
ICR Handbook

*EPA's Guide to Writing Information Collection Requests
under the Paperwork Reduction Act of 1995*



U.S. Environmental Protection Agency
Office of Environmental Information
Collection Strategies Division

Table of Contents

About This Handbook	I-1
Overview of the Paperwork Reduction Act of 1995 (PRA)	I-2
Introduction to ICRs	I-3
Is an ICR Necessary?	I-3
What Happens If EPA Does Not Obtain OMB Approval for an Information Collection?	I-3
What Is Contained in an ICR Package?	I-4
What Are Initial and Renewal ICRs?	I-6
ICR Development and Review Process	I-6
Thinking about the Supporting Statement	I-10
What Are Consolidated ICRs?	I-10
What Is the Relationship between ICRs and Economic Analyses (EAs)?	I-11
Submitting an ICR in ICRAS	I-11
 Part A of the Supporting Statement	 A-1
Introduction to Part A	A-1
Methodology for Developing Part A	A-3
 1. Identification of the Information Collection	 A-6
1(a) Title of the Information Collection	A-6
1(b) Short Characterization/Abstract	A-6
 2. Need For and Use of the Collection	 A-9
2(a) Need/Authority for the Collection	A-9
2(b) Practical Utility/Users of the Data	A-10
 3. Non-duplication, Consultations, and Other Collection Criteria	 A-11
3(a) Non-duplication	A-11
3(b) Public Notice Required Prior to ICR Submission to OMB	A-11
3(c) Consultations	A-12
3(d) Effects Of Less Frequent Collection	A-12
3(e) General Guidelines	A-13
3(f) Confidentiality	A-13
3(g) Sensitive Questions	A-14
 4. The Respondents and the Information Requested	 A-14
4(a) Respondents/SIC Codes	A-14
4(b) Information Requested	A-15
(i) Data items, including recordkeeping requirements	A-15
(ii) Respondent Activities	A-16

5. The Information Collected--Agency Activities, Collection Methodology, And Information Management	A-19
5(a) Agency Activities	A-19
5(b) Collection Methodology and Management	A-20
5(c) Small Entity Flexibility	A-21
5(d) Collection Schedule	A-24
6. Estimating the Burden and Cost of the Collection	A-25
6(a) Estimating Respondent Burden	A-27
6(b) Estimating Respondent Costs	A-29
(i) <i>Estimating Labor Costs</i>	A-29
(ii) <i>Estimating Capital and Operations And Maintenance Costs</i>	A-33
(iii) <i>Capital/Start-up vs. Operating and Maintenance (O&M) Costs</i>	A-34
(iv) <i>Annualizing Capital Costs</i>	A-35
6(c) Estimating Agency Burden and Cost	A-38
6(d) Estimating the Respondent Universe and Total Burden and Costs	A-39
6(e) Bottom Line Burden Hours and Cost Tables	A-41
(i) <i>Respondent Tally</i>	A-41
(ii) <i>The Agency Tally</i>	A-43
(iii) <i>Variations in the Annual Bottom Line</i>	A-44
6(f) Reasons For Change in Burden	A-44
6(g) Burden Statement	A-45
Part B of the Supporting Statement	B-1
1. Survey Objectives, Key Variables, and Other Preliminaries	B-1
(a) Survey Objectives	B-1
(b) Key Variables	B-2
(c) Statistical Approach	B-2
(d) Feasibility	B-2
2. Survey Design	B-3
(a) Target Population and Coverage	B-3
(b) Sample Design	B-4
(i) <i>Sampling Frame</i>	B-4
(ii) <i>Sample Size</i>	B-4
(iii) <i>Stratification Variables</i>	B-5
(iv) <i>Sampling Method</i>	B-5
(v) <i>Multi-Stage Sampling</i>	B-5
(c) Precision Requirements	B-6

(i) <i>Precision Targets</i>	B-6
(ii) <i>Non-sampling error</i>	B-6
(d) Questionnaire Design	B-6
3. Pretests and Pilot Tests	B-7
4. Collection Methods and Follow-up	B-8
(a) Collection Methods	B-8
(b) Survey Response and Follow-up	B-8
5. Analyzing and Reporting Survey Results	B-9
(a) Data Preparation	B-9
(b) Analysis	B-9
(c) Reporting Results	B-10

APPENDICES

Appendix A: OEI Collection Strategies Division Staff

Appendix B: ICR Data Forms

Appendix C: Program Office Responsibilities for ICR Renewals and New ICRs Not in Proposed Rules

ATTACHMENTS

- (1) Guidance of First Federal Register Notice
- (2) Definition of Burden from 1995 PRA
- (3) Guidance on Certification
- (4) Guidance on Second Federal Register Notice
- (5) Example of Burden Statement for Forms or Surveys
- (6) Example of Burden Statement for ICRs

Appendix D: Program Office Responsibilities for ICRs for Rules

ATTACHMENTS

- (1a) Burden Language for Proposed Rule Containing Information Requirements
- (1b) Burden Language for Final Rule Containing Information Requirements without ICR Approval before Promulgation
- (1c) Burden Language for Final Rule Containing Information Requirements with ICR Approval before Promulgation
- (2) Template for 40 CFR Part 9 FR Notice

About This Handbook

The Office of Environmental Information has developed this handbook to assist the EPA employee who must prepare an Information Collection Request (ICR). This edition of the handbook replaces all earlier versions. The Paperwork Reduction Act (PRA) of 1995 requires that Federal agencies prepare an ICR to explain and justify any activity that involves collecting information from ten or more non-Federal respondents. The PRA also requires that Federal agencies make the ICR available to the public for comment. The ICR must be approved by the Office of Management and Budget (OMB) before a Federal agency may begin any such collection of information.

Under EPA procedures, OEI must evaluate an ICR for compliance with the PRA before the Agency sends it to OMB. To avoid complications and delays, look to OEI for guidance throughout the ICR development and approval process, from deciding whether an ICR is needed to seeking approval from OMB.

This handbook will encourage you to think about the information policy and management issues raised by your program's information collection. For example, it will ask you to:

- Develop a plain-English summary of your ICR and describe the program context in which it will operate;
- Focus precisely on how you will use the collected information, including the decisions it will support;
- Review your information management procedures and consider the improvements technology may offer; and
- Calculate the burden hours and dollar costs your collection will impose on the respondents.

This handbook is intended to serve as a comprehensive document, offering guidance on completing ICRs for the entire spectrum of Agency collection activities. Therefore, as you use it, bear in mind that it may go into more detail in certain areas than you need or find helpful. Once you have reviewed this handbook, or if you are already familiar with ICRs and their preparation, you need only refer to specific sections as you are developing them. In general, the handbook is divided into five major areas:

- **Overview of the Paperwork Reduction Act of 1995**, which describes the changes introduced by the new PRA that affect ICR development and approval;
- **Introduction to ICRs**, which clarifies the necessity of an ICR, what an ICR package contains, and the ICR development and review process;

- **Part A of the Supporting Statement**, which explains, step-by-step, how to develop the required sections of Part A, and how to estimate labor burden, labor costs, and capital and operation and maintenance costs. **Most ICRs will only have Part A.**
- **Part B of the Supporting Statement**, which describes the methodology for developing ICRs required for statistical surveys; and
- **Appendices**, which provide more detailed information and guides to submitting the ICR in the Information Collection Request and Information System (ICRAS), preparing public notices, and meeting the certification requirements.

Never let the handbook become an obstacle to preparing your ICR. If the guidance seems unclear or inappropriate, contact OEI. Together, you will be able to decide on the best way to complete the ICR in the case at hand.

Overview of the Paperwork Reduction Act of 1995 (PRA)

The 1995 Paperwork Reduction Act (PRA) took effect on October 1, 1995, superseding the PRA of 1980, as amended in 1986. In response to the new requirements of the 1995 PRA, the Office of Management and Budget (OMB) issued a final rule on August 29, 1995 (60 FR 44978) that changed the order and structure of OMB's previous implementing regulations in order to clarify Federal agency and OMB responsibilities and to elaborate upon the various requirements of the 1995 PRA.

The 1995 PRA changes existing law in several significant ways:

- Makes more explicit the **responsibilities of Federal agencies** in developing proposed information collections and submitting them to OMB for review and approval.
- Requires Federal agencies to seek **public comment** concerning information collections before submitting an ICR to OMB for clearance.
- Requires Federal agencies to certify that their ICR complies with certain standards and activities. The **certification requirements** include such issues as avoiding duplication, minimizing the burden on small entities, and specifying the duration of recordkeeping.
- Expands the definition of "**collection of information**" to include all third-party and public information disclosures, recordkeeping and reporting.
- Defines the term "**burden**" to include the resources expended for "acquiring, installing and utilizing technology and systems".
- Emphasizes **burden reduction**, with specific yearly goals.

OMB requires Federal agencies to submit a supporting statement, and to attach a copy of the public notice showing its date of publication. The purpose of the supporting statement is to provide background material, demonstrate the agency's consideration of the policy criteria of the PRA and justify OMB's approval of the collection. As part of its submission, an agency must provide OMB with information on the type of information collection, a characterization of the affected public, the annual reporting burden, the length of any recordkeeping requirement, the annualized costs to respondents, and whether the request significantly impacts a substantial number of small entities.

Introduction to Information Collection Requests

Under the Paperwork Reduction Act (PRA) of 1995, the Agency is required to obtain Office of Management and Budget (OMB) approval before it can request the public to submit information or retain records. The package of materials describing an information collection that is submitted by the Agency to OMB for approval is called an "Information Collection Request" (ICR). An ICR must be approved by OMB before an information collection can begin. The ICR provides an overview of the collection and includes an estimate of the time and cost burden placed on the public. The public may view an ICR and submit comments on the information collection at any time.

IS AN ICR NECESSARY?

In general, any monitoring, reporting, or recordkeeping requirement imposed on non-Federal respondents by EPA will require an ICR. This is true **regardless of whether the information is collected voluntarily, or is required to receive a grant or a benefit**. When an ICR is required, the ICR must be approved by OMB before the information collection begins.

ICRs are generally required when collecting substantially **similar information** from **ten or more** respondents in any 12 month period. In general, any monitoring, reporting or record keeping requirement imposed on non-Federal respondents will require an ICR. In addition, all Cooperative Agreements that collect information from the public, including those with local and tribal governments, require an ICR. A Grant may require an ICR if EPA is directing the collection of information in any way. However, a grant may not need an ICR if EPA is simply giving a grant to an institution.

When doing a renewal, ask your program office if the information still needs to be collected. If not, do not renew the ICR. When it is not clear whether you need an ICR, consult OEI for guidance. The names and telephone numbers of OEI staff are listed in Appendix A.

WHAT HAPPENS IF EPA DOES NOT OBTAIN OMB APPROVAL FOR AN INFORMATION COLLECTION?

Information collections that are subject to OMB review under the 1995 PRA but have not been reviewed and cleared through OMB may not be undertaken. Enforcement actions based on information not properly cleared can be jeopardized. Federal agencies have experienced a number of instances in which enforcement action was blocked due to deficiencies in the OMB clearance of the information collection. In addition, any forms used by the Agency to collect information from the public must properly display the OMB control number.

WHAT IS CONTAINED IN AN ICR PACKAGE?

All ICR packages submitted to OEI must include a Supporting Statement, and associated burden forms. New non-rule and renewal ICRs must also contain a first and second Federal Register notice. Rule-related ICRs must include a draft of the rule.

ICR Data Forms

These forms provide a summary of the important points of the ICR. The detailed burden calculations explained in the supporting statement are summarized in these forms. The Appendices contain a copy of the forms and instructions on how to complete them.

Supporting Statement

Part A. Part A of the supporting statement provides a detailed discussion of the need, use, costs, and methodology of the information collection. Part A is organized into the following subsections:

1. Identification of the Information Collection
 - 1(a) Title of the Information Collection
 - 1(b) Short Characterization/Abstract
2. Need for and use of the Collection
 - 2(a) Need/Authority for the Collection
 - 2(b) Practical Utility/Users of the Data
3. Non duplication, Consultations, and Other Collection Criteria
 - 3(a) Non duplication
 - 3(b) Public Notice Required Prior to ICR submission to OMB
 - 3(c) Consultations
 - 3(d) Effects of Less Frequent Collection
 - 3(e) General Guidelines
 - 3(f) Confidentiality
 - 3(g) Sensitive Questions
4. The Respondents and the Information Requested
 - 4(a) Respondents/SIC Codes
 - 4(b) Information Requested
 - (i) Data items, including record keeping requirements
 - (ii) Respondent Activities
5. The Information Collected—Agency Activities, Collection Methodology, and Information Management

- 5(a) Agency Activities
- 5(b) Collection Methodology and Management
- 5(c) Small Entity Flexibility
- 5(d) Collection Schedule

6. Estimating the Burden and Cost of the Collection

- 6(a) Estimating Respondent Burden
- 6(b) Estimating Respondent Costs
 - (i) Estimating Labor Costs
 - (ii) Estimating Capital and Operations and Maintenance Costs
 - (iii) Capital/Start-up Operating and Maintenance (O&M) Costs
 - (iv) Annualizing Capital Costs
- 6(c) Estimating Agency Burden and Cost
- 6(d) Estimating the Respondent Universe and Total Burden and Costs
- 6(e) Bottom Line Burden Hours and Cost Tables
 - (i) Respondent Tally
 - (ii) The Agency Tally
 - (iii) Variations in the Annual Bottom Line
- 6(f) Reasons for Change in Burden
- 6(g) Burden Statement

Part B. Part B of the supporting statement is required in addition to Part A for information collections involving surveys and questionnaires. Part B is not generally required for collecting information from the entire population (a census) or an anecdotal study of selected individuals.

Federal Register Notice

A copy of the Federal Register notice used to solicit public comments and a summary of the comments and actions taken in response to the comments.

A draft of the second Federal Register notice announcing that the ICR has been submitted to OMB for review.

WHAT ARE INITIAL AND RENEWAL ICRs?

An "initial" (new) ICR may be either rule-related or non-rule-related. A rule-related ICR corresponds to the promulgation of a regulation that requires the collection of information. For example, CERCLA requires respondents to report to the National Response Center any release of a hazardous substance that exceeds its reportable quantity. A non-rule-related ICR usually refers to a one-time survey or to a voluntary program, such as EPA's Energy Star programs, which are based on voluntary compliance.

A "renewal" ICR is submitted to OMB for re-approval of an information collection. OMB approval is for a maximum of three years, so the Agency must renew any ICR for which continued compliance is required. If the Agency wishes to continue collecting the information, it must submit an ICR renewal package to OMB for approval at least 60 days prior to the current expiration date. A renewal ICR could be either rule-related or non-rule-related.

The justifications in an initial ICR are usually based on estimated benefits and costs, and analogies to similar collections. In contrast, a renewal ICR must discuss the differences between original expectations, as embodied in the initial ICR, and actual collection experiences and results. The renewal must also respond to any conditions in the previous OMB approval.

The Agency must plan ahead for anticipated information collections. OEI estimates that the period for ICR approval, from the initiation of the public comment period until OMB issues an Action Notice and approval number, is at least 180 days for a renewal ICR and slightly longer for initial ICRs. The following diagram illustrates the development and review process for renewal ICRs. The major steps of this process are discussed below:

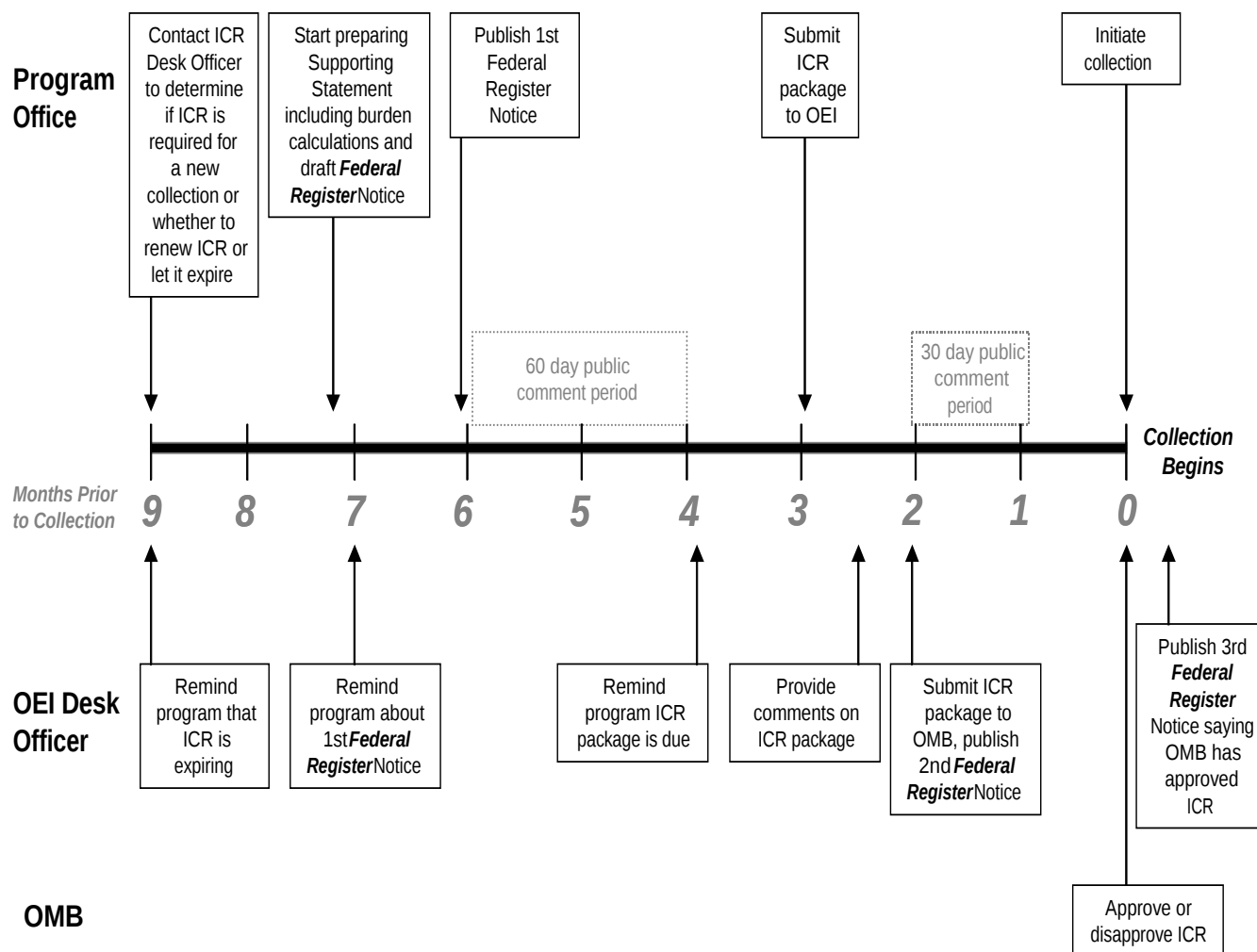
- Once the Agency determines the need for an ICR, it is required to publish a notice in the Federal Register (FR) soliciting public comments on the ICR and estimates of burden. For rules, this is done as part of the preamble. For *renewal* and other non-rule ICRs, such as surveys, the Agency must publish a separate notice. Once the need for an ICR is determined, preparation of the collection materials and Supporting Statement should begin
- Before preparing a FR notice for a renewal ICR, consult OEI's ICR Status Report for expiration dates of renewal ICRs. The Program Office can prepare one FR notice for all ICRs expiring in a specific quarter, as long as these are published at least 180 days before expiration of the latest ICR, or prepare separate notices for each upcoming ICR, using the format in the guidance. For new non-rule ICRs, such as surveys, the Program Office should contact OEI for an EPA ICR number to include in the FR Notice. Have the FR Notice signed by an appropriate Program Official, and published in the FR.
- The Agency is required by the PRA to solicit comments for 60 days. Since the intent of this new 60-day advance notice and comment period for non-rule-related ICRs is to allow increased opportunity for public participation, the Program Office should be prepared to offer the collection of information or draft copies of the ICR or information collection materials, without charge to any requesters at the time the notice is published. The draft has to show the estimated cost and hour burdens on which comments are requested. The Program Office should retain all comments in an official file.
- Following the 60-day comment period, the Agency prepares the renewal ICR, incorporating any comments received during the comment period. OEI suggests that the Agency allow 30 days after the close of the public comment period to prepare the renewal

ICR. A copy of the FR pages with the first FR Notice, and a summary of comments received and actions taken in response to these comments must be included as part of the ICR submission.

- Once the ICR is prepared, it must be submitted to OEI for internal review. OEI reviews all Agency ICRs for the utility of collected information, plans for management of the information, quality of the data, and statistical validity. OEI estimates that this internal review will take about 30 days. This time frame to prepare the ICR for submission to OMB may vary depending on the corrections suggested by OEI.
- Once OEI has reviewed and approved the ICR, it will be submitted to OMB for review. At this time, a second notice with a 30 day comment period must be published in the Federal Register indicating that an ICR has been sent to OMB for review. OMB has 60 days to review and act on an ICR. OMB forwards to the Agency an Action Notice with an OMB control number and the expiration date of the ICR for approvals, or comments for disapproved ICRs.
- The following diagram illustrates the process for OMB approval of a *renewal* ICR. The process for an *initial* rule-related or non rule-related ICR differs only slightly from that for renewal ICRs. For an *initial rule* ICR, public comments will be solicited along with the publication of the proposed rule in the Federal Register. The development of a new non-rule-related ICR may take longer than the time estimated for renewal ICRs because the Agency must develop the Supporting Statement without the benefit of previously published background information and burden estimates. This variation in ICR development time should be taken into account when planning for an information collection.

ICR Time Line

(Non-Rule Collections and Renewals of Existing ICRs)



OEI/OIC/ISB

Last revised: 2/28/01

In order to expedite the approval process for rules, OEI recommends the following procedures. For proposed rules, submit the ICR to OEI at least 1 month prior to the proposed rule being published. OEI submits the ICR to OMB when the proposed rule gets published. If OMB has no subsequent changes upon its review, consult with your desk officer to prepare the ICR for the final approval process.

For final rules, submit the ICR to OEI **at least 3 months before** the final rule is expected to be published. Then OEI will send the ICR to OMB for its review (60 days) before the rule gets published. By getting this process done before the rule is published, the ICR will get an OMB control number prior to the rule becoming public record.

THINKING ABOUT THE SUPPORTING STATEMENT

Once submitted to OMB by the Agency, the ICR Supporting Statement is the official document demonstrating that the proposed or ongoing collection of information complies with the PRA. The ICR is the document to which the Agency's legal experts will refer when determining whether an information requirement was cleared by OMB for a given period of time. The success of a future enforcement action could depend on the detail and quality of the Supporting Statement that you prepare.

To satisfy the requirements of the PRA and OMB's regulations, the Supporting Statement must clearly establish the **need for** and the **use of** the information, the **advantages** of the collection method(s) selected over alternative methods, and the **estimated costs** (both costs associated with the burden hours and capital costs) imposed on both respondents and Agency personnel by the collection.

In preparing the Supporting Statement, keep in mind that the PRA requires a Federal agency to:

- Request only the information needed to fulfill its program objectives;
- Impose the minimum burden on respondents;
- Avoid duplicating data already in the government's possession;
- Evaluate whether the burden can be reduced by using automated, electronic, mechanical, or other forms of information technology; and
- Demonstrate "practical utility"; that is, explain how the data--as collected, tabulated, and stored--will help the Agency meet its objectives in a timely manner.

WHAT ARE CONSOLIDATED ICRs?

If several existing collections contribute to the same decision or program activity, you might find it desirable to consolidate them into one ICR. For example, you might have a program that involves an application form, a reporting form, and a recordkeeping requirement; to combine these three activities in one ICR, you would request joint clearance and address each activity separately in the Supporting Statement. Although the ICR would require the combined hours for all activities, the Supporting Statement would have to **provide burden hour and cost estimates for each individual activity**.

Consolidated ICRs will become increasingly necessary as more regulations are developed for similar facilities. For rule-related ICRs these new addendum rules must be consolidated into the base program ICR.

When consolidating multiple collections, look for collections that are logically related. Good candidates might include groups of collections that support the same program office decisions; follow sequentially (e.g., application form and recurring reporting or recordkeeping); or affect the same set of respondents in similar ways. Consolidations can offer a substantial savings in chores connected with the ICR clearance process. They may also provide a more coherent picture of the information components of an Agency program.

In considering the option of consolidating ICRs, consult with your OEI desk officer first.

WHAT IS THE RELATIONSHIP OF ICRs TO ECONOMIC ANALYSES?

For rule-related collections, the Supporting Statement should be consistent with the Economic Analysis (EA) and, to the greatest extent possible, cross-reference the descriptions and cost accounting contained in the economic analysis. This is especially important where information costs are a significant fraction of the total regulatory or compliance costs. The analyst preparing the ICR, and his counterpart working on the EA, should have in mind the same program model and cost elements. The costs associated with creating, collecting, maintaining, and reporting information are a subset of the entire cost of the regulation.

SUBMITTING AN ICR IN ICRAS

ICRs should be submitted to OEI via the Information Collection Request and Information System (ICRAS) (available on-line at <http://www.paperworkreduction.gov>). If you have not used the system before, your OEI desk officer can create an account for you. Once in the system you will be able to complete the ICR Data forms and upload the supporting statement, Federal Register notices, and supplementary information. Once you have completed all of the forms and uploaded all of the ICR materials, you will be able to submit the ICR package to OEI electronically.

Part A of the Supporting Statement

The purpose of the Supporting Statement is to demonstrate that the proposed or ongoing collection of information complies with the PRA. All ICRs must include Part A of the Supporting Statement. ICRs developed for administering statistical survey instruments must also include Part B of the Supporting Statement. Part A of the Supporting Statement is composed of six major sections as described below.

ICR OUTLINE

1. Identification of the Information Collection-- This section provides the title of the ICR and an abstract describing the major components of the collection.

- 1(a) Title of the Information Collection
- 1(b) Short Characterization/Abstract

2. Need for and use of the Collection-- This section provides information on the need for the collection and how the information will be used.

- 2(a) Need/Authority for the Collection
- 2(b) Practical Utility/Users of the Data

3. Non duplication, Consultations, and Other Collection Criteria-- This section provides information on satisfying OMB's collection guidelines, performing consultations, and ensuring confidentiality.

- 3(a) Non-duplication
- 3(b) Public Notice Required Prior to ICR submissions to OMB
- 3(c) Consultations
- 3(d) Effects of Less Frequent Collection
- 3(e) General Guidelines
- 3(f) Confidentiality
- 3(g) Sensitive Questions

4. The Respondents and the Information Requested-- This section provides information on each piece of information being collected and the activities associated with developing and submitting or filing that information from the respondent perspective.

- 4(a) Respondents/SIC Codes
- 4(b) Information Requested
 - (i) Data items, including record keeping requirements
 - (ii) Respondent Activities

5. The Information Collected--Agency Activities, Collection Methodology, and Information Management-- This section provides information on the Agency activities that correspond with each piece of information collected, data management, small business burden, and collection schedules.

- 5(a) Agency Activities

- 5(b) Collection Methodology and Management
- 5(c) Small Entity Flexibility
- 5(d) Collection Schedule

6. Estimating the Burden and Cost of the Collection--This section provides information on the cost and burden associated with the information collection for both the respondents and the Agency. It presents these cost and burden estimates as individual costs per respondent, and as an aggregate cost for the entire respondent universe and the Agency on an annual basis and over the entire period covered by the ICR.

- 6(a) Estimating Respondent Burden
- 6(b) Estimating Respondent Costs
 - (i) Estimating Labor Costs
 - (ii) Estimating Capital and Operations and Maintenance Costs
 - (iii) Capital/Start-up Operating and Maintenance (O&M) Costs
 - (iv) Annualizing Capital Costs
- 6(c) Estimating Agency Burden and Cost
- 6(d) Estimating the Respondent Universe and Total Burden and Costs
- 6(e) Bottom Line Burden Hours and Cost Tables
 - (i) Respondent Tally
 - (ii) The Agency Tally
 - (iii) Variations in the Annual Bottom Line
- 6(f) Reasons for Change in Burden
- 6(g) Burden Statement

Each section stands alone in providing information, but is also dependent upon the other five sections. Sections 1 through 3 provide introductory and background information, justify the need for the collection, explain how the information will be used, and discuss collection methodology and criteria. These sections lay the groundwork for Sections 4 through 6, which discuss the information being collected, the burden associated with collection, and the costs of the collection to both the respondents and the Agency.

In developing Part A of the Supporting Statement, you will work on several sections at the same time. To minimize development time, you should follow some best practices in approaching and completing Part A.

While developing Part A of the Supporting Statement, consult with several (not more than nine) companies, organizations, or individuals to obtain information on burden and size of the potentially affected universe. In order to perform and collect the necessary information during these consultations it is helpful to develop a consultation guide that covers all of the areas in which information is needed to complete Part A of the Supporting Statement. It usually takes several weeks to schedule and perform consultations with industry personnel because of the logistics involved in identifying, contacting, and scheduling telephone consultations with the appropriate people. In order to expedite development of the ICR, it is important to identify as early as possible the specific needs for information and to set-up and perform consultations

throughout the process of developing Sections 1 through 6. To minimize downtime, each section of Part A of the Supporting Statement may be approached in the following order:

- Step 1: Identify all information collection requirements and activities, including third-party collections, for the respondents and the Agency. This step includes identifying every discrete data item and associated activities. Section 4 of this handbook provides details on identifying these activities.
- Step 2: Use each of the respondent activities identified in Section 4 to develop Average Annual Respondent Burden exhibits that correspond one-to-one with each respondent activity. Section 6 of this handbook provides details on developing the respondent burden exhibits.
- Step 3: After development of the respondent burden exhibits, identify the information that must be collected through consultations to complete each cell in the exhibits. Eventually, the information collected will be used in developing the burden and cost estimates.
- Step 4: After identifying the information needs that must be collected through consultations, it is useful to develop a consultation guide designed to obtain answers for the information needs identified. Consultations with selected people in industry or organizations should then be scheduled and conducted. This is the step that takes a great deal of time due to the logistics involved in contacting people, and the time it takes for them to respond to questions. It is important to begin this step as soon as possible because it will extend to nearly the completion of Part A.

***** Continue to proceed through the following steps while performing Step 4. *****

- Step 5: While conducting consultations, Section 5 can be developed. Section 5 is similar to Section 4 in that it describes Agency activities associated with each information collection activity. All information collection activities identified for the Agency in Step 1 should be reflected in Section 5. After developing Section 5, the Agency burden exhibits, which correspond one-to-one with each Agency activity identified in Section 5, should be created. Sections 5 and 6 of this handbook provide details on developing Section 5 of an ICR and the Agency burden exhibits.
- Step 6: After completing Section 5 and constructing Agency exhibits for Section 6, the Agency information needs must be estimated to complete the Agency exhibits. **Similar to Step 4 this step may take some time to complete, so continue to proceed to step 7 if this step becomes time consuming.**

***** Continue to proceed through the following steps while in Step 6. *****

- Step 7: Because work in steps 4 and 6 is intermittent, Section 1, Section 2, and Section 3 of the ICR should be developed whenever information gathering and consultations are not being conducted. Background materials for rule-related ICRs, such as the EA or the preamble to the rule, will assist in development of these introductory sections. Sections 1, 2, and 3 of this handbook provide details on developing these sections.
- Step 8: Compile and analyze the data that was gathered from the consultations in step 4, and within the Agency in step 6. If gaps in data exist, use appropriate resources, references, and background materials, such as other ICRs or EAs, to fill in these gaps.
- Step 9: When Section 6 exhibits are complete, calculate the hourly burden and cost estimates. (If using a spreadsheet, calculations should be double checked using a calculator.) Section 6 of this handbook provides details on completing this step.
- Step 10: After completing burden calculations, the text for Section 6 can be developed. Section 6 explains the calculations that were used to derive the burden and cost estimates, describes any assumptions used to develop the estimates, and also contains any tables or graphics needed to help explain the derivation of the estimates. Section 6 of this handbook provides details on developing text that explains the burden estimates.

Steps 4 and 6 can be conducted simultaneously while conducting the other necessary steps. The following pages detail how to prepare Part A of the Supporting Statement. Examples of each section are also provided.

The following diagram illustrates the steps for preparing Part A of the Supporting Statement. The methodology does not suggest preparing each section in numerical order, because information needed in Sections 4 and 6 should be collected upfront. The suggested methodology allows the ICR to be prepared in approximately 30 days, the timeframe suggested by OEI.

Methodology for Developing Part A

Step 1

Identify ALL information collection requirements/activities
and compile respondent requirements and activities
(Section 4)

Step 2

Develop annual average respondent burden exhibits
(Section 6)

Step 3

Identify consultation information needs

Step 4

Create a consultation guide
and begin consultations

Step 5

Compile Agency information
collection requirements/activities
(Section 5)

Develop Agency average
annual burden exhibits
(Section 6)

Step 6

Identify Agency information needs
and begin gathering information

Step 7

Develop introduction
describing the ICR
(Section 1)

Explain the need
for the collection and use
of the information
(Section 2)

Describe the consultation
process and other collection
criteria
(Section 3)

Step 8

Compile and analyze data
(Section 6)

Step 9

Enter data into Exhibits
(Section 6)

Step 10

Complete burden estimates
(Section 6)

1. IDENTIFICATION OF THE INFORMATION COLLECTION

The title of the ICR should clearly identify the collection to an informed non-expert. If the ICR involves an application, a report, recordkeeping, monitoring, testing, a survey, or combination of these, say so in the title. Keep the title brief (not more than 95 characters), but be as descriptive as possible and do **not** simply cite statutes, regulations, or form numbers. When renewing an ICR, the title should amend the original title to reflect the new requirements. **Please consult with your respective program for guidelines on creating titles.**

Example 1-1 provides an example of an approved ICR title.

Example 1-1

ICR: Land Disposal Restrictions for Newly Listed Wastes and Hazardous Debris
OMB Control Number: 2050-0085

"Land Disposal Restrictions for Newly Listed Wastes and Hazardous Debris"

1(b) Short Characterization/Abstract

Provide an abstract of **one page or less** for your information collection. This abstract should highlight the major components of the collection in a meaningful way to an informed non-expert. A sample abstract from an actual ICR is provided in Example 1-2. The information in the abstract may be adapted for a Federal Register notice, therefore keep it succinct and be sure to address the following:

- Type of collection (e.g., permit application, periodic report, test data, recordkeeping, survey, etc.);
- Who is collecting (give the organizational context; e.g., the Office of Water, Office of Wastewater Management);
- What is being collected (briefly describe the content of the collection, e.g., data on levels of dioxin in fish tissue and bottom sediment from waters receiving pulp and paper mill effluent);
- Why (explain the purpose or regulatory role for the collection; e.g., EPA will use the data in setting permissible dioxin discharge levels for pulp and paper mills' NPDES permits);
- Who will use the information (e.g., OWM, OECA, other program offices, trade associations, environmental groups, etc.);
- How will it be collected and stored (e.g., mills may submit copies of the specified laboratory analyses which will be stored on the NPDES computer database); and

- What will it cost, (e.g. the information collection will involve "X" number of respondents at "Y" number of dollars). Beyond serving as a snapshot of the collection, the abstract offers a frame of reference for the detailed descriptions in later sections of the Supporting Statement.

Example 1-2

ICR: Reporting and Recordkeeping Requirements under EPA's Green Lights Program
OMB Control Number: 2060-0255

1(b) Short Characterization/Abstract

Green Lights is an EPA-sponsored, voluntary program that encourages corporations, state and local governments, colleges and universities, and other organizations to adopt energy efficient lighting as a profitable means of preventing pollution and improving lighting quality. The program organization consists of two types of Green Lights participants: "partners" and "allies". Green lights partners agree to survey and upgrade lighting fixtures and procedures, if profitable. Allies work with EPA to increase awareness of energy-efficient lighting and provide information on products and services. Allies also agree to survey and upgrade lighting fixtures and procedures, if profitable.

Participation in the program begins with completion and submittal to EPA of a Memorandum of Understanding (MOU) that outlines responsibilities of the Green Lights participant and EPA. The MOU commits a Green Lights Participant to survey all of its U.S. facilities and consider a full set of lighting options that maximize energy savings, while being profitable and not compromising lighting quality. The participant agrees to complete lighting upgrades within five years of signing the MOU at 90 percent of the square footage of its facilities that meet these criteria. Upon completion of a lighting upgrade, or annually if the project is not completed after a year, participants must complete and submit to EPA an implementation report that documents energy efficiency improvements and cost savings. In addition, participants agree to re-survey facilities and re-analyze options at each facility no later than five years after completing an upgrade or determining that an upgrade would not be appropriate.

As discussed above, the Green Lights program includes additional requirements for lighting manufacturers, service providers, and utilities that chose to become allies of the program. In addition to agreeing to survey lighting and implement upgrades, if profitable, allies work with EPA to increase awareness of the benefits of energy-efficient lighting and to develop a technical support program. Specifically, allies agree to provide case studies of successful energy-efficient lighting investments and provide EPA, upon request, with information on the lighting-related products and/or services that the ally offers. Allies must also obtain EPA approval to use materials that carry the Green Lights logo or otherwise mention the program. Finally, allies agree to notify EPA of any instances where a competitor may have violated any stipulation of the Green Lights agreement.

2. NEED FOR AND USE OF THE COLLECTION

2(a) Need/Authority for the Collection

In this section, fully describe why the information is needed and under what legal authority it will be

collected. While all EPA enabling statutes provide general authority to collect information (e.g., TSCA §8, CAA §114, CWA §308), some collections are **specifically required by statute or court order**. For these collections, provide the citation and pertinent text; thereby demonstrating the need and authority.¹

For all other collections, the **need for the collection** will be established by responding to the following two questions:

- What Agency decision requires this information?; and
- What Agency goal will be aided by the collection?

Then, to **establish legal authority**, cite the principal authorities and explain how they relate to the collection.

Below is a list of the most commonly referenced authorities and their citations.

- The United States Code: [vol.] U.S.C. § [section #] (e.g., 44 U.S.C. §3501-3520). (Use the Public Law number only if not yet codified.)
- A codified Federal regulation: [title] [vol.] C.F.R. part #] (e.g., State Operating Permit Programs, 40 C.F.R. part 70). (If a promulgated rule is not yet codified cite to the Federal Register.)
- A promulgated but not yet codified regulation: [title], [vol.] Fed. Reg. [page#] [date] (e.g., National Primary Drinking Water Regulations: Monitoring Requirements for Public Drinking Water Supplies, 61 Fed. Reg. 24354-24388 (May 14, 1996).

In an appendix to the Supporting Statement, attach copies of the relevant sections of statutes, regulations, or judicial/administrative decrees.

2(b) Practical Utility/Users of the Data

In addition to showing need, the PRA requires you to state specifically how you will use the information you propose to collect to meet your program objectives. Although closely linked conceptually, the PRA treats need and use (or "practical utility") as distinct elements, and therefore, we ask you to address them in separate sections of your Supporting Statement.

In this section, continue the narrative you began in 2(a) by describing how the information you collect will fulfill the needs of your program office. If your ICR is a renewal, you must include a discussion of how the Agency has made use of the information already received. Whether your ICR is new or a renewal, your discussion should follow this general format:

¹ On occasion, statutes or court orders will spell out in detail the collection requirements. If you confine your collection to the specific requirements of the statute - verbatim - and exercise **no discretion** whatsoever in implementing the collection, you may not have to do an ICR. Contact OEI if you think this exception applies to your proposed activity.

- First and foremost, discuss the specific role(s) the information will play in your program's regulatory decisions. Example 2-1 illustrates an example of this discussion.

Example 2-1

ICR: AgSTAR

"EPA uses information submitted in the Memorandum of Understanding (MOU) to develop its database containing information on AgStar Partners and Allies. The database serves as a source of general information and a mailing list. EPA uses information submitted in the Annual Report to monitor the progress of companies and organizations in reducing methane emissions."

- Then, describe who will use the information. Also include a discussion of who will receive and redistribute it. (See Example 2-2).

Example 2-2

ICR: AgSTAR

"EPA uses case studies of successful methane emission recovery systems to demonstrate to current and potential Partners and Allies the cost savings and environmental benefits that can be realized by installing AgSTAR technologies."

In addition to intra-Agency users, identify anticipated inter-Agency and private sector users, and explain how they might use the data.

For a complex report, questionnaire, or other collection instrument, address the issue of use/users section-by-section. **Do not**, however, include an extensive description of the collection activity; you will provide that information in Section 4.

3. NON-DUPLICATION, CONSULTATIONS, AND OTHER COLLECTION CRITERIA

The topics in this part of the guidance ask you to verify and affirm that your collection satisfies OMB's collection guidelines, has public support, and does not duplicate another collection. In this section, as well as in section 5, you should provide an explanation of any relevant certification requirements with which your ICR does not comply.

3(a) Non-duplication

OMB will not approve an information collection, unless the Agency demonstrates that it has taken every reasonable step to avoid duplication.

In this section, document your efforts to learn whether the information that you request is available from other sources. Include the names of the databases, directories, and other sources you consulted. When there is the appearance of possible duplication, explain why the collections are non-duplicative.

Example 3-1

ICR: EPA's Opt-In Program under Title IV of the Clean Air Act Amendments
OMB Control Number: 2060-0258

"Almost all information requested from respondents under this ICR is required by statute and, in most cases, is not available from other sources. The National Acid Precipitation Assessment Program database provides 1985 air emissions data for numerous sources, but this information is unsuitable for use in opt-in permit applications for several reasons, including: (1) it lists emissions only for sources with 100 tons per year or more of emissions of at least one criteria pollutant; (2) it does not include data for the entire period of 1985 to 1987 (the baseline period); and (3) the utilization rates were sometimes estimated."

You might begin your search for data duplication by searching the Government Information Locator Service (GILS).

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

In compliance with the 1995 PRA, any agency developing a non-rule-related ICR must solicit public comments for a 60-day period prior to submitting the ICR to OMB. These comments, which are used partly to determine realistic burden estimates for respondents, must be considered when completing the Supporting Statement that is submitted to OMB.

The announcement of a public comment period for an initial or renewal ICR must be made in the Federal Register. If the ICR is coming up for renewal, the FR notice must be published specifically stating that an ICR is up for renewal and that public comments on the previous burden estimates and any proposed changes are being sought by the Agency. You should use the FR notice template included in Appendix D to develop the notice for your ICR. A copy of this FR notice must be submitted to OMB to prove that it was published when the ICR package is submitted.

3(c) Consultations

As a means of planning your collection, monitoring its usefulness, and learning of ways to minimize burdens, OMB regulations require periodic consultation with respondents and data users. In addition to using the FR Notice described above to initiate comment, you must consult with actual or potential respondents in conjunction with an ICR renewal, even if the collection has not changed.

Give the **name, phone number, and affiliation** of all non-EPA persons whom you consulted on any aspect of the collection. Also, describe other public contacts or opportunities provided for public comment (e.g., public meetings and workshops). Briefly summarize the reactions of interested parties.

When the collection touches on subjects that might interest other agencies, be sure to solicit their opinions and advice. When the project involves state or local governments, it is good practice to

consult with the organizations that represent them (e.g., STAPPA, ASTWMO, and the Council of State Governments).

3(d) Effects Of Less Frequent Collection

For collections with periodic reporting or recordkeeping, illustrate the effects that collecting the information less frequently would have on Agency decisions. Explain, for instance, why quarterly reporting is essential for enforcement or other program decisions and why less frequent reporting would not suffice (reports more often than quarterly must be justified in Section 3(e)). (See Example 3-3 for an example explanation).

Example 3-3

ICR: Acid Rain Program under the Clean Air Act Amendments Title IV
OMB Control Number: 2060-0261

"The requirement for the designated representatives of owners and operators of affected sources to submit permit applications, including proposed compliance plans, every five years is a statutory requirement. The periodic compliance reports or notifications required for specific compliance options are essential to (1) enhance enforcement of emissions limitations requirements, and (2) ensure that utilities receiving bonus allowances and extensions comply with the conditions upon which they were granted the allowances."

3(e) General Guidelines

OMB's general guidelines for information collections must be adhered to by all Federal agencies. If your collection violates these guidelines, OMB will not approve it, unless you can demonstrate that the collection activity satisfies either a statutory requirement or some other substantial need (See 5 CFR 1320.5(d)(2)). Justify any provision under which respondents would:

- Report information to the Agency more often than quarterly;
- Prepare a written response to a collection of information in fewer than 30 days after receipt of a request;
- Submit more than an original and two copies of any document;
- Retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years;
- Participate in a statistical survey that is not designed to produce data that can be generalized to the universe of the study;
- Utilize a statistical data classification that has not been reviewed and approved by OMB;

- Receive a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or
- Submit proprietary, trade secret, or other confidential information unless the Agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

3(f) Confidentiality

Describe the measures you plan to take to assure the confidentiality of collected information. If you base these measures on an environmental statute, like the Federal Insecticide, Fungicide and Rodenticide Act, or on the Agency's confidentiality regulations (40 CFR 2.201 et seq.), simply cite the relevant provisions.

If the measures are not based on a standard authority or do not cover all aspects of the collection, discuss how you will handle, store, and dispose of confidential information. Describe, as appropriate, your measures for:

- Assuring computer data security;
- Preventing disclosure of information containing personal or organizational identifiers;
- Disposing of completed forms that are outdated;
- Storing hardcopy files; and
- Monitoring contractor involvement in your collection.

3(g) Sensitive Questions

If you ask any questions concerning sexuality, religious beliefs, or other matters, usually considered private, state how you will use the information and what decisions it will support. Also, explain how you will justify the questions to the respondents and obtain their consent.

4. THE RESPONDENTS AND THE INFORMATION REQUESTED

Now that you have described the "why" of your collection - why the information is important to the Agency - examine the "who" - who your respondents are - and the "what" - what they must do to supply the information you request.

4(a) Respondents/SIC Codes

List the major categories of respondents to your collection, i.e.: businesses, by industry; governments, by state or locality; non-profit organizations; and individuals. You will find all SIC codes in the Standard Industrial Classification (SIC) Manual put out by OMB. A revised manual should be issued in 1997.

Then, for each category provide the appropriate three or four-digit SIC codes. In addition, explain why you have chosen these particular categories of respondents to be the source of your information - at least where the reason is not obvious from earlier descriptions of the collection. Example 4-1 provides examples of commonly cited SIC codes.

Example 4-1

ICR: RCRA Hazardous Waste Manifest System
OMB Control Number: 2050-0039

The Following is a list of SIC codes associated with large and small quantity generators, transporters, and TSDFs affected by the manifest information requirements covered under this ICR:

- 2821 - Plastic Materials
- 2822 - Synthetic Rubber
- 3011 - Tires and Inner Tubes
- 3080 - Miscellaneous Plastic Products
- 3111 - Leather Tanning and Finishing
- 3253 - Ceramic Wall and Floor Tile
- 3292 - Asbestos Products
- 3300 - Primary Metal Industries

4(b) Information Requested

(i) Data items, including recordkeeping requirements

List each data item or group of related data items that you have requested from the public. Divide these into reporting items and recordkeeping items. The 1995 PRA requires that for each recordkeeping requirement the length of time takes persons to maintain the records be specified.

It is important to note that OMB may not approve a requirement for respondents to retain records for more than three years. If a program is planning to require record retention for longer than three years, that recordkeeping activity is considered burdensome. Therefore, when respondents are requirements to retain records for more than three years, these requirements must be clearly explained and justified in the supporting statement.

For rule-related collections, cross-reference the data items with the specific rule provisions that require them. There should be a one-to-one correspondence between the citations included in this section and the citations in 40 CFR Part 9 for this control number. For renewals, check that the list is based on the final rule, not the proposal. Also indicate any additions, deletions, or changes to the data items since the last clearance (this accounting will help you to explain the

changes in respondent burden in Section 6(e)). **It is important to keep the 40 CFR Part 9 table updated.**

When the ICR is for a survey, you must attach a copy of the instrument(s) and all instructions to the Supporting Statement.

(ii) *Respondent Activities*

Next, define all of the activities a respondent must engage in to assemble, submit, or store the data items you just listed in the previous section. Select or develop a model respondent who typifies the group and the activities related to the collection. (If the collection involves diverse entities, you may need to use more than one model.)

To complete the collection, consider the definitions of burden developed for the 1995 PRA and OMB's final rules on implementing the PRA when determining the respondent activities. For renewals, the ICR burden estimates should be revised to incorporate the additional items of burden mandated by the 1995 PRA.

1995 PRA Definition of "Burden"

§3502. "(2) the term 'burden' means time, effort, or financial resources expended by persons to generate, maintain, or provide information to or for a Federal agency, including the resources expended for--

- (A) reviewing instructions;
- (B) acquiring, installing, and utilizing technology and systems;
- (C) adjusting the existing ways to comply with any previously applicable instructions and requirements;
- (D) searching data sources;
- (E) completing and reviewing the collection of information; and
- (F) transmitting, or otherwise disclosing the information."

Definition of Burden in OMB's Final Rules

5 CFR §1320.3(b)(1) "*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, including:

- (i) reviewing instructions;
- (ii) developing, acquiring, installing, and utilizing technology and systems for the purpose of collecting, validating, and verifying information;
- (iii) developing, acquiring, installing, and utilizing technology and systems for the purpose of processing and maintaining information;
- (iv) developing, acquiring, installing, and utilizing technology and systems for the purpose of disclosing and providing information;
- (v) adjusting the existing ways to comply with any previously applicable instructions and requirements;
- (vi) training personnel to be able to respond to a collection of information;
- (vii) searching data sources;
- (viii) completing and reviewing the collection of information; and
- (ix) transmitting, or otherwise disclosing the information."

Example 4-2 lists data items and respondent activities from an OMB-approved ICR. If a particular data item is especially resource intensive, you may wish to analyze it separately. If your collection will last more than a year, consider each task on an annual basis.

Finally, go through your list and mark those activities that qualify as "customary and usual business practice." Any burden for preparing, keeping, or reporting information is exempt from further burden and cost analysis if the information is already prepared, kept, or reported as part of usual or customary business practice. To exclude burden on the grounds that it is usual and customary, it is not enough for the agency to indicate a belief, or demonstrate that a few persons usually compile the information. The agency must demonstrate to the satisfaction of the OMB Desk Officer that the practice is both usual and customary. Disputes with OMB over "what is" and "what is not" CBP may delay the approval of the collection. This typically occurs when the agency wishes to make a CBP mandatory for enforcement purposes.

Example 4-2

ICR: RCRA Hazardous Waste Manifest System
OMB Control Number: 2050-0039

Water (bulk shipment) Transporters Regulated Under Section 263.20(e)

Water (bulk shipment) transporters who are regulated under section 263.20(e) must sign and date the manifest upon receipt of the hazardous waste; must ensure that a shipping paper containing the generator, waste and facility information, and an EPA Acknowledgment of Consent (AOC) for exports, accompany the waste during transportation; must obtain the signature of the facility owner or operator on the manifest or shipping paper; and must retain a copy of the manifest or shipping paper for three years.

(i) Data items:

- Copies of the manifest;
- Copies of the shipping paper containing all of the information on the manifest except the EPA ID numbers, the generator certification, and required signatures, as required under §263.20(e); and
- An EPA AOC (for exporters only), as required by §263.20(e)(2).

(ii) Respondent activities:

- Bulk water transporters identified under §263.20(e) must perform the following:
 - Ensure that the shipping paper (and AOC, for exports) accompanies the waste to its destination, as required by §263.20(e)(2);
 - If the initial water transporter, sign and date the manifest and return it to the delivering transporter so that the manifest can be forwarded to the designated facility owner or operator, as required by §263.20(e)(4); and
 - Retain a copy of the manifest or shipping paper, as required by §263.22(b).

5. THE INFORMATION COLLECTED--AGENCY ACTIVITIES, COLLECTION METHODOLOGY, AND INFORMATION MANAGEMENT

5(a) Agency Activities

Use the following list to guide you in assembling your **inventory of Agency activities**. (You will use this list to form one axis of your Agency burden/cost matrix in Section 6.) Consider whether the Agency will:

- Develop a rule, report form, questionnaire or other collection instrument;
- Set up a master database;
- Answer respondent questions;
- Audit or review data submissions;
- Record or enter the submissions;
- Analyze requests for confidentiality and provide appropriate protection;
- Reformat and distribute the data; and
- Store the data.

Example 5-1 lists data items and Agency activities from an OMB-approved ICR.

Example 5-1

ICR: Authorization of Indian Tribe Hazardous Waste Programs under RCRA Subtitle C
OMB Control Number: 2050-0041

Indian Tribe Program Authorization: Base Program Review and Public Participation

Agency activities associated with the review of a Tribal program and public participation consist of the following:

- Determine and notify the Tribe within 30 days of Tribal program submission whether the submission is complete, in accordance with section 271.5(b);
- Review the application;
- Issue a public notice within 90 days of complete program submission in the Federal Register of the tentative determination of authorization, as required by section 271.21(d);
- Hold a public hearing, as required by section 271.20(d)(1);
- Receive and review public comments for 30 days after issuing the notice; and
- Issue a final determination of authorization within 90 days of the issuance of the tentative determination in the Federal Register, taking into account any comments submitted, including a statement of the reasons for this determination, and a response to significant comments received, as required by section 271.20(e).

5(b) Collection Methodology and Management

To demonstrate that the information you collect will be useful - accurate, reliable, and retrievable - once collected, describe the collection methodology and management. To begin, if your collection is a survey or is form-related, state whether you have pre-tested the collection instrument.² Then, for all collections, answer the following questions, as appropriate:

- How will you check data quality?
- What machines and processing technology will you employ?

- How will you enter and store the data?
- How may the public access the data?

If, for example, you considered using a telephone survey instead of a written questionnaire, or allowing respondents to report electronically, but chose not to, explain why. Mention any technical or legal obstacles that you encountered. An example of a collection methodology explanation is provided in Example 5-2.

Example 5-2

ICR: EPA's WasteWi\$e Voluntary Challenge Program

"In collecting and analyzing the information associated with this ICR, EPA will use a telephone system, personal computers, and applicable database software. EPA will ensure the accuracy and completeness of collected information by reviewing each submittal. EPA will enter the information obtained from the three reporting forms into a database and aggregate data obtained from Annual Reporting Forms to monitor the progress of participants in achieving waste reduction goals. EPA plans to review the efficiency of using an electronic bulletin board or the Internet to facilitate the transfer of information (such as reporting forms) between EPA and potential or active members. The WasteWi\$e database will be accessible to a limited number of outside organizations for browsing purposes via modem."

In this section, you should also 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). You should give the basis for the decision for adopting this means of collection, and describe any consideration of using information technology to reduce burden. We are particularly interested in the use of technologies to decrease reporting burden or increase collection efficiency.

For example, on September 4, 1996 EPA published in the *Federal Register* a general policy for accepting the filing of electronic reports using electronic data interchange. Many programs are now moving forward with specific applications permitting electronic filing of reports such as discharge monitoring reports for NPDES permittees. The Office of Solid Waste allows paperless electronic storage of hazardous waste manifests. The Office of Prevention, Pesticides, and Toxic Substances enables TRI respondents to submit reports on diskette so that data can be loaded directly into EPA's computers. If you have questions about electronic reporting or storage options, please contact EPA's **Regulatory Information Division**.

For help on general technologies available for data management, **contact EPA's Office of Information Resources Management (OIRM)**. OIRM staff keep abreast of the information technologies employed in and around the Agency, and can assist in meeting data management needs in the most efficient and cost-effective way. OIRM is also aware of opportunities for (and barriers to) data sharing across programs.

5(c) Small Entity Flexibility

The 1995 PRA incorporated the Regulatory Flexibility Act (RFA) into it. The RFA requires that the EPA prepare a regulatory flexibility analysis for any rule that has a "significant economic impact on a substantial number of small entities". As part of the certification requirement, the Agency must show that the collection:

"reduces to the extent practicable and appropriate the burden on persons who shall provide information to or for the agency, including with respect to small entities, as defined in the Regulatory Flexibility Act (5 U.S.C. 601(6)), the use of such techniques as:

- "(1) establishing differing compliance or reporting requirements or timetables that take into account the resources available to those who are to respond;*
- "(2) the clarification, consolidation, or simplification of compliance and reporting requirements; or*
- "(3) an exemption from coverage of the collection of information, or any part thereof;*

The requirements of the Small Business Regulatory Enforcement Fairness Act (SBREFA) of 1996 must also be considered. Special consideration of small entities is required because such individuals generally cannot devote staff resources to follow regulatory developments and often are less likely to have their interests represented by lobbyists and associations. In addition, smaller entities may be less able to bear the burden of an information collection because of their smaller staff and resources.

The Small Business Administrations' size eligibility provisions and standards are codified at 13 CFR Part 121. The RFA also provides some guidance for defining a small entity. Section 601 of the RFA defines a "small entity" to include "small business," "small organization," and "small governmental jurisdiction." These terms are defined as follows:

- A "Small Business" is defined as any business that is independently owned and operated and not dominant in its field as defined by the Small Business Administration (SBA) regulations under Section 3 of the Small Business Act.
- A "Small Organization" is defined as any not-for-profit enterprise that is independently owned and operated and not dominant in its field (e.g., private hospitals and educational institutions).
- A "Small Governmental Jurisdiction" is defined as governments of cities, counties, towns, townships, villages, school districts, or special districts with a population of less than 50,000. The definition of a small governmental jurisdiction may also include Indian Tribes, in keeping with the President's Federal Indian Policy.

EPA may also develop regulation-specific definitions of small entities when the above definitions are not appropriate. Appendix D of the EPA Guidelines for Implementing the Regulatory Flexibility Act (as revised April 1992) suggests that categories of affected entities be

defined based on size and type (size is generally based on number of employees, annual revenues, assets, or population size). The quantitative cutoff point for defining small entities should be selected based on the following criteria (as provided in the EPA Guidelines).

- The point at which the economic impact appears to rise or fall substantially (e.g., higher costs)
- The point in the range of size segments that most closely approximates SBA's definitions
- The point at which the regulation effectively includes a large number of regulated entities without covering a large portion of the pollution problem
- The presence of significantly different requirements or impacts below specific size, population, production, geographic, or other factors

If an Economic Analysis (EA) has been prepared in conjunction with the ICR, it should provide a definition of a "small entity" as affected under the rulemaking that can be used for the information collection. The EA might also provide an estimate of the information costs for small entities. Otherwise, the ICR should define a "small entity" as discussed above, and calculate the burden to such entities for the information collection.

In summary, the Agency must consider the option of less burdensome collection mechanisms, even if only a few of the respondents are small entities, and justify in the Supporting Statement any reasons why such mechanisms were not adopted.

5(d) Collection Schedule

In this section, provide a schedule for the information collection. A schedule is especially useful when you propose a survey, but is helpful for other collections as well. For a rulemaking, specify how soon after promulgation a respondent must comply with the various reporting requirements. As part of the schedule for a survey, indicate the important collection milestones. List these events in sequence, beginning with the collection start date, and, where appropriate, note the estimated due dates.

Give the schedule a program/regulatory context by including related non-collection milestones (e.g., the projected rulemaking date). Remember to note recurring activities (e.g., quarterly monitoring). If you intend to make the information available to the public, state when.

In complex multi-step collections where timing is an important factor, illuminate the schedule with a timeline or Gantt chart. For simple routine collections, a brief description, like the one shown in Example 5-3, should suffice.

Example 5-3

ICR: Continuous Release Reporting Regulations
OMB Control Number: 2050-0086

"The facility must provide the initial telephone call(s) as soon as the person in charge has knowledge of a 'continuous' release that equals its RQ... The initial written report must be provided within 30 days of the initial telephone call(s). In the second year of reporting, the facility must submit a written follow-up report to the EPA Region within 30 days of the anniversary date of submission of the initial written report. Thereafter, the person in charge is responsible for reevaluating the release annually, but no reports are required unless there is an SSI in the release or a change in release information previously submitted."

In sections 5(b), 5(c) and 5(d), as well as in section 3, you should provide an explanation of any relevant certification requirements with which your ICR does not comply.

6. ESTIMATING THE BURDEN AND COST OF THE COLLECTION

This section of the handbook will guide you through developing Section 6 of your ICR. Development of Section 6 includes four primary activities:

- (1) Preparing respondent burden and cost tables;
- (2) Estimating respondent and Agency burden (hours to complete required activities);
- (3) Estimating respondent and Agency labor costs and costs of capital associated with the those activities; and
- (4) Developing universe estimates, and calculating burden and cost totals.

Throughout this section, you should refer to the examples that will lead you through the development of Section 6 of an actual ICR.

The collection activities you defined in Sections 4 and 5 should help you develop your estimates, because the activities for which you estimate burden and cost should correspond directly with the activities listed in those sections. In Section 6, you will produce burden tables that provide the numerical basis for the annual burden and cost of your collection. Listed below are some general rules for creating the tables:

- Create separate burden and cost tables for each respondent type (i.e., generators, treaters, etc.);
- Use separate tables for estimating the burden on State and local governments, where applicable, from that on the Federal government;
- For each line-item, respondent activity described in Section 4, create a corresponding line-item in your Section 6 table for respondent burden and costs. Likewise, for each Agency activity described in Section 5, develop a corresponding line-item in the Agency

burden and cost tables, which in turn, corresponds to each respondent reporting activity in Section 4;

- If several respondent burden tables are required, develop an aggregate burden table that compiles the burden subtotals from the separate respondent tables.
- Likewise, for multiple Agency burden tables, create an aggregate burden table that compiles the subtotals from the separate Agency tables; and
- The burden and costs must be annualized, therefore assume an average cost for the collection over a three-year period (that is the maximum length of time OMB will approve a collection). Third-party activities and capital costs associated with respondent information collection activities must be estimated.

Example 6-1

Annual Respondent Burden and Cost

INFORMATION COLLECTION ACTIVITY	Hours and Costs Per Respondent								Total Hours and Costs		
	Leg.	Mgr.	Tech.	Cler.	Respon.	Labor	Capital/		Number	Total	Total
	\$86.00/ Hour	\$65.42/ Hour	\$42.82/ Hour	\$22.40/ Hour	Hours/ Year	Cost/ Year	Startup Cost	O & M Cost	of Respon.	Hours/ Year	Cost/ Year
RELEASE RESPONSE AND CORRECTIVE ACTION FOR UST SYSTEMS CONTAINING PETROLEUM OR HAZARDOUS SUBSTANCES											
Reading the Regulations											
Read the regulations											
Initial Response (280.61(a))											
Report the confirmed release by telephone or electronic mail											
Initial Abatement Measures Report and Site Check (280.62(a)(b))											
Gather information during initial abatement											
Prepare and submit summary report of initial abatement steps											
Initial Site Characterization (280.63)											
Gather information for initial site characterization											
Prepare and submit information per instruction											
Free Product Removal (280.64)											
Gather information for free product removal report											
Prepare and submit report											
Soil and Groundwater Investigation Report (280.65)											
Gather information for investigation report											
Prepare and submit report											
Corrective Action Plan (280.66)											
Prepare and submit corrective action plan or additional information											
Notify implementing agency of early cleanup											
Report results of implementing plan											
Subtotal											

The first step in preparing Section 6 is developing skeleton burden and cost tables for respondent and Agency activities. The skeleton table should serve as a guide for estimating burden hours and costs. Example 6-1 is a sample skeleton burden and cost table for respondents.

6(a) Estimating Respondent Burden

The first step in completing the table(s) for Section 6 is estimating the respondent burden for each "information collection activity" listed in the first column. Beginning with the first activity, **estimate the burden** (time in hours), apportioning the burden estimate by labor category (legal, managerial, technical, and clerical), that an individual respondent will require for each activity. You may add other labor categories, as appropriate. Remember that burden is defined as *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 purpose of collecting, validating, and verifying information, process 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.*

For rule-related ICRs, burden estimates for each activity should be extracted from the corresponding EA. If EA estimates are not available, base your estimates on informal consultations with nine or fewer respondents or on your experience with similar collections. Remember to list all consultations in Section 3(c). You should **not** conduct special surveys to estimate burden. If you plan to pretest a questionnaire or other reporting form, ask respondents at the time of the pretest debriefing for burden information. Your burden estimates (either newly developed or estimates from a previous ICR, if your ICR is a renewal) should be summarized in the required Federal Register notice. Public comments from actual respondents should help you develop more accurate burden estimates.

When estimating respondent burden, you should remember to **identify and estimate the burden of third-party activities**. In accordance with the 1995 PRA, you are required to estimate any burden incurred by the respondents to maintain records, transmit or disclose information to parties other than the implementing agency (i.e., EPA, the Regions, authorized States), including the burden and costs that these third parties incur to maintain files or re-route the information that they receive. This change to reporting and recordkeeping estimates effectively overturned the 1990 Supreme Court decision, Dole v. United Steelworkers of America, 494 U.S. 26 (1990), which exempted from the PRA certain Federal programs from requiring regulated entities to disclose information directly to non-Federal third parties.

Under the 1995 PRA, *collection of information* is defined as "obtaining, causing to be obtained, soliciting, or requiring the disclosure to an agency, third parties or the public of information by or for an agency..." The effect of this change on ICRs is twofold. First, when estimating the burden and cost to respondents, you must include reporting activities by the respondents to third parties. Secondly, you must estimate the hourly burden and cost in the respondent exhibits for

the activities conducted by the third party in response to receiving the information. For example, the Uniform Hazardous Waste Manifest (UHWL) Program requires third-party information reporting and recordkeeping. Under the UHWL program, generators of hazardous waste are required to transmit copies of the manifest form to hazardous waste transporters, who, in turn, transmit copies of the manifest to the treatment, storage or disposal facility (TSDF), rather than submitting the manifest to the Federal government. At the end of the chain, the ultimate TSDF keeps a copy of the manifest and forwards a copy to the generator, acknowledging receipt. Due to changes in the PRA, the transmittal of information from generators (regulated entities) to transporters and TSDFs (non-Federal third parties) and back to the generators is not exempt from burden in an ICR. Accordingly, the transporters and TSDFs should be treated in the ICR as a type of respondent, and you should appropriately estimate the burden of their activities associated with sending, receiving, and processing the information.

For collections that occur more than once a year, be sure to multiply your burden estimates by the appropriate multiplication factor (e.g., hours for activities related to filing quarterly reports should be multiplied times four). Accordingly, the estimates for a one-time activity over a three-year information collection period should be divided by three to determine the appropriate one-year burden (e.g., one-time notification to a treater from the generator of a waste, identifying the constituents in the waste. If it takes nine hours to prepare and submit the one-time notification, you should divide the total time by three to determine the average burden on an annual basis (in this case, three hours) over the period of the ICR). This accounting will ensure that your burden estimates reflect annual totals.

Once the hourly burden for each activity and respondent type has been estimated, you should **total all of the hours required to complete each activity across the labor categories**. The Respondent Hours Per Year column should contain the sum of each labor category's hours to complete that activity. Refer to Example 6-4 for an example of a table with complete burden estimates and calculated Respondent Hours Per Year.

In the text of Section 6, you must **explain how you derived the burden estimates** (see Example 6-2). While this description may be brief, it must include at least the source(s) for your estimates of burden hours and of reports submitted, and your assumptions.

Example 6-2

ICR: Underground Storage Tanks: Technical and Financial Requirements
OMB Control Number: 2050-0068

EPA conducted consultations with fewer than nine respondents from the regulated community to obtain burden hour estimates. These burden estimates have been adjusted for changes suggested by twenty industry members who submitted comments during the formal public comment period.

6(b) Estimating Respondent Costs

With burden hour estimates in place, you can begin to estimate the labor cost per respondent and the capital costs required to complete each activity. The total cost for each respondent activity is

comprised of:

- Labor Cost (for legal, managerial, technical, clerical, and other employees -- as calculated in Example 6-3);
- Capital/Start-up Cost (for equipment, machinery, and construction); and
- Operating and Maintenance (O&M) Cost (for labor and equipment needed over time as well as for the purchase of services).

(i) Estimating Labor Costs

Labor rates should be consistent with the EA or some other economic reference, such as hourly wage rates from a Bureau of Labor Statistics publication on employment and earnings. Rates should generally reflect a graded scale in which an hour of legal time is more costly than an hour of managerial time, which is more costly than an hour of technical time, and an hour of technical time is, in turn, more costly than an hour of clerical time. Rates also should include the cost of overhead and fringe benefits, as appropriate.

For a **rule-related or renewal ICR**, the corresponding EA or original ICR should be consulted to obtain the appropriate baseline labor rates for each labor category. The labor rate should reflect the total cost to employ an individual and include in the estimate the cost of salaries, fringe benefits, such as paid leave, health insurance, retirement savings, and legally required benefits, and other overhead costs, such as office space, furniture, equipment and computers, supplies and other business expenses. The baseline labor rate should then be adjusted to current dollars using an appropriate labor index, such as the U.S. Bureau of Labor Statistics Employment Cost Index.

The Employment Cost Index (ECI) should be used to adjust labor rates to current dollars over the use of other indices (i.e., consumer price index, producer price index, etc.) because it was specifically designed to track changes in labor costs free from the influence of employment shifts among occupations and industries. The ECI provides seasonally adjusted data on compensation costs, wages and salaries, and benefit costs for civilian, State and local government, and private industry workers by occupational and industry groups. The ECI also provides data which are not seasonally adjusted, however these data are not generally recommended for use in adjusting labor rates.

The ECI divides the economy into 32 separate industry categories based on the most recent *Standard Industrial Classification (SIC) Manual* maintained by OMB. (Note that a new version is expected to be issued in 1997.) The classification of an industry is normally based on the primary activity of the establishment. The ECI also classifies occupations into categories defined for the 1990 Census of Population, which in turn uses *Standard Occupational Classification (SOC)* occupational groupings. The ECI divides occupational groupings into ten major occupational groups. These include:

- Professional specialty occupations;
- Technical occupations;
- Executive, administrative, and managerial occupations;
- Administrative support, including clerical;
- Precision production, craft, and repair occupations;
- Machine operators, assemblers, and inspectors;
- Transportation and material moving occupations;
- Handlers, equipment cleaners, helpers, and laborers; and
- Service occupations.

The appropriate group should be chosen when updating labor rates.

For a **non-rule-related ICR**, or an ICR for which labor rates are not available (perhaps due to new burden categories developed in response to public comments) the cost of labor to perform functions related to the collection of information should reflect the opportunity costs of labor. At the very least, labor rates should be based on employer costs and should include such benefits as paid leave, insurance benefits, and other legally required benefits (i.e., Social Security, unemployment insurance, etc.). The Labor Department publishes this information in Employer Costs for Employee Compensation. This report publishes hourly labor costs for various labor groups operating within different industry groupings. The major private industry groupings are:

- Goods-producing;
- Service-producing;
- Manufacturing; and
- Non-manufacturing.

In preparing an ICR, every attempt should be made to identify accurately the labor groups impacted under the proposed collection of information so that the appropriate labor rates can be identified. The analyst should exercise caution in relying on labor rate studies not related to the current ICR. Some peculiarities associated with the definition of labor categories used in a particular study or changes in the labor market since the study was performed (i.e, employment shifts among occupations and industries) may restrict the application of the studies results to ICR labor rates.

For the first activity, multiply the hours in each labor category by the appropriate dollar per hour amount. Then, sum the dollar amounts for the four labor categories, and record the result in the Labor Cost/Year column. Example 6-3 provides a formula and a sample calculation for an activity shown in Example 6-4. Repeat this procedure for each line-item activity in your respondent tables. You should use a computer spreadsheet program (e.g., Excel or Lotus 1-2-3) to automate these calculations. Simply copy the formula for Example 6-3 into each individual cell in the Labor Cost Per Year column in example 6-4.

Example 6-3

$$(\text{Legal Hours} \times \$\text{Legal Rate}) + (\text{Managerial Hours} \times \$\text{Managerial Rate}) + (\text{Technical Hours} \times \$\text{Technical Rate}) + (\text{Clerical Hours} \times \$\text{Clerical Rate}) = \text{Labor Cost/Respondent}$$
 Read the regulations $(0.50 \times \$86) + (0.50 \times \$65.42) + (1.00 \times \$42.82) + (0.00 \times \$22.40) = \$118.53$

The hourly wages used in this and all subsequent examples were developed using consultations for the Underground Storage Tanks: Technical and Financial requirements ICR. These rates are only for example purposes and should not be applied to other ICRs. You should conduct consultations and use the guidance in this section to develop wages estimates for your ICR.

Example 6-4 provides a respondent table completed through the Labor Cost Per Year column.

Example 6-4

Annual Respondent Burden and Cost

INFORMATION COLLECTION ACTIVITY	Hours and Costs Per Respondent								Total Hours and Costs		
	Leg. \$86.00/ Hour	Mgr. \$65.42/ Hour	Tech. \$42.82/ Hour	Cler. \$22.40/ Hour	Respon. Hours/ Year	Labor Cost/ Year	Capital/ Startup Cost	O & M Cost	Number of Respon.	Total Hours/ Year	Total Cost/ Year
RELEASE RESPONSE AND CORRECTIVE ACTION FOR UST SYSTEMS CONTAINING PETROLEUM OR HAZARDOUS SUBSTANCES											
<i>Reading the Regulations</i>											
Read the regulations	0.50	0.50	1.00	0.00	2	\$118.53					
<i>Initial Response (280.61(a))</i>											
Report the confirmed release by telephone or electronic mail	0.00	0.50	0.50	0.00	1	\$54.12					
<i>Initial Abatement Measures Report and Site Check (280.62(a)(b))</i>											
Gather information during initial abatement	0.00	3.00	12.00	0.00	15	\$710.10					
Prepare and submit summary report of initial abatement steps	0.00	1.00	8.00	2.00	11	\$452.78					
<i>Initial Site Characterization (280.63)</i>											
Gather information for initial site characterization	0.00	3.00	12.00	0.00	15	\$710.10					
Prepare and submit information per instruction	0.00	1.00	3.00	1.00	5	\$216.28					
<i>Free Product Removal (280.64)</i>											
Gather information for free product removal report	0.00	4.00	24.00	2.00	30	\$1,334.16					
Prepare and submit report	0.00	1.00	3.00	1.00	5	\$216.28					
<i>Soil and Groundwater Investigation Report (280.65)</i>											
Gather information for investigation report	0.00	2.00	6.00	0.00	8	\$387.76					
Prepare and submit report	0.00	1.00	3.00	1.00	5	\$216.28					
<i>Corrective Action Plan (280.66)</i>											
Prepare and submit corrective action plan or additional information	2.00	3.00	12.00	1.00	18	\$904.50					
Notify implementing agency of early cleanup	0.00	0.50	0.00	0.25	0.75	\$38.31					
Report results of implementing plan	2.00	4.00	16.00	2.00	24	\$1,163.60					
Subtotal	varies	varies	varies	varies	139.75	\$6,522.80					

In the text for this section, briefly explain how you derived your cost estimates (see Example 6-5); specify the source for your labor rates and all accounting assumptions (refer back to 6(a)).

Example 6-5

ICR: Facility Ground-Water Monitoring Requirements
OMB Control Number: 2050-0033

EPA estimates an average annual respondent hourly cost (labor plus overhead) of \$86 for legal staff, \$65 for managerial staff, \$43 for technical staff, and \$22 for clerical staff. In deriving these costs, EPA used cost estimates provided in direct consultations with industries likely to be affected by the requirements.

(ii) Estimating Capital and Operations and Maintenance Costs

As part of the submission to OMB, the Agency must estimate all costs for respondents to comply with required Agency activities. According to the 1995 PRA, *burden* is 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." Any activity that is not usual and customary is

considered a burden. When developing an ICR, the Agency must consider the burden of all activities not incurred by persons in their normal course of activities. Typical ICR burden activities include reviewing instructions, maintaining records, completing paperwork, gathering information, and reporting information. The Agency must also estimate any costs associated with the information collection activities, such as capital costs and operations and maintenance (O&M) costs.

The 1995 PRA emphasizes that the Agency must include estimates for the capital and O&M costs associated with an information collection in the Supporting Statement of the ICR. When developing an ICR, you should estimate these costs only if they were incurred for the purpose of collecting information as required by EPA. Capital used for the routine and usual functioning of a company, or for a technical requirement for which there is no reporting or keeping of information, should not be included as an ICR capital or O&M cost.

Section 4 of the Supporting Statement should list those activities incurring capital and O&M costs in addition to other respondent activities. The table in Section 6 should mirror these activities, and Section 6 should describe how these costs are calculated. For rule-related ICRs, the calculation of these costs should follow the methodology developed in the associated Economic Analysis (EA).

(iii) Capital/Start-up vs. Operating and Maintenance (O&M) Costs

As Example 6-6 illustrates, there are two types of non-labor related costs -- capital/start-up costs and operating and maintenance (O&M) costs. The Agency must consider both when identifying and estimating the burden of non-labor related costs. Example 6-6 illustrates the types of non-labor costs that should be estimated based on the respondent activities in the table from Example 6-4.

Example 6-6 UST ICR Including Hypothetical Non-Labor Costs *

	Capital/ Start-up Costs	O & M Costs
Soil and Groundwater Investigation Report		
Gather information for investigation report	\$1,535 (a)	\$80 (b)
Prepare and submit report	\$0.00	\$2.00 (c)
(a) Purchase of groundwater monitoring system to collect data for report.		
(b) O&M for monitoring system.		
(c) Annual O&M for preparation and submission includes photocopying expenses and postage.		
* Capital and O&M costs are hypothetical because, at the time the ICR was submitted to OMB, EPA was not required to account for these costs.		

One-time **capital/start-up costs** usually include any produced physical good needed to provide the necessary information. Start-up capital must be purchased for the specific purpose of satisfying EPA's reporting or recordkeeping requirements. Capital goods include computers, machinery, or equipment. Start-up capital costs are usually incurred at the beginning of an information collection period and are usually incurred only once, but when developing the ICR, the Agency may estimate the cost over the projected time that information will be collected or the expected lifetime of the equipment, whichever is shorter. A one-time capital cost can be estimated over multiple years by annualizing the cost. Example 6-7 provides a formula and example for annualizing capital costs.

In addition to the actual acquisition of start-up capital, one-time activities associated with the production of capital also should be included. For example, if the respondent must install a groundwater monitoring system (physical capital) specifically for collecting data and reporting information required by EPA, the Supporting Statement should count as capital costs the installation and calibration of the well and monitoring equipment, in addition to the purchase price of the monitoring equipment. Also, if the industrial respondent must train an employee to record the information from the well monitoring system, the Supporting Statement should claim the cost of the training (in addition to the employee's labor hours) as a burden under start-up costs.

Operating and maintenance (O&M) costs are those costs associated with a paperwork requirement incurred continuously over the life of the ICR. They are defined by the PRA as "the recurring dollar amount of cost associated with O&M or purchasing services." For example, the costs for a rule that requires respondents to submit reports to the Agency and maintain records should be estimated as O&M costs for file storage, photocopying, and postage. Operating and maintenance costs also include the general upkeep of start-up capital equipment, as well as any purchase of services such as contractor or auditing services. The guidance for calculating O&M costs in regards to service contracts should be dealt with as follows: If you can quantify or calculate the required, it should be accounted for in burden hours. If the burden is not quantifiable in hours, such as a flat service fee or fixed cost, then it should be accounted for as O&M dollars. Baseline O&M costs should be adjusted in renewal ICRs for inflationary changes using an appropriate index, such as the *Producer's Price Index* found in the annual Economic Report of the President. Note: Do NOT double count non-labor costs. For example, do not translate burden hours into O&M costs.

(iv) Annualizing Capital Costs

Start-up capital costs, which are incurred only once, should be annualized over the total projected time that the information will be collected or the estimated life of the equipment, whichever is shorter, using OMB's approved discount rate. Annualized costs represent the amount of an annuity that would have to be paid over a specific period of time that makes an individual indifferent between paying either the stream of payments or the up-front costs in one lump-sum. When you complete your table, note that the capital/start-up costs entered for each activity must be annualized. By annualizing the cost of capital, the cost will be the same for each year of the ICR. When preparing renewal ICRs, the annualized cost of capital should be

the same as that for the initial ICR. You should annualize the start-up capital costs using the formula in Example 6-7 for Annualized Net Present Value (ANPV).

Example 6-7 Annualizing Capital Costs

Calculating ANPV:

ANPV = Cost of Start-up Capital/Present Value Factor (PVFA)

Where: PVFA = $\text{SUM} \{1/(1+k)^t\}$ for the period of the information collection

For example, the annualized stream of payments that an individual would have to make over a nine-year period (the ICR must be renewed twice) to make him indifferent to paying an up-front capital start-up cost of \$10,000 for a ground water monitoring well, would be computed by:

PVFA = $\text{SUM} \{1/(1.07)^t\}$, where $t = 1$ to 9 years

PVFA = 6.515

ANPV = \$10,000/6.515

ANPV = \$1,535/year

Once you have calculated the labor rates and the two types of capital costs for your respondent activities, you should enter these data into the appropriate columns in the table. Refer to Example 6-8 for a table with the completed labor and capital cost columns. The labor cost per respondent is the hourly rate for each labor category (i.e., legal, managerial, technical, and clerical) multiplied by the hour estimate for each labor category to complete the activity. The sum of these results is recorded in the Labor Cost per Year column. Likewise, the results of the capital cost calculations are recorded in the Capital or Start-up Cost and O&M Cost columns, respectively.

Example 6-8 Annual Respondent Burden and Cost

INFORMATION COLLECTION ACTIVITY	Hours and Costs Per Respondent						Total Hours and Costs				
	Leg. \$86.00/ Hour	Mgr. \$65.42/ Hour	Tech. \$42.82/ Hour	Cler. \$22.40/ Hour	Respon. Hours/ Year	Labor Cost/ Year	Capital/ Startup Cost	O & M Cost	Number of Respon.	Total Hours/ Year	Total Cost/ Year
RELEASE RESPONSE AND CORRECTIVE ACTION FOR UST SYSTEMS CONTAINING PETROLEUM OR HAZARDOUS SUBSTANCES											
<i>Reading the Regulations</i>											
Read the regulations	0.50	0.50	1.00	0.00	2	\$118.53	\$0.00	\$0.00			
<i>Initial Response (280.61(a))</i>											
Report the confirmed release by telephone or electronic mail	0.00	0.50	0.50	0.00	1	\$54.12	\$0.00	\$0.55			
<i>Initial Abatement Measures Report and Site Check (280.62(a)(b))</i>											
Gather information during initial abatement	0.00	3.00	12.00	0.00	15	\$710.10	\$0.00	\$0.00			
Prepare and submit summary report of initial abatement steps	0.00	1.00	8.00	2.00	11	\$452.78	\$0.00	\$2.00			
<i>Initial Site Characterization (280.63)</i>											
Gather information for initial site characterization	0.00	3.00	12.00	0.00	15	\$710.10	\$0.00	\$0.00			
Prepare and submit information per instruction	0.00	1.00	3.00	1.00	5	\$216.28	\$0.00	\$2.00			
<i>Free Product Removal (280.64)</i>											
Gather information for free product removal report	0.00	4.00	24.00	2.00	30	\$1,334.16	\$0.00	\$0.00			
Prepare and submit report	0.00	1.00	3.00	1.00	5	\$216.28	\$0.00	\$2.00			
<i>Soil and Groundwater Investigation Report (280.65)</i>											
Gather information for investigation report	0.00	2.00	6.00	0.00	8	\$387.76	\$1,535.00	\$80.00			
Prepare and submit report	0.00	1.00	3.00	1.00	5	\$216.28	\$0.00	\$2.00			
<i>Corrective Action Plan (280.66)</i>											
Prepare and submit corrective action plan or additional information	2.00	3.00	12.00	1.00	18	\$904.50	\$0.00	\$2.00			
Notify implementing agency of early cleanup	0.00	0.50	0.00	0.25	0.75	\$38.31	\$0.00	\$0.55			
Report results of implementing plan	2.00	4.00	16.00	2.00	24	\$1,163.60	\$0.00	\$0.00			
Subtotal	varies	varies	varies	varies	139.75	\$6,522.80	\$61,400.00	\$3,552.90			

6(c) Estimating Agency Burden And Cost

In Section 6(c), you should develop burden and cost tables for the activities for the Federal Government. State and Local Government burden and costs should be developed as part of the respondent burden. You should follow the same procedures to develop the Agency tables that you used to develop respondent burden and cost tables. To develop the Agency table, return to the Agency activities that you listed in Section 5, and review your list to confirm that you have captured all collection-related activities. These activities should be entered into a table similar to the one developed for respondents. Refer to Example 6-10 for a sample Agency table.

To **estimate Agency burden**, repeat the procedure outlined in Section 6(a) for estimating respondent burden. To **estimate Agency costs**, repeat the procedure presented in Section 6(b) for estimating respondent costs: *multiplying burden hours per activity by labor rates*. The primary distinction between calculating costs to respondents and costs to the Agency is that the labor rates differ. The cost to employ Federal government workers can be obtained from the Office of Personnel Management (OPM). This office annually publishes locality pay rates for General Schedule employees established by the President's pay agent. This information is published in the Federal Register near the beginning of each calendar year. Because OPM publishes only the annual pay rates, the data must be adjusted to compute an hourly estimate of the true cost to employ government personnel.

To calculate the hourly rate for any GS level, divide the annual pay rate for a particular GS level by 2,080, which represents the average number of hours worked during a calendar year (including holidays and vacation). Next, multiply the answer by 1.6. This multiplier represents the benefits multiplication factor, which produces an hourly pay rate that reflects the true cost to the Federal government to employ a Federal worker.

When compiling Agency costs, remember to include an estimate for contractor hours. Labor rates for contractors should be obtained from BLS sources. This section should separately identify activities performed by contractors as a result of the proposed information collection. The total estimated costs for contractors, however, should be included with the total estimated Agency costs. In your write-up for this section, **briefly explain how you derived your Agency burden and cost estimates**. An example of this explanation is shown in Example 6-9.

Example 6-9

ICR: Underground Storage Tanks: Technical and Financial Requirements
OMB Control Number: 2050-0068

Based on the 1993 GS pay schedule, EPA estimates an average hourly Regional labor cost of \$56.00 for legal staff, \$35.55 for managerial staff, \$24.94 for technical staff, and \$15.16 for clerical staff. To derive hourly estimates, EPA divided annual compensation estimates by 2,080 which is the number of hours in the Federal work year. EPA then multiplied hourly rates by the standard government benefits multiplication factor of 1.6.

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

Once the burden and costs per activity have been established on a per respondent basis (see 6(a), 6(b), and 6(c)), you should calculate the total burden and cost for all respondents and the Agency. To calculate the total burden and costs, you must estimate the number of respondents to complete each activity. The total number of respondents is also referred to as the respondent universe. In estimating the respondent universe, you should consult industry reports, census data, or a previously completed EA. The public comment period or your consultations (with nine or fewer respondents) may also provide some information on the approximate number of respondents.

You should note that the respondent universe may vary among the activities listed because not all respondents must complete each activity. Example 6-11 provides a sample discussion of the derivation of the respondent universe.

Example 6-11

ICR: Facility Ground-Water Monitoring Requirements
OMB Control Number: 2050-0033

EPA estimates that 221 permitted facilities will conduct detection monitoring annually during the period covered by this ICR. EPA assumes that records of groundwater analytical data will be updated semi-annually.

Based on information from EPA groundwater experts, EPA estimates that approximately ten percent of the facilities conducting detection monitoring (21 facilities) will be required to submit a notification of contamination under §264.98(g)(1), and will conduct additional sampling and analysis. EPA estimates that fifty percent of these facilities (11 facilities) will identify Appendix IX constituents in the ground water. EPA estimates that forty percent of the facilities identifying Appendix IX constituents (4 facilities) will submit all data necessary to establish an ACL, and that approximately half of those who submit such data (two facilities) will receive EPA approval to establish an ACL.

Example 6-10

Annual Agency Burden and Cost

	Hours and Costs per Respondent								Total Hours and Costs		
	Leg. \$56.00/ Hour	Mgr. \$35.55/ Hour	Tech. \$24.94/ Hour	Cler. \$15.16/ Hour	Agency Hours/ Year	Labor Cost/ Year	Capital/ Startup Cost	O & M Cost	Number of Respon.	Total Hours/ Year	Total Cost/ Year
INFORMATION COLLECTION ACTIVITY											
RELEASE RESPONSE AND CORRECTIVE ACTION FOR UST SYSTEMS CONTAINING PETROLEUM OR HAZARDOUS SUBSTANCES											
Receive and review initial response report	0.00	0.00	0.50	0.00	0.5	\$0.00	0.00	0.00			
Enter information into a data base	0.00	0.00	0.00	0.50	0.5	\$0.00	0.00	0.00			
Review and file summary report of initial abatement measures	0.00	1.00	4.00	0.25	5.25	\$0.00	0.00	0.00			
Review and file information on initial site characterization	0.00	1.00	4.00	0.25	5.25	\$0.00	0.00	0.00			
Enter information into a database	0.00	0.00	0.00	0.25	0.25	\$0.00	0.00	0.00			
Review and file free product removal report	0.00	1.00	4.00	0.25	5.25	\$0.00	0.00	0.00			
Enter information into a database	0.00	0.00	0.00	0.25	0.25	\$0.00	0.00	0.00			
Review and file soil and groundwater investigation report	0.00	1.00	4.00	0.25	5.25	\$0.00	0.00	0.00			
Enter information into a database	0.00	0.00	0.00	0.25	0.25	\$0.00	0.00	0.00			
Review and file corrective action plan	1.00	2.00	8.00	0.25	11.25	\$0.00	0.00	0.00			
Notify public of the release and the corrective action plan through an appropriate means	0.00	0.00	1.00	0.25	1.25	\$0.00	0.00	0.00			
Hold a public hearing and consider comments on the proposed corrective action plan	0.00	2.00	8.00	0.00	10	\$0.00	0.00	0.00			
Notify the owner or operator whether plan is approved or disapproved	0.00	0.25	0.00	0.25	0.5	\$0.00	0.00	0.00			
Review and file the report on results of implementing the plan	2.00	4.00	16.00	0.25	22.25	\$0.00	0.00	0.00			
Give public notice if the approved plan fails to achieve established cleanup levels, and termination of plan is being considered (failure rate of 5%)	0.00	0.00	1.00	0.25	1.25	\$0.00	0.00	0.00			
Subtotal	varies	varies	varies	varies	69.25	\$0.00	0.00	0.00			

When you have estimated the number of respondents to complete each activity, you may calculate the total burden and cost. To determine the **total burden**, you should multiply the Respondent Hours per Year column (in the "Per Respondent" columns) by the Number of Respondents column. **Total cost** is calculated by multiplying the sum of the Labor Cost, Capital or Start-up Cost, and O&M Cost columns by the Number of Respondents column (see Example 6-12). Example 6-13 is a sample table that has been completed. Total burden and total cost are calculated in the far right columns of the table.

Example 6-12

Hours/Respondent x # of Respondents = Total Hourly Burden
2 hours x 40,000 respondents = 80,000 hours
 Cost/Respondent x # of Respondents = Total Cost
(118.53 + 0 + 0) x 40,000 respondents = \$4,741,200

6(e) Bottom Line Burden Hours and Cost Tables

The bottom line burden hours and cost tables for respondents and the Agency are simply summaries of all the hours and costs incurred for all activities.

(i) Respondent Tally

If you have carefully followed the instructions and completed the tables leading up to this section, calculating the bottom line burden hours and costs for your collection should be relatively simple. The bottom line burden hours and cost are the summation of the burden and cost per activity. Referring to the completed table in Example 6-13, you should sum each column in your respondent tables to derive the bottom line burden and cost.

Usually, you will have multiple respondent tables. In these instances you need to add the Number of Respondents, Number of Activities, Total Hours per Year, Total Annual Capital Cost per Year, and Total O&M Cost per Year columns for each table and **aggregate the bottom line burden and cost from each table in a summary table** (see Example 6-14).

Your summary table should include the total burden and cost for each respondent type or table, as well as the total capital costs associated with the collection. By adding the total burden and cost for each respondent type or table, you will calculate the bottom line burden and cost for the entire collection, on an annual basis.

Example 6-13

Annual Respondent Burden and Cost

INFORMATION COLLECTION ACTIVITY	Hours and Costs Per Respondent								Total Hours and Costs		
	Leg. \$86.00/ Hour	Mgr. \$65.42/ Hour	Tech. \$42.82/ Hour	Cler. \$22.40/ Hour	Respon. Hours/ Year	Labor Cost/ Year	Capital/ Startup Cost	O & M Cost	Number of Respon.	Total Hours/ Year	Total Cost/ Year
RELEASE RESPONSE AND CORRECTIVE ACTION FOR UST SYSTEMS CONTAINING PETROLEUM OR HAZARDOUS SUBSTANCES											
Reading the Regulations											
Read the regulations	0.50	0.50	1.00	0.00	2	\$118.53	\$0.00	\$0.00	40,000	80,000.00	\$4,741,200.00
Initial Response (280.61(a))											
Report the confirmed release by telephone or electronic mail	0.00	0.50	0.50	0.00	1	\$54.12	\$0.00	\$0.55	40,000	40,000.00	\$2,186,800.00
Initial Abatement Measures Report and Site Check (280.62(a)(b))											
Gather information during initial abatement	0.00	3.00	12.00	0.00	15	\$710.10	\$0.00	\$0.00	40,000	600,000.00	\$28,404,000.00
Prepare and submit summary report of initial abatement steps	0.00	1.00	8.00	2.00	11	\$452.78	\$0.00	\$2.00	40,000	440,000.00	\$18,191,200.00
Initial Site Characterization (280.63)											
Gather information for initial site characterization	0.00	3.00	12.00	0.00	15	\$710.10	\$0.00	\$0.00	40,000	600,000.00	\$28,404,000.00
Prepare and submit information per instruction	0.00	1.00	3.00	1.00	5	\$216.28	\$0.00	\$2.00	40,000	200,000.00	\$8,731,200.00
Free Product Removal (280.64)											
Gather information for free product removal report	0.00	4.00	24.00	2.00	30	\$1,334.16	\$0.00	\$0.00	8,000	240,000.00	\$10,673,280.00
Prepare and submit report	0.00	1.00	3.00	1.00	5	\$216.28	\$0.00	\$2.00	8,000	40,000.00	\$1,746,240.00
Soil and Groundwater Investigation Report (280.65)											
Gather information for investigation report	0.00	2.00	6.00	0.00	8	\$387.76	\$1,535.00	\$80.00	16,000	128,000.00	\$32,044,160.00
Prepare and submit report	0.00	1.00	3.00	1.00	5	\$216.28	\$0.00	\$2.00	16,000	80,000.00	\$3,492,480.00
Corrective Action Plan (280.66)											
Prepare and submit corrective action plan or additional information	2.00	3.00	12.00	1.00	18	\$904.50	\$0.00	\$2.00	12,000	216,000.00	\$10,878,000.00
Notify implementing agency of early cleanup	0.00	0.50	0.00	0.25	0.75	\$38.31	\$0.00	\$0.55	1,200	900.00	\$46,632.00
Report results of implementing plan	2.00	4.00	16.00	2.00	24	\$1,163.60	\$0.00	\$0.00	12,000	288,000.00	\$13,963,200.00
Subtotal	varies	varies	varies	varies	139.75	\$6,522.80	\$1,535.00	\$91.10	varies	2,952,900.00	\$163,502,392.00

Example 6-14
UST ICR Including Hypothetical Non-Labor Costs

TOTAL ESTIMATED RESPONDENT BURDEN AND COST SUMMARY

	Number of Respondents	Number of Activities	Total Hours Per Year	Total Labor Cost Per Year	Total Annual Capital Costs	Total Annual O&M Costs
Technical and Financial Requirements	8,000	40,000	9,086,992	\$487,988,270	\$1,535.00	\$91.10
State Program Approval	3	12	1,273	\$64,450	\$0.00	\$80.00
TOTAL	8,003	40,012	9,088,265	\$488,052,720	\$1,535.00	\$171.10

(ii) The Agency Tally

To derive the annual **Agency burden**, refer to the completed table in Example 6-10 and repeat the steps you used to tally the burden hours for an individual respondent. To derive annual **Agency costs**, simply sum the cost column (far right) on the table in Example 6-10. If you developed multiple Agency tables, you must add the total burden and cost from each table and present the bottom line totals in a summary table.

Now you have the bottom line burden and cost estimates for EPA, and all the information you need for your summary table. Display the completed annual Agency burden and cost summary here, as shown in Example 6-15.

Example 6-15 UST ICR Including Hypothetical Non-Labor Costs
TOTAL ESTIMATED AGENCY BURDEN AND COST SUMMARY

	Number of Respondents	Number of Activities	Total Hours Per Year	Total Annual Labor Cost
Technical and Financial Requirements	50	200	2,057,027	\$11,982,330
State Program Approval	5	15	253.5	\$1,478
TOTAL	55	215	2,057,280.5	\$11,983,808

(iii) Variations In The Annual Bottom Line

If you anticipate significant variation (>25%) in the annual respondent reporting/recordkeeping burden or cost over the course of the clearance period you have requested, **include a separate**

master table for each variant year that illustrates the changes in collection activities. (Be sure to label the table with the appropriate year.) If the collection is complex, **provide a supplemental aggregation table** that shows the bottom line burden hours and costs for that year. If government burdens and costs also vary significantly, display a separate master table that reflects the changes.

6(f) Reasons For Change In Burden

If you are renewing or modifying an existing ICR, you must indicate and explain any change in the respondent burden since the last clearance.

Review your list of data items in Section 4(b) and note, in this section, the changes that you indicated to have taken place since the last clearance. Using your activities lists and burden tables from this and the previous ICR, **calculate the burden hour increase or decrease** attributable to these changes. Remember to review the burden tables to identify changes in the number of respondents or in the frequency of response.

Label each change either "program change" or "adjustment"; a **program change** results from deliberate Agency action, including the completion or expiration of requirements, and an **adjustment** stems from actions outside the Agency's control. Examples of a "program change" include adding, changing or completion of program requirements; expanding the use of a form to include more respondents; changing the frequency of collection; or changing the eligibility requirements in a way that affects the number of applicants. Examples of an "adjustment" include changes in the size of the respondent universe, or corrections of clerical or computational errors. Use this section to highlight changes in the collection - emphasizing program changes that lead to burden decreases and carefully explaining any program change increases. Example 6-16 provides an example of an explanation of a change in burden from an approved ICR.

Example 6-16

ICR: Land Disposal Restrictions for Ignitable and Corrosive Characteristic Wastes

OMB Control Number: 2050-0085

As a result of this rule, the overall reporting and recordkeeping burden for facilities generating or treating certain D001 and D002 wastes has increased slightly. The increased burden can be seen in Exhibit 1, which presents the incremental burden and costs resulting from the new rule.

6(g) Burden Statement

In this section, include a burden statement **tailored to your collection**, with an hour estimate expressed as a straight or weighted average. Provide individual estimates for each respondent type or collection requirement (i.e., for each form in a multi-form collection). An example of the

estimates part of the Burden Statement is shown in Example 6-17. It is followed by the wording, which should be used verbatim, required to comply with the 1995 PRA requirements.

Example 6-17

ICR: Underground Storage Tanks: Technical and Financial Requirements

OMB Control Number: 2050-0068

Exhibit 7 presents the average annual respondent burden for each UST facility. For UST facilities, the public reporting burden is estimated to average 12.2 hours per respondent per year. This estimate includes time for preparing and submitting notices, preparing and submitting demonstrations and applications, reporting releases, gathering information, and preparing and submitting reports. The recordkeeping burden for UST facilities is estimated to average 11.1 hours per respondent per year. This estimate includes time for gathering information, and developing and maintaining records.

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 Number [EPA-HQ or R###-XXX-XXXX-XXXX], which is available for online viewing at www.regulations.gov, or in person viewing at the [insert your Program Office docket name] in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Avenue, NW, Washington, D.C. 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 [insert the appropriate docket name] is (202) 566-XXXX. An electronic version of the public docket is available at www.regulations.gov. This site can be used to submit or view public comments, access the index listing of the contents of the public docket, and to access those documents in the public docket that are available electronically. When in the system, select "search," then key in the Docket ID Number identified above. Also, you can send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, D.C. 20503, Attention: Desk Officer for EPA. Please include the EPA Docket ID Number EPA-HQ or R###-XXX-200X-XXXX and OMB Control Number XXXX-XXXX in any correspondence.

Part B of the Supporting Statement

Complete Part B only after you have decided that a **survey** is the best approach for satisfying your program's information needs. If you have not considered the various collection alternatives, contact Office of Environmental Information (OEI). Together with an OEI statistician, they can help you to explore the full range of collection devices, weigh their relative merits, and choose an approach that is most likely to meet your collection objectives.

Do not attempt to design a survey on your own; instead, consult a statistician whose expertise is survey design. If you have trouble locating or selecting a survey specialist, OEI can help.

In Part A, you explained - from an information management perspective - what Agency need your request would fill, what specific information you would collect, how you would collect, store, and disseminate it, and the burdens and costs associated with these activities. In Part B, you must explain your survey objectives, design, and methodology, in a way that convinces the reviewer: first, that the proposed collection is the most efficient and practical way to achieve your survey objectives; and second, that the survey results will be complete, reliable, and applicable to the universe of study.

1. SURVEY OBJECTIVES, KEY VARIABLES, AND OTHER PRELIMINARIES

(a) Survey Objectives

Thoughtfully crafted survey objectives serve a dual function: they act as guideposts as you explain the survey design and methodology in the rest of Part B, and they help make the case to the reviewer that the survey is justified.

State the survey objectives in the form of issues or questions for resolution.

Examples:

Issue #1. Whether new oil refineries equipped with advanced pollution control devices can meet EPA standards for SO₂ and particulate emissions.

Issue #2. Whether existing refineries that are retrofitted with advanced pollution control equipment can meet EPA standards for SO₂ and particulate standards.

If you prefer, you may phrase the issues as goals, e.g., "To investigate which pollution control devices meet" Make the statements as descriptive as possible. For the sample issues above, you might specify the process points at which emissions occur and the control devices used to limit them. In addition, keep your issues narrowly focused. It is much better, and clearer, to list out issues individually than to lump them together in one statement.

(b) Key Variables

Identify and describe the key variables on which the survey results will turn. A key variable is a characteristic of the entities you are investigating, e.g., a facility or a process, that may vary from one individual to another.

Example:

Working from the same issues above, possible variables include: type of oil refining process; production volumes; type of pollution control device; amount of unused capacity in existing control devices; sources of emissions; mix of toxic and conventional pollutants; and plant age.

Then, give the reviewer a sense for how the variables might influence the survey results. For instance, you might discuss what performance level is generally considered peak efficiency for different types of control equipment.

(c) Statistical Approach

Briefly explain why you selected a statistical - rather than, for example, an anecdotal or census - approach for the collection. In your discussion, confirm that the anticipated survey results will satisfy the survey objectives and your program's information needs.

Also, if you plan to use a contractor for any aspect of the survey, state the name and address of the firm, and indicate on which component(s) (i.e., design, tabulation, etc.) the contractor will provide support.

(d) Feasibility

The best laid objectives cannot ensure the success of your survey if you have failed to plan the administrative components with equal care. As a check on your administrative planning and to demonstrate the thoroughness of your survey preparations, answer the following questions:

- ! What obstacles might the respondent face in completing the survey? For example, might the respondent have trouble accessing data? Is the data in the form you have requested? What steps have you taken to facilitate response?

- ! Are sufficient funds available to complete the survey as designed? If not, how will you secure additional funding? What survey design changes might you need to make in the absence of funds? How might these changes affect the survey results?
- ! Will the survey results be ready in time to serve your program's decision-making needs? Without reproducing the schedule you furnished in Part A, confirm that the survey results will be available for timely use in program office decisions.

2. SURVEY DESIGN

In this section, you must describe in detail the mechanics of your survey design - from how you have selected the respondent pool to what type of questions you will ask in the survey instrument.

(a) Target Population and Coverage

The "target population" is composed of **all** the individuals, businesses, facilities, manufacturing processes, or other "units" that you wish to study. "Coverage" refers to the subset of the target population on which the survey will focus.

Describe your target population and coverage group, and how they relate to your information needs - if this relationship is not obvious from your discussion of need in Part A.

Examples:

1. To respond to a Congressional inquiry on the health threat posed to elderly citizens living in cities with high benzene concentrations, we have targeted individuals 65 and over as the population of interest and will focus our survey coverage on members of this group that live in cities whose benzene concentrations exceed EPA standards.
2. To assess the feasibility of instituting large-scale recycling as a regulatory alternative to land disposal, we have selected municipalities with active recycling plants and programs as our target population, from which our survey will cover only those municipalities with 100,000 or more inhabitants.

If you omitted from your coverage a subset of the target population that would seem logically to belong, explain why you excluded that group.

(b) Sample Design

Sample design is the multi-step process used to select the individual "units," or respondents, for a survey from among the covered population. Designing the sample typically

involves selection of the following: a sampling frame, an appropriate sample size, stratification variables, and the procedure for selecting the sample from the frame. (A sampling expert should assist the survey specialist in designing the sample.)

(I) Sampling Frame

The sampling frame is the set of potential respondents from which the sample will be drawn. It is often simply a composite of lists - from trade associations, commercial listing services, and in-house databases - that should include all units, without duplication, from the population of interest.

Attach a description of the sampling frame as an appendix to Part B, and in this section discuss: how you assembled the sampling frame; the potential legal or regulatory obstacles (e.g., confidentiality) to using the frame; and whether the frame is current, complete, and non-duplicative.

Example:

We obtained the sampling frame for our asbestos removal survey from New Jersey's database of "Demolition/renovation contractors certified to remove asbestos." The database, maintained by the state's Department of Natural Resources, is in the public domain and updated annually.

(ii) Sample Size

The sample size is the actual number of units to be included in the survey. Sample size directly affects the level of survey precision. In this section, state the proposed sample size and then briefly discuss how it was selected. Provide a sense of the tradeoffs made between precision and other concerns, like cost.

(iii) *Stratification Variables*

Stratification is the method used to segment a population into homogeneous groups. The ultimate goal of stratification is to reduce the sampling error or, looked at another way, to increase the precision of estimates derived from sample data.³

If applicable, describe the stratification variables: how they were selected, and how they will improve the survey estimates.

Example:

One hundred and fifty chemical companies produce chemical Q. Of these, the ten largest produce 75% of the national output (in both weight and sales). Therefore, we will create at least two strata - the ten largest producers in one and all other firms in one or two other strata - and select separate samples from each. We will survey each of the ten largest companies. As a result of stratification, our estimates of the characteristics of interest for chemical Q will have greater precision.

(iv) *Sampling Method*

The sampling method is the set of rules or procedures for selecting the individuals, or "sample," for the survey from the population of interest, or "sampling frame." In this section, state the sampling method chosen for the survey and then discuss how you will use it to select your sample.

Since the goal of most survey designers is to generalize the sample findings to the population of interest, they recommend random, or probability, sampling. **If you have selected a nonrandom method**, you must convince the reviewer that it will yield results that are representative of the population sampled and will meet the objectives of your survey.

(v) *Multi-Stage Sampling*

Multi-stage sampling is a method for selecting the sample of respondents that employs more than one sample frame and sampling procedure. For instance, if the survey objective is to assess emissions from an industrial process, several stages of sample selection might be involved - e.g., stage one sampling frame: a listing of all facilities with the process of interest; stage two: a listing of all individual processes within a sampled facility; etc.

³ Stratification creates, in effect, a separate sample from each stratum of the covered population. Statisticians use each sample to estimate the population characteristic for the stratum, and then combine all the estimates to obtain the overall population characteristic. Use of a stratified sample permits the survey designer to include the larger units in proportion to their contribution to, say, the total emissions for an industry, and hence to increase the precision of the population estimates. Stratification is frequently based on either size or output.

If your survey involves multi-stage sampling, describe the sample design at each sampling stage; include sample size, stratification variables, and sampling method.

(c) Precision Requirements

(i) Precision Targets

By precision, we mean the measure of how closely estimates made from the sample data approximate the characteristics of the population of interest.⁴ In this subsection, indicate the target level of precision for at least one of the principal key variables, and confirm that this degree of precision will satisfy your decision-making needs.

(ii) Non-sampling error

Certain non-sampling errors - those that are not random - lower the accuracy of sample estimates and directly affect survey precision. Of particular concern are biases, i.e., non-sampling errors that affect the entire sample. An example of bias would be a faulty measurement procedure that consistently underestimates the level of a pollutant. **A particularly serious form of bias results from non-response**, because the potential exists that those who do not respond are different - in the worst case, all similarly different - from those who do.

In this section, discuss the potential sources of non-sampling error, the steps you will take to minimize its impact on sample estimates, and what effect you think it may have on the value of the survey as a decision-making tool.

(d) Questionnaire Design

Now that you have described how you will select a sample and what level of precision you anticipate, only one design component of your survey remains: the instrument itself. Straightforward, unambiguous questions - logically arranged - avoid biases and are the hallmarks of a well-designed questionnaire.

In this section, justify each question or group of related questions by linking it to a specific survey objective. The Supporting Statement is not complete without this analysis; if you have already done it in Part A, simply note here in which section. Then, explain why you selected a particular style of question, e.g., multiple choice versus fill-in-the-blanks, or open-ended versus pre-coded responses. Also, describe the steps you have taken to ensure the reliability and usefulness of the design. Be sure to append a copy of the questionnaire to Part B.

⁴ Statisticians often express the target "level of precision" as a confidence interval estimate of one of the key variables. Your survey could be designed so that you would be 90 percent confident that your estimate - of say, the proportion of sites contaminated with PCBs - is within five percentage points of the "true" value of this unknown characteristic.

3. PRETESTS AND PILOT TESTS

We recommend that you **always pretest the survey instrument**. A pretest often reveals problems in the questionnaire design, e.g., poorly phrased, misleading or missing questions. If defects of this type are not detected and corrected, they might lead to serious bias in the survey results.

While a questionnaire pretest is always advisable, you need **only pilot test major surveys**. The pilot test replicates the entire survey - on a smaller scale - and consequently enables you to test all phases of the survey, from sampling to data tabulation.

In this section, indicate when you pre- or pilot tested the survey, or when you plan to do so. If you have completed the pretest or pilot test, outline the significant findings and the changes you have made to the survey questionnaire/methodology based on those findings.

If you are planning a test, briefly describe the sample selection procedures and size, and the timing for the collection.

Example:

To pilot test the chemical reformulator survey, we selected nine companies based on the following criteria: number of chemicals on-site; number of employees; TSCA compliance history; and geographic location. These characteristics correspond to the anticipated variation among survey respondents. If the pilot takes place as scheduled, we will have time to incorporate test results into the design before the survey start date.

Note: Pretests or pilot tests involving more than nine respondents require separate OMB clearance.

4. COLLECTION METHODS AND FOLLOW-UP

The collection method you select - in combination with your non-response follow-up - directly influences the survey response rate. Survey response, in turn, affects the precision of sample estimates and ultimately the quality of survey results.

(a) Collection Methods

Many factors typically play in the selection of a collection method, among them: the characteristics of the survey sample; the target response rate; the respondent's obligation to reply; the program's data requirements; and the availability of funding. In addition, major surveys may require a combination of collection methods, e.g., a mail survey as the primary device and follow-up telephone calls to obtain additional data on selected variables.

In this section, state which collection method(s) you have selected and why. If you have chosen an interview method, briefly describe the interviewer training program and any special qualifications the interviewers must have.

Example:

To accurately detect inconsistencies in survey responses, interviewers must have a working knowledge of both general chemistry and the Toxic Release Inventory (TRI) form. A bachelor's degree in chemical engineering is a prerequisite for selection. Interviewers will receive intensive training on the TRI forms and related reporting requirements.

(b) Survey Response and Follow-up

State the target response rate and describe how you will measure and evaluate the actual response rate. If you plan an interview survey, briefly discuss the methods you will use to record survey data. Then, describe your follow-up plan for gathering missing survey data, or simply include the follow-up schedule. To increase the response rate, we recommend that you offer potential respondents a summary of the survey results.

5. ANALYZING AND REPORTING SURVEY RESULTS

(a) Data Preparation

Before any analysis can begin, the data must be transferred from the questionnaire to a machine readable format and edited. Briefly describe your proposed data entry procedures and quality control measures. State whether you will use in-house or contractor resources to process the data. Also, describe the procedures you will use for estimating missing data items.

Example:

An in-house computer edit program will verify that data submitted on fugitive emissions is internally consistent, as keyed. The program will also flag missing data items and other inconsistencies, as well as items with potential keystroke errors.

(b) Analysis

For survey purposes, "analysis" means categorizing, ordering, manipulating, and summarizing raw data, with the goal of answering research questions and satisfying survey objectives.

In this section, describe the statistical procedures that you will use to analyze the data, and how you will display the survey results.

! If you plan to use table shells, provide samples here.

! If you are going to perform regression analyses, state what the dependent and independent variables will be, and the form of the regression equation. (Consult your statistician.)

(c) Reporting Results

Outline your plans for making the survey results and summary reports available to government personnel and the public. Finally, indicate what documentation you will make available to explain the workings of the database.

Example:

Agency personnel will not have direct access to the database. Instead, with confidential business information clearance, an individual will be able to request information from the staff member designated as database manager. The database manager will produce a tailored numerical report in response to the inquiry.

Office of Environmental Information

Collection Strategies Division

Information Strategies Branch Staff

The Collection Strategies Division provides policy direction and oversight of the Agency's management of regulatory information, manages the Agency's administration of the burden reduction provisions of the Paperwork Reduction Act (PRA), and promotes innovative alternatives to standard, paper-based recordkeeping and reporting by the public.

The Division is located on the 6th floor of EPA West, 1200 Pennsylvania Avenue, NW, Washington, DC 20460, **Mail Code 2822T**. The phone number is The **fax** number is **(202) 566-1639**.

Division Director

John Moses (202) 566-1352

Information Strategies Branch Chief

Rick Westlund (Acting) (202) 566-1682

ICR Team Leader

Rick Westlund (202) 566-1682

***Please contact Rick Westlund for the contact information of your program's ICR desk officer.**

ICR Data Forms and Instructions

The form margins and lines are NOT block protected, so you must fill the form with caution, paying attention to any shifting of the existing text. The following tips should make this a simple task:

- Fill in the spaces by using the type over command. Otherwise you'll have to delete a space for each letter you add.
- Use the same font.
- Do not change table lines (although you can delete an extra space line to provide more space elsewhere).

If you have any problems or questions, please call your OEI Desk Officer.

PROGRAM OFFICE RESPONSIBILITIES FOR ICR RENEWALS
AND NEW ICRS NOT IN PROPOSED RULES

(1) FEDERAL REGISTER (FR) NOTICE SOLICITING COMMENTS. Consult the OEI Collection Strategies Division Information Collection Request (ICR) Status Report for expiration dates of renewal ICRs. The Program Office can prepare one FR Notice for all ICRs expiring in a specific quarter, as long as these are published at least 180 days before expiration of the latest ICR, or separate notices for each upcoming ICR, using the format in Attachment 1. For new non-rule ICRs, such as surveys, the Program Office should contact OEI for an EPA ICR number to include in the FR Notice. Have the FR Notice signed by a Program Official, and published in the FR.

The 60-day comment period is required by the Paperwork Reduction Act (PRA) and cannot be reduced. Since the intent of this new 60-day advance notice and comment period is to allow increased opportunity for public participation, the Program Office should be prepared to offer the collection of information (e.g. the survey instrument or list of questions), a draft ICR to the extent currently available to any requestors at the time the notice is published, or a copy of the formerly approved ICR with annotations to where there will be revisions. The draft has to show the estimated cost and hour burdens on which comments are requested. The Program Office should retain all comments in an official file, and consider them in preparing the final ICR supporting statement. If comments are received, the Program Office will need to prepare a summary of comments received and actions taken in response to these comments. Note that OMB's instructions for ICR supporting statements state: "Specifically address comments received on cost and hour burden."

(2) PREPARING THE ICR. Consider the revised definition of burden in preparing the ICR (Attachment 2). This is to be broken down into 'annualized capital/startup costs' and 'annual costs (O&M)'.

If the Program Office is unable to certify compliance with any of the provisions in 5 CFR 1320.9 (Attachment 3), an explanation must be given in the ICR supporting statement.

(3) SUBMISSION TO OEI. Submit the ICR to OEI 90 days before expiration or planned submission to OMB. The target date for renewals will be listed on the OEI ICR Status Report. Programs may, at their option, submit draft versions earlier for review by OEI staff.

The Programs should submit the following:

- (a) ICR Data Forms**
- (b) ICR narrative supporting statement**
- (c) A copy of the first FR Notice, and a summary of comments received and actions taken in response to these comments, or a statement that no comments were received. If comments were received, give the number.**

(d) A draft of the second FR Notice announcing that the ICR is being submitted to OMB for review. Try to keep the length of the FR Notice to 6 double-spaced pages or fewer

Overview of Options for How to Submit an ICR Package

Action	Traditional Submission
Determine if an ICR is required	Refer to ICR web site, Quick Guides, contact individual managing ICRs in the program or call Desk Officer in OEI.
□	
Get ICR number for new or renewal ICR	Call Desk Officer to get an ICR number.
□	
Prepare ICR package	Develop Supporting Statement, First and Second Federal Register Notices
□	
Finalize the ICR package	Make necessary revisions to all components of the ICR package.
□	
Submit ICR package to Desk Officer in OEI	Send ICR package materials available electronically via ICRAAS (www.paperworkreduction.gov)
□	
OEI reviews ICR package and informs program of necessary changes	OEI Desk Officer reviews ICR and informs program of necessary changes. Program makes changes and returns materials to OEI.
□	
OEI signs off on ICR and sends to OMB	Program is notified when OEI has signed off on ICR and sent for OMB review.
□	
Programs and OMB negotiate changes to ICR	OMB and programs negotiate changes, if any. Convey final changes to OEI Desk Officer.
□	
OMB Approves ICR	Program is notified when OMB has approved ICR.

ATTACHMENTS

- (1) Guidance on First FR Notice
- (2) Definition of Burden from 1995 PRA
- (3) Guidance on Certification
- (4) Guidance on Second FR Notice
- (5) Example of Burden Statement for Forms or Surveys
- (6) Example of Burden Statement for ICRs

ATTACHMENT 1: TEMPLATE FOR FIRST FR NOTICE (5 CFR 1320.8(d))

- Λ You establish the docket in conjunction with preparing the first FR Notice. The docket is specific to the ICR activity. For example, if the ICR activity involves the renewal of an existing ICR, the docket is used for that particular ICR renewal activity. This means that the docket is used for BOTH the first FR Notice and the subsequent submission of the renewal to OMB. In a few years, when that ICR comes up for renewal again, a new docket is created for the first FR Notice related to that renewal activity.
- Λ When the first FR notice is processed, the docket should contain a copy of the draft ICR document. This can be an annotated copy of the previously approved ICR, a draft new or revised ICR, along with the actual collection instrument (e.g. survey form), or a draft list of the data elements that will be included in the collection of information.
- Λ See discussion in the guidance regarding modifications to this template, which is available in the ADP Library at <http://intranet.epa.gov/adplibrary>.
- Λ Format Note: The Office of the Federal Register prefers for the page numbers of the FR Notice to appear by themselves, centered at the bottom of the first page, and the top of each subsequent page.

ENVIRONMENTAL PROTECTION AGENCY

[EPA-[HQ or R#]-XXXX-200X-XXXX, FRL-XXXX-X]

[Insert the Docket ID # and the FRL # in brackets. You get your Docket ID # from your Docket Manager and your FRL # from the Agency's FR Liaison when your signature version is being finalized. If the FR Notice applies to several ICRs, it will involve several dockets. If this is your situation, you may either list all of the docket numbers here, or include the following "[See the Item Specific Docket Numbers Provided in the Text]".]

Agency Information Collection Activities; Proposed Collection; Comment Request; [insert title of ICR in bold - it must match your ICR document]; EPA ICR No. XXXX.XX [insert number], OMB Control No. 20XX-XXXX. [insert number - if this is a new ICR there will not be an OMB Control number, so just put "new" after the first four numbers, which represent your office.]

AGENCY: Environmental Protection Agency.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 *et seq.*), this document announces that EPA is planning to submit a request [insert either; "for a new" (or) "to renew an existing approved"] Information Collection Request (ICR) to the Office of Management and Budget (OMB). [If a renewal of an existing ICR include this statement: "This ICR is scheduled to expire on [insert expiration date of presently approved ICR]."] If a new ICR do not

include this sentence.] Before submitting the ICR to OMB for review and approval, EPA is soliciting comments on specific aspects of the proposed information collection as described below.

DATES: Comments must be submitted on or before [insert date **60** days after publication in the Federal Register]. **[NOTE: These are instructions to the OFR – do not change them. They will insert the date when they prepare the document for publication.]**

ADDRESSES: Submit your comments, identified by Docket ID No. **EPA-[HQ or R##]-XXXX-200X-XXXX** **[Insert the same docket ID number that appears at the top of your FR document. If the FR Notice applies to several ICRs and involves several dockets, you should include the following statement instead of the docket number “identified by the Docket ID numbers provided for each item in the text”],** by one of the following methods:

- www.regulations.gov: Follow the on-line instructions for submitting comments.
- { • Email: **[insert the appropriate e-mail address].**}
- { • Fax: **[Insert fax number].**}
- Mail: **[Insert the appropriate MAILING address, i.e., for all HQ Dockets use the following: “[Docket name], Environmental Protection Agency, Mailcode: [insert #], 1200 Pennsylvania Ave., NW., Washington, DC 20460]. {If your Docket requires the submission of multiple copies, please insert the following here: “Please include a total of [insert #] copies.”}]**
- Hand Delivery: **[insert LOCATION or delivery address for your docket].** Such deliveries are only accepted during the Docket’s normal hours of operation, and special arrangements should be made for deliveries of boxed information.

Instructions: Direct your comments to Docket ID No. **EPA-[HQ or R##]-XXXX-200X-XXXX** **[If the FR Notice applies to several ICRs and involves several dockets, you should include the following statement instead of the docket number “identified by the Docket ID. numbers provided for each item in the text”].** EPA's policy is that all comments received will be included in the public docket without change and may be made available online at www.regulations.gov, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through www.regulations.gov or e-mail. The www.regulations.gov website is an “anonymous access” system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through www.regulations.gov your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. {For additional information about EPA’s public docket visit the EPA Docket Center homepage at <http://www.epa.gov/epahome/dockets.htm>.

FOR FURTHER INFORMATION CONTACT: **[insert name of ICR or Program Contact], [insert name of division and office], ([insert mail code]),** Environmental Protection Agency, 1200 Pennsylvania Ave., NW, Washington, DC 20460; telephone number: **[insert area code and #];** fax

number: [insert area code and #]; email address: [insert appropriate email address, i.e., [name]@epa.gov].

SUPPLEMENTARY INFORMATION:

How Can I Access the Docket and/or Submit Comments?

EPA has established a public docket for this ICR under Docket ID No. **EPA-[HQ or R##]-XXXX-200X-XXXX** [If the FR Notice applies to several ICRs and involves several dockets, you should include the following statement instead of the docket number “established a public docket for each of the ICRs identified in this document (see the Docket ID. numbers for each ICR that are provided in the text”], which is available for online viewing at www.regulations.gov, or in person viewing at the [insert your Program Office docket name, e.g., **Water Docket**] Docket in the EPA Docket Center (EPA/DC), EPA West, Room B102, 1301 Constitution Ave., NW, Washington, DC. The EPA/DC Public Reading Room is open from 8 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 [insert your Program Office docket name, e.g., **Water Docket**] Docket is 202-566-XXXX.

Use www.regulations.gov to obtain a copy of the draft collection of information, submit or view public comments, access the index listing of the contents of the docket, and to access those documents in the public docket that are available electronically. Once in the system, select “search,” then key in the docket ID number identified in this document.

What Information is EPA Particularly Interested in?

Pursuant to section 3506(c)(2)(A) of the PRA, EPA specifically solicits comments and information to enable it to:

- (i) evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;
- (ii) evaluate the accuracy of the Agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- (iii) enhance the quality, utility, and clarity of the information to be collected; and
- (iv) minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses. In particular, EPA is requesting comments from very small businesses (those that employ less than 25) on examples of specific additional efforts that EPA could make to reduce the paperwork burden for very small businesses affected by this collection.

What Should I Consider when I Prepare My Comments for EPA?

You may find the following suggestions helpful for preparing your comments:

1. Explain your views as clearly as possible and provide specific examples.
2. Describe any assumptions that you used.
3. Provide copies of any technical information and/or data you used that support your views.
4. If you estimate potential burden or costs, explain how you arrived at the estimate that you provide.
5. Offer alternative ways to improve the collection activity.

6. Make sure to submit your comments by the deadline identified under DATES.
7. To ensure proper receipt by EPA, be sure to identify the docket ID number assigned to this action in the subject line on the first page of your response. You may also provide the name, date, and Federal Register citation.

What Information Collection Activity or ICR Does this Apply to?

[NOTE: If the FR Notice applies to several ICRs and involves several dockets, you should use the following format for each ICR, with the addition of the following as the first item listed for each ICR: “Docket ID No. EPA-[HQ or R##]-XXXX-200X-XXXX.”]

Affected entities: Entities potentially affected by this action are **[insert type of entities, which should be taken directly from the respondents section of the Supporting Statement]**.

Title: **[insert title of ICR]**

ICR numbers: EPA ICR No. **[XXXX.XX]**, OMB Control No. **20XX-XXXX**.

ICR status: **[For the first sentence use one of the following: if this is a renewal for a currently approved ICR: “This ICR is currently scheduled to expire on [insert expiration date].” Or use this if it is a new ICR: “This ICR is for a new information collection activity.”]** 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 in title 40 of the CFR, after appearing in the Federal Register when approved, are listed in 40 CFR part 9, are displayed either by publication in the Federal Register or by other appropriate means, such as on the related collection instrument or form, if applicable. The display of OMB control numbers in certain EPA regulations is consolidated in 40 CFR part 9.

Abstract: **[Briefly summarize the information collection. Explain the reasons the information is planned to be and/or has been collected, and the way such information is planned to be and/or has been used to further the proper performance of the functions of the Agency. State whether responses to the collection of information are voluntary, required to obtain or retain a benefit (citing authority), or mandatory (citing authority), and the nature and extent of confidentiality to be provided, if any (citing authority).]**

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average **[insert hours from section 6 of the Supporting Statement]** hours per response. 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 which have subsequently changed; 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.

[Give an estimate of the projected cost and hour burden. For the hour burden, this should include an estimate of the average annual reporting burden disaggregated to show the estimated average burden hours per response, the proposed frequency of response, and the estimated number of likely respondents. For the cost burden to respondents or record keepers resulting from the collection of information, this should include a total capital and start-up cost

component annualized over its expected useful life, and a total operation and maintenance component, and a purchase of services component if applicable. The following is a suggested format.

The ICR provides a detailed explanation of the Agency's estimate, which is only briefly summarized here:

Estimated total number of potential respondents: [insert # from ICR].

Frequency of response: [describe as Annual or On occasion].

Estimated total average number of responses for each respondent: [insert # from ICR].

Estimated total annual burden hours: [insert # from ICR] hours.

Estimated total annual costs: \$ [insert # from ICR]. This includes an estimated burden cost of \$[insert # from ICR] and an estimated cost of \$[insert # from ICR] for capital investment or maintenance and operational costs.]

{[If a renewal, consider including an explanation of anticipated changes in burden or costs. Here is an example of a section to include:

Are There Changes in the Estimates from the Last Approval?

There is a decrease [an increase] of [insert # from ICR] hours in the total estimated respondent burden compared with that identified in the ICR currently approved by OMB. This decrease [increase] reflects EPA's [insert an explanation, e.g. ...updating of burden estimates for this collection based upon historical information on the number of chemicals per SNUR. Based upon revised estimates, the number of chemicals per SNUR has decreased from 65.5 to 41, with a corresponding decrease in the associated burden.] This change is an adjustment [the result of a program change].}

{[To inform readers of what happens next in the ICR process, consider including an explanation like this one:

What is the Next Step in the Process for this ICR?

EPA will consider the comments received and amend the ICR as appropriate. The final ICR package will then be submitted to OMB for review and approval pursuant to 5 CFR 1320.12. At that time, EPA will issue another Federal Register notice pursuant to 5 CFR 1320.5(a)(1)(iv) to announce the submission of the ICR to OMB and the opportunity to submit additional comments to OMB. If you have any questions about this ICR or the approval process, please contact the technical person listed under FOR FURTHER INFORMATION CONTACT.}

Dated: _____

[Insert title and office of Program Official who is authorized to sign this FR Notice. Under EPA Delegation 1-21, this is your AA, RA, or equivalent, unless signature authority has been delegated by them to your Office Director or Division Director].

[insert billing code for example..]

BILLING CODE 6560-50

ATTACHMENT 1A: GUIDANCE ON FIRST FR NOTICE FOR MORE THAN ONE ICR (5 CFR 1320.8(d))

The Program Office should replace shaded areas with appropriate information and delete the shading.

ENVIRONMENTAL PROTECTION AGENCY

Agency Information Collection Activities: Proposed Collection; Comment Request; See List of ICRs planned to be submitted in Section A

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 et seq.), this notice announces that EPA is planning to submit the following

[Insert number of ICRs and whether they are proposed and/or continuing] Information Collection Requests (ICR) to the Office of Management and Budget (OMB). Before submitting the ICRs to OMB for review and approval, EPA is soliciting comments on specific aspects of the information collections as described at the beginning of Supplementary Information.

DATES: Comments must be submitted on or before [Insert date 60 days after publication in the FEDERAL REGISTER]

ADDRESSES: [Insert address of Program Office. Include information on how to obtain electronic access, if provided] A hard copy of an ICR may be obtained without charge by calling the identified information contact individual for each ICR in Section B of the Supplementary Information.

FOR FURTHER INFORMATION CONTACT: For specific information on the individual ICRs see Section B of the Supplementary Information.

SUPPLEMENTARY INFORMATION: FOR ALL ICRs

An Agency may not conduct or sponsor, and a person is not required to respond to collection information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are displayed in 40 CFR part 9.

The EPA would like to solicit comments to:

- (i) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;
- (ii) Evaluate the accuracy of the Agency's estimate of the burden of the proposed collection of information;
- (iii) Enhance the quality, utility, and clarity of the information to be collected; and
- (iv) Minimize the burden of the collection of information on those who are to respond, including through the use of automated collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

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.

A. LIST OF ICRs PLANNED TO BE SUBMITTED.

In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 et seq.), this notice announces that EPA is planning to submit the following **[Insert number of ICRs and whether they are proposed and/or continuing]** Information Collection Requests (ICR) to the Office of Management and Budget (OMB):

(1) [Give Title of ICR, EPA ICR Number, and OMB Control Number and current expiration date if a renewal].

(2) [Make entries similar to A(1) for each additional ICR and maintain its same listing sequence.]

B. CONTACT INDIVIDUALS FOR ICRs:

(1)[Give Title of ICR], [Insert Name, Telephone Number/Facsimile Number/E Mail Number of Program Official.] (OMB Control No. ; EPA ICR No.) expiring / / ;

(2) [Make entries similar to B (1) for each additional ICR and maintain the same listing sequence as in A(1)]

C. INDIVIDUAL ICRs:

(1)[Give Title of ICR, EPA ICR Number, and OMB Control Number and current expiration date if a renewal].

Affected Entities: Entities potentially affected by this action are [insert those affected]

Abstract: Briefly summarize the information collection. Explain the reasons the information is planned to be and/or has been collected, and the way such information is planned to be and/or has been used to further the proper performance of the functions of the agency. State whether responses to the collection of information are voluntary, required to obtain or retain a benefit (citing authority), or mandatory (citing authority), and the nature and extent of confidentiality to be provided, if any (citing authority).

Burden Statement: Give an estimate of the projected cost and hour burden. For the hour burden, this should include an estimate of the average annual reporting burden dis-aggregated to show the estimated average burden hours per response, the proposed frequency of response, and the estimated number of likely respondents. For the cost burden to respondents or record keepers resulting from the collection of information, this should include a total capital and start-up cost component annualized over its expected useful life, and a total operation and maintenance component, and a purchase of services component.

(2) [Make entries similar to C (1) for each additional ICR and maintain its same listing sequence as in A (1)]

Dated: _____ [Signature of Program Official]

[Typed Name of Program Official]

ATTACHMENT 2

1995 PRA DEFINITION OF 'BURDEN'

§3502. "(2) the term 'burden' means time, effort, or financial resources expended by persons to generate, maintain, or provide information to or for a Federal agency, including the resources expended for--

- (A) Reviewing instructions;
- (B) Acquiring, installing, and utilizing technology and systems;
- (C) Adjusting the existing ways to comply with any previously applicable instructions and requirements;
- (D) Searching data sources;
- (E) Completing and reviewing the collection of information; and
- (F) Transmitting, or otherwise disclosing the information"

DEFINITION OF BURDEN IN OMB'S FINAL RULES

(60 FR 44985, August 29, 1995)

5 CFR §1320.3(b)(1) "*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, including:

- (i) Reviewing instructions;
- (ii) Developing, acquiring, installing, and utilizing technology and systems for the purpose of collecting, validating, and verifying information;
- (iii) Developing, acquiring, installing, and utilizing technology and systems for the purpose of processing and maintaining information;
- (iv) Developing, acquiring, installing, and utilizing technology and systems for the purpose of disclosing and providing information;
- (v) Adjusting the existing ways to comply with any previously applicable instructions and requirements;
- (vi) Training personnel to be able to respond to a collection of information;
- (vii) Searching data sources;
- (viii) Completing and reviewing the collection of information; and
- (ix) Transmitting, or otherwise disclosing the information."

ATTACHMENT 3: CERTIFICATION

The Agency must certify and provide a record supporting the certification that the ICR meets the requirements in 5 CFR 1320.9 (60 FR 44990-1, 08/29/95).

A summary of the certification topics is printed on the 10/95 version of the OMB 83-I form above the signature lines. If the Program Office is unable to certify compliance with any of the provisions, the item has to be identified on the OMB 83-I form, and an explanation given in the ICR supporting statement.

Attachment 3A is the text of the certification from OMB's final regulations implementing the 1995 PRA. Attachment 3B gives guidance on where in EPA's ICR format from its Handbook; the required information should be included.

Attachment 3A Certification Required by 5 CFR 1320.9

Attachment 3B Guidance on Certification

ATTACHMENT 3A: CERTIFICATION REQUIREMENT FOR PRA SUBMISSIONS

5 CFR 1320.9 reads "As part of the agency submission to OMB of a proposed collection of information, the agency (through the head of the agency, the Senior Official or their designee) shall certify (and provide a record supporting such certification) that the proposed collection of information--

"(a) is necessary for the proper performance of the functions of the agency, including that the information to be collected will have practical utility;

"(b) is not unnecessarily duplicative of information otherwise reasonably accessible to the agency;

"(c) reduces to the extent practicable and appropriate the burden on persons who shall provide information to or for the agency, including with respect to small entities, as defined in the Regulatory Flexibility Act (5 U.S.C. 601(6)), the use of such techniques as:

"(1) establishing differing compliance or reporting requirements or timetables that take into account the resources available to those who are to respond;

"(2) The clarification, consolidation, or simplification of compliance and reporting requirements;
or

"(3) An exemption from coverage of the collection of information, or any part thereof;

"(d) Is written using plain, coherent, and unambiguous terminology and is understandable to those who are to respond;

"(e) Is to be implemented in ways consistent and compatible, to the maximum extent practicable, with the existing reporting and recordkeeping practices of those who are to respond;

"(f) Indicates for each recordkeeping requirement the length of time persons are required to maintain the records specified;

"(g) Informs potential respondents of the information called for under §1320.8(b)(3); [see next page]

"(h) Has been developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected, including the processing of the information in a manner which shall enhance, where appropriate, the utility of the information to agencies and the public;

"(i) Uses effective and efficient statistical survey methodology appropriate to the purpose for which the information is to be collected; and

"(j) To the maximum extent practicable, uses appropriate information technology to reduce burden and improve data quality, agency efficiency and responsiveness to the public."

NOTE: 5 CFR 1320.8(b)(3) requires that each collection of information:

"(3) Informs and provides reasonable notice to the potential persons to whom the collection of information is addressed of:

"(i) the reasons the information is planned to be and/or has been collected;

"(ii) The way such information is planned to be and/or has been used to further the proper performance of the functions of the agency;

"(iii) an estimate, to the extent practicable, of the average burden of the collection (together with a request that the public direct to the agency any comments concerning the accuracy of this burden estimate and any suggestions for reducing this burden);

"(iv) Whether responses to the collection of information are voluntary, required to obtain or retain a benefit (citing authority), or mandatory (citing authority);

"(v) The nature and extent of confidentiality to be provided, if any (citing authority); and

"(vi) The fact that 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.

ATTACHMENT 3B: GUIDANCE ON CERTIFICATION

ICR PREPARERS SHOULD INCLUDE THE REQUIRED INFORMATION IN THE SECTIONS MENTIONED BELOW TO ENSURE THAT THE CERTIFICATION REQUIREMENT IS MET. ANY CERTIFICATION PROVISIONS THAT CANNOT BE COMPLIED WITH HAVE TO BE IDENTIFIED ON THE OMB 83-I FORM.

(a) is necessary for the proper performance of the functions of the agency, including that the information to be collected will have practical utility;

The ICR preparer should cover this in the section of the ICR on “PRACTICAL UTILITY/USERS OF THE DATA”.

(b) is not unnecessarily duplicative of information otherwise reasonably accessible to the agency;

The ICR preparer should cover this in the section on “NONDUPLICATION”.

(c) reduces to the extent practicable and appropriate the burden on persons who shall provide information to or for the agency, including with respect to small entities, as defined in the Regulatory Flexibility Act (5 U.S.C. 601(6)), the use of such techniques as:

(1) establishing differing compliance or reporting requirements or timetables that take into account the resources available to those who are to respond;

(2) The clarification, consolidation, or simplification of compliance and reporting requirements;
or

(3) An exemption from coverage of the collection of information, or any part thereof;

OMB considers this one of the new requirements in the 1995 PRA at which it will be looking carefully. **The ICR preparer should cover the Regulatory Flexibility Act requirements in section on “SMALL ENTITY FLEXIBILITY”.**

(d) Is written using plain, coherent, and unambiguous terminology and is understandable to those who are to respond;

This requirement affects all areas of an ICR.

(e) is to be implemented in ways consistent and compatible, to the maximum extent practicable, with the existing reporting and recordkeeping practices of those who are to respond;

The ICR preparer should cover this material in the section on “Respondent Activities”. Note that the 1995 PRA has expanded the definition of burden to add the requirement that it include the

resources expended for *"adjusting the existing ways to comply with any previously applicable instructions and requirements"*.

(f) Indicates for each recordkeeping requirement the length of time persons are required to maintain the records specified;

The ICR preparer should cover this in section on "Data Items, Including Recordkeeping Requirements". Note that an Agency is still required to justify a requirement to retain records for more than 3 years.

(g) Informs potential respondents of the information called for under §1320.8(b)(3);

The information called for under §1320.8(b) (3) is:

"(3) Informs and provides reasonable notice to the potential persons to whom the collection of information is addressed of--

(i)The reasons the information is planned to be and/or has been collected;

(ii)The way such information is planned to be and/or has been used to further the proper performance of the functions of the agency;

(iii) an estimate, to the extent practicable, of the average burden of the collection (together with a request that the public direct to the agency any comments concerning the accuracy of this burden estimate and any suggestions for reducing this burden);

(iv) Whether responses to the collection of information are voluntary, required to obtain or retain a benefit (citing authority), or mandatory (citing authority),

(v) The nature and extent of confidentiality to be provided, if any (citing authority); and

(vi) The fact that 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 ICR preparer should cover this in the section with the “BURDEN STATEMENT”. This information should also be included in the Federal Register Notices prepared for the ICR renewal, survey, or rule.

(h) has been developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected, including the processing of the information in a manner which shall enhance, where appropriate, the utility of the information to agencies and the public;

The ICR preparer should cover this in the sections on “AGENCY ACTIVITIES” and “COLLECTION METHODOLOGY AND MANAGEMENT”.

(i) Uses effective and efficient statistical survey methodology appropriate to the purpose for which the information is to be collected; and

The ICR preparer should include Part B of the supporting statement if statistics are used. A very small percentage of EPA's ICRs use statistics.

(j) to the maximum extent practicable, uses appropriate information technology to reduce burden and improve data quality, agency efficiency and responsiveness to the public.

An Agency's ICR submission should include "a statement indicating whether (and if so, to what extent) the proposed 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 an explanation for the decision." (5 CFR 1320.5(a)(1)(iii)(E)) [60 FR 44987, 08/29/95]

The ICR preparer should include this information in the section on “COLLECTION METHODOLOGY AND MANAGEMENT”.

ATTACHMENT 4: GUIDANCE ON SECOND FR NOTICE

(5 CFR 1320.5(a)(1)(iv))

- Λ You should have already established the docket in conjunction with the first FR Notice. The same docket is used for BOTH the first FR Notice and the subsequent submission of the renewal to OMB.
- Λ When you submit your ICR package to the Office of Environmental Information (OEI) for final processing and transmittal to OMB, you should include the draft “second FR notice” in that package. The docket should include a copy of the final ICR package, i.e., the sf83i, the Supporting Statement, and any attachments to the ICR (e.g., copies of the regulations, statutory authority, the actual collection instrument (e.g. survey form) or a draft list of the data elements that will be included in the collection of information, response to comments, etc.).
- Λ See discussion in the guidance regarding modifications to this template, which is available in the ADP Library at <http://intranet.epa.gov/adplibrary>.
- Λ Format Note: The Office of the Federal Register prefers for the page numbers of the FR Notice to appear by themselves, centered at the bottom of the first page, and the top of each subsequent page.

ENVIRONMENTAL PROTECTION AGENCY

[EPA-[HQ or R#]-XXXX-200X-XXXX, FRL-]
[Insert the Docket ID # and a blank space for the FRL # in brackets. You get your Docket ID # from your Docket Manager.]

Agency Information Collection Activities; Submission to OMB for Review and Approval; Comment Request; [insert title of ICR in bold - it must match your ICR document]; EPA ICR No. XXXX.XX [insert number], OMB Control No. 20XX-XXXX. [insert number - if this is a new ICR there will not be an OMB Control number, so just put “new” after the first four numbers, which represent your office.]

AGENCY: Environmental Protection Agency

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA)(44 U.S.C. 3501 *et seq.*), this document announces that an Information Collection Request (ICR) has been forwarded to the Office of Management and Budget (OMB) for review and approval. This is a request [insert either; “for a

new” **(or)** “to renew an existing approved”] collection. The ICR, which is abstracted below, describes the nature of the information collection and its estimated burden and cost.

DATES: Additional comments may be submitted on or before [insert date 30 days after publication in the Federal Register]. **[NOTE: These are instructions to the OFR – do not change them. They will insert the date when they prepare the document for publication.]**

ADDRESSES: Submit your comments, referencing Docket ID No. EPA-[HQ or R##]-XXXX-200X-XXXX **[Insert the same docket ID number that appears at the top of your FR document.]**, to (1) EPA online using www.regulations.gov (our preferred method), {by email to **[insert your Program Office docket email address]**}, or by mail to: EPA Docket Center, Environmental Protection Agency, **[insert the Program Office docket name and mail code; note that this is the docket name and mail code -- not yours!]**, 1200 Pennsylvania Ave., NW, Washington, DC 20460, and (2) OMB by mail to: Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Attention: Desk Officer for EPA, 725 17th Street, NW, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: **[insert name of ICR or Program Contact]**, **[insert name of division and office]**, (**[insert mail code]**), Environmental Protection Agency, 1200 Pennsylvania Ave., NW, Washington, DC 20460; telephone number: **[insert area code and #]**; fax number: **[insert area code and #]**; email address: **[insert appropriate email address, i.e., [name]@epa.gov]**.

SUPPLEMENTARY INFORMATION: EPA has submitted the following ICR to OMB for review and approval according to the procedures prescribed in 5 CFR 1320.12. On **[insert the date of publication for the 1st FR Notice that sought comments on the proposed new or renewal ICR, followed by the citation in parenthesis]** (XX FR XXXX), EPA sought comments on this ICR pursuant to 5 CFR 1320.8(d). EPA **[insert the appropriate statement: “received no comments”**

(or) “received ## comments during the comment period, which are addressed in the ICR.”]. Any additional comments on this ICR should be submitted to EPA and OMB within 30 days of this notice.

EPA has established a public docket for this ICR under Docket ID No. EPA-[HQ or R##]-XXXX-200X-XXXX, which is available for online viewing at www.regulations.gov, or in person viewing at the **[insert your Program Office docket name, e.g., Water Docket]** Docket in the EPA Docket Center (EPA/DC), EPA West, Room B102, 1301 Constitution Ave., NW, Washington, DC. The EPA/DC Public Reading Room is open from 8 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 **[insert your Program Office docket name, e.g., Water Docket]** Docket is 202-566-XXXX.

Use EPA’s electronic docket and comment system at www.regulations.gov, to submit or view public comments, access the index listing of the contents of the docket, and to access those documents in the docket that are available electronically. Once in the system, select “docket search,” then key in the docket ID number identified above. Please note that EPA’s policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing at www.regulations.gov as EPA receives them and without change, unless the comment contains copyrighted material, CBI, or other information whose public disclosure is restricted by statute. For further information about the electronic docket, go to www.regulations.gov.

Title: **[insert title of ICR - it must match your ICR document]**

ICR numbers: EPA ICR No. [XXXX.XX], OMB Control No. 20XX-XXXX.

ICR Status: **[For the first sentence use one of the following: (1) If a renewal of an existing ICR**

insert: “This ICR is scheduled to expire on **[insert expiration date of presently approved ICR].”**

AND insert the following sentence if the renewal is submitted to OMB before the expiration

date: “Under OMB regulations, the Agency may continue to conduct or sponsor the collection of information while this submission is pending at OMB.” **OR (2) If a new ICR insert:** “This ICR is for a new information collection activity.”] 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 in title 40 of the CFR, after appearing in the Federal Register when approved, are listed in 40 CFR part 9, are displayed either by publication in the Federal Register or by other appropriate means, such as on the related collection instrument or form, if applicable. The display of OMB control numbers in certain EPA regulations is consolidated in 40 CFR part 9.

Abstract: [Insert a brief summary of the information collection. Explain the reasons the information is planned to be and/or has been collected, and the way such information is planned to be and/or has been used to further the proper performance of the functions of the agency. State whether responses to the collection of information are voluntary, required to obtain or retain a benefit (citing authority), or mandatory (citing authority), and the nature and extent of confidentiality to be provided, if any (citing authority).]

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average [insert hours from section 6 of the ICR] hours per response. 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 which have subsequently changed; 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.

Respondents/Affected Entities: [insert description from the ICR]

Estimated Number of Respondents: [insert number from 83-I form, block 13(a)]

Frequency of Response: [insert frequency interval(s) from 83-I form, block 16]

Estimated Total Annual Hour Burden: [insert number from 83-I form, block 13(c)]

Estimated Total Annual Cost: \$xxx, includes \$xxx annualized capital or O&M costs.

[insert numbers from Supporting Statement section 6 and 83-I form, block 14(c)]

Changes in the Estimates: There is an [increase (or) decrease] of [xxxx] hours in the total estimated burden currently identified in the OMB Inventory of Approved ICR Burdens. This [increase (or) decrease] is [explain the nature of the change, and whether it was due to a change in program requirements or just adjustments to the estimates].

Dated: _____

Oscar Morales, Director, Collection Strategies Division.

BILLING CODE 6560-50

ATTACHMENT 5: EXAMPLE OF BURDEN STATEMENT

FOR FORMS OR SURVEYS

The OMB Control Number and expiration date must appear on the front page of an OMB-approved form or survey, or on the first screen viewed by the respondent for an on-line application. The rest of the burden statement must be included somewhere on the form, questionnaire or other collection of information, or in the instructions for such collection.

OMB Control No. 20XX-XXXX

Approval expires XX/XX/XX

The public reporting and recordkeeping burden for this collection of information is estimated to average [XX hours or minutes] per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed [form or survey] to this address.

ATTACHMENT 6: EXAMPLE OF BURDEN STATEMENT FOR ICRs

The public reporting and recordkeeping burden for this collection of information is estimated to average [] hours or minutes per response or to range from [] hours or minutes per respondent annually. 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 Number [EPA-HQ or R###-XXX-XXXX-XXXX], which is available for online viewing at www.regulations.gov, or in person viewing at the [insert your Program Office docket name] in the EPA Docket Center (EPA/DC), EPA West, Room B102, 1301 Constitution Avenue, NW, Washington, D.C. 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 [insert the appropriate docket name] is (202) 566-XXXX. An electronic version of the public docket is available at www.regulations.gov. This site can be used to submit or view public comments, access the index listing of the contents of the public docket, and to access those documents in the public docket that are available electronically. When in the system, select "search," then key in the Docket ID Number identified above. Also, you can send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, D.C. 20503, Attention: Desk Officer for EPA. Please include the EPA Docket ID Number EPA-HQ or R###-XXX-200X-XXXX and OMB Control Number XXXX-XXXX in any correspondence.

APPENDIX D: PRA TEMPLATES FOR PROPOSED AND FINAL RULE PREAMBLES

EPA must include a PRA discussion in the preamble of every proposed and final rule, regardless of whether the rule contains reporting or recordkeeping requirements. Templates 1A, 1B, 1C and 1D that follow provide assistance in crafting this part of the preamble.

The templates provide recommended preamble text for document drafters but do not impose any legally binding requirements. Your office may also have recommended text for you to use, particularly if you are working on a routine or frequent action. If you think these recommendations are not appropriate for your action, you should consult the attorney assigned to your action from the Office of General Counsel (OGC) or Office of Regional Counsel (ORC), or you should consult the Regulatory Steering Committee (RSC) representative for your AAship or your Regional Regulatory Contact (RRC).

As with other EPA templates, the text in the template that appears in regular font and black ink should be inserted into your document without significant changes. Specific instructions on what to insert appear within the template as bolded blue text in square brackets [like this]. Once you insert the appropriate text, please remove the brackets, instructions, and color.

When you have chosen the appropriate template, add its text under “Supplementary Information” in the subsection titled “Statutory and Executive Order Reviews” near the end of the preamble. Other governing statutes and executive orders are discussed in this same subsection. Therefore, refer to “Rule Aid #1: Ordering of Statutes and Executive Orders” (posted at <http://intranet.epa.gov/adplibrary/>) to determine where to insert the template within the “Statutory and Executive Order Reviews” subsection.

For all ICRs for which the OMB Control Number is not received in time to be published in the final rule, the Program Office must prepare a Technical Amendment to add the Control Number to 40 CFR part 9 or 48 CFR chapter 15, as applicable, and have this published in the Federal Register as soon as possible after EPA obtains the OMB Control Number. The Administrator is no longer required to sign these technical amendments. Signature of technical amendments was redelegated to Program Offices in revised Delegation 1-21 "Federal Register" dated 06/15/95. Attachment 2 contains a template for this FR Notice.

ATTACHMENTS

- 1A: Template Language for Proposed Rule Containing Information Requirements
- 1B: Template Language for Final Rule Containing Information Requirements without ICR Approval before Promulgation
- 1C: Template Language for Final Rule Containing Information Requirements with ICR Approval before Promulgation
- 1D: Template Language for Proposed and Final Rules Not Containing Information Requirements
- 2: Federal Register Template for 40 CFR Part 9 Technical Amendment

ATTACHMENT 1A: PROPOSED RULE CONTAINING INFORMATION REQUIREMENTS

B. Paperwork Reduction Act

The information collection requirements in this proposed rule have been submitted for approval to the Office of Management and Budget (OMB) under the Paperwork Reduction Act, 44 U.S.C. 3501 et seq. The Information Collection Request (ICR) document prepared by EPA has been assigned EPA ICR number [XXXX.XX]. [Insert EPA ICR number.]

[Explain the reasons the information is planned to be collected, and the way such information is planned to be used to further the proper performance of the functions of the Agency. State whether responses to the collection of information will be voluntary, required to obtain or retain a benefit (citing authority), or mandatory (citing authority), and the nature and extent of confidentiality to be provided, if any (citing authority).]

[Give an estimate of the projected cost and hour burden. For the hour burden, this should include an estimate of the average annual reporting burden disaggregated to show the estimated average burden hours per response, the proposed frequency of response, and the estimated number of likely respondents. For the cost burden to respondents or record keepers resulting from the collection of information, this should include a total capital and start-up cost component annualized over its expected useful life, a total operation and maintenance component, and a purchase of services component.] Burden is defined at 5 CFR 1320.3(b).

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 in 40 CFR are listed in 40 CFR part 9.

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, EPA has established a public docket for this rule, which includes this ICR, under Docket ID number [XX-20XX-XXXX] [Insert your Docket ID, which is listed at the top of your action (e.g., EPA-HQ-OW-2005-0001)]. Submit any comments related to the ICR to EPA and OMB. See ADDRESSES section at the beginning of this notice for where to submit comments to EPA. Send comments to OMB at the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, DC 20503, Attention: Desk Office for EPA. Since OMB is required to make a decision concerning the ICR between 30 and 60 days after [Insert date of publication in the Federal Register.], a comment to OMB is best assured of having its full effect if OMB receives it by [Insert date 30 days after publication in the Federal Register.]. The final rule will respond to any OMB or public comments on the information collection requirements contained in this proposal.

ATTACHMENT 1B: FINAL RULE CONTAINING INFORMATION REQUIREMENTS WITHOUT ICR APPROVAL BEFORE PROMULGATION

B. Paperwork Reduction Act

The information collection requirements in this rule [Insert “have been” or “will be”.] submitted for approval to the Office of Management and Budget (OMB) under the Paperwork Reduction Act, 44 U.S.C. 3501 et seq. The information collection requirements are not enforceable until OMB approves them.

[Explain the reasons the information is planned to be collected, and the way such information is planned to be used to further the proper performance of the functions of the Agency. State whether responses to the collection of information will be voluntary, required to obtain or retain a benefit (citing authority), or mandatory (citing authority), and the nature and extent of confidentiality to be provided, if any (citing authority).]

[Give an estimate of the projected cost and hour burden. For the hour burden, this should include an estimate of the average annual reporting burden disaggregated to show the estimated average burden hours per response, the proposed frequency of response, and the estimated number of likely respondents. For the cost burden to respondents or record keepers resulting from the collection of information, this should include a total capital and start-up cost component annualized over its expected useful life, a total operation and maintenance component, and a purchase of services component.] Burden is defined at 5 CFR 1320.3(b).

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 in 40 CFR are listed in 40 CFR part 9. When this ICR is approved by OMB, the Agency will publish a technical amendment to 40 CFR part 9 in the Federal Register to display the OMB control number for the approved information collection requirements contained in this final rule.

ATTACHMENT 1C: FINAL RULE CONTAINING INFORMATION REQUIREMENTS WITH ICR APPROVAL BEFORE PROMULGATION

B. Paperwork Reduction Act

The Office of Management and Budget (OMB) has approved the information collection requirements contained in this rule under the provisions of the Paperwork Reduction Act, 44 U.S.C. 3501 et seq. and has assigned OMB control number [XXXX-XXXX]. [Insert OMB control number.]

[Explain the reasons the information is planned to be collected, and the way such information is planned to be used to further the proper performance of the functions of the Agency. State whether responses to the collection of information will be voluntary, required to obtain or retain a benefit (citing authority), or mandatory (citing authority), and the nature and extent of confidentiality to be provided, if any (citing authority).]

[Give an estimate of the projected cost and hour burden. For the hour burden, this should include an estimate of the average annual reporting burden disaggregated to show the estimated average burden hours per response, the proposed frequency of response, and the estimated number of likely respondents. For the cost burden to respondents or record keepers resulting from the collection of information, this should include a total capital and start-up cost component annualized over its expected useful life, a total operation and maintenance component, and a purchase of services component.] Burden is defined at 5 CFR 1320.3(b)

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 in 40 CFR are listed in 40 CFR part 9. In addition, EPA is amending the table in 40 CFR part 9 of currently approved OMB control numbers for various regulations to list the regulatory citations for the information requirements contained in this final rule.

[In addition to adding the above text to your action's preamble, be sure to include any necessary amendments to 40 CFR part 9 in the rule text.]

ATTACHMENT 1D: RULE NOT CONTAINING INFORMATION COLLECTION REQUIREMENTS

New regulation or amendments to a regulation that do not impose information collection burden.

B. Paperwork Reduction Act

This action does not impose an information collection burden under the provisions of the Paperwork Reduction Act, 44 U.S.C. 3501 et seq. Burden is defined at 5 CFR 1320.3(b). **[Provide a brief explanation of why the Agency believes this action does not impose information collection burden.]**

Amendments to a regulation that do not impose information collection burden while the existing regulation contains information collection approved by OMB.

B. Paperwork Reduction Act

This action does not impose any new information collection burden. **[Provide a brief explanation of why the Agency believes this action does not impose information collection burden.]** However, the Office of Management and Budget (OMB) has previously approved the information collection requirements contained in the existing regulations **[insert CFR citation of regulations]** under the provisions of the Paperwork Reduction Act, 44 U.S.C. 3501 et seq. and has assigned OMB control number **[XXXX –XXXX]** **[insert appropriate OMB control number]**. The OMB control numbers for EPA's regulations in 40 CFR are listed in 40 CFR part 9.

40 CFR Part 9 Technical Amendments: Codification of OMB Control Numbers for ICRs

Background Information:

The Paperwork Reduction Act (PRA) of 1995 requires Federal agencies to submit information collection requests (ICRs) to the Office of Management and Budget (OMB) for review and approval when the collection of information will require 10 or more persons to provide answers to identical questions. When OMB approves an ICR, they will assign an OMB control number to the ICR (e.g., 2040-0090 is an OMB control number for an Office of Water ICR; the control numbers are always 8 digits). OMB control numbers are usually valid for up to three years, although the time period may be shorter for certain ICRs.

In order to continue using an OMB control number and to continue collecting information, federal agencies must renew ICRs before they expire and display a currently valid OMB control number to the public. The public is not required to respond to a collection of information, including regulatory recordkeeping or reporting requirements, unless a valid OMB control number is displayed. OMB control numbers should be displayed on the front page of any form, questionnaire, instructions, and other written collections of information. For electronic submissions of information, such as on-line applications, the control number must be displayed on the first screen viewed by the respondent. For information collection requirements associated with a rulemaking, EPA maintains a table of OMB control numbers for regulatory ICRs in 40 CFR part 9. This table consists of two columns: one column for the regulatory citations associated with information collection requirements and one column for the OMB control number. The 40 CFR part 9 tables can also be found at the end of every volume of title 40 of the CFR.

Purpose of Guidance and Why It's Important:

Public display of OMB control numbers and the CFR citations of information collection requirements is important for the proper enforcement of EPA's regulations. EPA enforcement attorneys, administrative law judges, and the public use 40 CFR part 9 to determine if a regulatory recordkeeping, reporting, or other regulatory information collection requirement has an OMB control number. Therefore, maintaining the part 9 table is extremely important. This guidance discusses how EPA will comply with the PRA requirement to publicly display approved OMB control numbers for final rules.

Requirements for the Program Office

When OMB approves an ICR before a final rule is published in the Federal Register (FR), you must:

1. display the OMB control number in the preamble for the rule published in the FR; and
2. include an amendment for 40 CFR part 9 as part of the rule in order to add to or revise the list of OMB control numbers or CFR citations (see regulatory text section of attachment).

When you obtain OMB approval for an ICR after a final rule is published in the FR, you must prepare and send the following documents to OEI with the final rule ICR package:

1. a draft FR document for a 40 CFR part 9 technical amendment (see attached template); and
2. a separate FR typesetting request form to pay for publishing the amendment in the FR.

Remember: Both documents must accompany the final rule ICR package that is submitted to OEI.

Requirements for OEI

When you obtain OMB approval for an ICR after a final rule is published in the FR, OEI will hold the draft part 9 technical amendment until OMB approves the ICR. Once the ICR is approved, OEI will finalize the part 9 technical amendment by adding the OMB control number, the date the final rule was published in the FR, and the FR citation. Next, the OEI/CSD Director will sign the document and submit it for publication. Note: The signature level for 40 CFR part 9 technical amendments was amended on 5/5/99 to allow these documents to be signed by the OEI/CSD Director.

Important Items to Remember when Preparing a Part 9 Amendment:

All information collection requirements listed in/add to the part 9 table must be covered by a currently approved ICR (the supporting statement of the approved ICR must list/discuss all the CFR citations for the information collection requirements). The part 9 table should only include CFR citations for the actual information collection requirements. The instructions that follow the part 9 template provide detailed information on how to reference the CFR citations.

Attachment 2: Federal Register Template for 40 CFR Part 9 Technical Amendment

The text in the template that appears in regular font and black ink should be inserted into your document without significant changes. Specific instructions on what to insert appear within the template as bolded red text in brackets. Once you insert the appropriate text, please remove the brackets, instructions, and color. Your document should include page numbers and be double spaced.

=====

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 9

[FRL-]

OMB Approvals under the Paperwork Reduction Act; Technical Amendment

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final Rule.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA), this technical amendment amends the table that lists the Office of Management and Budget (OMB) control numbers issued under the PRA for **{insert title of final rule}**.

EFFECTIVE DATE: This final rule is effective [insert date of publication in the FEDERAL REGISTER]. {NOTE: These are instructions to the OFR – do not change them. They will insert the date when they prepare the document for publication.}

FOR FURTHER INFORMATION CONTACT: [insert name of ICR or Program Contact], [insert name of division and office], [insert mail code], Environmental Protection Agency, 1200 Pennsylvania Ave., NW, Washington, DC 20460; telephone number: [insert area code and #]; fax number: [insert area code and #]; email address: [insert appropriate email address].

SUPPLEMENTARY INFORMATION: EPA is amending the table of currently approved information collection request (ICR) control numbers issued by OMB for various regulations. The amendment updates the table to list those information collection requirements promulgated under the

{insert name of final rule}, which appeared in the Federal Register on {insert date final rule was published, follow by the citation in parenthesis} (XX FR XXXXX). The affected regulations are codified at 40 CFR part(s) {insert numbers of all affected parts}. EPA will continue to present OMB control numbers in a consolidated table format to be codified in 40 CFR part 9 of the Agency's regulations, and in each CFR volume containing EPA regulations. The table lists CFR citations with reporting, recordkeeping, or other information collection requirements, and the current OMB control numbers. This listing of the OMB control numbers and their subsequent codification in the CFR satisfies the requirements of the Paperwork Reduction Act (44 U.S.C. 3501 et seq.) and OMB's implementing regulations at 5 CFR part 1320.

This ICR was/These ICRs were previously subject to public notice and comment prior to OMB approval. Due to the technical nature of the table, EPA finds that further notice and comment is unnecessary. As a result, EPA finds that there is "good cause" under section 553(b)(B) of the Administrative Procedure Act, 5 U.S.C. 553(b)(B), to amend this table without prior notice and comment.

I. Administrative Requirements

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a "significant regulatory action" and is therefore not subject to review by the Office of Management and Budget. In addition, this action does not impose any enforceable duty, contain any unfunded mandate, or impose any significant or unique impact on small governments as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4). This rule also does not require prior consultation with State, local, and tribal government officials as specified by Executive Order 12875 (58 FR 58093, October 28, 1993) or Executive Order 13084 (63 FR 27655 (May 10, 1998), or involve special consideration of environmental justice related issues as required by Executive Order 12898 (59 FR 7629, February

16, 1994). Because this action is not subject to notice-and-comment requirements under the Administrative Procedure Act or any other statute, it is not subject to the regulatory flexibility provisions of the Regulatory Flexibility Act (5 U.S.C. 601 et seq.). This rule also is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because EPA interprets E.O. 13045 as applying only to those regulatory actions that are based on health or safety risks, such that the analysis required under section 5-501 of the Order has the potential to influence the regulation. This rule is not subject to E.O. 13045 because it does not establish an environmental standard intended to mitigate health or safety risks. [Use the following sentence only if this action is a technical amendment to an existing regulation and the original rule discussed these statutes and E.O.s] EPA's compliance with these statutes and Executive Orders for the underlying rule is discussed in the [insert date underlying rule was published in the FR] Federal Register notice.

Congressional Review Act

The Congressional Review Act, 5 U.S.C. §801 et seq., as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. Section 808 allows the issuing agency to make a good cause finding that notice and public procedure is impracticable, unnecessary or contrary to the public interest. This determination must be supported by a brief statement. 5 U.S.C. § 808(2). As stated previously, EPA has made such a good cause finding, including the reasons therefore, and established an effective date of [insert date of publication in the FEDERAL REGISTER]. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States

prior to publication of the rule in the Federal Register. This action is not a "major rule" as defined by 5 U.S.C. §804(2).

List of Subjects in 40 CFR Part 9

Environmental protection, Reporting and recordkeeping requirements.

Dated: _____

, Director, Collection Strategies Division

For the reasons set out in the preamble, 40 CFR part 9 is amended as follows:

PART 9—[AMENDED]

1. The authority citation for part 9 continues to read as follows:

Authority: 7 U.S.C. 135 et seq., 136-136y; 15 U.S.C. 2001, 2003, 2005, 2006, 2601-2671; 21 U.S.C. 331j, 346a, 348; 31 U.S.C. 9701; 33 U.S.C. 1251 et seq., 1311, 1313d, 1314, 1318, 1321, 1326, 1330, 1342, 1344, 1345 (d) and (e), 1361; E.O. 11735, 38 FR 21243, 3 CFR, 1971-1975 Comp. p. 973; 42 U.S.C. 241, 242b, 243, 246, 300f, 300g, 300g-1, 300g-2, 300g-3, 300g-4, 300g-5, 300g-6, 300j-1, 300j-2, 300j-3, 300j-4, 300j-9, 1857 et seq., 6901-6992k, 7401-7671q, 7542, 9601-9657, 11023, 11048.

2. In § 9.1 the table is amended by {provide appropriate amendatory language to indicate that you are adding new entries or revising/removing existing entries for recordkeeping or reporting requirements that have been revised or removed from the CFR} to read as follows:

§9.1 OMB approvals under the Paperwork Reduction Act.

* * * * *

40 CFR citation

OMB control no.

* * * * *

Insert title of CFR Part

Insert CFR citation here

e.g., 262.40(a)

Insert OMB control no. here

e.g., 2050-0039

{ See below for specific instructions on how to reference the CFR citation }

* * * * *

Instructions for Completing Section 9.1:

1. The CFR citation must refer to the actual recordkeeping, reporting, or other information collection requirement in the regulation(s). You must cite only those provisions that are covered in an ICR as approved by OMB. The following examples will assist you in completing section 9.1.

EXAMPLE 1

40 CFR part 2.10 has 4 subsections, a-d, but only subsections a-c have information requirements which have been approved by OMB. Your citation in section 9.1 would be:

2.10 (a)-(c) 1234-5678

EXAMPLE 2

40 CFR part 2.11 has a total of 4 subsections, a-d only, all of which have information requirements that have been approved by OMB. Your citation in section 9.1 would be:

2.11 1234-5678

EXAMPLE 3

40 CFR part 2.10 has 3 subsections, a-c, but only a and c have information requirements which have been approved by OMB. Your citation in section 9.1 would be:

2.10 (a), (c) 1234-5678

EXAMPLE 4

40 CFR part 2, Subpart C - - the entire subpart consists of information requirements and OMB has approved all of these requirements. Your citation in section 9.1 would be:

Part 2, subpart C 1234-5678

EXAMPLE 5

40 CFR part 2 consists of 5 sections, 2.20-2.24. All 5 sections contain information requirements and OMB has approved all of these requirements. Your citation in section 9.1 would be:

2.20 - 2.24 1234-5678

EXAMPLE 6

40 CFR part 2 consists of 5 sections, 2.30-2.34. All 5 sections contain information requirements and OMB has approved all of these requirements. Sections 2.30 and 2.32 have been approved under one OMB control number, sections 2.31 and 2.33 have been approved under another OMB control number and section 2.34 has been approved under both the OMB numbers. Your citation in section 9.1 would be:

2.30	1234-5678
2.31	9876-5432
2.32	1234-5678
2.33	9876-5432
2.34	1234-5678, 9876-5432*

*Citations such as this, listing 2 OMB control numbers for one provision, should be used only in instances where the entire citation is approved under two distinct control numbers.

EXAMPLE 7

40 CFR part 2.43 contains 3 subsections, a-c, and each subsection has 2 subdivisions, 1-2. Sections 2.43 (a)(2), 2.43 (b)(2) and 2.43 (c)(2) contain information requirements approved by OMB but sections 2.43 (a)(1), 2.43 (b)(1) and 2.43 (c)(1) do not contain information requirements. Your citation in section 9.1 would be:

2.43 (a)(2)	1234-5678
2.43 (b)(2)	1234-5678
2.43 (c)(2)	1234-5678

2. When starting entries for additional CFR parts in the table, remember to first enter the part title. Also insert a line after each part title.