

SUPPORTING STATEMENT
FOR
PREVENTION OF SIGNIFICANT DETERIORATION
AND NONATTAINMENT NEW SOURCE REVIEW

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Prepared for:

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TABLE OF CONTENTS

1.	IDENTIFICATION OF THE INFORMATION COLLECTION.....	1
1(a)	TITLE OF THE INFORMATION COLLECTION REQUEST (ICR).....	1
1(b)	SHORT CHARACTERIZATION/ABSTRACT.....	1
2.	NEED FOR AND USE OF THE COLLECTION.....	2
2(a)	NEED/AUTHORITY FOR THE COLLECTION.....	2
2(b)	PRACTICAL UTILITY/USERS OF THE DATA.....	2
3.	NONDUPLICATION, CONSULTATIONS AND OTHER COLLECTION CRITERIA.....	4
3(a)	NONDUPLICATION.....	4
3(b)	PUBLIC NOTICE REQUIRED PRIOR TO ICR SUBMISSION TO OMB.....	4
3(c)	CONSULTATIONS.....	4
3(d)	EFFECTS OF LESS FREQUENT COLLECTION.....	5
3(e)	GENERAL GUIDELINES.....	5
3(f)	CONFIDENTIALITY.....	5
3(g)	SENSITIVE QUESTIONS.....	6
4.	THE RESPONDENTS AND THE INFORMATION REQUESTED.....	6
4(a)	RESPONDENTS/STANDARD INDUSTRIAL CLASSIFICATION (SIC) CODES..	6
4(b)	INFORMATION REQUESTED.....	8
4(b)(i)	DATA ITEMS, INCLUDING RECORDKEEPING REQUIREMENTS.....	8
4(b)(ii)	RESPONDENT ACTIVITIES.....	8
5.	THE INFORMATION COLLECTED – AGENCY ACTIVITIES, COLLECTION METHODOLOGY AND INFORMATION MANAGEMENT.....	9
5(a)	AGENCY ACTIVITIES.....	9
5(b)	COLLECTION METHODOLOGY AND MANAGEMENT.....	9

5(c)	SMALL ENTITY FLEXIBILITY.....	10
5(d)	COLLECTION SCHEDULE.....	11
6.	ESTIMATING THE BURDEN AND COST OF THE COLLECTION.....	11
6(a)	ESTIMATING RESPONDENT BURDEN.....	11
6(b)	ESTIMATING RESPONDENT COSTS.....	12
6(b)(i)	ESTIMATING LABOR COSTS.....	12
6(b)(ii)	ESTIMATING CAPITAL AND OPERATIONS AND MAINTENANCE COSTS.....	13
6(b)(iii)	CAPITAL/START-UP OPERATING AND MAINTENANCE (O&M) COSTS.....	14
6(b)(iv)	ANNUALIZING CAPITAL COSTS.....	14
6(c)	ESTIMATING AGENCY BURDEN AND COST.....	14
6(d)	ESTIMATING THE RESPONDENT UNIVERSE AND TOTAL BURDEN AND COST.....	15
6(e)	BOTTOM LINE BURDEN HOURS AND COST TABLES.....	16
6(e)(i)	RESPONDENT TALLY.....	16
6(e)(ii)	THE AGENCY TALLY.....	16
6(e)(iii)	VARIATIONS IN THE ANNUAL BOTTOM LINE.....	17
6(f)	REASONS FOR CHANGE IN BURDEN.....	17
6(g)	BURDEN STATEMENT.....	18
	APPENDIX A.....	23

LIST OF TABLES

	Page
4-1 Most Numerous Industrial Respondents by Industrial Group.....	6
4-2 Most Numerous Industrial Respondents by Industrial Group in Indian Country.....	7
6-1 Industry Respondent Burden and Cost (Annual).....	19
6-2 State and Local reviewing authority Burden and Cost (Annual).....	20
6-3 Agency Burden and Cost (Annual).....	21
6-4 NSR Program Information Collection Burden Summary.....	22

1. IDENTIFICATION OF THE INFORMATION COLLECTION

1(a) TITLE OF THE INFORMATION COLLECTION REQUEST (ICR)

1This report is entitled Prevention of Significant Deterioration and Nonattainment New Source Review, EPA ICR No. 1230.32, OMB Control No. 2060-0003.

1(b) SHORT CHARACTERIZATION/ABSTRACT

1The analyses in this document have been performed in support of a renewal of the New Source Review (NSR) Program Information Collection Request (ICR) (Office of Management and Budget (OMB) Control No. 2060-0003; EPA ICR No. 1230.32). The regulations covered under this ICR are contained in parts 49, 51 and 52 of Title 40 of the *Code of Federal Regulations* (CFR). These requirements govern the state and federal programs for preconstruction review and permitting of major new and modified sources pursuant to part C “Prevention of Significant Deterioration” (PSD) and part D “Program Requirements for Nonattainment Areas” (nonattainment major NSR or NNSR) of Title I of the Clean Air Act (CAA), which together are commonly referred to as “major NSR.” In addition, these requirements govern the state and federal programs for preconstruction of minor new and modified sources pursuant to CAA section 110(a)(2)(C), which is commonly referred to as “minor NSR.” The types of information collection activities addressed in this ICR are those necessary for the preparation and submittal of construction permit applications and the issuance of final permits. Thus, the respondents addressed in this ICR are (1) the pollutant-emitting sources that must apply for and obtain permits, and (2) the state and local reviewing authorities that must review the permit applications and issue the permits. Specific burden-producing activities are listed in Appendix A. The administrative, reporting and recordkeeping burden for industry respondents (permit applicants), state and local implementing agencies and the Environmental Protection Agency (EPA) are summarized in Table 6-4.

1The NSR Program ICR was last renewed in April 2014 (EPA ICR No. 1230.29). The currently approved respondent burden for the NSR program stands at over 7.9 million hours per year for over 162,000 responses (with associated labor costs of about \$695 million), plus about \$12.6 million in capital and one-time start-up costs.

1This renewal ICR for the NSR program estimates the annual respondent burden at approximately 5.5 million hours (with labor costs of about \$429 million) for nearly 147,000 responses, plus one-time start-up costs of about \$3.5 million. The change (net decrease) in the burden estimate is due largely to the progress in, and experience with, the implementation of the minor NSR program in Indian country and a significant decrease in the expected number of permits in the PSD program based on program experience and the effect of a U.S. Supreme Court ruling that greenhouse gas (GHG) emissions alone cannot trigger PSD. In both cases, the period covered by this ICR renewal is expected to include a significant decrease in the number of permits issued.

The estimated annual burden in this renewal ICR consists of approximately 3.2 million hours for industry respondents (with labor costs of about \$282 million and start-up costs of about

\$3.5 million) and 2.3 million hours for state and local reviewing authority respondents (with labor costs of about \$143 million). The estimated annual burden for the EPA is about 17,000 hours and \$920,000.

2. NEED FOR AND USE OF THE COLLECTION

2(a) NEED/AUTHORITY FOR THE COLLECTION

1Section 110 of the CAA requires all states to submit an implementation plan that contains a preconstruction review program for all new or modified stationary sources, including any provisions necessary for this program to meet the specific requirements of parts C and D of title I of the CAA related to major construction. Section 110(a)(2)(C) of the CAA requires that no new or modified stationary source, in conjunction with existing source emissions in the same area, can interfere with the attainment or maintenance of the National Ambient Air Quality Standards (NAAQS). It further requires that no source can construct without securing a permit to ensure that the objectives of parts C and D of title I of the CAA are met.

1Part C of title I of the CAA outlines specific construction requirements for new and modified sources constructing in areas that do not violate the NAAQS. These requirements are more commonly referred to as the “prevention of significant deterioration” or “PSD” rules, which require a prospective major new or modified source to: (1) demonstrate that the NAAQS and increments will not be exceeded, (2) ensure the application of best available control technology (BACT) and (3) protect Federal Class I areas from adverse impacts, including adverse impacts on air quality related values (AQRVs).

Similarly, part D of title I of the CAA specifies requirements for major new and modified sources constructing in areas designated as nonattainment for a NAAQS pursuant to section 107 of the CAA. The part D provisions also apply to major source permitting in the Northeast Ozone Transport Region as established under section 184 of the CAA. The part D rules, which are often referred to as the “nonattainment major NSR” or “NNSR” rules, generally require a prospective major construction project to: (1) ensure the application of controls which will achieve the lowest achievable emission rate (LAER), (2) certify that all major sources in a state which are owned or controlled by the same person (or persons) are in compliance with all air emissions regulations, (3) secure reductions in existing source emissions (“offsets”) that comply with specific statutory offset ratios and are otherwise equal to, or greater than, those reductions necessary to show the required progress toward attainment and maintenance of the applicable NAAQS and (4) conduct an analysis showing that the benefits of the source significantly outweigh its environmental and social costs.

2(b) PRACTICAL UTILITY/USERS OF THE DATA

1Before the owner or operator of a facility can commence construction or modification of its source, it must comply with all applicable construction permit requirements. The owner or operator of a stationary source must develop or collect all relevant information not otherwise available to the federal, state, local or tribal reviewing authority. The reviewing authority reviews the application materials submitted by the owner or operator and either declares the permit

application complete for processing or provides the owner or operator guidance on how to correct the deficiencies in the application. If the application has deficiencies, the applicant collects any additional data identified by the reviewing authority so that the permit application can be deemed “complete.” Although sufficient information must be submitted by the applicant before its permit can be classified as complete, some additional clarifying information can be submitted at a later date by the applicant to assist the reviewing authority in processing the permit application.

For major sources to be constructed or modified in attainment areas, the reviewing authority uses the permit application information to determine: (1) whether the source will cause or contribute to a violation of the NAAQS or air quality increments, (2) if the technology the source is proposing is BACT and (3) whether the source's emissions will adversely affect any Federal Class I areas, including AQRVs in these areas. For major sources to be constructed or modified in nonattainment areas, the permit application information is used by the reviewing authority to determine whether: (1) the source will apply LAER, (2) the source will have secured the required emissions offsets, (3) the source has demonstrated that all other of its major sources in the same state are in compliance with all applicable air emissions regulations and (4) the source has demonstrated that its benefits significantly outweigh its environmental and social costs. For minor sources that are large enough to be subject to minor NSR to be constructed or modified in attainment and nonattainment areas, the reviewing authority uses the permit application information to determine whether the source will cause or contribute to a violation of the NAAQS. Minor NSR programs may include a control technology requirement or require ambient air quality modeling to protect the NAAQS.

Once the application is complete, the reviewing authority makes a preliminary determination regarding the approvability of the permit application. For major NSR, this determination, along with the application and supporting information, is made available to the public for at least 30 days. The reviewing authority must then respond to public comments and take action on the final permit. Typically a final major NSR action must be taken on a permit by the reviewing authority within 1 year of receipt of a complete application. For minor NSR, the public comment period and deadline for a final permit action may be shorter.

In addition, the public and other permit applicants may use some of the data collected. The EPA operates a RACT/BACT/LAER Clearinghouse (RBLC)⁴ which contains many BACT and LAER determinations to aid applicants and reviewers in identifying reasonable and available control technologies. The Clean Air Act Amendments of 1990 require that the BACT or LAER information in each permit must be gathered by the reviewing authority and submitted for entry into the RBLC database as a reference for making future control technology determinations. Annual reports containing RBLC update information are also available to the public through the National Technical Information Service.

⁴ The RBLC is available on the EPA Technology Transfer Network (TTN) at <https://cfpub.epa.gov/RBLC/>.

3. NONDUPLICATION, CONSULTATIONS AND OTHER COLLECTION CRITERIA

3(a) NONDUPLICATION

1The information collection activities required under the NSR regulations are not routinely performed elsewhere by the EPA. However, similar information may be collected during the development of certain environmental impact statements (EIS). In such cases, regulations and policies require that information collected for the EIS and NSR programs be coordinated to the maximum extent possible so as to minimize duplicating the collection of data. Some of the required information also may already be available from states or other federal agencies. However, even when these data are available, they are not generally adequate to address completely the relevant NSR requirements.

3(b) PUBLIC NOTICE REQUIRED PRIOR TO ICR SUBMISSION TO OMB

On September 21, 2016 (81 FR 64902), the EPA published a notice announcing its intention to submit this ICR to the OMB. The comment period ended on November 21, 2016, and no comments were received.

3(c) CONSULTATIONS

1This ICR is a renewal of the existing ICR for the NSR program. It incorporates the same elements of the program that were included in the last renewal. However, since the previous renewal, the EPA has made changes to reduce the burden of the minor NSR program in Indian country (where state NSR programs do not apply) by promulgating “general permits” and “permits by rule” for 11 source categories that are common in Indian country, and by promulgating a Federal Implementation Plan (FIP) applicable to true minor oil and natural gas sources in Indian country.

In addition, prior to the last renewal, GHGs came under the PSD program. Provisions also were added to the PSD regulations that allowed for full implementation of the program for particulate matter less than 2.5 micrometers (PM_{2.5}), which resulted in an increase in the modeling required for PSD permits. The Flexible Air Permitting Rule also established policies that reduce total burden because of the reduction in the number of permit actions.

Extensive consultation through public hearings with environmental groups; industry; and state, local, tribal and federal agency representatives were conducted previously for all the actions that have affected the NSR rules covered by this ICR. Prior to the promulgation of the general permits, permits by rule and oil and natural gas FIP in Indian country, EPA conducted outreach on the rules via ongoing monthly meetings with tribal environmental professionals, as well as offering to engage in consultation on the proposed rules with elected tribal officials, which was declined. Also, prior to the previous ICR renewal, the EPA contacted the National Association of Clean Air Agencies (NACAA) to solicit input for that renewal of the ICR, but no comments were received. In the ICR renewal cycle before that, the EPA contacted NACAA, and changes were made to the burden estimates for certain activities performed by reviewing authorities consistent with NACAA’s input. These changes have been carried over in this renewal.

3(d) EFFECTS OF LESS FREQUENT COLLECTION

1The CAA defines the rate of reporting by sources, states and local entities. Consequently, less frequent collection is not possible.

3(e) GENERAL GUIDELINES

1The OMB's general guidelines for information collections must be adhered to by all federal agencies for approval of any rulemaking's collection methodology. In accordance with the requirements of 5 CFR 1320.5, the EPA believes:

1. The NSR regulations do not require periodic reporting more frequently than semi-annually.
2. The NSR regulations do not require respondents to participate in any statistical survey.
3. Written responses to EPA inquiries are not required to be submitted in less than 30 days.
4. Special consideration has been given in the design of the NSR program to ensure that the requirements are, to the greatest extent possible, the same for federal requirements and those reviewing authorities who already have preconstruction permitting programs in place.
5. Confidential, proprietary and trade secret information necessary for the completeness of the respondent's permit are protected from disclosure under the requirements of section 503(e) and section 114(c) of the CAA.
6. The NSR regulations do not require more than one original and two copies of the permit application, update or revision to be submitted to the EPA.
7. Respondents do not receive remuneration for the preparation of reports required by the CAA or 40 CFR part 49, 51 or 52.
8. To the greatest extent possible, the EPA has taken advantage of automated methods of reporting.
9. The EPA believes the impact of NSR regulations on small entities to be insignificant and not disproportionate.

The recordkeeping and reporting requirements contained in the NSR program do not exceed any of the PRA guidelines contained in 5 CFR 1320.5, except for the guideline which limits retention of records by respondents to 3 years. The CAA requires both respondents and state or local agencies to retain records for a period of 5 years. The justification for this exception is found in 28 U.S.C. 2462, which specifies 5 years as the general statute of limitations for federal claims in response to violations by regulated entities. The decision in U.S. v. Conoco, Inc., No. 83-1916-E (W.D. Okla., January 23, 1984) found that the 5-year general statute of limitations applied to the CAA.

3(f) CONFIDENTIALITY

1Confidentiality is not an issue for the NSR program. In accordance with the Clean Air Act Amendments of 1990, the information that is to be submitted by sources as a part of their permit applications and updates, applications for revisions and applications for renewals is a matter of public record. To the extent that the information required for the completeness of a federal permit is proprietary, confidential or of a nature that it could impair the ability of the source to

maintain its market position, that information is collected and handled subject to the requirements of §503(e) and §114(c) of the Act. Information received and identified by owners or operators as confidential business information (CBI) and approved as CBI by EPA, in accordance with title 40, chapter 1, part 2, subpart B--Confidentiality of Business Information (see 40 CFR 2) shall be maintained appropriately. States typically have similar provisions.

3(g) SENSITIVE QUESTIONS

1The consideration of sensitive questions (i.e., sexual, religious, personal or other private matters) is not applicable to the NSR program. The information gathered for purposes of establishing an NSR permit for a source do not include personal data on any owner or operator.

4. THE RESPONDENTS AND THE INFORMATION REQUESTED

4(a) RESPONDENTS/STANDARD INDUSTRIAL CLASSIFICATION (SIC) CODES

1Table 4-1 lists the industrial groups the EPA expects will contain the majority of the industrial respondents affected by the NSR program. These categories were chosen because of their historic relative incidence in seeking NSR permits as established in prior ICRs and confirmed by a nationwide air pollutant emission inventory developed by the EPA in 1986-87. These industries have been used as the basis for impact analysis since that inventory.

Table 4-1. Most Numerous Industrial Respondents by Industrial Group

Industry Group	SIC	NAICS [†]
Steam Electric Plants	491	221111, 22112, 22113, 221119, 221121, 221122
Petroleum Refining	291	32411
Chemical Processes	281	325181, 32512, 325131, 325182, 211112, 325998, 331311, 325188
Natural Gas Transport	492	48621, 22121, 48621
Pulp Mills	261	32211, 322121, 322122, 32213
Paper Mills	262	322121, 322122
Automobile Manufacturing	371	336111, 336112, 33612, 336211, 336992, 336322, 33633, 33634, 33635, 336399, 336212, 336213
Pharmaceuticals	283	325411, 325412, 325413, 325414

† North American Industry Classification System

The respondents also include state and local air regulatory agencies that serve as the reviewing authorities for the NSR program. Because of the national scope of the NSR program, these governmental respondents are in all 50 states as well as many U.S. territories. In total, we recognize up to 123 such state and local reviewing authorities, depending on the segment within the overall NSR program.

An exception to the list of affected industries in Table 4-1 applies to the minor NSR program in Indian country. For that program, the industrial groups expected to be most affected are listed in Table 4-2.

Table 4-2. Most Numerous Industrial Respondents by Industrial Group in Indian Country

Industry Group	NAICS
Animal food manufacturing	311119
Asphalt hot mix	324121
Auto body refinishing	811121
Beef cattle complex, slaughter house, and meat-packing plant	3116
Casting foundry (iron)	331511
Chemical preparation	3251
Clay and ceramics operations (kilns)	32711
Concrete batching plant	327320
Crude petroleum and natural gas extraction	211111
Dry cleaning and laundry services	812320
Electric power generation	22111
Fabricated metal products	3329
Fabricated structural metal	3323
Fiber glass operations	3279
Gasoline bulk plant	424710
Gasoline station (storage tanks, refueling)	4471
Grain elevator	424510
Machinery manufacturing	33311
Millwork (wood products manufacturing)	32191
Natural gas-distribution systems	221210
Natural gas liquid extraction (major source)	211112
Oil and gas production/operations (minor Oil & Gas)	21111
Other (natural gas-fired boilers)	72112 ^a
Printing operations	32311
Professional, scientific, and technical services	54171 ^b
Sand and gravel mining	212321
Sand- and shot-blasting operations	238990
Sawmills (minor source)	321113
Sawmills (major source)	321113
Sewage treatment facilities	221320
Softwood veneer and plywood manufacturing	321212

Industry Group	NAICS
Solid waste landfill	562212
Stone Mining and Quarrying	21231
Surface coating operations	332812
Wood kitchen cabinet manufacturing	337110

^a NAICS associated with “other” facilities is that for casino-hotels, which was the most frequently mentioned type of “other” facility.

^b This sector included based on natural gas-fired boilers.

4(b) INFORMATION REQUESTED

4(b)(i) DATA ITEMS, INCLUDING RECORDKEEPING REQUIREMENTS

1Tables A-1 and A-2 of Appendix A summarize the industry respondent data and information requirements that owners or operators of major sources must include in PSD and NNSR construction permit applications. The tables also include the appropriate references in 40 CFR part 51 for the data and information requirements that govern the way states implement NSR programs. For each reference in part 51, corresponding language will be found in part 52. In this ICR analysis, the minor NSR burden is for owners or operators of minor sources to submit information to demonstrate that they are exempt from the major source construction permit requirements and that they will not cause or contribute to a violation of any NAAQS and that they will meet all requirements of the applicable implementation plan. Because state minor NSR programs vary widely in form and requirements, it is not practical to list specific requirements for these programs other than the general requirements found in 40 CFR 51.160. The specific items required by the minor NSR program for Indian country are listed in Appendix A-3.

Table A-4 of Appendix A summarizes the data and information requirements that state and local reviewing authority respondents must meet for major NSR permits. Table A-4 also shows the part 51 references for the data and information requirements specified. Because of the variability of state minor NSR programs, it is not practical to list specific requirements for these programs other than the general requirements found in 40 CFR 51.160 and 51.161. The EPA is the reviewing authority for the minor NSR program in Indian country. Thus, state and local agencies are not respondents for that program.

4(b)(ii) RESPONDENT ACTIVITIES

1Table 6-1 lists the activities, burden and estimated costs for industry respondents under the NSR program under 40 CFR parts 49, 51 and 52. For the part C and D programs, these activities include three broad categories: Preparation and Planning; Data Collection and Analysis; and Permit Application. Within each of these categories, further subdivision of a source’s activities can be found. The EPA anticipates it will take 153 part C major sources an average of approximately 1,080 hours to complete each PSD application, for a total of 165,240 hours. Each of the 240 part D NSR sources will require an average of 642 hours, or a total of approximately 154,080 hours each year, to complete part D NA NSR applications. Each minor source will require an average of approximately 40 hours to complete its application requirements, for a total of 2,920,000 hours across both state and local minor NSR programs and the minor NSR program in Indian country.

Table 6-2 lists the activities, burden and estimated costs for state and local reviewing authority respondents under the NSR program. We estimate that it will take these agencies an average of approximately 355 hours to complete each of the estimated 153 PSD applications, for a total of 54,315 hours annually. For each of the 240 part D NSR applications, we believe an average of 128 hours will be required, totaling approximately 30,720 hours each year. Each minor NSR application for state and local minor NSR programs will require an average of approximately 30 hours, for an annual total of 2,190,000 hours. State and local agencies do not act as reviewing authorities for minor NSR program in Indian country. In addition, state and local reviewing authority respondents are expected to submit state implementation plan (SIP) revisions to conform their rules to amendments to the major NSR regulations in part 51. We estimate an average of 58 SIP revisions per year, each requiring 40 hours to prepare for a total of 2,320 hours annually.

5. THE INFORMATION COLLECTED – AGENCY ACTIVITIES, COLLECTION METHODOLOGY AND INFORMATION MANAGEMENT

5(a) AGENCY ACTIVITIES

Table 6-3 lists the EPA's activities associated with NSR permitting. These activities generally involve oversight review of state and local reviewing authorities' major NSR permitting actions and more complicated minor NSR actions to verify that the requirements of the CAA and the implementing part 51 and 52 regulations are being met. In addition, the EPA will have to review the SIP revisions submitted by the reviewing authorities. Finally, the EPA serves as the reviewing authority for the minor NSR program in Indian country.¹

5(b) COLLECTION METHODOLOGY AND MANAGEMENT

¹The owners and operators of new or modified stationary sources affected by the NSR regulations will be responsible for submitting construction permit applications to the reviewing authority. The reviewing authority will log in permit applications, store applications in a central filing location at the reviewing authority's offices, notify the Federal Land Manager (FLM) and provide a copy of the application (if applicable), and transmit copies of each application to the EPA. Once construction permits have been approved, the reviewing authority will submit control technology information to the EPA's RBLC database. Because the construction permits and associated control technology determinations are performed on a case-by-case basis, the regulations will not contain additional forms that owners or operators would have to fill out and submit to the reviewing authority. States will likely use their current permit application forms for NSR purposes. The NSR program in Indian country is an exception – the EPA has developed application forms for the registrations and permits required under that program.

Qualified personnel who work for the reviewing authority will perform permit reviews and check the quality of data submitted by the applicant on a case-by-case basis. The applicant will be required to submit information on how the data were obtained (e.g., indicate whether emissions data were obtained through the use of emissions factors or test data) and how the calculations were performed. The reviewing authority personnel will check data quality by reviewing test

data and checking engineering calculations, and by reviewing control technology determinations for similar sources. The RBLC and other sources will be reviewed for information on control technology determinations made for sources similar to the sources included in the permit application. Confidential information submitted by the applicant will be handled according to the reviewing authority's confidential information handling procedures. The public will be provided the opportunity to review a permit application and other materials relevant to the reviewing authority's decision on issuing the permit, including FLM findings, by obtaining a copy from the reviewing authority or by attending the public hearing. The NSR regulations will not require information through any type of survey.

5(c) SMALL ENTITY FLEXIBILITY

¹The Regulatory Flexibility Act (RFA) requires regulatory agencies, upon regulatory action, to assess that action's potential impact on small entities (businesses, governments, and small non-governmental organizations) and report the results of the assessments in (1) an Initial Regulatory Flexibility Analysis (IRFA), (2) a Final Regulatory Flexibility Analysis (FRFA), and (3) a Certification. For ICR approval, an agency must demonstrate that it "has taken all practicable steps to develop separate and simplified requirements for small businesses and other small entities" (5 CFR 1320.6(h)). In addition, the agencies must assure through various mechanisms that small entities are given an opportunity to participate in the rulemaking process.

A Regulatory Flexibility Act Screening Analysis (RFASA) developed as part of a 1994 draft Regulatory Impact Analysis (RIA) and incorporated into the September 1995 ICR renewal analysis reported an initial regulatory flexibility screening analysis showed that the changes to the NSR program due to the 1990 Clean Air Act Amendments would not have an adverse impact on small entities.² This analysis encompassed the entire universe of applicable major sources that were likely to also be small-businesses. The Agency estimates there are approximately 50 "small business" major sources.³ Because the administrative burden of the NSR program are the primary source of the NSR program's regulatory costs, the analysis estimated a negligible "cost to sales" (regulatory cost divided by the business category mean revenue) ratio for this source group. Currently, there is no economic basis for a different conclusion at this time.

¹The Agency may not, under any circumstances, exempt a major source of air pollution. Since the impacts of NSR regulations which may impact small entities are predominantly to major sources, little room exists for regulatory flexibility to avert the impact of the proposed rulemaking on small entities through exemption.

¹Even though the NSR program is not anticipated to have an adverse impact on a significant number of small businesses, measures are in place to assist in those incidental exceptions. Implementation of small business stationary source technical and environmental compliance assistance programs, as called for in section 507 of the CAA (at the federal and state levels) can reduce the reporting burden of small entities which are subject to major NSR. These programs

²² "Economic Assessment of the Impacts of Part C and D Regulatory Changes," June 2, 1994.

³³ The definition for "small business" employed for all SIC categories in this analysis was any business employing fewer than 500 employees.

may significantly alleviate the economic burden on small sources by establishing: (1) programs to assist small businesses with determining what CAA requirements apply to their sources and when they apply and (2) guidance on alternative control technology and pollution prevention for small businesses. In addition, under the minor NSR program in Indian country, the EPA has developed general permits and permits by rule for some source categories to simplify the permitting process, as well as a FIP to cover true minor sources in the oil and natural gas segment.

5(d) COLLECTION SCHEDULE

1 Respondents are not subjected to a collection schedule per se under NSR permitting regulations of parts 49, 51 and 52. In general, each affected source is required to submit an application as a prerequisite to receiving a construction permit. Preparation of a construction permit application is a one-time-only activity for each project involving construction of a new source or modification of an existing source. The applicable SIP typically states the time period that is necessary to process a permit application and issue a permit; consequently, a prospective source would be obliged to work backward from the hopeful commencement of construction to determine the optimum submittal date for the application. The NSR permit regulations will not require periodic reporting or surveys.

6. ESTIMATING THE BURDEN AND COST OF THE COLLECTION

6(a) ESTIMATING RESPONDENT BURDEN

Table 6-1 identifies the average burden by activity for the industrial respondents. The average burden has increased for some part C (PSD) permit activities since the last renewal as a result of a U.S. Supreme Court ruling that eliminated PSD permitting for GHG-only sources. Although the PSD burden for the remaining types of sources is unchanged from the last renewal, the elimination of the GHG-only sources from the program, with their smaller burden for some activities, caused the average burden for the sources that remain in the program to rise. As a result, the average burden for an industrial respondent has increased from 1,006 hours per PSD permit to 1,080 hours. An estimated 6 percent of the part C (PSD) permit applications, or nine applicants, will require preconstruction air quality monitoring. This percentage has been reduced from 12 percent in the last renewal based on experience with the program. The associated direct start-up cost is estimated at \$392,836 per source. This value was derived by applying the Bureau of Labor Statistics' (BLS') online inflation calculator to the value used in the last renewal (\$366,006).⁵ The industry respondent burden for a part D (NNSR) permit remains unchanged from the last renewal.

In the last renewal, the burden for industry respondents for the minor NSR program in Indian country was kept separate from the state/local program burden. For this renewal, we have combined the burden for these two minor NSR programs. Taken together, the average minor

⁵ <http://data.bls.gov/cgi-bin/cpicalc.pl?cost1=366006.00&year1=2011&year2=2016>, accessed on November 10, 2016. This online calculator provides the inflation in the Consumer Price Index between any two years. In this case, we entered the amount in 2011 dollars (\$366,006) and retrieved the inflated value in 2016 dollars (\$392,836).

NSR burden for an industry respondent is about 40 hours. This averages the expected burden across all types of minor NSR permits, including new minor sources, new synthetic minor sources, synthetic-based modifications, true minor modifications, netting-based minor modifications, registrations, requests for coverage under a general permit, notifications of coverage under a permit by rule, and minor/administrative permit revisions.

Table 6-2 identifies the average burden by activity for the state and local reviewing authority respondents. Changes that were made for the 2008 renewal pursuant to consultation with NACAA to more accurately reflect the burdens of these activities have been retained in this renewal. Since the last renewal, the per-permit burden for a PSD permit has increased from 336 hours to 355 hours as a result of the same U.S. Supreme Court ruling noted above for the industry respondents. The burden for a part D permit remains unchanged from the last renewal at 128 hours per permit. Although nothing has changed from the last ICR renewal for state and local reviewing authority respondents, we have rounded the weighted average of about 29 hours per permit up to 30 hours per permit to better reflect the uncertainty inherent in these estimates. Note that the EPA, rather than state and local agencies, acts as the reviewing authority under the minor NSR program in Indian country, so the reviewing authority burden for that program does not fall on state and local reviewing authority respondents.

6(b) ESTIMATING RESPONDENT COSTS

16(b)(i) ESTIMATING LABOR COSTS

In this ICR, nearly the entire burden for all respondents (and the EPA) is treated as a labor cost. The explanation for the absence of capital and operations and maintenance costs appears below in sections 6(b)(ii) and 6(b)(iii). There is only an annual value of the costs of the ICR burden, which is equal to the cost of the first yearly outlay. The same annual ICR burden and cost are reported for each year because the EPA projects that the yearly average number of permit applications will be constant over the term of the ICR.

In order to improve the accuracy of cost estimates, this renewal ICR updates the wage rates to values in 2016 dollars and changes the methodology slightly to eliminate what we believe was double counting of the cost of benefits in the last renewal. To derive the labor rate for industry respondents, we obtained the mean hourly wage for Environmental Engineers of \$42.33 from the most recent BLS Occupational Employment Statistics, which gives wages as of May 2015.⁶ We escalated the hourly wages to June 2016 using the BLS Employment Cost Index (ECI) for private industry workers, resulting in hourly wages of \$43.43.⁷ The escalation calculation for Environmental Engineers is as follows:

⁶ Environmental Engineer hourly wages obtained from “Occupational Employment Statistics, Occupational Employment and Wages, May 2015, 17-2081 Environmental Engineers,” U.S. Dept. of Labor, BLS. (<http://www.bls.gov/oes/current/oes172081.htm> accessed August 2016).

⁷ Employment Cost Index for sources obtained from “Employment Cost Index Historical Listing, Table 2. Employment Cost Index for wages and salaries, by occupational group and industry (Seasonally adjusted),” U.S. Dept. of Labor, BLS, pg. 29 Private Industry Workers - All Workers. (<http://www.bls.gov/web/eci/echistrynaics.pdf> accessed August 2016).

$$Wage_{June2016} = Wage_{May2015} \times \frac{ECI_{June2016}}{ECI_{June2015}}$$

$$Wage_{June2016} = \$42.33 \times \frac{126.0}{122.8} = \$43.33$$

Finally, to determine the total labor rate, we assumed a 100 percent factor to account for benefits and overhead, which we believe to be representative. The resultant rate was rounded to the nearest dollar, yielding \$87.00 per hour in 2016 dollars. This labor rate was applied to all industry respondent burden hours to calculate the sources' labor costs.

Assuming that approximately 6 percent of the industrial respondents submitting part C (PSD) permit applications will conduct preconstruction ambient air quality monitoring, we estimated that nine applicants will be required to conduct such monitoring. The average cost for this activity is estimated to be \$392,836, which is the inflation-adjusted figure based on the value of \$366,006 included in the last ICR renewal. As noted previously, this inflation adjustment was made using the BLS' online inflation calculator.

The updated labor rate used for reviewing authority respondents in this ICR renewal was determined similarly to that above for industry respondents. For reviewing authorities, we assumed that permit engineers are all Environmental Engineers, but experience tells us that these positions are typically filled by younger engineers, early in their careers. For this reason, we selected the 25th percentile hourly wage of \$31.06 for Environmental Engineers from the same recent BLS Occupational Employment Statistics publication that we used for industry respondents. We escalated this May 2015 hourly wage to June 2016 as discussed above using the ECI for state and local government workers, resulting in hourly wages of \$31.65.⁸ As above, we assumed a 100 percent factor to account for benefits and overhead and rounded the resultant rate to the nearest dollar, yielding \$63.00 per hour in 2016 dollars.

6(b)(ii) ESTIMATING CAPITAL AND OPERATIONS AND MAINTENANCE COSTS

Even if an applicant is a brand new company and the prospective source is a "greenfield" source (the EPA estimates less than 1 percent of the combined number of major and minor industrial respondents fit that description) most, and perhaps all, of the equipment needed to prepare permit applications (for example, the computers and basic software) will be part of the source's business operation inventory. Furthermore, much of the data and regulatory and policy information for making technology determinations and even models for performing ambient air impact analyses are available in electronic form from several different EPA web sites for just the communication charges, which are typically absorbed in routine business overhead expenses.

⁸ Employment Cost Index for reviewing authorities obtained from "Employment Cost Index Historical Listing, Table 2. Employment Cost Index for wages and salaries, by occupational group and industry (Seasonally adjusted)," U.S. Dept. of Labor, BLS, pg. 45 State and Local Government Workers - Public Administration. (<http://www.bls.gov/web/eci/echistrynaics.pdf> accessed August 2016).

Since the purchase of capital equipment is believed to be an insignificant factor in permit application preparation, the EPA assumes the operation, maintenance, or services for same are negligible. Further, once a permit is issued, there is no operations and maintenance cost associated with it. It remains unaltered unless the source or the reviewing authority discovers specific reasons to reexamine it and change any conditions or specifications. If purely administrative, the changes are handled exclusively by the reviewing authority. If changes have the potential for environmental consequences, the action may be significant enough to be counted as a separate and new application, to which a new burden and cost may be ascribed.

6(b)(iii) CAPITAL/START-UP OPERATING AND MAINTENANCE (O&M) COSTS

Capital/start-up and O&M costs are non-labor related costs. One-time capital/start-up costs are incurred with the purchase of durable goods needed to provide information. According to the PRA, capital/start-up cost should include among other items, preparations for collecting information such as purchasing computers and software, monitoring, sampling, drilling and testing equipment. As a practical matter, these costs are not typical of the costs associated with preparing a major or minor source permit application. For the same reason, the O&M costs associated with start-up capital equipment are zero for most of the sources for this ICR. However, as shown in Table 6-1, 9 of the 153 part C (PSD) permit applications each year are projected to require preconstruction air quality monitoring, which costs a total \$3,535,524. This one-time cost includes pre-application monitoring of air quality via contract services.

6(b)(iv) ANNUALIZING CAPITAL COSTS

Typically annualized capital cost would be derived from a discounted net present value of the stream of costs that would occur over the life of the permit, or the ICR, whichever is shorter. However, in the case of NSR, there are only labor costs for preparing and processing permit applications. Labor costs are expensed when incurred and not amortized. Therefore, the capital costs for NSR permitting are zero.

6(c) ESTIMATING AGENCY BURDEN AND COST

1Staff in the EPA's Regional Offices typically review major NSR permits and more complicated minor NSR permits issued by state and local reviewing authorities. In addition, Regional Office staff also serve as the reviewing authority for the minor NSR program in Indian country. The EPA expects its review of NSR permits to comprise the tasks listed in Table 6-3. The cost estimate uses a "loaded" labor rate of \$54 per hour. The rate reflects the assumption that the staff reviewing permits are classified as Grade 12 Step 5. The corresponding salary is loaded with benefits at the rate of 60 percent.⁹

6(d) ESTIMATING THE RESPONDENT UNIVERSE AND TOTAL BURDEN AND COST

1For the purpose of estimating burden in this ICR, the respondent universe is defined by the annual number of permit applications prepared by major and minor sources, and the annual

⁹ Federal Labor Cost obtained from U.S. Office of Personnel Management 2016 General Schedule Table 2016-GS. Hourly labor rate assumed is GS-12, Step 5 (Technical Labor).

number of permit applications processed by state and local reviewing authorities. The annual number of part C (PSD) and part D (NNSR) permits for this ICR renewal is based on research into the actual number of such permits issued in recent years, which has resulted in a significant decrease from the last renewal.¹⁰ The number of minor NSR permits is based on the state/local minor NSR program permits in last ICR renewal, combined with the anticipated number of minor NSR permits in Indian country. The latter component of the minor NSR program was reassessed and significantly reduced to account for the continued implementation of the program (e.g., having moved beyond the requirement for registration of existing sources), the experience with the actual number of permits to date and the projected use of the FIP for sources in the oil and natural gas industry in coming years.

An updated number of reviewing authorities was determined for this analysis based on review of the EPA Regional Office websites. This review found that the number of reviewing authorities varies by program as follows: 123 for minor NSR, 118 for NNSR, and 86 for PSD. This analysis also uses the appropriate source count for individual permit-related items (e.g., attending pre-application meetings with the source). The resulting number of responses for this ICR renewal is then estimated to be as follows:

1. 153 part C (PSD) permit applications prepared by industry.
2. 240 part D (NNSR) permit applications prepared by industry.
3. 73,000 minor NSR permit applications prepared by industry.
4. 153 part C (PSD) permit applications processed by state and local reviewing authorities.
5. 240 part D (NNSR) permit applications processed by state and local reviewing authorities.
6. 73,000 minor NSR permit applications processed by state and local reviewing authorities.

For each category of permit application, the total number of responses is twice the number of permit applications (i.e., one “response” by the applicant and one by the reviewing authority for each permit). In addition, many reviewing authorities must submit changes to their existing SIP programs or demonstrate that their existing programs are at least equivalent to the EPA’s new requirements. Over the next 3 years, we estimate that 172 SIP revisions will be submitted, covering revisions for purposes of the 1997 particulate matter (PM) NAAQS, the 2006 PM NAAQS, the PM_{2.5} Implementation Rule, the PSD Permit Rescission Rule, the Electronic Permit Notice Rule, and the GHG Significant Emissions Rate Rule. Rounding upward to be conservative, this comes to an average of 58 per year.

¹⁰ For PSD permits, the estimate comes from EPA research into permits issued from 2011-2014 as documented in the “Economic Impact Analysis for the Revisions to the Prevention of Significant Deterioration and Title V Greenhouse Gas Permitting Regulations and Establishment of a Significant Emissions Rate for Greenhouse Gas Emissions under the Prevention of Significant Deterioration Program; Proposed Rule,” EPA-452/R-16-001, September 2015. For NNSR, the estimate comes from EPA research into permits issued from 2010-2014 carried out for the same rulemaking. In both cases, the RBLC and state websites were consulted. At the time the research was carried out in 2015, 2014 was the last full year of data. The study examined data on PSD permits starting in 2011 because that was the first year in which GHGs had to be included for anyway sources.

The total annual effort for industry respondents submitting Part C (PSD) permit applications is 165,240 hours, and the corresponding annual cost is \$17,911,404. The total annual effort for industry respondents submitting part D (NNSR) permit applications is 154,080 hours, and the corresponding annual cost is \$13,404,960. The total annual effort for industry respondents submitting minor NSR permit applications is 2,920,000 hours, and the corresponding annual cost is \$254,040,000. For industry respondents, the overall total annual effort is 3,239,320 hours and \$285,356,364.

The total annual effort for state and local reviewing authority respondents processing part C (PSD) permit applications is 54,315 hours, and the corresponding annual cost is \$3,421,845. The total annual effort for state and local respondents processing part D (NNSR) permit applications is 30,720 hours, and the corresponding annual cost is \$1,935,360. The total annual effort for state and local reviewing authority respondents processing minor NSR permits is 2,190,000 hours, and the corresponding annual cost is \$137,970,000. State and local respondents also will spend approximately 2,320 hours for SIP revisions, at an annual cost of \$146,160. For the state and local respondents, the overall total annual effort is 2,277,355 hours and \$143,473,365.

6(e) BOTTOM LINE BURDEN HOURS AND COST TABLES

16(e)(i) RESPONDENT TALLY

Table 6-4 summarizes the estimated burden and cost to industry respondents, state and local agency respondents, and the EPA for submittal and processing of NSR permit applications and the issuance of the permits. It also includes the cost to the respective respondents and reviewing authorities for nonapplicability findings, which preclude sources from further major source requirements. For industry and state and local agency respondents, the overall total annual burden is 5,516,675 hours and \$ \$428,829,729.

6(e)(ii) THE AGENCY TALLY

The total annual effort for the EPA for processing part C (PSD) permit applications is 2,448 hours, and the corresponding annual cost is \$132,192. The total annual effort for the EPA for processing part D (NNSR) permit applications is 3,840 hours, and the corresponding annual cost is \$207,360. The total annual effort for the EPA for reviewing complex minor NSR permits in state/local programs and for serving as the reviewing authority for the minor NSR program in Indian country is 10,500 hours, and the corresponding annual cost is \$567,000. For the EPA, the overall total annual effort is 17,078 hours and \$922,212.

6(e)(iii) VARIATIONS IN THE ANNUAL BOTTOM LINE

The annual burden and cost is not projected to vary significantly over the 3-year period of this ICR. The NSR program overall is now mature, and even the minor NSR program in Indian country will have completed the phase-in portion of its implementation during the period of this ICR. While the actual number of permit actions can be expected to vary from year to year, no systematic variation or trend is expected.

6(f) REASONS FOR CHANGE IN BURDEN

1The burden has been reduced since the previous renewal due to the factors listed below:

- The U.S. Supreme court ruled that GHG emissions alone cannot trigger the requirement to obtain a PSD permit. This ruling eliminated 919 permits that were included in the last ICR revision, reducing the annual number of permits from 1,610 to 691. This results in an annual burden reduction for sources of over 790,000 hours and for reviewing authorities of over 276,000 hours.
- The EPA reassessed the actual number of PSD and NNSR permits that are applied for and issued each year based on recent experience. This further reduced the number of PSD permits by 538 to a total of 153 per year (a burden reduction of nearly 660,000 hours for sources and 210,000 hours for reviewing authorities).
- The implementation of the minor NSR program in Indian country has progressed beyond the phase where existing sources were required to register with the EPA. In addition, actual experience with the program has revealed that the number of sources requiring permits under the program is far smaller than previously projected. Finally, some general permits and permits by rule have been created for common source categories, and a FIP has been created to cover true minor sources in the oil and natural gas industry. These factors have reduced both the number of sources that must be addressed and the burden associated with certain types of sources under this program. In all, the number sources to be addressed was reduced by over 95 percent (over 12,000 per year) and total annual burden for sources was reduced by over 470,000 hours per year. In the face of this drastic burden reduction for the minor NSR program in Indian country, we have integrated this program into the state/local minor NSR program for this ICR renewal.

Also contributing to the decrease in cost has been a change in the methodology for calculating labor rates. In the last renewal, wage rates were based on BLS statistics that included the cost of benefits, and were then multiplied by a factor of 2.1 (for industry) or 2.0 (for states) to account for overhead. The EPA now believes that these multipliers are unreasonably large for overhead alone, and we suspect that they were originally meant to include both benefits and overhead. Accordingly, in this ICR renewal we have used BLS statistics to obtain wage rates for Environmental Engineers not including benefits, and applied a multiplier of 2.0 to account for benefits and overhead. In addition, the rates were recalculated using 2016 values for wages.

6(g) BURDEN STATEMENT

1The average burden on an industrial respondent submitting a part C (PSD) permit application is 1,080 hours. The average burden on an industrial respondent submitting a part D (NNSR) permit application is 642 hours. The average burden on an industrial respondent submitting a minor NSR permit application is about 40 hours.

The average annual burden on a state or local reviewing authority respondent processing a part C (PSD) permit application is 355 hours. The average annual burden on a state or local reviewing authority respondent processing a part D (NNSR) permit application is 128 hours. The average annual burden on a state or local agency respondent processing a minor NSR permit application

is about 30 hours. The average annual burden on a state or local reviewing authority submitting a SIP revision is 40 hours.

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, verifying, processing, maintaining, disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for the EPA's regulations are listed in 40 CFR part 9 and 48 CFR Chapter 15.

For those interested in commenting on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including the use of automated collection techniques, the EPA has established a public docket for this ICR under Docket ID No. EPA-HQ-OAR-2011-0901, which is available for online viewing at www.regulations.gov, or in person viewing at the EPA Docket Center, WJC West, Room 3334, 1301 Constitution Avenue, 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 EPA Docket Center is (202) 566-1744. An electronic version of the public docket is available at www.regulations.gov. This site can be used to submit or view public comments, access the index listing of the contents of the public docket, and to access those documents in the public docket that are available electronically. Once in the system, select "search," then key in the docket ID number identified above. Also, you can send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, DC 20503, Attention: Desk Office for EPA. Please include the EPA Docket ID No. EPA-HQ-OAR-2011-0901 and OMB control number 2060-0003 in any correspondence.

Table 6-1. Industrial Respondent Burden and Cost (Annual)

Activity	Units	Hours per Unit	Annual Hours	Annual Cost
I. Part C (PSD)				
A. Preparation and Planning				
Determination of Compliance Requirements	153	170	26,010	\$2,262,870
Obtain Guidance on Data Needs	153	172	26,316	\$2,289,492
Preparation of BACT Analysis	153	156	23,868	\$2,076,516
B. Data Collection and Analysis				
Air Quality Modeling	153	260	39,780	\$3,460,860
Determination of Impact on Air Quality Related Values	153	130	19,890	\$1,730,430
Post-construction Air Quality Monitoring	153	65	9,945	\$865,215
C. Permit Application				
Preparation and Submittal of Permit Application	153	60	9,180	\$798,660
Public Hearings	153	27	4,131	\$359,397
Revisions to Permit	153	40	6,120	\$532,440
D. Subtotal Burden		1,080	165,240	\$14,375,880
E. Direct Costs for Pre-construction Air Quality Monitoring	9			\$3,535,524
F. Total Costs				\$17,911,404
II. Part D (NNSR)				
A. Preparation and Planning				
Determination of Compliance Requirements	240	150	36,000	\$3,132,000
Obtain Guidance on Data Needs	240	100	24,000	\$2,088,000
B. Data Collection and Analysis				
Preparation of LAER Engineering Analysis	240	52	12,480	\$1,085,760
Demonstrate Offsets	240	52	12,480	\$1,085,760
Prepare Analysis of Alternative Sites, Processes, etc.	240	60	14,400	\$1,252,800
Air Quality Modeling	240	130	31,200	\$2,714,400
C. Permit Application				
Preparation and Submittal of Permit Application	240	49	11,760	\$1,023,120
Public Hearings	240	25	6,000	\$522,000
Revisions to Permit	240	24	5,760	\$501,120
D. Total		642	154,080	\$13,404,960
III. Minor NSR - State/Local and Indian Country Programs				
A. Preparation and Submittal of Registrations and Permit Applications	73,000	40	2,920,000	\$254,040,000
IV. GRAND TOTAL	73,393		3,239,320	\$285,356,364

Table 6-2. State and Local Respondent Burden and Cost (Annual)

Activity	Units	Hours per Unit	Annual Hours	Annual Cost
I. Part C (PSD)				
A. Attend Preapplication Meetings	153	51	7,803	\$491,589
B. Answer Respondent Questions	153	31	4,743	\$298,809
C. Log In and Review Data Submissions	153	25	3,825	\$240,975
D. Request Additional Information	153	10	1,530	\$96,390
E. Analyze for and Provide Confidentiality Protection	153	24	3,672	\$231,336
F. Prepare Completed Applications for Processing	153	40	6,120	\$385,560
G. File and Transmit Copies	153	8	1,224	\$77,112
H. Prepare Preliminary Determination	153	42	6,426	\$404,838
I. Prepare Notices for and Attend Public Hearings	153	43	6,579	\$414,477
J. Application Approval	153	52	7,956	\$501,228
K. Notification of Applicant of PA Determination	153	8	1,224	\$77,112
L. Submittal of Information on BACT/LAER to RBLC	153	21	3,213	\$202,419
M. Total		355	54,315	\$3,421,845
II. Part D (NNSR)				
A. Attend Preapplication Meetings	240	7	1,680	\$105,840
B. Answer Respondent Questions	240	10	2,400	\$151,200
C. Log In and Review Data Submissions	240	10	2,400	\$151,200
D. Request Additional Information	240	4	960	\$60,480
E. Analyze for and Provide Confidentiality Protection	240	4	960	\$60,480
F. Prepare Completed Applications for Processing	240	16	3,840	\$241,920
G. File and Transmit Copies	240	4	960	\$60,480
H. Prepare Preliminary Determination	240	10	2,400	\$151,200
I. Prepare Notices for and Attend Public Hearings	240	19	4,560	\$287,280
J. Application Approval	240	21	5,040	\$317,520
K. Notification of Applicant of PA Determination	240	2	480	\$30,240
L. Submittal of Information on BACT/LAER to RBLC	240	21	5,040	\$317,520
M. Total		128	30,720	\$1,935,360
III. Minor NSR - State/Local Programs				
Preparation and Issuance of Minor NSR Permits	73,000	30	2,190,000	\$137,970,000
IV. SIP Revisions				
Revision of SIP	58	40	2,320	\$146,160
V. GRAND TOTAL	73,451		2,277,355	\$143,473,365

Table 6-3. Agency Burden and Cost (Annual)

Activity	Units	Hours per Unit	Annual Hours	Annual Cost
I. Part C (PSD)				
A. Review and Verify Applicability Determination	153	2	306	\$16,524
B. Review Control Technology Determination	153	4	612	\$33,048
C. Evaluate Air Quality Monitoring	153	1	153	\$8,262
D. Evaluate Alternative and Secondary Impact Analysis	153	5	765	\$41,310
E. Evaluate Class I Area Analysis	153	3	459	\$24,786
F. Administrative Tasks	153	1	153	\$8,262
G. Total		16	2,448	\$132,192
II. Part D (NNSR)				
A. Review and Verify Applicability Determination	240	2	480	\$25,920
B. Review Control Technology Determination	240	4	960	\$51,840
C. Evaluate Offsets	240	1	240	\$12,960
D. Evaluate Air Quality Monitoring	240	5	1,200	\$64,800
E. Evaluate Alternative and Secondary Impact Analysis	240	3	720	\$38,880
F. Administrative Tasks	240	1	240	\$12,960
G. Total		16	3,840	\$207,360
III. Minor NSR - State/Local and Indian Country Programs				
Review Synthetic/Netting-Based State/Local Minor NSR Permits and Act as RA in Indian Country	3,500	3	10,500	\$567,000
IV. SIP Revisions				
Review of SIP Revisions	58	5	290	\$15,660
V. GRAND TOTAL	3,951		17,078	\$922,212

Table 6-4. NSR Program Information Collection Annual Burden Summary

		Total				Per Unit		
		Part C (PSD)	Part D (NNSR)	Minor NSR	Cumulative Total ^{a+b}	Part C (PSD)	Part D (NNSR)	Minor NSR
Number of Responses ^a		306	480	146,000	146,844			
Respondent Annual Burden Hours	Industry	165,240	154,080	2,920,000	3,239,320	1,080	642	40
	State/Local	54,315	30,720	2,190,000	2,277,355	355	128	30
	Industry and State/Local Agency Totals	219,555	184,800	5,110,000	5,516,675	1,435	770	70
	Federal (Agency) Burden	2,448	3,840	10,500	17,078	16	16	3
Program Grand Total Burden		222,003	188,640	5,120,500	5,533,753	1,451	786	^g
Respondent Annual Cost ^c	Industry Labor ^d	\$14,375,880	\$13,404,960	\$254,040,000	\$281,820,840	\$93,960	\$55,854	\$3,480
	Other Direct Costs ^e	\$3,535,524	\$0	\$0	\$3,535,524	\$392,836	\$0	\$0
	Total Industry Costs ^f	\$17,911,404	\$13,404,960	\$254,040,000	\$285,356,364	\$117,068	\$55,854	\$3,480
	State/Local Costs	\$3,421,845	\$1,935,360	\$137,970,000	\$143,473,365	\$22,365	\$8,064	\$1,890
	Industry and State/Local Agency Totals	\$21,333,249	\$15,340,320	\$392,010,000	\$428,829,729	\$139,433	\$63,918	\$5,370
Agency Annual Costs		\$132,192	\$207,360	\$567,000	\$922,212	\$864	\$864	\$162
Program Grand Total Costs		\$21,465,441	\$15,547,680	\$392,577,000	\$429,751,941	\$140,297	\$64,782	^g

(a) The number of responses is twice the number of permitting actions for a given category due to (1) the applicant preparing the application, and (2) the state/local reviewing authority reviewing and issuing the permit.

(b) The reviewing authorities are expected to submit an average of 58 SIP revisions per year totaling 2,320 hours and \$146,160 to conform their major NSR programs to the revised rules. The EPA will review the 58 SIP revisions per year, totaling 290 hours and \$15,660. These figures are added into the Cumulative column.

(c) Costs are in current (2016) dollars and represent one-time permit application costs.

(d) The EPA estimates that 30% of the in-house hourly burden may be contracted, but because it is at the discretion of the applicant, the cost has not been converted to direct cost. Furthermore EPA assumes the labor rate would remain the same, in which case there is no impact on total annual costs.

(e) These direct costs are primarily for 9 PSD sources (approximately 6% of the 153 sources that are subject to PSD) at \$392,836 per source, for pre-application monitoring of air quality via contract services. This cost is not incurred by Part D or minor NSR permit applicants.

(f) Per unit cost for PSD permits reflects the direct cost for pre-application monitoring averaged over all PSD permits. The estimated nine sources that require preconstruction monitoring are estimated to incur an average total cost of \$486,796 per application. The others will incur an average of \$93,960.

(g) It would not be meaningful to sum the Respondent and EPA per unit burden and costs for minor NSR permits because the EPA's per unit values are based on many fewer minor NSR permits than are the Respondents'. This is because the EPA reviews only a fraction of the minor NSR permit actions each year.

APPENDIX A

INFORMATION REQUIREMENTS

**TABLE A-1. INDUSTRY RESPONDENT DATA AND
INFORMATION REQUIREMENTS FOR
PREPARING PART C (PSD) CONSTRUCTION PERMITS**

Requirement	Regulation Reference
All information necessary to perform any analysis or make any determination required	40 CFR 51.166(n)(1)
Description of the nature, location, design capacity, and typical operating schedule	40 CFR 51.166(n)(2)(i)
Detailed schedule for construction	40 CFR 51.166(n)(2)(ii)
Description of continuous emission reduction system, emission estimates, and other information needed to determine that BACT is used	40 CFR 51.166(n)(2)(iii)
Air quality impact, meteorological, and topographical data	40 CFR 51.166(n)(3)(i)
Nature and extent of, and air quality impacts of general commercial, residential, industrial, and other growth in area of source	40 CFR 51.166(n)(3)(ii)
Use of air quality models to demonstrate compliance with NAAQS and increment	40 CFR 51.166(k) & (l)
Air quality monitoring data	40 CFR 51.166(m)
Impairment of visibility, soils, and vegetation	40 CFR 51.166(o)(1)
Air quality impact resulting from general commercial, residential, industrial, and other growth associated with source	40 CFR 51.166(o)(2)
Written notice of proposed relocation from portable source	40 CFR 51.166(i)(1)(iii) (d)
Description of the location, design construction, and operation of building, structure, facility, or installation	40 CFR 51.160(c)(2)
Description of the nature and amounts of emissions to be emitted	40 CFR 51.160(c)(1)
Description of the air quality data and dispersion or other air quality modeling used	40 CFR 51.160(f)
Sufficient information to ensure attainment and maintenance of NAAQS	40 CFR 51.160(c)-(e), 40 CFR 51.161-163

**TABLE A-2. INDUSTRY RESPONDENT DATA AND
INFORMATION REQUIREMENTS FOR
PREPARING PART D (NNSR) CONSTRUCTION PERMITS**

Requirements	Regulation Reference
Documentation that LAER is being applied	40 CFR 51.165(a)(2); 40 CFR part 51, Appendix S, section IV.A; 40 CFR 52.24(k)
Documentation that all sources owned or operated by same person are in compliance	40 CFR 51.165(a)(2); 40 CFR part 51, Appendix S, section IV.A; 40 CFR 52.24(k)
Documentation that sufficient emissions reductions are occurring to comply with specific offset requirements and to ensure RFP	40 CFR 51.165(a)(3); 40 CFR part 51, Appendix S, section IV.A; 40 CFR 52.24(k)
Documentation that benefits of proposed source significantly outweigh the environmental and social costs imposed as a result of its location, construction, or modification	40 CFR 51.165(a)(2)
Description of the location, design construction, and operation of building, structure, facility, or installation	40 CFR 51.160(c)(2)
Description of the nature and amounts of emissions to be emitted	40 CFR 51.160(c)(1)
Description of the air quality data and dispersion or other air quality modeling used	40 CFR 51.160(f)
Sufficient information to ensure attainment and maintenance of NAAQS	40 CFR 51.160(c)-(e) 40 CFR 51.161 40 CFR 51.162 40 CFR 51.163

**TABLE A-3. INDUSTRY RESPONDENT DATA AND
INFORMATION REQUIREMENTS FOR
PREPARING TRIBAL MINOR NSR PERMIT ACTIONS**

Requirement	Regulation Reference
Application for a source-specific permit including information on source operations, emissions units, control techniques, existing emission limitations and stack characteristics	40 CFR 49.154(a)(2)(i)-(x)
Request for coverage under a General Permit	40 CFR 49.156(e)(1)
Documentation demonstrating completion of the screening processes specified for consideration of threatened and endangered species and historic properties	40 CFR 49.156(f)(6)(iii) 40 CFR 49.104
Notification of coverage under a Permit by Rule	40 CFR 49.156(f)(6)(iv) 40 CFR 49.162(d)(1)(i) 40 CFR 49.163(d)(1)(i) 40 CFR 49.164(d)(1)(i)
Application for a new or modified synthetic minor source	40 CFR 49.158(a)
Application for an administrative permit revision	40 CFR 49.159(f)
Registration of sources including information on source operations, emissions units, control techniques and existing emission limitations	40 CFR 49.160(c)(1)(iv) 40 CFR 49.160(c)(2)
Notification of relocation, change in ownership or closure	40 CFR 49.160(d) 40 CFR 49.162(d)(5)(i)-(iii) 40 CFR 49.163(d)(5)(i)-(iii) 40 CFR 49.164(d)(5)(i)-(iii)

**TABLE A-4. PERMITTING AGENCY DATA
AND INFORMATION REQUIREMENTS**

Requirement	Regulation Reference
Early FLM notification and opportunity to participate in meetings	40 CFR 51.166(p)(1)(ii)
Submission of all permit applications to EPA	40 CFR 51.166(q)(1)
Submission of notice of application, preliminary determination, degree of increment consumption, and opportunity for public comment	40 CFR 51.166(q)(2)(iv)
Submission to FLM of permit applications	40 CFR 51.166(p)(1)
Submission of written request to exempt sources from review	40 CFR 52.21(i)(4)(vi)
Written request for use of innovative control technology	40 CFR 51.166(s)
Establishing and operating a permitting program for all new sources	40 CFR 51.160
Provide notice to EPA of all permits	40 CFR 51.161(d)
Provide for public comment for all NSR permits	40 CFR 51.161