



**ENVIRONMENTAL PROTECTION AGENCY**

**[EPA–HQ–SFUND–2013–0549; FRL–9976-63-OLEM]**

**Agency Information Collection Activities; Proposed Collection; Comment Request; Notification of Episodic Releases of Oil and Hazardous Substances (Renewal); EPA ICR No. 1049.14**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** The Environmental Protection Agency is planning to submit an information collection request (ICR), “” (EPA ICR No. 1049.14, OMB Control No. 2050-0046) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act. Before doing so, EPA is soliciting public comments on specific aspects of the proposed information collection as described below. This is a proposed extension of the ICR, which is currently approved through September 30, 2018. 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.

**DATES:** Comments must be submitted on or before **[INSERT DATE 60 DAYS AFTER PUBLICATION IN THE FEDERAL REGISTER]**.

**ADDRESSES:** Submit your comments, referencing Docket ID No. **EPA–HQ–SFUND–2013–0549**, online using [www.regulations.gov](http://www.regulations.gov) (our preferred method), by email to [superfund.docket@epa.gov](mailto:superfund.docket@epa.gov) or by mail to: EPA Docket Center, Environmental Protection Agency, Mail Code 28221T, 1200 Pennsylvania Ave., NW, Washington, DC 20460.

EPA's policy is that all comments received will be included in the public docket without change including any personal information provided, unless the comment includes profanity, threats, information claimed to be Confidential Business Information (CBI) or other information

whose disclosure is restricted by statute.

**FOR FURTHER INFORMATION CONTACT:**

Sicy Jacob, Office of Emergency Management, (5104A), Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460; telephone number: (202) 564-8019; email address: Jacob.Sicy@epa.gov.

**SUPPLEMENTARY INFORMATION:**

Supporting documents which explain in detail the information that the EPA will be collecting are available in the public docket for this ICR. The docket can be viewed online at [www.regulations.gov](http://www.regulations.gov) or in person at the EPA Docket Center, WJC West, Room 3334, 1301 Constitution Ave., NW, Washington, DC. The telephone number for the Docket Center is 202-566-1744. For additional information about EPA's public docket, visit <http://www.epa.gov/dockets>.

Pursuant to section 3506(c)(2)(A) of the PRA, EPA is soliciting 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. 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. At that time, EPA will issue another Federal Register notice to announce the

submission of the ICR to OMB and the opportunity to submit additional comments to OMB.

**Abstract:** Section 103(a) of Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended, requires the person in charge of a facility or vessel to immediately notify the National Response Center (NRC) of a hazardous substance release into the environment if the amount of the release equals or exceeds the substance's reportable quantity (RQ) limit. The RQs for the hazardous substance can be found in Table 302.4 of 40 CFR 302.4.

Section 311 of the Clean Water Act (CWA), as amended, requires the person in charge of a vessel to immediately notify the NRC of an oil spill into U.S. navigable waters if the spill causes a sheen, violates applicable water quality standards, or causes a sludge or emulsion to be deposited beneath the surface of the water or upon adjoining shorelines.

The reporting of a hazardous substance release that is at or above the substance's RQ allows the Federal government to determine whether a Federal response action is required to control or mitigate any potential adverse effects to public health or welfare or the environment. Likewise, the reporting of oil spills allows the Federal government to determine whether cleaning up the oil spill is necessary to mitigate or prevent damage to public health or welfare or the environment.

The hazardous substance and oil release information collected under CERCLA section 103(a) and CWA section 311 also is available to EPA program offices and other Federal agencies that use the information to evaluate the potential need for additional regulations, new permitting requirements for specific substances or sources, or improved emergency response planning.

Release notification information, which is stored in the national Emergency Response Notification System (ERNS) data base, is available to state and local government authorities as well as the general public. State and local government authorities and the regulated community

use release information for purposes of local emergency response planning. Members of the general public, who have access to release information through the Freedom of Information Act, may request release information for purposes of maintaining an awareness of what types of releases are occurring in different localities and what actions, if any, are being taken to protect public health and welfare and the environment. ERNS fact sheets, which provide summary and statistical information about hazardous substance and oil release notifications, also are available to the public. 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.

***Form Numbers:*** None.

***Respondents/affected entities:*** Facilities and vessels that may have releases of any hazardous substance or oil at or above its RQ.

***Respondent's obligation to respond:*** Mandatory under CERCLA section 103(a).

***Estimated number of respondents:*** 18,447

***Frequency of response:*** As releases occur from a facility or a vessel.

***Total estimated burden:*** hours (per year). 75,633 hours per year.

***Estimated total annual costs:*** \$3,951,938. This cost includes an estimated labor cost of \$3,951,938 and an estimated cost of \$0 for capital investment or maintenance and operational costs.

***Changes in Estimates:*** There is a decrease of 22,209 hours per year in the total estimated respondent burden compared with that identified in the ICR currently approved by OMB. This decrease reflects EPA's expected decrease in the projected number of release notifications per year.

Dated: April 4, 2018.

**Reggie Cheatham,**  
*Director,*  
*Office of Emergency Management.*

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