

^SUPPORTING STATEMENT
FOR
INFORMATION COLLECTION EFFORT FOR FACILITIES WITH COMBUSTION UNITS

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U.S. Environmental Protection Agency
Research Triangle Park, North Carolina 27711

PART A OF THE SUPPORTING STATEMENT

INFORMATION COLLECTION EFFORT FOR FACILITIES WITH COMBUSTION UNITS

1. *Identification of the Information Collection*

(a) *Title of the Information Collection*

“Information Collection Effort for Facilities with Combustion Units.” This is a new ICR that has been assigned ICR number 2286.01 and OMB Control Number 2060-NEW.

(b) *Short Characterization*

This information collection is being conducted by EPA’s Office of Air and Radiation (OAR) pursuant to section 114 of the Clean Air Act, as amended (“CAA” or “the Act”), to assist the Administrator of EPA in developing emissions standards for boilers/process heaters and commercial and industrial solid waste incineration units (collectively, “combustion units”) pursuant to sections 112(d) and 129 of the Act. Section 114(a) states, in pertinent part:

For the purpose...(iii) carrying out any provision of this Chapter...(1) the Administrator may require any person who owns or operates any emission source...to- . . .(D) sample such emissions (in accordance with such procedures or methods, at such locations, at such intervals, during such periods and in such manner as the Administrator shall prescribe); (E) keep records on control equipment parameters, production variables or other indirect data when direct monitoring of emissions is impractical.. .(G) provide such other information as the Administrator may reasonably require...

This information would also be made available to the public.

There will be two components to the information collection. Currently, facility-level information (facility name, location, and contact information) is available for boiler/process heater facilities that submitted an initial notification, were identified by states, or had a Title V permit condition to comply with 40 CFR Part 63 Subpart DDDDD which was promulgated in September 2004 (see *69 FR 55218*) (the 2004 boiler standard). As described below, this subpart was vacated by the U.S. Court of Appeals for the District of Columbia Circuit on June 8, 2007. Most initial notifications and state lists contain either minimal or no information about the affected combustion unit itself (capacity, materials combusted, operating schedule, combustor design). To obtain the information necessary to identify and categorize all combustion units

potentially affected by the revised standards for boilers/process heaters and for commercial and industrial solid waste incineration units (“CISWI units”), the first component of this ICR will solicit information from all potentially affected combustion units in the format of an electronic survey. The survey will be submitted to the following facilities: (1) all facilities that submitted an initial notification for the 2004 boiler standard, (2) all facilities identified by states as being subject to the 2004 boiler standard, and (3) facilities that are classified as a major source in their Title V permit that have a boiler or process heater listed in their permit.

The survey will also be sent to units covered by the 2000 emissions standards for commercial and industrial solid waste incineration units (40 CFR Part 60 Subpart CCCC) (2000 CISWI standards) and to facilities that have incineration units that were listed as exempt under the 2000 CISWI standard. As described below, the D.C. Circuit Court of Appeals granted EPA’s motion for voluntary remand of these standards.

A facility will complete the survey for all¹ combustion units located at the facility. If a facility receiving the survey has an incinerator, they will be required to complete a separate survey section to classify their incinerator’s design, operations, air pollution control, emissions, and materials combusted.

The second component will consist of requiring, if deemed necessary, the owners/operators of up to a total of 350 combustion units to conduct emission testing for hazardous air pollutants (HAP) and HAP surrogates, as well as pollutants identified in section 129(a)(4). The Agency will analyze the results of the survey to determine if sufficient data exist to develop emission standards under sections 112(d) and 129 of the Act for all types of combustor units and all types of materials combusted. If data are not sufficient, then the Agency will design a statistical sample to select pools of candidates to conduct emission testing. The Agency will submit a list of candidates within each category to stakeholders, who will then have an opportunity to comment on the technical feasibility and least-cost impact of the testing program. The Agency will then make a random selection of test sites, within each category, after taking into account stakeholder comments. The sites selected will conduct an

¹ See the complete definition of combustion unit in survey definitions page in Attachment 2H of this document to see what units at the facility are exempted from this survey.

outlet stack test in accordance with EPA-approved protocols, for any or all of the following pollutants: CDD/CDF, PM, HCl, Cd, Hg, Pb, and opacity. The site may also be asked to collect CEM data using a mobile CEM device for CO, O₂, NO_x, or SO₂. The number and types of stack tests or CEM data collection activities required at each test site will depend on the types of data gaps after the survey results have been analyzed. The testing will consist of three runs at each sampling location, and is to be in accordance with a specified testing method. The owner/operator of each selected combustion unit will also be required to collect and analyze, in accordance with an acceptable procedure, a statistically appropriate number of samples for analysis from the material(s) fed to the combustion unit during each stack test. The results of the stack tests and the analyses of materials combusted will be required to be submitted to the Agency.

The EPA estimates the cost of the electronic survey component of the information collection will be a total of 82,403 hours and \$6,207,789 over the three years. The total annual reporting and recordkeeping burden for the stack testing component of the data gathering effort is estimated to be no more than 29,584 hours and \$33,748,769 total over the three years.

The owner/operator of each selected combustion unit required to conduct stack testing and concurrent sampling and analysis of materials combusted will be required to keep records: i) documenting that material samples taken during each stack test run were obtained in accordance with an approved sampling protocol; ii) establishing proper chain of custody for each material sample; iii) describing the QA/QC procedures followed in preparing each material sample for analysis and performing the required analysis; iv) setting forth the results of the analyses performed on each material sample; v) documenting that each stack test was conducted in accordance with an approved testing protocol; vi) describing the QA/QC procedures followed in preparing for each stack test; and, vii) setting forth the results of each stack test.

2. Need for and Use of the Collection

(a) Need/Authority for the Collection

Industrial, commercial, and institutional boilers and process heaters were listed as a major source category of HAP on July 16, 1992 (57 FR 31576). Major sources of HAP are

those that have the potential to emit greater than 10 ton per year (tpy) of any one HAP or 25 tpy of any combination of HAP.

Section 112(c)(2) of the Act requires that we establish a National Emission Standard for Hazardous Air Pollutants (NESHAP) for control of HAP from both existing and new major sources, based upon the criteria set out in the Act section 112(d). The Act requires the NESHAP to reflect the maximum degree of reduction in emissions of HAP that is achievable, taking into consideration the cost of achieving the emission reduction, any non-air quality health and environmental impacts, and energy requirements. This level of control is commonly referred to as the MACT. The minimum control level allowed for NESHAP (the minimum level of stringency for MACT) is the “MACT floor,” as defined under section 112(d)(3) of the CAA. The MACT floor for existing sources is the emission limitation achieved by the average of the best-performing 12 percent of existing sources for categories and subcategories with 30 or more sources, or the average of the best-performing five sources for categories or subcategories with fewer than 30 sources. For new sources, the MACT floor cannot be less stringent than the emission control achieved in practice by the best-controlled similar source.

Section 129(a) of the Act requires EPA to promulgate emissions standards and other requirements for “each category of solid waste incineration units[,]” including “units combusting commercial and industrial waste.” For each category, EPA must establish numerical emission limits for at least nine specified pollutants, and must set MACT-type standards for the category. See sections 129(a)(2) and (a)(4).

A NESHAP for boilers and process heaters was promulgated at 40 CFR Part 63 Subpart DDDDD on September 2004 (see 69 FR 55218). Emissions standards for CISWI units were promulgated at 40 CFR Part 60 Subpart CCCC on December 1, 2000 (see 65 FR 75338). Separately, EPA promulgated a rule revising the definition of “commercial and industrial solid waste.” (70 FR 55568). The CISWI standards were remanded to EPA by the D.C. Circuit Court of Appeals, which granted EPA’s motion for voluntary remand of the standards on September 6, 2001. Sierra Club V. EPA, No. 01-1048. The boiler/process heater NESHAP was vacated by the D.C. Circuit Court of Appeals on June 8, 2007. NRDC V. EPA, 489 F.3d. 1250 (D.C. Cir. 2007). The NRDC court remanded the NESHAP to EPA, requiring the Agency to revise the 2004 boiler standard and the associated MACT floors. In the same decision, the court also vacated and remanded EPA’s CISWI definitions rule, in which the Agency had defined “commercial and

industrial solid waste” to exclude combustion in units that burn materials for energy recovery. The court held that the plain meaning of the statute required EPA to regulate under section 129 of the Act “any” facility which combusts “any” solid waste material. Under section 129, “solid waste” is to have the meaning established by the Administrator under the Solid Waste Disposal Act. Therefore, combustion units that combust any solid waste will be subject to emissions standards under section 129. Combustion units that do not combust any solid waste will be subject to emissions standards under section 112.

Both the 2004 boiler standard and the 2000 CISWI standard were based on information on combustion units gathered for the Industrial Combustion Coordinated Rulemaking, complimented by additional survey data received from facilities combusting non-fossil materials. These data sources are over 10 years old. When the Agency recently compared these data to facilities submitting initial notifications to comply with the vacated 2004 boiler standard, a large disparity was identified in the number of potentially affected units at major sources of HAP. Since the last combustion unit data gathering effort, many sources have shut down, others have selected to operate with a limit on their HAP emissions in order to avoid being subject to the boiler and process heater NESHAP, and some units have switched out older solid fuel units for newer equipment due to increased insurance and maintenance costs. Therefore, the Agency has concluded that obtaining updated information will be crucial to informing its decision on a revised NESHAP standard for boilers and process heaters and on revised standards for CISWI units.

For boilers and process heaters, which are regulated under section 112(d) of the Act, the Agency has identified a small number of emission test reports that were submitted to delegated authorities in order to demonstrate compliance with the vacated NESHAP standard. Additionally, since the compliance date of the vacated standard was only three months after the court’s ruling to vacate the standard, the Agency believes that there are several other emission test reports available for facilities with affected boilers or process heaters, but that these reports were not submitted to the delegated authority as a result of the vacatur of the standards. As part of the electronic survey (first component) of this information collection request, the Agency will request that facilities submit a summary of all available emission test data and related fuel analyses. However, after EPA has received and reviewed the survey responses, if the Agency still has data gaps for certain combinations of pollutant, fuel, and combustor types, the Agency

may request under authority of section 114(a) that data gaps be filled by conducting a stack test of the relevant gaps in emission data. Currently, the Agency expects that the emission data gaps identified will more than likely be for section 129 pollutants for those facilities combusting solid waste.

(b) Use/Users of the Data

The data collected will be used to revise the population of potentially affected combustion units under sections 112 and 129 of the Act, and update existing emission test data and material analysis information. These data will be used by the Agency to develop a revised NESHAP for boilers and process heaters under sections 112 of the Act, and revised standards for incineration units covered by section 129 of the Act. Specifically, the data will respond in part to the two research needs noted in Section 2(a), providing the Agency with updated information on the number of potentially affected units, available emission test data and fuel/material analysis data to address variability. A statistically significant subset of units from categories with emission data gaps may be required to conduct stack tests. The data will be used to complete emission data gaps for calculating the MACT floors, setting emission limits, and evaluating the emission impacts of various regulatory options for these revised rulemakings. All data collected will be added to existing emission test databases for boilers, process heaters, and when appropriate, incineration units. The data will also be used to further evaluate the HAP emissions from these sources.

3. Non-duplication, Consultations, and Other Collection Criteria

(a) Non-duplication

The Agency recognizes that some of the information requested in the first component of this information collection effort may already be included in the submittals being made by individual companies, pursuant to state and national emission inventories, operating permit applications, and initial notification forms. However, the complete extent of the data fields requested under this electronic survey is not available in a consistent and usable format. Additionally, none of these three sources provide any data on fuel/material analyses or emission test results. Although some state permits are provided to the public as searchable electronic files, many states do not provide electronic versions of their issued Title V permits. Even when the permit is available, often the unit-specific fuel/material and operating data is

unavailable. Some or most of the initial notifications submitted are available in hard-copy only, whereas only the facility-level information (facility name, location, contact) is available in an electronic spreadsheet. Other than the emission test data submitted prior to the compliance date, information requested pursuant to the unit design and operations, fuel/material analyses, emissions data, and effectiveness of various control devices at removing HAP is not believed to be available from other sources and, therefore, will be used to supplement the information which may currently be available from other sources.

(b) Public Notice Required Prior to ICR Submission to OMB

This ICR was submitted for public review and comment on December 7, 2007. EPA has considered public comments on the combustion unit test program in preparing this ICR.

(c) Consultations

Significant input and information was received from the affected industry regarding the survey structure and content. The Agency also worked with EPA Regional Offices and State delegated authorities to collect initial notification data and other lists of facilities that may be affected by the revised standard. The comments and data received were reviewed and utilized in the development of the draft survey (see Attachment 2) and initial estimates of respondents, burden, and costs related to this ICR. An opportunity for additional comment was provided by the December 7, 2007 Federal Register requesting public review and comment of the draft ICR. Eleven organizations listed below provided comments on this ICR:

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| – Council of Industrial Boiler Owners (CIBO) | – Alliance of Automobile Manufacturers (Alliance) |
| – National Association of Clean Air Agencies (NACAA) | – American Chemistry Council (ACC) |
| – Natural Resources Defense Council (NDRC) | – American Municipal Power – Ohio (AMP-Ohio) |
| – American Forest and Paper Association (AF&PA) | – Florida Sugar Industry (FSI) |
| – Occidental Chemical Corporation (OCC) | – Alexander & Baldwin – Hawaiian Commercial and Sugar Company (A&B) |

- National Council for Air and Stream Improvement (NCASI)

Many commenters requested that EPA separate the ICR survey component from the ICR testing component. CIBO requested that the Agency allow for formal notice and comment on the survey data, assessment of data gaps and test plan after compiling existing data from the survey. However, EPA is currently required by a court order issued by the U.S. District Court for the District of Columbia to meet its obligations under section 112(c)(6) of the Act by a date certain. In order to meet these obligations, EPA will need to complete the boilers and CISWI standards by that date. Therefore, the Agency is proceeding with a combined ICR with two components: an electronic survey and testing. In consideration of public comment, the Agency has revised its approach in selecting test sites, to address the commenters' concerns of "random" test site selection.

The public provided comments on five aspects of the survey component of the ICR: the content and wording of survey questions and definitions, the applicability of the shortened section for natural gas boilers, the software program or technique used to administer and collect the data, the timeframe associated with the data collection, and the schedule for responding to the survey.

- In response to these comments, the Agency has modified the format and content of certain questions, and clarified definitions. Refer to attachments 2A – 2E for revised survey text, associated spreadsheets, and definitions.
- Several commenters asked for clarification of which units could complete the shortened survey section for natural gas fired units. This section of the survey asked questions about groups of similar units instead of unit-specific data. Some of the commenters requested that this section be limited to small units (i.e., less than 10 mmBtu/hr). The Agency has clarified the definition of small gas units to indicate that this shortened section applies to units less than 10 mmBtu/hr that fire only natural gas, refinery gas, liquefied petroleum gas (LPG) or propane. If these units use #2 distillate as a back-up fuel, the shortened survey section still applies. Other gaseous fuels such as landfill gas, biogas, and coal-derived gas that were included in the gaseous fuel definition under the vacated boiler NESHAP are not eligible to complete the shortened survey section, and must submit unit-specific data. Large (i.e., at least 10 mmBtu/hr) gaseous fuel units must also submit unit-specific data.
- Several commenters noted that they agreed with a web-based and electronic survey format. However, they requested that the web-based software allow for respondents to work

'offline' on the survey in order to conduct an internal review of the data before submitting to EPA. Due to the limitations of the WebSurveyor© software to provide for an internal review without actually submitting the survey, EPA has modified the survey format so that respondents will use a series of Excel spreadsheets as an answer key. The Excel spreadsheets will match up to each section of the survey text. The headings of each column of the spreadsheet will match up to the survey question numbers. Respondents can circulate this spreadsheet and the survey questions for internal review prior to submitting to the Agency. Respondents will be able to download the spreadsheets from a survey Web-site. After the response has gone through an internal review, the respondent can submit the completed spreadsheets to either an Agency e-mail account administered by the survey coordinators, or send them to the Agency on a CD-rom.

- Several commenters wanted the agency to clarify the timeframe for the survey responses. Some respondents wanted EPA to collect the most recent data. Others wanted to exclude data collected after the date of proposal or promulgation of the vacated NESHAP standard. Others wanted the Agency to accept all data since a certain date (i.e., 1999). The Agency has clarified within the survey questions that the responses reflect the data available for the facility and unit in question. There are several opportunities in the survey for facilities to provide data on their control configuration, emission test data, fuel/material analysis data prior to the vacated standard. Each worksheet contains a field to provide a date associated with the data. The Agency will evaluate the date of information received when developing a revised standard.
- Several commenters requested that EPA extend the length of the period for responding to the survey, and some noted that facilities may be shut down in the summer months, which is the anticipated schedule for the survey component. As described above, EPA must issue the boiler and CISWI standards by a date certain pursuant to a court order. Therefore,, the Agency is not extending the 45-day response period for the survey component. EPA believes this is sufficient time to complete the survey component, since the survey does not require collecting any new data or information.

The public also provided comment on ten aspects of the combustion unit test program portion of the ICR: the schedule for the testing, the cost estimates associated with testing, criteria for selecting test sites, need for paired inlet and outlet testing, pollutants to be tested for, the population of units eligible for the test, the sample design, how to submit the data, and incentives and funding for testing.

- See section 5(d) of this supporting statement for a revised test schedule.

- Based on public comments on the cost estimates for testing, the Agency reviewed cost estimates of the 2005 OSWI rulemaking, to obtain a comparative estimate for the costs to conduct testing on section 129 pollutants. The Agency also consulted an emissions testing contractor to estimate the costs of renting CEM equipment and collecting CEM data for CO, O₂, SO₂, and NO_x. See Attachment 3B for a revised cost estimate for the combustion unit test program.
- Several commenters expressed concern on the Agency’s plan to select test sites “at random.” Section 5(d) of this supporting statement addresses these concerns and includes a plan for the Agency and stakeholders to review and comment on the technical feasibility and relative cost impacts of stack testing within a group potential test sites.
- Section 4(b) of this supporting statement discusses how the results of the emission tests will be submitted and which pollutants will be tested.
- Section 3(d) of this supporting statement discusses the Agency plans to remove the paired sampling requirement from the tests.
- Part B of this supporting statement addresses the public comments provided on the population of units eligible for the test, and the sample design.
- Several commenters indicated that the Agency should provide some type of enforcement, compliance, or financial incentive for the testing such as exemptions from performance testing, an EPA funded test program for small entities, or a method to spread the costs among all potential affected sources. At this time the Agency does not have the resources to fund a test program, and a cost sharing program would be impractical to implement, especially in the time frame of these rulemakings. The EPA will take into account requests for compliance test waivers at the time of the rulemaking for the revised standard, as allowed under 40 CFR 63.7(h)(2).

There were additional miscellaneous comments provided on the following issues. Several comments were made on how the Agency should address the revised rulemaking approach. These comments are not relevant to the collection of information and are more appropriately addressed in the context of the boiler and CISWI rulemakings, as appropriate. AF&PA requested that a sector-specific survey approach be used for their members. Given the diversity of sectors potentially affected by this rule, the Agency will not be using sector-specific surveys in this ICR. However, the Agency has incorporated several changes to the survey questions and the list of fuel/material types to address some of the sector-specific issues raised by AF&PA. Several commenters asked if EPA Regional offices will audit a sample of the stack tests, or if the Agency assumed that state inspectors will audit the tests. EPA Regional Offices

and the state authorities will be notified of the test. There is no requirement that the tests be audited. However, the Agency has included in its burden estimate for the Federal government an assumption that five percent of the tests will be audited.

(d) *Effects of Less Frequent Collection*

This ICR will require the owner/operator of each facility at which a potentially affected combustion unit is located to complete an electronic survey of the unit design, operations, fuel/material consumption, and available fuel/material analysis and emissions data. This ICR will request that the single most recent fuel/material analysis and emissions test data be submitted; however respondents are allowed to also submit earlier fuel/material analyses and/or emissions data at their discretion. The EPA expects the information requested in this survey to be a one-time effort.

For the stack testing component of this information collection, one of the most important requirements in sample design is that of determining how large a sample is needed for the estimates obtained in those selected samples (or units) to be reliable enough to meet the objectives of the study. In the determination of sample sizes for studies where virtual certainty (i.e., a high level of reliability) is needed, a level of 95 percent confidence is established to assure the objectives of the study will be met. For this particular collection effort, a maximum of 350 samples will be collected, which is based on the total solid-fuel population from the boiler survey and inventory databases that were compiled in 1997. The 1997 boiler survey and inventory databases had approximately 3,894 solid-fuel fired units, or units that fired a combination of solid fuels and other fuels.² The 350 samples will be allocated across categories based on fuel/material type and combustor design. As previously mentioned, the number of categories, as well as the number of samples may be reduced depending on the number of units responding to the electronic survey, as well as the types of categories for which the Agency has identified data gaps. Each stack test will be comprised of 3 outlet test runs. Several commenters indicated that paired sampling is unnecessary and overly burdensome. Additionally, they indicated that the duct configuration and number of sampling ports at some units make paired sampling unfeasible. MACT standards are based on outlet emission rates. Commenters also stated that the costs

² See Memorandum in Docket EPA-HQ-OAR-2002-0058: Alvis, J., C. Burlew, and R. Oommen. Development of Model Units for the Industrial/Commercial/Institutional Boilers and Process Heaters National Emission Standards for Hazardous Air Pollutants. October 2002.

and technical feasibility of paired sampling will limit the potential test sites. Therefore, the Agency has revised its test plan to allow for outlet-only testing.

(e) General Guidelines

This ICR will adhere to the guidelines for Federal data requestors, as provided at 5 CFR 1320.6.

(f) Confidentiality

(i) Confidentiality. Respondents will be required to respond under the authority of section 114 of the Act. If a respondent believes that disclosure of certain information requested would compromise a trade secret, it should be clearly identified as such and will be treated as confidential until and unless it is determined in accordance with established EPA procedure as set forth in 40 CFR Part 2 not to be entitled to confidential treatment. All information submitted to the Agency for which a claim of confidentiality is made will be safeguarded according to the Agency policies set forth in Title 40, Chapter 1, Part 2, Subpart B -- Confidentiality of Business Information (see 40 CFR 2; 41 FR 36902, September 1, 1976; amended by 43 FR 39999, September 28, 1978; 43 FR 42251, September 28, 1978; 44 FR 17674, March 23, 1979). Any information subsequently determined to constitute a trade secret will be protected under 18 U.S.C. 1905. If no claim of confidentiality accompanies the information when it is received by the EPA, it may be made available to the public without further notice (40 CFR 2.203, September 1, 1976). Because section 114(c) of the Act exempts emission data from claims of confidentiality, the emission data provided may be made available to the public. Therefore, emissions data should not be marked confidential. A definition of what the EPA considers emissions data is provided in 40 CFR 2.301(a)(2)(i).

Additionally, respondents can choose to either mail a CD with electronic data or e-mail the spreadsheets to the survey administrators.

(ii) Sensitive questions. This section is not applicable because this ICR will not involve matters of a sensitive nature.

4. The Respondents and the Information Requested

(a) Respondents/NAICS Codes

Respondents affected by this action are owners/operators of industrial, commercial, and

institutional boilers and process heaters as defined under the vacated boiler and process heater NESHAP:

Boiler means an enclosed device using controlled flame combustion and having the primary purpose of recovering thermal energy in the form of steam or hot water. Waste heat boilers are excluded from this definition.

Process heater means an enclosed device using controlled flame, that is not a boiler, and the unit's primary purpose is to transfer heat indirectly to a process material (liquid, gas, or solid) or to a heat transfer material for use in a process unit, instead of generating steam. Process heaters are devices in which the combustion gases do not directly come into contact with process materials. Process heaters do not include units used for comfort heat or space heat, food preparation for on-site consumption, or autoclaves.

and owners/operators of commercial and industrial solid waste incineration units as defined under 40 CFR Part 60 Subpart CCCC:

Commercial and industrial solid waste incineration (CISWI) unit means any combustion device that combusts commercial and industrial solid waste.

The definitions above are not intended to indicate the definitions of each category that will be used in developing the revised boiler and process heater NESHAP and the revised CISWI standards. Rather, the definitions are taken from the 2004 NESHAP and the 2000 CISWI standards in order to ensure that the scope of respondents includes all sources expected to be subject to one or the other set of revised standards.

Table 1 below presents some examples of potentially affected entities according to NAICS code. This list is not exhaustive. Boilers and process heaters are located at a large variety of NAICS codes.

Category	NAICS code	Example of Potentially Affected Entities
Any industry using a combustion unit as defined in either rulemaking.	211	Extractors of crude petroleum and natural gas
	321	Manufacturers of lumber and wood products
	322	Pulp and paper mills
	325	Chemical manufacturers
	324	Petroleum refineries, and manufacturers of coal Products
	316	Manufacturers of rubber and miscellaneous plastic Products

	331	Steel works, blast furnaces
	332	Electroplating, plating, polishing, anodizing, and Coloring
	336	Manufacturers of motor vehicle parts and accessories
	221	Electric, gas, and sanitary services
	622	Health services
	611	Educational services

According to the distribution of SIC codes in the 1997 boiler survey and inventory data, a majority of boilers and process heaters at major sources were located at privately-owned facilities. The Agency expects that the new population of facilities responding to the survey will have a similar distribution of public vs. private ownership, such that approximately 3 percent of the facilities responding to the survey will be from the public sector. Within the public sector, the Agency has estimated that 50 percent of affected entities will be located at Federal facilities, while the remaining 50 percent of public sector facilities will be located at state/local/tribal entities.

Attachment 1 presents a preliminary count of potential survey respondents (boiler/process heater facilities) by state. This list was derived based on review of initial notification submissions, reports submitted for health-based compliance alternatives, state Title V permits, and other state agency lists of facilities with potentially affected units. The Agency is compiling a mail merge document to administer this survey to recipients. The intended recipients are expected to be facilities that are classified as major sources of HAP that have a qualifying boiler or process heater as defined in section 4(a) of this supporting statement, have known CISWI units covered by the 2000 CISWI standards, or have incineration units that were listed as exempt under the 2000 CISWI standard.. Some recipients of the survey may have been reclassified as an area source or asked their state authority to limit their HAP emissions in order to avoid classification as a major source. Although these respondents are area sources of HAP, the Agency requests that these facilities complete the survey. The data collected from these area sources will be useful to the Agency when developing the area source NESHAP for boilers and process heaters. In addition, if a survey recipient operates an incinerator in addition to boilers and process heaters, the Agency requests that the facility complete a separate section to

characterize the incinerator.

(b) Information Requested

(i) Data items, including recordkeeping requirements. The proposed combustion unit data gathering effort will have two components: i) identification and confirmation of existing unit, fuel/material combusted, control technology, and emissions data, and ii) stack testing. The first component will apply to all combustion units located at facilities that either submitted an initial notification under the vacated boiler NESHAP standard or facilities designated as major sources of HAP in their Title V permits that have a boiler or process heater listed as one of their emission sources or have a known CISWI unit. The second component will apply to the owners/operators of a limited number of entities within specified subsets. Attachments 2A-2E present a draft copy of the questionnaire content, associated linked spreadsheets, and definitions that would be presented to each respondent.

The first component, an electronic survey, will require each respondent to provide information to the Agency that allows for identification and categorization of the units based on unit design and operations, fuel/material type, and/or combustor design. The survey will also request submission of the most recent fuel/material analyses and emission test data that are readily available. The Agency will be requesting emissions stack test data for all HAP and HAP surrogates discussed in the vacated boiler and process heater NESHAP, which include: HCl, Hg, As, Be, Cd, Cr, Pb, Mn, Ni, Se, PM, and CO. NACAA commented that the Agency should collect data to demonstrate correlation between HAP surrogates and HAP if they will continue to use surrogates in the revised standard. The Agency agrees and is therefore asking for available data on HF_l, Cl₂, organic HAP (acetaldehyde, benzene, formaldehyde, toluene, xylenes), and PAH. PAH is expressed in the survey spreadsheet as either 7-PAH, which consists of benz(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene, dibenz(a,h)anthracene, and indeno(1,2,3-cd)pyrene, or 15-PAH which consists of acenaphthene, acenaphthylene, anthracene, benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(g,h,i)perylene, benzo(k)fluoranthene, dibenzo(a,h)anthracene, dibenzofuran, fluoranthene, fluorene, Indeno(1,2,3-cd)pyrene, phenanthrene, and pyrene)). The Agency is asking for this data only as it may be available.

The Agency will also request available stack test data for additional pollutants that are

regulated under section 129, which include: Dioxins/Furans, and CEM data for SO₂, opacity, NO_x, and CO. Finally, the Agency will request CEM data for, O₂ and CO₂ that were collected during the tests for other 112 or 129 pollutants. These two compounds can be used as correcting factors for reporting other emission data. The information currently available for these combustion units is out of date and insufficient for developing a boiler and process heater NESHAP, area source boiler rule, and revised rulemakings under section 129. Since the Agency is asking for these data only as they are available, facilities should submit the most recent stack test data and most recent CEM data for each pollutant on Attachment 2B-2D, regardless of the type of fuel/material used in the combustion unit. If a unit does not have stack test or CEM data available for one of the pollutants on the list, the respondent may leave that data field blank. Since the questionnaire will be sent to facilities that may have an incinerator installed, as well as other combustion devices, at the same site as boilers and process heaters, the survey also requests data on the design, operations, fuel and emissions from these units.

The second component, stack testing, will require three outlet runs according to an EPA-approved test method. The pollutants to be tested for during the stack tests are expected to be some subset of the pollutants discussed in the paragraph above. The exact number and type of pollutant stack tests will be determined based on the resulting data gaps after the Agency has analyzed the responses to the electronic survey. If there are data gaps on units burning only fossil fuel (i.e., missing metals data for small liquid fuel units) these units would be required to test only for the section 112 HAP or HAP surrogates that have been identified as data gaps. If there are data gaps on non-fossil or other³ fuels/materials, the Agency may request the unit to test for any or all of the section 129 pollutants or surrogates that have been identified as data gaps as well as any or all of the section 112 HAP or HAP surrogates that have been identified as data gaps. During the stack testing, collection and analyses of three as-fired fuel/material samples taken at intervals throughout the testing period will be required. The results of each series of stack tests and fuel/material sample analyses will be required to be reported to the EPA using a specified standardized electronic format. Commenters have expressed concern that the Agency not use the Electronic Reporting Tool (ERT) to collect the results of the stack tests

³ See the complete definition of non-fossil and other fuel/materials in survey definitions page in Attachment 2E of this document.

and CEM data averages. Based on these concerns, the Agency will not require recipients to use the ERT to report data.

Specified QA/QC procedures will be required for each part of the combustion unit data collection effort. The Agency requires that for all environmental data operations (EDOs) a Quality Assurance Project Plan (QAPP) be written to document the type and quality of data needs for environmental decisions. An EDO is any work performed to obtain, use, or report information pertaining to environmental processes and conditions. For the purposes of the stack testing requirement, a generic QAPP will be sent with the section 114 letter requesting a particular unit to be tested. Any modifications that need to be made to this QAPP for any facility should be sent to the EPA for review.

(ii) Respondent activities. The activities a respondent will undertake to fulfill the requirements of the information collection are presented in Attachments 3A and 3B. These include: i) read instructions; ii) provide information on each affected source through electronic survey instrument; iii) submit hardcopy of emission test report or fuel/material analysis (if requested by Agency) iv) secure stack test contractor and review proposal (if one of the units selected); v) conduct fuel/material sampling (if one of the units selected for stack testing); vi) conduct stack testing (if one of the units selected); vii) monitor stack testing (if one of the units selected); viii) review stack sampling data for accuracy and completeness (if one of the units selected); ix) submit stack sampling data (if one of the units selected); and x) prepare report for stack test.

5. The Information Collected--Agency Activities, Collection Methodology, and Information Management

(a) Agency Activities

A list of activities that will be required of EPA is provided in Attachment 4. These include: i) develop electronic questionnaire; ii) develop generic QAPP; iii) review and analyze responses; iv) determine sites to be emission tested; v) answer respondent questions; vi) audit stack tests; vii) review stack sampling data for accuracy and completeness; viii) analyze fuel sampling data; ix) analyze stack sampling data; and x) analyze requests for confidentiality.

(b) Collection Methodology and Management

In collecting and analyzing the information associated with this ICR, the EPA will use personal computers, Microsoft Excel© spreadsheets, and applicable database software. The EPA will ensure the accuracy and completeness of the collected information by reviewing each submittal. The information collected pursuant to the combustion unit data gathering effort will be maintained in a computerized database. To better facilitate uniformity in the format of the reports that are received, and, thus, increase the ease of database entry, standardized survey questions, responses, and excel spreadsheet forms will be developed and distributed to respondents.

(c) Small Entity Flexibility

All respondents required to comply with the combustion unit data gathering effort will be subject to the same requirements. The EPA expects that a portion of the respondents may be small entities; however, any individual small entity would be expected to receive only one section 114 letter so their response burden will be minimized. The Agency has also opted to use an electronic format of the questionnaire, which will pass through certain common data items so as to not require duplicate data entry, in order to reduce the burden and improve the data accuracy from all respondents, including small entities. In addition, the survey will contain questions to determine the small entity status of a facility. These questions will help to identify, quantify, and minimize the burden on small entities during the rulemaking process. When selecting the final sites to be tested, the Agency will work with industry to select a pool of testing candidates considering the least cost impact, including minimizing the impact on small entities.

This ICR also estimates the number of small entities that may be affected by the electronic survey and the testing program. In the vacated boiler standard, the Agency identified 185 of the 576 (32 percent) entities owning affected facilities as small entities. Although the population of affected units has changed since the vacated boiler standard was promulgated, the Agency is assuming that the proportion of affected entities in the public sector remains similar.

(d) Collection Schedule

The EPA anticipates issuing the first section 114 letters by June 30, 2008. These section 114 letters would require the owner/operator of each combustion unit to complete the survey

within 45 days of receipt of the survey. EPA would compile and analyze the survey response data, evaluate data gaps and units potentially subject to section 129. EPA would then select test site candidates within each data gap group, if needed, and submit these sites to stakeholders for review and comment on the practicality and costs associated with testing at these locations. Stakeholders would have 15 days to comment on the selection of facilities. EPA would evaluate these comments within 15 days and then send the second section 114 letters as soon as possible to a subset of units required to conduct and submit emissions tests. These section 114 letters would require the owner/operator of each selected facility secure a testing contractor, commence stack testing, including concurrent fuel/material sampling and analysis, review stack testing for accuracy and completeness, and submit stack testing results to EPA within 120 days of receipt of the second section 114 letter. During this time, EPA will compile and analyze survey response data and prepare regulatory options in preparation of an anticipated Small Business Regulatory Fairness (SBREFA) panel.

6. Estimating the Burden and Cost of the Collection

(a) Estimating Respondent Burden

The one-time burden estimate for reporting and recordkeeping requirements are presented in Attachments 3A and 3B. These numbers were derived from estimates based on the EPA's experience with other emission test programs, specifically the "Information Collection Request for Electric Utility Steam Generating Unit Mercury Emissions Information Collection Effort" September 3, 1998, ICR number: 1858.01 (ICR shown in Docket A-92-55), and the "OSWI Information Collection Request (ICR): Annual Respondent Burden and Cost of Recordkeeping and Reporting Requirements of the Emission Guidelines for OSWI Facilities Subject to Subpart FFFF - Years 1 to 6 (Final Rule)" (Burden tables shown in Docket: EPA-HQ-OAR-2003-0156, Document ID: 108.2). These estimates represent the one-time burden that will be incurred by the recipients. These estimates are based on a maximum number of 350 emission test sites, and assume that each of the 350 test sites will test for the complete array of pollutants listed in Attachment 3B. In reality, the actual number of test sites may be less than 350, and each of the emission test sites may test for fewer pollutants.

(b) Estimating Respondent Costs

Attachments 3A and 3B present estimated costs for the required recordkeeping and

reporting activities. Labor rates were based on May 2006 raw labor rates for the Manufacturing Sector (NAICS 31 thru 34), loaded using an overhead factor of 110%, and indexed to June 2007 using the Employment Cost Index. The resulting rates are \$115.12 for management personnel, \$77.77 for technical personnel, and \$30.58 for clerical personnel. These values were taken from the Bureau of Labor Statistics Occupational Employment Statistics Survey Web site and reflect the latest values available (May 2006). The Employment Cost Index is located at: <http://www.bls.gov/news.release/eci.t02.htm>

(c) Estimating Agency Burden and Cost

The costs the Federal Government would incur are presented in Attachment 4. Labor rates and associated costs are based on the estimated 2007 loaded hourly rates (labor rate plus 60% for overhead) of \$80.86 for management personnel (GS- 15, step 5); \$48.91 for technical personnel (GS- 12, step 5); and \$27.58 for clerical personnel (GS-7, step 5).

(d) Estimating the Respondent Universe and Total Burden and Costs

The potential respondent universe consists of 3,396 facilities that have either submitted an initial notification, have been identified by states as subject to the vacated DDDDD standard, have a potentially affected unit in their Title V permit, have been identified as covered by the 2000 CISWI standards, or have incineration units that were listed as exempt under the 2000 CISWI standard. CIBO commented that the Agency presented 20,000 facilities in the 112(j) ICR (72 FR 62226) and 3,396 facilities in the proposal of this ICR. CIBO wanted to know the correct number of facilities with boilers and process heaters at major sources of HAP. After the vacature of the boiler NESHAP, the Agency began collecting data from EPA regional Offices and delegated state authorities to revise its estimate of boilers and process heaters that may be impacted under a revised boiler standard. Since the last boiler and process heater data gathering effort, many sources have shut down, others have selected to operate with a limit on their HAP emissions in order to avoid being subject to the boiler and process heater NESHAP, and some units have switched out older solid fuel units for newer equipment due to increased insurance and maintenance costs. Therefore, the Agency based its respondent pool on a revised list of initial notifications, Title V permits, state applicability lists, and known and anticipated (i.e., currently exempted under the 2000 CISWI rule) CISWI units. As for boiler and process heater facilities, data from the States have been compiled and reviewed, and the Agency

estimates that 2,360 facilities, that are major sources of HAP having boilers and process heaters, will respond to this ICR. The agency expects that there will be no more than 1,036 facilities with projected CISWI units. All of these facilities will be required to complete the electronic survey and it is estimated that no more than 350 units will be required to conduct stack testing. The burden estimate for the stack testing component reflects the maximum possible number of respondents. Although the Agency estimates a maximum of 350 stack tests, which was based on the 1997 boiler and survey database, in reality the emission stack tests most likely will be less than 350. For the purposes of estimating burden for the first component, it has been assumed that most respondents will have to answer the complete survey. Some facilities may only have small natural gas-fired units and would be eligible to answer only the shortened survey section for small natural gas units. Further, the time to complete the survey is proportional to the number of potentially affected units at the facility. The Agency has assumed, based on limited available unit-level data, that there are on average 2.5 potentially affected units per facility. The Agency has added a section of the survey for incinerators that are operated at the same location as an affected boiler or process heater. Each respondent shall complete this section if they operate an incinerator.

(e) Bottom Line Burden Hours and Costs Tables.

(i) Respondent tally. The total industry burden hours and costs, presented in Attachments 3A and 3B, are calculated by summing the person-hours column and by summing the cost column. The total burden and cost to the industry over the three years is 111,987 hours and \$39,956,558, which includes \$31,524,750 in O&M costs to cover contracting services for fuel/material analyses, stack testing, mobile CEM devices, and mailing hard copies of the test report (when requested).

The total estimated base reporting and recordkeeping burden and cost to the industry for this information collection for facilities subject to the first component of this data gathering effort over the three years is 82,403 hours and \$6,207,789, which includes \$3,400 in O&M costs to mail the hard copies of the test report when requested to do so (see Attachment 3A). The total estimated base reporting and recordkeeping burden and cost to the industry for this information collection for facilities having units subject to the second component of the emissions stack test data effort over the three years is 29,584 hours and \$33,748,769, which includes \$31,521,350 in O&M to contract fuel analyses, stack testing, mobile CEM devices, and report

preparation services (see Attachment 3B).

Agency tally. The total line Agency burden and cost, presented in Attachment 4 is calculated in the same manner as the industry burden and cost. The estimated total burden and cost over the three years are 14,640 hours and \$722,541, which includes \$13,279 in O&M costs to send certified section 114 letters to all respondents with electronic return receipt.

(ii) The complex collection. This ICR is a simple collection; therefore this section does not apply.

(iii) Variations in the annual bottom line. This section does not apply as this is a one time collection.

(f) Reasons for Change in Burden

There are two components to the reporting and recordingkeeping requirements under this new ICR. To obtain the information necessary to identify and categorize all combustion units potentially affected by the revised standard, the first component of this ICR will solicit information from all potentially affected units in the format of an electronic survey under authority of section 114 of the CAA. The survey will be submitted to all facilities that either submitted an initial notification, or if initial notification data is not available, all facilities with Title V permits denoted as a major source of HAP, that have a boiler or process heater listed in their permit. The survey will also be sent to units covered by the 2000 CISWI standard and to facilities with incineration units listed as exempt under the 2000 CISWI standard.

The second component will consist of requiring, if deemed necessary to fill gaps, again through the issuance of a letter pursuant to the authority of section 114 of the CAA, the owners/operators of up to a total of 350 combustion units selected at random to conduct in accordance with an EPA-approved protocol stack testing.

(g) 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. 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 total annual reporting and recordkeeping burden for the first component of this data gathering effort is estimated to be 82,403 hours and \$6,207,789 (25 hours and \$1,857 per respondent for 3,396 respondents). The total annual reporting and recordkeeping burden for the stack testing component of the data gathering effort is estimated to be no more than 29,584 hours and \$33,748,769 (84.5 hours and \$96,425 per respondent for 350 respondents).

This ICR does not include any requirements that would cause the respondents to incur either capital or start-up costs. The Agency will work with industry to avoid testing at sites that would need to install test ports in order to conduct the test. The EPA has assumed that all respondents will contract (i.e., purchase services/operation and maintenance costs) for the fuel analyses, stack testing, and preparation of the stack test report. In addition, there will be a small O&M costs to mail a hard copy of the actual emission test report (when requested by the Agency). These costs have been included in the burden estimate above. The resulting total burden for both the electronic survey component and the stack testing component is 111,987 hours and \$39,956,558, which includes \$31,523,710 in O&M costs to cover contracting services for fuel/material analyses, stack testing, report preparation, and mailing hard copies of the test report (when requested).

To comment on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including the use of automated collection techniques, EPA has established a docket for this ICR under Docket ID EPA-HQ-OAR-2002-0058, which is available for online viewing at www.regulations.gov, or in hard copy at EPA Docket, EPA/DC, EPA West, Room 3334, 1301 Constitution Ave., NW, Washington, DC. The EPA/DC Public Reading Room is open from 8 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading

Room is 202-566-1744, and the telephone number for the Air and Radiation Docket Center is 202-566-1742.

An electronic version of the public docket is available at www.regulations.gov. This site can be used to submit or view public comments, access the index listing of the contents of the public docket, and to access those documents in the public docket that are available electronically. When in the system, select "search," then key in the Docket ID Number identified above. Also, you can send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, DC 20503, Attention: Desk Office for EPA. Please include EPA Docket ID No. EPA-HQ-OAR-2002-0058 and OMB Control Number 2060-NEW in any correspondence

.List of Attachments

Attachment 1:	Number of Potential Electronic Questionnaire Respondents per State
Attachment 2A:	Draft Questionnaire Content
Attachment 2B:	Small Gas Emissions Data Questionnaire Spreadsheet
Attachment 2C:	Small Gas CEM Data Questionnaire Spreadsheet
Attachment 2D:	Emissions Data Questionnaire Spreadsheet
Attachment 2E:	CEM Data Questionnaire Spreadsheet
Attachment 2F:	Fuel Analysis Questionnaire Linked Spreadsheet
Attachment 2G:	Permitted and Regulatory Emission Limit Questionnaire Spreadsheet
Attachment 2H:	Draft Definitions for Questionnaire
Attachment 3A:	Industry Burden and Cost for Responding to the Questionnaire Component
Attachment 3B:	Industry Burden and Cost for Responding to Stack Test Component
Attachment 4:	Agency Burden and Cost

Attachment 1

Number of Potential Questionnaire Respondents per State*

Facility Location	Estimated Number of Facilities**	Estimated Number of Boilers or Process Heaters***	Average Units per Facility**	Source
EPA Region 1	77			
MA	16	32	2.0	<i>a, f</i>
ME	27	49	1.8	<i>a, f</i>
NH	7	16	2.3	<i>a, f</i>
VT	0	0		<i>a, f</i>
RI	4	10	2.5	<i>a, f</i>
CT	23	52	2.3	<i>a, f</i>
EPA Region 2	99			
NY	66	161	2.4	<i>d, f</i>
NJ	70	176	2.5	<i>b</i>
EPA Region 3	206			
PA	52			<i>b, f</i>
WV	43			<i>b, f</i>
DE	5	10	2.0	<i>c, f</i>
VA	86			<i>b, f</i>
MD	12			<i>b, f</i>
DC	8			<i>e, f</i>
EPA Region 4	588			
NC	170			<i>a, f</i>
KY	75			<i>c, f</i>
TN	45			<i>a, f</i>
SC	103			<i>a, f</i>
GA	58			<i>c, f</i>
AL	40			<i>c, f</i>
MS	76			<i>a, f</i>
FL	21			<i>a, f</i>
EPA Region 5	755			
WI	90	165	1.8	<i>a</i>
MI	102			<i>b</i>
IL	196			<i>b</i>
IN	154			<i>a</i>
OH	157	290	1.8	<i>b</i>
MN	56			<i>b</i>
EPA Region 6	203			
TX	28			<i>b</i>
NM	2			<i>b</i>
OK	39			<i>b</i>
AR	64			<i>b</i>

LA	70	370	5.3	<i>d</i>
EPA Region 7	187			
NE	37	37	1.0	<i>c</i>
IA	72	267	3.7	<i>a</i>
KS	33	131	4.0	<i>c</i>
MO	45	98	2.2	<i>a</i>
EPA Region 8	99			
WY	15			<i>d</i>
UT	10			<i>d</i>
CO	56			<i>b</i>
MT	7			<i>b</i>
ND	6			<i>b</i>
SD	5			<i>e</i>
EPA Region 9	8			
CA	5	10	2.0	<i>c</i>
NV	0			<i>a</i>
AZ	2			<i>b</i>
HI	1	3	3.0	<i>c</i>
EPA Region 10	101			
WA	27			<i>c</i>
OR	47			<i>a</i>
ID	14			<i>a, d</i>
AK	13			<i>a</i>
TOTAL (All Regions):	2,360		Overall Average Units per Facility: 2.5	

* The Agency has identified 2,360 facilities with boilers or process heaters and expects no more than 1,036 facilities to have know CISWI units or units that were previously listed as exempted from CISWI.

** This list represents the status of available initial notification submissions, reviewed Title V permits, or other state agency lists that have tracked facilities with units potentially affected by the vacated DDDDD standard. As the Agency receives additional data from states and/or EPA regions, it will cross reference these data and update the number of facilities that are expected to receive the electronic questionnaire.

*** Unit level data are only available at this time in certain states. The Agency is in the process of collecting and compiling additional data as it is received.

Data Source:

- a. Initial Notifications submitted to EPA Regions compared a state list of initial notifications or permits.
- b. Review of State Agency lists of potentially affected units or initial notifications only.
- c. Review of Initial Notifications submitted to EPA Regions only.
- d. Review of state permit for DDDDD clause.

e. When new data is not yet available or received in time for this ICR notice, the Agency has estimated the number of facilities using data from the 1997 Survey and Inventory databases, which were used during the rulemaking for the vacated boiler and process heater NESHAP and the CISWI rule.

f. Review of Health Based Compliance Alternative Report Submittals

**Attachment 3A: Industry Burden and Cost for Responding to the Questionnaire
Component (Years 1, 2 and 3)**

	Hours and Costs Per Respondent/Activity ¹							Total Hours and Costs		
Tech.	Mgr. ²	Cler. ²	Total Respon.	Total Labor	Occurrences/			Number	Total	Total
\$77.77	\$115.12	\$30.58	Hours/	Cost/	Respondent/	O & M		of	Hours/	Cost/
per hour	per hour	per hour	Activity	Activity	Year	Cost		Respond.	Year	Year
Collection activities										
1. Read instructions	1.0	0.1	0.1	1	\$87	1	\$0	3,396	3,905	\$294,045
2. Complete and Submit Electronic Survey	20	1.0	2.0	23	\$1,732	1	\$0	3,396	78,108	\$5,880,905
3. Submit Hard Copy of Emission Test Report ⁵	1	0.1	0.1	1	\$87	1	\$10	340	390	\$32,839
TOTAL									82,403	\$6,207,789 (O&M \$3,400)
Annual Total									27,467	\$2,069,263 (O&M \$1,133)

1. Labor rates and associated overhead costs were based on May 2006 raw labor rates for the Manufacturing Sector (NAICS 31 thru 34), loaded using a factor of 110%, and indexed to June 2007 using the Employment Cost Index. The resulting loaded of \$115.12 for management personnel, \$77.77 for technical personnel, and \$30.58 for clerical personnel. These values were taken from the Bureau of Labor Statistics Occupational Employment Statistics Survey Web site and reflect the latest values available (May 2006), and the Employment Cost Index is located at: <http://www.bls.gov/news.release/eci.t02.htm>

2. Management hours are assumed to be 5 percent of technical hours, and clerical hours are assumed to be 10 percent of technical hours.

3. Based on the design of the survey, facilities with only gas-fired units are expected to complete the survey in much less time than facilities with units fired with other fuel types. Based on an initial distribution of units at facilities that submitted initial notifications in WI, WV, Region 1, the Agency estimates that 24% of facilities will only have gas-fired units.

4. Based on the design of the survey, facilities with solid or liquid fired units will have to spend more time completing the survey for unit, fuel, control device, and emission data from each individual boiler or process heater. The length of time to complete the survey is proportional to the number of units at the facility. Based on an initial review of the initial notifications submitted in EPA Regions 1 and 7, there are on average 2.6 boilers or process heaters per facility. The hourly burden to complete the survey is based on this average number of units, facilities with more or less units may experience a different hourly burden.

5. In order to provide a level of QA/QC, the Agency may request that a portion of respondents submit their actual emission test reports in order to verify the emission data provided in the electronic survey. The Agency estimates that it will select 10 percent of respondents to submit a hardcopy of their test reports.

Attachment 3B: Industry Burden and Cost for Responding to the Stack Test Component

Hours and Costs Per Respondent/Activity ¹								Total Hours and Costs		
Emission Contractor	Tech.	Mgr. ²	Cler. ²	Total Response	Total Labor	Occurrences/		Number ³	Total	Total
\$105.00	\$77.77	\$115.12	\$30.58	Hours/	Cost/	Respondent/	O & M	of	Hours/	Cost/
per hour	per hour	per hour	per hour	Activity	Activity	Year	Cost	Respond.	Year	Year
Collection activities										
1. Secure emission test contractor/review proposal ⁴	40.0	2.0	.4	46	\$3,463	1	\$0	350	16,100	\$1,212,201
2. Fuel sampling with stack testing ⁴	0.5	0.0	.1	1	\$43	1	\$0	350	201	\$15,153
3. Fuel analyses with stack testing ⁵	0	0.0	.0	0	\$0	1	\$1,801	350	0	\$630,350
4. Conduct stack testing and prepare report ⁶	750	0	.0	0	\$0	1	\$78,750	350	0	\$27,562,500
5. Set-up, gather data using CEM equipment and prepare report ⁷	62	0	.0	0	\$0	1	\$9,510	350	0	\$3,328,500
6. Supervise stack testing ⁴	24	1.2	.4	28	\$2,078	1	\$0	350	9,660	\$727,320
7. Review emission stack data for accuracy and completeness ⁴	8	0.4	.8	9	\$693	1	\$0	350	3,220	\$242,440

8. Submit stack sampling data ⁴		1	0.1	.1	1	\$87	1	\$0	350	403	\$30,305
TOTAL										29,584	\$33,748,769 (O&M \$31,521,350)
Annual Total										9,861	\$11,249,589 (O&M \$10,507,117)

1. Labor rates and associated overhead costs were based on May 2006 raw labor rates for the Manufacturing Sector (NAICS 31 thru 34), loaded using a factor of 110%, and indexed to June 2007 using the Employment Cost Index. The resulting loaded of \$115.12 for management personnel, \$77.77 for technical personnel, and \$30.58 for clerical personnel. These values were taken from the Bureau of Labor Statistics Occupational Employment Statistics Survey Web site and reflect the latest values available (May 2006), and the Employment Cost Index is located at: <http://www.bls.gov/news.release/eci.t02.htm>

2. Management hours are assumed to be 5 percent of technical hours, and clerical hours are assumed to be 10 percent of technical hours.

3. The number of respondents is the estimated maximum sample size for a simple stratified random sample of solid-fuel units, which is based on the 1997 boiler and process heater inventory and survey databases. A complete discussion of how the sample size was determined is discussed in Part B of the supporting statement.

4. Hourly burden was estimated using the same corresponding line item burden from Table 1 of the "Information Collection Request for Electric Utility Steam Generating Unit Mercury Emissions Information Collection Effort." September 3, 1998. ICR number: 1858.01. This document is in Docket A-92-55.

5. The agency assumes that the respondent will contract out the fuel analyses services. Cost per analysis was estimated using the line item capital costs for fuel analyses of metals, mercury, and chlorine from the Appendix G-1 of the Memorandum "Methodology for Estimating Control Costs for the Industrial, Commercial, and Institutional Boilers and Process Heaters National Emission Standards for Hazardous Air Pollutants." October 2002. This memorandum is located in the docket: EPA-HQ-OAR-2002-0058.

6. The agency assumes that the respondent will contract out the stack test services. Cost per stack test was estimated using the combined line item costs from the ICR burden estimates in the Other Solid Waste Incinerators (OSWI) rulemaking (see document number EPA-HQ-OAR-2003-0156-0108.2). These costs represent the cost to conduct an initial performance test and report for PM, dioxins/furans, opacity, fugitives, HCl, Cd, Pb, and Hg. After consultation with an emissions testing contractor, the loaded labor rates for emission testing contractors were adjusted from \$80/hour used in the 2005 OSWI ICR burden estimates to a 2008 average rate of \$105/hour. Not all facilities required to conduct a stack test will be required to conduct a stack test on all pollutants. Stack tests will only be required where there are data gaps. After collecting the survey results, the agency expects that the data gaps will be primarily at units that may be subject to the definition of solid waste. The costs to conduct stack tests for 15-PAH and organic HAP (acetaldehyde, benzene, formaldehyde, toluene, xylenes) are not included in this cost estimate. However, in order to share the costs of testing across multiple test sites, the Agency will not be requiring facilities to test for all pollutants at each test site. Instead the Agency will limit the number of sample trains required at each test site.

7. The agency assumes that the respondent will contract out the CEMS services to a contractor who would use mobile CEM equipment. Based on a consultation with an emissions testing contractor, the agency assumes the costs of the CEMS services are as follows: \$500 for CEM rental and \$500 for calibration gases for CO and O₂, and an additional \$1,000 each for CEM rental and calibration gases for NO_x and SO₂ for a total non-labor cost of \$3,000. For labor costs associated with the contracted CEMS services, the agency estimates two emission contractor staff for an eight-hour day, time to prepare the report, and travel and per diem costs associated with getting to the site for a total average labor cost of \$6,500. Once the CEM equipment is set-up these staff are available to assist with the tasks associated with the concurrent stack-tests, including sampling, clean-up, and train set-up.

Attachment 4: Agency Burden and Cost

Hours and Costs Per Respondent/Activity ¹							Total Hours and Costs		
Tech.	Mgr. ²	Cler. ²	Total Respon.	Total Labor	Occurrence/ Responde	O & M	Number of	Total Hour	Total Cost/
\$48.91	\$80.86	\$27.58	Hours/	Cost/					

						nt/			s/	
	per hour	per hour	per hour	Activity	Activity	Year	Cost	Respond.	Year	Year
Collection activities										
A. Electronic Survey Component										
1. Develop Questionnaire ³	80.0	4.0	8.0	92	\$4,457	1	\$0	1	92	\$4,457
2. Send Questionnaire ⁴	0.0	0.0	0.0	0	\$0	1	\$4	3,396	0	\$13,279
2. Review and Analyze Responses ⁵	0.5	0.03	0.1	1	\$28	1	\$0	3,396	1,953	\$94,602
B. Stack Test Component										
1. Determine sites to be selected for emissions testing ³	8	0.4	0.8	9	\$446	1	\$0	1	9	\$446
2. Audit Stack Tests ⁶	40	2.0	4.0	46	\$2,229	1	\$0	18	828	\$40,114
3. Review stack sampling data for accuracy and completeness ³	16	0.8	1.6	18	\$891	1	\$0	350	6,440	\$311,996
4. Analyze fuel sampling ³	12	0.6	1.2	14	\$669	1	\$0	350	4,830	\$233,997
C. Both Survey and Test Component										
1. Answer respondent questions ⁷	0.25	0.0	0.0	0	\$14	1	\$0	340	98	\$4,730
2. Analyze requests for confidentiality ⁸	1	0.1	0.1	1	\$56	1	\$0	340	390	\$18,920
TOTAL									14,640	\$722,541

1. Labor rates for EPA personnel were used for all public-sector personnel, including employees of State agencies. Source for EPA labor rates: Department of Personnel Management, "Salary Table 2003 - GS," http://www.opm.gov/oca/07tables/pdf/g_s_h.pdf. For the managerial labor rate, level GS-15, step 5 was used; for the technical labor rate, level GS-12, step 5 was used; for the clerical labor rate, level GS-7, step 5 was used. These levels and steps were used in Table 4 of the "Information Collection Request for Electric Utility Steam Generating Unit Mercury Emissions Information Collection Effort." September 3, 1998. ICR number: 1858.01. This document is in Docket A-92-55. All agency labor rates include a multiplier of 1.6 to account for overhead and fringe benefit costs.
2. Management hours are assumed to be 5 percent of technical hours, and clerical hours are assumed to be 10 percent of technical hours.

3. Hourly burden was estimated using the same corresponding line item burden from Table 3 of the “Information Collection Request for Electric Utility Steam Generating Unit Mercury Emissions Information Collection Effort.” September 3, 1998. ICR number: 1858.01. This document is in Docket A-92-55.

4. The Agency assumes that only clerical labor will be used to send the letter, and that instructions and a link to the electronic survey will be mailed via USPS using certified mail with electronic return receipt. This information will be e-mailed to contacts whenever e-mail addresses are available.

5. Given that the Agency will use an electronic spreadsheet to collect survey responses, there will not be any data entry conducted by the Agency. Therefore the Agency estimates that it will allocate 0.5 hours to analyze each facility response. This burden is half of the burden provided in the corresponding burden line item listed in Hourly burden was estimated using the same corresponding line item burden from Table 3 of the “Information Collection Request for Electric Utility Steam Generating Unit Mercury Emissions Information Collection Effort.” September 3, 1998. ICR number: 1858.01. This document is in Docket A-92-55. The number of responses includes all facility responses plus the assumed 10 percent of facilities that would be required to submit copies of their emission test reports in order to QA/QC the responses.

6. The Agency assumes that it will audit 5 percent of the stack tests conducted. The hours associated with each audit were estimated using the same corresponding line item burden from Table 3 of the “Information Collection Request for Electric Utility Steam Generating Unit Mercury Emissions Information Collection Effort.” September 3, 1998. ICR number: 1858.01. This document is in Docket A-92-55.

7. The Agency assumes that 10 percent of respondents will have one question. The hours associated with each question were estimated using the same corresponding line item burden from Table 3 of the “Information Collection Request for Electric Utility Steam Generating Unit Mercury Emissions Information Collection Effort.” September 3, 1998. ICR number: 1858.01. This document is in Docket A-92-55.

8. The Agency assumes that 10 percent of respondents will claim information to be confidential. The hours associated with evaluation of confidentiality were estimated using the same corresponding line item burden from Table 3 of the “Information Collection Request for Electric Utility Steam Generating Unit Mercury Emissions Information Collection Effort.” September 3, 1998. ICR number: 1858.01. This document is in Docket A-92-55.