

**SUPPORTING STATEMENT
ENVIRONMENTAL PROTECTION AGENCY**

ICR Title Annual Public Water System Compliance Report (Renewal)
EPA ICR No. 1812.06, OMB Control No. 2020-0020

1. Identification of the Information Collection

1(a) Title of the Information Collection

ICR Title: Annual Public Water System Compliance Report (Renewal)
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1(b) Abstract

Section 1414 (c)(3)(A) of the Safe Drinking Water Act (SDWA) requires that each State (a term that includes states, commonwealths, territories and Indian tribes) that has primary enforcement authority under the Safe Drinking Water Act shall prepare, make readily available to the public, and submit to the Administrator of EPA, an annual report of violations of national primary drinking water regulations in the State. These Annual State Public Water System Compliance Reports are to include violations of maximum contaminant levels, treatment requirements, variances and exemptions, and monitoring requirements determined to be significant by the Administrator after consultation with the states. To minimize a State's burden in preparing its annual statutorily-required report, EPA issued guidance that explains what Section 1414(c)(3)(A) requires and provides model language and reporting templates. EPA also annually makes available to the States a computer query that generates for each State (from information States are already separately required to submit to EPA's national database on a quarterly basis) the required violations information in a table consistent with the reporting template in EPA's guidance.

Fifty-five States (including Puerto Rico, the Virgin Islands, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and Navajo Nation) currently have primary enforcement authority under the Safe Drinking Water Act. The Navajo Nation was approved for primacy on December 6, 2000. Currently the State of Wyoming and the District of Columbia neither have primary enforcement authority nor are they seeking primary authority, so the number of 55 States is unlikely to change over the next three years of this ICR. The cost of this ICR to each State with primary enforcement authority will be approximately \$8,586.84 during each of the three years of this ICR.

The Office of Management and Budget (OMB) approved the current active ICR without any "Terms of Clearance."

The "Affected Public" are the states, tribes and territories that have primary enforcement authority. The burden to the "Affected Public" may be found below in Table 1: Annual Respondent Burden and Cost - the Annual Public Water Systems Compliance Report (Renewal).

The burden to the “Federal Government” is attributed entirely to work performed by federal employees or government contractors. This burden may be found below in Table 2: Average Annual EPA Burden and Cost – the Annual Public Water Systems Compliance Report.

2. Need for and Use of the Collection

2(a) Need/Authority for the Collection

As stated above, Section 1414 (c)(3)(A) of the Safe Drinking Water Act requires that each State that has primary enforcement authority under the Act shall prepare, make readily available to the public, and submit to the Administrator of EPA, an annual report of violations of national primary drinking water regulations in the State. The States’ reports are to include violations of maximum contaminant levels, treatment requirements, variances and exemptions, and monitoring requirements determined to be significant by the Administrator after consultation with the States. Section 1414(c)(3)(B) of the Safe Drinking Water Act requires EPA to prepare and make available to the public an annual report that summarizes and evaluates the reports submitted by the States pursuant to subparagraph (A).

2(b) Practical Utility/Users of the Data

EPA summarizes the data submitted by the states and uses that information in preparing its annual report that provides a national overview of the compliance performance of public water systems. In its annual national report, EPA must also use the violations data provided by the States to make recommendations concerning the resources necessary to improve compliance with the Safe Drinking Water Act.

3. Nonduplication, Consultations, and Other Collection Criteria

The requested recordkeeping and reporting are required under Section 1414 (c)(3)(A) of the Safe Drinking Water.

3(a) Nonduplication

The information to be obtained under this ICR has not been collected by EPA or any other federal agency. States are required to report public water system violations to EPA’s national database on a quarterly basis, but states cannot satisfy their obligations under Section 1414(c)(3)(A) simply by referring interested parties to EPA’s Safe Drinking Water Information System/Federal System (SDWIS/FED). EPA works with states to ensure they can efficiently extract from SDWIS/FED the calendar year violations data they need to prepare a report in which the violations data are readily available to the public. Some States elect not to use the EPA-provided query to extract the essential reporting data from SDWIS/FED, and use their own data systems instead.

3(b) Public Notice Required Prior to ICR Submission to OMB

An announcement of a public comment period for the renewal of this ICR was published in the Federal Register (82 FR 45585) on September 29, 2017. No comments were received on the burden published in the Federal Register.

3(c) Consultations

To obtain comments from actual respondents regarding the annual state public water systems compliance report and the corresponding burden hour estimates, EPA staff consulted with the following individuals:

Name	Telephone	Organization
Betsy Lichti	916-322-9598	California Water Boards
Michele Risko	512-239-1689	Texas Commission on Environmental Quality
Keith Mensch	302-741-8589	Delaware Department of Health and Social Services

As States have now completed seventeen of these annual reports, most of them simply generate the necessary data from SDWIS/FED, confirm the accuracy of the numbers, and update the previous year's report.

3(d) Effects of Less Frequent Collection

Because Section 1414(c)(3)(A) of the Safe Drinking Water Act requires the States to prepare these reports annually and to make the reports readily available to the public, States do not have the option of collecting this information less frequently.

3(e) General Guidelines

These reporting or recordkeeping requirements do not violate any of the regulations promulgated by OMB under 5 CFR part 1320, section 1320.5.

3(f) Confidentiality

None of the information collected as part of the States' annual public water systems compliance report comprises confidential business information (CBI), the required information consists of violations data and other information that are a matter of public record.

3(g) Sensitive Questions

The reporting or recordkeeping requirements for the States' annual public water systems compliance report do not include sensitive questions.

4. The Respondents and the Information Requested

4(a) Respondents/SIC Codes

The respondents of the recordkeeping and reporting requirements are states that have received primary enforcement authority under the Safe Drinking Water Act. The term “State,” in this context can include states, commonwealths, territories, and Indian Tribes. Currently, primary enforcement authority has been approved for every State except Wyoming, and for the U.S. Virgin Islands, Puerto Rico, American Samoa, Guam, the Navajo Nation and the Northern Mariana Islands. Primary enforcement authority has not been approved for the District of Columbia or for Indian Tribes except for the Navajo Nation. EPA has primary enforcement authority in those jurisdictions and is likely to retain that during the three year duration of this ICR.

4(b) Information Requested

(i) Data Items

In this ICR, all the data that is recorded or reported is required by Section 1414 (c)(3)(A) of the Safe Drinking Water Act.

A state must make the following reports:

- State name and reporting period
- Full report, including a description of the data in the Summary of Violations chart, specific information on the violation categories for each rule identified on the chart, a list of the systems that had maximum contaminant level or treatment technique requirement violations, explanations of any aggregated number of violations, and a description of systems that were out of compliance during the year, a discussion of variance or exemption violations;
- Summary report, including a description of the data on violations, a list of the systems that had maximum contaminant level or treatment technique requirement violations, and a discussion of variance or exemption violations; and
- Reviewed and completed Summary of Violations chart.

In addition to these items, States are encouraged to provide optional information as outlined EPA guidance. EPA provides guidance to the States to assist them in the development of their statutorily-mandated reports.

Electronic Reporting

The respondents gather inventory and violations data from EPA’s SDWIS/FED or from their own databases. Each year EPA provides the respondents with a computer query that generates for each State the required violations information in a table consistent with the reporting template in EPA’s guidance. States can submit their reports to EPA electronically. Most States do submit electronic versions of their report to EPA.

(ii) Respondent Activities

Respondent Activities
Familiarization with the regulatory requirements.
Gather inventory and violations data from SDWIS/FED and from their own databases.
Review and analyze inventory and violations data from SDWIS/FED and from their own databases.
Prepare summary of violations data from SDWIS/FED and from their own databases.
Prepare report and submit to EPA.
Make report readily available to the public and distribute a summary of the report.

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

5(a) Agency Activities

EPA conducts the following activities in connection with the acquisition, analysis, storage, and distribution of the required information.

Agency Activities
Modify guidance documents as necessary and distribute to states and EPA Regional Offices
Prepare and distribute tools for states and EPA Regional Offices to use to gather data from SDWIS/FED.
Answer questions from states and EPA Regional Offices.
Review Annual State Public Water System Compliance Reports and data from SDWIS/FED.
Prepare and distribute annual report where EPA directly implements drinking water, and gather information from SDWIS/FED for Indian lands.
Prepare the Annual National Public Water Systems Compliance Report that summarizes and evaluates the annual state reports, and distribute the national report.

5(b) Collection Methodology and Management

EPA asks States with primary enforcement authority to submit their Annual State Public Water System Compliance Reports in electronic (WordPerfect compatible) and hard-copy format. Section 1414(c)(3)(A) requires that both the Annual State Public Water Systems Compliance Reports and the State-prepared summaries be accessible to the public. In its guidance, EPA recommends that States and EPA Regions use one or more of the following

mechanisms for making the reports and summaries readily available:

- Publish an official notice in newspapers regarding the availability of the report or summary;
- Conduct a press conference, issue a press release, or incorporate a notice into standard press conferences to announce report availability;
- Prepare notices for distribution in public libraries and other public buildings;
- Provide copies of the report for review at public offices and locations, libraries, web sites, state/local departments of health, etc; and
- Include notices of availability in local, state and EPA web sites.

Additionally, EPA's national report, which will summarize the data collected from the states, will be posted on the Internet.

5(c) Small Entity Flexibility

None of the states, commonwealths, or territories affected by this ICR are small entities as defined by the Regulatory Flexibility Act.

5(d) Collection Schedule

States with primary enforcement authority have six months after the end of each calendar year to prepare their Annual State Public Water Systems Compliance Reports, which are due to EPA on the first of July. Each report covers violations that occurred in a previous calendar year.

6. Estimating the Burden and Cost of the Collection

Table 1 documents the computation of individual burdens for the recordkeeping and reporting requirements applicable to the States with primacy for the section of the Safe Drinking Water Act included in this ICR. The individual burdens are expressed under standardized headings believed to be consistent with the concept of burden under the Paperwork Reduction Act. Where appropriate, specific tasks and major assumptions have been identified. Responses to this information collection are mandatory.

The Agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number.

6(a) Estimating Respondent Burden

The average annual burden to the states over the next three years from these recordkeeping and reporting requirements is estimated to be 4,400 (Total Labor Hours from Table 1). The recordkeeping hours shown in Table 1 are zero. The reporting requirement hours shown in Table 1 are 4,400. These hours are based on Agency studies, Agency knowledge and experience with the Annual State Public Water System Compliance Reports, the previously approved ICR, and any comments received.

6(b) Estimating Respondent Costs

(i) Estimating Labor Costs

This ICR uses the following labor rates:

Managerial	\$144.53
Technical	\$108.28
Clerical	\$53.34

These rates are from the U.S. Department of Labor, Bureau of Labor Statistics, September 2016. Full-time State Government workers: Mean and Median Hourly, Weekly, and Annual Earnings and Mean Weekly and Annual Hours. The rates have been increased by 110 percent to account for the benefit packages available to those employed by state government.

(ii) Estimating Capital/Startup and Operation and Maintenance Costs

The only type of state costs associated with the information collection activity in the Safe Drinking Water Act is labor costs. There are no capital/startup or operation and maintenance costs.

(iii) Capital/Startup vs. Operation and Maintenance (O&M) Costs

The average annual cost for capital/startup and operation and maintenance costs to the state over the next three years of the ICR is estimated to be zero.

6(c) Estimating Agency Burden and Cost

Table 2 Annual Agency Burden and Costs – Annual Public Water Systems Compliance Report presents the estimate Agency burden hours and costs associated with the information collection activities under this ICR. Other direct cost (copying, printing, telephone, and mailing expenses) are also included.

The average annual Agency cost during the three years of the ICR is estimated to be \$120,000.

This cost is based on the average hourly labor rate as follows:

Managerial	\$64.80 (GS-13, Step 5, \$40.50 + 60%)
Technical	\$48.08 (GS-12, Step 1, \$30.05 + 60%)
Clerical	\$26.02 (GS-6, Step 3, \$16.26 + 60%)

These rates are from the Office of Personnel Management (OPM), 2016 General Schedule, which excludes locality rates of pay. The rates have been increased by 60 percent to account for the benefit packages available to federal government employees. [These rates can be obtained from the OPM web site, <http://www.opm.gov/oca/payrates/index/htm>.] Details upon which this

estimate is based appear below in Table 2: Average Annual Agency Burden and Costs, Public Water Systems Compliance Report.

6(d) Estimating the Respondent Universe and Total Burden and Costs

Based on our research for this ICR, on average over the next three years, fifty-five existing respondents will be subject to the standard. It is estimated that no additional respondents will become subject in the next three years. EPA does not anticipate any additional states, territories, or tribes will obtain primacy in the next three years. The total number of annual responses per year is fifty-five, as each state is required to develop and submit one annual report.

The total annual labor costs are 4,400. The total annual capital/startup and O&M costs to the regulated entities are zero. Details regarding these estimates may be found below in Table 1. Annual Respondent Burden and Cost, Annual Public Water Systems Compliance Report (pg. 11).

The average annual Agency burden and cost over next three years is estimated to be 2,600 labor hours at a cost of \$120,000. See Table 2. Annual Agency Burden and Cost, Annual Public Water Systems Compliance Report (pg. 12).

6(e) Bottom Line Burden Hours and Cost Tables

The detailed bottom line burden hours and cost calculations for the respondents and the Agency are shown in Tables 1 and 2, respectively, and summarized below.

(i) Respondent Tally

The total annual labor hours are 4,400. Details regarding these estimates may be found in Table 1. Annual Respondent Burden and Cost, Annual Public Water Systems Compliance Report. Furthermore, the annual public reporting and recordkeeping burden for this collection of information is estimated to average \$8,586.84 per response.

The total annual capital/startup and O&M costs to the regulated entity are zero with the details in Section 6(b)(iii), Capital/Startup vs. Operation and Maintenance (O&M) Costs.

(ii) The Agency Tally

The average annual Agency burden and cost over next three years is estimated to be 2,600 labor hours at a cost of \$120,000. See Table 2. Annual Agency Burden and Cost, Annual Public Water Systems Compliance Report.

6(f) Reasons for Change in Burden

There is no change in burden from the most recently approved. This is due to two considerations. First, the requirements under SDWA have not changed over the past three years and are not anticipated to change over the next three years. Secondly, the number of states, territories or tribes with primacy has not changed, and is not anticipated to change over the next three years, so there is no significant change in the overall burden. There was a small re-allocation of hours between technical staff and clerical staff, but the overall burden hours remained the same. The figures reflected in the estimates of the cost are now rounded to three significant figures.

6(g) Burden Statement

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 80 hours per response. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and

verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB Control Number. The OMB Control Numbers for EPA regulations are listed at 40 CFR part 9 and 48 CFR chapter 15.

To comment on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including the use of automated collection techniques, EPA has established a public docket for this ICR under Docket ID Number EPA-HQ-OECA-2013-0667. An electronic version of the public docket is available at <http://www.regulations.gov/> which may be used to obtain a copy of the draft collection of information, submit or view public comments, access the index listing of the contents of the docket, and to access those documents in the public docket that are available electronically. When in the system, select "search," then key in the docket ID number identified in this document. The documents are also available for public viewing at the Enforcement and Compliance Docket and Information Center in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Ave., NW, Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is (202) 566-1744, and the telephone number for the docket center is (202) 566-1752. Also, you can send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, DC 20503, Attention: Desk Officer for EPA. Please include the EPA Docket ID Number EPA-HQ-OECA-2017-0438 and OMB Control Number 2020-0020 in any correspondence.

Part B of the Supporting Statement

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

**Table 1. Annual Respondent Burden and Cost
Annual Public Water Systems Compliance Report**

Burden item	Hours and Costs Per Respondent						Total Hours and Costs				
	Tech person-hrs per year	Management person-hrs per year	Clerical person-hrs per year	Person-hrs per respondent per year	Labor Cost/Year (\$)	Respondents per year ^a	Technical person-hours per year	Management person-hours per year	Clerical person-hours per year	Total Hours/Yr	Cost (\$) ^b
Review instructions and other necessary materials	4			4	\$433.12	55	220	0	0	220	\$23,821.60
Gather inventory and violations data from SDWIS/FED and State databases	4			4	\$433.12	55	220	0	0	220	\$23,821.60
Review and analyze data	24			24	\$2,598.72	55	1320	0	0	1320	\$142,929.60
Prepare summary of violations of variances and exemptions	4			4	\$433.12	55	220	0	0	220	\$23,821.60
Prepare report and submit to EPA	36	4		40	\$4,475.40	55	1980	220	0	2200	\$246,147.00
Make report available to public			4	4	\$213.36	55	0	0	220	220	\$11,735
GRAND TOTAL (rounded)				80	\$8,586.84	55				4400	\$470,000

“**” There are no capital/startup costs or operation & maintenance costs associated with this information collection activity.

**Table 2. Annual Agency Burden and Cost
Annual Public Water Systems Compliance Report**

Information Collection Activity	Agency Hours and Costs						Total Hours and Costs			
	Technical person- hours per year	Management person-hours per year	Clerical person-hours per year	Agency hours per year	Respondents per year ^a	Technical person- hours per year	Management person-hours per year	Clerical person-hours per year	Total Hours/Year	Cost (\$) ^b
Modify guidance as necessary and distribute to states and EPA Regions	24	1		25	1	24	1	0	25	\$1,218.72
Prepare and distribute tools for gathering data from SDWIS/FED	16	1		17	12	192	12	0	204	\$10,008.96
Answer questions from states and EPA Regional Offices	40			40	12	480	0	0	480	\$23,078.40
Provide support for Indian Land reporting	120			120	9	1080	0	0	1080	\$51,926.40
Review state reports and data from SDWIS/FED	40			40	12	480	0	0	480	\$23,078.40
Prepare and distribute annual report where EPA directly implements drinking water	80	4	12	96	2	160	8	24	192	\$8,835.68
Prepare and distribute national summary report	120	4	16	140	1	120	4	16	140	\$6,445.12
GRAND TOTAL (rounded)	440	6	28	478	49				2600	\$120,000

“*” There are no capital/startup costs or operation & maintenance costs associated with this information collection activity.