

Draft Text for Email to State, Territorial and Tribal Emergency Response Commissions

Request for Response to Survey: "Survey on Clean Water Act (CWA) Hazardous Substance and Spill Impacts (OMB Control number 2050-xxxx)"

Under the authority of the Clean Water Act, EPA is considering a regulatory proposal for CWA hazardous substances (HS) spill prevention to surface waters. To assist the agency in refining regulatory approaches and baseline estimates on the potential universe of covered facilities, EPA has developed a *Survey on Clean Water Act Hazardous Substances and Spill Impacts*. The purpose of this survey is to:

- collect information on the universe of facilities that could potentially be subject to spill prevention regulations for hazardous substances listed at 40 CFR 116.4 (CWA HS),
- identify impacts of discharges of CWA HS to surface waters (e.g., fish kills, drinking water) over the past 10 years, and
- gather information on existing state, tribal and territorial programs in place to help prevent and mitigate the impact of CWA HS to surface waters.

As a member of the State or tribal Emergency Response Commission (SERC/TERC) community, you have been identified as a potential respondent to the information collection effort because you have responsibility for information collected under Section 312 (Tier II) of the Emergency Planning and Community Right-to-know. The Tier II submittals include information on facilities that produce, store or use CWA HS (40 CFR 116.4). The survey and instructions are provided as an attachment to this email.

EPA has the necessary resources to sort and extract the relevant CWA HS associated facility and substance data from unsorted Tier II database, thereby substantially reducing the potential burden on states, territories and tribes. Therefore, EPA requests that CWA-HS/facility data be submitted electronically, in a database (preferably MS Excel) that can be manipulated, either via email to or by US mail on portable media (e.g., CD or thumb drive) to Contractor Name/Address (email address)

The agency is aware that SERC/TERC members may not be able to respond to certain survey questions, particularly those questions related to impacts of discharges of CWA hazardous substances to surface waters (e.g., fish kills, drinking water), or information on existing state/tribal/territorial programs (survey questions 4, 5, and 6). The EPA requests the assistance of SERC/TERC members to facilitate the transmittal of these questions to the staff of the appropriate state/tribal/territorial agencies, either directly, or by providing their contact information to EPA.

EPA is providing 45 days to respond to this voluntary survey, and requests that information be submitted by XXXX, XX, 2018.

We appreciate your time and effort in providing responses to this information collection request.

Please contact Joe Beaman at 202-566-0420 (Beaman.joe@epa.gov) or Stacey Yonce at 202-564-2288 (Yonce.stacey@epa.gov) for questions regarding the information collection request.

Thank you,

Kim Jennings
Director, Regulatory Implementation Division
Office of Emergency Management