR, EPA is assuming that vessels will not begin coverage under the sVGP until December 2017. At that point in time, small vessels and commercial fishing vessels will be required to obtain permit coverage for all their incidental discharges, not just for ballast water, and EPA expects vessels eligible for coverage under that permit will choose to do so rather than the more burdensome VGP. EPA acknowledges that some vessels less than 79 feet and covered under the VGP for ballast water discharges, may opt to terminate coverage under the VGP prior to December 2017 and obtain coverage instead under the sVGP.

The burden associated with the Airport Deicing Category previously contained in a separate ICR (OMB Control No. 2040-0285, EPA ICR No. 2326.03, March 11, 2011) is being incorporated into this ICR. In 2012, EPA promulgated wastewater regulations (effluent guidelines and standards or ELGs) for airports that conduct deicing operations. Aircraft are deiced by the spraying of chemicals called aircraft deicing fluids (ADF), which contain pollutants. Airports also apply airfield pavement deicing chemicals to runways, taxiways and ramps. The rule requires airports to either certify that they are not using deicers containing urea for airfield pavement deicing operations or to monitor their effluent and provide monitoring reports once a year. 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.

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

This ICR includes information used primarily by permitting authorities, permittees, and EPA. It is anticipated that other government agencies, both at the state and federal level, as well as public interest groups, private companies, and individuals will also use the data. Much of these data must be submitted to permitting authorities, while other information must be maintained on-site by the permittee. The information collection provisions associated with the NPDES program - described in Section 1 include the following:

- Activities directly related to individual permit applications or notices of intent (NOIs) for coverage under general permits;
- Activities associated with plan development or special studies;
- Monitoring;
- Reporting, including certification;
- Record-keeping;
- Activities resulting from compliance assessments or enforcement actions; and
- Activities resulting from NPDES program authorization, including approval, modifications, transfer or withdrawal of authorization.

Although different permittees submit widely differing information, this information can be categorized into two sets: identification information and information related to the facility's discharges or practices.

Permitting authorities collect and use identification information such as the name, location, and description of facilities to uniquely identify each applicant seeking individual or general permit coverage and to establish a contact person. This information varies in detail and scope according to the type of respondent. Because discharges vary in complexity and character, and because discharges and activities from related industry groups or treatment works are often similar, EPA has developed several different NPDES application forms. Table 2.1 lists the application forms and other application requirements and the respondents to the request.

Table 2.1 Application forms and information requests

Form/Request	Respondent type
Form 1	Nonmunicipal NPDES applicants not covered under form 2B
Form 2A	All POTWs
Additional NPDES Application Requirements for Municipal Dischargers (Section 308 Request)	Municipal facilities (i.e., POTWs)
Form 2B	CAFO Applications and CAAP facilities (not covered under this ICR)
Form 2C	Existing manufacturing, commercial, mining, and silvicultural operations that discharge process wastewater
Form 2D	New manufacturing and commercial facilities that discharge process wastewater
Additional NPDES Application Requirements for Nonmunicipal Dischargers (Section 308 Requests)	Nonmunicipal facilities
Form 2E	New or existing nonmunicipal facilities that discharge non-process wastewater
Form 2F	Industrial stormwater dischargers applying for an individual permit
Form 2S	POTWs and other treatment works treating domestic sewage (TWTDS) (covers sludge)
NOI-Industrial Activity (NOI-Stormwater)	Industrial stormwater dischargers applying for a Multi-Sector General Permit (MSGP)
Application for Transportation and Utility Systems and Facilities On Federal Lands (Alaskan Lands Application)	Builders and operators of transportation and utility projects on Alaskan public lands (substitutes for Forms 1, 2B, and 2C)
Application for Phase I MS4s	Phase I MS4s
Petitions for Individual Permit	Small MS4 operators or any person
NOI	Municipal, nonmunicipal, and sewage sludge management facilities applying for general permit coverage, Vessels applying under the VGP and sVGP
Permit Consolidation Request	Facilities with multiple permits
Notification of Construction	Facilities classified as new sources
Ocean Discharge Information	Ocean dischargers
Notice of Termination (NOT)	General permittees (stormwater) and industrial stormwater dischargers, Vessels under the VGP and sVGP
No Exposure Certification	Industrial stormwater dischargers

Form/Request		Respondent type
Low Erosivity Waiver Certification		General permittees (stormwater)
Annual Report		Vessels under the VGP
Permit Authorization and Record of Inspection (PARI)		Vessels under the VGP and sVGP
Annual Noncompliance Form		Vessels under the sVGP

Historically, EPA and authorized states store basic permit information in EPA’s Permit Compliance System (PCS) and the Integrated Compliance Information System (ICIS-NPDES) database. Recently EPA has completed the transition from PCS to ICIS and now uses ICIS exclusively for tracking permits. ICIS-NPDES is used to track permit limits, permit expiration dates, monitoring data, enforcement and compliance data, and other data and to provide EPA with a nationwide inventory of permit holders. EPA and most states store basic information for stormwater permittees in databases separate from ICIS-NPDES. EPA uses this information to develop reports on permit issuance, backlog, and compliance rates. EPA also uses the information to respond to public and congressional inquiries, develop and guide its policies, support enforcement action, formulate its budgets, and manage its programs to ensure national consistency in permitting. For the most part, states and territories are authorized to implement the NPDES permitting program, manage and use the data in a similar fashion to EPA and, as a result, incur similar types of burdens.

To meet its obligations under the CWA, National Historic Preservation Act (NHPA), and Endangered Species Act (ESA), and to promote those acts’ goals, EPA must ensure that discharges covered under EPA-issued NPDES permits are protective of historic properties, endangered and threatened species, and critical habitat. These applicants are required to assess the effects of their stormwater discharges on historic properties, federally listed endangered and threatened species, and designated critical habitat. Information from this assessment for stormwater applicants is provided in the Notice of Intent (NOI) and therefore contained in the NOI database. Authorized states are not required to meet the ESA and NHPA obligations, and therefore no ESA or NHPA burden is associated with state- (or territory)-issued permits.

From the applications and requests for supplemental information, permitting authorities gather information about industrial processes, treatment systems, pollutant characteristics, discharge rates and volumes, sewage sludge use and disposal practices, sewage sludge quality, and other data such as pollution prevention practices. Additional information collection requirements that might be necessary to implement state-, tribal-, or EPA-promulgated provisions consistent with the CWA, the Great Lakes Guidance, and other EPA regulatory requirements include monitoring (pollutant-specific and whole effluent toxicity or WET), pollutant minimization programs, bioassays to support the development of water quality criteria, antidegradation policy/demonstrations, and regulatory relief options (i.e., variances from water quality criteria).

The information is used to develop effluent limitations, compliance schedules, and other routine and special conditions in permits. EPA may use these data to reevaluate testing requirements or to develop or revise effluent standards on a national basis. EPA may also use NOI and stormwater pollution prevention plan (SWPPP) data as part of a compliance evaluation to ensure

that the permittee adheres to procedures laid out in the documents.

NPDES permits may not be issued for a period more than five years. The reapplication process is the primary mechanism for obtaining up-to-date information on discharges and sewage sludge quality, particularly for new pollutants. Although existing permittees provide pollutant data from self-monitoring activities in routine reports, these reports are usually limited to pollutants listed in existing permits. Permitting authorities use reapplication data to identify new pollutants or other information that could lead the permit writers to take the following actions: specify additional permit limitations, assess compliance with applicable effluent and sewage sludge guidelines, and place appropriate special conditions in permits.

Permittees use discharge monitoring data or sewage sludge quality data (in the case of publicly owned treatment works [POTWs] and privately owned treatment works [PrOTWs]) to perform routine operations at their facilities and evaluate facility performance. In addition, they might need to collect this information to comply with state-specific program requirements or, in the case of POTWs, to administer pretreatment programs which is covered under a separate ICR. For these reasons, most permittees collect additional data (i.e., product quality and production efficiency information) that may or may not be included with monitoring reports or required by their permits. Collection and reporting of data to permitting authorities also improves permittee accountability to remain in compliance with their established permit conditions.

As noted above, discharge monitoring data provides EPA and states with authorized NPDES and sewage sludge management programs with the information necessary to assess permittee compliance. Self-monitoring data also helps the permitting authority modify or develop permit limits. Permitting authorities may also require other types of monitoring data, such as influent monitoring data to evaluate a plant's operational aspects; ambient stream monitoring data to measure a permit's effectiveness in protecting water quality; internal waste stream data when monitoring at the point of discharge is impractical or infeasible; or visual monitoring (including underwater surveys) that might be necessary to determine compliance with permit limits.

A permittee generally informs the permitting authority about its discharge through a Discharge Monitoring Report (DMR). The DMR lists all the results from the permittee's required self-monitoring of pollutants. The permitting authority reviews this information and compares it with permit limits to determine compliance and/or if there is a need to develop additional limits. In addition to DMRs, permittees may be required to submit reports on violations of maximum daily discharge limitations, as specifically required in their permits. This latter reporting requirement is intended to alert the permitting authority of potential health or environmental risks that could require a timely response. The data collected by this requirement are more incident-specific than the summary information provided on the DMR.

EPA and states analyze monitoring data when establishing permit conditions. For example, NPDES permit writers may revise permit requirements on the basis of data from monitoring reports. Furthermore, EPA and states have referred to DMR data on pollutants when developing lists of waters impaired by pollutants and point source dischargers that may cause or contribute to degradation of the quality of those waters.

As public information, monitoring data are used by public groups for a variety of purposes. Citizen groups review monitoring data to independently assess pollutant discharger compliance and noncompliance. In some instances, the data form the basis for citizen suits that are authorized under CWA section 505. In addition, environmental groups, academicians, and others use monitoring data to estimate toxic pollutant loading to streams, lakes, oceans, and estuaries.

If noncompliance with permit conditions is detected, the permitting authority will determine the appropriate enforcement response based on the nature and severity of the violation, the overall frequency of noncompliance, and the degree of seriousness of the violation.

There are several exceptions to the general flow of compliance assessment data from the permittee to the permitting authority. EPA may require additional information in the form of a section 308(a) letter. Another exception to the compliance data information flow from permittee to permitting authority occurs in the case of the NPDES stormwater permitting program where the regulatory requirement is for records retention rather than reporting. This activity is reflected in this ICR as a record-keeping activity.

Permits are modified to change the limits and conditions of existing permits without affecting the permit's term. Information supporting modification requests is collected during the effective term of the permit. Variances, alternatively, allow effluent limitation requirements or time deadlines to be modified or waived. During the permit development process, the permitting authority collects information from facilities to evaluate variance requests. In each case, the information collected is used to update or supplement permit application data.

Use of the data provided in each type of modification or variance request varies greatly because the information requirements of these items are so diverse. In general, EPA and authorized states use the information to determine whether the conditions or requirements that would warrant a modification or variance exist, and the progress toward achieving the goals of the CWA will continue if the modification or variance is granted.

Information submitted by municipalities under the CSO Control Policy provide NPDES permitting authorities with the necessary information to determine whether a municipality's CSO control program is adequate to achieve compliance with CWA requirements and applicable state WQS, to establish permit terms and conditions for CSOs, to track performance, to identify and assess violations, and to target inspection and enforcement actions. The information is also used by EPA Regions and states to develop and evaluate the success of their CSO Control Strategies. EPA will also use this data to measure its performance in achieving the goals of the CSO Control Policy.

Information collected by EPA is used to evaluate the adequacy of a state's NPDES or sludge program, and to provide EPA with the information necessary to fulfill its function of statutory oversight over state program performance and individual permit actions. EPA will also use this information to evaluate states' requests for full or partial program authorization and program modifications. To evaluate the adequacy of a state's proposed program, appropriate information must be provided to ensure that proper procedures, regulations, and statutes are in place and consistent with CWA requirements.

In a Memorandum of Agreement (MOA), EPA Regions and authorized states define which permits the Region will review and which permits it will not review. Generally, the Region must be provided the opportunity to review all permits for major facilities, all general permits, and a small percentage of permits for minor facilities. The information submitted by states consists of all appropriate data necessary for permit review—application forms, fact sheets, draft permits, and the like. EPA uses the information submitted by states to review state-issued permits for compliance with federal laws. Sewage sludge noncompliance reports serve the same purposes as NPDES effluent noncompliance reports. However, sewage sludge reports are required only annually.

EPA and the states will use information submitted by airports concerning use of urea chemical to determine permittee compliance with the regulations and administer enforcement actions if needed.

EPA's ongoing monitoring of authorized state programs ensures continued compliance with the goals and requirements of the CWA and state programs. EPA uses information about permittees' noncompliance to do the following:

- Evaluate the effectiveness of state compliance enforcement programs;
- Support its own enforcement actions, if any, against dischargers in authorized states; and
- Generate and publish noncompliance rates to be used in reports to offices within EPA and to OMB and Congress.

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

On October 22, 2015, EPA published the final Clean Water Act National Pollutant Discharge Elimination System (NPDES) Electronic Reporting Rule (80 *Federal Register* [FR] 64063, October 22, 2015) which requires electronic reporting of NPDES information rather than paper-based reports. Implementation will be phased in over five years following the rule's effective date. However, EPA does anticipate that the implementation of the Electronic Reporting Rule in future years will reduce reporting burdens for all entities involved. This burden is currently covered in a separate ICR.

For activities related to stormwater general permits for industrial facilities, recent revisions to the multi-sector general permit (MSGP) that applies to respondents in states where EPA remains as the permitting authority require respondents to submit required notices, certifications, reports and monitoring data electronically via EPA's electronic NPDES eReporting tools (NeT and NetDMR). These respondents however, only comprise approximately 3% of all industrial facilities with stormwater permits. Electronic reporting opportunities and requirements for respondents where states are the permitting authority vary from state to state.

For activities related to the MSGP, the construction general permit (CGP), the vessels general permit (VGP) and the small vessels general permit (sVGP), respondents are required to submit

NOIs electronically via EPA's electronic Notice of Intent (eNOI) system. These respondents comprise approximately 72% of non-state respondents.

Currently, EPA maintains some application data in data systems such as ICIS-NPDES and the eNOI database. EPA Headquarters uses this information to assess permit compliance. This technology also reduces the burden to EPA and the states for gathering and analyzing national permit and water quality data.

In collecting and analyzing the information associated with NPDES permit coverage applications, EPA will use ICIS-NPDES, and electronic NOI (eNOI) systems; paper-based forms; personal computers; and databases to ultimately store the information. EPA will ensure accuracy and completeness of the information and is responsible for ensuring that applicable data are entered into ICIS-NPDES. Any form that is considered inaccurate or incomplete will not be accepted and will be returned to the sender with a letter requesting the missing or inaccurate information.

The public may access certain information via ICIS-NPDES or Enforcement and Compliance History Online (ECHO). Some of the information is available to the public through Web-based interfaces that pull data from ICIS-NPDES and other EPA data systems.

For activities related to NPDES modification and variance requests, improved information technology does not appear to provide opportunities to minimize respondents' burden because of the unique nature of the information that respondents must submit as needed.

CSO municipalities will submit nine minimum controls (NMC) documentation and Long-Term Control Plans (LTCP) in response to a requirement in an NPDES permit or other enforceable mechanism. The LTCP-EZ planning template offers some burden reduction to small communities and will be discussed more in depth under the discussion for small entity impacts.

The information reported in this ICR related to the NPDES and Sewage Sludge Management State Programs is limited to state efforts, including EPA review of state information; it does not reflect the burden on the permittee. For general reports, EPA and states are moving toward greater automation—for example, computer-generated Quarterly Noncompliance Reports (QNCRs). Much of the information is day-to-day, ongoing program information, some of which is case-specific.

4. Describe the efforts to identify duplication

Almost all information requested from respondents under this ICR is required by statute or regulation and, in most cases, is not available from other sources. EPA has examined all other reporting and record-keeping requirements contained in the CWA and 40 CFR Parts 122, 123, 124, 125, 403, 501, and 503. EPA also has consulted the following sources of information to determine if similar or duplicate information is available elsewhere:

- The EPA Inventory of ICRs;
- The Government Information Locator Service; and
- The Toxics Release Inventory (TRI).

EPA has also examined potentially similar reporting requirements for notice of spills under the Resource Conservation and Recovery Act (RCRA) for duplication of the CWA requirement. EPA believes that any duplication between NPDES and RCRA reporting of pollutant releases is negligible because they focus on different areas of a facility (RCRA focuses on on-site activities, and NPDES focuses on discharge outfalls).

5. Explain whether or not the collection impacts small entities

Many small businesses do not discharge any pollutants. Of the small businesses that do discharge, many of them are indirect dischargers to a POTW. These businesses are not required to have NPDES permits and thus are not subject to the reporting requirements contained in this ICR. Although small business direct dischargers are not treated as a separate class under the NPDES program, efforts to minimize the burdens imposed on them by NPDES information collection activities are implicit in the existing monitoring/reporting framework. Most small businesses permitted under NPDES, except those discharging toxic chemicals, are covered either by permits with less rigorous monitoring and reporting requirements or by general permits. This tends to impose lower DMR-related workloads on minor permittees and general permittees than major individual permittees. In general, monitoring and reporting requirements are based on many factors, the most important of which are the volume and environmental significance of wastewater discharge. Because small permittees usually discharge small volumes of wastewater, their monitoring and reporting burdens tend to be minimal.

For many reasons, EPA believes the reporting requirements discussed in this ICR do not place an unreasonable burden on small business. EPA developed several application forms, and it promulgated different application requirements to tailor the information collection demands considering, among other factors, the size and complexity of the facility. Generally, as the size of a facility increases, the amount of required information increases correspondingly. EPA has regularly looked for ways to reduce reporting burdens on businesses of all sizes and approaches used to minimize the burden to small entities are discussed below:

- Several of the applications (e.g., Form 1 and NOIs) request minimal information, such as the name and location of the facility, or merely direct the applicant to complete specific sections of the application (e.g., Forms 2A and 2S). Furthermore, facilities submit applications infrequently, typically once every 5 years. The burden represented by these applications cannot be further reduced for small businesses. Permitting authorities need certain basic information to make permitting decisions. This basic information is not dependent on a facility's size.
- EPA developed general permit procedures to reduce burdens associated with the application process, especially the burden associated with stormwater discharges. Applicants for stormwater general permits, for instance, do not need to submit any sampling data.
- NOIs for permit coverage for construction sites contain minimal information required to characterize the site and construction activity. NOIs are submitted infrequently, typically once for each construction activity or twice if the construction activity continues beyond the expiration date of the general permit. Most site-related information is contained in the SWPPP, which is not required to be submitted to EPA. Furthermore, sites submit NOIs

once every 5 years, and the burden represented by these NOIs cannot easily be reduced for small businesses because EPA needs certain basic information to make permitting decisions. This basic information is not dependent on an organization's size. The construction general permit (CGP) NOI (EPA form 3510-9) was developed specifically to reduce the burden for construction activities. The preexisting NOI form (EPA Form 3510-6) that was replaced in 1998 required more detailed information because the form was also used for industrial activities requesting coverage under a general permit. The current NOI is simplified and requests only relevant information for construction activities.

- With regard to small MS4s regulated under the Phase II Rule, EPA believes that the application requirements provide the minimum information required to adequately assess the current and future effects of the small MS4 discharges on waters of the United States. The NOI and individual permit application requirements for regulated small MS4s represent substantially reduced application requirements from those of the Phase I stormwater regulation for medium and large MS4s.
- In general, the no-exposure provision of the Stormwater Phase II Rule allows regulatory relief for small industrial entities with no exposure. For a few small entities, the information collection burden will increase slightly by an estimated 45 minutes because of the need to submit a waiver certification.
- Some facilities that do not have toxic pollutants in their effluent are not required to provide as much monitoring information on Form 2C as those with toxic discharges. Under 40 CFR 122.21(g)(8), coal mines with a probable total annual production less than 100,000 tons per year and other applicants with gross total annual sales averaging less than \$100,000 per year (in second quarter 1980 dollars) might qualify as a small business and be exempt from the reporting requirements for toxic pollutants.
- EPA developed Form 2E specifically to reduce the reporting burden for certain small businesses. These businesses are new or existing manufacturing, commercial, mining, and silvicultural NPDES permit applicants that do not discharge process wastewater. This form is easier to complete and requires the submission of existing sampling data (i.e., sampling and analysis is not required to be conducted as part of the application process). EPA's guidance materials—such as manuals, fact sheets, and training courses on development of SWPPPs and LTCPs—also help minimize the burden on small entities by giving them easier access to the specific and streamlined requirements applicable to them.
- All permittees, regardless of the size of their facilities, are required to report instances of noncompliance and keep records of monitoring data. In most cases, these requirements do not impose a large burden on small businesses because the information required is simple and straightforward.
- For activities related to NPDES modification and variance requests, the NPDES regulations do not specify different modification and variance requirements for small businesses. The burden incurred as a result of variance requests is voluntary. A small business that decides to request a variance from effluent limitations does so on the basis of its assessment that the benefits of receiving such a variance outweigh the burdens associated with preparing the request. The time and effort required to prepare a small facility's variance request might be less than that required to prepare a similar request for a larger, more complex facility.

- EPA and states also have made extensive use of general permits, which tend to have less burdensome monitoring and reporting requirements than individual permits. In fact, the majority of stormwater permittees, which compose more than three quarters of all NPDES permittees, are covered under general permits.
- To assist communities with combined sewer systems (CSSs) that serve populations of fewer than 75,000, the CSO Control Policy recommends that NPDES permitting authorities use flexibility when requiring these communities to develop an LTCP. In the policy, EPA recommends that small systems be required to document implementation of the NMC, prepare LTCPs that give high priority to controlling overflows to sensitive areas, and employ public participation in their decision-making process. The intent of this recommendation is to focus the limited resources of smaller communities on controlling CSOs. The extent of compliance monitoring by small entities should be less extensive than monitoring by larger communities because the small systems have fewer CSOs. EPA developed an LTCP Template (LTCP EZ) to help small communities develop LTCPs. LTCP EZ builds on NMC implementation and provides step-by-step instructions for a detailed template. The simple forms can be completed in hard copy format or electronically.

The information reported in this ICR related to state NPDES and sewage sludge programs is limited to state efforts, including EPA review of state information; it does not reflect the burden on the permittee. Therefore, these activities do not affect small businesses.

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

In most cases, 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 NPDES regulations. Failure to comply could result in enforcement actions including civil or criminal penalties.

EPA recognizes the importance of balancing the need for data collection efforts against respondent burden and costs. From the inception of the NPDES program, cost has been one of the major factors considered in establishing application requirements, monitoring conditions, and report contents and frequencies. In recent years, the executive and legislative branches of the U.S. government have stressed the need to evaluate the costs and benefits of regulation and the financial impact on the regulated community, state, and local government. EPA regularly seeks new opportunities to reduce burden on the regulated community.

The information needed to meet permitting, monitoring, reporting, and information collection requirements related to the NPDES program is submitted either one time, at a regular frequency, or on an as needed basis. EPA and authorized states need current information about permittees, discharge characteristics, enforcement actions, and program performance to fulfill oversight responsibilities. In addition, EPA must track permits, compliance activities, and enforcement actions to ensure that state programs are carrying out the provisions of the CWA in a timely manner. The NPDES burden described in this ICR identifies the burden that EPA has determined as necessary to provide sufficient data for EPA to effectively provide guidance for state programs, to review or comment on state actions, or to intervene in compliance or enforcement

cases.

Permitted facilities must reapply for NPDES and sewage sludge management permits before their existing permits expire, generally once every 5 years. The CWA prohibits NPDES permits from having terms longer than 5 years. Less frequent permit applications would not provide the permitting authority with sufficiently current data to establish effective limitations or conditions when reissuing permits. Less frequent permit issuance would also hinder the ability of EPA and the regulated community to take advantage of technological improvements as they occur.

Permits must contain conditions that reflect, for example, the following criteria:

- New industrial processes and waste treatment technologies;
- New kinds of discharges (such as toxic chemicals);
- New detection methods; and
- Changes in the quality of receiving waters.

EPA strives to minimize monitoring-related workloads. For example, EPA developed an automated procedure that preprints relevant permittee information, such as discharger name and address, pollutants to be monitored, and effluent limitations on the DMR form before sending it to the permittee; EPA is also piloting netDMR, which will further streamline reporting. Permittees are required to record only their monitoring results and to report any violations. EPA continues its efforts to minimize permittee burden associated with monitoring data collection and reporting requirements.

Some of the information in this ICR that is required to be submitted is collected only after the permittee violates a permit condition or after a certain condition occurs. For example, noncompliance reports are submitted when the facility experiences a bypass, an upset, or a violation of a daily maximum limit. Responses to section 308(a) letters are submitted only when requested by the Administrator, in response to events such as a spill of oil or a hazardous substance, or whenever EPA has reason to believe it needs additional information to determine compliance. Compliance schedule reports are submitted only when a permit contains a compliance schedule and when a milestone identified in the permit is reached to determine the permittee's compliance with that milestone. Also, alternate level reports are submitted only when there is an expected change in the production level at the facility. Therefore, frequency of information collection is not an issue for the reporting requirements in this category.

In certain instances, permittees may choose to submit information when requesting a modification or variance from otherwise applicable requirements. The information collection and reporting requirements associated with NPDES permit modifications and variances are specific, would not be supplied in any other report or application, and are submitted as needed. In most cases, the decision to submit information is made by the NPDES permittee or permit applicant. The exceptions are (1) when outside events trigger the need for a permit modification, and (2) when the Administrator decides to invoke a reporting requirement, such as a request for permit revocation and reissuance. Because information is submitted only when needed, less frequent data collection would not provide the permitting authority and EPA Headquarters with sufficient information to meet their responsibilities under the CWA.

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 and describe efforts to consult with persons outside the agency

In compliance with the 1995 Paperwork Reduction Act (PRA), any agency developing a non-rule-related ICR must solicit public comments prior to submitting the ICR to OMB. These comments, which may be used to help determine realistic burden estimates for respondents, must be considered when completing the supporting statement that is submitted to OMB.

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. A copy of the Federal Register Notice can be found in Appendix E.2.

Minimum data collection requirements are mandated and specifically defined by the regulations authorizing collection are not subject to change through consultation. These requirements are often incorporated into the NPDES permit. The Directors of NPDES programs are primarily responsible for determining which collection method and information management strategy is most appropriate. During the initial NPDES permit development and during permit reissuance which occurs every five years a consultation occurs between the Director and permittee. During this consultation, the permittee has the opportunity to request clarification of instructions, record-keeping, disclosure, or reporting format and to request changes to the data requirements and the frequency of collection and reporting that may be warranted by changing circumstances. Specific changes can then be incorporated in the renewed permit. This consultation occurs on an individual basis with each respondent. The permit renewal five year frequency is mandated by the regulation. However, during the interim period the permittee may consult with the Director if significant changes to circumstances of the permittee occur, and, if warranted, the Director may enact modifications to the permit.

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

Permit applications and other respondent reports may contain confidential business information. If this is the case, the respondent may request that such information be treated as confidential. 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. Any claim of confidentiality must be asserted at the time of submission. However, CWA section 308(b) specifically states that

effluent data may not be treated as confidential.

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

The estimated of respondent burden hours includes facilities subject to NPDES program requirements (permittees) and authorized states. Appendix A provides a description of the information collected and the methodology for estimating respondent burden and costs. Appendix B presents a calculated respondent burden estimate grouped by activity type and respondent type. Table 12.1 summarizes the labor burden and associated labor costs for permittees and states with NPDES program authority.

Table 12.1 Summary of labor burden and costs

	Average Annual Respondents	Average Annual Total Burden (hours)	Average Annual Total Labor Costs (2014\$)
Permittees	531,886	19,451,518	\$946,410,935
States, Tribes, territories and DC*	637	1,589,589	\$69,242,490
Totals	532,523	21,041,107	\$1,015,653,425

*590 of these 637 are not states or territories and respond to only one information item (certification of EPA-issued permits).

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

This section presents an estimate of annual O&M and capital and start-up costs. The majority of the burden and cost calculations in this ICR are the result of labor costs only. The ICR does, however, account for O&M costs for certain testing/analysis plus certain capital and start-up costs incurred by respondents that perform activities outside the normal operation practices. All costs presented have been adjusted using the Consumer Price Index to November 2014 dollars. This ICR estimates that there are no O&M or capital and start-up costs for state agencies or the Federal Government.

The permittee O&M costs are linked to the three distinctive activities listed below:

- Application Requirements for NPDES Permits;
- Baseline Determination and Estimate of the Incremental Monitoring Burden and Cost for Remining Sites; and
- Minimum Monitoring Requirements for Direct Discharging Mills in the Bleached Papergrade Kraft and Soda Subcategory and the Papergrade Sulfite Subcategory of the Pulp, Paper, and Paperboard Point Source Category

Details regarding the methodology used to derive these costs are provided in Section A.2.2 of

Appendix A.

The permittee capital and start-up costs are linked to two distinctive activities listed below:

- CSO Control Policy
- Baseline Determination and Estimate of the Incremental Monitoring Burden and Cost for Remaining Sites

Details regarding the methodology used to derive these costs are provided in Section A.2.3 of Appendix A. Table 13.1 presents a summary of annual O&M and capital and start-up costs.

Table 13.1 Summary of annual O&M and capital and start-up costs

	Permittees	States/Tribes/Territories
Costs (capital and start-up)	\$255,948	\$0
Costs (O&M)	\$20,198,011	\$0
Total annual costs	\$20,234,452	\$0

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

In states without approved NPDES programs, the Federal Government (through its' EPA Regional Offices) issues and administers NPDES permits. These burdens are similar to those incurred by the states and are calculated using the same methodology and assumptions. The details for program administration which applies to both the Federal Government in non-approved states and to states with approved programs are presented in Appendix A. Appendix C Table C.1 presents a calculated respondent burden estimates grouped by activity type. The Federal Government also provides general program oversight of the NPDES program and the approved state programs. The details of the program oversight costs are presented in Appendix C Table C.2. Table 14.1 provides a summary of the average annual Agency burden hours and costs.

Table 14.1 Summary of Agency Annualized Burden and Costs

	Program Administration in Non-Approved States (Appendix C Table C.1)	NPDES Program Oversight (Appendix C Table C.2)	Total
Responses (number)	394,173	879	395,052
Burden (hours)	170,451	8,338	178,789
Costs (labor)	\$7,226,595	\$346,622	\$7,573,218
Costs (capital)	\$0	\$0	\$0
Costs (O&M)	\$0	\$0	\$0
Total costs	\$7,226,595	\$346,622	\$7,573,218

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. 2040-0004, EPA ICR No. 0229.20) is 21,324,741 hours. The burden request in this ICR is 283,634 hours less than the current approved burden, a reduction of 1.3%. Adjustments to the burden estimates include: the addition of the burden associated with the airport deicing category; changes in the burden associated with agency actions related to changes in the VGP; addition of burden associated with the issuance of the small vessels general permit (sVGP) classified here as a new statute; and changes in the estimated burden associated with revised estimates of number of respondents. A detailed description of these changes is below.

One minor adjustment in this renewal is the incorporation of the burden associated with the airport deicing category which had previously been included under a separate ICR (OMB Control No. 2040-0285, EPA ICR No. 2326.03, March 11, 2011). A annual total of 198 airport respondents are expected to spend one hour completing a certification form for a total of 198 hours per year. The associated burden to Federal and state permitting control authorities was estimated to be minimal.

Another adjustment that results from an agency action involves changes to the requirements for vessels covered under the VGP. The replacement of the onetime reporting requirement with an annual report for the 72,942 vessel respondents resulted in a net increase in average annual burden of 71,411 hours. Also, a portion of vessels covered under the VGP are required submit a Permit Authorization and Record of Inspection Form (PARI) resulting in a net change in annual average burden of 513 hours. Finally, changes in the monitoring requirements resulted in a net increase in annual average burden of 4,800 hours.

Another adjustment involves the issuance of the small Vessel General Permit (sVGP). These requirements for the sVGP for completion of a PARI and related self-inspections and recordkeeping which will begin occurring in December 2017 resulted in increase in annual average burden of 21,496 hours.

This ICR also includes an adjustment of 2,627 hours to account for implementation of EPA's Clean Water Act National Pollutant Discharge Elimination System Compliance Monitoring Strategy (revised July 2014, replacing the October 2007 NPDES CMS). The 2014 NPDES CMS provides clarity to NPDES authorized states regarding the transmittal to EPA of annual CMS plans and end-of-year reports. EPA developed an optional template for the CMS plans and reports in order to streamline implementation of the 2014 NPDES CMS. The estimate of 2,627 hours is based on state utilization of the template.

Regarding changes in the estimated burden associated with revised estimates of number of respondents, the majority of input data used to estimate respondent burden was obtained from queries to the ICIS NPDES database which includes data fields that describe the facility type, permit type, and other descriptive information used to classify the permits. In the past few years, EPA has been transferring data from the older PCS database to the ICIS database which is now completed. In the previous ICR, these data were divided between the PCS and ICIS database and counts of various types of permits used to estimate burden were based on the sum of counts from

both databases. The data fields within the two databases are not identical and some changes in permit classification and in interpretation of classification in the database queries may have occurred as a result of the transfer of permit data between the databases. Changes in estimated permit numbers may also reflect updating of permit entries within the database.

The increase in annual cost burden was primarily due to adjustments for inflation (to 2014 dollars) and to a lesser extent adjustments in respondent burden estimates described above. The cost adjustment for inflation was the result of a 7% adjustment from 2011 to 2014 dollars but also included a 25% adjustment for inflation for a longer period from 2004 to 2014 for O&M costs of monitoring for paper mills because these costs had not been adjusted in previous ICR estimates.

Table 15.1 Summary of Adjustment in Respondent Burden Hours and Costs Between Renewed ICR and OMB Inventory

	<u>Total Requested</u>	<u>Change due to:</u>			<u>Previously Approved</u>	<u>Percent Change Total</u>
		<u>New Statute</u>	<u>Agency Actions (New Rules, etc.)</u>	<u>Revised Estimates</u>		
Annual Number of Responses	5,058,182	85,983	74,308	-83,026	4,980,917	1.6%
Annual Time Burden (Hour)	21,041,107	21,496	79,350	-384,480	21,324,741	-1.3%
Annual Cost Burden (Dollars)	\$20,234,453	\$0	\$0	\$1,471,530	\$18,762,922	8%

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

EPA maintains some application data in databases such as ICIS-NPDES and the NOI database. These systems provide EPA with a nationwide inventory of all permit holders. EPA Headquarters uses this information to assess permit compliance. This technology also reduces the burden to EPA and the states for gathering and analyzing national permit and water quality data. 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. Permit 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 or the state.

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 provides the details regarding the methodology for estimating respondent burden and costs. Section A.1 provides the methodology for deriving respondent burden and breakdown of capital/start-up cost, while the derivation of labor costs is provided in section A.2.

A.1. Estimating Respondent Burden

This section presents a description of the methodology for estimating respondent burden for the information requests. Facilities subject to NPDES program requirements (also referred to as permit holders or permittees) and authorized states are included as respondents in this section. Methodologies that apply to NPDES authorized states also apply to EPA Regions acting as permitting authority in non-NPDES authorized states. However, the EPA permitting authority burden and costs are not included in the respondent burden and cost estimates.

This ICR calculates annual burden and costs to respondents. These calculations are somewhat complicated because there are two types of permittee respondents discussed in this section: applicants renewing existing permits, and applicants applying for new permits. Applications for permit renewal must be submitted every 5 years. For these respondents, the ICR assumes that the number of applicants renewing per year equals one-fifth of the total number of existing permitted facilities. Respondents will apply for each type of new permit only once and the annual number is estimated based on the expected average number of new permit applications that will be submitted over the three year period covered by this ICR.

The following section summarizes the input data and assumptions for each of the categories of respondent activities shown in the table in Appendix B. The values shown in Appendix B for total hours per response represent weighted averages based on the estimated number of respondents and the estimated response duration for different types of permits and permit activities. In some cases, the “total number of respondents” and “annual number of respondents” shown in Appendix B may include double counting of individual respondents because the category may include multiple activities for the same respondent. For example, a permittee may be required to submit different types of notices to the permitting authority. This is particularly true for record-keeping, which can involve multiple types of record-keeping activities.

A.1.1. Record-keeping

Record-keeping activities include those associated with data collected, DMRs, permit documents, notices, and correspondence. Frequency may range from ongoing to once every five years. The estimated time required per response ranges from 10 minutes (0.17 hours) for sludge permits to 6-7 hours for general stormwater and major industrial NPDES permits. The average hour per response is higher for private permittees primarily due to the greater record-keeping burden for stormwater general permittee self-inspections.

The estimated time required for state respondents for permit oversight record-keeping ranges

from a per state aggregate of 0.33 hours for the CSO program to 50 hours for sludge programs to 300 hours for the NPDES program

A.1.2. Application Forms

Below are NPDES application forms that are submitted initially for new permits and are resubmitted upon permit renewal every five years. These forms and the applicable facilities are included in Table 2.1 in Section A Item 2 of the main document. The burdens for application forms accounted for separately for Form 1, Forms 2C-2F, Forms for POTWs & PrOTWs, Ocean Discharge Application and Alaskan Lands due to the wide variety in response times for each type and are discussed separately below.

A.1.2.1. Form 1

The estimated time required per response for Form 1 ranges from 1 to 3 hours.

The estimated burden hours for state respondent for review of Form 1 is 0.5 hours per form.

A.1.2.2. Forms 2C-2F

The estimated time required per response for Forms 2C-2F ranges from 14 hours for Form 2E to 46 hours for Form 2D.

Estimated burden hours for state respondents to review of Forms 2C-2F ranges from 0.5 hours to 2 hours per form.

A.1.2.3. Forms for POTWs & PrOTWs

The estimated time required per response for Forms for POTWs & PrOTWs (Form 2A - Basic, Form 2A - Part D, Form 2A - Part E, Form 2A - Part F, Form 2A - Part G) range from 4 to 18 hours. There are non-labor operating costs associated with Forms for POTWs & PrOTWs due to requirements for testing and analysis. See section A.2 for details.

Estimated burden hours for state respondents to review Forms for POTWs & PrOTWs ranges from 0.67 hours to 4 hours per application.

A.1.2.4. Ocean Discharge Application

The estimated total hours per response for applications for ocean discharges is 778 hours but no applications are anticipated for the three year period for this ICR renewal.

Estimated burden hours for state respondents to review applications for ocean discharges is 88 hours per application.

A.1.2.5. Alaskan Lands

The estimated total hours per response for submission of an application for Transportation and Utility Systems and Facilities On Federal Lands (Alaskan Lands Application) is 30 hours per application.

A.1.3. Notification

Notification activities can include submission of notices to the permitting authority concerning

the following:

- Facility and Permit Transfer Report
- Permittee Report of Inaccurate Previous Information
- Alternate Level Reports
- Permittee Report of Planned Facility Changes
- Request for Water Quality Related Effluent Limitations Modification
- New Introduction of Pollutants to POTWs
- Notice of Construction for Construction Sites
- Notification of New or Increase Discharge
- Permittee Notice of Regulated Discharge Cessation
- Request for Water Quality Related Effluent Limitations Modification

The estimated time required per response for these activities ranges from 1 to 4 hours. There is no set frequency because these activities are often triggered by unplanned events. The frequencies used to derive the burden estimates are based on experience and assumptions regarding expected occurrence of each.

The estimated time required for state respondents for to review and process notifications is typically 4 hours per notification but can range from 0.6 for Notice of Construction to 20 hours for Permittee Report of Planned Facility Changes.

A.1.4. DMR

A.1.4.1. DMR Reporting

DMR preparation is expected to require about 2 hours per outfall. Some permittees, especially nonmunicipal industrial facilities tend to have multiple outfalls. The required frequency of DMR reporting ranges from monthly to annually (monthly, bimonthly, quarterly, semi-annually, and yearly) and is dependent on facility type and permit type.

The estimated time required for state respondent to review and process DMRs are based on 10 minutes per DMR per outfall plus 20 percent of the submitted DMRs are expected to require 30 minutes for follow-up.

A.1.4.2. DMR Sampling

Estimates of the hours per response for DMR sampling are generally based on number of outfalls, reporting frequency plus duration and number of sampling episodes per reporting period. Typical sampling episodes are estimated to require about 2 to 2.75 hours.

There is no permit oversight activity.

A.1.4.3. DMR Analyses

This category refers to chemical analyses that are conducted in-house. Estimates of the hours per response for DMR analyses are generally based on 0.5 hours per parameter analysis plus the estimated number of outfalls, number of samples per response and number of parameters per

sample.

The estimate of 10 hours for state respondents applies only to review of post-baseline monitoring data for coal remaining permits.

A.1.5. Stormwater

A.1.5.1. Notice of Intent

Activities include preparation and submittal of Notices of Intent (NOI), no exposure certification request for small industrial entities, and requests for waiver certification for small construction sites. The estimates of the hours per response range from 0.75 for no exposure certification requests to 20 hours for NOIs requiring formal Endangered Species Act (ESA) consultation, but typically require about 1.5 hours. Frequency of occurrence includes; once per construction site start; annually for no exposure certification request and requests for waiver certification; and every 5 years for general stormwater permits.

The estimates of the hours for state respondents for review and processing NOIs ranges from 0.25 to 4 hours per NOI.

A.1.5.2. Notice of Termination

The estimate of the hours per response for Notices of Termination is 0.5 with a frequency of once per permit.

The estimated time required for state respondents to review and process NOTs is 0.25 hours per NOT.

A.1.5.3. Stormwater Plans

The estimated hours per respondent for development of stormwater pollution prevention plans (SWPPP) for stormwater discharges associated with construction activity is 22.7 hours, 36.4 hours, and 80 hours for small construction site (<5 acre), large construction site (>5 acre), and nonmunicipal permits, respectively. The frequency is once per permit. The estimated hours per respondent required to update a stormwater management plans (SWMP) is 200 hours for municipal permits and 8 hours for nonmunicipal permits. The frequency is once every 5 years.

The estimated time required for state respondents to review and process SWPPPs and SWMPs are 1 hour and 20 hours, respectively.

A.1.5.4. Stormwater Site Self-Inspections

The estimated hours per respondent for construction site self-inspections conducted bi-weekly ranges from 0.25 hours to 0.5 hours. Estimates for annual self-inspections are 0.25 hours and 4 hours for industrial and general permits, respectively.

There is no permit oversight activity

A.1.5.5. MS4 Permit Application

The estimated time required per respondent for MS4 Permit Application are 60 hours and 80 hours for small and large MS4 systems, respectively. The frequency is once every 5 years.

The estimated time required for state respondents to review and process MS4 permit applications is 20 hours for small and large MS4 systems.

A.1.5.6 MS4 Permit Reports

The estimated time required per respondent for a petition for individual permit is 40 hours and occurs on an as needed basis. The estimated time required per respondent for preparing and submitting annual reports are 100 hours and 250 hours for small and Phase I MS4s, respectively. The frequency is once every 5 years.

The estimated time required for state respondents to review and process permit reports are 8 hours, 1.6 hours, and 40 hours for petitions, small MS4 reports and Phase I MS4 reports, respectively.

A.1.6. Combined Sewer Overflow (CSO)

A.1.6.1. Long-term Control Plans (LTCP)

The estimated time required per respondent for writing long-term control plans varies considerably depending system size and on whether the system has already conducted studies. Respondent time can range from 300 hours for small systems that have existing studies to 6,000 hours for large systems without existing studies. These activities occur once per permit term.

The estimated time required for state respondents to review and process LCTPs are 20, 33, and 53 hours for small, medium, and large POTWs, respectively.

A.1.6.2. CSO Monitoring

The estimated time required per respondent for CSO monitoring are 27 hours, 18 hours, 20 hours, and 2 hours for sampling, analysis, estimating flow parameters, and reporting, respectively. The frequency is semi-annually.

The estimated time required for state respondent to review and process monitoring reports are 10 minutes and 0.5 hours for follow-up.

A.1.6.3. CSO Notification

The estimated time required per respondent for CSO notification are 2 hours for signs and 5 hours for public advisories with a frequency of once. There are capital costs for installation of signs (See section A.2 for details).

There is no permit oversight activity.

A.1.6.4. Documenting Nine Minimum Control Measures

The estimated time required per respondent for collecting necessary information for large,

medium and small systems are 200 hours, 43 hours, and 29 hours respectively. EPA estimates that no municipalities will submit NMC documentation in the next 3 years.

A.1.7. Section 308 Requests

The time required per respondent for preparing responses to Section 308 requests can vary considerably and is estimated to be 5-8 hours, 50 hours, and 1,000 hours for routine requests and letters, medium complexity requests, and complex municipal facility requests, respectively. The frequency is on an as needed basis.

The estimated time required for state respondents to review and process submitted information ranges from 1 to 20 hours depending on permit type.

A.1.8. Certifications

A.1.8.1. Certification for Exemption from Monitoring and Notification of Process Changes

The estimated time required per respondent for preparing certification for exemption documents will typically be one hour and with a frequency of once per year.

The estimated time required for state respondents to review and process certification documents is 1 hour for each certification.

A.1.8.2. Part 435 Certification Oil and Gas Extraction

The estimated time required per respondent for activities associated with certification of preparation and implementation of BMP plans for control of discharges of synthetic-based drilling fluids cuttings under 40 CFR Part 435 for oil and gas extraction permits is 787 hours and occurs at a frequency of once per year.

A.1.8.3. Pollution Prevention Alternative Certification (Pesticides Packaging & Repackaging)

The estimated time required per respondent for preparing pollution prevention alternative certifications for pesticides formulating, packaging, and repackaging category facilities is 20 hours and occurs annually.

A.1.9. Variance Request

Variance requests include the following:

- Great Lakes Modification and variance request. The estimated burden is 418 hours.
- Variance Request for Fundamentally Different Factors. The estimated burden is 160 hours.
- Variance Request for Nonconventional Pollutants. The estimated burden is 150 hours.
- Variance Request for Innovative Pollution Control Technology. The estimated burden is 60 hours.
- Variance Request Regarding Thermal Discharges (New). The estimated burden is 400 hours.
- Variance Request Regarding Thermal Discharges (Renewal). The estimated burden is 4

hours.

The number of respondents for each type are based on assumed percentages of different types of permits. The frequency of occurrence is on an as needed basis.

The estimated time required for state respondents to review and process variance requests ranges from 44 to 520 hours for each type of variance request.

A.1.10. Noncompliance Reports

Noncompliance report burden estimates include the following:

- Permittee Report of Anticipated Noncompliance
- Unanticipated Bypass / Upset Reports
- Maximum Daily Violation Reports (Verbal Reports)
- SSO Reporting
- Unpermitted CSO Reporting
- Unanticipated Bypass / Upset Reports (Verbal Reports)
- Other Noncompliance Reports

The estimated time required for respondents for preparing and submitting noncompliance reports either written or verbally ranges from 1 hour to 10 hours and occurs on an as needed basis.

The estimated time required for state respondents to review and process noncompliance reports ranges from 1 to 10 hours for each different report type and permit type.

A.1.11. Request for Modification, Revocation and Reissuance, or Termination

The estimated time required per respondent for preparing and submitting a request for modification, revocation and reissuance, or termination is 5 hours and occurs on an as needed basis.

The estimated time required for state respondents to review and process request for modification, revocation and reissuance, or termination are 40 hours for each request.

A.1.12. Compliance Schedule Reports

The estimated time required per respondent for preparing and submitting compliance schedule reports is 0.75 hours and occurs on an annual basis.

The estimated time required for state respondents to review and process compliance schedule reports is 0.25 hours for municipal and 4 hours for nonmunicipal permits.

A.1.13. BMP Development

The estimated time required per respondent for amendment and review of BMP Plan for certain industrial permits are 50 hours and 40 hours for associated refresher training and occur on an as needed basis for the BMP plan and semi-annually for the training.

The estimated time required for state respondents for BMP plan review is 5 hours.

A.1.14. Vessels

A.1.14.1 Vessels (VGP)

Activities for vessels includes:

- Annual Report
- NOI Filing
- Routine Inspections
- Annual Inspections
- Drydock Inspections
- Monitoring

The estimated time required per respondent for performing the above items ranges from 0.5 hours to 2 hours for reporting and self-inspections and 6 hours for monitoring. Frequency ranges from once to every 5 years with routine self-inspections occurring on an as need basis.

A.1.14.2 Vessel (sVGP)

Activities related to the small vessels general permit includes:

- Permit Authorization and Record of Inspection (PARI) submission
- PARI Inspection Documentation

The frequency of submission for the PARI is once every five years and is estimated to require 15 minutes to complete. Small vessels are required to conduct and document a self-inspection on a quarterly basis which is estimated to require 15 minutes to complete. Performance of these activities is not expected to occur until December 2017, so average annual burden reported in this ICR represents one year (2018) of activity divided over three years.

A.1.15. Great Lakes

The activities in this category apply to NPDES permits that discharge within the Great Lake watershed and the application of EPA's Great Lakes Water Quality Guidance. Activities include:

- Great Lakes Antidegradation Demonstration with BCCs.² The estimated burden is 22.2 hours and 11.1 hours for municipal and nonmunicipal permits, respectively.
- Great Lakes Antidegradation Demonstration without BCCs. The estimated burden is 14.8 hours and 7.4 hours for municipal and nonmunicipal permits, respectively.
- Great Lakes PMP Implementation. The estimated burden is 1.2 hours and 1.4 hours for municipal and nonmunicipal permits, respectively.
- Great Lakes Approvable Strategy. The estimated burden is 104 hours and 142 hours for municipal and nonmunicipal permits, respectively.
- Great Lakes Annual Report. The estimated burden is 20.9 hours and 32.4 hours for

² The criteria for when an antidegradation demonstration must be performed are different for bioaccumulative chemicals of concern (BCCs) and non-BCCs.

- municipal and nonmunicipal permits, respectively.
- Great Lakes Bioconcentration Studies. The estimated burden is 73 hours
- Great Lakes Collecting Data and Monitoring for WET Limits. The estimated burden is 10,877 hours total and 6,841 hours total for all municipal and nonmunicipal permits, respectively.
- Great Lakes WQBEL Compliance Monitoring. The estimated burden is 0.5 hours.

Frequency ranges from ongoing for PMP implementation to annually for monitoring and strategies/studies/reports to once every 5 years for antidegradation demonstrations.

The burden applies only to the 7 Great Lake states and the estimated time required per state respondent ranges from 4 to 8 hours for each item.

A.1.16. General State Activities

This category applies to activities associated with state agencies and EPA Regional Offices in non-authorized state that are not directly attributable to the individual categories described above.

A.1.16.1. Certification of EPA-issued Permits

When EPA issues permits in non-authorized states, it must ensure that the permits are in compliance with state laws, including WQS. EPA may not issue a permit in a non-authorized state until the state certifies that the permit is in compliance with state laws. The respondents to this item are the estimated 590 entities including non-authorized states, tribes, and U.S. territories without NPDES programs that must certify EPA-issued permits. The average respondent burden is estimated to be 4 hours.

A.1.16.2. Inspection & Investigation

Authorized states are required to maintain a “program for periodic inspections of facilities and activities subject to regulation.” 40 CFR 123.26(b)(2). Under EPA’s *Clean Water Act National Pollutant Discharge Elimination System Compliance Monitoring Strategy* (available at <http://www2.epa.gov/compliance/clean-water-act-national-pollutant-discharge-elimination-system-compliance-monitoring>), authorized states prepare annual Compliance Monitoring Strategy (CMS) plans that articulate commitments for compliance monitoring activities (e.g., inspections) and end-of-year reports that summarize CMS plan implementation over the prior year. EPA has developed a template for states to use when preparing CMS plans and end-of-year reports.

The various types of compliance monitoring activities conducted by permitting authorities include:

- Compliance Sampling Inspection (CSI). The estimated burden for this inspection is 120 hours.
- Compliance Evaluation Inspection (CEI). The estimated burden for this inspection is 24 hours.
- Performance Audit Inspection (PAI). The estimated burden for this inspection is 96 hours.

- Diagnostic Inspection (DI). The estimated burden for this inspection is 128 hours.
- Compliance Biomonitoring Inspection (CBI). The estimated burden for this inspection is 240 hours.
- Toxic Sampling Inspection (XSI). The estimated burden for this inspection is 280 hours.
- Reconnaissance Inspection (RI). The RI is the briefest of all NPDES inspections; the estimated burden for this inspection is 8 hours.
- Regulatory Options for the Pulp, Paper, and Paperboard Point Source Category (40 CFR Part 430). Authorized state staff might need to conduct follow-up actions in instances of DMR noncompliance. EPA estimates that recurring incremental state burden for this follow-up action requires an average of 0.5 hour (30 minutes) per facility per DMR and will occur 20 percent of the time.

The list of compliance monitoring activities described above is not the complete set of activities that EPA and regions conduct pursuant to the CMS. EPA estimates that on an annual basis for major facilities 15 percent receive CSIs, 60 percent receive CEIs, 15 percent receive PAIs, 17 percent receive CBIs, 4 percent receive XSIs, 40 percent receive RIs,³ and an additional 5 percent of municipal facilities receive DIs. Of the minor facilities, 3 percent receive CSIs and 17 percent receive CEIs. In addition, 10 percent of industrial stormwater general permittees, 5 percent of large (> 5 acres) construction stormwater general permittees, 2.5 percent of small (1-5 acres) construction stormwater general permittees, 20 percent of Phase I MS4s, and one-seventh of Phase II MS4s receive RIs.

A.1.16.3. Submittal of Permit Information to EPA

This item applies to requirements for authorized states to make available to EPA for review any information obtained or used in the administration of a state program. The burden estimate assumes that states must submit all major permits, about 5 percent of minor permits, and all general permits. Time required is estimated to be 10 minutes each and applies to 70 percent of the major, 5 percent of the minor, and 100 percent of the general permits transmitted to EPA. The remaining 30 percent of major permits require 2 hours of transmittal time.

A.1.16.4. NPDES Program Authorization

This category includes: state requests that an authorized program be transferred back to EPA with a burden estimate of 480 hours; state requests for NPDES program modifications with a burden estimate of 250 hours; and state request for sewage sludge program approval under Part 501 with a burden estimate of 750 hours. EPA estimates that 3 authorized states over the three year period will requests that an authorized program be transferred, 12 over the three year period will request program modification to update their legal authorities in response to the multiple rulemakings anticipated in the NPDES program, and one over the 3 year period will request a sewage sludge program approval.

A.2. Estimating Respondent Costs

Once burden hours are estimated, the next step is to estimate the labor cost for respondents and the capital costs required to complete each activity. The total cost for each respondent activity is composed of the following:

³ The estimate that 40 percent receive RIs is a conservative (high side) estimate based on EPA policy.

- Labor Cost;
- Operating and Maintenance (O&M) Cost; and
- Capital/Start-up Cost.

The results of the respondents' costs analysis are presented in the Detailed Respondent Burden Results by Category table in Appendix B.

A.2.1. Estimating Labor Costs

When calculating respondent labor costs, EPA makes the following assumptions:

- EPA used a labor rate of \$43.56 per hour for all authorized state and territory respondent activities defined in this ICR. This hourly rate was based on the average hourly wage for state and municipal employees as determined by the U.S. Department of Labor. It is based on 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.*
- The average hourly rate for municipal employees, which account for all POTW and MS4 costs, as determined by the U.S. Department of Labor, Bureau of Labor Statistics, is \$40.76 (including overhead costs of 50 percent). Updated rates are derived from the U.S. Department of Labor, Bureau of Labor Statistics, in a table titled *May 2013 National Industry-Specific Occupational Employment and Wage Estimates, NAICS Industry 999300 - Local Government (OES designation), which is part of: NAICS 999000 - Federal, State, and Local Government (OES designation), and adjusted to September 2014 dollars using the seasonally adjusted Employment Cost Index (ECI) for state and local government employees.*
- EPA assumes the average hourly rate in the private sector is \$53.56 as determined by the U.S. Department of Labor, Bureau of Labor Statistics, Total Compensation for Management, professional, and related. *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.*

A.2.2. Operating and Maintenance (O&M) Costs

Most calculations in this ICR account for labor costs only. The ICR does, however, account for certain testing/analysis costs incurred by respondents that perform activities outside the normal operation practices. All costs presented in this section have been adjusted with the Consumer Price Index to November 2014 dollars. These costs are linked to the three distinctive activities described below.

A.2.2.1. Application Requirements for NPDES Permits (Forms for POTWs and PrOTWs)

Assumptions and estimates for these O&M costs (i.e., testing/contractor costs) are detailed in Tables A.1 to A.3. These assumptions come from the prior ICR (EPA ICR Number: 0226.18, OMB Control No. 2040-0086).

Table A.1 Estimate of POTWs that contract out Form 2A testing for pollutants

Facility type	Basic conventional and nonconventional	Additional conventional and nonconventional	Priority pollutants and state WQS	Multiple species biomonitoring
	% testing in-house	% testing in-house	% testing in-house	% testing in-house
< 0.1 mgd, no priority pollutants.	60%			
0.1–1.0 mgd, no priority pollutants.	80%	80%		
Minors, with priority pollutants.	85%	85%	50%	85%
Majors, no priority pollutants.	85%	85%	10%	75%
Majors, with priority pollutants.	90%	90%	70%	85%

Table A.2 Estimate of POTWs that contract out Form 2S testing for pollutants

Facility type	Basic conventional and nonconventional
	% testing in-house
NPDES POTWs	95%
NPDES PrOTWs	95%
Sludge Only POTWs	50%
Sludge Only PrOTWs	50%

Table A.3 Testing/contractor costs (O&M costs)

	Tests/year	Cost per test (\$)	Total \$
Form 2A			
Basic conventional and non-conventional	3	\$116	\$193,488
Additional conventional and non-conventional	3	\$233	\$243,951
Priority Pollutants/state WQS	3	\$1,338	\$3,034,584
Multiple Species Biomonitoring	1	\$9,311	\$1,964,621
Form 2S			
NPDES and sludge-only facilities	1	\$233	\$67,570
Section 308 Requests			
Municipal (complex)	1	\$1,338	\$4,683
Nonmunicipal (medium)	1	\$1,164	\$6,111

A.2.2.2. Baseline Determination and Estimate of the Incremental Monitoring Burden and Cost for Remining Sites (DMR Sampling Analysis)

EPA assumes that baseline determination monitoring and annual monitoring costs will be required for all the reporting requirements for mining sites in Indiana (5), Kentucky (7), and Tennessee (9). EPA assumes a sample analysis and mileage cost of \$33.00/sample adjusted to November 2014 using the CPI (Source: Baseline Standards and BMPs for the Coal Mining Point Source Category-Coal Remining Subcategory and Western Alkaline Coal Mining Subcategory

ICR; OMB Control No. 2040-0239; EPA ICR No. 1944.03).

A.2.2.3. Minimum Monitoring Requirements for Direct Discharging Mills in the Bleached Papergrade Kraft and Soda Subcategory and the Papergrade Sulfite Subcategory of the Pulp, Paper, and Paperboard Point Source Category (DMR Sampling Analysis)

To estimate O&M costs associated with these activities, EPA assumes that mills will send their collected samples to outside laboratories for analysis. Some facilities could perform in-house analysis for some pollutants (i.e., adsorbable organic halides (AOX) and/or chloroform). However, for the purposes of this ICR, EPA assumed that all analyses will be contracted to outside laboratories to express the full potential analytical costs of minimum monitoring on Subparts B and E mills. In the future, facilities might elect to conduct analysis in house, particularly AOX analyses, because the monitoring requirement is daily.

Analytical costs performed at outside laboratories were taken from the Minimum Monitoring Requirements for Direct Discharging Mills in the Bleached Papergrade Kraft and Soda Subcategory and the Papergrade Sulfite Subcategory of the Pulp, Paper, and Paperboard Point Source Category ICR (OMB Control No. 2040-0243; EPA ICR No. 1878.02). These costs are \$179 for AOX, \$1,300 for TCDD/TCDF, \$742 for chlorinated phenolics, and \$400 for chloroform.

Seventy-five Subpart B Bleached Papergrade Kraft & Soda mills perform daily sampling for AOX, weekly sampling for chloroform, and monthly grab sampling for TCDD, TCDF, and chlorinated phenolics. Thirty-eight Subpart B Bleached Papergrade Kraft & Soda mills perform monthly composite sampling for TCDD, TCDF, and chlorinated phenolics. Five of the Subpart E Ca / Sodium / Mg Sulfite mills perform daily AOX sampling. Two each for the Subpart E Ammonium Sulfite and Specialty Grade perform monthly sampling for TCDD, TCDF, and chlorinated phenolics.

A.2.3. Capital/Start-up Costs

Most calculations in the ICR account for labor costs only. The ICR does, however, account for certain capital and start-up costs incurred by respondents that perform activities outside the normal operating practices. All costs presented in this section have been adjusted with the Consumer Price Index to November 2014 dollars. These costs are linked to two distinctive activities.

A.2.3.1. CSO Control Policy (CSO Notification)

The capital costs associated with public notification of CSO locations, events, and public health and environmental effects are included in this ICR. The costs are those for municipalities to purchase notification signs. From estimates presented in the previous CSO Control Policy ICR (OMB Control No. 2040-0170; EPA ICR No. 1680.041) each sign is estimated to cost \$117 and be used once.

A.2.3.2. Baseline Determination and Estimate of the Incremental Monitoring Burden and Cost for Remining Sites (DMR Sampling Analysis)

EPA assumes that flow metering from an installed weir is required for mining sites in Indiana

and Tennessee. For all other states, EPA assumes that flow metering is already required and installed as part of the state Rahall remining permit program.

For Indiana and Tennessee, EPA assumes installed weir costs of \$1,538 on the basis of an escalation of 2004 cost estimates from previous the Baseline Standards and BMPs for the Coal Mining Point Source Category-Coal Remining Subcategory and Western Alkaline Coal Mining Subcategory ICR (OMB Control No. 2040-0239; EPA ICR No. 1944.03) (originally from Weir & Flume Sales Company and Tarco Tech Industries). Indiana will have 5 sites/year \times 4 preexisting discharge points/site. Tennessee will have 9 sites/year \times 4 preexisting discharge points/site. These costs are annualized using a 7 percent discount rate and an estimated 10-year life for the weir.

Appendix B – Detailed Respondent Burden Results by Category

Table B.1 presents the calculated respondent burden and cost estimates grouped by activity type and respondent type. This table includes a section for respondents that are permit holders (which can include both private and municipal entities), a section for respondents which are states acting as the NPDES permitting authority, and a section for EPA Regions acting as the NPDES permitting authority. The latter are federal costs and are included in Table 14.1.

(See attached PDF document)

Appendix C – Detailed Agency Burden Estimates

Table C.1 presents a summary of the Agency burden associated with administration of individual permits similar to the state activities in Appendix B. Table C.1 presents a summary of the Agency burden that is associated with NPDES program oversight.

(See attached PDF document)

Appendix D – Number of Unique Respondents

Table D.1 presents a summary of the number of respondents in each permit category. Estimates for the number of each type of permit respondent are based on queries to the NPDES-ICIS database conducted in early 2015. On the basis of 2010 U.S. Census data, an estimated 94.85 percent of the population resides in states authorized to issue general permits. This population percentage has been applied to the respondent values to estimate those stormwater general permittees that report directly to authorized states. For all other permittees, the information in NPDES-ICIS and other EPA databases were used to determine the allocation.

(See attached PDF document)

Appendix E – Copy of Regulation Authorizing Data Collection and Federal Register Notice

E.1 Clean Water Act Section 402

(See attached PDF document)

E.2 ICR Federal Register Notice

(See attached PDF document)