

**SUPPORTING STATEMENT  
ENVIRONMENTAL PROTECTION AGENCY**

**NESHAP for Industrial, Commercial, and Institutional Boilers and Process Heaters  
(40 CFR Part 63, Subpart DDDDD) (Renewal)**

**1. Identification of the Information Collection**

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

NESHAP for Industrial, Commercial, and Institutional Boilers and Process Heaters (40 CFR Part 63, Subpart DDDDD) (Renewal), EPA ICR Number 2028.08, OMB Control Number 2060-0551.

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

The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Industrial, Commercial, and Institutional Boilers and Process Heaters (Boiler MACT/Boilers NESHAP) were promulgated on September 13, 2004. On June 19, 2007, the United States Court of Appeals for the District of Columbia Circuit vacated and remanded the Boilers NESHAP. On June 4, 2010 EPA issued a proposal in response to the vacatur and in March 2011 EPA promulgated the rule in response to the vacatur. Also in March 2011, EPA issued a voluntary reconsideration of the final rule and then proposed its reconsideration of the rule in December 2011. The Boiler MACT reconsideration was then finalized in December 2012 and published in January 2013.

These regulations apply to existing and new industrial, commercial, and institutional boilers and process heaters located at major sources of HAP. There are 21 subcategories of boilers and in-direct fired process heaters: Pulverized coal/solid fossil fuel units; Stokers designed to burn coal/solid fossil fuel; Fluidized bed units designed to burn coal/solid fossil fuel; Fluidized bed units with an integrated heat exchanger designed to burn coal/solid fossil fuel; Stokers/sloped grate/other units designed to burn kiln dried biomass/bio-based solids; Stokers/sloped grate/other units designed to burn wet biomass/bio-based solids; Fluidized bed units designed to burn biomass/bio-based solids; Suspension burners designed to burn biomass/bio-based solids; Dutch ovens/pile burners designed to burn biomass/bio-based solids; Fuel Cells designed to burn biomass/bio-based solids; Hybrid suspension/grate burners designed to burn wet biomass/bio-based solids; Units designed to burn coal/solid fossil fuel; Units designed to burn solid fuel; Units designed to burn liquid fuel; Units designed to burn heavy liquid fuel; Units designed to burn light liquid fuel; Units designed to burn liquid fuel in non-continental States or territories; Units designed to burn natural gas, refinery gas or other gas 1 fuels; Units designed to burn gas 2 (other) gases; Metal process furnaces; and Limited-use boilers and process heaters. New facilities include those that commenced construction or reconstruction after the date of proposal. This information is being collected to assure compliance with 40 CFR Part 63, Subpart DDDDD.

In general, all NESHAP standards require initial notifications, performance tests, and

periodic reports by the owners/operators of the affected facilities. They are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. These notifications, reports, and records are essential in determining compliance, and are required of all affected facilities subject to NESHAP.

Any owner/operator subject to the provisions of this part shall maintain a file of these measurements, and retain the file for at least five years following the date of such measurements, maintenance reports, and records. All reports are sent to the delegated state or local authority. In the event that there is no such delegated authority, the reports are sent directly to the U.S. Environmental Protection Agency (EPA) regional office.

Over the next three years, approximately 14,140 existing units at 1,700 facilities will be subject to the standard. We estimate an additional 618 new units at 78 facilities per year will become subject. This estimate is based on a 5-year industry projection conducted at the time of the final reconsideration; we assume a constant growth for all subcategories.

The active (previous) ICR had the following Terms of Clearance (TOC):

OMB is withholding approval at this time. Prior to publication of the final rule, the agency should provide a summary of any comments related to the information collection and their response, including any changes made to the ICR as a result of comments. In addition, the agency must enter the correct burden estimates. This action has no effect on any current approvals.

We have reviewed public comments on the reconsideration proposal and have revised our inventory of affected units in response to comments received. Further, in response to public comments and petitions for reconsideration, we have adopted several changes to the compliance requirements in the proposed reconsideration notice to minimize the burden on affected entities. All comments were reviewed and responded to prior to the publication of the final rule on January 31, 2013. In addition, we have consulted with industry on the burden related to the information collection.

The ‘Affected Public’ are owners and operators of boilers and in-direct fired process heaters that are subject to the NESHAP. The ‘burden’ to the “Affected Public” may be found in Tables 1.A.-12.C.: Annual Respondent Burden and Cost – NESHAP for Industrial, Commercial, and Institutional Boilers and Process Heaters (40 CFR Part 63, Subpart DDDDD) (Renewal), attached below. The Federal Government ‘burden’ is attributed entirely to work performed by either Federal employees or government contractors and may be found in Tables 13.A.-13.C.: Average Annual EPA Burden and Cost – NESHAP for Industrial, Commercial, and Institutional Boilers and Process Heaters (40 CFR Part 63, Subpart DDDDD) (Renewal), attached below.

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

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

The EPA is charged under Section 112 of the Clean Air Act, as amended, to establish standards of performance for each category or subcategory of major sources and area sources of hazardous air pollutants. These standards are applicable to new or existing sources of hazardous air pollutants and shall require the maximum degree of emission reduction. In addition, section 114(a) states that the Administrator may require any owner/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.

In the Administrator's judgment, HAP emissions from industrial, commercial, and institutional boilers and process heaters either cause or contribute to air pollution that may reasonably be anticipated to endanger public health and/or welfare. Therefore, the NESHAP were promulgated for this source category at 40 CFR Part 63, Subpart DDDDD.

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

The recordkeeping and reporting requirements in the standard ensure compliance with the applicable regulations which were promulgated in accordance with the Clean Air Act. The collected information is also used for targeting inspections and as evidence in legal proceedings.

Performance tests are required in order to determine an affected facility's initial capability to comply with the emission standard. Continuous emission monitors are used to ensure compliance with the standard at all times. During the performance test a record of the operating parameters under which compliance was achieved may be recorded and used to determine compliance in place of a continuous emission monitor.

The notifications required in the standard are used to inform the Agency or delegated authority when a source becomes subject to the requirements of the regulations. The reviewing authority may then inspect the source to check if the pollution control devices are properly installed, operated, leaks are being detected and repaired, and the standards are being met. The performance test may also be observed.

The required semiannual reports are used to determine periods of excess emissions, identify problems at the facility, verify operation/maintenance procedures and for compliance determinations.

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

The requested recordkeeping and reporting are required under 40 CFR Part 63, Subpart DDDDD.

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

If the subject standards have not been delegated, the information is sent directly to the appropriate EPA regional office. Otherwise, the information is sent directly to the delegated state or local agency. If a state or local agency has adopted its own similar standards to implement the Federal standards, a copy of the report submitted to the state or local agency can be sent to the Administrator in lieu of the report required by the Federal standards. Therefore, no duplication exists.

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

An announcement of a public comment period for the renewal of this ICR was published in the Federal Register (78 FR 35023) on June 11, 2013. No comments were received on the burden published in the Federal Register.

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

The Agency's industry experts have been consulted, and the Agency's internal data sources and projections of industry growth over the next three years have been considered. The primary source of information as reported by industry, in compliance with the recordkeeping and reporting provisions in the standard, is the Online Tracking Information System (OTIS) which is operated and maintained by EPA's Office of Compliance. OTIS is EPA's database for the collection, maintenance, and retrieval of all compliance data. The growth rate for the industry is based on our research conducted in preparation of the final rule reconsideration.

Industry trade associations and other interested parties were provided an opportunity to comment on the burden associated with the standard as it was being developed and the standard has been previously reviewed to determine the minimum information needed for compliance purposes. In developing this ICR, we contacted both the Council of Industrial Boiler Owners, at (540) 349-9043, and the American Forest & Paper Association, at (202) 463-2588.

It is our policy to respond after a thorough review of comments received since the last ICR renewal as well as those submitted in response to the first Federal Register notice.

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

For sources with applicable emission limits, the Boilers NESHAP provides the option of demonstrating compliance through initial and periodic fuel analysis (for sources that burn fuels with pollutant contents lower than the emission limits), through initial and annual stack testing, or through CEMS monitoring for CO. If a source can demonstrate that the fuel(s) burned in the boiler or process heater has a pollutant content that is less than the applicable emission limit, then the Boilers NESHAP requires that the source conduct initial fuel analyses, periodic fuel analysis, and initial and semiannual reporting. Sources that demonstrate compliance through performance testing must continuously monitor operating parameters and conduct periodic fuel analyses, and complete initial and semiannual reporting. The EPA chose the frequency of these activities to provide an adequate margin of assurance that affected facilities will not operate for extended periods in violation of the regulations.

The annual performance testing, where applicable, will ensure that the air pollution control device is operating properly and its performance has not deteriorated on an ongoing basis.

During the initial stack tests (for particulate matter (or total selected metals), mercury, hydrogen chloride, and carbon monoxide), the owner or operator must establish maximum or minimum values for each applicable operating parameter. Thereafter, the owner or operator must, in some cases, conduct annual stack tests for particulate matter (or total selected metals), mercury, hydrogen chloride, and carbon monoxide and must always continuously monitor the operating parameters. The activities associated with setting these site-specific operating limits include monitoring of the parameters during the performance test, reviewing and averaging the monitoring data, and, if necessary, calculating average values for fuel pollutant content. Although continuous monitoring of operating parameters cannot provide a direct measurement of emissions, it is less expensive than CEMS and the collected information can ensure that the boiler or process heater and associated air pollution control equipment are operated properly. Some facilities may also choose to comply with the alternative CO CEMS limit, whereby their CO emissions are continuously monitored. This information assures EPA and the public that the reductions envisioned by the Boilers NESHAP are being achieved. Less frequent monitoring would not ensure continuous compliance. In addition to demonstrating compliance with these emission limits, all large boilers and process heaters must conduct annual tune-ups as a work practice for controlling dioxin/furan emissions. They must report the findings of the tune-up in the semi-annual compliance report covering the period when the tune-up was conducted.

The semiannual reporting requirement allows the submittal of required information and data on established operating parameters so that any potential problems can be identified in a timely fashion.

New and existing small (less than 10 mmBtu/hr) boilers firing solid, liquid, or gaseous fuels and all limited use (operates less than 876 hr/yr) boilers demonstrate compliance with the rule by conducting a biennial tune-up. Certain small units firing gaseous or light liquid fuels that have a design capacity of less than 5 mmBtu/hr are subject to tune-ups on a 5-year frequency. Similarly, limited use boilers which operate less than 100 hours per year qualify for tune-ups every five years. Since these frequencies are less than the semi-annual compliance report

frequency typically required from sources in this source category, a biennial or five-year compliance report is required. These tune-up reports can be requested by the Administrator, but are otherwise not required to be submitted.

New and existing large Gas 1 boilers demonstrate compliance by conducting an annual tune-up. These boilers are thus required to submit annual compliance reports. Units firing gaseous fuels other than natural gas and refinery gas or other MACT regulated gas streams must demonstrate that those fuels meet the specification for Hg contained in the proposal in order to qualify under the Gas 1 subcategory. If the content of these constituents are not going to exceed the specifications, these units may conduct an initial testing and include a statement that the gas will not exceed the specification in the initial Notification of Compliance Status. If the gaseous fuel constituents will vary, the unit is required to conduct monthly testing and maintain records to demonstrate that the gaseous fuels meet the specifications. Monthly testing and recordkeeping at units with variable gas quality ensures continuous compliance.

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

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

These standards require the respondents to maintain all records, including reports and notifications for at least five years. This is consistent with the General Provisions as applied to the standards. EPA believes that the five-year records retention requirement is consistent with the Part 70 permit program and the five-year statute of limitations on which the permit program is based. The retention of records for five years allows EPA to establish the compliance history of a source, any pattern of non-compliance and to determine the appropriate level of enforcement action. EPA has found that the most flagrant violators typically have violations extending beyond five years. In addition, EPA would be prevented from pursuing the violators due to the destruction or nonexistence of essential records.

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

Any information submitted to the Agency for which a claim of confidentiality is made and accepted, will be safeguarded according to the Agency policies set forth in Title 40, chapter 1, part 2, subpart B - Confidentiality of Business Information (CBI) (see 40 CFR 2; 41 FR 36902, September 1, 1976; amended by 43 FR 40000, September 8, 1978; 43 FR 42251, September 20, 1978; 44 FR 17674, March 23, 1979).

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

The reporting or recordkeeping requirements in the standard do not include sensitive questions.

## **4. The Respondents and the Information Requested**

#### 4(a) Respondents/SIC Codes

The respondents to the recordkeeping and reporting requirements are owners or operators of new and existing industrial, commercial, or institutional boilers and process heaters. The United States Standard Industrial Classification (SIC) code for the respondents affected by the standards and the corresponding North American Industry Classification System (NAICS) codes are listed below.

<b>Standard (40 CFR Part 63, Subpart DDDDD)</b>	<b>SIC Codes</b>	<b>NAICS Codes</b>
Extractors of crude petroleum or natural gas.	1311/3121/2819	211
Wood product manufacturing.	2421/2426/2429/2491/2435/2436/ 2439/2493/2431/2441/2448/2449/ 2499/2451/2452/3131	321
Pulp and paper mills.	2611/2621/2631/2653/2679/2657/ 2652/2655/2656/2671/2672/2679/ 2673/2674/3497/2675/2677/2678/ 2676/3842	322
Chemical manufacturers.	2865/2869/2813/2869/2879/ 2851/2899/2891/2844/2893/2892	325
Petroleum refineries and manufacturers of coal products.	2911	324
Manufacturers of rubber and miscellaneous plastic products.	3111/3999/3083/3086/3085/3052/ 3949/3069/3993	316/326/339
Steel works, blast furnaces.	3317	331
Electroplating, plating, polishing, anodizing, and coloring.	3443/3559/3429/3499/3599	332
Manufacturers of motor vehicle parts and accessories.	3711/3714/3292/2396/2399/ 2531/3499/3465/3531/3743	336
Electric, gas, and sanitary services.	4923/4924/4925/4931/4932/4939/ 4941/4971/4952/4961	221
Health services.	8062/8069/8063	622
Educational services	8211/8222/8221/8244/8243/8299/ 7231/7241/8249/7911/7999/8748	611

#### 4(b) Information Requested

**(i) Data Items**

In this ICR, all the data that is recorded or reported is required by the NESHAP for Industrial, Commercial, and Institutional Boilers and Process Heaters (40 CFR Part 63, Subpart DDDDD).

A source must make the following reports:

<b>Notifications</b>	
Initial Notification that Source is Subject	63.7520
Notification of Compliance Status	63.7530
Initial Report on results of Energy Audit	63.7530
Annual Compliance Report	63.7550
Semi-annual Compliance Report	63.6650
Notification of Alternative Fuel Use	63.7545

A source must keep the following records:

<b>Recordkeeping</b>	
Records of Operating Parameter Values	63.7555
Records of Startup, Shutdown, Malfunction	63.7555
Records of Stack Tests	63.7555
Records of Monitoring Device Calibrations	63.7525
Records of All Annual Compliance Reports Submitted	63.7555
Records of All Semi-Annual Compliance Reports Submitted	63.7555
Records of Monthly Fuel Use	63.7555
Records of Annual Tune-up	63.7540

**Electronic Reporting**

Some of the respondents are using monitoring equipment that automatically records parameter data. Although personnel at the affected facility must still evaluate the data, internal automation has significantly reduced the burden associated with monitoring and recordkeeping at a plant site.

Also, regulatory agencies in cooperation with the respondents continue to create reporting systems to transmit data electronically. Most emissions and monitoring information in the reports are reported in an electronic format using the Electronic Reporting Tool (ERT). The data will be extracted from the ERT files and can be viewed through EPA's Central Data Exchange. At this time, it is estimated that approximately 100 percent of the respondents use electronic reporting.

**(ii) Respondent Activities**

<b>Respondent Activities</b>
Read instructions.
Install, calibrate, maintain, and operate CMS for opacity, or for pressure drop and liquid supply pressure for control device.
Perform initial performance test, Reference Method 1,2, 2F, 2G, 3A, 3B, 4, 5, 17, 19, or 29 test, and repeat performance tests if necessary.
Write the notifications and reports listed above.
Enter information required to be recorded above.
Submit the required reports developing, acquiring, installing, and utilizing technology and systems for the purpose of collecting, validating, and verifying information.
Develop, acquire, install, and utilize technology and systems for the purpose of processing and maintaining information.
Develop, acquire, install, and utilize technology and systems for the purpose of disclosing and providing information.
Train personnel to be able to respond to a collection of information.
Transmit, or otherwise disclose the information.

Currently sources are using monitoring and reporting equipment that provide parameter data in an automated way e.g., continuous parameter monitoring system. Although personnel at the source still need to evaluate the data, this type of monitoring equipment has significantly reduced the burden associated with monitoring and recordkeeping.

## **5. The Information Collected: Agency Activities, Collection Methodology, and Information Management**

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

EPA conducts the following activities in connection with the acquisition, analysis, storage, and distribution of the required information.

<b>Agency Activities</b>
Review notifications and reports, including performance test reports, and excess emissions reports, required to be submitted by industry.
Audit facility records.
Input, analyze, and maintain data in the Online Tracking Information System (OTIS).

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

Following notification of startup, the reviewing authority could inspect the source to determine whether the pollution control devices are properly installed and operated. Performance test reports are used by the Agency to discern a source's initial capability to comply with the emission standard. Data and records maintained by the respondents are tabulated and published for use in compliance and enforcement programs. The semiannual reports are used for problem identification, as a check on source operation and maintenance, and for compliance determinations.

Information contained in the reports is entered into OTIS which is operated and maintained by EPA's Office of Compliance. OTIS is EPA's database for the collection, maintenance, and retrieval of compliance data for approximately 125,000 industrial and government-owned facilities. EPA uses the OTIS for tracking air pollution compliance and enforcement by local and state regulatory agencies, EPA regional offices and EPA headquarters. EPA and its delegated Authorities can edit, store, retrieve and analyze the data.

The records required by this regulation must be retained by the owner/operator for five years.

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

The EPA expects that the NESHAP will have a substantial impact on a significant number of small entities. In developing the regulation, small entity is defined as: (1) A small business according to Small Business Administration size standards by the North American Industry Classification System (NAICS) category of the owning entity. The range of small business size standards for the 45 affected 3-digit NAICS industries ranges from 500 to 1,000 employees, except for petroleum refining and electric utilities. In these latter two industries, the size standard is 1,500 employees and a mass throughput of 75,000 barrels/day or less or 4 million kilowatt-hours of production or less, respectively; (2) a small governmental jurisdiction that is a government of a city, county, town, school district or special district with a population of less than 50,000; and (3) a small organization that is any not-for-profit enterprise that is independently owned and operated and is not dominant in its field.

Based on responses to the 2008 survey “Information Collection Effort for Facilities with Combustion Units (ICR No. 2286.01)”, as well as follow-up information submitted to the docket, the EPA has determined that 151 of the 1,701 facilities with existing boilers or process heaters, or 9 percent of the total, affected by the regulation may be small entities.

The Boilers NESHAP does not contain any provisions reserved exclusively for the benefit of small entities. However, the regulation does contain several provisions that reduce the impact on all regulated entities, which include small entities. For instance, operating parameter monitoring is required instead of CEMS. The rule provides an option to demonstrate compliance with fuel analysis in lieu of stack testing for boilers combusting fuels with mercury, TSM8, or chlorine contents less than their associated emission limit. In addition, providing a work practice standard for small and limited use boilers and process heaters firing all fuel types and for boilers of all sizes firing natural gas, refinery gas, or other gas 1 fuels, the EPA has substantially reduced the burden of the rule, including reducing the burden on small entities. For example, 35 of the 151 small entities have only small or limited use boilers and process heaters installed at the facilities. The option to demonstrate compliance using an annual, biennial, or every five-year tune-up is a substantial savings compared with the requiring stack testing, parameter monitoring, and add-on air pollution control devices.

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

The specific frequency for each information collection activity within this request is shown below in Table 1.A.-12.C.: Annual Respondent Burden and Cost – NESHAP for Industrial, Commercial, and Institutional Boilers and Process Heaters (40 CFR Part 63, Subpart DDDDD) (Renewal).

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

Table 1 documents the computation of individual burdens for the recordkeeping and reporting requirements applicable to the industry for the subpart included in this ICR. 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 industry over the next three years from these recordkeeping and reporting requirements is estimated to be 492,702 hours (Total Labor Hours from Tables 1.A-12.C.) below. These hours are based on Agency studies and background documents from the development of the regulation, Agency knowledge and experience with the NESHAP program, the previously approved ICR, and any comments received.

#### **6(b) Estimating Respondent Costs**

**(i) Estimating Labor Costs**

This ICR uses the following labor rates:

Managerial	\$127.43 (\$60.68 + 110%)
Technical	\$99.16 (\$47.22 + 110%)
Clerical	\$50.88 (\$24.23 + 110%)

These rates are from the United States Department of Labor, Bureau of Labor Statistics, December 2013, "Table 2. Civilian Workers, by occupational and industry group." The rates are from column 1, "Total compensation." The rates have been increased by 110 percent to account for the benefit packages available to those employed by private industry.

**(ii) Estimating Capital/Startup and Operation and Maintenance Costs**

The type of industry costs associated with the information collection activities in the subject standard are both labor costs which are addressed elsewhere in this ICR and the costs associated with continuous monitoring. The capital/startup costs are one time costs when a facility becomes subject to the regulation. The annual operation and maintenance costs are the ongoing costs to maintain the monitors and other costs such as photocopying and postage.

**(iii) Capital/Startup vs. Operation and Maintenance (O&M) Costs**

<b>Capital/Startup vs. Operation and Maintenance (O&amp;M) Costs</b>				
(A) Boiler Type	(B) Number of Respondents per Year (Facilities)	(C) Annual Capital/Startup Cost	(D) Annual O&M Costs	(E) Annual O&M and Annualized Capital Costs per year
Existing Large Solid Units	131	\$27,002,675	\$29,645,694	\$56,648,368
New Large Solid Units	3	\$2,005,198	\$2,809,343	\$4,814,541
Existing Small and Limited Use Solid Units	5	\$0	\$83,959	\$83,959
New Small Solid Units	1	\$0	\$5,941	\$5,941
Existing Large Liquid Units	67	\$7,928,856	\$5,484,851	\$13,413,707
New Large Liquid Units	0	\$0	\$0	\$0
Existing Small and Limited Use Liquid Units	46	\$0	\$817,455	\$817,455
New Small Liquid Units	0	\$0	\$0	\$0
Existing Large Gaseous Units	548	\$207,903	\$16,003,113	\$16,211,016

<b>Capital/Startup vs. Operation and Maintenance (O&amp;M) Costs</b>				
New Large Gaseous Units	33	\$0	\$2,256,875	\$2,256,875
Existing Small and Limited Use Gaseous Units	903	\$0	\$12,778,737	\$12,778,737
New Small Gaseous Units	41	\$0	\$1,204,605	\$1,204,605
Total	1,778	\$37,144,632	\$71,090,573	\$108,235,205

The total capital/startup costs for this ICR are \$37,144,632. This is the total of column C in the above table.

The total operation and maintenance (O&M) costs for this ICR are \$71,090,573. This is the total of column D.

The average annual cost for capital/startup and operation and maintenance costs to industry over the next three years of the ICR is estimated to be \$108,235,205.

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

The only costs to the Agency are those costs associated with analysis of the reported information. EPA's overall compliance and enforcement program 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 three years of the ICR is estimated to be \$5,301,811.

This cost is based on the average hourly labor rate as follows:

Managerial	\$62.27 (GS-13, Step 5, \$38.92 + 60%)
Technical	\$46.21 (GS-12, Step 1, \$28.88 + 60%)
Clerical	\$25.01 (GS-6, Step 3, \$15.63 + 60%)

These rates are from the Office of Personnel Management (OPM), 2013 General Schedule, which excludes locality rates of pay. The rates have been increased by 60 percent to account for the benefit packages available to government employees. Details upon which this estimate is based appear below in Tables 13.A.-13.C.: Average Annual EPA Burden and Cost – NESHAP for Industrial, Commercial, and Institutional Boilers and Process Heaters (40 CFR Part 63, Subpart DDDDD) (Renewal).

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

Based on our research for this ICR, on average over the next three years, approximately 1,700 existing respondents (facilities) will be subject to the standard. It is estimated that an

additional 78 respondents per year will become subject. The overall average number of respondents, as shown in the table below, is 1,778 per year.

The number of respondents is calculated using the following table that addresses the three years covered by this ICR.

<b>Number of Respondents</b>					
Subcategory	Respondents That Submit Reports		Respondents That Do Not Submit Any Reports	(D) Number of Existing Respondents That Are Also New Respondents	(E) Number of Respondents (E=A+B+C-D)
	(A) Number of New Respondents (Facilities) per Year <sup>1</sup>	(B) Number of Existing Respondents (Facilities) <sup>2</sup>	(C) Number of Existing Respondents that keep records but do not submit reports		
Large Solid Units	3	131	0	0	134
Large Liquid Units	0	67	0	0	67
Large Gas Units	33	548	0	0	581
Small Solid Units <sup>3</sup>	1	5	0	0	6
Small Liquid Units	0	46	0	0	46
Small Gas Units	41	903	0	0	944
<b>TOTAL</b>	<b>78</b>	<b>1,700</b>	<b>0</b>	<b>0</b>	<b>1,778</b>

<sup>1</sup> New respondents include sources with constructed, reconstructed and modified affected facilities. The 78 new facilities include includes 26 large solid units, 262 large gas units, 4 small solid units, and 326 small gas units per year.

<sup>2</sup> This estimate represents the number of existing respondents at time of final rule promulgation. We assume all existing respondents will comply by Year 2 of this ICR. The 1,700 existing facilities include 1,091 large solid units, 570 large liquid units, 4,551 large gas units, 36 small solid units, 385 small liquid units, and 7,507 small gas units.

<sup>3</sup> We estimate only 1 new facility over the 3-year ICR period for this subcategory.

Column D is subtracted to avoid double-counting respondents. As shown above, the average Number of Respondents over the three year period of this ICR is 1,778.

The total number of annual responses per year is calculated using the following table:

<b>Total Annual Responses</b>				
(A)	(B)	(C)	(D)	(E)

<b>Total Annual Responses</b>				
Boiler Type	Number of Respondents	Number of Responses (Average)	Number of Existing Respondents That Keep Records But Do Not Submit Reports	Total Annual Responses E=(BxC)+D
Existing Large Solid Units	131	2	0	262
New Large Solid Units	3	8	0	24
Existing Small Solid Units	5	1	0	5
New Small Solid Units	1	1	0	1
Existing Large Liquid Units	67	2.7	0	179
New Large Liquid Units	0	0	0	0
Existing Small Liquid Units	46	1	0	46
New Small Liquid Units	0	0	0	0
Existing Large Gaseous Units	548	2.2	0	1,208
New Large Gaseous Units	33	5	0	165
Existing Small Gaseous Units	903	1	0	903
New Small Gaseous Units	41	2.8	0	116
			Total	2,909

The number of Total Annual Responses is 2,909.

The total annual labor costs are \$47,393,473. Details regarding these estimates may be found below in Tables 1.A.-12.C.: Annual Respondent Burden and Cost – NESHAP for Industrial, Commercial, and Institutional Boilers and Process Heaters (40 CFR Part 63, Subpart DDDDD) (Renewal).

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

The detailed bottom line burden hours and cost calculations for the respondents and the Agency are shown in Tables 1.A.-13.C. and summarized in an attachment.

##### **(i) Respondent Tally**

The total annual labor hours are 492,702 hours, at a cost of \$47,393,473. Details regarding these estimates may be found in Tables 1.A.-12.C.: Annual Respondent Burden and Cost – NESHAP for Industrial, Commercial, and Institutional Boilers and Process Heaters (40 CFR Part 63, subpart DDDDD) (Renewal) – Years 2-4.

Furthermore, the annual public reporting and recordkeeping burden for this collection of information is estimated to average 169 hours per response.

The total annual capital/startup and O&M costs to the regulated entity are \$108,235,205. The cost calculations are detailed in Section 6(b)(iii), Capital/Startup vs. Operation and Maintenance (O&M) Costs.

**(ii) The Agency Tally**

The average annual Agency burden and cost over next three years is estimated to be 100,786 labor hours at a cost of \$5,301,811. See below Tables 13.A.-13.C.: Average Annual EPA Burden and Cost – NESHAP for Industrial, Commercial, and Institutional Boilers and Process Heaters (40 CFR Part 63, Subpart DDDDD) (Renewal).

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

There is an increase in the respondent burden and a decrease in the Agency burden in this ICR compared to the previous ICR. The change in the burden and cost estimates occurred because the previous ICR estimated the burden for the proposed rule. This ICR updates the burden estimates to reflect the reporting and recordkeeping requirements of the 2013 final reconsideration, which has been in effect for one year. We estimate that a portion of the existing sources have already complied with the initial requirements of the rule, and that all existing sources will comply by Year 2 of this ICR period (i.e. 3 years after rule promulgation). Additionally, this ICR uses updated labor rates from the Bureau of Labor Statistics to calculate all burden costs.

**6(g) Burden Statement**

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 169 hours per response. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information either 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 valid OMB Control Number. The OMB Control Numbers for EPA regulations are listed at 40 CFR Part 9 and 48 CFR Chapter 15.

To comment on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including the use of automated collection techniques, EPA has established a public docket for this ICR under Docket ID Number EPA-HQ-OECA-2013-0352. An electronic version of the public docket is available at <http://www.regulations.gov/>, which may be used to obtain a copy of the draft collection of information, submit or view public comments, access the index listing of the contents of the 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 in this document. The documents are also available for public viewing at the Enforcement and

Compliance Docket and Information Center in the EPA Docket Center (EPA/DC), WJC 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 docket center is (202) 566-1752. 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 EPA Docket ID Number EPA-HQ-OECA-2013-0352 and OMB Control Number 2060-0551 in any correspondence.

### **Part B of the Supporting Statement**

This part is not applicable because no statistical methods were used in collecting this information.