

**SUPPORTING STATEMENT FOR  
EPA INFORMATION COLLECTION REQUEST NUMBER 2002.07  
“CROSS-MEDIA ELECTRONIC REPORTING RULE”**

**May 14, 2018**

Office of Environmental Information  
U.S. Environmental Protection Agency  
Washington, D.C. 20460

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## **1. IDENTIFICATION OF THE INFORMATION COLLECTION**

### **1.a) TITLE**

This Information Collection Request (ICR) is entitled “Cross-Media Electronic Reporting Rule,” EPA ICR Number 2002.07, OMB Control Number 2025-0003.

### **1.b) SHORT CHARACTERIZATION/ABSTRACT**

The U.S. Environmental Protection Agency (EPA) allows regulated entities to report electronically to EPA by allowing the use of electronic document receiving systems to receive electronic documents in satisfaction of certain document submission requirements in EPA’s regulations.<sup>1</sup> The Cross-Media Electronic Reporting Rule (CROMERR) also allows state, tribal, and local governments to seek EPA approval, as provided under 40 Code of Federal Regulations (CFR) 3.1000, to accept electronic documents to satisfy reporting requirements under authorized or delegated environmental programs that they administer. In seeking EPA approval, these state, tribal, and local governments must upgrade existing electronic document receiving systems or develop new electronic document receiving systems to satisfy the criteria laid out at 40 CFR 3.2000. Regulated entities that use an electronic signature device in submitting electronic documents to the EPA or a state, tribal, or local government receiving system must comply with identity proofing requirements, as applicable. In the remainder of this document, we refer to state, tribal, and local governments as “States/Tribes/Locals.” At the current time, EPA is aware of one tribal government that is planning to develop such a system during the next three years.

CROMERR does not require any regulated entity to report electronically to EPA or States/Tribes/Locals. CROMERR establishes requirements for utilizing electronic reporting as an alternative to paper-based reporting. It does not require States/Tribes/Locals to implement electronic reporting; rather, it establishes the framework for implementing the electronic reporting alternative for Federal laws that they administer. In this regard, regulated entities are affected by this information collection only as follows:

- Entities that report electronically to EPA have to register with EPA’s electronic document receiving system (e.g., log on to the EPA Web site and enter requested information), comply with the identity proofing provisions, and then commence electronic reporting. In this document, we refer to these entities as “direct reporters.”
- States/Tribes/Locals must upgrade existing electronic document receiving systems or develop new electronic document receiving systems to meet 40 CFR 3.2000 requirements. These States/Tribes/Locals must apply for EPA program modification approval under 40 CFR 3.1000. They also must implement the identity proofing requirements at 40 CFR 3.2000(b)(5).

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<sup>1</sup> In this document, EPA is using the term “electronic reporting” in a sense that excludes submission of a report via magnetic media, (i.e., via diskette, compact disc, or tape). EPA also is excluding transmission via hard copy facsimile. Likewise, EPA’s use of the term “electronic document” throughout this document refers exclusively to documents that are transmitted via a telecommunications network, excluding hard copy facsimile.

- Entities that report electronically to States/Tribes/Locals must comply with the identity proofing requirements at 40 CFR 3.2000(b)(5). In this document, we refer to these entities as “indirect reporters.”
- Entities that opt to implement the local registration authority (LRA) alternative for identity proofing must identify an individual who will collect subscriber agreements from each individual that intends to use an electronic signature device in reporting electronically to a State/Tribe/Local electronic document receiving system. In this document, we refer to these entities as “indirect reporting firms.”
- The LRA must collect and store subscriber agreements from individuals in his/her indirect reporting firm. The LRA also must prepare an agreement collection certification and submit a certification of receipt and secure storage to the corresponding State/Tribe/Local agency.

Sections 1 through 5 of this document describe the information collection requirements covered in this ICR (e.g., in regard to need and use of the information collected). Section 6 estimates the annual burden to respondents. As used in this document, the term “respondent” includes private sector and State/Tribe/Local entities. This ICR does not address the burden savings to respondents in reporting electronically under EPA programs. EPA’s programs will amend their program-specific ICRs to address these impacts.

CROMERR establishes requirements applicable to electronic reporting and receiving systems, as specified. Many of the activities to be conducted by direct reporters will be determined by the instructions associated with EPA’s electronic document receiving system. Specifically, EPA has developed an Agency-wide receiving system, the Central Data Exchange (CDX), which guides direct reporters through the registration and reporting procedures. In developing this ICR, EPA referred to the regulatory text, as well as CDX, in describing direct reporters’ activities and associated burden.

EPA estimates that, in total, 175,047 respondents will be subject to the information collection requirements covered in this ICR. This includes 152,458 direct reporters, 22,517 indirect reporters, 48 State/Tribe/Local agencies acting as regulators, and 24 State/Tribe/Local agencies that are regulated entities. EPA estimates the annual respondent burden to be 83,837 hours and \$4,055,829. The bottom line burden to respondents over three years is estimated to be 251,511 hours and \$12,167,487. EPA estimates the annual agency burden to be 26,579 hours and \$1,526,116. The bottom line burden to the agency over three years is estimated to be 79,737 hours and \$4,578,348.

## **2. NEED FOR AND USE OF THE COLLECTION**

### **2.a) NEED/AUTHORITY FOR THE COLLECTION**

EPA established the CROMERR requirements to ensure compliance with the Government Paperwork Elimination Act (GPEA).<sup>2</sup> GPEA requires that Federal agencies be prepared, by October 21, 2003, to allow persons who are required to maintain, submit, or disclose information, the option of doing so electronically, when practicable, as a substitute for paper; and to use electronic authentication (electronic signature) methods to verify the identity of the sender and the integrity of electronic content. GPEA specifically provides that electronic records, and their related electronic signatures, are not to be denied legal effect, validity, or enforceability merely because they are in electronic form.

#### **(1) Registering with EPA Electronic Document Receiving System**

Regulated entities must initially register with the EPA electronic document receiving system to establish a user account. EPA needs the registration information to identify the registrant, contact information, and registrant's organization. Registrants also select a password and user name during registration. This information is needed to ensure that only the registrant has access to his/her account.

#### **(2) Compliance with Identity Proofing Requirements**

The identity proofing provisions in 40 CFR 3.2000(b)(5) are needed to strengthen the non-repudiation provisions of CROMERR. The subscriber agreement or electronic signature agreement (ESA)<sup>3</sup>, required in Section 3.2000(b)(5)(v), establishes that the signatory was informed of their obligation to keep the signature device from compromise, by ensuring that it is not made available to anyone else. These provisions are intended to ensure that the Federal laws regarding the falsification of information submitted to the government still apply to any and all electronic transactions, and that fraudulent electronic submissions will be prosecuted to the fullest extent of the law. In establishing clear requirements for electronic reporting systems, CROMERR helps to minimize fraud by assuring that the responsible individuals can be readily identified.

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<sup>2</sup> Title XVII of Pub. L. 105 277.

<sup>3</sup> Pursuant to 40 CFR 3.3, "subscriber agreement" means an electronic signature agreement signed by an individual with a handwritten signature. This agreement must be stored until five years after the associated electronic signature device has been deactivated. "Electronic signature agreement" means an agreement signed by an individual with respect to an electronic signature device that the individual will use to create his or her electronic signatures requiring such individual to protect the electronic signature device from compromise; to promptly report to the agency or agencies relying on the electronic signatures created any evidence discovered that the device has been compromised; and to be held as legally bound, obligated, or responsible by the electronic signatures created as by a handwritten signature.

### **(3) Approval of State/Tribe/Local Electronic Document Receiving System Applications**

EPA needs information submitted by States/Tribes/Locals in their program modification applications to evaluate the States/Tribes/Locals' upgraded or new electronic document receiving systems to ensure they satisfy the criteria at 40 CFR 3.2000.

EPA also needs the information to evaluate whether the State/Tribe/Local's modified program has been satisfactorily revised or modified in regard to their electronic document receiving system. In particular, the application must include a certification that the State/Tribe/Local has sufficient legal authority provided by lawfully enacted or promulgated statutes or regulations to implement the electronic reporting component of its authorized program covered by the application; and to enforce the affected programs using electronic documents collected under these programs. The certification must be signed by the governmental official who is legally competent to certify with respect to legal authority on behalf of their government. In the case of a state, this official must be the Attorney General or designee. In the case of a tribe or local government, this official must be the chief administrative official or officer or designee. As a legal matter, EPA's position is that Attorneys General or their designees are the only officials capable of certifying with respect to their states' legal authority. Where there are substantial administrative obstacles involving the Attorney General in such certifications, EPA urges the State Attorney General to provide for a legally competent designee who is available to participate in the submission of the state's application.

#### **2.b) PRACTICAL UTILITY/USERS OF THE DATA**

##### **(1) Registering with EPA Electronic Document Receiving System**

Regulated entities must initially register with the EPA electronic document receiving system to establish a user account and create a password. EPA uses the information to identify the registrant (e.g., by name and/or organization), establish the account, and contact the registrant if needed. Regulated entities use the password to access their account and to protect it from unauthorized use.

##### **(2) Compliance with Identity Proofing Requirements**

EPA, States/Tribes/Locals, and LRAs use the identity proofing information from registrants to determine each registrant's identity and relationship to their regulated entity. The information may be used in an EPA or State/Tribe/Local enforcement action to rebut a signatory's attempt to repudiate their electronic signature and/or other elements of the document that was signed.

When EPA or State/Tribe/Local agency receives a subscriber agreement, an ESA, a certification of receipt and secure storage, or other identity-proofing information, the agency will review, process, and file the submittal. EPA or State/Tribe/Local agency would then provide the registrant with access to the electronic document receiving system (e.g., open its account) so that it may begin using the electronic signature device in reporting electronically.

### **(3) Approval of State/Tribe/Local Electronic Document Receiving System Applications**

EPA uses the information submitted by States/Tribes/Locals in their program modification applications to evaluate the States/Tribes/Locals' upgraded or new electronic document receiving systems against the criteria at 40 CFR 3.2000(b)(1)-(5). For example, EPA will review the application to determine if the systems are able to generate data as needed, and in a timely manner, including copy of record for each electronic document received, sufficient to prove that the electronic document was not altered without detection during transmission or at any time after receipt.

EPA also reviews the application to ensure that the State/Tribe/Local has taken all necessary steps to modify its regulations and statutes, as needed, so that it has authority to implement electronic reporting and enforce the affected programs using electronic documents collected under its programs. This includes, among other things, an evaluation of the Attorney General's certification under 40 CFR 3.1000(b)(1)(i).

### **3. NONDUPLICATION, CONSULTATIONS, AND OTHER COLLECTION CRITERIA**

#### **3.a) NONDUPLICATION**

CROMERR establishes uniform, Agency-wide criteria for electronic document receiving systems, thereby minimizing the potential for duplication or redundancy across EPA or State/Tribe/Local programs. In addition, electronic reporting is voluntary, and will likely be used by facilities only if cost-effective and non-duplicative with their other compliance activities. CROMERR does not alter the reporting requirements under existing regulations and statutes, and does not affect whether a document must be created, submitted, or retained under existing 40 CFR provisions.

#### **3.b) PUBLIC NOTICE REQUIRED PRIOR TO ICR SUBMISSION TO OMB**

In compliance with the Paperwork Reduction Act of 1995 (PRA), EPA issued a public notice in the *Federal Register* on January 19, 2018 (83 FR 2774). The notice indicated that EPA was planning to submit an ICR, “Cross-Media Electronic Reporting Rule” (EPA ICR No. 2002.07, OMB Control No. 2025–0003), to the Office of Management and Budget (OMB) for review and approval in accordance with the PRA. The notice also requested comments on the information collection and burden estimates covered in the ICR. The public comment period extended through March 20, 2018.

EPA received two written comments in response to the *Federal Register* notice. The two comments were anonymous public submissions. The first commenter stated that Federal agencies need to analyze the costs and benefits of regulations, and present the results of such analyses to the public in a transparent way. The second commenter stated that some people think that EPA is a leading cause of pollution because of the Gold King Mine accidental release. The commenter also questioned whether a Federal Government shutdown would improve air and water quality. EPA thanks both commenters for their comments. However, EPA notes that the comments were not on specific aspects of the proposed information collection or the associated burden. As a result, EPA was not able to incorporate the information provided into this ICR.

#### **3.c) CONSULTATIONS**

Most of the underlying assumptions in this ICR (e.g., hour and cost burden estimates) are based on EPA consultations with industry and States/Tribes/Locals during the development of CROMERR and renewal of previous CROMERR ICRs. In developing this current ICR, EPA carefully reviewed all of the ICR’s data and assumptions and determined that a few should be strengthened based on additional consultations.

Table 1 identifies the organizations contacted.



**Table 1**  
**Organizations EPA Contacted during the Development of this ICR**  
**(February and March 2018)**

Organization	Contact Name	Phone Number
<b>Industry (i.e., Direct/Indirect Reporters)</b>		
BYD Auto Industry Company Limited	Jackey Chen	+86-755-8988 8888-57686
Ross Environmental Services, Inc.	Deborah Bishop	(440) 748-5827
WACKER CHEMIE AG	Jeremy Copeland	(423) 780-7953
Texas Commission on Environmental Quality	Sean Ables	(512) 239-1758
Wilbur-Ellis Company LLC	Anne Downs	(916) 991-9816
Texas General Land Office	Craig Davis	(512) 463-8126
DuPont	Rebecca Ashley	(302) 999-3901
LEDVANCE LLC	Jennifer Dolin	(978) 753-5158
NatureWorks LLC	Curtis Dean	(402) 237-3811
<b>State/Local Agencies</b>		
Indiana Department of Environmental Management	Sara Pierson	(317) 234-7452
Kansas Department of Health and Environment	Diane Sands	(785) 368-8336
Florida Department of Environmental Protection	Cierra Robinson	(850) 245-7523
North Carolina Mecklenburg County Air Quality	Leslie Rhodes	(704) 336-5430
Arizona Department of Environmental Quality	Ryan Richards	(602) 771-4868
Idaho Department of Environmental Quality	Gary Reinbold	(208) 373-0253
Louisiana Department of Health	Errin Rider	(225) 219-5233
Colorado Department of Public Health and the Environment	Andrew Putnam	(303) 692-3579
Alabama Department of Environmental Management	Eric Cleckler	(334) 394-4345

The feedback from the consultations is organized by direct/indirect reporters and state/local agencies. The CROMERR related activities for these two groups are distinct, and the consultations were completed using two different questionnaires. The following paragraphs summarize the various information collection activities discussed with each group and feedback obtained on the burden associated with each activity.

(1) **Direct/Indirect Reporters**

(a) **CDX Registration (Direct Reporters Only)**

- ***Log on to the receiving system site and enter requested information.*** EPA received mixed feedback about the ICR's original burden for logging on to CDX site and entering the requested information (i.e., 9 minutes or 0.15 hours per registrant) from the employee registrants contacted. Six registrants indicated that the ICR's original burden estimate was a realistic industry average, while three registrants disagreed with the burden estimate. Based on the consultation information, the average burden for logging on to the receiving system site and entering the requested information was estimated to be 12 minutes or 0.20 hours per registrant.
- ***Update the information as needed.*** EPA was informed by seven of the nine registrants contacted that, generally, the ICR's original burden for updating the information, as needed, (i.e., 1 minute or 0.02 hours per registrant) was a realistic industry average. However, two registrants disagreed with the burden estimate. Based on the consultation information, the average burden for updating the information, as needed, was estimated to be 2 minutes or 0.04 hours per registrant.

(b) **CDX 20-5-1 Challenge Question Setup (Direct Reporters Only)**

- ***Select five security questions from a preset list of challenge questions, and provide a secret answer to each question.*** EPA was informed by the nine employee registrants contacted that the ICR's burden for the CDX 20-5-1 challenge question setup (i.e., 10 minutes or 0.17 hours per registrant) was a realistic industry average. Based on the consultation information, the average burden for the CDX 20-5-1 challenge question setup was not revised and thus, remained at 10 minutes or 0.17 hours per registrant.

(c) **Subscriber Agreements and Electronic Signature Agreements**

- ***Prepare and submit a subscriber agreement (paper-based agreement).*** EPA was informed by three of the nine employee registrants contacted that the ICR's burden for preparing and submitting a subscriber agreement (i.e., 25 minutes or 0.42 hours per subscriber agreement) was a realistic industry average. (Six of the nine registrants contacted did not provide feedback on this information collection activity.) Based on the consultation information, the average burden for preparing and submitting a paper subscriber agreement was not revised and thus, remained at 25 minutes or 0.42 hours per subscriber agreement.
- ***Prepare and submit an ESA (electronic-based agreement).*** EPA received mixed feedback about the ICR's original burden for preparing and submitting an ESA (i.e., 17 minutes or 0.28 hours per ESA) from the employee registrants contacted. Four registrants indicated that the ICR's original burden estimate was a realistic industry average, while two registrants disagreed with the burden estimate. (Three registrants did not provide feedback on this information collection activity.) Based on the consultation information, the average burden for preparing and submitting an ESA was estimated to be 20 minutes or 0.33 hours per ESA.

- ***File subscriber agreement or ESA.*** EPA was informed by seven of the nine employee registrants contacted that the ICR's original burden for filing a subscriber agreement or an ESA (i.e., 7 minutes or 0.12 hours per subscriber agreement) was a realistic industry average. (Two registrants did not provide feedback on this information collection activity.) Based on the consultation information, the average burden for filing a subscriber agreement or ESA was not revised and thus, remained at 7 minutes or 0.12 hours per subscriber agreement or ESA.
- ***Report compromised or surrendered electronic signature device and prepare/submit new subscriber agreement or ESA.*** EPA received mixed feedback about the ICR's original burden for reporting a compromised or surrendered electronic signature device and preparing/submitting a new subscriber agreement or ESA (i.e., 10 minutes or 0.17 hours per compromised signature device) from the employee registrants contacted. One registrant indicated that the ICR's original burden estimate was a realistic industry average, while two registrants disagreed with the burden estimate. (Six registrants did not provide feedback on this information collection activity.) Based on the consultation information, the average burden for reporting a compromised or surrendered electronic signature device and preparing/submitting a new subscriber agreement or ESA was estimated to be 20 minutes or 0.33 hours per compromised signature device.
- ***Contact the Help Desk for technical support.*** EPA received mixed feedback about the ICR's original burden for contacting the Help Desk for technical support (i.e., 3.6 minutes or 0.06 hours per incident) from the employee registrants contacted. Five registrants indicated that the ICR's original burden estimate was a realistic industry average, while three registrants disagreed with the burden estimate. (One registrant did not provide feedback on this information collection activity.) Based on the consultation information, the average burden for contacting the Help Desk for technical support was estimated to be 9 minutes or 0.15 hours per incident.

**(d) On-Going Management Activities**

- ***Identify and resolve problems.*** EPA received mixed feedback about the ICR's original burden for identifying and resolving problems (i.e., 1 hour and 40 minutes per employee registrant) from the employee registrants contacted. Four registrants indicated that the ICR's original burden estimate was a realistic industry average, while three registrants disagreed with the burden estimate. (Two registrants did not provide feedback on this information collection activity.) Based on the consultation information, the average burden for identifying and resolving problems was estimated to be 1.60 hours per employee registrant.

## (2) State/Local Agencies

### (a) Identity Proofing Activities

- **Receive, process, review, approve and file a subscriber agreement.** EPA was informed by seven of the nine State/Tribal/Local agencies contacted that the ICR's original burden for receiving, processing, reviewing, approving and filing a subscriber agreement (i.e., 10 minutes or 0.17 hour per subscriber agreement) was a realistic national average. (Two State/Tribal/Local agencies did not provide feedback on this information collection activity.) Based on the consultation information, the average burden for receiving, processing, reviewing, approving and filing a subscriber agreement was not revised and thus, remained at 10 minutes or 0.17 hours per subscriber agreement.
- **Receive, process, review, approve and file an ESA.** EPA was informed by four of the nine State/Tribal/Local agencies contacted that the ICR's burden for receiving, processing, reviewing, approving and filing an ESA (i.e., 5 minutes or 0.08 hours per ESA) was a realistic national average. One State/Tribal/Local agency indicated that the burden for this activity was negligible. (Four State/Tribal/Local agencies did not provide feedback on this information collection activity.) Based on the consultation information, the average burden for receiving, processing, reviewing, approving and filing an ESA was estimated to be 4 minutes or 0.07 hours per ESA.
- **Transaction fee paid to third party (e.g., LexisNexis) for processing identity proofing/subscriber agreement - State/Tribal/Local agencies.** EPA was informed by three of the nine State/Tribal/Local agencies contacted that the ICR's burden for the fee paid to a third party for processing identity proofing and subscriber agreements (i.e., \$0.61 per ESA) was a realistic national average. (The remaining six State/Tribal/Local agencies did not provide feedback on this information collection activity.) Based on the consultation information, the average burden for the fee paid to a third party for processing identity proofing and subscriber agreements was not revised and thus, remained at \$0.61 per ESA.

### (b) Local Registration Authority Activities

- **Receive, process, review, and approve certification of receipt and secure storage.** EPA was informed by two of the nine State/Tribal/Local agencies contacted that the ICR's original burden for receiving, processing, reviewing, and approving a certification of receipt and secure storage (i.e., 10 minutes or 0.17 hour per certification) was a realistic national average. (The remaining seven State/Tribal/Local agencies did not provide feedback on this information collection activity.) Based on the consultation information, the average burden for receiving, processing, reviewing, and approving a certification of receipt and secure storage was not revised and thus, remained at 10 minutes or 0.17 hours per certification.

- **Receive notification of breach of security or compromised/surrendered electronic signature device, and take action.** EPA was informed by two of the nine State/Tribal/Local agencies contacted that the ICR's original burden for receiving a notification of breach of security or compromised/surrendered electronic signature device, and taking action (i.e., 1 hour per notification) was a realistic national average. (The remaining seven State/Tribal/Local agencies did not provide feedback on this information collection activity.) Based on the consultation information, the average burden for receiving a notification of breach of security or compromised/surrendered electronic signature device, and taking action was not revised and thus, remained at 1 hour per notification.
- **Receive application to designate LRA.** EPA was informed by one of the nine State/Tribal/Local agencies contacted that the ICR's original burden for receiving an application to designate an LRA (i.e., 30 minutes or 0.50 hour per reporting firm) was a realistic national average. (The remaining eight State/Tribal/Local agencies did not provide feedback on this information collection activity.) Based on the consultation information, the average burden for receiving an application to designate an LRA was not revised and thus, remained at 30 minutes or 0.50 hour per reporting firm.

#### (c) On-Going Management Activities

- **Identify and resolve problems.** EPA was informed by five of the nine State/Tribal/Local agencies contacted that the ICR's original burden for identifying and resolving problems (i.e., 1 hour per problem) was a realistic national average. One State/Tribal/Local agency indicated that the burden for this activity should be revised to 2 hours. (Three State/Tribal/Local agencies did not provide feedback on this information collection activity.) Based on the consultation information, the average burden for identifying and resolving problems was estimated to be 70 minutes or 1.17 hours per problem.
- **Respond to information requests.** EPA was informed by three of the nine State/Tribal/Local agencies contacted that the ICR's original burden for responding to information requests (i.e., 1.5 hours per request) was a realistic national average. However, two State/Tribal/Local agencies indicated that the burden for this activity should be revised to 0.5 hours or 1 hour. (Four State/Tribal/Local agencies did not provide feedback on this information collection activity.) Based on the consultation information, the average burden for responding to information requests was estimated to be 72 minutes or 1.20 hours per request.

#### (d) State/Local Electronic Document Receiving System Application Activities

- **Read the regulations.** EPA received mixed feedback about the ICR's original burden for reading the regulations (i.e., 2.26 hours per State/Tribal/Local agency) from the State/Tribal/Local agencies contacted. Three State/Tribal/Local agencies indicated that the ICR's original burden estimate was a realistic national average, while three State/Tribal/Local agencies disagreed with the burden estimate. (Three State/Tribal/Local agencies did not provide feedback on this information collection activity.) Based on the consultation information, the average burden for reading the regulations was estimated to be 9.13 hours per State/Tribal/Local agency.

- ***Upgrade existing electronic document receiving system or develop new electronic document receiving system to meet 40 CFR 3.2000 and apply for EPA program modification approval under 40 CFR 3.1000 (state agencies that develop their own systems).*** EPA was informed by three of the nine State/Tribal/Local agencies contacted that the ICR's original burden for upgrading an existing electronic document receiving system or developing a new electronic document receiving system to meet 40 CFR 3.2000 and applying for EPA program modification approval (i.e., 331 hours per state agency) was a realistic national average. (One State/Tribal/Local agency's feedback on the burden estimate seemed to include other activities and thus, was excluded from the analysis for consistency purposes. Five State/Tribal/Local agencies did not provide feedback on this information collection activity.) Based on the consultation information, the average burden for upgrading an existing electronic document receiving system or developing a new electronic document receiving system to meet 40 CFR 3.2000 and applying for EPA program modification approval was not revised and thus, remained at 331 hours per state agency.
- ***Upgrade existing electronic document receiving system or develop new electronic document receiving system to meet 40 CFR 3.2000 and apply for EPA program modification approval under 40 CFR 3.1000 (state agencies that use commercial off-the-shelf [COTS] or shared CROMERR services [SCS] solution).*** EPA was informed by three of the nine State/Tribal/Local agencies contacted that they disagreed with the ICR's burden for upgrading an existing electronic document receiving system or developing a new electronic document receiving system to meet 40 CFR 3.2000 and applying for EPA program modification approval (i.e., 20 hours per state agency). (Six State/Tribal/Local agencies did not provide feedback on this information collection activity.) Based on the consultation information, the average burden for upgrading an existing electronic document receiving system or developing a new electronic document receiving system to meet 40 CFR 3.2000 and applying for EPA program modification approval was estimated to be 62 hours per state agency.
- ***Upgrade existing electronic document receiving system or develop new electronic document receiving system to meet 40 CFR 3.2000 and apply for EPA program modification approval under 40 CFR 3.1000 (tribal/local agencies).*** EPA was informed by one of the nine State/Tribal/Local agencies contacted that they disagreed with the ICR's burden for upgrading an existing electronic document receiving system or developing a new electronic document receiving system to meet 40 CFR 3.2000 and applying for EPA program modification approval (i.e., 210 hours per tribal/local agency). (Eight State/Tribal/Local agencies did not provide feedback on this information collection activity.) Based on the consultation information, the average burden for upgrading an existing electronic document receiving system or developing a new electronic document receiving system to meet 40 CFR 3.2000 and applying for EPA program modification approval was estimated to be 331 hours per tribal/local agency.
- ***Submit amendment to original application for EPA program modification approval under 40 CFR 3.1000.*** EPA was informed by two of the nine State/Tribal/Local agencies contacted that the ICR's original burden for submitting an amendment to the original application for

EPA program modification approval under 40 CFR 3.1000 (i.e., 24 hours per State/Tribal/Local agency) was a realistic national average. (The remaining seven State/Tribal/Local agencies did not provide feedback on this information collection activity or the feedback was not included because the agency did not submit an amended application.) Based on the consultation information, the average burden for submitting an amendment to the original application for EPA program modification approval under 40 CFR 3.1000 was not revised and thus, remained at 24 hours per State/Tribal/Local agency.

- ***Submit notification to EPA about changes to laws, policies, or electronic document receiving systems that have the potential to affect program conformance with 40 CFR 3.2000 (State/Tribal/Local agencies with approved applications).*** EPA was informed by one of the nine State/Tribal/Local agencies contacted that the ICR's original burden for submitting a notification to EPA about changes to laws, policies, or electronic document receiving systems that have the potential to affect program conformance with 40 CFR 3.2000 (i.e., 11.39 hours per State/Tribal/Local agency) was a realistic national average. (The remaining eight State/Tribal/Local agencies did not provide feedback on this information collection activity.) Based on the consultation information, the average burden for submitting a notification to EPA about changes to laws, policies, or electronic document receiving systems that have the potential to affect program conformance with 40 CFR 3.2000 was not revised and thus, remained at 11.39 hours per State/Tribal/Local agency.
- ***Cost for upgrading or developing electronic document receiving system (state agency).*** EPA was informed by two of the nine State/Tribal/Local agencies contacted that, generally, the ICR's original cost estimate for upgrading or developing an electronic document receiving system (i.e., \$168,836 per state agency) was a realistic national average. These State/Tribal/Local agencies suggested cost estimates that ranged from \$168,836 to \$200,000. (The remaining seven State/Tribal/Local agencies did not provide feedback on costs associated with this activity.) Based on the consultation information, the average cost for upgrading or developing an electronic document receiving system was estimated to be \$184,418 per state agency.
- ***Cost for upgrading or developing electronic document receiving system (tribal/local agency).*** EPA was informed by one of the nine State/Tribal/Local agencies contacted that it disagreed with the ICR's cost estimate for upgrading or developing an electronic document receiving system (i.e., \$59,736 per state agency). This State/Tribal/Local agency suggested a cost estimate of \$75,000. (The remaining eight State/Tribal/Local agencies did not provide feedback on costs associated with this activity.) Based on the consultation information, the average cost for upgrading or developing an electronic document receiving system was estimated to be \$75,000 per tribal/local agency.

The above feedback is reflected in the burden assumptions of this ICR, as appropriate. Detailed information on EPA's assumptions regarding these and other activities are fully discussed in Section 6 of this document.

### **3.d) EFFECTS OF LESS FREQUENT COLLECTION**

#### **(1) Registering with EPA Electronic Document Receiving System**

Facilities must initially register with the EPA electronic document receiving system to establish a user account. Registration information is collected at the time of registration (i.e., a one-time event) and updated if needed. Because it is a one-time activity, the information cannot be collected less frequently. If this information were not collected, EPA would not have a way to learn the identity of the registrant and establish its account.

#### **(2) Compliance with Identity Proofing Requirements**

Facilities must comply with the identity proofing provisions of CDX and 40 CFR 3.2000(b)(5), as applicable. These provisions provide that, in the case of priority reports for which an electronic signature device was used to create an electronic signature, a determination of identity must be made before the electronic document is received. It is critical that registrants submit the identity proofing paperwork in advance of their priority reports so that the Agency can establish a link between each registrant and its electronic signature device to hold them accountable for their submittals. Facilities also must report any compromise or surrender of its electronic signature device to EPA or State/Tribe/Local.

LRAs must report any breach of storage of its subscriber agreements. These are as-needed submittals. If these reports were not collected, EPA and States/Tribes/Locals would not have a way to learn about the signature compromise/surrender or storage breaches. Hence, they would not be in a position to take follow up action as needed (e.g., to temporarily prevent access to an account whose signature device has been compromised). This could result in the unauthorized use an electronic signature device.

#### **(3) Approval of State/Tribe/Local Electronic Document Receiving System Applications**

CROMERR sets forth timeframes for EPA receipt, review, and approval of State/Tribe/Local program modification applications to implement electronic document receiving systems. States/Tribes/Locals that did not have an electronic document receiving system in use or substantially developed on or before October 13, 2005 must apply to EPA for program modification approval before receiving electronic documents (40 CFR 3.10000(a)(2)). If this frequency were not specified, EPA would not have assurance that States/Tribes/Locals are developing and using electronic document receiving systems that comply with CROMERR's provisions at 40 CFR 3.2000.

### **3.e) GENERAL GUIDELINES**

This ICR adheres to the guidelines stated in the PRA, OMB's implementing regulations, applicable OMB guidance, and EPA's ICR Handbook.

EPA notes that subscriber agreements must be kept on file until five years after deactivation of the associated electronic signature device. A five-year retention period is



necessary to ensure that such records are available in case of an EPA or State/Tribe/Local enforcement action. EPA recognizes that a registrant may use an electronic signature device in signing a range of enforcement-sensitive reports. Certain reports may have relevance to an enforcement action long after it is submitted to EPA or State/Tribe/Local. Because of this, EPA needed to establish a sufficiently long retention period for the subscriber agreements so that they would be available for such enforcement actions.

### **3.f) CONFIDENTIALITY**

If a confidentiality claim were asserted, EPA would treat the information in accordance with the confidentiality regulations at 40 CFR Part 2, Subpart B. EPA also would ensure that the information collection procedures comply with the Privacy Act of 1974 and the OMB Circular 108.

### **3.g) SENSITIVE QUESTIONS**

Persons registering with CDX are asked to provide knowledge-based information (e.g., date of birth) to ensure the security of their password, user name, and other information supplied. If the person loses his/her password or user name, or otherwise needs to confirm his/her identity to EPA, EPA could use the knowledge-based information to confirm his/her identity.

## **4. RESPONDENTS AND THE INFORMATION REQUESTED**

### **4.a) RESPONDENTS/NAICS CODES**

The information collection requirements covered in this ICR will likely have broad applicability across industries. Refer to Appendix A for a list of the North American Industry Classification System (NAICS) codes associated with industries most likely affected by these requirements.

### **4.b) INFORMATION REQUESTED**

Following is a description of the data items and activities associated with the information collection requirements covered in this ICR. Refer to Section 1(b) for the types of respondents examined in this subsection.

#### **(1) Registering with EPA Electronic Document Receiving System**

Facilities must register their employees with CDX before reporting electronically to EPA. The employees must update their registration information if it changes.

##### **(i) Data Items:**

- An on-line registration application:
  - Registrant name.
  - Organization name.
  - Address.
  - Knowledge-based information (e.g., user-supplied secret question-and-answer pair).

##### **(ii) Respondent Activities:**

Facility employees must perform the following activities:

- Log on to receiving system site and enter requested information.
- Update the information, as needed.

#### **(2) Compliance with Identity Proofing Requirements**

Direct reporters, indirect reporters, indirect reporting firms, and LRAs must comply with the identity proofing provisions of CDX and CROMERR, as applicable. In addition, States/Tribes/Locals that accept electronic documents to satisfy reporting requirements under the authorized or delegated environmental programs that they administer must process, review, and approve the identity proofing information submitted by indirect reporters.

CDX and 40 CFR 3.2000(a)(2) require that any electronic document must bear the valid electronic signature of a signatory if that signatory would be required under the authorized program to sign the paper document for which the electronic document substitutes, except as otherwise specified. In the case of an electronic document that must bear electronic signatures of individuals as provided by CDX and 40 CFR 3.2000(a)(2), each signatory must sign either a subscriber agreement or ESA with respect to the electronic signature device used to create their electronic signature on the electronic document.

CDX and 40 CFR 3.2000(b)(5)(vii) require that the identity of the individual uniquely entitled to use the device and their relation to any entity for which he or she will sign electronic documents must be determined with legal certainty by EPA or State/Tribe/Local, as applicable. In the case of priority reports, this determination must be made before the electronic document is received, by means of:

- Identifiers or attributes that are verified by attestation of disinterested individuals to be uniquely true of the individual in whose name the application is submitted, based on information or objects of independent origin, at least one item of which is not subject to change without governmental action or authorization.
- A method of determining identity no less stringent than the one above.
- Collection of either a subscriber agreement or a certification from a LRA that such an agreement has been received and securely stored.

The term “subscriber agreement” means an electronic signature agreement signed by an individual with a handwritten signature. The agreement must be signed by an individual with respect to an electronic signature device that the individual will use to create his/her electronic signature requiring such individual to protect the electronic signature device from compromise; to promptly report to the agency or agencies relying on the electronic signatures created any evidence discovered that the device has been compromised; and to be held as legally bound, obligated, or responsible by the electronic signatures created as by a handwritten signature. This agreement must be stored until five years after the associated electronic signature device has been deactivated.

The term “Local Registration Authority” means an individual who is authorized by a State/Tribe/Local to issue an agreement collection certification, whose identity has been established by notarized affidavit, and who is authorized in writing by a regulated entity to issue agreement collection certifications on its behalf. Once approved by EPA or State/Tribe/Local, the LRA would collect subscriber agreements from each individual in the regulated entity that intends to use an electronic signature device in reporting electronically to EPA or State/Tribe/Local electronic document receiving system. The LRA would collect and store the subscriber agreements in a manner that prevents authorized or unauthorized access to these agreements by anyone other than the LRA. The LRA would prepare an agreement collection certification and submit a certification of receipt and secure storage to the EPA or State/Tribe/Local.

(i) Data Items:

- Compliance with identity proofing requirements by means of identifiers, attributes, or alternative method:
  - Identifiers or attributes that are verified by attestation of disinterested individuals to be uniquely true, as specified.
  - Other information necessary to determine identity.
- Compliance with subscriber agreement or ESA provisions:
  - Subscriber agreement or ESA.
  - Report of compromised or surrendered electronic signature.
- Submission of subscriber agreement to LRA:
  - Subscriber agreement.
  - Report of breach of security.
  - Report of compromised or surrendered electronic signature.
- Designation of LRA:
  - Application to designate a LRA, including notarized affidavit and a written authorization from the regulated entity to issue collection agreement certifications on its behalf.
- Collection of subscriber agreements by LRA:
  - Agreement collection certification. This is a signed statement by which a LRA certifies that a subscriber agreement has been received from a registrant; the agreement has been stored in a manner that prevents authorized or unauthorized access to these agreements by anyone other than the LRA; and the LRA has no basis to believe that any of the collected agreements have been tampered with or prematurely destroyed.
  - Certification of receipt and secure storage.

(ii) Respondent Activities:

***Direct and indirect reporters*** must perform the following activities, as applicable:

- Comply with requirements for identifier, attribute, or alternative method:
  - Prepare and submit information on identifiers, attributes, or other identity-proofing information.
- Comply with subscriber agreement or ESA provisions:
  - Prepare and submit a subscriber agreement or ESA.
  - File subscriber agreement or ESA.
  - Prepare and submit new subscriber agreement or ESA, for employee turnover.
  - File new subscriber agreement or ESA, for employee turnover.

- Contact the Help Desk for technical support.
- Report compromised or surrendered electronic signature device and prepare/submit new subscriber agreement or ESA, if necessary.
- Submit subscriber agreement to LRA:
  - Prepare subscriber agreement and send to LRA.
  - Prepare and submit new subscriber agreement to LRA, for employee turnover.
  - Report breach of security or compromise/surrender of electronic signature device.
  - Prepare and submit new subscriber agreement to LRA subsequent to breach of security or compromise of electronic signature device, if necessary.
- Conduct ongoing management:
  - Identify and resolve problems.

***Indirect reporting firms and LRAs*** must perform the following activities, as applicable:

- Designating a LRA:
  - Develop a process or plan to implement the requirement, designate the LRA, and submit LRA application to agency.
  - Register the LRA with the electronic document receiving system.
  - Redesignate LRA, due to turnover, and send application materials.
  - Register new LRA with electronic document receiving system.
- Collect subscriber agreements from reporters:
  - Collect and securely store subscriber agreements
  - Prepare agreement collection certification after securely storing subscriber agreements, and submit certification of receipt and secure storage.
  - Collect and securely store subscriber agreements, for employee turnover.
  - Prepare agreement collection certification after securely storing subscriber agreements, and submit certification of receipt and secure storage, for employee turnover.
  - Collect and securely store subscriber agreements, for breach of security/compromise of electronic signature device.
  - Prepare agreement collection certification after securely storing subscriber agreements, and submit certification of receipt and secure storage, for breach of security/compromise of electronic signature device.

***State/Tribe/Local agencies acting as regulators*** must perform the following activities:

- Collect identifiers, attributes, or alternative information:
  - Receive, process, review, and approve identifier, attribute, or alternative information.
- Collect subscriber agreements or ESAs:
  - Receive, process, review, approve, and file new subscriber agreements or ESAs.
  - Receive, process, review, approve, and file new subscriber agreements or ESAs, for employee turnover.
  - Receive, process, review, and approve report of compromise or surrender of electronic signature device.
- Collect submittals from LRAs:
  - Receive, process, review, and approve certification of receipt and secure storage.
  - Receive, process, review and approve updated certification of receipt and secure storage, for employee turnover.
  - Receive notification of breach of security or compromise/surrender of electronic signature and take action.
  - Receive, process, review, and approve certification of receipt and secure storage, for breach of security or compromise/surrender of electronic signature device.
- Collect applications for designation of LRAs:
  - Receive application to designate first-time LRA.
  - Receive application to designate LRA, for LRA turnover.
- Conduct ongoing management:
  - Identify and resolve problems.
  - Respond to information requests.

### **(3) Approval of State/Tribe/Local Electronic Document Receiving System Applications**

To obtain EPA approval of authorized program revision or modification using procedures provided under 40 CFR 3.1000, a State /Local/Tribe must submit an application for program revision to EPA that includes the elements specified in Sections 3.1000(b)(1)(i) through(iv).

A State/Tribe/Local that revises or modifies more than one (1) authorized program for receipt of electronic documents, in lieu of paper documents, may submit a consolidated application covering more than one authorized program, provided the consolidated application complies with applicable requirements for each authorized program.

If the State/Tribe/Local receives a notice from EPA that its application is incomplete or does not satisfy the requirements at 40 CFR 3.2000, the State/Tribe/Local must submit an amendment to the original application that includes the missing information.

A State/Tribe/Local that accepts electronic documents in lieu of paper documents under an authorized program for which EPA has approved program revisions or modifications under the procedures provided in 40 CFR 3.2000(a)(1) must keep EPA apprised of those changes to laws, policies, or the electronic document receiving systems that have the potential to affect program conformance with Section 3.2000.

The State/Tribe/Local program must satisfy the requirements at 40 CFR 3.2000. Pursuant to Section 3.2000, authorized programs that receive electronic documents, in lieu of paper documents, to satisfy requirements under such programs must use an acceptable electronic document receiving system as specified and require that any electronic document must bear valid electronic signatures to the same extent that the paper submission for which it substitutes would bear handwritten signatures under the authorized program, unless otherwise specified. An electronic document receiving system that receives electronic documents, submitted in lieu of paper documents, to satisfy requirements under an authorized program must be able to generate data with respect to any such electronic document, as needed and in a timely manner, including a copy of record for the electronic document, that meets the criteria specified at Sections 3.2000(b)(1) through (5).

(i) Data Items:

- An application (or application amendment) for program revision that includes the following elements:
  - A certification that the State/Tribe/Local has sufficient legal authority provided by lawfully enacted or promulgated statutes or regulations that are in full force and effect on the date of certification to implement the electronic reporting component of its authorized programs covered by the application in conformance with Section 3.2000 and to enforce the affected programs using electronic documents collected under these programs, together with copies of the relevant statutes and regulations, signed by the State Attorney General or designee, or in the case of an authorized tribal or local government program, by the Chief Administrative Official or Officer of the governmental entity or designee.
  - A listing of all State/Tribe/Local electronic document receiving systems to accept the electronic documents being addressed by the program modification or revisions that are covered by the application, together with a description for each such system that specifies how the system meets the applicable criteria in Section 3.2000(b) with respect to those electronic documents.

- A schedule of upgrades for electronic document receiving systems that have the potential to affect the program's continued conformance with Section 3.2000, if appropriate.
  - Other such information as the Administrator may request to fully evaluate the application.
- Appraisals to EPA of changes to laws, policies, or electronic document receiving systems.

(ii) Respondent Activities:

***State/Tribe/Local agencies that are regulated entities*** must perform the following activities:

- Upgrade existing electronic document receiving system or develop new electronic document receiving system to meet 40 CFR 3.2000 requirements and apply for EPA program modification approval under 40 CFR 3.1000.
- Submit amendment to original application for EPA program modification approval under 40 CFR 3.1000.
- Submit notification to EPA about changes to laws, policies, or electronic document receiving systems that have the potential to affect program conformance with 40 CFR 3.2000.



## **5. AGENCY ACTIVITIES, METHODS, AND INFORMATION MANAGEMENT**

### **5.a) AGENCY ACTIVITIES**

#### **(1) Registering with EPA Electronic Document Receiving System**

EPA activities associated with facility reporting to EPA's electronic document receiving system (i.e., CDX) include:

- Develop, operate, and maintain CDX.

#### **(2) Compliance with Identity Proofing Requirements**

EPA activities associated with the identity proofing requirements covered in this ICR include:

- Collect identifiers or attributes or other information:
  - Receive, process, review, and approve identifier, attribute, or alternative information.
- Collect subscriber agreements or ESAs:
  - Receive, process, review, approve, and file new subscriber agreements or ESAs.
  - Receive, process, review, approve, and file new subscriber agreements or ESAs, for employee turnover.
  - Receive, process, review, and approve report of compromise or surrender of electronic signature device.
- Conduct ongoing management:
  - Identify and resolve problems.
  - Respond to information requests.

#### **(3) Approval of State/Tribe/Local Electronic Document Receiving System Applications**

EPA activities associated with the approval of State/Tribe/Local electronic document receiving systems include:

- Process and file applications submitted by States/Tribes/Locals seeking to modify their programs, as required by 40 CFR 3.1000.
- Process and file amendments to program modification applications submitted by States/Tribes/Locals.
- Process and file appraisals of changes to laws, policies, or electronic document receiving systems.

## **5.b) COLLECTION METHODOLOGY AND MANAGEMENT**

CDX serves as EPA's primary gateway for electronic documents received by EPA. CDX functions include:

- Access management allowing or denying an entity access to CDX.
- Data interchange accepting and returning data via various file transfer mechanisms.
- Signature/certification management providing devices and required scenarios for individuals to sign and certify what they submit.
- Submitter and data authentication assuring that electronic signatures are valid and data is uncorrupted.
- Transaction logging providing date, time, and source information for data received to establish "chain of custody."
- Acknowledgment and provision of copy of record providing the submitter with confirmations of the data received.
- Archiving placing files received and transmission logs into secure, long term storage.
- Error checking flagging obvious errors in documents and document transactions, including duplicate documents and unauthorized submissions.
- Translating, forwarding, and converting submitted documents into formats that will load to EPA databases, and forwarding them to the appropriate systems.
- Outreach providing education and other customer services to CDX users (e.g., user manuals, Help Desk).

## **5.c) SMALL ENTITY FLEXIBILITY**

CROMERR allows electronic reporting by permitting the use of electronic document receiving systems to receive electronic documents in satisfaction of certain document submission requirements in EPA's regulations. Electronic reporting under CROMERR is voluntary. These changes will reduce the burden on all affected entities, including small businesses. In addition, facilities will find that the initial set up process requires little expenditure of time and resources, and in the long run, this process will reduce the time spent on submissions each year.

## **5.d) COLLECTION SCHEDULE**

The collection frequencies associated with CDX include the following:

- Registrants must initially register with the electronic document receiving system and obtain electronic signature certification, if applicable.
- Facilities must comply with requirements for determining the identity of individuals who use electronic signature devices (e.g., prepare/submit subscriber agreements, ESAs, or certification of receipt and secure storage), before submitting electronic reports using the associated device.
- Registrants must submit a notice of compromise or surrender of electronic signature device promptly, should this occur.

States/Tribes/Locals that did not have an electronic document receiving system in use or substantially developed on or before October 13, 2005 must, using specified procedures, apply for and receive EPA approval of revisions or modifications to the authorized program before the program may receive electronic documents in lieu of paper documents to satisfy requirements of such program.

Within 75 calendar days of receiving an application for program revision or modification, the Administrator will respond with a letter that either notifies the State/Tribe/Local that the application is complete or identifies deficiencies in the application that render the application incomplete. The State/Tribe/Local receiving a notice of deficiencies may amend the application and resubmit it. Within 30 calendar days of receiving the amended application, the Administrator will respond with a letter that either notifies the applicant that the amended application is complete or identifies remaining deficiencies that render the application incomplete.

Except where an opportunity for public hearing is required, if the Administrator does not take any action on a specific request for revision or modification of a specific authorized program addressed by an application submitted within 180 calendar days of notifying the State/Tribe/Local that the application is complete, the specific request for program revision or modification for the specific authorized program is considered automatically approved by EPA at the end of the 180 calendar days unless the review period is extended at the request of the State/Tribe/Local submitting the application.

If a State/Tribe/Local submits material to amend its application after the date that the Administrator sends notification that the application is complete, this new submission will constitute withdrawal of the pending application and submission of a new, amended application for program revision or modification, and the 180-day time period will begin again only when the Administrator makes a new determination and notifies the State/Tribe/Local under that the amended application is complete.

## **6. ESTIMATING BURDEN AND COST**

### **6.a) ESTIMATING RESPONDENT BURDEN**

Exhibit 1 provides estimates of the respondent hourly burden associated with the information collection requirements covered in this ICR. The exhibit includes burden hours (total and by labor type) per respondent, as well as the overall burden hours for all respondents. The majority of the hour estimates in Exhibit 1 are based on the Agency's technical background document, *Cross Media Electronic Reporting Rule Cost Benefit Analysis*, and consultations with industry and states.

### **6.b) ESTIMATING RESPONDENT COSTS**

Exhibit 1 provides estimates of the annual respondent costs associated with the information collection requirements covered in this ICR. These costs are based on the cost of labor, capital, and operation and maintenance (O&M).

#### **(1) Labor Costs**

Using the total burden hours discussed in Section 6(a) and the hourly respondent labor costs outlined in this section, Exhibit 1 illustrates the labor costs associated with the information collection requirements covered in this ICR.

##### **(a) Direct Reporters, Indirect Reporters, Indirect Reporting Firms, and Local Registration Authorities**

EPA estimates an average hourly respondent labor cost (including fringe and overhead) of \$66.62 for legal staff, \$42.70 for managerial staff, \$42.34 for technical staff, and \$18.63 for clerical staff. These respondent labor costs were obtained from the previously approved CROMERR ICR (i.e., EPA ICR Number 2002.06, dated February 26, 2015), and adjusted to 2017 levels using Employment Cost Indexes developed by the Bureau of Labor Statistics.<sup>4</sup>

##### **(b) State/Tribe/Local Agencies**

EPA estimates an average hourly respondent labor cost (including fringe and overhead) of \$44.83 for legal staff, \$44.83 for managerial staff, \$33.95 for technical staff, and \$16.11 for clerical staff. These respondent labor costs were obtained from the previously approved CROMERR ICR (i.e., EPA ICR Number 2002.06, dated February 26, 2015), and adjusted to 2017 levels using Employment Cost Indexes developed by the Bureau of Labor Statistics.<sup>5</sup>

#### **(2) Capital Costs**

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<sup>4</sup> Bureau of Labor Statistics; "Table 4. Employment Cost Index for total compensation, for civilian workers, by occupational and industry;" *Employment Cost Index, Historical Listing – Volume V, Continuous Occupational and Industry Series, September 1975 –December 2017*; January 2018. Available at <http://www.bls.gov/web/eci/ecicois.pdf>, last accessed on March 28, 2018. Civilian Workers, All Workers, June 2014=121.4 and December 2017=131.2.

Capital costs usually include any produced physical good needed to provide the needed information, such as machinery, computers, and other equipment.

**(a) Direct Reporters, Indirect Reporters, Indirect Reporting Firms, and Local Registration Authorities**

EPA does not anticipate that direct reporters, indirect reporters, indirect reporting firms, and LRAs will incur capital costs in carrying out the information collection requirements covered in this ICR.

**(b) State/Tribe/Local Agencies**

EPA anticipates that State/Tribe/Local agencies will incur capital costs in upgrading their existing electronic document receiving systems or developing new electronic document receiving systems to satisfy CROMERR standards at 40 CFR 3.2000 (e.g., copy of record, Secure Sockets Layer (SSL), e-mail notification, subscriber agreement, electronic signature). In particular, EPA estimates that each state agency will incur a cost of \$177,154, and that each tribal and local agency will incur a cost of \$67,556. The capital costs for state agencies were derived based on: (1) Exchange Network<sup>6</sup> grant data submitted by states planning to build their CROMERR-compliant systems and (2) consultations conducted with state agencies that already built their CROMERR-compliant systems.<sup>7</sup> The capital costs for tribal and local agencies were derived based on: (1) data contained in the previously approved CROMERR ICR (i.e., EPA ICR Number 2002.06, dated February 26, 2015) and (2) consultations conducted with tribal and local agencies that already built their CROMERR-compliant systems.<sup>8</sup> Capital costs were adjusted to 2017 levels using Consumer Price Indexes developed by the Bureau of Labor Statistics, as necessary.<sup>9</sup> The above capital costs are shown in Exhibit 1 for all applicable respondent activities.

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<sup>5</sup> Bureau of Labor Statistics, “Table 7. Employment Cost Index for total compensation, for State and local government workers, by occupational and industry,” *Employment Cost Index, Historical Listing – Volume V, Continuous Occupational and Industry Series, September 1975 –December 2017*; January 2018. Available at <http://www.bls.gov/web/eci/ecicois.pdf>, last accessed on March 28, 2018. State and Local Government Workers, All Workers, June 2014=123.1 and December 2017=134.2.

<sup>6</sup> Using the Exchange Network, states, territories, tribes, universities, not-for-profit organizations, and others can share data with EPA and other Network Partners securely via the Internet.

<sup>7</sup> *Exchange Network Grant Data* - In its application, submitted in November 2016, the State of South Carolina reported a cost of \$130,500. In its application, submitted in November 2011, the State of Washington reported a cost of \$189,486. *Consultation Data* – The State of Arizona indicated that the capital cost to upgrade the electronic receiving system included in the previously approved ICR, \$168,836, was representative of a national average. The State of Colorado indicated that the capital cost to upgrade the electronic receiving system was \$200,000. Capital costs were adjusted to 2017 levels, as necessary. EPA then used the average of the costs.

<sup>8</sup> *Previously Approved ICR Data* – The previously approved ICR included a capital cost for tribal and local agencies of \$57,996. *Consultation Data* – The State of North Carolina indicated that the capital cost to upgrade the electronic receiving system was \$75,000. Capital costs were adjusted to 2017 levels, as necessary. EPA then used the average of the costs.

<sup>9</sup> Bureau of Labor Statistics, Archived Consumer Price Index Supplemental Files, “Table 24. Historical Consumer Price Index for All Urban Consumers (CPI-U): U. S. city average, all items,” December 2017. Available at <http://www.bls.gov/cpi/cpid1408.pdf>, last accessed on March 28, 2018.

EPA notes that capital costs for tribal and local agencies are estimated to be lower than the capital costs for state agencies because local agencies are expected to have simpler electronic document receiving systems that cover fewer programs and fewer electronic reports than state systems. For example, EPA has received only one application from a local agency under CROMERR, and that system only accepts reports under one authorized program.

### **(3) Operation and Maintenance Costs**

O&M costs are those costs associated with an information collection requirement incurred continually over the life of the ICR.

#### **(a) Direct Reporters, Indirect Reporters, Indirect Reporting Firms, and Local Registration Authorities**

O&M costs include:

- EPA estimates that employee registrants that submit subscriber agreements to EPA or States/Tribes/Locals will incur a cost of \$3.98 to mail a one-ounce letter by certified mail (i.e., \$0.50 for first-class letter postage, \$3.45 for the certified-mail fee, and \$0.03 for standard business envelope).<sup>10, 11, 12</sup>
- EPA estimates that employee registrants that submit subscriber agreements to their LRA will incur a cost of \$0.53 to mail a one-ounce letter using first-class mail (i.e., \$0.50 for first-class letter postage and \$0.03 for standard business envelope).<sup>13, 14</sup>

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<sup>10</sup> U.S. Postal Service; “First-Class Mail Prices.” Available at [https://pe.usps.com/text/dmm300/Notice123.htm#\\_c037](https://pe.usps.com/text/dmm300/Notice123.htm#_c037), last accessed on March 28, 2018.

<sup>11</sup> U.S. Postal Service; “Extra Services Prices.” Available at [https://pe.usps.com/text/dmm300/Notice123.htm#\\_c191](https://pe.usps.com/text/dmm300/Notice123.htm#_c191), last accessed on March 28, 2018.

<sup>12</sup> Standard business envelope cost based on current market price, as of March 28, 2018 (i.e., box of 500 standard business envelopes with gummed closure at \$15.99).

<sup>13</sup> U.S. Postal Service; “First-Class Mail Prices.” Available at [https://pe.usps.com/text/dmm300/Notice123.htm#\\_c037](https://pe.usps.com/text/dmm300/Notice123.htm#_c037), last accessed on March 28, 2018.

<sup>14</sup> Standard business envelope cost based on current market price, as of March 28, 2018 (i.e., box of 500 standard business envelopes with gummed closure at \$16.49).

- EPA estimates that indirect reporting firms that implement the LRA alternative and submit an LRA application to the Agency will incur a cost of \$6.86. This cost includes:
  - \$2.88 for obtaining a notarized affidavit to establish the identity of a LRA and \$3.98. This O&M cost was obtained from the previously approved CROMERR ICR (i.e., EPA ICR Number 2002.06, dated February 26, 2015), and adjusted to 2017 levels using Consumer Price Indexes developed by the Bureau of Labor Statistics.<sup>15</sup>
  - \$3.98 to mail a one-ounce letter by certified mail (i.e., \$0.50 for first-class letter postage, \$3.45 for the certified-mail fee, and \$0.03 for standard business envelope).<sup>16, 17, 18</sup>
- EPA estimates that, in submitting a certification of receipt and secure storage, the LRA will incur a cost of \$2.82 to mail a first-class large envelope (i.e., \$2.68 for first-class large envelope (not more than nine ounces) postage and \$0.14 for catalog envelope).<sup>19, 20</sup>

The above O&M costs are shown in Exhibit 1 for all applicable respondent activities.

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<sup>15</sup> Bureau of Labor Statistics, Archived Consumer Price Index Supplemental Files, “Table 24. Historical Consumer Price Index for All Urban Consumers (CPI-U): U. S. city average, all items,” December 2017. Available at <http://www.bls.gov/cpi/cpid1408.pdf>, last accessed on March 28, 2018. August 2014=237.852 and December 2017=246.524.

<sup>16</sup> U.S. Postal Service; “First-Class Mail Prices.” Available at [https://pe.usps.com/text/dmm300/Notice123.htm#\\_c037](https://pe.usps.com/text/dmm300/Notice123.htm#_c037), last accessed on March 28, 2018.

<sup>17</sup> U.S. Postal Service; “Extra Services Prices.” Available at [https://pe.usps.com/text/dmm300/Notice123.htm#\\_c191](https://pe.usps.com/text/dmm300/Notice123.htm#_c191), last accessed on March 28, 2018.

<sup>18</sup> Standard business envelope cost based on current market price, as of March 28, 2018 (i.e., box of 500 standard business envelopes with gummed closure at \$15.99).

<sup>19</sup> U.S. Postal Service; “First-Class Mail Prices.” Available at [https://pe.usps.com/text/dmm300/Notice123.htm#\\_c037](https://pe.usps.com/text/dmm300/Notice123.htm#_c037), last accessed on March 28, 2018.

<sup>20</sup> Catalog envelope cost based on current market price, as of March 28, 2018 (i.e., 6 x 9 brown kraft catalog envelopes, box of 100, at \$14.29).

## (b) State/Tribe/Local Agencies

For State/Tribe/Local agencies, O&M costs include mailing costs. In particular, EPA estimates that State/Tribe/Local agencies submitting documentation to EPA (e.g., applications for program modification approval under 40 CFR 3.1000) will incur a cost of \$6.27 to mail a nine-ounce large envelope by certified mail (\$2.68 for first-class large envelope postage, \$3.45 for the certified-mail fee, and \$0.14 for catalog envelope).<sup>21,22, 23</sup>

In addition, State/Tribe/Local agencies will incur O&M costs in the form of electronic transaction fees associated with real-time identity proofing by a third-party vendor. In particular, EPA estimates that State/Tribe/Local agencies will incur an electronic transaction cost of \$0.61 per ESA.<sup>24</sup>

The above O&M costs are shown in Exhibit 1 for all applicable respondent activities.

## 6.c) ESTIMATING AGENCY BURDEN AND COST

EPA estimates the Agency hour and cost burden associated with the information collection requirements covered in this ICR in Exhibit 2. As shown in the exhibit, EPA estimates an average hourly labor cost of \$67.57 for legal staff (GS-14, Step 5), \$57.18 for managerial staff (GS-13, Step 1), \$48.08 for technical staff (GS-12, Step 1), and \$24.40 for clerical staff (GS-06, Step 1). To derive these hourly estimates, EPA referred to the General Schedule (GS) Salary Table 2017.<sup>25</sup> This publication summarizes the unloaded (base) hourly rate for various labor categories in the Federal government. EPA then applied the standard government overhead factor of 1.6 to the unloaded rate to derive loaded hourly rates.

EPA estimates that, each year, the Agency will incur a capital cost of \$212,200 in CDX development, operation, and maintenance activities. This capital cost is shown in Exhibit 2.

O&M costs include electronic transaction fees associated with real-time identity proofing by a third-party vendor. In particular, EPA estimates that the Agency will incur an electronic transaction cost of \$0.72 per ESA.<sup>26</sup> This O&M cost is shown in Exhibit 2 for all applicable activities.

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<sup>21</sup> U.S. Postal Service; "First-Class Mail Prices." Available at [https://pe.usps.com/text/dmm300/Notice123.htm#\\_c037](https://pe.usps.com/text/dmm300/Notice123.htm#_c037), last accessed on March 28, 2018.

<sup>22</sup> U.S. Postal Service; "Extra Services Prices." Available at [https://pe.usps.com/text/dmm300/Notice123.htm#\\_c191](https://pe.usps.com/text/dmm300/Notice123.htm#_c191), last accessed on March 28, 2018.

<sup>23</sup> Catalog envelope cost based on current market price, as of March 28, 2018 (i.e., box of 100 6" x 9" brown kraft catalog envelopes with gummed closure at \$14.29).

<sup>24</sup> Based on cost data provided by State/Tribe/Local agencies during consultations conducted in February-March 2018.

<sup>25</sup> US Office of Personnel Management, "Base Hourly Rate," *2017 General Schedule (Base)*, January 2017. Available at [http://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2017/GS\\_h.pdf](http://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2017/GS_h.pdf), last accessed on March 28, 2018.

<sup>26</sup> Based on data current as of August 2017.



## **6.d) ESTIMATING THE RESPONDENT UNIVERSE AND TOTAL BURDEN AND COSTS**

In this section, EPA first describes the estimated respondent universe. EPA then estimates the annual burden to respondents under the information collection requirements covered in this ICR.

EPA notes that, as used in this document, the term “respondent” includes:

- Direct reporters, indirect reporters, indirect reporting firms, and LRAs complying with the registration and identity proofing requirements covered in this ICR, as applicable. This includes:
  - Private sector entities; and
  - State/Tribe/Local agencies that are regulated entities<sup>27</sup>.
- State/Tribe/Local agencies administering electronic document receiving systems subject to CROMERR<sup>28</sup>. In this document, we refer to these respondents as “State/Tribe/Local agencies acting as regulators.”
- State/Tribe/Local agencies seeking EPA approval to allow electronic reporting under CROMERR<sup>29</sup>. In this document, we refer to these respondents as “State/Tribe/Local agencies that are regulated entities.”

### **(1) Respondent Universe**

EPA estimates that, in total, 175,047 respondents will be subject to the information collection requirements covered in this ICR. This includes 152,458 direct reporters, 22,517 indirect reporters, 48 State/Tribe/Local agencies acting as regulators, and 24 State/Tribe/Local agencies that are regulated entities. The following paragraphs provide additional information on how these respondent universe estimates were derived.

#### **(a) Direct Reporter Employees**

EPA estimates that, each year, 152,458 direct reporters will be subject to the information collection requirements covered in this ICR. This includes 83,745 direct reporter employees expected to register with CDX; 15,638 direct reporter employees expected to comply with identifier, attribute, or alternative method requirements; and 53,075 direct reporters expected to submit subscriber agreements or ESAs.

Table 2 presents information on the annual number of employee registrants expected to register with CDX during the three-year period covered by the ICR. As shown in the table, EPA estimates that, on average, 83,745 employees will register with CDX each year.

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<sup>27</sup> Addressing State/Tribe/Local agencies as “respondents” is consistent with EPA’s interpretation of the definition of respondent in the PRA.

<sup>28</sup> Ibid.

<sup>29</sup> Ibid.

Appendix B provides detailed information on the methodology used to estimate the average annual number of direct reporters expected to register with the CDX during the three-year period covered by this ICR.

**Table 2**  
**Annual Number of Direct Reporter Employees Expected to Register with EPA’s CDX during the Three-Year Period Covered by the ICR**

Respondent Universe	Average Annual Number of New Employee Registrants <sup>a</sup>
Private Sector Entities	77,089
State/Tribe/Local Agencies that are Regulated Entities	6,656
<b>Total</b>	<b>83,745</b>

<sup>a</sup> Federal government employees are not reflected in the table because they are exempt from ICR requirements.

Table 3 presents information on the estimated annual number of subscriber agreements and ESAs to be submitted to EPA during the three-year period covered by the ICR. As shown in the table, direct reporters have two options for complying with the ESA requirements covered in this ICR:

- **Reuse (Consolidated) ESA.** Direct reporters have the option of “reusing” an ESA. CDX has the ability to recognize when a registrant has already provided sufficient forensic evidence through wet-ink signature, organization information, and audit information tying forensic evidence to CDX credentials in order to allow reuse of the forensic evidence and accept a digitally signed (electronic) signature using the registrant’s existing CDX credential.
- **Third-Party ESA.** Direct reporters have the option of completing and submitting an ESA through a third-party vendor. CDX provides a voluntary method for real-time identity proofing using a third-party vendor to validate government identification (ID) and additional personal information in compliance with OMB Memorandum M-04-04, while retaining repeatable digital evidence of validation using cryptographic hash technology and not retaining the highly sensitive personally identifying information. The third-party process validates both identity and business affiliation.

Appendix B provides detailed information on the methodology used to estimate the average annual number of subscriber agreements and ESAs to be submitted to EPA during the three-year period covered by this ICR.

**Table 3**  
**Annual Number of Subscriber Agreements and**  
**Electronic Signature Agreements (ESAs) to Be Submitted to EPA**  
**during the Three-Year Period Covered by the ICR <sup>a</sup>**

Type of Submission		Annual Number of Submissions <sup>b, c</sup>
<b>Private Sector Entities</b>		
Subscriber Agreements		3,430
ESAs	Reuse (Consolidated)	2,433
	Third-Party	40,123
<i>Subtotal</i>		45,986
<b>State/Tribe/Local Agencies that Are Regulated Entities</b>		
Subscriber Agreements		529
ESAs	Reuse (Consolidated)	375
	Third-Party	6,185
<i>Subtotal</i>		7,089
<b>Total</b>		
Subscriber Agreements		3,959
ESAs	Reuse (Consolidated)	2,808
	Third-Party	46,308
<b>Total</b>		<b>53,075</b>

<sup>a</sup> Table includes rounding error.

<sup>b</sup> Table contains data provided by EPA's Office of Information Collection (OIC), and are current as of August 2017.

<sup>c</sup> Federal government employees are not reflected in the table because they are exempt from ICR requirements.

## (b) Indirect Reporter Employees

Table 4 presents information on the annual number of employee registrants expected to register and comply with identify proofing requirements of State/Tribe/Local electronic document receiving systems during the three-year period covered by the ICR. As shown in the table, EPA estimates that, on average, 22,517 employees from indirect reporting facilities will register and comply with identify proofing requirements of State/Tribe/Local electronic document receiving systems each year.

For indirect reporters, EPA assumes that only a portion of employee registrants from medium-size and large firms will use the LRA alternative. The remaining facility employees will comply with the subscriber agreement provisions. Thus, in order to perform the analysis, EPA categorized employee registrants based on the size of their firms (i.e., small firm or medium-size and large firm). Table 5 presents information on the annual number of employee registrants by type of firm.

As shown in Table 4, EPA estimates that, on average, 11,860 employees from small firms and 10,657 employees from medium-size and large firms will register and comply with identify proofing requirements of State/Tribe/Local electronic document receiving systems each year.

Appendix C provides detailed information on the methodology used to estimate the average annual number of indirect reporters for the three-year period covered by this ICR.

**Table 4**  
**Annual Number of Indirect Reporter Employees Expected to Register and Comply with Identify Proofing Requirements during the Three-Year Period Covered by the ICR**

Type of Firm	Average Annual Number of Employee Registrants <sup>a</sup>
<b>Private Sector Entities</b>	
Small Firms	10,277
Medium-Size and Large Firms	9,234
<i>Subtotal</i>	<i>19,511</i>
<b>State/Tribe/Local Agencies that are Regulated Entities</b>	
Small Firms	1,583
Medium-Size and Large Firms	1,423
<i>Subtotal</i>	<i>3,006</i>
<b>Total</b>	
Small Firms	11,860
Medium-Size and Large Firms	10,657
<b>Total</b>	<b>22,517</b>

<sup>a</sup> Federal government employees are not reflected in the table because they are exempt from ICR requirements.

## (c) Indirect Reporting Firms

As shown in Table 4, EPA estimates that, on average, 11,860 employees from small indirect reporting firms will register and comply with identify proofing requirements of

State/Tribe/Local electronic document receiving systems each year. Each small firm is expected to have an average of three employees<sup>30</sup>, for a total of 3.953 small *firms* (i.e., 11,860 employees ÷ 3 employees/firm).

EPA also estimates that, on average, 10,657 employees from medium-size and large indirect reporting firms will register with State/Tribe/Local electronic document receiving systems each year. Each medium-size and large firm is expected to have an average of 18 employees<sup>31</sup>, for a total of 592 medium-size and large *firms* (i.e., 10,657 employees ÷ 18 employees/firm).

**(d) State/Tribe/Local Agencies Acting as Regulators**

Based on data from EPA's CROMERR Program and Stakeholder Management (PSM) System, EPA estimates that, currently, 48 State/Tribe/Local agencies administer electronic document receiving systems subject to CROMERR.<sup>32</sup>

**(e) States/Tribes/Locals Agencies That Are Regulated Entities**

Based on information currently available to EPA on the submission and approval of program modification applications under 40 CFR 3.1000 (i.e., CROMERR applications), EPA estimates that, on average, five States/Tribes/Locals (i.e., 3 state agencies, 1 tribal agency, and 1 local agency) will upgrade their existing electronic document receiving systems or develop new electronic document receiving systems and submit CROMERR applications each year.

EPA also estimates that, on average, 15 States/Tribes/Locals (i.e., 15 state agencies, 0 tribal agencies, and 0 local agencies) will submit amendments to their original CROMERR applications each year.

In addition, EPA estimates that, on average, 4 States/Tribes/Locals (i.e., 4 state agencies, 0 tribal agencies, and 0 local agencies) will submit notifications to EPA about changes to laws, policies, or electronic document receiving systems each year.

Based on the above information, EPA estimates that, each year, 24 State/Tribe/Local agencies will be regulated entities during the three-year period covered by this ICR.

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<sup>30</sup> This assumption was taken from *Cross-Media Electronic Reporting and Records Rule (CROMERRR) Cost Benefit Analysis, Final*, dated November 17, 2004.

<sup>31</sup> This assumption was taken from *Cross-Media Electronic Reporting and Records Rule (CROMERRR) Cost Benefit Analysis, Final*, dated November 17, 2004.

<sup>32</sup> PSM is a custom implementation of a Salesforce.com platform that integrates database records, online file storage, multiple distinct spreadsheets, and email logs, to support the reduction of Technical Review Committee (TRC) and EPA's Office of Environmental Information (OEI) levels of effort in managing the application approval process. Data current as of October 9, 2014.

## (2) Annual Respondent Burden

### (a) Registering with EPA Electronic Document Receiving System – Direct Reporters

EPA estimates that, on average, 83,745 employees of direct reporting facilities will register with EPA’s electronic document receiving system each year. EPA also estimates that, of the 83,745 employee registrants, approximately 10 percent (or 8,375) will need to update their registration information each year.

### (b) Compliance with Identity Proofing Requirements – Direct Reporters

The following paragraphs discuss the assumptions associated with compliance with the identity proofing requirements by direct reporters.

#### Comply with Requirements for Identifier, Attribute, or Alternative Method

EPA estimates that, on average, 15,638 direct reporters will submit information on identifiers or attributes, or other identity-proofing information each year.

#### Comply with Subscriber Agreement or ESA Provisions

EPA assumes that all direct reporters will comply with the subscriber agreement or ESA requirements.

*Subscriber Agreements.* EPA estimates that, on average, employee registrants from direct reporting facilities will prepare, submit, and file a total of 3,959 subscriber agreements each year. EPA also estimates that, of the 3,959 subscriber agreements prepared each year, 89 percent (3,524) will be from new and existing employee registrants (e.g., employees registering for the first time with a data flow); 10 percent (395) will be associated with employee turnover, which requires the submittal of a new subscriber agreement by the employee replacement; and one percent (40) will be associated with a compromised electronic signature, which requires the submittal of a new subscriber agreement. EPA anticipates that all employee registrants preparing a subscriber agreement will contact the Help Desk for technical support.

*Reuse (Consolidated) ESAs.* EPA estimates that, on average, 2,808 employee registrants from direct reporting facilities will reuse their ESA each year. EPA also estimates that, of the 2,808 reuse (consolidated) ESAs, 89 percent (2,499) will be from existing employee registrants (e.g., existing employee registrants registering for the first time with a data flow); 10 percent (281) will be associated with employee turnover, which requires the submittal of a new subscriber agreement by the employee replacement; and one percent (28) will be associated with a compromised electronic signature, which requires the submittal of a new subscriber agreement. EPA anticipates that all employee registrants reusing an ESA will contact the Help Desk for technical support.

*Third-Party ESAs.* EPA estimates that, on average, employee registrants from direct reporting facilities will prepare, submit, and file a total of 46,308 third-party ESAs each year. EPA also estimates that, of the 46,308 third-party ESAs prepared each year, 89 percent (41,214) will be from new and existing employee registrants (e.g., employees registering for the first time with a data flow); 10 percent (4,631) will be associated with employee turnover, which requires the submittal of a new ESA by the employee replacement; and one percent (463) will be associated with a compromised electronic signature, which requires the submittal of a new ESA. EPA anticipates that all employee registrants preparing a third-party ESA will contact the Help Desk for technical support.

#### Conduct On-Going Management

EPA assumes that, of the 53,075 employee registrants from direct reporting facilities, three percent (1,592) will have to work with EPA to resolve problems involving their subscriber agreements, ESAs, or certifications each year.

#### **(c) Compliance with Identity Proofing Requirements – Indirect Reporters**

The following paragraphs discuss the assumptions associated with compliance with the identity proofing requirements by indirect reporters.

#### Comply with Requirements for Identifier, Attribute, or Alternative Method

EPA does not anticipate that indirect reporters will prepare and submit information on identifiers or attributes, or other identity-proofing information.

#### Comply with Subscriber Agreement or ESA Provisions

For indirect reporters, EPA assumes that all *employee registrants* from small firms (11,860) and 98 percent of *employee registrants* from medium-size and large firms ( $10,657 \times 0.98 = 10,444$ ) will comply with the subscriber agreement or ESA requirements. In addition, EPA estimates that indirect reporters submit information to 1.3 State/Tribe/Local electronic document receiving systems, on average; hence, their employees must submit subscriber agreements or ESAs for 1.3 receiving systems, on average.<sup>33</sup> EPA assumes that 90 percent of employee registrants from indirect reporting facilities will submit subscriber agreements and the remaining 10 percent will submit ESAs.

*Subscriber Agreements.* Based on the above assumptions, EPA estimates that, on average, employee registrants from indirect reporting facilities will prepare, submit, and file a total of 26,096 subscriber agreements each year (i.e.,  $[11,860 \text{ small firm employees} + 10,444 \text{ medium-size and large firm employees}] \times 1.3 \text{ subscriber agreements/employee} \times 0.90$ ).

EPA also estimates that, of the 26,096 subscriber agreements prepared each year, 89 percent (23,225) will be from new and existing employee registrants (e.g., employees registering for the first time with a data flow); 10 percent<sup>34</sup> (2,610) will be associated with

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<sup>33</sup> Ibid.

<sup>34</sup> This assumption was taken from Section 2.3.4.2 (page 29) of *Cross-Media Electronic Reporting and*

employee turnover, which requires the submittal of a new subscriber agreement by the employee replacement; and one percent (261) will be associated with a compromised electronic signature, which requires the submittal of a new subscriber agreement.

EPA anticipates that all employee registrants preparing a subscriber agreement will contact the Help Desk for technical support.

*ESAs.* Based on the above assumptions, EPA estimates that, on average, employee registrants from indirect reporting facilities will prepare, submit, and file a total of 2,900 ESAs each year (i.e., [11,860 small firm employees + 10,444 medium-size and large firm employees] x 1.3 subscriber agreements/employee x 0.10).

EPA also estimates that, of the 2,900 ESAs prepared each year, 89 percent (2,581) will be from new and existing employee registrants (e.g., employees registering for the first time with a data flow); 10 percent<sup>35</sup> (290) will be associated with employee turnover, which requires the submittal of a new ESA by the employee replacement; and one percent (29) will be associated with a compromised electronic signature, which requires the submittal of a new ESA.

EPA anticipates that all employee registrants preparing a subscriber agreement will contact the Help Desk for technical support.

#### Submit Subscriber Agreements to Local Registration Authority

EPA assumes that two percent of medium-size and large firms will use the LRA alternative. EPA also assumes that indirect reporting firms submit information to 1.3 State/Tribe/Local electronic document receiving systems, on average; hence, their employees must submit subscriber agreements for 1.3 receiving systems, on average.<sup>36</sup> Based on these assumptions, EPA estimates that, on average, *employees* from indirect reporting firms will prepare and send to their LRA a total of 277 subscriber agreements each year (i.e., [10,657 medium-size and large firm employees x 0.02] x 1.3 subscriber agreements/employee).

EPA estimates that, of the 277 subscriber agreements prepared each year, 89 percent (246) will be from new employee registrants; 10 percent (28) will be associated with employee turnover, which requires the submittal of a new subscriber agreement by the employee replacement; and one percent (3) will be associated with a compromised electronic signature, which requires the submittal of a new subscriber agreement.

#### Conduct On-Going Management

EPA assumes that, of the 22,304 employee registrants from indirect reporting facilities (11,860 + 10,444 = 22,304), three percent (669) will have to work with States/Tribes/Locals to resolve problems involving their subscriber agreements each year.

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*Records Rule (CROMERRR) Cost Benefit Analysis, Final*, dated November 17, 2004.

<sup>35</sup> This assumption was taken from Section 2.3.4.2 (page 29) of *Cross-Media Electronic Reporting and Records Rule (CROMERRR) Cost Benefit Analysis, Final*, dated November 17, 2004.

<sup>36</sup> *Ibid.*



**(c) Implementation of Local Registration Authority Alternative – Indirect Reporting Firms and Local Registration Authorities**

The following paragraphs discuss the assumptions associated with implementation of the LRA alternative by indirect reporting firms and LRAs.

Designating a Local Registration Authority

As stated above, EPA assumes that two percent of medium-size and large indirect reporting *firms* ( $592 \times 0.02 = 12$ ) will use the LRA alternative. These *firms* will develop a process or plan to implement the LRA alternative, designate the LRA, submit the LRA application to the agency, and register the LRA with the electronic document receiving system.

Of the 12 medium-size and large indirect reporting *firms* that will use the LRA alternative, two percent (1) will need to redesignate the LRA annually due to turnover, which requires registration of the new LRA with the electronic document receiving system.

Collect Subscriber Agreements from Reporters

EPA estimates that, on average, LRAs will collect a total of 277 subscriber agreements each year. Of these 277 subscriber agreements, 246 will be from new employee registrants, 28 will be associated with employee turnover, and 3 will be associated with a compromised electronic signature. For each of these subscriber agreements, LRAs will need to prepare an agreement collection certification after securely storing the subscriber agreements, and submit a certification of receipt and secure storage.

**(d) Compliance with Identity Proofing Requirements – State/Tribe/Local Agencies Acting as Regulators**

Collect Identifier, Attribute, or Alternative Information

EPA does not anticipate that indirect reporters will prepare and submit information on identifiers or attributes, or other identity-proofing information.

Collect Subscriber Agreements and ESAs - Subscriber Agreements

EPA estimates that, on average, employee registrants from indirect reporting facilities will prepare, submit, and file a total of 26,096 subscriber agreements each year. This includes 23,225 subscriber agreements from new employee registrants, 2,610 subscriber agreements associated with employee turnover, and 261 subscriber agreements associated with a compromised electronic signature. State/Tribe/Local agencies will receive, process, review, approve, and file all these subscriber agreements.

Collect Subscriber Agreements and ESAs – ESAs

EPA estimates that, on average, employee registrants from indirect reporting facilities will prepare, submit, and file a total 2,900 ESAs each year. This includes 2,581 ESAs from new

employee registrants, 290 ESAs associated with employee turnover, and 29 ESAs associated with a compromised electronic signature. State/Tribe/Local agencies will receive, process, review, approve, and file all these ESAs.

#### Collect Submittals from Local Registration Authority

EPA estimates that, each year, employee registrants from indirect reporting facilities will submit 277 subscriber agreements to their LRAs. This includes 246 subscriber agreements from new employee registrants, 28 subscriber agreements associated with employee turnover, and 3 subscriber agreements associated with a compromised electronic signature. State/Tribe/Local agencies will need to receive, process, review, and approve the certification of receipt and secure storage submitted by the LRAs.

#### Collect Applications for Designation of Local Registration Authority

EPA estimates that, each year, 12 indirect reporting *firms* will use the LRA alternative. EPA also estimates that, each year, one of these firms will need to redesignate the LRA due to turnover. State/Tribe/Local agencies will need to receive and approve these LRA applications.

#### Conduct On-Going Management

EPA estimates that, each year, State/Tribe/Local agencies will have to work with 669 employee registrants to resolve problems involving their agreements or certifications, and respond to information requests.

### **(e) Approval of State/Local Electronic Document Receiving System Applications – State/Tribe/Local Agencies that Are Regulated Entities**

#### Read the Regulations

EPA estimates that, on average, 24 States/Tribes/Locals will submit documentation to EPA associated with the approval of State/Tribe/Local electronic document receiving systems each year. These States/Tribes/Locals are expected to read the regulations at 40 CFR Part 3.

#### Submit Electronic Document Receiving System Application

EPA estimates that, on average, five States/Tribes/Locals will upgrade their existing electronic document receiving systems or develop new electronic document receiving systems and submit a CROMERR application each year. This includes three state agencies, one local agency, and one tribal agency.

EPA further estimates that, of the three state agencies upgrading their existing electronic document receiving systems or developing new electronic document receiving systems, 80 percent (i.e.,  $3 \times 0.80 = 2$ ) will use commercial off-the-shelf (COTS) or shared CROMERR services (SCS) solutions. The remaining 20 percent (i.e.,  $3 \times 0.20 = 1$ ) will develop their own systems.

### Submit Amendment to Original Application

EPA estimates that, on average, 15 states will submit amendments to their original CROMERR application each year. EPA does not anticipate that Locals or Tribes will submit amendments to their original CROMERR applications during the three-year period covered by this ICR.

### Submit Notification on Changes to Laws, Policies, or Electronic Document Receiving System

EPA estimates that, on average, four state agencies will submit a notification about changes to laws, policies, or electronic document receiving systems that have the potential to affect program conformance with 40 CFR 3.2000. EPA does not anticipate that tribal or local agencies will submit this notification during the three-year period covered by this ICR.

## **6.e) BOTTOM LINE BURDEN HOUR AND COST TABLES**

### **(1) Respondent Tally**

Exhibits 3 and 4 summarize the total annual respondent hour and cost burden associated with all the requirements covered in this ICR. Exhibit 3 presents information on the total estimated respondent hour and cost burden for all respondents. Exhibit 4 presents information on the total estimated respondent hour and cost burden, by type of respondent. As used in this document, the term “respondent” includes private sector and State/Tribe/Local entities.<sup>37</sup> As shown in the exhibits, EPA estimates the annual respondent burden to be 83,837 hours and \$4,055,829. The bottom line burden to respondents over three years is estimated to be 251,511 hours and \$12,167,487.

### **(2) Agency Tally**

Exhibit 5 summarizes the total annual EPA hour and cost burden associated with all the requirements covered in this ICR. As shown in the exhibit, EPA estimates the annual agency burden to be 26,579 hours and \$1,526,116. The bottom line burden to the agency over three years is estimated to be 79,737 hours and \$4,578,348.

## **6.f) REASONS FOR CHANGE IN BURDEN**

The annual respondent burden estimate in the previously approved CROMERR ICR (EPA ICR Number 2002.06) was 49,604 hours. The annual respondent burden estimate for this ICR (EPA ICR Number 2002.07) is 83,837 hours. This represents an increase of 34,233 hours.

This increase in burden occurred primarily because, in developing this ICR, EPA carefully reviewed the respondent activities. Based on consultations with industry and State/Tribe/Local agencies, EPA increased some of the hourly burden estimates. EPA believes that the revised burden estimates included in this ICR reflect a realistic average.

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<sup>37</sup> Refer to Section 6(d) for additional clarification on the types of respondents examined in this ICR.

In addition, in developing this ICR, EPA accounted for the expected burden associated with the implementation of the e-Manifest system. The e-Manifest system will be used for manifesting both federal and state hazardous waste. (The e-Manifest Act extends the scope of the federal manifest program to include state hazardous waste, i.e., wastes regulated by a state but not EPA.) Under the e-Manifest system, all respondents that manifest electronically must first register with the CDX. In addition, respondents that intend to use a PIN/Password must prepare an ESA.

All changes in burden are considered “adjustments,” since they resulted from changes in the size of the respondent universe or the burden estimates used in the development of the ICR.

#### **6.g) BURDEN STATEMENT**

##### **(1) Registering with EPA Electronic Document Receiving System – Direct Reporters**

The reporting burden is estimated to be 12 minutes for a facility employee to register with CDX. This includes time for preparing the on-line application and calling the CDX Help Desk. There are no recordkeeping requirements associated with registering with the CDX application.

##### **(2) Compliance with Identity Proofing Requirements – Direct and Indirect Reporters**

The reporting burden is estimated to be about 10 minutes for a facility employee to prepare and submit identifier, attribute, or alternative information. There are no recordkeeping requirements associated with this requirement, and as such, there is no recordkeeping burden. Note that, in this ICR, the burden associated with preparing and submitting identifier, attribute, or alternative information is applicable to direct reporters only.

The reporting burden is estimated to range from 20 minutes to 25 minutes for a facility employee to prepare and submit a subscriber agreement or ESA. The recordkeeping burden for the facility employee is estimated to be about 7 minutes to file an agreement on site.

##### **(3) Implementation of Local Registration Authority Alternative – Indirect Reporting Firms and Local Registration Authorities**

The reporting burden is estimated to be 13 hours for a firm to develop a process or plan to use the LRA alternative, designate the LRA, submit the LRA application to the agency, and register the LRA with the electronic document receiving system. There are no recordkeeping requirements associated with this requirement, and as such, there is no recordkeeping burden.

The reporting burden is estimated to be 1 hour for a firm to redesignate the LRA, due to turnover; send the LRA application to the agency; and register the new LRA with the electronic document receiving system. There are no recordkeeping requirements associated with this requirement, and as such, there is no recordkeeping burden.

The reporting burden is estimated to be 10 minutes for a LRA to prepare and submit a certification of receipt and secure storage after receiving a subscriber agreement. The recordkeeping burden is estimated to be 10 minutes for a LRA to compile subscriber agreements from employee registrants within the LRA's firm and place them in secure storage.

**(4) Compliance with Identity Proofing Requirements – State/Tribe/Local Agencies Acting as Regulators**

The reporting burden is estimated to range from 4 minutes to 10 minutes for a State/Tribe/Local agency to receive, process, review, and approve subscriber agreements or ESAs. There are no recordkeeping requirements associated with this requirement, and as such, there is no recordkeeping burden.

The reporting burden is estimated to be 30 minutes for a State/Tribe/Local agency to receive, process, review, and approve an LRA application. There are no recordkeeping requirements associated with this requirement, and as such, there is no recordkeeping burden.

The reporting burden is estimated to be 2.37 hours for a State/Tribe/Local agency to resolve problems involving subscriber agreements or certifications, and respond to information requests. There are no recordkeeping requirements associated with this requirement, and as such, there is no recordkeeping burden.

**(5) Approval of State/Tribe/Local Electronic Document Receiving System Applications – State/Tribe/Local Agencies that Are Regulated Entities**

The reporting burden is estimated to range from 62 hours to 331 hours for a State/Tribe/Local agency to prepare and submit the CROMERR application to EPA, depending on whether the State/Tribe/Local agency is planning to use a commercial off-the-shelf [COTS] or shared CROMERR services [SCS] solution, or develops its own electronic document receiving system). The recordkeeping burden is estimated to be 9.13 hours to read the regulations.

The reporting burden is estimated to be 24 hours for a State/Tribe/Local agency to prepare and submit an amendment to its original CROMERR application to EPA. The recordkeeping burden is estimated to be 9.13 hours to read the regulations.

The reporting burden is estimated to be about 11.39 hours for a State/Tribe/Local agency to notify EPA about changes to laws, policies, or electronic document receiving systems that have the potential to affect program conformance with 40 CFR 3.2000. The recordkeeping burden is estimated to be 9.13 hours to read the regulations.

Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and

maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR Part 9 and 48 CFR Chapter 15.

To comment on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including the use of automated collection techniques, EPA has established a public docket for this ICR under Docket ID Number EPA-HQ-OEI-2011-0096, which is available for online viewing at [www.regulations.gov](http://www.regulations.gov), or in person viewing at the Office of Environmental Information (OEI) Docket in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Avenue, NW, Washington, D.C. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is (202) 566-1744, and the telephone number for the OEI Docket is (202) 566-1752. An electronic version of the public docket is available at [www.regulations.gov](http://www.regulations.gov). This site can be used to submit or view public comments, access the index listing of the contents of the public docket, and to access those documents in the public docket that are available electronically. When in the system, select "search," then key in the Docket ID Number identified above. Also, you can send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, D.C. 20503, Attention: Desk Officer for EPA. Please include the EPA Docket ID Number EPA-HQ-OEI-2011-0096 and OMB Control Number 2025-0003 in any correspondence.

## EXHIBIT 1

## CROSS-MEDIA ELECTRONIC REPORTING RULE

ESTIMATED ANNUAL RESPONDENT HOUR AND COST BURDEN <sup>a</sup>

	Hours and Costs Per Respondent Per Activity								Total Hours and Costs		
	Leg. \$66.62/ Hour	Mgr. \$42.70/ Hour	Tech. \$42.34/ Hour	Cler. \$18.63/ Hour	Respon. Hours/ Activity	Labor Cost/ Activity	Capital/ Startup Cost	O&M Cost	Number of Respon. Activities	Total Hours/ Year	Total Cost/ Year
<b>INFORMATION COLLECTION ACTIVITY</b>											
<b>Registering with EPA Electronic Document Receiving System - Direct Reporters</b>											
Log on to the receiving system site and enter requested information	0.00	0.00	0.20	0.00	0.20	\$8.47	\$0.00	\$0.00	83,745	16,749.00	\$709,320.15
Update the information as needed	0.00	0.00	0.04	0.00	0.04	\$1.69	\$0.00	\$0.00	8,375	335.00	\$14,153.75
Subtotal	Varies	Varies	Varies	Varies	Varies	Varies	Varies	Varies	Varies	17,084.00	\$723,473.90
<b>Compliance with Identity Proofing Requirements - Direct Reporters</b>											
<b>Comply with Requirements for Identifier, Attribute, or Alternative Method</b>											
Prepare and submit requested information (CDX 20-5-1 Challenge Question Setup)	0.00	0.00	0.17	0.00	0.17	\$7.20	\$0.00	\$0.00	15,638	2,658.52	\$112,596.00
<b>Comply with Subscriber Agreement or ESA Provisions - Subscriber Agreements</b>											
Prepare and submit a subscriber agreement	0.00	0.00	0.42	0.00	0.42	\$17.78	\$0.00	\$3.98	3,524	1,480.08	\$76,682.24
File subscriber agreement	0.00	0.00	0.12	0.00	0.12	\$5.08	\$0.00	\$0.00	3,524	422.88	\$17,901.92
Prepare and submit a new subscriber agreement, for employee turnover	0.00	0.00	0.42	0.00	0.42	\$17.78	\$0.00	\$3.98	395	165.90	\$8,595.20
File new subscriber agreement, for employee turnover	0.00	0.00	0.12	0.00	0.12	\$5.08	\$0.00	\$0.00	395	47.40	\$2,006.60
Report compromised or surrendered electronic signature device and prepare/submit new subscriber agreement if necessary	0.00	0.00	0.33	0.00	0.33	\$13.97	\$0.00	\$3.98	40	13.20	\$718.00
Contact the Help Desk for technical support	0.00	0.00	0.15	0.00	0.15	\$6.35	\$0.00	\$0.00	3,959	593.85	\$25,139.65
<b>Comply with Subscriber Agreement or ESA Provisions - Reuse (Consolidated) ESAs</b>											
Prepare and submit an ESA	0.00	0.00	0.33	0.00	0.33	\$13.97	\$0.00	\$0.00	2,499	824.67	\$34,911.03
File ESA	0.00	0.00	0.12	0.00	0.12	\$5.08	\$0.00	\$0.00	2,499	299.88	\$12,694.92
Prepare and submit a new ESA, for employee turnover	0.00	0.00	0.33	0.00	0.33	\$13.97	\$0.00	\$0.00	281	92.73	\$3,925.57
File new ESA, for employee turnover	0.00	0.00	0.12	0.00	0.12	\$5.08	\$0.00	\$0.00	281	33.72	\$1,427.48
Report compromised or surrendered electronic signature device and prepare/submit new ESA if necessary	0.00	0.00	0.33	0.00	0.33	\$13.97	\$0.00	\$0.00	28	9.24	\$391.16
Contact the Help Desk for technical support	0.00	0.00	0.15	0.00	0.15	\$6.35	\$0.00	\$0.00	2,808	421.20	\$17,830.80
<b>Comply with Subscriber Agreement or ESA Provisions - Third-Party ESAs</b>											
Prepare and submit an ESA	0.00	0.00	0.33	0.00	0.33	\$13.97	\$0.00	\$0.00	41,214	13,600.62	\$575,759.58
File ESA	0.00	0.00	0.12	0.00	0.12	\$5.08	\$0.00	\$0.00	41,214	4,945.68	\$209,367.12
Prepare and submit a new ESA, for employee turnover	0.00	0.00	0.33	0.00	0.33	\$13.97	\$0.00	\$0.00	4,631	1,528.23	\$64,695.07
File new ESA, for employee turnover	0.00	0.00	0.12	0.00	0.12	\$5.08	\$0.00	\$0.00	4,631	555.72	\$23,525.48
Report compromised or surrendered electronic signature device and prepare/submit new ESA if necessary	0.00	0.00	0.33	0.00	0.33	\$13.97	\$0.00	\$0.00	463	152.79	\$6,468.11
Contact the Help Desk for technical support	0.00	0.00	0.15	0.00	0.15	\$6.35	\$0.00	\$0.00	46,308	6,946.20	\$294,055.80
<b>Conduct On-Going Management</b>											
Identify and resolve problems	0.00	0.00	1.60	0.00	1.60	\$67.74	\$0.00	\$0.00	1,592	2,547.20	\$107,842.08
Subtotal	Varies	Varies	Varies	Varies	Varies	Varies	Varies	Varies	Varies	37,339.71	\$1,596,533.81

<sup>a</sup> Exhibit includes rounding error.

EXHIBIT 1 (CONTINUED)  
 CROSS-MEDIA ELECTRONIC REPORTING RULE  
 ESTIMATED ANNUAL RESPONDENT HOUR AND COST BURDEN <sup>a</sup>

	Hours and Costs Per Respondent Per Activity									Total Hours and Costs		
	Leg. \$66.62/ Hour	Mgr. \$42.70/ Hour	Tech. \$42.34/ Hour	Clcr. \$18.63/ Hour	Respon. Hours/ Activity	Labor Cost/ Activity	Capital/ Startup Cost	O&M Cost	Number of Respon. Activities	Total Hours/ Year	Total Cost/ Year	
<b>INFORMATION COLLECTION ACTIVITY</b>												
<b>Compliance with Identity Proofing Requirements - Indirect Reporters</b>												
<b>Comply with Requirements for Identifier, Attribute, or Alternative Method</b>												
Prepare and submit requested information	0.00	0.00	0.17	0.00	0.17	\$7.20	\$0.00	\$0.00	0	0.00	\$0.00	
<b>Comply with Subscriber Agreement or ESA Provisions - Subscriber Agreements</b>												
Prepare and submit a subscriber agreement	0.00	0.00	0.42	0.00	0.42	\$17.78	\$0.00	\$3.98	23,225	9,754.50	\$505,376.00	
File subscriber agreement	0.00	0.00	0.12	0.00	0.12	\$5.08	\$0.00	\$0.00	23,225	2,787.00	\$117,983.00	
Prepare and submit a new subscriber agreement, for employee turnover	0.00	0.00	0.42	0.00	0.42	\$17.78	\$0.00	\$3.98	2,610	1,096.20	\$56,793.60	
File new subscriber agreement, for employee turnover	0.00	0.00	0.12	0.00	0.12	\$5.08	\$0.00	\$0.00	2,610	313.20	\$13,258.80	
Report compromised or surrendered electronic signature device and prepare/submit new subscriber agreement if necessary	0.00	0.00	0.33	0.00	0.33	\$13.97	\$0.00	\$3.98	261	86.13	\$4,684.95	
Contact the Help Desk for technical support	0.00	0.00	0.15	0.00	0.15	\$6.35	\$0.00	\$0.00	26,096	3,914.40	\$165,709.60	
<b>Comply with Subscriber Agreement or ESA Provisions - ESAs</b>												
Prepare and submit an ESA	0.00	0.00	0.42	0.00	0.42	\$17.78	\$0.00	\$0.00	2,581	1,084.02	\$45,890.18	
File ESA	0.00	0.00	0.12	0.00	0.12	\$5.08	\$0.00	\$0.00	2,581	309.72	\$13,111.48	
Prepare and submit a new ESA, for employee turnover	0.00	0.00	0.42	0.00	0.42	\$17.78	\$0.00	\$0.00	290	121.80	\$5,156.20	
File new ESA, for employee turnover	0.00	0.00	0.12	0.00	0.12	\$5.08	\$0.00	\$0.00	290	34.80	\$1,473.20	
Report compromised or surrendered electronic signature device and prepare/submit new ESA if necessary	0.00	0.00	0.33	0.00	0.33	\$13.97	\$0.00	\$0.00	29	9.57	\$405.13	
Contact the Help Desk for technical support	0.00	0.00	0.15	0.00	0.15	\$6.35	\$0.00	\$0.00	2,900	435.00	\$18,415.00	
<b>Submit Subscriber Agreement to Local Registration Authority</b>												
Prepare subscriber agreement and send to LRA	0.00	0.00	0.42	0.00	0.42	\$17.78	\$0.00	\$0.53	246	103.32	\$4,504.26	
Prepare new subscriber agreement and send to LRA, for employee turnover	0.00	0.00	0.42	0.00	0.42	\$17.78	\$0.00	\$0.53	28	11.76	\$512.68	
Report breach of security or compromise/surrender of electronic signature device	0.00	0.00	0.17	0.00	0.17	\$7.20	\$0.00	\$0.00	3	0.51	\$21.60	
Prepare new subscriber agreement and send to LRA subsequent to breach of security/compromise of electronic signature device	0.00	0.00	0.42	0.00	0.42	\$17.78	\$0.00	\$0.53	3	1.26	\$54.93	
<b>Conduct On-Going Management</b>												
Identify and resolve problems	0.00	0.00	1.60	0.00	1.60	\$67.74	\$0.00	\$0.00	669	1,070.40	\$45,318.06	
<b>Implementation of Local Registration Authority Alternative - Indirect Reporting Firms and Local Registration Authorities</b>												
<b>Designating a Local Registration Authority</b>												
Develop a process or plan to implement the requirement, designate the LRA, and submit LRA application to agency	1.00	0.00	12.00	0.00	13.00	\$574.70	\$0.00	\$6.86	12	156.00	\$6,978.72	
Register LRA with the electronic document receiving system	0.00	0.00	0.17	0.00	0.17	\$7.20	\$0.00	\$0.00	12	2.04	\$86.40	
Redesignate LRA, due to turnover, and send application materials	0.00	0.00	1.00	0.00	1.00	\$42.34	\$0.00	\$6.86	1	1.00	\$49.20	
Register new LRA with electronic document receiving system	0.00	0.00	0.17	0.00	0.17	\$7.20	\$0.00	\$0.00	1	0.17	\$7.20	
<b>Collect Subscriber Agreements from Reporters</b>												
Collect and securely store subscriber agreements	0.00	0.00	0.17	0.00	0.17	\$7.20	\$0.00	\$0.00	246	41.82	\$1,771.20	
Prepare agreement collection certification after securely storing subscriber agreements, and submit certification of receipt and secure storage	0.00	0.00	0.17	0.00	0.17	\$7.20	\$0.00	\$2.82	246	41.82	\$2,464.92	
Collect and securely store subscriber agreements, for employee turnover	0.00	0.00	0.17	0.00	0.17	\$7.20	\$0.00	\$0.00	28	4.76	\$201.60	
Prepare agreement collection certification after securely storing subscriber agreements, and submit certification of receipt and secure storage, for employee turnover	0.00	0.00	0.17	0.00	0.17	\$7.20	\$0.00	\$2.82	28	4.76	\$280.56	
Collect and securely store subscriber agreements, for breach of security/compromise of electronic signature device	0.00	0.00	0.17	0.00	0.17	\$7.20	\$0.00	\$0.00	3	0.51	\$21.60	
Prepare agreement collection certification after securely storing subscriber agreements, and submit certification of receipt and secure storage, for breach of security/compromise of electronic signature device	0.00	0.00	0.17	0.00	0.17	\$7.20	\$0.00	\$2.82	3	0.51	\$30.06	
Subtotal	Varies	Varies	Varies	Varies	Varies	Varies	Varies	Varies	Varies	21,386.98	\$1,010,560.13	

<sup>a</sup> Exhibit includes rounding error.



EXHIBIT 1 (CONTINUED)  
 CROSS-MEDIA ELECTRONIC REPORTING RULE  
 ESTIMATED ANNUAL RESPONDENT HOUR AND COST BURDEN

	Hours and Costs Per Respondent Per Activity								Total Hours and Costs		
	Leg. \$44.83/ Hour	Mgr. \$44.83/ Hour	Tech. \$33.95/ Hour	Cler. \$16.11/ Hour	Respon. Hours/ Activity	Labor Cost/ Activity	Capital/ Startup Cost	O&M Cost	Number of Respon. Activities	Total Hours/ Year	Total Cost/ Year
<b>INFORMATION COLLECTION ACTIVITY</b>											
<b>Compliance with Identity Proofing Requirements - State/Tribe/Local Agencies Acting as Regulators</b>											
<b>Collect Identifier, Attribute, or Alternative Information</b>											
Receive, process, review and approve identifier, attribute, or alternative information	0.00	0.00	0.50	0.00	0.50	\$16.98	\$0.00	\$0.00	0	0.00	\$0.00
<b>Collect Subscriber Agreements and ESAs - Subscriber Agreements</b>											
Receive, process, review, approve and file new subscriber agreements	0.00	0.00	0.17	0.00	0.17	\$5.77	\$0.00	\$0.00	23,225	3,948.25	\$134,008.25
Receive, process, review, approve and file new subscriber agreements, for employee turnover	0.00	0.00	0.17	0.00	0.17	\$5.77	\$0.00	\$0.00	2,610	443.70	\$15,059.70
Receive, process, review, approve report compromise/surrender electronic signature device	0.00	0.00	0.17	0.00	0.17	\$5.77	\$0.00	\$0.00	261	44.37	\$1,505.97
<b>Collect Subscriber Agreements and ESAs - ESAs</b>											
Receive, process, review, approve and file new ESAs	0.00	0.00	0.07	0.00	0.07	\$2.38	\$0.00	\$0.61	2,581	180.67	\$7,717.19
Receive, process, review, approve and file new ESAs, for employee turnover	0.00	0.00	0.07	0.00	0.07	\$2.38	\$0.00	\$0.61	290	20.30	\$867.10
Receive, process, review, approve report compromise/surrender electronic signature device	0.00	0.00	0.17	0.00	0.17	\$5.77	\$0.00	\$0.00	29	4.93	\$167.33
<b>Collect Submittals from Local Registration Authority</b>											
Receive, process, review, and approve certification of receipt and secure storage	0.00	0.00	0.17	0.00	0.17	\$5.77	\$0.00	\$0.00	246	41.82	\$1,419.42
Receive, process, review and approve updated certification of receipt and secure storage, for employee turnover	0.00	0.00	0.17	0.00	0.17	\$5.77	\$0.00	\$0.00	28	4.76	\$161.56
Receive notification of breach of security or compromise/surrender of electronic signature device and take action	0.00	0.00	1.00	0.00	1.00	\$33.95	\$0.00	\$0.00	3	3.00	\$101.85
Receive, process, review and approve certification of receipt and secure storage, for breach of security	0.00	0.00	0.17	0.00	0.17	\$5.77	\$0.00	\$0.00	3	0.51	\$17.31
<b>Collect Applications for Designation of Local Registration Authority</b>											
Receive application to designate first-time LRA	0.00	0.00	0.50	0.00	0.50	\$16.98	\$0.00	\$0.00	12	6.00	\$203.76
Receive application to designate LRA, for LRA turnover	0.00	0.00	0.50	0.00	0.50	\$16.98	\$0.00	\$0.00	1	0.50	\$16.98
<b>Conduct On-Going Management</b>											
Identify and resolve problems	0.00	0.00	1.20	0.00	1.20	\$40.74	\$0.00	\$0.00	669	802.80	\$27,255.06
Respond to information requests	0.00	0.00	1.17	0.00	1.17	\$39.72	\$0.00	\$0.00	669	782.73	\$26,572.68
Subtotal	Varies	Varies	Varies	Varies	Varies	Varies	Varies	Varies	Varies	6,284.34	\$215,074.16

<sup>a</sup> Exhibit includes rounding error.

**EXHIBIT 1 (CONTINUED)**  
**CROSS-MEDIA ELECTRONIC REPORTING RULE**  
**ESTIMATED ANNUAL RESPONDENT HOUR AND COST BURDEN**

	Hours and Costs Per Respondent Per Activity								Total Hours and Costs		
	Leg. \$44.83/ Hour	Mgr. \$44.83/ Hour	Tech. \$33.95/ Hour	Cler. \$16.11/ Hour	Respon. Hours/ Activity	Labor Cost/ Activity	Capital/ Startup Cost	O&M Cost	Number of Respon. Activities	Total Hours/ Year	Total Cost/ Year
<b>INFORMATION COLLECTION ACTIVITY</b>											
<b>Approval of State/Tribe/Local Electronic Document Receiving System Application - State/Tribe/Local Agencies that Are Regulated Entities</b>											
<b>Read the Regulations</b>											
Read the regulations	0.00	3.23	5.90	0.00	9.13	\$345.11	\$0.00	\$0.00	24	219.12	\$8,282.64
<b>Submit Electronic Document Receiving System Application</b>											
Upgrade existing electronic document receiving system or develop new electronic document receiving system to meet 40 CFR 3.2000 and apply for EPA program modification approval under 40 CFR 3.1000 (state agencies that develop their own system)	0.00	31.00	300.00	0.00	331.00	\$11,574.73	\$177,154.00	\$6.27	1	331.00	\$188,735.00
Upgrade existing electronic document receiving system or develop new electronic document receiving system to meet 40 CFR 3.2000 and apply for EPA program modification approval under 40 CFR 3.1000 (state agencies that use commercial off-the-shelf [COTS] or shared CROMERR services [SCS] solution )	0.00	9.33	52.67	0.00	62.00	\$2,206.41	\$67,556.00	\$6.27	2	124.00	\$139,537.36
Upgrade existing electronic document receiving system or develop new electronic document receiving system to meet 40 CFR 3.2000 and apply for EPA program modification approval under 40 CFR 3.1000 (local agencies)	0.00	31.00	300.00	0.00	331.00	\$11,574.73	\$67,556.00	\$6.27	1	331.00	\$79,137.00
Upgrade existing electronic document receiving system or develop new electronic document receiving system to meet 40 CFR 3.2000 and apply for EPA program modification approval under 40 CFR 3.1000 (tribal agencies)	0.00	31.00	300.00	0.00	331.00	\$11,574.73	\$67,556.00	\$6.27	1	331.00	\$79,137.00
<b>Submit Amendment to Original Application</b>											
Submit amendment to original application for EPA program modification approval under 40 CFR 3.1000 (States/Tribes/Locals)	0.00	8.00	16.00	0.00	24.00	\$901.84	\$0.00	\$6.27	15	360.00	\$13,621.65
<b>Submit Notification on Changes to Laws, Policies, or Electronic Document Receiving System</b>											
Submit notification to EPA about changes to laws, policies, or electronic document receiving systems that have the potential to affect program conformance with 40 CFR 3.2000 (States/Tribes/Locals with approved applications)	0.00	3.77	7.62	0.00	11.39	\$427.71	\$0.00	\$6.27	4	45.56	\$1,735.92
Subtotal	Varies	Varies	Varies	Varies	Varies	Varies	Varies	Varies	Varies	1,741.68	\$510,186.57
<b>TOTAL</b>	<b>Varies</b>	<b>Varies</b>	<b>Varies</b>	<b>Varies</b>	<b>Varies</b>	<b>Varies</b>	<b>Varies</b>	<b>Varies</b>	<b>Varies</b>	<b>83,836.71</b>	<b>\$4,055,828.57</b>

<sup>a</sup> Exhibit includes rounding error.

EXHIBIT 2  
 CROSS-MEDIA ELECTRONIC REPORTING RULE  
 ESTIMATED ANNUAL EPA HOUR AND COST BURDEN <sup>a</sup>

INFORMATION COLLECTION ACTIVITY	Hours and Labor Costs Per Respondent Per Activity								Total Hours and Costs		
	Leg. \$67.57/ Hour	Mgr. \$57.18/ Hour	Tech. \$48.08/ Hour	Cler. \$24.40/ Hour	Respon. Hours/ Activity	Labor Cost/ Activity	Capital/ Startup Cost	O&M Cost	Number of Respon. Activities	Total Hours/ Year	Total Cost/ Year
	<b>Registering with EPA Electronic Document Receiving System</b>										
Develop, operate, and maintain CDX	0.00	330.00	13,790.00	0.00	14,120.00	\$681,892.60	\$212,200.00	\$0.00	1	14,120.00	\$894,092.60
Subtotal	0.00	330.00	13,790.00	0.00	14,120.00	\$681,892.60	\$212,200.00	\$0.00	1	14,120.00	\$894,092.60
<b>Compliance with Identity Proofing Requirements</b>											
<b>Collect Identifier, Attribute, or Alternative Information</b>											
Receive, process, review and approve identifier, attribute, or alternative information	0.00	0.00	0.50	0.00	0.50	\$24.04	\$0.00	\$0.00	15,638	7,819.17	\$375,945.53
<b>Collect Subscriber Agreements or ESAs - Subscriber Agreements</b>											
Receive, process, review, approve and file new subscriber agreements <sup>b</sup>	0.00	0.00	0.00	0.00	0.00	\$0.00	\$0.00	\$0.00	3,524	0.00	\$0.00
Receive, process, review, approve and file new subscriber agreements, for employee turnover <sup>b</sup>	0.00	0.00	0.00	0.00	0.00	\$0.00	\$0.00	\$0.00	395	0.00	\$0.00
Receive, process, review, approve report compromise/surrender electronic signature device	0.00	0.00	0.17	0.00	0.17	\$8.17	\$0.00	\$0.00	40	6.80	\$326.80
<b>Collect Subscriber Agreements or ESAs - Reuse (Consolidated) ESAs</b>											
Receive, process, review, approve and file new subscriber agreements <sup>c</sup>	0.00	0.00	0.00	0.00	0.00	\$0.00	\$0.00	\$0.00	2,499	0.00	\$0.00
Receive, process, review, approve and file new subscriber agreements, for employee turnover <sup>c</sup>	0.00	0.00	0.00	0.00	0.00	\$0.00	\$0.00	\$0.00	281	0.00	\$0.00
Receive, process, review, approve report compromise/surrender electronic signature device	0.00	0.00	0.17	0.00	0.17	\$8.17	\$0.00	\$0.00	28	4.76	\$228.76
<b>Collect Subscriber Agreements or ESAs -Third-Party ESAs</b>											
Receive, process, review, approve and file new subscriber agreements <sup>d</sup>	0.00	0.00	0.00	0.00	0.00	\$0.00	\$0.00	\$0.72	41,214	0.00	\$29,674.08
Receive, process, review, approve and file new subscriber agreements, for employee turnover <sup>d</sup>	0.00	0.00	0.00	0.00	0.00	\$0.00	\$0.00	\$0.72	4,631	0.00	\$3,334.32
Receive, process, review, approve report compromise/surrender electronic signature device	0.00	0.00	0.00	0.00	0.00	\$0.00	\$0.00	\$0.00	463	0.00	\$0.00
<b>Conduct On-Going Management</b>											
Identify and resolve problems	0.00	0.00	1.00	0.00	1.00	\$48.08	\$0.00	\$0.00	1,592	1,592.00	\$76,543.36
Respond to information requests	0.00	0.00	1.50	0.00	1.50	\$72.12	\$0.00	\$0.00	1,592	2,388.00	\$114,815.04
Subtotal	Varies	Varies	Varies	Varies	Varies	Varies	Varies	Varies	Varies	11,810.73	\$600,867.89

<sup>a</sup> Exhibit includes rounding error.

<sup>b</sup> Labor cost associated with the collection of subscriber agreements is equal to \$0.00 because it is included in the registration costs covered under "Reporting to EPA Electronic Document Receiving System."

<sup>c</sup> Labor cost associated with the collection of ESAs is equal to \$0.00 because, under this option, registrants can use their existing CDX credential. As a result, EPA does not need to receive, process, review, approve, and file new ESA from these registrants.

<sup>d</sup> Labor cost associated with the collection of ESAs is equal to \$0.00 because, under this option, a third-party vendor processes the ESAs for an electronic transaction fee of \$0.72 per ESA.

EXHIBIT 2 (CONTINUED)  
 CROSS-MEDIA ELECTRONIC REPORTING RULE  
 ESTIMATED ANNUAL EPA HOUR AND COST BURDEN <sup>a</sup>

INFORMATION COLLECTION ACTIVITY	Hours and Labor Costs Per Respondent Per Activity								Total Hours and Costs		
	Leg. \$67.57/ Hour	Mgr. \$57.18/ Hour	Tech. \$48.08/ Hour	Cler. \$24.40/ Hour	Respon. Hours/ Activity	Labor Cost/ Activity	Capital/ Startup Cost	O&M Cost	Number of Respon. Activities	Total Hours/ Year	Total Cost/ Year
	Hour	Hour	Hour	Hour	Activity	Activity	Cost	Cost	Activities	Year	Year
<b>Approval of State/Tribe/Local Electronic Document Receiving System Applications</b>											
Process and file receiving system documentation submitted by State/Local/Tribe seeking to modify their programs, as required by 40 CFR 3.1000 (state agencies)	0.00	0.00	160.00	0.00	160.00	\$7,692.80	\$0.00	\$0.00	1	160.00	\$7,692.80
Process and file receiving system documentation submitted by State/Local/Tribe seeking to modify their programs, as required by 40 CFR 3.1000 (local agencies)	0.00	0.00	80.00	0.00	80.00	\$3,846.40	\$0.00	\$0.00	1	80.00	\$3,846.40
Process and file receiving system documentation submitted by State/Local/Tribe seeking to modify their programs, as required by 40 CFR 3.1000 (tribal agencies)	0.00	0.00	80.00	0.00	80.00	\$3,846.40	\$0.00	\$0.00	0	0.00	\$0.00
Process and file amendment to original application for EPA program modification approval under 40 CFR 3.1000 (States/Tribes/Locals)	0.00	0.00	24.00	0.00	24.00	\$1,153.92	\$0.00	\$0.00	15	360.00	\$17,308.80
Process and file notifications about changes to laws, policies, or electronic document receiving systems that have the potential to affect program conformance with 40 CFR 3.2000 (States/Tribes/Locals with approved applications)	0.00	0.00	12.00	0.00	12.00	\$576.96	\$0.00	\$0.00	4	48.00	\$2,307.84
Subtotal	Varies	Varies	Varies	Varies	Varies	Varies	Varies	Varies	Varies	648.00	\$31,155.84
<b>TOTAL</b>	<b>0.00</b>	<b>Varies</b>	<b>Varies</b>	<b>Varies</b>	<b>Varies</b>	<b>Varies</b>	<b>Varies</b>	<b>Varies</b>	<b>Varies</b>	<b>26,578.73</b>	<b>\$1,526,116.33</b>

<sup>a</sup> Exhibit includes rounding error.

**EXHIBIT 3**  
**CROSS-MEDIA ELECTRONIC REPORTING**  
**TOTAL ESTIMATED RESPONDENT HOUR AND COST BURDEN SUMMARY <sup>a</sup>**

	Annual Burden Hours	Annual Labor Cost	Annual Capital/Startup Cost	Annual O&M Cost	Total Annual Cost
Registering with EPA Electronic Document Receiving System - Direct Reporters	17,084.00	\$723,473.90	\$0.00	\$0.00	\$723,473.90
Compliance with Identity Proofing Requirements - Direct Reporters	37,339.71	\$1,580,776.99	\$0.00	\$15,756.82	\$1,596,533.81
Compliance with Identity Proofing Requirements - Indirect Reporters	21,386.98	\$905,680.92	\$0.00	\$104,879.21	\$1,010,560.13
Compliance with Identity Proofing Requirements - State/Tribe/Local Agencies Acting as Regulators	6,284.34	\$213,322.85	\$0.00	\$1,751.31	\$215,074.16
Approval of State/Tribe/Local Electronic Document Receiving System Application - State/Tribe/Local Agencies that Are Regulated Entities	1,741.68	\$62,658.09	\$447,378.00	\$150.48	\$510,186.57
<b>Total</b>	<b>83,837</b>	<b>\$3,485,913</b>	<b>\$447,378</b>	<b>\$122,538</b>	<b>\$4,055,829</b>
<b>3-year Total</b>	<b>251,511</b>	<b>\$10,457,739</b>	<b>\$1,342,134</b>	<b>\$367,614</b>	<b>\$12,167,487</b>

<sup>a</sup> Exhibit includes rounding error.

**EXHIBIT 4**  
**CROSS-MEDIA ELECTRONIC REPORTING**  
**TOTAL ESTIMATED RESPONDENT HOUR AND COST BURDEN SUMMARY, BY TYPE OF RESPONDENT <sup>a</sup>**

	Annual Burden Hours	Annual Labor Cost	Annual Capital/Startup Cost	Annual O&M Cost	Total Annual Cost
<b>Private Sector Respondents</b>					
Registering with EPA Electronic Document Receiving System - Direct Reporters	15,726.16	\$665,972.04	\$0.00	\$0.00	\$665,972.04
Compliance with Identity Proofing Requirements - Direct Reporters	32,695.48	\$1,384,169.57	\$0.00	\$13,659.36	\$1,397,828.93
Compliance with Identity Proofing Requirements - Indirect Reporters	18,527.39	\$784,575.37	\$0.00	\$90,878.57	\$875,453.94
<i>Subtotal for Private Sector Respondents</i>	<i>66,949.03</i>	<i>\$2,834,716.98</i>	<i>\$0.00</i>	<i>\$104,537.93</i>	<i>\$2,939,254.91</i>
<b>State/Tribe/Local Respondents</b>					
Reporting to EPA Electronic Document Receiving System - Direct Reporters	1,357.84	\$57,501.86	\$0.00	\$0.00	\$57,501.86
Compliance with Identity Proofing Requirements - Direct Reporters	4,644.23	\$196,607.42	\$0.00	\$2,097.46	\$198,704.88
Compliance with Identity Proofing Requirements - Indirect Reporters	2,859.59	\$121,105.55	\$0.00	\$14,000.64	\$135,106.19
Compliance with Identity Proofing Requirements - State/Tribe/Local Agencies Acting as Regulators	6,284.34	\$213,322.85	\$0.00	\$1,751.31	\$215,074.16
Approval of State/Tribe/Local Electronic Document Receiving System Application - State/Tribe/Local Agencies that Are Regulated Entities	1,741.68	\$62,658.09	\$447,378.00	\$150.48	\$510,186.57
<i>Subtotal for State/Tribe/Local Respondents</i>	<i>16,887.68</i>	<i>\$651,195.77</i>	<i>\$447,378.00</i>	<i>\$17,999.89</i>	<i>\$1,116,573.66</i>
<b>Total for All Respondents (i.e., Private Sector and State/Tribe/Local)</b>	<b>83,837</b>	<b>\$3,485,913</b>	<b>\$447,378</b>	<b>\$122,538</b>	<b>\$4,055,829</b>

<sup>a</sup> Exhibit includes rounding error.

**EXHIBIT 5**  
**CROSS-MEDIA ELECTRONIC REPORTING**  
**TOTAL ESTIMATED EPA HOUR AND COST BURDEN SUMMARY <sup>a</sup>**

	<b>Annual Burden Hours</b>	<b>Annual Labor Cost</b>	<b>Annual Capital/ Startup Cost</b>	<b>Annual O&amp;M Cost</b>	<b>Total Annual Cost</b>
Registering with EPA Electronic Document Receiving System	14,120.00	\$681,892.60	\$212,200.00	\$0.00	\$894,092.60
Compliance with Identity Proofing Requirements	11,810.73	\$567,859.49	\$0.00	\$33,008.40	\$600,867.89
Approval of State/Tribe/Local Electronic Document Receiving System Applications	648.00	\$31,155.84	\$0.00	\$0.00	\$31,155.84
<b>Total</b>	<b>26,579</b>	<b>\$1,280,908</b>	<b>\$212,200</b>	<b>\$33,008</b>	<b>\$1,526,116</b>
<b>3-year Total</b>	<b>79,737</b>	<b>\$3,842,724</b>	<b>\$636,600</b>	<b>\$99,024</b>	<b>\$4,578,348</b>

<sup>a</sup> Exhibit includes rounding error.

**Appendix A**  
**List of North American Industry Classification System (NAICS)**  
**Codes Associated with Industries Most Likely Affected by the**  
**Information Collection Requirements Covered in this ICR**

11	Agriculture, Forestry, Fishing and Hunting	42	Wholesale Trade
111	Crop Production	421	Wholesale Trade, Durable Goods
112	Animal Production	422	Wholesale Trade, Nondurable Goods
113	Forestry and Logging		
114	Fishing, Hunting and Trapping	44-45	Retail Trade
115	Support Activities for Agriculture and Forestry	441	Motor Vehicle and Parts Dealers
		442	Furniture and Home Furnishings Stores
		443	Electronics and Appliance Stores
21	Mining	444	Building Material and Garden Equipment and Supplies Dealers
211	Oil and Gas Extraction		
212	Mining (except Oil and Gas)	445	Food and Beverage Stores
213	Support Activities for Mining	446	Health and Personal Care Stores
		447	Gasoline Stations
22	Utilities	448	Clothing and Clothing Accessories Stores
221	Utilities		
		451	Sporting Goods, Hobby, Book, and Music Stores
23	Construction	452	General Merchandise Stores
233	Building, Developing, and General Contracting	453	Miscellaneous Store Retailers
234	Heavy Construction	454	Nonstore Retailers
235	Special Trade Contractors		
		48-49	Transportation and Warehousing
31	Manufacturing	481	Air Transportation
311	Food Manufacturing	482	Rail Transportation
312	Beverage and Tobacco Product Manufacturing	483	Water Transportation
		484	Truck Transportation
313	Textile Mills	485	Transit and Ground Passenger Transportation
314	Textile Product Mills		
315	Apparel Manufacturing	486	Pipeline Transportation
316	Leather and Allied Product Manufacturing	487	Scenic and Sightseeing Transportation
		488	Support Activities for Transportation
321	Wood Product Manufacturing	491	Postal Service
322	Paper Manufacturing	492	Couriers and Messengers
323	Printing and Related Support Activities	493	Warehousing and Storage
324	Petroleum and Coal Products Manufacturing		
325	Chemical Manufacturing	51	Information
326	Plastics and Rubber Products Manufacturing	511	Publishing Industries
327	Nonmetallic Mineral Product Manufacturing	512	Motion Picture and Sound Recording Industries
		513	Broadcasting and Telecommunications
331	Primary Metal Manufacturing	514	Information Services and Data Processing Services
332	Fabricated Metal Product Manufacturing		
333	Machinery Manufacturing		
334	Computer and Electronic Product Manufacturing	52	Finance and Insurance
335	Electrical Equipment, Appliance, and Component Manufacturing	521	Monetary Authorities Central Bank
		522	Credit Intermediation and Related Activities
336	Transportation Equipment Manufacturing	523	Securities, Commodity Contracts, and Other Financial Investments and Related Activities
337	Furniture and Related Product Manufacturing	524	Insurance Carriers and Related Activities
339	Miscellaneous Manufacturing	525	Funds, Trusts, and Other Financial Vehicles

53	Real Estate and Rental and Leasing	924	Administration of Environmental Quality Programs
531	Real Estate	925	Administration of Housing Programs, Urban Planning, and C
532	Rental and Leasing Services	926	Administration of Economic Programs
533	Lessors of Nonfinancial Intangible Assets (except Copyrighted Works)	927	Space Research and Technology
		928	National Security and International Affairs
54	Professional, Scientific, and Technical Services		
541	Professional, Scientific, and Technical Services		
55	Management of Companies and Enterprises		
551	Management of Companies and Enterprises		
56	Administrative and Support and Waste Management and Remediation Services		
561	Administrative and Support Services		
562	Waste Management and Remediation Services		
61	Educational Services		
611	Educational Services		
62	Health Care and Social Assistance		
621	Ambulatory Health Care Services		
622	Hospitals		
623	Nursing and Residential Care Facilities		
624	Social Assistance		
71	Arts, Entertainment, and Recreation		
711	Performing Arts, Spectator Sports, and Related Industries		
712	Museums, Historical Sites, and Similar Institutions		
713	Amusement, Gambling, and Recreation Industries		
72	Accommodation and Food Services		
721	Accommodation		
722	Food Services and Drinking Places		
81	Other Services (except Public Administration)		
811	Repair and Maintenance		
812	Personal and Laundry Services		
813	Religious, Grantmaking, Civic, Professional, and Similar		
814	Private Households		
92	Public Administration		
921	Executive, Legislative, and Other General Government Support		
922	Justice, Public Order, and Safety Activities		
923	Administration of Human Resource Programs		



**Appendix B**  
**Methodology for Estimating the Annual Number of Facility Employees**  
**Expected to Register and Comply with the Identity Proofing Requirements**  
**of EPA's Electronic Document Receiving System during**  
**the Three-Year Period Covered by the ICR**

This appendix describes the methodology for estimating the annual number of facility employees expected to register and comply with the identity proofing requirements of EPA's electronic document receiving system (i.e., CDX) during the three-year period covered by the ICR (i.e., years 2018 through 2020).

**1. Annual Number of New Employee Registrants**

This section describes the methodology for estimating the annual number of facility employees expected to register with CDX during the three-year period covered by the ICR (i.e., new employee registrants). Section 1.1 provides an overview of the methodology, Section 1.2 provides a detailed discussion of the methodology, and Section 1.3 presents the results.

**1.1. Overview**

In estimating the annual number of new employee registrants expected to register with CDX, EPA first estimated the annual number of new employee registrants under existing CROMERR data flows. We then compiled information on the annual number of new employee registrants under the e-Manifest Act for the three-year period covered by the ICR. Finally, we estimated the total annual number of new employee registrants for the three-year period covered by the ICR.

**1.2. Detailed Discussion**

EPA took the following steps to carry out the methodology.

- A. *Estimate annual number of new employee registrants for existing CROMERR data flows.* EPA referred to CDX in order to compile historical information on the number of new employee registrants for years 2014 through 2016, by type of ownership. We then estimated the annual number of new employee registrants for existing CROMERR data flows by averaging the number of new employee registrants over this time period. Thus, we estimate that, each year, 36,196 new employee registrants (i.e.,  $[25,524 + 45,286 + 37,780] \div 3$ ) will register with CDX for existing CROMERR data flows.

Year	Number of New Employee Registrants for Existing CROMERR Data Flows		
	Private Sector	States/Locals	Total
2014	25,245	279	25,524
2015	45,017	269	45,286
2016	37,409	371	37,780
<b>Average</b>	<b>35,890</b>	<b>306</b>	<b>36,196</b>

Note that we excluded Federal Government registrants (employees) from the analysis because they are exempt from ICR requirements.

- B. *Compile information on the annual number of new employee registrants under the e-Manifest Act.* EPA referred to the Manifest ICR<sup>38</sup> to obtain information on the annual number of new employee registrants under the e-Manifest Act. Based on the Manifest ICR, EPA estimates that, on average, there will be 47,549 new employee registrants per year under the e-Manifest Act over the three-year period covered by this ICR (i.e., 142,646 new employee registrants for years 2018 through 2020 ÷ 3 years).

For purposes of this analysis, we categorized the annual number of new employee registrants by type of ownership (i.e., private sector vs. State/Tribe/Local). To do this, we referred to data published by the Bureau of Labor Statistics on the number of employees in the U.S.<sup>39</sup>

Annual Number of New Employee Registrants under e-Manifest Act		
Private Sector	States/Tribes/Locals	Total
41,199	6,350	47,549

- C. *Estimate total annual number of new employee registrants over the three-year period covered by the ICR.* We estimated the total annual number of new employee registrants over the three-year period covered by the ICR (i.e., years 2018 through 2020) by adding the annual number of new employee registrants for existing CROMERR data flows (i.e., 36,196) and the annual number of new employee registrants under the e-Manifest Act (i.e., 47,549). As a result, we estimate that, each year, a total of 83,745 new employee registrants will register with CDX over the three-year period covered by this ICR.

### 1.3. Results

Exhibit B-1 presents information on the annual number of facility employees expected to register with CDX.

<sup>38</sup> U.S. Environmental Protection Agency. Supporting Statement for Manifest ICR, EPA ICR Number 801.22, August 2017.

<sup>39</sup> Bureau of Labor Statistics; Quarterly Census of Employment and Wages; Number of Employees (US Total, All Industries, All Establishment Sizes, All Employees); 2016 (Annual). Available online at: <http://data.bls.gov/pdq/querytool.jsp?survey=en>, last accessed on August 31, 2017.

**Exhibit B-1**  
**Annual Number of Facility Employees Expected to Register with EPA's CDX during the Three-Year Period Covered by the ICR<sup>a</sup>**

Respondent Universe	Annual Number of New Employee Registrants
Private Sector	77,089
States/Locals	6,656
<b>Total</b>	<b>83,745</b>

<sup>a</sup> Federal government employees are not reflected in the table because they are exempt from ICR requirements.

## 2. Annual Number of Subscriber Agreements and Electronic Signature Agreements

This section describes the methodology for estimating the annual number of subscriber agreements and electronic signature agreements (ESAs) submitted to EPA to comply with the identity proofing requirements of CDX during the three-year period covered by the ICR. Section 2.1 provides an overview of the methodology, Section 2.2 provides a detailed discussion of the methodology, and Section 2.3 presents the results.

### 2.1. Overview

In estimating the annual number of subscriber agreements and ESAs submitted to CDX, EPA first estimated the annual number of subscriber agreements and ESAs under existing CROMERR data flows. We then compiled information on the annual number of ESAs under the e-Manifest Act for the three-year period covered by the ICR. Finally, we estimated the total annual number of subscriber agreements and ESAs for the three-year period covered by the ICR.

### 2.2. Detailed Discussion

EPA took the following steps to carry out the methodology.

- A. *Estimate annual number of subscriber agreements and ESAs for existing CROMERR data flows.* EPA referred to CDX in order to compile historical information on the number of subscriber agreements and ESAs for years 2014 through 2016.<sup>40</sup> We then estimated the annual number of subscriber agreements and ESAs by averaging the number of subscriber agreements and ESAs over this time period.

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<sup>40</sup> At the time EPA compiled data on the number of subscriber agreements and ESAs, final estimates were not available for year 2017. Thus, EPA used data for years 2014 through 2016.

Year	Annual Number of Subscriber Agreements and ESAs			
	Subscriber Agreements	ESAs		Total
		Reuse (Consolidated)	Third-Party	
2014	2,245		12,423	14,668
2015	4,941	3,049	9,462	17,452
2016	4,929	5,544	10,694	21,167
<b>Average</b>	<b>4,038</b>	<b>4,297</b>	<b>10,860</b>	<b>17,762</b>

For purposes of this analysis, we categorized the annual number of new employee registrants by type of ownership (i.e., private sector vs. State/Tribe/Local). To do this, we referred to data published by the Bureau of Labor Statistics on the number of employees in the U.S.<sup>41</sup> These data indicate that 84.94 percent of U.S. employees work for the private sector, 13.09 percent of employees work for States/Locals, and 1.97 percent of employees work for the Federal government. We applied these percentages to the average number of subscriber agreements and ESAs. We then excluded the subscriber agreements and ESAs from Federal Government employees from the analysis because Federal government employees are exempt from ICR requirements.

Type of Ownership	Average Annual Number of Subscriber Agreements and ESAs			
	Subscriber Agreements	ESAs		Total
		Reuse (Consolidated)	Third-Party	
<b>Private Sector</b>	3,430	2,433	9,224	15,087
<b>States/Tribes/Locals</b>	529	375	1,422	2,325
<b>Total</b>	<b>3,959</b>	<b>2,808</b>	<b>10,646</b>	<b>17,413</b>

- B. *Compile information on the annual number of ESAs under the e-Manifest Act.* EPA referred to the Manifest ICR<sup>42</sup> to obtain information on the annual number of ESAs under the e-Manifest Act. Based on the Manifest ICR, EPA estimates that 75 percent of respondents that manifest electronically will use a PIN/Password and thus, will need to submit an ESA. Based on this, EPA estimates that, each year, 35,662 ESAs will be submitted under the e-Manifest Act (i.e., 47,549 x 0.75).

<sup>41</sup> Bureau of Labor Statistics; Quarterly Census of Employment and Wages; Number of Employees (US Total, All Industries, All Establishment Sizes, All Employees); 2016 (Annual). Available online at: <http://data.bls.gov/pdq/querytool.jsp?survey=en>, last accessed on August 31, 2017.

<sup>42</sup> U.S. Environmental Protection Agency. Supporting Statement for Manifest ICR, EPA ICR Number 801.22, August 2017.

Annual Number of ESAs under e-Manifest Act		
Private Sector	States/Tribes/Locals	Total
30,899	4,763	35,662

- C. *Estimate total annual number of subscriber agreements and ESAs over the three-year period covered by the ICR.* We estimated the total annual number of subscriber agreements and ESAs over the three-year period covered by the ICR (i.e., years 2018 through 2020) by adding the annual number of subscriber agreements and ESAs for existing CROMERR data flows (i.e., 17,413) and the annual number of ESAs under the e-Manifest Act (i.e., 35,662). As a result, we estimate that a total of 53,075 subscriber agreements and ESAs will be submitted annually over the three-year period covered by this ICR.

### 2.3. Results

Exhibit B-2 presents information on the average annual number of subscriber agreements and ESAs to be submitted to CDX during the three-year period covered by this ICR.

**Exhibit B-2**  
**Annual Number Subscriber Agreements to be Submitted to**  
**EPA's CDX during the Three-Year Period Covered by the ICR <sup>a</sup>**

Type of Ownership	Total Annual Number of Subscriber Agreements and ESAs			
	Subscriber Agreements	ESAs		Total
		Reuse (Consolidated)	Third-Party	
Private Sector	3,430	2,433	40,123	45,986
States/Locals	529	375	6,185	7,089
<b>Total</b>	<b>3,959</b>	<b>2,808</b>	<b>46,308</b>	<b>53,075</b>

<sup>a</sup> Federal government employees are exempt from ICR requirements. As a result, their subscriber agreements are not included in the exhibit.

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## **Appendix C**

### **Methodology for Estimating the Annual Number of Facility Employees Expected to Register and Comply with Identity Proofing Requirements of State/Tribe/Local Electronic Document Receiving Systems during the Three-Year Period Covered by the ICR**

This appendix describes the methodology for estimating the annual number of facility employees expected to register and comply with identity proofing requirements of State/Tribe/Local electronic document receiving systems during the three-year period covered by the Information Collection Request (ICR). Section 1 provides an overview of the methodology, Section 2 provides a detailed discussion of the methodology, and Section 3 presents the results.

#### **1. Overview**

EPA estimated the number of facilities reporting to State/Tribe/Local electronic document receiving systems by first identifying states with existing and new systems and compiling them into a table (referred to as the “Master Table” in this analysis).<sup>43, 44</sup> We then referred to survey data compiled by EPA in 2002 from states that estimated the number of facilities subject to their respective receiving systems by environmental program. We updated these state estimates to current (2014) levels based on analysis of respondent universe growth rates in EPA program ICRs. We then extrapolated the updated survey data to the states in the Master Table to estimate their number of facilities. The extrapolation was performed by first finding the total number of commercial establishments in each state based on U.S. Census data, comparing the number of establishments in the survey states to the states in the Master Table, and using a scaling factor to extrapolate the number of facilities in the survey states to the states in the Master Table based on their respective number of commercial establishments. We performed this extrapolation by environmental program for all states in the Master Table. Finally, we estimated the number of employees based on the number of facilities.

#### **2. Detailed Discussion**

EPA took the following steps to carry out the methodology.

##### Find the Number of States with Receiving Systems, by State Environmental Program

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<sup>43</sup> “Existing electronic document receiving system” means an electronic document receiving system that is being used to receive electronic documents in lieu of paper to satisfy requirements under an authorized program on October 13, 2005 or the system, if not in use, has been substantially developed on or before that date as evidenced by the establishment of system services or specifications by contract or other binding agreement (40 CFR 3.3). Pursuant to 40 CFR 3.1000(a)(3), States/Locals with an existing electronic document receiving system for an authorized program must submit an application to revise or modify such authorized program in compliance with 40 CFR 3.1000(a)(1) no later than January 13, 2010.

<sup>44</sup> “New electronic document receiving system” refers to an electronic document receiving system that was not being used to receive electronic documents in lieu of paper to satisfy requirements under an authorized program on October 13, 2005 or the system, if not in use, that had not been substantially developed on or before that date. Pursuant to 40 CFR 3.1000(a)(2), States/Locals with new electronic document receiving systems must receive EPA approval of revisions or modifications to the authorized program before the program may receive electronic documents in lieu of paper documents to satisfy program requirements.

- A. *Identify states with existing and new electronic document receiving systems.* To identify states with existing and new electronic document receiving systems, we referred to EPA’s CROMERR Program and Stakeholder Management (PSM) System.<sup>45</sup> PSM is a custom implementation of a Salesforce.com platform that integrates database records, online file storage, multiple distinct spreadsheets, and email logs, to support the reduction of Technical Review Committee (TRC) and EPA’s Office of Environmental Information (OEI) levels of effort in managing the application approval process.

For purposes of this analysis, EPA categorized systems based on the following criteria:

Existing Electronic Document Receiving Systems		New Electronic Document Receiving Systems	
System Type	System Stage	System Type	System Stage
- Existing - New	- Approval Review - Completeness Review - Draft Received - EPA Approved - Incomplete - TRC Approved	- New	- Pending Receipt - Scoping

- B. *Estimate the number of existing and new state receiving systems, by environmental program.* Existing and new receiving systems were categorized into state environmental programs based on the statute associated with the authorized program (e.g., Clean Air Act (CAA), Clean Water Act (CWA)). Attachment C-1 presents a table of the states with existing and new receiving systems, by state environmental program. This table is called the “Master Table” in this appendix.

#### Estimate the Number of Facilities, by State Environmental Program

- C. *Estimate number of facilities by state environmental program, based on CROMERR cost-benefit analysis (CBA) survey data.* To obtain information on the number of facilities by state environmental program, we referred to “Table V-2. Existing State Receiving Systems” of *Cross-Media Electronic Reporting and Records Rule (CROMERRR) Cost Benefit Analysis - Final*; dated November 17, 2004. This table contains information on the number of facilities associated with state receiving systems reported in a survey conducted by EPA during the summer of 2002. Attachment C-2 shows the number of facilities by state environmental program based on CBA survey data.
- D. *Update CBA’s facility estimate for each state environmental program, based on ICR respondent data.* The data on number of facilities developed under Step C are based on 2002 data. In order to bring these numbers to the present (2017), we took the following steps:
- Obtained data on annual number of respondents in the ICRs listed in Attachment C-3. For each ICR, we obtained respondent universe estimates for at least two different years to enable us to estimate the annual percent change in the universe.

<sup>45</sup> EPA used data current as of October 9, 2014.



- Estimated the annual percent change in number of respondents for each ICR.
- Multiplied the annual percent change by 12 to estimate percent change over the 2002-2017 period.
- Applied the 2002-2017 percent change to facility estimates in order to update the number of facilities for each environmental program.

Attachment C-4 shows the ICR data used to update the CBA's facility estimates, by state environmental program.

#### Extrapolate Updated State Survey Data on Number of Facilities to All States in Master Table

E. *Develop a scaling factor for use in extrapolation.* We referred to U.S. Census Bureau data on number of establishments by employment size for states.<sup>46</sup> Based on these data, which are presented in Attachment C-5, we obtained the following information for each environmental program:

- Number of commercial establishments in the survey states for which respondent data were available; and
- Number of commercial establishments in states in the Master Table with existing and/or planned receiving systems.

We then used these data to derive a scaling factor to be used in Step F. This scaling factor was derived using the following equation:

$$\text{Scaling Factor} = \frac{\text{Number of establishments in states in Master Table}}{\text{Number of establishments in survey states}}$$

F. *Extrapolate the CBA's updated facility estimates to states with existing and new receiving systems.* In deriving the total number of facilities in all states in the Master Table, we first estimated the total number of facilities associated with each environmental program. To do this, we multiplied the updated survey data (Step D) by the corresponding scaling factor derived in Step E. This gave us the total number of facilities reporting to the receiving systems of states in the Master Table, by environmental program. We then added up the total number of facilities in states in the Master Table across all environmental programs.

G. *Estimate annual number of facilities subject to the ICR requirements.* In estimating the annual number of facilities subject to the ICR requirements, we made the following assumptions:

- Existing receiving systems: For purposes of this analysis, we assume that existing systems have been in operation since 2005. EPA estimates that 30 percent of facilities began to use the receiving system in the first year (i.e., 2005) and 10 percent in each subsequent year.
- New receiving systems: We assume that one third of facilities will begin reporting in each year of the three-year period covered by the ICR. In each year of the ICR, EPA

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<sup>46</sup> U.S. Census Bureau, "Number of Firms, Number of Establishments, Employment, and Annual Payroll by Enterprise Employment Size for the United States and States, Totals: 2014," September 29, 2016. Available online at: <http://www.census.gov/econ/susb/>, last accessed on August 31, 2017. These are the latest Statistics of U.S. Businesses (SUSB) annual data.

estimates that 30 percent of facilities will begin to use the receiving system in the first year and 10 percent in each subsequent year.

The above implementation rates for use of an electronic receiving system were taken from the CBA (Exhibit 2-5).

- H. *Estimate average annual number of facilities subject to the ICR requirements, by employment size.* In estimating the average annual number of facilities by employment size, we referred to the U.S. Census Bureau data presented in Attachment C-5. Based on these data, in the U.S., 69 percent of establishments have less than 20 employees and 31 percent of establishments have 20 or more employees. We applied these percentages to the annual number of facilities in Step G. Once we estimated the annual number of facilities for each year from 2018 through 2020 (i.e., the three-year period covered by the ICR), we obtained the average over three years.
- I. *Estimate average annual number of facility employees subject to the ICR requirements.* In estimating the average annual number of facility employees, we assumed that small firm facilities have three employees and that medium/large firm facilities have six employees. These estimates were taken from the CBA (Section 2.3.3, “Facilities;” page 26).
- J. *Estimate average annual number of facility employees subject to the ICR requirements by type of ownership (i.e., private sector vs. State/Tribe/Local) and remove Federal government facilities from this analysis.* In estimating the average annual number of facility employees by type of ownership, we referred to data published by the Bureau of Labor Statistics on the number of employees in the U.S.<sup>47</sup> These data indicate that 84.94 percent of U.S. employees work for the private sector, 13.09 percent of employees work for States/Locals, and 1.97 percent of employees work for the Federal government. We applied these percentages to the annual number of facility employees in Step I. We then excluded Federal government employees from the analysis because they are exempt from ICR requirements.

Attachments C-6 and C-7 present details on the application of the above methodology to existing and new receiving systems, respectively.

### 3. Results

Exhibit C-1 presents information on the average annual number of facility employees expected to register with existing and new State/Tribe/Local receiving systems.

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<sup>47</sup> Bureau of Labor Statistics; Quarterly Census of Employment and Wages; Number of Employees (US Total, All Industries, All Establishment Sizes, All Employees); 2016 (Annual). Available online at: <http://data.bls.gov/pdq/querytool.jsp?survey=en>, last accessed on August 31, 2017.

**Exhibit C-1**  
**Average Annual Number of Facility Employees Expected to**  
**Register with Existing and New State/Tribe/Local Receiving Systems**  
**during the Three-Year Period Covered by the ICR <sup>a</sup>**

Type of Firm	Average Annual Number of Facility Employees <sup>b</sup>		
	Existing Receiving Systems	New Receiving System	All Receiving Systems (i.e., Existing and New)
<b>Private Sector</b>			
Small Firms	5,142	5,135	10,277
Medium-Size and Large Firms	4,622	4,612	9,234
<i>Subtotal</i>	<i>9,764</i>	<i>9,747</i>	<i>19,511</i>
<b>States/Locals</b>			
Small Firms	792	791	1,583
Medium-Size and Large Firms	712	711	1,423
<i>Subtotal</i>	<i>1,504</i>	<i>1,502</i>	<i>3,006</i>
<b>All (Private Sector and States/Locals)</b>			
Small Firms	5,934	5,926	11,860
Medium-Size and Large Firms	5,334	5,323	10,657
<b>Total</b>	<b>11,268</b>	<b>11,249</b>	<b>22,517</b>

<sup>a</sup> Exhibit includes rounding error.

<sup>b</sup> Federal government employees are not reflected in the table because they are exempt from ICR requirements.

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**Attachment C-1**  
**Number of Existing and New State/Tribe/Local Electronic Document**  
**Receiving Systems, by State Environmental Program**  
**(also referred to as the “Master Table”)**

State	Existing Systems			New Systems		
	Air	Water	Waste	Air	Water	Waste
Alabama		X				
Alaska	X	X				
American Samoa						
Arizona		X		X		
Arkansas	X	X	X			
California	X	X			X	
Colorado		X				
Connecticut		X			X	
Delaware	X	X	X			
District of Columbia	X	X	X	X		
Florida	X	X	X			
Georgia	X	X				
Guam						
Hawaii		X			X	
Idaho	X					
Illinois	X	X				
Indiana	X	X	X			
Iowa	X	X				
Kansas	X	X	X			
Kentucky	X	X	X			
Louisiana		X				
Maine		X				
Maryland		X				
Massachusetts	X	X	X			X
Michigan	X	X	X			
Minnesota	X	X	X			
Mississippi	X	X	X			
Missouri <sup>b</sup>	X	X	X		X	
Montana		X				
Nebraska				X	X	
Nevada		X	X			
New Hampshire				X		
New Jersey	X	X	X			
New Mexico	X					

**Attachment C-1 (continued)**  
**Number of Existing and New State/Local/Tribe Electronic Document**  
**Receiving Systems, by State Environmental Program**  
**(also referred to as the “Master Table”)**

State	Existing Systems			New Systems		
	Air	Water	Waste	Air	Water	Waste
New York	X	X	X			
North Carolina	X	X		X	X	
North Dakota		X				
Northern Mariana Islands						
Ohio	X	X	X			
Oklahoma	X	X	X			
Oregon		X				
Pennsylvania						
Puerto Rico						
Rhode Island		X				
South Carolina		X				
South Dakota	X	X	X			
Tennessee		X		X		
Texas	X	X	X			
U.S. Virgin Islands						
Utah		X				
Vermont	X	X	X			
Virginia		X			X	X
Washington	X	X	X			
West Virginia		X				
Wisconsin	X	X	X			
Wyoming	X	X	X			

Source: U.S. Environmental Protection Agency (USEPA), CROMERR Program and Stakeholder Management (PSM) System, data current as of October 9, 2014.

**Attachment C-2**  
**Number of Facilities Associated with Existing State Electronic Document Receiving Systems**  
**in the CROMERR Cost-Benefit Analysis Survey, by State Environmental Program**  
**(Data Current as of Summer 2002)**

State	Air								Water				Waste, USTs, Emergency Planning		
	Air (CEM)	Air Permits	Air (NEI)	Air Title V Emissions	Emission Reports (Non-Title V)	Air Quality	PTO Applications	Asbestos Notification	EDMR	Drinking/ Ground Water	Wastewater	UIC	HW Annual Report	UST	Risk Management
Florida									3						
New Jersey	12	1,500												1,000	
New Mexico			200												
North Dakota												250			
Ohio		200		780	2,400		780			5,700	1,550		480		500
Pennsylvania						125		6,000							
Wisconsin					5,200				22				600		

<sup>a</sup> For purposes of this analysis, data for Wisconsin's "Consolidated (air, haz waste)" program was divided among the "Air" and "HW Annual Report" categories. Specifically, 90 percent of the facilities were allocated to the "Air" category and the remaining 10 percent were allocated to the "HW Annual Report" category. This allocation was based on Ohio's data and available information on the number of hazardous waste handlers that reported to the 2007 Hazardous Waste Report.

Source: U.S. Environmental Protection Agency (USEPA), "Table V-2. Existing State Receiving Systems" of Cross-Media Electronic Reporting and Records Rule (CROMERRR) Cost Benefit Analysis, Final; November 17, 2004.

**Acronyms**

CEM	Continuous Emissions Monitoring
EDMR	Electronic Discharge Monitoring Report
HW	Hazardous Waste
NEI	National Emission Inventory
PTO	Permit to Operate
UIC	Underground Injection Control
UST	Underground Storage Tank

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**Attachment C-3**  
**List of ICRs Used in Analysis, by Environmental Program**

ICR Numbers	ICR Name
<b>Air</b>	
1587.06 1587.13	State Operating Permit Regulations
111.10 111.14	NESHAP for Asbestos
1088.10 1088.14	NSPS for Industrial-Commercial-Institutional Steam Generating Units
<b>Water</b>	
2.11 2.16	National Pretreatment Program
270.42 270.46	Public Water System Supervision Program
<b>Waste, USTs, Emergency Planning</b>	
261.14	Notification of Regulated Waste Activity
976.11	2007 Hazardous Waste Report
976.18	2013 Hazardous Waste Report, Notification of Regulated Waste Activity, and Part A Hazardous Waste Permit Application and Modification
1360.07 1360.15	Underground Storage Tanks: Technical and Financial Requirements, and State Program Approval Procedures

Source: Office of Management and Budget (OMB). Information Collection Review Data on RegInfo.gov. Data current as of August 31, 2017. Available online at: <https://www.reginfo.gov/public/do/PRAMain>, last accessed on August 31, 2017.

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## Attachment C-4a ICR Data Used to Update Number of Facilities Obtained from CROMERR CBA Air Programs

### State Operating Permit Regulations

Respondent Universe	Annual Number of Respondents	
	EPA ICR Number	EPA ICR Number
	2004	2015
Permitting Authorities and Sources Subject to Permitting under 40 CFR Part 70	17,738	15,896

Percent Change in Number of Respondents	Number of Years	Annual Percent Change in Number of Respondents	Weight	Weighted Annual Percent Change in Number of Respondents
-10.4%	11	-0.9%	0.58	-0.5%

Average Annual Percent Change for Environmental Program
-0.3%

### NESHAP for Asbestos

Respondent Universe	Annual Number of Respondents	
	EPA ICR Number	EPA ICR Number
	2003	2015
Respondents	9,848	9,603

Percent Change in Number of Respondents	Number of Years	Annual Percent Change in Number of Respondents	Weight	Weighted Annual Percent Change in Number of Respondents
-2.5%	12	-0.2%	0.35	-0.1%

### NSPS for Industrial-Commercial-Institutional Steam Generating Units

Respondent Universe	Annual Number of Respondents	
	EPA ICR Number	EPA ICR Number
	2003	2016
Respondents	1,230	1,846

Percent Change in Number of Respondents	Number of Years	Annual Percent Change in Number of Respondents	Weight	Weighted Annual Percent Change in Number of Respondents
50.1%	13	3.9%	0.07	0.3%

Total Number Respondents for All ICRs      27,345

## Attachment C-4b ICR Data Used to Update Number of Facilities Obtained from CROMERR CBA Water Programs

### National Pretreatment Program

Respondent Universe	Annual Number of Respondents	
	EPA ICR Number 2.11	EPA ICR Number 2.16
	2004	2015
Industrial users (IUs), POTWs, and States	28,285	23,751

Percent Change in Number of Respondents	Number of Years	Annual Percent Change in Number of Respondents	Weight	Weighted Annual Percent Change in Number of Respondents
-16.0%	11	-1.5%	0.14	-0.2%

Average Annual Percent Change for Environmental Program
-0.7%

### Public Water System Supervision Program

Respondent Universe	Annual Number of Respondents	
	EPA ICR Number 270.42	EPA ICR Number 270.46
	2004	2015
Existing PWSs, Primary Agencies, and Laboratories	161,682	151,724

Percent Change in Number of Respondents	Number of Years	Annual Percent Change in Number of Respondents	Weight	Weighted Annual Percent Change in Number of Respondents
-6.2%	11	-0.6%	0.86	-0.5%

Total Number Respondents for All ICRs      175,475

## Attachment C-4c ICR Data Used to Update Number of Facilities Obtained from CROMERR CBA Waste, USTs, Emergency Planning Programs

### Notification of Regulated Waste Activity

Respondent Universe	Annual Number of Respondents	
	EPA ICR Number	EPA ICR Number
	2003	2016
Initial and Subsequent Notifications under RCRA Section 3010; 40 CFR Part 273, Subpart C; and 40 CFR Part 279	31,125	50,827

Percent Change in Number of Respondents	Number of Years	Annual Percent Change in Number of Respondents	Weight	Weighted Annual Percent Change in Number of Respondents
63.3%	13	4.9%	0.18	0.9%

Average Annual Percent Change for Environmental Program
-0.3%

### Hazardous Waste Report

Respondent Universe	Annual Number of Respondents	
	EPA ICR Number	EPA ICR Number
	2003	2016
Respondents to the Hazardous Waste Report	10,178	13,095

Percent Change in Number of Respondents	Number of Years	Annual Percent Change in Number of Respondents	Weight	Weighted Annual Percent Change in Number of Respondents
28.7%	13	2.2%	0.05	0.1%

### Underground Storage Tanks: Technical and Financial Requirements, and State Program Approval Procedures

Respondent Universe	Annual Number of Respondents	
	EPA ICR Number	EPA ICR Number
	2004	2014
Private and Governments	254,705	211,154

Percent Change in Number of Respondents	Number of Years	Annual Percent Change in Number of Respondents	Weight	Weighted Annual Percent Change in Number of Respondents
-17.1%	10	-1.7%	0.77	-1.3%

Total Number Respondents for All ICRs    275,076

**Note:** The "Notification of Regulated Waste Activity," "Hazardous Waste Report," and "Part A Hazardous Waste Permit Application and Modification," ICRs were consolidated into a single ICR. For purposes of this analysis, EPA reviewed the consolidated ICR and extracted information on the annual number of respondents associated with the Notification and Hazardous Waste Report information collection requirements.

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**Attachment C-5**  
**Number of Establishments (Facilities) by Employment Size, 2014**

<b>STATE</b>	<b>Less than 20 Employees</b>	<b>20 or More Employees</b>	<b>Total</b>
<b>United States</b>	<b>5,255,498</b>	<b>2,307,586</b>	<b>7,563,084</b>
Alabama	62,016	35,698	97,714
Alaska	14,867	5,885	20,752
Arizona	88,833	45,601	134,434
Arkansas	42,946	21,724	64,670
California	648,357	241,289	889,646
Colorado	115,263	42,801	158,064
Connecticut	61,057	27,498	88,555
Delaware	15,867	8,445	24,312
District of Columbia	12,774	9,436	22,210
Florida	387,873	132,002	519,875
Georgia	149,308	71,297	220,605
Hawaii	21,206	10,595	31,801
Idaho	32,201	11,615	43,816
Illinois	222,287	93,833	316,120
Indiana	91,993	51,833	143,826
Iowa	53,796	26,670	80,466
Kansas	49,410	24,645	74,055
Kentucky	58,537	32,881	91,418
Louisiana	68,797	36,179	104,976
Maine	29,274	11,095	40,369
Maryland	92,666	43,835	136,501
Massachusetts	121,250	52,325	173,575
Michigan	150,468	67,813	218,281
Minnesota	101,502	45,981	147,483
Mississippi	38,028	20,513	58,541
Missouri	104,794	49,151	153,945
Montana	28,517	8,274	36,791
Nebraska	36,447	16,544	52,991
Nevada	41,324	20,301	61,625
New Hampshire	25,622	11,774	37,396
New Jersey	171,181	59,419	230,600
New Mexico	29,088	14,660	43,748
New York	414,313	122,577	536,890
North Carolina	146,925	72,972	219,897
North Dakota	17,030	7,668	24,698
Ohio	158,285	92,250	250,535
Oklahoma	62,948	29,482	92,430
Oregon	78,806	31,069	109,875

**Attachment C-5 (continued)**  
**Number of Establishments (Facilities) by Employment Size, 2014**

STATE	Less than 20 Employees	20 or More Employees	Total
Pennsylvania	198,899	99,398	298,297
Rhode Island	20,229	7,903	28,132
South Carolina	67,451	34,846	102,297
South Dakota	18,780	7,418	26,198
Tennessee	81,106	50,398	131,504
Texas	364,569	193,152	557,721
Utah	53,070	20,305	73,375
Vermont	15,609	5,432	21,041
Virginia	129,362	66,277	195,639
Washington	129,682	49,330	179,012
West Virginia	23,421	13,933	37,354
Wisconsin	92,012	46,209	138,221
Wyoming	15,452	5,355	20,807

Source: U.S. Census Bureau, "Number of Firms, Number of Establishments, Employment, and Annual Payroll by Enterprise Employment Size for the United States and States, Totals: 2014," September 29, 2016. Available online at: <http://www.census.gov/econ/susb/>, last accessed on August 31, 2017. These are the latest Statistics of U.S. Businesses (SUSB) annual data.



**Attachment C-6**  
**Application of Methodology to Existing Receiving Systems**

Environmental Program	States with Facility Data in CBA	Total Number of Facilities in CBA	Average Annual Percent Change for Environmental Program	2002-2016 Percent Change for Environmental Program	Updated Total Number of Facilities in CBA
Air	NJ, NM, OH, PA, WI	17,197	-0.3%	-3.6%	16,578
Water	FL, ND, OH, WI	7,525	-0.7%	-8.4%	6,893
Waste, USTs, Emergency Planning	NJ, OH, WI	2,580	-0.3%	-3.6%	2,487

Environmental Program	Number of Establishments for States with Facility Data in CBA	Number of Establishments for States with Existing Receiving Systems	Scaling Factor
Air	961,401	5,580,696	5.80
Water	933,329	7,086,836	7.59
Waste, USTs, Emergency Planning	619,356	3,807,271	6.15

Environmental Program	Updated Total Number of Facilities in CBA	Scaling Factor	Total Number of Facilities for States with Existing Receiving Systems
Air	16,578	5.80	96,152
Water	6,893	7.59	52,318
Waste, USTs, Emergency Planning	2,487	6.15	15,295
<b>Total Number of Facilities for All Environmental Programs</b>			<b>163,765</b>

**Attachment C-6 (continued)**  
**Application of Methodology to Existing Receiving Systems**

<b>Year</b>	<b>Number of Facilities</b>
2005	49,130
2006	11,464
2007	10,317
2008	9,285
2009	8,357
2010	7,521
2011	6,769
2012	6,092
2013	5,483
2014	4,935
2015	4,441
2016	3,997
2017	3,597
2018	3,238
2019	2,914
2020	2,623

**Legend:**

Years Covered in the ICR
--------------------------

<b>Type of Firm</b>	<b>Number of Facilities per Year</b>			<b>Average Annual Number of Facilities</b>	<b>Average Annual Number of Facility Employees</b>
	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>		
Small Firms	2,234	2,011	1,810	2,018	6,054
Medium-Size and Large Firms	1,004	903	813	907	5,442
<b>Total</b>	<b>3,238</b>	<b>2,914</b>	<b>2,623</b>	<b>2,925</b>	<b>11,496</b>

**Attachment C-7**  
**Application of Methodology to New Receiving Systems**

Environmental Program	States with Facility Data in CBA	Total Number of Facilities in CBA	Average Annual Percent Change for Environmental Program	2002-2016 Percent Change for Environmental Program	Updated Total Number of Facilities in CBA
Air	NJ, NM, OH, PA, WI	17,197	-0.3%	-3.6%	16,578
Water	FL, ND, OH, WI	7,525	-0.7%	-8.4%	6,893
Waste, USTs, Emergency Planning	NJ, OH, WI	2,580	-0.3%	-3.6%	2,487

Environmental Program	Number of Establishments for States with Facility Data in CBA	Number of Establishments for States with New Receiving Systems	Scaling Factor
Air	961,401	598,432	0.62
Water	933,329	1,632,474	1.75
Waste, USTs, Emergency Planning	619,356	369,214	0.6

Environmental Program	Updated Total Number of Facilities in CBA	Scaling Factor	Total Number of Facilities for States with New Receiving Systems
Air	16,578	0.62	10,278
Water	6,893	1.75	12,063
Waste, USTs, Emergency Planning	2,487	0.60	1,492
<b>Total Number of Facilities for All Environmental Programs</b>			23,833
<b>Annual Number of Facilities that Will Come Online</b>			7,944

Year System Will Come Online	Number of Facilities per Year		
	Year 1	Year 2	Year 3
Year 1	2,383	556	501
Year 2	0	2,383	556
Year 3	0	0	2,383
<b>Total</b>	<b>2,383</b>	<b>2,939</b>	<b>3,440</b>

Type of Firm	Number of Facilities per Year			Average Annual Number of Facilities	Average Annual Number of Facility Employees
	Year 1	Year 2	Year 3		
Small Firms	1,644	2,028	2,374	2,015	6,045
Medium-Size and Large Firms	739	911	1,066	905	5,430
<b>Total</b>	<b>2,383</b>	<b>2,939</b>	<b>3,440</b>	<b>2,920</b>	<b>11,475</b>