

compare alternatives because an alternative with the lowest cost per illness/death avoided may not result in the highest net benefits. With the exception of alternative A1, the rule options look favorable from a cost

effectiveness analysis when you compare them to both the average cost of cryptosporidiosis illness (\$745 and \$245 for the two COI approaches) and the mean value of a death avoided—approximately \$7 million dollars.

Additional information about this analysis and other methods of comparing benefits and costs can be found in chapter 8 to the LT2ESWTR EA (USEPA 2003a).

TABLE VI-18.—COST PER ILLNESS OR DEATH AVOIDED

Data set	Rule alternative	Cost per illness avoided (\$)		Cost per death avoided (\$ millions, 2000\$)	
		3%	7%	3%	7%
ICR	A1	339	244	2.5	1.8
	A2	128	93	0.9	0.7
	A3—Preferred	107	78	0.8	0.6
	A4	62	45	0.4	0.3
ICRSSL	A1	1,098	789	8.0	5.7
	A2	356	259	2.5	1.8
	A3—Preferred	282	208	1.9	1.4
	A4	165	122	1.1	0.8
ICRSSM	A1	631	453	4.6	3.3
	A2	213	155	1.6	1.1
	A3—Preferred	170	125	1.2	0.9
	A4	99	73	0.7	0.5

Source: Chapter 8 of the LT2ESWTR Economic Analysis (USEPA 2003a)

L. Request for Comment

The Agency requests comment on all aspects of the proposed rule's economic impact analysis. Specifically, EPA seeks input into the following issues:

- Both of the methodologies for valuing non-fatal cryptosporidiosis and the use of a real income growth factor to adjust these estimates for the years 2008 through 2027;
- How can the Agency fully incorporate all toolbox options into the economic analysis?
- How can the Agency estimate the potential benefits from reduced epidemic outbreaks of cryptosporidiosis?

VII. Statutory and Executive Order Reviews

A. Executive Order 12866: Regulatory Planning and Review

Under Executive Order 12866, (58 FR 51735, October 4, 1993) the Agency must determine whether the regulatory action is “significant” and therefore subject to OMB review and the requirements of the Executive Order. The Order defines “significant regulatory action” as one that is likely to result in a rule that may:

- (1) Have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or

State, local, or Tribal governments or communities;

- (2) Create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;

- (3) Materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or

- (4) Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order.

Pursuant to the terms of Executive Order 12866, it has been determined that this rule is a “significant regulatory action.” As such, this action was submitted to OMB for review. Changes made in response to OMB suggestions or recommendations will be documented in the public record.

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 2097.01.

The information collected as a result of this rule will allow the States and EPA to determine appropriate requirements for specific systems, and to evaluate compliance with the rule. For the first 3 years after LT2ESWTR promulgation, the major information

requirements concern monitoring activities and compliance tracking. The information collection requirements are mandatory (part 141), and the information collected is not confidential.

The estimate of annual average burden hours for the LT2ESWTR during the first three years following promulgation is 145,854 hours. The annual average cost estimate is \$3.9 million for labor and \$9.8 million per year for operation and maintenance including lab costs (which is a purchase of service). The burden hours per response is 1.47 hours and the cost per response is \$138.12. The frequency of response (average responses per respondent) is 39, annually. The estimated number of likely respondents is 2,560 (the product of burden hours per response, frequency, and respondents does not total the annual average burden hours due to rounding). Note that the burden hour estimates for the first 3-year cycle include large system but not small system monitoring. Conversely, burden estimate for the second 3-year cycle will include small system monitoring but not large system, which will have been completed by then.

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