

**Information Collection Request  
Supporting Statement for the  
PM<sub>2.5</sub> National Ambient Air Quality Standard  
Implementation Rule  
EPA ICR Number 2258.02  
OMB Control No. 2060-0611**

**Prepared by:**

**Office of Air Quality Planning and Standards  
Office of Air and Radiation  
U.S. Environmental Protection Agency  
Research Triangle Park, North Carolina 27711**

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**EPA Information Collection Request Renewal for the  
PM<sub>2.5</sub> National Ambient Air Quality Standard Implementation Rule**

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## **1. Identification of the Information Collection Request**

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

The title of the Information Collection Request is PM<sub>2.5</sub> National Ambient Air Quality Standard Implementation Rule (Renewal), ICR number 2258.02, and OMB Control Number 2060-0611

### **1(b) Abstract/Executive Summary**

The Paperwork Reduction Act requires the information found in this Information Collection Request (ICR) number 2258.02, to assess the burden (in hours and dollars) of the PM<sub>2.5</sub> National Ambient Air Quality Standard (NAAQS) Implementation Rule as well as the periodic reporting and record keeping necessary to maintain the rule. The PM<sub>2.5</sub> NAAQS rule applies to particles less than 2.5 micrometers in diameter (PM<sub>2.5</sub>) which are also referred to as "fine" particles. The final FRN title is Clean Air Fine Particle Implementation Rule.

The EPA established the PM<sub>2.5</sub> standards based on evidence and numerous health studies demonstrating that serious health effects are associated with exposures to elevated levels of PM<sub>2.5</sub>. Estimates show that attainment of the PM<sub>2.5</sub> standards would be likely to result in tens of thousands fewer premature deaths each year, tens of thousands fewer hospital admissions each year, and hundreds of thousands fewer doctor visits, absences from work and school, and respiratory illnesses in children annually.

On July 18, 1997, EPA revised the NAAQS for particulate matter to add new standards for fine particles, using PM<sub>2.5</sub> as the indicator. The EPA established health-based (primary) annual and 24-hour standards for PM<sub>2.5</sub> (62 FR 38652). The annual standard was set a level of 15 micrograms per cubic meter, based on the 3-year average of annual mean PM<sub>2.5</sub> concentrations. The 24-hour standard was set a level of 65 micrograms per cubic meter, based on the 3-year average of the 98<sup>th</sup> percentile of 24-hour concentrations.

This PM<sub>2.5</sub> National Ambient Air Quality Standard Implementation rule was proposed November 1, 2005 (70 FR 65983) and was promulgated on April 25, 2007. The preamble to the proposed and final regulation addresses the administrative burden in general terms. The preamble to the final rule states that an ICR will be prepared. The first ICR (No. 2258.01) covered a period from April 5, 2008 through April 4, 2011.

On October 17, 2006, EPA revised the NAAQS for fine particles. The EPA established a new primary 24-hour standards for PM<sub>2.5</sub> (71 FR 61144) that became effective on December 18, 2006. The 24-hour standard was set a level of 35 micrograms per cubic meter, based on the 3-year average of the 98<sup>th</sup> percentile of 24-hour concentrations. The annual standard remained unchanged at a level of 15 micrograms per cubic meter, based on the 3-year average of annual mean PM<sub>2.5</sub> concentrations. The EPA promulgated the initial designations and boundaries for 31 areas across the country with respect to the 2006 24-hour PM<sub>2.5</sub> NAAQS on November 13, 2009 (74 FR 58688).

The time period covered in this ICR is a three year period from June 1, 2011 through May 31, 2014. This rule provides the framework for the States to develop SIPs to achieve the 1997 PM<sub>2.5</sub> NAAQS as well as the 2006 PM<sub>2.5</sub> NAAQS. This framework reflects the requirements prescribed in CAA sections 110 and part D, subpart 1 of title I. A PM<sub>2.5</sub> SIP contains rules and other requirements designed to achieve the NAAQS by the deadlines established under the CAA, and it also contains a demonstration that the State's requirements will in fact result in attainment. The SIP must meet the CAA requirements in subpart 1 to adopt reasonably available control measures (RACM) and reasonably available control technology (RACT) and provide for reasonable further progress (RFP) toward attainment for the period prior to the area's attainment date. After a State submits a SIP, the CAA requires EPA to approve or disapprove the SIP. Tribes are not required to conduct attainment demonstrations or submit the RFP, RACT, or RACM requirements.

In the previous ICR which addressed the 1997 PM<sub>2.5</sub> NAAQS, the administrative burden for State governments and the Agency were 630,000 hours and 69,300 hours, respectively over three years. For the current ICR, the Agency anticipates additional administrative burden for State governments and the Agency of 526,200 hours and 57,882 hours, respectively over three years. Fifty percent of the hours are expended in the first year with the remainder evenly divided between the second and third years of the ICR period.

The present value of the total additional costs for State governments, the respondents, estimated at \$34 million for the 3 year period. On an equivalent annual basis that is \$11.3 million per year during the 3 year period of the ICR.

The present value of the Agency administrative cost burden is estimated at \$3.5 million dollars for the 3 year period. This is equivalent to equal annual basis of \$1.2 million per year during the three year period.

The incremental administrative burden for the areas and activities covered by this ICR is mitigated by certain factors, including:

1. Several promulgated federal rules will reduce future emissions of particulate matter and its precursors and will help states attain the PM<sub>2.5</sub> NAAQS.

These rules include emission and fuel standards for onroad and nonroad mobile sources, and the Transport Rule, which addresses electric generating units.

2. In developing state implementation plans, some States are projected to attain based on Regional control programs from EPA analyses conducted as part of the Transport Rule, the 2006 PM NAAQS Review, and the PM<sub>2.5</sub> NAAQS Implementation Rule. Included in these analyses were emissions projections and air quality modeling design value predictions and interpolations for 2010, 2014, 2015, 2020, etc.
3. Experience with meeting the requirements of the PM<sub>10</sub>, 1997 PM<sub>2.5</sub>, and 8-hour Ozone NAAQS. Only 1 of the original 39 PM<sub>2.5</sub> nonattainment areas required to submit a nonattainment area plan has not submitted the SIP. For the thirty-one areas not attaining the 2006 PM<sub>2.5</sub> NAAQS, twenty-two of those areas have developed SIPs for the 8-hour ozone standard, fifteen developed SIPs for the 1997 8-hour PM<sub>2.5</sub> standard, and fourteen developed SIPs for the PM<sub>10</sub> standard. Of the thirty-one nonattainment areas for the 2006 PM<sub>2.5</sub> NAAQS, only one area has never developed a SIP for any criteria pollutant. Hence, there is familiarity with SIP activities for meeting nonattainment NAAQS requirements. Furthermore, many of these areas completed attainment demonstrations and fulfilled RFP and some RACT and RACM obligations for the 1997 PM<sub>2.5</sub>, PM<sub>10</sub>, or 8-hour Ozone NAAQS.

## **2. Need For and Use of the Collection**

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

The Clean Air Act, which was last amended in 1990, requires EPA to set National Ambient Air Quality Standards (NAAQS) for wide-spread pollutants from numerous and diverse sources considered harmful to public health and the environment. Part D of Title I of the Clean Air Act sets forth the plan (implementation) requirements for areas designated non-attainment with a promulgated National Ambient Air Quality Standard. The EPA is charged under Section 110 of the Clean Air Act (CAA), as amended, to assist each State with a non-attainment area to develop a plan which provides for implementation, maintenance and enforcement of such primary standard.

As a result of litigation and subsequent court decisions, an implementation framework was developed for the PM<sub>2.5</sub> NAAQS. The PM<sub>2.5</sub> NAAQS Implementation Rule is scheduled to be published in April 2007. When the review and comment periods on the draft and final federal implementation rules close, the affected parties could begin to assess the milestones and begin the planning process.

This ICR is developed in response to the implementation framework to fulfill requirements of the Paperwork Reduction Act.

## **2(b) User/Users of the Data<sup>1</sup>**

The data collected from the State or local air agency respondents will include the required SIP elements prescribed in CAA sections 110 and part D, subpart 1 of title I for Implementation plans and the requirements in this Implementation Rule. The PM<sub>2.5</sub> SIP will contain rules and other requirements designed to achieve the NAAQS by the deadlines established under the CAA, and it also contains a demonstration that the State's requirements will in fact result in attainment. The SIP must meet the requirements in subpart 1 to adopt RACM, RACT, and provide for RFP toward attainment for the period prior to the area's attainment date.

The regional and headquarters EPA use the information as part of their review of the attainment demonstration, RFP, RACM, and RACT requirements of the PM<sub>2.5</sub> implementation plan adequacy. After a State submits a SIP with the technical supporting documentation, the CAA requires EPA to approve or disapprove the SIP. The attainment demonstration must meet the requirements of 40 CFR 51.112 and Part 51, Appendix W and must include inventory data, modeling results, and emission reduction analyses on which the State has based its projected attainment date. The attainment date justified by the demonstration must be consistent with the requirements of 40 CFR 51.1004(a). The modeled strategies must be consistent with requirements in §51.1009 for reasonable further progress (RFP) and in §51.1010 for reasonably available control technology (RACT) and reasonably available control measures (RACM). The attainment demonstration and supporting air quality modeling should be consistent with EPA's PM<sub>2.5</sub> modeling guidance.

The States use the attainment demonstrations, RFP, RACT and RACM determinations to inform their citizenry, including potentially regulated entities. They also use this information and analysis to fulfill federal obligations under Title I, Subpart D of the Clean Air Act and the PM<sub>2.5</sub> Implementation Rule.

The potentially regulated entities use this information in assessing future emission reduction requirements.

Emission reducing regulations developed by the States and approved by the EPA are federally enforceable.

## **3. Non-Duplication, Consultations, and Other Collection Criteria**

### **3(a) Non-Duplication**

The State respondent will submit a implementation plan for each nonattainment area that will need to include a number of elements, including an evaluation of RACT

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<sup>1</sup> Attainment demonstrations as well as RFP, RACM and RACT are viewed as analytical products to some; but are regulations to others. In the context of the Paperwork Reduction Act, the attainment demonstration and RFP, RACM and RACT submissions are considered data.

and RACM, an attainment demonstration showing how the area will attain the standards as expeditiously as practicable, and a plan showing that the area will make reasonable further progress from the date the area's SIP is due to its attainment date. The four parts to the information collection for this ICR can be contained in the respondents one PM<sub>2.5</sub> SIP submission - the attainment demonstration and the RFP, RACT, and RACM requirements.

There are other activities covered by existing ICRs which complement the activities required for the attainment demonstration, RFP, RACT, and RACM. One example is the Consolidated Emissions Reporting Rule. Salient ICRs and their titles are identified below.

- Requirements for Preparation, Adoption, and Submittal of Implementation Plans
  - o 51.121-51.122 NOx SIP Call.....2060-0445
  - o 51.160-51.166 New Source Review.....2060-0003
  - o 51.321-51.323 Air Quality Data Reporting.....2060-0088
  - o 51.353-51.354 Inspection/Maintenance.....2060-0252
  - o 51.365-51.366 Inspection/Maintenance.....2060-0252
- Approval and Promulgation of Implementation Plans
  - o 52.21 Prevention of Significant Deterioration.....2060-0003
- Ambient Air Monitoring Reference and Equivalent Methods
  - o 53.4 .....2080-0005
  - o 53.9(f),(h),(i).....2080-0005
  - o 53.14.....2080-0005
  - o 53.15 .....2080-0005
  - o 53.16(a)-(d),(f).....2080-0005
- Outer Continental Shelf Air Regulations
  - o 55.4-55.8 .....2060-0249
  - o 55.11-55.14 .....2060-0249
- Ambient Air Quality Surveillance
  - o 58.11-58.14 .....2060-0084
  - o 58.20-58.23 .....2060-0084
  - o 58.25-58.28 .....2060-0084
  - o 58.30-58.31 .....2060-0084
  - o 58.33 .....2060-0084
  - o 58.35 .....2060-0084
  - o 58.40-58.41 .....2060-0084
  - o 58.43 .....2060-0084
  - o 58.45 .....2060-0084
  - o 58.50 .....2060-0084
- 8-hour Ozone National Ambient Air Quality Standard Implementation Rule
  - o 2236.02.....2060 – 0594

**Attainment Demonstration.** The attainment demonstration requirement appears as 40 CFR 51.1007 which implements Clean Air Act subsection 172(c)(1). The attainment demonstration for the PM<sub>2.5</sub> NAAQS is unique and does not duplicate other implementation plan requirements. However, the States are encouraged to build upon related implementation planning processes they used for the 1997 PM<sub>2.5</sub> NAAQS, Ozone NAAQS, regional haze rule, and/or PM NAAQS. Taking such steps, where appropriate, may reduce the incremental administrative burden and enable identification of control strategies that achieve requisite multi-pollutant environmental progress at a lower cost.

**RFP.** This unique requirement is described in 40 CFR 51.1009. Although the RFP submission does not duplicate other plan requirements, the RFP submission may complement them. For example, the emission reductions associated with the RFP SIP may also demonstrate attainment.

The States are encouraged to build upon related analyses for federal emission reducing rules as well as salient PM-10 and ozone NAAQS and regional haze implementation requirements where appropriate. Taking such steps may reduce the incremental administrative burden. For example, the temporal and spatial nature of emission reductions associated with the federal rules may be sufficient to meet the RFP requirements. Hence, the need to identify additional emission reductions to meet RFP requirements may be mitigated in some instances.

In addition, States are encouraged, where appropriate, to take into account similar analyses and planning efforts to meet certain PM<sub>10</sub> and ozone NAAQS and regional haze implementation requirements. Such actions may result in RFP plans which achieve requisite multi-pollutant environmental progress at a lower cost.

**RACT and RACM.** These unique requirements are described in 40 CFR 51.1010 which implements CAA subsection 172(c)(1). For each PM<sub>2.5</sub> nonattainment area, the State shall submit with the attainment demonstration a SIP revision demonstrating that it has adopted all reasonably available control measures (including RACT for stationary sources) necessary to demonstrate attainment as expeditiously as practicable and to meet any RFP requirements. The SIP revision shall contain the list of the potential measures considered by the State, and information and analysis sufficient to support the State's judgment that it has adopted all RACM, including RACT.

The States are encouraged to take into account the related analyses and planning efforts to meet certain PM<sub>10</sub> and ozone NAAQS and regional haze implementation requirements where appropriate. Taking such steps can reduce administrative burden and foster achievement of multi-pollutant environmental progress at a lower cost.

### **3(b) Public Notice Required Prior to ICR Submission to the Office of Management and Budget (OMB)**



A Federal Register notice soliciting comment on this ICR renewal was published on February 2, 2011 (76 FR 5801).

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

The EPA solicited comment on the proposed PM<sub>2.5</sub> implementation rules including public hearings. The EPA will solicit comment on the final PM<sub>2.5</sub> implementation rules including public hearing after publication.

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

The collections under 40 CFR 51.1007, 51.1009, and 51.1010 are necessary to provide assurances that identified level of emission reductions are adequate to ensure timely attainment and maintenance of the PM<sub>2.5</sub> NAAQS while adhering to the mandatory measures and requirements for areas whose attainment dates are beyond 5 years after designation

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

These reporting or recordkeeping requirements do not violate any of the regulations promulgated by OMB under 5 CFR part 1320, section 1320.5.

The final PM<sub>2.5</sub> NAAQS implementation rule does not require:

- reporting more than once a year;
- respondents to participate in a statistical survey;
- responses to Agency inquiries in less than 30 days;
- respondents to receive remuneration for preparation of reports;
- records to be kept more than 3 years,<sup>2</sup>and,
- manual methods of reporting.<sup>3</sup>

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

The information is requested from the States. To fulfill the attainment demonstration, RFP, RACT and RACM requirements, the States will use emissions levels and control efficiency data provided by certain facilities in the private and public sector. This information is available from a variety of sources. It is the assimilation and analysis of that data that is required in the attainment demonstration, RFP, RACT and RACM determinations.

There are 37 plan submittals for the 1997 and 2006 PM<sub>2.5</sub> nonattainment areas that States must prepare to meet the attainment demonstration as well as meet the RFP, RACT and RACM requirements. States should already have information from emission sources, as facilities should have provided this information to meet other NAAQS SIP requirements, operating permits, and/or emissions reporting requirements.

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<sup>2</sup> However, the states may choose to retain the information for more than 3 years.

<sup>3</sup> However, the states must still submit their attainment demonstration, RFP SIP, RACT SIP and RACM SIP.

Such information does not generally reveal the details of production processes. But, to the extent it may, the affected facilities are protected. Specifically, the completion of the emissions and control efficiency information that is confidential, proprietary, and trade secret is protected from disclosure under the requirements of subsections 503(e) and 114 (c) of the Clean Air Act.

### **3(g) Sensitive Information**

The requested attainment demonstration, RFP, RACT and RACM submissions do not include questions whose answers would require sensitive information.

## **4.0 The Respondents and the Information Requested**

### **4(a) Respondents and the Non-Attainment areas**

Table 1a lists the States affected by the attainment demonstration, RFP, RACT and RACM requirements for the 39 non-attainment areas for the 1997 PM<sub>2.5</sub> NAAQS. Table 1b lists the 31 areas designated nonattainment for the 2006 PM<sub>2.5</sub> NAAQS. Local, State, and federal agencies are part of the North American Industrial Classification System code number 924110.<sup>4</sup>

There are other entities that may be indirectly affected, as they may comment on the draft submissions before they are forwarded to EPA's Regional Offices. These include potentially regulated entities, representatives of special interest groups, and individuals. Consideration of the burden on these entities is beyond the scope of the Paperwork Reduction Act.

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<sup>4</sup> <http://www.census.gov/naics> Code number 924110 includes "administration of air & water resources & solid waste management programs"

**Table 1a. 1997 Particulate Matter (PM<sub>2.5</sub>) NAAQS Nonattainment Areas (see <http://www.epa.gov/air/oaqps/greenbk/qnc.html>)**

Area	Action
<a href="#">Atlanta, GA</a>	
<a href="#">Baltimore, MD</a>	Attainment Demonstration SIP submission
<a href="#">Birmingham, AL</a>	Redesignation request submitted
<a href="#">Canton-Massillon, OH</a>	Attainment Demonstration SIP submission
<a href="#">Charleston, WV</a>	Attainment Demonstration SIP submission
<a href="#">Chattanooga, AL-TN-GA</a>	Attainment Demonstration SIP submission
<a href="#">Chicago-Gary-Lake County, IL-IN</a>	Clean Data Determination
<a href="#">Cincinnati-Hamilton, OH-KY-IN</a>	Attainment Demonstration SIP submission
<a href="#">Cleveland-Akron-Lorain, OH</a>	Attainment Demonstration SIP submission
<a href="#">Columbus, OH</a>	Attainment Demonstration SIP submission
<a href="#">Dayton-Springfield, OH</a>	Attainment Demonstration SIP submission
<a href="#">Detroit-Ann Arbor, MI</a>	Attainment Demonstration SIP submission
<a href="#">Evansville, IN</a>	Redesignation request submitted
<a href="#">Greensboro-Winston Salem-High Point, NC</a>	Clean Data Determination
<a href="#">Harrisburg-Lebanon-Carlisle, PA</a>	Clean Data Determination
<a href="#">Hickory, NC</a>	Redesignation request submitted
<a href="#">Huntington-Ashland, WV-KY-OH</a>	Attainment Demonstration SIP submission
<a href="#">Indianapolis, IN</a>	Attainment Demonstration SIP submission
<a href="#">Johnstown, PA</a>	Clean Data Determination
<a href="#">Knoxville, TN</a>	Attainment Demonstration SIP submission
<a href="#">Lancaster, PA</a>	Clean Data Determination
<a href="#">Libby, MT</a>	Attainment Demonstration SIP submission
<a href="#">Liberty-Clairton, PA</a>	Attainment Demonstration SIP submission
<a href="#">Los Angeles-South Coast Air Basin, CA</a>	Attainment Demonstration SIP submission
<a href="#">Louisville, KY-IN</a>	Attainment Demonstration SIP submission
<a href="#">Macon, GA</a>	Attainment Demonstration SIP submission
<a href="#">Martinsburg, WV-Hagerstown, MD</a>	Clean Data Determination
<a href="#">New York-N. New Jersey-Long Island, NY-NJ-CT</a>	Attainment Demonstration SIP submission
<a href="#">Parkersburg-Marietta, WV-OH</a>	Clean Data Determination
<a href="#">Philadelphia-Wilmington, PA-NJ-DE</a>	Attainment Demonstration SIP submission
<a href="#">Pittsburgh-Beaver Valley, PA</a>	Attainment Demonstration SIP submission
<a href="#">Reading, PA</a>	Clean Data Determination
<a href="#">Rome, GA</a>	Attainment Demonstration SIP submission
<a href="#">San Joaquin Valley, CA</a>	Attainment Demonstration SIP submission
<a href="#">St. Louis, MO-IL*</a>	
<a href="#">Steubenville-Weirton, OH-WV</a>	Attainment Demonstration SIP submission
<a href="#">Washington, DC-MD-VA</a>	Clean Data Determination
<a href="#">Wheeling, WV-OH</a>	Clean Data Determination
<a href="#">York, PA</a>	Clean Data Determination

\*: For the St. Louis nonattainment area, MO submitted an AD SIP, but IL has not.

**Table 1b. 2006 Particulate Matter (PM<sub>2.5</sub>) NAAQS Nonattainment Areas (see <http://www.epa.gov/air/oaqps/greenbk/rnc.html>)**

Area	Action
<a href="#">Allentown, PA</a>	
<a href="#">Birmingham, AL</a>	Clean Data Determination
<a href="#">Canton-Massillon, OH</a>	
<a href="#">Charleston, WV</a>	
<a href="#">Chico, CA</a>	
<a href="#">Cleveland-Akron-Lorain, OH</a>	
<a href="#">Detroit-Ann Arbor, MI</a>	
<a href="#">Fairbanks, AK</a>	
<a href="#">Harrisburg-Lebanon-Carlisle-York, PA</a>	
<a href="#">Imperial Co, CA</a>	
<a href="#">Johnstown, PA</a>	
<a href="#">Klamath Falls, OR</a>	
<a href="#">Knoxville, TN</a>	
<a href="#">Lancaster, PA</a>	
<a href="#">Liberty-Clairton, PA</a>	
<a href="#">Logan, UT-ID</a>	
<a href="#">Los Angeles-South Coast Air Basin, CA</a>	
<a href="#">Milwaukee-Racine, WI</a>	
<a href="#">New York-N. New Jersey-Long Island, NY-NJ-CT</a>	
<a href="#">Nogales, AZ</a>	
<a href="#">Oakridge, OR</a>	
<a href="#">Philadelphia-Wilmington, PA-NJ-DE</a>	
<a href="#">Pittsburgh-Beaver Valley, PA</a>	
<a href="#">Provo, UT</a>	
<a href="#">Sacramento, CA</a>	
<a href="#">Salt Lake City, UT</a>	
<a href="#">San Francisco Bay Area, CA</a>	
<a href="#">San Joaquin Valley, CA</a>	
<a href="#">Steubenville-Weirton, OH-WV</a>	
<a href="#">Tacoma, WA</a>	
<a href="#">Yuba City-Marysville, CA</a>	

As indicated in Tables 1a and 1b, some areas have non-attainment area segments in more than one State. Furthermore, some multi-state areas span more than one EPA Regional Office. For example, the Philadelphia-Wilmington non-attainment area encompasses part of Pennsylvania, New Jersey, and Delaware. Pennsylvania and Delaware are in EPA Region 3 jurisdiction, while New Jersey is in EPA Region 2 jurisdiction. This could increase the administrative burden of the State's meeting the attainment demonstration, RFP, RACT and RACM requirements.

The size of the list of non-attainment areas also suggests greater administrative burden. However, the administrative requirements for attainment demonstrations, RFP, RACT and RACM are less for the areas that attain the PM<sub>2.5</sub> NAAQS within 5 years or less of the non-attainment designation date. Furthermore, illustrative air quality simulations and interpolations done that considered the effects of the Transport Rule and Regional Haze for geographic areas (excluding AK, AZ, CA, ID, OR, UT, and WA in the simulations) showed 10 areas with predicted design values above the 2006 PM<sub>2.5</sub> NAAQS level in 2014. There are 15 States required to submit the PM<sub>2.5</sub> SIPs to meet the requirements for the 20 areas needing additional local control measures above the Transport Rule predicted results. There are 10 nonattainment areas predicted to meet the 2006 PM<sub>2.5</sub> design value in 2014 from the Transport Rule simulations. The 8 States for these 11 areas will have less administrative requirement in submitting the SIPs requirements

The numbers of non-attainment areas or parts of areas in each State and the associated EPA Regional Office are presented in Tables 2a and 2b. These were derived from the December 17, 2010 information at: <http://www.epa.gov/air/oaqps/greenbk/rnca.html>. The numbers of areas predicted to be in attainment were derived by looking at the Transport Rule and Regional Haze air quality model simulation results as illustrated in Table 3a. Table 3b lists the western states not included in the Transport Rule modeling for which 2007-2009 monitoring data was used as an indicator of attainment.

**Table 2a. The Numbers of Non-Attainment Areas or Parts of Areas in Each State and EPA Regional Office for the 1997 PM<sub>2.5</sub> NAAQS**

State or District	No. Areas or Parts of Areas	EPA Region
Alabama	2	4
California	2	9
Connecticut	1	1
District of Columbia	1	3
Delaware	1	3
Georgia	4	4
Illinois	2	5
Indiana	5	5
Kentucky	3	4
Maryland	3	3
Michigan	1	5
Missouri	1	7
Montana	1	8
North Carolina	2	4
New Jersey	2	2
New York	1	2
Ohio	9	5
Pennsylvania	8	3
Tennessee	2	4
Virginia	1	3
West Virginia	6	3

**Table 2b. The Numbers of Non-Attainment Areas or Parts of Areas in Each State and EPA Regional Office for the 2006 PM<sub>2.5</sub> NAAQS**

State or District	No. Areas or Parts of Areas	EPA Region	No. of Nonattainment Areas Predicted in Attainment by 2014
Connecticut	1	1	1
New Jersey	2	2	1
New York	1	2	no such area
Delaware	1	3	1
Pennsylvania	7	3	6
West Virginia	2	3	1
Alabama	1	4	no such area

Tennessee	1	4	1
Michigan	1	5	no such area
Ohio	3	5	2
Wisconsin	1	5	no such area
Utah	3	8	no such area
Arizona	1	9	1
California	7	9	1
Alaska	1	10	no such area
Idaho	1	10	no such area
Oregon	2	10	no such area
Washington	1	10	no such area

**Table 3a. Summary of Results of CAM-X Simulations for Eastern United States Base Case Runs and Interpolations Which Include Emission Reductions from the Transport Rule (TR1)\***

<b>Nonattainment Area</b>	<b>Projected Attainment Status in 2014</b>
<a href="#">Allentown, PA</a>	Attainment
<a href="#">Birmingham, AL</a>	Nonattainment
<a href="#">Canton-Massillon, OH</a>	Attainment
<a href="#">Charleston, WV</a>	Attainment
<a href="#">Cleveland-Akron-Lorain, OH</a>	Nonattainment
<a href="#">Detroit-Ann Arbor, MI</a>	Nonattainment
<a href="#">Harrisburg-Lebanon-Carlisle-York, PA</a>	Attainment
<a href="#">Johnstown, PA</a>	Attainment
<a href="#">Knoxville, TN</a>	Attainment
<a href="#">Lancaster, PA</a>	Attainment
<a href="#">Liberty-Clairton, PA</a>	Nonattainment
<a href="#">Milwaukee-Racine, WI</a>	Nonattainment
<a href="#">New York-N. New Jersey-Long Island, NY-NJ-CT</a>	Nonattainment
<a href="#">Philadelphia-Wilmington, PA-NJ-DE</a>	Attainment
<a href="#">Pittsburgh-Beaver Valley, PA</a>	Attainment
<a href="#">Steubenville-Weirton, OH-WV</a>	Nonattainment

\* This is an illustrative simulation and is not necessarily a substitute for the work undertaken by the States in response to requirements for attainment demonstrations, RFP SIP submittals, RACT SIP submittals and RACM SIP submittals.

**Table 3b. Summary of Western Nonattainment Areas Not Included in**

## Transport Rule Simulations

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<b>Nonattainment Area</b>	<b>Projected Attainment Status in 2014</b>
<a href="#">Chico, CA</a>	Nonattainment
<a href="#">Fairbanks, AK</a>	Nonattainment
<a href="#">Imperial Co, CA</a>	Attainment
<a href="#">Klamath Falls, OR</a>	Nonattainment
<a href="#">Logan, UT-ID</a>	Nonattainment
<a href="#">Los Angeles-South Coast Air Basin, CA</a>	Nonattainment
<a href="#">Nogales, AZ</a>	Attainment
<a href="#">Oakridge, OR</a>	Nonattainment
<a href="#">Provo, UT</a>	Nonattainment
<a href="#">Sacramento, CA</a>	Nonattainment
<a href="#">Salt Lake City, UT</a>	Nonattainment
<a href="#">San Francisco Bay Area, CA</a>	Nonattainment
<a href="#">San Joaquin Valley, CA</a>	Nonattainment
<a href="#">Tacoma, WA</a>	Nonattainment
<a href="#">Yuba City-Marysville, CA</a>	Nonattainment

### 4(b) Information Requested

The information requested under this ICR is prescribed by 40 CFR 51.1007 (attainment demonstration), 51.1009 (RFP), and 51.1010 (RACT and RACM). The implementation framework set forth in the regulation does not adopt a “one-size-fits all” approach to meeting the attainment demonstration or RFP, RACT, and RACM requirements. This additional flexibility enables the States to customize, to the extent allowed by the Clean Air Act, their approach to attaining and maintaining the PM<sub>2.5</sub> NAAQS.

**Data Items.** The emissions and control efficiency data required for the attainment demonstration, RFP, RACT, and RACM should have been collected as a result of reporting activities required by other OMB approved ICRs. For example, see the ICR associated with the Final Consolidated Emissions Reporting Rule (CERR): <http://www.epa.gov/ttn/chief/cerr/index.html>.

There may be other data that the States use. For example, States may identify economic and population growth rates, federal rules that reduce future emissions of particulate matter precursors, and meteorological data. These data are presently available.

**Respondents’ Activities.** The States will compile and reference the data, set forth the methodology, conduct analyses, develop initial drafts, hold hearings, adopt rules, regulations, and programs, have discussions with EPA staff as appropriate, refine the draft demonstration and RFP, RACT, and RACM requirements as appropriate, adopt the SIP, and forward to EPA.



**Agency Activities.** EPA staff in the regional offices may facilitate timely receipt of the attainment demonstration, RFP, RACT, and RACM requirements by reviewing materials and answering questions from the States regarding: requirements, potential data sources, analysis tools, the draft attainment demonstration and other submissions. The EPA Regional Offices will evaluate the SIP submissions and take rulemaking actions to approve or disapprove the SIP revisions.

EPA headquarters staff will facilitate information flow amongst the regions and States to foster timely attainment of acceptable demonstrations and SIP submissions.

**Reporting Protocols.** The dates for the submissions are December 14, 2012 as set forth in Part D- Plan Requirements for Nonattainment Areas – Subpart 1- Nonattainment Areas in General and the PM<sub>2.5</sub> Implementation rule.

## **5.0 The Information Collected—Agency Activities, Collection Methodology, and Information Management**

### **5(a) States, EPA Regional Offices, and EPA Headquarters Offices**

**States:** The States agencies' activities include<sup>5</sup>:

- Forecast baseline emissions, develop and evaluate emission reduction strategies where warranted, conduct air quality modeling to verify maintenance and attainment of the PM<sub>2.5</sub> NAAQS
- Calculate the emission reductions necessary to fulfill RFP requirement, determine creditable emission reductions, where necessary determine additional emission reductions and compliance timing to meet RFP requirement. Draft findings, hold State hearings, make revisions as warranted. Submit RFP SIP as part of SIP to EPA Regional office. Have discussions with EPA.
- Identify RACT applicable sources and their control measures under baseline and attainment conditions; and evaluate alternatives. Draft findings, hold State hearings, make revisions as warranted. Submit RACT determinations as part of SIP to EPA Regional Office. Have discussions with EPA.
- Identify RACM applicable sources and their control measures under baseline and attainment conditions; and evaluate alternatives. Draft findings, hold State hearings, make revisions as warranted. Submit RACM determinations to EPA Regional Office. Have discussions with EPA.

**EPA Regional Offices.** The regional office activities include:

- Answering inquiries put forth by the States.

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<sup>5</sup> In some instances, there are local air pollution control districts within the states. These local agencies work in partnership with the states to facilitate accomplishment of the activities noted below.

- Reviewing data, analysis, and findings of attainment demonstration, RFP, RACT and RACM determinations.
- Rulemaking actions approving or disapproving the SIP submissions

**EPA Headquarters.** The EPA headquarters office activities include:

- Facilitating information flow and problem solving amongst the regions regarding demonstrations and submittals from the States
- Answering questions regarding application and interpretation of salient rule provisions.

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

The PM<sub>2.5</sub> SIP meeting the attainment demonstration and RFP, RACT and RACM requirements will set forth the data sources and analytical methods, as well as the emission reduction and air quality improvement verification procedures.

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

For an approved ICR, the Agency must demonstrate that it has taken all practical steps to develop separate and simplified requirements for small businesses and other small entities. See 5 CFR 1320.6(h). The PM<sub>2.5</sub> NAAQS implementation regulation does not provide a direct administrative burden on small entities.

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

During the period from June 1, 2011 through May 31, 2014, the SIP for the 2006 PM<sub>2.5</sub> standard is due on December 14, 2012 that meets the required elements for the attainment demonstration, RFP, RACT and RACM.

**Attainment Demonstration.** The demonstration submission date is December 14, 2012 for Subpart 1 designated non-attainment areas.

**RFP.** The RFP SIP submission date is December 14, 2012 for designated non-attainment areas. However, areas that demonstrate attainment as expeditiously as practicable but no more than 5 years following designation meet RFP.

**RACT and RACM.** For designated non-attainment areas which demonstrate attainment as expeditiously as practicable, but no later than 5 years following designation, RACT and RACM are met. For areas having an attainment date of more than 5 years, the RACT and RACM SIP submission date is December 14, 2012.

### **6. Estimating the Burden of the Collection**

This section provides information on the cost and hours associated with the information collection for both the respondents (the affected States) and the Agency (regional and headquarters offices). Hours and costs are presented for the activities associated with each collection item for a non-attainment area (or segment) in a given State, as well as the equivalent annual and present value numbers.

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

The estimated respondent burden is that associated with the activities which result in the States meeting the attainment demonstration, RFP, RACT, and RACM SIP requirements.

The estimated burden is incremental to that required by other EPA environmental reporting obligations. The incremental burden for some areas may be less than for others. There are several reasons for this disparity.

- The severity of the non-attainment problem varies among the designated areas.
- Certain areas or parts of areas may already have developed and implemented RACT and RACM requirements.
- Some areas may have future predicted PM<sub>2.5</sub> design values which demonstrate attainment in expeditious and practicable fashion, within 5 years of designation, under baseline conditions.
- Some areas may fulfill the RFP requirement as a result of creditable emission reductions resulting from federal rules that reduce PM<sub>2.5</sub> precursor emissions.

In the course of conducting the Transport Rule analysis and the economic assessment for the PM<sub>2.5</sub> NAAQS Implementation Rule, the EPA staff conducted air quality simulations. Some of the results are summarized in Table 3. This information, together with that in Tables 1 and 2 can serve in estimating the burden hours.

#### **Subpart 1 Non-attainment Areas.**

Of the original 39 nonattainment areas with 58 SIP revisions required for the 1997 PM<sub>2.5</sub> standard, only one area has an outstanding requirements due ( IL part of St. Louis, MO-IL nonattainment area). Of the remaining 57 required SIPs, 47 have submitted Attainment Demonstration SIPs, 22 have final approved Clean Data Determinations, and 5 have submitted Redesignation requests. Thus the bulk of the remaining work for these areas consists of developing Maintenance SIPs or mid-course corrections for those areas not demonstrating attainment in the 5 years after the area was designated nonattainment. The estimated burden for these areas was 300 hours for the states to complete their 1997 PM<sub>2.5</sub> actions.

EPA designated 31 areas nonattainment for the 2006 PM<sub>2.5</sub> NAAQS on January 26, 2011 (<http://www.epa.gov/air/oaqps/greenbk/rnc.html>). The base case air quality modeling simulations (see Table 3) were used to develop burden hour estimates for the non-attainment areas. The base case modeling was for the Transport Rule (TR1).

Western states were not included in the TR1 modeling. Hence, monitored readings from 2007-2009 were used as indicators for attaining the 2006 PM<sub>2.5</sub> standard (see Table 4). Some of the 15 nonattainment area in the western states (Alaska, Arizona, California, Idaho, Oregon, Utah, and Washington) predominately experience local PM<sub>2.5</sub> issues as a result of wood-burning stoves in wintertime that would not be modeled in the TR1 simulations. Of the 16 nonattainment area for the 2006 PM<sub>2.5</sub> NAAQS, for which TR1 modeling was conducted, it is anticipated that 9 of the 16 nonattainment areas will attain the standard by 2014.

These simulations and interpolations assumed no additional emission reductions as a result of the States developing emission reductions as part of a PM<sub>2.5</sub> NAAQS SIP. Furthermore, the simulations did not assume any additional emission reductions from the Transport Rule. Under these conditions, of the 16 areas included in the analysis, 7 areas did not have a predicted PM<sub>2.5</sub> design value simulated to meet PM<sub>2.5</sub> NAAQS by the end of 2014. If the progress in the simulation is presumed to be as expeditious as practicable, the 9 areas meeting the NAAQS should have little problem in developing simulations demonstrating attainment and using that information to fulfill the RACT, RACM and RFP SIP requirements. The States with these 9 areas may wish to use the emission projections, air quality modeling simulations, and design value predictions to fulfill most of their attainment demonstration requirement.

As a starting point for developing burden estimates, the Agency looked at the total hours expended in related EPA level of effort work assignments for meeting the 1997 ozone NAAQS, exclusive of the air quality modeling. The total was about 2000 hours in level of technical effort.<sup>6</sup> The potential scope of that effort was geographically broad including all non-attainment areas outside CA. Examples of the specific scope of the effort included:

- Design of lower cost control strategies for 16 Subpart 2 moderate and certain Subpart 1 areas
  - Examination of alternative emission reduction targets and geographic areas (e.g., staying in State but going up to 100km for VOC emissions reductions and up to 200km for NOx emission reductions for some non-attainment areas).
  - Assessment of RFP requirements for certain non-attainment areas,
  - Assessment of RACT/RACM
  - Differences in cost, emission reductions, economic, and energy impacts looking at alternative frameworks for Phases 1 and 2 of the Implementation Rule.
- These activities are related to but do not precisely mimic the incremental activities undertaken by a State to fulfill the attainment demonstration including the reasonably available control measure analysis as well as the RACT SIP, and RFP SIP submissions for a given 1 non-attainment area.

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<sup>6</sup> EPA Contract No. 68-D-00-283; Work Assignments 3-53 and 4-66.

To avoid understating the State burden, an estimate of 3,000 hours per non-attainment area per State was assumed and applied to the 9 areas that were projected to be in attainment by 2014.<sup>7</sup>

Most of this estimated burden would be incurred in the first year. This is because of the overlap of emission reductions associated with the attainment demonstration, RACT requirements, and the RFP requirements. For example, emission reductions resulting from RACT may be creditable toward attainment and RFP. Furthermore, for Subpart 1 areas which are projected to meet the standard in an expeditious manner by 2014, that demonstration fulfills the RACT, RACM and RFP requirements. Hence, although the attainment demonstration is not due until December 12, 2012, it benefits the State and potentially regulated entities to make the attainment demonstration and, where appropriate, the RACT/RACM/RFP requirements early in the implementation planning process. The presumed allocation of total incremental burden across time is 50% in year 1, 25% in year 2, and 25% in year 3.

For the remaining 7 non-attainment area not predicted below the NAAQS in 2014, the total incremental burden hour estimate was increased by a factor of 6. Specifically, the estimated burden for these areas was 18,000 hours. This estimate may be too high. However, directionally, one would expect more burden for the attainment demonstration in an area not expected to attain the standard within 5 years of designation under base case conditions. The estimated burden was increased for 9 States for the 7 areas because certain areas are multiple State areas. The allocation of burden hours across time was the same for the 7 areas as that for the other Subpart 1 areas.

The estimated incremental burden for non-attainment areas is presented in Tables 4a and 4b. The State total burden includes some non-attainment areas that include multiple States. For example, the Washington PM<sub>2.5</sub> non-attainment area requires SIP submittals from DC, MD and VA. Tables 4a and 4b present the differences between estimated burden for States predicted to meet the PM<sub>2.5</sub> NAAQS with Federal Control programs on the one hand and other States with areas not predicted to meet the NAAQS.

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<sup>7</sup> For example, if a Subpart 1 area which is projected to attain the standard by 2014 is in two states, the assumed burden is 6,000 hours: 3,000 hours for each state. If a similar Subpart 1 area is found in only one state, the burden is assumed to be 3,000 hours.

**Table 4a. Estimated Remaining Incremental Burden for the States Attainment Demonstration, RFP SIP Submission, mid-course correction and maintenance plans for the Subpart 1 Non-Attainment Areas for the 1997 PM<sub>2.5</sub> NAAQS.**

<u>State or District</u>	<u>EPA Region</u>	<u>No. of Areas or Parts of Areas</u>	<u>Additional Hours Year 1</u>	<u>Additional Hours Year 2</u>	<u>Additional Hours Year 3</u>
Alabama	4	2	150	75	75
California	9	2	1,500	750	750
Connecticut	1	1	150	75	75
District of Columbia	3	1	150	75	75
Delaware	3	1	150	75	75
Georgia	4	4	9,450	4,725	4,725
Illinois	5	2	9,150	4,575	4,575
Indiana	5	5	450	225	225
Kentucky	4	3	450	225	225
Maryland	3	3	450	225	225
Michigan	5	1	150	75	75
Missouri	7	1	150	75	75
Montana	8	1	150	75	75
North Carolina	4	2	150	75	75
New Jersey	2	2	300	150	150
New York	2	1	150	75	75
Ohio	5	9	1,350	675	675
Pennsylvania	3	8	1,800	900	900
Tennessee	4	2	300	150	150
Virginia	3	1	150	75	75
West Virginia	3	6	900	450	450
Total	Not Applicable	58	27,600	13,800	13,800

**Table 4b. Estimated Incremental Burden for the States Attainment Demonstration, RACT SIP Submission, and RFP SIP Submission for the Subpart 1 Non-Attainment Areas for the 2006 PM<sub>2.5</sub> NAAQS.**

<u>State or District</u>	<u>EPA Region</u>	<u>No. of Areas or Parts of Areas</u>	<u>Additional Hours Year 1</u>	<u>Additional Hours Year 2</u>	<u>Additional Hours Year 3</u>
Alabama	4	1	9,000	4,500	4,500
Alaska	10	1	9,000	4,500	4,500
Arizona	9	1	1,500	750	750
California	9	7	55,500	27,750	27,750
Connecticut	1	1	9,000	4,500	4,500
Delaware	3	1	1,500	750	750

Idaho	10	1	9,000	4,500	4,500
Michigan	5	1	9,000	4,500	4,500
New Jersey	2	2	10,500	5,250	5,250
New York	2	1	9,000	4,500	4,500
Ohio	5	3	19,500	9,750	9,750
Oregon	10	2	18,000	9,000	9,000
Pennsylvania	3	7	18,000	9,000	9,000
Tennessee	4	1	1,500	750	750
Utah	8	3	27,000	13,500	13,500
Washington	10	1	9,000	4,500	4,500
West Virginia	3	2	10,500	5,250	5,250
Alabama	4	1	9,000	4,500	4,500
Total	Not Applicable	37	235,500	117,750	117,750

### 6(b) Estimating Respondent Cost

Labor costs are estimated for State governments using the total of projected additional hours for the Subpart 1 areas. These estimates do not reflect staff experience and economies of scale. The hourly rates are the result of estimated directed and indirect cost per employee. The main source of the information is <http://www.opm.gov/oca/payrates/index.htm>

The estimated weighted direct salary cost per employee is \$35.88 per hour. This results from a summation of the professional, managerial, and support staff components.

- Hourly equivalent 2010 Salary of Permanent Professional Staff at GS 11, Step 3 is \$33.34. This is the average of hourly equivalent rates for the San Francisco, CA and Washington, D.C. areas.
- To account for permanent managerial staff, 1/11 or 9% of the hourly rate for GS 13, Step 3 is added to the professional staff hourly rates. The average hourly equivalent rate for GS-13 using rates for San Francisco, CA and Washington, D.C. is \$47.51. Nine percent of that is \$4.32.
- To account for permanent support staff at GS-6, Step 6, 1/8 or 16% of the hourly rate is added to the professional staff hourly rates. The average hourly equivalent rate for GS-6, Step 6 using rates for San Francisco, CA and Washington, D.C. is \$22.17. Sixteen percent of that is \$3.55.

The estimated hourly indirect cost per employee is \$23.90. This amount is the sum of the following:

- Benefits at 16% of the weighted direct hourly equivalent salary cost per employee or \$6.59.

- Sick and annual leave at 10% of the weighted direct hourly equivalent salary cost per employee or \$4.12.
- General overhead at 32% of the weighed direct hourly equivalent salary cost per employee or \$13.18.

The estimated total weighted direct and indirect hourly equivalent salary cost per employee is \$65.10. For the 1997 NAAQS, the remaining additional cost in year 1 for the 21 States to submit the SIP requirements for the 58 areas or parts of areas is \$1.8 million. The cost estimates for years 2 and 3 are \$0.9 million. For the 2006 NAAQS, the additional cost in year 1 for the 18 States to submit the SIP requirements for the 31 areas or parts of areas is \$15.3 million. The cost estimates for years 2 and 3 are \$7.7 million. State costs are detailed in Tables 5a and 5b.

**Table 5a. Estimated Incremental Cost for the States Attainment Demonstration, RFP SIP Submission, mid-course correction and maintenance plans for the Subpart 1 Non-Attainment Areas for the 1997 PM<sub>2.5</sub> NAAQS.**

State	Region	Yr 1 cost	Yr 2 cost	Yr 3 cost
Alabama	4	\$9,765	\$4,883	\$4,883
California	9	\$97,650	\$48,825	\$48,825
Connecticut	1	\$9,765	\$4,883	\$4,883
Delaware	3	\$9,765	\$4,883	\$4,883
District of Columbia	3	\$9,765	\$4,883	\$4,883
Georgia	4	\$615,195	\$307,598	\$307,598
Illinois	5	\$595,665	\$297,833	\$297,833
Indiana	5	\$29,295	\$14,648	\$14,648
Kentucky	4	\$29,295	\$14,648	\$14,648
Maryland	3	\$29,295	\$14,648	\$14,648
Michigan	5	\$9,765	\$4,883	\$4,883
Missouri	7	\$9,765	\$4,883	\$4,883
Montana	8	\$9,765	\$4,883	\$4,883
New Jersey	2	\$19,530	\$9,765	\$9,765
New York	2	\$9,765	\$4,883	\$4,883
North Carolina	4	\$9,765	\$4,883	\$4,883
Ohio	5	\$87,885	\$43,943	\$43,943
Pennsylvania	3	\$117,180	\$58,590	\$58,590
Tennessee	4	\$19,530	\$9,765	\$9,765
Virginia	3	\$9,765	\$4,883	\$4,883
West Virginia	3	\$58,590	\$29,295	\$29,295
<b>SUM</b>		<b>\$1,796,760</b>	<b>\$898,380</b>	<b>\$898,380</b>



**Table 5b. Estimated Incremental Cost for the States Attainment Demonstration, RFP SIP Submission, mid-course correction and maintenance plans for the Subpart 1 Non-Attainment Areas for the 2006 PM<sub>2.5</sub> NAAQS.**

State	Region	Yr 1 cost	Yr 2 cost	Yr 3 cost
Connecticut	1	\$585,900	\$292,950	\$292,950
New Jersey	2	\$683,550	\$341,775	\$341,775
New York	2	\$585,900	\$292,950	\$292,950
Delaware	3	\$97,650	\$48,825	\$48,825
Pennsylvania	3	\$1,171,800	\$585,900	\$585,900
West Virginia	3	\$683,550	\$341,775	\$341,775
Alabama	4	\$585,900	\$292,950	\$292,950
Tennessee	4	\$97,650	\$48,825	\$48,825
Michigan	5	\$585,900	\$292,950	\$292,950
Ohio	5	\$1,269,450	\$634,725	\$634,725
Wisconsin	5	\$585,900	\$292,950	\$292,950
Utah	8	\$1,757,700	\$878,850	\$878,850
Arizona	9	\$97,650	\$48,825	\$48,825
California	9	\$3,613,050	\$1,806,525	\$1,806,525
Alaska	10	\$585,900	\$292,950	\$292,950
Idaho	10	\$585,900	\$292,950	\$292,950
Oregon	10	\$1,171,800	\$585,900	\$585,900
Washington	10	\$585,900	\$292,950	\$292,950
<b>Sum</b>		<b>\$15,331,050</b>	<b>\$7,665,525</b>	<b>\$7,665,525</b>

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

The estimated agency burden is derived from the estimates for the respondents. Draft estimates were developed by the headquarters staff with review by regional office staff and subsequent refinement of the Agency burden and cost estimates.

The respondent burden was summed by EPA regional offices and a percentage was applied to the yearly burden estimate to reflect the actions taken on the part of the regional offices. Once yearly burdens were estimated for the Agency's Regional Offices, a percentage of those amounts are specified to derive estimates for the Agency's Headquarters Office Burdens. Discussions were held with Regional Office and Headquarters staff regarding the percentages and resulting burden estimates.

**Agency Regional Office Burden.** Table 6 summarizes total incremental respondent burden by Regional Office and provides estimates of total incremental Agency Regional Office burden. The summary of total incremental respondent

burden comes from Tables 4a and 4b. The Agency Regional Office burden is presumed to be 10% of the estimated total incremental burden for respondent by EPA Regional Office. The total incremental burden allocation for the Agency Regional Offices in Table 5 is 50% in year 1, 25% in year 2, and 25% in year 3.

In discussions with Agency Regional Office staff, they indicated that the total incremental burden estimates were ballpark. However, some regional office staff felt that a more reasonable allocation of total incremental Agency Regional Office burden would be 37.5% in year 1, 37.5% in year 2, and 25% in year 3. If that allocation were used, the corresponding Agency Regional Office burden estimates in years 1 and 2 would be 2,070 and year 3 would be 1,380.

**Table 6a. Estimated Agency Regional Office Burden Derived by Taking 10% of Regional Respondent Burden Total for Years 1, 2, and 3 for the 1997 PM<sub>2.5</sub> NAAQS**

EPA Regional Office	Total Regional Respondents' burden (hrs)	Yr 1 EPA Region burden (hrs)	Yr 2 EPA Region burden (hrs)	Yr 3 EPA Region burden (hrs)
1	300	15	8	8
2	900	45	23	23
3	7,200	360	180	180
4	21,000	1,050	525	525
5	22,200	1,110	555	555
6	No PM2.5 Nonattainment areas	0	0	0
7	300	15	8	8
8	300	15	8	8
9	3,000	150	75	75
10	No PM2.5 Nonattainment areas	0	0	0
<b>Sum</b>	55,200	2,760	1,380	1,380

**Table 6b. Estimated Agency Regional Office Burden Derived by Taking 10% of Regional Respondent Burden Total for Years 1, 2, and 3 for the 2006 PM<sub>2.5</sub> NAAQS**

EPA Regional Office	Total Regional Respondents' burden (hrs)	Yr 1 EPA Region burden (hrs)	Yr 2 EPA Region burden (hrs)	Yr 3 EPA Region burden (hrs)
1	18,000	900	450	450
2	39,000	1,950	975	975
3	60,000	3,000	1,500	1,500
4	21,000	1,050	525	525
5	75,000	3,750	1,875	1,875
6	No PM2.5 Nonattainment areas	0	0	0
7	No PM2.5 Nonattainment areas	0	0	0
8	54,000	2,700	1,350	1,350
9	114,000	5,700	2,850	2,850
10	90,000	4,500	2,250	2,250
<b>Sum</b>	471,000	23,550	11,775	11,775

**Agency Headquarters Burden.** The Regional Office burden estimates for years 1, 2, and 3 are multiplied by 10% to arrive at an estimate for Headquarters burden for the same 3 years. 50% of this number is assigned to year 1, and 25% of that number is assigned to years 2 and 3. Resulting hours for year 1 for the 1997 NAAQS are 276. The estimates for years 2 and 3 are 138. Resulting hours for year 1 for the 2006 NAAQS are 2,355. The estimates for years 2 and 3 are 1,178.

**Total Incremental Burden for the Agency.** The regional and headquarters office burden estimate for year 1 for the 1997 NAAQS is 3,036 hours. The estimates for years 2 and 3 are 1,518 hours each year. The regional and headquarters office burden estimate for year 1 for the 2006 NAAQS is 25,905 hours. The estimates for years 2 and 3 are 12,953 hours each year.

**Total Cost for the Agency.** Using the weighted direct and indirect salary equivalent hour rate derived in section 6(b), the total incremental burden hours are multiplied by that rate. The result is the total cost estimate for the Agency; see Table 7.

**Table 7a. 1997 NAAQS Total Cost Estimate for the Agency**

Entity	Year 1	Year 2	Year 3
Regional Offices	\$0.2 million	\$0.09 million	\$0.09 million
Headquarters Office	\$0.02 million	\$0.009 million	\$0.009 million
Total Agency Cost	\$0.2 million	\$0.1 million	\$0.1 million

**Table 7b. 2006 NAAQS Total Cost Estimate for the Agency**

Entity	Year 1	Year 2	Year 3
Regional Offices	\$1.5 million	\$0.8 million	\$0.8 million
Headquarters Office	\$0.2 million	\$0.08 million	\$0.08 million
Total Agency Cost	\$1.7 million	\$0.8 million	\$0.8 million

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

Part D of Title I of the Clean Air Act of 1990 provided plan requirements for Subpart 1 non-attainment areas along with prescribed requirements and schedules for those areas. The major set of respondents is the States, as they have over 90% of the estimated additional burden to meet these requirements on the specified schedule. There is also burden imposed on the Regional and Headquarters Offices of the Agency. Because of the overlap in work for the attainment demonstration, RACM SIP submittal, RACT SIP submittal, and RFP SIP submittal, most of the cost will be incurred in year 1 of the 3 year period covered by this ICR.

In the Agency's roles as facilitator, compiler, reviewer, and preparer, the estimated burden for the Agency is also expected to be greater in the 1<sup>st</sup> year than in the 2<sup>nd</sup> or 3<sup>rd</sup> years.

The total incremental respondent universe burden and cost estimates are presented in Tables 8a and 8b.

**Table 8a. 1997 PM2.5 NAAQS Total Incremental Respondent & Agency Universe Burden and Cost Estimates**

Entity	Average Yearly Burden (hours)	3-Year Burden (hrs)	Present Value of Costs for 3-Year Burden
States	18,400	55,200	\$3,593,520
Agency	2,024	6,072	\$364,626
Total	20,424	61,272	\$3,958,146

**Table 8b. 2006 PM2.5 NAAQS Total Incremental Respondent & Agency Universe Burden and Cost Estimates**

Entity	Average Yearly Burden (hours)	3-Year Burden (hrs)	Present Value of Costs for 3-Year Burden
States	157,000	471,000	\$30,662,100
Agency	17,270	51,810	\$3,111,215
Total	174,270	522,810	\$33,773,315

\*The estimates are in current year (2010) dollars. Costs for years 2 and 3 are calculated using the equation Present Value = Future Value / (1 + interest rate)<sup>t</sup>, where "t" is the number of years hence (i.e., 0 for year 1, 1 for year 2, 2 for year 3). The adjusted values for years 1, 2, and 3 are then summed.

### 6(e) Reason for Change in Burden

In the previous ICR for implementing the 1997 PM2.5 NAAQS, we estimated a total of 210,000 burden annual hours for states. In this ICR revision, we are requesting a decrease in burden to states of 34,600 annual hours due to the following factors:

- The number of non-attainment areas has decreased as areas have come into compliance with the 1997 PM<sub>2.5</sub> standards
- The burden associated with the remaining 1997 PM<sub>2.5</sub> non-attainment areas is less because of the work they have done previously to comply with the standards.
- The burden associated with the nonattainment areas for the 2006 PM2.5 standard is less than the original burden of the 1997 standard due to fewer nonattainment areas.
- The burden associated with the nonattainment areas for the 2006 PM2.5 standard is less because some areas are projected to attain the standard before the area's attainment date based on Transport Rule modeling projections.

The estimates have been calculated using 2010 dollars and some assumptions regarding overhead, O&M costs, and capital costs have been adjusted to meet current guidelines and common procedures for preparing ICRs.

#### **6(f) Burden Statement**

The annual public reporting and recordkeeping burden for this collection of information for the 1997 NAAQS is estimated to average 317 hours per response. Similarly, the annual public reporting and recordkeeping burden for this collection of information for the 2006 NAAQS is estimated to average 4,243 hours per response. 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. However, as was stated in the April 2007 Federal Register Notice for the PM<sub>2.5</sub> Implementation Rule, "... the failure to have an approved ICR for this rule does not affect the statutory obligation for the States to submit SIPs as required under part D of the CAA."

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-2007-0265, which is available for online viewing at [www.regulations.gov](http://www.regulations.gov), or in person viewing at the Air and Radiation Docket 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-2007-0265 and OMB Control Number 2060-0611 in any correspondence.

