

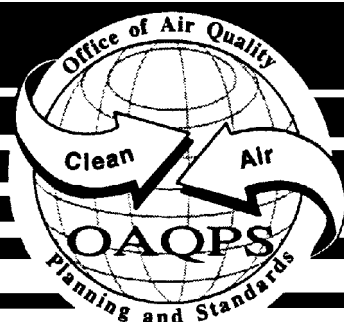
**EPA**

Office of Air and Radiation  
Office of Air Quality Planning and Standards  
Air Quality Policy Division  
New Source Review Group

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October 2007  
Amended July 2008

**PREVENTION OF  
SIGNIFICANT  
DETERIORATION AND  
NONATTAINMENT NEW  
SOURCE REVIEW (40 CFR  
PARTS 51 AND 52) (Final Rule  
for Implementation of the New  
Source Review (NSR) Program for  
Particulate Matter Less Than  
2.5 Micrometers (PM<sub>2.5</sub>))**



## Executive Summary

The EPA is revising the regulations governing the Prevention of Significant Deterioration (PSD) and nonattainment major New Source Review (NA NSR) programs (collectively “major NSR”) mandated by parts C and D of title I of the Clean Air Act (the Act). Specifically, the major NSR regulations are being revised to add particulate matter with an aerodynamic diameter less than or equal to a nominal 2.5 micrometers (PM<sub>2.5</sub>) and its precursors to the major NSR program. This action is being taken as part of our efforts to implement the National Ambient Air Quality Standards (NAAQS) for PM<sub>2.5</sub>.

The major NSR program is a preconstruction review and permitting program for new major sources of air pollutants and major modifications at existing major sources. The types of information collection activities associated with the major NSR program are those necessary for the preparation and submittal of construction permit applications and the issuance of final permits. The major NSR rule changes addressed in this ICR add PM<sub>2.5</sub> and its precursors to the list of pollutants that must be addressed in a major NSR permit action, but do not otherwise change the requirements of the program.

This Information Collection Request (ICR) (OMB Control Number 2060-0003; EPA ICR Number 1230.21) is a revision of the existing ICR for the NSR program. The purpose of this ICR is to show the change in burden and cost associated with the PM<sub>2.5</sub> NSR Implementation rule. Table E-1 summarizes the overall change in burden and cost for respondents – sources who must obtain major NSR permits and State and local agencies who issue the permits (called “reviewing authorities”). The totals in Table E-1 represent an increase of about 9 percent in average annual burden and about 11 percent in average annual cost relative to the major NSR totals in the currently approved ICR. Relative to the entire currently approved ICR (which includes minor NSR as well as major NSR), the increase is about 1 percent in average annual burden and about 1.5 percent in average annual cost.

**TABLE E-1  
CHANGE IN BURDEN FOR RESPONDENTS RELATIVE TO JANUARY 2005 ICR  
RESULTING FROM PM<sub>2.5</sub> NSR IMPLEMENTATION RULE**

Type of Entity	Change in Average Annual Burden (Hours)	Change in Average Annual Burden per Entity (Hours)	Change in Average Annual Cost (\$ 2004) <sup>c</sup>	Change in Average Annual Cost per Entity (\$ 2004)
Sources <sup>a</sup>	38,875	52	\$4,268,991	\$5,669
Reviewing Authorities <sup>b</sup>	16,107	144	\$701,152	\$6,260
<b>Total</b>	54,982	N/A	\$4,970,143	N/A

<sup>a</sup> We estimate 753 major NSR permits each year (265 PSD permits and 488 NA NSR permits).

<sup>b</sup> We assume that there are 112 State and local reviewing authorities.

<sup>c</sup> The costs to sources include \$1,722,678 in start-up costs for pre-construction monitoring. The remaining \$2,546,313 for sources and all the costs for reviewing authorities are labor costs associated with the increase in burden.

The EPA is the only Federal entity that will experience burden and cost as a result of the PM<sub>2.5</sub> NSR Implementation rule. We estimate the average annual burden for EPA will be 1,916 hours, at a cost of \$69,365 annually.

**CONCLUSION:**

This rulemaking represents a **POTENTIAL INCREASE IN BURDEN** to sources and Reviewing Authorities related to permit actions.

This rulemaking represents a **ONE-TIME INCREASE IN BURDEN** to States and other Reviewing Authorities to revise SIPs.

Because the major NSR program rarely affects small entities, the Agency determined this rulemaking represents **NO SIGNIFICANT IMPACT ON A SUBSTANTIAL NUMBER OF SMALL ENTITIES.**

CAVEAT: This analysis overstates the impact of the rulemaking over the next 3 years because it has been prepared as if the rule revisions would be fully implemented upon the effective date of the rule. In actuality, the full effect of the PSD program for PM<sub>2.5</sub> lags the promulgation of this rulemaking due to the time needed for States with approved PSD programs to modify their State Implementation Plans (SIPs).



# 1 Identification of the Information Collection

## 1.1 Title

The title of this ICR is “Prevention of Significant Deterioration and Nonattainment New Source Review (40 CFR parts 51 and 52) (Final Rule for Implementation of the New Source Review (NSR) Program for Particulate Matter Less Than 2.5 Micrometers (PM 2.5)).” This document fulfills the Agency’s requirements under the Paperwork Reduction Act (PRA) with regard to determining the regulatory burden associated with adding PM<sub>2.5</sub> to the PSD and NA NSR programs required under parts C and D of title I of the Act. It has been assigned EPA tracking number 1230.21.

<b>EPA TRACKING NUMBER:</b> <b>1230.21</b>
<b>OMB CONTROL NUMBER:</b> <b>2060-0003</b>

## 1.2 Description

The program called the “major NSR program” under authority of parts C and D of Title I of the Act is a preconstruction review and permitting program applicable to new or modified major stationary sources of air pollutants. In attainment areas (areas meeting the NAAQS) or in areas where there is insufficient information to determine whether they meet the NAAQS (“unclassifiable” areas), the Prevention of Significant Deterioration (PSD) program is implemented under the requirements of part C of Title I of the Act. In areas not meeting the NAAQS and in ozone transport regions (OTR), the program is the “nonattainment” major NSR (NA NSR) program, implemented under the requirements of part D of title I of the Act. Applicability of the major NSR program must be determined in advance of construction and is pollutant-specific. When a source triggers major NSR in attainment areas (i.e., is subject to PSD), it must install best available control technology (BACT) and conduct modeling, monitoring, and other analyses as necessary. If a source is located in a nonattainment area for a particular pollutant (i.e., is subject to NA NSR), it must, for that pollutant, install technology that meets the lowest achievable emission rate (LAER), secure emission reductions to offset any increases above baseline emission levels, and perform other analyses.

In 1997, EPA promulgated NAAQS for PM<sub>2.5</sub> to address fine particle pollution, while retaining the NAAQS for particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers (PM<sub>10</sub>) to address coarse particle pollution. After delays associated with litigation over the NAAQS and with building up technical capacity to address PM<sub>2.5</sub>, we are proceeding with implementation of the PM<sub>2.5</sub> program, including implementation of the PM<sub>2.5</sub> NSR program.

This ICR addresses changes to the major NSR program to add PM<sub>2.5</sub> to both PSD and NA NSR. For some sources, this will add to the burden of

obtaining major NSR permits because it will add to the number of pollutants that must be addressed in the application process. Similarly, State and local reviewing authorities will incur increased burden to review such permit applications and issue the permits.<sup>1</sup> In addition, reviewing authorities will incur a one-time burden to revise their implementation plans to incorporate the PSD and NA NSR changes.

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<sup>1</sup> The term “reviewing authority” is synonymous with the term “permitting authority” used in previous permit-related analyses. The reader should consider these terms interchangeable for comparison purposes.

## 2 Need For and Use of Collection

### 2.1 Need / Authority for the Collection

Title I of the Act authorizes EPA to collect this information. Through the NSR program it requires owners or operators of emissions units that emit air pollutants to submit an application for a permit to construct, modify, or significantly alter the operations of each source of criteria pollutants.

### 2.2 Practical Utility / Users of the Data

For EPA to carry out its required oversight function of reviewing construction permits and assuring adequate implementation of the program, it must have available to it information on proposed construction and modifications. The burden estimates included in this ICR provide emissions, source, and control information for the major NSR program.

### 2.3 Caveats and Considerations

The information in this ICR is based upon the best data available to the Agency at this time. However, inconsistencies in reviewing authority reporting techniques, incomplete data sets, and sampling limitations necessitated a certain amount of extrapolation and “best-guess” estimations. Consequently, the reader should not consider the conclusions to be an exact representation of the level of burden or cost that *will* occur. Instead, this ICR should be considered a directionally correct assessment of the impact the programmatic changes included in this rulemaking *may* have over the next 3 years.

Throughout this ICR, the reader will observe estimated values that show accuracy to the single hour or dollar. However, reporting values at the single unit level can be misleading. In most situations, the proper way to present estimated data would be to determine an appropriate level of precision and truncate values accordingly, usually in terms of thousands or millions of units. For instance, a spreadsheet generated estimation of \$5,456,295 could be presented in the text as \$5.5 (millions) or \$5,456 (thousands). One problem with such an approach is the loss of data richness when the report contains a mixture of very large and very small numbers. Such was the case with this ICR, where source values are consistently in the millions and federal and State values in the tens of thousands. Consequently, to avoid the loss of information through rounding, this ICR reports all values at the most meaningful unit level for the range of values being presented and reminds the reader that there is no implied precision inherent in this style of reporting.

### **3 Non-Duplication, Consultation, and Other Collection Criteria**

#### **3.1 Non-Duplication**

For approval of a proposed ICR, the Agency must ensure that it has taken every reasonable step to avoid duplication in its paperwork requirements in accordance with 5 CFR 1320.9. Although the reviewing authorities will be required to revise a State's SIP, this action imposes no new paperwork requirements.

#### **3.2 Public Notice Requirements**

A notice soliciting public comment was published in the *Federal Register* on May 18, 2007 (72 FR 28041). A 60-day public comment period was provided for this ICR, during which all affected parties were given the opportunity to comment on the burden analysis. No substantive comments on the ICR were received.

#### **3.3 Consultations**

This ICR is a revision to the renewal for the NSR program (ICR #1230.17), completed in January 2005. This ICR incorporates the base elements of the overall program as they relate to these changes. As such, extensive consultation through public meetings and stakeholder meetings with environmental groups; industry; and State, local, and Federal agency representatives has been conducted for the permit application and review elements affected in this ICR revision.

#### **3.4 Less Frequent Collection**

The Act defines the rate of reporting by sources, States, and local entities. Consequently, less frequent collection is not possible.

#### **3.5 General Guidelines**

OMB's general guidelines for information collections must be adhered to by all Federal Agencies for approval of any rulemaking's collection methodology. In accordance with the requirements of 5 CFR 1320.5, the Agency believes:

1. The NSR regulations do not require periodic reporting more frequently than semi-annually.
2. The NSR regulations do not require respondents to participate in any statistical survey.
3. Written responses to Agency inquiries are not required to be submitted in less than 30 days.
4. Special consideration has been given in the design of the NSR program to ensure that the requirements are, to the greatest extent possible, the same for Federal requirements and those reviewing authorities who already have NSR construction permitting programs in place.
5. Confidential, proprietary, and trade secret information necessary for the completeness of the respondent's permit are protected from disclosure under the requirements of section 114(c) of the Act.



6. The NSR regulations do not require more than one original and two copies of the permit application, update, or revision to be submitted to the Agency.
7. Respondents do not receive remuneration for the preparation of reports required by the Act or parts 51 or 52.
8. To the greatest extent possible, the Agency has taken advantage of automated methods of reporting.
9. The Agency believes the impact of NSR regulations on small entities to be insignificant and not disproportionate.

The recordkeeping and reporting requirements contained in the current NSR program and the changes in this rulemaking do not exceed any of the Paperwork Reduction Act guidelines contained in 5 CFR 1320.5, except for the guideline which limits retention of records by respondents to 3 years. The Act requires both respondents and State or local agencies to retain records for a period of 5 years. The justification for this exception is found in 28 U.S.C. 2462, which specifies 5 years as the general statute of limitations for Federal claims in response to violations by regulated entities. The decision in *U.S. v. Conoco, Inc.*, No. 83-1916-E (W.D. Okla., January 23, 1984) found that the 5-year general statute of limitations applies to the Clean Air Act.

### **3.6 Confidentiality**

Confidentiality is not an issue for this rulemaking. In accordance with the Clean Air Act Amendments of 1990, the monitoring information to be submitted by sources as a part of their major NSR permit application is a matter of public record. To the extent that the information required is proprietary, confidential, or of a nature that could impair the ability of the source to maintain its market position, that information is collected and handled subject to the requirements of section 114(c) of the Act. Information received and identified by owners or operators as confidential business information (CBI) and approved as CBI by EPA, in accordance with Title 40, Chapter 1, Part 2, Subpart B, shall be maintained appropriately (see 40 CFR 2; 41 FR 36902, September 1, 1976; amended by 43 FR 39999, September 8, 1978; 43 FR 42251, September 28, 1978; 44 FR 17674, March 23, 1979).

### **3.7 Sensitive Questions**

The consideration of sensitive questions, (i.e., sexual, religious, personal, or other private matters), is not applicable to this rulemaking. The information gathered to establish a major NSR permit does not include personal data on any owner or operator.

### **3.8 Environmental Justice Considerations**

The President's priorities in promoting environmental justice (EJ) are contained in Executive Order 12898. Because the NSR program operates nationwide and across all industry classifications, the Agency does not believe there is a disproportionate EJ effect in the NSR program.

## 4 The Respondents and the Information Requested

### 4.1 Respondents/SIC and NAICS Codes

Table 4-1 lists the industrial groups that we expect will contain the majority of the industrial respondents affected by the NSR program. These categories were chosen because of their historic relative incidence in seeking NSR permits as established in prior ICRs and confirmed by a nationwide air pollutant emission inventory developed by the EPA in 1986-87. These industries have been used as the basis for impact analysis since that inventory.

**Table 4-1. Most Numerous Industrial Respondents by Industrial Group**

Industry Group	SIC	NAICS
Electric Services	491	221111, 221112, 221113, 221119, 221121, 221122
Petroleum Refining	291	32411
Industrial Inorganic Chemicals	281	325181, 32512, 325131, 325182, 211112, 325998, 331311, 325188
Industrial Organic Chemicals	286	32511, 325132, 325192, 325188, 325193, 32512, 325199
Miscellaneous Chemical Products	289	32552, 32592, 32591, 325182, 32551
Natural Gas Liquids	132	211112
Natural Gas Transport	492	48621, 22121
Pulp Mills	261	32211, 322121, 322122, 32213
Paper Mills	262	322121, 322122
Automobile Manufacturing	371	336111, 336112, 336712, 336211, 336992, 336322, 336312, 33633, 33634, 33635, 336399, 336212, 336213
Pharmaceuticals	283	325411, 325412, 325413, 325414

The respondents also include State and local air regulatory agencies. Because of the national scope of the NSR program, these governmental respondents are in all 50 States.

### 4.2 Information Requested

This section discusses the data items that must be collected and reported and the activities that respondents must carry out under the major NSR program.

#### 4.2.1 Data items, including recordkeeping requirements

The data required by sources for a complete major NSR permit application can be found in the various parts of title 40 of the Code of Federal Regulations (40 CFR). Section 51.166 specifies the minimum requirements that a PSD permit program under part C of the Act must contain to warrant approval as a revision to a SIP. Section 52.21 delineates the Federal PSD permit program which applies to all Federally controlled areas, such as Tribal lands, outer continental shelf sources, and States that have not submitted a PSD program meeting the requirements of 40 CFR 51.166. Section 51.165 specifies the elements of an approvable State permit program for preconstruction review in nonattainment areas under

part D of the Act. Part 51, Appendix S (Offset Ruling) and 40 CFR 52.24 (statutory restriction on new sources) apply when a nonattainment area SIP has not been fully approved by EPA as having met the requirements of part D of the Act. These citations can be found on the EPA website at:

<http://www.epa.gov/epacfr40/chapt-I.info/chi-toc.htm>

Respondent data and information requirements can be found in the Supporting Statement for the 2005 ICR renewal for the major NSR program (ICR #1230.17), including appropriate references in 40 CFR part 51 for the data and information requirements that govern the way States implement NSR programs.<sup>2</sup>

#### 4.2.2 Respondent activities

Tables 6-1 and 6-2 list (for source and reviewing authority respondents, respectively) the activities and associated burden for major NSR permitting. For each activity, the tables give the baseline burden (based on the 2005 ICR renewal), the estimated burden upon implementation of the PM<sub>2.5</sub> NSR Implementation rule, and the incremental burden due to the rule.

For source respondents, the activities are divided into three broad categories: (1) preparation and planning, (2) data collection and analysis, and (3) permit application. Each of these categories is further subdivided into individual activities.

Reviewing authority respondents' activities involve interacting with the source during its preparation of an application, reviewing the application and making a determination, implementing the public notice and comment process, issuing the permit, and transmitting information to EPA. In addition to the activities associated with reviewing and issuing major NSR permits under the revised regulations, reviewing authority respondents will have to revise their SIPs to add PM<sub>2.5</sub> and its precursors to their major NSR programs.

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<sup>2</sup> A. Rios and J. Santiago. *Information Collection Request for 40 CFR Part 51 and 52 Prevention of Significant Deterioration and Nonattainment New Source Review*. U.S. Environmental Protection Agency, Research Triangle Park, NC. October 2004. Appendix A.

## **5 The Information Collected - Agency Activities, Collection Methodologies, and Information Management**

### **5.1 Agency Activities**

Table 6-3 lists EPA's activities associated with major NSR permitting. These activities generally involve oversight review of major NSR permitting actions to verify that the requirements of the Act and the implementing part 51 and 52 regulations are being met. In addition, EPA will have to review the SIP revisions submitted by the reviewing authorities.

### **5.2 Collection Methodology and Management**

The owners or operators of new or modified major stationary sources affected by the major NSR regulations must submit construction permit applications to the reviewing authority, who logs in the permit applications, stores applications in a central filing location, notifies the Federal Land Manager (FLM) of the permit, and provides a copy of the application (if applicable) to the FLM and transmits copies of each application to EPA. Upon permit approval, the reviewing authority submits control technology information to EPA's reasonably available control technology (RACT)/BACT/LAER Clearinghouse (RBLC) database.

The reviewing authority reviews the permit application and checks the quality of data submitted by the applicant on a case-by-case basis. The applicant will be required to submit information on how the data were obtained (e.g., indicate whether emissions data were obtained through the use of emissions factors or test data) and how the calculations were performed. The reviewing authority personnel will check data quality by reviewing test data and checking engineering calculations, and by reviewing control technology determinations for similar sources. The RBLC and other sources will be reviewed for information on control technology determinations made for sources similar to the sources included in the permit application. Confidential information submitted by the applicant will be handled by the reviewing authority's confidential information handling procedures. The public will be provided the opportunity to review a permit application and other materials relevant to the reviewing authority's decision on issuing the permit, including FLM findings, by obtaining a copy from the permit reviewing authority or by attending the public hearing. The NSR regulations will not require information through any type of survey.

### **5.3 Small Entity Flexibility**

The Regulatory Flexibility Act (RFA) requires regulatory agencies, upon regulatory action, to assess that action's potential impact on small entities (businesses, governments, and small non-governmental organizations) and report the results of the assessments in (1) an Initial Regulatory Flexibility Analysis (IRFA), (2) a Final Regulatory Flexibility Analysis (FRFA), and (3) a Certification. For ICR approval, the Agency must demonstrate that it "has taken all practicable steps to develop separate and simplified

requirements for small businesses and other small entities” (5 CFR 1320.6(h)). In addition, the agencies must assure through various mechanisms that small entities are given an opportunity to participate in the rulemaking process.

A Regulatory Flexibility Act Screening Analysis (RFASA) developed as part of a 1994 draft Regulatory Impact Analysis (RIA) and incorporated into the September 1995 ICR renewal analysis reported an initial regulatory flexibility screening analysis showed that the changes to the NSR program due to the 1990 Clean Air Act amendments would not have an adverse impact on small entities.<sup>3</sup> This analysis encompassed the entire universe of applicable major sources that were likely to also be small businesses. The Agency estimates there are approximately 50 “small business” major sources.<sup>4</sup> Because the administrative burden of the NSR program are the primary source of the NSR program’s regulatory costs, the analysis estimated a negligible “cost to sales” (regulatory cost divided by the business category mean revenue) ratio for this source group. Currently, there is no economic basis for a different conclusion at this time.

### **5.3.1 Measures to avert impacts on small entities**

The Agency may not, under any circumstances, exempt a major source of air pollution from the requirements of major NSR. Since the impacts of major NSR regulations which may impact small entities occur predominantly at major sources, little room exists for regulatory flexibility to avert the impact of the proposed rulemaking on small entities through exemption.

### **5.3.2 Measures to mitigate impacts on small entities**

Even though the major NSR program does not have an adverse impact on a significant number of small businesses, EPA takes measures to assist sources in affected small entities through the implementation of small business stationary source technical and environmental compliance assistance programs, as called for in section 507 of the Act. These programs reduce the reporting burden of small entities that are subject to major NSR and may significantly alleviate the economic burden on small sources by (1) establishing programs to assist small businesses with determining what Act requirements apply to their sources and when they apply, and (2) providing guidance on alternative control technology and pollution prevention for small businesses.

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<sup>3</sup> “Economic Assessment of the Impacts of Part C and D Regulatory Changes,” June 2, 1994.

<sup>4</sup> The definition for “small business” employed for all SIC categories in this analysis was any business employing fewer than 500 employees.

#### **5.4 Collection Schedule**

Respondents are not subjected to a collection schedule per se under the major NSR regulations of parts 51 and 52. In general, each major stationary source is required to submit an application as a prerequisite to receiving a construction permit. Preparation of a major source construction permit application is a one-time-only activity for each project involving construction of a new major stationary source or major modification of an existing major stationary source. The applicable SIP typically states the time period that is necessary to process a permit application and issue a permit. Consequently, a prospective source would be obliged to work backward from the desired commencement date for construction to determine the optimum submittal date for the application.

## 6 Estimating the Burden and Cost of the Collection

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; and transmit or otherwise disclose the information. In addition to the labor hours expended by the respondents, the burden estimate should include: (1) total capital and start-up costs annualized over the useful life of the purchased equipment, and (2) total costs for operation, maintenance, and purchases of services. Each component should be divided into burden borne directly by the respondent and any services that are contracted out.

This section discusses the development of burden estimates and their conversion into costs, which are separated into burden costs and capital and operating and maintenance (O&M) costs. According to the latest guidance for ICRs (EPA 2005), capital and O&M costs display the cost of any new capital equipment the source or reviewing authority may have to purchase solely for information collection, assimilation, and storage purposes. For example, if a source had to purchase a new computer to store and manipulate data, that computer would be a cost of administration subject to reporting in the ICR. In addition, the latest guidance instructs the Agency to differentiate the burden associated with a source's labor and that which it hires through outside contractors. To the extent a source contracts out for administrative purposes (e.g., employing consultants to perform monitoring functions), the burden associated with those contracted tasks are not a burden to the source - but they still remain a cost. The reader should read this section with the following considerations in mind:

- The Agency believes the time necessary to perform a task is independent of the origins of its labor. In other words, if a source would employ 20 hours of burden to fully perform a function, then a contractor hired by the source would also take 20 hours to perform that same task. Furthermore, the Agency assumes no economies or diseconomies of scale. The linear combination of any amount of contractor and source effort will also sum to 20. Therefore, the burden estimates in this ICR act as an accurate assessment of the total burden to affected sources and reviewing authorities, given the affected entity does not employ contracted labor.

- For some burden categories, the Agency believes the hours assigned to them will be divided between the source and outside contractors. For these categories, the Agency established a composite cost per hour by developing a weighted average of the source and contractor wages, with the weight defined by the percentage of total effort each burden source applied. Consequently, the cost developed in this ICR should be interpreted as an upper bound on the actual cost of administration by the source or reviewing authority. The methodology for determining cost per hour can be found in greater detail in section 6.2, below.

## 6.1 Estimating Respondent Burden

Although there have been regulatory changes to the NSR program since the 2005 renewal, we believe that they have not changed the regulatory burden on a source that is subject to major NSR and must obtain a permit. Similarly, we believe that the burden on a State or local reviewing authority to review and issue a major NSR permit has not changed. Thus, we have retained the per-permit hourly burden estimates from the 2005 ICR renewal (ICR #1230.17) as the baseline for the current regulatory action for both source respondents and State and local reviewing authority respondents.

The PM<sub>2.5</sub> NSR Implementation rule adds PM<sub>2.5</sub> and its precursors to the major NSR program, but does not otherwise change the requirements of the program. Thus, the rule does not change the activities that a source must carry out to obtain a permit, but may increase the number of pollutants that the source must address in its permit application. This is because major NSR applies to a new or modified source on a pollutant-by-pollutant basis. That is, a source must meet the requirements of the program for each pollutant that it will emit in amounts greater than the applicable threshold, and must address each such pollutant in its permit application. Major NSR permitting actions very often involve more than one pollutant. As a result of the PM<sub>2.5</sub> NSR Implementation rule, we expect the number of pollutants involved to increase for some sources, with a concomitant increase in the burden to obtain a permit. In addition, we expect the burden for reviewing authority respondents to review permit applications and issue permits to increase accordingly.

To estimate the increase in permitting burden that will result from the PM<sub>2.5</sub> NSR Implementation rule, we considered two factors: (1) which activities are likely to be affected by an increase in the number of pollutants addressed, and (2) the increase in burden for the affected activities. These factors are discussed further below.

The activities that source and reviewing authority respondents carry out for permitting under the major NSR program are listed below in Tables 6-1



and 6-2, respectively. The burden for some of these activities (such as control technology and impact analyses) will depend on the number of pollutants involved, while others are primarily administrative in nature (such as public hearings) and will be largely unaffected by the number of pollutants. In Tables 6-1 and 6-2, those activities that are affected by the number of pollutants show an incremental increase in burden in the right-most column, while the unaffected activities have an incremental burden of zero.

Not all sources that must obtain a major NSR permit will be subject for PM<sub>2.5</sub>. To estimate the percentage of permits that will have to address PM<sub>2.5</sub>, we consulted the RBLC to determine what percentage has historically been subject to major NSR for particulate matter. We found that over the last 10 years, approximately 60 percent of facilities that obtained control technology determinations obtained a determination for particulate matter. We used this percentage as a weighting factor to determine the weighted average increase in burden for the affected activities across all major NSR permits (i.e., those that address PM<sub>2.5</sub> and those that do not), as explained further below.

To determine the likely increase in burden for affected activities under the major NSR program, we assumed that PSD permits currently address an average of three pollutants and that NA NSR permits currently address an average of two pollutants. We estimated that the PM<sub>2.5</sub> NSR Implementation rule will have the effect of increasing these numbers by one pollutant per permit, for those sources that become subject to PM<sub>2.5</sub> permitting. (We estimate one pollutant, specifically direct emissions of PM<sub>2.5</sub>, because the precursors of PM<sub>2.5</sub> are already regulated under major NSR.) Thus, for sources subject to PM<sub>2.5</sub> permitting (i.e., the 60 percent of all permits noted above), the burden associated with the affected activities will increase by 33 percent for PSD permitting and 50 percent for NA NSR permitting. We assumed the same percent increase for reviewing authorities where permits must address PM<sub>2.5</sub>. Therefore, for PSD the weighted average across all permits is 20 percent ( $0.60 \times 0.33 = 0.20$ ), and for NA NSR the weighted average is 30 percent ( $0.60 \times 0.50 = 0.30$ ). We applied these weighted average burden increases to the affected activities for both source respondents and reviewing authority respondents.

Table 6-1 shows the average incremental increase in burden hours per permit for source respondents that we estimate will result from the PM<sub>2.5</sub> NSR Implementation rule. As the table shows, we estimate an average incremental increase of 27 hours for PSD permits, or about 3 percent. For NA NSR permits, we estimate an average incremental increase of 65 hours, or about 11 percent.

Table 6-2 gives the average incremental increase in burden hours per permit for reviewing authority respondents. We estimate an average incremental increase of 22 hours for PSD permits, or about 8 percent. For NA NSR permits, we estimate an average incremental increase of 18 hours, or about 17 percent.

In addition to issuing permits, the reviewing authorities must ensure that their NSR programs meet the requirements that EPA specifies for such programs pursuant to parts C and D. The PM<sub>2.5</sub> NSR Implementation rule revises these requirements. Therefore, each reviewing authority must submit changes to its existing SIP program or demonstrate that its existing programs are at least equivalent to EPA's new requirements. Because the changes needed for updating SIPs are small and the State requirements for SIP development differ from State to State, the EPA assumed it would take no more than 40 hours for each reviewing authority to fully incorporate this rulemaking into its plan. This assumption includes legislative review, public comment, and all legal and legislative processes necessary for all of the above components. This is a one-time burden that will occur during the 3-year period covered by this ICR.

**Table 6-1. Source Respondent Burden Increase, Hours per Permit**

Activity	Baseline Hours per Permit <sup>a</sup>	Hours per Permit with PM <sub>2.5</sub> Rule Revisions	Incremental Increase in Hours per Permit
I. PSD permits (Part C) <ul style="list-style-type: none"> <li>A. Preparation and Planning                             <ul style="list-style-type: none"> <li>Determination of Compliance Requirements</li> <li>Obtain guidance on Data Needs</li> <li>Preparation of BACT Engineering Analysis</li> </ul> </li> <li>B. Data Collection and Analysis                             <ul style="list-style-type: none"> <li>Air Quality Modeling</li> <li>Determination of Impact on Air Quality Related Values</li> <li>Post-construction Air Quality Monitoring</li> </ul> </li> <li>C. Permit Application                             <ul style="list-style-type: none"> <li>Preparation and Submittal of Permit Application</li> <li>Public Hearings</li> <li>Revisions to Permit</li> </ul> </li> <li>D. Total</li> </ul>	170 120 85  200 100 50  50 24 40 839	170 120 102  200 100 50  60 24 40 866	0 0 17  0 0 0  10 0 0 27
II. NA NSR permits (Part D) <ul style="list-style-type: none"> <li>A. Preparation and Planning                             <ul style="list-style-type: none"> <li>Determination of Compliance Requirements</li> <li>Obtain Guidance on Data Needs</li> </ul> </li> <li>B. Data Collection and Analysis                             <ul style="list-style-type: none"> <li>Preparation of LAER Engineering Analysis</li> <li>Demonstrate Offsets</li> <li>Prepare Analysis of Alternative Sites, Processes, etc.</li> <li>Air Quality Modeling</li> </ul> </li> <li>C. Permit Application                             <ul style="list-style-type: none"> <li>Preparation and Submittal of Permit Application</li> <li>Public Hearings</li> <li>Revisions to Permit</li> </ul> </li> <li>D. Total</li> </ul>	150 100  40 40 60 100  38 25 24 577	150 100  52 52 60 130  49 25 24 642	0 0  12 12 0 30  11 0 0 65

<sup>a</sup> Source: A. Rios and J. Santiago. *Information Collection Request for 40 CFR Part 51 and 52 Prevention of Significant Deterioration and Nonattainment New Source Review*. U.S. Environmental Protection Agency, Research Triangle Park, NC. October 2004. Page 17.

**Table 6-2. Reviewing Authority Respondent Burden Increase, Hours per Permit**

Activity	Baseline Hours per Permit <sup>a</sup>	Hours per Permit with PM <sub>2.5</sub> Rule Revisions	Incremental Increase in Hours per Permit
I. PART C (PSD)			
A. Attend Pre-application Meetings	36	36	0
B. Answer Respondent Questions	20	20	0
C. Log In and Review Data Submissions	16	16	0
D. Request Additional Information	8	8	0
E. Analyze for and Provide Confidentiality Protection	24	24	0
F. Prepare Completed Applications for Processing	32	38	6
G. File and Transmit Copies	8	8	0
H. Prepare Preliminary Determination	24	29	5
I. Prepare Notices for and Attend Public Hearings	40	40	0
J. Application Approval	40	48	8
K. Notification of Applicant of RA Determination	8	8	0
L. Submittal of Information on BACT to RBLC	16	19	3
M. Total	272	294	22
II. Part D (Nonattainment)			
A. Attend Pre-application Meetings	7	7	0
B. Answer Respondent Questions	10	10	0
C. Log In and Review Data Submissions	8	10	2
D. Request Additional Information	4	4	0
E. Analyze for and Provide Confidentiality Protection	4	4	0
F. Prepare Completed Applications for Processing	12	16	4
G. File and Transmit Copies	4	4	0
H. Prepare Preliminary Determination	8	10	2
I. Prepare notices for and Attend Public Hearings	18	18	0
J. Application Approval	16	21	5
K. Notification of Applicant Determination	2	2	0
L. Submittal of Information on LAER to RBLC	16	21	5
M. Total	109	127	18

<sup>a</sup> Source: A. Rios and J. Santiago. *Information Collection Request for 40 CFR Part 51 and 52 Prevention of Significant Deterioration and Nonattainment New Source Review*. U.S. Environmental Protection Agency, Research Triangle Park, NC. October 2004. Page 18.

## 6.2 Estimating Respondent Costs

In order to allow a direct cost comparison with the existing approved ICR for the major NSR program (i.e., the January 2005 renewal, ICR #1230.17), we use the same cost factors in this ICR revision. These cost factors are laid out below.

### 6.2.1 Estimating labor costs

As in the January 2005 ICR renewal for the major NSR program, the hourly labor rate for source respondents used for this analysis is \$65.50 per hour (in 2004 dollars). This labor rate was calculated by taking 70% of the 2004 in-house labor rate, which was derived using fully loaded but weighted technical, clerical, and managerial staff wages, and adding the resulting labor rate to 30% of the 2004 fully loaded weighted consultant rate for technical, clerical, and managerial staff.

Similarly, the labor rate used in this analysis for reviewing authority respondents is \$43.53 per hour. This rate was derived for the 2005 ICR renewal by inserting 2004 Federal government pay schedule wage rates for clerical, technical, and managerial staff into the weighting system developed in the 1997 renewal ICR and described in the November 2002 ICR revision.<sup>5</sup>

### **6.2.2 Estimating capital/start-up and O&M costs, including purchase of services**

Capital/start-up and O&M costs are non-labor related costs. One-time capital/start-up costs are incurred with the purchase of durable goods needed to provide information. According to the Paperwork Reduction Act, capital/start-up cost should include among other items, preparations for collecting information such as purchasing computers and software, monitoring, sampling, drilling, and testing equipment.

Even if an applicant is a brand new company and the prospective source is a “greenfield” source (the EPA estimates less than 1 percent of source respondents fit that description) most, and perhaps all, of the equipment needed to prepare permit applications (for example, the computers and basic software) will be part of the source’s business operation inventory. Furthermore, much of the data and regulatory and policy information for making technology determinations and even models for performing ambient air impact analyses are available in electronic form from several different EPA bulletin boards for just the communication charges, which are typically absorbed in routine business overhead expenses. Thus, the capital costs for the major NSR program are negligible. In any case, the PM<sub>2.5</sub> NSR Implementation rule, which is the subject of this ICR revision, will not cause any new capital costs to be incurred by any respondents.

The EPA has conservatively estimated that 13 percent of PSD permit applicants have to conduct pre-construction ambient monitoring for the impacts analyses and that monitoring is conducted for approximately 4 months. As a practical matter, sources would probably contract this type of activity since it would generally be a one-time exercise. Consequently, EPA believes this cost is most often a direct cost associated with preparing permit applications. Based on this assumption, cost of capital equipment for pre-construction monitoring is negligible. To account for this cost in the 2005 ICR renewal, EPA added a line item direct cost to the total annual cost based on a contracted service cost of \$253,337 per permit where pre-construction monitoring is required. This cost, although not a fixed-capital cost, is nonetheless considered a start-up cost and is reported as such in the

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<sup>5</sup> U.S., Environmental Protection Agency, Office of Air Quality Planning and Standards, *Draft Information Collection Request For Changes To The 40 CFR Part 51 And 52 Prevention Of Significant Deterioration And New Source Review Applicability Requirements For Modifications To Existing Sources*, November 2002, p. 29.

OMB form for the 2005 ICR renewal. For purposes of this ICR revision, we estimate that the average cost per PSD permit for those sources who must conduct pre-construction monitoring will increase by 20 percent, or \$50,667, to \$304,004. This estimate of a 20 percent incremental increase was derived as discussed above in section 6.1 for other permitting activities that will be affected by the increase in the number of pollutants addressed in PSD permits.

Since the purchase of capital equipment is believed to be an insignificant factor in permit application preparation, we assume that the O&M and services for same are negligible. Further, once a permit is issued, there is no O&M cost associated with it. It remains unaltered unless the source or the reviewing authority discovers specific reasons to reexamine it and change any conditions or specifications. If purely administrative, the changes are handled exclusively by the reviewing authority. If changes have the potential for environmental consequences, the action may be significant enough to be counted as a separate and new application, to which a new burden and cost may be ascribed.

### **6.2.3 Annualized capital costs**

Typically, annualized capital cost would be derived from a discounted net present value of the stream of costs that would occur over the life of the permit, or the ICR, whichever is shorter. However, in the case of NSR, there are only up-front costs. The burden and cost of applying for and issuing each permit is unique, and since the cost of NSR permitting is incurred “up front,” it is a sunk cost to the source and does not require amortization over the life of the source. Therefore, the capital costs for the ICR to industry respondents after the first year of each permit are zero.

### **6.3 Estimating Agency Burden and Cost**

Staff in EPA’s Regional Offices typically reviews major NSR permits. We expect our review of NSR permits to comprise the tasks listed below in Table 6-3. The table gives the baseline estimated average per-permit burden hours, which reflect the values from the 2005 ICR renewal (ICR #1230.17), as well as the estimated increase in burden resulting from the PM<sub>2.5</sub> NSR Implementation rule. The burden increase estimates were derived as discussed above in section 6.1 for the source and reviewing authority burden increases. That is, for those activities that will be affected by the number of pollutants addressed by a major NSR permit, the burden will increase by 20 percent for PSD permits and by 30 percent for NA NSR permits. As shown in Table 6-3, we estimate that the average incremental increase in EPA burden will be 1 hour (about 7 percent) for PSD permits and 3 hours for NA NSR permits (about 23 percent).

To facilitate cost comparisons between this ICR revision and the 2005 ICR renewal, we have used the Federal labor rate from the 2005 ICR of \$36.21

per hour.<sup>6</sup> The rate reflects the assumption, made in the July 10, 1997 renewal ICR and the February 2001 renewal ICR, that the staff reviewing permits are classified as Grade 11 Step 3. The corresponding salary is loaded with benefits at the rate of 60%.

In addition, there will be Agency burden to review the revised SIPs submitted by the reviewing authorities to verify that the revisions fully meet the requirements of the program, as changed by the PM<sub>2.5</sub> NSR Implementation rule. Due to the nature of the SIP revisions needed, the Agency expects that each SIP revisions will require about 5 hours of review. We expect this one-time burden to occur during the period covered by this ICR.

**Table 6-3. Federal Burden Increase, Hours per Permit**

Activity	Baseline Hours per Permit <sup>a</sup>	Hours per Permit with PM <sub>2.5</sub> Rule Revisions	Incremental Increase in Hours per Permit
I. PART C (PSD)			
A. Review and Verify Applicability Determination	2	2	0
B. Review Control Technology Determination	3	4	1
C. Evaluate Air Quality Monitoring	4	4	0
D. Evaluate Alternative and Secondary Impact Analysis	2	2	0
E. Evaluate Class I Area Analysis	2	2	0
F. Administrative Tasks	1	1	0
G. Total	14	15	1
II. Part D (nonattainment)			
A. Review and Verify Applicability Determination	2	2	0
B. Review Control Technology Determination	3	4	1
C. Evaluate Offsets	1	1	0
D. Evaluate Air Quality Monitoring	4	5	1
E. Evaluate Alternative and Secondary Impact Analysis	2	3	1
F. Administrative Tasks	1	1	0
G. Total	13	16	3

<sup>a</sup> Source: A. Rios and J. Santiago. *Information Collection Request for 40 CFR Part 51 and 52 Prevention of Significant Deterioration and Nonattainment New Source Review*. U.S. Environmental Protection Agency, Research Triangle Park, NC. October 2004. Page 19.

## 6.4 Estimating the Respondent Universe and Total Burden and Cost

For the purpose of estimating the total burden in this ICR, the respondent universe is defined by the annual number of permit applications prepared by sources and the number of reviewing authorities that must process such permit applications. It also includes the number of reviewing authorities that will have to revise their SIPs.

### 6.4.1 Estimating the number of respondents

As discussed above in section 6.1, we believe that the average burden per major NSR permit will increase as a result of the PM<sub>2.5</sub> NSR

<sup>6</sup> A. Rios and J. Santiago. *Information Collection Request for 40 CFR Part 51 and 52 Prevention of Significant Deterioration and Nonattainment New Source Review*. U.S. Environmental Protection Agency, Research Triangle Park, NC. October 2004. Page 13.

Implementation rule. However, we do not believe that the number of permits will be affected. We expect that PM<sub>2.5</sub> will very seldom, if ever, be the only PSD pollutant or the only NA NSR pollutant subject to permitting for a particular new major source or major modification. For this reason, this analysis uses the same number of PSD permits (265 per year) and NA NSR permits (488 per year) used in the 2005 ICR renewal (ICR #1230.17). The total number of source respondents is the sum of PSD and NA NSR permits, or 753 per year. For purposes of this ICR revision, we carried out the analysis as if the PM<sub>2.5</sub> NSR Implementation rule would be fully implemented immediately upon promulgation. That is, we have allowed for no lag time for reviewing authorities to submit SIP revisions and for EPA to review and approve the revisions. This results in a “worst-case” analysis for the 3-year period covered by this ICR, but more accurately reflects the long-term impacts of the rule.

For the number of respondent reviewing authorities associated with major NSR permitting and SIP revisions, we used the 112 reviewing authority count used by other permitting ICRs. Again, we carried out this “worst-case” analysis as if all reviewing authorities would begin issuing major NSR permits for PM<sub>2.5</sub> immediately, with no lag time for SIP revisions. We also included the reviewing authorities’ burden for revising the SIPs in this ICR.

#### 6.4.2 Estimating total respondent burden and cost

Based on the estimates presented above for the incremental increase in burden for PSD and NA NSR permits, the labor rates for source and reviewing authority respondents, and the number of respondents, we have estimated the total incremental burden and costs that will result from the PM<sub>2.5</sub> NSR Implementation rule. Table 6-4 presents the totals for source respondents for each year of the 3 years covered by this ICR. Table 6-5 shows the average annual totals for reviewing authority respondents.

**Table 6-4. Incremental Annual Burden and Costs for Source Respondents**

Activity	Number of Permits per Year	Incremental Burden per Permit	Incremental Annual Burden	Labor Rate	Incremental Annual Cost (\$ 2004)
PSD Permitting					
Permitting labor	265	27 hours	7,155 hours	\$65.50/hr	\$468,653
Pre-construction monitoring <sup>a</sup>	34	\$50,667			\$1,722,678
PSD Permitting Subtotal	265		7,155 hours		\$2,191,331
NA NSR Permitting					
Permitting labor	488	65 hours	31,720 hours	\$65.50/hr	\$2,077,660
NA NSR Permitting Subtotal			31,720 hours		\$2,077,660
<b>TOTAL</b>	<b>753</b>		<b>38,875 hours</b>		<b>\$4,268,991</b>

<sup>a</sup> The 34 permits per year for which pre-construction monitoring must be carried out are a subset of the 265 PSD permits per year.

**Table 6-5. Incremental Annual Burden and Costs for Reviewing Authority (RA) Respondents**

INFORMATION COLLECTION REQUEST FOR CHANGES TO 40 CFR PART 51 AND 52 PREVENTION OF SIGNIFICANT DETERIORATION AND NONATTAINMENT NEW SOURCE REVIEW: Final Rule for Implementation of the New Source Review (NSR) Program for Particulate Matter Less Than 2.5 Micrometers (PM<sub>2.5</sub>)



<b>Major NSR Permitting</b>					
<b>Activity</b>	<b>Number of Permits per Year</b>	<b>Incremental Burden per Permit (Hours)</b>	<b>Incremental Annual Burden (Hours)</b>	<b>Labor Rate</b>	<b>Incremental Annual Cost (\$ 2004)</b>
PSD Permitting	265	22	5,830	\$43.53/hr	\$253,780
NA NSR Permitting	488	18	8,784	\$43.53/hr	\$382,367
Major NSR Subtotal	753		14,614		\$636,147
<b>SIP Revisions</b>					
<b>Activity</b>	<b>Number of SIP Revisions per Year<sup>a</sup></b>	<b>Burden per Revision (Hours)</b>	<b>Average Annual Burden<sup>b</sup> (Hours)</b>	<b>Labor Rate</b>	<b>Average Annual Cost<sup>c</sup> (\$ 2004)</b>
Revision of SIP	37.33	40	1,493	\$43.53/hr	\$65,005
<b>Reviewing Authority Totals</b>					
<b>TOTAL</b>			<b>16,107</b>		<b>\$701,152</b>

<sup>a</sup> Each of the 112 reviewing authorities must submit one SIP revision to conform their major NSR programs to the revised rules over the 3-year period covered by this ICR. Thus, the average annual number of such revisions is  $112 / 3 = 37.33$  per year.

<sup>b</sup> Each reviewing authority will revise its SIP once for a 3-year total burden of 4,480 hours. Average annual burden is  $4,480 / 3 = 1,493$  hours.

<sup>c</sup> Total 3-year cost is  $4,480 \text{ hours} \times \$43.53 = \$195,014$ . Average annual cost is  $\$195,014 / 3 = \$65,005$ .

### 6.4.3 Estimating total Federal burden and cost

Based on the estimates presented above for the Federal burden hours for each activity, the Federal labor rate, and the number of permits and SIP revisions, we have estimated the total average annual Federal burden and costs that will result from the PM<sub>2.5</sub> NSR Implementation rule. All of the Federal burden and costs are incurred by EPA. Table 6-6 presents the estimated burden and costs.

**Table 6-6. Incremental Federal Annual Burden and Costs**

<b>Major NSR Permitting</b>					
Activity	Number of Permits per Year	Incremental Burden per Permit (Hours)	Incremental Annual Burden (Hours)	Labor Rate	Incremental Annual Cost (\$ 2004)
PSD Permitting	265	1	265	\$36.21/hr	\$9,596
NA NSR Permitting	488	3	1,464	\$36.21/hr	\$53,010
Major NSR Subtotal			1,729		\$62,606
<b>SIP Revisions</b>					
Activity	Number of SIPs to Review per Year <sup>a</sup>	Burden per SIP Review (Hours)	Average Annual Burden <sup>b</sup> (Hours)	Labor Rate	Average Annual Cost <sup>c</sup> (\$ 2004)
Revision of SIP	37.33	5	187	\$36.21/hr	\$6,759
<b>Federal Totals</b>					
<b>TOTAL</b>			<b>1,916</b>		<b>\$69,365</b>

<sup>a</sup> The EPA will review one SIP revision submitted by each of the 112 reviewing authorities over the 3-year period covered by this ICR. Thus, the average annual number of SIP reviews is 112 / 3 = 37.33 per year.

<sup>b</sup> The EPA will review a total of 112 SIP revisions for a 3-year total burden of 560 hours. Average annual burden is 560 / 3 = 187 hours.

<sup>c</sup> Total 3-year cost is 560 hours x \$36.21 = \$20,278. Average annual cost is \$20,278 / 3 = \$6,759.

**6.5 Bottom Line Burden and Cost**

Table 6-7 displays the incremental change in annual burden and costs for source and reviewing authority respondents that we estimate will result from the PM<sub>2.5</sub> NSR Implementation rule, as well as the total across all respondents. Table 6-8 shows the incremental change in annual burden and costs for the EPA that we estimate will result from the PM<sub>2.5</sub> NSR Implementation rule.

**Table 6-7. Total Estimated Incremental Change in Annual Respondent Burden and Costs**

Type of Respondent	Number of Responses	Total Incremental Burden (Hours/Year)	Total Incremental Labor Costs (\$/Year)	Total Incremental Capital Costs (\$/Year)	Total Incremental Costs (\$/Year)
Sources	753	38,875	\$2,546,313	\$1,722,678	\$4,268,991
Reviewing Authorities <sup>a</sup>	790.33	16,107	701,152	0	701,152
<b>TOTAL</b>	<b>1,543.33</b>	<b>54,982</b>	<b>\$3,247,465</b>	<b>\$1,722,678</b>	<b>\$4,970,143</b>

<sup>a</sup> During the 3-year period of this ICR, the 112 reviewing authorities will review 753 major NSR permits each year and submit an average of 37.33 SIP revisions per year (112 / 3 = 37.33), for a total of 790.33 responses per year.

**Table 6-8. Total Estimated Incremental Change in Annual Federal Burden and Costs**

Type of Entity	Number of Entities	Total Incremental Burden (Hours/Year)	Total Incremental Labor Costs (\$/Year)	Total Incremental Capital Costs (\$/Year)	Total Incremental Costs (\$/Year)
Federal Agency	1	1,916	\$69,365	\$0	\$69,365

## 6.6 Reasons for Change in Burden

As discussed in the previous sections, the burden for the major NSR program will increase as a result of the PM<sub>2.5</sub> NSR Implementation rule. This change in the major NSR regulations is necessary under the Clean Air Act because EPA has, in other rulemakings, promulgated NAAQS for PM<sub>2.5</sub> to protect the public health and welfare. The rule is a program change to add PM<sub>2.5</sub> and its precursors to the major NSR program, but it does not otherwise change the requirements of the program. We expect the rule change to increase the burden associated with applying for and issuing those permits that will now have to address PM<sub>2.5</sub> in addition to other pollutants, but we do not expect any change in the number of major NSR permits that must be issued (i.e., no change in the number of source respondents). In addition, reviewing authorities will incur a one-time burden to revise their SIPs to incorporate the major NSR rule changes. The magnitude of the change in burden is presented above in Tables 6-7 and 6-8.

## 6.7 Burden Statement

We estimate that the PM<sub>2.5</sub> NSR Implementation rule will increase the total annual burden of the major NSR program on 753 source respondents by nearly 39,000 hours and \$4.3 million per year (see Tables 6-4 and 6-7), for an average burden increase of about 52 hours and \$5,700 per source. For the 112 reviewing authority respondents, we estimate that the total annual burden will increase by about 16,000 hours and \$700,000 (see Tables 6-5 and 6-7), for an average burden increase of about 140 hours and \$6,300 per reviewing authority.

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.

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 public docket for this ICR under Docket ID Number

EPA-HQ-OAR-2007-0281, which is available for online viewing at [www.regulations.gov](http://www.regulations.gov), or in-person viewing at the Air and Radiation Docket and Information Center in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Avenue, NW, Washington, D.C. The EPA Docket Center Public Reading Room is open from 8:30 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 Docket is (202) 566-1742. An electronic version of the public docket is available at [www.regulations.gov](http://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, D.C. 20503, Attention: Desk Officer for EPA. Please include the EPA Docket ID Number EPA-HQ-OAR-2007-0281 and OMB Control Number 2060-0003 in any correspondence.