

**Information Collection Request  
Supporting Statement for the  
2008 8-hour Ozone National Ambient Air Quality  
Standard Implementation Rule  
EPA ICR # 2347.01**

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**EPA Information Collection Request for the  
2008 8-hour Ozone National Ambient Air Quality Standard  
SIP Requirements 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 for the 2008 8-hour Ozone National Ambient Air Quality Standard Implementation Regulations is Implementation of the 2008 National Ambient Air Quality Standards for Ozone: State Implementation Plan Requirements, ICR number 2347.01, Office of Management and Budget (OMB) number 2060-new.

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

The Paperwork Reduction Act requires the information found in this Information Collection Request (ICR) number 2347.01, to assess the burden (in hours and dollars) of the Implementation of the 2008 National Ambient Air Quality Standards for Ozone: State Implementation Plan Requirements as well as the periodic reporting and record keeping necessary to maintain the rule. On March 12, 2008, EPA strengthened the NAAQS for ground-level ozone, the main component of smog. Specifically, EPA set both the 8-hour primary and secondary ozone standards to the same level. The primary and secondary ozone standards are designed to protect public health and the protection of sensitive trees and plants, respectively. The EPA revised the primary and secondary 8-hour ozone NAAQS level to 0.075 parts per million (ppm) from the previous standards of 0.08 ppm, set in 1997.

This proposed rule is the second rule addressing implementation issues for the 2008 ozone NAAQS. The first rule, proposed on February 14, 2012 (77 FR 8197), focuses on the approach for classifying ozone nonattainment areas for the 2008 ozone NAAQS based on their air quality concentrations, and on the deadline for areas in each classification to achieve the 2008 NAAQS. The EPA finalized the classifications rule on May 12, 2012 (77 FR 30160) and completed the process that designated nonattainment areas for the 2008 NAAQS (77 FR 30088).<sup>1</sup> This second rule addresses a range of other issues important for implementing the 2008 ozone NAAQS. (The second rule will be referred to as the “SIP requirements rule.”) EPA is proposing this implementation rule so that states may know which statutory requirements apply for purposes of developing State Implementation Plans (SIPs) under the Clean Air Act (CAA) to implement that 2008 8-hour ozone NAAQS. The intended effect of the rule is to provide certainty to states regarding their planning obligations such that States may begin SIP development upon designation and classification of areas for that 2008 8-hour NAAQS. Ozone standards that have been already promulgated will remain in effect until otherwise provided when this proposed rule is promulgated. ICR #2236.03 (OMB Control Number 2060-0594), which implements the previous 8-hour ozone NAAQS before the ozone NAAQS was

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<sup>1</sup> At this time, the burden for the ICR proposal will be based on the 46 nonattainment area which includes the Chicago-Naperville, IL-IN-WI area. We expect the final designation of the Chicago-Naperville area to be effective by June 20, 2012.

revised in 2008, will also remain in effect through its 3-year period (i.e., through December 31, 2013).

The time period covered in this ICR is a 3-year. The milestones include the attainment demonstration, Reasonable Further Progress (RFP) SIP submission, and the Reasonable Available Control Technology (RACT) SIP submission.

The incremental administrative burden for the areas and activities covered by this ICR is mitigated by these factors.

1. Some promulgated federal rules reduce future emissions of ozone precursors. As a consequence:
  - i. Some designated nonattainment areas are projected to attain and maintain the 8-hour Ozone NAAQS without additional state emission reducing regulations or programs.
  - ii. Some designated nonattainment areas (e.g. marginal areas) are not required to develop and adopt additional state rules to fulfill RFP requirements set forth by the 8-hour Ozone NAAQS Implementation rule. For those areas that must submit RFP SIPs, the emission reductions associated with federal emission reducing rules are creditable toward RFP requirements.
2. Some States already have experience developing SIPs for the 1-hour and the 1997 8-hour Ozone NAAQS. Hence, there is familiarity with SIP activities for an Ozone NAAQS. Furthermore, many of these areas completed attainment demonstrations and fulfilled RFP and some RACT obligations for the 1-hour and previous 8-hr Ozone NAAQS.

The Agency anticipates additional administrative burden for state governments and the Agency of 40,000 hours and 4,767 hours, respectively. Fifty percent of the hours are expended in the 1<sup>st</sup> year with the remainder spent in the 2<sup>nd</sup> and 3<sup>rd</sup> year of the ICR period. Tribes are not required to conduct attainment demonstrations or submit RFP or RACT SIPs. The burden to develop required SIPs for the two tribal areas located in California were included in the Agency burden hours.

The present value of the total additional costs for state governments (i.e., the respondents) is estimated at \$7.2 million for the 3-year period. This is equivalent to an equal annual streams of costs of \$2.4 million per year during the 3-year period of the ICR.

The present value of the Agency administrative cost burden is estimated at \$0.9 million dollars. This is equivalent to an equal annual stream of costs of \$0.3 million per year during the 3-year period.

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

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

Part D of Title I of the CAA sets forth the plan (implementation) requirements for areas designated nonattainment with a promulgated NAAQS. When the CAA amendments of 1990 were enacted, the Subpart 2 provisions were specific to designated nonattainment areas for the 1-hour Ozone NAAQS, but the ozone standard was revised in 1997. As a result of litigation and subsequent court decisions, an implementation framework was developed for the 8-hour Ozone NAAQS, promulgated in 1997.

The 1997 8-hour Ozone NAAQS Implementation Rule was issued in two phases: Phase 1 was published April 30, 2004, and Phase 2 was published November 29, 2005. On March 12, 2008, EPA revised the 8-hour “primary” ozone standard, designed to protect public health, to a level of 0.075 parts per million (ppm). The previous 8-hour standard, set in 1997, was 0.08 ppm. The 2008 NAAQS retains the same general form and averaging time as the 0.08 ppm NAAQS set in 1997 but is set at a more stringent level of 0.075 ppm.

EPA is proposing this implementation rule so that states may know which statutory requirements apply for purposes of developing SIPs to implement the 2008 8-hour Ozone NAAQS. The intended effect of the rule is to provide certainty to states regarding their planning obligations such that states may begin SIP development upon designation and classification of areas for that 8-hour standard. Current ozone standards that have already been approved remain in effect until otherwise provided when this proposed rule is promulgated.

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>2</sup>**

The data collected from respondents include attainment demonstrations, RFP SIP submissions, and RACT SIP submissions. The attainment demonstrations indicate what emission reductions are necessary to attain and maintain the 8-hour Ozone NAAQS. The RFP SIP describes how the RFP obligation will be met by the affected nonattainment areas as emission reductions are phased in over time. The RACT SIP identifies the assessment of present controls on affected sources of emissions to see if they meet RACT requirements and identifies where additional measures and emission reduction requirements are required. The RACT requirements can be used to meet RFP requirements; the RACT and RFP requirements can also be used to satisfy the emission reduction requirements to attain and maintain the 8-hour Ozone NAAQS. The similarities between the RACT and RFP requirements may be reflected in the attainment demonstration.

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<sup>2</sup> Attainment demonstrations as well as RFP and RACT SIP submissions 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 and RACT SIP submissions are considered data.

The states use the attainment demonstrations, RFP SIP submissions, and RACT SIP submissions 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 2008 8-hour Ozone NAAQS SIP Requirements Rule.

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

The regional and headquarters EPA use the information as part of their review of attainment demonstration, RFP SIP, and RACT SIP adequacy. 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**

There are three parts to the information collection for this ICR: the attainment demonstration, the RFP SIP submission, and the RACT SIP submission.

There are other activities covered by existing ICRs which complement the activities required for the attainment demonstration, RFP SIP submission, and RACT SIP submission. 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.....2060-0580
  - 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
- Determining Conformity of Federal Actions to State or Federal Implementation Plans
  - o 91.150-93.160 .....2060-0279
- (1997) 8-hour NAAQS Implementation Rule
  - o ICR 2236.02 .....2060-0594
- (1997) 8-hour NAAQS Implementation Rule (renewal)
  - o ICR 2236.03.....2060-0594
- PM 2.5 NAAQS Implementation Rule
  - o ICR 2258.01 .....2060-0611

**Attainment Demonstration.** The attainment demonstration requirement would appear as revisions to 40 CFR 51.908, which implements CAA subsections 172(c)(1), 182(b)(1)(A), and 182(c)(2)(B). The attainment demonstration for the 2008 8-hour Ozone 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 8-hour ozone attainment NAAQS demonstration, the 1-hour 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 SIP Submission.** This requirement would be addressed as revisions to 40 CFR 51.910. 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 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 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 SIP Submission.** This requirement would be addressed in revisions to 40 CFR 51.912, which implements CAA subsections 172(c)(1) 182(b)(2),(c),(d), and (e). But, it is related to the Best Available Retrofit Technology (BART) requirement for the regional haze rule and RACT requirements for the PM NAAQS implementation rule. The states are encouraged to take into account these related requirements and analyses 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)**

This is a rule-related ICR. Comments on this ICR will be requested when the rule is proposed.

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

The EPA will solicit comment on the proposed and final SIP Requirements Rule for the 2008 8-hour NAAQS including one or more public hearings.

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

The collections under 40 CFR 51.908, 51.910, and 51.912 are necessary to provide assurances that identified level of emission reductions are adequate to ensure timely attainment and maintenance of the Ozone NAAQS while adhering to the mandatory measures and requirements for all areas.

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

These reporting or recordkeeping requirements do not violate any of the regulations promulgated by OMB under 5 CFR 1320.5. This submission meets the current Paperwork Reduction Act guidelines set forth by OMB. Those guidelines reflect the requirements of 5 CFR 1320.6. The final 2008 8-hour Ozone 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>3</sup>and,

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



- manual methods of reporting.<sup>4</sup>

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

The information is requested from the states. To fulfill the attainment demonstration, RFP SIP submission, and RACT SIP submission 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 SIP submittal, and the RACT SIP submittal.

There are 46 nonattainment areas. When considering the areas with multiple states, the 46 nonattainment areas result in 58 total responses from the states that are potentially affected by the proposed rule. The 58 responses does not include the 2 tribal nonattainment areas that the EPA Regional Office will be required to develop the SIP responses. States should already have information from emission sources, as facilities should have provided this information to meet 1-hour SIP requirements, operating permits, and/or emissions reporting requirements. 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 SIP submission, and RACT SIP submission do not include questions whose answers would require sensitive information.

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

### **4(a) Respondents and the Nonattainment areas**

Table 1 lists the 46 nonattainment areas. The analysis estimates the areas that must prepare an attainment demonstration as well as submit an RFP and RACT SIP based on the area's original classification or reclassification from Marginal to Moderate classification. The states with areas classified Moderate or higher are affected by the attainment demonstration, RFP SIP submission, and RACT SIP submission. For purposes of this analysis, we assumed the burden to the states for the 58 responses for the states to meet the SIP requirements of their respective 46 nonattainment areas. Local, state, and federal agencies are part of the North American Industrial Classification System code number 924110.<sup>5</sup>

<sup>4</sup> However, the states must still submit their attainment demonstration, RFP SIP, and RACT SIP.

<sup>5</sup> <http://www.census.gov/naics> Code number 924110 includes "administration of air & water resources & solid waste management programs"

EPA analyzed a base case scenario to determine the number of nonattainment areas likely to be affected by the implementation rule. Thirty-five of the 36 areas classified as Marginal were modeled to project the 8-hour ozone nonattainment areas for the 75 ppb NAAQS to 2015.<sup>6</sup> The result is used to estimate the number of Marginal nonattainment areas that are expected to attain the NAAQS by their attainment date (2015). The analysis uses information from the Cross State Air Pollution Rule (CSAPR) final rule modeling to project observed 2008-2010 ozone design value to 2015. The CSAPR modeling is documented in the Air Quality Modeling Technical Support Document available at: <http://www.epa.gov/airtransport/pdfs/AQModeling.pdf>.

If an area designated as Marginal was modeled to attain after the 2015 attainment year of the classification, the hours and costs were increased to the next classification level (i.e., Moderate). For example, Houston-Galveston-Brazoria, TX area would be designated as Marginal, but its modeled attainment year is after the 2015 Marginal attainment date. Therefore, the estimated burden for TX to meet the SIP requirements for the Houston-Galveston-Brazoria area is that associated with a Moderate area, which is required to attain by 2018. Appendix A presents the designated areas classified as Marginal with the projections for meeting the 2015 Marginal attainment date.

There are other entities that may be indirectly affected by this rule, 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.

**Table 1. Classifications of 8-Hour Ozone Nonattainment Areas as of May 12, 2012**

**Category/Classification (Attainment Year)**

**EXTREME (2032)**

Los Angeles South Coast Air Basin, CA  
San Joaquin Valley, CA

**SEVERE 17 (2029)**

None

**SEVERE 15 (2027)**

Los Angeles-San Bernardino Cos (W Mojave), CA  
Sacramento Metro, CA  
Riverside Co, (Coachella Valley), CA

<sup>6</sup> Sublette county, WY (Upper Green River Basin Area) did not have enough high modeled days to calculate a future year design value.

**SERIOUS (2021)**

Morongo Band of Mission Indians, CA  
Ventura Co, CA

**MODERATE (2018)**

Baltimore, MD  
Dallas-Fort Worth, TX

**MARGINAL (2015)**

Allentown-Bethlehem-Easton, PA  
Atlanta, GA  
Baton Rouge, LA  
Calaveras County, CA  
Charlotte-Rock Hill, NC-SC  
Chicago-Naperville, IL-IN-WI  
Chico (Butte County), CA  
Cincinnati, OH-KY-IN  
Cleveland-Akron-Lorain, OH  
Columbus, OH  
Denver-Boulder-Greeley-Ft Collins-Loveland, CO  
Dukes County, MA  
Greater Connecticut, CT  
Houston-Galveston-Brazoria, TX  
Imperial County, CA  
Jamestown, NY  
Kern County (Eastern Kern), CA  
Knoxville, TN  
Lancaster, PA  
Mariposa County, CA  
Memphis, TN-MS-AR  
Nevada County (Western part), CA  
New York-N. New Jersey-Long Island, NY-NJ-CT  
Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE  
Phoenix-Mesa, AZ  
Pittsburgh-Beaver Valley, PA  
Reading, PA  
San Diego County, CA  
San Francisco Bay Area, CA  
San Luis Obispo (Eastern San Luis Obispo), CA  
Seaford, DE  
Sheboygan County, WI  
St. Louis-St. Charles-Farmington, MO-IL  
Tuscan Buttes, CA  
Upper Green River Basin Area, WY  
Washington, DC-MD-VA

As indicated in Table 1, some areas have nonattainment area segments in more than one state. Furthermore, sometimes these multi-state areas span more than one EPA Region. For example, the Philadelphia-Wilmington-Atlantic City nonattainment area encompasses part of Pennsylvania, Maryland, New Jersey, and Delaware. Pennsylvania, Maryland 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 required SIP submissions.

The numbers of nonattainment areas or parts of areas in each state and the associated EPA Regional Office are presented in Table 2. When considering the areas with multiple states, the 46 estimated nonattainment areas result in 58 total responses from the states that are potentially affected by the proposed rule. Tribes are not required to conduct attainment demonstrations or submit RFP or RACT SIPs. The burden to develop required SIPs for the two tribal areas located in California were included in the Agency burden hours.

**Table 2. The Numbers of Nonattainment Areas or Parts of Areas in Each State and EPA Regional Office**

State	EPA Region	Nonattainment Areas in State
Arizona	9	1
Arkansas	6	1
California	9	16
Tribal Land in California	9	2
Colorado	8	1
Connecticut	1	2
Delaware	3	2
District of Columbia	3	1
Georgia	4	1
Illinois	5	2
Indiana	5	2
Kentucky	4	1
Louisiana	6	1
Maryland	3	3
Massachusetts	1	1
Missouri	7	1
New Jersey	2	2
New York	2	2
North Carolina	4	1
Ohio	5	3
Pennsylvania	3	5
South Carolina	4	1
Tennessee	4	2
Texas	6	2
Virginia	3	1
Wisconsin	5	2

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

The information requested under this ICR is prescribed in the proposed SIP Requirements Rule by 40 CFR 51.1108 (attainment demonstration), 51.1110 (RFP SIP Submission), and 51.1112 (RACT SIP Submission). The implementation framework set forth in the regulation does not adopt a “one-size-fits all” approach to meeting the attainment demonstration or RFP and RACT SIP submissions. This additional flexibility enables the states to customize, to the extent allowed by the Clean Air Act, their approach to attaining and maintaining the 8-hour Ozone NAAQS. In the context of reporting and recordkeeping burden, we consider this burden to reflect 100 percent reporting burden.

**Data Items.** The emissions and control efficiency data required for the attainment demonstration, RFP SIP submission, and RACT SIP submission should have been collected as a result of reporting activities required by other OMB approved ICRs. For example, see the ICR associated with the Consolidated Emissions Reporting Rule: <http://www.epa.gov/ttn/chief/cerr/index.html>. In addition, air pollutant concentration data is covered already by ICR 0940-22, OMB Control Number 2060-0084; the New Source Review provisions are covered by ICR 1230.23, OMB Control Number 2060-003; and the Reformulated Gasoline Requirements are covered ICR 1591.24, OMB Control Number 2060-0277.

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 ozone 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 and RACT SIP submissions 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 SIP submission, and RACT submission 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 set forth in the final implementation rule (40 CFR 51.508, 51.910, and 51.912).

## **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>7</sup>:

- Forecast baseline emissions, develop and evaluate emission reduction strategies where warranted, conduct air quality modeling to verify maintenance and attainment of the 8-hour Ozone 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 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 SIP to EPA Regional Office. Have discussions with EPA.

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

- Answering inquiries put forth by the states.
- Reviewing data, analysis, and findings of attainment demonstration, RFP SIP and RACT SIP.
- Rulemaking actions approving or disapproving the SIP submissions.
- Develop SIP requirements for nonattainment areas on Tribal land.

**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 attainment demonstration and the RFP and RACT SIP submittals 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**

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<sup>7</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.

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 8-hour Ozone NAAQS implementation regulation does not provide a direct administrative burden on small entities.

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

During the period from January 2013 through January 2016, there are three sets of scheduled deliverables: attainment demonstration; RFP SIP submission; and RACT SIP submission. The SIP requirement rule is proposing two options for submission of SIP revision due dates.

The ICR burden is based on EPA's second option, which is our preferred option, under which the state would have the choice of meeting the statutory deadline for each element as set out in the Act, or a consolidated submittal approach. Under the consolidated approach, all of the required SIP elements for that nonattainment area would be submitted at one time, no later than 28 months after the effective date of designation for the 2008 ozone NAAQS. This approach represents a more expeditious schedule for areas to submit attainment demonstration and RFP SIPs for the 2008 NAAQS, but it provides slightly more time for submittal of the emission inventory and RACT SIPs. We are proposing, under this option, that states can choose to submit all SIP revisions required under section 182 no later than 28 months after the effective date of designation.

This option may be preferable because it would allow states to have a more coordinated and less burdensome planning process, including only having one period for public review and opportunity for public hearing for all the SIP elements involved. Note that all states that include part of a multi-state nonattainment area would need to consult and follow the same SIP submittal deadline with respect to the entire multi-state area. Moreover, we believe that this is a reasonable timeframe for some areas. Those states with areas classified as Moderate and above have significant experience preparing modeled attainment demonstrations and many are participating in ongoing modeling with nearby states to address regional ozone issues. Thus, for some areas it may be less burdensome to submit all ozone plans concurrently within 28 months of designation. We note that an added benefit of earlier completion of the attainment planning process is that it provides states and sources with additional time to implement the measures adopted as part of the demonstration. This is particularly critical for Moderate areas, which have only 6 years to attain the standard. Assuming the EPA designates areas in mid-2012, with an effective date 60 days later, then attainment demonstration SIPs would be due under this option approximately January 2015, prior to or at the beginning of the 2015 ozone season.

### **6.0 Estimate 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 nonattainment 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 attainment demonstration, RFP SIP submission, and RACT SIP submission.

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 nonattainment problem varies among the designated areas.
- Certain areas or parts of areas may already have developed and implemented RACT requirements.
- Some areas may have future predicted 8-hour ozone 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 ozone precursor emissions.

In the course of conducting the Cross State Air Pollution Rule (CSAPR) final rule analysis and the economic assessment for the previous 8-hour Ozone 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.

**Marginal Nonattainment Areas.** An estimated 25 Marginal nonattainment areas are projected to attain the standard by 2015. These states have been working for several years to improve their air quality and reduce ozone through vehicles such as state-enforceable rules, federal regulations, and non-regulatory air quality programs. Thus for these Marginal nonattainment areas the programs, rules and regulations already in place are assumed to be sufficient for the state to reach attainment by 2015. Therefore, we have assumed a modest burden of 100 hours per area per state to comply with the standards. The Clean Air Act exempts Marginal areas from the requirement to submit an attainment demonstration, an RFP plan, and most RACT requirements (although areas in the OTC are required to meet the RACT requirement).

However, based on our modeling analysis, 10 Marginal nonattainment areas are projected to not attain the standard by 2015. The 10 areas were estimated to have an additional burden as the Moderate area. The Marginal areas reclassified to Moderate areas are estimated to spend 100 hours to meet the Marginal requirements and an additional 5,000 hours to develop and submit the attainment demonstration after reclassification. Further discussion of how this burden was determined is in the “Moderate Nonattainment Areas” section below. Although these areas could have



projected attainment years beyond 2018, we did not “bump up” their classifications past that of “Moderate” (i.e., attainment year of 2018) for several reasons. First, the transport rule projection modeling used to determine the designations did not project beyond 2014. Second, the modeling only accounts for reductions from regional and national reduction programs. Finally, the Moderate and higher classifications have six or more years to implement local reductions. The current modeling does not account for local reductions so we cannot reasonably assert an area will not meet their attainment years beyond that of 2015.

**Moderate Nonattainment Areas.** There are 3 areas with an original classification of Moderate and 10 areas that are original Marginal areas reclassified to Moderate in this burden analysis. Most of these areas have met previous RACT requirements. Also, many of these areas had RFP plans in place for the 1-hour Ozone NAAQS and the 1997 8-hour ozone NAAQS. Furthermore, for some of these areas, the RFP requirement is met or reduced because of creditable emission reductions resulting from federal rules reducing emissions of volatile organic compounds (VOCs) and/or nitrogen oxides (NO<sub>x</sub>).<sup>8</sup> The Moderate areas are estimated to spend 5,000 hours to develop and submit the attainment demonstration. We have used the same estimated incremental burden for these areas that we did in ICR No. 2236.02.

**Serious and Above Nonattainment Areas.** There are 10 areas with a Serious or above classification. We have used the same estimated incremental burden for these areas that we did in ICR No. 2236.02 for areas with more extended attainment dates. This incremental additional burden is 20,000 hours per area per state. This represents 15,000 more hours to develop and submit the attainment demonstration than estimated for Moderate areas.

In all nonattainment areas, because of the overlap in emission reductions for attainment, RACT, and RFP, states are often spending 50% of the total estimated incremental burden in the 1<sup>st</sup> year and 25% in each of the 2<sup>nd</sup> and 3<sup>rd</sup> years of the ICR period. The estimated incremental burden for Marginal and above areas by state (including the District of Columbia) is presented in Table 3. This estimated incremental burden is for the nonattainment areas.

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<sup>8</sup> The Second Addendum to the Economic Assessment for the 8-hour Ozone Implementation Rule, U.S. EPA 8-29-05.

**Table 3. Estimated Incremental Burden for the States Attainment Demonstration, RACT SIP Submission, and RFP SIP Submission.**

State	EPA Region	No. of Areas or Parts of Areas	Additional hours Year 1	Additional hours Year 2	Additional hours Year 3
Arizona	9	1	50	25	25
Arkansas	6	1	50	25	25
California	9	16	33,000	16,500	16,500
Colorado	8	1	50	25	25
Connecticut	1	2	2,600	1,300	1,300
Delaware	3	2	2,600	1,300	1,300
District of Columbia	3	1	50	25	25
Georgia	4	1	50	25	25
Illinois	5	2	100	50	50
Indiana	5	2	100	50	50
Kentucky	4	1	50	25	25
Louisiana	6	1	50	25	25
Maryland	3	3	5,100	2,550	2,550
Massachusetts	1	1	50	25	25
Missouri	7	1	50	25	25
New Jersey	2	2	5,100	2,550	2,550
New York	2	2	2,600	1,300	1,300
North Carolina	4	1	50	25	25
Ohio	5	3	150	75	75
Pennsylvania	3	5	2,750	1,375	1,375
South Carolina	4	1	50	25	25
Tennessee	4	2	100	50	50
Texas	6	2	5,050	2,525	2,525
Virginia	3	1	50	25	25
Wisconsin	5	2	100	50	50
Wyoming	8	1	50	25	25
GRAND TOTAL		58	60,000	30,000	30,000

## 6(b) Estimating Respondent Cost

Labor costs are estimated for state governments using the total of projected additional hours for the Marginal and above 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 \$40.42 per hour. This results from a summation of the professional, managerial, and support staff components.

- Hourly equivalent 2012 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 9.1% 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. The 9.1 percent estimate of that is \$4.32.
- To account for permanent support staff at GS-6, Step 6, 1/8 or 12.5% 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. The 12.5 percent estimate of that is \$2.77.

The estimated hourly indirect cost per employee is \$23.45. This amount is the sum of the following:

- Benefits at 16% of the weighted direct hourly equivalent salary cost per employee or \$6.47.
- Sick and annual leave at 10% of the weighted direct hourly equivalent salary cost per employee or \$4.04.
- General overhead at 32% of the weighed direct hourly equivalent salary cost per employee or \$12.94.

The estimated total weighted direct and indirect hourly equivalent salary cost per employee is \$63.87. The estimated total incremental respondent burden for the attainment demonstration, RACT SIP submittal, and RFP SIP submittal is provided in Table 4.

**Table 4. Estimated Total Incremental Cost and Hour Burden for the States (Respondents) to Fulfill the Attainment Demonstration, RACT SIP Submittal, and RFP SIP Submittal Requirements.**

Areas	Additional Cost for Year 1	Additional Cost for Year 2	Additional Cost for Year 3	Burden for the 3-year ICR period
<b>Total</b>	\$3.8 million	\$1.9 million	\$1.9 million	120 thousand hours

### **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 5 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 4 and 5. The Agency Regional Office burden is presumed to be 10% of the estimated total incremental burden for respondent by EPA Regional Office except for the 2 Tribal areas in Region 9. The EPA Region 9 will develop the SIP requirements for the 2 Tribal nonattainment areas in CA. Table 5 has a separate line item for the Region 9 respondent burden for the Tribal areas that has 100% of the burden for responding under Region 9 instead of the 10% presumption. 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, 2, and 3 would be 8,250, 8,250, and, 5,500 respectively.

**Table 5. Estimated Agency Regional Office Burden Derived by Taking 10% of Regional Respondent Burden Total For Years 1, 2, and 3 with the Region 9 Tribal burden added.**

<b>EPA Regional Office</b>	<b>Respondents ' Burden</b>	<b>Year 1 Agency Regional Office Burden</b>	<b>Year 2 Agency Regional Office Burden</b>	<b>Year 3 Agency Regional Office Burden</b>
1	5,300	265	132	132
2	15,400	770	385	385
3	21,100	1,055	528	528
4	600	30	15	15
5	900	45	23	23
6	10,300	515	258	258
7	100	5	3	3
8	200	10	5	5
9	66,100	3,305	1,653	1,653
9 (2 tribal areas)	10,000	5,000	2,500	2,500
<b>Total</b>	130,000	11,000	5,500	5,500

**Agency Headquarters Burden.** The Regional Office burden estimates for years 1, 2, and 3 are the State respondents total multiplied by 10% to arrive at an estimate for Headquarters burden for the same 3 years. Resulting hours for years 1, 2, and 3 are 1,100, 550, and 550, respectively.

**Total Incremental Burden for the Agency.** The regional and headquarters office burden estimate for year 1 is 12,100 hours. The estimates for years 2 and 3 are 6,050 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 6.

**Table 6. Total Cost Estimate for the Agency**

<b>Entity</b>	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>
Regional Office	\$0.70 million	\$0.35 million	\$0.35 million
Headquarters Office	\$0.07 million	\$0.03 million	\$0.03 million
<b>Total Agency Cost</b>	<b>\$0.77 million</b>	<b>\$0.38 million</b>	<b>\$0.38 million</b>

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

Title I of the Clean Air Act of 1990 provided a classification system for 1-hour Ozone NAAQS nonattainment areas along with prescribed programs and measures for those areas. In essence, there was no incremental administrative burden associated with the implementation of the 1-hour standard associated with discretionary action on the part of the Agency. However, with the promulgation of the 8-hour Ozone NAAQS, the nonattainment designations, and the finalization of Phases 1 and 2 of the Ozone Implementation rule, the Office of Management and Budget believed there were additional administrative burdens by the Agency. This ICR attempts to develop estimates of the incremental burden resulting from the transition from the 1997 8-hour to same 8-hour form of the standard for the 2008 Ozone NAAQS.

The methodology does not subtract the decreased burden that some areas experienced because of the move to an ozone standard with the same 8-hour form as the previous 1997 NAAQS. In this case, the burden estimates presented may be biased high. Failure to consider staff experience and economies of scale given related Particulate Matter NAAQS implementation and Regional Haze activities may also impart an upward bias to the estimates. On the other hand, areas classified as Marginal have to attain the standard by 2015. If any of these areas do not attain the 8-hour standard by 2015, there could be additional burdens for such areas that the reclassification estimate does not reflect in the present estimates.

The major set of respondents is the states, as they have over 90% of the estimated additional burden. There is also burden imposed on the Regional and Headquarters Offices of the Agency. Because of the overlap in work for the attainment demonstration, 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 Table 7.

**Table 7. Total Incremental Respondent & Agency Universe Burden and Cost Estimates**

<b>Entity</b>	<b>Average Yearly Burden Hours</b>	<b>3-Year Burden Hours</b>	<b>Present Value of Costs for 3-Year Burden</b>
States	40,000	120,000	\$7.7 million
Agency	8,066	24,200	\$ 1.5 million
<b>Total</b>	<b>48,066</b>	<b>154,200</b>	<b>\$9.2 million</b>

\*The estimates are in current year (2012) dollars. Costs for years 2 and 3 are calculated using the equation  $\text{Present Value} = \text{Future Value} / (1 + \text{interest rate})^t$ , where “t” is the number of years hence (i.e., 0 for year 1, 1 for year 2, 2 for year 3) and the interest rate is set at 7%. The adjusted values for years 1, 2, and 3 are then summed.

#### **6(d) Reasons for Change in Burden**

We are requesting an increase in burden of 40,000 hours due to implementation of this new regulation. Some readers may wish to compare this burden estimate to the estimate prepared for the previous 8-hour Ozone Implementation regulations. The estimates provided in this supporting statement differ due to three main factors:

- The number of nonattainment areas has decreased and 36 of 46 are classified as Marginal.
- 20 of the 46 areas are estimated at a Moderate level burden. Ten of the 46 nonattainment areas are currently Moderate or higher. Another 10 of the 36 Marginal are projected to not attain by the Marginal attainment date.
- Because of the change in the standards, the 20 areas that must now prepare new attainment demonstrations and SIP submittals have also prepared SIPs for the 1997 ozone NAAQS.
- The estimates have been calculated in 2012 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 is estimated to average hours per response. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, disclose, or provide information or for a Federal agency other than EPA to do so. This estimate includes the time and burden needed to conduct the tasks associated with three milestones covered during this ICR reporting period. Those milestones are the RACT SIP submittal, RFP SIP submittal, and the attainment demonstration. In meeting these milestones, such incremental efforts may include reviewing instructions as well as verifying, processing, maintaining, and disclosing information. Such efforts may require incremental development, acquisition, installation, and/or utilization of technological systems for several purposes. These purposes include collecting, verifying, validating, processing, maintaining and disclosing information associated with the three milestones. The

incremental efforts may result from adjusting the ways to comply with the previously applicable instructions associated with the 1-hour Ozone National Ambient Air Quality Standard. Consequently, in meeting the three milestones, there could be some incremental burden associated with learning/training, searching data sources, and transmitting the deliverables.

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. When this ICR is approved by OMB, the Agency will publish a technical amendment to 40 CFR part 9 in the Federal Register to display the OMB control number for the approved information collection requirements contained in the final implementation rule. However, as stated in the November 29, 2005 Federal Register Notice for the 8-hour Ozone Implementation Rule on page 71,693, "... 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."

The Agency established a docket for the 8-hour Ozone National Ambient Air Quality Standard Implementation Rule under Docket ID No. EPA-HQ-OAR-2008-0744, which is available for online viewing at: <http://www.regulations.gov>. Although listed in the index, some information such as Confidential Business Information is not publicly available. Other information such as copyrighted materials are not placed on the internet, but are available in hard copy form at the EPA Docket Center (Air Docket), EPA/DC, EPA West, Room 3334, 1301 Constitution Ave., NW., Washington, DC. The 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 Public Reading Room is (202) 566-1744. The telephone number for the Office of Air and Radiation Docket and Information Center is (202) 566-1742.

## **PART B**

This section is not applicable because statistical methods are not used in data collection associated with the proposed rule.

## Appendix A

The EPA analyzed two different designation scenarios using the Community Multiscale Air Quality (CMAQ) model. The model estimates predicted ozone concentrations in the future using historical meteorological conditions (2002) and current and future emissions estimates (2002 and 2020) to simulate pollutant concentrations. Specifically, the predictions from the modeling are used to project ozone design values in 2020. Please see the Final Regulatory Impact Analysis for the March 2008 NAAQS review for ozone for additional details on the model projections, specifically Chapter 2 (<http://www.epa.gov/ttn/ecas/regdata/RIAs/2-ozoneriachapter2.pdf>).

Table A-1 provides the possible designations for a nonattainment area, the expected attainment year for the specific designation, and the estimated burden hours associated with those designations. As discussed in section 4(a) and the above paragraph, the modeled attainment year estimated by the CMAQ model was compared to the expected attainment year of the proposed designation of a nonattainment area. If the modeled attainment year exceeded the expected attainment year (e.g., the Abbeville, SC County nonattainment area is designated as marginal and is expected to attain in 2016, rather than the designation year of 2015), then the estimated burden hours reflected the hours associated with the modeled attainment year and not the expected attainment year (e.g., the Abbeville, SC County nonattainment area is estimated to require 5,000 rather than the 100 hours).

This reasoning was applied only to marginal areas, and if their modeled attainment years were beyond 2015 the estimated burden hours reflected only “moderate” level hours, even if the modeled attainment year was beyond 2018 (the attainment year for “moderate” designations). This was done for several reasons. First, the transport rule projection modeling used to determine the designations did not project beyond 2014. Second, the modeling only accounts for reductions from regional and national reduction programs. Finally, the moderate and higher classifications have six or more years to implement local reductions. The current modeling does not account for local reductions so we cannot reasonably assert an area will not meet their attainment years beyond that of 2018. Table A-2 presents each nonattainment area with its: (a) modeled attainment year, (b) case designations, (c) the burden hours associated with the minimum and maximum designations, and (d) the burden hours associated with the modeled attainment year when compared to the minimum or maximum case.

**Table A-1. Classification Attainment Years**

<b>Classification</b>	<b>Attainment Year</b>	<b>Burden Hours</b>
Marginal	2015	100
Moderate	2018	5,000
Serious	2021	5,000
Severe-15	2027	5,000
Severe-17	2029	5,000
Extreme	2032	5,000



**Table A-2. Classifications for Nonattainment Areas and Estimated Burden Hours**

Nonattainment Area	State	Original Classification on July 20, 2012	Marginal Areas Projected to Reclassify to Moderate <sup>9</sup>	Estimated 3-year Burden (hours)
Allentown-Bethlehem-Easton	PA	Marginal		100
Atlanta	GA	Marginal		100
Baton Rouge	LA	Marginal		100
Charlotte-Gastonia-Rock Hill	NC	Marginal		100
Charlotte-Gastonia-Rock Hill	SC	Marginal		100
Chicago-Naperville	IL	Marginal		100
Chicago-Naperville	IN	Marginal		100
Chicago-Naperville	WI	Marginal		100
Chico	CA	Marginal		100
Cincinnati-Hamilton	IN	Marginal		100
Cincinnati-Hamilton	KY	Marginal		100
Cincinnati-Hamilton	OH	Marginal		100
Cleveland-Akron-Lorain	OH	Marginal		100
Columbus	OH	Marginal		100
Denver-Boulder-Greeley-Ft Collins-Love.	CO	Marginal		100
Dukes County	MA	Marginal		100
Greater Connecticut	CT	Marginal		100
Imperial County	CA	Marginal		100
Jamestown	NY	Marginal		100
Knoxville	TN	Marginal		100
Lancaster	PA	Marginal		100
Memphis	AR	Marginal		100
Memphis	TN	Marginal		100
Phoenix-Mesa	AZ	Marginal		100
Pittsburgh-Beaver Valley	PA	Marginal		100
Reading	PA	Marginal		100
San Francisco-Bay Area	CA	Marginal		100
Seaford	DE	Marginal		100
Sheboygan	WI	Marginal		100
St. Louis	IL	Marginal		100
St. Louis	MO	Marginal		100
Upper River Basin Area	WY	Marginal		100
Washington, DC	DC	Marginal		100
Washington, DC	MD	Marginal		100
Washington, DC	VA	Marginal		100

<sup>9</sup> The estimate of the number of Marginal nonattainment areas that are expected to attain the NAAQS by their attainment date (2015) uses information from the Cross State Air Pollution Rule (CSAPR) final rule modeling to project observed 2008-2010 ozone design value to 2015. The CSAPR modeling is documented in the Air Quality Modeling Technical Support Document available at: <http://www.epa.gov/airtransport/pdfs/AQModeling.pdf>.

<b>Nonattainment Area</b>	<b>State</b>	<b>Original Classification on July 20, 2012</b>	<b>Marginal Areas Projected to Reclassify to Moderate</b>	<b>Estimated 3-year Burden (hours)</b>
Calaveras County	CA	Marginal	Moderate	5,100
Houston-Galveston-Brazoria	TX	Marginal	Moderate	5,100
Kern Co (Eastern Kern)	CA	Marginal	Moderate	5,100
Mariposa County	CA	Marginal	Moderate	5,100
Nevada Co. (Western Part)	CA	Marginal	Moderate	5,100
New York-N. New Jersey-Long Island	CT	Marginal	Moderate	5,100
New York-N. New Jersey-Long Island	NJ	Marginal	Moderate	5,100
New York-N. New Jersey-Long Island	NY	Marginal	Moderate	5,100
Philadelphia-Wilmin-Atlantic City	DE	Marginal	Moderate	5,100
Philadelphia-Wilmin-Atlantic City	MD	Marginal	Moderate	5,100
Philadelphia-Wilmin-Atlantic City	NJ	Marginal	Moderate	5,100
Philadelphia-Wilmin-Atlantic City	PA	Marginal	Moderate	5,100
San Diego	CA	Marginal	Moderate	5,100
San Luis Obispo (Eastern part)	CA	Marginal	Moderate	5,100
Tuscan Buttes	CA	Marginal	Moderate	5,100
Baltimore	MD	Moderate		5,000
Dallas-Fort Worth	TX	Moderate		5,000
Pechanga Band of Luiseno Mission Indians of the Pechanga Reservation	R9 <sup>10</sup>	Moderate		5,000
Morongo Band of Mission Indians	R9	Serious		5,000
Ventura County	CA	Serious		5,000
Los Angeles-San Bernardino Cos(W Mojave)	CA	Severe 15		5,000
Riverside Co, (Coachella Valley)	CA	Severe 15		5,000
Sacramento Metro	CA	Severe 15		5,000
Los Angeles-South Coast Air Basin	CA	Extreme		5,000
San Joaquin Valley	CA	Extreme		5,000

<sup>10</sup> Estimate of the burden for EPA Region 9 office to develop the SIP requirements for the 2 Tribal nonattainment areas in CA.