

## **MEMORANDUM**

**SUBJECT:** Emergency Review Justification for the Revision to the Information Collection Request for the 2020 Drinking Water Infrastructure Needs Survey and Assessment (DWINSA) (OMB Control Number 2616.02; EPA ICR Number 2040-NEW)

**FROM: Anita Thompkins, Director**

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Office of Ground Water and Drinking Water

**THRU: Courtney Kerwin, Director**

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Office of Mission Support

**TO: OMB Desk Officer for EPA's Office of Water**

Office of Information and Regulatory Affairs  
Office of Management and Budget

Pursuant to section 3507(j) of the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 et seq.), as implemented in the Office of Management and Budget (OMB) regulations at 5 CFR §1320.13, the Environmental Protection Agency (EPA) is hereby requesting emergency processing of a revision to an information collection, the 2020 Drinking Water Infrastructure Needs Survey and Assessment (DWINSA).

### **Information Collection is Essential to the Mission of the Agency**

The purpose of the information collection through the 2020 DWINSA was to identify the infrastructure needs of public water systems for the 20-year period from January 2020 through December 2039. The EPA's Office of Ground Water and Drinking Water collected these data to comply with sections 1452(h) and 1452(i)(4) of the Safe Drinking Water Act (42 U.S.C. 300j-12). In addition, the America's Water Infrastructure Act (AWIA) of 2018 mandated EPA to evaluate and include the cost to replace lead service lines (LSL) in the drinking water infrastructure needs survey.

Data from this LSL collection request were used to calculate allotments of the Drinking Water State Revolving Fund (DWSRF) Bipartisan Infrastructure Law (BIL) Lead Service Line Replacement (LSLR) funding to states. However, states have expressed interest in a one-time update of the LSL questionnaire for the 2020 DWINSA because service line information is rapidly changing as states and water systems develop inventories required under the Lead and Copper Rule Revisions. This one-time update of the LSL questionnaire will allow water systems and states that provided incomplete submissions to the original LSL questionnaire or are still working on their LSL inventories to provide additional information to the data collected in 2021, resulting in a BIL LSLR allotment for FY24 that reflects the most current understanding of the states' needs.

### **Information Collection Activities Involved in this Emergency Request**

This is a one-time revision to the 2020 DWINSA information collection for the LSL questionnaire only. A supporting statement addendum associated with this

information collection is attached. As a summary, information collection activities will include an informational phone call, an e-mail with the data collection instrument to the water systems, and an additional phone call or email to collect LSL data.

### **EPA Cannot Reasonably Comply with the Normal Clearance Procedures**

EPA is requesting an emergency approval of this ICR because EPA intends for the update to affect the BIL LSLR allotments starting in FY2024 (i.e., 3rd year of BIL funding). To achieve this timeline, questionnaires will need to be sent to states in August 2023, with data collection occurring from September to November 2023. This would allow the final release of the FY2024 BIL LSLR funding allotments in early 2024.

### **Agency Has Taken All Practicable Steps to Consult with Affected Parties in Order to Minimize Burden**

EPA has engaged states for input on details of the process through workgroups and water sector association meetings. Further, this one-time LSL count update to 2020 DWINSA is a request from the states, many of whom felt the quality of data for LSL counts has improved since the 2020 DWINSA data collection timeframe. This collection will only include requests for updated responses from the original 2020 DWINSA-surveyed water systems. EPA intends to provide virtual contractor support for small water systems, similar to services provided for the 2020 DWINSA.

### **Federal Register Notice**

Current with the submission of this request, EPA will publish a notice in the Federal Register stating that we are requesting emergency processing of this revised ICR.

### **Requested Approval Date**

EPA requests that OMB please provide an approval/disapproval determination of this request to collect information under an emergency clearance by July 31, 2023

If you have any questions or need anything further, please contact Courtney Kerwin

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