



ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OW-2008-0719; FRL-13325-01-OW]

Proposed Information Collection Request Supporting Statement for the National Pollutant Discharge Elimination System Program (Renewal)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency (EPA) is planning to submit the “Information Collection Request (ICR) Supporting Statement for the National Pollutant Discharge Elimination System Program (Renewal)” (EPA ICR No. 0229.25, OMB Control No. 2040-0004) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act (PRA). 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 July 31, 2026. This notice allows for 60 days for public comments.

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

ADDRESSES: Submit your comments, referencing Docket ID Number EPA-HQ-OW-2008-0719, to EPA online using www.regulations.gov (our preferred method), by email to OW-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: Doris Ihejirika, National Program Branch,

Water Permits Division, Office of Wastewater Management, Mail Code: 4203M, Environmental Protection Agency, 1200 Pennsylvania Ave., NW, Washington, DC 20460; telephone number: (202) 564-2110; email address: *Ihejirika.Doris@epa.gov*.

SUPPLEMENTARY INFORMATION: This is a proposed extension of the ICR, which is currently approved through July 31, 2026. 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.

This notice allows 60 days for public comments. 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 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 forms of information technology. EPA is continuously seeking new opportunities to effectively reduce duplication and support efficiency in the permitting program by leveraging information technology tools such as automating workflows, which enables real-time access and expediting permitting issuance. 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: This consolidated Information Collection Request (ICR) renews the National Pollutant Discharge Elimination System (NPDES) Program ICR. It calculates the information collection burden and costs associated with the NPDES program, identifies the types of activities regulated under the NPDES program, describes the roles and responsibilities of state governments and the Agency, and presents the program areas that address the various types of regulated activities. This ICR renewal (Office of Management and Budget [OMB] control no. 2040-0004, EPA ICR no. 0229.25, expiration date 07/31/2026) consolidates the information collection burden and costs associated with activities previously reported in 22 of the NPDES program or NPDES-related ICRs. The Clean Water Act (CWA) provides that NPDES permits are required for the discharge of pollutants to waters of the United States. The CWA requires that EPA develop and implement the NPDES permit program. CWA section 402(b) allows states to acquire authority to administer the NPDES program, enabling them to issue NPDES permits for discharges within the state. At present, 47 states and the U.S. Virgin Islands are authorized to administer the NPDES permit program. In states that do not have authority for these programs, the Agency administers the program and issues NPDES permits. Because some permit applications are processed by states and some by EPA, this ICR calculates government burden and cost for both authorized states and EPA.

Form Numbers: OMB No. 1004-0189; OMB No. 2040-0300; OMB No. 2040-0004; OMB No. 2040-0284, OMB No. 2040-0287; OMB No. 6100-056; OMB No. 6100-057.

Respondents/affected entities: Any point source discharger of pollutants, including but not limited to publicly owned and privately owned treatment works (POTWs and PrOTWs), industrial dischargers to POTWs and PrOTWs, industrial and commercial dischargers to waters of the United States, sewage sludge management and disposal operations, large vessels, dischargers of stormwater, construction sites, municipalities, pesticide applicators, local and state

governments.

Respondent's obligation to respond: Mandatory, pursuant to sections 301, 302, 304, 306, 307, 308, 316(b), 401, 402, 403, 405, and 510 of the CWA; the 1987 Water Quality Act (WQA) revisions to CWA section 402(p); 40 (CFR) parts 122, 123, 124, and 125 (and parts 501 and 503 for Biosolids); and the Great Lakes Critical Programs Act (CPA).

Estimated number of respondents: 853,912 (total).

Frequency of response: The frequency of response varies depending on the specific response activity and can range from ongoing and monthly to once every five years.

Total estimated burden: 33,221,897 hours (per year). Burden is defined at 5 CFR 1320.03(b).

Total estimated cost: \$2,256,697,795 (per year), which includes \$38,342,315 annualized capital or operation & maintenance costs.

Changes in the Estimates: There is an increase of 2,078,802 hours in the total estimated respondent burden compared with the ICR currently approved by OMB. Due to improved electronic data collection, instead of paper submissions, EPA's estimates of permittee respondents increased from 9,310,277 in the current ICR to 10,837,897 in this version of the ICR, which reflects 16% increase. In addition, capital and O&M cost burden increased due to inflation which impacted factors such as laboratory analytic and labor costs.

Andrew D. Sawyers,

Director, Office of Wastewater Management.

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