

**U.S. ENVIRONMENTAL PROTECTION AGENCY**

**INFORMATION COLLECTION REQUEST  
FOR  
REPORTING REQUIREMENTS FOR  
BEACH ACT GRANTS (RENEWAL)**

**EPA ICR No. 2048.06  
OMB Control No. 2040-0244**

**March 2020**

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# INFORMATION COLLECTION REQUEST

## 1. Identification of the Information Collection

### 1(a) Title of the Information Collection

BEACH Act Grant Program

### 1(b) Short Characterization/Abstract

The Beaches Environmental Assessment and Coastal Health (BEACH) Act amends the Clean Water Act (CWA) in part and authorizes the U.S. Environmental Protection Agency (EPA) to award BEACH Act Program Development and Implementation Grants to coastal and Great Lakes states, tribes, and territories (collectively referred to as jurisdictions) for their beach monitoring and notification programs. The grants will assist those jurisdictions to develop and implement a consistent approach to monitor recreational water quality; assess, manage, and communicate health risks from waterborne microbial contamination; notify the public of pollution occurrences; and post beach advisories and closures to prevent public exposure to microbial pathogens. To qualify for a BEACH Act grant, a jurisdiction must submit information to the EPA documenting that its beach monitoring and notification program is consistent with performance criteria outlined in the *National Beach Guidance and Required Performance Criteria for Grants, 2014 Edition*. For the EPA to award a BEACH Act grant, a jurisdiction must demonstrate to EPA that its coastal monitoring and notification program includes or will include the following:

- Risk-based beach evaluation and classification
- Tiered monitoring plan
- Methods and assessment procedures
- Monitoring report submission
- Delegation of monitoring responsibilities
- Public notification and risk communication plan
- Actions to notify the public
- Notification report submission
- Delegation of notification responsibilities
- Preparation and submittals of schedules for adoption of new or revised WQS and identification and use of a beach notification threshold
- Public evaluation of program

All beach program information will be collected by the EPA's Office of Science and Technology, stored in the Beach Advisory and Closing On-line Notification (BEACON) system, and displayed on the EPA's Beaches website for use by the public; state, tribal, territorial, and local environmental and public health agencies; and the EPA.

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## 2. Need for and Use of the Collection

### 2(a) Need/Authority for the Collection

The BEACH Act (Public Law 106-284) established a grant program to assist marine coastal and Great Lakes states in implementing a uniform monitoring and notification program for their coastal recreational waters<sup>1</sup>. As a condition of receipt of a BEACH Act grant, eligible jurisdictions must show evidence of meeting the performance criteria and the conditions under the BEACH Act. Therefore, a jurisdiction applying for a grant must submit information on its programs to its EPA regional office through the grants.gov website to document that its program is consistent with the performance criteria.

### 2(b) Practical Utility/Users of the Data

Data will be used by the EPA; state, tribal, territorial, and local environmental and public health agencies; and the public. The EPA will use the information submitted by a jurisdiction to determine whether their program is consistent with the performance criteria and the BEACH Act. State, tribal, territorial, and local environmental and public health agencies will use the data as an indicator of program performance, and the public will use the data as reference to make informed decisions before going to the beach. The information provided by each jurisdiction will also be used to report the status of beach monitoring and notification programs nationwide. A grant recipient must implement measures to notify the EPA of the results of its water quality sampling. Therefore, these data will be used to create and maintain a national database of water quality trends, advisories, and closings. The development and operation of this national database is mandated by the BEACH Act.

## 3. Non-duplication, Consultations, and Other Collection Criteria

### 3(a) Non-duplication

The information requested from the jurisdictions is required for receipt of a BEACH Act grant and is not available from other sources. The EPA has made every reasonable attempt to ensure that the beach monitoring and notification data and information requested through the BEACH Act grant program is not already available through less burdensome mechanisms.

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

The EPA published a *Federal Register* notice (November 21, 2018, 83 FR 58767) soliciting public comments. The Agency received one comment; however, the burden estimate remains unchanged as explained below.

The commenter, the State Water Resources Control Board of California, stated that EPA's assumptions for the ICR burden calculation concerning sample analysis cost and beach season length are lower than California's and result in lower costs than California incurs. EPA is aware that beach program costs vary across the 39 BEACH Act jurisdictions because of different beach season lengths and sample analysis costs as well as other factors. For example, during

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<sup>1</sup> The BEACH Act (Public Law 106-284) defines coastal recreation waters as "(i) the Great Lakes; and (ii) marine coastal waters (including coastal estuaries) that are designated under section 303(c) by a State for use for swimming, bathing, surfing, or similar water contact activities."

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consultations (described in section 3(c)), Michigan noted that EPA’s estimates are a little high for states (like Michigan and Ohio) that use automated data reporting and notification systems. EPA calculated a total ICR burden estimate for monitoring and recordkeeping requirements for the 39 jurisdictions. EPA’s estimated analysis cost of \$35 per sample is a representative cost based on input from states during EPA’s 2015 ICR consultation and confirmed during this renewal. California’s circumstances are an anomaly rather than representative of most states. California’s state recreational water quality standard requires testing for three bacterial indicators at beaches rather than a single indicator as performed in other jurisdictions and as recommended by EPA. This testing for additional indicators contributes to the higher sample cost for California’s beach program. Unfortunately, California provided a single cost for testing all parameters and we were not able to disaggregate the cost per parameter. We also looked to see if we could incorporate California-specific costs to our estimate. However, we were unable to reconcile the sampling frequency and number of beaches sampled as reported in the comment letter with the sampling frequency and number of beaches sampled reported to EPA through BEACON. As for the EPA beach season length estimate, there are jurisdictions and individual beaches with annual beach seasons shorter as well as longer than the 26 weeks that EPA used in its calculations. EPA calculated the 26-week beach season average from data reported to EPA by the jurisdictions.

In addition, the Water Resources Control Board commented that the amount of BEACH Act grant funding awarded to California does not cover all of California’s beach program costs. This ICR renewal must estimate only those costs associated with the monitoring and reporting activities required under the BEACH Act grant guidance. There may be additional activities under California’s beach program, such as monitoring for additional contaminants, training, education or remediation, that, while important and laudable, are not part of this ICR’s burden estimate. In addition, the EPA BEACH grant funds are not required to cover all beach program costs.

See section 6(g) for instructions on providing additional comments on this ICR.

### **3(c) Consultations**

EPA reached out to three states who had volunteered to consult on the ‘burden’ associated with the BEACH Act grants; these were not the same states as those whom EPA consulted with during the last ICR renewal in 2015. Beach program staff from the two states who responded concurred that the estimates and assumptions for the burden hours and costs are fairly accurate. Michigan commented that jurisdictions using automated web-based tools for reporting their data and beach notifications, such as BeachGuard, may have lower costs than the EPA’s burden estimates. None of the commenters suggested a way for EPA to reduce the ICR burden other than continuing to develop and support the adoption of new technologies, for example, microbial source tracking and electronic submission of sanitary survey information. Respondents from Michigan and Alabama noted that future changes to EPA’s electronic database tools could improve the utility of the data and/or affect the burden associated with the BEACH Act grants.

### **3(d) Effects of Less Frequent Collection**

The requirement for a jurisdiction to submit its monitoring and notification data is a statutory requirement under the BEACH Act. The frequency and format of such submittal is at the

Administrator’s discretion [see CWA section 406(b)(B)(3)]. Since 2003, the EPA has required jurisdictions to submit their monitoring and notification data annually. However, to provide more up-to-date information to the public on the status of their beaches, the Agency is encouraging more frequent reporting. The Agency continues to expect grant performance reports annually.

### 3(e) General Guidelines

The BEACH Act grant program will be conducted in accordance with the Paperwork Reduction Act [Title 5 of the *Code of Federal Regulations* (CFR) section 1320.5(d)(2)] and will adhere to OMB’s general guidelines for information collections.

### 3(f) Confidentiality

Measures to ensure the confidentiality of the collected beach monitoring and notification data are not necessary because the information submitted by the respondents is public information.

### 3(g) Sensitive Questions

No information of sensitive nature will be collected as a result of this ICR.

## 4. The Respondents and the Information Requested

### 4(a) Respondents

Information collected by the EPA under the BEACH Act will be submitted by environmental and public health agencies in coastal and Great Lakes states, territories, and tribes.

### 4(b) Information Requested

The EPA is requiring jurisdictions to provide information on how their beach monitoring and notification program is consistent with the following performance criteria, developed from the BEACH Act and summarized in Table 1.

**Table 1. BEACH Act grant performance criteria summary**

Category	Performance criteria	Requirement	BEACH Act section
<b>Evaluation and Classification</b>	1	Risk-based beach evaluation and classification	406(b)(2)(A)(ii-iv) 406(c)(1)
<b>Monitoring</b>	2	Tiered monitoring plan	406(c)(3)
	3	Methods and assessment procedures	406(c)(4)
	4	Monitoring report submission	406(b)(3)(A), (B)
	5	Delegation of monitoring responsibilities	406(c)(2)
<b>Public Notification and</b>	6	Public notification and risk communication plan	406(c)(7)

Category	Performance criteria	Requirement	BEACH Act section
<b>Prompt Risk Communication</b>	7	Actions to notify the public	406(c)(5)
	8	Notification report submission	406(b)(3)(A), (B)
	9	Delegation of notification responsibilities	406(c)(2)
<b>Implementation Schedules<sup>2</sup></b>	10	Schedules for adoption of new or revised WQS and identification and use of a beach notification threshold	406(a)(1)(A) and (B); 406(b)(2)(A)(i)
<b>Public Evaluation</b>	11	Public evaluation of program	406(b)(2)(A)(v)

### **1) Risk-based beach evaluation and classification process**

A jurisdiction must develop a risk-based beach evaluation and classification process and apply it to its coastal recreation waters. A jurisdiction must describe the factors used in its evaluation and classification process and explain how its beaches are ranked using this process. The process must result in a list of beaches included in the jurisdiction’s beach program.

### **2) Tiered monitoring plan**

A jurisdiction must develop a tiered monitoring plan that can adapt to changing conditions and adequately protect public health. The plan must adequately address the frequency and locations and methods of monitoring and assessment of coastal waters.

### **3) Methods and assessment procedures**

A jurisdiction must develop a detailed methods and assessment procedures plan.

### **4) Monitoring report submission**

A jurisdiction must develop a mechanism to collect and report monitoring data in timely reports.

### **5) Delegation of monitoring responsibilities**

A jurisdiction must describe any delegation that they have made, or intend to make, to local governments to administer the beach monitoring program.

### **6) Public notification and risk communication plan**

A jurisdiction must develop public notification and risk communication plans.

### **7) Actions to notify the public**

A jurisdiction must give notice to the public that the coastal recreation waters are not meeting or are not expected to meet applicable water quality standards for pathogens and pathogen indicators.

<sup>2</sup> The information for this grant performance criterion is no longer collected because states have adopted new or revised water quality standards for recreation (or are in the process) and have identified beach notification thresholds.



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## **8) Notification report submission**

A jurisdiction must compile their notification actions in timely reports submitted to the EPA.

## **9) Delegation of notification responsibilities**

A jurisdiction must describe any delegation of notification responsibilities that they have made, or intend to make, to local governments to administer the beach notification program.

## **10) Adoption of new or revised WQS and identification and use of a beach notification threshold<sup>3</sup>**

A jurisdiction must develop and implement schedules leading to adoption of new or revised WQS, or submit a request for a waiver, and for the identification and use of an appropriate beach notification threshold, including any support for an alternative threshold.

## **11) Public evaluation of program**

A jurisdiction must provide the public with an opportunity to review the program through public notice and an opportunity to comment.

# **5. The Information Collected-Agency Activities, Collection Methodology, and Information Management**

## **5(a) Agency Activities**

The BEACH Act grant program will be administered by the EPA's headquarters and regional offices, which have planned for and allocated resources for the efficient and effective management of the grant program. The EPA is conducting the following activities in administering the BEACH Act grants:

- The EPA Headquarters is to monitor programs of grant recipients annually to ensure compliance with the performance criteria.
- The EPA Regions are to monitor programs of grant recipients annually to ensure compliance with the performance criteria.
- The EPA Regions and the EPA Headquarters are to provide miscellaneous support to the jurisdictions.
- The EPA Regions are to revise work plans and update the Quality Management Plan.
- The EPA Regions are to perform technical review of a Quality Assurance Project Plan and Grants Management Plan.
- The EPA Regions are to ensure that a Quality Assurance Project Plan is complete before implementation of any BEACH Act grant.

## **5(b) Collection Methodology and Management**

The EPA created the Beach Advisory and Closing Online Notification (BEACON) system to meet the BEACH Act requirement that the Agency establish and maintain a publicly available database of pollution occurrences for coastal recreation waters. Jurisdictions must report their

<sup>3</sup> The information for this grant performance criterion is no longer collected because states have adopted new or revised water quality standards for recreation (or are in the process) and have identified beach notification thresholds.

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water quality monitoring data (i.e., results of bacterial monitoring tests) and notification data (i.e., warnings to the public of contaminated beaches) to the EPA at least annually or at a frequency required by the EPA Administrator. The electronic beaches system (eBEACHES) system is set up so that states can directly transmit electronic data from their databases to the EPA. The Agency's Central Data Exchange System receives the data electronically and automatically sends them to different data systems: water quality data go to USGS' Water Quality Portal, beach notification data go to the EPA's program tracking, beach Advisories, Water quality standards, and Nutrients (PRAWN) system, and beach location data go to the EPA's Reach Address Database. All of these data can then be accessed by the public through BEACON. Electronic reporting is intended to achieve data collection efficiencies and reduce the possibility of data input error.

It is each jurisdiction's responsibility to conduct ongoing data analysis, including performing data quality assurance/quality control to check for anomalies in the data that might be related to data entry or laboratory errors. Data quality review and analysis will include continuous analysis of laboratory results, pollution occurrence events, public notification, and review of all program data. The data collected under the BEACH Act grant program will be used for program performance evaluation to determine if a grant recipient's program is consistent with the goal of the *National Beach Guidance and Required Performance Criteria for Grants, 2014 Edition* to analyze pollution occurrences at beaches across the nation and report to Congress on the status of the nation's recreation waters.

### **5(c) Small Entity Flexibility**

Measures to assist small entities are not applicable because the respondents for the BEACH Act Grant Program are state, territorial, or tribal government agencies. However, under the BEACH Act (Section 406(a)(B)), the EPA may make a grant to a local government for implementing a monitoring and notification program only if, after the 1-year period beginning on the date of publication of performance criteria, the EPA determines that the state, territorial, or tribal agency is not implementing a program that meets the performance criteria.

### **5(d) Collection Schedule**

A jurisdiction must show evidence documenting its compliance with the performance criteria as listed in the *Federal Register* and the *National Beach Guidance and Required Performance Criteria for Grants, 2014 Edition* to be eligible for a BEACH Act grant.

## **6. Estimating the Burden and Cost of the Collection**

### **6(a) Estimating Respondent Burden**

The BEACH Act requires jurisdictions receiving grants to devote time and resources to implement a monitoring and notification program to meet the performance criteria outlined in the *National Beach Guidance and Required Performance Criteria for Grants, 2014 Edition*. To develop burden estimates, the EPA estimated the number of hours that will be required by eligible jurisdictions to adhere to the following performance criteria:

- Risk-based beach evaluation and classification
- Tiered monitoring plan

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- Methods and assessment procedures
  - Monitoring report submission
  - Delegation of monitoring responsibilities
  - Public notification and risk communication plan
  - Actions to notify the public
  - Notification report submission
  - Delegation of notification responsibilities
  - Public evaluation of program

The EPA has determined that jurisdictions will not need to submit information for one of the performance criteria listed in the *National Beach Guidance and Required Performance Criteria for Grants, 2014 Edition* – preparation and submittal of schedules for the adoption of new or revised WQS and identification and use of a beach notification threshold. Jurisdictions will not need to update relevant information they have already submitted to the EPA (performance criterion 10). The information for this grant performance criterion is no longer collected because states have adopted new or revised water quality standards for recreation (or are in the process) and have identified beach notification thresholds. The Agency estimated that implementing a monitoring and notification program in accordance with the remaining 10 performance criteria will take 88,569 hours per year for all 39 respondents.

The following assumptions were made for this ICR on the basis of data collected by the EPA and consultations with respondents listed in section 3(c):

- The average beach (monitoring) season was assumed to be 26 weeks.
- The average number of samples collected per week at each monitored beach during the beach season was assumed to be two samples.
- The average cost of sample analysis was assumed to be \$35 per sample, based on information collected during the 2015 ICR renewal and confirmed during consultation for this renewal.
- The number of respondents was assumed to be 39 states, territories, and tribes.

### **6(b) Estimating Respondent Cost**

The annual cost for a jurisdiction to implement the performance criteria necessary to comply with the BEACH Act grant program is attributed to labor costs and operation and maintenance (O&M) costs. The total cost burden over three years for the 39 respondents is estimated to be \$44,597,436 which consists of \$11,406,096 in labor costs and \$33,191,340 in O&M costs. There are no capital costs.

#### ***Labor Costs***

To develop labor costs, the EPA multiplied the number of hours that will be required to implement the beach program by the state employee hourly rate to generate a cost estimate. Because labor rates vary widely among the state government personnel involved in

implementing a state monitoring and notification program, the EPA used an average loaded hourly rate that is representative of the average salary for a managerial and technical state employee as listed by the Bureau of Labor Statistics for full-time state and local government workers in the May 2017 National Industry-Specific Occupational Employment and Wage Estimates. The managerial salary (state government Management 11-0000 median) is calculated as \$69.06 (the hourly rate of \$43.16 multiplied by an overhead factor of 1.6). The technical salary (19-4000 Life, Physical and Social Science Technicians) is calculated as \$33.15 (\$20.72 multiplied by an overhead factor of 1.6). Table 2 presents an estimate of the burden per respondent that respondents will incur to meet each performance criterion outlined in the *National Beach Guidance and Required Performance Criteria for Grants, 2014 Edition*. The table identifies the activities to be performed by the respondent, the associated hours required for each activity, and the labor cost for each activity. Annual totals are presented at the end of Table 2. Labor estimates for performance criterion 10 are estimated to be zero because states have adopted new or revised water quality standards for recreation (or are in the process) and identified beach notification thresholds. Labor estimates for performance criterion 11 are estimated to be zero because they are already accounted for under performance criteria 1, 2, and 6.

**Table 2. Labor burden estimates per respondent**

Performance Criterion	Respondent activity	Three-year managerial burden		Three-year technical burden		Total three-year burden	
		Total burden per activity (hours)	Total labor cost at \$69.06/hour (dollars)	Total burden per activity (hours)	Total labor cost at \$33.15/hour (dollars)	Total burden per activity (hours)	Total labor cost (dollars)
<b>1 - Risk-based beach evaluation and classification process</b>	Identify factors used to evaluate and rank beaches.	3	\$207	18	\$597	21	\$804
	Identify coastal recreation waters.	2	\$138	180	\$5,967	182	\$6,105
	Notify the EPA at least annually if the list of beaches changes significantly because of revised beach rankings or changes to monitoring and notification requirements and considerations.	40	\$2,762	240	\$7,956	280	\$10,718
	Provide for public review of the risk-based rank and classification.	10	\$691	150	\$4,973	160	\$5,664

Performance Criterion	Respondent activity	Three-year managerial burden		Three-year technical burden		Total three-year burden	
	<b>Performance Criterion 1 Total</b>	55	\$3,798	588	\$19,493	643	\$23,291
<b>2 - Tiered monitoring plan</b>	Adequately prioritize, in the tiered monitoring plan the frequency, locations, and methods of monitoring and assessment of coastal waters.	100	\$6,906	400	\$13,260	500	\$20,166
	Provide for public review of the tiered monitoring plan.	20	\$1,381	120	\$3,978	140	\$5,359
	Develop appropriate quality control policies and procedures and submit adequate quality management plans and quality assurance project plans to the EPA for approval.	300	\$20,718	60	\$1,989	360	\$22,707
	<b>Performance Criterion 2 Total</b>	420	\$29,005	580	\$19,227	1000	\$48,232
<b>3 - Methods and assessment procedures</b>	Submit to the EPA methods for characterizing water quality relative to human health in coastal recreation areas.	50	\$3,453	250	\$8,288	300	\$11,741
	Provide documentation of the performance of methods other than those that the EPA recommended or approved or validated.	40	\$2,762	200	\$6,630	240	\$9,392
	Identify and submit to the EPA procedures for assessing short-term increases in fecal indicator bacteria densities that indicate risk to human health in coastal recreation waters.	50	\$3,453	200	\$6,630	250	\$10,083

Performance Criterion	Respondent activity	Three-year managerial burden		Three-year technical burden		Total three-year burden	
	<b>Performance Criterion 3 Total</b>	140	\$9,668	650	\$21,548	790	\$31,216
<b>4 - Monitoring report submission</b>	Make monitoring data available to the public, including posting on a website.	300	\$20,718	1,440	\$47,736	1,740	\$68,454
	Report monitoring data to the EPA at least annually or a frequency that the EPA Administrator determines. Reported data must be consistent with the EPA reporting requirements.	600	\$41,436	600	\$19,890	1,200	\$61,326
	<b>Performance Criterion 4 Total</b>	900	\$62,154	2,040	\$67,626	2,940	\$129,780
<b>5 - Delegation of monitoring responsibilities</b>	If a state delegates monitoring responsibility to local governments, the state's grant recipient must describe the process that the state follows.	6	\$414	40	\$1,326	46	\$1,740
	<b>Performance Criterion 5 Total</b>	6	\$414	40	\$1,326	46	\$1,740
<b>6 - Public notification and risk communication plan</b>	Identify measures to notify the EPA and local governments (if applicable) when indicator bacteria levels exceed a beach notification threshold.	2	\$138	40	\$1,326	42	\$1,464
	Identify measures to notify the public when a beach notification threshold has been exceeded by posting a sign or functional equivalent.	2	\$138	40	\$1,326	42	\$1,464
	Identify measures that inform the public of the potential risks associated	2	\$138	40	\$1,326	42	\$1,464

Performance Criterion	Respondent activity	Three-year managerial burden		Three-year technical burden		Total three-year burden	
	with water contact activities in the coastal recreation waters that do not meet applicable WQS.						
	Provide for public review of the public notification and risk communication plan.	2	\$138	50	\$1,658	52	\$1,796
	<b>Performance Criterion 6 Total</b>	8	\$552	170	\$5,636	178	\$6,188
<b>7 - Actions to notify the public</b>	Promptly issue a public notification for exceedance of the beach notification threshold when there is no reason to doubt the accuracy of the sample.	100	\$6,906	600	\$19,890	700	\$26,796
	If there is a reason to doubt the accuracy of the first sample, the jurisdictions may resample before issuing a notification.	100	\$6,906	200	\$6,630	300	\$13,536
	<b>Performance Criterion 7 Total</b>	200	\$13,812	800	\$26,520	1,000	\$40,332
<b>8 - Notification Report Submission</b>	Jurisdictions must report to the EPA at least annually, or at a frequency the EPA Administrator determines, on the occurrence, nature, location, pollutants involved, and extent of any exceedances of any WQS for pathogens and pathogen indicators.	120	\$8,287	72	\$2,387	192	\$10,674
	<b>Performance Criterion 8 Total</b>	120	\$8,287	72	\$2,387	192	\$10,674
<b>9 - Delegation of notification</b>	States must identify any local governments to	6	\$414	18	\$597	24	\$1,011

Performance Criterion	Respondent activity	Three-year managerial burden		Three-year technical burden		Total three-year burden	
responsibilities	which they have delegated responsibility for implementing a notification program and describe the process by which the state may delegate such authority.						
	<b>Performance Criterion 9 Total</b>	6	\$414	18	\$597	24	\$1,011
<b>10 – Adoption of new or revised WQS and identification and use of a beach notification threshold*</b>	Develop and implement two separate schedules to adopt new or revised WQS by FY 2016 and to identify and use a beach notification threshold by FY 2016.	0	\$0	0	\$0	0	\$0
	Before identification and use of a new beach notification threshold, continue to make beach notification decisions using the existing threshold based on the currently applicable WQS, e.g., SSM.	0	\$0	0	\$0	0	\$0
	<b>Performance Criterion 10 Total</b>	0	\$0	0	\$0	\$0	\$0
<b>11 - Public evaluation of program**</b>	Provide an opportunity for the public to comment on the beach evaluation and classification process; sampling design and monitoring plan; and public notification and risk communication plan.	0	\$0	0	\$0	0	\$0
	<b>Performance Criterion 11 Total</b>	0	\$0	0	\$0	0	\$0
<b>Three-year Total</b>		<b>1,855</b>	<b>\$128,104</b>	<b>4,958</b>	<b>\$164,360</b>	<b>6,813</b>	<b>\$292,464</b>
<b>Annual Total</b>		<b>618</b>	<b>\$42,701</b>	<b>1,653</b>	<b>\$54,787</b>	<b>2,271</b>	<b>\$97,488</b>



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\* The information for this criterion is no longer collected because states have adopted new or revised water quality standards for recreation (or are in the process) and have identified beach notification thresholds.

\*\* Burden and costs associated with this performance criterion are already accounted for under performance criteria 1, 2, and 6.

The EPA estimates an annual labor cost of \$97,488 per respondent, a total annual labor cost of \$3,802,032 for all 39 respondents, and a total three-year labor cost of \$11,406,096 for 39 respondents

### ***Operation and Maintenance Costs***

In addition to labor costs, the states, territories and tribes incur O&M costs associated with the analytical fees and shipping for the water quality samples. Non-labor costs for the 39 respondents are solely attributed to the laboratory fees that will be charged for analysis and to shipping charges for sending the samples to the appropriate laboratory.

The O&M costs were calculated as an average for the 6,079 coastal and Great Lakes beaches identified in the EPA's BEACON database (as of July 2018) for the 39 states, territories and tribes eligible to participate in the BEACH Act grant program. The EPA obtained laboratory fees and shipping costs from testing labs and estimated the cost to be \$35 per sample. The cost for each respondent was calculated using the following equation:

$$\frac{6,079 \text{ beaches} \times 2 \text{ samples/beach-week} \times 26 \text{ weeks/beach year} \times \$35/\text{sample}}{39 \text{ respondents}} =$$

\$283,687/respondent each beach year

The EPA estimates an average annual O&M cost of \$283,687 per respondent, a total annual O&M cost of \$11,063,780 for all 39 respondents, and a total 3-year O&M cost of \$33,191,340 for 39 respondents.

### **6(c) Estimating Agency Burden and Cost**

The BEACH Act requires the EPA to devote time and resources to manage the grant program. The EPA administers BEACH Act grants according to the EPA grant regulations at 40 CFR part 31 and the statutory requirements in Clean Water Act section 406. The EPA regional offices have the lead responsibility for providing grant application packages and administering the grants. After the Agency makes the yearly BEACH Act grant funding available, each EPA region sends a "funding opportunity letter" to each of the 39 jurisdictions eligible under the Clean Water Act for a BEACH Act grant. The jurisdictions apply for the grant by electronically submitting grant application materials to their EPA regional office through the grants.gov website. The regions work closely with the jurisdictions eligible for the grants providing any assistance necessary. The program has awarded all funds to all eligible jurisdictions every year since the grants were first authorized under the Clean Water Act.

There is no beach program-specific regulation associated with these grants; however, the beach program is governed by the recreational water quality criteria, revised in 2012, and the grant guidance, *National Beach Guidance and Required Performance Criteria for Grants* (EPA-823-B-14-001) which was revised in 2014. Copies of those documents can be found in the ICR

docket. Chapter 2 of the National Beach Guidance addresses the performance criteria that a grantee’s program must be consistent with in order to be eligible for a grant. The remaining chapters discuss specific requirements for each criterion in more detail. For example, Section 4.5 discusses submitting monitoring data to USGS’ Water Quality Portal system and Section 5.5 discusses submitting notification data to the EPA’s PRAWN system.

To develop estimates for the Agency’s burden, the EPA estimated the number of hours that will be required to administer the program. The Agency estimates that it will take approximately 85 hours per respondent to review and process the applications, monitor respondent programs, and provide miscellaneous support. When multiplied by 39 respondents, the annual Agency burden is 3,315 hours to administer the program and a total Agency burden of 9,945 hours over 3 years. EPA employee costs were estimated assuming a GS-12 Step 1 federal employee earning \$48.75 per hour, based on a \$30.47 hourly rate plus a 1.6% overhead rate. The labor rate was obtained using 2018 salary tables provided by the Office of Personnel Management.

Table 3 presents an estimate of the burden that the EPA will incur to manage the BEACH Act grant program for years one through three of this ICR. The annual totals are presented at the bottom of the table.

**Table 3. Total Agency burden hours per activity over three years**

<b>Activities</b>	<b>3-year agency burden (hours)</b>	<b>3-year agency burden (dollars)</b>
The EPA Headquarters to monitor state, tribal, and territorial beach programs annually to ensure compliance with the performance criteria.	1,521	\$74,149
The EPA Regions to monitor state, tribal, and territorial beach programs annually to ensure compliance with the performance criteria.	2,106	\$102,668
The EPA Headquarters and EPA Regions to provide miscellaneous support to eligible states, tribes, and territories.	1,638	\$79,853
The EPA Regions to revise work plans and update beach monitoring and notification program procedures.	1,170	\$57,038
The EPA Regions to perform technical review on Quality Assurance Project Plan and Grants Management Plan, DQOs and SOPs prior to implementation.	3,510	\$171,113
<b>3-year total</b>	<b>9,945</b>	<b>\$484,821</b>
<b>Annual total</b>	<b>3,315</b>	<b>\$161,607</b>

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

Table 4 presents an estimate of the total respondent burden and costs expected for the BEACH Act grant program. The total annual respondent burden is expected to be 88,569 hours and \$14,865,812 (\$3,802,032 in labor costs + \$11,063,780 in O&M costs). There are no start-up costs.

**Table 4. Annual respondent burden and cost**

Performance Criterion	Respondent hours/year	Respondent labor cost/year	Number respondents	Total hours/year	Total labor cost/year	Total O&M cost/year
1	215	\$7,764	39	8,385	\$302,783	\$11,063,780
2	333	\$16,077	39	12,987	\$627,016	
3	264	\$10,405	39	10,296	\$405,808	
4	980	\$43,260	39	38,220	\$1,687,140	
5	15	\$580	39	585	\$22,620	
6	59	\$2,063	39	2,301	\$80,444	
7	333	\$13,444	39	12,987	\$524,316	
8	64	\$3,558	39	2,496	\$138,762	
9	8	\$337	39	312	\$13,143	
10	0	\$0	39	0	\$0	
11	0	\$0	39	0	\$0	
<b>Total</b>	<b>2,271</b>	<b>\$97,488</b>	<b>39</b>	<b>88,569</b>	<b>\$3,802,032</b>	<b>\$11,063,780</b>

## 6(e) Bottom Line Burden Hours and Cost Tables

Table 5 presents an estimate of the total annual respondent and Agency burden and costs expected for the BEACH Act grant program. As shown in Table 5, the annual burden for the Agency and 39 states, tribes, and territories with coastal recreation waters is 91,884 hours and \$15,027,419 including O&M costs.

**Table 5. Total annual respondent and Agency burden and costs**

Group	Burden (hours)	Labor cost	O&M cost	Total cost
<b>39 respondents</b>	88,569	\$3,802,032	\$11,063,780	\$14,865,812
<b>Agency</b>	3,315	\$161,607	\$0	\$161,607
<b>Total</b>	<b>91,884</b>	<b>\$3,963,639</b>	<b>\$11,063,780</b>	<b>\$15,027,419</b>

## 6(f) Reasons for Change in Burden

There is a decrease of 2,707 hours in the total respondent burden compared with the ICR approved by OMB in July 2015 due to the respondents no longer needing to prepare and submit schedules for the adoption of new or revised WQS and identification and use of a beach

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notification threshold (BNT). The EPA no longer requests respondents submit these schedules because they are using BNTs or alternate BNTs and have either adopted new or revised WQS or are in the process of doing so. This decrease in hours is partially offset by one additional tribe having qualified for a BEACH grant. The total respondent cost decreased by \$587,496. The decrease in cost is partially offset by slight increases in the salary rates. The O&M decreased by \$289,366 due to a reduction in the total number of beaches (affecting O&M). The number of beaches reported by the jurisdictions varies from year to year for many reasons. Reasons for removing beaches include the destruction of beaches by natural disasters, change in beach ownership, and existing beaches being combined within a jurisdiction's monitoring and notification program.

### 6(g) Burden Statement

The annual respondent reporting and recordkeeping burden for this collection of information is estimated to average 88,569 hours. 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. That includes the time needed to review instructions; develop, acquire, install, and use 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 Part 15.

Public comments were previously requested via the Federal Register (83 FR 58767) on November 21, 2018, during a 60-day comment period. This notice allows for an additional 30 days for public comments. Submit your comments, referencing Docket ID Number EPA-HQ-OW-2015-0641, to (1) EPA online using [www.regulations.gov](http://www.regulations.gov) (our preferred method), or by mail to: EPA Docket Center, Environmental Protection Agency, Mail Code 28221T, 1200 Pennsylvania Ave., NW, Washington, DC 20460, and (2) OMB via email to [oir\\_submission@omb.eop.gov](mailto:oir_submission@omb.eop.gov). Address comments to OMB Desk Officer for EPA.

An electronic version of the public docket is available through [Regulations.gov](http://Regulations.gov) at [www.regulations.gov](http://www.regulations.gov). 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, use the [Regulations.gov](http://Regulations.gov) website. Once there, click **search**, then key in the docket ID number identified above. Please include the EPA Docket ID No. EPA-HQ-OW-2015-0641 and OMB control number 2040-0244 in any correspondence.