

**Statement Supporting the Renewal of the Information Collection Request
for Continuous Release Reporting Regulations under the Comprehensive Environmental
Response, Compensation, and Liability Act of 1980 (CERCLA)**

1. Identification of the Information Collection

1(a) Title of the Information Collection Request

Continuous Release Reporting Regulations (CRRR) under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) and the Emergency Planning and Community Right to Know Act of 1986 (EPCRA). EPA ICR No. 1445.15, OMB Control No. 2050-0086.

1(b) Short Characterization

This information collection request (ICR) pertains to the reporting and record keeping activities required to comply with EPA's Continuous Release Reporting Regulations (CRRR) implementing section 103(f)(2) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA). This ICR renews the information collection activity previously approved under OMB Control No. 2050-0086, with an expiration date of November 30, 2022.

The Reporting Continuous Releases of Hazardous Substances (55 FR 30166) final rule was promulgated on September 24, 1990. The CRRR clarifies the types of releases that qualify for reporting under CERCLA section 103(f)(2) and establishes the reporting requirements applicable to qualifying releases. CERCLA section 103(a) requires persons in charge of a facility or vessel to notify the National Response Center (NRC) immediately of any hazardous substance (HS) release that equals or exceeds its reportable quantity (RQ) and is not federally permitted. Notification under CERCLA is intended to ensure that Federal authorities receive prompt notification of hazardous substance releases for which a timely response may be necessary to protect public health or welfare, or the environment from any adverse effects that may be associated with the release.

In addition, Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA) section 304 requires the owner or operator of certain facilities to immediately notify the State Emergency Response Commission (SERC) or Tribal Emergency Response Commission (TERC); and the Local Emergency Planning Committee (LEPC) or Tribal Emergency Planning Committee (TEPC) for the area(s) likely affected by a release of an extremely hazardous substance (EHS) or CERCLA hazardous substance in an amount equal to or greater than the Reportable Quantity (RQ) for that substance within a 24-hour period.¹

¹ The lists of CERCLA hazardous substances and EPCRA EHS and their applicable reportable quantities are codified in 40 CFR 302.4 and Appendices A and B of 40 CFR part 355. The information collection activities for immediate notification under CERCLA section 103(a) and EPCRA section 304 are authorized by OMB under the Information Collection Requests with OMB Control Nos. 2050-0086 and 2050-0092, respectively.

CERCLA section 103(f)(2) provides relief from the per-occurrence notification requirements of section 103(a) for hazardous substance releases that are “continuous,” and “stable in quantity and rate,” provided that such releases are reported “annually, or at such time as there is any statistically significant increase” in the quantity of the release. Data for the number of continuous release reports submitted to the Federal government are available through the National Response Center’s incident data base.²

Reporting criteria under EPCRA section 304 is closely tied to reporting under CERCLA section 103 requirements. EPCRA section 304 requires that all releases of CERCLA hazardous substances that must be reported under CERCLA section 103(a), as well as EPCRA EHSs, also be reported to SERCs (or TERCs) and LEPCs (or TEPCs) if the releases have a potential for offsite exposure. Releases of other EHSs that are not CERCLA hazardous substances must be reported to SERCs (or TERCs) and LEPCs (or TEPCs) if the release occurs in a manner that would require notification under CERCLA section 103(a). Similarly, releases exempt from reporting under CERCLA section 103(a), such as federally permitted releases, or releases subject to reduced reporting requirements under CERCLA section 103(f)(2), are not subject to immediate notification under EPCRA section 304.

2. Need/Authority for Collection; Use/Users of the Data

2(a) Need/Authority for the Collection

The information collection required in the CRRR (40 CFR 302.8) is authorized under CERCLA sections 103(f)(2) and 104(e). CERCLA section 103(f)(2) provides relief from the immediate notification requirements of CERCLA section 103(a) for hazardous substance releases that are “continuous,” “stable in quantity and rate,” and for which notification has been given under CERCLA section 103(a) “for a period sufficient to establish the continuity, quantity, and regularity” of the release. It also requires that notification of releases qualified as continuous under the CRRR must be provided “annually, or at such time as there is any statistically significant increase” in the quantity of the release. The specific information, entry, and inspection and sampling activities for the purposes of determining the need for a response or choosing or taking any response action under CERCLA are authorized under CERCLA section 104(e).

Reduced reporting provisions that apply to continuous releases under CERCLA section 103(f)(2) are also applicable to notification provided to SERC (or TERC) and LEPC (or TEPC) under EPCRA section 304 for continuous releases of EHS.

CERCLA section 103(f)(2) also establishes a notification system that documents information provided in the respondent notifications. The information collection and management requirements of the CRRR are necessary to determine whether a response action is needed to control or mitigate any potential adverse effects associated with a reported hazardous substance release.

²The database is available at: <http://www.nrc.uscg.mil/>.

2(b) Use/Users of the Data

The information collected under the CRRR is used to evaluate the acute and chronic effects of the continuous release to determine whether a government response action is necessary to prevent or mitigate any adverse effects. Any hazardous substance release that equals or exceeds its Reportable Quantity (RQ) warrants a timely evaluation of its source, emission rate, and chemical form, the proximity of sensitive populations or ecosystems, and the ambient conditions, to ensure the protection of public health and welfare and the environment. Agency responses to continuous hazardous substance release notifications may include requests for more detailed information to conduct a more detailed risk assessment, the imposition of more stringent emissions limitations, and removal and/or remedial actions. Finally, the release notification information is used by State and local government emergency planning agencies to conduct State and local emergency response planning.

3. Nonduplication, Consultations, and other Collection Criteria

3(a) Nonduplication

The hazardous substance release information requested under the CRRR in the initial written and follow-up reports is the minimum information necessary to properly evaluate a hazardous substance release. EPA analyzed possible areas of overlap with other regulations and concluded there are limited areas of overlap with reporting requirements under other statutes and provisions, including the Toxic Release Inventory (TRI) report under EPCRA section 313. Any duplication, however, is limited because of differences in the list of chemicals and the NAICS and facility sizes affected by EPCRA section 313. EPCRA section 313 requirements apply only to facilities in certain NAICS codes whose inventory quantities exceed 10,000 lbs. and CERCLA section 103 affects facilities in all NAICS codes regardless of inventory amounts. In addition, the EPCRA section 313 list of toxic chemicals includes only about one-quarter of the listed CERCLA hazardous substances. Further, the EPCRA section 313 list includes some substances that are not on the CERCLA list.

To minimize duplicative reporting, EPA allows facilities that are subject to the reporting requirements of both regulations to submit the TRI report as a substitute for the written reports required under the CRRR, provided that certain additional continuous release information which is required to properly evaluate the need for a government response is included as an addendum to the TRI report. This additional information includes (1) the upper and lower bounds (normal range) of the release over a 24-hour period of each hazardous substance; (2) the frequency of the release from each release source; (3) a signed statement describing the basis for asserting that the release is continuous and stable in quantity and rate; (4) the population density within a one-mile radius; and (5) the identity and location of any sensitive populations and ecosystems within a one-mile radius.

Additionally, continuous release reporting eliminates frequent and repetitive reporting under CERCLA section 103(a) and EPCRA section 304 (immediate notification). If a facility with continuous releases were to report on a per-occurrence basis, it could be notifying the NRC, SERC (or TERC), and LEPC (or TEPC) daily.

3(b) Public Notice

In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), the Agency has notified the public through the Federal Register notice on the renewal of this ICR on September 1, 2021 (86 FR 49020). EPA received no comments during the 60-day comment period.

3(c) Consultations

For this renewal, four company representatives responsible for making notifications to the NRC and submitting written follow-up reports were consulted regarding the process and burden this collection imposes. Brief summaries of those consultations are contained in Appendix A.

3(d) Effects of Less Frequent Collection

The frequency of information collection established in the CRRR is the minimum level necessary for proper evaluation of continuous releases. If the information collected under the CRRR, such as the source, frequency, and composition of the release, the environmental media affected, and the identity and location of any sensitive populations or ecosystems, were collected less frequently than stipulated under the CRRR, the Federal government's ability to properly evaluate the threat posed by the release and the need for a response action would be jeopardized.

3(e) Confidentiality and Sensitive Questions

The regulations implementing CRRR do not require the submission of any proprietary, trade secret, other confidential information or any sensitive business information. In addition, the information collection requested under these regulations complies with the Privacy Act of 1974 and OMB Circular A-108.

4. Respondents' SIC/NAICS Codes; Information Requested

4(a) Respondents' NAICS Codes

Facilities in the following major NAICS groups at the two-digit level which may be subject to either or both implementing regulations under CERCLA section 103(a) and CWA section 311 are: 11 (Agriculture, Forestry, Fishing and Hunting), 22 (Utilities), 31-33 (Manufacturing), 43 (Wholesale Trade), 44-45 (Retail Trade), and 48-49 (Transportation and Warehousing). Facilities under other NAICS codes not listed above, in both the manufacturing and non-manufacturing sectors, also may be covered by these regulations.

4(b) Information Requested

(i) Data Items for Continuous Release Reporting

To ensure that government authorities receive timely and sufficient information to evaluate potentially dangerous hazardous substance releases reported under CERCLA section 103 and EPCRA section 304, the CRRR requires seven types of information collection activities. These reporting requirements, including the substance-specific information for each continuous release which each facility must provide, are presented in Appendix B.

(ii) Respondent Activities

Respondent reporting activity requirements, including the substance-specific information for each continuous release which each facility must provide, are presented in detail in Appendices C and D.

5. The Information Collected -- Agency Activities; Collection Methodology; Small Entity Flexibility; Collection Schedule

5(a) Agency Activities

Federal authorities, the SERC (or TERC) and LEPC (or TEPC) staff review the CRRR reports. EPA may request additional (supplemental) information or clarification of information previously submitted by a facility and may use this information to conduct a more in-depth risk assessment of the release. In some extreme cases, EPA may decide to conduct a site inspection to review the circumstances associated with the release. Additionally, site inspections may be conducted periodically as a compliance and enforcement measure.

The burden estimates developed for each of the processing, evaluation and other activities performed by the Federal government are presented in Section 6(b) of this document.

5(b) Collection Methodology and Management

Historically, including in the previous ICR renewal period, the EPA Regions received the submissions from their geographic area. EPA centralized collection of the submissions to EPA HQ in 2021. The reports submitted to EPA HQ include the initial written report, the follow-up report, and changes in release reports. Additionally, the NRC immediately notifies EPA of any Statistically Significant Increase (SSI) reports.

5(c) Small Entity Flexibility

The notification requirements under section 103(a) of CERCLA and section 304 of EPCRA and the reporting relief for continuous releases available under section 103(f)(2) apply equally to all firms regardless of size. There are no special information collection or record keeping requirements for small businesses. EPA believes that the notification system developed under the CRRR represents the minimum level of reporting necessary for the Federal On-Scene Coordinator (OSC) to evaluate whether a response action is needed to prevent or mitigate any

hazards to public health and welfare and the environment. EPA cannot reduce reporting requirements facing small businesses any further without jeopardizing the quality of the information needed to evaluate the threat posed by the release and the need for a Federal response.

5(d) Collection Schedule

The facility must make an initial telephone call to the NRC, the SERC (or TERC) and the LEPC (or TEPC) as soon as the person in charge learns of a hazardous substance release that equals or exceeds its RQ. The caller must decide whether to report the release under CERCLA section 103(a) and EPCRA section 304 (i.e., as an episodic release) or CERCLA section 103(f) (2) (i.e., as a continuous release). The initial written report under CRRR must be provided within 30 days of the initial telephone call and a written follow-up report provided to EPA HQ within 30 days of the anniversary date of submission of the initial written report. Thereafter, the reporting facility is responsible for reevaluating the release annually, but no reports are required unless there is a change in either the sources or composition of a release, the release information previously submitted, or a Statistically Significant Increase (SSI) in the release. If there is a change, the person in charge must submit a letter detailing the change to EPA within 30 days of determining that a change has occurred. See Appendices B, C and D for more detailed information.

6. Estimating the Burden and Cost of the Collection

6(a) Estimated Number of CRRR Reports/Notifications

Exhibit 1—Previous (2019-2021) and Estimated New (2022-2024) CRRR Reports/Notifications Submitted by Facilities.

	Number of Reportable Continuous Releases 2019	Number of Reportable Continuous Releases 2020	Number of Reportable Continuous Releases 2021	Estimated Number of Reportable Continuous Release Reports 2022	Estimated Number of Reportable Continuous Release Reports 2023	Estimated Number of Reportable Continuous Release Reports 2024
New CRRR Submissions	25	25	25	25	25	25
Total CRRR Submissions	4,150	4,175	4,200	4,225	4,250	4,275

EPA received 25 new CRRR Reports/Notifications annually during the previous ICR period (2019-2021) and assumes that the same number will be submitted during each year of the ICR renewal period (2022-2024).

6(b) Estimating Agency Burden and Cost

The Federal government (NRC and EPA), and State and local SERCs (or TERCs) and LEPCs (or TEPCs) perform the following activities:

- Process initial telephone notification (NRC, SERC (or TERC), and LEPC (or TEPC).
- Process initial written report (EPA, SERC (or TERC), and LEPC (or TEPC).
- Process follow-up written report (EPA only).
- Process any change in the sources, composition or frequency of release reports (EPA, SERC (or TERC), and LEPC (or TEPC).
- Process other changes in information.
- Process SSI reports (NRC, SERC (or TERC), and LEPC (or TEPC).
- Conduct other necessary activities (obtain additional information, conduct site inspection) (EPA).

Exhibits 2 and 3 present the estimated burden hours and unit costs associated with each of the activities listed above for the Federal government and State and local governments, respectively. For the purposes of this supporting statement, all State and local government costs are combined because both have the same burden hours associated with each submission. The unit cost estimates presented in Exhibit 2 are calculated by multiplying the applicable burden estimates by the average hourly wage rate for government employees. Based on the 2021 OPM GS Pay Schedule, EPA estimates an average hourly, fully loaded wage rate of \$66.85 for a GS 12 Step 1, Federal government employee in the Washington, D.C. area. According to the Bureau of Labor Statistics (BLS), the average hourly, fully loaded wage rate for a State or local government employee is \$54.78.³ A full description of the basis for each government burden estimate is provided in the remainder of this section.

Exhibit 2 – Unit Burden Hours and Costs Incurred by the Federal Government by Information Collection Activity (2021\$)

Collection Activity	Burden Hours (\$/hr)	Unit Cost
Process Initial Telephone Notification	0.50	\$33.43

³ Bureau of Labor Statistics’ News Release dated Sept. 16, 2021, Employer Costs for Employee Compensation, Table 3. Employer Costs for Employee Compensation for state and local government workers by occupational and industry group listed hourly compensation (wages and salaries plus fringe benefits), presents rates for state and local government managerial, technical, and clerical workers. Therefore, the wage rates used in this ICR include salaries, fringe benefits, overhead costs and general and administrative costs as of June 2021. <https://www.bls.gov/news.release/pdf/ecec.pdf>

Process Initial Written Report	1.00	\$66.85
Process Follow-up Written Report	1.00	\$66.85

Exhibit 3 – Unit Burden Hours and Costs Incurred by State and Local Governments by Information Collection Activity

Collection Activity	Combined State and Local Burden Hours (\$/hr)	Unit Cost for both State and Local Combined
	\$54.78	
Process Initial Telephone Notification	1.00	\$54.78
Process Initial Written Report	2.00	\$109.56

6(c) Estimating Respondent Burden and Costs

The estimated burden hours for each of the activities facilities perform are presented in Exhibit 4. Unit burden estimates are from the CRRR Regulatory Impact Analysis and are based on CERCLA reporting experience, EPCRA section 313 (TRI) reporting experience, and EPA professional judgment.

Exhibit 4– Unit Burden Hours per Respondent Information Collection Activity—Facilities

Collection Activity	When Collection Activity is Performed	Percentage of Continuous Releases that Will Require a Collection Activity	Unit Burden Hours			
			Mgt	Tech	Clerical	Total
Providing an Initial Telephone Notification	When first reporting a release	100% of new releases	1.0	2.0	0.0	3.0
Preparing an Initial Written Report	Within 30 days of an initial telephone notification	100% of new releases	3.0	3.0	1.0	7.0
Preparing a Follow-up Written Report	A year after the submission of an initial written report	100% of all second year releases	3.0	1.0	1.0	5.0
Conducting an Annual Evaluation of a Release	Each year beginning the year after the submission of a written follow-up report	100% of all third year and subsequent year releases	3.0	1.0	1.0	5.0
Record keeping	Each year of a release	100% of all new and current releases	0.0	4.0	0.0	4.0

The estimated annual burden hours incurred by a “typical” facility are presented in Exhibit 5. A typical respondent facility is assumed to report one continuous hazardous substance release in year one. No other conditional activities (e.g., SSI reporting and facilitating a site inspection) are assumed to be required of the typical respondent.

Exhibit 5 – Burden Hours for a Typical¹ Facility

Collection Activity	First Year Burden Hours				Second Year Burden Hours				Third Year Burden Hours			
	Mgt	Tech	Clerical	Total	Mgt	Tech	Clerical	Total	Mgt	Tech	Clerical	Total
Providing an Initial Telephone Notification	1.0	2.0	0.0	3.0	NA	NA	NA	0.0	NA	NA	NA	0.0
Preparing an Initial Written Report	3.0	3.0	1.0	7.0	NA	NA	NA	0.0	NA	NA	NA	0.0
Preparing a Follow-up Written Report	NA	NA	NA	0.0	3.0	1.0	2.0	6.0	NA	NA	NA	0.0
Conducting an Annual Evaluation of a Release	NA	NA	NA	0.0	NA	NA	NA	0.0	3.0	1.0	1.0	5.0
Record keeping	0.0	4.0	0.0	4.0	0.0	4.0	0.0	4.0	0.0	4.0	0.0	4.0
Total Burden Hours for a Typical Facility	4.0	9.0	1.0	14.0	3.0	5.0	2.0	10.0	3.0	5.0	1.0	9.0

¹ A “typical” respondent facility is assumed to report one continuous hazardous substance release in year one. No other conditional activities are assumed to be required of the typical respondent.

NA = Not Applicable.

(i) Estimating Labor Costs

The estimated cost to complete continuous release reporting activities required under the CRRR is calculated by multiplying the burden hour estimate by the hourly wage rate for each labor category. The fully loaded hourly wage rates used for industry are from the Bureau of Labor Statistics, June 2021⁴ and are \$71.35 for managerial staff, \$66.51 for technical staff, and \$30.13 for clerical staff.

⁴ Bureau of Labor Statistics’ News Release dated Sept. 16, 2021, Employer Costs for Employee Compensation, Table 4. Employer Costs for Employee Compensation for private industry workers by occupational and industry group, listed hourly compensation (wages and salaries plus fringe benefits) rates for goods-producing industries, management, technical, and clerical workers. Therefore, the wage rates used in this ICR include salaries, fringe benefits, overhead costs and general and administrative costs as of June 2021.
<https://www.bls.gov/news.release/pdf/ecec.pdf>

These rates reflect the employer costs for employee compensation in the United States as of June 2021 and include both employer costs for legally required benefits (e.g., Social Security, worker’s compensation, and unemployment insurance), other fringe benefit categories (e.g., insurance, paid leave, retirement, and savings), and overhead and general and administrative costs.

Exhibit 6 presents the unit costs to industry of performing the notification, record keeping, and other activities that may be required in reporting a continuous release. The unit cost of each collection activity is calculated by multiplying the annual burden hour estimates in Exhibit 5 by the hourly wage rate for the appropriate labor category (listed above).

Exhibit 6 – Unit Burden Hours and Labor Cost per Respondent for each Information Collection Activity

Collection Activity	Burden Hours			Unit Labor Cost
	Managerial/hr \$71.35	Technical/hr \$66.51	Clerical/hr \$30.13	
Providing an Initial Telephone Notification	1.0	2.0	0.0	\$204
Preparing an Initial Written Report	3.0	3.0	1.0	\$444
Preparing a Follow-up Written Report	3.0	1.0	1.0	\$311
Conducting an Annual Evaluation of a Release	3.0	1.0	1.0	\$311
Record keeping	0.0	4.0	0.0	\$266

Exhibit 7 presents the annual labor cost estimated to be incurred by a typical facility.

Exhibit 7 – Annual Labor Costs for a Typical¹ Facility

Collection Activity	Annual Burden Hours			Annual Labor Costs		
	Managerial/hr \$71.35	Technical/hr \$66.51	Clerical/hr \$30.13	First Year	Second Year	Third Year
Providing an Initial Telephone Notification	1	2	0	\$204.37	NA	NA
Preparing an Initial Written Report	3	3	1	\$443.71	NA	NA
Preparing a Follow-up Written Report	3	1	1	NA	\$310.69	NA
Conducting an Annual Evaluation of a Release	3	1	2	NA	NA	\$340.82
Record keeping	0	4	0	\$266.04	\$266.04	\$266.04

Total Labor Costs for a Typical Facility		\$914	\$577	\$607
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¹ A “typical” respondent facility is assumed to report one continuous hazardous substance release in year one. No other conditional activities are assumed to be required of the typical respondent.

N/A = Not Applicable.

(ii) Estimating Capital and Operations and Maintenance Costs

Capital costs usually include any produced physical good needed to provide the needed information, such as machinery, computers, and other equipment. EPA does not anticipate that respondents will incur capital costs in carrying out the information collection requirements of the CRRR.

Operation and Maintenance (O&M) costs are associated with a paperwork requirement incurred continually over the life of the ICR and are shown in Exhibit 8. O&M costs include photocopying of report templates to be filled out for each release source (\$.30 per page) and postage and an envelope for reports sent to EPA, the SERC (or TERC) and the LEPC (or TEPC). There are no O&M costs associated with providing the initial telephone notification to the NRC, the SERC (or TERC), or the LEPC (or TEPC) or reporting an SSI under the CRRR. Each written report is assumed to be five pages. The postage and mailing costs are assumed to be equal for all documents and are calculated as totaling \$15.75 per report sent to EPA, State and local governments.⁵

Exhibit 8 – Unit Operation and Maintenance Costs per Respondent Information Collection Activity

Collection Activity	Unit O&M Costs		Total Unit O&M Cost per Report
	Photocopying (\$/pg)	Mailing (\$/report)	
Providing an Initial Telephone Notification	\$0.30	\$17	\$0.00
Preparing an Initial Written Report (5pgs/1rpt)	\$4.50	\$50.25	\$54.75
Preparing a Follow-up Written Report (5pgs/1rpt)	\$1.50	\$16.75	\$18.25
Record keeping (5pgs)	\$1.50	\$0.00	\$1.50

Exhibit 9 presents O&M costs for a typical facility.

⁵ Postage includes Priority Mail Flat Rate Envelope at \$8.95, certified mail at \$3.75, and return receipt at \$3.05. Certified and return receipt are not required; however, most respondents are expected to incur these costs.

Exhibit 9 – Operation and Maintenance Costs for a Typical¹ Facility

Collection Activity	Unit O&M Costs		Total Unit Cost		
	Photocopying (\$/page) \$0.30	Mailing (\$/report) \$17	First Year	Second Year	Third Year
Providing an Initial Telephone Notification	\$0.00	\$0.00	NA	NA	NA
Preparing an Initial Written Report – (5 pages/1 report)	\$4.50	\$50.25	\$54.75	NA	NA
Preparing a Follow-up Written Report - (5 pages/1 report)	\$4.50	\$50.25	NA	\$54.75	NA
Record keeping - (5 pages/1 report)	\$1.50	\$0.00	\$1.50	\$1.50	\$1.50
Total O&M Costs for a Typical Facility			\$56.25	\$56.25	\$1.50

¹A “typical” respondent facility is assumed to report one continuous hazardous substance release in year one. No other conditional activities are assumed to be required of the typical respondent.
NA = Not Applicable.

Annual labor and O&M costs incurred by respondents are summarized in Exhibit 10. There are no capital costs associated with this ICR.

Exhibit 10 – Unit Labor and O&M Costs per Respondent Information Collection Activity

Collection Activity	Unit Labor Cost	Unit O&M Cost	Total Unit Costs
Providing an Initial Telephone Notification	\$204.37	\$0.00	\$204.37
Preparing an Initial Written Report	\$443.71	\$54.75	\$498.46
Preparing a Follow-up Written Report	\$310.69	\$54.75	\$365.44
Conducting an Annual Evaluation of a Release	\$310.69	\$0.00	\$310.69
Record keeping	\$266.04	\$1.50	\$267.54

Exhibit 11 presents annual labor and O&M costs for a typical facility.

Exhibit 11 – Labor and O&M Costs for a Typical¹ Facility

Collection Activity	Total Labor Costs			Total O&M Costs			Total Costs		
	First Year	Second Year	Third Year	First Year	Second Year	Third Year	First Year	Second Year	Third Year
Providing an Initial Telephone Notification	\$204.37	NA	NA	NA	NA	NA	\$204.37	NA	NA
Preparing an Initial Written Report	\$443.71	NA	NA	\$54.75	NA	NA	\$498.46	NA	NA
Preparing a Follow-up Written Report	NA	\$310.69	NA	NA	\$36.50	NA	NA	\$347.19	NA
Conducting Annual Evaluations	NA	NA	\$340.82	NA	NA	NA	NA	NA	\$340.82
Record keeping	\$266.04	\$266.04	\$266.04	\$1.50	\$1.50	\$1.50	\$267.54	\$267.54	\$267.54
Total Costs for a Typical Facility	\$914	\$577	\$607	\$56	\$38	\$2	\$970	\$615	\$608

¹A “typical” respondent facility is assumed to report one continuous hazardous substance release in year one. No other conditional activities are assumed to be required of the typical respondent.

NA = Not Applicable.

6(c) Agency Burden and Cost

Exhibits 12 and 13 present the total and annual estimated burden hours and costs incurred by the Federal government and State and local governments, respectively, over a three-year period.

Exhibit 12 – Annual Burden Hours and Costs – Federal Government

Collection Activity	# of Reported Releases Estimated to Require the Collection Activity Over Three Years			Unit Burden Hours	Unit Cost	Burden Hours Over Three Years				Cost Over Three Years			
	1st Year	2nd Year	3rd Year			1st Year	2nd Year	3rd Year	Total	1st Year	2nd Year	3rd Year	Total
Processing Initial Telephone Notification	25	25	25	0.50	\$33.43	13	13	13	38	\$836	\$836	\$836	\$2,507
Processing Initial Written Report	25	25	25	1.00	\$66.85	25	25	25	75	\$1,671	\$1,671	\$1,671	\$5,014
Processing Follow-up Written Report	25	25	25	1.00	\$66.85	25	25	25	75	\$1,671	\$1,671	\$1,671	\$5,014
Total						63	63	63	188	\$4,178	\$4,178	\$4,178	\$12,534

Exhibit 13 – Annual Burden Hours and Costs – State and Local Government

Collection Activity	# of Reported Releases Estimated to Require the Collection Activity Over Three Years			Unit Burden Hours for both State and Local	Unit Cost for both State and Local Combined	Burden Hours Over Three Years				Combined Cost Over Three Years for both State and Local			
	1st Year	2nd Year	3rd Year			1st Year	2nd Year	3rd Year	Total	1st Year	2nd Year	3rd Year	Total
Processing Initial Telephone Notification	25	25	25	1.00	\$54.78	25	25	25	75	\$1,370	\$1,370	\$1,370	\$4,109
Processing Initial Written Report	25	25	25	2.00	\$109.56	50	50	50	150	\$2,739	\$2,739	\$2,739	\$8,217
Total						75	75	75	225	\$4,109	\$4,109	\$4,109	\$12,326

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

The estimated numbers of facilities and hazardous substance releases affected by the CRRR were calculated using the number of CRRR notifications reported to the NRC and an

estimation of all past submissions. The number of reports EPA estimates will be filed in the next three years is calculated from the total number of reports previously filed and reflects the number of annual reports in recent years. EPA has estimated that each affected facility will have one continuous release above the substance's RQs during the upcoming three-year ICR renewal period. For simplicity, EPA assumes that the 25 new submissions each year will be made to 25 unique State or local government agencies.

Exhibit 14 presents the estimated number of new releases that will be affected by the CRRR in the next three years, and the three-year total, including previous submissions.

**Exhibit 14 Estimated Number of New CRRR Hazardous Substance Releases-
Next Three Years**

The total annual burden incurred by the CRRR are Exhibit 15. The burden and costs facilities are three-year period.

Estimated New Submissions by Year	Estimated Number of Reportable Continuous Releases
2022	25
2023	25
2024	25
Total New Submissions (3-yr)	75
Three Year Total Submissions	4,275

estimated and hours and costs facilities affected presented in total and annual incurred by calculated over a

Exhibit 15 – Annual and Total Burden Hours and Costs --Facilities

Collection Activity	# of Reported Releases that Require the Collection Activity Over Three Years			Unit Burden Hours	Unit Labor Costs	Unit O&M Costs	Total Burden Hours Over Three Years			Total Labor Cost Over Three Years			Total O&M Costs Over Three Years		
	1st Year	2nd Year	3rd Year				1st Year	2nd Year	3rd Year	1st Year	2nd Year	3rd Year	1st Year	2nd Year	3rd Year
Providing Initial Telephone Notification	25	25	25	3.00	\$204.37	\$0.00	75	75	75	\$5,109	\$5,109	\$5,109	\$0	\$0	\$0
Preparing Initial Written Report	25	25	25	7.00	\$443.71	\$54.75	175	175	175	\$11,093	\$11,093	\$11,093	\$1,369	\$1,369	\$1,369
Preparing Follow-up Written Report	25	25	25	5.00	\$310.69	\$18.25	125	125	125	\$7,767	\$7,767	\$7,767	\$456	\$456	\$456
Conducting Annual Evaluations	4,225	4,250	4,275	5.00	\$310.69	\$0.00	21,125	21,250	21,375	\$1,312,665	\$1,320,433	\$1,328,200	\$0	\$0	\$0
Record keeping	4,225	4,250	4,275	4.00	\$266.04	\$1.50	16,900	17,000	17,100	\$1,124,019	\$1,130,670	\$1,137,321	\$6,338	\$6,375	\$6,413
Total							38,400	38,625	38,850	\$2,460,654	\$2,475,072	\$2,489,490	\$8,163	\$8,200	\$8,238

6(e) Bottom Line Burden Hours and Cost

The estimated annual average total burden for facilities is 38,625 hours at an annual average total cost of \$2,475,072. The estimated annual burden to the government is estimated to be approximately 138 hours at a cost of \$8,287. Exhibits 16, 17, and 18 present summaries of the bottom line burden and cost estimates for the ICR for facilities and governments, including labor and O&M costs.

Exhibit 16– Summary of Burden Hours and Costs -- Facilities

	First Year	Second Year	Third Year	Three-Year Average
Total Number of Respondents	4,225	4,250	4,275	4,250
Reporting Burden Hours	21,500	21,625	21,750	21,625
Record Keeping Burden Hours	16,900	17,000	17,100	17,000
Total Burden Hours	38,400	38,625	38,850	38,625
Total Labor Costs	\$2,460,654	\$2,475,072	\$2,489,490	\$2,475,072
O&M Costs for Reporting	\$1,825	\$1,825	\$1,825	\$1,825
O&M Costs for Record Keeping	\$6,338	\$6,375	\$6,413	\$6,375
Total O&M Costs	\$8,163	\$8,200	\$8,238	\$8,200

Exhibit 16 summarizes the estimated burden hours and costs incurred by industry. The bottom line burden to industry is approximately 38,400 hours for the first year and 38,625, and 38,850 hours for the second and third years, respectively. The bottom line industry labor costs are approximately \$2,460,654; \$2,475,072; and \$2,489,490 for the first, second, and third years, respectively. The bottom line industry O&M costs are approximately \$8,163; \$8,200 and \$8,238 for the first, second, and third years, respectively. The average estimated burden for industry over a three-year period is 38,625 hours at an average estimated labor cost of \$2,475,072 and O&M costs of \$8,200.

Exhibits 17 and 18 summarize the estimated burden hours and costs incurred by Federal, and State and local governments, respectively. The bottom line total government annual burden is approximately 138 hours. The bottom line total cost to the government is approximately \$8,267 per year.

Exhibit 17 – Summary of Burden Hours and Costs – Federal Government

	First Year	Second Year	Third Year	Annual Average
Total Burden Hours	63	63	63	63
Total Cost	\$4,178	\$4,178	\$4,178	\$4,178

Exhibit 18 – Summary of Burden Hours and Costs – State and Local Government Combined

	First Year	Second Year	Third Year	Annual Average
Total Combined Burden Hours	75	75	75	75
Total Combined Cost	\$4,109	\$4,109	\$4,109	\$4,109

6(f) Reasons for Change in Burden

Compared to the previous ICR renewal, the estimated respondent unit burden per CRRR submission has remained the same and the estimated annual total respondent burden has decreased by 88 percent, from an estimated 334,472 average annual hours in the previous ICR renewal to an estimated 38,625 average annual hours in this renewal. This ICR was updated to reflect the review of available information gathered while moving the program submissions from EPA Regions to a central location at EPA HQ. The previous ICRs had overestimated the burden on both industry and governments. The typical facility does not have an average of eight separate submissions, as previously estimated. While the burden to generate a CRRR submission remains the same, the overall submissions and number of chemicals reported are reduced. This reduces the labor burden for both industry and governments.

6(g) Burden Statement

The reporting and record keeping burden for this collection of information is estimated to average approximately 21.3⁶ hours per affected facility (see Exhibit 5: 28 hours the first year, 18 hours for year 2, and 18 hours for year 3), including determining whether the hazardous substance release qualifies for reporting under the CRRR, gathering and maintaining the required information, and completing and reviewing the written reports. 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.

680 hours per facility is further broken out to 48 hours for reporting (200,322 reporting burden hours/4,192 affected facilities) and 32 hours for record keeping (134,151 record keeping hours/4,192 affected facilities).

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-SFUND-2015-0100, which is available for online viewing 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. For further information about the EPA’s public docket, Docket Center services and the current status, please visit us online at <https://www.epa.gov/dockets>. The telephone number for the Docket Center is 202-566-1744. 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-SFUND-2015-0100 and OMB Control Number 2050-0086 in any correspondence.

APPENDIX A

Consultation Call Phone-Log Summaries

EPA contacted eight companies subject to the CRRR to obtain burden estimates and was able to complete consultations with four in December 2021. The companies were selected from the universe of facilities that sent continuous release submissions, initial written notification, written anniversary follow-up, or SSIs to EPA during the previous ICR period. Persons responsible for making notifications were queried about the internal processes and procedures in place to make and follow-up on a Continuous Release Report and on the estimated number of hours they spent on performing the activities described in the ICR.

East Dubuque Nitrogen Fertilizers
East Dubuque, IL
Incident Report #1218731

In September 2020, the facility submitted an SSI for ammonia. The initial CRRR notification occurred in 2018. The company representative indicated that they have internal procedures in place for determining and reporting a continuous release. This includes periodic review of operation processes and sharing of BMPs with larger corporation. They are aware of the CRRR for their operations and have submitted copies of the continuous release reports to the appropriate SERCs and LEPCs.

The company representative estimated that facility staff spent a total of approximately 30 to 40 hours generating the information for the CRRR and approximately 8 hours filling out and submitting the respective forms. This estimate generally falls within the burden estimate EPA is using for the ICR.

Duke Energy
Salisbury, NC
Incident Report #1226540

In September 2019, Duke Energy submitted an SSI for ammonia at the Carolina Buck CC facility. The initial reported release was identified and reported in October 2018. The facility has on-site environmental staff in conjunction with a corporate subject matter expert. The release was discovered, and subsequently updated, through routine review of operations at the facility. These annual reviews are part of the State requirements for North Carolina. The staff is aware of and has submitted copies of the continuous release report to the appropriate SERCs and LEPCs and has no questions regarding reporting continuous releases. The representative estimated the SSI submission took a from one to a few hours per submission as the information was generated as part of the annual review and was tracked, which allowed for reduced additional effort for compliance with CRRR. The estimated time falls within the burden estimate is using for the ICR.

Tennessee Valley Authority
Federal Government
Chattanooga, TN
Incident Report #1189730

In March 2019, the TVA submitted the written one-year anniversary follow-up submission for the power generation plant located in Gallatin, TN. The initial contact with the NRC was in February 2018 for hydrochloric acid, sulfuric acid, and hydrofluoric acid. The TVA has submitted several continuous release reports to EPA for facilities other than Gallatin. The release notifications at the power generation facilities generally result from change in process or a change in the blend of coal at the coal fired facilities. Following these changes, the facilities evaluate the potential releases and report accordingly. The TVA undergoes annual assessment of releases and centralizes tracking for the internal reviews. The company representative estimated that facility staff at the TVA's Mussel Shoals plant spent a total of approximately 8 hours on all the activities required under the Continuous Release Reporting requirements for each report. This estimate falls within the burden estimate EPA is using for the ICR. They are aware of the CRRR for their operations and have submitted copies of the continuous release reports to the appropriate SERCs and LEPCs.

Alliant Energy
Pardeeville, WI
Incident Report #1209067

In April 2018, the Alliant Energy Columbia Energy Center facility notified the NRC to report the initial continuous release of ammonia. The written one-year anniversary follow-up report was submitted in May 2019. The release was discovered during routine testing at the facility. The company representative estimated that facility staff spent a total of approximately 40 hours on all the activities required under the Continuous Release Reporting requirements for its report. This estimate generally falls within the burden estimate EPA is using for the ICR. They are aware of the CRRR for their operations and have submitted copies of the continuous release reports to the appropriate SERCs and LEPCs.

APPENDIX B

Required Data Elements

The data elements requested in the initial written and follow-up report are identical and consist of:

- The name of the facility or vessel; the location, including the longitude and latitude; the case number assigned by the National Response Center or Environmental Protection Agency; the Dun and Bradstreet number of the facility (if available); the port of registration of the vessel (if applicable); and the name and telephone number of the person in charge of the facility or vessel. [40 CFR 302.8(e)(1)(i)]
- A signed statement that the hazardous substance release described is continuous and stable in quantity and rate under the definitions of 40 CFR 302.8(b) and that all reported information is accurate and current to the best knowledge of the person in charge. [40 CFR 302.8(e)(1)(iv)(H)]
- The population density within a one-mile radius of the facility or vessel, described in terms of the following ranges: 0-50 persons, 51-100 persons, 101-500 persons, 501-1,000 persons, and more than 1,000 persons. [40 CFR 302.8(e)(1)(ii)]
- The identity and location of sensitive populations and ecosystems within a one-mile radius of the facility or vessel (e.g., elementary schools, hospitals, retirement communities, or wetlands). [40 CFR 302.8(e)(1)(iii)]

In addition, facilities must provide the following substance-specific information for each continuous release:

- The sources of the release, including specific source information (e.g., valves, pump seals, storage tank vents, stacks). [40 CFR 302.8(e)(1)(iv)(C)]
- The environmental medium affected by the release: if air, provide stack height or surface area affected; if surface water, the name of the surface water body; if a stream, the stream order or average flow rate and designated use; if a lake, the surface area and average depth; if on or underground, the location of public water supply wells within two miles. [40 CFR 302.8(e)(1)(iv)(G)(1-4)]
- The frequency of the release and the fraction of the release from each release source and the period over which it occurs. [40 CFR 302.8(e)(1)(iv)(D)]
- A brief statement describing the basis for stating that the release is

continuous and stable in quantity and rate. [40 CFR 302.8(e)(1)(iv)(E)]

- The name and identity of the hazardous substance and the Chemical Abstracts Service (CAS) Registry Number for the substance. If the release is a mixture, the hazardous substance components of the mixture and their approximate concentrations and quantities, by weight. [40 CFR 302.8(e)(1)(iv)(A)]
- The upper and lower bounds of the normal range of the release over the previous year. [40 CFR 302.8(e)(1)(iv)(B)]
- An estimate of the total annual amount of the hazardous substance released in the previous year (in pounds or kilograms). [40 CFR 302.8(e)(1)(iv)(F)]

APPENDIX C
CRRR Respondent Information Collection Activities

The regulated community is expected to:

- Gather necessary release data, such as the time, quantity, and source of the release.
- Notify the facility manager of the release.
- Consult with the environmental compliance expert regarding the release.
- Make an initial report of the release to the NRC.
- Submit an initial written notification to the appropriate EPA Headquarters Office.
- Provide follow-up notification within 30 days of the first anniversary date of the initial written notification.
- Make notifications to the NRC if there is a change in the release, including a statistically significant increase in a release.
- Make an annual evaluation of releases to determine whether changes have occurred in the information submitted in the initial written notification, the follow-up notification and/or in a previous change notification. If there are no changes, submittal of a report is not required.
- Keep all supporting documents, materials, and other information on file for a period of one year to substantiate the reported normal range of releases, the basis for stating that the release is continuous and stable in quantity and rate, and the other information in the initial written report, the follow-up report, and the annual evaluations.

APPENDIX D

Detailed CRRR Respondent Information Collection Activities

The CRRR requires the following information collection activities, described in greater detail below:

Initial Telephone Notification to the NRC – The initial telephone call to the NRC, the SERC (or TERC), and the LEPC (or TEPC) serves to notify government authorities of the facility’s intent to report a hazardous substance release under CERCLA section 103(f)(2) and EPCRA Section 304. All such releases must be reported in a continuous and stable manner. The initial telephone call, in conjunction with the initial written report, fulfills the statutory requirement that the release be reported under CERCLA section 103(a) and EPCRA Section 304 for a period sufficient to establish the continuity, quantity, and regularity of the release. The information provided in the initial telephone notification must include the name and location of the facility; and the name and identity of the hazardous substance(s) and/or EHSs being released.

Initial Written Report and the Follow-up Written Report – The initial written report and the follow-up written report, which are sent to EPA HQ, the SERC (or TERC) and the LEPC (or TEPC), provide a full description of the release. The follow-up written report, “first anniversary report”, is not required to be submitted to the SERC (or TERC) and the LEPC (or TEPC). The initial written report and follow-up written report serve as the basis for a comprehensive evaluation of the hazards posed by the release, which government authorities then use to determine whether a response action is necessary to prevent or mitigate any adverse effects. The initial written report must be submitted within 30 days of the initial telephone call. The follow-up written report (“first anniversary report”), due one year after submission of the initial written report, serves to verify the information provided on the initial written report. The initial notification is specified in 40 CFR 302.8 (d) and (e). Notification of a “statistically significant increase,” defined in 40 CFR 302.8(b) as any increase above the upper bound of the reported normal range. Notification of a “new release” is specified in 40 CFR 302.8(g) (1), and notification of a change in the normal range of the release as specified under 40 CFR 302.8(g)(2).

Annual Evaluation of a Release –A reporting facility is no longer required to submit a written report on its continuous releases after submitting a one-time written follow-up report to EPA HQ verifying that the information provided on the initial written report remained the same. However, the reporting facility must conduct and document an annual assessment of its continuous releases beginning the year after the submission of the follow-up written report. The purpose of the annual evaluation is to identify any changes that may have occurred in the release situation over the preceding year.

Change in the Source, Composition, or Frequency of a Release Report – If there is a change in the source, composition or frequency of a release, the release must be reported and treated as a new continuous release. An initial telephone notification and

written report must be provided as described above. The person in charge also must submit a follow-up report within one year of the change report.

Other Changes in Information – Facilities experiencing a change in a continuous release that invalidates information previously submitted on the continuous release must notify EPA HQ by letter within 30 days of the change. The letter should explicitly identify the new (or changed) information and include an explanation for the change. For example, a facility must notify EPA if any schools, hospitals, retirement homes, or other developments housing sensitive populations are open within one mile of the facility.

Statistically Significant Increase (SSI) Report – The CRRR defines an SSI as a release of a hazardous substance that exceeds the upper bound of the normal range of the release as established by the facility. The normal range of a release is defined by the range of release weights (in lbs. or kilograms) recorded during the preceding year under normal operating conditions. An SSI release is considered an episodic release because it is a release above the RQ and must be reported immediately to the NRC, the SERC (or TERC), and the LEPC (or TEPC), by telephone pursuant to the notification requirements of CERCLA section 103(a) and EPCRA section 304.

Record keeping – Facilities may maintain a log or some other record of each hazardous substance release reported as continuous under CERCLA section 103(f)(2). The information documented in the record can be used to demonstrate compliance with the provisions of the CRRR, including the requirements to demonstrate the continuity and stability of the release and to conduct an annual evaluation of the release. See section 4(b)i above or Appendix C for a list of the data elements.