SUPPORTING STATEMENT
ENVIRONMENTAL PROTECTION AGENCY

NESHAP for Industrial, Commercial, and Institutional Boilers and Process Heaters (40 CFR Part 63, Subpart DDDDD) (Renewal)

1. Identification of the Information Collection

1(a) Title of the Information Collection

NESHAP for Industrial, Commercial, and Institutional Boilers and Process Heaters (40 CFR Part 63, Subpart DDDDD) (Renewal), EPA ICR Number 2028.11, OMB Control Number 2060-0551.

1(b) Short Characterization/Abstract

The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Industrial, Commercial, and Institutional Boilers and Process Heaters (40 CFR Part 63, Subpart DDDDD) were proposed on January 13, 2003; and promulgated on September 13, 2004. On June 19, 2007, the United States Court of Appeals for the District of Columbia Circuit vacated and remanded the Boilers NESHAP. On June 4, 2010, the EPA issued a proposal in response to the vacatur and, in March 2011, the EPA promulgated the rule in response to the vacatur. Also in March 2011, EPA issued a voluntary reconsideration of the final rule and then proposed its reconsideration of the rule in December 2011. The Boiler MACT reconsideration was finalized in January 2013. On January 21, 2015, EPA issued a proposal in response to certain issues raised in petitions of reconsideration on the January 13, 2013 final rule. The EPA subsequently published a final rule and notice of action on reconsideration on November 20, 2015. Subsequently, the United States Court of Appeals for the District of Columbia Circuit, in a decision issued in July 2016, vacated several of these emission standards to EPA based on the court's review of EPA's approach to setting those standards. On December 23, 2016, the United States Court of Appeals for the District of Columbia Circuit granted EPA's motion for rehearing on remedy and remanded without vacatur these affected MACT standards. Amendments to these standards were proposed on August 24, 2020 (85 FR 52198), but have not been finalized. Requirements of the proposed 2020 amendments are not included in the burden of this ICR. This ICR continues to reflect the burden to affected entities following the November 20, 2015 final rule.

These regulations apply to existing and new industrial, commercial, and institutional boilers and process heaters located at major sources of HAP. New facilities include those that commenced construction or reconstruction after the date of proposal. This information is being collected to assure compliance with 40 CFR Part 63, Subpart DDDDD.

In general, all NESHAP standards require initial notifications, performance tests (if sources are using add-on controls to demonstrate compliance), 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 this 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. If 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. If 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 boilers and in-direct fired process heaters that are subject to this NESHAP. 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 and Process Heaters (40 CFR Part 63, Subpart DDDDD) (Renewal). The Federal Government’s ‘burden’ is attributed entirely to work performed by either Federal employees or government contractors and can be found below in Table 2: Average Annual EPA Burden and Cost – NESHAP for Industrial, Commercial, and Institutional Boilers and Process Heaters (40 CFR Part 63, Subpart DDDDD) (Renewal).

Based on our consultations with industry representatives, there are multiple units at each plant site, the number of units varies depending on the subcategory of the boiler or process heaters. Each facility or plant site is counted as one respondent.

There are currently approximately 16,195 existing units at 2,143 facilities subject to these standards. We estimate an additional 594 new units at 79 facilities per year will become subject over the next three years to these same standards. The number of facilities and units for each subcategory over the next three years may be found below in Table 3: Respondents and Units by Subcategory – NESHAP for Industrial, Commercial, and Institutional Boilers and Process Heaters. Approximately 6% of these facilities are owned by either state, local, tribal entities or the Federal government. The remaining 94% are owned and operated by privately-owned, for-profit businesses. We assume that they will all respond to EPA inquiries. These estimates increase the number of respondents from the currently-approved ICR and are based on a review of compliance data collected from the EPA’s CEDRI and from data collected for the proposed 2020 amendments.

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 either 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, and institutional boilers and process heaters either cause or contribute to air pollution that may reasonably be anticipated to endanger public health and/or welfare. Therefore, the NESHAP were promulgated for this source category at 40 CFR Part 63, Subpart DDDDD.

2(b) Practical Utility/Users of the Data

The recordkeeping and reporting requirements in these 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, biennial, five-year, and semiannual reports are used to determine periods of excess emissions, identify problems at the facility, verify operation/maintenance procedures, and for compliance determinations.

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 change in information required in 40 CFR 63.9(j), performance test reports required in 40 CFR 63.7550(h)(1), CEMS performance evaluations required in 40 CFR 63.7550(h)(2) and compliance reports required in 40 CFR 63.7550(h)(3) through the EPA's Central Data Exchange (CDX), using the Compliance and Emissions Data Reporting Interface (CEDRI). For compliance reports, EPA has developed XML and Excel templates for the reporting forms in CEDRI specifically for 40 CFR Part 63, Subpart DDDDD. 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. The EPA is also requiring that 40 CFR Part 63, Subpart DDDDD performance test reports and performance evaluations be submitted through the EPA’s ERT.

3. Non-duplication, Consultations, and Other Collection Criteria

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

3(a) Non-duplication

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 for 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 these standards, 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 Agency also reviewed compliance data submitted through EPA's WebFIRE, which contains reports submitted to the EPA using the CEDRI. The growth rate for the industry is based on our consultations with the Agency's internal industry experts and it accounts for shutdowns of coal-fired boilers and fuel switching from coal to natural gas, which has adjusted some of the subcategory counts. Approximately 2,302 respondents will be subject to these standards 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 these standards as they were being developed and these same standards have been reviewed previously 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 Forest & Paper Association, at (202) 463-2700.

It is our policy for o 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 these standards. Requirements for information gathering and recordkeeping are useful techniques to ensure that good operation and maintenance practices are applied and that 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 these standards. The 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, to spot any pattern of non-compliance, and to determine the appropriate level of enforcement action. The 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 either 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 (CBI) (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 these standards 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 or operators of new and existing industrial, commercial, or institutional boilers and process heaters. The United States Standard Industrial Classification (SIC) code for the respondents affected by the standards and the corresponding North American Industry Classification System (NAICS) codes are listed below.

Standard (40 CFR Part 63, Subpart DDDDD)	SIC Codes	NAICS Codes
Oil and gas extraction	1311/3121/2819	211
Wood product manufacturing	2421/2426/2429/2491/2435/2436/2439/2493/ 2431/2441/2448/2449/2499/2451/2452/3131	321
Paper manufacturing	2611/2621/2631/2653/2679/2657/2652/2655/ 2656/2671/2672/2679/2673/2674/3497/2675/ 2677/2678/2676/3842	322
Chemical manufacturing	2865/2869/2813/2879/2851/2899/2891/2844/ 2893/2892	325
Petroleum and coal products manufacturing	2911	324
Leather, plastics, rubber, and miscellaneous products manufacturing	3111/3999/3083/3086/3085/3052/3949/3069/ 3993	316/326/339
Primary metal manufacturing	3317	331
Fabricated metal product manufacturing	3443/3559/3429/3499/3599	332
Transportation equipment	3711/3714/3292/2396/2399/	336

manufacturing	2531/3499/3465/3531/3743	
Utilities	4923/4924/4925/4931/4932/4939/4941/4971/ 4952/4961	221
Hospitals	8062/8069/8063	622
Educational services	8211/8222/8221/8244/8243/8299/7231/7241/ 8249/7911/7999/8748	611

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 and Process Heaters (40 CFR Part 63, Subpart DDDDD).

A source must make the following reports:

Notifications	
Initial Notification that Source is Subject	§63.9, §63.7545
Notification of startup	§63.9, §63.7545(c)
Notification of changes in information (electronic submission)	§63.9(j), §63.7545(c)
Notification of reclassification to area source status or to revert to major source status (electronic submission)	§63.9(b), §63.7545(c)
Notification of intent to conduct performance test	§63.9, §63.7545(d)
Notification of Compliance Status	§63.9, §63.7545(e)
Notification of Alternative Fuel Use	§63.9, §63.7545(f)
Notification of fuel switching	§63.9, §63.7545(h)

Reports	
Initial Report on results of Energy Audit	§63.7530, §63.7545
Annual Compliance Report (electronic submission)	§63.7550
Semi-annual Compliance Report (electronic submission)	§63.7550(b), §63.7550(c)
Deviation report	§63.7550(d), §63.7550(e)
Performance test reports or performance evaluations (electronic submission)	§63.7550(h)

A source must keep the following records:

Recordkeeping	
Records of Monitoring Device Calibrations	§63.7525(d)
Records of Annual Tune-up	§63.7540(c)
Records of all notifications and reports, including semi-annual compliance reports	§63.10(b)(2), §63.7555(a)(1)
Records of performance tests, fuel analyses, or other compliance demonstrations and performance evaluations	§63.10(b)(2), §63.7555(a)(2)
Records of CEMS and COMS data	§63.7555(b)
Records of parameter monitoring	§63.7555(c)
Records of monthly fuel use	§§63.7555(d)(1)-(5), (8)
Records of malfunctions	§§63.7555(d)(6)-(7)
Records of startups and shutdowns	§§63.7555(d)(9)-(13)

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 November 20, 2015 and November 19, 2020. 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. Respondents are required to use the EPA's CEDRI to submit notification in the event of reclassification to area source status and to sources that revert to major source status. The notification is 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 is an upload of their currently required notification in portable document format (PDF). The compliance reports are to be created using Form 5900-559, the electronic template included with this Supporting Statement.

The template is an Excel spreadsheet which can be partially completed and saved for subsequent semiannual 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 will be 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 CMS for opacity, or for pH, pressure drop and liquid supply pressure for each scrubber, fabric filter, electrostatic precipitator, carbon injection control, or other add-on air control device.
Perform initial performance test, Reference Method 1, 2, 2F, 2G, 3A, 3B, 4, 5, 10, 17, 19, 26, 26A, 29, 30A, or 30B test, 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.
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

The 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 standards 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 semiannual 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. The EPA uses ICIS for tracking air pollution compliance and enforcement by local and state regulatory agencies, EPA regional offices, and EPA headquarters. The 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 that the NESHAP will have a substantial impact on a significant number of small entities. In developing these regulations, a small entity is defined as: (1) a small business according to Small Business Administration size standards by the North American Industry Classification System (NAICS) category of the owning entity. The range of small business size standards for the 45 affected 3-digit NAICS industries ranges from 500 to 1,000 employees, except for petroleum refining and electric utilities. In these latter two industries, the size standard is 1,500 employees and a mass throughput of 75,000 barrels/day or less or 4 million kilowatt-hours of production or less, respectively; (2) 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; and (3) a small organization that is any not-for-profit enterprise that is independently-owned and operated and is not dominant in its field.

The EPA has previously determined that approximately 9 percent of the total facilities affected by the regulation may be small entities.[1] The Boilers NESHAP 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. For instance, operating parameter monitoring is required instead of CEMS. The rule provides an option to demonstrate compliance with fuel analysis in lieu of stack testing for boilers combusting fuels with mercury, TSM8, or chlorine contents less than their associated emission limit. In addition, providing a work practice standard for small and limited use boilers and process heaters firing all fuel types and for boilers of all sizes firing natural gas, refinery gas, or other gas 1 fuels, the EPA has substantially reduced the burden of the rule, including reducing the burden on small entities. For example, for small entities with only small or limited use boilers and process heaters installed, the option to demonstrate compliance using an annual, biennial, or every five-year tune-up is a substantial savings compared with the requiring stack testing, parameter monitoring, and add-on air pollution control devices. Additionally, compliance flexibilities exist for boilers and process heaters, burning ultra-low sulfur liquid fuels, by reducing the requirement for subsequent performance tests.

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 and Process Heaters (40 CFR Part 63, Subpart DDDDD) (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 neither conduct nor 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 410,000 hours (Total Labor Hours from Table 1 below). These hours are based on Agency studies and background documents from the development of these regulations, Agency knowledge and experience with the NESHAP

1 This estimate is based on responses to the 2008 survey “Information Collection Effort for Facilities with Combustion Units (ICR No. 2286.01)”, as well as follow-up information submitted to the docket during the 2013 final rule, which indicated 151 of 1,701 facilities (9%) were small entities. The number of facilities has changed since the 2013 final rule, but this ICR renewal estimates the same percentage of facilities, or now 207 (9% of 2,302 average facilities per year) are small entities.

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 these regulations. 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) Boiler Type	(B) Number of Respondents per Year (facilities)	(C) Annual Capital/Start up Cost	(D) Annual O&M Costs	(E) Annual O&M and Annualized Capital Costs
Existing Large Solid Units	282	$0	$32,097,783	$32,097,783
New Large Solid Units	5	$111,215	$234,375	$345,590
Existing Small and Limited Use Solid Units	6	$0	$101,003	$101,003
New Small Solid Units	0	$0	$2,228	$2,228
Existing Large Liquid Units	21	$0	$786,707	$786,707
New Large Liquid Units	0	$0	$0	$0
Existing Small and Limited Use Liquid Units	3	$0	$55,700	$55,700
New Small Liquid Units	0	$0	$0	$0
Existing Large Gaseous Units	760	$0	$19,537,883	$19,537,883
New Large Gaseous Units	33	$0	$750,375	$750,375

Capital/Startup vs. Operation and Maintenance (O&M) Costs				
Existing Small and Limited Use Gaseous Units	1,150	$0	$15,466,620	$15,466,620
New Small Gaseous Units	41	$0	$726,328	$726,328
Total	2,302	$111,215	$69,759,002	$69,870,217
Total (Rounded)	2,300	$111,000	$69,800,000	$69,900,000

Note: 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 $111,000. This is the total of column C in the above table.

The total operation and maintenance (O&M) costs for this ICR are $69,800,000. This is the total of column D.

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 $69,900,000. 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. The EPA's overall compliance and enforcement program includes such activities 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 $706,000.

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 Federal 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 and Process Heaters (40 CFR Part 63, Subpart DDDDD) (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 2,222 existing respondents will be subject to these standards. It is estimated that an additional 79 respondents per year will become subject to these same standards. The overall average number of respondents, as shown in the table below, is 2,302 per year.

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

Number of Respondents - All					
	Respondents That Submit Reports		Respondents That Do Not Submit Any Reports		
Year	(A) Number of New Respondents [a]	(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)
1	79	2,143	0	0	2,222
2	79	2,222	0	0	2,302
3	79	2,301	0	0	2,381
Average	79	2,222	0	0	2,302

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

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 2,302.

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

Number of Respondents – By Subcategory					
	Respondents That Submit Reports		Respondents That Do Not Submit Any Reports		
Boiler Subcategory	(A) Number of New Respondents Per Year	(B) Number of Existing Respondents Per Year	(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)
Large Solid Units	5	282	0	0	286
Large Liquid Units	0	6	0	0	7
Large Gas Units	0	21	0	0	21
Small Solid Units	0	3	0	0	3
Small Liquid Units	33	760	0	0	794
Small Gas Units	41	1,150	0	0	1,191
Total	79	2,222	0	0	2,302

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 (Average)	(C) Number of Responses (Average)	(D) Number of Existing Respondents That Keep Records But Do Not Submit Reports	(E) Total Annual Responses E=(BxC)+D
Existing Large Solid Units	282	2	0	563
New Large Solid Units	5	4	0	20
Existing Small Solid Units	6	0.6	0	4
New Small Solid Units	0	3	0	1
Existing Large Liquid Units	21	2	0	42
New Large Liquid Units	0	0	0	0
Existing Small Liquid Units	3	0.7	0	2
New Small Liquid Units	0	0.0	0	0
Existing Large Gaseous Units	760	2.3	0	1,736
New Large Gaseous Units	33	3	0	100
Existing Small Gaseous Units	1150	0.5	0	575
New Small Gaseous Units	41	2.5	0	103
Total	**2,302**	**21**	**0**	**3,146**

The number of Total Annual Responses is 3,146.

The total annual labor costs are $48,400,000. Details regarding these estimates may be found at the end of this document in Table 1: Annual Respondent Burden and Cost – NESHAP for Industrial, Commercial, and Institutional Boilers and Process Heaters (40 CFR Part 63, Subpart DDDDD) (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 410,000. Details regarding these estimates may be found below in Table 1: Annual Respondent Burden and Cost – NESHAP for Industrial, Commercial, and Institutional Boilers and Process Heaters (40 CFR Part 63, Subpart DDDDD) (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 130 hours per response.

The total annual capital/startup and O&M costs to the regulated entity are $69,900,000. 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 19,800 labor hours at a cost of $706,000; see below in Table 2: Average Annual EPA Burden and Cost – NESHAP for Industrial, Commercial, and Institutional Boilers and Process Heaters (40 CFR Part 63, Subpart DDDDD) (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 growth in portions of this industry (biomass-fired and gas-fired boilers) but decreases in other portions of the industry (coal-fired and liquid-fired boilers) due to shutdowns. The number of existing large solid-fired (coal and biomass) boilers, existing large liquid-fired boilers, existing large Gas 2 boilers, and new large biomass boilers were updated using CEDRI December 2020 data and the data collected during the proposed rule. These changes have resulted in an overall increase in the number of respondents. These changes have also resulted in decreases in the overall capital/startup or operation and maintenance (O&M) costs, as the majority of the new sources (gas-fired boilers) have no capital/startup costs. The regulations have not changed over the past three years. An amendment to these regulations was proposed in 2020, but has not been finalized. Changes in ‘burden’ due to that amendment have not been included in this ICR. One minor error in the calculations for the previously-approved ICR (2028.09) has been corrected. The number of existing and small limited use solid fuel units conducting a biennial tune-up has been adjusted to account for the correct number of average annual respondents expected. There is an increase in labor costs, which is due to the use of updated labor rates. This ICR uses labor rates from the most-recent Bureau of Labor Statistics report (March 2021) and the Office of Personnel Management (OPM), 2021 General Schedule to calculate respondent burden costs for private and public respondents, respectively.

6(g) Burden Statement

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 130 hours per response. 'Burden' means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information either 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 neither conduct nor 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-2021-0111. 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), WJC 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) 566-1752. 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-2021-0111 and OMB Control Number 2060-0551 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 and Process Heaters (40 CFR Part 63, Subpart DDDDD) (Renewal)

Boiler Type	Number of Units (Average)	Number of Respondents per Year (Average)	Number of Responses Per Year (Average)	Reporting	Recordkeeping	Total Labor Hours	Total Labor Cost	Total Annual O&M and Annualized Capital Costs per year	Total Costs
Existing Large Solid Units	453	282	563	71,582	32,013	103,595	$12,253,764.68	$32,097,783	$44,351,547.68
New Large Solid Units	5	5	20	1,311	512	1,823	$215,605.17	$345,590.00	$561,195.17
Existing Small and Limited Use Solid Units	45	6	4	367	158	526	$62,187.70	$101,002.67	$163,190.36
New Small Solid Units	1	0.33	1	27	16	43	$5,089.73	$2,228.00	$7,317.73
Existing Large Liquid Units	37	21	42	5,729	2,568	8,297	$981,445.63	$786,707	$1,768,152.63
New Large Liquid Units	0	0	0	0	0	0	$0	$0	$0.00
Existing Small and Limited Use Liquid Units	25	3	2	198	78	276	$32,594.13	$55,700	$88,294.13
New Small Liquid Units	0	0	0	0	0	0	$0	$0	$0.00
Existing Large Gaseous Units	6,439	760	1,736	149,265	21,079	170,344	$20,149,244.23	$19,537,883	$39,687,127.57
New Large Gaseous Units	261	33	100	6,285	3,563	9,848	$1,164,846.05	$750,375	$1,915,221.05
Existing Small and Limited Use Gaseous Units	9,789	1,150	575	77,463	30,587	108,050	$12,780,727.75	$15,466,620.00	$28,247,347.75
New Small Gaseous Units	326	41	103	4,725	2,027	6,752	$798,623.32	$726,328.00	$1,524,951.32
Subtotals (all types)	17,382	2,302	**3,146**	**316,952**	**92,600**	**409,552**	**48,444,128**	**$69,870,217**	**$118,314,345**
GRAND TOTAL (rounded) [a]						**410,000**	**$48,400,000**	**$69,900,000**	**$118,000,000**
Total Private Sector		2,164	2,957	297,924	87,044	385,000	$45,500,000	$65,700,000	$111,000,000
Total Public Sector		138	189	19,016	5,556	24,600	$2,910,000	$4,190,000	$7,100,000

[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 and Process Heaters (40 CFR Part 63, Subpart DDDDD) (Renewal)

Burden Item	EPA hours per occurrence (A)	Number of occurrences per year (B)	EPA hours per occurrence per year (C=AxB)	Technical hours per year (D=C)	Management hours per year (E=Dx0.05)	Clerical hours per year (F=Dx0.1)	(H) Costs, $ [k]	Footnotes
1. Familiarization with rule requirements	10	0	0	0	0	0	$0.00	a
2. Enter and update information into agency recordkeeping system	2	159	319	319	15.9	31.9	$11,569.19	b
3. Required activities								
A. Review and approve monitoring plan	20	5	100	100	5	10	$3,630.50	n
B. Review and approve fuel monitoring plan	20	420	8,400	8,400	420	840	$304,962.00	o
C. Observe initial stack/performance test	40	4	160	160	8	16	$5,808.80	c
D. Observe repeat performance test	40	48	1,920	1,920	96	192	$69,705.60	d
E. Review operating parameters	2	20	40	40	2.0	4.0	$1,452.20	e
F. Review continuous parameter monitoring	2	495	990	990	49.5	99.0	$35,941.95	f
4. Excess Emissions Enforcement Activities and Inspections	24	2	0	0	0	0	$0	g
5. Notification requirements								
A. Review initial notification that sources are subject to the standard	2	80	159	159	8.0	15.9	$5,784.60	b
B. Review notification of initial performance tests and review test plan	20	20	400	400	20	40	$14,522.00	e
C. Review notification of compliance status	2	80	159	159	8.0	15.9	$5,784.60	b
6. Reporting requirements			0	0	0	0	$0.00	
A. Review semiannual compliance report	4	615	2,461	2,461	123.1	246.1	$89,358.71	h
B. Review annual compliance report	2	760	1,520	1,520	76.0	152.0	$55,183.60	i
C. Review biennial compliance report	1	600	600	600	30	60	$21,793.74	j
D. Review initial report on results of energy audit	2	0	0	0	0	0	$0	l
7. Travel Expenses for Tests Attended	3 days * ($220 hotel + $96 meals/incidentals) + ($600 round trip) = $1,548 per trip						$80,496	m

TOTAL (rounded)		**19,800**	**$706,000**	p

Assumptions

[a] Number of hours for agency staff to refamiliarize themselves with the rule requirements.

[b] Number of occurrences is based on the total number of affected facilities that are required to submit initial notifications (all new boilers in the large and small solid, liquid, and gaseous subcategories).

[c] Number of occurrences is based on the assumption that EPA personnel will observe 20% of the initial performance tests that occur.

[d] Number of occurrences is based on the assumption that of the units that test, 10% will have to retest and EPA personnel will observe all these retests. In addition solid fuel units are expected to re-test to obtain worst-case conditions for both Hg and HCl emissions.

[e] Number of occurrences is based on the number of units that will test and set/submit operating limits.

[f] Number of occurrences is based on the number of units maintaining records of control device parameters.

[g] Number of occurrences is based on the assumption that of the units that test, 10% of them will have exceedances and need enforcement.

[h] Number of occurrences is the number of units that will submit these semi-annual compliance reports, 2 reports per year per respondent.

[i] Number of occurrences is the number of units that will submit these annual compliance reports.

[j] Number of occurrences is the number units that will submit these biennial compliance reports.

[k] 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. These rates can be obtained from the OPM web site, http//www.opm.gov/oca/payrates/index/htm.

[l] Energy audits only occur at existing facilities.

[m] Total cost is based on the number of trips taken by EPA to observe performance tests in year 1 (4.A. & 4.B.) multiplied by $1,548 per trip. The source for hotel and meals/incidental costs is based on FY21 per diem rates, averaged across all locations in the United States. Airfares are estimated based on experience from other rulemakings. See: https://www.perdiem101.com/conus/2021

[n] Number of occurrences is based number of affected facilities which submit monitoring plan, all new large units are required to submit this.

[o] Number of occurrences is based off facilities which have emission limits plus gas units which must perform Hg spec analysis.

[p] Totals have been rounded to 3 significant figures. Figures may not add exactly due to rounding.

Table 3: Respondents and Units by Subcategory – NESHAP for Industrial, Commercial, and Institutional Boilers and Process Heaters (40 CFR Part 63, Subpart DDDDD) (Renewal).

					Year 1		Year 2		Year 3	
Boiler Type	Respondents per Year (Current)	Units per Year (Current)	New Respondents per Year	New Units Per Year	Total Respondents	Total Units	Total Respondents	Total Units	Total Respondents	Total Units
Large Solid Units	277	448	5	5	282	453	287	458	292	463
Small and Limited Use Solid Units	6	44	0.33	1.33	6	45	7	47	7	48
Large Liquid Units	21	37	0	0	21	37	21	37	21	37
Small and Limited Use Liquid Units	3	25	0	0	3	25	3	25	3	25
Large Gaseous Units	727	6,178	33	261	760	6,439	794	6,701	827	6,962
Small and Limited Use Gaseous Units	1,109	9,463	41	326	1,150	9,789	1,191	10,115	1,232	10,441
Subtotals	2,143	16,195	80	594	2,223	16,789	2,302	17,382	2,382	17,976

Appendix A –Electronic Reporting Template