

**DRAFT Information Collection Request  
Supporting Statement for the  
PM<sub>2.5</sub> National Ambient Air Quality Standards  
State Implementation Plan Requirements Rule  
EPA ICR Number 2258.03  
OMB Control No. 2060-0611**

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

**Table of Contents**

1. Identification of the Information Collection Request.....page 3

2. Need for and Use of the Collection.....page 4

3. Non-Duplication, Consultation, and other Collection Criteria..... page 6

4. Respondents and the Information Requested.....page 9

5. Information Collected—Agency Activities, Collection Methodology and Information Management.....page 12

6. Estimating the Burden and Cost of the Collection.....page 14

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

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

The title of the Information Collection Request is PM<sub>2.5</sub> National Ambient Air Quality Standards (NAAQS) State Implementation Plan Requirements (SIP) Rule, ICR number 2258.03, and OMB Control Number 2060-0611, expiration date: May 1, 2018.

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

The EPA has established a suite of PM<sub>2.5</sub> standards based on evidence and numerous health studies demonstrating that serious health effects are associated with exposures to elevated levels of PM<sub>2.5</sub>. Estimates show that attainment of the PM<sub>2.5</sub> standards would result in tens of thousands fewer premature deaths each year, tens of thousands fewer hospital admissions each year, and hundreds of thousands fewer doctor visits, absences from work and school, and respiratory illnesses in children annually. EPA initially established annual and 24-hour PM<sub>2.5</sub> standards in 1997. The 24-hour standard was subsequently revised in 2006, and the annual standard was revised in 2012.

The EPA is proposing the PM<sub>2.5</sub> NAAQS SIP Requirements Rule to describe the CAA requirements that must be met by states with nonattainment areas required to develop attainment plans for attaining and maintaining the NAAQS. The intended effect of the SIP Requirements Rule is to provide certainty to states regarding their planning obligations such that states may begin SIP development. Only states with nonattainment areas are required to submit SIPs that meet the requirements of the rule.

The information collection activities in this proposed rule have been submitted for approval to the Office of Management and Budget (OMB) under the Paperwork Reduction Act (PRA). The PRA requires the EPA to assess the administrative burden (in hours and dollars) for state air agencies to develop plans to attain the PM<sub>2.5</sub> NAAQS, and for EPA to review and take action on such plans.

The EPA estimates the additional administrative burden for states with nonattainment areas for the 2012 PM<sub>2.5</sub> NAAQS to be 126,000 hours, and the estimated administrative burden for EPA to be 13,860 hours. With respect to ongoing implementation of the 1997 and 2006 PM<sub>2.5</sub> standards, the EPA estimates the total additional administrative burden for states to be 145,800 hours, and the estimated administrative burden for EPA to be 16,038 hours. In this analysis, fifty percent of the hours are assumed to be expended in the first year, with the remaining hours evenly divided between the second and third years of the ICR period.

For the newly designated nonattainment area burden, the present value of the total additional costs for state governments, the respondents, estimated at \$7.6 million for the 3 year period. On an equivalent annual basis that is \$2.5 million per year during the 3 year period of the ICR. For the remaining 1997 and 2006 PM<sub>2.5</sub> nonattainment burden, the present value of the total

additional costs for state governments, the respondents, estimated at \$8.8 million for the 3 year period. On an equivalent annual basis that is \$2.9 million per year during the 3 year period of the ICR. Therefore, the present value of the total additional costs for state governments, the states having to respond with SIP revision, estimated at \$16.4 million for the 3 year period. On an equivalent annual basis that is \$5.4 million per year during the 3 year period of the ICR.

For the newly designated nonattainment area burden, the present value of the Agency administrative cost burden is estimated at \$0.8 million dollars for the 3 year period. This is equivalent to equal annual basis of \$0.3 million per year during the three year period. For the remaining 1997 and 2006 PM<sub>2.5</sub> nonattainment burden, the present value of the Agency administrative cost burden is estimated at \$1.0 million dollars for the 3 year period. This is equivalent to equal annual basis of \$0.3 million per year during the three year period. Therefore, the present value of the Agency administrative cost burden is estimated at \$1.8 million dollars for the 3 year period. This is equivalent to equal annual basis of \$0.6 million per year during the three year period.

The incremental administrative burden for the areas and activities covered by this ICR is mitigated by the fact that many states may be able to attain the standards based on existing federal and state emission reduction programs and may not need substantial additional emissions reductions from new state regulations. In addition, the fourteen areas designated in December 2014 as not attaining the 2012 PM<sub>2.5</sub> NAAQS are located in 6 states, all of which previously had areas designated as nonattainment for the 1997 or 2006 PM<sub>2.5</sub> NAAQS. Thus, these states all have experience with developing state implementation plans for attaining previously established PM<sub>2.5</sub> NAAQS.

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

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

The Clean Air Act, which was last amended in 1990, requires the EPA to establish National Ambient Air Quality Standards (NAAQS) for air pollutants that may reasonably be anticipated to endanger public health or welfare, and which result from numerous or diverse sources. On July 18, 1997, the EPA revised the NAAQS for particulate matter to add new standards for fine particulate matter (particles of solid and liquid material less than 2.5 microns in aerodynamic diameter), using PM<sub>2.5</sub> as the indicator. The EPA established health-based (primary) annual and 24-hour standards for PM<sub>2.5</sub> (62 FR 38652). The annual standard was set a level of 15 micrograms per cubic meter, based on the 3-year average of annual mean PM<sub>2.5</sub> concentrations. The 24-hour standard was set a level of 65 micrograms per cubic meter, based on the 3-year average of the 98<sup>th</sup> percentile of 24-hour concentrations. The welfare-based secondary standards were established identical to the primary standards.

The initial PM<sub>2.5</sub> National Ambient Air Quality Standard Implementation rule was proposed November 1, 2005 (70 FR 65983) and was promulgated on April 25, 2007 (72 FR 20586). The preamble to the proposed and final regulation addresses the administrative burden in general terms. The preamble to the final rule stated that an ICR would be prepared. The first ICR (No. 2258.01) covered a period from April 5, 2008 through April 4, 2011.

On October 17, 2006, the EPA revised the NAAQS for fine particles. The EPA established a new primary 24-hour standards for PM<sub>2.5</sub> (71 FR 61144). The 24-hour standard was set a level of 35 micrograms per cubic meter, based on the 3-year average of the 98<sup>th</sup> percentile of 24-hour concentrations. The annual standard remained unchanged at a level of 15 micrograms per cubic meter, based on the 3-year average of annual mean PM<sub>2.5</sub> concentrations. The time period covered in the second ICR (2258.02) was a three year period from June 1, 2011 through May 31, 2014.

On December 14, 2012, the EPA revised the NAAQS for fine particles. The EPA established a new primary annual standard PM<sub>2.5</sub> (78 FR 3086). The annual standard was set at a level of 12 micrograms per cubic meter, based on the 3-year average of annual mean PM<sub>2.5</sub> concentrations. The 24-hour standard remained unchanged at a level of 35 micrograms per cubic meter, based on the 3-year average of the 98<sup>th</sup> percentile of 24-hour concentrations. The time period covered in the third ICR (2258.03) is anticipated to be a three year period from May 1, 2015 through May 31, 2018.

Part D of Title I of the Clean Air Act sets forth the implementation plan requirements for areas designated nonattainment for a National Ambient Air Quality Standard. This rule provides the framework for states to follow in developing SIPs to attain the 2012 PM<sub>2.5</sub> NAAQS and any future revisions to the PM<sub>2.5</sub> NAAQS. The rule also applies to the remaining nonattainment areas for the 1997 PM<sub>2.5</sub> NAAQS and the 2006 PM<sub>2.5</sub> NAAQS.

This framework reflects the applicable requirements described in the CAA part D nonattainment area provisions found in sections 172 (subpart 1) and sections 188-190 (subpart 4). A PM<sub>2.5</sub> SIP must include rules requiring emission reductions and a demonstration showing whether the particular area can attain the standard by its attainment date. A state plan submittal for attaining the PM<sub>2.5</sub> NAAQS is due to EPA within 18 months after the date the area is designated as nonattainment. After a state submits a SIP, the CAA requires the EPA to review the plan, and approve or disapprove it.

## **2(b) User/Users of the Data**

The data collected from the state or local air agency respondents will include the nonattainment SIP elements required by the CAA and described in more detail in the PM<sub>2.5</sub> SIP requirements rule. The PM<sub>2.5</sub> SIP must contain state rules and other requirements designed to achieve the NAAQS by the deadlines established under the CAA.

The PM<sub>2.5</sub> SIP submitted by the state must include the various requirements in subpart 1 and subpart 4, including:

- Baseline emission inventory and projection year inventory for stationary, mobile, and area emissions sources in the nonattainment area consistent with section 51.1008 of the rule.
- For Moderate areas, an analysis of economic and technological feasibility of potential control measures (i.e., reasonably available control measures (RACM) and reasonably available control technology (RACT)), and the adoption of state rules requiring emission

reductions to ensure attainment of the standard “as expeditiously as practicable,” consistent with sections 51.1007 and 51.1009 of the rule.

- For Serious areas, an analysis of economic and technological feasibility of potential control measures (i.e., best available control measures (BACM) and best available control technology (BACT)), and the adoption of state rules requiring emission reductions to ensure attainment of the standard “as expeditiously as practicable,” consistent with sections 51.1010 of the rule.
- A proposed attainment date consistent with section 51.1004 of the rule.
- An attainment demonstration with air quality modeling showing that existing federal and state emission reduction programs, plus any new emission reduction programs adopted by the state, will result in expeditious attainment by the attainment date, consistent with section 51.1011 of the rule. The attainment demonstration must meet the requirements of 40 CFR 51.112 and Part 51, Appendix W, and must include emission inventory data, modeling results, and emission reduction analyses on which the state has based its projected attainment date. The attainment demonstration and supporting air quality modeling should be consistent with the EPA’s PM<sub>2.5</sub> modeling guidance
- A plan showing that future emission reductions will provide for reasonable further progress (RFP) toward attainment of the standard for the period prior to the area’s attainment date, consistent with section 51.1012 of the rule; and annual reporting on quantitative milestones showing progress in the implementation of the attainment plan and associated control measures, consistent with section 51.1013 of the rule.

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

The EPA regional and headquarters offices will use the submitted information in determining the adequacy of the various elements of the PM<sub>2.5</sub> implementation plan. After a state submits a SIP with the appropriate technical supporting documentation, the EPA is required under the CAA to approve or disapprove the SIP within 12 months. Emission reduction regulations developed by the states become federally enforceable when approved by the EPA.

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

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

As noted in section 2(b) above, the state respondent will submit an implementation plan for each nonattainment area that will need to include a number of separate and unique elements. For example, each implementation plan will need to include a unique RACM/RACT analysis, attainment demonstration, and RFP plan.

However, there are other activities covered by existing ICRs which complement the elements required in the PM<sub>2.5</sub> SIP. For example, the existing fine particle monitoring

network, covered under a separate, existing ICR, provides essential data for use by states and EPA in identifying key categories of emissions and tracking progress toward attainment.

EPA encourages the states to account for control measures and expected emission reductions from existing regulations and implementation planning processes, such as for the 1997 and 2006 PM<sub>2.5</sub> NAAQS, the Ozone NAAQS, the regional haze program, the cross state air pollution rule (CSAPR), the Mercury and Air Toxics Standards. Taking such steps, where appropriate, may enable states to reduce the incremental administrative burden associated with this rule and enable identification of control strategies that achieve multi-pollutant environmental progress at a lower cost.

Relevant ICRs and their titles are identified below.

- Requirements for Preparation, Adoption, and Submittal of Implementation Plans
  - 51.121-51.122 NO<sub>x</sub> SIP Call.....2060-0445
  - 51.160-51.166 New Source Review.....2060-0003
  - 51.321-51.323 Air Quality Data Reporting.....2060-0088
  - 51.353-51.354 Inspection/Maintenance.....2060-0252
  - 51.365-51.366 Inspection/Maintenance.....2060-0252
- Approval and Promulgation of Implementation Plans
  - 52.21 Prevention of Significant Deterioration.....2060-0003
- Ambient Air Monitoring Reference and Equivalent Methods
  - 53.4 .....2080-0005
  - 53.9(f),(h),(i).....2080-0005
  - 53.14.....2080-0005
  - 53.15 .....2080-0005
  - 53.16(a)-(d),(f).....2080-0005
- Outer Continental Shelf Air Regulations
  - 55.4-55.8 .....2060-0249
  - 55.11-55.14 .....2060-0249
- Ambient Air Quality Surveillance
  - 58.11-58.14 .....2060-0084
  - 58.20-58.23 .....2060-0084
  - 58.25-58.28 .....2060-0084
  - 58.30-58.31 .....2060-0084
  - 58.33 .....2060-0084
  - 58.35 .....2060-0084
  - 58.40-58.41 .....2060-0084
  - 58.43 .....2060-0084
  - 58.45 .....2060-0084
  - 58.50 .....2060-0084
- Determining Conformity of Federal Actions to State or Federal Implementation Plans
  - 91.150-93.160 .....2060-0279
- 8-hour Ozone National Ambient Air Quality Standard Implementation Rule
  - 2236.02.....2060 – 0594

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

This is a rule-related ICR. Comments on this ICR will be requested when the rule is proposed in the Federal Register in March 2015.

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

The EPA is soliciting comment on the proposed PM<sub>2.5</sub> SIP requirements rule and also intends to have a public hearing during the public comment period.

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

The collections under this rule (as reviewed in section 2.b) are necessary to comply with Clean Air Act requirements and provide assurances that identified levels of emission reductions are adequate to ensure timely attainment and maintenance of the PM<sub>2.5</sub> NAAQS.

### **3(c) General Guidelines**

The reporting and recordkeeping requirements in this proposed rule do not violate any of the regulations promulgated by OMB under 5 CFR part 1320, section 1320.5. This submission meets the current Paperwork Reduction Act guidelines set forth by OMB. Those guidelines reflect the requirements of 5 CFR 1320.6. The proposed PM<sub>2.5</sub> NAAQS SIP requirements rule does not require:

- reporting more than once a year;
- respondents to participate in a statistical survey;
- responses to Agency inquiries in less than 30 days;
- respondents to receive remuneration for preparation of reports;
- records to be kept more than 3 years;<sup>1</sup>
- manual methods of reporting.

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

The information requested from the states to fulfill CAA requirements as described in section 2(b) will rely on emissions levels and control efficiency data provided by certain facilities in the private and public sectors. This information is available from a variety of sources and states should already have information from emission sources, as facilities should have provided this information to meet other NAAQS SIP requirements, operating permits, and/or emissions reporting requirements. It is the assimilation and analysis of that data (e.g., for RACM/RACT control measure determinations, the attainment demonstration, etc.) that is required by this rule.

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<sup>1</sup> However, the states may choose to retain the information for more than 3 years.



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

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

The requested PM<sub>2.5</sub> SIP requirements rule submissions do not include questions whose answers would require sensitive information.

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

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

State and local air agencies<sup>2</sup> are the primary respondents under this ICR. Table 1 lists the 14 areas designated in December 2014 as not meeting the 2012 PM<sub>2.5</sub> NAAQS. These nonattainment area designations will be effective in April 2015, and PM<sub>2.5</sub> Moderate area SIPs will then be due from each relevant state or local air agency in October 2016. Note that two of the areas are multi-state nonattainment areas, with part of the nonattainment area located in two contiguous states. A total of 6 states will need to submit PM<sub>2.5</sub> Moderate area SIPs for attaining the 2012 PM<sub>2.5</sub> NAAQS.

Table 1 also includes an estimated 9,000 burden hours for each Moderate area nonattainment plan and an estimated total weighted direct and indirect hourly equivalent salary cost of \$65.10 per hour. (Section 6 provides more details on these estimates.) Table 2 describes the estimated incremental burden hours for the initial 2012 PM<sub>2.5</sub> NAAQS nonattainment areas by state and by year.

**Table 1. Initial Areas Designated Nonattainment for 2012 PM<sub>2.5</sub> NAAQS: Estimated Burden for 2012 PM<sub>2.5</sub> Moderate SIP Requirements**

<b>Initial Nonattainment Area for 2012 PM<sub>2.5</sub> NAAQS</b>	<b>State</b>	<b>EPA Region</b>	<b>3-year Burden Estimate (Hours)</b>	<b>3-year Burden Estimate (Dollars)</b>
Allegheny	PA	3	9,000	\$585,900
Allentown	PA	3	9,000	\$585,900
Canton-Massillon	OH	5	9,000	\$585,900

<sup>2</sup> Local, state, and federal agencies are part of the North American Industrial Classification System code number 924110, which includes “administration of air and water resources, and solid waste management programs.” See <http://www.census.gov/naics>.

<b>Initial Nonattainment Area for 2012 PM<sub>2.5</sub> NAAQS</b>	<b>State</b>	<b>EPA Region</b>	<b>3-year Burden Estimate (Hours)</b>	<b>3-year Burden Estimate (Dollars)</b>
Cincinnati-Hamilton	KY	4	4,500	\$292,950
Cincinnati-Hamilton	OH	5	4,500	\$292,950
Cleveland-Akron-Lorain	OH	5	9,000	\$585,900
Delaware County	PA	3	9,000	\$585,900
Imperial county	CA	9	9,000	\$585,900
Johnstown	PA	3	9,000	\$585,900
Lebanon County	PA	3	9,000	\$585,900
Los Angeles-South Coast Air Basin	CA	9	9,000	\$585,900
Louisville	IN	5	4,500	\$292,950
Louisville	KY	4	4,500	\$292,950
Plumas county	CA	9	9,000	\$585,900
San Joaquin Valley	CA	9	9,000	\$585,900
West Silver Valley	ID	10	9,000	\$585,900
<b>TOTAL</b>			<b>126,000</b>	<b>\$8,202,600</b>

Table 2 lists the nonattainment areas and states with remaining SIP submittal or redesignation requirements for the 1997 PM<sub>2.5</sub> NAAQS and the 2006 PM<sub>2.5</sub> NAAQS that potentially could be required during the ICR period. For purposes of this draft analysis, it has been assumed that for the 1997 PM<sub>2.5</sub> NAAQS, a Serious area SIP will be required during the ICR period for one nonattainment area. It also has been assumed that for the 2006 PM<sub>2.5</sub> NAAQS, a Serious area SIP will be required during the ICR period for seven nonattainment areas. In addition, it has been assumed that redesignation requests will be submitted for seven nonattainment areas for the 2006 PM<sub>2.5</sub> NAAQS. (Note that these assumptions have been made only for the purposes of this analysis, and a number of factors and future state or EPA actions could change the assumptions put forth here.)

Table 2 also includes an estimated 18,000 burden hours for each Serious area nonattainment plan, an estimated 300 hours for state development of a redesignation request, and an estimated total weighted direct and indirect hourly equivalent salary cost of \$65.10 per hour. Section 6 provides more details on these estimates.

**Table 2. Remaining 1997 PM<sub>2.5</sub> and 2006 PM<sub>2.5</sub> Nonattainment Areas with Estimated Burden for SIP Revision or Redesignation Action**

Area Name	State	EPA Reg.	Potential Actions during ICR period 5/2015 to 4/2018	Hours for SIP Revision or Redesignation Action	3-year Burden Estimate (Dollars)
Chico	CA	9	2006 PM <sub>2.5</sub> Maintenance Plan	300	\$19,530
Fairbanks	AK	10	2006 PM <sub>2.5</sub> Serious Area SIP Revision	18,000	\$1,171,800
Imperial County	CA	9	2006 PM <sub>2.5</sub> Serious Area SIP Revision	18,000	\$1,171,800
Knoxville-Sevierville-La Follette	TN	4	2006 PM <sub>2.5</sub> Maintenance Plan	300	\$19,530
Liberty-Clairton	PA	3	2006 PM <sub>2.5</sub> Serious Area SIP Revision	18,000	\$1,171,800
Logan	ID	10	2006 PM <sub>2.5</sub> Serious Area SIP Revision	9,000	\$585,900
Logan	UT	8	2006 PM <sub>2.5</sub> Serious Area SIP Revision	9,000	\$585,900
Nogales, AZ	AZ	9	2006 PM <sub>2.5</sub> Maintenance Plan	300	\$19,530
Provo	UT	8	2006 PM <sub>2.5</sub> Serious Area SIP Revision	18,000	\$1,171,800
Sacramento	CA	9	2006 PM <sub>2.5</sub> Maintenance Plan	300	\$19,530
Salt Lake City	UT	8	2006 PM <sub>2.5</sub> Serious Area SIP Revision	18,000	\$1,171,800
San Francisco Bay Area	CA	9	2006 PM <sub>2.5</sub> Maintenance Plan	300	\$19,530
San Joaquin Valley	CA	9	1997 PM <sub>2.5</sub> Serious Area SIP Revision	18,000	\$1,171,800
San Joaquin Valley	CA	9	2006 PM <sub>2.5</sub> Serious Area SIP Revision	18,000	\$1,171,800
West Central Pinal	AZ	9	2006 PM <sub>2.5</sub> Maintenance Plan	300	\$19,530
			TOTAL	145,800	\$9,491,580

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

The information requested under this proposed rule, as described in section 2(b) of this ICR, is required to meet the requirements of the CAA. The implementation framework set forth in the regulation does not adopt a “one-size-fits all” approach to meeting these requirements. This additional flexibility enables the States to customize, to the extent allowed by the Clean Air Act, their approach to attaining and maintaining the PM<sub>2.5</sub> NAAQS.

**Data Items.** The emissions and control efficiency data required for the attainment demonstration, RFP, RACT, and RACM is assumed to have been collected as a result of reporting activities required by other OMB approved ICRs. For example, the collection of emissions information for many stationary sources is required under other program requirements, such as the Consolidated Emissions Reporting (CERR) Rule (see <http://www.epa.gov/ttn/chief/cerr/index.html>). In developing PM<sub>2.5</sub> SIPs, air agencies are expected to use a range of other readily available data sources, such as existing federal rules that are expected to reduce future emissions of particulate matter precursors, and economic and population growth rates.

**Respondents’ Activities.** The states will compile and reference the data, set forth the analytical methodology, conduct control technology, emission reduction and air quality modeling analyses, develop initial drafts, hold hearings, adopt rules, regulations, and programs, have discussions with EPA staff as appropriate, refine the draft attainment demonstration as appropriate, adopt the SIP, and formally submit the SIP to the EPA.

**Agency Activities.** The EPA staff in the regional offices will facilitate timely receipt of the attainment demonstration, RFP, RACT, and RACM requirements by reviewing materials and answering questions from the states regarding regulatory requirements, potential data sources, analytical tools, the draft attainment demonstration, and other draft SIP elements. The EPA Regional Offices will evaluate the formal SIP submissions and take rulemaking actions to approve or disapprove the SIP revisions. The EPA headquarters staff will facilitate policy coordination and national consistency in the timely review and evaluation of plans from states around the country. They will also facilitate information flow among the regions and states to promote the development of acceptable demonstrations and SIP submissions.

**Reporting Protocols.** The dates for plan submissions and milestone reports are as set forth in subpart 4 of Part D of the CAA (sections 188-190), and in the PM<sub>2.5</sub> Implementation rule.

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

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

**States.** The state agencies’ activities include:

- Develop baseline emissions inventory and projection year inventory.
- Conduct analyses of economic and technological feasibility of potential control measures and adopt state rules requiring emission reductions to ensure attainment of the standard “as expeditiously as practicable.”
- Develop and evaluate emission reduction strategies, and conduct air quality modeling showing that existing federal and state emission reduction programs, plus any new emission reduction programs adopted by the state, will result in expeditious attainment by the attainment date.
- Develop plans to ensure that future emission reductions will provide for reasonable further progress toward attainment of the standard for the period prior to the area’s attainment date.

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

- Respond to inquiries from the air agencies and providing guidance on SIP development.
- Review technical data, analyses, and draft SIP elements developed by the air agencies.
- Evaluate the formal SIP submissions and conduct rulemaking actions approving or disapproving the SIP submissions.

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

- Answer questions regarding application and interpretation of rule provisions.
- Facilitate policy coordination and national consistency in the timely review and evaluation of plans from states around the country.
- Coordinate information flow amongst the regions and states to promote the development of acceptable demonstrations and SIP submissions.

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

The PM<sub>2.5</sub> SIP submitted by the air agency will set forth the data sources, analytical methods, and the emission reduction and air quality improvement verification procedures used in its development and implementation.

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

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

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

The SIP deadlines for implementing the PM<sub>2.5</sub> NAAQS under Subparts 4 and 1 were proposed in this rule consistent with CAA requirements. Moderate area SIPs will be due within 18 months of the effective date of nonattainment area designation. The proposed rule

requests comment on due dates for certain elements of Serious area SIPs; however, under all proposed options BACM/BACT requirements would be due within 18 months of the date an area is reclassified as Serious. Quantitative milestone reports, as required under the CAA, would be due annually.

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

This section provides information on the hours and costs associated with the information collection for the respondents (the affected state and local air agencies) and EPA (regional and headquarters offices). Hours and costs are presented for the activities associated with each collection item for a nonattainment area (or portion thereof) in a given state, as well as the equivalent annual and present value cost estimates.

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

The estimated respondent burden represents the estimated staff time associated with the activities required to develop the relevant PM<sub>2.5</sub> SIP or redesignation request and implement the plan each year.

The estimated burden in this ICR is incremental to the estimated burden of other EPA environmental reporting obligations. The actual incremental burden is expected to vary across areas for a number of reasons, such as the severity of the nonattainment problem and whether existing federal and state emission reduction programs are projected to bring the area into attainment by the 2021 Moderate area attainment date.

### **Burden Estimate for Initial Nonattainment Areas for the 2012 PM<sub>2.5</sub> NAAQS**

Table 1 provides the list of 14 areas initially designated as nonattainment for the PM<sub>2.5</sub> NAAQS in December 2014 and the states responsible for developing the SIP revisions to meet the standard in December 2021. Table 3 below summarizes the number of nonattainment SIPs due by state and provides a 3-year breakdown of expected burden hours by state.

When the 2012 PM NAAQS were revised in December 2012, EPA released a regulatory impact analysis (RIA) at the same time.<sup>3</sup> The purpose of the RIA was to provide the public with illustrative estimates of the potential costs and health and welfare benefits of attaining the revised annual standard. The control strategies presented in the RIA were illustrative and represent one set of control strategies states might choose to implement in order to meet the final standards. The RIA analysis developed a base case scenario for the year 2020 that assessed the projected air quality concentrations in 2020 that would be expected with ongoing implementation of a number of national rules, including the following:

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<sup>3</sup> “Regulatory Impact Analysis for the Final Revisions to the National Ambient Air Quality Standards for Particulate Matter.” U.S. Environmental Protection Agency, Office of Air Quality and Planning Standards, Health and Environmental Impacts Division, February 28, 2013. EPA-452/R-12-005. See: [http://www.epa.gov/ttn/naaqs/standards/pm/s\\_pm\\_2007\\_ria.html](http://www.epa.gov/ttn/naaqs/standards/pm/s_pm_2007_ria.html).

- Light-Duty Vehicle Tier 2 Rule (1999)
- Heavy Duty Diesel Rule (2000)
- Clean Air Nonroad Diesel Rule (2004)
- Regional Haze Regulations and Guidelines for Best Available Retrofit Technology Determinations (2005)
- NO<sub>x</sub> Emission Standard for New Commercial Aircraft Engines (2005)
- Emissions Standards for Locomotives and Marine Compression-Ignition Engines (2008)
- Control of Emissions for Nonroad Spark Ignition Engines and Equipment (2008)
- C3 Oceangoing Vessels (2010)
- Boiler MACT (2011)
- Hospital/Medical/Infectious Waste Incinerators: New Source Performance Standards and Emission Guidelines: Final Rule Amendments (2009)
- Reciprocating Internal Combustion Engines (RICE) NESHAPs (2010)
- Mercury and Air Toxics Standards (2011)
- Cross-State Air Pollution Rule (2011)

The RIA analysis projected that all areas expected to be designated as nonattainment for the 2012 PM<sub>2.5</sub> NAAQS except those areas located in California would be expected to attain the standard in 2020, based only on emission reductions from the federal regulations identified above. Thus, it could be concluded from this analysis that existing federal emission reduction programs will help reduce administrative burden for many air agencies required to develop SIPs for newly designated nonattainment areas.

As a starting point for developing burden estimates for this analysis, the Agency looked at the total hours expended in related EPA level of effort work assignments for meeting the 1997 ozone NAAQS, exclusive of the air quality modeling. The total estimate for ozone areas classified as Marginal was about 2,000 hours in level of technical effort.<sup>4</sup> The estimated burden for a Subpart 4 PM<sub>2.5</sub> SIP revision was considered similar to the burden for ozone areas classified as Moderate, and estimated at 9,000 hours. The estimated burden for a Subpart 4 PM<sub>2.5</sub> SIP revision after an area was reclassified to Serious was considered similar to ozone areas with higher classifications and estimated at 18,000 hours.

Most of the estimated burden would be expected to be incurred in the first year because the air agency would be expected to be expending resources developing the PM<sub>2.5</sub> SIPs that would be due 18 months after designation. For the purposes of this analysis, the assumed allocation of total incremental burden across the three years is 50% in year 1, 25% in year 2, and 25% in year 3.

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

**Table 3. Initial Areas Designated Nonattainment for 2012 PM<sub>2.5</sub> NAAQS: Estimated Incremental Burden Hours by State and Year**

State	EPA Region	No. of Areas or Parts of Areas	Additional hours Year 1	Additional hours Year 2	Additional hours Year 3
California	9	4	18,000	9,000	9,000
Idaho	10	1	4,500	2,250	2,250
Indiana	5	1	2,250	1,125	1,125
Kentucky	4	2	4,500	2,250	2,250
Ohio	5	3	11,250	5,625	5,625
Pennsylvania	3	5	22,500	11,250	11,250

### Remaining Subpart 4 Nonattainment Areas for 1997 and 2006 PM<sub>2.5</sub> NAAQS

Table 2 provides the list of areas and states still implementing the 1997 and 2006 PM<sub>2.5</sub> NAAQS requirements that potentially could be responsible for developing Serious area SIP revisions or redesignation requests during the ICR period. For the purpose of this analysis, it is assumed that one of the original 39 nonattainment areas for the 1997 PM<sub>2.5</sub> standard (San Joaquin Valley, CA) will still need to develop a Serious area plan during the ICR period. Thus, the bulk of the remaining work for the 1997 nonattainment areas consists of developing Maintenance SIPs, and this work was included in the estimates for a prior PM<sub>2.5</sub> ICR. The estimated burden hours for development of the remaining Serious area SIP is 18,000 hours.

Of the 32 areas designated as nonattainment for the 2006 PM<sub>2.5</sub> standard, Table 2 identifies seven areas that potentially could be reclassified from Moderate to Serious during the ICR period, and that could have a Serious area SIP (or portions thereof) due within 18 months (also within the period for this ICR). For the purposes of this analysis, the estimated burden for development of the SIP revisions to address the Serious area requirements is 18,000 hours.

Table 2 also includes 6 nonattainment areas that have attained the 2006 PM<sub>2.5</sub> NAAQS and have a final Clean Data Determination. (See <http://www.epa.gov/oar/oaqps/greenbk/rfr2rpt5.html>). The estimated burden hours for development of a redesignation request and maintenance plan is 300 hours. The presumed allocation of total incremental burden across the three years is 50% in year 1, 25% in year 2, and 25% in year 3.

Using the information in table 2, table 4 below provides a 3-year breakdown of expected burden hours by state and by year.



**Table 4. Nonattainment Areas for 1997 and 2006 PM2.5 NAAQS:  
Estimated Incremental Burden Hours by State and Year**

State	EPA Region	Additional hours Year 1	Additional hours Year 2	Additional hours Year 3
AK	10	9,000	4,500	4,500
AZ	9	300	150	150
CA	9	27,450	13,725	13,725
ID	10	4,500	2,250	2,250
PA	3	9,000	4,500	4,500
TN	4	150	75	75
UT	8	22,500	11,250	11,250

### 6(b) Estimating Respondent Cost

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

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

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

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

- Benefits at 16% of the weighted direct hourly equivalent salary cost per employee or \$6.59.
- Sick and annual leave at 10% of the weighted direct hourly equivalent salary cost per employee or \$4.12.

- General overhead at 32% of the weighed direct hourly equivalent salary cost per employee or \$13.18.

The estimated total weighted direct and indirect hourly equivalent salary cost per employee is \$65.10. The estimated total incremental respondent burden for the state respondents to meet the new 2012 PM25 SIP requirements and complete the remaining 1997 and 2006 SIP requirements is provided in Table 5.

**Table 5. Estimated Total Incremental Cost and Hour Burden for the States (Respondents) to Fulfill the new 2012 PM25 SIP requirements and complete the remaining 1997 and 2006 SIP Submittal Requirements.**

NAAQS	Additional Cost for Year 1	Additional Cost for Year 2	Additional Cost for Year 3	Burden for the 3-year ICR period (hrs)
2012	\$4.1 million	\$1.8 million	\$1.7 million	126,000
1997/2006	\$4.7 million	\$2.0 million	\$1.9 million	145,800
<b>Total</b>	\$8.83 million	\$3.8 million	\$3.6 million	271,800

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

The estimated agency burden is derived from the same estimates used for estimating respondent costs in section 6(b). Draft estimates were developed by the headquarters staff with review by regional office staff and subsequent refinement of the Agency burden and cost estimates.

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

**Agency Regional Office Burden.** Table 6 summarizes total incremental respondent burden by Regional Office and provides estimates of total incremental Agency Regional Office burden. The summary of total incremental respondent burden comes from Tables 1 and 2. The Agency Regional Office burden is presumed to be 10% of the estimated total incremental burden for respondent by the EPA Regional Office. The total incremental burden allocation for the Agency Regional Offices is 50% in year 1, 25% in year 2, and 25% in year 3.

**Agency Headquarters Burden.** Table 6 also summarizes total incremental respondent burden Agency headquarter burden. The Regional Office burden estimates for years 1, 2,

and 3 are multiplied by 10% to arrive at an estimate for Headquarters burden for the same 3 years.

**Total Incremental Burden for the Agency.** The regional and headquarters office burden estimate for year 1 for the 2012 NAAQS is 6,930 hours. The estimates for years 2 and 3 are 3,460 hours each year. The regional and headquarters office burden estimate for year 1 for the 1997 and 2006 NAAQS is 8,000 hours. The estimates for years 2 and 3 are 4,000 hours each year.

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

**Table 6. Estimated Total Incremental Cost and Hour Burden for the EPA Regions and Headquarter to Fulfill the new 2012 PM25 SIP requirements and complete the remaining 1997 and 2006 SIP Submittal Requirements.**

NAAQS	Total State Respondents' burden (hrs)	Additional Cost for Year 1	Additional Cost for Year 2	Additional Cost for Year 3	Regions and HQ Burden for the 3-year ICR period
2012	126,000	\$0.4 million	\$0.2 million	\$0.2 million	13,900
1997/2006	145,800	\$0.5 million	\$0.2 million	\$0.2 million	16,000
<b>Total</b>	271,800	\$0.9 million	\$0.4 million	\$0.4 million	29,900

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

The total incremental respondent universe burden and cost estimates are presented in Tables 7 and 8.

**Table 7. 2012 PM2.5 NAAQS Total Incremental Respondent & Agency Universe Burden and Cost Estimates**

Entity	Average Yearly Burden (hours)	3-Year Burden (hrs)	Present Value of Costs for 3-Year Burden
States	42,000	126,000	\$7.6 million
Agency	4,620	13,860	\$0.8 million
<b>Total</b>	46,620	139,860	\$8.4 million

**Table 8. 1997 PM<sub>2.5</sub> and 2006 PM<sub>2.5</sub> NAAQS Total Incremental Respondent & Agency Universe Burden and Cost Estimates**

Entity	Average Yearly Burden (hours)	3-Year Burden (hrs)	Present Value of Costs for 3-Year Burden
States	48,600	145,800	\$8.8 million
Agency	5,346	16,038	\$0.96 million
Total	53,946	161,838	\$9.7 million

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

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

We are requesting an increase in burden of 302,000 hours due to implementation of this new regulation and the implementation of the remaining requirements for the 1997 PM<sub>2.5</sub> and 2006 PM<sub>2.5</sub> NAAQS. This burden estimate is lower than the estimate for the previous PM<sub>2.5</sub> Implementation ICR renewal primarily because the number of designated nonattainment areas covered by this ICR is lower. The estimates have been calculated using 2012 dollars and some assumptions regarding overhead, O&M costs, and capital costs have been adjusted to meet current guidelines and common procedures for preparing ICRs.

### 6(f) Burden Statement

The annual public reporting and recordkeeping burden for this collection of information for the 2012 PM<sub>2.5</sub> NAAQS is estimated to average 2,625 hours per state respondent for this reporting period. This estimate is derived by taking 42,000 hours, the average yearly burden for the states identified in Table 1, and dividing by 16, the number of affected state responses. Similarly, the annual public reporting and recordkeeping burden for this collection of information for the 1997 and 2006 NAAQS is estimated to average 3,240 hours, which is the 48,600 hours average yearly burden for the states identified in Table 1, and dividing by 15, the number of affected state responses.

Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, disclose, or provide information or for a Federal agency other than the EPA to do so. This estimate includes the time and burden needed to conduct the tasks associated each state submitting the PM<sub>2.5</sub> SIP required for each PM<sub>2.5</sub> nonattainment area. The PM<sub>2.5</sub> SIPs due during this ICR reporting period will need to include several elements, including the attainment demonstration, RFP plan, RACT and RACM. In meeting these milestones, such incremental efforts may include reviewing instructions as well as verifying, processing, maintaining, and disclosing information. Such efforts may require incremental development, acquisition, installation, and/or utilization of technological systems for several purposes. These

purposes include collecting, verifying, validating, processing, maintaining and disclosing information associated with the each milestone. The incremental efforts may result from adjusting the ways to comply with the previously applicable instructions associated with other National Ambient Air Quality Standards such as 8-hr ozone and PM<sub>10</sub>. Consequently, in meeting the milestones, there could be some incremental burden associated with learning/training, searching data sources, and transmitting the deliverables.

An Agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for the EPA's regulations are listed in 40 CFR part 9 and 48 CFR chapter 15. When this ICR is approved by OMB, the Agency will publish a technical amendment to 40 CFR part 9 in the Federal Register to display the OMB control number for the approved information collection requirements contained in the final implementation rule. However, as was stated in the April 2007 Federal Register Notice for the PM<sub>2.5</sub> Implementation Rule, "... the failure to have an approved ICR for this rule does not affect the statutory obligation for the states to submit SIPs as required under part D of the CAA."

The Agency established a docket for the PM<sub>2.5</sub> National Ambient Air Quality Standards State Implementation Requirements Rule under Docket ID No. OAR-2013-0691. All documents in the docket are listed in the EDOCKET index at <http://www.epa.gov/epahome/dockets.htm> or <http://www.regulations.gov>. Although listed in the index, some information such as Confidential Business Information is not publicly available. Other information such as copyrighted materials are not placed on the internet, but are available in hard copy form at the EPA Docket Center (Air Docket), EPA/DC, EPA West, Room B102, 1301 Constitution Ave., NW., Washington, DC. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744. The telephone number for the Office of Air and Radiation Docket and Information Center is (202) 566-1742.