

1SUPPORTING STATEMENT

NSPS for New Residential Masonry Heaters (40 CFR Part 60, Subpart RRRR)

PART A

1.0 Identification of the Information Collection

(a) *Title and Number of the Information Collection.*

The title of the Information Collection Request is NSPS for New Residential Masonry Heaters (40 CFR Part 60, Subpart RRRR). This is a new information collection request (ICR), and the U. S. Environmental Protection Agency (EPA) tracking number is 2443.01, OMB Control Number 2060-NEW.

(b) *Short Characterization.*

This ICR covers information collection requirements in the proposed rule, New Source Performance Standards (NSPS) for new residential masonry heaters (40 CFR part 60, subpart RRRR). The information collected will be used by EPA and delegated state and local agencies to determine the compliance status of sources subject to the rule. A residential masonry heater is defined as a fuel burning device designed to burn wood or biomass fuel for the purpose of heating building space. Residential masonry heaters have a core constructed primarily of manufacturer-built, supplied, or specified masonry materials (such as stone, cemented aggregate, clay, tile, or other non-combustible, non-metallic solid materials) that weighs at least 800 kilograms.

The residential masonry heater NSPS is based on similar design principles as the NSPS for new residential wood heaters (40 CFR part 60, subpart AAA). These NSPS establish a certification program instead of the usual NSPS requirement that each affected facility demonstrate compliance through performance testing. Under this certification program, a single wood-heating appliance is tested to demonstrate compliance for an entire model line which could consist of hundreds of masonry heaters. The proposed masonry heater NSPS also allows use of a unique software package based on a European masonry heater design standard. This standard has been verified in the laboratory and under field conditions to produce masonry heaters that would meet the proposed NSPS emission limits. The software produces for printout a certification for a

given design application and the design definition documents as well as operating instructions customized to the given design, so that the software verification and certification record is created for, and attached to, the design, and these documents can be submitted as part of the certification application. Both of these certification approaches significantly reduce the compliance burden, including information collection, for the manufacturers of masonry heaters.

Because of the potential risks to the environment from the intentional or accidental misuse of the certification approach, there are several safeguards included, some of which entail reporting and recordkeeping. Under this proposed regulation, masonry heater manufacturers and testing laboratories are required to submit reports to EPA and/or to maintain records for demonstrating compliance with the NSPS. The manufacturers of masonry heater model lines also must contract with third party certification bodies to develop and implement quality control plans.

The information supplied by the manufacturer to the Agency is used: (1) to ensure that the best system of emission reduction is being applied to reduce emissions from masonry heaters; (2) to ensure that the appliance tested for certification purposes is in compliance with the applicable emission standards; (3) to provide assurance that non-tested production model appliances have emission performance characteristics similar to tested models; and (4) to provide an indicator of continued compliance. Information supplied to the Agency by testing laboratories is used to grant or deny laboratory accreditation and to assist in enforcement and compliance activities.

We believe that 47 masonry heater manufacturers and 3 certification laboratories would be subject to the proposed NSPS. You can find the burden to the “Affected Public” listed below in Table 1, Three-Year and Annual Respondent Burden and Cost of Reporting and Recordkeeping Requirements of the Proposed Standard. The Federal government burden associated with the review of reports submitted by the respondent is shown below in Table 2, Three-Year and Annual Burden and Cost to the Federal Government of the Proposed Standard. (Tables 1 and 2 are located at the end of this supporting statement.) We do not anticipate any reporting or recordkeeping burden for state, local or tribal entities because we have only delegated ability to enforce the standards for residential masonry heaters sold or operated in their

region. By retaining control over the certification and testing program, we ensure national consistency and provide the manufacturers with this resulting certainty.

We have not placed any reporting or recordkeeping requirements on the masonry heater owner or operator. The proposed rule also provides a list of prohibited fuel types and prohibited operations in subpart RRRR as well as good operating and good burning practices that are specified in the owner's manual.

Subpart RRRR includes a list of prohibitions that apply to the commercial owner (i.e., manufacturer, distributor, wholesaler, or retailer) regarding labeling requirements for masonry heaters. Once again, failure to comply could result in enforcement actions, but there is no direct reporting or recordkeeping required under subpart RRRR resulting from these actions.

Finally, as described above, the proposed subpart RRRR would establish a responsibility for the masonry heater manufacturer to develop a quality control plan for assuring that the units within a model line accurately reflect emission-critical components of the model line that has been reviewed and approved by a certifying entity for which the manufacturer has entered into a contract to provide certification services. We believe this approach will reduce costs associated with quality assurance/quality control (QA/QC) and reflect normal business operating expenses. In any case, subpart RRRR does not impose any independent costs on the certifying entity.

The information collection requirements for new sources subject to the NSPS for Residential Masonry Heaters are listed in Attachment 1.

2. Need For and Use of the Collection

(a) Need/Authority for the Collection.

The EPA is charged under section 111 of the Clean Air Act (CAA), as amended, to establish standards of performance for new stationary sources that reflect: “. . . application of the best system of emission reduction which (taking into consideration the cost of achieving such reduction and any nonair quality health and environmental impact and energy requirements) the Administrator determines has been adequately demonstrated. Section 111(a)(1). The Agency refers to this charge as selecting the “best system of emission reduction.” Section 111 also requires that the Administrator review and, if appropriate, revise such standards every 8 years. Wood burning masonry heaters are part of the residential wood heating source category,

pollutant emissions from which cause or contribute to air pollution that may reasonably be anticipated to endanger public health or welfare, in the Administrator's judgment. As part of the review process, EPA has decided to expand the types of appliances regulated under the residential wood heating source category to include masonry heaters. Therefore, the NSPS is being proposed for these appliances at 40 CFR part 60, subpart RRRR.

Certain records and reports are necessary for the Administrator to confirm the compliance status of new residential masonry heaters sold in the United States. These recordkeeping and reporting requirements are specifically authorized by CAA section 114.

(b) Use/Users of the Data.

The control of pollution from new residential masonry heaters relies on the reduction of particulate matter emissions by proper appliance design. In many cases, a representative unit for each model line is subjected to a certification test for particulate matter emissions for a range of operating conditions. In the remaining cases, the manufacturer uses the certification software prescribed in the NSPS to demonstrate that its model lines comply with the emission standards. For both certification approaches, the manufacturer also contracts with a third party certifying entity, which reviews the test reports (or certification software results) and design drawings, and conducts periodic quality assurance audits to ensure that masonry heaters manufactured subsequent to the initial certification continue to comply with the NSPS. Manufacturers must recertify their model lines every 5 years or when they make changes to the model line that would exceed specified parameters. The quality assurance and recertification requirements do not apply to manufacturers of custom, site-built masonry heaters because each such unit is certified individually.

The required notifications are used to inform the Agency when a new model line is expected to be tested. The EPA may then observe the testing operation, if necessary. Emission test reports are needed as these are the Agency's record of a model line's initial capability to comply with the emission standard, and serve as a record of the operating conditions under which compliance was achieved.

Adequate recordkeeping and reporting are necessary to ensure compliance with these standards as required by the CAA. The information collected from recordkeeping and reporting

requirements is also used for targeting inspections and is of sufficient quality to be used as evidence in court.

3. Nonduplication, Consultations, and Other Collection Criteria

(a) Nonduplication.

A computer search of EPA’s ongoing ICRs revealed no duplication of information-gathering efforts.

Similar requirements to this proposed NSPS are found in the requirements to 40 CFR part 60, subpart AAA, the NSPS for Residential Wood Heaters, and 40 CFR 60, subpart QQQQ, the NSPS for Residential Hydronic Heaters and Forced-Air Furnaces (proposed). Subpart AAA has a separate ICR undergoing OMB review as does subpart QQQQ. Although the requirements are similar, they are not duplicative because they apply to separate groups of appliances and the associated manufacturers. In the case of test laboratories, similar test laboratory accreditation requirements are found each of the three NSPS, but each has different test methods. Therefore, these requirements are not duplicative because separate laboratory accreditation is required for each test method.

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

The preamble to the proposed rule will provide public notice.

(c) Consultations.

The proposed rule was developed using extensive consultation with individual companies, trade associations, and state agencies. Several of the key non-EPA persons consulted on the information collection activities are identified in Table 3. Additional meetings and contacts are documented in the project docket for this proposed rule, Docket No. EPA-HQ-OAR-2009-0734.

TABLE 3. PERSONS CONSULTED ON THE INFORMATION COLLECTION ACTIVITIES

Contact	Organization	Telephone Number
John Crouch	Hearth, Patio, Barbeque Association (HPBA)	916.536.2390
Rick Curkeet	Intertek Testing Services	608.836.4400
Brian Klipfel	Fireworks Masonry	908.420.0140
Ben Myren	Myren Consulting, Inc.	509.684.1154

Contact	Organization	Telephone Number
Lisa Rector	Northeast States for Coordinated Air Use Measurement (NESCAUM)	617.259.2095
Timothy Seaton	Timely Construction	360.833.8628
Rod Tinnemore	Washington State Department of Ecology	360.407.6978
Rod Zander	New England Hearth & Soapstone	860.491.3091

(d) *Effects of Less Frequent Collection.*

Less frequent information collection would decrease the margin of assurance that manufacturers are producing residential wood heaters that (1) pass the initial certification test, and (2) continue to be manufactured in a way that ensures continuous compliance with the emission standards. If the information required by these standards were collected less frequently, the likelihood of detecting violations would be reduced.

(e) *General Guidelines.*

None of the guidelines in 5 CFR 1320.6 are being exceeded.

(f) *Confidentiality.*

All information submitted to the Agency for which a claim of confidentiality is made will be safeguarded according to the Agency policies set forth in Title 40, Chapter 1, Part 2, Subpart B—Confidentiality of Business Information (see 40 CFR part 2; 41 FR 36902, September 1, 1976; amended by 43 FR 39999, September 28, 1978; 43 FR 42251, September 28, 1978; 44 FR 17674, March 23, 1979).

(g) *Sensitive Questions.*

This section is not applicable because this ICR does not involve matters of a sensitive nature.

4. The Respondents and the Information Requested

(a) Respondents/NAICS Codes.

Potential respondents under subpart RRRR are manufacturers of new residential masonry heaters. The North American Industry Classification System (NAICS) code for residential masonry heating manufacturing facilities is 333414, Heating Equipment (Except for Warm Air Furnace Manufacturing), and the NAICS code for other manufacturers of masonry heating units is 238140, Masonry Contractors. This subpart also applies to accredited testing laboratories that conduct wood heater certification tests for manufacturers. The NAICS code for testing laboratories is 541380.

(b) Information Requested.

(i) Data Items, Including Recordkeeping Requirements. In this ICR, all the data recorded or reported is required by the NSPS for Residential Masonry Heaters (40 CFR part 60, subpart RRRR). The reporting requirements for NSPS subpart RRRR were uniquely designed for the manufacturers and testing laboratories. A special table is attached that describes the reporting and recordkeeping requirements in detail. See Attachment 1.

Under the proposed NSPS, test results are to be submitted electronically to EPA's Central Data Exchange (CDX) using the Electronic Reporting Tool (ERT) beginning as soon as the ERT is modified to be compatible with masonry heater test methods. More generally, EPA may request a report in any form suitable for the specific case (e.g., by electronic media such as Excel spreadsheet, on CD, or hard copy). Currently, testing laboratories are working voluntarily with EPA to streamline performance and proficiency test reporting. In addition, certification using the prescribed software, where applicable, will reduce burden by allowing manufacturers to forego certification testing. While EPA retains the right to require reports to be submitted in paper format, we believe that the reports required under the NSPS will increasingly be submitted electronically.

In addition, the proposed rule would require the electronic submittal of applications for certification and recertification and other required reports.

(ii) *Respondent Activities*. The respondent activities that will be required by proposed subpart RRRR are identified in Table 1 (located at the end of this supporting statement) and introduced in section 6(a).

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

(a) Agency Activities.

Attachment 2 is a summary of the reporting and recordkeeping requirements for the Federal government. The Agency activities associated with the proposed subpart RRRR are provided in Table 2 (located at the end of this supporting statement) and are introduced in section 6(c).

(b) Collection Methodology and Management.

All reports are sent directly to the Agency. Data obtained during periodic visits by Agency personnel from records maintained by the respondents are tabulated and published for internal Agency use in compliance and enforcement programs. Information contained in the reports is systematically filed at EPA headquarters. Portions of the data are entered into a special database program maintained exclusively by the Agency for later retrieval, study, and essential reports.

The EPA will provide public access to portions of the masonry heater database on line. A list of certified appliances and their emissions ratings will be available on line by the time the proposed NSPS is promulgated.

The records required by this regulation must be retained by the manufacturer or test laboratory for 5 years.

(c) Small Entity Flexibility.

Most of the manufacturers, laboratories, and commercial owners affected by this proposed regulation are considered small businesses based on the definition used by the Small Business Administration. Additional efforts were taken by the Agency to reduce the burden imposed on the smallest businesses affected by this regulation. First, we are proposing to include provisions that allow delayed compliance of up to 3 years for those manufacturers producing fewer than 15 units per year. We also think the presence of proposed staggered compliance dates

will allow additional time for sources to come into compliance and help reduce burden on small businesses by spreading out research and development (R&D) costs over several years. We also believe that the proposed approach to the quality assurance program will align with existing safety quality assurance procedures, thus avoiding potentially duplicative procedures. Finally, we note we are proposing certification testing waiver provisions that will significantly reduce the need for sources to re-test already certified models under qualifying conditions.

(d) Collection Schedule.

The specific frequency for each information collection activity within this request is shown in Table 1 for the Residential Masonry Heater Source Category, which is located at the end of this supporting statement.

6. Estimating the Burden and Cost of the Collection

(a) Estimating Respondent Burden.

The annual burden estimates for the proposed subpart RRRR are shown in Table 1, located at the end of this section. These numbers were derived from estimates based on EPA's experience with implementing existing subpart AAA and other standards.

(b) Estimating Respondent Costs.

(i) Estimating Labor Costs. Loaded labor rates have been calculated for 2010. We used May 2009 labor rates from the Bureau of Labor Statistics for the Ventilation, Heating, Air-Conditioning, and Commercial Refrigeration Equipment Manufacturing (NAICS 333400),¹ and escalated them to 2010 rates using the Employment Cost Index (ECI) provided by the BLS for the manufacturing industry.² Loading factors (i.e., fringe benefits and overhead rates) were calculated using methodologies referenced in promulgated regulations and their accompanying ICRs, particularly those used in New Source Review (NSR) regulations. Fringe benefits are calculated as 29 percent of hourly earnings, and overhead is calculated using a standard 110 percent above hourly earnings. Table 4 presents the labor rates used in the cost analysis.

¹ May 2009 National Industry-Specific Occupational Employment and Wage Estimates. Located http://www.bls.gov/oes/current/naics4_333400.htm.

² Bureau of Labor Statistics. Table 5. Compensation (not seasonally adjusted): Employment Cost Index for total compensation, for private industry workers, by occupational group and industry. Available: <http://www.bls.gov/news.release/eci.t05.htm>. Accessed February 22, 2011.

Table 4. 2010 LOADED LABOR RATES

Labor Category	Hourly earnings [\$2009]	Fringe	Overhead	Loaded	ECI	Loaded 2010 Hourly Earnings (\$)
Professional specialty and technical	28.92	1.29	2.1	\$78.34	2.1	\$79.99
Executive, admin, managerial	50.92	1.29	2.1	\$137.94	2.1	\$140.84
Admin support	16.08	1.29	2.1	\$43.56	2.1	\$44.48

(ii) *Estimating Capital and Operations and Maintenance (O&M) Costs.* In this section we provide estimated capital costs and one-time start-up costs associated with complying with the NSPS over the 3-year ICR clearance period. These costs are summarized in Table 5 at the end of this section. See the manufacturer costs impacts memo¹ and the unit cost memo² for more information on assumptions used in this section.

For purposes of this ICR, we assumed that two of the larger manufacturers of masonry heaters will undertake R&D efforts beginning soon after proposal of the NSPS in 2012, and each would develop two model lines of compliant heaters in time to undergo certification testing at around the standard's 2015 compliance date. We assumed that other large manufacturers have already conducted the necessary R&D to develop masonry heater model lines that will meet the proposed NSPS in order to meet existing emission standards that are currently in force in some states such as Colorado. For this latter situation, we estimate three manufacturers would certify a total of nine model lines. We assumed that these manufacturers would arrange for certification testing for these compliant model lines soon after promulgation of the final NSPS in 2013 because we believe that meeting the NSPS will be a selling point for these model lines. Each certification test is a one-time start-up cost that is incurred when the test is performed, and we estimate certification testing to cost approximately \$10,000 per test based on information from the masonry heater industry.

¹ Memo to Gil Wood, USEPA, from Beth Friedman, EC/R, Inc. Draft Masonry Heater Manufacturer Cost Impacts. May 4, 2011.

² Memo to Gil Wood, USEPA, from Beth Friedman, EC/R, Inc. Unit Cost Estimates of Masonry Heaters. May 4, 2011.

The masonry heater industry is in the process of developing a software package that evaluates prospective design parameters for conformance with design standards that have been demonstrated to comply with the NSPS, which manufacturers can use to certify a masonry heater model line. Pricing for this certification software package is currently estimated at an initial purchase price of approximately \$1,500, followed by an annual licensing fee of \$450 after the first year.¹ This would be an acceptable means of obtaining certification of masonry heater model lines under the proposed NSPS. For purposes of this ICR, we assumed that the small manufacturers of custom site-built masonry heaters would use this method of certification for each such unit constructed (which is, in effect, an entire model line in itself). Custom site-built units represent an estimated 15 percent of the masonry heater industry, which we estimated to be 255 such units constructed by 42 manufacturers over the 3-year period covered by this ICR (i.e., 2013-2015). Although these small manufacturers would not be required to comply with the proposed NSPS until 2017, we believe that at least some would purchase the certification software and begin certifying their custom units upon promulgation of the final NSPS in 2013 as a selling point for their services. Because we cannot reliably predict what fraction of the custom unit manufacturers would purchase the certification software and begin certifying their custom units over the period covered by this ICR, we have made the worst-case cost assumption that all such manufacturers will purchase and use the certification software. In addition, based on information received from the industry, we believe that one large manufacturer will use this approach to certify eight masonry heater model lines during the period from 2013-2015.

The proposed NSPS would require a permanent label on each masonry heater, just as required under subpart AAA. Also like subpart AAA, it would require a temporary label for each masonry heater, except that custom units under this NSPS would be exempt from this requirement. To estimate the costs of the permanent and temporary labels, we used the same label cost estimates that are provided in ICR 1176.09 for subpart AAA. We applied these costs to the appropriate number of shipments estimated for masonry heaters from 2013 to 2015. (See the unit cost memo for more information on estimated number of shipments.) As discussed above for

¹ These estimates reflect estimated prices of €1,000 for initial purchase and an annual fee of €300, at an approximate exchange rate of \$1.50/€. Email communication from Timothy Seaton, Timely Construction, to Gil Wood, EPA. April 21, 2011.

certification using the software certification method, we have made the worst-case cost assumption that all masonry heaters shipped during this period would be compliant heaters with labels affixed, absent a reliable means of estimating the actual fraction that would be labeled.

The proposed NSPS also includes provisions that would require quality assurance testing if a manufacturer is found to have varied the design parameters of a certified model line. These quality assurance tests would be required of large manufacturers to ensure that their certified model lines continue to meet the NSPS emission limits. Small manufacturers of custom site-built units would not be subject to quality assurance testing requirements because each unit constructed by these manufacturers would constitute a “model line” in itself and would be certified individually using the software certification procedures discussed above. As for the certification tests, we estimate that the quality assurance tests would cost approximately \$10,000 per test. We assumed that each of the three large manufacturers that certifies model lines in 2013 would be subject to quality assurance testing requirements for one model line during the 3-year period covered by this ICR.

The last category of capital costs relates to the random audit testing requirements in the proposed NSPS. Under these requirements, EPA would select one certified masonry heater model line at random every 3 years for testing to verify that new units continue to meet the emission limits. The actual cost of conducting these audit tests is included in the cost of certification testing; that is, the test laboratories deposit a portion of the funds received for certification tests in escrow accounts to pay for subsequent audit testing. Thus, the test laboratories would be able to use the escrow accounts to defray the cost of testing. However, the manufacturers of the audited model lines would incur costs to supply from one to five units for testing, depending on test results. We have assumed that large manufacturers would supply, on average, two units for each test at a cost of \$9,041 per unit (see the unit cost memo), with the average cost of shipping estimated to be \$5,000 per test. As discussed above for quality assurance testing, random audit testing requirements would not apply the manufacturers of custom site-built masonry heaters. In addition, no costs for random audit testing are included in this ICR for the large manufacturers because testing under this program is not expected to begin

until after the period covered by this ICR, when escrow accounts have been built up by the testing laboratories.

TABLE 5. ESTIMATED CAPITAL/START-UP COSTS FOR 3-YEAR CLEARANCE PERIOD (2013-2015)

(A) Data Collection Device	(B) Capital/Start-Up for One Respondent/Unit	(C) Number of Respondents/Units	(D) Total Capital/Startup Cost (B X C)
Certification Test ^a	\$26,000 per respondent	5 respondents	\$130,000
Certification Computer Simulation ^b	\$2,400 per respondent	43 respondents	\$103,200
Cost of Permanent Label ^c	\$2 per unit	1,696 units	\$3,391
Removable Label Purchase/ Printing Cost ^d	\$0.75 per unit	1,441 units	\$1,081
QA Emissions Test ^e	\$10,000 per respondent	3 respondents	\$30,000
Random Audit Compliance Tests ^f	\$23,082 per respondent	0 respondents	\$0
Total			\$267,672
Annual average			\$89,224

^a We have assumed that 13 masonry heater models at 5 manufacturers will be certified at cost of \$10,000 per test.

^b We have assumed that 42 small manufacturers and 1 large manufacturer will purchase the approved certification software at a cost of \$2,400 each (\$1,500 for the 1st year and \$450 for the 2nd and 3rd years) for the period covered by this ICR (2013-2015).

^c Total costs of permanent labels are estimated to be \$2.00 per label. Estimate 1,696 new masonry heaters produced by all manufacturers during the period covered by this ICR (2013-2015) and assume all will have permanent label affixed (worst-case assumption).

^d Removable labels estimated to cost \$0.75 per label. Estimate 1,441 new, non-custom masonry heaters produced during the period covered by this ICR (2013-2015) and assume all will have removable label affixed (worst-case assumption).

^e We have assumed each of the 3 large manufacturers that certifies model lines in 2013 will be required to test one model under the QA program during the period covered by this ICR (2013-2015).

^f Average manufacturer cost of two masonry heaters (\$9,041/unit), plus \$5,000 shipping. However, random audits will not begin until after the 2015 compliance date, i.e., after the period covered by this ICR.

(iii) *Annualizing Capital Costs.* The total annual capital/start-up costs average \$89,224 over the period of this ICR (2013-2015).

(c) Estimating Agency Burden and Cost.

The major costs to the Agency are those costs associated with reviewing applications for certification and laboratory accreditation and performing quality assurance functions. This is consistent with the overall EPA compliance and enforcement program, which includes activities such as the examination of records maintained by the respondents, periodic inspection of sources of emissions, and the publication and distribution of collected information.

The average annual Agency cost during the 3 years of the ICR is estimated to be \$43,341. See Table 2, located at the end of this supporting statement.

The Agency labor rates are from the Office of Personnel Management (OPM) 2010 General Schedule which excludes locality rates of pay. These rates can be obtained from Salary Table 2010-GS available on the OPM website, http://www.opm.gov/oca/10tables/html/g_s_h.asp. The government employee labor rates are \$15.63/hour for clerical (GS-6, Step 3), \$28.88 for technical (GS-12, Step 1), and \$38.92/hr for management (GS-13, Step 5). These rates were increased by 60 percent to include fringe benefits and overhead. The fully-burdened wage rates used to represent Agency labor costs are: clerical at \$25.01; technical at \$46.21, and management at \$62.27.

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

There are an estimated 47 existing manufacturers that will be subject to the Residential Masonry Heater NSPS. See the unit cost memo for more information on the estimated number of manufacturers.

We have also assumed that there will be three laboratories in operation in 2013 that will seek accreditation for subpart RRRR testing.

For proposed subpart RRRR, the components of the total annual responses attributable to this ICR are test notifications, applications for certification, biennial reporting for certified models, applications for accreditation, and test report submittals for the 50 facilities (47 manufacturers and 3 testing laboratories) that will be subject to the rule. The number of total annual responses for subpart RRRR is estimated at 108.

(e) *Bottom Line Burden Hours and Cost Tables.*

(i) *Respondent Tally.* The bottom line respondent burden hours and costs for the 3 years (2013-2015) covered by this ICR are presented in Table 1 (located at the end of this supporting statement). The average annual burden for the recordkeeping and reporting requirements in subpart RRRR for the estimated 50 existing facilities that will be subject to subpart RRRR is 2,044 person-hours, with an average annual labor cost of \$162,589 and average annual capital/start-up costs of \$89,224.

(ii) *The Agency Tally.* The average annual Federal Government cost is \$43,341 for 962 hours for subpart RRRR. The bottom line Agency burden hours and costs for the 3 years covered by this ICR are presented in Table 2 (located at the end of this supporting statement).

(iii) *Variations in the annual bottom line.* This section does not apply since no significant variation is anticipated.

(f) *Reasons for Change in Burden.*

We are requesting a burden of 2,044 hours and \$162,589 due to implementation of this new regulation.

(g) *Burden Statement*

The average annual respondent burden for the proposed Residential Masonry Heater NSPS is estimated at 19 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 in 40 CFR part 60 are listed in 40 CFR part 9.

To comment on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggestions for minimizing respondent burden, including through the use of automated collection techniques, EPA has established a public docket for this ICR under Docket ID No. EPA-HQ-OAR-2009-0734, which is available for online viewing at <http://www.regulations.gov>, or in person viewing at the Air and Radiation Docket and Information Center in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Ave., NW, Washington, DC. 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 <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 Numbers identified above. Also, you can send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, DC 20503, Attention Desk Officer for EPA. Please include the relevant Docket ID Number EPA-HQ-OAR-2009-0734 and OMB Control Number 2060-NEW in any correspondence.

PART B

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

TABLE 1. THREE-YEAR AND ANNUAL RESPONDENT BURDEN AND COST OF REPORTING AND RECORDKEEPING REQUIREMENTS OF THE PROPOSED STANDARD

Activity	(A) Person- hours per occurrence	(B) No. of occurrences per respondent 2013-2015	(C) Person-hours per respondent 2013-2015 (C=AxB)	(D) Respondents 2013-2015 ^a	(E) Technical person-hours 2013-2015 (E=CxD)	(F) Management person-hours 2013-2015 (F=Ex0.05)	(G) Clerical person-hours 2013-2015 (G=Ex0.1)	(H) Cost,\$ ^b 2013-2015	(I) Total person-hours 2013-2015 (I=E+F+G)	(J) Avg. annual person-hours (J=I/3)
Reporting Requirements										
Manufacturers										
1. Certification test notification ^c	2.00	2.6	5.2	5	26.0	1.3	2.6	\$ 2,378	29.9	10.0
2. Application for certification ^d	8.00	5.9	47.0	47	2,208.0	110.4	220.8	\$ 201,986	2,539.2	846.4
3. Biennial reporting for certified models ^e	2.00	5.7	11.3	3	34.0	1.7	3.4	\$ 3,110	39.1	13.0
4. Labeling labor cost removable label ^f	0.01	288.2	2.4	5	12.0	0.6	1.2	\$ 1,099	13.8	4.6
5. Owner's manual - model lines ^g	20.00	4.2	84.0	5	420.0	21.0	42.0	\$ 38,421	483.0	161.0
6. Owner's manual - custom units ^h	4.00	6.1	24.3	42	1,020.0	51.0	102.0	\$ 93,309	1,173.0	391.0
7. QA emission test notification ⁱ	2.00	1.0	2.0	3	6.0	0.3	0.6	\$ 549	6.9	2.3
8. Random compliance certification audit ^j	4.00	1.0	4.0	0	0.0	0.0	0.0	\$ -	0.0	0.0
Laboratories										
1. Application for accreditation ^k	40.00	1.0	40.0	3	120.0	6.0	12.0	\$ 10,977	138.0	46.0
2. Proficiency test accreditation testing and report development ^k	150.00	1.0	150.0	3	450.0	22.5	45.0	\$ 41,166	517.5	172.5
3. Notice of proficiency test ^l	1.00	2.0	2.0	3	6.0	0.3	0.6	\$ 549	6.9	2.3
4. Biennial proficiency testing and report development ^m	150.00	1.0	150.0	3	450.0	22.5	45.0	\$ 41,166	517.5	172.5
Subtotal for Reporting Requirements					4,752.0	237.6	475.2	\$ 434,709	5,464.8	1,821.6
Recordkeeping Requirements										
Manufacturers										
1. Test documentation ⁿ	1.00	5.9	5.9	47	276.0	13.8	27.6	\$ 25,248	317.4	105.8
2. QA parameter inspections ^o	2.00	12.0	24.0	3	72.0	3.6	7.2	\$ 6,586	82.8	27.6
3. Retained (sealed) stoves ^p	1.00	3.2	3.2	5	16.0	0.8	1.6	\$ 1,464	18.4	6.1
Laboratories										
1. Certification test, proficiency test, and audit test results ^q	2.00	36.0	72.0	3	216.0	10.8	21.6	\$ 19,759	248.4	82.8
Subtotal for Recordkeeping Requirements					580.0	29.0	58.0	\$ 53,058	667.0	222.3
TOTAL BURDEN AND COST (SALARY)					5,332.0	266.6	533.2	\$ 487,767	6,131.8	2,043.9
TOTAL NUMBER OF RESPONSES							2013-2015	324		Annual avg.

^a We have assumed that 5 large manufacturer respondents and 42 custom manufacturer respondents will be subject to this rule. There will be no new additional manufacturers during the next 3 years of this ICR.

^b Costs are based on the following hourly rates: technical at \$79.99, management at \$140.84, and clerical at \$44.48. Management hours and clerical hours are assumed to be 5 percent and 10 percent of technical hours, respectively.

^c Models certified by testing per manufacturer: 13 model lines from 5 manufacturers projected to be tested from 2013-2015.

^d Model applications per manufacturer: 5 manufacturers certifying 13 models by test and 8 models by computer + 42 manufacturers certifying 255 custom units by computer.

^e We have assumed that it will take 2 hours for each model line (not custom units) certified in 2013, which includes 9 models certified by testing and 8 models computer certified, all certified by 3 manufacturers.

^f We have assumed that it will take 30 seconds to apply removeable labels to each non-custom masonry heater shipped 2013-2015 (worst-case); estimated total 1,441 by 5 manufacturers.

^g We have assumed that it will take 20 hours to include requisite information in owner's manual for each model line certified by the 5 large manufacturers (21 models total).

^h We have assumed that it will take 4 hours to include requisite information in owner's manual for each custom unit constructed by the 42 manufacturers of custom units (255 total).

ⁱ We have assumed that each of the 3 large manufacturers that certifies model lines in 2013 will be required to test one model under the QA program during the 3-year ICR period.

^j We have assumed that random compliance audit testing will not begin during the period of this ICR. When begun, assume one model line will be selected every 3 years for random compliance audit testing with associated burden of labor required to ship the model to a test lab.

^k We have assumed there will be 3 test laboratories at the time of promulgation. All will submit applications for accreditation in 2013.

^l We have assumed that each of the 3 test laboratories will submit two notices - one for the original proficiency test (2013) and one for the biennial test (2015).

^m We have assumed that each of the 3 test laboratories will conduct one biannual proficiency test during the reporting period (i.e., in 2015).

ⁿ We have assumed that 47 manufacturers (5 large and 42 custom) will spend 1 hour per certification [13 via tests and (8+255) via computer] to keep the required records.

^o Parameter inspections are part of the existing safety inspection program. We have assumed the 3 large manufacturers that certify lines in 2013 will spend an additional 2 hours per quarter for the 3-year period of this ICR to document

^p One stove sealed for each original certification test (13) and each subsequent QA test (3) required of the 5 large manufacturers.

TABLE 2. THREE-YEAR AND ANNUAL BURDEN AND COST TO THE FEDERAL GOVERNMENT OF THE PROPOSED STANDARD

Activity	(A) EPA person- hours per occurrence	(B) No. of occurrences per respondent 2013-2015	(C) EPA person- hours per respondent 2013-2015 (C=AxB)	(D) Respondents 2013-2015	(E) Technical person-hours 2013-2015 (E=CxD)	(F) Management person-hours ^a 2013-2015 (F=Ex0.05)	(G) Clerical person-hours ^a 2013-2015 (G=Ex0.1)	(H) Cost,\$ ^b	(I) Total person-hours 2013-2015 (I=E+F+G)	(J) Avg. annual person-hours (J=I/3)	(K) Avg. a cos (K=I
1. Certification test notification ^c	0.5	2.6	1.3	5	6.5	0.3	0.7	\$337	7.5	2.5	
2. Certification test ^d	40.0	1.0	40.0	1	40.0	2.0	4.0	\$2,073	46.0	15.3	
3. Application for certification of model line ^e	8.0	5.9	47.0	47	2208.0	110.4	220.8	\$114,424	2539.2	846.4	\$
4. Biennial reporting for certified models ^f	1.0	5.7	5.7	3	17.0	0.9	1.7	\$881	19.6	6.5	
5. QA emission test notification ^g	0.5	1.0	0.5	3	1.5	0.1	0.2	\$78	1.7	0.6	
6. Laboratory application for accreditation ^h	30.0	1.0	30.0	3	90.0	4.5	9.0	\$4,664	103.5	34.5	:
7. Laboratory proficiency test notices ⁱ	1.0	2.0	2.0	3	6.0	0.3	0.6	\$311	6.9	2.3	
8. Laboratory proficiency test report -- biennial											
a. Test design and implementation ^j	20.0	1.0	20.0	3	60.0	3.0	6.0	\$3,109	69.0	23.0	:
b. Test observation ^k	20.0	1.0	20.0	1	20.0	1.0	2.0	\$1,036	23.0	7.7	
c. Review of test reports	20.0	1.0	20.0	3	60.0	3.0	6.0	\$3,109	69.0	23.0	:
9. Random compliance audit inspections ^l	40.0	1.0	40.0	0	0.0	0.0	0.0	\$0	0.0	0.0	
TOTAL BURDEN AND COST (SALARY)					2509.0	125.5	250.9	\$130,022	2885.4	961.8	\$

^a Management hours and clerical hours are assumed to be 5 percent and 10 percent of technical hours, respectively.

^b Costs are based on the following hourly rates: technical at \$46.21, management at \$62.27, and clerical at \$25.01.

^c Models certified by testing per manufacturer: 13 model lines from 5 manufacturers projected to be tested from 2013-2015.

^d We have assumed that over the long term EPA will observe 5 percent of certification tests, which is rounded to 1 test observed during the period of this ICR.

^e EPA must review and approve certification applications: 5 manufacturers certifying 13 models by test and 8 models by computer + 42 manufacturers certifying 255 custom units by computer.

^f In 2015, EPA must review biennial reports for each model line (not custom units) certified in 2013, which includes 9 models certified by testing and 8 models computer certified, all certified by 3 manufacturers.

^g We have assumed that each of the 3 large manufacturers that certifies model lines in 2013 will be required to test one model under the QA program during the 3-year ICR period.

^h We have assumed there will be 3 test laboratories at the time of promulgation. All will conduct proficiency tests and submit applications for accreditation in 2013.

ⁱ We have assumed that each of the 3 test laboratories will submit two notices - one for the original proficiency test (2013) and one for the biennial test (2015).

^j We have assumed it will take EPA 20 hours to design the test program for each biennial test and that each of the 3 test laboratory will undergo biennial testing in 2015.

^k We have assumed that EPA will observe one biennial proficiency test during period of this ICR.

Attachment 1
Respondent Reporting and Recordkeeping Requirements
NSPS for New Residential Masonry Heaters (40 CFR part 60, subpart RRRR)

Regulatory Reference Title 40, Part 60	Regulated Entity	Reporting/Recordkeeping Requirement	Frequency/Other Comments
60.5488(e)	Manufacturer	<u>Report</u> : notification of certification testing at least 30 days prior to test.	Once per model.
60.5487(a)(2) [60.533(f)] or 60.5487(a)(3)	Manufacturer	<u>Report</u> : Application for certification. Include results of performance test, identifying characterization results, quality control plan, and various affirmations of compliance.	Once for each model line. Must reapply every 5 years or whenever any change made in the design submitted that exceeds specified parameters. Can request waiver from need to retest.
60.5491(d)	Manufacturer	<u>Report</u> : To EPA certifying that model line is unchanged.	Every 2 years.
60.5490(a)	Manufacturer	<u>Report</u> : Produce and apply permanent label.	One per unit produced.
60.5490(e)	Manufacturer	Produce and apply removable label.	One per unit produced (except custom units).
60.5490(g)	Manufacturer	Develop and publish owner's manual.	One per unit produced.
60.5487(f) [60.533(o) (4)]	Manufacturer	Conduct periodic quality assurance audits.	Periodically, as part of the regular safety audits that are now conducted.
60.5491(a)	Manufacturer	Maintain records of all certification data, results of quality assurance program inspections, emission test data.	Once per model (including each custom unit) for certification and test data. Periodically for all quality assurance inspections.
60.5491(c) 60.5487(b) [60.533(g)] 60.5487(d) [60.533(k) (l)]*	Manufacturer Manufacturer Manufacturer	Retain sealed wood heater for the life of model. <u>Report</u> : Request for waiver of testing requirement for certification testing. <u>Report</u> : Request for waiver of the requirement that a model line be recertified when changes exceed specified tolerances.	One for each model certified through testing. Up to once per model. Variable.
60.5487(g) [60.533(p) (3)]	Manufacturer	Conduct random audit compliance testing on up to 5 appliances. <u>Report</u> results to Administrator.	Once every 3 years for the entire source category. Assume 2 appliances tested each time.
60.5487(g) [60.533(p) (5)]**	Manufacturer	Development of documentation to rebut presumption of audit failure.	Variable.
60.5489 [60.535(a)]	Laboratory	Apply for accreditation.	Once in the initial clearance period.
60.5489 [60.535(a)(2) (ii)]	Laboratory	<u>Report</u> : Proficiency test and all test documentation.	At time of application and biennially.
60.5491(b)	Laboratory	Keep records of audit tests.	Once for each five certification tests.
60.5491(b)	Laboratory	Maintain records of all certification test, proficiency test, and random compliance audit test data.	Once per tested model.

* This is associated with an exemption or waiver (which would eliminate other reporting and recordkeeping burdens) and, therefore, is not counted as a burden in the calculation.

** This is not a routine report. It is a provision for an extraordinary circumstance and, therefore, is not included in the calculations because it is very unlikely to occur during the next 3 years.

Attachment 2
Federal Reporting and Recordkeeping Requirements
NSPS for New Residential Masonry Heaters (40 CFR part 60, subpart RRRR)

Regulatory Reference Title 40, Part 60	Agency	Reporting/Recordkeeping	Frequency/Other Comments
60.5487(e)(2)*	EPA	<u>Report</u> : Notice of revocation of certification.	Once per model, if at all.
60.5487(g) [60.533(p)(5)(i) or (ii)]*	EPA	Issue notification of audit test failure and certificate suspension or revocation.	Variable, if at all.
60.5489 [60.535(b)]	EPA	Evaluate laboratory proficiency tests.	Biennially.
60.5489 [60.535(b)(2)]*	EPA	Notice of intention to revoke laboratory accreditation with justification and basis.	Variable and infrequent.
60.5493*	Manufacturer EPA	Various requests, submittals, motions, filings, etc., under hearing and appeal procedures.	Variable and infrequent.

* This is not a routine occurrence. It is a provision for an extraordinary circumstance and, therefore, is not included in the calculations because it is very unlikely to occur during the next 3 years.