

**THE INFORMATION COLLECTION REQUEST (ICR)  
SUPPORTING STATEMENT**

**State Petitions for No-Discharge Zones (NDZs), Emergency Orders, Review of National  
Standards of Performance, and Enhanced Great Lakes System Requirements  
under Clean Water Act Section 312(p)**

**EPA ICR Number 2605.01, OMB Control Number 2040-NEW**

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**State Petitions for No-Discharge Zones (NDZs), Emergency Orders, Review of National Standards of Performance, and Enhanced Great Lakes System Requirements under Clean Water Act Section 312(p)**

**EPA ICR # 2605.01 / OMB Control # 2040-NEW**

**Introduction**

This application is made by the Oceans, Wetlands, and Communities Division in the Office of Water, U.S. Environmental Protection Agency (EPA). As will be demonstrated in this application, the proposed information collection activities are accomplished by the least burdensome and costly means; are not duplicated by other sources; and are pivotal to the EPA's responsibilities under Clean Water Act (CWA) section 312(p). The Vessel Incidental Discharge Act (VIDA) amended Section 312 of the CWA to add a new section, section 312(p), titled "Uniform National Standards for Discharges Incidental to Normal Operation of Vessels." Under CWA section 312(p)(4), EPA is directed to establish national standards of performance for discharges incidental to the normal operation of certain commercial vessels -- commercial vessels greater than 79 feet in length; other non-recreational, non-Armed Forces vessels, such as research and emergency rescue vessels; and ballast water only from small vessels (vessels less than 79 feet in length) and fishing vessels of all sizes -- hereafter collectively referred to as "commercial vessels." The activities covered by this ICR include petitions from states, as provided for in 312(p), for the establishment of no-discharge zones (NDZs), issuance of emergency orders, review of standards of performance, and establishment of enhanced Great Lakes system requirements.

**Approach Taken in this Information Collection Request Supporting Statement**

This ICR analysis addresses actions associated with four activities – 1) state petitions to establish NDZs (CWA section 312(p)(10)(D)), 2) state petitions to review national standards of performance (CWA section 312(p)(7)(A)(ii)), 3) state petitions for emergency orders (CWA section 312(p)(7)(A)(i)), and 4) state petitions to establish enhanced Great Lakes system requirements (CWA section 312(p)(10)(B)), each of which is described in forthcoming sections. This ICR discusses information collection needs that

result from each of these four state activities and was developed based on program office knowledge of similar state petitions under other subsections of CWA section 312 for sewage discharges and incidental discharges from vessels of the Armed Forces as represented in EPA ICR Number 1791.08, OMB Control Number 2040-0187.

## **SECTION 1: Identification of the Information Collection**

### **1(a): Title of the Information Collection**

State Petitions for No-Discharge Zones (NDZs), Emergency Orders, Review of National Standards of Performance, and Enhanced Great Lakes System Requirements under Clean Water Act Section 312(p)

### **1(b): Short Characterization/Abstract**

Section 312(p) of the Clean Water Act calls for EPA to promulgate national standards of performance for the control of discharges incidental to the normal operation of certain commercial vessels. This ICR is associated with the proposed issuance of such standards but focuses on the information collection activities of that rule, those being procedures for states to petition EPA for more stringent standards. Once EPA regulations have been promulgated, CWA section 312(p)(5) specifies that the U.S. Coast Guard (USCG) is to develop implementing regulations to ensure, monitor, and enforce compliance with the EPA standards. The USCG regulations are to be completed within two years of EPA promulgation of the national standards of performance. Information collection activities associated with those USCG regulations will be included as part of the USCG regulatory process. At such time, states and their political subdivisions will be pre-empted from adopting or enforcing any of their own statutes or regulations regarding these discharges. Under CWA sections 312(p)(7) and 312(p)(10), however, there are four mechanisms by which states may petition EPA for more stringent discharge standards. For one, states may petition EPA to establish NDZs for one or more discharges. NDZs are areas in which the specified discharge(s), whether treated or not, may not be discharged. Second, states may petition EPA and the USCG to review any standard of performance, regulation, or policy promulgated under CWA section 312(p) if there is new information that could reasonably result in a change to the standard, regulation, or policy. This information collection is limited to those petitions submitted to EPA for the review of any EPA standards of performance, regulation, or policy; petitions submitted to the USCG for a review of any USCG standards of performance, regulation, or policy will be considered as part of the USCG information collection activities described above. Third, states may petition EPA or the USCG for EPA to issue an order for the use of an emergency best management practice ("emergency order") in instances where there is a risk related to

either aquatic nuisance species or water quality violations. Lastly, Great Lakes states may jointly submit a petition to EPA endorsing a proposed standard of performance or other requirement with respect to any incidental discharge to apply within the Great Lakes System.

For EPA to effectively evaluate and respond to these petitions, the proposed rule would require states to provide information relevant to this decision-making process thus triggering the requirement for EPA to have an ICR in compliance with the Paperwork Reduction Act. However, the regulatory petition procedures described herein do not apply until after the USCG regulations are effective. As such, EPA does not anticipate an information collection burden on states until such time as those USCG regulations are finalized and effective, which are specified to be completed within two years of EPA's promulgation of national standards of performance. After that two-year timeframe, EPA is estimating one application for each of the first three different state petition activities – NDZs, review of standards, and emergency orders -- in the third year of this three-year ICR cycle. The EPA is estimating zero applications for enhanced Great Lakes system requirements during this ICR cycle.

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

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

*1) Petition to establish an NDZ:* In order for EPA to prohibit any discharge incidental to the normal operation of a vessel covered under the Vessel Incidental Discharge National Standards of Performance regulations (upon application by a state), EPA must make the following determinations: 1) prohibition of the discharge would protect and enhance the quality of the specified waters within the State; 2) adequate facilities for the safe and sanitary removal and treatment of the discharge are reasonably available for the water and all vessels to which the prohibition would apply; and 3) the discharge can be safely collected and stored until a vessel reaches a discharge facility or other location. For applications related to ballast water in a port (or in any other location where cargo, passengers, or fuel are loaded and unloaded), in determining whether adequate facilities are available, EPA must consider water depth, dock size, pumpout facility capacity and flow rate, availability of year-round operations, proximity to navigation routes, and the ratio

of pumpout facilities to the population and discharge capacity of commercial vessels operating in those waters. The EPA must also ensure that the prohibition of discharges of ballast water will not unreasonably interfere with the safe loading and unloading of cargo, passengers, or fuel. (see CWA section 312(p)(10)(D)). The state must provide EPA relevant information, described in Section 4, to be able to make those determinations.

*2) Petition for review of any standard, regulation, or policy:* A state may request that EPA and the USCG review any national standard of performance, regulation, or policy by submitting a petition which discusses significant new scientific and technical information that could reasonably result in a change to the standard, regulation, or policy, or any determination on which the standard of performance, regulation, or policy was based (see CWA section 312(p)(7)(A)(ii)). This information collection focuses just on those petitions requesting review of EPA standards of performance, regulation, or policy. Petitions submitted for a review of USCG standards of performance, regulation, or policy will be included as part of the USCG rulemaking described in 1(b). The information provided by the state, described in Section 4, will assist EPA in the Agency's review process.

*3) Petition for emergency order:* States may petition EPA and the USCG for EPA to issue an emergency order for any region or category of vessels in cases for which EPA determines that such a best management practice is 1) necessary to reduce reasonably foreseeable risk of introduction or establishment of an aquatic nuisance species; or 2) will mitigate adverse effects of a discharge that contributes to a violation of a water quality requirement under Clean Water Act section 303. (see CWA section 312(p)(7)(A)(i)). The information requirements for EPA to make a determination on the state's petition are described in Section 4.

*4) Petition to establish an enhanced Great Lakes system requirement:* Great Lakes states may jointly submit to EPA and the USCG a petition endorsing a proposed standard of performance or other requirement with respect to any discharge that is subject to regulation under CWA section 312(p) to apply within the Great Lakes system. The standard of performance or other requirement endorsed in the petition must be at least as stringent as a comparable standard of performance or other requirement in the Vessel



Incidental Discharge National Standards of Performance final rule; in accordance with maritime safety; and in accordance with applicable maritime and navigation laws and regulations. (see CWA section 312(p)(10)(B)). The requirements for such a petition are described in Section 4 of this ICR.

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

The information requested from the state will be used by EPA to make the determinations necessary to establish an NDZ, review standards, issue an emergency order, or establish enhanced Great Lakes system requirements.

### **SECTION 3: Non-duplication, Public Notice, Consultations, and Other Collection Criteria**

This section describes the EPA's efforts to ensure that the information collected for state petitions is not duplicative and that appropriate outreach has occurred.

#### **3(a): Non-duplication**

*1) Petition to establish an NDZ:* EPA, in concurrence with the USCG, is responsible for the approval of an NDZ. There is no duplication of effort in the petition for establishment of an NDZ process.

*2) Petition for review:* A state may submit a petition for review to either EPA or the USCG. The EPA is responsible for issuing a determination on any petition submitted requesting review of any EPA standard of performance, regulation, or policy. The USCG is responsible for issuing a determination on any petition submitted requesting review of any USCG standard of performance, regulation, or policy. There is no duplication of effort in the petition for review process.

*3) Petition for emergency order:* EPA, in concurrence with the USCG, is responsible for issuing emergency orders when either EPA or the USCG is petitioned by a state. There is no duplication of effort in the petition for emergency order process.

*4) Petition to establish enhanced Great Lakes system requirements:* EPA, in concurrence

with USCG, is responsible for approving or disapproving the petition. There is no duplication of effort in the petition to establish enhanced Great Lakes system requirements process.

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

EPA has published the Notice of Proposed Rulemaking (NPRM), titled “Vessel Incidental Discharge National Standards of Performance,” in the Federal Register. EPA encourages all interested parties to review and provide feedback on all elements of the NPRM, including the information collection items discussed in this ICR. Supporting materials related to this ICR have been placed in the public docket, EPA-HQ-OW-2020-0440, for the rulemaking.

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

The estimates used in this ICR were derived from the existing Clean Water Act section 312 ICR (EPA ICR Number 1791.08, OMB Control Number 2040-0187), since the information collection activities are similar to those already undertaken related to CWA section 312 authorities for vessel sewage discharges and discharges incidental to the normal operation of vessels of the Armed Forces. During the development of that ICR, three representatives of state environmental offices were contacted by EPA in December of 2018 and asked to provide comments on EPA’s burden estimate: Todd Callaghan (Massachusetts Office of Coastal Zone Management, 617-626-1233); Renan Jauregui (California State Water Resources Control Board - Division of Water Quality, 916-341-5505); and Jason Fagel (Research Scientist, Division of Water, NY State Department of Environmental Conservation 518- 402-8156). The three respondents indicated that EPA’s burden estimates in that ICR were reasonable.

During development of the Vessel Incidental Discharge National Standards of Performance proposed rule, EPA and the USCG engaged in a number of public outreach activities, including hosting several webinars and a two-day in-person listening session where the Agencies accepted public comment. The Agencies also conducted both state and tribal consultations.

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

The information collection requirements related to the four state petition activities described in this ICR are submitted on a one-time basis. Reductions below this level are not feasible.

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

The information collection activities discussed in this ICR are fully consistent with all guidelines in 5 CFR 1320.5(d)(2).

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

The information collection activities discussed in this ICR do not require the submission of any confidential information.

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

The information collection activities discussed in this ICR do not require the submission of any sensitive information.

## **SECTION 4: The Respondents and the Information Requested**

### **4(a): Respondents/SIC Codes**

State governments (SIC code 9511, NAICS code 924110) are the only respondents to the data collection activities described in this ICR.

### **4(b): Information Requested**

#### ***Petition to establish an NDZ (CWA section 312(p)(10)(D))***

#### ***(1) Data Items***

In the Vessel Incidental Discharge National Standards of Performance proposed rule, EPA proposes that a state petition for such a prohibition must include:

- A signature by the Governor;
- A certification that the protection and enhancement of the waters for which the state is seeking a prohibition require greater environmental protection than the applicable national standard of performance provides;

- A detailed analysis of how the requested prohibition for each individual discharge requested will protect the waters for which the state is seeking a prohibition;
- A table identifying types and number of vessels operating in the waterbody and a table identifying the types and number of vessels that will be the subject of the prohibition;
- A map detailing the location, operating hours, draught requirements, and service capabilities of commercial and recreational pump-out facilities (both mobile and stationary) available to receive each individual discharge in the waters for which the state is seeking a prohibition;
- A table identifying the location and geographic area of each proposed NDZ; and
- A detailed analysis of how the vessels subject to the prohibition may be impacted with regards to collection capability, storage capability, need for retrofitting, travel time to facility, and safety concerns.

*(ii) Respondent Activities*

An application is prepared by the state then submitted to EPA by the Governor. EPA then will review the state application, make a determination with concurrence from the USCG, submit a Notice of Proposed Rulemaking to the Federal Register for public comment, and promulgate a final regulation, as appropriate.

***Petition for review or emergency order (CWA section 312(p)(7)(A)(i))***

*(I) Data Items*

In the Vessel Incidental Discharge National Standards of Performance proposed rule, EPA proposes to require that a petition by a Governor for EPA to review a standard, regulation, or policy or issue an emergency order include:

- A signature by the Governor (or a designee);
- Identification of the purpose of the petition (request for emergency order or to review of any standard of performance, regulation, or policy);
- A description of applicable scientific or technical information that forms the basis of the petition; and
- The direct and indirect benefits if the requested petition were to be granted by EPA.

*(ii) Respondent Activities*

The state will submit the petition to EPA who shall grant or deny the petition and shall issue the relevant emergency order or submit a Notice of Proposed Rulemaking to the Federal Register for comment for a change in any standard of performance, regulation, or policy.

***Petition to establish an enhanced Great Lakes system requirement (CWA section 312(p)(10)(B))***

*(I) Data Items*

The petition must provide an explanation regarding why the applicable standard of performance or other requirement is at least as stringent as a comparable standard of performance or other requirement in the Vessel Incidental Discharge National Standards of Performance final rule; in accordance with maritime safety; and in accordance with applicable maritime and navigation laws and regulations.

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*(ii) Respondent Activities*

To initiate the process to petition EPA to establish an enhanced Great Lakes system requirement, the Governor of any Great Lakes state may submit a petition to the other Great Lakes states, as well as the Executive Director of the Great Lakes Commission and the Director of EPA's Great Lakes National Program Office, seeking endorsement for the enhanced standard. After involving the Great Lakes Commission, the requisite number of Governors may jointly submit an endorsement of the proposal to EPA and the USCG. For proposals imposing any additional equipment requirements on a vessel, all eight Great Lakes Governors, for the States of Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, and Wisconsin, must endorse the proposal. No fewer than five Governors must endorse proposals without additional equipment requirements. EPA shall then approve or disapprove of the proposal.

**SECTION 5: The Information Collected – Agency Activities, Collection Methodology and Information Management**

## 5(a): Agency Activities

### *Petition to establish an NDZ (CWA section 312(p)(10)(D))*

Agency activities associated with a request by a state to establish an NDZ consist of the following:

- Clarify any questions from state applicants;
- Review the information in the request and determine whether:
  - (1) Prohibition of the discharge would protect and enhance the quality of the specified waters within the State;
  - 2) Adequate facilities for the safe and sanitary removal and treatment of the discharge are reasonably available for the water and all vessels to which the prohibition would apply, including special considerations for applications related to ballast water in a port (or in any other location where cargo, passengers, or fuel are loaded and unloaded);
  - 3) The discharge can be safely collected and stored until a vessel reaches a discharge facility or other location;
- Make a determination with concurrence from the USCG;
- Submit a Notice of Proposed Rulemaking to the Federal Register;
- Receive and review public comments;
- Submit a Notice of Final Rulemaking to the Federal Register with the final determination, taking into account any comments submitted; and
- Copy, store, file, and maintain the state's request and records related to EPA's regulation.

### *Petition for review (CWA section 312(p)(7)(A)(ii))*

Agency activities associated with an application from a state to review a standard, regulation, or policy consist of the following:

- Clarify any questions from state applicant;
- Review petition and decide whether to grant or deny not later than one year after the petition was submitted;
- If the petition is granted, submit a Notice of Proposed Rulemaking to the Federal Register to make the necessary revisions, receive and review public comments, then submit a Notice of Final Rulemaking to the Federal Register with the final

- determination, taking into account any comments submitted;
- If the petition is denied, submit a Notice to the Federal Register with a detailed explanation of the scientific, technical, or operational factors that form the basis for the denial; and
  - Copy, store, file, and maintain the state's request and materials related to EPA's response

***Petition for emergency order (CWA section 312(p)(7)(A)(i))***

Agency activities associated with an application from a state to issue an emergency order consist of the following:

- Clarify any questions from state applicant;
- Review petition and decide whether to grant or deny not later than 180 days after the petition was submitted;
- If the petition is granted, immediately issue the relevant order;
- If the petition is denied, submit a Notice of to the Federal Register with a detailed explanation of the scientific, technical, or operational factors that form the basis for the denial; and
- Copy, store, file, and maintain the state's request and materials related to EPA's response.

***Petition to establish an enhanced Great Lakes system requirement (CWA section 312(p)(10)(B))***

Agency activities associated with a request by Great Lakes states to establish an enhanced requirement consist of the following:

- Clarify any questions from the Great Lakes states;
- Submit a notice to the Federal Register providing an opportunity for public comment;
- Review the proposal to determine if it is at least as stringent as the comparable CWA section 312(p) standard;
- Consult the USCG, the Governors of Great Lakes states, and representatives from the Federal and provincial governments of Canada;
- In concurrence with the USCG, determine whether to approve or disapprove the

proposal not later than 180 days after the petition was submitted;

- If the petition is approved, submit a Notice of Determination to the Governor of each Great Lakes state and to the Federal Register, and establish by regulation the proposed standard of performance or requirement for the Great Lakes;
- If the petition is disapproved, submit a Notice of Determination to the Federal Register that describes the reasons why the standard of performance or requirement is less stringent or inconsistent with applicable maritime and navigational laws and provide any recommendations for modification of the proposal; and
- Copy, store, file, and maintain the petition and materials related to EPA's response.

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

The information described in this ICR will be given to EPA by states in the form of a request letter, application, or petition. EPA will ensure the accuracy and completeness of this information by reviewing each submittal. This information will be made available to the public through the Federal Register.

#### **5(c): Small Entity Flexibility**

The only possible respondents to the activities described in this ICR are states. Therefore, no small entities are affected.

#### **5(d): Collection Schedule:**

#### ***Petition to Establish an NDZ (CWA section 312(p)(10)(D))***

This is not a reporting requirement, nor are there any deadlines associated with these requests. As such, EPA expects that, following promulgation of the USCG implementing regulations, required by CWA section 312(p) within two years of EPA promulgation of national standards of performance, the Agency will receive one application in the third year of the three-year ICR cycle. For illustrative purposes during the proposed rulemaking, the Agency is using this estimate of one application.



***Petition for Review (CWA section 312(p)(7)(A)(ii))***

The EPA expects few petitions for review of standards, regulations, or policy. Such petitions may only be used by a state if there is significant new information, not considered previously, that could reasonably result in a change to a particular determination or standard. This is not a reporting requirement, nor are there any deadlines associated with these petitions. This ICR specifies the information EPA requires in order to consider such a petition. The EPA is estimating one petition in the third year of the three-year ICR cycle.

***Petition for Emergency Order (CWA section 312(p)(7)(A)(i))***

The EPA expects few petitions for emergency orders. Such petitions may only be used by a state in two specific circumstances as described in section 2(a). This is not a reporting requirement, nor are there any deadlines associated with these petitions. This ICR specifies the information EPA requires in order to consider such a petition. The EPA is estimating one petition in the third year of the three-year ICR cycle.

***Petition to Establish Enhanced Great Lakes System Requirements (CWA section 312(p)(10)(B))***

The EPA expects few petitions for enhanced Great Lakes system requirements. For proposals that would impose any additional equipment requirement on a vessel, the Governors of all Great Lakes states must endorse the proposal. If the proposal does not impose any additional equipment requirements, not fewer than five Governors must endorse. This is not a reporting requirement, nor are there any deadlines associated with these petitions. This ICR specifies the information EPA requires in order to consider such a petition. The EPA is estimating zero petitions in the three-year ICR cycle.

**SECTION 6: Estimating the Burden and Cost of the Collection**

Burden and cost estimates are in Tables 1 to 10, in the Appendix. The text in this section explains how these estimates were derived.

**6(a): Estimating Respondent Burden**

Respondent labor burden hours listed in Tables 1 to 4 are primarily based on data and assumptions presented in EPA's existing ICR for Clean Water Act section 312. The level-

of-effort estimates presented for these tables were reviewed by the EPA’s staff and managers, all of whom have experience in assessing information collection work similar to that described in this chapter of the ICR.

## 6(b): Estimating Respondent Costs

### *(i) Estimating Labor Costs*

All labor cost-rate data used in Tables 1 to 4 were obtained from the U.S. Bureau of Labor Statistics (BLS) Compensation Cost Trends webpage published for June of 2018 (<http://www.bls.gov/ncs/ect/>) estimating the salaries for state and local government employees.

Table 4 of the BLS report (<http://www.bls.gov/news.release/ecec.t04.htm> June, 2018, last modified in September 2018) contains employee compensation data for state and local government employers. The labor rates for respondent management, technical, and clerical personnel in Tables 1 to 4 of the ICR were obtained from the “State and local government workers Occupational group” category.

BLS Report (Table 4) State and Local Government Workers Job Classification Titles	ICR Respondent Job Classification Titles Used in ICR Tables 1-3	Corresponding Labor Compensation (hourly rate) from BLS Report
Management, professional, and related	Management	\$ 59.23
Professional and related	Technical	\$ 57.57
Office and administrative support	Administrative	\$ 34.46

The above labor rate data are “fully burdened” and include wages/salaries and benefits. The BLS report provides a breakdown of benefit costs, which includes paid leave, supplemental pay, insurance, retirement, and legally required benefit. Only fully burdened BLS labor cost data (i.e., total compensation) are used in the analysis described in this chapter of the ICR.

### *(ii) Estimating Capital and Operations and Maintenance (O&M) Costs*

There are no predicted respondent capital or start-up costs associated with the activities described in this ICR.

Non labor O&M includes only costs for photocopying, postage, telephone charges, and similar expenses. Item 1b of ICR Tables 1 to 4, Clarify Questions with EPA, is assumed to be exclusively telephone and facsimile machine expenses. Other O&M expenses listed in Tables 1 to 4 are predominantly photocopy, postage, and related paperwork distribution expenses.

#### 6(c): Estimating Agency (EPA) Burden and Cost

EPA labor burden hours listed in Tables 5 to 8 are informed by the data and assumptions presented in EPA's most recent ICR analysis for Clean Water Act section 312 mandates [specifically, information collection effort under for CWA sections 312(f) and 312(n)]. Where necessary, the level-of-effort determinations were adjusted to correspond to the specific new information collection requirements resulting from the requirements of section 312(p). All of the level-of-effort estimations presented in Tables 5 to 8 have been reviewed for accuracy and reasonableness by EPA.

Agency labor costs data associated with this ICR were obtained using pay scale rates for GS-9, GS-12, and GS-14 employees. The 2015 General Schedule Locality Pay Tables can be found at <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/18Tables/html/DCB.aspx>. The salary scales contained in the table were effective January 2018.

Step 1 of the GS salaries are used in the ICR analysis. The annual GS salary rates were converted to hourly rates according to instructions in Section 6(c) of the *EPA ICR Handbook* (10/2009 version). Total salaries were divided by 2,080, which represent the average number of hours work in a calendar year, and then multiplied by a factor of 1.6. The multiplier represents the benefits multiplication factor. The result is the true hourly cost to the federal government to employ a federal worker for one hour. These calculated hourly rates are used in Tables 5 to 8 of the ICR.

ICR Agency Job Classification Title Used in ICR Tables 4-6	2015 Annual GS Salary (Step 1)	Work Hours Per Year Factor	Benefits Factor	Calculated Hourly Rate Used in Tables 4-6
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Management	GS-14, \$114,590	÷ 2,080	× 1.6	\$ 88.15
Technical	GS-12, \$81,548	÷ 2,080	× 1.6	\$ 62.73
Administrative	GS-9, \$56,233	÷ 2,080	× 1.6	\$ 43.26

#### 6(d): Bottom Line Burden Hours and Cost Tables

Total estimated burdens associated with the requirements for State Agency respondents and to EPA are summarized in Tables 9 and 10, respectively. The data contained in both of these tables are transcribed from Tables 1 to 8.

##### *Bottom line Respondent (State Agency) Estimated Burden and Cost Summary (from table 9)*

	Number of Respondents Per Year	Number of Activities Per Year	Total Hours Per Year	Total Labor Cost Per Year (\$)	Total Annual O&M Costs (\$)	Total Cost Per Year (\$)
<b>TOTAL</b>	<b>1.00</b>	<b>1.00</b>	<b>81.98</b>	<b>4,412.28</b>	<b>149.50</b>	<b>4,561.78</b>

##### *Bottom line EPA Estimated Burden and Cost Summary (from table 10)*

	Number of Respondents Per Year	Number of Activities Per Year	Total Hours Per Year	Total Labor Cost Per Year (\$)	Total Annual O&M Costs (\$)	Total Cost Per Year (\$)
<b>TOTAL</b>	<b>1.00</b>	<b>1.00</b>	<b>40.86</b>	<b>2,673.89</b>	<b>59.80</b>	<b>2,733.69</b>

#### 6(e): Burden Statement

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 82 hours per response (81.98 hours/1.00 rounded; from Table 9). 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.

To comment on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including the use of automated collection techniques, EPA has established a public docket for this ICR under Docket ID No. EPA-HQ-OW-2020-0440, which is available for online viewing at [www.regulations.gov](http://www.regulations.gov), or in person viewing at the Water Docket in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Ave., NW, Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is (202) 566-1744, and the telephone number for the Water Docket is (202) 566-2426. An electronic version of the public docket is available at [www.regulations.gov](http://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.

Comments and recommendations for the proposed information collection can also be sent to OMB using <https://www.reginfo.gov/public/do/PRAMain>. Find this particular information collection by selecting "Currently under 30-day Review - Open for Public Comments" or by using the search function. Since OMB is required to make a decision concerning the ICR between 30 and 60 days after receipt, OMB must receive comments no later than November 25, 2020. EPA will respond to any ICR-related comments in the final rule.

## APPENDIX

See the accompanying Excel workbook with the referenced tables.

Attachment A

Summary Tables for Information Collection under CWA Section 312(p)

<b>Table 9. Total Estimated Respondent (State Agency) Burden and Cost Summary</b>							
	Number of Respondents Per Year	Number of Activities Per Year	Total Number of Hours Per Year	Total Labor Cost Per Year (\$)	Total Annual Capital Costs (\$)	Total Annual O&M Costs (\$)	Total Cost Per Year (\$)
Petition to Establish NDZ	0.33	0.33	51.15	2,783.52	0.00	49.50	2,833.02
Petition for Review	0.33	0.33	15.42	814.38	0.00	50.00	864.38
Petition for Emergency Order	0.33	0.33	15.42	814.38	0.00	50.00	864.38
Petition to Establish Enhanced Great Lakes System Requirements	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>TOTAL</b>	<b>1.00</b>	<b>1.00</b>	<b>81.98</b>	<b>4,412.28</b>	<b>0.00</b>	<b>149.50</b>	<b>4,561.78</b>

<b>Table 10. Total Estimated Agency (EPA) Burden and Cost Summary</b>							
	Number of Respondents Per Year	Number of Activities Per Year	Total Number of Hours Per Year	Total Labor Cost Per Year (\$)	Total Annual Capital Costs (\$)	Total Annual O&M Costs (\$)	Total Cost Per Year (\$)
Petition to Establish NDZ	0.33	0.33	14.03	911.53	0.00	19.80	931.33
Petition for Review	0.33	0.33	13.92	912.54	0.00	20.00	932.54
Petition for Emergency Order	0.33	0.33	12.92	849.81	0.00	20.00	869.81
Petition to Establish Enhanced Great Lakes System Requirements	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>TOTAL</b>	<b>1.00</b>	<b>1.00</b>	<b>40.86</b>	<b>2,673.89</b>	<b>0.00</b>	<b>59.80</b>	<b>2,733.69</b>