

U.S. Environmental Protection Agency

Information Collection Request

TITLE: Application for Reimbursement to Local Governments for Emergency Response to Hazardous Substance Releases under CERCLA Section 123 (Renewal)

OMB CONTROL NUMBER: 2050-0077

EPA ICR NUMBER: 1425.15

ABSTRACT:

The Environmental Protection Agency (EPA) has submitted an information collection request (ICR) renewal for this form: Application for Reimbursement to Local Governments for Emergency Response to Hazardous Substance Releases Under CERCLA Sec. 123. Local governments can apply for reimbursement (up to \$25,000 per response) for temporary emergency response measures related to the release (or threatened release) of a hazardous substance. The information collected on the application is supplied voluntarily by local governments. Since the last ICR renewal, agency costs have increased. While the individual respondent burden hours have slightly increased, the overall respondent burden has decreased due to fewer applications expected annually. Some minor changes were made to the application form, adding four new pieces of information, and removing three pieces of information.

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.

Section 123 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), as amended by the Superfund Amendments and Reauthorization Act of 1986, requires the Environmental Protection Agency (EPA) to promulgate rules by which any general purpose unit of local government may apply to EPA for reimbursement for costs incurred in carrying out temporary emergency measures necessary to prevent or mitigate injury to human health or the environment associated with the release or threatened release of any hazardous substance or pollutant or contaminant. The Statute limits the maximum award for a single response to \$25,000.

The Local Governments Reimbursement (LGR) Program is a voluntary program aimed at alleviating burden incurred by general purpose units of local government from carrying out temporary emergency measures in response to the release of hazardous substances. The Agency requires applicants for reimbursement to submit an application package that demonstrates consistency with program eligibility criteria and certifies compliance with the reimbursement requirements. This information collection is necessary to ensure proper use and appropriate distribution of reimbursement awards among applicants. EPA will receive and closely evaluate reimbursement requests in accordance with the promulgated final rule (63 FR 8283; Vol. 63 No. 32) to ensure that the most deserving cases receive awards.

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.

Applicants must complete and submit to EPA an application package supplied by the Agency. The application package confirms the costs were incurred for temporary emergency measures necessary to protect human health and the environment. The application submitted by the local government requesting reimbursement is reviewed by EPA to ensure compliance with all statutory and program requirements.

EPA uses a standard application form because it reduces confusion about what information is to be supplied, ensures all applicants are evaluated with comparable information, and enables reviewers to check applications for completeness and consistency quickly. The form requests five basic pieces of information: (1) identification of the local government requesting reimbursement; (2) information about the incident; (3) information about the response, including the specific temporary emergency measures for which reimbursement is being sought; (4) cost data; and (5) certifications and signature of the highest ranking official or authorized representative of the local government. Detailed instructions for completing the form and examples are included in the application package provided by EPA to potential requesters.

Section 1 of the application identifies the general-purpose unit of local government seeking reimbursement and the means of contacting the applicant. This information is necessary to facilitate the exchange of information between the applicant and the Agency.

Section 2 of the application describes the incident, specifically including information on the date of occurrence or discovery; location of the incident; source or cause of the release; identity of the hazardous substances released; and the associated threats to human health and the environment. Space is also provided for additional information pertinent to the incident. EPA requires detailed information on the nature of the incident to ensure that hazardous substances covered under CERCLA were involved and warranted temporary emergency measures.

Section 3 of the application describes the response – specifically information on the date of response initiation; date of response completion; response participants; response activities; and the temporary emergency measures for which reimbursement is sought. Space is also provided for additional information pertinent to the response. Information in this section is crucial for EPA's determination of whether the response was appropriate and necessary to prevent or mitigate injury to human health or the environment. The information in this section will confirm whether the response was consistent with CERCLA and The National Oil and Hazardous Substances Pollution Contingency Plan (NCP), and that it meets the eligibility criteria for reimbursement established by 40 CFR 310.

Section 4 of the application contains information on the costs which were directly related to the response effort and for which reimbursement is being sought. In addition to the total reimbursement amount requested, a cost breakdown is provided. This section also requires inclusion of all supporting documentation (e.g., invoices, sales receipts, rental agreements). Cost information is necessary to determine the amount of potential reimbursement. A cost breakdown allows the Agency to determine which costs are eligible for reimbursement. The regulation also requires applicants to certify they first

sought reimbursement from other sources before seeking reimbursement through the Local Governments Reimbursement Program. Section 4 of the application also requests applicants to certify their attempts to recover costs from other sources, including responsible parties, local government insurance funds, or the state.

The information contained in the application is the minimum required by EPA to make prudent reimbursement decisions. It demonstrates that the reimbursement being requested is consistent with the statutory requirements of CERCLA §123 and the regulatory requirements of the NCP.

Applicants receiving reimbursement from the Superfund are required to maintain all cost documentation and any other records relating to the reimbursement request, and to provide EPA with access to such records. If, after three years from the date of reimbursement, EPA has not initiated a cost recovery action, the applicant may dispose of the records. The applicant, however, must notify EPA and allow EPA the opportunity to take possession of the records before they are destroyed.

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.

Because reimbursement is sought after the completion of response activities, and response activities vary greatly depending on the nature and size of the incident, collection of the necessary information is best accomplished through a written application form. A written application allows for individual review of each request and consideration of any extenuating circumstances described in the application. The Agency realizes that some of the most deserving applicants may be small or poor communities that do not have the administrative resources to prepare a complex or burdensome application. Since the intent of the Local Governments Reimbursement Program is to assist those localities that have incurred the most severe financial burden from responding to a hazardous substance emergency, EPA has attempted to minimize applicant burden as much as possible.

The level of sophistication of local governments who apply to this program will vary greatly depending on their available resources. For those applicants who have access to computer technology, EPA provides the form online and provides other information and assistance electronically. Applicants are encouraged to submit the electronic form via email; however, they also have the option to send it via postal mail. Electronic submission lessens the burden on applicants as they can complete the electronic application, provide an e-signature, and submit their completed packages via email.

The Agency has taken the following steps to minimize applicant burden:

- Allow response notification through existing channels instead of mandating a response notification exclusively for reimbursement;
- Limit application submittal to one agency or unit of local government per response;
- Develop and revise a standard application form that is brief and straightforward;

- Allow the local government one year from completion of the response to prepare and file an application;
- Develop an Internet webpage where local governments can obtain information on the program, review instructions and guidance on the application process, and download application forms;
- Develop an electronic application package including a fillable PDF; and
- Allow for e-signature of application packages and submission via email.

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.

During development of the Local Governments Reimbursement Regulation, EPA conducted research into other EPA programs and federal agency programs to determine if the information required for the Local Governments Reimbursement Program was already being collected elsewhere.

Within EPA, the following programs were investigated: the Asbestos in Schools Hazard Abatement Program; Pesticides Indemnification Program; Municipal Water Treatment Works Construction Grants Program.

Other federal agencies investigated included: Federal Emergency Management Agency; Department of Transportation (State Highway Aid Program); Department of Agriculture (Casual Firefighter Program); Department of Education (Impact Aid/Disaster Aid Program); Department of State (Protection of Foreign Missions and Officials Program); Department of Health and Human Services; Department of Housing and Urban Development.

Non-federal agencies investigated included: The New York State Spill Fund, New Jersey State Spill Fund, and the California Emergency Response Fund were also researched.

Pursuant to this research, EPA concluded that the information required of reimbursement applicants is specific and unique to the reimbursement program and is not duplicated by any other federal agency/department or EPA program office.

5. MINIMIZING BURDEN ON SMALL ENTITIES:

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

The Local Governments Reimbursement (LGR) Program does not directly involve, or produce burden for, small businesses.

6. EFFECTS 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.

The reimbursement application process involves only one collection of information. Therefore, it would not be feasible to collect information less frequently.

7. GENERAL GUIDELINES:

Explain any special circumstances that require the collection to be conducted in a manner inconsistent with PRA Guidelines at 5 CFR 1320.5(d)(2).

The proposed collection does not create special circumstances requiring justification under 5 CFR 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.

The Federal Register Notice required under 5 CFR 1320.8(d), soliciting comments on this collection of information, was published in the Federal Register (86 FR 212) on April 23, 2026. The comment period closed on June 22, 2026 and one comment was received, but it did not pertain to the information collection.

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.

Under 5 CFR 1320.8(d)(1), OMB requires agencies to consult with potential ICR respondents and data users about specific aspects of ICRs before submitting an original or renewal ICR to OMB for review and approval. EPA pursued consultations with five interested parties during this ICR renewal that represented recent applicants within the last three years.

- Chris Wardlaw, Clark County, NV
- Kevin Tzeng, Tangipahoa Parish, LA
- Dione Bumpous, Grimes County, TX
- Chief Ben Meddles, Marion Township, OH
- Crystal Surdyk, Jamestown, NY

Out of the five parties, we received feedback from two of them – Clark County and Tangipahoa Parish. Below is a summary of the feedback we received. Clark County, NV indicated that EPA's burden estimate of 8.75 hours per application was "fair," and provided no additional comments on the availability of data, the clarity of the instructions and recordkeeping requirements, or the reporting format. Tangipahoa Parish, LA estimated that approximately 15 hours were required to prepare and submit its

application, noting that the estimate included reviewing guidance, completing forms, gathering supporting information and documentation, and coordinating with multiple parish departments. Tangipahoa Parish also stated that some data were readily available because EPA was involved in the incident, and that the application and instructions were straightforward; the parish further noted that EPA meetings helped clarify revisions after submission. Tangipahoa's application likely took longer because they had to revise the application after EPA's initial review. Given the input from Clark County that our estimate was fair, the fact that Clark County's and Tangipahoa's applications were similar levels of complexity, and the revisions needed for Tangipahoa's application, EPA concludes that the 8.75 estimate is accurate.

9. PAYMENTS OR GIFTS TO RESPONDENTS:

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

No payments or gifts are used in association with the collection activities for this program.

10. PROVISIONS FOR PROTECTION OF INFORMATION:

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.

The local government reimbursement regulation does not require any confidential information.

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 Local Governments Reimbursement Program does not request any information of a sensitive nature.

12. RESPONDENT BURDEN HOURS AND 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.*
 - 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

Respondents are units of local government to include cities, towns, parishes, counties, and tribes.

12b. INFORMATION REQUESTED

Requests for reimbursement consist of a completed application form and supporting documentation that verifies the costs incurred in a particular response. The actual preparation of the application package and the filing and maintaining of records are the only sources of burden on applicants seeking reimbursement.

12c. RESPONDENT ACTIVITIES AND FREQUENCY

Respondents will only submit one application per response, thus there is no reoccurrence nor frequency to report.

12d. RESPONDENT BURDEN HOURS AND LABOR COSTS

For the previous ICR renewal, EPA conducted a test of the application form and instructions with eight Agency and contractor staff and recorded the time required to perform each step involved in preparing an application. Testers read the preamble and reimbursement rule, a fact sheet on a fictitious response, supporting documentation (such as sales receipts, rental agreements, etc.) and completed the actual form requesting reimbursement for the fictitious response.

The updated electronic form for this ICR renewal collects four new pieces of information (email under 1d and additional dates and 'Other' definition under 3b), but three pieces of information have been removed (time under 2a, time under 3a, and time under 3b). Thus, the overall burden for completing the form is estimated to have increased from 8.5 hours to 8.75 hours. Estimated response times for each task are noted in Table 1. The total estimated annual cost burden to responders is \$5,906.25.

Table 1
Estimated Burden on Applicants Seeking Reimbursement
for Temporary Emergency Measures
under §123 of SARA

Burden Item	Average Hours per Application
Read Instructions ^a	1
Gather Information ^b	2
Compile Information ^c	4
Complete Application ^d	1.25
File and Maintain Information ^e	0.5
Total Estimated Burden Hours Per Application	8.75
Total Estimated Number of Applications Submitted by All Applicants per Year ^f	15
Total Estimated Annual Burden Hours	131.25
Total Estimated Cost Burden to Responders ^g	\$5,906.25

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- a. Time to read or hear instructions. This includes the time which will be needed by applicants to familiarize themselves with the requirements for requesting reimbursement and the instructions for completing the application form.
 - b. Time to gather information. This includes the time necessary to collect various reports from files and extract pertinent information and find additional reference materials and information.
 - c. Time to compile information. This includes the time necessary to assemble information specific to the response for which reimbursement is being sought. This may include interviewing first responders and ascertaining the number of work hours involved in the response.
 - d. Time to complete application. This includes the time required to enter the pertinent information on the application form in accordance with the line-by-line instructions.
 - e. Time to file and maintain information. This includes the time needed for preparing file folders, indexes, and filing.
 - f. Approximately 15 applications are received each year. This estimate has gone down since the last ICR renewal since fewer applications are being received by EPA.
 - g. Estimated base wage rate is \$30.00. This estimate takes into consideration that the application may be prepared by a secretary or other administrative staff, fire chief, police officer, county clerk, or health professional. To be conservative, the estimated hourly rate is taken from the higher amount of the following two categories from the Bureau of Labor Statistics average salaries (May 2024), rounded up to the nearest dollar: "Protective Service Occupation" (\$29.33) and "Office and Administrative Support Occupation" (\$24.12).

Wages have then been "loaded" by adding an additional 50% to account for full labor costs (overhead, benefits, etc.) incurred by respondents (50% of \$30= \$15). Average hourly labor cost: \$30+\$15= \$45.

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.

There is no expected capital and start-up cost, nor is there any expectation of purchasing technology or equipment. Submission of an application is voluntary, and the only cost incurred by local governments is the burden hours reported in Section 12.

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 AND FREQUENCY

Agency staff review approximately 15 applications per year. The Agency activities included in this estimate are: reviewing applications for compliance with the regulation; contacting applicants to request revisions or supplementary information; performing training and outreach on the program; maintaining all applications; and developing and maintaining electronic systems associated with the program.

14b. AGENCY BURDEN AND LABOR COST

See Table 2 – EPA estimates that federal management of the collection requires approximately 312 hours (or .15 FTE) annually. The calculated annual hours per federal FTE is 2,080 based on a 40-hour work week for 52 weeks a year. Thus, 312 burden hours is equivalent to 0.15 FTE. “Personal Compensation” is based on the 2026 General Service Locality Pay Table for a GS-13 located in Washington, D.C. The highest step level was chosen to be conservative. Cost for 0.15 FTE: \$158,322.00 * 0.15 = \$23,748.30.

EPA calculates labor overhead costs, such as costs of employment benefits, as 60% of labor costs. See “Overhead” in Table 2.

Total average annual Agency labor costs: \$37,997.28

14c. AGENCY NON-LABOR COSTS

See Table 2 – “Contractor Support” for average annual cost of EPA support contract. [Note: In previous ICRs for this collection, contractor costs had been included as a component of agency labor costs. EPA believes the current approach – with contractor costs counted under the O&M component of non-labor costs – is more accurate.]

14d. AGENCY TOTAL COSTS

Based on previous experience, EPA estimates that these activities will result in approximately \$70,633.28 in expenses per year.

Table 2
Estimate of Agency Costs

Personnel compensation	\$23,748.30
Overhead (60% of base wages)	\$14,248.98
Contractor Support	\$32,636.00
Total	\$70,633.28

15. CHANGE IN BURDEN:

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

The overall respondent burden has decreased due to fewer applications expected annually (down from 20 to 15). However, individual respondent burden for completing the form is estimated to have increased slightly from 8.5 hours to 8.75 hours. The additional response time is a result of some refinements made to the electronic form. Specifically, the updated form includes four new pieces of information (email under 1d and additional dates and 'Other' definition under 3b) and eliminates three pieces of previously collected information (time under 2a, time under 3a, and time under 3b). Because the modifications to the form are non-substantive in nature the resulting burden changes are considered to be adjustments.

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.

Information collected from Local Governments Reimbursement applications will not be published.

17. DISPLAY OF OMB CONTROL NUMBER AND EXPIRATION DATE ON INSTRUMENTS:

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."

The Agency is adhering to all topics in the "Certification for Paperwork Reduction Act Submissions."