

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.

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, 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.

Burden Statement: 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.

For current 305(b) and 303(d) reporting activities, the primary source we use in estimating burden for tasks to be performed by States is the State Water Quality Management Workload Model (SWQMWM), which estimates and sums the workload involved in more than one hundred activities or tasks comprising a State water quality management program.

The average annual burden per respondent for current 305(b) (59 respondents) and 303(d) (56 respondents) reporting activities is 6,491 hours and the total annual burden to all respondents is 372,403 hours. The table below displays a summary of the burden estimates.

AVERAGE OF ANNUAL BURDEN FOR 305(B) AND 303(D) REPORTING ACTIVITIES

Activity	Number of respondents	Total annual burden
1. Review regs and guidance for 305(b) & 303(d)	59	7,434
2. Plan and coordinate data acquisition and compile and screen data for assessments	59	65,490
3. Development and submission of complete 305(b) report and response to EPA comments	59	83,013
4. Develop, review and update 303(d) listing and de-listing methodology	56	46,536
5. Prepare 303(d) list (includes identifying waters, setting priorities, and schedules)	56	123,648
6. Required public outreach for 303(d) list	56	14,840
7. Submission of 303(d) list to EPA and response to EPA comments	56	12,208
8. Prepare annual electronic updates	59	19,234
9. Implement enhanced benefit cost of WQS	59	40,710
Total		413,113

The additional burden for States to assess the costs and benefits of achieving water quality standards depends on the level of detail and sophistication that the States choose to provide as well as factors such as the number of impaired waters in the State, the State's diversity of water resources, and the intensity of use of those resources. The estimate of the burden associated with the enhanced benefit cost analysis, resulting in an average increase in State burden of 690 hours annually.

We use a separate analysis to estimate the burden associated with current TMDL development. Based on estimates of the number of TMDLs per year (4,000), the total average current burden associated with developing TMDLs under the current 303(d) program is estimated to be 59,409 hours per respondent, and the total annual burden for all 56 respondents is estimated to be 3,326,904 hours.

To estimate respondent costs, we applied an average fully loaded cost per hour to the burden estimates. This fully

loaded hourly labor rate represents the total cost for obtaining an hour's worth of work, and includes: direct salary paid, paid or accrued vacation, paid or accrued sick leave, cost of other fringe benefits (*e.g.*, health, pension, etc.), general training, indirect expenses such as professional support (*e.g.*, clerical, accounting, supervisory, etc.), office space, utilities, telephone service, equipment (*e.g.*, fax machines, basic computing needs such as hardware and software, etc.), etc. The average annual cost to each respondent for current 305(b) and 303(d) reporting (including the enhanced benefit cost activities) is estimated to be \$298,227. The total annual costs imposed on all 59 respondents is estimated to be \$17,156,583. Average annual respondent costs for current TMDL development is estimated at \$2,467,256 per respondent and \$138,166,323 for all 56 respondents.

Agency burden estimates are based on EPA's prior experience in developing 305(b) and 303(d) guidance, preparing the Report to Congress, providing

technical support to respondents, and reviewing and approving/disapproving 303(d) lists and TMDL submissions. The hourly cost estimates were calculated for a technical federal position, Grade 10 Step 7 effective as of January 2003 (\$22.49 per hour). The total costs are based upon an overhead rate of 110 percent. The average annual Agency burden for 305(b) and 303(d) reporting activities is estimated at 9,089 hours at a cost of \$456,774. The cost of the Agency's additional burden to develop new guidance required by States to improve their estimates of the benefits and costs of achieving WQS is estimated at approximately \$300,000 which would be incurred during 2004 and 2005. Over the 3-year period of this ICR, the annual cost would be \$100,000 which translates into a burden of 2,117 hours annually. The annual average Agency burden and costs for TMDL review is 11,200 hours and \$528,976.

Respondent Total

Annual Burden: 3,740,017 hours per year.