

**SUPPORTING STATEMENT
ENVIRONMENTAL PROTECTION AGENCY**

NESHAP for Industrial, Commercial, and Institutional Boilers Area Sources (40 CFR Part 63, Subpart JJJJJJ) (Renewal)

1. Identification of the Information Collection

1(a) Title of the Information Collection

NESHAP for Industrial, Commercial, and Institutional Boilers Area Sources (40 CFR Part 63, Subpart JJJJJJ) (Renewal), EPA ICR Number 2253.05, OMB Control Number 2060-0668.

1(b) Short Characterization/Abstract

The National Emission Standards for Hazardous Air Pollutants (NESHAP) for the regulations published at 40 CFR Part 63, Subpart JJJJJJ were proposed on June 4, 2010, promulgated on March 21, 2011, and amended most recently on September 14, 2016 (81 FR 63112). These regulations apply to existing and new boilers at area sources that are designed to burn biomass, coal, or liquid fuels. An area source is a HAP-emitting stationary source that is not a major source (a major source emits or has the potential to emit 10 tons per year (tpy) or more of any single hazardous air pollutant (HAP) or 25 tpy or more of any combination of HAPs). New facilities include those that commenced construction, modification, or reconstruction after the date of proposal. This information is being collected to assure compliance with 40 CFR Part 63, Subpart JJJJJJ.

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

Any owner/operator subject to the provisions of this part shall maintain a file of these measurements, and retain the file for at least five years following the date of such measurements, maintenance reports, and records. All reports required to be submitted electronically are submitted through the EPA's Central Data Exchange (CDX), using the Compliance and Emissions Data Reporting Interface (CEDRI), where the delegated state or local authority can review them. In the event that there is no such delegated authority, the EPA regional office can review them. All other reports are sent to the delegated state or local authority. In the event that there is no such delegated authority, the reports are sent directly to the EPA regional offices. The use of the term "Designated Administrator" throughout this document refers to the U.S. EPA or a delegated authority such as a state agency. The term "Administrator" alone refers to the U.S. EPA Administrator.

The "Affected Public" are owners and operators of new or existing industrial, commercial, or institutional boilers. Based on the distribution of facilities in the boiler inspector

inventory for thirteen states, the EPA estimates that 49% of units are located in the private sector and 51% of units are located in the public sector. The ‘burden’ to the “Affected Public” may be found below in Table 1: Annual Respondent Burden and Cost – NESHAP for Industrial, Commercial, and Institutional Boilers Area Sources (40 CFR Part 63, Subpart JJJJJ) (Renewal). The ‘burden’ to the Federal Government is attributed entirely to work performed by either Federal employees or government contractors and may be found below in Table 2: Average Annual EPA Burden and Cost – NESHAP for Industrial, Commercial, and Institutional Boilers Area Sources (40 CFR Part 63, Subpart JJJJJ) (Renewal).

Based on our consultations with industry representatives, there are an average of two affected facilities at each plant site and each plant site has only one respondent (i.e., the owner/operator of the plant site).

Over the next three years, an average of 128,688 existing boiler units at 64,344 facilities will be subject to these standards. We estimate a new average decrease of 1,021 boiler units at 511 facilities per year over the three-year period of this ICR. These estimates reflect a decrease in the number of liquid-fired units from the previously-approved collection, while accounting for consistent industry growth of solid-fired units. We estimate that 49% of respondents are privately-owned, for-profit businesses and 51% of respondents are public sector institutions. We assume that they will all respond.

The Office of Management and Budget (OMB) approved the currently active ICR without any “Terms of Clearance.”

2. Need for and Use of the Collection

2(a) Need/Authority for the Collection

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

- (A) Establish and maintain such records;
- (B) make such reports;
- (C) install, use, and maintain such monitoring equipment, and use such audit procedures, or methods;
- (D) sample such emissions (in accordance with such procedures or methods, at such locations, at such intervals, during such periods, and in such manner as the Administrator shall prescribe);
- (E) keep records on control equipment parameters, production variables or other indirect data when direct monitoring of emissions is impractical;
- (F) submit compliance certifications in accordance with Section 114(a)(3);
- and (G) provide such other information as the Administrator may

reasonably require.

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

2(b) Practical Utility/Users of the Data

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

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

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

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

In addition, records and reports are necessary to enable EPA to identify facilities that may not be in compliance. Based on reported information, EPA will decide which facilities should be inspected and what records or units should be inspected at the facilities. The records that facilities maintain will indicate to EPA whether facility personnel are properly operating and maintaining boilers and associated control equipment.

Additionally, the EPA is requiring electronic reporting for certain notifications or reports. The EPA is requiring that owners or operators of affected sources would submit electronic copies of initial notifications required in 40 CFR 63.9(b), notifications of compliance status required in 40 CFR 63.11225(a)(4), notifications of change in information already provided required in 40 CFR 63.9(j), and performance test reports and relative accuracy test audit data required in 40 CFR 63.11225(e) through the EPA's Central Data Exchange (CDX), using the Compliance and Emissions Data Reporting Interface (CEDRI). For notifications of compliance status, EPA has developed XML and Excel templates for the reporting form in CEDRI specifically for 40 CFR Part 63, Subpart JJJJJ. For the notifications required in 40 CFR 63.9(b) and 63.9(j), owners and operators would be required to upload a PDF of the required notifications.

CEDRI includes the Electronic Reporting Tool (ERT) software, which is used by facilities to generate electronic reports of performance tests and relative accuracy test audit data. EPA is requiring that 40 CFR Part 63, Subpart JJJJJ performance test reports and relative accuracy test audit data be submitted through the EPA's ERT.

3. Nonduplication, Consultations, and Other Collection Criteria

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

3(a) Nonduplication

For reports required to be submitted electronically, the information is sent through the EPA's CDX, using CEDRI, where the appropriate EPA regional office can review it, as well as state and local agencies that have been delegated authority. If a state or local agency has adopted under its own authority its own standards for reporting or data collection, adherence to those non-Federal requirements does not constitute duplication.

For all other reports, if the subject standards have not been delegated, the information is sent directly to the appropriate EPA regional office. Otherwise, the information is sent directly to the delegated state or local agency. If a state or local agency has adopted its own standards to implement the Federal standards, a copy of the report submitted to the state or local agency can be sent to the Administrator in lieu of the report required by the Federal standards. Therefore, duplication does not exist.

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

An announcement of a public comment period for the renewal of this ICR was published in the *Federal Register* (86 FR 19256) on April 13, 2021. No comments were received on the burden published in the *Federal Register* for this renewal.

3(c) Consultations

The Agency has consulted industry experts and internal data sources to project the number of affected facilities and industry growth over the next three years. The primary source of information as reported by industry, in compliance with the recordkeeping and reporting provisions in the standard, is the Integrated Compliance Information System (ICIS). ICIS is EPA's database for the collection, maintenance, and retrieval of compliance data for industrial and government-owned facilities. The growth rate for the small solid-fired and large solid-fired sectors of this industry is based on our consultations with the Agency's internal industry experts and a continuation of trends from previous ICRs. The decrease in the number of respondents in the small liquid-fired and large liquid-fired sectors of this industry from the previous ICRs is based on an examination of trends in consumption of fuel oil. Data from the U.S. Energy Information Administration's Annual Energy Outlook 2021 shows a 33% drop in distillate oil

consumption in the commercial sector from 2013 to the present. We assume in this ICR that the percent decrease in consumption of distillate oil corresponds to an equivalent decrease in the number of boilers firing distillate oil during that period. The data also indicate that distillate fuel consumption in the commercial sector will continue to decrease at a rate of 1% per year for the next three years. Approximately 64,344 respondents will be subject to the standard over the three-year period covered by this ICR.

Industry trade associations and other interested parties were provided an opportunity to comment on the burden associated with the standard as it was being developed and the standard has been previously reviewed to determine the minimum information needed for compliance purposes. In developing this ICR, we contacted both the Council of Industrial Boiler Owners at (202) 420-0394 and the American Boiler Manufacturers Association at (703) 356-7172.

It is our policy to respond after a thorough review of comments received since the last ICR renewal as well as those submitted in response to the first *Federal Register* notice. In this case, no comments were received.

3(d) Effects of Less Frequent Collection

Less frequent information collection would decrease the margin of assurance that facilities are continuing to meet the standards. Requirements for information gathering and recordkeeping are useful techniques to ensure that good operation and maintenance practices are applied and emission limitations are met. If the information required by these standards was collected less frequently, the proper operation and maintenance of control equipment and the possibility of detecting violations would be less likely.

3(e) General Guidelines

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

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

3(f) Confidentiality

Any information submitted to the Agency for which a claim of confidentiality is made will be safeguarded according to the Agency policies set forth in Title 40, chapter 1, part 2, subpart B - Confidentiality of Business Information (see 40 CFR 2; 41 FR 36902, September 1,

1976; amended by 43 FR 40000, September 8, 1978; 43 FR 42251, September 20, 1978; 44 FR 17674, March 23, 1979).

3(g) Sensitive Questions

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

4. The Respondents and the Information Requested

4(a) Respondents/SIC Codes

The respondents to the recordkeeping and reporting requirements are owners and operators of new or existing industrial, commercial, or institutional boilers. The NESHAP affects any industry, federal, state, local, or tribal government, or any institution (e.g., university) using a boiler as defined in the regulation. This includes, but is not limited to, the following United States Standard Industrial Classification (SIC) codes and corresponding North American Industry Classification System (NAICS) codes in the following table:

Standard (40 CFR Part 63, Subpart JJJJJJ)	SIC Codes	NAICS Codes
Food manufacturing	20	311
Wood product manufacturing	24	321
Nonmetallic mineral product manufacturing	32	327
Wholesale trade, nondurable goods	51	424
Real estate	65	531
Educational services	82	611
Health care and social assistance	80, 83	62
Food services and drinking places	58	722
Religious, grant making, civic, professional, and similar organizations	83, 86	813
Public administration	91-97	92

4(b) Information Requested

(i) Data Items

In this ICR, all the data that are recorded or reported is required by the NESHAP for Industrial, Commercial, and Institutional Boilers Area Sources (40 CFR Part 63, Subpart JJJJJJ) (Renewal).

A source must make the following reports:

Notifications and Reports	
Initial Notification that Source is Subject	§63.9(b), §63.11225(a)
Notification of Compliance Status (electronic submission)	§63.9(b), §63.11225(a)
Notification of Intent to conduct a performance test	§63.11225(a)(3)
Initial Report on Results of Energy Audit	§63.11225(a)
Annual Compliance Certification Report	§63.9(h), §63.11225(b)
Biennial Compliance Report or 5-Year Compliance Report	§63.9(h), §63.11225(b)
Performance Test Results (electronic submission)	§63.11225(e)
Notification of Intent to Commence or Recommence Combustion of Solid Waste	§63.11225(f)
Notification of Switched Fuels or Physical Changes to Boiler	§63.11225(g)
Notification of changes in information already provided (reclassification to area source status or to revert to major source status) (electronic submission)	§63.9(j)

A source must keep the following records:

Recordkeeping	
Records of Notifications	§63.11225(c)(1)
Records of All Compliance Reports Submitted	§63.11225(c)(1)
Records of Stack Tests	§63.11225(c)(1)
Records of Biennial Tune-up	§63.11225(c)(2)
Records of Monthly Fuel Use	§63.11225(c)(2)
Records of Fuel Analysis	§63.11225(c)(3)
Records of Malfunctions, Deviations, and Actions Taken	§§63.11225(c)(4)-(5)
Records of Monitoring Device Inspections and Calibrations	§63.11225(c)(6)
Records of Bag Leak Detection Operating Parameter Values	§63.11225(c)(7)
Retain Records for Five Years	§63.11225(d)

Electronic Reporting

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

The rule was amended to include electronic reporting provisions on September 14, 2016. Respondents are required to use the EPA’s Electronic Reporting Tool (ERT) to develop performance test reports and submit them through the EPA’s Compliance and Emissions Data Reporting Interface (CEDRI), which can be accessed through the EPA’s Central Data Exchange (CDX) (<https://cdx.epa.gov/>). The ERT is an application rather than a form, and the requirement to use the ERT is applicable to numerous subparts. The splash screen of the ERT contains a link to the Paperwork Reduction Act (PRA) requirements, such as the OMB Control Number, expiration date, and burden estimate for this and other subparts. Respondents are also required to submit electronic copies of notifications and certain reports through EPA’s CEDRI. The notifications are an initial notification and a one-time notification already required in 40 CFR 63.9(j) in the case where the facility is notifying of a change in major source status, and are an upload of their currently required notifications in portable document format (PDF) file. The notifications of compliance status are to be created using Form 5900-568, the electronic template included with this Supporting Statement. The template is an Excel spreadsheet which can be partially completed and saved for subsequent annual reports to limit some of the repetitive data entry. It reflects the reporting elements required by the rule and does not impose additional reporting elements. The OMB Control Number is displayed on the Welcome page of the template, with a link to an online repository that contains the PRA requirements. For purposes of this ICR, it is assumed that there is no additional burden associated with the proposed requirement for respondents to submit the notifications and reports electronically.

Electronic copies of records may also be maintained in order to satisfy federal recordkeeping requirements. For additional information on the Paperwork Reduction Act requirements for CEDRI and ERT for this rule, see: <https://www.epa.gov/electronic-reporting-air-emissions/paperwork-reduction-act-pra-cedri-and-ert>.

(ii) Respondent Activities

Respondent Activities
Familiarization with the regulatory requirements.
Install, calibrate, maintain, and operate continuous monitoring system (CMS) for opacity for electrostatic precipitator systems (ESPs) and bag leak detection (BLD) systems.
Perform initial performance test, Reference EPA Methods 1, 2, 2F, 2G, 3A, 3B, 4, 5D, 10, 10A, 10B, 17, 19, 29, 30A, 30B, or 101A, and repeat performance tests if necessary.
Write the notifications and reports listed above.
Enter information required to be recorded above.
Submit the required reports developing, acquiring, installing, and utilizing technology and systems for collecting, validating, and verifying information.
Develop, acquire, install, and utilize technology and systems for processing and maintaining information.

Respondent Activities
Develop, acquire, install, and utilize technology and systems for disclosing and providing information.
Train personnel to be able to respond to a collection of information.
Transmit, or otherwise disclose the information.

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

5(a) Agency Activities

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

Agency Activities
Review notifications and reports, including performance test reports, and excess emissions reports, required to be submitted by industry.
Audit facility records.
Input, analyze, and maintain data in the Enforcement and Compliance History Online (ECHO) and ICIS.

5(b) Collection Methodology and Management

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

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

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

5(c) Small Entity Flexibility

The EPA expects the NESHAP to adversely affect small entities. In developing the regulation, small entity is defined as: (1) A small business according to Small Business Administration size standards by the NAICS category of the owning entity. The small business size standard for manufacturing sectors in the expected industries potentially affected by this rule is less than 500 employees. For trade sectors, the size standard is less than 100 employees or a small organization that is any not-for-profit enterprise that is independently owned and operated and is not dominant in its field. For non-profit and service industries the small business size range for potentially affected sources is based on total sales of the entity, which range from sales less than \$10 to \$50 million dollars, or a small governmental jurisdiction that is a government of a city, county, town, school district, or special district with a population of less than 50,000.

The EPA determined during the original rulemaking that there are approximately 196,229 existing affected sources at 98,115 facilities. Of these affected units, the EPA has reduced testing, monitoring, record-keeping and reporting requirements for 181,867 units with design heat capacities less than 10 MMBtu/hr because the Agency found it is impracticable to enforce the emission standards for these small units due to technical or economic limitations. Instead of requiring small sources to conduct and submit stack test reports, the final rule requires small units to comply with the rule by conducting a biennial tune-up and preparing a summary report of the procedures followed during the tune-up. Based on the definition for sectors potentially affected by this rule, EPA computed the overall share of small entities to the overall number of affected entities. The overall share of small entities from manufacturing, trading, service, not-for-profit, and state, local, and tribal governments was estimated to be 97 percent, or 190,342 existing units subject to recordkeeping and reporting requirements. By reducing the requirements for small sources, the EPA substantially reduced the burden on small entities. Further, EPA is not requiring Maximum Achievable Control Technology (MACT) floor control for mercury from biomass and liquid units. This reduces the compliance, testing, monitoring, recordkeeping and reporting requirements on nearly all units. Mercury control testing and monitoring is required at 573 large coal-fired boilers out of the original 196,229 total boilers, but will be achieving 95 percent reduction of the estimated mercury emissions from the entire source category. By not requiring MACT control for mercury from biomass and liquid-fired units, we have provided flexibility to over 99 percent of affected units, including the small entities.

The NESHAP for Industrial, Commercial, and Institutional Boilers Area Sources does not contain any provisions reserved exclusively for the benefit of small entities. However, the regulation does contain several provisions that reduce the impact on all regulated entities, which include small entities. The alternative work practice standards provide for enhanced compliance flexibility and reduced recordkeeping and reporting requirements for affected sources with small boilers. This ICR updates the total number of boilers anticipated within the industry, and reflects a decrease in the number of liquid-fired units from the previously-approved collection, while accounting for consistent industry growth of solid-fired (biomass) units. Although the distribution of fuel types within the industry has changed, the burden reductions taken into account during the original rulemaking continue to provide for compliance flexibility and reduced recordkeeping and reporting for small entities.

5(d) Collection Schedule

The specific frequency for each information collection activity within this request is shown at the end of this document in Table 1: Annual Respondent Burden and Cost – NESHAP for Industrial, Commercial, and Institutional Boilers Area Sources (40 CFR Part 63, Subpart JJJJJ) (Renewal).

6. Estimating the Burden and Cost of the Collection

Table 1 documents the computation of individual burdens for the recordkeeping and reporting requirements applicable to the industry for the subpart included in this ICR. The individual burdens are expressed under standardized headings believed to be consistent with the concept of burden under the Paperwork Reduction Act. Where appropriate, specific tasks and major assumptions have been identified. Responses to this information collection are mandatory.

The Agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number.

6(a) Estimating Respondent Burden

The average annual burden to industry over the next three years from these recordkeeping and reporting requirements is estimated to be 1,140,000 (Total Labor Hours from Table 1). These hours are based on Agency studies and background documents from the development of the regulation, Agency knowledge and experience with the NESHAP program, the previously approved ICR, and any comments received.

6(b) Estimating Respondent Costs

(i) Estimating Labor Costs

This ICR uses the following labor rates:

Managerial	\$153.55 (\$73.12 + 110%)
Technical	\$122.20 (\$58.19 + 110%)
Clerical	\$61.51 (\$29.29 + 110%)

These rates are from the United States Department of Labor, Bureau of Labor Statistics, March 2021, “Table 2. Civilian Workers, by occupational and industry group.” The rates are from column 1, “Total compensation.” The rates have been increased by 110 percent to account for the benefit packages available to those employed by private industry.

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

The type of industry costs associated with the information collection activities in the subject standards are both labor costs which are addressed elsewhere in this ICR and the costs

associated with continuous monitoring. The capital/startup costs are one-time costs when a facility becomes subject to the regulation. The annual operation and maintenance costs are the ongoing costs to maintain the monitors and other costs such as photocopying and postage.

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

Capital/Startup vs. Operation and Maintenance (O&M) Costs						
(A) Continuous Monitoring Device	(B) Capital/Startup Cost for One Respondent	(C) Number of New Respondents	(D) Total Capital/Startup Cost, (B X C)	(E) Annual O&M Costs for One Respondent	(F) Number of Respondents with O&M	(G) Total O&M, (E X F)
<i>Large Solid Boilers</i>						
Initial Stack Test and Report (Hg)	\$5,000	0	\$0	\$0	0	\$0
Triennial Stack Test and Report (Hg) ^a	\$0	0	\$0	\$5,000	96	\$477,500
Initial Stack Test and Report (CO)	\$6,000	0	\$0	\$0	0	\$0
Triennial Stack Test and Report (CO) ^a	\$0	0	\$0	\$6,000	96	\$573,000
Initial Stack Test and Report (PM)	\$8,000	1.8	\$14,640	\$0	0	\$0
Triennial Stack Test and Report (PM) ^a	\$0	0	\$0	\$8,000	5.5	\$44,000
Electrostatic Precipitator System	\$43,100	1.8	\$78,873	\$14,700	20.2	\$296,352
Bag Leak Detection System	\$25,500	0	\$0	\$9,700	286.5	\$2,779,050
Biennial Tune-Up	\$0	0	\$0	\$1,437.5	1,843	\$2,649,313
<i>Subtotal</i>			\$93,513			\$6,819,215
<i>Large Liquid Boilers</i>						
Initial Stack Test and Report (PM)	\$8,000	0	\$0	\$0	0	\$0
Triennial Stack Test and Report (PM) ^a	\$0	0	\$0	\$8,000	27	\$216,889
Electrostatic Precipitator System	\$43,100	0	\$0	\$14,700	81	\$1,195,600
Bag Leak Detection System	\$25,500	0	\$0	\$9,700	0	\$0
Biennial Tune-Up	\$0	0	\$0	\$1,438	3,115	\$4,477,289
<i>Subtotal</i>			\$0			\$5,889,778
<i>Small Solid Boilers</i>						
Biennial Tune-Up	\$0	0	\$0	\$1,114	5,806	\$6,468,070
<i>Subtotal</i>			\$0			\$6,468,070
<i>Small Liquid Boilers</i>						
Biennial Tune-Up	\$0	0	\$0	\$1,114	53,304	\$59,380,414
<i>Subtotal</i>			\$0			\$59,380,414
Totals (rounded)^b			\$93,500			\$78,600,000

^a We assume that one-third of the respondents required to perform these tests will test each year during the three-year period of this ICR.

^b Totals have been rounded to 3 significant figures. Figures may not add exactly due to rounding.

The total capital/startup costs for this ICR are \$93,500. This is the total of column D in the above table.

The total operation and maintenance (O&M) costs for this ICR are \$78,600,000. This is the total of column G.

The average annual cost for capital/startup and operation and maintenance costs to industry over the next three years of the ICR is estimated to be \$78,700,000. These are recordkeeping costs.

6(c) Estimating Agency Burden and Cost

The only costs to the Agency are those costs associated with analysis of the reported information. EPA's overall compliance and enforcement program includes activities such as the examination of records maintained by the respondents, periodic inspection of sources of emissions, and the publication and distribution of collected information.

The average annual Agency cost during the three years of the ICR is estimated to be \$2,910,000.

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

Managerial	\$69.04 (GS-13, Step 5, \$43.15 + 60%)
Technical	\$51.23 (GS-12, Step 1, \$32.02 + 60%)
Clerical	\$27.73 (GS-6, Step 3, \$17.33 + 60%)

These rates are from the Office of Personnel Management (OPM), 2021 General Schedule, which excludes locality rates of pay. The rates have been increased by 60 percent to account for the benefit packages available to government employees. Details upon which this estimate is based appear at the end of this document in Table 2: Average Annual EPA Burden and Cost – NESHAP for Industrial, Commercial, and Institutional Boilers Area Sources (40 CFR Part 63, Subpart JJJJJ) (Renewal).

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

Based on our research for this ICR, on average over the next three years, approximately 64,855 existing respondents will be subject to the standard. It is estimated that the number of respondents subject to the rule will decrease by 511 per year. The overall average number of respondents, as shown in the table below, is 64,344 per year.

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

Number of Respondents					
Year	Respondents That Submit Reports		Respondents That Do Not Submit Any Reports		
	(A) Number of New Respondents ^{a, b}	(B) Number of Existing Respondents	(C) Number of Existing Respondents that keep records but do not submit reports	(D) Number of Existing Respondents That Are Also New Respondents	(E) Number of Respondents (E=A+B+C-D)
<i>Large Solid Boilers</i>					
1	10	2,100	0	0	2,110
2	10	2,110	0	0	2,120
3	10	2,120	0	0	2,130
Average	10	2,110	0	0	2,120
<i>Large Liquid Boilers</i>					
1	-31.5	3,178	0	0	3,146
2	-31.5	3,146	0	0	3,115
3	-31.5	3,115	0	0	3,083
Average	-31.5	3,146	0	0	3,115
<i>Small Solid Boilers</i>					
1	49	5,708	0	0	5,757
2	49	5,757	0	0	5,806
3	49	5,806	0	0	5,855
Average	49	5,757	0	0	5,806
<i>Small Liquid Boilers</i>					
1	-538	54,381	0	0	53,842
2	-538	53,842	0	0	53,304
3	-538	53,304	0	0	52,765
Average	-538	53,842	0	0	53,304
Total	-511	64,855	0	0	64,344

^a New respondents include sources with constructed, reconstructed and modified affected facilities.

^b Based on our research for this ICR, we determined that the number of respondents using liquid-fired boilers is decreasing at a rate of 1 percent per year during the three-year period of this ICR.

Column D is subtracted to avoid double-counting respondents. As shown above, the average Number of Respondents over the three-year period of this ICR is 64,344.

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

Total Annual Responses

(A) Information Collection Activity	(B) Number of Respondents	(C) Number of Responses	(D) Number of Existing Respondents That Keep Records But Do Not Submit Reports	(E) Total Annual Responses E=(BxC)+D
<i>Large Solid Boilers</i>				
Initial Notification	10	1	0	10
Notification of Compliance Status	10	1	0	10
Annual Compliance Report	2,130	1	0	2,130
Biennial Compliance Report	1,843	0.5	0	922
<i>Subtotal</i>				<i>3,071</i>
<i>Large Liquid Boilers</i>				
Initial Notification	0	1	0	0
Notification of Compliance Status	0	1	0	0
Annual Compliance Report	81	1	0	81
Biennial Compliance Report	3,115	0.5	0	1,557
<i>Subtotal</i>				<i>1,639</i>
<i>Small Solid Boilers</i>				
Initial Notification	49	1	0	49
Notification of Compliance Status	49	1	0	49
Biennial Compliance Report	5,806	0.5	0	2,903
<i>Subtotal</i>				<i>3,001</i>
<i>Small Liquid Boilers</i>				
Initial Notification	0	1	0	0
Notification of Compliance Status	0	1	0	0
Biennial Compliance Report	53,304	0.5	0	26,652
<i>Subtotal</i>				<i>26,652</i>
Total				34,363

The number of Total Annual Responses is 34,400 (rounded).

The total annual labor costs are \$135,000,000. Details regarding these estimates may be found at the end of this document in Table 1: Annual Respondent Burden and Cost – NESHP for Industrial, Commercial, and Institutional Boilers Area Sources (40 CFR Part 63, Subpart JJJJJ) (Renewal).

6(e) Bottom Line Burden Hours and Cost Tables

The detailed bottom line burden hours and cost calculations for the respondents and the Agency are shown in Tables 1 and 2 at the end of this document, respectively, and summarized below.

(i) Respondent Tally

The total annual labor hours are 1,140,000. Details regarding these estimates may be

found in Table 1: Annual Respondent Burden and Cost – NESHAP for Industrial, Commercial, and Institutional Boilers Area Sources (40 CFR Part 63, Subpart JJJJJ) (Renewal).

We assume that burdens for managerial tasks take 5% of the time required for technical tasks because the typical tasks for managers are to review and approve reports. Clerical burdens are assumed to take 10% of the time required for technical tasks because the typical duties of clerical staff are to proofread the reports, make copies and maintain records.

Furthermore, the annual public reporting and recordkeeping burden for this collection of information is estimated to average 33 hours per response.

The total annual capital/startup and O&M costs to the regulated entity are \$78,700,000. The cost calculations are detailed in Section 6(b)(iii), Capital/Startup vs. Operation and Maintenance (O&M) Costs.

(ii) The Agency Tally

The average annual Agency burden and cost over next three years is estimated to be 92,200 labor hours at a cost of \$2,910,000. See Table 2: Average Annual EPA Burden and Cost – NESHAP for Industrial, Commercial, and Institutional Boilers Area Sources (40 CFR Part 63, Subpart JJJJJ) (Renewal).

We assume that burdens for managerial tasks take 5% of the time required for technical tasks because the typical tasks for managers are to review and approve reports. Clerical burdens are assumed to take 10% of the time required for technical tasks because the typical duties of clerical staff are to proofread the reports, make copies and maintain records.

6(f) Reasons for Change in Burden

There is a decrease in burden from the most recently approved ICR as currently identified in the OMB Inventory of Approved Burdens. This is due to several considerations. The primary reason for the decrease in burden is a decrease in the estimated number of respondents using liquid-fueled boilers. U.S. Energy Information Administration data indicates the consumption of fuel oil in the commercial sector has decreased by 33 percent in the past 9 years and is anticipated to decrease by 1 percent per year for the next three years. This ICR assumes that this decrease in consumption corresponds to an equivalent decrease in the number of small and large boilers firing liquid fuels and adjusts the number of small liquid-fired and large liquid-fired boilers and respondents accordingly. This ICR assumes that, due to the decrease in respondents over the past nine years, no new liquid-fired boilers were constructed during that time period. The decrease in the estimated number of respondents firing liquid fuels resulted in a decrease in labor burden for the small and large liquid-fired categories. The estimated decrease in the number of respondents firing liquid fuels also results in a decrease of the number of liquid-fired sources required to do periodic stack testing and operate ESPs. This results in a significant decrease in periodic stack testing and O&M costs for large liquid-fired boilers constructed since the rule was promulgated in June 2010. This ICR assumes that growth in the small and large

solid-fueled categories will continue according to past trends. The increase in the estimated number of respondents firing solid fuels resulted in an increase in labor burden and capital/O&M costs for the small and large solid-fired categories. This ICR also corrects mathematical errors in the calculation of O&M costs for respondents firing solid fuels and required to perform triennial stack testing for Hg, CO, and PM. This correction results in an increase of capital and O&M costs. However, the overall results of the adjustments to this ICR is a decrease in burden and capital and O&M costs.

6(g) Burden Statement

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 33 hours per response. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB Control Number. The OMB Control Numbers for EPA regulations are listed at 40 CFR Part 9 and 48 CFR Chapter 15.

To comment on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including the use of automated collection techniques, EPA has established a public docket for this ICR under Docket ID Number EPA-HQ-OAR-2021-0121. An electronic version of the public docket is available at <http://www.regulations.gov/> which may be used to obtain a copy of the draft collection of information, submit or view public comments, access the index listing of the contents of the docket, and to access those documents in the public docket that are available electronically. When in the system, select "search," then key in the docket ID number identified in this document. The documents are also available for public viewing at the Enforcement and Compliance Docket and Information Center in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Ave., NW, Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. Due to COVID-19 precautions, entry to the Reading Room is available by appointment only. Please contact personnel in the Reading Room to schedule an appointment. The telephone number for the Reading Room is (202) 566-1744, and the telephone number for the docket center is (202) 566-1927. Also, you can send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, DC 20503, Attention: Desk Officer for EPA. Please include the EPA Docket ID Number EPA-HQ-OAR-2021-0121 and OMB Control Number 2060-0668 in any correspondence.

Part B of the Supporting Statement

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

Table 1: Annual Respondent Burden and Cost – NESHAP for Industrial, Commercial, and Institutional Boilers Area Sources (40 CFR Part 63, Subpart JJJJJJ) (Renewal)

Fuel Category	Average No. Respondents	Average No. Responses	Reporting Burden (hrs)	Recordkeeping Burden (hrs)	Total Labor Burden (hrs)	Total Labor Cost (\$)	Total Capital and O&M Cost (\$)	Total Costs (\$)
Large Solid	2,120	3,071	101,229	26,196	127,424	\$15,072,452	\$6,912,728	\$21,985,180
Large Liquid	3,115	1,639	38,143	176,405	214,548	\$25,377,953	\$5,889,778	\$31,267,731
Small Solid	5,806	3,001	66,203	15,023	81,226	\$9,607,914	\$6,468,070	\$16,075,984
Small Liquid	53,304	26,652	582,344	137,924	720,267	\$85,197,299	\$59,380,414	\$144,577,713
Total	64,344	34,363	787,918	355,548	1,143,466	\$135,255,618	\$78,650,989	\$213,906,607
Grand Total (rounded) ^a					1,140,000	\$135,000,000	\$78,700,000	\$214,000,000
<i>Total Private Sector (49% of Respondents)</i>	31,529	16,838	386,080	174,218	560,000	66,300,000	38,500,000	104,800,000
<i>Total Public Sector (51% of Respondents)</i>	32,815	17,525	401,838	181,329	583,000	69,000,000	40,100,000	109,100,000

^a Totals have been rounded to 3 significant figures. Figures may not add exactly due to rounding.

Table 2: Average Annual EPA Burden and Cost – NESHAP for Industrial, Commercial, and Institutional Boilers Area Sources (40 CFR Part 63, Subpart JJJJJJ) (Renewal)

Burden Item	A	B	C	D	E	F	G
	Technical Person-Hours per Occurrence	Occurrences per Year	Technical Person-Hours per Respondent per Year (C=AxB)	Technical Hours per Year (D=C)	Management Hours per Year (E=Dx0.05)	Clerical Hours per Year (F=Dx0.10)	Total Cost per Year (\$) ^a
1. Read and Understand Rule Requirements ^b	40	0	0	0	0	0	\$0
2. Enter and Update Information into Agency Recordkeeping System ^c	2	59.2	118	118	5.92	11.8	\$4,296.06
3. Required Activities							
a) Observe Initial Stack/Performance Test ^d	40	0.37	15	15	1	1	\$537.31
b) Observe Repeat Performance Test ^e	40	0.04	2	2	0.1	0.2	\$58.09
c) Review Operating Parameters ^f	2	2	4	4	0.2	0.4	\$132.87
d) Review Continuous Parameter Monitoring ^g	2	3,421	6,843	6,843	342	684	\$248,420.59
4. Excess Emissions Enforcement Activities and Inspections ^h	24	0.2	4.3	4.3	0.22	0.43	\$157.01
5. Notification Requirements							
a) Review Initial Notification that Sources are Subject to the Standard ^c	2	59.2	118	118	5.92	11.8	\$4,296.06
b) Review Notification of Initial Performance Tests and Review Test Plan ^f	20	2	37	37	2	4	\$1,328.76
c) Review Notification of Compliance Status ^c	2	59.2	118	118	5.92	11.8	\$4,296.06
6. Reporting Requirements						0	

a) Review Annual Compliance Report	4	2,211	8,843	8,843	442	884	\$321,057.18
b) Review Biennial Compliance Report	2	32,034	64,068	64,068	3,203	6,407	\$2,325,988.74
c) Review Initial Report on Energy Audit Results ⁱ	2	0	0	0	0	0	\$0
7. Travel Expenses for Performance Tests Observed ⁱ							\$634.68
TOTAL (rounded)^k					92,200		\$2,910,000

Assumptions

^a This ICR uses the following labor rates: \$51.23 for technical, \$69.04 for managerial, and \$27.73 for clerical labor. These rates are from the Office of Personnel Management (OPM) 2021 General Schedule, which excludes locality rates of pay. The rates have been increased by 60 percent to account for the benefit packages available to government employees.

^b No burden will be incurred over the three-year ICR period, as this was a one-time requirement during a previous ICR period.

^c All new sources must submit initial notifications and notifications of compliance status, regardless of subcategory.

^d It is assumed that EPA will observe 20% of initial performance tests.

^e It is assumed that 10% of initial performance tests will be repeated, which will be observed by EPA.

^f The number of occurrences is based on the number of new facilities that will test and set/submit operating limits. All new sources must submit operating limits, regardless of subcategory.

^g The number of occurrences is based on the number of facilities maintaining records of control device parameters.

^h It is assumed that 10% of new facilities will have exceedances, requiring EPA enforcement.

ⁱ All existing sources at the time of promulgation of the standard were required to complete the energy audit by the conclusion of the previous ICR period; therefore, no new or existing sources will incur this burden over the next three years.

^j The total cost is based on the number of performance tests observed by EPA multiplied by the cost of each trip. Based on EPA experience with other rulemakings, each trip is estimated to be 3 days x (\$220 hotel + \$96 meals/incidentals) + (\$600 round trip) = \$1,104 per trip.

^k Totals have been rounded to 3 significant figures. Figures may not add exactly due to rounding.

**Appendix A – Draft Electronic Reporting Template
(see Docket ID Number EPA-HQ-OAR-2021-0121)**