



Fact Sheet

Proposed Information Collection Request for a General Population Survey to Allow the Estimation of Benefits for the Clean Water Act Section 316(b) Cooling Water Intake Structures Rulemaking

Summary

The U.S. Environmental Protection Agency (EPA) is planning to submit a proposed Information Collection Request (ICR) to the Office of Management and Budget. This will be a new collection, and EPA is requesting public comment. EPA is seeking approval to implement a national stated preference survey instrument to value the benefits of the proposed regulation of cooling water intake structures (CWIS) at Clean Water Act (CWA) section 316(b) existing facilities. These facilities include electric generators and manufacturing facilities that use more than 25 percent of their water withdraws for cooling purposes. The survey will allow EPA to estimate total benefits for the proposed regulatory options and fulfill Executive Order 12866 which requires the estimation of the potential benefits and costs to society of the rulemaking.

Background on CWA Section 316(b)

The withdrawal of cooling water harms billions of aquatic organisms each year, including fish, shellfish, and marine mammals. Most damage is done to early life stages of fish and shellfish. Technology-based standards for intakes respond to the CWA mandate to minimize environmental impacts. Impacts are defined as impingement (where aquatic organisms are pinned against screens or other parts of a CWIS) and entrainment (when organisms are killed or injured as they are drawn through cooling water systems). EPA is currently developing section 316(b) regulations for CWISs at existing facilities.

Regulations for existing facilities under section 316(b) were previously promulgated in both 2004 and 2006. Litigation followed both of these actions, and now EPA is looking to combine and re-promulgate rules for all existing CWIS facilities.

As part of the litigation process from the previous 316(b) rules the U.S. Supreme Court, in 2009, held that the Agency *may* consider cost-benefit analysis in choosing among regulatory options, but did not hold that the Agency *must* consider it.

EPA is required by Executive Order 12866 to estimate the social costs and benefits of this rule.

Proposed Stated Preference Survey

This stated preference survey will utilize the conjoint (or choice experiment) framework.

The target population for this stated preference survey is all individuals from continental U.S. households who are 18 years of age or older. The population of households will be stratified by the geographic boundaries of five study regions: California, Great Lakes, Inland, Northeast, and Southeast. Survey participants will be recruited through random digit dialing and asked to complete a voluntary questionnaire. EPA's intention is to obtain 2,000 completed household surveys.

Data from the stated preference survey will be used to estimate values (willingness to pay) derived by households from changes related to the reduction of fish losses at CWIS. EPA has designed the survey to provide data to support the following specific objectives:

- the estimation of the total values that individuals place on preventing losses of fish and other aquatic organisms caused by 316(b) facilities;
- to understand how much individuals value preventing fish losses, increasing fish populations, and increasing commercial and recreational catch rates;
- to understand how such values depend on the current baseline level of fish populations and fish losses, the scope of the change in those measures, and the certainty level of the predictions; and
- to understand how such values vary with respect to individuals' economic and demographic characteristics.

Data analysis and interpretation is grounded in a standard random utility model and will be statistically estimated using either a fixed or random effects mixed logit framework.

Additional Information

For further information about this ICR, please write to:

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E-mail: helm.erik@epa.gov You can view or download the complete text of the *Federal Register* notice, the survey instrument, and the ICR Support Statement on the Internet at: <http://www.epa.gov/waterscience/316b>.