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**SUPPORTING STATEMENT**  
**Consolidated Emissions Reporting (Renewal)**  
**OMB # 2060-0088, EPA ICR # 0916.13**

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**1. IDENTIFICATION OF THE INFORMATION COLLECTION**

**1(a) Title of the Information Collection**

Consolidated Emissions Reporting (Renewal), OMB Control Number 2060-0088, ICR Number 0916.13.

**1(b) Short Characterization/Abstract**

The United States Environmental Protection Agency (EPA) promulgated the Consolidated Emissions Reporting Rule (CERR) to coordinate new emissions inventory reporting requirements with existing requirements of the Clean Air Act (CAA) and 1990 Amendments. An Information Collection Request (ICR) entitled “Consolidated Emissions Reporting – Final Rule,” presented burden estimates for respondents to comply with annual inventory provisions required by 40 CFR 51 subpart A (Office of Management and Budget (OMB) #2060-0088). EPA recently promulgated the Air Emissions Reporting Requirements (AERR) rule which will replace the CERR. The AERR updates data reporting under the CERR and further consolidates, simplifies and harmonizes data reporting requirements. The first year of data reporting under the AERR was initially targeted for 2008. The final AERR rule was published on December 17, 2008 which delayed the first year of data reporting until 2009. Due to the delay in implementing the AERR, data reporting for 2008 will be under the CERR which necessitates renewing the CERR ICR since it will expire on October 31, 2009 and state data reporting activities for 2008 will not conclude until June 1, 2010.

This ICR is being submitted to renew EPA’s authority to collect emissions related information from state and local air pollution control agencies. EPA has reviewed the analysis done under the Consolidated Emissions Reporting – Final Rule supporting statement and updated the assumptions with respect to labor rates and point source reporting using the latest available data.

Under the final CERR ICR, 55 state and territorial air quality agencies, including the District of Columbia (DC), as well as an estimated 49 local air quality agencies, must annually submit emissions data for point sources emitting specified levels of volatile organic compounds (VOCs), oxides of nitrogen (NO<sub>x</sub>), carbon monoxide (CO), sulfur dioxide (SO<sub>2</sub>), particulate matter less than or equal to 10 micrometers in diameter (PM<sub>10</sub>), particulate matter less than or equal to 2.5 micrometers in diameter (PM<sub>2.5</sub>), and ammonia (NH<sub>3</sub>).

Every 3 years, states<sup>1</sup> will be required to submit a point source inventory, as well as a statewide stationary nonpoint, nonroad mobile, onroad mobile, and biogenic source inventory for all criteria pollutants and their precursors. The emissions data submitted for the annual and 3-year cycle inventories for stationary point, nonpoint, nonroad mobile, and onroad mobile sources will be used by EPA's Office of Air Quality Planning and Standards (OAQPS) to assist in developing ambient air quality emission standards, performing regional modeling, and preparing national trends assessments and other special analyses and reports

This ICR also estimates burden hours and costs incurred by a portion of industry sources to estimate and report PM<sub>2.5</sub> and NH<sub>3</sub> point source emissions. The burden estimates for industry to report PM<sub>2.5</sub> and NH<sub>3</sub> emissions were included in the original CERR ICR to address this new statewide reporting requirement. These estimates have been retained in this renewal although reporting PM<sub>2.5</sub> and NH<sub>3</sub> emissions is no longer a new requirement and reporting these emissions continues to be the responsibility of the states.

## **2. NEED FOR AND USE OF THE COLLECTION**

### **2(a) Need/Authority for the Collection**

The purpose of the CERR is to coordinate the various state emission inventory reporting requirements, and streamline the activities involved in submitting the emissions data to EPA. The CERR has enabled the EPA to achieve uniformity and completeness in a national inventory to support national, regional, and local air quality planning and attainment. As EPA moves towards a regional focus in addressing air quality issues, there is a greater need for states to develop consistent inventories and to share their emissions inventory data with other groups.

While the CAA does not provide a specific authorization for a national emissions data base, the CAA provides the EPA ample legislative authority for acquiring such data. Emissions data are of vital importance to the EPA for fulfilling a host of monitoring, standard-setting, rulemaking, reviewing, and reporting duties. Sections 110 and 301(a) of the CAA provide a primary authority for a national emissions data base. Section 110 requires each state to prepare a plan which provides for implementation, maintenance, and enforcement of the primary standard for each pollutant for which air quality criteria have been issued. This plan must include provisions for periodic reports identifying sources and listing amounts of emissions. Section 301(a) authorizes the Administrator to promulgate necessary regulations.

Congressional support for collecting and reporting emissions data is demonstrated in three sections of the CAA. Section 110(a)(2)(F) requires that each state provide for periodic reports on the nature and amounts of emissions of criteria pollutants from stationary sources.

Sections 182(a)(3)(A) and 187(a)(5) of the CAA specify periodic inventory requirements for ozone and CO nonattainment areas, respectively. Section 182(a)(3)(A) requires states with ozone nonattainment areas to submit a current inventory of actual emissions of VOC, NO<sub>x</sub>, and CO every 3 years. Section 187(a)(5) requires a similar inventory of actual CO emissions for CO nonattainment areas. Periodic inventories include emission estimates for all point, nonpoint, onroad mobile, nonroad mobile, and biogenic sources.

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<sup>1</sup> Except where noted, future reference to "state(s)" in this supporting statement includes 50 states, 4 territories, 49 local agencies, and the District of Columbia (DC).

Although the periodic reporting requirements in the CAA only apply to pollutant nonattainment areas, consolidated emissions reporting requirements for the 3-year cycle inventory are statewide, regardless of the attainment status of an area. As the regional nature of pollution is recognized, the availability of multistate inventory data representative of a complete state is vital, especially for those downwind states with nonattainment problems caused in part by pollution transported across state boundaries.

Section 172(c)(3) also provides the Administrator with discretionary authority to require other emissions data as deemed necessary for State Implementation Plan (SIP) development in nonattainment areas to meet the NAAQS. This authority is used, for example, in requiring a periodic inventory of PM<sub>10</sub> emissions for PM<sub>10</sub> nonattainment areas. To support state efforts to attain the PM<sub>2.5</sub> NAAQS, this requirement is extended statewide for PM<sub>10</sub>, and includes PM<sub>2.5</sub> emissions, as well as NH<sub>3</sub>, NO<sub>x</sub>, SO<sub>2</sub>, and VOC.

In addition, the EPA has promulgated regulations outlining a visibility protection program to address regional haze in mandatory Class I Federal Areas (certain large national parks and wilderness areas). As part of this requirement, it is important for states to develop inventories for sources that are reasonably anticipated to contribute to regional haze visibility impairment. These inventories are used as inputs to regional models and used as the basis for regional pollutant trading programs. The need for enhanced inventory development and expanded regional modeling capabilities has been greatly emphasized by a number of organizations, including the Grand Canyon Visibility Transport Commission (GCVTC) and the Clean Air Act Advisory Council (CAAAC). Emissions of VOC, NO<sub>x</sub>, SO<sub>2</sub>, NH<sub>3</sub>, and primary PM all result in visibility impairment, so developing and reporting enhanced statewide emission inventories for these pollutants will support the regional haze program as well.

## **2(b) Practical Utility/Users of the Data**

Emissions data and related information on stationary point and nonpoint sources, as well as nonroad mobile and onroad mobile sources, are routinely used by the OAQPS and the EPA Regional Offices in carrying out a variety of activities. These activities support regulatory functions as well as functions that are more programmatic in nature such as trends analyses.

EPA's Office of Research and Development (ORD) uses emissions source data in determining priorities for control technology research and as a key data component in the application of AERMOD, CAMx and CMAQ. The EPA's Regional Offices use emissions and other source parameters to support source inspections and in the analyses of the impact of new or modified sources within an area. EPA's Emission Inventory and Analysis Group (EIAG) use the data to assess and analyze trends in criteria pollutant emissions over time.

In addition to supporting projects and initiatives internal to EPA, both the OAQPS and the Regional Offices respond to numerous requests for reports on emission sources. Typically this is done under the Freedom of Information Act. Most requests come from contractors and consultants involved in special studies; a smaller number come from universities and others involved in research.

The respondents to the CERR also use and benefit from the emissions data required by this ICR. The collection of emissions data specific to nonattainment areas for certain criteria air pollutants is necessary to comply with requirements specified in Title I of the CAA. States with nonattainment areas rely on current information for point, nonpoint, and mobile sources to revise their SIPs and to plan for emission reductions

mandated by the CAA. In addition, a statewide inventory compiled at least every 3 years for all point, nonpoint, and mobile sources is considered to be a key tool to assist states in meeting CAA requirements that address emissions tracking, compliance issues, and mid-course adjustments. Statewide emission inventories can be used by states affected by pollution transport from upwind areas to develop more efficient control strategies to meet the NAAQS. Statewide emission inventories that were developed by EPA (the NEI) have been used by the Regional Planning Organizations (RPOs) as the starting point for the development of statewide emission inventories to define control strategies for the regional haze program.

### **3. NONDUPLICATION, CONSULTATIONS, AND OTHER COLLECTION CRITERIA**

#### **3(a) Nonduplication**

Previous reporting requirements have occasionally forced state agencies into inefficient data collecting and reporting activities. The final CERR seeks to simplify emission inventory reporting by states to EPA, offer options for data collection and exchange, and unify reporting dates for various categories of inventories to avoid duplication of effort. For example, emission statement data are currently collected by states but not reported to EPA. Emission statements are required from specified VOC and NO<sub>x</sub> emission sources in ozone nonattainment areas, as well as higher emitting VOC and NO<sub>x</sub> point sources in the ozone transport region. As appropriate, states may use emission statement data to meet annual and 3-year cycle point source inventory reporting requirements. Additionally, under the NO<sub>x</sub> SIP Call rule, the EPA is requiring states to submit annual inventories for all NO<sub>x</sub> sources for which states adopt control measures to meet their NO<sub>x</sub> budget. Every 3 years, statewide NO<sub>x</sub> inventories of all controlled and uncontrolled sources are required. Combining data from these collection activities will avoid duplication of information collected from sources, minimize the burden on the industry, and reduce the effort for state and local government agencies to compile the data.

The CERR established reporting requirements for PM<sub>2.5</sub> and NH<sub>3</sub>. In light of the PM<sub>2.5</sub> NAAQS, accurate emissions data for PM<sub>2.5</sub> and its precursor, NH<sub>3</sub>, are important to successfully develop a control strategy and implement controls for areas determined to be nonattainment for the PM<sub>2.5</sub> NAAQS.

#### **3(b) Public Notice Required Prior to ICR Submission to OMB**

The Federal Register notice, announcing the ICR renewal, was published on April 15, 2009. No public comments were received.

#### **3(c) Consultations**

EPA participates regularly on monthly conference calls chaired by the National Association of Clean Air Agencies (NACAA) to discuss issues raised by state agencies related to emission inventories. In addition, EPA recently formed a workgroup that consists of state agencies to assist with development of a new EPA database known as the Emission Inventory System (EIS). The EIS will serve as a repository for state agency data submitted to EPA under the CERR requirements. Issues related to data development and submittal are regularly discussed with state agencies during workgroup conference calls.

### **3(d) Effects of Less Frequent Collection**

The submittal dates required for reporting of emissions data to EPA have been established to minimize the burden on state and local agencies, but also to ensure that state and local agencies are collecting timely and sufficient emissions inventory data to support their air pollution control efforts. Although the CERR did reduce the frequency of reporting for the majority (i.e., approximately 78 percent) of all point sources (i.e., from annually to once every 3 years), annual reporting of emissions data for larger stationary sources of pollution is still required. Annual reporting for Type A point sources is needed to track state efforts to reduce pollutant emissions from these sources. A statewide inventory compiled at least every 3 years for all point, nonpoint, and mobile sources is considered important to assist states in meeting various CAA requirements.

If the information collection were not carried out annually for Type A sources, or every 3 years for all other sources that comprise a complete state emissions inventory, the EPA would not be able to maintain a central, national repository of emissions data from which to extract updated information needed to fulfill EPA mandates.

### **3(e) General Guidelines**

This ICR does not violate any of OMB's guidelines for information collections.

### **3(f) Confidentiality**

Any data that is submitted to EPA under the CERR is in the public domain and cannot be treated as confidential.

### **3(g) Sensitive Questions**

This section is not applicable to this ICR because no information including matters of a sensitive nature is collected.

## **4. THE RESPONDENTS AND THE INFORMATION REQUESTED**

### **4(a) Respondents/North American Industry Classification System (NAICS) Codes**

The emissions data required by the CERR will generally be submitted by state air pollution control agencies. An estimated 55 state and territorial air pollution control agencies, as well as 49 local air agencies will be required to compile and report emissions information for large stationary point sources on an annual basis, and for smaller point sources, stationary nonpoint and mobile sources on a 3-year basis. The affected NAICS code would be 92411, *Air and Water Resource and Solid Waste Management*, which includes governmental environmental protection and control agencies, and pollution control agencies.

This ICR also estimates a burden for a portion of industry sources to estimate and report PM<sub>2.5</sub> and NH<sub>3</sub> point source emissions. These industry sources are expected to fall within multiple NAICS codes covering primarily the combustion and chemical manufacturing sectors. NAICS codes within those sectors include 22, Utilities and 31 – 33 for Manufacturing.

#### **4(b) Information Requested**

The CERR consolidated emission inventory data that were being collected by states and reported to EPA under several different provisions of the CAA, including periodic or 3-year cycle inventories, and annual point source inventories. Every year, state agencies are required to submit emissions data for large stationary point sources emitting one or more of the following pollutants above a specified level: VOC, NO<sub>x</sub>, CO, SO<sub>2</sub>, PM<sub>10</sub>, PM<sub>2.5</sub>, and NH<sub>3</sub>. The CERR also requires states to report point, nonpoint, nonroad mobile, onroad mobile, and biogenic source emissions data for all criteria pollutants and their precursors every 3 years on a statewide basis. There are no annual reporting requirements for sources of Lead (Pb), however, lead emissions must be included in the 3-year cycle inventories. The thresholds for triennial point source reporting are consistent with the thresholds established for the existing annual point source inventory, and are lower than the thresholds required for annual point source reporting under the final CERR.

Data elements that must be reported by state agencies for point, nonpoint, and onroad and nonroad mobile sources are listed in Appendix A to Subpart A of 40 CFR part 51

#### *(ii) Respondent activities*

For the point source inventory reporting requirements of the CERR, respondent activities generally involve taking emissions and related parameters from an automated file, resolving any errors or anomalies identified through edits or other qualitative reviews, and providing it to EPA electronically using eXtensible Markup Language (XML) format. Thus, the activities for generating criteria pollutant point source inventories are primarily data processing and typically do not involve the development of new data which does not already exist in the state's files. However, compiling a triennial statewide nonpoint, mobile, and biogenic source inventory is expected to involve additional effort by a state. The specific state and industry respondent activities associated with the CERR are outlined below, and are grouped into annual and triennial activities.

Annual state activities include submitting emissions data for Type A point sources emitting ≥2,500 tons per year (tpy) of NO<sub>x</sub>, CO, or SO<sub>2</sub>, or ≥250 tpy of VOC, or PM<sub>2.5</sub>, PM<sub>10</sub>; and NH<sub>3</sub>.

Annual industry activities include calculating and submitting emissions data for Type A point sources emitting ≥250 tons per year (tpy) of PM<sub>2.5</sub> or NH<sub>3</sub> to state and local agencies. Renewal of this ICR will continue the existing reporting requirements for PM<sub>2.5</sub> and NH<sub>3</sub> but will not impose any new reporting burdens on industry or states.

Triennial state activities include:

- Submitting emissions data for Type B point sources emitting ≥100 tpy of VOC, NO<sub>x</sub>, SO<sub>2</sub>, PM<sub>10</sub>, PM<sub>2.5</sub>, NH<sub>3</sub> or ≥1,000 tpy of CO, as well as emissions data for Type A sources;
- Developing and reporting statewide inventory for stationary nonpoint, nonroad mobile, and onroad mobile for all pollutants; and

- Compiling and reporting baseline biogenic emissions inventory for all applicable pollutants (but only if land use characteristics or the method used to estimate emissions are changed from baseline inventory).

Triennial industry activities include calculating and submitting emissions data for Type B point sources emitting  $\geq 100$  tons per year (tpy) of  $PM_{2.5}$  or  $NH_3$  to state and local agencies. Renewal of the ICR continues the existing reporting requirements for  $PM_{2.5}$  and  $NH_3$  but will not impose any new reporting burdens on industry or states.

For states without nonattainment areas for the criteria air pollutants, the burden associated with preparing statewide stationary nonpoint, nonroad mobile, and onroad mobile source inventories was a new requirement for the 2002 inventory. However, many states had existing nonattainment areas and had already prepared stationary nonpoint, nonroad mobile, and onroad mobile source inventories for their nonattainment counties. States with existing ozone nonattainment areas had also prepared an initial biogenic emission inventory for their nonattainment counties. For states with existing nonattainment areas, the incremental burden associated with preparing statewide stationary nonpoint, nonroad mobile, and onroad mobile source inventories every 3 years was associated with extending the inventories to cover attainment counties. This incremental burden will vary by state depending on the total number of counties as well as the number of nonattainment versus attainment counties within each state. Renewal of the ICR will pose no new burden on states for statewide emissions reporting since states have reported statewide emissions for the 2002 and 2005 triennial inventories.

## **5. THE INFORMATION COLLECTED—AGENCY ACTIVITIES, COLLECTION METHODS, AND INFORMATION MANAGEMENT**

### **5(a) Agency Activities**

The EPA activities associated with the CERR include:

- Receiving, reviewing, and storing emission inventory data submitted by each state;
- Processing and updating data submitted by states, including performing quality assurance of data, and coordination of efforts to resolve errors and anomalies; and
- Fulfilling information requests.

### **5(b) Collection Methodology and Management**

The EPA has established a central repository of inventory data for all states called the National Emissions Inventory (NEI) Database. Emissions inventory data reported electronically will be stored in the NEI Database and used by the EPA and by other states for air modeling, tracking progress in meeting CAA requirements, setting policy and answering questions from the public.

To support the CERR, the EPA assumed the responsibility of creating and maintaining a central repository of inventory data for all states, but the data must be supplied by the states in electronic form. Electronic data reporting will be conducted using eXtensible Markup Language (XML) format.

### **5(c) Small Entity Flexibility**

State and territorial control agencies are not considered to be small entities. According to EPA's ICR Handbook, OMB's definition for a small entity includes small governmental jurisdictions with populations of less than 50,000. According to 2000 population data from the U.S. Census Bureau, no state or territory has a population below this threshold. However, certain local air pollution agencies may be in charge of individual counties or multi-county areas whose populations are less than 50,000.

These local agencies are likely to have experience and resources for compiling point source inventories. However, the additional burden of developing complete nonpoint and mobile source inventories for all counties in their jurisdiction may place a significant economic impact on a small agency. To assist in alleviating this burden on small entities, EPA is providing respondents the option of using EPA's NEI estimates to comply with the statewide nonpoint, biogenic and mobile source reporting provisions.

### **5(d) Collection Schedule**

States must annually report all required emissions data for Type A point sources of VOC, NO<sub>x</sub>, CO, SO<sub>2</sub>, PM<sub>10</sub>, PM<sub>2.5</sub>, and NH<sub>3</sub>. Beginning with inventory year 2002, and every 3 years thereafter, states are required to submit emissions data for all smaller point sources (i.e., Type B sources) emitting specified thresholds for the same pollutants required for Type A sources. As part of the 3-year cycle reporting requirement, states must also submit statewide stationary nonpoint, nonroad mobile, and onroad mobile source emissions for VOC, NO<sub>x</sub>, CO, SO<sub>2</sub>, PM<sub>10</sub>, PM<sub>2.5</sub>, Pb and Pb compounds, and NH<sub>3</sub>.

The CERR also contains a provision that allows states the option of estimating one-third of their 3-year cycle inventories, including Type B sources, in any given year. This enables states to spread out the effort required to prepare a complete 3-year cycle inventory over 3 years. Some conditions apply if a state chooses this reporting option (e.g., emission estimates for each year that comprise a complete 3-year cycle inventory must be compiled identically), and states subject to the NO<sub>x</sub> SIP Call may not report triennial NO<sub>x</sub> emissions inventories in this manner.

For all of the above reporting activities, EPA requires that states submit the appropriate emissions data within 17 months of the end of the inventory year (e.g., a statewide pollutant emissions inventory for the year 8 would be required by June 1 of 2010). One exception, however, is for states subject to NO<sub>x</sub> SIP call reporting provisions. These states are required to report their data within 12 months of the end of each applicable inventory year (according to §51.122).

## **6. ESTIMATING THE BURDEN AND COST OF THE COLLECTION**

### **6(a) Estimating Respondent Burden**

The respondent burden for complying with the reporting requirements of the CERR ICR is estimated based on the burden associated with existing annual inventory and 3-year cycle inventory reporting requirements. These burden estimates were initially estimated for the original CERR ICR (0916.10). The burden estimates have been adjusted using recent point source reporting data from the National Emission Inventory and updated labor rates.



The following sections discuss the assumptions used to develop burden hour estimates for annual and triennial activities. Table 6-1 lists the burden items included under these categories, and presents their associated burden hours for 1 year. In general, managerial time was estimated to be 5 percent of technical staff time. Burden hours and associated costs were estimated for the 3-year period that the affected states would have to report emissions data to EPA. In this case, that period corresponds to the years 2009, 2010, and 2011 [since they would likely begin collecting data for the year 2008 during 2009, and would report the data within 17 months of the end of 2008 (i.e., June 1, 2010)]. Table 6-2 shows the required activities that a state must perform each year, beginning in the year 2009 through 2011. Table 6-3 presents the state and local respondent annual burden hours and costs by activity. Table 6-4 presents the industry respondent annual burden hours and costs by activity.

### *Annual activities*

Based upon reporting data from the 2005 NEI, fewer sources are expected to be reported annually as Type A compared to the burden estimates developed for ICRs 0916.10 and 0916.12. The updated analysis follows.

Every 2 of 3 years, state, territorial, and local agencies would only submit point source data for Type A sources. Because the Type A source thresholds are higher than the emission levels specified by the existing annual point source inventory, emissions data are required annually for a smaller number of sources, and this item represents a decrease in state burden. The burden for states to report emissions data for Type B point sources was already accounted for in the ICR for the existing annual point source inventory (OMB #2060-0088). When accounting for all the burden items involved in compiling and reporting an annual point source inventory, the existing ICR estimated an average of 212 hours per year per respondent. As such, the decrease in burden hours every 2 of 3 years was calculated relative to this existing burden estimate.

To estimate the decrease in burden resulting from compiling and reporting emissions data for fewer sources, EPA estimated the number of sources that would be subject to the annual reporting thresholds, and compared this to the number of sources covered by the existing annual reporting thresholds. This was done by performing a query of the 2005 NEI to determine the number of sources (i.e., plants) emitting 2,500 tpy of SO<sub>2</sub>, NO<sub>x</sub>, or CO, or 250 tpy of VOC or PM<sub>10</sub>. The number of sources meeting these criteria was 1,783. A second query of the 2005 NEI was performed to estimate the number of sources emitting 100 tpy of SO<sub>2</sub>, NO<sub>x</sub>, VOC, or PM<sub>10</sub>, or 1,000 tpy of CO<sup>1</sup>. The number of sources meeting these criteria for the second query was 6,410. Since 1,783 is 28 percent of 6,410, the decrease in burden associated with the CERR annual threshold was estimated to be 72 percent of the burden estimate associated with the original approved ICR (OMB #2060-0088). Every 2 of 3 years, the revised respondent burden for a state to report annual point source emissions for the CERR was, therefore, estimated to be 60 hours per year (28 percent of 212 hours per year = 59.4 which was rounded up to 60). The technical and managerial hour burden was estimated at 57 and 3 hours, respectively. Hours corresponding to sub-activities were allocated according to the distribution in the ICR for the existing annual point source inventory.

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<sup>1</sup> Point sources exceeding the 5 tons per year reporting threshold for Pb were not included in this exercise. However, excluding these sources does not significantly affect the results since no more than a dozen sources exceed the point source Pb reporting threshold.

The requirements to estimate and report PM<sub>2.5</sub> and NH<sub>3</sub> emissions were new when the CERR was developed and separate estimates were developed for ICR 0916.10 to account for the increase in burden. These estimates have been updated in this ICR and continue to be reported separately although the requirements are no longer new.

For the PM<sub>2.5</sub> and NH<sub>3</sub> point source reporting burden calculations, we assume that a certain fraction of industry sources emitting at or above the Type A or Type B point source levels for PM<sub>2.5</sub> and NH<sub>3</sub> would incur burden as a result of this reporting requirement (i.e., the state and local agency respondents would request the PM<sub>2.5</sub> and NH<sub>3</sub> emissions data from the sources in their jurisdiction). The remaining sources were assumed to be located in states or local jurisdictions that will estimate PM<sub>2.5</sub> and NH<sub>3</sub> point source emissions themselves without passing this requirement on to industry.

To estimate this burden, PM<sub>2.5</sub> and NH<sub>3</sub> facility counts were obtained from EPA's 2005 National Emissions Inventory (NEI), Version 2.0. According to the 2005 NEI, 1,347 facilities report annual PM<sub>2.5</sub> emissions and 999 facilities report annual NH<sub>3</sub> emissions equal to or greater than 100 tpy. This results in 2,346 total combined PM<sub>2.5</sub> and NH<sub>3</sub> sources exceeding the Type B point source thresholds. To address the annual reporting burden for Type A sources only, source counts were obtained by applying the higher Type A thresholds. The 2005 NEI has 692 facilities with annual PM<sub>2.5</sub> emissions and 566 facilities with annual NH<sub>3</sub> emissions equal to or greater than 250 tpy.

It was estimated that a majority of state and local agencies will pass this PM<sub>2.5</sub> and NH<sub>3</sub> reporting requirement on to industry (from ICR # 0916.10). Using this information, we assumed that 75 percent of the total state and local agency respondents, or 78 respondents, will request that industry sources provide them with estimates of PM<sub>2.5</sub> and NH<sub>3</sub> point source emissions. We do not have information to identify which specific states or local agencies will comply in this manner. Therefore, we assume that 75 percent of the sources, or 1,759 industry sources in the 78 state/local jurisdictions, will incur this burden (i.e., 0.75 x 2,346 PM<sub>2.5</sub> and NH<sub>3</sub> sources = 1,759).

For the industry burden, 75 percent of the Type A sources (i.e., 944 sources) were assumed to incur some burden for annually estimating and reporting PM<sub>2.5</sub> and NH<sub>3</sub> emissions. The number of PM<sub>2.5</sub> and NH<sub>3</sub> point sources exceeding the Type A point source thresholds is 1,258, with 692 sources reporting PM<sub>2.5</sub> emissions and 566 sources reporting NH<sub>3</sub> emissions (2005 NEI). For PM<sub>2.5</sub> reporting, if a plant exceeds the threshold for PM<sub>2.5</sub>, it also exceeds the threshold for PM<sub>10</sub>, and, therefore, would already be subject to the annual inventory requirements for PM<sub>10</sub>. The incremental burden for PM<sub>2.5</sub> would be associated with only compiling and reporting PM<sub>2.5</sub> emissions, as all other data elements should already be reported as a result of the PM<sub>10</sub> requirements. Facilities emitting major source levels of NH<sub>3</sub> may not be as likely to be major sources for other pollutants. The average effort associated with reporting a PM<sub>2.5</sub> and NH<sub>3</sub> point source inventory was estimated to be 1 managerial hour and 3 technical hours per year per source for PM<sub>2.5</sub>, and 1 managerial hour and 5 technical hours per year per source for NH<sub>3</sub>.

The estimate for annually reporting PM<sub>2.5</sub> and NH<sub>3</sub> was assumed to be the same whether the state requested the emissions estimates from the sources or estimated the emissions themselves. If requested by states to estimate emissions, industry would need to report their emissions to the state agency, and the state in turn would submit their data to EPA (i.e., generally industry will not submit their point source data directly to EPA, unless they are an electricity-generating unit subject to Title IV Acid Rain provisions). Once the calculations were established for estimating PM<sub>2.5</sub> and NH<sub>3</sub> emissions, the average additional effort

for a state or local agency to incorporate and report a PM<sub>2.5</sub> and NH<sub>3</sub> point source inventory was estimated to be 20 hours per year per agency (i.e., 19 hours of technical staff time, and 1 hour of managerial staff time).

### *Triennial activities*

Every 3 years, states are required to submit emissions data for specified pollutants for all point, nonpoint, nonroad mobile, and onroad mobile sources within the state. States are already submitting a statewide emissions inventory of all criteria pollutant point sources under the existing annual inventory requirements. The burden for submitting the Type B point source inventory was estimated to be 212 hours (i.e., 200 hours of technical staff time and 12 hours of managerial staff time). This is equivalent to the burden established for the existing annual inventory, since one of every 3 years this burden is not expected to change for reporting point source data. For PM<sub>2.5</sub> and NH<sub>3</sub> point sources, the 20 hour burden estimate for state agencies previously discussed covers Type B sources.

To estimate the triennial industry burden, it was assumed that the burden per source was the same as the annual industry burden (i.e., 1 managerial hour and 3 technical hours per source for PM<sub>2.5</sub>, and 1 managerial hour and 5 technical hours per source for NH<sub>3</sub>). However the number of sources subject to Type B reporting thresholds will be higher. The number of PM<sub>2.5</sub> and NH<sub>3</sub> point sources exceeding the Type B point source thresholds is 2,346, with 1,347 sources reporting PM<sub>2.5</sub> emissions and 999 sources reporting NH<sub>3</sub> emissions (2005 NEI). Therefore, 75 percent of the Type B sources (i.e., 1,759 sources) were assumed to incur some burden for estimating and reporting PM<sub>2.5</sub> and NH<sub>3</sub> Type B emissions every 3 years.

A burden is expected for states to develop statewide stationary nonpoint, nonroad mobile, and onroad mobile source inventories every 3 years. The incremental burden for local agencies to develop and estimate statewide inventories was estimated to entail the use of 0.5 FTE(1040 hours or 346.67 hours/year). 2,080 technical labor hours (693.33 hours/year) were estimated to be the burden for a state to calculate and report statewide inventories every 3 years. Additional managerial hours of 104 (34.67 hours/year) were added for this activity.

For local agencies responsible for developing and reporting nonpoint and mobile source emissions for each county within their jurisdiction, the triennial burden was estimated to be one-half of that attributed to state agencies (i.e., ½ of 2,080 = 1,040 technical hours plus 52 managerial hours). Additional hours were also estimated for all local agencies (i.e., 49 agencies) to coordinate and provide some de minimis emissions inventory data or supporting information to their corresponding state agency. The time estimated for each local agency to perform these activities every 3 years was estimated to be 80 technical hours and 4 managerial hours.

Burden hours were also estimated for all states to establish a baseline biogenic emission inventory and report this information to EPA. For each subsequent 3-year cycle inventory of biogenic emissions, a state would not be required to submit its inventory unless land-use characteristics or the method used to estimate emissions are changed. This activity was estimated to take 40 technical hours and 2 managerial hours per state, assuming that a state uses the Biogenic Emissions Inventory System (BEIS) model supplied by EPA to generate emission estimates. For the burden calculations, local agencies are not assumed to be responsible for developing a biogenic inventory. In addition, it is expected that EPA will generate biogenic emissions inventories to be provided to each state for comment, so these burden hours are likely to represent an upper-bound estimate.

## 6(b) Estimating Respondent Costs

Table 6-3 presents state and local respondent annualized hours and costs for each information collection activity. To estimate annualized hours and costs for triennial activities, the burden estimate is divided by 3 to estimate the burden over a 3-year period. For annual activities, annualized hours are already calculated. However, in the case of the annual Type A point source reporting every 2 of 3 years, the annualized hours are estimated by multiplying the burden estimate (i.e, 60 hours) by 2 and dividing by 3 (since every 3 years the point source reporting burden is accounted for under triennial activities). The annualized hours are estimated to be  $2 \times 60 = 120/3 = 40$  hours per year.

Table 6-4 presents industry respondent annualized hours and associated costs for each information collection activity. Annualized hours and costs for annual and triennial activities were estimated the same as the state and local respondents hours and costs.

### *(i) Estimating Labor Costs*

For this ICR, the labor rate for technical staff at state, territorial, and local agencies uses the following labor rates. For management, professional and related, a rate of \$96.38 was used (\$48.19 per hour + 100% overhead), and for technical staff, a rate of \$78.60 was applied (\$39.30 per hour + 100% overhead). These rates were obtained from “Table 4. Employer costs per hour worked for employee compensation and costs as a percent of total compensation: state and local government workers, by occupational and industry group, December 2008,” published by the U.S. Department of Commerce, Bureau of Labor Statistics. When considering both technical and managerial hours, labor costs for state and territorial agencies are estimated to be about \$69,000 per year per respondent, and labor costs for local agencies are estimated to be about \$31,000 per year per respondent.

In order to estimate the industry labor costs, this ICR uses the following labor rates. For management, professional and related, a rate of \$101.82 was used (\$48.49 per hour + 110% overhead), and for technical staff, a rate of \$60.06 was applied (\$28.60 per hour + 110% overhead). These rates were obtained from “Table 2. Employer costs per hour worked for employee compensation and costs as a percent of total compensation: Civilian workers, by occupational and industry group, December 2008,” published by the U.S. Department of Commerce, Bureau of Labor Statistics. The industry labor costs are estimated to be approximately \$685 per year per respondent.

### *(ii) Estimating Capital and Operations and Maintenance Costs*

The methodology for estimating capital and operations and maintenance costs presented below is based on the method used in the ICR for the annual inventory (EPA ICR #0916.12, OMB #2060-0088). Assumptions regarding the number of respondents and work stations are unchanged.

The number of respondents reflects the number of agencies (state, territorial and local) believed to be reporting data directly to EPA. The number of work stations assumed for each respondent reflects the number of work stations that would be dedicated to reporting under the CERR. It was assumed that each state or local agency would require five (5) work stations to comply with the reporting provisions of the CERR (1 for point sources, 1 for nonpoint sources, 1 for onroad mobile, 1 for nonroad mobile, and 1 for

managerial/coordination activities). These costs are accounted for in Table 6-3 under the annual activity involving the submittal of Type A point source data by states, although the estimates are anticipated to cover the costs involved in developing statewide nonpoint and mobile source inventories as well.

The cost for replacing a work station, when replacement becomes necessary, is assumed to be approximately \$2,100 per agency. For this ICR, it is assumed that 20 percent of the work stations will be replaced each year. Thus, the costs of replacement per agency would be:

$$5 \text{ work stations/agency} \times 20\% \text{ replacement/year} \times \$2100/\text{work station} = \$2100/\text{agency/year}$$

Cost of work station replacement for all agencies equals:

$$\$2100/\text{replacement costs/year} \times 104 \text{ agencies/year} = \$218,400/\text{year}$$

Maintenance costs are attributed to the normal maintenance of the work stations used to submit the required annual and triennial reports to EPA. These costs are estimated to be approximately \$120 per agency. Thus, total maintenance costs for the respondents are:

$$\$120/\text{agency} \times 104 \text{ agencies} = \$12,480/\text{year}$$

### **6(c) Estimating Agency Burden and Cost**

EPA's costs which relate to this collection can be grouped into three areas:

- 1) NEI Data Base support;
- 2) Processing of data; and
- 3) Information requests.

As of fiscal year 2005, approximately 2.5 FTE positions and \$250,000 were used per year to manage the NEI Oracle Data Base. This involves developing and maintaining software, and providing basic support services to users, including training on the NEI Input Format. After EPA transitions to the new Emission Inventory System (EIS), the annual operation and maintenance costs are estimated to be as follows: 3.0 FTE positions, \$300 K in Working Capital Funds and \$750 K for an Information Technology contractor.

The costs of processing data submitted by states include costs relating to data editing, coordination of efforts to resolve any errors or anomalies identified through the edits or other reviews, and updating of the files after the quality assurance and reconciliation assurance efforts have been completed. Within the EPA, the Regional Offices annually use about two FTEs to coordinate state efforts in making their submissions, perform software edits and other quality reviews, and if required, coordinate updates performed by the OAQPS. The OAQPS uses approximately one FTE at a cost of \$100,000 to track and process annual data. Therefore, approximately 3 FTEs at an annual cost of \$300,000 are used by EPA to track and process data.

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

The number of respondents is estimated to be 51 states (including DC), 4 territories and 49 local agencies, resulting in 104 total respondents. The total annual hourly burden for all state respondents is estimated to be 51,771 hours per year and the total annual cost is estimated to be \$4,345,089 (Table 6-3)

The number of industry respondents is estimated to be 1,759. The total hourly burden is estimated to be 5,927 hours per year and the total annual cost is estimated to be \$406,630 (Table 6-4).

### 6(e) Bottom Line Burden Hours and Cost Tables

#### Total Estimated Respondent Burden and Cost Summary

Burden Element/Cost	State Respondents	Industry Respondents	Total
Number of Respondents <sup>1</sup>	104	1,759	1,863
Number of Activities <sup>2</sup>	832	7,036	7,868
Total Hours Per year <sup>3</sup>	51,771	5,927	57,698
Annual Capital Cost <sup>4</sup>	\$218,400	0	\$218,400
Annual O&M Cost <sup>4</sup>	\$12,480	0	\$12,480
Total Annual Capital and O&M Costs	\$230,880	0	\$230,880
Labor Cost Per Year	\$4,114,209	\$406,630	\$4,520,839
Total Cost Per Year	\$4,345,089	\$406,630	\$4,751,719

1. For state Respondents – Section 6(d), for Industry Respondents – Section 6(d)

2. On average, each state Respondent is assumed to perform 8 discrete activities associated with CERR, as indicated in Table 6-3. Each Industry Respondent is assumed to perform 4 discrete activities associated with the CERR, as indicated in Table 6-4.

3. Section 6 (d)

4. Section 6 (b)

### 6(f) Reasons for Change in Burden

The ICR shows a slight reduction in reporting burden (58,172 approved hours – 57,698 hours requested = (474) hours). This is due to use of updated point source reporting data from the 2005 NEI that indicates fewer Type A sources will be reported annually than estimated in ICR # 0916.12.

### 6(g) Burden Statement

Table 6-3 indicates that reporting of emissions data required by the CERR will involve 1,265 hours per year for state, territorial and local air pollution control agencies that perform all reporting activities. However, many agencies will perform a subset of the activities and the average annual reporting burden for state, territorial and local air pollution control agencies is estimated to require 498 hours. Table 6-4 indicates that the burden for each industry performing all reporting activities will be 10 hours per year.

Similar to state agencies, many industries will perform a subset of the activities and the average annual reporting burden for each industry is estimated to be 3.4 hours.

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-2005-0490, 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 Building, 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-2005-0490 and OMB Control Number 2060-0088 in any correspondence.

**Table 6-1. State Respondent Burden Hours by Activity**

Information Collection Activity	Hours Per Respondent		
	Managerial Hours	Technical Hours	Total
<b>Annual</b>			
Every 2 of 3 years, submit emissions data for Type A point sources emitting specified thresholds for SO <sub>2</sub> , NO <sub>x</sub> , CO, VOC, or PM <sub>10</sub> [§51.15]	3	57	60
1. Train staff in coding and submissions techniques	1	6	7
2. Resolution of errors and anomalies identified by EPA	1	41	42
3. Maintain log of magnetic tape or other media submitted	1	6	7
4. Prepare automated submission to EPA	0		
Calculate and submit emissions data for PM <sub>2.5</sub> and NH <sub>3</sub> [§51.15(a)]	1	19	20
<b>Triennial</b>			
Submit emissions data for Type A and Type B point sources emitting ≤100 tpy VOC, NO <sub>x</sub> , SO <sub>2</sub> , or PM <sub>10</sub> , or ≤1,000 tpy CO [§51.15]	12	200	212
For state agencies, develop and report statewide inventory for stationary nonpoint, nonroad mobile, and onroad mobile sources for all pollutants [§51.15, 51.25]	104	2,080	2,184
For local agencies, develop and report county-level inventories for stationary nonpoint, nonroad mobile, and onroad mobile sources for all pollutants [§51.15, 51.25]	52	1,040	1,092
For local agencies, coordinate with state agencies to complete stationary nonpoint, nonroad mobile, and onroad mobile sources for all pollutants [§51.15, 51.25]	4	80	84
For 3-year cycle inventory, develop and report baseline biogenic emissions inventory for all applicable pollutants [§51.15, 51.25]	2	40	42
Calculate and submit emissions data for PM <sub>2.5</sub> and NH <sub>3</sub> [§51.15(a)]	1	19	20

<sup>a</sup> Subtotal estimates for Type A inventory reporting every 2 of 3 years.



**Table 6-2. Activities Required by States Every Year During the Period 2006 through 2008** <sup>1</sup>

Information Collection Activity	2008	2009	2010
<b>Annual</b>			
Every 2 of 3 years, submit emissions data for Type A point sources emitting specified thresholds for SO <sub>2</sub> , NO <sub>x</sub> , CO, VOC, or PM <sub>10</sub> [§51.15]		☐	☐
Calculate and submit emissions data for PM <sub>2.5</sub> and NH <sub>3</sub> [§51.15(a)]		☐	☐
<b>Triennial</b>			
Submit emissions data for Type A and Type B point sources emitting ☐100 tpy VOC, NO <sub>x</sub> , SO <sub>2</sub> , or PM <sub>10</sub> , or ☐1,000 tpy CO [§51.15]	☐		
For state agencies, develop and report statewide inventory for stationary nonpoint, nonroad mobile, and onroad mobile sources for all pollutants [§51.15, 51.25]	☐		
For local agencies, develop and report county-level inventories for stationary nonpoint, nonroad mobile, and onroad mobile sources for all pollutants [§51.15, 51.25]	☐		
For local agencies, coordinate with state agencies to complete stationary nonpoint, nonroad mobile, and onroad mobile sources for all pollutants [§51.15, 51.25]	☐		
For 3-year cycle inventory, develop and report baseline biogenic emissions inventory for all applicable pollutants [§51.15, 51.25]	☐		
Calculate and submit emissions data for PM <sub>2.5</sub> and NH <sub>3</sub> [§51.15(a)]	☐		

<sup>1</sup>For purposes of this table, activities associated with developing an emissions inventory for a particular year are assumed to take place during the year following the inventory year (e.g., activities for compiling a 2008 triennial inventory take place during 2009). However, unless subject to the NO<sub>x</sub> SIP call, respondents have up to 17 months following the end of the subject inventory year (e.g., June 1, 2010 for inventory year 2008) to report the required data.

**Table 6-3. Annual State Respondent Burden and Cost by Activity**

Information Collection Activity	Hours and Costs Per Respondent						Total Hours and Costs		
	Mgr. Hrs/yr @ \$96.38/Hr	Tech. Hrs/yr @ \$78.60/Hr	Respondent Hours/Year	Labor Cost/Year	Capital/ Startup Cost	O & M Cost	Number of Respondents	Total Hours/Year <sup>1</sup>	Total Cost/Year <sup>2</sup>
<b>Annual</b>									
Every 2 of 3 years, submit emissions data for significant (i.e., Type A) point sources emitting specified thresholds of SO <sub>2</sub> , NO <sub>x</sub> , CO, VOC, and PM <sub>10</sub>	2.00	38.00	40.00 <sup>3</sup>	3,180	218,400.00 <sup>4</sup>	12,480.00 <sup>4</sup>	104	4,160	561,554
Calculate and submit emissions data for PM <sub>2.5</sub> and NH <sub>3</sub>	0.67	12.67	13.3	1,060	0.00	0.00	104	1383	110,285
<b>Triennial</b>									
Submit emissions data for Type A and Type B point sources emitting 100 tpy VOC, NO <sub>x</sub> , SO <sub>2</sub> , PM <sub>10</sub> , PM <sub>2.5</sub> , NH <sub>3</sub> , or 1,000 tpy CO	4.00	66.67	70.7	5,626	0.00	0.00	104	7,353	585,081
For state agencies, develop and report statewide inventory for stationary nonpoint, nonroad mobile, and onroad mobile sources for all pollutants	34.67	693.33	728.0	57,827	0.00	0.00	37	26,936	2,139,979
For local agencies, develop and report county-level inventories for stationary nonpoint, nonroad mobile, and onroad mobile sources for all pollutants	17.33	346.67	364.0	28,918	0.00	0.00	25	9,100	722,963
For local agencies, coordinate with state agencies to complete stationary nonpoint, nonroad mobile, and onroad mobile sources for all pollutants	1.33	26.67	28.0	2,224	0.00	0.00	49	1,372	108,998
For 3-year cycle inventory, develop and report baseline biogenic emissions inventory for all applicable pollutants	0.67	13.33	14.0	1,112	0.00	0.00	55	770	61,177
Calculate and submit emissions data for PM <sub>2.5</sub> and NH <sub>3</sub>	0.33	6.33	6.7	529	0.00	0.00	104	697	55,052
<b>Total</b>	<b>61</b>	<b>1204</b>	<b>1265</b>	<b>100,476</b>	<b>218,400</b>	<b>12,480</b>	<b>varies</b>	<b>51,771</b>	<b>4,345,089</b>

<sup>1</sup> Hours per year are rounded to the nearest hour.

<sup>2</sup> Costs per year are rounded to the nearest dollar.

<sup>3</sup> Includes the following activities associated with annual point source reporting: 1) Train staff in coding and submissions techniques; 2) Resolution of errors and anomalies identified by EPA; 3) Maintain log of magnetic tape or other media submitted; and 4) Prepare automated submission to EPA.

<sup>4</sup> These costs represent the total annual cost for all agencies, not the cost per agency.

**Table 6.4. Annual Industry Burden and Cost by Activity**

Information Collection Activity	Hours and Costs Per Respondent						Total Hours and Costs		
	Mgr. Hr/yr @ \$101.82/Hr	Tech. Hr/yr @ \$60.06/Hr	Respondent Hours/Year	Labor Cost/Year	Capital/ Startup Cost	O & M Cost	Number of Respondents	Total Hours/Year <sup>1</sup>	Total Cost/Year <sup>2</sup>
<b>Annual</b>									
Estimate and report emissions data for Type A point sources emitting 250 tpy or greater PM <sub>2.5</sub> to the state or local agencies	0.67	2.00	2.67	188.34	0.00	0.00	519	1,386	\$97,748
Estimate and report emissions data for Type A point sources emitting 250 tpy or greater NH <sub>3</sub> to the state or local agencies	0.67	3.33	4.00	268.22	0.00	0.00	425	1,700	\$113,994
<b>Triennial</b>									
Estimate and report emissions data for Type B point sources emitting 100 tpy or greater PM <sub>2.5</sub> to state or local agencies	0.33	1.00	1.33	93.66	0.00	0.00	1,010	1,343	\$94,597
Estimate and report emissions data for Type B point sources emitting 100 tpy or greater NH <sub>3</sub> to state or local agencies	0.33	1.67	2.00	133.90	0.00	0.00	749	1,498	\$100,291
<b>Total</b>	2	8	10	684.12	0	0	varies	5,927	\$406,630

<sup>1</sup> Hours per year are rounded to the nearest hour.

<sup>2</sup> Costs per year are rounded to the nearest dollar.