

OMB Control No. 2040-0050, EPA ICR No. 0318.13



**United States  
Environmental Protection  
Agency**

## **Information Collection Request for the Clean Watersheds Needs Survey (Reinstatement)**

**June 2021**

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## SUPPORTING STATEMENT

### **PART A**

#### **1 Identification**

##### **1(a) Title**

Clean Watersheds Needs Survey (Reinstatement)

EPA ICR Number 0318.13

OMB CONTROL NUMBER 2040-0050

##### **1(b) Abstract**

The Clean Watersheds Needs Survey (CWNS) is required by Clean Water Act (CWA) Sections 205(a) and 516. It is a periodic inventory of existing and planned publicly owned wastewater conveyance and treatment facilities, combined sewer overflow correction, stormwater management and other water pollution control facilities in the United States, as well as an estimate of how many of these facilities need to be built. The CWNS is a joint effort between EPA and the states. The CWNS collects cost and technical data from states that are associated with publicly owned treatment works and other water pollution control facilities, existing and planned. The respondents who provide this information to Environmental Protection Agency (EPA or Agency) are state agencies responsible for environmental pollution control and local facility contacts who provide documentation to the states. Periodically, the states request data or documentation from contacts at the facility or local government level. These respondents are referred to as facilities.

No confidential information is used, nor is sensitive information collected that would be protected from release under the Public Information Act. EPA achieves national consistency in the final results through the application of uniform guidelines and validation techniques.

#### **2 Need for and Use of the Collection**

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

Per CWA section 516(b)(1)(B), EPA must provide a “a detailed estimate, biennially revised, of the cost of construction of all needed publicly owned treatment works in all of the states and of the cost of construction of all needed publicly owned treatment works in each of the states.”

Per the CWA, the CWNS was initially conducted every two years. In 1994, a survey was mandated for the collection of drinking water infrastructure needs. Therefore, after the completion of the CWNS 1992, the CWNS was conducted every four years, alternating with the drinking water needs survey. The upcoming survey will be the 17<sup>th</sup> since the enactment of the CWA in 1972. However, the last CWNS collection occurred in 2012.

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

Congress utilizes the data collected in the CWNS to assist deliberations on specific legislation and funding measures related to water pollution control. Additional uses of the data include:

- Local, state, and other uses of the data for National Pollutant Discharge Elimination System (NPDES) permit writing, Total Maximum Daily Load (TMDL) analyses, and other environmental program support,
- Wastewater treatment technology and environmental measures support related to EPA's Sustainable Infrastructure Initiative,
- Private efforts to target technical support for facilities,
- Baseline data for EPA, Department of Homeland Security, and other agencies for use in more specialized reports and for providing program focus,
- Development of the allotment formula for the new EPA Overflow and Stormwater Grant program, and
- Data used by professional industry groups, non-profits, academia, and other stakeholders as the only comprehensive review of all capital needs for wastewater infrastructure, stormwater infrastructure, and clean water obligations within the United States.

At the end of each CWNS, EPA develops a Report to Congress highlighting the national results of the survey and describing the methodology used to collect, document, and quality-assure all the state data included therein. The appendices of the Report are detailed state-by-state and national summary tables. In addition, EPA makes the data available to the public via a CWNS dashboard and are integrated into a number of other EPA data platforms. Past Reports and data are publicly available at <http://www.epa.gov/cwns/>.

## **3 Nonduplication, Consultations, and Other Collection Criteria**

### **3(a) Nonduplication**

EPA avoids duplication of effort in several ways. States and EPA Regions are informed of the data and document update procedures during CWNS state trainings and through a provided user manual.

A new data entry portal has been developed for the 17<sup>th</sup> CWNS. This portal reduces duplication of effort by incorporating the ability to:

- Transfer wastewater discharge permit data from EPA's How's My Waterway tool,
- Locate facilities in the internet WATERS Lite Viewer mapping tool and have the location data transferred directly into the portal, and
- Import facility and contact information for existing facilities from the past survey.

System enhancements also assist in preventing duplicative efforts by providing upfront validation checks to prevent users from having to re-enter data based on a validation check later in the survey. Data quality assurance methods have also been streamlined to require less respondent time while preserving data quality assurance.

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

In compliance with the 1995 Paperwork Reduction Act, any agency seeking approval of an ICR must solicit public comments for a 60-day period prior to submitting the ICR to OMB. The draft ICR was published in the Federal Register on March 1, 2021 (Vol. 86, No. 38; 86 FR 12000) and the Agency received two comments, one from the Council of Infrastructure Financing Authorities (CIFA), and one from the National Municipal Stormwater Alliance (NMSA).

CIFA expressed concerns with the survey scope, the difference between “needed” vs “planned” infrastructure, and the cost of data collection. EPA has carefully examined the planned scope of the survey, and has taken the intended scope, including the expected number of Nonpoint Source facilities, into consideration when calculating the burden in the ICR. EPA is not able at this time to shift the focus of the survey from a census of planned investment to an estimate of needed investment, but will consider different approaches in future iterations of the survey. Finally, EPA recognizes the cost of this data collection and is committed to providing non-monetary resources to help States collect their data to submit to the survey.

NMSA expressed concerns with the level of effort that will be devoted to gathering stormwater needs, which is an infrastructure category of growing importance. NMSA also expresses concern that the estimate of burden for collecting stormwater needs is under-estimated, recommends working with sector and stakeholder organizations to develop strategies to help states collect stormwater needs, and requests clarification of the definition of stormwater needs in the context of the CWNS. EPA understands these concerns and is committed to making sure that the stormwater community is aware of this data collection and is able to work with their states to submit their stormwater needs data. The burden for this data collection is captured to the best of our ability in this ICR burden estimate, and EPA will continue to engage with NMSA and the stormwater community to make sure that their concerns are addressed.

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

On December 17<sup>th</sup>, 2020, EPA conducted a consultation meeting with nine state respondents. The consultants were shown updates to the data entry portal and provided assumptions and burden estimates from the previous ICR.

State consultants were asked to estimate the total amount of time it takes them to update the information for one facility, as well as estimate the percentage of that time they spent on each activity. The previous ICR estimated it took states 1.47 hours to update and submit data for one facility. The consultants indicated that this was generally correct for an average on a per facility basis. However, the consultants who participated in the previous surveys informed us that a greater proportion of their time was spent on working with primary data suppliers than the 2012 activity burden assumed. They indicated that 21 percent of their time was spent on data entry and document submission and 42 percent of their time was spent working with primary data suppliers. EPA made this change to the burden calculations for this proposed ICR.

The consultants also requested that EPA ensure all nonpoint source (NPS) control facilities included in the 2008 survey and all of the decentralized facilities included in the 2012 be captured in the upcoming facility universe count.

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

Due to the amount of time that has passed since the last survey in 2012, failure to conduct the CWNS in 2022 could put EPA in the position of being unable to respond in a timely and accurate manner to statutory CWA mandates. Additionally, the data need regular updating to support the variety of additional uses described at the end of Section 2.

### **3(e) General Guidelines**

The CWNS follows OMB's general guidelines and does not ask respondents to:

- Report information to the Agency more often than quarterly;
- Prepare a written response to a collection of information in fewer than 30 days after receipt of a request;
- Submit more than an original and two copies of any document;
- Retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years;
- Participate in a statistical survey that is not designed to produce data that can be generalized to the universe of the study;
- Utilize a statistical data classification that has not been reviewed and approved by OMB;
- Receive a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or
- Submit proprietary, trade secret, or other confidential information unless the Agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

### **3(f) Confidentiality**

No confidential information is used, nor is there any sensitive information collected that would be protected from release under the Public Information Act. However, the survey does ask for personally identifying information. For example, the CWNS collects the name and title of individuals associated with their entries, and also work addresses and phone numbers as optional fields. Any respondent that considers this information to be of a confidential nature may request that such information be treated as confidential. All confidential data will be handled in accordance with 40 CFR 122.7, 40 CFR part 2, and EPA's Security Manual part III, chapter 9, dated August 9, 1976.

### **3(g) Sensitive Questions**

No sensitive questions pertaining to private or personal information, such as sexual behavior or religious beliefs, are included in this information collection.

#### 4 Respondents and Information Requested

##### 4(a) Respondents/NAICS Codes

The primary respondents for the CWNS will be 56 states and territories.

The North American Industry Classification System (NAICS) information for the facility respondents affected by this collection activity are as follows:

<u>Description</u>	<u>Group Number</u>	<u>Industry Number</u>
Administration of Air and Water Resource and Solid Waste Management Programs	924	924110
Sewage Plants and Collection Systems	221	221320
City, Town, County Executive Offices	921	921110

##### 4(b) Information Requested

The types of data that will be collected relate to wastewater infrastructure and the costs thereof, including publicly owned wastewater treatment and conveyance systems that need to be built or upgraded to control wastewater, stormwater, nonpoint source discharges, decentralized systems, and combined sewer/sanitary sewer overflows.

###### (i) Data items, including record keeping requirements

Respondents will utilize an online data entry portal to submit information. Appendix A includes screenshots and wireframes of the data entry portal. Appendix B includes screenshots of a “CWNS Excel Annotation and Needs Calculation” workbook. Appendix C includes screenshots of the Small Community Form.

The survey will collect information in the following data areas:

- Facility/Change Type
- Permit
- Point of Contact
- Location
- Population
- Flow
- Discharge
- Effluent
- Unit Processes
- Utility management



- Needs
- Areas Related to Needs
- Cost Model Inputs

This collection does not require record keeping by respondents as all data and documentation will be submitted to EPA for review and archiving.

**(ii) Respondent activities:**

States will be inputting and submitting CWNS information and conducting the following activities that are not customary and usual business practice.

- Obtain access & training for the data entry portal
- Work with primary data suppliers
- Compile data from data suppliers
- Data entry and document review
- Data quality assurance

However, states will ask facilities for limited information to be able to complete the survey. Therefore, facilities will be asked to submit documents to state personnel, but they will not be entering data into the data entry portal.

## **5 Agency Activities, Collection Methodology, and Information Management**

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

Over four years, EPA collects, reviews and summarized CWNS data in order to prepare the final Report to Congress. The Agency conducts the following activities:

- Contract Management
- Regional Assistance to states
  - Promoting states' full participation in CWNS
  - Assisting states with state-specific data collection / update methodologies
  - Assisting states in addressing states' submissions evaluated by EPA as not meeting CWNS criteria
  - Arranging Regional trainings for data collection and presentation of results of the survey
- Plan, Implement, & Manage Survey
  - Managing the survey and its database to ensure national consistency
  - Setting national documentation standards and identifying data sources
  - Updating the database to keep it current and accurate
- Provide Logistics Support
- Refine Modeling Approaches
- Provide Data Entry Portal support
- Provide Technical Support
- Workgroup Facilitation & Support
- Review, Quality Assure, and Reconcile Data

- o Reviewing documentation to ensure its acceptability and updating records
- o Reviewing and approving new facility data submitted by the states
- o Performing quality assurance checks on needs and population data
- o Deleting needs estimates for facilities that cannot be properly documented in accordance with established documentation requirements
- Market and promote CWNS
- Prepare Final Report
- Develop & Maintain Web Reports

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

EPA uses current technology to complete the CWNS. Since 1988, the CWNS review and update processes have been computerized to reduce the workload for the states and Regions in collecting and updating facility data. For the 17<sup>th</sup> survey, EPA made additional enhancements to the data entry portal to streamline data entry, including:

- Restructuring data entry flow to allow users to work on similar sections sequentially,
- Splitting submission of data for the facility information and needs, allowing the review process to start sooner on submitted elements while states wait for data to fill in other information,
- Changing the page layout to a hybrid paginated/scrolling set up to reduce page load time,
- Reducing the total number of data elements,
- Use of conditional branching to create an efficient path through the survey based on previous inputs,
- Providing a NPDES link for CWNS numbers early in the survey and giving the user an option to pull data from the Integrated Compliance Information System-NPDES in several places where possible,
- Providing states a view that will quickly inform them of missing facilities in the network of conveyance and treatment facilities and/or unbalanced population estimates, and
- Providing an excel template used to annotate documents and submit costs and needs to the data entry portal via upload.

EPA also reviews supporting documentation submitted by states to ensure that it is current and specific to the need being described. To that end, the CWNS specifies the following documentation requirements:

- A description of the current or potential water quality impairment or human health issue, or “problem”,
- The location of the problem,
- A description of the project that will solve the problem,
- The cost of each project,
- The source of the cost, and
- The total cost for all projects that address the problem

In addition to these criteria, the CWNS requires that documents must be current (i.e., within the prior six years) and establishes document types that are pre-approved for use in documenting needs and related costs. Cost curves and other cost estimation tools are utilized to estimate costs for documented needs that do not have documented costs.

**5(c) Small Entity Flexibility**

Collection of information associated with the CWNS does not involve small entities. The primary respondents are the states, usually the state water pollution control agency or the department of environmental protection. However, EPA does allow communities of less than 10,000 people to submit a simplified form (provided by states or EPA) based on the presumption that these communities may not reasonably meet CWNS need documentation requirements.

**5(d) Collection Schedule**

The 17th CWNS data collection and entry period are dependent on the completion date of the data collection stage of the Drinking Water Infrastructure Needs Survey and Assessment (DWINSA). The two surveys have historically been staggered to not overburden states’ resources with data collection. Presuming the DWINSA’s data collection is completed per the existing schedule, the CWNS data collection and entry period will be March 1st, 2022 through February 28th, 2023. Data quality assurance and analysis activities will be performed March 2022 through September 2023. The Report to Congress will be developed and submitted to OMB for review in late 2023.

**6 Estimating Burden and Cost**

**6(a) Respondent Burden**

Table 6-1 shows the activities states will conduct per facility and the burden for each.

**Table 6-1. State Respondent Time per Activity per Facility**

<b>Activity</b>	<b>Time Allocation (%)</b>	<b>Burden Hours</b>
Obtain access & training for the data entry portal	2	0.03
Manage other’s access to the data entry portal	0	0
Working with primary data suppliers (local facilities)	43	0.63
Compiling data from data suppliers	21	0.31
Data entry & document submission	21	0.31
Data quality assurance activities	13	0.19
<b>Total</b>	<b>100</b>	<b>1.47</b>

**6(b) Estimating Respondent Costs**

The only respondent costs for this collection are labor costs.

**(i) Estimating Labor Costs**

The average cost to states for staff compensation including salary and benefits is estimated to be \$52.36 per hour (Department of Labor, November 2020<sup>a</sup>), the annual state burden hour estimate of 7,864 hours equates to annual state costs of \$411,734.

The average cost to local facilities of staff compensation and benefits is estimated to be \$52.36 per hour (Department of Labor, November 2020<sup>b</sup>), the annual facility burden hour estimate of 1,781 hours equates to annual facility costs of \$93,270. There are no additional costs beyond costs associated with the above labor burden hour estimate. This information is summarized in Table 6-3.

**(ii) Estimating Capital Costs**

There are no capital costs associated with this collection.

**(iii) Estimating Operating and Maintenance Costs**

There are no operations and maintenance costs associated with this collection.

**(iv) Annualizing Capital Costs**

There are no capital costs for this collection, so they cannot be annualized.

**6(c) Estimated Agency Burden and Costs**

Agency costs were estimated by applying full time equivalent (FTE) hours to each activity and multiplying by an average yearly full-time compensation of an Agency employee<sup>c</sup>, determined through using the 2020 GS salary rate schedule and applying a factor to account for benefits.

Agency contractor costs were estimated based on actual pre-collection contract costs and prior survey estimates. The annualized estimate for the total cost to the Federal Government is \$1,138,802. Error: Reference source not found shows total Agency burden and costs for this collection.

**Table 6-2. Agency Burden and Cost**

Activity	Agency Labor Hours / Year [FTE]	Agency Labor Costs / Year [\$166,166 K / FTE]	Contractor Costs / Year	Total Agency Costs / Year
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<sup>a</sup> <https://www.bls.gov/news.release/ecec.t03.htm>

<sup>b</sup> <https://www.bls.gov/news.release/ecec.t03.htm>

<sup>c</sup> <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2020/GS.pdf>

	<b>Agency Labor Hours / Year [B/E]</b>	<b>Agency Labor Costs / Year [\$166,166 K / FTE]</b>	<b>Contractor Costs / Year</b>	<b>Total Agency Costs / Year</b>
Contract Management Agency	0.5	\$49,850	\$18,000	\$67,850
Regional Assistance to States				\$58,159
Plan, Implement, & Manage Survey	0.3	\$49,850	\$55,000	\$104,850
Provide Logistics Support	0.05	\$8,308	\$27,000	\$35,308
Refine Modeling Approaches	0.05	\$8,308	\$55,000	\$63,308
Provide Data Entry Portal support	0.15	\$24,925	\$150,000	\$174,925
Provide Technical Support	0.15	\$24,925	\$70,000	\$94,925
Workgroup Facilitation & Support	0.1	\$16,617	\$35,000	\$51,617
Review, Q/A, and Reconcile Data	0.1	\$16,617	\$200,000	\$216,617
Market and promote CWNS	0.3	\$49,850	\$25,000	\$74,850
Prepare Final Report	0.45	\$74,775	\$45,000	\$119,775
Develop & Maintain Web Reports	0.1	\$16,617	\$60,000	\$76,617
Annual Totals	2.4	\$398,799	\$740,000	\$1,138,802
3-Year Totals	7.2	\$1,196,398	\$2,220,000	\$3,416,405

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

The state respondent universe is 56 states and territories.

The facility respondent universe was determined by estimating the total number of facilities that were updated in the prior two surveys or 16,048 facilities over the three-year period of this ICR.

This value annualized is 5,349 facilities to be entered in by the 56 states and territories over the period of the ICR. Table 6-3 presents the total respondent burden and costs based on this respondent universe. The estimates for the time for facilities to respond to the request from states is 0.33 hours per facility.

**Table 6-3. Annual Respondent Burden and Cost**

Activity	Hours and Costs Per State Respondent			Hours and Costs Per Facility Respondent			Total Annual		
	Labor Rate/Hr	Respondent Hrs/Year	Labor Cost/Year	Labor Rate/Hr	Respondent Hrs/Year	Labor Cost/Year	Respondents	Hours	Costs
1) Obtain access & training for the Data Entry Portal (DEP)	52.36	2.8	\$8,235	52.36	-	-	56	157	\$8,235
2) Manage others' access to the DEP	52.36	0	\$0.00	52.36	-	-	56	0	\$0.00
3) Working with primary data suppliers	52.36	60.4	\$177,046	52.36	-	-	56	3,381	\$177,046
4) Compiling data from data suppliers	52.36	29.5	\$86,464	52.36	-	-	56	1,651	\$86,464
5) Data Entry & Document Submission	52.36	29.5	\$86,464	52.36	0.33	\$93,270	5,405	3,433	\$179,734
6) Data Quality Assurance Activities	52.36	18.3	\$53,525	52.36	-	-	56	1,022	\$53,525
<b>Annual Totals</b>		<b>140</b>	<b>\$411,734</b>		<b>0.33</b>	<b>\$93,270</b>	<b>5,405</b>	<b>9,645</b>	<b>\$505,004</b>
<b>3-Year Totals</b>		<b>421</b>	<b>\$1,235,202</b>		<b>1.00</b>	<b>\$279,811</b>	<b>16,215</b>	<b>28,935</b>	<b>\$1,515,013</b>

**6(e) Bottom Line Burden Hours and Costs Tables**

**(i) Respondent Tally**

The total burden and costs for states and facility respondents is presented in table 6-4.

**Table 6-4. Bottom Line Burden Hours and Costs for Respondents**

<b>Respondent</b>	<b>Labor Hours / Respondent / Year</b>	<b>Number of Respondents</b>	<b>Labor Rate</b>	<b>Labor Respondent Hours</b>	<b>Total Labor Costs / Year</b>
State	140.42	56	\$52.36 / hr.	7,864	\$411,734
Facility	0.33	5,349	\$52.36 / hr.	1,781	\$93,270
<b>Annual Total</b>	140.75	5,405		9,645	\$505,004
<b>3-Year Total</b>	422.26	16,216		28,935	\$1,515,013

**(ii) The Agency Tally**

The total burden and costs for the Agency is presented in Table 6-5, which includes contractor costs.

**Table 6-5. Bottom Line Burden Hours and Costs for Agency**

<b>Activity</b>	<b>Labor Hours / Year [FTE]</b>	<b>Labor Costs / Year [\$166,166K / FTE]</b>	<b>Contractor Costs / Year</b>	<b>Total Costs / Year</b>
<b>Annual Totals</b>	2.4	\$398,799	\$740,000	\$1,138,802
<b>3-Year Totals</b>	7.2	\$1,196,398	\$2,220,000	\$3,416,405

**(iii) Variations in the Annual Bottom Line**

Significant variation (>25%) in the annual respondent reporting/recordkeeping burden or cost is not anticipated for this collection.

**6(f) Reasons for Change in Burden**

As a reinstatement, the burden described in this ICR is new. For context, the prior burden approved by OMB (0318.12) was an annual burden of 9,104 hours and an annual cost of \$370,184 for non-Agency respondents. This ICR estimates an annual burden increase of 541



hours and \$134,820 in costs. This adjustment is based upon an increase in facility universe, as well as an adjustment in labor rates and benefits.

### **6(g) Burden Statement**

The annual public reporting and recordkeeping burden for this collection of information is estimated at 1.8 hours of state, local and Agency burden 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 which have subsequently changed; 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.

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 No. EPA-HQ-OW-2021-0128, which is available for public viewing at <http://www.regulations.gov> and the Water Docket in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Ave., NW, Washington, DC. EPA is temporarily suspending its Docket Center and Reading Room for public visitors, with limited exceptions, to reduce the risk of transmitting COVID-19. Our Docket Center staff will continue to provide remote customer service via email, phone, and webform. For additional information about EPA's public docket, visit <http://www.epa.gov/dockets>. The telephone number for the Reading Room is (202) 566-1744, and the telephone number for the Water Docket is (202) 566-2426. Use [www.regulations.gov](http://www.regulations.gov) to submit or view public comments, access the index listing of the contents of the public docket, and to access those documents in the public docket that are available electronically. Once 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, DC 20503, Attention: Desk Officer for EPA. Please include the EPA Docket ID No. EPA-HQ-OW-2021-0128, and OMB control number 2040-0050 in any correspondence.