

**SUPPORTING STATEMENT
ENVIRONMENTAL PROTECTION AGENCY**

Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility
Generating Units
(40 CFR Part 60, Subpart UUUU)
May 2014

Part A of the Supporting Statement

1. Identification of the Information Collection

1(a) Title and Number of the Information Collection

“Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units (40 CFR Part 60, Subpart UUUU).” The subpart proposes state-specific rate-based goals for emissions of greenhouse gases, specifically carbon dioxide (CO₂), from existing electric utility generating units (EGUs) burning fossil fuels, as well as emission guidelines for states to use in developing state plans to attain the state-specific goals. A new information collection request (ICR) has been prepared in support of the guidelines being proposed. The EPA ICR tracking number is 2503.01. This ICR was developed for the three year period following publication of the final rule.

1(b) Short Characterization/Abstract

Pursuant to Clean Air Act (CAA) section 111(d), the United States Environmental Protection Agency (EPA) is proposing state-specific rate-based goals for CO₂ emissions from existing fossil fuel-fired EGUs and guidelines for states to use in developing plans to attain these goals. For purposes of these guidelines, fossil fuel-fired EGUs include fossil fuel-fired steam generating units, integrated gasification combined cycle (IGCC) units, and stationary combustion turbines that generate electricity for sale and are larger than 25 megawatts (MW). Existing sources include those EGUs that commenced construction on or before January 8, 2014.

The EPA is proposing these guidelines because CO₂ is a greenhouse gas (GHG), and fossil fuel-fired power plants are the country’s largest stationary source emitters of GHGs. The EPA in 2009 found that by causing or contributing to climate change, GHGs endanger both the public health and the public welfare of current and future generations.

This proposed action requires those states with one or more EGUs covered under this subpart to develop plans to implement the emission guidelines and submit the plans to EPA for approval. If an approvable state plan is not submitted by January 8, 2014, EPA will develop a federal plan according to 40 CFR 60.27 to implement the emission guidelines in those states. Owners and operators of EGUs not covered by an approved state plan must comply with the federal plan. The federal plan is an interim action and will be automatically withdrawn when the state plan is approved. Those states that have no EGUs for which construction commenced on or before January 8, 2014 would submit a negative declaration letter in place of the state plan.

The emission guidelines include required components of the state plan, provisions for working with other states to develop a combined plan, timing requirements for submitting the

state plan, state goals for CO₂ emission performance, compliance schedules, and affected sources (EGUs). Under the timing requirements provisions in the proposed guidelines, states are given the option to submit their plans by the June 30, 2016 deadline or request a 1-year extension for an individual state plan or a 2-year extension for a combined multi-state plan.

This proposed action imposes no new information collection burden on affected sources (EGUs) during the first 3 years after final rule promulgation beyond what those sources would already be subject to under the authorities of 40 CFR parts 75 and 98. The Office of Management and Budget (OMB) has previously approved the information collection requirements contained in the existing 40 CFR parts 75 and 98 regulations under the provisions of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.* and has assigned OMB control numbers 2060-0626 and 2060-0629, respectively. There are no new information collection costs for these affected sources during the first 3 years, as the information required for these sources by the proposed guidelines is already collected and reported by other regulatory programs during this period.

The only respondents expected to incur new information collection burden are those states with one or more EGUs covered under this subpart. Of the 50 states plus the District of Columbia, two (Vermont and the District of Columbia) have no EGUs covered under this subpart and are expected to submit negative declarations. Additionally, there are five territories (Puerto Rico, Guam, the Virgin Islands, American Samoa, and the Northern Mariana Islands) that are not included because there is insufficient information at the present time to set goals for these areas. One regional carbon management program, the Regional Greenhouse Gas Initiative (RGGI), is expected to submit a multi-state plan for the eight member states in that region that have EGUs covered under this subpart. Without information to the contrary, one multi-state and 41 stand-alone state plans are assumed to be submitted by June 30, 2016.

2. Need for and Use of the Collection

2(a) Need/Authority for the Collection

The EPA is charged under section 111(d) of the CAA to establish guidelines for existing stationary sources. Section 111(d)(1) states:

The Administrator shall prescribe regulations which shall establish a procedure similar to that provided by section 110 under which each State shall submit to the Administrator a plan which (A) establishes standards of performance for any existing source for any air pollutant (i) for which air quality criteria have not been issued...but (ii) to which a standard of performance under this section would apply if such existing source were a new source, and (B) provides for the implementation and enforcement of such standards of performance.

Subpart B of 40 CFR part 60 requires state plans to include monitoring, recordkeeping, and reporting provisions consistent with the emission guidelines. In addition, section 114(a) states that the Administrator may require any owner or operator subject to any requirement of this Act to:

(A) Establish and maintain such records; (B) make such reports; (C) install, use, and maintain such monitoring equipment, and use such audit procedures, or methods; (D) sample such emissions (in accordance with such procedures or methods, at such locations, at such intervals, during such periods, and in such manner as the Administrator shall prescribe); (E) keep records on control equipment parameters, production variables or other indirect data when direct monitoring of emissions is impractical; (F) submit compliance certifications in accordance with section 114(a)(3); and (G) provide such other information as the Administrator may reasonably require.

As previously stated, the EPA in 2009 found that by causing or contributing to climate change, GHGs endanger both the public health and the public welfare of current and future generations. Fossil fuel-fired power plants are the country's largest stationary source emitters of GHGs. Therefore, emission guidelines for emissions of CO₂ are being proposed for existing sources in this category at 40 CFR part 60, subpart UUUU. The emission guidelines are being proposed for states to use in developing state plans to attain state-specific goals.

2(b) Use/Users of the Data

The data collected from respondents (states) include state plans for those states covered under the emission guidelines. These data provide the foundation for identifying states' emission performance levels and demonstrating how they will be achieved; identifying emission standards and compliance requirements for each affected entity; and specifying program implementation milestones. These emission performance levels, standards, compliance requirements, and milestones will be developed during the course of this ICR period.

3. Nonduplication, Consultations, and Other Collection Criteria

3(a) Nonduplication

As previously stated, this proposed action would impose no new information collection burden on affected sources (EGUs) during the first 3 years after final rule promulgation, beyond what those sources would already be subject to under the authorities of 40 CFR parts 75 and 98. There are no new information collection costs; the information required by these proposed guidelines is already collected and reported by other regulatory programs. Therefore, no duplication exists for the affected industry.

If a state plan is disapproved, the state can respond to EPA's concerns and submit a revised plan. If an approvable state plan is not submitted, EPA will adopt and implement a federal plan that applies to existing sources in the state. Consequently, the information would be submitted to the appropriate EPA Regional office, until such time as the state is delegated this authority. Therefore, no duplication exists for states.

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

Public notice was provided in the preamble to the proposed rule.

3(c) Consultations

The proposed rule was developed after extensive and vigorous outreach to stakeholders and the general public. To carry out this stakeholder outreach, the EPA embarked on an unprecedented, pre-proposal outreach effort to parties with an interest in reducing carbon pollution from existing power plants. From consumer groups to states to power plants to technology innovators, the EPA sought input from all perspectives.

The EPA began the outreach efforts with a webinar and associated teleconferences to establish a common understanding of the basic requirements and process of CAA section 111(d). The August 27, 2013 overview presentation was offered as a webinar for state and tribal officials, “Building a Common Understanding: Clean Air Act and Upcoming Carbon Pollution Guidelines for Existing Power Plants.” More than 360 people from across the country participated in the August webinar presentation--primarily from state environmental and energy offices.

The overview presentation was also posted on the EPA website. The EPA followed up on the presentation by offering four national teleconference calls with representatives from states, tribes, industry, environmental justice organizations, community organizations and environmental representatives. The teleconferences offered a venue for stakeholders to ask questions of the EPA about the overview presentation and for the EPA to gather initial reactions from stakeholders. Stakeholders and members of the public continued to view and refer to the overview presentation throughout the outreach process.

The Agency also provided mechanisms for anyone from the public to provide input during the pre-proposal development of this action. The EPA set up two user-friendly options to accept input during the pre-proposal period—a new email account: carbonpollutioninput@epa.gov; and a web-based form: <http://www2.epa.gov/carbon-pollution-standards/forms/carbon-pollution-standards-contact-us>. These links, along with policy, program, and technical information about this rulemaking effort, are available on the EPA’s website at: <http://www2.epa.gov/carbon-pollution-standards>. The EPA has received more than 2,000 emails offering input into the development of these guidelines.

The Agency has encouraged, organized, and participated in hundreds of meetings about CAA section 111(d) and reducing carbon pollution from existing power plants. Attendees at these various meetings have included states and tribes, members of the public, and representatives from multiple industries, labor leaders, environmental groups and other non-governmental organizations. The direct engagement has brought together a variety of states and stakeholders to discuss a wide range of issues related to the electricity sector and the development of emission guidelines under CAA section 111(d). The meetings occurred in Washington, DC, and at locations across the country. The meetings were attended by the EPA Regional Administrators, managers and staff and who will play key roles in developing and implementing the rule.

Part of this effort included the Agency’s holding of 11 public listening sessions: one national listening session in Washington, DC and 10 listening sessions in locations in the EPA Regional offices across the country. All of the outreach meetings were designed to solicit policy ideas, concerns and technical information from stakeholders about using CAA section 111(d).

Since fall 2013, the Agency provided multiple opportunities for the states to inform this proposal. In addition, the EPA organized, encouraged and attended meetings to discuss multi-

state planning efforts. Because of the interconnectedness of the power sector, and the fact that electricity generated at power plants crosses state lines, states may benefit from working together to address the requirements of this rulemaking implementation. The meetings provided state leaders, including governors, environmental commissioners, energy officers, public utility commissioners, and air directors, opportunities to engage with the EPA officials.

Agency officials listened to ideas, concerns and details from states, including from states with a wide range of experience in reducing carbon pollution from power plants. The Agency has collected policy papers from states with overarching energy goals and technical details on the states' electricity sector. The Agency has engaged, and will continue to engage, with all of the 50 states throughout the rulemaking process.

While tribes are not required to, but may, develop or adopt Clean Air programs, the EPA conducted significant outreach to tribes in the pre-proposal period. The EPA is aware of three coal-fired power plants and one natural gas plant located in Indian country but is not aware of any power plants owned or operated by tribal entities.

The EPA conducted outreach to tribal environmental staff and offered consultation with tribal officials in developing this action. Because the EPA is aware of tribal interest in this proposed rule, the EPA offered consultation with tribal officials early in the process of developing the proposed regulation to permit tribes to have meaningful and timely input into its development.

The EPA sent consultation letters to 584 tribal leaders. The letters provided information regarding the EPA's development of emission guidelines for existing power plants and offered consultation. None have requested consultation. Tribes were invited to participate in the national informational webinar held August 27, 2013. In addition, a consultation/outreach meeting was held on September 9, 2013, with tribal representatives from some of the 584 tribes. The EPA representatives also met with tribal environmental staff with the National Tribal Air Association, by teleconference, on December 19, 2013. In those teleconferences, the EPA provided background information on the GHG emission guidelines to be developed and a summary of issues being explored by the Agency.

In addition, the EPA held a series of listening sessions prior to development of this proposed action. Tribes participated in a session on September 9, 2013 with the state agencies, as well as in a separate session for tribes on September 26, 2013.

This outreach process has produced a wealth of information. The EPA has taken information from these meetings and used it to inform this proposal. The pre-proposal outreach efforts far exceeded what is required of the Agency in the normal course of a rulemaking process, and the EPA expects that a dialog with states and stakeholders will continue even after the rule is finalized. The EPA recognizes the importance of working with all stakeholders, and in particular with the states, to ensure a clear and common understanding of the role the states will play in addressing carbon pollution from power plants.

3(d) Effects of Less Frequent Collection

This section is not applicable because respondents for this 3-year ICR period do not include EGU facilities, and annual reports from states will be submitted after the 3-year ICR period.

3(e) General Guidelines

None of the guidelines in 5 CFR 1320.5 are being exceeded.

3(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 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).

3(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

4(a) Respondents/NAICS Codes

The respondents expected to incur new information collection burden under subpart UUUU are those states with one or more EGUs covered under this subpart. An estimated 41 individual and 1 multi-state plans are expected to be submitted by June 30, 2016. Negative declarations are expected from 1 state (Vermont) and the District of Columbia. The applicable North American Industry Classification System (NAICS) code for state governments is 999200, “State Government, excluding schools and hospitals.”

4(b) Information Requested

(i) Data Items, Including Recordkeeping Requirements

There are no new information collection costs for the affected industry, as the information required by this proposed rule is already collected and reported by other regulatory programs (40 CFR parts 75 and 98). The only new information collection costs are for those states with one or more EGUs covered under this subpart.

State respondents must make the following reports:

Requirement	Guidelines Citation by Section
State plan to implement and enforce emission guidelines	60.5710 and 60.23(a)
Negative declaration letter documenting there are no affected EGUs in the state that are covered under the emission guidelines	60.5710
Request for extension to deadline for submitting state plan (as part of state plan submittal)	60.5760(a)
State annual report documenting progress towards meeting annual emission performance goal	60.5815
Notification of public hearing on state plan	60.23(d)

Requirement	Guidelines Citation by Section
Certification that public hearing on state plan conducted according to subpart B state procedures	60.23(f)

State respondents must also keep the following records:

Requirement	Guidelines Citation by Section
Records of hourly values for each affected source to support the calculation of the annual emission performance goal	60.5810(c)
Records of public hearing conducted on state plan	60.23(e)

(ii) Respondent Activities

The respondent activities that would be required by the proposed emission guidelines are described in the tables and footnotes in Exhibits 1a and 1b at the end of this document. Exhibits 1a and 1b include the respondent activities associated with developing and implementing individual state plans and multi-state plans. Exhibit 1a accounts for 23 states already having active energy efficiency programs in place for achieving their emission performance goals, whereas Exhibit 1b does not account for existing energy efficiency programs. The recordkeeping and reporting activities associated with documenting state progress towards the annual emission performance goal would occur after the 3-year period of this ICR and, therefore, are not included in these tables.

(iii) Summary of Requirements

The proposal would require states covered under the emission guidelines to prepare and submit state plans to implement the guidelines and conduct public hearings on the state plans as necessary, according to the procedures in 40 CFR part 60, subpart B.

5. The Information Collected: Agency Activities, Collection Methodology, and Information Management (covering the first 3 years following final rule promulgation)

5(a) Agency Activities

The Agency, specifically EPA Headquarters and EPA Regions, will incur burden associated with the reporting requirements for states, including: (1) providing support and outreach to states regarding the implementation of the emission guidelines and preparation of state plans, (2) reviewing and approving state plans, (3) reviewing negative declarations from states with no EGUs covered under the emission guidelines, (4) reviewing and approving 1-year extension requests from states submitting individual state plans, (5) reviewing and approving 2-year extension requests from regional programs submitting multi-state plans, (6) reviewing notifications from states regarding public hearings on state plans, and (7) reviewing certifications from states that the public hearings were conducted according to 40 CFR part 60, subpart B state procedures.

5(b) Collection Methodology and Management

The state plans prepared by states will set forth the specifics regarding the actual collection methodology and management. The plans must include the following elements:

- Identification of affected entities, including an inventory of CO₂ emissions from affected EGUs during the most recent calendar year prior to the submission of the plan for which data is available.
- A description of plan approach and the geographic scope of a plan (state or multi-state), including, if relevant, identification of multi-state plan participants and geographic boundaries related to plan elements.
- Identification of the state emission performance level for affected entities that will be achieved through implementation of the plan.
- A demonstration that the plan is projected to achieve each of the state's emission performance levels for affected entities.
- Identification of emission standards for each affected entity, compliance periods for each emission standard, and demonstration that the emission standards are, when taken together, sufficiently protective to meet the state emission performance level.
- A demonstration that each emission standard is quantifiable, non-duplicative, permanent, verifiable, and enforceable with respect to an affected entity.
- If the state plan does not require achievement of the full level of required emission performance, and the identified interim increments of performance, through emission limits on EGUs, the plan must specify (1) program implementation milestones and milestone dates appropriate to the requirements, programs, and measures included in the plan; and (2) corrective measures that will be implemented if a comparison of actual emission performance of affected entities shows that actual emission performance is greater than 10 percent in excess to projected plan performance, and a process and schedule for implementing such corrective measures.
- Identification of applicable monitoring, reporting, and recordkeeping requirements for each affected entity.
- Description of the process, contents, and schedule for annual state reporting to the EPA about plan implementation and progress.
- Certification that the hearing on the state plan was held, a list of witnesses and their organizational affiliations, if any, appearing at the hearing, and a brief written summary of each presentation or written submission.
- Supporting material, including (1) materials demonstrating the state's legal authority to carry out each component of its plan, including emission standards; (2) materials supporting the projected emission performance level that will be achieved by affected entities under the plan; (3) materials supporting the projected mass-based emission performance goal, if applicable; and (4) materials necessary to support evaluation of the plan by EPA.

5(c) Small Entity Flexibility

The EPA is aware that there is substantial interest in the proposed rule among small entities (municipal and rural electric cooperatives). The EPA has conducted an unprecedented amount of stakeholder outreach on setting emission guidelines for existing EGUs. While formulating the provisions of the proposed rule, the EPA considered the input provided over the course of the stakeholder outreach. In addition, the EPA conducted outreach to representatives of

small entities while formulating the provisions of the proposed standards for new sources in the electric utility industry (40 CFR part 60, subpart TTTT). Although only new EGUs would be affected by those proposed standards, the outreach regarded planned actions for new and existing sources. The EPA conducted outreach with representatives from 20 various small entities that potentially would be affected by the planned actions. The representatives included small entity municipalities, cooperatives, and private investors. We distributed outreach materials to the small entity representatives; these materials included background, an overview of affected sources and GHG emissions from the power sector, an overview of CAA section 111, an assessment of CO₂ emission control technologies, potential impacts on small entities, and a summary of the listening sessions. We met with eight of the small entity representatives, as well as three participants from organizations representing power producers, on June 17, 2011, to discuss the outreach materials, potential requirements of the planned rules, and regulatory areas where the EPA has discretion and could potentially provide flexibility.

A second outreach meeting was conducted on July 13, 2011. We met with nine of the small entity representatives, as well as three participants from organizations representing power producers. During the second outreach meeting, various small entity representatives and participants from organizations representing power producers presented information regarding issues of concern with respect to development of the planned rules for GHG emissions. Several small entity representatives provided written comments in response to discussions at the meetings and the questions posed to the small entity representatives by the Agency.

5(d) Collection Schedule

The specific frequency for each information collection activity within this request is shown in Exhibits 1a and 1b for the first 3 years following promulgation of the emission guidelines.

6. Estimating the Burden and Cost of the Collection

Exhibits 1a and 1b document the lower and upper bounds, respectively, of individual burdens for the reporting requirements applicable to the states for the first 3 years. The lower bounds account for 23 states already having active energy efficiency programs in place for achieving their emission performance goals, while the upper bounds do not account for existing energy efficiency programs. By accounting for states' existing programs, the burden estimates in Exhibit 1a are lower than those in Exhibit 1b. Table 1 below presents the range of the respondent burden hours and costs (detailed in Exhibit 1c).

**Table 1. Range of Respondent Burden and Costs
(3-year period following final rule publication)**

Year	Total Annual Labor Burden (hours)	Total Annual Labor Costs (\$)
3-Year Total	0.949 – 1.90 million	\$67.1 – \$134 million
Average Annual	316,000 – 633,000	\$22.4 – \$44.8 million
Average Annual per Respondent	24,400 – 50,000	\$1.73 – \$3.54 million

The individual burdens are expressed under standardized headings believed to be consistent with the concept of burden under the Paperwork Reduction Act. Where appropriate,

specific tasks and major assumptions have been identified; responses to this information collection are mandatory.

The 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.

6(a) Estimating Respondent Burden

The average annual burden to states over the 3-year period of this ICR from these reporting requirements is estimated to range from approximately 316,000 to 633,000 hours per year (detailed in Exhibit 1c). These hours are based on Agency studies and background documents from the development of the regulation, Agency knowledge and experience with part 60 and other regulations, and the previously approved ICR for the subpart TTTT proposal.

6(b) Estimating Respondent Costs

Respondent costs are typically divided into three categories. These categories include labor costs, operation and maintenance (O&M) costs, and annualized capital costs. Labor costs and O&M costs are the only respondent costs associated with this ICR.

(i) Estimating Labor Costs

The average annual labor costs to states over the 3-year period of this ICR from these reporting requirements are estimated to range from approximately \$22.4 to \$44.8 million per year (detailed in Exhibit 1c). Labor rates and associated costs are based on Bureau of Labor Statistics (BLS) data. Technical, managerial, and clerical average hourly rates for state government workers were based on the Bureau of Labor Statistics, Occupational Employment Statistics, May 2013 National Industry-Specific Occupational Employment and Wage Estimates for state government (NAICS code 999200). The state government labor rates from BLS were multiplied by an overhead multiplier of 110 percent to estimate loaded labor rates of \$74.05 per hour for technical, \$89.67 per hour for managerial, and \$35.09 per hour for clerical.

(ii) Estimating Annualized Capital Costs

There are no annualized capital costs associated with this ICR.

(iii) Estimating Operations and Maintenance (O&M) Costs

The annual O&M costs associated with this ICR are the costs associated with the paperwork requirements incurred continuously over the life of the ICR (e.g., storing hard copy records, electronic data storage, and miscellaneous annual supplies) (see Exhibits 1a and 1b). The average annual O&M costs associated with this ICR are approximately \$60,500 (detailed in Exhibit 1c).

6(c) Estimating Agency Burden and Cost

Because the information collection requirements were developed as an incidental part of standards development, no costs can be attributed to the development of the information collection requirements. Because reporting and recordkeeping requirements on the part of the respondents are required under section 111 of the CAA, no operational costs will be incurred by the federal government. Publication and distribution of the information are part of the Compliance Data System, with the result that no federal costs can be directly attributed to the ICR. Examination of records to be maintained by the respondents will occur incidentally as part

of EPA’s overall compliance and enforcement program, and, therefore, is not attributable to the ICR. The only costs to the federal government, specifically EPA Headquarters and EPA Regions, under this ICR are those costs associated with the support and outreach to states; the review of state plans, negative declarations, extension requests for state plan submittals, and public hearing notifications/certifications; and miscellaneous administrative charges. Exhibit 2a presents the average annual Agency burden and cost estimates for the first 3 years after promulgation of the emission guidelines. Table 2 below contains a summary of the 3-year total and average annual Agency burden hours and costs (detailed in Exhibit 2b).

**Table 2. Summary of Agency Burden and Costs
(3-year period following final rule publication)**

Year	Total Annual Labor Burden (hours)	Total Annual Labor Costs (\$)
3-Year Total	160,000	\$8.87 million
Average Annual	53,300	\$2.96 million

Technical, managerial, and clerical average hourly rates for EPA Headquarters staff and EPA Regional staff were selected from the U.S. Office of Personnel Management Salary Table 2012-GS (accessed at http://www.opm.gov/oca/12tables/pdf/g_s_h.pdf). These rates were increased by 60 percent to include fringe benefits and overhead. For EPA Headquarters staff, the loaded labor rates are \$62.27 per hour for technical (GS-13, Step 5), \$86.56 per hour for managerial (GS-15, Step 5), and \$36.11 per hour for clerical (GS-9, Step 5). For EPA Regional staff, the loaded labor rates are \$52.37 per hour for technical (GS-12, Step 5), \$86.56 per hour for managerial (GS-15, Step 5), and \$29.52 per hour for clerical (GS-7, Step 5).

The Agency cost estimates also include annual costs of \$1,000 for miscellaneous administrative charges (e.g., telephone, photocopies, and postage) incurred during the first 3 years after promulgation.

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

Fifty states and the District of Columbia will be subject to the requirements of the proposed emission guidelines. Two (Vermont and the District of Columbia) have no EGUs covered under this subpart, thus are expected to submit negative declarations. There are 41 states which have EGUs covered under this subpart. These states are expected to submit individual state plans. One regional carbon management program (RGGI) is expected to submit a multi-state plan for the eight member states in that region that have EGUs covered under this subpart.

The total number of responses for the monitoring, recordkeeping, and reporting guidelines in proposed subpart UUUU over the 3-year ICR period is estimated to be 44. The average number of annual responses over the 3-year ICR period is 15 per year. The total labor burden over the 3-year ICR period is estimated to range from approximately 0.949 to 1.90 million person hours. The total labor costs over the 3-year ICR period are estimated to range from approximately \$67.1 to \$134 million.

6(e) Bottom Line Burden Hours and Cost Tables

The bottom line labor hours and costs are shown in Exhibits 1a and 1b for respondents and Exhibit 2a for EPA. The labor hours and costs are summarized in Exhibit 1c for respondents and Exhibit 2b for EPA.

6(f) Reasons for Change in Burden

The increase in burden is due to this being a new ICR associated with a new subpart.

6(g) Burden Statement

The annual public reporting and recordkeeping burden (as listed in Section 5(b) above) for this collection of information is estimated to range from approximately 21,600 to 43,200 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 suggested methods for minimizing respondent burden, including the use of automated collection techniques, the EPA has established a public docket for this ICR under Docket ID Number EPA-HQ-OAR-2013-0602, which is available for online viewing at www.regulations.gov, or in person viewing at the Air and Radiation Docket and Information Center in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Avenue, NW, Washington, D.C. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is (202) 566-1744, and the telephone number for the Air and Radiation Docket and Information Center is (202) 566-1742. An electronic version of the public docket is available at www.regulations.gov. This site can be used to submit or view public comments, access the index listing of the contents of the public docket, and to access those documents in the public docket that are available electronically. When in the system, select "search," then key in the Docket ID Number identified above. Also, you can send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, D.C. 20503, Attention: Desk Officer for EPA. Please include the EPA Docket ID Number EPA-HQ-OAR-2013-0602 in any correspondence.

PART B

This section is not applicable because statistical methods are not used in data collection associated with these guidelines.

ATTACHMENTS

Exhibit 1a. Lower Bound Respondent Burden and Cost of Reporting and Recordkeeping Requirements, Emission Guidelines for GHG Emissions for EGUs (40 CFR part 60, subpart UUUU)

Exhibit 1b. Upper Bound Respondent Burden and Cost of Reporting and Recordkeeping Requirements, Emission Guidelines for GHG Emissions for EGUs (40 CFR part 60, subpart UUUU)

Exhibit 1c. Summary of Respondent Burden and Cost of Reporting and Recordkeeping Requirements, Emission Guidelines for GHG Emissions for EGUs (40 CFR part 60, subpart UUUU)

Exhibit 2a. Burden and Cost to the Agency, Emission Guidelines for GHG Emissions for EGUs (40 CFR part 60, subpart UUUU)

Exhibit 2b. Summary of Agency Burden and Cost, Emission Guidelines for GHG Emissions for EGUs (40 CFR part 60, subpart UUUU)

Exhibit 1a. Lower Bound Respondent Burden and Cost of Reporting and Recordkeeping Requirements, Emission Guidelines for GHG Emissions for EGUs (40 CFR part 60, subpart UUUU)

Burden Item	(A) Hours/ Occurrence	(B) Occurrences/ Respondent/ Year	(C) Hours/ Respondent / Year (A x B)	(D) Respond- ents/Year	(E) Total Hours/ Year (C x D)	(F) Technical Hours/Year (E x 0.79)	(G) Managerial Hours/Year (E x 0.09)	(H) Clerical Hours/Year (E x 0.12)	(I) Cost/Year
1. REPORTING REQUIREMENTS									
A. Read and Understand Rule Requirements ^a	40	1	40	17	680	537	61	82	\$48,129
B. Required Activities									
Develop/implement state plan									
Individual state plan ^{b,c}	7,280	1	7,280	41	298,480	235,799	26,863	35,818	\$21,125,686
Multi-state plan ^{d,e}	17,056	1	17,056	1	17,056	13,474	1,535	2,047	\$1,207,182
C. Create Information	Incl. in 1B								
D. Gather Information	Incl. in 1B								
E. Report Preparation									
State plan	Incl. in 1B								
Negative declaration ^f	1	1	1.0	0.7	0.7	0.5	0.1	0.1	\$47
AVERAGE ANNUAL LABOR BURDEN AND COST					316,217	249,811	28,460	37,946	\$22,381,044
AVERAGE ANNUALIZED COSTS (O&M)									
Recordkeeping/reporting supplies									\$60,515

^a Assumes one-time burden of 40 hours to read and understand rule requirements; respondents include all 50 states plus the District of Columbia, averaged over the 3-year ICR period (51/3=17).

^b Assumes 3.5 FTEs per state per year for team leadership, political outreach, general coordination of plans, energy and policy analysis, coordination between energy office and air office, modeling, and data analysis.

^c Respondents include those 41 states expected to submit an individual state plan.

^d Assumes 1 FTE per year for multi-state plan staff providing team leadership, political outreach, outreach to participating states, modeling, and data analysis, and 0.9 FTE for each participating state in the region.

^e Respondent is the regional carbon management program (RGGI) expected to submit a multi-state plan for its 8 member states with EGUs.

^f Respondents include those 2 states expected to submit a one-time negative declaration, averaged over the 3-year ICR period (2/3=0.7).

Nationwide State Assumptions

Breakdown of States	No.	Notes
Total no. respondents	51	50 states + DC
No. expected to submit negative declaration	2	VT + DC
No. expected to submit individual state plan	41	
No. expected to submit multi-state plan	1	Regional Greenhouse Gas Initiative (RGGI)
No. states included in multi-state plan	8	Includes the 8 states in RGGI with EGUs

Respondent Labor Rates

Labor Category	Respondent Labor Rates (May 2013)		
	Unloaded ^a	Overhead Multiplier (110%)	Loaded
Technical	\$35.26	2.1	\$74.05
Managerial	\$42.70	2.1	\$89.67
Clerical	\$16.71	2.1	\$35.09

^a Unloaded labor rates from U.S. Department of Labor, Bureau of Labor Statistics, Occupational Employment Statistics, May 2013 National Industry-Specific Occupational Employment and Wage Estimates, NAICS 999200 - State Government, excluding schools and hospitals (OES Designation) <http://www.bls.gov/oes/2013/may/naics4_999200.htm>

Recordkeeping/Reporting Supplies (Annual O&M Costs) ^a

Supply Item	Price/Item	No./Resp.	No. Resp.	Total
File cabinet to store hard copy records	\$235	1	49	\$11,515
Electronic data storage device	\$500	1	49	\$24,500
Miscellaneous annual supplies	\$500	1	49	\$24,500
Average Annual Cost				\$60,515

^a Costs based on estimates initially prepared for 40 CFR part 60, subpart TTTT.

Exhibit 1b. Upper Bound Respondent Burden and Cost of Reporting and Recordkeeping Requirements, Emission Guidelines for GHG Emissions for EGUs (40 CFR part 60, subpart UUUU)

Burden Item	(A) Hours/ Occurrence	(B) Occurrences/ Respondent/ Year	(C) Hours/ Respondent / Year (A x B)	(D) Respond- ents/Year	(E) Total Hours/ Year (C x D)	(F) Technical Hours/Year (E x 0.79)	(G) Managerial Hours/Year (E x 0.09)	(H) Clerical Hours/Year (E x 0.12)	(I) Cost/Year
1. REPORTING REQUIREMENTS									
A. Read and Understand Rule Requirements ^a	40	1	40	17	680	537	61	82	\$48,129
B. Required Activities									
Develop/implement state plan									
Individual state plan ^{b,c}	14,560	1	14,560	41	596,960	471,598	53,726	71,635	\$42,251,372
Multi-state plan ^{d,e}	35,360	1	35,360	1	35,360	27,934	3,182	4,243	\$2,502,695
C. Create Information	Incl. in 1B								
D. Gather Information	Incl. in 1B								
E. Report Preparation									
State plan	Incl. in 1B								
Negative declaration ^f	1	1	1.0	0.7	0.7	0.5	0.1	0.1	\$47
AVERAGE ANNUAL LABOR BURDEN AND COST					633,001	500,071	56,970	75,960	\$44,802,243
AVERAGE ANNUALIZED COSTS (O&M)									
Recordkeeping/reporting supplies									\$60,515

^a Assumes one-time burden of 40 hours to read and understand rule requirements; respondents include all 50 states plus the District of Columbia, averaged over the 3-year ICR period (51/3=17).

^b Assumes 7 FTEs per state per year for team leadership, political outreach, general coordination of plans, energy and policy analysis, coordination between energy office and air office, modeling, and data analysis.

^c Respondents include those 41 states expected to submit an individual state plan.

^d Assumes 1 FTE per year for multi-state plan staff providing team leadership, political outreach, outreach to participating states, modeling, and data analysis, and 2 FTEs for each participating state in the region.

^e Respondent is the regional carbon management program (RGGI) expected to submit a multi-state plan for its 8 member states with EGUs.

^f Respondents include those 2 states expected to submit a one-time negative declaration, averaged over the 3-year ICR period (2/3=0.7).

Nationwide State Assumptions

Breakdown of States	No.	Notes
Total no. respondents	51	50 states + DC
No. expected to submit negative declaration	2	VT + DC
No. expected to submit individual state plan	41	
No. expected to submit multi-state plan	1	Regional Greenhouse Gas Initiative (RGGI)
No. states included in multi-state plan	8	Includes the 8 states in RGGI with EGUs

Respondent Labor Rates

Labor Category	Respondent Labor Rates (May 2013)		
	Unloaded ^a	Overhead Multiplier (110%)	Loaded
Technical	\$35.26	2.1	\$74.05
Managerial	\$42.70	2.1	\$89.67
Clerical	\$16.71	2.1	\$35.09

^a Unloaded labor rates from U.S. Department of Labor, Bureau of Labor Statistics, Occupational Employment Statistics, May 2013 National Industry-Specific Occupational Employment and Wage Estimates, NAICS 999200 - State Government, excluding schools and hospitals (OES Designation) <http://www.bls.gov/oes/2013/may/naics4_999200.htm>

Recordkeeping/Reporting Supplies (Annual O&M Costs) ^a

Supply Item	Price/Item	No./Resp.	No. Resp.	Total
File cabinet to store hard copy records	\$235	1	49	\$11,515
Electronic data storage device	\$500	1	49	\$24,500
Miscellaneous annual supplies	\$500	1	49	\$24,500
Average Annual Cost				\$60,515

^a Costs based on estimates initially prepared for 40 CFR part 60, subpart TTTT.

Exhibit 1c. Summary of Respondent Burden and Cost of Reporting and Recordkeeping Requirements, Emission Guidelines for GHG Emissions for EGUs (40 CFR part 60, subpart UUUU)

Summary of Respondent Burden and Cost

Totals	Annual Labor Burden (Hours)	Annual Labor Costs	Annualized Capital Costs	Annual O&M Costs	Annualized Costs
Lower Bound Estimates					
3-Year Total	948,650	\$67,143,132	\$0	\$181,545	\$181,545
Average Annual	316,217	\$22,381,044	\$0	\$60,515	\$60,515
Average Annual per Respondent ^a	24,377	\$1,725,345	\$0	\$1,235	\$1,235
Upper Bound Estimates					
3-Year Total	1,899,002	\$134,406,728	\$0	\$181,545	\$181,545
Average Annual	633,001	\$44,802,243	\$0	\$60,515	\$60,515
Average Annual per Respondent ^b	49,961	\$3,536,118	\$0	\$1,235	\$1,235

^a Equal to average annual estimate for each burden item in Exhibit 1a divided by the number of respondents in Exhibit 1a for that burden item, summed for all burden items.

^b Equal to average annual estimate for each burden item in Exhibit 1b divided by the number of respondents in Exhibit 1b for that burden item, summed for all burden items.

Summary of Responses

Information Collection Activity	Occurrence per Respondent	Respondents	Total Responses	Average Annual
Lower Bound Estimates				
REPORT REQUIREMENTS				
Individual state plan	1	41	41	
Multi-state plan	1	1	1	
Negative declaration	1	2	2	
3-Year Total Responses			44	
Average Annual Number of Responses =				15
Average Annual Responses per Respondent =				0.3
Average Annual Hours per Response =				21,560
Upper Bound Estimates				
REPORT REQUIREMENTS				
Individual state plan	1	41	41	
Multi-state plan	1	1	1	
Negative declaration	1	2	2	
3-Year Total Responses			44	
Average Annual Number of Responses =				15
Average Annual Responses per Respondent =				0.3
Average Annual Hours per Response =				43,159

Exhibit 2a. Burden and Cost to the Agency, Emission Guidelines for GHG Emissions for EGUs (40 CFR part 60, subpart UUUU)

Activity	(A) Hours/ Occur- rence	(B) Occur- rences/ Facility/ Year	(C) Hours/ Facility/ Year (A x B)	(D) Facili- ties/ Year	(E) EPA Total Hours/ Year (C x D)	(F) EPA Technical Hours/ Year (E x 0.79)	(G) EPA Managerial Hours/Year (E x 0.09)	(H) EPA Clerical Hours/ Year (E x 0.12)	(I) Cost, \$
1. STATE SUPPORT/OUTREACH									
EPA Headquarters ^{a,b}	414	1	414	42	17,368	13,721	1,563	2,084	\$1,064,984
EPA Regions ^{b,c}	452	1	452	42	18,980	14,994	1,708	2,278	\$1,000,313
2. STATE REPORT REVIEW ^d									
Review negative declarations ^e	1	1	1.0	0.7	0.7	0.5	0.1	0.1	\$35
Coordination with states on submitting individual state plans ^f	160	1	160	14	2,187	1,727	197	262	\$115,245
Coordination with states on submitting multi-state plan ^g	320	1	320	0.3	107	84	10	13	\$5,622
Review notifications of public hearings on state plans ^h	2	1	2.0	16	33	26	2.9	3.9	\$1,722
Review certifications that public hearings on state plans conducted according to subpart B state procedures ^h	2	1	2.0	16	33	26	2.9	3.9	\$1,722
Review/approve state plans ^{b,i}	1,040	1	1,040	14	14,560	11,502	1,310	1,747	\$767,363
AVERAGE ANNUAL LABOR BURDEN AND COST					53,267	42,081	4,794	6,392	\$2,957,005
AVERAGE ANNUAL OTHER DIRECT COSTS									
Miscellaneous cost (e.g., telephone, photocopies, postage)									\$1,000
TOTAL AVERAGE ANNUAL COST (Average Annual Labor Cost + Average Annual Other Direct Costs)									\$2,958,005

^a Assumes 8.35 FTEs per year to oversee the entire program and help with outreach/state/enforceability questions and regional assistance, divided by the total number of respondents.

^b Includes those 41 states expected to develop individual state plans and 1 multi-state carbon management program expected to develop a multi-state plan for 8 states, for a total of 42.

^c Assumes 36.5 hours per week of outreach per EPA Region, divided by the total number of respondents.

^d One-time activities, averaged over the 3-year ICR period.

^e Includes those 2 states expected to submit a negative declaration, averaged over the 3-year ICR period (2/3=0.7).

^f Assumes 4 weeks to coordinate with states to advise on their development of individual state plans; respondents include these 41 states, averaged over the 3-year ICR period (41/3=14).

^g Assumes 8 weeks to coordinate with RGGI representatives to advise on their development of a multi-state plan; respondent includes RGGI, averaged over the 3-year ICR period (1/3=0.3).

^h Includes all 49 states for which a state plan was developed (including individual RGGI states), averaged over the 3-year ICR period (49/3=16).

ⁱ Assumes 6 full months for EPA Regions to review each state plan, with some coordination with EPA Headquarters; respondents for this one-time activity averaged over the 3-year period (42/3=14).

EPA Staff Labor Rates

Labor Category	Labor Rates (2012)		
	Unloaded ^a	Overhead Multiplier (60%)	Loaded
EPA Headquarters			
Technical (Grade 13, Step 5)	\$38.92	1.6	\$62.27
Managerial (Grade 15, Step 5)	\$54.10	1.6	\$86.56
Clerical (Grade 9, Step 5)	\$22.57	1.6	\$36.11
EPA Regions			
Technical (Grade 12, Step 5)	\$32.73	1.6	\$52.37
Managerial (Grade 15, Step 5)	\$54.10	1.6	\$86.56
Clerical (Grade 7, Step 5)	\$18.45	1.6	\$29.52

^a Unloaded labor rates from U.S. Office of Personnel Management < http://www.opm.gov/oca/12tables/pdf/g_s_h.pdf>

Other Direct Costs

Expense Item	Cost ^a
Miscellaneous cost (e.g., telephone, photocopies, postage)	\$1,000

^a Cost based on estimate initially prepared for 40 CFR part 60, subpart TTTT.

Exhibit 2b. Summary of Agency Burden and Cost,
 Emission Guidelines for GHG Emissions for EGUs
 (40 CFR part 60, subpart UUUU)

Totals	Annual Labor Burden (Hours)	Annual Costs
3-Year Total	159,802	\$8,874,014
Average Annual	53,267	\$2,958,005

Average Annual Agency Hour Burden per Response = 3,632
 Average Annual Agency Cost Burden per Response = \$201,682