

U.S. Environmental Protection Agency Information Collection Request

Title: Annual Public Water Systems Compliance Report

OMB Control Number: 2020-0020

EPA ICR Number: 1812.08

Abstract: Section 1414(c)(3)(A) of the Safe Drinking Water Act requires that each state that has primary enforcement authority under the Act shall prepare, make readily available to the public, and submit to the Administrator of EPA, an annual report of violations of national primary drinking water regulations in the state. The states' reports are to include violations of maximum contaminant levels, treatment requirements, variances and exemptions, and monitoring requirements determined to be significant by the Administrator after consultation with the states. To minimize a States burden in preparing its annual statutorily required report, EPA issued guidance that explains what Section 1414(c)(3)(A) requires and provides model language and reporting templates. EPA also annually makes available to the States a computer query that generates for each State (from information States are already separately required to submit to EPAs national database on a quarterly basis) the required violations information in a table consistent with the reporting template in EPAs guidance.

Supporting Statement A

1. NEED AND AUTHORITY FOR THE COLLECTION

Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.

As stated above, Section 1414 (c)(3)(A) of the Safe Drinking Water Act requires that each State that has primary enforcement authority under the Act shall prepare, make readily available to the public, and submit to the Administrator of EPA, an annual report of violations of national primary drinking water regulations in the State. The States' reports are to include violations of maximum contaminant levels, treatment requirements, variances and exemptions, and monitoring requirements determined to be significant by the Administrator after consultation with the States. Section 1414(c)(3) (B) of the Safe Drinking Water Act requires EPA to prepare and make available to the public an annual report that summarizes and evaluates the reports submitted by the States pursuant to subparagraph (A).

2. PRACTICAL UTILITY/USERS OF THE DATA

Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

EPA summarizes the data submitted by the states and uses that information in preparing its annual report that provides a national overview of the compliance performance of public water systems.

In its annual national report, EPA must also use the violations data provided by the States to make recommendations concerning the resources necessary to improve compliance with the Safe Drinking Water Act.

3. USE OF TECHNOLOGY

Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.

EPA asks States with primary enforcement authority to submit their Annual State Public Water System Compliance Reports in electronic or hard-copy format, and most states submit the report electronically. Section 1414(c)(3)(A) requires that both the Annual State Public Water Systems Compliance Reports and the State-prepared summaries be accessible to the public. In its guidance, EPA recommends that States and EPA Regions use one or more of the following mechanisms for making the reports and summaries readily available:

- Publish an official notice in newspapers regarding the availability of the report or summary;
- Conduct a press conference, issue a press release, or incorporate a notice into standard press conferences to announce report availability;
- Prepare notices for distribution in public libraries and other public buildings;
- Provide copies of the report for review at public offices and locations, libraries, web sites, state/local departments of health, etc.; and
- Include notices of availability in local, state and EPA web sites.

Additionally, EPA's national report, which will summarize the data collected from the states, will be posted on the Internet.

The respondents gather inventory and violations data from EPA's SDWIS/FED or from their own databases. Each year EPA provides the respondents with a computer query that generates for each State the required violations information in a table consistent with the reporting template in EPA's guidance. This is done to help reduce the burden of preparing the report.

4. EFFORTS TO IDENTIFY DUPLICATION

Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

The information to be obtained under this ICR has not been collected by EPA or any other federal agency. States are required to report public water system violations to EPA's national database on a quarterly basis, but states cannot satisfy their obligations under Section 1414(c)(3)(A) simply by referring interested parties to EPA's Safe Drinking Water Information System/Federal System (SDWIS/FED). EPA works with states to ensure they can efficiently extract from SDWIS/FED the calendar year violations data they need to prepare a report in which the violations data are readily available to the public. Some States elect not to use the EPA-provided query to extract the essential reporting data from SDWIS/FED and use their own data systems instead.

5. MINIMIZING BURDEN ON SMALL BUSINESSES AND SMALL ENTITIES

If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

None of the states, commonwealths, or territories affected by this ICR are small entities as defined by the Regulatory Flexibility Act.

6. CONSEQUENCES OF LESS FREQUENT COLLECTION

Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

Because Section 1414(c)(3)(A) of the Safe Drinking Water Act requires the States to prepare these reports annually and to make the reports readily available to the public, States do not have the option of collecting this information less frequently.

7. GENERAL GUIDELINES

Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.

These reporting or recordkeeping requirements do not violate any of the regulations promulgated by OMB under 5 CFR part 1320, section 1320.5.

8. PUBLIC COMMENT AND CONSULTATIONS

8a. Public Comment

If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the Agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the Agency in response to these comments. Specifically address comments received on cost and hour burden.

In compliance with the Paperwork Reduction Act of 1995, EPA issued a public notice in the Federal Register on March 13, 2024 (89 FR 18407) and provided a 60-day comment period. No comments were received.

8b. Consultations

Describe efforts to consult with persons outside the Agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported. Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years - even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

To obtain comments from actual respondents regarding the annual state public water systems compliance report and the corresponding burden hour estimates, EPA staff consulted with the following individuals:

Name	Telephone	Organization
Garrett Heathman	512-239-0520	Texas Commission on Environmental Quality
Christina Ardito	410-537-3729	Maryland Department of the Environment
Jaime Shakar	850-245-8626	Florida Department of Environmental Protection

As States have now completed seventeen of these annual reports, most of them simply generate the necessary data from SDWIS/FED, confirm the accuracy of the numbers, and update the previous year's report.

9. PAYMENTS OR GIFTS TO RESPONDENTS

Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.

No gifts or payments are given to the respondents as a part of collecting these reports.

10. ASSURANCE OF CONFIDENTIALITY

Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or Agency policy. If the collection requires a systems of records notice (SORN) or privacy impact assessment (PIA), those should be cited and described here.

None of the information collected as part of the States' annual public water systems compliance report comprises confidential business information (CBI), the required information consists of violations data and other information that are a matter of public record.

11. JUSTIFICATION FOR SENSITIVE QUESTIONS

Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the Agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

The reporting or recordkeeping requirements for the States' annual public water systems compliance report do not include sensitive questions.

12. RESPONDENT BURDEN HOURS & LABOR COSTS

Provide estimates of the hour burden of the collection of information. The statement should:

- *Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Generally, estimates should not include burden hours for customary and usual business practices.*
- *If this request for approval covers more than one form, provide separate hour burden estimates for each form and the aggregate the hour burdens.*

- *Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included as O&M costs under non-labor costs covered under question 13.*
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12a. Respondents/NAICS Codes

The respondents of the recordkeeping and reporting requirements are states that have received primary enforcement authority under the Safe Drinking Water Act. The term "State," in this context can include states, commonwealths, territories, and Indian Tribes. Currently, primary enforcement authority has been approved for every State except Wyoming, and for the U.S. Virgin Islands, Puerto Rico, American Samoa, Guam, the Navajo Nation and the Northern Mariana Islands. Primary enforcement authority has not been approved for the District of Columbia or for Indian Tribes except for the Navajo Nation. EPA has primary enforcement authority in those jurisdictions and is likely to retain that during the three-year duration of this ICR.

12b. Information Requested

In this ICR, all the data that is recorded or reported is required by Section 1414 (c)(3)(A) of the Safe Drinking Water Act.

A state must make the following reports:

- State name and reporting period
- Full report, including a description of the data in the Summary of Violations chart, specific information on the violation categories for each rule identified on the chart, a list of the systems that had maximum contaminant level or treatment technique requirement violations, explanations of any aggregated number of violations, and a description of systems that were out of compliance during the year, a discussion of variance or exemption violations;
- Summary report, including a description of the data on violations, a list of the systems that had maximum contaminant level or treatment technique requirement violations, and a discussion of variance or exemption violations; and
- Reviewed and completed Summary of Violations chart.

In addition to these items, States are encouraged to provide optional information as outlined EPA guidance. EPA provides guidance to the States to assist them in the development of their statutorily mandated reports.

Collection schedule

States with primary enforcement authority have six months after the end of each calendar year to prepare their Annual State Public Water Systems Compliance Reports, which are due to EPA on the first of July. Each report covers violations that occurred in a previous calendar year.

12c. Respondent Activities

- Familiarization with the regulatory requirements.
- Gather inventory and violations data from SDWIS/FED and from their own databases.
- Review and analyze inventory and violations data from SDWIS/FED and from their own databases.

- Prepare summary of violations data from SDWIS/FED and from their own databases.
- Prepare report and submit to EPA.
- Make report readily available to the public and distribute a summary of the report.

12d. Respondent Burden Hours and Labor Costs

Table 1 – Annual Respondent Burden and Costs – Annual Public Water Systems Compliance Report documents the computation of individual burdens for the recordkeeping and reporting requirements applicable to the States with primacy for the section of the Safe Drinking Water Act included in this ICR. The individual burdens are expressed under standardized headings believed to be consistent with the concept of burden under the Paperwork Reduction Act. Where appropriate, specific tasks and major assumptions have been identified. Responses to this information collection are mandatory. The 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 ICR uses the following labor rates:

Managerial	\$172.41
Technical	\$141.75
Clerical	\$71.36

These rates are from the U.S. Department of Labor, Bureau of Labor Statistics, December 2023, *Employer Costs for Employee Compensation, Table 2: Civilian Workers, by occupational and industry group*. The costs have been increased by 110 percent to account for overhead.

Based on our research and the previous experiences for this ICR, on average over the next three years, fifty-five existing respondents will be subject to the standard. It is estimated that no additional respondents will become subject to the standard in the next three years. EPA does not anticipate any additional states, territories, or tribes will obtain primacy in the next three years. The total number of annual responses per year is fifty-five, as each state is required to develop and submit one annual report.

Summarizing the results in table 1, the annual labor hours per response is 80 per year at a cost of \$13,272.73 per year, corresponding to a total annual labor hours of 4400 for a cost of \$730,000.

13. RESPONDENT CAPITAL AND O&M COSTS

Provide an estimate for the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected on the burden worksheet).

The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life) and (b) a total operation and maintenance and purchase of services component. The estimates should consider costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling, and testing equipment; and record storage facilities. If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collections services should be a part of this cost burden estimate.

Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.

The only type of state costs associated with the information collection activity in the Annual Public Water Systems Compliance Report is labor costs. There are no capital/startup or operation and maintenance costs.

14. AGENCY COSTS

Provide estimates of annualized costs to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information.

14a. Agency Activities

EPA conducts the following activities in connection with the acquisition, analysis, storage, and distribution of the required information:

- Modify guidance documents as necessary and distribute to states and EPA Regional Offices.
- Prepare and distribute tools for states and EPA Regional Offices to use to gather data from SDWIS/FED.
- Answer questions from states and EPA Regional Offices.
- Review Annual State Public Water System Compliance Reports and data from SDWIS/FED.
- Prepare and distribute annual report where EPA directly implements the Safe Drinking Water Act, and gather information from SDWIS/FED for Indian lands.
- Prepare the Annual National Public Water Systems Compliance Report that summarize and evaluates the annual state report, and distribute the national report.

14b. Agency Labor Cost

Table 2 - Annual Agency Burden and Costs - Annual Public Water Systems Compliance Report presents the estimate Agency burden hours and costs associated with the information collection activities under this ICR.

The average annual Agency cost during the three years of the ICR is estimated to be \$200,000.

This cost is based on the average hourly labor rate as follows:

Managerial	\$76.91 (GS-13, Step 5, \$48.07 + 60%)
Technical	\$57.07 (GS-12, Step 1, \$35.67 + 60%)
Clerical	\$30.88 (GS-6, Step 3, \$19.30 + 60%)

These rates are from the Office of Personnel Management (OPM), 2024 General Schedule, which excludes locality rates of pay. The rates have been increased by 60 percent to account for the benefit packages available to federal government employees. These rates can be obtained from the OPM web site, <http://www.opm.gov/oca/payrates/index/htm>. Details upon which this estimate is based appear

below in Table 2 – Average Annual Agency Burden and Costs, Public Water Systems Compliance Report. The table shows that the average annual Agency labor burden and cost over the next three years is estimated to be 2600 hours for \$200,000.

14c. Agency Non-Labor Costs

There are no anticipated non-labor costs for the Agency.

15) REASONS FOR CHANGE IN BURDEN

Explain the reasons for any program changes or adjustments reported in the burden or capital/O&M cost estimates.

There is no change in burden hours from the most recently approved. This is due to two considerations. First, the requirements under SDWA have not changed over the past three years and are not anticipated to change over the next three years. Secondly, the number of states, territories or tribes with primacy has not changed, and is not anticipated to change over the next three years, so there is no significant change in the overall burden. The costs have increased solely due to increases in labor rates, see Tables 1 and 2 for further information.

16) PUBLICATION OF DATA

For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

EPA will begin report compilation and publish state guidance for preparing their annual reports starting Q3 of the following fiscal year for the report year. States are required to make their reports available to the public and must submit them to EPA by July 1st of the following fiscal year. EPA will publish the national report, alongside the state links to or copies of the state reports, by December of the following fiscal year.

17) DISPLAY OF EXPIRATION DATE

If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

The Agency plans to display the expiration date for OMB approval of the information collection on all instruments.

18) CERTIFICATION STATEMENT

Explain each exception to the topics of the certification statement identified in “Certification for Paperwork Reduction Act Submissions.”

This information collection complies with all provisions of the Certification for Paperwork Reduction Act Submissions.

**Table 1. Annual Respondent Burden and Cost
Annual Public Water Systems Compliance Report**

Burden item	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)
	Technical person-hours per year	Management person-hours per year	Clerical person-hours per year	Person-hours per respondent per year (D=A+B+C)	Labor Cost/Year (\$)	Respondents per year ^a	Technical person-hours per year (F=AxE)	Management person-hours per year (G=BxE)	Clerical person-hours per year	Total Hours/Year	Cost (\$) ^b
Review instructions and other necessary materials	4			4	\$ 689.64	55	220	0	0	220	\$37,930.20
Gather inventory and violations data from SDWIS/FED and State databases	4			4	\$ 689.64	55	220	0	0	220	\$37,930.20
Review and analyze data	24			24	\$ 4137.84	55	1320	0	0	1320	\$227,581.20
Prepare summary of violations of variances and exemptions	4			4	\$ 689.64	55	220	0	0	220	\$37,930.20
Prepare report and submit to EPA	36	4		40	\$ 6,773.76	55	1980	220	0	2200	\$372,556.80
Make report available to public			4	4	\$ 285.44	55	0	0	220	220	\$15,699
GRAND TOTAL (rounded) ^m				80	\$ 13,300	55				4400	\$730,000

^a There are no capital/startup costs or operation & maintenance costs associated with this information collection activity.

**Table 2. Annual Agency Burden and Cost
Annual Public Water Systems Compliance Report**

Burden item	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)
	Technical person-hours per year	Management person-hours per year	Clerical person-hours per year	Agency hours per year (D=A+B+C)	Respondents per year ^a	Technical person-hours per year (F=AxE)	Management person-hours per year (G=BxE)	Clerical person-hours per year	Total Hours/Year	Cost (\$) ^b
Modify guidance as necessary and distribute to states and EPA Regions	24	1		25	1	24	1	0	25	\$1,902.91
Prepare and distribute tools for gathering data from SDWIS/FED	16	1		17	12	192	12	0	204	\$15,451.56
Answer questions from states and EPA Regional Offices	40			40	12	480	0	0	480	\$36,916.80
Provide support for Indian Land reporting	120			120	9	1080	0	0	1080	\$83,062.80
Review state reports and data from SDWIS/FED	40			40	12	480	0	0	480	\$36,916.80
Prepare and distribute annual report where EPA directly implements drinking water	80	4	12	96	2	160	8	24	192	\$13,503.28
Prepare and distribute national summary report	120	4	16	140	1	120	4	16	140	\$9,951.56
GRAND TOTAL (rounded)	440	6	28	478	49				2601	\$200,000

“*” There are no capital/startup costs or operation & maintenance costs associated with this information collection activity.