

**1SUPPORTING STATEMENT
ENVIRONMENTAL PROTECTION AGENCY**

Approval and Promulgation of Federal Implementation Plan for Existing Oil and Natural Gas Well Production Facilities; Uintah and Ouray Indian Reservation (Uinta Basin) in Utah

Part A of the Supporting Statement

1. Identification of the Information Collection

(a) Title and Number of the Information Collection.

Approval and Promulgation of Federal Implementation Plan for New, Modified, and Existing Oil and Natural Gas Well Production Facilities; Uintah and Ouray Indian Reservation (Uinta Basin) in Utah 40 CFR Part 49, Subpart K, §§49.4169 through 49.4184). This is a new information collection request (ICR) and the OMB Control Number is 2008-New (2539.01).

(b) Short Characterization.

This ICR covers information collection requirements in the final Federal Implementation Plan (FIP) for Oil and Natural Gas Well Production Facilities; Uintah and Ouray Indian Reservation (Uinta Basin) in Utah (40 CFR Part 49, Subpart K, §§ 49.4182), herein referred to as the UOIR FIP. The information collected will be used by EPA and delegated tribal agencies to determine the compliance status of sources subject to the rule.

In the proposed action, EPA is promulgating a Reservation-specific FIP to establish enforceable control requirements for reducing VOC emissions from new, modified, and existing oil and natural gas production activities on the Uintah and Ouray Indian Reservation in Utah. Specifically, EPA is issuing this rule to require owners and operators of new, modified, and existing minor oil and natural gas production facilities producing on the Uintah and Ouray Indian Reservation in the Uinta Basin¹ to reduce emissions of VOC, from crude oil, condensate, and produced water storage tanks, from glycol dehydrators, from pneumatic pumps, from pneumatic controllers, and from tanker truck loading and unloading. Oil and natural gas production facilities may also contain other VOC-emitting units or activities that include, but are not limited to, compressors, evaporation ponds, two and three-phase

¹ The Western Regional Air Partnership (WRAP) defines the Uinta Basin as wholly including the counties of Carbon, Duchesne, Emery, Grand, Uintah, and Wasatch in Utah, see “DEVELOPMENT OF 2012 OIL AND GAS EMISSIONS PROJECTIONS FOR THE UINTA BASIN”, March 25, 2009, available online at http://www.wrapair.org/forums/ogwg/documents/2009-03_12_Projection_Emissions_Uinta_Basin_Technical_Memo_03-25.pdf, accessed October 15, 2015. EPA’s Greenhouse Gas Reporting Program – Subpart W, covering the Petroleum and Natural Gas Systems, defines the Uinta Basin as the counties of Carbon, Daggett, Duchesne, Uintah and Wasatch. For the purposes of this rulemaking, the EPA defines the Uinta Basin consistent with the WRAP’s definition.

separators, heater treaters, liquids unloading, turbines, and reciprocating internal combustion engines. This rule does not contain requirements for, or otherwise apply to, those types of equipment.

Additionally, this rule creates a streamlined permitting mechanism for new or modified sources. However, the FIP's new/modified source permitting requirements are generally consistent with those requirements under the New Source Performance Standards (NSPS) for the Oil and Natural Gas Sector at 40 CFR Part 60, subparts OOOO and OOOOa² (NSPS OOOO/OOOOa), and the Federal Minor New Source Review Program in Indian Country at 40 CFR Part 49 (Federal Indian Country Minor NSR Program)³. The costs associated with the monitoring, recording, and recordkeeping for new/modified sources is calculated under the existing ICRs for OOOO and OOOOa.

The potential respondents are owners or operators of oil and natural gas production facilities found throughout the UOIR. For the purposes of the UOIR FIP, an oil and natural gas production facility consists of all the air pollution emitting units and activities located on or integrally connected to one or more oil and natural gas wells that are necessary for production operations and storage operations. An oil and natural gas well is a single well that extracts subsurface reservoir fluids containing a mixture of oil, natural gas, and water. A well completion means the process that allows for the flowback of oil and natural gas from newly drilled wells to expel drilling and reservoir fluids and tests the reservoir flow characteristics, which may vent produced hydrocarbons to the atmosphere via an open pit or tank. A well completion operation means any oil and natural gas well completion with hydraulic fracturing occurring at an oil and natural gas production facility. The completion date is considered the date that construction at an oil and natural gas production facility has commenced.

In general, owners or operators are required to maintain records of all oil and natural gas well completions, required monitoring, and rule compliance. The UOIR FIP also requires annual reports containing information for each oil and natural gas production facility, including a summary of all required records identifying each oil and natural gas well completion conducted during the reporting period, and a summary of all instances where construction or operation was not performed in

² NSPS OOOO was originally published in the Federal Register on August 16, 2012 at 77 FR 49490, with revisions on September 23, 2013, July 17, 2014, December 31, 2014, and July 31, 2015. Additional revisions, including the addition of subpart OOOOa, were proposed in the Federal Register on September 18, 2015 at 80 FR 56593 and finalized on June 2, 2016 at 81 FR 35824. The EPA amended narrow portions of that final rule on March 12, 2018 at 83 FR 10628. The EPA proposed additional amendments on May 8, 2018, 2018, at 83 FR 20775, and on October 15, 2018, 2018 at 83 FR 52056. Information on these rulemakings are available online at <https://www.epa.gov/controlling-air-pollution-oil-and-natural-gas-industry>, accessed July 2, 2019.

³ Review of New Sources and Modifications in Indian Country, Published in the Federal Register on July 1, 2011 at 76 FR 38748, available online at <http://www.gpo.gov/fdsys/pkg/FR-2011-07-01/pdf/2011-14981.pdf>, accessed July 2, 2019. Information on subsequent revisions and related regulatory actions is available at <https://www.epa.gov/tribal-air/tribal-minor-new-source-review>, accessed July 2, 2019.

compliance with the requirements of the UOIR FIP during the reporting period. Additionally, a triennial summary emissions inventory is required for each facility covered under this rulemaking. These reports and records are essential in determining compliance, and are required of all sources subject to the UOIR FIP.

We estimate that 23 operators and 5,169 oil and natural gas production facilities will be subject to this FIP over the next three years. The oil and natural gas production facilities subject to this rule will incur approximately 123,000 hours in annual monitoring, reporting, and recordkeeping burden (averaged over the first three years after the effective date of the rules), incurring an estimate \$21.6 million (\$2017) in burden. This includes an average labor cost of \$6.4 million, average annualized capital costs of \$6.4 million per year, and average annual operating and maintenance costs of \$8.7 million per year over the 3-year period for this ICR.

2. Need For and Use of the Collection

(a) Need/Authority for the Collection.

The EPA is charged under Sections 301(a) and 301(d)(4) of the Clean Air Act (CAA) to promulgate regulations as necessary to protect tribal air resources. Promulgating the UOIR FIP addresses an important initial step to fill a regulatory gap between state and federal requirements with regard to controlling volatile organic compound (VOC) emissions from new, modified, and existing oil and natural gas production operations on the UOIR. There is no other federal rule, including the New Source Performance Standards (NSPS) and National Emissions Standards for Hazardous Air Pollutants (NESHAP) for the Oil and Natural Gas Sector (NSPS OOOO and OOOOa and NESHAP HH)⁴, that establishes air pollution control regulations for the particular oil and natural gas production operations that exist on the UOIR. This is in contrast to oil and natural gas operations off the Reservation, which are governed by the Utah Department of Environmental Quality (DEQ) regulations and Utah Division of Oil, Gas, and Mining regulations within the State of Utah's jurisdiction. Consistent with the regulatory structure that exists off the UOIR, and NSPS OOOO and OOOOa, the UOIR FIP has requirements for VOC emissions control and reductions, monitoring, recordkeeping, and reporting.

In addition, section 114(a) states that the Administrator may require any owner or operator subject to any requirement of this Act to:

- establish and maintain such records;

⁴ "Controlling Air Pollution from the Oil and Natural Gas Industry," at <https://www.epa.gov/controlling-air-pollution-oil-and-natural-gas-industry>, accessed July 2, 2019.

- make such reports; install, use, and maintain such monitoring equipment,
- and use such audit procedures, or methods;
- 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);
- keep records on control equipment parameters, production variables or other indirect data when direct monitoring of emissions is impractical;
- submit compliance certifications in accordance with Section 114(a)(3); and
- provide such other information as the Administrator may reasonably require.

(b) Use/Users of the Data.

These records and reports are necessary for the EPA Administrator (or the tribal agency if delegated), for example, to: (1) confirm compliance status of stationary sources; (2) identify any stationary sources not subject to the requirements and identify stationary sources subject to the regulations; and (3) ensure that the stationary source control requirements are being achieved. The information would be used by the EPA or tribal enforcement personnel to: (1) identify stationary sources subject to the rules; (2) ensure that appropriate control technology is being properly applied; and (3) ensure that the emission control devices are being properly operated and maintained on a continuous basis. Based on the reported information, the EPA Administrator (or the delegated tribe) can decide which stationary sources, records or processes should be inspected.

3. Nonduplication, Consultations, and Other Collection Criteria

(a) Nonduplication.

The EPA does not anticipate a significant additional burden on the respondents due to potentially duplicative recordkeeping or reporting requirements. Because the UOIR FIP applies to sources located in Indian country, other federal agencies may also have jurisdiction on the UOIR. The EPA reviewed other federal regulations and discussed potentially applicable requirements to the respondents with staff from other federal entities to determine if and when the possible duplication of information collection

exists. The EPA has identified potentially minor duplicative recordkeeping and reporting requirements with other federal regulations; however, we have determined that some sources may not be subject to the duplicative requirement or the duplication does not result in a significant burden to the respondents.

The U.S. Department of Interior (DOI) has established regulations that may apply to the respondents of the UOIR FIP. DOI jurisdiction differs from EPA's jurisdiction under the CAA in that the applicability of DOI regulations is dependent on the lease status of the land where the facility is located. While DOI regulations do apply to a large majority of the respondents, oil and natural gas production facilities on the UOIR that are not operating on a federal or Indian oil and natural gas lease are not subject to DOI regulations. Therefore, certain requirements of the UOIR FIP are only potentially duplicative as DOI regulations may not apply to all sources subject to the UOIR FIP.

The UOIR FIP at §49.4183(a)(1)(i) and (ii) requires owners and operators to measure the barrels of oil produced and volume of natural gas produced according to the methods specified in the Bureau of Land Management (BLM) Onshore Order #4, which also specifies that records of this measurement be kept for six years.⁵ This information is reported on a monthly basis to the Office of Natural Resources Review (ONRR) through Form OGAR-A.^{6,7} Additionally, the UOIR FIP requires owners and operators to keep records of the volume of produced natural gas sent to the control device (see §49.4183(a)(1)(iv)), which is reported to the ONRR on a monthly basis through Form OGAR-B.⁸ Although the UOIR FIP requires similar recordkeeping, the information collected is not required to be submitted in the annual report. This information would also be necessary to be kept by the respondents as standard industry practice regardless of the UOIR FIP in order to determine applicability to federal CAA permitting requirements. Therefore, these potentially duplicative recordkeeping requirements do not impose any additional burden on the respondents and are not included as part of this ICR.

The UOIR FIP requires owners and operators of oil and natural gas production facilities to submit an annual report each year (see §49.4184). As part of the annual report, the respondents are required to provide information about the date, time, duration and location of well completion operations performed during the reporting period, as well as the first date of production for each oil and natural gas well. The EPA has determined that the location of well completion operations and the first date of production are also required to be reported to the BLM within 30 days following completion operations

⁵ US Department of the Interior's Bureau of Land Management at 43 CFR part 3160, in the "Onshore Oil and Gas Operations; Federal and Indian Oil & Gas Leases; Onshore Oil and Gas Order No. 4; Measurement of Oil."

⁶ US Department of Interior's Office of Natural Resources Revenue at 30 CFR 1210, "Forms and Reports".

⁷ Oil and Gas Operating Report, Part A – Well Production, OMB Control Number 1012-0004.

⁸ Oil and Gas Operating Report, Part B – Product Disposition, OMB Control Number 1012-0004.

through Form 3160-4.⁹ However, the EPA believes this potentially duplicative information request is extremely minimal and does not pose a significant burden to the respondents. Although, the EPA would accept a copy of the submitted Form 3160-4 in lieu of any duplicated information required in the annual report for the UOIR FIP, we anticipate it will be easier for the respondents to separately include the location of the well completion and first date of production with the other information submitted in the annual report. The EPA has determined that the UOIR FIP requirements to report the date, time, and duration of flowback and venting during completion operations are not duplicative of any other DOI requirements that require similar information during the production phase.

The EPA asserts that any potentially duplicative recordkeeping or reporting requirements of the UOIR FIP are necessary for the Agency to ensure compliance with the rule. We also note that the potential for duplication only exist for facilities subject to DOI requirements, which may not apply to all facilities on the UOIR depending on the land lease status of the facility. The information submitted to BLM and ONRR is not publicly available and it would be extremely resource intensive for the federal agencies to share such a small component of information relative to the total information the EPA is requesting under this ICR. Furthermore, much of the information collected under this ICR is a customary and usual business practice for the respondents. The oil and natural gas industry maintains their own records of production operations as part of routine business operations. The recordkeeping and reporting requirements in the UOIR FIP have been minimized to the greatest extent practicable while still ensuring compliance with rule as an effort to reduce the regulatory burden on the respondents.

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

This section is not applicable because this is a rule-related ICR.

(c) Consultations.

In developing the UOIR FIP, EPA performed a comprehensive review of existing state rules and industry standards, as well as consulted with the Ute Tribe, individual companies, state and federal agencies, and environmental groups. During 2015 through 2019, multiple workshops were held with stakeholders impacted by this rulemaking. This included a meeting for UOIR operators in Denver, Colorado to discuss the technical operations and potential impact on oil and natural gas production facilities on the UOIR. Additional meetings were held for Ute Tribal representatives, as well as the State of Utah, Federal agencies, and environmental groups. The Agency's industry experts, including staff from the Office of Air Quality Planning and Standards, also provided expert advice throughout the development of the UOIR FIP.

⁹ Well Completion Report and Log, OMB Control Number 1004-0137.

(d) *Effects of Less Frequent Collection.*

Respondents must monitor all specified criteria at each affected facility and maintain these records for five years. The required reporting frequency to EPA has been established to minimize the burden on owners and operators of affected facilities.

(e) *General Guidelines.*

This collection of information is consistent with all OMB guidelines established by OMB at 5 CFR Part 1320, Section 1320.5.

(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).

(g) *Sensitive Questions.*

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

4. The Respondents and the Information Requested

(a) *Respondents/NAICS Codes.*

Potential respondents under the UOIR FIP are each owner operating an oil and natural gas production facility producing from the Tribal lands in the Uinta Basin with one or more oil and natural gas wells existing as of the final rule being published in the Federal Register. The North American Industry Classification System (NAICS) code for the oil and natural gas industry potentially subject to the UOIR FIP is 211111 (Crude Petroleum and Natural Gas Extraction).

(b) *Information Requested.*

(i) *Data Items, Including Recordkeeping Requirements.*

Recordkeeping	
As applicable, the monthly calculations demonstrating that the uncontrolled actual VOC emissions from the aggregate of all storage tanks, glycol dehydrators, and pneumatic pumps at an affected oil and natural gas source as identified in §49.4169(b) has been maintained at less than 4 tpy.	49.4183(a)(1)(i)
For each enclosed combustor or utility flare at an affected oil and natural gas source required under §§ 49.4174 through 49.4178: (A) Manufacturer-written, site-specific designs, operating instructions, operating procedures and maintenance schedules, including those of any operation monitoring systems; (B) Date of installation; (C) Records of all required monitoring of operations in §49.4182;	49.4183(a)(1)(ii)

Recordkeeping	
<p>(D) Records of any deviations from the operating parameters specified by the written site-specific designs, operating instructions, and operating procedures. The records must include: the enclosed combustor or utility flare's total operating time during which a deviation occurred; the date, time and length of time that deviations occurred; the corrective actions taken; and any preventative measures adopted to operate the device within that operating parameter;</p> <p>(E) Records of any instances in which the pilot flame is not present or the monitoring equipment is not functioning in the enclosed combustor or utility flare, the date and times of the occurrence, the corrective actions taken, and any preventative measures adopted to prevent recurrence of the occurrence;</p> <p>(F) Records of any instances in which a recording device installed to record data from the enclosed combustor or utility flare is not operational; and</p> <p>(G) Records of any time periods in which visible smoke emissions are observed emanating from the enclosed combustor or utility flare.</p>	
<p>For each closed-vent system:</p> <p>(A) The date of installation; and</p> <p>(B) Records of any instances in which any closed-vent system or control device was bypassed or down, the reason for each incident, its duration, and the corrective actions taken and any preventative measures adopted to avoid such bypasses or downtimes.</p>	49.4183(a)(1)(iii)
<p>Documentation of all storage tank and closed-vent system inspections required in §49.4183(e) and (f) All inspection records must include the following information:</p> <p>(A) The date of the inspection;</p> <p>(B) The findings of the inspection;</p> <p>(C) Any adjustments or repairs made as a result of the inspection, and the date of the adjustment or repair; and</p> <p>(D) The inspector's name and signature.</p>	49.4183(a)(1)(iv)
<p>The Uinta Basin-wide fugitive emissions monitoring plan for the Indian country lands portion of the U&O Reservation.</p>	49.4183(a)(1)(v)
<p>Documentation of each fugitive emissions inspection at all affected oil and natural gas sources. All inspection records must include the following information:</p> <p>(A) The date of the inspection;</p> <p>(B) The identification of any component that was determined to be leaking;</p> <p>(C) The identification of any component not exempt under §49.4179(b)(2) that is not inspected and the reason it was not inspected;</p> <p>(D) The date of the first attempt to repair the leaking component;</p> <p>(E) The identification of any component with a delayed repair and the reason for the delayed repair</p> <p>(1) For unavailable parts:</p> <p>(i) The date of ordering a replacement component; and</p> <p>(ii) The date the replacement component was received; and</p> <p>(2) For a shutdown:</p> <p>(i) The reason the repair is technically infeasible;</p> <p>(ii) The date of the shutdown;</p> <p>(iii) The date of subsequent startup after a shutdown; and</p> <p>(iv) Emission estimates of the shutdown and the repair if the delay is longer than 6 months;</p> <p>(F) The date and description of any corrective action taken, including the date the component was verified to no longer be leaking;</p> <p>(G) The identification of each component exempt under §49.4179(b)(2), including the type of component and a description of the qualifying exemption; and</p> <p>(H) The inspector's name and signature.</p> <p>(2) For each affected oil and natural gas source as identified in §49.4169(b)(2):</p> <p>(i) For each electronically controlled automatic ignition system required under §49.4182, records demonstrating the date of installation and manufacturer specifications;</p> <p>(ii) For each retrofitted pneumatic controller, the records required in 40 CFR 60.5420(c)(4)(i);</p>	49.4183(a)(1)(vi)

Recordkeeping	
and (b) Each owner or operator must keep all records required by this section onsite at the source or at the location that has day-to-day operational control over the source and must make the records available to the EPA upon request. (c) Each owner or operator must retain all records required by this section for a period of at least five years from the date the record was created.	
Each affected source shall submit an inventory every third year, beginning with the 2017 calendar year, for all emission units at an affected source.	49.4172
Notifications and Reporting	
Each owner and operator must submit an annual report containing the information specified in paragraphs (b)(1) through (3).	49.4184

(ii) Respondent Activities.

Respondent Activities
Read instructions.
Gather relevant information.
Enter information required to be recorded above.
Submit the required reports
Develop, acquire, install, and utilize 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.
Train personnel to be able to respond to a collection of information.
Completing and reviewing the collection of information
Transmit, or otherwise disclose the information.

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

(a) Agency Activities.

The Agency activities associated with the UOIR FIP are provided in Exhibit 2a, Exhibit 2b, and Exhibit 2c for each of the three years of this ICR (located at the end of this supporting statement) and are introduced in section 6(c).

(b) Collection Methodology and Management.

Data and records maintained by the respondents are tabulated for internal use in compliance and enforcement programs of the EPA or delegated tribal agency. Records may be maintained by the respondents in hard copy or electronic format to allow flexibility and reduce the burden. As a further effort to minimize the reporting burden, the UOIR FIP allows for the electronic submittal of annual reports via email to r8airreportenforcement@epa.gov. The UOIR FIP also allows owners/operators to

submit one report for all of their affected facilities, thus reducing the burden for multiple reports. Additionally, owners/operators are allowed to submit their annual reports required by the UOIR FIP at the same time as any required annual reports under the Title V operating permit program. The EPA Region 8 will continue to work with owners/operators to streamline the recordkeeping and reporting process whenever possible.

(c) *Small Entity Flexibility.*

Minimizing the information collection burden for all sizes of organizations is a continuing effort for the EPA. The impact on small entities (i.e., small businesses) was taken into consideration during the development of the regulation. EPA has tried to reduce the impact of this rule on small entities by the selection of highly cost-effective controls and specifying monitoring requirements that are the minimum to insure compliance.

(d) *Collection Schedule.*

The specific frequencies for each information collection activity within this request are shown in Exhibit 1a, Exhibit 1b, and Exhibit 1c: Respondent Burden of Reporting Recording Requirements, for the first three years after promulgation, respectively.

6. Estimating the Burden and Cost of the Collection

(a) *Estimating Respondent Burden.*

Exhibit 1a, Exhibit 1b, and Exhibit 1c document the computation of individual burdens for the recordkeeping and reporting requirements applicable to the respondents for the UOIR FIP included in this ICR for each of the first three years. The table below contains a summary of the respondent burden hours and costs detailed in Exhibit 1a, Exhibit 1b, and Exhibit 1c.

Year	Total Annual Labor Burden (hours)	Total Annual Labor Cost (\$)
1	85,400	\$4,453,153
2	123,246	\$6,426,592
3	161,092	\$8,400,031
Total	369,738	\$19,279,776
3-Year Average	123,246	\$6,426,592

(b) *Estimating Respondent Costs*

The information collection activities for the UOIR FIP are presented in Exhibit 1a, Exhibit 1b, and Exhibit 1c. The total cost for each respondent activity includes labor costs and capital/startup costs.

(i) Estimating Labor Costs

This ICR uses the following labor rates: \$53.80 per hour for technical labor (Professional), \$71.12 per hour for management labor, and \$26.10 per hour for clerical labor. These rates are from the *Employer Costs for Employee Compensation* published by the Bureau of Labor and Statistics and represent the state of the industry in 2017 (Source: <http://www.bls.gov/news.release/ecec.t02.htm>). The rates are the total compensation rates and include the base rate for wages and salaries, as well as benefits such as paid leave, insurance, and retirement savings.

(ii) Estimating Capital and Operations and Maintenance (O&M) Costs

Capital/startup and O&M costs associated with the UOIR FIP result from the requirement to monitor and record proper operation of the control device through the use of an auto igniter or continuous pilot flame, each equipped with a remote notification system, malfunction alarm, and continuous recording device. These costs were also included in the EPA's preliminary economic impact analysis, which concluded the UOIR FIP a significant regulatory action under Executive Order 12866.¹⁰ The capital/startup costs and O&M costs specific to the auto igniter and continuous pilot flame are the average estimated costs that were provided to the EPA by two of the operators subject to the 2012 Fort Berthold Indian Reservation FIP. The information gathered for the Fort Berthold FIP for O&M costs and capital costs was determined to be most appropriate for the UOIR given that many of the same companies are operating in both the U&O and Fort Berthold Reservations. The 2012 costs were inflated to 2017 dollars based on a 6.7% GDP price deflator. The capital/startup costs and O&M costs include the costs for the continuous pilot flame or auto igniter, in addition to the costs for the remote notification system, malfunction alarm, and continuous recording device. Since the EPA has obtained information that an auto igniter or continuous pilot flame is typically already included with the control device, the EPA believes the estimated capital/startup and O&M costs are conservative overestimates. Furthermore, the annual capital/startup and O&M costs is expected to decline due to group discounts on equipment and increasing familiarity with the system components by the operators. The capital/startup costs and O&M costs were annualized over the expected lifetime of the equipment. Since the estimated lifetime of

¹⁰ The Regulatory Impact Analysis (RIA) for the UOIR FIP includes a more detailed explanation of the preliminary cost analysis for this action. It can be found in the docket for this rule, Docket ID: EPA-R08-OAR-2015-0709, which can be accessed at: <http://www.regulations.gov>.

the equipment exceeds the 3-year period covered by this ICR, the annualized costs are included for each year. The table below shows the expected capital/startup costs and O&M costs for this ICR.

Capital/Startup vs. Operation and Maintenance (O&M) Costs						
(A) Continuous Monitoring Device	(B) Capital/ Startup Cost for One Respondent	(C) Average Annual Number of Respondents	(D) Average Annual Capital/Startup Cost, (B×C)	(E) Annual O&M Costs for One Respondent ^a	(F) Average Number of Respondents with O&M ^b	(G) Total O&M, (E×F)
Auto igniter or continuous pilot flame, each equipped with remote notification, malfunction alarm, and data recording device	\$3,706	1,723	\$6,385,438	\$5,073	3,446	\$8,740,697

Assumptions:

^a O&M costs reflect operation and maintenance of an auto igniter or continuous pilot flame, which is typically included as part of the control device. Therefore, the above costs are a conservative overestimation of actual costs.

The average annual capital/startup costs for this ICR are \$6,385,438. This is the total of column D in the above table. The average annual operation and maintenance (O&M) costs for this ICR are \$8,740,697 - this is the value in column G. Combined, the average annual cost for capital/startup and operation and maintenance costs to industry during the three-year period of the ICR is estimated to be \$15,126,006.

(c) Estimating Agency Burden and Cost

Because the information collection requirements were developed as an incidental part of FIP development under Section 301 of the CAA, no costs can be attributed to the development of the information collection requirements. Since reporting and recordkeeping requirements on many of the respondents are potentially required under the operating permits rule in 40 CFR Part 71, no additional operational costs will be incurred by the Federal Government for these sources. Examination of records to be maintained by the respondents will occur incidentally as part of the periodic inspection of sources that is part of the EPA’s overall compliance and enforcement program, and, therefore, is not attributable to the ICR. The only costs that the Federal Government will incur are user costs associated with the analysis of the reported information, as presented in Exhibit 2a, Exhibit 2b, and Exhibit 2c. This cost is based on the average hourly labor rate as follows:

Managerial	\$95.46 (GS-14, Step 5, \$59.66 + 60%)
Technical	\$71.28 (GS-13, Step 1, \$44.55 + 60%)

Clerical \$36.05 (GS-7, Step 3, \$22.53 + 60%)

These rates are from the Office of Personnel Management (OPM), 2017 General Schedule, which includes locality rates of pay for EPA Region 8 employees in the Denver, Colorado. The rates have been increased by 60 percent to account for the benefit packages available to government employees.

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

It was estimated that 1,723 facilities will be subject to the UOIR FIP requirements in the first year, 3,446 in the second year, and 5,169 in the third year during the 3-year period of this ICR. These values are based on an expectation that all existing facilities (5,169) will come into compliance with the FIP over a three-year period – given the 18 month grace period and anticipated waivers.

(e) Bottom Line Burden Hours and Cost Tables

(i) Respondent tally

The bottom line respondent burden hours and costs, presented in Exhibit 1a, Exhibit 1b, and Exhibit 1c are calculated by adding person-hours per year down each column for technical, managerial, and clerical staff, and by adding down the cost column. The average annual burden for the recordkeeping and reporting requirements for the 23 owners and operators that are subject to the FIP is 123,246 person-hours, with an annual average cost of \$21,552,599.

(ii) The Agency tally

The average annual Federal Government cost is \$274,501 for 3,963 hours for the UOIR FIP. The bottom line Agency burden hours and costs presented in Exhibit 2a, Exhibit 2b, and Exhibit 2c are calculated by adding person-hours per year down each column for technical, managerial, and clerical staff, and by adding down the cost column.

(iii) Variations in the annual bottom line

This section does not apply since no significant variation is anticipated.

(f) Reasons for Change in Burden

This section does not apply because this is a new ICR.

(g) Burden Statement

The burden for this ICR is summarized in the table below.

Burden	Average Annual Number of Responses	Average Annual Labor Burden (hours)	Average Annual Costs			
			Labor Costs	Capital Costs	O&M Costs	Total Annual Costs
Respondent	3,446	123,246	\$6,426,592	\$6,385,309	\$8,740,697	\$21,552,599
Agency	NA	3,963	\$274,501	\$0	\$0	\$274,501

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 36 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 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-R08-OAR-2015-0709. 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 EPA Region 8 Air Program Office, 1595 Wynkoop Street, Denver, Colorado. The EPA Region 8 is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding federal holidays. The EPA contact for the UOIR FIP is Monica Morales and can be reached 303-312-

6936. 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-R08-OAR-2015-0709 in any correspondence.

PART B

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