

**SUPPORTING STATEMENT FOR
EPA INFORMATION COLLECTION REQUEST NUMBER
[1360.17]**

**“UNDERGROUND STORAGE TANKS: TECHNICAL AND FINANCIAL
REQUIREMENTS, AND STATE PROGRAM APPROVAL PROCEDURES
(EPA NO. 1360.17 OMB NO. 2050-0068)”**

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1. IDENTIFICATION OF THE INFORMATION COLLECTION

1(a) Title and Number of the Information Collection

Information Collection Request for Underground Storage Tanks: Technical and Financial Requirements, and State Program Approval Procedures, EPA No. 1360.17, OMB No. 2050-0068.

1(b) Short Characterization

Subchapter IX of the Solid Waste Disposal Act (SWDA), as amended (more commonly known as the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. § 6991 et seq., as amended, requires the U.S. Environmental Protection Agency (EPA) to develop standards for underground storage tank systems (USTs), as may be necessary, to protect human health and the environment, and procedures for approving state programs in lieu of the federal program. RCRA sections 9002, 9003, and 9004, 42 U.S.C. §§ 6991a, 6991b, 6991c), specify statutory requirements for new and existing tanks. RCRA Subtitle I directs EPA to develop performance standards covering:

- Program scope and interim prohibition.
- UST systems: design, construction, installation, and notification.
- General operating requirements.
- Release detection.
- Release reporting, investigation, and confirmation.
- Release response and corrective action for UST systems containing petroleum or hazardous substances.
- Out-of-service UST systems and closure.
- Financial responsibility.

EPA promulgated technical and financial responsibility requirements for owners and operators of USTs in Title 40 of the Code of Federal Regulations (40 CFR) Part 280 in 1988.

In 2015, EPA revised (40 CFR) Part 280 to establish key requirements related to secondary containment and operator training that are similar to the Energy Policy Act of 2005, add operation and maintenance requirements, provide for other changes to improve release prevention and detection and program implementation, and make general updates to the regulations. In addition, the 2015 revisions removed deferrals from UST systems with field-constructed tanks (FCTs) and airport hydrant fuel distribution systems (AHFDSs) and require that they meet specified regulations at 40 CFR Part 280. The revisions also removed the release detection deferral from emergency generator tanks, or EGTs (i.e., fuel storage tanks used by emergency power generators).

Under the authority of section 9004 of RCRA, EPA developed procedures for states to use when applying for approval to implement a state program in lieu of the federal program. The following subparts contain information collection requirements:

- Components of a program application (Subpart B);
- Adequate enforcement of compliance (Subpart D);
- Approval procedures (Subpart E); and
- Withdrawal of approval of state programs (Subpart F).

EPA promulgated state program approval procedures in 40 CFR Part 281 in 1988, and also revised them in 2015 to reflect revisions made to 40 CFR Part 280 in 2015.

This ICR renewal is a comprehensive presentation of all information collection requirements contained at 40 CFR Parts 280 and 281. Sections 1 through 5 of the ICR describe the information collection requirements (e.g., in regard to need and use of the information collected). Section 6 estimates the annual hour and cost burden to respondents and the Agency under these requirements.

The ICR renewal presents all the requirements of the 40 CFR Part 280 that apply to owners and operators under the heading “Owner and Operator Respondents.” The type of information to be collected as part of 40 CFR Part 280 include notification forms for new USTs, ownership change notifications, monitoring records, reports on releases and corrective actions taken in response to an UST release, records of tests conducted after repairs, records to demonstrate that USTs are compatible with the substances stored, records related to operator training, walkthrough inspections, and records demonstrating spill prevention equipment and containment sumps used for interstitial monitoring of piping and overfill prevention equipment are in compliance with the requirements. The collected information also includes reports related to requirements for the closure of tanks, and documents related to the financial ability of owners and operators of USTs to remediate or pay for damages resulting from releases. Owners and operators of USTs collect this information, retain it on site, and submit it to EPA or the state implementing agency if requested. The owners and operators of UST systems and/or EPA or the implementing agency use the information to monitor results of testing, inspections, and operation of UST systems, as well as to demonstrate compliance with regulations. This ICR does not include the burden on UST facilities owned by the federal government, in keeping with the Paperwork Reduction Act.

States seeking to implement their own UST programs in lieu of the federal program under 40 CFR Part 281 “State Program Approval Procedures” must provide EPA with a range of documents demonstrating that their programs are no less stringent than the federal UST program and provide adequate enforcement of their regulations. This ICR presents the burden on states of meeting 40 CFR Part 281 under the heading “State Agency Respondents.” EPA then uses this information to determine whether to approve a state program and to determine whether approved programs continue to meet Part 281 requirements.

EPA estimates the total annual respondent burden to be about 8.7 million hours and \$679 million for information collection requirements associated with Part 280 and about 12,000 hours and \$757,000 for information collection requirements associated with Part 281. For UST facilities, the estimated total average time burden for conducting the activities covered in this ICR is approximately 43 hours per respondent annually. For states applying for program approval and for states with approved programs, the estimated total average time burden is approximately 223 hours per state annually.

2. NEED FOR AND USE OF THE COLLECTION

2(a) Need and Authority for the Collection

This section describes the need and authority for each type of information collection analyzed in this ICR. The ICR covers all aspects of management of USTs, owner and operator duties, and states submitting their own programs for approval, to be administered in lieu of the federal UST program. This data collection is needed to help detect releases from leaking UST systems, spills and overfills. The UST reporting and recordkeeping requirements are intended to yield valuable information on UST systems and to ensure prompt action when releases are detected.

(1) Owner and Operator Respondents

RCRA Subtitle I, as amended, contains UST statutory requirements. RCRA section 9002, 42 U.S.C. § 6991a directs EPA to promulgate notification requirements for new USTs. Submitted notifications help EPA track the number and location of USTs and their design specifications. EPA needs to collect this information to ensure that USTs meet requirements.

RCRA section 9003, 42 U.S.C. § 6991b directs EPA to promulgate technical regulations for all USTs. The regulations include, but are not limited to, requirements for maintaining records of any monitoring or leak-detection system, and requirements for ensuring equipment is working properly, requirements for reporting releases and corrective actions taken in response to an UST release, and requirements for the closure of tanks. EPA requires this reporting and recordkeeping to facilitate prompt detection of releases and to prevent future releases of regulated substances into the environment.

RCRA section 9003(d), 42 U.S.C. § 6991b(d), requires that EPA promulgate regulations for demonstrating financial responsibility for taking corrective action and compensating third parties for bodily injury and property damage caused by sudden and non-sudden accidental releases from USTs. To comply with the regulations, private owners and operators and local government owners and operators must demonstrate financial responsibility using one or a combination of the mechanisms specified at 40 CFR Part 280, Subpart H. The need for financial responsibility for corrective action and third-party liability is shown by numerous instances of environmental damage resulting from releases of regulated substances from tanks. EPA requires this reporting and recordkeeping to ensure the financial ability of owners and operators of USTs to remediate or pay for damages resulting from releases.

(2) State Agency Respondents

RCRA Subtitle I allows state UST programs approved by EPA to operate in lieu of the federal program. RCRA section 9004, 42 U.S.C. § 6991c, specifies procedures for states to gain approval to implement their own UST programs in lieu of the federal program. To receive approval, a state must demonstrate that its program is no less stringent than the federal UST program and provides adequate enforcement of its regulations.

EPA needs to collect this information to determine whether a state program can sufficiently protect human health and the environment. A state must prove that it has the ability to enforce its UST regulations relating to tank management and operations as well as releases. Once approved, EPA has the authority to request that states with approved state programs furnish to EPA, at any time, information in state files on the administration of the program, including data on enforcement and compliance under §281.40. EPA needs this information to determine whether a state program continues to meet state program approval requirements.

Owners and operators in states that have an approved UST program do not have to deal with two sets of statutes and regulations (state and federal) that may be conflicting. Even for states without state program approval, EPA enters into grant/cooperative agreements with state programs, and the state program is designated as the primary implementing agency.

2(b) Practical Utility and Users of the Data

(1) Owner and Operator Respondents

Owners, operators, and implementing agencies will use the data collected about new and existing UST system operations and financial responsibility. Data maintained in records are used to monitor results of testing, inspections, and operations of UST systems, as well as to demonstrate compliance with regulations.

Implementing agencies use the notifications and submitted information to monitor compliance with UST regulations. Implementing agencies also use the financial responsibility information in the event of a release to decide whether funds from the Leaking Underground Storage Tank Trust Fund will be used to pay for corrective action.

(2) State Agency Respondents

EPA uses state program applications to determine whether to approve a state program. Before granting approval, EPA must determine that programs will be no less stringent than the federal program and contain adequate enforcement mechanisms. EPA uses each part of the program application to determine how the state program corresponds to the federal program, how the state will administer the program, and how to define and coordinate efforts between EPA and the state. Once approved, EPA may request that states submit files on the administration of the program, including data on enforcement and compliance under §281.40. EPA will use this

information to determine whether a state program continues to meet state program approval requirements.

3. NONDUPLICATION, CONSULTATIONS, AND OTHER COLLECTION CRITERIA

3(a) *Nonduplication*

Most of the information required by the UST regulations is available only from the respondents. To avoid duplicating previous work, respondents may draw upon similar analyses in compiling data for UST monitoring, recordkeeping, reporting, and testing requirements, provided the information meets the requirements specified in the regulations.

3(b) *Public Notice*

In compliance with the Paperwork Reduction Act of 1995, EPA issued a 60-day public notice in the *Federal Register* on July 26, 2018 (Volume 83, Pages 35475-35476). The public comment period ended on September 24, 2018. EPA solicited comments on this information collection and the estimates in this ICR, as described below:

- Whether the collection of information is necessary for the proper performance of the functions of the Agency.
- Whether the Agency's burden estimate is accurate.
- How to minimize the burden on respondents.

EPA did not receive any comments during the first comment period. The public will have a second opportunity to comment when EPA submits the ICR to the Office of Management and Budget (OMB).

3(c) *Consultations*

Most of the underlying assumptions in this ICR (e.g., burden hour estimates) are based on EPA consultations with industry and states conducted during the renewal of previous UST ICRs. Some assumptions are based on EPA consultations with UST experts, undertaken through its consultant Industrial Economics, Inc., to assess the benefits and costs of the 2015 revisions. As part of this ICR renewal, EPA consulted with industry and state agencies. EPA asked industry representatives to review estimates of hourly labor rates for facility staff and contractors, as well as estimates of the time required for facility staff and contractors to perform various tasks required under 40 CFR Part 280. EPA consulted the Idaho and Oklahoma state UST programs regarding the time and cost burden estimates for states seeking program approval under 40 CFR Part 281. EPA sought out states that had obtained state program approval relatively recently. The

burden hour estimates in this ICR reflects the feedback EPA received from industry and states. Table 1 lists the organizations EPA consulted with as part of the ICR renewal.

**Table 1
Organizations Consulted as Part of the ICR Renewal**

Organization	Contact Person	Telephone Number
Industry		
Circle K Stores Inc.	Debrah Carl	704 583-5762
Kwik Trip	Luke Masor	608-881-9801
Speedway	Jim Howard	732 750-6220
7-Eleven, Inc.	Raymond Mcniece	210-507-0913
Burns & McDonnell Environmental	Grant Smith	816-822-3223
States		
Idaho Department of Environmental Quality	Kristi Lowder	208 373-0347
Oklahoma Corporation Commission	Robyn Strickland	405 521-4683

3(d) *Effects of Less Frequent Collection*

EPA has carefully considered the burden imposed upon the regulated community by the information collection requirements covered in this ICR. EPA is confident that those activities required of respondents are necessary; to the extent possible, the Agency has attempted to minimize the burden imposed. If the minimum information collection requirements specified under the revisions are not met, neither the facilities nor EPA can ensure that UST systems are being managed in a manner protective of human health and the environment.

3(e) *General Guidelines*

This ICR adheres to 5 CFR 1320.5(d)(2)), with some exceptions. UST owners or operators are required to provide a written response in fewer than 30 days when reporting suspected releases (§280.50) and reporting spills and overfills (§280.53). In several instances, Part 280 requires owners and operators of USTs to maintain records for more than 30 days. Section 4(b) describes the duration of these recordkeeping requirements. In addition, an owner or operator must notify the implementing agency within 10 days if the owner or operator fails to obtain alternative financial assurance within 150 days of discovering, or within 30 days of being notified by the implementing agency, that he or she no longer meets the financial test. UST owners and operators and providers of financial assurance must also adhere to notification requirements regarding bankruptcy or other incapacities within 10 days after commencement of bankruptcy proceedings (§280.114). These requirements enable EPA and the implementing agency to ensure that owners and operators are managing their UST systems in a manner protective of human health and the environment.

3(f) Confidentiality

Section 3007(b) of the Resource Conservation and Recovery Act and 40 CFR Part 2, Subpart B, which define EPA’s general policy on public disclosure of information, contain provisions for confidentiality. However, the Agency does not anticipate that businesses will assert a claim of confidentiality for all or part of the requirements covered in this ICR. If such a claim were asserted, EPA must and will treat the information in accordance with the regulations cited above. EPA will also ensure that this information collection complies with the Privacy Act of 1974 and OMB Circular A-130.

3(g) Sensitive Questions

No questions of a sensitive nature are included in any of the UST information collection requirements.

4. THE RESPONDENTS AND THE INFORMATION REQUESTED

4(a) Respondents and NAICS Codes

Table 2 lists the North American Industry Classification System (NAICS) sectors associated with industries most likely affected by the information collection requirements covered in this ICR. Other sectors anticipated to be affected by the information collection requirements not shown in Table 2 include local, state, and federal governments. This ICR does not include the burden on UST facilities owned by the federal government, in keeping with the Paperwork Reduction Act.

**Table 2
NAICS Sectors of Affected Industries**

NAICS Sector	NAICS Sector Description
111	Crop Production
112	Animal Production and Aquaculture
211130	Natural Gas Extraction
2211	Electric Power Generation, Transmission, and Distribution
31-33	Manufacturing
42	Wholesale Trade
44-45	Retail Trade
447	Gasoline Stations
452311	Warehouse Clubs and Supercenters
481	Air Transportation
483	Water Transportation
484	Truck Transportation
485	Transit and Ground Passenger Transportation
486	Pipeline Transportation
48811	Airport Operations
517311	Wired Telecommunications Carriers

NAICS Sector	NAICS Sector Description
56211	Waste Collection
622	Hospitals
72	Accommodation and Food Services

4(b) Information Requested

(1) Owner and Operator Respondents

Regulations in 40 CFR Part 280 contain technical and financial responsibility requirements for owners and operators of USTs. This ICR summarizes the information collection requirements of the revisions to Part 280, and associated data items and respondent activities, in the order in which they would appear in Part 280. The following Part 280 subparts are applicable:

- Program Scope and Installation Requirements for Partially Excluded UST Systems (Subpart A);
- UST Systems: Design, Construction, Installation, and Notification (Subpart B);
- General Operating Requirements (Subpart C);
- Release Detection (Subpart D);
- Release Reporting, Investigation, and Confirmation (Subpart E);
- Release response and corrective action for UST systems containing petroleum or hazardous substances (Subpart F)
- Out-of-Service UST Systems and Closure (Subpart G);
- Financial Responsibility (Subpart H);
- Operator Training (Subpart J);
- UST Systems with Field-Constructed Tanks and Airport Hydrant Fuel Distribution Systems (Subpart K).

In each subsection below, the information collection requirements applicable to each Subpart are presented.

(a) Subpart A: Program Scope and Installation Requirements for Partially Excluded UST Systems

Subpart A requires a new UST system to have corrosion protection if it is partially excluded from the regulations, unless a corrosion expert finds the site to be relatively non-corrosive. Partially excluded systems include the following types of UST systems: (1) wastewater treatment tank systems that are not part of a wastewater treatment facility regulated under Section 402 or 307(h) of the Clean Water Act, (2) UST systems containing radioactive material that are regulated by the Atomic Energy Act, and (3) UST systems associated with emergency generation systems at a nuclear power generation facility. §280.11(b) requires owners or operators that have installed an UST system without corrosion protection at sites listed above to maintain records documenting that a corrosion expert determined the site was not corrosive enough to cause the UST system to have a release due to corrosion during its operating life. These records of compliance must be maintained for the remaining life of the tank (§280.11(b)).

- (i) Data Items:
 - Records documenting that a corrosion expert determined the site was not corrosive enough to cause the UST system to have a release due to corrosion during its operating life.
- (ii) Respondent Activities:
 - Have a corrosion expert inspect the site; and
 - Maintain the records demonstrating compliance.

(b) Subpart B: UST Systems: Design, Construction, Installation, and Notification

(b1) Performance Standards for New UST Systems – Tanks and Piping without Corrosion Protection

Tanks and piping in contact with the ground that routinely contain regulated substances must have corrosion protection unless a corrosion expert finds the site to be relatively non-corrosive (§§280.20(a) and (b)). §280.20(a)(4)(i) and (ii) and §280.20(b)(3)(i) and (ii) require owners or operators that have installed an UST system with metal tanks and/or piping without corrosion protection to maintain records demonstrating that a corrosion expert determined the site was not corrosive enough to cause the UST system to have a release due to corrosion during its operating life. These records of compliance must be maintained for the remaining life of the tank and/or piping.

- (i) Data Items:
 - Records documenting that a corrosion expert determined that the site is not corrosive enough to cause the UST system to have a release due to corrosion during its operating life.
- (ii) Respondent Activities:
 - Have a corrosion expert inspect the site; and
 - Maintain the records demonstrating compliance.

(b2) Certification of Installation

§280.20(e) requires owners and operators to ensure that tanks and piping were installed properly through certification, testing, or inspection. Owners and operators must demonstrate compliance of proper installation methods by providing a certification of compliance on the UST notification form in accordance with §280.22 (§280.20(e)). This burden is included below in the Notification Requirements section (b4).

(b3) Upgrading of Existing UST Systems

§280.21 describes the requirements for upgrading existing UST systems. The revisions will require owners and operators to close lined tanks that are no longer performing in accordance with original design specifications and cannot be repaired according to a code of practice. The information collection requirements related to closure are described under Subpart G below.

(b4) Notification Requirements

§280.22 describes the notification requirements for UST systems. All of the information in sections I through XI of the notification form (see the latest notification form on EPA's website, <https://www.epa.gov/ust/notification-forms-underground-storage-tanks>), or similar state forms used in lieu of the federal form, must be filled out completely (§280.22(a)). In addition, any person who assumes ownership of a regulated UST system must, within 30 days of acquisition, submit a notice of the ownership change to the implementing agency (§280.22(b)) (see the latest notification of ownership change form on EPA's website, <https://www.epa.gov/ust/notification-forms-underground-storage-tanks>). Lastly, any person selling an UST must notify the purchaser of such tanks of the owner's notification obligations under §280.22(a) (§280.22(g)).

(i) Data Item:

- Completed notification form (§§280.22(a), (c) through (g)) that includes:
 - Ownership of USTs.
 - Location of USTs.
 - Type of owner.
 - Indication of presence of USTs in Indian Country.
 - Type of facility.
 - Contact person in charge of tanks.
 - Certificate of compliance with financial responsibility.
 - Certificate of form completion.
 - Description of USTs and piping.
 - Description of closure or change in service.
 - Certificate of installation.¹
- Completed notice of ownership change (§280.22(b))

(ii) Respondent Activity:

¹ For certification of installation, the full burden is included in this section. For other data items, this section only includes the burden for compiling these data items, not for obtaining them. The burden associated with obtaining these data items is covered in other parts of the ICR under §§280.20(a) and (b) (cathodic protection of steel tanks and piping), §§280.95 through 280.114 (financial responsibility), and §§280.40 through 280.45 (release detection).

- Prepare and submit notification form within 30 days of bringing an UST system into use.
- Prepare and submit notification form within 30 days of assuming ownership of an UST system.
- Notify purchaser of an UST of the owner's notification obligations.

(c) Subpart C: General Operating Requirements

(c1) Operation and Maintenance of Corrosion Protection

Owners and operators with cathodically protected steel UST systems must periodically inspect their systems and have a qualified cathodic protection tester conduct periodic tests. §§280.31(d) (1) and (2) require owners and operators to maintain records that demonstrate compliance with performance standards for UST systems using cathodic protection.

(i) Data Items:

- Records that demonstrate compliance with performance standards for UST systems using cathodic protection, including:
 - For all tanks with cathodic protection, results from the last two tests of the cathodic protection system (§§280.31(b)(1) and (2)).
 - For tanks using impressed cathodic protection systems, results of the last three inspections of the cathodic protection equipment on UST systems (§280.31(c)).

(ii) Respondent Activities:

- Have a qualified cathodic protection tester conduct the test for all cathodic protection systems within six months of installation, at least every three years thereafter, and within six months of the repair of any cathodically protected UST system (§280.33(e)).
- Conduct the inspection for impressed current cathodic protection systems every 60 days.
- Maintain records.

(c2) Compatibility

Owners and operators must notify the implementing agency at least 30 days prior to storing fuels containing more than 10 percent ethanol or more than 20 percent biodiesel, or any other regulated substance identified by the implementing agency. Owners and operators also must maintain records to demonstrate compatibility of the UST system when storing the following fuels: greater than 10 percent ethanol, greater than 20 percent biodiesel, or any other substance identified by the implementing agency. Owners and operators must maintain these records for as long as the UST system is used to store the regulated substance. (§280.32(b)).

(i) Data Items:

- Notice of fuel change if storing fuels containing more than 10 percent ethanol, more than 20 percent biodiesel, or any other regulated substance identified by the implementing agency; and
- Records that demonstrate compatibility of the UST system with the product stored if storing fuels containing more than 10 percent ethanol, more than 20 percent biodiesel, or any other regulated substance identified by the implementing agency. (§280.32(b)).

(ii) Respondent Activities:

- If storing fuels containing more than 10 percent ethanol, more than 20 percent biodiesel, or any other regulated substance identified by the implementing agency: Demonstrate compatibility with an independent testing laboratory certification or listing or a manufacturer's approval of the compatibility of UST system components; or use another method determined by the implementing agency;
- Maintain records for as long as the UST system stores the regulated substance if storing fuels containing more than 10 percent ethanol, more than 20 percent biodiesel, or any other regulated substance identified by the implementing agency; and
- Prepare and submit notification form at least 30 days before switching to store fuels containing more than 10 percent ethanol, more than 20 percent biodiesel, or any other regulated substance identified by the implementing agency.

(c3) Maintenance of Repair Records

§280.33(d) requires tightness testing of UST systems with secondary containment within 30 days following the completion of repairs to the secondary containment areas. All other repairs to tanks and piping must be tightness tested within 30 days following the completion of the repair, except as provided in §§280.33(d)(1) through 280.33(d)(3). Repaired spill or overfill prevention equipment must be tested or inspected within 30 days to ensure it is operating properly §280.33(f). §280.33(g) requires owners and operators to maintain records of each repair until the UST system is permanently closed or undergoes a change-in-service.

(i) Data Item:

- Records of each UST system repair until the system is permanently closed or undergoes a change-in-service.

(ii) Respondent Activities:

- Gather information on each repair.

- Conduct a test/inspection after each repair to secondary containment and spill or overflow prevention components; and
- Maintain records of each repair until the UST system is permanently closed or undergoes a change-in-service.

(c4) Reporting

§280.34(a) requires owners and operators to cooperate fully with the implementing agency concerning submission of information. Owners and operators must submit to the implementing agency the information gathered and requested in §§280.20, 280.22, 280.32, 280.50, 280.53, 280.61, 280.62, 280.63, 280.64, 280.65, 280.66, and 280.71. Data items and respondent activities, as well as the associated hour and cost burden, are specified and covered in each of the respective sections (§280.34(a)).

(c4) Recordkeeping

§§280.34(b) and (c) require owners and operators to cooperate fully with the implementing agency concerning the recordkeeping, availability, and maintenance of information. Owners and operators must maintain the information requested in §§280.20(a)(4), 280.20(b)(3), 280.31, 280.32, 280.33(g), 280.35, 280.36, 280.45, 280.74, 280.245. Data items and respondent activities, as well as the associated hour and cost burden, are specified and covered in each of the respective sections.

(c5) Periodic Testing/Inspection of Spill and Overflow Prevention Equipment and Containment Sumps Used for Interstitial Monitoring of Piping

§280.35 requires owners and operators test/inspect spill and overflow prevention equipment and containment sumps used for interstitial monitoring of piping to ensure the equipment is operating properly and will prevent releases to the environment. These components must be tested/inspected at least once every three years. Records for testing or inspection must be maintained for three years.

(i) Data Items:

- Records that demonstrate compliance with periodic testing of spill prevention equipment and containment sumps used for interstitial monitoring of piping.
- Records that demonstrate compliance with periodic inspection of overflow prevention equipment.

(ii) Respondent Activities:

- Have spill prevention equipment and containment sumps used for interstitial monitoring be periodically monitored (§280.35(a)(1)(i)) or be tested at least once every three years (§280.35(a)(1)(ii)).
- Have overfill prevention equipment be inspected at least once every three years (§280.35(a)(2)).
- Maintain records (§280.35(c)).

(c6) *Periodic Operation and Maintenance Walkthrough Inspections*

§280.36 requires owners and operators conduct a walkthrough inspection of equipment: every 30 days for the items listed in §280.36(a)(1)(i) and annually for the items listed in §280.36(a)(1)(ii). Records must be maintained for one year (§280.36(b)).

(i) Data Items:

- Records that demonstrate compliance with periodic operation and maintenance walkthrough inspections.

(ii) Respondent Activities:

- Conduct a walkthrough inspection of equipment: every 30 days for the items listed in §280.36(a)(1)(i) and annually for the items listed in §280.36(a)(1)(ii).
- Maintain records (§280.36(b)).

(d) Subpart D: Release Detection

(d1) *General Requirements for All UST Systems*

§280.40 requires that owners and operators of UST systems provide a method of release detection that is operated and maintained in accordance with manufacturer's instructions, a code of practice developed by a nationally recognized association or independent testing laboratory, or requirements developed by the implementing agency. In addition, §280.40 will require that a test of the proper operation be performed at least annually.

§280.40 also provides that, when a release detection method indicates that a release may have occurred, owners and operators must notify the implementing agency in accordance with Subpart E. Data items and respondent activities associated with release detection requirements are covered under §§280.43, 280.44, 280.45, and Subpart K. Data items and respondent activities associated with the reporting of suspected releases are covered in the subsequent section, "Release Reporting, Investigation, and Confirmation" (40 CFR Part 280, Subpart E).

(d2) *Release Detection for Tanks*

§280.43 specifies methods that UST owners and operators may use to meet the release detection requirements for tanks at §280.41(a). Owners and operators are required to record results of measurements or tests indicating whether a release has or has not occurred.

(i) Data Items:

Inventory Control

- Records of inventory control, including:
 - Inventory volume measurements for regulated substance inputs, withdrawals, and remaining substance for each operating day (§§280.43(a)(1) and (3)).
 - Records of product dispensing, recorded to local standards for meter calibration or within six cubic inches for every five gallons withdrawn (§280.43(a)(5)).
 - Records of measurements of any water level in the bottom of the tank, to the nearest one-eighth inch, at least once per month (§280.43(a)(6)).

Manual Tank Gauging

- Records of manual tank gauging, including weekly records of tank liquid level measurements, taken at the beginning and end of a minimum time period during which the contents of the tank are not disturbed (§280.43(b)(1)).²
- Records of tank tightness testing that demonstrate testing is capable of detecting a 0.1-gallon-per-hour leak rate (§280.43(c)).

Automatic Tank Gauging

- Records of automatic tank gauging tests, including:
 - Monthly automatic product level monitor tests (§280.43(d)(1)).
 - For automatic tank gauging systems that do not meet the performance standard in §280.40(a)(3), records of inventory control (or another test of equivalent performance, conducted in accordance with the requirements of §280.43(a) (§280.43(d)(2))).

Vapor Monitoring

- Monthly records of vapor monitoring within the soil gas of the excavation zone (§280.43(e)).

Groundwater Monitoring

- Monthly records of groundwater monitoring (§280.43(f)).

Interstitial Monitoring

- Monthly records of interstitial monitoring between the UST system and a secondary barrier immediately around or beneath it (§280.43(g)).

Alternative Technology

² Tanks exceeding a 2,000-gallon capacity may not use this method of release detection.

- A demonstration for another release detection method (§280.43(h)(2)).
 - Monthly records of another approved release detection method, if necessary (§280.43(h)(2)).
- (ii) Respondent Activities:
- If using inventory control, record delivery, dispensing, and inventory measurements each operating day, reconcile measurements monthly, record monthly water level measurements, and perform tank tightness testing.³
 - If using manual tank gauging with tank tightness testing, record two consecutive tank liquid level measurements at the beginning and ending of a minimum time period each week, reconcile measurements monthly, and perform tank tightness testing.⁴
 - If using manual tank gauging only (i.e., without tank tightness testing), record two consecutive tank liquid level measurements at the beginning and ending of a minimum time period each week, and reconcile measurements monthly.
 - If using automatic tank gauging, record results of monthly automatic product level monitoring tests and, if necessary, daily inventory volume measurements.
 - If using vapor monitoring, record results of monthly monitoring.
 - If using groundwater monitoring, record results of monthly monitoring.
 - If using interstitial monitoring, record results of monthly monitoring.
 - If wishing to use an alternative technology, prepare and submit a demonstration for an alternative release detection method and, if necessary, record monthly results.

(d3) Release Detection for Piping

§280.44 specifies methods that UST owners and operators may use to meet the release detection requirements for piping at §280.41(b). Owners and operators are required to maintain the following types of measurement records to demonstrate compliance.

- (i) Data Items:
- Records of an annual automatic line leak detector test conducted according to the manufacturer's requirements (§280.44(a)), and either:
 - Records from a line tightness test conducted per §280.44(b).

³ If an UST system meets the performance standards in §280.20 or §280.21, product inventory control may be used in conjunction with tank tightness testing every 5 years until 10 years after installation of the tank (see §280.41(a)(1)).

⁴ See previous footnote.

- Records from any of the methods identified in §§280.43(e) through (h) (as described above for tanks) if they are designed to detect a release from any portion of the underground piping that routinely contains regulated substances (§280.44(c)). [Burden associated with this requirement is already covered in the Release Detection for Tanks subsection above.]

(ii) Respondent Activities:

- Conduct and record annual test of the operation of the automatic line leak detector in accordance with the manufacturer's requirements, and either:
 - Conduct and record results of an annual line tightness test.⁵
 - Conduct and record results of monthly monitoring.⁶

(d4) Release Detection Recordkeeping

§280.45 requires that owners and operators maintain records that contain information about each release detection system in place at an UST system.

(i) Data Items:

- All written performance claims about any system used, and the way the claims were justified or tested by the manufacturer or installer (§280.45(a)).
- Results of any sampling, testing, or monitoring (§280.45(b)).
- Written documentation of all calibration, maintenance, and repair of any release detection system located permanently on site (§280.45(c)).
- Any schedule of required calibration, and maintenance provided by the equipment manufacturer (§280.45(c)).

(ii) Respondent Activities:

- Maintain records for the periods of time as follows:
 - Performance claims – five years from date of installation, unless implementing agency advises otherwise.

⁵ Based on program experience, EPA believes that approximately 84 percent of the lines are pressurized and 16 percent are suction lines. However, EPA was unable to estimate the number of suction lines that require leak detection monitoring and use three-year line tightness testing. Therefore, this ICR assumes all lines used are pressurized piping for line tightness testing calculations. Because suction lines do not have to comply with certain leak detection requirements, this ICR overestimates the burden for this section.

⁶ The burden associated with monthly monitoring is covered in other parts of the ICR under §§280.43(e) (vapor monitoring), 280.43(f) (groundwater monitoring), 280.43(g) (interstitial monitoring), and 280.43(h) (other methods).

- Sampling, testing, or monitoring results – one year unless implementing agency advises otherwise, except for: (1) annual operation tests, in which case records are to be maintained for three years; and (2) tank tightness testing, in which case records are to be maintained until the next test is conducted.
- Documentation of all calibrations, maintenance, and repairs – one year after servicing was completed, unless implementing agency advises otherwise.
- Manufacturer calibration and maintenance schedules – five years from date of installation.

(e) Subpart E: Release Reporting, Investigation, and Confirmation

(e1) Reporting of Suspected Releases

§280.50 requires owners and operators to report within 24 hours to the implementing agency if a release is suspected and the release exceeds 25 gallons (or for hazardous substances that exceed the reportable quantity), or if a smaller release cannot be cleaned up within 24 hours.

(i) Data Items:

- Information on a discovery of released regulated substances at the UST site or surrounding area (§280.50(a)).
- Information on unusual operating conditions, unless system equipment is found to be defective but not leaking and is immediately repaired (§280.50(b)).
- Monitoring results from a release detection method required under §§280.41 and 280.42 that indicate a release may have occurred, unless (1) a monitoring device is found to be defective and upon repair, recalibration, or replacement, does not confirm a release, or (2) a second month of data from inventory control does not confirm the initial result (§§280.50(c)(1) and (2)).

(ii) Respondent Activities:

- Gather information on the suspected release; and
- Report the suspected release.

(e2) Reporting and Cleanup of Spills and Overfills

§§280.53(a) through (b) require owners and operators to immediately contain and clean up a spill or overfill, and to report certain releases. Owners and operators must report to the implementing agency within 24 hours, or another reasonable period specified by the implementing agency, in the following cases:

- Spill or overfill that results in a release to the environment exceeding 25 gallons or another reasonable amount as specified by the implementing agency, or that causes a sheen on nearby surface water (§280.53(a)(1)).
- Spill or overfill of a hazardous substance that equals or exceeds its reportable quantity under CERCLA (40 CFR Part 302) (§280.53(a)(2)).

In addition, owners and operators must contain and immediately cleanup a spill or overfill of petroleum that is less than 25 gallons or another reasonable amount specified by the implementing agency, and a spill of a hazardous substances that is less than the reportable quantity.

If cleanup cannot be accomplished within 24 hours, or another reasonable period specified by the implementing agency, owners and operators must immediately notify the implementing agency.

(i) Data Items:

- Report on spill or overfill that exceeds 25 gallons or equals or exceeds a reportable quantity under CERCLA.
- Notification of spill or overfill of less than 25 gallons, if it cannot be cleaned up within 24 hours.

(ii) Respondent Activities:

- Report spill or overfill within 24 hours if over 25 gallons or the reportable quantity.
- Notify the implementing agency if unable to cleanup a spill less than 25 gallons or the reportable quantity.⁷

(f) Subpart F: Release Response and Corrective Action for UST Systems Containing Petroleum or Hazardous Substances

(f1) Initial Response

Upon confirmation of a release in accordance with §280.52 or another procedure, owners and operators must conduct initial response actions within 24 hours of a release or within another reasonable period determined by the implementing agency. The initial response is a release report, which may be submitted to the implementing agency by telephone or electronic mail (§280.61(a)).

(i) Data Item:

- Release report.

⁷ Spill and overfill reporting specified in sections 280.53(a) through (b) represents a subset of similar reporting that must be initiated for all releases meeting certain criteria; in this ICR, these burdens are covered under section 280.50.

(ii) Respondent Activity:

- Report the release to the implementing agency (e.g., by telephone or electronic mail).

(f2) Initial Abatement Measures Report and Site Check

§280.62(b) requires owners and operators to submit within 20 days, or another reasonable period determined by the implementing agency, a report summarizing initial abatement steps taken and any resulting information or data in accordance with §280.62(a).

(i) Data Item:

- Report on initial abatement steps and resulting information or data.

(ii) Respondent Activities:

- Gather information during initial abatement; and
- Prepare and submit a summary report of initial abatement steps.

(f3) Initial Site Characterization

§280.63 requires owners and operators to assemble information about the site and the nature of the release, including information from initial abatement measures in §§280.60 and 280.61. Under §280.63(b), the information collected must be submitted to the implementing agency within 45 days of the release confirmation or another reasonable period of time determined by the implementing agency, in a manner that demonstrates its applicability and technical adequacy, or in a format and according to the schedule required by the implementing agency.

(i) Data Items:

- Data on the nature and estimated quantity of the release (§280.63(a)(1)).
- Data on surrounding populations, water quality, use, and locations of wells, subsurface soil conditions, locations of subsurface sewers, climatological conditions, and land use (§280.63(a)(2)).
- Results of the site check under §280.62(a)(5) (§280.63(a)(3)).
- Results of free product investigations under §280.62(a)(6) (§280.63(a)(4)).

(ii) Respondent Activities:

- Gather information for the initial site characterization; and
- Prepare and submit information per implementing agency instructions.

(f4) Free Product Removal

§280.64 requires owners and operators to remove free product to the maximum extent practicable if investigations under §280.62(a)(6) indicate removal is warranted. Under §280.64(d), owners and operators must assemble information and prepare and submit a free product removal report within 45 days after confirmation of a release.

(i) Data Items:

- Names of people responsible for free product removal measures (§280.64(d)(1)).
- Estimated quantity, type, and thickness of free product observed or measured (§280.64(d)(2)).
- Type of recovery system used (§280.64(d)(3)).
- Location of discharge, if any (§280.64(d)(4)).
- Type of treatment applied to, and effluent quality expected from, any discharge (§280.64(d)(5)).
- Steps that have been or are being taken to obtain permits for discharges (§280.64(d)(6)).
- Disposition of recovered free product (§280.64(d)(7)).

(ii) Respondent Activities:

- Gather information for free product removal report; and
- Prepare and submit report.

(f5) Investigations for Soil and Groundwater Cleanup

§280.65 requires owners and operators to conduct investigations of soil and groundwater if any of the following conditions exist: (1) there is evidence that groundwater wells have been affected; (2) free product is found; (3) there is evidence of contaminated soils in contact with groundwater; or (4) there are potential effects of soil or groundwater on nearby surface water and groundwater resources. Under §280.65(b), owners and operators must submit information covering the release, the release site and the area affected by the release after investigating the impacts of the release on the soils and groundwater. The information must be collected and submitted within a reasonable time established by the implementing agency if the conditions in §§280.65(a)(1) through (4) exist.

(i) Data Item:

- Information on soil and groundwater impacts of release.

(ii) Respondent Activities:

- Gather information from soil and groundwater cleanup investigations; and
- Submit collected information.

(f6) Corrective Action Plan

§280.66 specifies corrective action requirements for USTs. The implementing agency may require owners and operators to submit additional information or a corrective action plan for responding to contaminated soils or groundwater. Upon approval, owners and operators must implement the plan and report the results of implementation. In addition, in order to keep contamination at a site to a minimum, owners and operators may begin cleanup prior to plan approval by notifying the implementing agency of the intention to begin cleanup and including the cleanup measures in the corrective action plan, provided they comply with any conditions imposed by the implementing agency and incorporate self-initiated cleanup measures into the corrective action plan.

(i) Data Items:

- Additional information or a corrective action plan for responding to contaminated soils or groundwater.
- Notification of commencing cleanup prior to obtaining corrective action plan approval.
- A report on plan implementation results.

(ii) Respondent Activities:

- Prepare and submit a corrective action plan or additional information;
- If applicable, notify the implementing agency of early cleanup; and
- Report the results of implementing the plan.

(g) Subpart G: Out-of-Service UST Systems and Closure

(g1) Permanent Closure and Changes-in-Service Notification

§280.71(a) requires that owners and operators notify the implementing agency of any decision to permanently close or make a change-in-service at an UST system. The notification must be made at least 30 days prior to beginning permanent closure or change-in-service actions. The notification can be made using the general notification form, available on EPA's website (<https://www.epa.gov/ust/notification-forms-underground-storage-tanks>). After notification, but before completing a closure or change-in-service, the owner or operator must complete an excavation zone assessment under §280.72(a).

(i) Data Item:

- Notification of permanent closure or change-in-service at an UST system; and
- Excavation zone assessment.

(ii) Respondent Activities:

- Notify the implementing agency of permanent closure or a change-in-service at least 30 days prior to the activity; and
- Conduct an excavation zone assessment.

(g2) Closure Records

§280.74 requires owners and operators to maintain records in accordance with section 280.34 that are capable of showing compliance with closure requirements. Owners and operators also are required to maintain results of the excavation zone assessment required in section 280.72 for at least three years after completion of permanent closure or change-in-service.

(i) Data Items:

- Records showing compliance with closure requirements (§280.74).

(ii) Respondent Activities:

- Maintain closure records after permanent closure or a change-in-service for at least three years after the results of the excavation zone assessment are obtained.
- Mail the records to the implementing agency if the records cannot be maintained at the closed UST site.

(h) Subpart H: Financial Responsibility

(h1) Financial Responsibility Mechanisms

40 CFR Part 280, Subpart H financial responsibility requirements apply to all owners and operators of petroleum USTs, except those exempted in §280.90(d).

Owners and operators may use any one or a combination of the mechanisms listed in §§280.95 through 280.103 to demonstrate financial responsibility. In addition to these options, a local government operator may use any one or a combination of the mechanisms listed in §§280.104 through 280.107. Each of these options is described in detail below.

Financial Test of Self Assurance

§280.95 outlines the procedures for a financial test of self-assurance as a means of satisfying the financial responsibility requirements. Owners and operators have the option of meeting the criteria specified in either §280.95(b) or 280.95(c).

(i) Data Items:

The §280.95(b) criteria require:

- A letter signed by the Chief Financial Officer (CFO), worded exactly as stated in §280.95(d) (§280.95(b)(3)); and
- Annual financial statements (§280.95(b)(4)(i)) or annual tangible net worth statements (§280.95(b)(4)(ii)).

The §280.95(c) criteria require:

- Fiscal year-end financial statements of the owner or operator, or the guarantor, and an independent certified public accountant (CPA) report (§280.95(c)(2));
- A letter signed by the CFO, worded exactly as stated in §280.95(d) (§280.95(c)(4)); and
- A special report from an independent CPA, if annual financial statements were not submitted to the Securities and Exchange Commission, Energy Information Administration, or Rural Utilities Service (§280.95(c)(5)).

The implementing agency also may require submittal of the following data items at any time:

- Reports of financial condition (§280.95(f)); and
- A notification of failure to find alternate financial assurance, if the owner or operator cannot find such assurance within 150 days of finding that he or she cannot meet the requirements of the financial test, or within 30 days of notice from the implementing agency (§280.95(g)).

(ii) Respondent Activities:

- Obtain a signed and dated letter from the CFO and keep it on file;
- File financial statements annually with the U.S. Securities and Exchange Commission, Energy Information Administration, or Rural Utilities Service; or report the tangible net worth annually to Dun and Bradstreet; and
- Maintain current financial condition records.

Owners and operators demonstrating the financial test under §280.95(c) must conduct the following activities:

- Have an independent CPA examine financial statement and prepare a report;
- Obtain a signed and dated letter from the CFO and keep it on file;
- Obtain a special report from an independent CPA if annual financial statements were not submitted to the U.S. Securities and Exchange Commission, Energy Information Administration, or Rural Utilities Service; and
- Maintain current financial condition records.

Owners and operators also may have to perform the following activities:

- Submit current financial condition reports, if requested by the implementing agency; and

- Notify the implementing agency within 10 days if the owner or operator fails to obtain alternative financial assurance within 150 days of discovering, or within 30 days of being notified by the implementing agency, that he or she no longer meets the financial test.

[NOTE: This ICR covers the burden associated with these activities under §280.110 (reporting) and §280.111 (recordkeeping).]

Guarantee

§280.96 outlines the procedures for obtaining a guarantee as a means of satisfying the financial responsibility requirements.

(i) Data Items:

- A letter from the CFO of the guarantor, as worded in §280.95(d) (§280.96(a));
- A guarantee, as specified in §280.96(c); and
- A standby trust agreement worded exactly as stated in §280.103(b) (§280.96(d)).
[The trust agreement burden is covered subsequently in this ICR.]

(ii) Respondent Activities:

- Obtain a letter from the CFO of the guarantor and keep it on file; and
- Obtain a guarantee from the guarantor and keep it on file.

[NOTE: This ICR covers the burden associated with these activities under §280.111 (recordkeeping).]

Insurance and Risk Retention Group Coverage

§280.97 outlines the procedures for obtaining liability insurance as a means of satisfying the financial responsibility requirements.

(i) Data Item:

- Insurance or risk retention group coverage policy with endorsement amendment (§§280.97(a) through (b)).

(ii) Respondent Activity:

- Obtain an insurance or risk retention group coverage policy and keep it on file.

[NOTE: This ICR covers the burden associated with this activity under §280.111 (recordkeeping).]

Surety Bond

§280.98 outlines the procedures for obtaining a surety bond as a means of satisfying the financial responsibility requirements.

- (i) Data Items:
 - A surety bond worded exactly as stated in §280.98(b); and
 - A standby trust agreement worded exactly as stated in §280.103(b) (§280.98(d)).
[The trust agreement burden is covered subsequently in this ICR.]
- (ii) Respondent Activity:
 - Obtain a copy of the surety bond and keep it on file.

[NOTE: This ICR covers the burden associated with this activity under §280.111 (recordkeeping).]

Letter of Credit

§280.99 outlines the procedures for obtaining a letter of credit as a means of satisfying the financial responsibility requirements.

- (i) Data Items:
 - An irrevocable standby letter of credit worded exactly as stated in §280.99(b); and
 - A standby trust agreement worded exactly as stated in §280.103(b) (§280.99(c)).
[The trust agreement burden is covered subsequently in this ICR.]
- (ii) Respondent Activity:
 - Maintain the irrevocable standby letter of credit and keep it on file.

[NOTE: This ICR covers the burden associated with this activity under §280.111 (recordkeeping).]

Use of State-Required Mechanisms

§280.100 allows UST owners and operators in states without program approval to satisfy the requirements of §280.93 by using a state-required financial mechanism, if approved by EPA. The owner or operator, state, or any other party may request approval.

- (i) Data Items:
 - A written petition requesting that one or more of the state-required mechanisms be considered for meeting §280.93 requirements (§280.100(c));

- Copies of state statutory and regulatory requirements and amounts of funds for coverage (§280.100(c)); and
 - Additional information, as deemed necessary by EPA (§280.100(c)).
- (ii) Respondent Activities:
- Prepare and submit the petition package; and
 - Retain a copy of the petition package.

[NOTE: This ICR covers the burden associated with these activities under §280.110 (reporting) and §280.111 (recordkeeping).]

State Fund or Other State Assurance

§280.101 allows UST owners and operators in states without program approval to satisfy the requirements of §280.93 by using a state fund or other state assurance, if approved by EPA. To satisfy the requirements of §280.93, the owner or operator must obtain a letter or certificate from the state.

- (i) Data Item:
- A letter or certificate issued by the state containing: (1) the facility's name and address; and (2) the amount of funds for corrective action and/or for compensating third parties that is assured by the state (§280.101(d)).
- (ii) Respondent Activity:
- Obtain a letter or certificate from the state and keep it on file.

[NOTE: This ICR covers the burden associated with this activity under §280.111 (recordkeeping).]

Trust Fund

§280.102 outlines the procedures for using a trust fund as a means of satisfying the financial responsibility requirements.

- (i) Data Items:
- A trust agreement worded exactly as stated in §280.103(b)(1), accompanied by formal certification of acknowledgment as specified in §280.103(b)(2) (§280.102(b)); and
 - If the value of the trust fund is greater than the required amount of coverage, or if other financial assurance is substituted, a written request for the release of excess funds (§280.102(d) through (e)).

(ii) Respondent Activities:

- Release report;
- Prepare the trust agreement and formal certification of acknowledgment and keep it on file; and
- Prepare a written request for release of excess funds, if applicable, and submit it.

[NOTE: This ICR covers the burden associated with these activities under §280.110 (reporting) and §280.111 (recordkeeping).]

Standby Trust Fund

§280.103 outlines the procedures for using a standby trust fund as a means of satisfying the financial responsibility requirements. Owners and operators using mechanisms described in §280.96, §280.98, and §280.99 must establish a standby trust fund in addition to satisfying the other requirements of those sections.

(i) Data Items:

- A trust agreement worded exactly as stated in §280.103(b)(1), accompanied by formal certification of acknowledgment as specified in §280.103(b)(2).

(ii) Respondent Activity:

- Prepare the standby trust fund agreement and any amendments and keep it on file.

[NOTE: This ICR covers the burden associated with this activity under §280.111 (recordkeeping).]

Local Government Bond Rating Test

§280.104 states that a general-purpose local government owner or operator and/or a local government as a guarantor may satisfy the requirements of §280.93 by having outstanding issues of bonds of \$1 million or more.

(i) Data Items:

- A copy of the owner or operator's bond rating of the past 12 months by Moody's or Standard and Poor's (§280.104(c));
- A letter from the CFO exactly as stated in §280.104(d) for a general-purpose local government owner or operator and/or guarantor, or as stated in §280.104(e) for a non-general-purpose local government owner or operator and/or guarantor;
- Current records of financial condition (§280.104(f)); and
- Notification of failure to obtain alternate assurance after ceasing to meet the requirements of the local government bond rating test (§280.104(h)).

(ii) Respondent Activities:

- Maintain current copy of bond ratings;
- Prepare a signed letter from the CFO and keep it on file;
- If requested, prepare records of current financial conditions and submit them; and
- Notify the implementing agency of failure to obtain alternate assurance after ceasing to meet the requirements of the local government bond rating test.

[NOTE: This ICR covers the burden associated with these activities under §280.110 (reporting) and §280.111 (recordkeeping).]

Local Government Financial Test

§280.105 states that a local government UST owner or operator may satisfy the requirements of §280.93 by passing a financial test.

(i) Data Items:

- Financial statements for the latest completed fiscal year with information on the following (§280.105(b)(1)):
 - Total revenues;
 - Total expenditures;
 - Local revenues;
 - Debt service;
 - Total funds; and
 - Population served by the local government.
- Letter from CFO exactly as stated in §280.105(c) (§280.105(b)(3));
- Current records of financial condition (§280.105(e)); and
- Notice within 10 days of failure to obtain alternate assurance, if the owner or operator no longer meets the financial test requirements (§280.105(f)).

(ii) Respondent Activities:

- Maintain a copy of the financial statements for the last completed fiscal year;
- Prepare a signed letter from the CFO and keep it on file;
- If requested, prepare records of current financial conditions and submit them; and
- Notify the implementing agency within 10 days if the owner or operator fails to obtain alternative financial assurance within 150 days of discovering, or within 30 days of being notified by the implementing agency, that he or she no longer meets the financial test requirements.

[NOTE: This ICR covers the burden associated with these activities under §280.110 (reporting) and §280.111 (recordkeeping). See sections g1.3 and g1.4.]

Local Government Guarantee

A local government owner or operator may satisfy the requirements of §280.93 by obtaining a guarantee as specified in §280.106. The guarantor must be the state in which the local government owner or operator is located or a local government having a “substantial governmental relationship” with the owner or operator.

(i) Data Items:

- A demonstration of meeting the bond rating test of §280.104 and a copy of the CFO letter in §280.104(d) and §280.104(e) (§280.106(a)(1)); or
- A demonstration of meeting the worksheet test requirements of §280.105 and a copy of the CFO letter in §280.105(c) (§280.106(a)(2)); or
- A demonstration of meeting the local government fund requirements of §280.107(a), 280.107(b), or 280.107(c) and a copy of the CFO letter in §280.107 (§280.106(a)(3));
- If necessary, a notice of inability to demonstrate financial assurance (§280.106(b)); and
- Guarantee worded exactly as stated in §280.106(d) or (e), depending on which of the alternative guarantee arrangements is selected (§280.106(c)).

(ii) Respondent Activities:

- Prepare a demonstration of meeting the requirements of §280.104, 280.105, or 280.107(a) through (c) and a signed letter from the CFO and keep them on file;
- If necessary, prepare a notice of inability to meet financial assurance requirements and submit it; and
- Obtain a guarantee agreement and keep it on file.

[NOTE: This ICR covers the burden associated with these activities under §280.110 (reporting) and §280.111 (recordkeeping).]

Local Government Fund

§280.107 states that a local government owner or operator may satisfy the requirements of §280.93 by establishing a dedicated fund account. The fund is dedicated to pay for corrective action and for compensating third parties in the event of accidental releases from petroleum USTs.

(i) Data Items:

- A signed letter from the local government’s CFO and/or guarantor, worded exactly as stated in §280.107(d);
- A copy of the constitutional provision or local government statute, charter, ordinance, or order dedicating the fund (§§280.107(d) and 280.111(b)(9)(i));

- Year-end financial statements for the most recent year, and the previous year's balance, if applicable (§§280.107(d) and 280.111(b)(9)(ii)); and
- If an owner or operator is using incremental funding backed by bonding authority, results of a voter referendum, or an attestation by the state attorney general (§§280.107(c)(2) and 280.111(b)(9)(iii)).

(ii) Respondent Activities:

- Obtain a signed letter(s) from the CFO and/or the guarantor and keep it on file;
- Maintain a copy of the statute or other mandate dedicating the fund;
- Maintain all year-end financial statements; and
- Maintain documentation of the bonding authority, including either the results of a voter referendum or attestation by the state attorney general;

[NOTE: This ICR presents the burden associated with these activities under §280.111 (recordkeeping).]

Substitution of Financial Assurance Mechanisms by the Owner or Operator

§280.108(b) states that an owner or operator may cancel a financial assurance mechanism after obtaining alternate financial assurance.

(i) Data Item:

- Notice to the provider of the original financial assurance (§280.108(b)).

(ii) Respondent Activity:

- Prepare a notice of alternate financial assurance and submit it to the original financial assurance provider.

[NOTE: This ICR covers the burden associated with this activity under §280.110 (reporting) and §280.111 (recordkeeping).]

(h2) Cancellation or Nonrenewal by a Provider of Financial Assurance

A provider of financial assurance may cancel or fail to renew an assurance mechanism according to the procedures outlined in §280.109. The data item associated with such an action is a notice of termination, which is submitted to the UST owner or operator. If alternate financial coverage is not obtained within 60 days of being notified of the termination, owners or operators must inform the implementing agency of the failure to obtain coverage.

(i) Data Items:

- Notice of termination to UST owner or operator (§280.109(a));
- Notice of failure to obtain alternate coverage to the implementing agency;

- Name and address of the provider of financial assurance (§280.109(b)(1));
- Effective date of the termination (§280.109(b)(2)); and
- Evidence of the financial assurance mechanism subject to termination (§280.109(b)(3)).

(ii) Respondent Activities:

- Prepare a notice of termination and submit it;
- Prepare a notification and submit it to the implementing agency if unable to obtain alternate coverage within 60 days of receiving a notice of termination.

(h3) Reporting

§280.110 establishes financial responsibility reporting requirements for owners and operators who: (1) identify a reportable UST release; or (2) fail to obtain alternative coverage.

(i) Data Item:

- Report of the appropriate forms listed in §280.111(b).

(ii) Respondent Activity:

- Gather forms listed in §280.111(b) and submit them to the implementing agency documenting current evidence of financial responsibility.

(h4) Recordkeeping

§280.111(b)(11) requires an owner or operator to maintain an updated copy of a certification of financial responsibility, as worded in §280.111(b)(11)(i).

(i) Data Item:

- Record of updated certification of financial responsibility.

(ii) Respondent Activities:

- Prepare a certification of financial responsibility and keep it on file; and
- Update the certification whenever the financial assurance mechanism is modified.

(h5) Bankruptcy or Other Incapacity

§280.114 sets forth notification requirements regarding bankruptcy or other incapacities for UST owners and operators, and providers of financial assurance. Data items associated with these requirements must be submitted within 10 days after commencement of bankruptcy proceedings:

- (i) Data Items:
- For owners and operators, a notification to the implementing agency of commencement of bankruptcy proceedings and forms listed in §280.111(b) documenting current financial responsibility (§280.114(a));
 - For financial assurance providers, a notice to the UST owner or operator of commencement of bankruptcy proceedings as required under the terms of the guarantee specified in §280.96 (§280.114(b));
 - For local government owners and operators, a notification to the implementing agency of commencement of bankruptcy proceedings and forms documenting current financial responsibility (§280.114(c));
 - For local government financial assurance providers, a notice to the local government owner or operator of commencement of bankruptcy proceedings and forms documenting current financial responsibility (§280.114(d)); and
 - For owners and operators who are unable to obtain alternate financial assurance within 30 days after receiving notice of bankruptcy from a provider, a notice to the implementing agency of such failure (§280.114(e)).
- (ii) Respondent Activities:
- Prepare a notification and submit it within 10 days of commencement of bankruptcy procedures; and
 - If necessary, prepare a notification of inability to obtain alternate financial assurance and submit it within 30 days.

(i) Subpart J: Operator Training

40 CFR Part 280, Subpart J requires that all owners and operators of UST systems designate Class A, Class B, and Class C operators for each facility. Operators must complete a training program or an examination. §280.245 requires owners and operators to maintain records verifying that training and retraining, as applicable, have been completed.

- (i) Data Item:
- Record of operator training and retraining, as applicable.
- (ii) Respondent Activities:
- Complete an operator training program or an examination (§280.242);
 - Complete retraining, as applicable (§280.244); and
 - Maintain records (§280.245)
- (j) Subpart K: Field-Constructed Tanks and Airport Hydrant Fuel Distribution Systems**

Subpart K requires owners and operators of field-constructed tanks (FCTs) and airport hydrant fuel distribution systems (AHFDSs) comply with Subparts A through H and J, with certain exceptions. The information collection requirements of Subparts A through H and J are described under those respective subparts.

In addition, Subpart K also requires owners of FCTs and AHFDSs to submit a one-time notice of tank system existence within one year of the effective date of the revised regulations.

- (i) Data Item:
 - Notification from owners of FCTs and AHFDSs.
- (ii) Respondent Activity:
 - For owners of FCTs and AHFDSs, prepare notification forms and submit them within three years of the effective date of the regulations.

(2) State Agency Respondents

Regulations at 40 CFR Part 281 contain state program approval procedures for states that wish to administer their own UST programs in lieu of the federal program. A state must obtain approval for its program from EPA. Part 281 is divided into six subparts (i.e., Subparts A through F), four of which contain information collection requirements. This ICR summarizes the information collection requirements and the associated data items and respondent activities, in the order in which they appear in Part 281, in the following subparts:

- Components of a program application (Subpart B);
- Adequate enforcement of compliance (Subpart D);
- Approval procedures (Subpart E); and
- Withdrawal of approval of state programs (Subpart F).

(a) Components of a Program Application

(a1) Transmittal Letter

§281.20(a) states that any state seeking to administer its own UST program must submit in its application a transmittal letter from the governor of the state requesting program approval (§281.20(a)).

- (i) Data Item:
 - Transmittal letter from the governor of the state requesting program approval (§281.20(a)).
- (ii) Respondent Activities:

- Obtain a transmittal letter from the governor’s office; and
- Submit the letter to the implementing agency.

(a2) Description of State Program

§§281.20(b) and 281.21 outline that any state seeking to administer its own UST program must submit in its application a description of the program that the state plans to implement in place of the federal program.

(i) Data Items:

- The scope of the program, including whether (§281.21(a)):
 - Regulation is for UST systems containing petroleum or hazardous substances or both.
 - The program is more stringent or broader in scope than the federal program, and in what ways.
 - The state has jurisdiction over Indian lands or agreements with Indian tribes.
- Organization and structure of state and local agencies responsible for administering the program (§281.21(b)).
- State staff resources for execution of the program (§281.21(c)).
- Existing state funding mechanisms to meet the cost of administering the program (§281.21(d)).

(ii) Respondent Activities:

- Prepare and submit the description of the program.

(a3) Procedures for Adequate Enforcement

§281.22 states that any state seeking to administer its own UST program must submit in its application a description of compliance monitoring and enforcement policies and procedures, including judicial review procedures (§§281.22 and 281.20(c)).

(i) Data Item:

- Description of compliance monitoring and enforcement policies and procedures, including judicial review procedures (§§281.22 and 281.20(c)).

(ii) Respondent Activities:

- Gather and submit information on compliance monitoring and enforcement procedures.

(a4) Memorandum of Agreement

§281.24 states that any state seeking to administer its own UST program must negotiate areas of coordinated effort and responsibilities with EPA.

(i) Data Item:

- A Memorandum of Agreement (MOA) concerning roles and responsibilities of EPA and the state (§§281.24 and 281.20(e)).

(ii) Respondent Activities:

- Negotiate a MOA with EPA; and
- Prepare and submit the MOA with the program application.

(a5) Attorney General's Statement

§281.25 states that any state seeking to administer its own UST program must submit a written demonstration from the attorney general stating that the laws of the state are sufficiently stringent to enforce the state program proposed. The statement must include citations to statutes, regulations, judicial decisions, and analysis of any state authority to regulate USTs on Indian lands (§§281.25 and 281.20(f)).

(i) Data Item:

- Written demonstration from the attorney general stating that the laws of the state are sufficiently stringent to enforce the proposed state program, including citations to statutes, regulations, judicial decisions, and analysis of any state authority to regulate USTs on Indian lands (§§281.25 and 281.20(f)).

(ii) Respondent Activities:

- Draft and submit the statement from the attorney general.

(a6) Copies of Statutes and Regulations

§281.20(g) states that any state seeking to administer its own UST program must submit in its application copies of all applicable state statutes and regulations (§281.20(g)).

(i) Data Item:

- Copies of all applicable state statutes and regulations (§281.20(g)).

(ii) Respondent Activities:

- Research and gather statutes and regulations; and

- Submit copies as a part of the application.

(b) Adequate Enforcement and Compliance

§281.43(a) requires states with approved programs to furnish to EPA, at any time, information in state files on the administration of the program, including data on enforcement and compliance under section 281.40. This includes information submitted to the state with or without a claim of confidentiality (§281.43(a)).

(i) Data Item:

- Information on program administration, including data on enforcement and compliance under section 281.40.

(ii) Respondent Activities:

- Maintain files and current information on program administration; and
- Submit information to EPA, if requested.

(c) Approval Procedures

§281.50(b) specifies that before submitting an application to EPA for approval of a state program, states must provide an opportunity for public notice and comment.

(i) Data Item:

- Notification soliciting public comment on development of an UST program.

(ii) Respondent Activities:

- Issue notification; and
- Receipt and review of public comments.

§§281.52(a) through (b) specifies program revision requirements that may be initiated by either EPA or the approved state.

(i) Data Items:

- Notification of changes in the state program that may require a revision of the approved program.
- A revised application, if requested by EPA.

(ii) Respondent Activities:

- Collect and submit information on changes in regulations or shifts in responsibilities.
- Prepare and submit revised application, if requested by EPA.

(d) Withdrawal of Approval of State Programs

A state with an approved program may transfer voluntarily any responsibilities required by federal law (§281.61(a)(1)).

(i) Data Items:

- A notice of the transfer to be given to EPA.
- A plan for orderly information transfers from the state to EPA of all program information.

(ii) Respondent Activities:

- Gather information.
- Prepare and submit transfer notification.
- Develop and submit a plan for information transfer between the state and EPA at least 90 days before the transfer occurs.

In addition to the regulations at 40 CFR Part 281, §280.22 describes notification requirements for UST systems. Any person who assumes ownership of a regulated UST system must submit a notice of the ownership change to the implementing agency within 30 days of acquisition. The revisions would also require owners of FCTs and AHFDSs to submit a one-time notice of ownership within one year of the effective date of the regulations (§280.251(b)). States will need to process these notification forms.

(i) Data Items:

- Notification form indicating change in ownership from any person who assumes ownership of a regulated UST system;
- One-time notification of existence for AHFDSs and FCTs.

(ii) Respondent Activities:

- Process notification form indicating change in ownership from any person who assumes ownership of a regulated UST system; and
- Process one-time notification of existence for AHFDSs and FCTs.

5. THE INFORMATION COLLECTED – AGENCY ACTIVITIES, COLLECTION METHODOLOGY, AND INFORMATION MANAGEMENT

This section discusses how the implementing agency will collect and manage the information received from respondents. This section also includes a discussion of how EPA has taken steps to ensure that the information collections are not overly burdensome on small entities.

5(a) Agency Activities

(1) Owner and Operator Respondents

Most information required of UST owners and operators is maintained in records at a facility and is only formally submitted to EPA or the implementing agency if requested. This analysis assumes that the Agency will spend a minimal amount of time reviewing these data during facility inspections.

This ICR assumes that EPA or the implementing agency reviews and files submitted information, including notification forms; site, chemical property, and health information; information on suspected releases, spills, or overfills; site characterizations; abatement procedure information; free product information; soil and groundwater information; corrective action plans and implementation reports; and applicable financial assurance information. Much of the information listed above is also entered into a database for the purposes of recordkeeping and analysis.

EPA or the implementing agency must notify owners and operators of approval or disapproval of corrective action plans. EPA or the implementing agency also is responsible for conducting public involvement activities, such as notifying the public of a release or failure to remediate a release sufficiently. EPA or the implementing agency also must notify owners and operators if they fail to meet the requirements of financial assurance at any time.

(2) State Agency Respondents

States applying for program approval must follow procedures at 40 CFR Part 281. EPA must review and file program applications and all associated information, as described in §281.50. EPA must determine approval or disapproval for all new or revised state program applications. EPA is required to issue public notice of all decisions and consider public comments. EPA must issue public notice of any transfer of program responsibilities. EPA also must inform a state with an approved program if the Agency is planning to take enforcement action against violators of the UST regulations.

This ICR also assumes that the state agency will review and file notification forms submitted by UST owners and operators.

5(b) Collection Methodology and Management

In collecting and analyzing the information associated with this ICR, the implementing agency uses electronic equipment such as personal computers and database and modeling software, as applicable. The implementing agency ensures the accuracy and completeness of the collected information by reviewing each submittal.

5(c) Small Entity Flexibility

In promulgating the UST regulations covered under this ICR, EPA attempted to minimize the reporting and recordkeeping burden for small businesses.

5(d) Collection Schedule

(1) Owner and Operator Respondents

The implementing agency will collect information from UST owners and operators on a one-time, ongoing, or special circumstance basis. The implementing agency collects various types of data according to the following schedules:

- *One-time collections:* notification forms, closure records, and change-in-service forms.
- *Ongoing collections:* performance of release detection, records to demonstrate compatibility with biofuels, maintenance of repair and release detection records.
- *Special circumstance collections:* release reporting and response information, including site information, chemical property and health information, financial responsibility records, and testing release prevention equipment after repairs.

(2) State Agency Respondents

States applying for program approval submit most of their information in a one-time application, but also must submit additional information if requested by EPA. EPA collects all submitted information according to the following frequency:

- *One-time collections:* Complete program application and associated information and revised application.
- *Special circumstance collections:* Withdrawal of approval of state program information, transfer of program information, and plans for the transfer of program responsibilities.

6. ESTIMATING THE HOUR AND COST BURDEN OF THE COLLECTION

6(a) *Estimating Respondent Hours*

Exhibits 1A, 1B, and 2 present EPA’s estimates of the information collection burdens on respondents for all the requirements covered in this ICR. Exhibits 1A and 1B cover the information collection burdens on owners and operators. Exhibit 2 covers the information collection burdens on state agencies. The burden estimates for each activity presented in these exhibits include the burden hours (total and by labor type) per respondent, as well as the overall burden hours for all respondents.

For certain information collection activities, Exhibit 1 presents a burden for both the owner/operator and for any contractors hired by the owner/operator. For example, for the activity “Gather information” under “Reporting of Suspected Releases (\$280.50),” this ICR assumes that owner/operators will spend 5 hours associated with this information collection activity and that contractors billing by the hour will spend 51 hours on this activity. In total, the owner/operator time plus contractor time necessary to fulfill this information collection activity is 56 hours.

6(b) *Estimating Respondent Costs*

EPA estimates respondent costs for all activities covered in this ICR in Exhibits 1A, 1B, and 2. These costs are based on the cost of labor, capital, and operation and maintenance (O&M) activities.

Labor Costs

Table 3 shows the estimated average hourly labor cost (including overhead and fringe), by labor category, for facilities/contractors, commercial AHFDS facilities, and states. These labor rates were used to calculate the labor cost to all respondents in conducting the reporting and recordkeeping activities covered in this ICR, as shown in Exhibits 1A, 1B, and 2.

Table 3
Estimated Average Hourly Respondent Labor Cost, by Labor Category

Respondent	Legal	Managerial	Technical	Clerical
Facilities/Contractors	\$118.79	\$54.79	\$32.92	\$23.37
Commercial AHFDS Facilities	\$206.45	\$116.11	\$58.28	\$38.81
States	\$87.14	\$93.73	\$55.87	\$29.45

For all labor categories, EPA derived the labor costs based on mean hourly wages reported in the May 2017 National Occupational Employment and Wage Estimates from the U.S. Department of Labor's Bureau of Labor Statistics (BLS).⁸ EPA then factored in the costs of fringe benefits: 29.6 percent of total compensation.⁹ EPA then added an overhead factor of 12 percent.¹⁰

Capital Costs

Capital costs usually include any produced physical goods needed to provide the required information, such as machinery, computers, and other equipment. For this ICR, capital costs include the cost of monitoring equipment for facilities that choose to comply with release detection requirements by using vapor monitoring, groundwater monitoring, or interstitial monitoring methods. These capital costs are shown in Exhibits 1A and 1B. They are described further in section 6(d). Capital costs also include the cost to store records related to compatibility requirements, and the costs for states to print copies of the regulations.

Operation and Maintenance Costs

O&M costs are those costs associated with a paperwork requirement incurred continually over the life of the ICR. The Paperwork Reduction Act of 1995 defines them as “the recurring dollar amount of costs associated with O&M or purchasing services.” For this ICR, O&M costs include:

⁸ Facilities and Contractors

Managerial, technical, and clerical wages are based on the May 2017 National Industry-Specific Employment and Wage Estimates for NAICS 447000 (Gasoline Stations) from the U.S. Bureau of Labor Statistics (BLS) (<https://www.bls.gov/oes/current/oesrci.htm>). Legal wages are based on the May 2017 National Occupational Employment and Wage Estimates by ownership, “Cross-industry, private ownership only” table for SOC 23-1011 from the U.S. Bureau of Labor Statistics (<https://www.bls.gov/oes/current/000001.htm#23-0000>).

Commercial AHFDSs

The labor rates shown are based on the May 2017 National Industry-Specific Employment and Wage Estimates for NAICS 481100 (Scheduled Air Transportation) from the U. S. BLS: Legal (23-1011), Managerial (11-000), Technical (53-0000), and Clerical (43-000).

State

The labor rates shown are based on the May 2017 National Occupational Employment and Wage Estimates by Ownership, “State government, including schools and hospitals” table, from the U. S. BLS: Legal (23-1011), Managerial (11-000), Technical (53-0000), and Clerical (43-000).

⁹ Fringe benefits factor is from Bureau of Labor Services Employer Costs for Employee Compensation, December 2017. Table 10: All workers, service-providing industries.

¹⁰ Office of Management and Budget, Circular No. A-76 (Revised), http://www.whitehouse.gov/sites/default/files/omb/assets/omb/circulars/a076/a76_incl_tech_correction.pdf. See Figure C-1, page C-4.

- Mailing costs: EPA estimates that respondents will incur a cost of \$0.53 to mail a 1-ounce package (i.e., \$0.50 for postage and \$0.03 for a standard size envelope).
- Photocopying costs: EPA estimates that respondents will incur a cost of \$0.13 for each photocopy they make.
- Purchase of contractor or laboratory services: Owners and operators of USTs will incur O&M costs for contractor and laboratory services. These O&M costs are in addition to the labor costs of contractors who bill by the hour; contractors' hourly labor costs are included within the "labor costs" category. These O&M costs are described further in section 6(d) for all applicable respondent activities.
- Inspection and testing costs: Owners and operators of USTs will incur O&M costs to maintain the UST equipment at their facilities. These inspection and testing costs are described further in section 6(d) for all applicable respondent activities.

These O&M costs are shown in Exhibits 1A and 1B.

6(c) Estimating Agency Hour and Cost Burden

EPA estimates the Agency hour and cost burden associated with all information collection requirements covered in this ICR in Exhibits 3 and 4. As shown in the exhibits, EPA estimates an average hourly labor cost of \$117 for legal staff (GS-15, Step 5), \$74 for managerial staff (GS-13, Step 1), \$52 for technical staff (GS-11, Step 1), and \$32 for clerical staff (GS-6, Step 1). To derive these hourly estimates, EPA referred to unloaded (base) hourly rates for various labor categories in the federal government from the U.S. Office of Personnel Management.¹¹ EPA then applied the standard government loading factor of 60 percent, which includes fringe benefits and overhead.

6(d) Estimating the Respondent Universe and Total Hour and Cost Burden

(1) Respondent Universe

(a) Owner and Operator Respondents

Table 4 presents the estimated non-federal UST universe over the three years covered by this ICR. As shown in the table, EPA estimates there will be an average of 549,528 USTs in operation during this period. EPA also estimates that, each year, owners and operators will close

¹¹ U.S. Office of Personnel Management. Locality pay area of Washington-Baltimore-Northern Virginia, DC-MD-VA-WV-PA. Salary Table 2018-DCB (effective January 2018); available at https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/18Tables/html/DCB_h.aspx

an average of 13,118 USTs and install an average of 7,920 new USTs. EPA estimates that some of the new USTs will be installed at new facilities (i.e., facilities that have not operated USTs in the past), with the remainder of new USTs installed at existing UST facilities.

Table 4

	Conventional USTs^a	Field-Constructed Tanks (FCTs)^c	Airport Hydrant Fuel Distribution Systems (AHFDSs)^c	Total
Underground Storage Tanks				
Existing USTs	549,528	6	56	549,590
New USTs installed	7,920 ^b	0	0	7,920
USTs closed	13,118 ^b	0	0	13,118
Facilities with USTs^d				
Existing facilities	202,778	1	9	202,788
New facilities	2,923	0	0	2,923
<i>Notes:</i>				
^a Conventional USTs include emergency generator tanks. EPA assumes that 3 percent of UST systems are EGTs.				
^b Based on EPA's UST end-of-year performance measure reports (https://www.epa.gov/ust/ust-performance-measures), an average of about 13,250 USTs have closed and 8,000 USTs have been installed per year during 2015-2017. EPA assumes that 99 percent of USTs are not owned by the federal government.				
^c In keeping with the Paperwork Reduction Act, the burden associated with federally owned facilities is not included in this ICR.				
^d Based on EPA data, EPA assumes the average number of UST systems per facility (across all sectors that use conventional UST systems) is approximately 2.71.				

Estimated Annual Average Non-Federal UST and Facilities Universe (2019-2021)

(b) State Agency Respondents

Table 5 presents the estimated number of states expected to seek and obtain EPA program approval during the three-year period covered by this ICR. EPA expects two states, on average, to seek program approval each year, and twelve states, on average, to seek program re-approval each year.

Table 5
Annual Number of States Expected to Receive EPA Program Approval or Re-Approval during the Period Covered by the ICR

	Number of State Program Approvals per Year			Average Annual Number of State Program Approvals, 2019 to 2021
	Year 2019	Year 2020	Year 2021	
State Program Approvals	2	2	2	2
Revisions of State Program Approvals	12	12	12	12

(2) Total Hour and Cost Burden¹²

(a) Owner and Operator Respondents

40 CFR Part 280 requires owners and operators of USTs to meet specific technical and financial responsibility requirements. Information collecting, reporting, and recordkeeping may be required on a one-time, ongoing, or special circumstance basis. The remainder of this subsection describes how EPA arrived at each of the respondent estimates in Exhibit 1A and 1B. Exhibit 1A covers 40 CFR 280 Subparts A through H, and Exhibit 1B covers 40 CFR 280 Subpart K.

(a1) Program Scope and Installation Requirements for Partially Excluded UST Systems

EPA expects all owners and operators of partially excluded UST systems to have already equipped them with corrosion protection if these systems are made of steel. Therefore, EPA expects that owners and operators will have no burden associated with this section.

(a2) UST Systems: Design, Construction, Installation, and Notification

The owners and operators of newly regulated facilities will read the design, construction, installation, and notification regulations. Thus, this activity will take place each year at an average of 2,923 facilities (see Table 4).

EPA expects all owners and operators to have already equipped UST systems with corrosion protection if these systems are made of steel. Therefore, EPA expects that owners and operators will no burden associated with this action.

EPA data indicates that 27,476 existing tanks have been upgraded with an internal lining to meet corrosion protection requirements. EPA expects all owners and operators of these UST systems to inspect their tanks every five years. EPA estimates that each year, 5,495 tanks (i.e., $27,476 / 5 = 5,495$) will undergo the required five-year inspection. Owners and operators of lined tanks also are expected to maintain inspection records for all tanks with an internal lining to meet corrosion protection requirements.¹³

EPA believes that tank owners and operators will incur additional O&M costs for tank interior lining inspection. The O&M cost for tank interior lining inspection is \$1,689, which includes the cost for conducting the inspection and the cost of the tank being out-of-service for one day (i.e., lost profit).

¹² Due to rounding, not all figures in Exhibits 1A, 1B, and 2 sum or multiply exactly.

¹³ Although §280.21(b) does not explicitly require maintenance of inspection records, the regulations do require the use of a code of practice developed by a nationally recognized association or independent testing laboratory in order to comply with the regulations under this section. Because most of these codes of practice require maintenance of inspection records, EPA has included this burden in this ICR. In addition, EPA notes that it may use these inspection records for enforcement purposes.

EPA expects owners and operators to prepare and submit a certificate of installation and a notification in a single form for a new or replaced facility with USTs or for a new or replaced individual UST system. EPA estimates that 75 percent of new USTs are installed together with other new USTs, with 2.71 USTs per facility (i.e., number of notifications = $75\% * 7,920 / 2.71$), and 25 percent of new USTs are installed as a single UST at a facility (i.e., $25\% * 7,920$). Thus, EPA expects an average of 4,172 installation and notification submittals each year (see Table 4).

EPA estimates that 10 percent of USTs (i.e., $10\% * 549,528 = 54,953$ USTs) are sold each year. Owners and operators selling an UST must inform the buyer of his or her notification obligations.

EPA estimates that 10.1 percent of facilities change ownership each year (i.e., $10.1\% * 202,778 = 20,481$ facilities).

(a3) General Operating Requirements

Operation and maintenance of corrosion protection

EPA assumes that owners and operators of newly regulated facilities will read the regulations on general operating requirements (i.e., 2,923 annually).

In addition, owners and operators of steel USTs with cathodic protection are required to have their cathodic protection systems tested within six months of installation, once every three years thereafter and within six months of the repair of any cathodically protected system. EPA estimates that 45 percent of USTs (i.e., $45\% * 549,528 = 247,288$) are protected by cathodic systems.¹⁴ Thus, EPA estimates that, on average, 82,429 tanks (i.e., $247,288 / 3 = 82,429$) will undergo the required three-year inspection each year during the three-year period covered by this ICR. EPA estimates that 5 percent of USTs will be repaired each year. Therefore, EPA estimates that 5 percent of USTs with cathodically protected systems (i.e., $5\% * 247,288 = 12,364$) will have their cathodic protection system tested within six months of a repair. Together, EPA estimates that 94,793 USTs (i.e., $82,429 + 12,364 = 94,793$) will be inspected each year during the three-year period covered by this ICR.¹⁵

EPA estimates that of the 257,491 USTs with cathodic protection, 50 percent (i.e., 123,644 USTs) are protected by sacrificial anode cathodic systems and 50 percent (i.e., 123,644 USTs) are protected by impressed current cathodic systems. Owners and operators of impressed current cathodic systems must conduct inspections every 60 days (i.e., six times per year). Typically, each facility has one impressed current system that needs to be inspected.¹⁶ Therefore, EPA

¹⁴ Based on EPA's best professional judgment.

¹⁵ This ICR does not include the burden of cathodic protection system inspections required within six months of installation due to lack of sufficient data; as a result, this ICR slightly underestimates total burden for general operating requirements.

¹⁶ A single facility usually has only one rectifier, which requires checking every 60 days.

estimates that 273,751 inspections of impressed current cathodic systems (i.e., $123,644 / 2.71 * 6 = 273,751$) will be conducted each year.

Facilities have to maintain records of all cathodic protection system inspections conducted on an every-three-years basis and records of cathodic protection system inspections conducted as a result of repairs (i.e., 94,793 USTs).¹⁷ In addition, facilities with USTs protected by impressed current cathodic systems will have to maintain the results of the last three facility inspections of the cathodic protection equipment (i.e., $(3/6) * 273,751 = 136,876$). Thus, facilities will have to maintain a total of 231,669 records (i.e., $94,793 + 136,876 = 231,669$) associated with the inspection of cathodic protection systems.

EPA expects facilities to incur O&M costs of \$305 paid to certified contractors to test tanks' cathodic protection system. This ICR does not cover the capital cost for purchasing rectifiers for impressed current systems because such equipment is purchased as a standard business practice to monitor tank performance.

Compatibility

Owners and operators are required to notify the implementing agency at least 30 days prior to switching to certain biofuel blends. However, because owners and operators have a choice about whether to store these substances and there is a lack of information as to how many owners and operators would choose to switch each year, EPA did not include an estimate of this reporting cost in this ICR.

Owners and operators of USTs storing product containing more than 10 percent ethanol or more than 20 percent biodiesel will be required to maintain records to demonstrate compatibility with the product stored. EPA estimates that 0.4 percent of conventional UST systems store such products. EPA assumes that 10 percent of these systems can demonstrate compatibility (i.e., $0.4\% * 10\% * 549,528 = 220$ USTs).

Repairs

Secondary containment, spill prevention equipment, and overfill prevention equipment must be tested within 30 days of repairing such equipment, and records must be maintained for these repairs. EPA estimates that 18,354 UST systems with secondary containment will be repaired per year; this assumes that 20 percent of pipes with secondary containment and 5 percent of tanks with secondary containment require repair every year. The O&M cost for testing of secondary containment is \$205.

EPA assumes that spill prevention equipment requires repair or replacement once every four years, and that repairs are made 10 percent of the time. EPA estimates that 13,738 UST systems

¹⁷ Under §280.31(b), facilities are required to maintain records of the last two inspections of the cathodic protection system. This ICR assumes that facilities will conduct one of these two inspections during the three-year period covered in this ICR. The ICR further assumes that the other inspection was already conducted, and that the facilities are already maintaining the results.

will have spill prevention equipment repairs each year. Records must be maintained for these repairs. The O&M cost for testing spill prevention equipment is \$395.

EPA assumes that overfill prevention equipment requires repair or replacement once every five years, and that repairs are made 10 percent of the time. EPA estimates that 10,991 UST systems will have overfill prevention equipment repairs each year. Records must be maintained for these repairs. The O&M cost for testing overfill prevention equipment is \$436.

Owners and operators also are required to maintain records for each repair made to an UST system. EPA estimates that 5 percent of USTs will be repaired each year, for a total of 28,610 annual repairs (i.e., $5\% * 549,528 = 27,476$). EPA estimates that 20 percent of repaired USTs will also have tightness tests conducted (i.e., $20\% * 27,476 = 5,495$). EPA believes that tank owners and operators will incur additional O&M costs for tightness testing. The O&M cost for tightness testing is \$605, which includes the contractor fee for performing the test and the cost of the tank being out-of-service for one day.

Periodic testing and inspections

Owners and operators are required to test spill prevention equipment at least once every three years. EPA assumes that 10 percent of existing spill prevention equipment is double-walled and has a self-monitoring mechanism to detect potential releases. The remaining 90 percent of spill prevention equipment will need to test once every year. Therefore, EPA estimates that 164,858 UST systems will test their spill prevention equipment each year ($0.9 * 549,528 / 3 = 164,858$). The O&M cost for testing spill prevention equipment is \$395.

Owners and operators are required to containment sumps used for interstitial monitoring of piping at least once every three years. EPA estimates that 18.3 percent of piping uses interstitial monitoring. Therefore, EPA estimates that 33,521 UST systems will test their containment sumps each year ($0.183 * 549,528 / 3 = 33,521$). The O&M cost for testing these sumps is \$728.

Owners and operators are required to inspect overfill prevention equipment at least once every three years. EPA assumes that all UST systems will need to test once every year. Therefore, EPA estimates that 183,176 UST systems will test their overfill prevention equipment each year ($549,528 / 3 = 183,176$). The O&M cost for testing spill prevention equipment is \$436.

Owners and operators are required to conduct a walkthrough inspection of equipment every 30 days. EPA estimates that it will take 25 minutes to conduct this walkthrough. All facilities will need to meet this requirement. Therefore, EPA estimates that owners and operators will spend 1,013,890 hours ($0.42 \text{ hour} * 202,778 * 12 = 1,013,890$) each year doing walkthrough inspections across all 202,778 facilities.

Records are required to be maintained for all the testing and inspections described in this section.

[NOTE: §§280.34(a) and (b) respectively summarize reporting and recordkeeping requirements for UST owners and operators and cross-reference the 40 CFR Part 280 sections that describe

these requirements in detail. This ICR describes these reporting and recordkeeping burdens in each of the respective sections.]

(a4) Release Detection

Owners and operators must have a compliant leak detection system installed at each UST. §280.43 describes acceptable methods and required maintenance activities. Owners and operators must record the results of tests or measurements at prescribed intervals. Table 6 presents EPA's estimates of the number of owners and operators choosing each detection system option and the information collection requirements associated with each option.

All 2,923 owners and operators of new conventional UST facilities are expected to read the release detection regulations.¹⁸

¹⁸ EPA expects that owners and operators of existing UST facilities have already read the release detection regulations (40 CFR Part 280, Subpart D).

Table 6
Leak Detection Systems Installed at Conventional USTs

UST Leak Detection System	Estimated Percent of USTs Using System^a	Estimated Number of Conventional USTs Using System	Associated Information Collection Requirements and Collection Frequencies
Inventory control and tightness testing	1	5,495	Record daily inventory volume measurements (standard business practice; therefore, there is no incremental labor burden); record monthly water level measurements (standard business practice; there is no incremental labor burden).
Manual tank gauging with tank tightness testing	3	16,486	Record two consecutive weekly tank liquid level measurements, taken at the beginning and end of a minimum period (standard business practice; there is no incremental labor burden).
Manual tank gauging only (i.e., without tank tightness testing)	3	16,486	Record two consecutive weekly tank liquid level measurements, taken at the beginning and end of a minimum period (standard business practice; there is no incremental labor burden).
Automatic tank gauging	46	252,783	Record results of monthly automatic product level monitoring; record results of daily inventory control tests (automated activity; therefore, there is no incremental labor burden).
Vapor monitoring	2 ^b	12,694	Record results of monthly vapor monitoring.
Groundwater monitoring	2 ^b	12,035	Record results of monthly groundwater monitoring.
Interstitial monitoring	20	106,608	Record results of monthly interstitial monitoring.
Other method (e.g., statistical inventory reconciliation)	16	87,925	No activities specified in the federal regulations. However, the implementing agency may specify certain activities to be conducted by owner or operator (e.g., record test results).
Leak Detection System for Piping			
Line leak detectors	82	453,031	Conduct annual test of the operation of the automatic line leak detection test and record results.
Line tightness testing	33	183,652	Conduct annual line tightness test and record results.
<p><i>Notes:</i></p> <p>a. Percentages are based on EPA research or best professional judgment.</p> <p>b. EPA research estimates that 2.31 percent of UST systems use vapor monitoring and 2.19 percent of UST systems use groundwater monitoring.</p>			

Operability tests

Owners and operators are required to perform a test of the proper operation of their release detection equipment annually, at a minimum. To conduct the annual operability test, EPA estimates that facilities using ATGs will need 1.5 hours of technical labor, facilities using interstitial monitoring systems will need 0.25 hour of technical labor, facilities using groundwater and vapor monitoring systems will need 0.25 hour of technical labor, and facilities with line leak detectors will need 1.5 hours of technical labor.

EPA assumes all UST systems with ATGs will undergo this test (i.e., 252,783). EPA estimates that 20 percent of UST systems use interstitial monitoring and assumes that six percent of tanks relying on interstitial monitoring use manual testing and therefore would not be required to conduct operability tests. As a result, EPA estimates that owners and operators of 103,311 UST systems ($0.94 * 0.20 * 549,528 = 103,311$) will need to test their interstitial monitoring equipment. EPA estimates that 24,729 UST systems will have their groundwater and vapor monitoring systems tested (see Table 6). EPA research indicates that 82.44 percent of UST systems uses a pressurized piping product delivery system. Of these, 33.42 percent use electronic line leak detection. As a result, EPA estimates that owners and operators of 151,403 UST systems ($0.8244 * 0.3342 * 549,528 = 151,403$) will conduct annual operability tests on their line leak detection system.

Release detection

Because the methodologies set forth under inventory control, manual tank gauging, and automatic tank gauging (§§280.43(a) through (c)) describe activities that conventional UST operators perform as standard business practices, they are not included as burdens in this ICR. EPA expects that all of the facilities using inventory control and facilities using manual tank gauging with tank tightness testing will perform a tank tightness test every five years.¹⁹ Thus, EPA expects that, each year, facilities will perform tank tightness testing on 1,099 conventional USTs with an inventory control system (i.e., $5,495 / 5 = 1,099$) and on 3,297 conventional USTs with manual tank gauging (i.e., $16,486 / 5 = 3,297$). EPA estimates that facilities will incur contractor-related O&M costs of \$605 for the cost of performing each tank tightness test. This O&M cost includes a contractor fee for performing the test and the cost of the tank being out-of-service for one day (i.e., lost profit).

Facilities that choose to comply with release detection requirements by using either vapor monitoring, groundwater monitoring, or interstitial monitoring methods will incur capital costs for monitoring equipment.²⁰ The annualized cost of a vapor monitoring system (control box with sensors), assuming an average of four 20-foot-deep wells, amounts to an estimated \$733 *per*

¹⁹ EPA expects that all tanks will be tested every five years because the 1998 deadline required the closure of all tanks for which annual testing was required.

²⁰ Capital costs were annualized over 20 years (i.e., the expected life of equipment) using OMB's approved discount rate of 7 percent (OMB Circular A-94).

facility.²¹ The annualized cost of a groundwater monitoring system is estimated at \$469 *per facility*.²² The annualized cost of an interstitial monitoring system (control box with sensors), including installation costs, is approximately \$384 *per tank*.²³ Maintenance of the monitoring sensors is not considered a significant cost because maintenance of the sensors is inexpensive.

EPA estimates that 82.44 percent of conventional USTs use line leak detectors to detect catastrophic releases from piping. Thus, facilities are expected to conduct an annual line leak detector test on 453,031 tanks (i.e., 82.44% * 549,528 = 453,031). The cost of purchasing line leak detectors is not included as a burden in this ICR, because the use of these devices is a standard business practice. EPA estimates that 33.42 percent of conventional USTs use line tightness testing to detect releases from piping.²⁴ These facilities are expected to conduct an annual line tightness test on 183,652 tanks (i.e., 33.42% * 549,528 = 183,652).

EPA expects that each year, every conventional UST facility (i.e., 202,778 facilities) will maintain records of their test and measurement results, regardless of the release detection method used, as well as maintain records of their annual operability tests.

(a5) Release Reporting, Investigation, and Confirmation

EPA assumes that owners and operators of newly regulated facilities will read the regulations on release reporting, investigation and confirmation (2,923 annually).

EPA estimates that each year, 6,000 uncontrolled releases from USTs will be confirmed. Assuming that 60 percent of suspected releases are confirmed, EPA estimates that every year, 10,000 owners and operators will suspect that a release has occurred from one of their USTs.²⁵ These owners and operators will gather information and submit a report on the suspected release. When characterizing a suspected leak, EPA believes that facilities will incur contractor-related O&M costs of \$3,178 associated with basic soil characterization work and lab analysis activities.

²¹ Prior to discounting, estimated purchase price is \$7,765.

²² Prior to discounting, estimated purchase price is \$4,969.

²³ Prior to discounting, estimated purchase price is \$4,068.

²⁴ Based on program experience, EPA believes that approximately 82 percent of the lines are pressurized and 16 percent are suction lines. However, EPA was unable to estimate the number of suction lines that require leak detection monitoring and use three-year line tightness testing. Therefore, this ICR assumes that all lines used are pressurized piping for line tightness testing calculations. Because suction lines do not have to comply with certain leak detection requirements, this ICR overestimates the burden for this section.

²⁵ These data are based on historical tank release records maintained by EPA.

(a6) Release Response and Corrective Action for UST Systems Containing Petroleum or Hazardous Substances

EPA assumes that owners and operators of newly regulated facilities will read the regulations on release response (i.e., 2,923 annually).

Owners and operators must provide information on all 6,000 confirmed releases. Owners and operators of facilities with releases also must gather information and prepare and submit reports on initial abatement measures and initial site characterization. EPA assumes that facilities will incur O&M costs in preparing a summary report of the initial abatement steps based on information obtained from initial characterization activities. This activity could require additional sampling and analysis depending on the scope of the problem. EPA assumes that facilities will incur contractor-related O&M costs in gathering, preparing, and submitting information for the initial site characterization, as this activity often requires sampling well borings and laboratory analyses.

EPA estimates that initial investigations at 20 percent of confirmed releases (i.e., $20\% * 6,000 = 1,200$ releases) will identify the presence of free product. These facilities must prepare and submit a free product removal report, thereby incurring contractor-related O&M costs.

EPA estimates that initial investigations at 75 percent of confirmed releases (i.e., $75\% * 6,000 = 4,500$ releases) will demonstrate that soil and groundwater investigations are warranted. These facilities are expected to gather information and prepare and submit reports. Facilities will incur further contractor-related O&M costs preparing soil and groundwater investigation reports. Additional characterization work could be required depending on the scope of the release and the geology of the site.

EPA estimates that initial investigations at 60 percent of confirmed releases (i.e., $60\% * 6,000 = 3,600$ releases) will demonstrate that corrective action is warranted. These facilities must prepare and submit a corrective action plan and report on the results of corrective action implementation. EPA estimates that at 10 percent of these releases (i.e., $10\% * 3,600 = 360$ releases), the owner or operator will notify the implementing agency that they will begin corrective action before they receive corrective action plan approval. The Agency believes that facilities will incur contractor-related O&M costs when preparing a corrective action plan and reporting (quarterly) the results of a corrective action implementation plan.

(a7) Out-of-Service UST Systems and Closure

EPA estimates that owners and operators will close 13,118 USTs each year (see Table 4). In addition, owners and operators are also required to close lined tanks that are no longer performing in accordance with original design specifications and cannot be repaired according to a code of practice. EPA estimates 151 lined UST systems will close each year. As a result, EPA estimates that a total of 13,269 USTs will close each year (i.e., $13,118 + 151 = 13,269$). EPA estimates that each year, 4,896 owners and operators of closing facilities (i.e., $13,269 \text{ USTs closed} / 2.71 \text{ USTs per facility} = 4,896$) will read the out-of-service UST systems and closure regulations. Owners of these closing USTs must notify the implementing agency of closure, conduct an excavation zone assessment, and maintain closure records.

EPA estimates that facilities will incur contractor-related O&M costs when conducting a site assessment of an excavation zone. EPA further estimates that for 25 percent of these USTs, owners and operators will not be able to maintain the records on-site for each UST closure. These owners and operators must mail closure records for 3,279 USTs (i.e., $25\% * 13,118 = 3,279$) to the implementing agency each year.

(a8) Financial Responsibility²⁶

EPA assumes that owners and operators of newly regulated facilities will read the financial responsibility regulations (i.e., 2,923 owners and operators annually).²⁷

40 CFR Part 280, Subpart H requires owners and operators to demonstrate financial responsibility for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental UST releases. A current certificate of financial responsibility must be maintained at each site where USTs are located. According to EPA data, approximately 70 percent of UST facilities demonstrate financial responsibility through a state fund or other state assurance, with the remaining 30 percent of facilities using one or more of the other mechanisms described in 40 CFR Part 280, Subpart H. All 202,778 facilities will have to perform the respondent activities associated with their financial responsibility mechanism, as described in section 4 of this ICR, and keep on file a certification of financial responsibility. [NOTE: This ICR covers the burden associated with these activities under §280.110 (reporting) and §280.111 (recordkeeping).]

²⁶ Although financial responsibility is not required for hazardous substance tanks, this ICR does not remove hazardous substance tanks from the financial responsibility analysis because EPA does not separately track the number of hazardous substance tanks. Therefore, this ICR slightly overestimates the burden for financial responsibility.

²⁷ While EPA has included the requirement to obtain financial assurance as an annual burden, it is expected that all existing UST owners and operators have already read the financial responsibility regulations. Therefore, this ICR assumes that owners and operators of only the owners and operators of newly regulated facilities will read the financial responsibility regulations each year.

EPA estimates that providers of financial assurance will cancel or fail to renew policies at 2 percent of UST facilities (i.e., $2\% * 202,778 = 4,056$ facilities) each year. EPA also estimates that 10 percent of those facilities experiencing a cancellation or non-renewal (i.e., $10\% * 4,056 = 406$ facilities) will be unable to obtain alternative financial coverage within 60 days and will notify the implementing agency of such failure.

In addition to maintaining financial responsibility records, facilities with confirmed releases (estimated at 6,000 releases per year) will submit their records to EPA or the implementing agency under §280.110(a)1 as a result of a release. EPA also expects 25 percent of the overall universe of facilities (i.e., $25\% * 202,778 = 50,694$ facilities) to update their certification each year to reflect changes in their financial assurance mechanism.

EPA estimates that each year, an additional 1 percent of UST facilities (i.e., $1\% * 202,778 = 2,028$ facilities) will experience a disruption in financial coverage due to bankruptcy. EPA estimates that 10 percent of those owners or operators experiencing such a disruption (i.e., $10\% * 2,028 = 203$ facilities) will be unable to obtain alternative financial coverage within 60 days and will notify the implementing agency of such failure.

(a9) Operator Training

EPA assumes that owners and operators of newly regulated facilities will read the regulations on operator training (i.e., 2,923 annually). EPA assumes that all new facilities will train Class A, Class B, and Class C operators.

EPA assumes that Class A operators will spend 10 managerial hours to take a webinar followed by an exam (with a cost of \$196 for the test fee). Besides the new facilities, EPA also assumes that Class A operators at facilities will turnover at an average rate of 22 percent each year. Therefore, EPA estimates that 47,534 Class A operators (i.e., $44,611 + 2,923 = 47,534$) will need to take operator training each year.

EPA assumes that Class B operators will spend 10 technical hours to take a webinar followed by an exam (with a cost of \$196 for the test fee). EPA also assumes that Class B operators at facilities will turnover at an average rate of 22 percent each year. Therefore, EPA estimates that 47,534 Class B operators (i.e., $44,611 + 2,923 = 47,534$) will need to take operator training each year.

EPA assumes that a Class B operator will spend one hour to train three Class C operators (one clerical hour for each Class C operator). EPA also assumes that Class C operators at facilities will turnover at an average rate of 119.5 percent each year. Therefore, EPA estimates that 245,242 (i.e., $242,319 + 2,923 = 245,242$) Class C operators will be trained each year.

All facilities are required to maintain operator training records.

(a10) Subpart K

40 CFR Part 280 Subpart K requires owners and operators of field-constructed tanks (FCTs) and airport hydrant fuel distribution systems (AHFDSs) to comply with Subparts A through H and J, with certain exceptions. Information collecting, reporting, and recordkeeping may be required on a one-time, ongoing, or special circumstance basis. The remainder of this subsection describes how EPA arrived at each of the respondent estimates in Exhibit 1.

EPA estimates that there is one non-federally owned facility with FCTs (with 6 UST systems), and all but 9 AHFDS facilities (with 56 UST systems) are federally owned. Consistent with the Paperwork Reduction Act, this ICR does not include the burden on UST facilities owned by the federal government. EPA also assumes all existing UST owners and operators of FCTs and AHFDSs have already read the regulations.

Design, Construction, Installation, and Notification

EPA assumes that no new underground FCTs nor new commercial AHFDSs with sufficient underground piping to qualify as UST systems will be installed. Therefore, there is no burden associated with this subpart.

General Operating Requirements

EPA assumes that commercial FCTs and AHFDSs are already equipped with corrosion protection. EPA assumes that 45 percent of UST systems associated with FCTs and AHFDSs are protected by cathodic protection. Thus, EPA estimates that, on average, 9 UST systems ($0.45 * 62 / 3 = 9$) will undergo the required three-year inspection each year. EPA also assumes that of the 28 UST systems with cathodic protection, 50 percent (i.e., $28 / 2 = 14$) are protected by impressed current cathodic systems. Owners and operators of impressed current cathodic systems must conduct inspections every 60 days (i.e., six times per year). Therefore, EPA estimates that 84 inspections of impressed current cathodic systems (i.e., $28 / 2 * 6 = 84$) will be conducted each year.

EPA assumes that 21.4 percent of all overfills require repairs every year (based on EPA research on the test pass rates for overfill alarms, flow restrictors, and automatic shutoff devices). The testing costs associated with these tests include a cost of \$435 for overfill protection equipment. Therefore, EPA estimates that 13 UST systems associated with FCTs and AHFDSs ($62 * 0.214 = 13$) will have to inspect their overfill prevention equipment after a repair and have to maintain records associated with these inspections.

Further, Subpart C also requires owners and operators to conduct activities associated with the maintenance of repair records. This consists of: (1) gathering information on each repair; (2) conducting a tightness test 30 days after repair; and (3) maintaining records. EPA assumes three percent of facilities with FCTs and AHFDSs require repair annually. Therefore, EPA estimates that 0.3 test after repair will be conducted each year ($10 * 0.03 = 0.3$). EPA assumes that tightness testing performed after a repair costs \$2,030.

Owners and operators of FCTs and AHFDSs must inspect overflow prevention equipment every three years. EPA assumes it will take 8 hours of technical labor plus a testing cost of \$248 per tank. EPA estimates that 21 UST systems will inspect their overflow prevention equipment each year (i.e., $62 / 3 = 21$).

Owners and operators of FCTs and AHFDSs must conduct monthly walkthrough inspections. EPA assumes it will take 115 minutes of technical labor for a standard facility (i.e., 8 associated tanks, 5 miles of piping, with 2 sections of piping per mile of piping run). EPA estimates that all 10 FCT and AHFDSs facilities will conduct monthly walkthrough inspections every year.

Release Detection

EPA assumes that the commercial FCTs and AHFDS facilities will use an alternative release detection method to meet the release detection requirements (i.e., precision testing of their tanks and piping segments). Based on EPA research, EPA estimates that the 10 FCT and AHFDS facilities have 62 UST systems, and 76 piping sections. EPA estimates that precision testing costs for tanks is \$6,457 and facilities will conduct these tests annually. EPA estimates that precision testing costs for piping is \$6,090 per piping segment and facilities will conduct these tests semi-annually.

*Release Reporting, Investigation, and Confirmation*²⁸

EPA assumes that five percent of all FCT and AHFDS facilities will have a suspected release each year (i.e., $0.05 * 10 = 0.5$ facility). Gathering information on the suspected release occurs on two levels – the facility level and the contractor level. Facilities are assumed to use one managerial hour and four technical on gathering information, as well as \$3,179 in operation and maintenance costs. EPA assumes contractors use five managerial hours, 31 technical hours, and 15 clerical hours with no operation and maintenance costs.

EPA assumes that 80 percent of facilities with suspected releases report them (i.e., $0.05 * 10 * 0.8 = 0.40$ facility), which requires 0.25 managerial hour and 0.25 clerical hour and \$1.83 in operation and maintenance costs. EPA also assumes that three percent of all facilities with FCTs and AHFDSs will report a fill or overflow, and three percent will notify EPA in the event the owners and operators are unable to clean up the spill or overflow (i.e., $0.03 * 10 = 0.3$ facility).

Release Response and Corrective Action

Owners and operators of AHFDSs must provide information on all confirmed releases at 0.7 facility (i.e., the facilities reporting suspected releases and the facilities reporting spill and overflow releases). Owners and operators of facilities with releases also must gather information and prepare and submit reports on initial abatement measures and initial site characterization. EPA assumes that facilities will incur O&M costs in preparing a summary report of the initial abatement steps based on information obtained from initial characterization activities. This activity could require additional sampling and analysis depending on the scope of the problem.

²⁸ For conventional USTs, the number of releases is used to estimate burden. For Subpart K, the burden is based on the number of facilities.

EPA assumes that facilities will incur contractor-related O&M costs in gathering, preparing, and submitting information for the initial site characterization, as this activity often requires sampling well borings and laboratory analyses.

EPA estimates that initial investigations at 20 percent of these facilities (i.e., $20\% * 0.7 = 0.14$) will identify the presence of free product. These facilities must prepare and submit a free product removal report, thereby incurring contractor-related O&M costs.

EPA estimates that initial investigations at 75 percent of these facilities (i.e., $75\% * 0.7 = 0.53$) will demonstrate that soil and groundwater investigations are warranted. These facilities are expected to gather information and prepare and submit reports. Facilities will incur further contractor-related O&M costs preparing soil and groundwater investigation reports. Additional characterization work could be required depending on the scope of the release and the geology of the site.

EPA estimates that initial investigations at 60 percent of these facilities (i.e., $60\% * 0.7 = 0.42$) will demonstrate that corrective action is warranted. These facilities must prepare and submit a corrective action plan and report on the results of corrective action implementation. EPA estimates that 10 percent of these facilities (i.e., $10\% * 0.7 = 0.07$), the owner or operator will notify the implementing agency that they will begin corrective action before they receive corrective action plan approval. The Agency believes that facilities will incur contractor-related O&M costs when preparing a corrective action plan and reporting (quarterly) the results of a corrective action implementation plan.

Out-of-Service UST Systems and Closures

EPA assumes that no commercial AHFDSs with sufficient underground piping will undergo closure. Therefore, there is no burden associated with this subpart.

Financial Responsibility

EPA assumes that all FCT and AHFDS facilities will obtain and keep on file proof of financial responsibility. In addition, EPA assumes that 0.7 facility (i.e., the facilities reporting suspected releases and the facilities reporting spill and overfill releases) will submit current evidence of financial responsibility as a result of a confirmed release.

Operator Training

EPA assumes that all current FCT and AHFDS facilities will each have one trained Class A operator and three trained Class B operators. EPA assumes a turnover rate of 22 percent each year for Class A and Class B operators. Therefore, EPA estimates that each year two Class A operators (i.e., $0.22 * 10 = 2$) will need to be trained, and 7 Class B operators (i.e., $0.22 * 10 * 3 = 7$) will need to be trained.

One-Time Notification of Existence

EPA assumes that all FCT and AHFDS facilities will submit a one-time notification of existence. On average, this equals to three facilities submitting a notification each year during this ICR period.

**EXHIBIT 1A
ANNUAL ESTIMATED RESPONDENT HOUR AND COST BURDEN
CONVENTIONAL USTS**

Information Collection Activity	Hours and Costs per Respondent per Activity								Total Hours and Costs		
	Legal Hours	Managerial Hours	Technical Hours	Clerical Hours	Respon. Hours/Activity	Labor Cost/Activity	Capital/Startup Costs per Activity	O&M Costs/Activity	Number of Respon. or Activ.	Total Hours/Year	Total Cost/Year
SUBPART A: PROGRAM SCOPE AND INSTALLATION REQUIREMENTS FOR PARTIALLY EXCLUDED UST SYSTEMS											
Reading the Regulations											
Read the regulations	0.25	0.25	0.25	0.25	1.00	\$57.47	\$0.00	\$0.00	0	0	\$0
Partially Excluded UST System Installations (§ 280.11(a))											
Have a corrosion expert inspect the site	0.00	6.00	22.00	11.00	39.00	\$1,310.16	\$0.00	\$499.00	0	0	\$0
Maintain records	0.00	0.00	0.00	0.10	0.10	\$2.34	\$0.00	\$0.13	0	0	\$0
Subtotal									0	0	\$0
SUBPART B: UST SYSTEMS: DESIGN, CONSTRUCTION, INSTALLATION, AND NOTIFICATION											
Reading the Regulations											
Read the regulations	0.25	0.25	0.50	0.00	1.00	\$59.86	\$0.00	\$0.00	2,923	2,923	\$174,933
Performance Standards for New UST Systems - Tanks and Piping Without Corrosion Protection (§280.20(a),(b))											
Have a corrosion expert inspect the site	0.00	6.00	22.00	11.00	39.00	\$1,310.16	\$0.00	\$499.00	0	0	\$0
Maintain records	0.00	0.00	0.00	0.10	0.10	\$2.34	\$0.00	\$0.13	0	0	\$0
Periodic Lining Inspections (§280.21)											
Have the lined tank inspected within ten years after lining and every five years thereafter	0.00	0.00	6.00	0.00	6.00	\$197.54	\$0.00	\$1,689.00	5,495	32,972	\$10,367,078
Maintain records	0.00	0.00	0.00	0.10	0.10	\$2.34	\$0.00	\$0.13	27,476	2,748	\$67,790
Notification Requirements (§280.22)											
Prepare and submit forms within 30 days of bringing an UST system into use	0.00	0.50	0.25	0.00	0.75	\$35.63	\$0.00	\$1.83	4,172	3,129	\$156,276
Notify purchaser of an UST of owner's notification obligations	0.00	0.00	0.00	1.00	1.00	\$23.37	\$0.00	\$1.83	54,953	54,953	\$1,385,084
Prepare and submit notification form within 30 days of assuming ownership of an UST system	0.00	0.25	0.00	0.00	0.25	\$13.70	\$0.00	\$0.66	20,481	5,120	\$294,115
Subtotal										101,844	\$12,445,276

* Due to rounding, columns may not sum exactly.

EXHIBIT 1A (continued)
ANNUAL ESTIMATED RESPONDENT HOUR AND COST BURDEN
CONVENTIONAL USTS

Information Collection Activity	Hours and Costs per Respondent per Activity								Total Hours and Costs		
	Legal Hours	Managerial Hours	Technical Hours	Clerical Hours	Respon. Hours/ Activity	Labor Cost/ Activity	Capital/ Startup Costs per Activity	O&M Costs/ Activity	Number of Respon. or Activ.	Total Hours/ Year	Total Cost/ Year
SUBPART D: RELEASE DETECTION											
Reading the Regulations											
Read the regulations	0.50	0.50	1.00	0.00	2.00	\$119.71	\$0.00	\$0.00	2,923	5,845	\$349,865
Operability test of release detection equipment (\$280.40)											
Operability test - ATG	0.00	0.00	1.50	0.00	1.50	\$49.39	\$0.00	\$0.00	252,783	379,174	\$12,483,787
Operability test - Interstitial Monitoring	0.00	0.00	0.25	0.00	0.25	\$8.23	\$0.00	\$0.00	103,311	25,828	\$850,345
Operability test - Groundwater and vapor monitoring	0.00	0.00	0.25	0.00	0.25	\$8.23	\$0.00	\$0.00	24,729	6,182	\$203,540
Operability test - Line Leak Detection	0.00	0.00	1.50	0.00	1.50	\$49.39	\$0.00	\$0.00	151,403	227,104	\$7,477,096
Release Detection for Tanks (\$280.43)											
<i>Inventory Control</i>											
Record delivery, dispensing and inventory measurements on a daily basis	0.00	0.00	0.25	0.00	0.25	\$8.23	\$0.00	\$0.00	0	0	\$0
Record monthly water level measurements, reconcile measurements monthly	0.00	0.00	0.00	0.50	0.50	\$11.69	\$0.00	\$0.00	0	0	\$0
Perform tank tightness testing (in conjunction with inventory control)	0.00	0.25	0.15	0.25	0.65	\$24.48	\$0.00	\$605.00	1,099	714	\$691,798
<i>Manual Tank Gauging with Tank Tightness Testing</i>											
Record monthly water level measurements, reconcile measurements monthly	0.00	0.00	0.00	0.50	0.50	\$11.69	\$0.00	\$0.00	0	0	\$0
Record weekly tank liquid level measurements	0.00	0.00	0.00	0.05	0.05	\$1.17	\$0.00	\$0.00	0	0	\$0
Perform tank tightness testing (in conjunction with manual tank gauging)	0.00	0.25	0.15	0.25	0.65	\$24.48	\$0.00	\$605.00	3,297	2,143	\$2,075,519
<i>Manual Tank Gauging Only (without Tank Tightness Testing)</i>											
Record monthly water level measurements, reconcile measurements monthly	0.00	0.00	0.00	0.50	0.50	\$11.69	\$0.00	\$0.00	0	0	\$0
Record weekly tank liquid level measurements	0.00	0.00	0.00	0.05	0.05	\$1.17	\$0.00	\$0.00	0	0	\$0
<i>Automatic Tank Gauging</i>											
Record results of monthly automatic product level monitoring tests	0.00	0.00	0.05	0.00	0.05	\$1.65	\$0.00	\$0.00	0	0	\$0
Record daily inventory volume measurements	0.00	0.00	0.02	0.00	0.02	\$0.66	\$0.00	\$0.00	0	0	\$0
<i>Vapor Monitoring</i>											
Record results of monthly vapor monitoring	0.00	0.00	1.67	0.00	1.67	\$54.98	\$733.00	\$0.00	4,684	7,823	\$3,691,014
<i>Groundwater Monitoring</i>											
Record results of monthly groundwater monitoring	0.00	0.00	1.67	0.00	1.67	\$54.98	\$469.00	\$0.00	4,441	7,416	\$2,326,985
<i>Interstitial Monitoring</i>											
Record results of monthly interstitial monitoring	0.00	0.00	0.60	0.00	0.60	\$19.75	\$384.00	\$0.00	106,608	63,965	\$43,043,423
<i>Alternative Technology</i>											
Prepare and submit a demonstration of the effectiveness of an alternative technology	0.00	2.00	8.00	1.00	11.00	\$396.34	\$0.00	\$5.45	0	0	\$0
Release Detection for Piping (\$280.44)											
Conduct annual test of the operation of the automatic line leak detector in accordance with the manufacturer's requirements	0.00	0.00	0.25	0.00	0.25	\$8.23	\$0.00	\$0.00	453,031	113,258	\$3,728,853
Record results of annual line leak detection test	0.00	0.00	0.05	0.00	0.05	\$1.65	\$0.00	\$0.00	453,031	22,652	\$745,771
Conduct annual line tightness test	0.00	0.00	1.50	0.00	1.50	\$49.39	\$0.00	\$0.00	183,652	275,478	\$9,069,727
Record results of annual line tightness test	0.00	0.00	0.02	0.00	0.02	\$0.66	\$0.00	\$0.00	183,652	3,673	\$120,930

EXHIBIT 1A (continued)

ANNUAL ESTIMATED RESPONDENT HOUR AND COST BURDEN
CONVENTIONAL USTS

Information Collection Activity	Hours and Costs per Respondent per Activity								Total Hours and Costs		
	Legal Hours	Managerial Hours	Technical Hours	Clerical Hours	Respon. Hours/Activity	Labor Cost/Activity	Capital/Startup Costs per Activity	O&M Costs/Activity	Number of Respon. or Activ.	Total Hours/Year	Total Cost/Year
SUBPART E: RELEASE REPORTING, INVESTIGATION, AND CONFIRMATION											
Reading the Regulations											
Read the regulations	0.25	0.25	0.50	0.00	1.00	\$59.86	\$0.00	\$0.00	2,923	2,923	\$174,933
Reporting of Suspected Releases (§280.50)											
Gather information - Facility	0.00	1.00	4.00	0.00	5.00	\$186.49	\$0.00	\$3,178.00	10,000	50,000	\$33,644,853
Gather information - Contractor	0.00	5.00	31.00	15.00	51.00	\$1,645.17	\$0.00	\$0.00	10,000	510,000	\$16,451,658
Report the suspected release	0.00	0.25	0.00	0.00	0.25	\$13.70	\$0.00	\$1.83	10,000	2,500	\$155,307
Subtotal										565,423	\$50,426,750
SUBPART F: RELEASE RESPONSE AND CORRECTIVE ACTION FOR UST SYSTEMS CONTAINING PETROLEUM OR HAZARDOUS SUBSTANCES											
Reading the Regulations											
Read the regulations	0.50	0.50	1.00	0.00	2.00	\$119.71	\$0.00	\$0.00	2,923	5,845	\$349,865
Initial Response (§280.61(a))											
Report the confirmed release by telephone or electronic mail	0.00	0.50	0.50	0.00	1.00	\$43.86	\$0.00	\$0.00	6,000	6,000	\$263,143
Initial Abatement Measures Report and Site Check (§280.62(a)(b))											
Gather information during initial abatement	0.00	3.00	1.00	0.00	4.00	\$197.30	\$0.00	\$971.00	6,000	24,000	\$7,009,777
Prepare and submit summary report of initial abatement steps - Facility	0.50	1.50	1.00	0.00	3.00	\$174.50	\$0.00	\$396.00	6,000	18,000	\$3,423,029
Prepare and submit summary report of initial abatement steps - Contractor	0.00	4.00	27.00	13.00	44.00	\$1,411.94	\$0.00	\$0.00	6,000	264,000	\$8,471,619
Initial Site Characterization (§280.63)											
Gather information for initial site characterization - Facility	0.00	6.00	1.00	0.00	7.00	\$361.67	\$0.00	\$3,754.00	6,000	42,000	\$24,694,013
Gather information for initial site characterization - Contractor	0.00	9.00	54.00	27.00	90.00	\$2,902.04	\$0.00	\$0.00	6,000	540,000	\$17,412,216
Prepare and submit information per instructions	0.50	1.50	1.00	0.00	3.00	\$174.50	\$0.00	\$522.00	6,000	18,000	\$4,179,029
Free Product Removal (§280.64)											
Gather information for free product removal report - Facility	0.00	1.50	3.25	0.00	4.75	\$189.19	\$0.00	\$460.00	1,200	5,700	\$779,026
Gather information for free product removal report - Contractor	0.00	6.00	38.00	19.00	63.00	\$2,023.91	\$0.00	\$0.00	1,200	75,600	\$2,428,692
Prepare and submit report	0.50	1.00	0.00	0.00	1.50	\$114.19	\$0.00	\$157.00	1,200	1,800	\$325,423
Investigations for Soil and Groundwater Cleanup (§280.65)											
Gather information for investigation report - Facility	0.00	2.00	0.00	0.00	2.00	\$109.58	\$0.00	\$3,572.00	4,500	9,000	\$16,567,118
Gather information for investigation report - Contractor	0.00	10.00	69.00	31.00	110.00	\$3,544.17	\$0.00	\$0.00	4,500	495,000	\$15,948,760
Submit collected information	0.50	0.75	0.00	0.00	1.25	\$100.49	\$0.00	\$464.00	4,500	5,625	\$2,540,197
Corrective Action Plan (§280.66)											
Prepare and submit corrective action plan or additional information - Facility	2.00	2.25	0.00	0.00	4.25	\$360.86	\$0.00	\$1,152.00	3,600	15,300	\$5,446,294
Prepare and submit corrective action plan or additional information - Contractor	0.00	20.00	78.00	39.00	137.00	\$4,575.37	\$0.00	\$0.00	3,600	493,200	\$16,471,317
Notify implementing agency of early cleanup	0.00	0.50	0.00	0.00	0.50	\$27.40	\$0.00	\$1.83	360	180	\$10,522
Report results of implementing plan - Facility	2.00	2.75	0.00	0.00	4.75	\$388.25	\$0.00	\$834.00	3,600	17,100	\$4,400,117
Report results of implementing plan - Contractor	0.00	8.00	37.00	19.00	64.00	\$2,100.57	\$0.00	\$0.00	3,600	230,400	\$7,562,045

EXHIBIT 1A (continued)

ANNUAL ESTIMATED RESPONDENT HOUR AND COST BURDEN
CONVENTIONAL USTS

Information Collection Activity	Hours and Costs per Respondent per Activity								Total Hours and Costs		
	Legal Hours	Managerial Hours	Technical Hours	Clerical Hours	Respon. Hours/Activity	Labor Cost/Activity	Capital/Startup Costs per Activity	O&M Costs/Activity	Number of Respon. or Activ.	Total Hours/Year	Total Cost/Year
SUBPART G: OUT-OF-SERVICE UST SYSTEMS AND CLOSURE											
Reading the Regulations											
Read the regulations	0.25	0.25	0.50	0.00	1.00	\$59.86	\$0.00	\$0.00	4,896	4,896	\$293,082
Permanent Closure and Change-In-Service Notification (§280.71(a))											
Notify the implementing agency of permanent closure or change-in-service	0.00	0.25	0.00	0.00	0.25	\$13.70	\$0.00	\$1.83	13,269	3,317	\$206,080
Conduct site assessment of excavation zone - Facility	0.00	2.75	0.00	0.00	2.75	\$150.67	\$0.00	\$2,914.00	13,269	36,490	\$40,665,692
Conduct site assessment of excavation zone - Contractor	0.00	6.00	40.00	18.00	64.00	\$2,066.39	\$0.00	\$0.00	13,269	849,227	\$27,419,214
Closure Records (§280.74)											
Maintain records after permanent closure or change-in-service for at least three years	0.00	0.00	0.00	0.10	0.10	\$2.34	\$0.00	\$0.13	13,269	1,327	\$32,738
Mail records to implementing agency if they cannot be maintained on site	0.00	0.00	0.00	0.50	0.50	\$11.69	\$0.00	\$5.45	3,279	1,640	\$56,205
Subtotal										896,897	\$68,673,010
SUBPART H: FINANCIAL RESPONSIBILITY											
Reading the Regulations											
Read the regulations	0.50	0.50	1.00	0.00	2.00	\$119.71	\$0.00	\$0.00	2,923	5,845	\$349,865
Cancellation or Nonrenewal by a Provider of Financial Assurance (§280.109)											
Prepare and submit a notice of termination of financial assurance	0.25	0.00	0.50	0.25	1.00	\$52.00	\$0.00	\$1.83	4,056	4,056	\$218,332
If necessary, prepare and submit notice of failure to obtain alternative coverage within 60 days	0.00	0.50	1.00	0.25	1.75	\$66.16	\$0.00	\$1.83	406	710	\$27,576
Reporting (§280.110)											
Gather and submit forms listed in Section 280.110(a)1 to the implementing agency documenting current evidence of financial responsibility per 289.110(b) as a result of a release	0.00	0.00	0.00	0.25	0.25	\$5.84	\$0.00	\$1.83	6,000	1,500	\$46,056
Recordkeeping (§280.111)											
Obtain and keep on file proof of financial responsibility	0.00	0.00	0.25	0.10	0.35	\$10.57	\$0.00	\$0.13	202,778	70,972	\$2,169,338
Update certification if financial assurance mechanism is modified	0.00	0.00	0.50	0.25	0.75	\$22.30	\$0.00	\$0.00	50,694	38,021	\$1,130,730
Bankruptcy or Other Incapacity (§280.114)											
Prepare and submit notification of commencement of bankruptcy procedures	0.50	0.25	0.50	0.25	1.50	\$95.40	\$0.00	\$1.83	2,028	3,042	\$197,162
If necessary, prepare and submit notice of inability to obtain alternative coverage within 30 days	0.00	0.50	1.00	0.25	1.75	\$66.16	\$0.00	\$1.83	203	355	\$13,788
Subtotal										124,500	\$4,152,847

* Due to rounding, columns may not sum exactly.

EXHIBIT 1A (concluded)
ANNUAL ESTIMATED RESPONDENT HOUR AND COST BURDEN
CONVENTIONAL USTS

Information Collection Activity	Hours and Costs per Respondent per Activity								Total Hours and Costs		
	Legal Hours	Managerial Hours	Technical Hours	Clerical Hours	Respon. Hours/Activity	Labor Cost/Activity	Capital/Startup Costs per Activity	O&M Costs/Activity	Number of Respon. or Activ.	Total Hours/Year	Total Cost/Year
SUBPART J : OPERATOR TRAINING											
Reading the Regulations											
Read the regulations	0.50	0.50	1.00	0.00	2.00	\$119.71	\$0.00	\$0.00	2,923	5,845	\$349,865
Requirements for operator training (§ 280.242)											
Complete an operator training program or an examination per 280.242: Class A	0.00	10.00	0.00	0.00	10.00	\$547.91	\$0.00	\$196.00	47,534	475,337	\$35,360,707
Complete an operator training program or an examination per 280.242: Class B	0.00	0.00	10.00	0.00	10.00	\$329.24	\$0.00	\$196.00	47,534	475,337	\$24,966,386
Complete an operator training program or an examination per 280.242: Class C	0.00	0.00	1.00	3.00	4.00	\$103.04	\$0.00	\$0.00	245,242	980,969	\$25,269,646
Recordkeeping (§ 280.245)											
Maintain records	0.00	0.00	0.00	0.10	0.10	\$2.34	\$0.00	\$0.13	202,778	20,278	\$500,294
Subtotal										1,957,764	\$6,446,897
TOTAL										8,708,942	\$677,653,025

* Due to rounding, columns may not sum exactly.

**EXHIBIT 1B
ANNUAL ESTIMATED RESPONDENT HOUR AND COST BURDEN
SUBPART K**

Information Collection Activity	Hours and Costs per Respondent per Activity								Total Hours and Costs		
	Legal Hours	Managerial Hours	Technical Hours	Clerical Hours	Respon. Hours/Activity	Labor Cost/Activity	Capital/Startup Costs per Activity	O&M Costs/Activity	Number of Respon. or Activ.	Total Hours/Year	Total Cost/Year
SUBPART B: UST SYSTEMS: DESIGN, CONSTRUCTION, INSTALLATION, AND NOTIFICATION											
Reading the Regulations											
Read the regulations	0.25	0.25	0.50	0.00	1.00	\$109.78	\$0.00	\$0.00	0	0	\$0
Performance Standards for New UST Systems - Tanks and Piping Without Corrosion Protection (§ 280.20(a),(b))											
Have a corrosion expert inspect the site	0.00	6.00	22.00	11.00	39.00	\$2,405.75	\$0.00	\$499.00	0	0	\$0
Maintain records	0.00	0.00	0.00	0.10	0.10	\$3.88	\$0.00	\$0.13	0	0	\$0
Periodic Lining Inspections (§ 280.21)											
Have the lined tank inspected within ten years after lining and every five years thereafter	0.00	0.00	6.00	0.00	6.00	\$349.69	\$0.00	\$1,689.00	0	0	\$0
Maintain records	0.00	0.00	0.00	0.10	0.10	\$3.88	\$0.00	\$0.13	0	0	\$0
Notification Requirements (§ 280.22)											
Prepare and submit forms within 30 days of bringing an UST system into use	0.00	0.50	0.25	0.00	0.75	\$72.63	\$0.00	\$0.00	0	0	\$0
Notify purchaser of an UST of owner's notification obligations	0.00	0.00	0.00	1.00	1.00	\$38.81	\$0.00	\$0.00	0	0	\$0
Prepare and submit notification form within 30 days of assuming ownership of an UST system	0.00	0.25	0.00	0.00	0.25	\$29.03	\$0.00	\$0.00	0	0	\$0
Subtotal									0	0	\$0
SUBPART C: GENERAL OPERATING REQUIREMENTS											
Reading the Regulations											
Read the regulations	0.25	0.25	0.50	0.00	1.00	\$109.78	\$0.00	\$0.00	0	0	\$0
Operation and Maintenance of Corrosion Protection (§ 280.31)											
Have a qualified tester conduct inspection for all cathodic protection systems within six months of installation, at least every three years thereafter, and within six months of the repair of any cathodically protected system	0.00	0.10	0.15	0.00	0.25	\$20.35	\$0.00	\$305.00	9	2	\$3,026
Conduct inspection for impressed current cathodic protection systems every 60 days	0.00	0.10	0.15	0.00	0.25	\$20.35	\$0.00	\$0.00	84	21	\$1,704
Maintain records	0.00	0.00	0.00	0.10	0.10	\$3.88	\$0.00	\$0.13	10	1	\$40
Repairs Allowed (§ 280.33)											
repair	0.00	0.00	0.00	0.00	0.00	\$0.00	\$0.00	\$435.00	13	0	\$5,772
Maintain records	0.00	0.00	0.00	0.10	0.10	\$3.88	\$0.00	\$0.13	13	1	\$53
Gather information on each repair	0.00	0.00	1.00	0.00	1.00	\$58.28	\$0.00	\$0.00	0.30	0	\$17
Conduct tightness testing 30 days after repair	0.00	0.00	0.00	0.00	0.00	\$0.00	\$0.00	\$2,030.00	0.30	0	\$609
Maintain records	0.00	0.00	0.00	0.10	0.10	\$3.88	\$0.00	\$0.13	0.30	0	\$1
Periodic testing of spill prevention equipment and containment sumps used for interstitial monitoring of piping and periodic inspection of overfill prevention equipment (§ 280.35)											
Inspect overfill prevention equipment at least once every three years	0.00	0.00	8.00	0.00	0.00	\$466.26	\$0.00	\$248.00	21	165	\$14,761
Maintain records	0.00	0.00	0.00	0.10	0.10	\$3.88	\$0.00	\$0.13	3	0	\$13
Periodic operation and maintenance walkthrough inspections (§ 280.36)											
Conduct a walkthrough inspection of equipment every 30 days	0.00	0.00	5.02	0.00	5.02	\$292.38	\$0.00	\$0.00	10	602	\$2,924
Maintain records	0.00	0.00	0.00	0.10	0.10	\$3.88	\$0.00	\$0.13	10	12	\$40
Subtotal										806	\$28,961

* Due to rounding, columns may not sum exactly.

EXHIBIT 1B (continued)

ANNUAL ESTIMATED RESPONDENT HOUR AND COST BURDEN

SUBPART K

Information Collection Activity	Hours and Costs per Respondent per Activity								Total Hours and Costs		
	Legal Hours	Managerial Hours	Technical Hours	Clerical Hours	Respon. Hours/Activity	Labor Cost/Activity	Capital/Startup Costs per Activity	O&M Costs/Activity	Number of Respon. or Activ.	Total Hours/Year	Total Cost/Year
SUBPART D: RELEASE DETECTION											
Reading the Regulations											
Read the regulations	0.50	0.50	1.00	0.00	2.00	\$219.56	\$0.00	\$0.00	0	0	\$0
Release Detection for Tanks (§280.43)											
<i>Alternative Technology</i>											
Annual precision testing cost for tank	0.00	0.00	0.00	0.00	0.00	\$0.00	\$0.00	\$6,457.00	62	0	\$400,334
Release Detection for Piping (§280.44)											
<i>Alternative Technology</i>											
Semi-annual precision testing cost for piping segment	0.00	0.00	0.00	0.00	0.00	\$0.00	\$0.00	\$6,090.00	76	0	\$925,680
Release Detection Recordkeeping (§280.45)											
Maintain records for specified time periods	0.00	0.00	0.00	1.00	1.00	\$38.81	\$0.00	\$0.00	10	10	\$388
Subtotal										10	\$1,326,402
SUBPART E: RELEASE REPORTING, INVESTIGATION, AND CONFIRMATION											
Reading the Regulations											
Read the regulations	0.25	0.25	0.50	0.00	1.00	\$109.78	\$0.00	\$0.00	0	0	\$0
Reporting of Suspected Releases (§280.50)											
Report the suspected release	0.00	0.25	0.00	0.00	0.25	\$29.03	\$0.00	\$1.83	0.40	0.1	\$12
Release Investigation and Confirmation Steps (§280.52)											
Gather information - Facility	0.00	1.00	4.00	0.00	5.00	\$349.24	\$0	\$3,179.00	0.50	3	\$1,764
Gather information - Contractor	0.00	5.00	31.00	15.00	51.00	\$2,969.41	\$0	\$0	0.50	26	\$1,485
Reporting and Cleanup of Spills and Overfills (§280.53)											
Report spill or overfill within 24 hours if over 25 gallons or the reportable quantity	0.00	0.50	0.00	0.00	0.50	\$58.05	\$0	\$3.00	0.30	0.2	\$18
Notify the implementing agency if unable to cleanup within 24 hours	0.00	0.50	0.00	0.00	0.50	\$58.05	\$0	\$3.00	0.30	0	\$18
Subtotal										28	\$3,298

* Due to rounding, columns may not sum exactly.

EXHIBIT 1B (continued)

ANNUAL ESTIMATED RESPONDENT HOUR AND COST BURDEN
SUBPART K

Information Collection Activity	Hours and Costs per Respondent per Activity								Total Hours and Costs		
	Legal Hours	Managerial Hours	Technical Hours	Clerical Hours	Respon. Hours/Activity	Labor Cost/Activity	Capital/Startup Costs per Activity	O&M Costs/Activity	Number of Respon. or Activ.	Total Hours/Year	Total Cost/Year
SUBPART F: RELEASE RESPONSE AND CORRECTIVE ACTION FOR UST SYSTEMS CONTAINING PETROLEUM OR HAZARDOUS SUBSTANCES											
Reading the Regulations											
Read the regulations	0.50	0.50	1.00	0.00	2.00	\$219.56	\$0.00	\$0.00	0.00	0	\$0
Initial Response (§ 280.61(a))											
Report the confirmed release by telephone or electronic mail	0.00	0.50	0.50	0.00	1.00	\$87.20	\$0.00	\$0.00	0.70	1	\$61
Initial Abatement Measures Report and Site Check (§ 280.62(a)(b))											
Gather information during initial abatement	0.00	3.00	1.00	0.00	4.00	\$406.61	\$0.00	\$971.00	0.70	3	\$964
Prepare and submit summary report of initial abatement steps - Facility	0.50	1.50	1.00	0.00	3.00	\$335.67	\$0.00	\$396.00	0.70	2	\$512
Prepare and submit summary report of initial abatement steps - Contractor	0.00	4.00	27.00	13.00	44.00	\$2,542.56	\$0.00	\$0.00	0.70	31	\$1,780
Initial Site Characterization (§ 280.63)											
Gather information for initial site characterization - Facility	0.00	6.00	1.00	0.00	7.00	\$754.94	\$0.00	\$3,754.00	0.70	5	\$3,156
Gather information for initial site characterization - Contractor	0.00	9.00	54.00	27.00	90.00	\$5,240.04	\$0.00	\$0.00	0.70	63	\$3,668
Prepare and submit information per instructions	0.50	1.50	1.00	0.00	3.00	\$335.67	\$0.00	\$522.00	0.70	2	\$600
Free Product Removal (§ 280.64)											
Gather information for free product removal report - Facility	0.00	1.50	3.25	0.00	4.75	\$363.58	\$0.00	\$460.00	0.14	1	\$115
Gather information for free product removal report - Contractor	0.00	6.00	38.00	19.00	63.00	\$3,648.73	\$0.00	\$0.00	0.14	9	\$511
Prepare and submit report	0.50	1.00	0.00	0.00	1.50	\$219.33	\$0.00	\$157.00	0.14	0	\$53
Investigations for Soil and Groundwater Cleanup (§ 280.65)											
Gather information for investigation report - Facility	0.00	2.00	0.00	0.00	2.00	\$232.22	\$0.00	\$3,572.00	0.53	1	\$1,997
Gather information for investigation report - Contractor	0.00	10.00	69.00	31.00	110.00	\$6,385.61	\$0.00	\$0.00	0.53	58	\$3,352
Submit collected information	0.50	0.75	0.00	0.00	1.25	\$190.30	\$0.00	\$464.00	0.53	1	\$344
Corrective Action Plan (§ 280.66)											
Prepare and submit corrective action plan or additional information - Facility	2.00	2.25	0.00	0.00	4.25	\$674.14	\$0.00	\$1,152.00	0.42	2	\$767
Prepare and submit corrective action plan or additional information - Contractor	0.00	20.00	78.00	39.00	137.00	\$8,381.71	\$0.00	\$0.00	0.42	58	\$3,520
Notify implementing agency of early cleanup	0.00	0.50	0.00	0.00	0.50	\$58.05	\$0.00	\$0.00	0.07	0	\$4
Report results of implementing plan - Facility	2.00	2.75	0.00	0.00	4.75	\$732.19	\$0.00	\$834.00	0.42	2	\$658
Report results of implementing plan - Contractor	0.00	8.00	37.00	19.00	64.00	\$3,822.67	\$0.00	\$0.00	0.42	27	\$1,606
Subtotal										264	\$23,669

*Due to rounding, columns may not sum exactly.

EXHIBIT 1B (continued)

ANNUAL ESTIMATED RESPONDENT HOUR AND COST BURDEN
SUBPART K

Information Collection Activity	Hours and Costs per Respondent per Activity								Total Hours and Costs		
	Legal Hours	Managerial Hours	Technical Hours	Clerical Hours	Respon. Hours/Activity	Labor Cost/Activity	Capital/Startup Costs per Activity	O&M Costs/Activity	Number of Respon. or Activ.	Total Hours/Year	Total Cost/Year
SUBPART G: OUT-OF-SERVICE UST SYSTEMS AND CLOSURE											
Reading the Regulations											
Read the regulations	0.25	0.25	0.50	0.00	1.00	\$109.78	\$0.00	\$0.00	0	0	\$0
Permanent Closure and Change-In-Service Notification (§280.71(a))											
Notify the implementing agency of permanent closure or change-in-service	0.00	0.25	0.00	0.00	0.25	\$29.03	\$0.00	\$3.00	0	0	\$0
Conduct site assessment of excavation zone - Facility	0.00	2.75	0.00	0.00	2.75	\$319.30	\$0.00	\$2,914.00	0	0	\$0
Conduct site assessment of excavation zone - Contractor	0.00	6.00	40.00	18.00	64.00	\$3,726.49	\$0.00	\$0.00	0	0	\$0
Closure Records (§280.74)											
Maintain records after permanent closure or change-in-service for at least three years	0.00	0.00	0.00	0.10	0.10	\$3.88	\$0.00	\$0.13	0	0	\$0
Mail records to implementing agency if they cannot be maintained on site	0.00	0.00	0.00	0.50	0.50	\$19.40	\$0.00	\$3.00	0	0	\$0
Subtotal									0	0	\$0
SUBPART H: FINANCIAL RESPONSIBILITY											
Reading the Regulations											
Read the regulations	0.50	0.50	1.00	0.00	2.00	\$219.56	\$0.00	\$0.00	0	0	\$0
Cancellation or Nonrenewal by a Provider of Financial Assurance (§280.109)											
Prepare and submit a notice of termination of financial assurance	0.25	0.00	0.50	0.25	1.00	\$90.45	\$0.00	\$0.00	0	0	\$0
If necessary, prepare and submit notice of failure to obtain alternative coverage within 60 days	0.00	0.50	1.00	0.25	1.75	\$126.04	\$0.00	\$0.00	0	0	\$0
Reporting (§280.110)											
Gather and submit forms listed in Section 280.110(a)1 to the implementing agency documenting current evidence of financial responsibility per 289.110(b) as a result of a release	0.00	0.00	0.00	0.25	0.25	\$9.70	\$0.00	\$0.00	0.70	0.18	\$7
Recordkeeping (§280.111)											
Obtain and keep on file proof of financial responsibility	0.00	0.00	0.25	0.10	0.35	\$18.45	\$0.00	\$0.00	10	4	\$185
Update certification if financial assurance mechanism is modified	0.00	0.00	0.50	0.25	0.75	\$38.84	\$0.00	\$0.00	0	0	\$0
Bankruptcy or Other Incapacity (§280.114)											
Prepare and submit notification of commencement of bankruptcy procedures	0.50	0.25	0.50	0.25	1.50	\$171.09	\$0.00	\$0.00	0	0	\$0
If necessary, prepare and submit notice of inability to obtain alternative coverage within 30 days	0.00	0.50	1.00	0.25	1.75	\$126.04	\$0.00	\$0.00	0	0	\$0
Subtotal									4	4	\$191

*Due to rounding, columns may not sum exactly.

EXHIBIT 1B (concluded)
ANNUAL ESTIMATED RESPONDENT HOUR AND COST BURDEN
SUBPART K

Information Collection Activity	Hours and Costs per Respondent per Activity								Total Hours and Costs		
	Legal Hours	Managerial Hours	Technical Hours	Clerical Hours	Respon. Hours/Activity	Labor Cost/Activity	Capital/Startup Costs per Activity	O&M Costs/Activity	Number of Respon. or Activ.	Total Hours/Year	Total Cost/Year
SUBPART J : OPERATOR TRAINING											
Reading the Regulations											
Read the regulations	0.50	0.50	1.00	0.00	2.00	\$219.56	\$0.00	\$0.00	0	0	\$0
Requirements for operator training (§ 280.242)											
Complete an operator training program or an examination per 280.242: Class A	0.00	10.00	0.00	0.00	10.00	\$1,161.10	\$0.00	\$196.00	2	22	\$2,986
Complete an operator training program or an examination per 280.242: Class B	0.00	0.00	10.00	0.00	10.00	\$582.82	\$0.00	\$196.00	7	66	\$5,140
Recordkeeping (§ 280.245)											
Maintain records	0.00	0.00	0.00	0.10	0.10	\$3.88	\$0.00	\$0.13	10	1	\$40
Subtotal										89	8,166
SUBPART K: UST SYSTEMS WITH FIELD-CONSTRUCTED TANKS AND AIRPORT HYDRANT FUEL DISTRIBUTION SYSTEMS											
Notification (§ 280.251)											
For owners of a previously deferred UST system, submit notification form within three years of the effective date of the regulations	0.00	0.25	0.00	0.25	0.50	\$38.73	\$0.00	\$0.00	3	2	\$129
Subtotal										2	\$129
TOTAL										1,202	\$1,390,815
TOTAL: Exhibit 1A and Exhibit 1B										8,710,144	\$679,043,840

*Due to rounding, columns may not sum exactly.

**EXHIBIT 2
ANNUAL ESTIMATED RESPONDENT HOUR AND COST BURDEN
STATE PROGRAM APPROVAL**

Information Collection Activity	Hours and Costs per Respondent per Activity								Number of Respon. or Activ.
	Legal Hours	Managerial Hours	Technical Hours	Clerical Hours	Respon. Hours/Activity	Labor Cost/Activity	Capital/Startup Costs per Activity	O&M Costs/Activity	
SUBPART B: COMPONENTS OF A PROGRAM APPLICATION									
Reading the Regulations									
Read the regulations	4.00	8.00	8.00	0.00	20.00	\$1,545.39	\$0.00	\$0.00	2
Transmittal Letter (§ 281.20(a))									
Obtain a transmittal letter from the governor's office	4.00	3.50	8.00	1.50	17.00	\$1,167.76	\$0.00	\$0.00	2
Submit letter to implementing agency	2.00	1.25	4.00	1.25	8.50	\$551.74	\$0.00	\$1.83	2
Description of State Program (§ 281.20(b) and § 281.21)									
Prepare and submit description of state program	14.00	21.00	30.00	25.50	90.50	\$5,615.38	\$0.00	\$22.10	2
Procedures for Adequate Enforcement (§ 281.22 and § 281.20(c))									
Gather and submit information on compliance monitoring and enforcement procedures	9.00	16.00	35.00	30.50	90.50	\$5,137.63	\$0.00	\$22.10	2
Memorandum of Agreement (§ 281.24 and § 281.20(e))									
Negotiate an MOA with EPA	1.50	1.50	2.00	0.00	5.00	\$383.05	\$0.00	\$0.00	2
Prepare and submit written MOA with application	2.50	2.50	4.00	1.50	10.50	\$719.83	\$0.00	\$22.10	2
Attorney General's Statement (§ 281.25 and § 281.20(f))									
Draft and submit statement from attorney general	55.00	29.00	100.00	41.00	225.00	\$14,305.33	\$0.00	\$22.10	2
Copies of Statutes and Regulations (§ 281.20(g))									
Research and gather statutes and regulations	15.00	7.50	45.00	10.50	78.00	\$4,833.50	\$0.00	\$0.00	2
Submit copies as a part of the application to EPA	1.50	1.50	10.00	3.00	16.00	\$918.37	\$0.00	\$22.10	2
Subtotal									
SUBPART D: ADEQUATE ENFORCEMENT AND COMPLIANCE									
Reading the Regulations									
Read the regulations	1.00	1.00	1.00	0.00	3.00	\$236.74	\$0.00	\$0.00	2
Sharing of Information (§ 281.43(a))									
Maintain files and current information on program administrative	8.00	6.50	41.00	3.50	59.00	\$3,700.19	\$0.00	\$0.00	42
Submit information to EPA, if requested	0.00	0.00	0.00	0.10	0.10	\$2.94	\$0.00	\$22.10	2
Subtotal									
SUBPART E: APPROVAL PROCEDURES									
Reading the Regulations									
Read the regulations	1.00	2.00	2.00	0.00	5.00	\$386.35	\$0.00	\$0.00	2
Approval Procedures for State Programs (§ 281.50(b))									
Issue public notice of the development of underground storage tank program	1.00	1.00	1.00	1.00	4.00	\$266.19	\$0.00	\$0.00	2
Receive and review public comments	10.00	20.00	8.00	10.00	48.00	\$3,487.47	\$0.00	\$0.00	2
Revision of Approved State Programs (§ 281.52(a),(b))									
Collect and submit information on changes in regulations or shifts in responsibilities	123.50	111.25	288.00	129.25	652.00	\$41,086.44	\$0.00	\$22.10	12
Prepare and submit revised application, if requested by EPA	4.00	2.00	30.00	6.00	42.00	\$2,388.87	\$0.00	\$22.10	12
Subtotal									
SUBPART F: WITHDRAWAL OF APPROVAL OF STATE PROGRAMS									
Reading the Regulations									
Read the regulations	1.00	1.00	2.00	0.00	4.00	\$292.61	\$0.00	\$0.00	0
Procedures for Withdrawal of Approval of State Programs (§ 281.61(a)(1))									
Gather information for program transfer	2.00	2.00	16.00	8.00	28.00	\$1,491.27	\$0.00	\$0.00	0
Prepare and submit transfer notification	0.00	0.50	1.00	1.00	2.50	\$132.19	\$0.00	\$1.83	0
Develop and submit plan for information transfer at least 90 days before the transfer	4.00	2.00	8.00	2.00	16.00	\$1,041.89	\$0.00	\$22.10	0
Subtotal									
TOTAL									

* Due to rounding, columns may not sum exactly.

(b) State Agency Respondents

40 CFR Part 281 outlines procedures that states must follow to obtain approval to implement their own UST program in lieu of the federal program. Based on recent program data, EPA estimates that six states (or territories) will apply for new state program approval over the next three years. For the purposes of this ICR, it is assumed that an average of two states will apply for initial (i.e., new) state program approval each year.

States applying for initial state program approval must submit an application to EPA for review under §281.50. The application includes a transmittal letter, a description of the state program, information on enforcement procedures, a memorandum of agreement with EPA, an attorney general’s statement, and copies of state statutes and regulations. These states must also allow for public notice and comment on their efforts to develop their underground storage tank programs.

All approved programs must maintain files and current information on program administration. There are currently 40 approved state programs.²⁹ Between 2019 and 2021, EPA assumes that an average of 42 state programs will maintain files on program administration. Finally, EPA estimates that it will ask two states per year to submit this information.

EPA expects that 36 states will be submitting revised state program applications over the next three years. EPA does not expect any states to withdraw or transfer portions of their programs.

State agency respondent burden hours and costs for the activities included as burdens under this ICR are shown in Exhibit 2. The burden and cost for Agency activities are shown in Exhibits 3 and 4.

6(e) Bottom Line Hour and Cost Burden

(1) Respondent Tally

Exhibit 5 summarizes the total annual hour and cost burden to UST owners and operators and to states. As shown in the exhibit, EPA estimates the annual respondent burden to be approximately 8,720,000 hours and \$680 million. The bottom line burden to respondents over three years is estimated to be approximately 26 million hours and approximately \$2.0 billion.

**EXHIBIT 5
TOTAL ESTIMATED ANNUAL RESPONDENT HOUR AND COST BURDEN SUMMARY**

Information Collection Activity	Total Hours/Year	Labor Cost	Capital/Startup Cost	O & M Cost	Total Cost/Year
Owner and Operator Respondents	8,710,144	\$254,323,895	\$46,453,791	\$378,266,155	679,043,840
State Agency Respondents	12,048	\$756,227	\$0	\$799	\$757,026
TOTAL	8,722,192	\$255,080,122	\$46,453,791	\$378,266,954	\$679,800,866

* Due to rounding, figures may not sum exactly.

(2) Agency Tally

²⁹ As of February 2012, 38 states, the District of Columbia, and the Commonwealth of Puerto Rico have approved programs.

Exhibit 6 summarizes the total annual Agency hour and cost burden associated with all of the requirements covered in this ICR. As shown in the exhibit, EPA estimates the annual Agency burden to be approximately 418,000 hours and \$22 million. The bottom line burden to the Agency over three years is estimated to be approximately 1.3 million hours and \$67 million.

**EXHIBIT 6
TOTAL ESTIMATED ANNUAL AGENCY HOUR AND COST BURDEN SUMMARY**

Information Collection Activity	Total Hours/Year	Labor Cost	Capital/Startup Cost	O & M Cost	Total Cost/Year
Technical and Financial Requirements	418,002	\$22,409,723	\$0	\$14,032	\$22,423,755
State Program Approval	433	\$27,480	\$0	\$22	\$27,502
TOTAL	418,435	\$22,437,203	\$0	\$14,054	\$22,451,257

* Due to rounding, figures may not sum exactly.

6(f) Reasons for Change in Burden

This ICR presents a comprehensive description of the total annual respondent burden for all information collection activities related to the UST program. In renewing this ICR, EPA has updated its respondent universe and burden estimates based on updated data from the Office of Underground Storage Tanks (OUST) and the regulated community. The total number of active USTs continues to decline as it has for decades. This resulted in a decrease in the number of respondents from the previously approved ICR. In 2015 EPA promulgated a revised UST regulation. Several new requirements from the 2015 regulation became effective as of October 2018. The new requirements are reflected in this ICR and those changes have resulted in a burden increase for this ICR renewal. The requirements added by the 2015 regulation include annual release detection operability testing and recordkeeping, periodic testing and inspection of spill, overfill equipment and containment sumps, operator training, walkthrough inspections, notification of ownership changes, and maintaining records for compatibility. In addition, as a result of the 2015 regulation states need to re-apply for state program approval. EPA expects most states to submit state program re-approval applications during the three-year period of this ICR. Because of these changes, the total annual time burden to respondents has increased approximately 60 percent (3,309,061 hours) from the previous ICR (from 5,413,131 hours per year to 8,722,192 hours per year).

	Previously Approved	Change	Requested
Responses	546,066	-130,456	415,610
Hours	5,413,131	3,309,061	8,722,192
Non-Labor Cost	\$235,891,778	\$188,828,967	\$424,720,745

6(g) Burden Statement

Exhibit 7 presents the average annual respondent time burden for each UST facility and for each state that has a federally approved UST program or will apply for program approval. For UST facilities, as shown in the exhibit, the estimated total average time burden for conducting the activities covered in this ICR is approximately 43 hours per respondent annually. Of this total, the reporting burden is estimated to average 14 hours per respondent per year. This estimate includes time for preparing and submitting notices, preparing and submitting demonstrations and applications, reporting releases, gathering information, and preparing and submitting reports. The estimated average recordkeeping burden for UST facilities is 29 hours per respondent per year. This estimate includes time for gathering information and for developing and maintaining records. The burden for third-party disclosure is estimated to average 0.3 hours per respondent per year. This estimate includes time to notify an UST purchaser of the owner's notification obligations.

EXHIBIT 7 TOTAL AVERAGE ANNUAL RESPONDENT BURDEN

Information Collection Activity	Average Reporting Burden (Hours)	Average Recordkeeping Burden (Hours)	Average Third Party Disclosure Burden (Hours)	Total Average Burden (Hours)
Owner and Operator Respondents	14.04	28.65	0.27	42.96
State Agency Respondents	176.19	46.93	0.00	223.11

For states applying for program approval and for states with approved programs, the estimated total average time burden is approximately 223 hours per state annually. The estimated average reporting burden is approximately 176 hours per respondent per year. This estimate includes time for preparing and submitting an application and associated information. The estimated average recordkeeping burden is approximately 47 hours per respondent per year. This estimate includes time for maintaining application files.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average 21 hours per response. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a 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-OLEM-2018-0367, which is available for online viewing at www.regulations.gov, or in person viewing at the OSWER 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. An electronic version of the public docket is available at 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-OLEM-2018-0367 and OMB Control Number 2050-0068 in any correspondence.