

EPA

Office of Air and Radiation
Office of Air Quality Planning and Standards
Air Quality Policy Division
Geographic Strategies Group

**INFORMATION COLLECTION REQUEST SUPPORTING
STATEMENT
FOR EPA ICR NUMBER 2540.03,
ICR FOR THE REGIONAL HAZE REGULATIONS**



Executive Summary

This ICR, EPA 2540.03, addresses the reporting and recordkeeping requirements under the Regional Haze Regulations. This ICR replaces the previously existing ICR (EPA 2540.02).

The burden in this ICR reflects changes in the activities conducted due to the normal progression of the program and the fact that the states will be shifting their primary focus to development of periodic comprehensive SIP revisions due in 2021 under EPA rule requirements.

Table E-1 Estimated State Respondent Burden to Implement Requirements

Task Element	States	
	Average Annual Hours	Average Annual Cost (\$)
Total Burden by Respondent	38,255	\$2,050,007

1 Identification of the Information Collection

1.1 Title

This document fulfills the Agency's requirements under the Paperwork Reduction Act (PRA) with regard to determining the regulatory burden associated with the implementation of the regional haze program (40 CFR 51.308) and requirements related to the Grand Canyon Visibility Transport Commission (40 CFR 51.309). It has been assigned EPA tracking number 2540.03. The title of this Information Collection Request (ICR) is "ICR for the Regional Haze Regulations."

EPA TRACKING NUMBER:

2540.03

OMB Control NUMBER:

2060-0704

1.2 Description

Subpart P of 40 CFR 51, Protection of Visibility, also known as the Regional Haze Rule, is the subject of this clearance request. In the next three years, activities conducted by the states, Federal Land Managers (FLMs), and the EPA will focus on developing, reviewing, and taking action on state implementation plan (SIP) revisions for regional haze. 40 CFR 51.308(f) requires states to develop regional haze implementation plan revisions evaluating and reassessing reasonable progress goals, calculations of baseline and natural visibility conditions, the long-term strategy, the monitoring strategy and other implementation plan requirements. There are similar reporting requirements under 40 CFR 51.309, a section of the Regional Haze Rule in which three states (Utah, Wyoming, and New Mexico) elected to submit their SIPs. Under section 309, these states adopted regional haze strategies for the period from 2003 to 2018 for sulfur dioxide emissions. These strategies are based on recommendations from the Grand Canyon Visibility Transport Commission (GCVTC) for protecting the 16 Class I areas in the Colorado Plateau area. 40 CFR 51.308(g) requires states to develop periodic reports evaluating progress towards the reasonable progress goals for improving visibility in Class I areas inside the state and in neighboring states, and 40 CFR 51.309(d)(10) requires similar actions on the part of the 3 states that submitted regional haze SIPs under 40 CFR 51.309. Each regional haze implementation plan revision will also include a section that serves as a progress report. In between each SIP revision, periodic reports are required every five years. The next periodic report is due in January 2025.

Under the 2017 Regional Haze Rule, states are required to set periodic goals for improving visibility in the 156 Mandatory Class I Federal Areas. As states work to reach these goals, they must develop regional haze implementation plans that contain enforceable measures and strategies for reducing visibility-impairing pollution. States were required to develop

their initial implementation plans by December 2007. Periodic comprehensive revisions to implementation plans are due July 31, 2021, July 31, 2028, and every 10 years thereafter.

The primary focus for estimating burden for this 3-year period (2020 – 2023) will apply to the next program milestone which are the periodic comprehensive SIP revisions due in July 2021 (see 40 CFR 51.308(f)) for all states, including those covered under 40 CFR 51.309.

2 Need and Use of the Collection

2.1 Need / Authority for the Collection

Section 169A of the Clean Air Act (CAA) sets forth a national goal for visibility. The goal is the “prevention of any future, and the remedying of any existing, impairment of visibility in mandatory Class I Federal areas which impairment results from man-made air pollution.” This section of the CAA also calls for EPA regulations to assure that states provide for reasonable progress toward meeting the national goal. The original regulations on protection of visibility in mandatory Class I Federal areas, developed in 1980, addressed visibility that is “reasonably attributable” to a single source or small group of sources. Actions under those regulations are triggered by a FLM. The Regional Haze Rule, promulgated in 1999, added new sections to the code of federal environmental regulations. These included sections 40 CFR 51.308 and 40 CFR 51.309. This ICR renewal request provides for continued implementation of the Regional Haze Rule. During this clearance period, we anticipate that the requirements under 40 CFR 51.308(f) will be the major program focus.

2.2 Practical Utility / Users of the Data

The data collected from respondents include revised state implementation plans. These data provide the foundation for the establishment of the reasonable progress goals and control strategies.

2.3 Caveats and Considerations

The information in this ICR is based upon the best data available to the Agency at this time. However, incomplete data and sampling limitations imposed necessitated a certain amount of extrapolation and “best-guess” estimates. Consequently, the reader should not consider the conclusions to be an exact representation of the level of burden or cost that *will* occur. Instead, this ICR should be considered a directionally correct assessment of the impact the Regional Haze Rule *may* have over the next 3 years.

Throughout this ICR, the reader will observe estimated values that show accuracy to the single hour or dollar. However, reporting values at the single unit level can be misleading. In most situations, the proper way to present estimated data would be to determine an appropriate level of precision and truncate values accordingly, usually in terms of thousands or millions of units. For instance, a spreadsheet generated estimation of \$5,456,295 could be presented in the text as \$5.5 (millions) or \$5,456 (thousands). One problem with such an approach is the loss of data richness when the report contains a mixture of very large and very small numbers. Consequently, to avoid the loss of information through rounding, this ICR reports all values at the single unit level and reminds the reader that there is no implied precision inherent in this style of reporting.

3 Non-Duplication, Consultation, and Other Collection Criteria

3.1 Non-Duplication

This information collection renewal request is related to provisions in 40 CFR 51.308 (f) which require periodic comprehensive SIP revisions. In addition to the periodic comprehensive SIP revisions due July 31, 2021 each state must submit a progress report evaluating whether improvement in visibility is made towards the reasonable progress goal for each mandatory Class I Federal area located within the state and in each mandatory Class I Federal area located outside the state which may be affected by emissions from within the state. For most states, first progress reports are due 5 years from the submittal of the initial regional haze plan. The periodic comprehensive SIP revisions and progress reports required by the Regional Haze Rule are unique and do not duplicate other implementation plan requirements. Each regional haze implementation plan revision will also include a section that serves as a progress report. In between each SIP revision, periodic reports are required every five years. The next periodic report is due in January 2025.

3.2 Public Notice Requirements

The EPA will issue a Federal Register notice requesting comments on the proposed rule ICR and provide a 30-day public notice and comment period.

3.3 Consultations

Additionally, under 5 CFR 1320.8(d)(1), OMB requires agencies to consult with potential ICR respondents and data users about aspects of ICRs before submitting an ICR to OMB for review and approval. In accordance with this regulation, the EPA submitted questions to nine parties via e-mail. The individuals contacted were:

Albert Pearce
Georgia Department of Natural Resources
Albert.Pearce@dnr.ga.gov

Michael Kiss
Virginia Department of Environmental Quality
michael.kiss@deq.virginia.gov

David Healy
New Hampshire Department of Environmental Services
david.healy@des.nh.gov

Preston McLane
Florida Department of Environmental Protection
Preston.McLane@dep.state.fl.us

Jerry Beasley
Mississippi Department of Environmental Quality
Jerry_Beasley@deq.state.ms.us

Maeve Mason
South Carolina Department of Health and Environmental Control
masonmr@dhec.sc.gov

Rory Davis
Illinois Environmental Protection Agency
rory.davis@illinois.gov

Jim Boylan
Georgia Department of Natural Resources
James.Boylan@dnr.ga.gov

James Johnston
Tennessee Department of Environment & Conservation
James.Johnston@tn.gov

Beyond the two comments received during the 60-day comment period associated with the 1st Federal Register notice, which will be discussed in section 7.3, the EPA received no further responses to its solicitation for consultations.

3.4 Less Frequent Collection

The information collection requested under this ICR is necessary to ensure implementation of the 40 CFR 51.308 and 40 CFR 51.309 requirements.

3.5 General Guidelines

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 Agency believes:

1. With the exception of the progress reports due in 2025, which are no longer required to be SIP revisions, the regional haze regulations do not require periodic reporting more frequently than every 5 years.
2. The regional haze regulations do not require respondents to participate in any statistical survey.
3. Written responses to Agency inquiries are not required to be submitted in less than 30 days.
4. Respondents do not receive remuneration for the preparation of reports required by the Act or part 51.

5. To the greatest extent possible, the Agency has taken advantage of automated methods of reporting.

The recordkeeping and reporting requirements contained in the regional haze 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 Act 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.

3.6 Confidentiality

Confidentiality is not an issue for this rulemaking. In accordance with the Clean Air Act Amendments of 1990, any monitoring information to be submitted by sources is a matter of public record. To the extent that the information required is proprietary, confidential, or of a nature that 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, shall be maintained appropriately (see 40 CFR 2; 41 FR 36902, September 1, 1976; amended by 43 FR 39999, September 8, 1978; 43 FR 42251, September 28, 1978; 44 FR 17674, March 23, 1979).

3.7 Sensitive Questions

The consideration of sensitive questions, (i.e., sexual, religious, personal or other private matters), is not applicable to this rulemaking. The information gathered to develop an implementation plan does not include personal data on any owner or operator.

3.8 Environmental Justice Considerations

Because the regional haze program operates nationwide and across numerous industry classifications, the Agency does not believe there are disproportionate environmental justice impacts in implementing in the regional haze program.

4 The Respondents and the Information Requested

4.1 Respondents

The major categories of respondents directly affected during this ICR period of 2020 through 2023 include the states. The states are developing periodic comprehensive SIP revisions under 40 CFR 51.308(f).

4.2 Information Requested

The information required under this ICR renewal provides for a continuation of the process initiated with previous ICRs for the Regional Haze Rule. In this stage of the process, the states are mainly focusing on revising their SIPs and submitting periodic comprehensive SIP revisions by July 31, 2021, which falls inside this ICR period. Each regional haze implementation plan revision will also include a section that serves as a progress report. In between each SIP revision, periodic reports are required every five years. The next periodic report is due in January 2025.

The information that is requested under this renewal period under the Regional Haze Rule requirements includes:

Requirements for Periodic Reports Describing Progress towards the Reasonable Progress Goals

- Description of status of control measures
- Summary of emission reductions
- Calculation of visibility conditions and changes
- Calculation of 5-year progress
- Assessment of contributing emissions
- Assessment of reasonable progress goals
- Review monitoring strategy and note changes
- Submit 5-year progress report
- Determine degree of visibility improvement
- Consult with FLMs
- Interstate consultation with states

For most states, the report is due five years after the initial regional haze plan submission. As noted in Table 7.1, periodic progress reports were a part of the previous ICR but are not included in this period's analysis. Each regional haze implementation plan revision will also include a section that serves as a progress report. In between each SIP revision, periodic reports are required every five years. The next periodic report is due in January 2025.

Requirements for Regional Haze Periodic Comprehensive SIP Revision

- Ambient Data Analysis
- Determination of affected Class I Areas in other states

- Selection of sources for analysis
- Characterization of factors for emission control measures
- Decisions on what control measures are necessary to make reasonable progress
- Regional scale modeling of the Long-Term Strategy to set Reasonable Progress Goals for 2028
- Progress, degradation, and URP glidepath checks
- Additional requirements for SIPs (e.g. consultation)

The states are working to prepare and submit periodic comprehensive SIP revisions by the July 2021 deadline. A number of states are likely to submit periodic comprehensive SIP revisions in advance of this deadline.

5 The Information Collected - Agency Activities, Collection Methodologies, and Information Management

5.1 Agency Activities

EPA. Each EPA regional office is responsible for reviewing and approving the periodic comprehensive SIP revisions. For this ICR renewal period, the EPA will primarily be reviewing the SIP revisions required under CFR 51.308(f). The ten EPA regional offices and the EPA headquarters offices will provide direction and facilitate resolution of major issues, and deliver data, tools, and training to the states as needed. Each regional office must address public comments before approving the SIP revisions.

FLMs. The FLMs will be reviewing the periodic comprehensive regional haze SIP revisions and offering comments to the states in fulfillment of the requirement under 40 CFR 51.308(i)(4) for the states to coordinate their regional haze efforts with the FLMs.

5.2 Collection Methodology and Management

This section discusses the development of burden estimates and their conversion into costs, which are separated into burden costs and capital and O&M costs. Capital and O&M costs display the cost of any new capital equipment the respondent may have to purchase solely for information collection, assimilation, and storage purposes. For example, if a source had to purchase a new mini-computer to store and manipulate data, that computer would be a cost of administration subject to reporting in the ICR. In addition, the latest guidance instructs the Agency to differentiate the burden associated with a source's labor and that which it hires through outside contractors. To the extent a source contracts out for administrative purposes (e.g., employing consultants to perform visibility modeling), the burden associated with those contracted tasks are not a burden to the source - but they remain a cost. The reader should read this section with the following considerations in mind:

- The Agency believes the time necessary to perform a task is independent of the origins of its labor. For example, if a source would employ 20 hours of burden to fully perform a function, then a contractor hired by the source would also take 20 hours to perform that same task. Furthermore, the Agency assumes no economies or diseconomies of scale. The linear combination of any amount of contractor and source effort will also sum to 20 hours. Therefore, the burden estimates in this ICR act as an accurate assessment of the total burden to respondents.
- For some burden categories, the Agency believes the hours assigned to them will be divided between the source and outside contractors. For these categories, the Agency established a composite cost per hour by developing a weighted average of the source and contractor wages, with the weight defined by the percentage of total effort each burden source applied. Consequently, the cost developed in this ICR should be interpreted as an upper bound on the actual cost

of administration by the source. The methodology for determining cost per hour can be found in greater detail in section 6.2, below.

- While this ICR renewal estimates burden to federal and state agencies, it does not include costs estimates to the industrial sources. This is because the effort for this ICR renewal period, 2020 through 2023, mainly involves preparation and review of the periodic comprehensive SIP revisions required under CFR 51.308(f) of the Regional Haze Rule. Sources, for the most part, will not be involved in preparation of these reports.

The periodic comprehensive SIP revisions prepared by the states are due by July 31, 2021. As mentioned earlier, a number of states are likely to submit earlier than this date. The periodic comprehensive SIP revisions must at a minimum include the following elements (similar elements are required for the initial SIPs):

- Ambient Data Analysis
- Determination of affected Class I Areas in other states
- Selection of sources for analysis
- Characterization of factors for emission control measures
- Decisions on what control measures are necessary to make reasonable progress
- Regional scale modeling of the Long-Term Strategy to set Reasonable Progress Goals for 2028
- Progress, degradation, and URP glidepath checks
- Additional requirements for SIPs (e.g. consultation)

5.3 Small Entity Flexibility

The 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, the 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 agency must assure through various mechanisms that small entities are given an opportunity to participate in the rulemaking process.

The EPA determined that it was not necessary to prepare a regulatory flexibility analysis in connection with the Regional Haze Rule (January 10, 2017, 82 FR 3078) because the rule did not have a significant economic impact on a substantial number of small entities. Similarly, this ICR will

not impose any direct requirements on small entities and will apply primarily to states which are developing the SIP revisions.

5.4 Collection Schedule

States are required to submit their first periodic progress reports, in the form of a SIP revision, five years after the initial regional haze plan submission. Each regional haze implementation plan revision will also include a section that serves as a progress report. In between each SIP revision, periodic reports are required every five years. The next periodic report is due in January 2025.

All states (including those subject to a Federal Implementation Plan) are required to develop and submit periodic comprehensive SIP revisions by July 31, 2021.

6 Estimating the Burden and Cost of the Collection

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 ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; and transmit or otherwise disclose the information. The burden estimate should be composed of (1) the total capital and start-up cost component annualized over its useful life; (2) the total operation, maintenance and purchases of services component. Each component should be divided into burden borne directly by the respondent and any services that are contracted out.

This ICR renewal will apply to 50 states, the District of Columbia, and the U.S. Virgin Islands which are working on submitting periodic comprehensive SIP revisions. All periodic comprehensive SIP revisions are due by July 31, 2021. For this renewal period, the burden for industrial sources will be negligible as plans are required from the states.

Table 6.1 summarizes the results for each of the major categories of respondents with details discussed in the narrative below.

Develop and Submit Periodic Comprehensive SIP Revisions (or Initial SIPs) as required under the Regional Haze Rule. Based on the elements that are required for the periodic comprehensive SIP revisions (or initial SIPs), which are described in section 5.2 above, and a review of previous ICRs, an estimate of 2,207 hours per state to complete the periodic comprehensive SIP revision (or initial SIP) is reasonable. We are applying a conservative estimate by including all 2,207 hours in the forthcoming ICR renewal period (2020-2023), though the EPA recognizes that some of this SIP development is already occurring during the current ICR renewal period.

Table 6.1. Estimated Respondent Burden to Implement Requirements

Task Element	Hours/State	Hours/Source	Year Incurred
Develop and submit periodic comprehensive SIP revisions	2,207	0	2020 - 2023

6.2 Estimating Respondent Costs

This ICR uses the most recently available wage values with the wage rate methods established in the New Source Review (NSR) ICRs.¹ For this renewal period, the burden for industrial sources will be negligible as the reports are required from the states with review being done by the EPA and the FLMs.

Consistent with methodologies for previous NSR ICRs, the labor rate used to calculate federal, state, and local respondents' labor costs is approximated from the 2019 federal government pay schedule. Managerial rates are accounted for by multiplying the hourly rate by 9%; the clerical support rates are multiplied by 13%.² The hourly rate is \$53.63, and the calculation is shown in Table 6.3.

Table 6.3 Determination of Federal, State, and Local Wage Rates

Annual Salary of Technical Staff, GS 11 Step 3 (FY 19 Schedule)*		\$57,393.00
Annual Cost of Supervisory Staff, GS 13 Step 3 (FY 19 Schedule)*	\$81,799.00	
Factor (1/11)	0.09	
		\$7,361.91
Annual Cost of Support Staff, GS 6 Step 6 (FY 19 Schedule)*	\$38,171.00	
Factor (1/8)	0.13	
		\$4,962.23
Annual Applicable Salary of Technical Staff		\$69,717.14
Benefits and Overhead (at 60%)		\$41,830.28
Total Cost Per FTE		\$111,547.42
Total Hourly Cost (Total Per FTE divided by 2,080 hours per year)		\$53.63

* <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2019/GS.pdf> January 2019

Since the purchase of capital equipment is believed to be an insignificant factor in meeting the requirements associated with this ICR renewal, the EPA assumes the operation, maintenance, or services are also negligible. Most of the data and other guidance for estimating emissions and visibility impacts are available in electronic form and any equipment needed to respond to requests will be part of the respondent's operating inventory.

6.2.3 Annualized 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 activity, or the ICR, whichever is shorter. However, we do not anticipate these types of expenses will be incurred during this clearance period.

¹ U.S. Environmental Protection Agency, Office of Air Quality Planning and Standards, *INFORMATION COLLECTION REQUEST FOR CHANGES TO PREVENTION OF SIGNIFICANT DETERIORATION AND NONATTAINMENT NEW SOURCE REVIEW: EMISSIONS TEST FOR ELECTRIC GENERATING UNITS*, August 2006, p. 20

² Ibid.

6.3 Estimating Agency Burden and Cost

For this ICR, we have assumed the following number of offices will be involved in implementing the Regional Haze requirements.

EPA Regional Offices. We assume that all 10 EPA Regional Offices will be responsible for reviewing SIPs from the states in their jurisdiction, responding to public comments, and preparing federal register notices in taking final action on the SIPs.

EPA Headquarters. The EPA Headquarters staff will provide oversight and review of the submittals.

FLMs. The FLMs will have the opportunity to review and comment on the submittals.

Table 6.4 presents our estimate of the Agency burden in the ICR clearance period which is the average to review one state plan. In developing these estimates, we considered previous estimates for similar activities, particularly related to the time necessary to review SIPs and prepare federal register notices and respond to public comments.

For the periodic comprehensive SIP revisions, summing the total hours from Table 6.4 (400 hours) and multiplying by 52 total periodic comprehensive SIP revisions yields a total estimate of 20,800 hours. Using the calculated labor rate of \$53.63/hr from Table 6.3, multiplied by the 20,800 hours gives an estimated cost of \$1,115,504, which when averaged over the 3-year collection period is about \$371,835 per year as the Agency’s burden estimate for the periodic comprehensive SIP revisions or initial SIPs.

Table 6.4. Estimated Agency Burden to Implement Requirements

Task Element	Hours/EPA Regional Office	Hours/EPA Headquarters	Hours/FLM	Year Incurred
Respond to Public Comments and Prepare Federal Register Notices	120	20	0	2020 – 2023
Review periodic comprehensive SIP revisions or initial SIPs	200	20	40	2020 – 2023
TOTAL (periodic comprehensive SIP revision)	320	40	40	2020 – 2023

6.4 Estimating the Respondent Universe

For the purpose of estimating burden in this ICR, the respondent universe is determined as follows.

States. We assume that 50 states, the District of Columbia, and the U.S. Virgin Islands will develop and submit the periodic comprehensive regional haze SIP revision required in 2021.

Tribes. No tribes have elected to develop and implement the regional haze plan.

Industry. The sole regional haze requirements for this reporting period are for the states to submit periodic progress reports and periodic comprehensive SIP revisions, and thus the burden anticipated for industrial sources is negligible.

6.5 Bottom Line Burden and Cost

Table 6.5 summarizes the total annual respondent burden to prepare and submit the periodic comprehensive revisions to state SIPs (or initial SIPs). The total respondent burden is estimated to be 38,255 hours per year and \$2,050,007 per year. As described in section 6.2.2 and 6.2.3, there are no operation and maintenance costs or capital costs associated with activities to be conducted during this 3-year clearance period. The total number of respondents is 52 (52 state agencies).

Table 6.5 Estimated Annual Respondent Burden to Implement Requirements

Task Element	States	
	Average Annual Hours	Average Annual Cost (\$)
Develop and submit §308(g) or 309(d)(10) Implementation Plan – 5-year periodic reports	0 <i>(Each regional haze implementation plan revision will also include a section that serves as a progress report. In between each SIP revision, periodic reports are required every five years. The next periodic report is due in January 2025)</i>	\$0 <i>(Each regional haze implementation plan revision will also include a section that serves as a progress report. In between each SIP revision, periodic reports are required every five years. The next periodic report is due in January 2025)</i>
Develop and submit periodic comprehensive SIP revisions	38,255 Calculation: (2,207 hours per plan x 52 plans)/3 years= 38,255 hr/yr	\$2,050,007 (38,255 hrs per yr x labor rate of \$53.63)
Total Burden for Respondent	38,255	\$2,050,007

6.6 Reasons for Change in Burden

The burden estimates for this ICR reflect the requirements of the final Regional Haze Rule with respect to the scheduled events and activities in the implementation process. The change in burden reflects transformations to the activities conducted due to the normal progression of the program.

Under the Regional Haze Rule, the SIPs revisions for all states previously due by July 31, 2018 will instead be due by July 31, 2021. As a result, activities conducted by the states, Federal Land Managers (FLMs), and the EPA will shift from focusing on progress reports and SIP revisions to focusing on SIP submittals for the second implementation period. Under the rule, 40 CFR 51.308(g) also requires states to develop periodic reports evaluating progress towards the reasonable progress goals for improving visibility in Class I areas inside the state and in neighboring states. Each regional haze implementation plan revision will also include a section that serves as a progress report. 52 states/territories are required to submit SIPs in this 3-year period

With these changes considered, the overall burden on states represents an increase compared to the previous 3-year period, mainly due to the increase in SIP submittals, which require more time and effort to complete. These changes are noted in Table 6.6 below, which demonstrates the difference between the previous 3-year analysis (in which the EPA expected 12 SIP revisions, 7 progress reports, and early analysis to support SIPs for 40 plans) and the current 3-year analysis. Estimates also increase from the previous ICR due to the use of the updated 2019 General Schedule Labor Rates.

Table 6.6 Estimated Annual Respondent Burden to Implement Requirements: Previous 3-Year Period vs. Current 3-Year Period

Task Element	States			
	Average Annual Hours: Previous 3-Year Period	Average Annual Cost (\$): Previous 3-Year Period	Average Annual Hours: Current 3-Year Period (estimated in proposed rule ICR supporting statement)	Average Annual Cost (\$): Current 3-Year Period (estimated in proposed rule ICR supporting statement)
Develop and submit §308(g) or 309(d) (10) Implementation Plan – 5-year periodic reports	1,815 <i>(Calculation: (778 hours per plan x 7 plans)/3 years= 2,333 hr/yr)</i>	89,897 <i>Calculation: (1,815 hrs per yr x labor rate of \$49.53)</i>	0 <i>(Each regional haze implementation plan revision will also include a section that serves as a progress report. In between each SIP revision, periodic reports are required every five years. The next periodic report is due in January 2025)</i>	0 <i>(Each regional haze implementation plan revision will also include a section that serves as a progress report. In between each SIP revision, periodic reports are required every five years. The next periodic report is due in January 2025)</i>
Develop and submit periodic comprehensive SIP	8,828 <i>Calculation:</i>	437,251 <i>Calculation:</i>	38,255 <i>Calculation:</i>	2,050,007 <i>Calculation:</i>

Task Element	States			
	Average Annual Hours: Previous 3-Year Period	Average Annual Cost (\$): Previous 3-Year Period	Average Annual Hours: Current 3-Year Period (estimated in proposed rule ICR supporting statement)	Average Annual Cost (\$): Current 3-Year Period (estimated in proposed rule ICR supporting statement)
revisions	<i>(2,207 hours per plan x 12 early plans)/3 years= 12,000 hr/yr</i>	<i>(8,828 hrs per yr x labor rate of \$49.53)</i>	<i>(2,207 hours per plan x 52 plans)/3 years= 38,255 hr/yr</i>	<i>(38,255 hrs per yr x labor rate of \$53.63)</i>
Early analysis to support SIP revision development	2,667 <i>Calculation: (200 hours per plan x 40 remaining on-time plans)/3 years= 2,667 hr/yr</i>	132,097 <i>(2,667 hrs per yr x labor rate of \$49.53)</i>	0	0
Total Burden by Respondent	13,310	\$659,245	38,255	\$2,050,007

6.7 Burden Statement

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 735 hours per respondent (38,255 hours/52 SIPs). 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; adjusting the existing ways to comply with any previously applicable instructions and requirements; training personnel to be able to respond to a collection of information; searching data sources; completing and reviewing the collection of information; and transmitting or otherwise disclosing the information. The Agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

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 through the use of automated collection techniques, the docket (EPA-OAR-2019-0631) can be viewed online at www.regulations.gov. Out of an abundance of caution for members of the public and our staff, the EPA Docket Center and Reading Room was closed to public visitors on March 31, 2020, to reduce the risk of transmitting COVID-19. Our Docket Center staff will continue to provide remote customer service via email, phone, and webform. We encourage the public to submit comments via <https://www.regulations.gov> or email, as there is a temporary suspension of mail delivery to EPA, and no hand deliveries are currently accepted. For further information on EPA Docket Center services

and the current status, please visit us online at <https://www.epa.gov/dockets>. Publicly available docket materials are available either electronically in <http://www.regulations.gov>. The telephone number for the Docket Center is 202-566-1744. For additional information about EPA's public docket, visit <http://www.epa.gov/dockets>. EPA's policy is that all comments received will be included in the public docket without change including any personal information provided, unless the comment includes profanity, threats, information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

Appendix 1 Responses to Comments Received

Public comments were previously requested via the Federal Register (84 FR 65389) on November 27, 2019 during a 60-day comment period. The EPA received two timely comments on the proposed rule ICR, which are summarized and discussed as follows.

Commenter Western States Air Resources Council (WESTAR) commented that the process of SIP development is a 10-year process and involves more time and effort than we included in this 3-year estimate. While it is true that the entire 10-year SIP planning process involves more burden than the EPA's estimates include, our estimates are limited to only the 3-year period covered by the ICR. The EPA's previous ICRs included estimates of the burden associated with previous 3-year periods of Regional Haze implementation. Per PRA provisions, the EPA cannot consider burden that does not occur during the 3-year period covered by this ICR Renewal, 2020-2023. See Paperwork Reduction Act Section 3507(g): "The Director may not approve a collection of information for a period in excess of 3 years."

WESTAR also explained that 1st planning period progress was substantial and, due to most of the remaining impairment in the West having roots in mobile sources, fires, and international contribution, there is not much that can be done to protect visibility in the West. These comments are out of the scope of this action, which covers the ICR Renewal for the Regional Haze Rule during the period 2020-2023. Lastly, WESTAR stated "in the remainder of 2021, and throughout 2022 and 2023, every state will be responding to the EPA and other parties and conducting additional analyses as needed to advance findings of SIP completeness and ultimately SIP approval by the EPA." The EPA does not have information regarding these additional, unspecified analyses. Commenters provided no estimates of their own for these potential costs, which are not articulated as requirements in the Regional Haze Rule. The EPA's estimates in this ICR project the burden associated with all known steps in the SIP development and submittal process, not potential "as needed" steps that may or may not occur after SIP submittal. The EPA supports early engagement with air agencies during SIP development, prior to submittal of the SIP revision to

EPA. The burden after SIP submittal falls primarily on the EPA in reviewing periodic comprehensive SIP revisions, responding to public comments, and preparing Federal Register notices. This burden is shown in Table 6.4.

Commenter Texas Commission on Environmental Quality (TCEQ) similarly stated that the majority of work in SIP development occurred during the previous 3-year period and thus, the EPA is assuming in these estimates that SIP development will not begin until 2020. TCEQ suggests that if work began in 2020, TCEQ wouldn't have the time necessary to meet its July 2021 deadline for 2nd Planning Period SIP submittal. The EPA does not assume that SIP development will not begin until 2020. In fact, our previous ICR (81 FR 17696) included estimates for early SIP development. This ICR Renewal is intended to estimate the burden associated with implementation of the Regional Haze Rule during the 3-year period from 2020-2023, not the entire SIP development process. TCEQ in its comment notes that the EPA's ICR estimate "may be relatively close to the actual work that occurs after August 31, 2020 . . ." Since the purpose of this ICR is to provide estimates of the burden associated with implementation of the Regional Haze Rule during the 3-year period 2020-2023, the EPA agrees with TCEQ's statement that the estimate accurately represents burden for the purposes of this 3-year period. Lastly, TCEQ estimates 26,000 hours of burden in total to complete a SIP revision during a 10-year planning period. This burden estimate is for the entire SIP development process, which occurs over a 10-year planning period. The EPA's burden estimates address only the three-year period from 2020 to 2023, as the PRA requires (44 U.S.C. 3507).

The EPA received only two comments on the proposed ICR. The EPA therefore has limited data to use in deriving a final burden estimate. Further, no estimates of burden for the 3-year period from 2020-2023 were provided by commenters. Though one commenter estimated burden for the entire 10-year SIP development process, the PRA requires the EPA to provide estimates for a period no longer than 3 years (44 U.S.C. 3507). Thus, without any burden estimates for 2020-2023 provided by commenters, the EPA will finalize its proposed burden estimate of 2,207 hours per state for comprehensive SIP revisions in the 3-year period covered by this ICR. These figures are reflected in the EPA's final burden estimates found in Table 7.1 in the previous section.

