

**SUPPORTING STATEMENT  
ENVIRONMENTAL PROTECTION AGENCY**

**NSPS for Industrial/Commercial/Institutional Steam Generating Units (40 CFR Part 60, Subpart Db) (Renewal)**

**1. Identification of the Information Collection**

**1(a) Title of the Information Collection**

NSPS for Industrial/Commercial/Institutional Steam Generating Units (40 CFR Part 60, Subpart Db) (Renewal), EPA ICR Number 1088.16, OMB Control Number 2060-0072.

**1(b) Short Characterization/Abstract**

The New Source Performance Standards (NSPS) for Industrial/Commercial/Institutional Steam Generating Units (40 CFR Part 60, Subpart Db) were proposed on June 19, 1986, and promulgated on December 16, 1987. These regulations apply to both existing and new industrial/commercial/institutional steam generating units (boilers) that have a heat input capacity from fuels combusted in the unit of greater than 29 megawatts (MW) (100 million British thermal units per hour (MMBtu/hr)). New facilities include those that either commenced construction, modification or reconstruction after June 19, 1984. This information is being collected to assure compliance with 40 CFR Part 60, Subpart Db.

In general, all NSPS 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 NSPS.

Any owner/operator subject to the provisions of this part shall maintain a file of these measurements and retain the file for at least two 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, an 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's 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 'burden' to the "Affected Public" may be found below in Table 1: Annual Respondent Burden and Cost – NSPS for Industrial/Commercial/Institutional Steam Generating Units (40 CFR Part 60, Subpart Db) (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 – NSPS for Industrial/Commercial/Institutional Steam Generating Units (40 CFR Part 60, Subpart Db) (Renewal). There are approximately 2,068 industrial/commercial/institutional steam generating facilities. None of the facilities in the United States are owned by either state, local, or tribal entities or by the Federal government. They are all owned and operated by privately-owned, for-profit businesses. We assume that they will all respond to EPA inquiries.

Based on our consultations with industry representatives, there are an average of one 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, approximately 2,068 respondents per year will be subject to these standards, and 37 additional respondents per year will become subject to these same standards. The new sources include 33 gas-fired units and 4 biomass-fired units. This reflects an increase in the number of respondents from the currently-approved ICR, based on an assumption of continuous growth within the industry.

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 111 of the Clean Air Act (CAA), as amended, to establish standards of performance for new stationary sources that reflect:

. . . application of the best technological system of continuous emissions reduction which (taking into consideration the cost of achieving such emissions reduction, or any non-air quality health and environmental impact and energy requirements) the Administrator determines has been adequately demonstrated.  
Section 111(a)(1).

The Agency refers to this charge as selecting the best demonstrated technology (BDT). Section 111 also requires that the Administrator review and, if appropriate, revise such standards every eight years. 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, sulfur dioxide (SO<sub>2</sub>), particulate matter (PM), and nitrogen oxides (NO<sub>x</sub>) emissions from industrial/commercial/institutional steam generating units either cause or contribute to air pollution that may reasonably be anticipated to endanger public health and/or welfare. Therefore, the NSPS were promulgated for this source category at 40 CFR Part 60, Subpart Db.

## **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 these emission standards. Continuous emission monitors are used to ensure compliance with these same 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 these standards are used to inform the Agency or its 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 that these standards are being met. The performance test may also be observed.

The required 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 relative accuracy test audit data and performance test reports through the EPA's Central Data Exchange (CDX), using the Compliance and Emissions Data Reporting Interface (CEDRI).

CEDRI includes the Electronic Reporting Tool (ERT) software, which is used by

facilities to generate electronic reports of performance tests. The EPA is requiring that 40 CFR Part 60, Subpart Db relative accuracy test audit data and performance test reports 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 60, Subpart Db.

#### **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* (87 FR 20847) on April 8, 2022. 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 growth rate for the industry is based on our consultations with the Agency's internal industry experts. Approximately 2,068 respondents will be subject to these same standards over the three-year period covered by this ICR. This reflects an increase in the number of respondents from the currently-approved ICR, based on an assumption of continuous growth within the industry.

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 (540) 349-9043, 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 for 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 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.

### **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 and

operators of industrial/commercial/institutional steam generating units. The United States Standard Industrial Classification (SIC) codes and the corresponding North American Industry Classification System (NAICS) codes for the respondents affected by the standards are listed in the table below:

<b>Standard (40 CFR Part 60, Subpart Db)</b>	<b>SIC Codes</b>	<b>NAICS Codes</b>
Oil and Gas Extraction	13	211
Utilities	49	221
Fossil Fuel Electric Power Generation	49	221112
Electric Power Transmission, Control, and Distribution	491	22112
Leather and Allied Product Manufacturing	31	316
Wood Product Manufacturing	24	321
Paper Manufacturing	26	322
Petroleum and Coal Products Manufacturing	29	324
Chemical Manufacturing	28	325
Plastics and Rubber Products Manufacturing	30	326
Primary Metal Manufacturing	33	331
Fabricated Metal Product Manufacturing	34	332
Transportation Equipment Manufacturing	37	336
Miscellaneous Manufacturing	39	339
Educational services	82	611
Hospitals	806	622
American Indian and Alaska Native Tribal Governments	8423	921150

#### **4(b) Information Requested**

##### **(i) Data Items**

In this ICR, all the data that are recorded or reported is required by the NSPS for Industrial/Commercial/Institutional Steam Generating Units (40 CFR Part 60, Subpart Db).

A source must make the following reports:

<b>Notifications</b>	
Construction/reconstruction	§60.7(a)(1)
Actual startup	§60.7(a)(3), §60.49b(a)
Initial performance test results	§60.8 (a), §60.49b(b)
Initial performance test	§60.8(d)
Demonstration of continuous monitoring system	§60.7(a)(5)
Physical or operational change	§60.7(a)(4)
Operating conditions for compliance with NO <sub>x</sub> standard	§60.49b(c)
Monitoring results	§§60.49b(i)-(m)
Annual capacity factor, fuel nitrogen content, NO <sub>x</sub> emission tests	§60.49b(q)
Fuel-based compliance alternative report	§60.49b(r)
Removal efficiency by fuel pretreatment and associated documentation	§60.49b(n)

<b>Reports</b>	
Excess emissions semiannual report	§60.7(c), §§60.49b(h), (w)
Quarterly reporting for Cytec Industries Fortier Plant's C.AOG incinerator, Westwego, Louisiana	§60.49b(s)
Quarterly reporting for Rohm and Haas Kentucky Incorporated's Boiler Number 100, Louisville, Kentucky	§60.49b(t)
Quarterly reporting for Merck & Co., Inc.'s Stonewall Plant, Elkton, Virginia	§60.49b(u)
Quarterly reporting for Weyerhaeuser Company's No. 2 Power Boiler, New Bern, North Carolina	§60.49b(x)
Quarterly reporting for INEOS USA's AOGI, Lima, Ohio	§60.49b(y)
Quarterly reporting (electronic)	§60.49b(v)

A source must keep the following records:

<b>Recordkeeping</b>	
Startups, shutdowns, malfunctions, and periods when the continuous monitoring system is inoperative.	§60.7(b)

<b>Recordkeeping</b>	
Fuel monitoring	§§60.49b(d), (r)
Nitrogen content of residual oil combusted	§60.49b(e)
Opacity	§60.49b(f)
Nitrogen oxide emission rates	§60.49b(g)
Steam load	§60.49b(p)
Fuel Receipts	§60.49b(r)
Maintain records for two years	§60.7(f), §60.49b(o)

### 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 February 16, 2012. Respondents are required to use the EPA’s Electronic Reporting Tool (ERT) to develop relative accuracy test audit data and 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. 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**

<b>Respondent Activities</b>
Familiarization with the regulatory requirements.
Install, calibrate, maintain, certify, and operate continuous emission monitoring systems



<b>Respondent Activities</b>
(CEMS) for NO <sub>x</sub> , SO <sub>2</sub> , and opacity or alternative monitoring methods (e.g., CO CEMS in place of using a continuous opacity monitoring system (COMS)).
Perform initial performance test.
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:

<b>Agency Activities</b>
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 these 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 quarterly 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. 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 two years.

### **5(c) Small Entity Flexibility**

The majority of the respondents are large entities (i.e., large businesses); however, the impact on small entities (i.e., small businesses) was taken into consideration during the development of this regulation. According to the "Regulatory Impact Analysis for the Final Mercury and Air Toxics Standards," which was conducted for the 2012 NSPS amendment, EPA identified 82 potentially-affected small entities. The EPA has taken steps to minimize the significant economic impact on small entities. Small entities that do not own at least one generating unit with a capacity greater than 29 megawatts are not subject to this rule. According to EPA's initial regulatory flexibility analysis, this eliminated the 'burden' requirement for 26 small entities. For larger units affected by the proposed rule, EPA considered a number of comments received both during the Small Business Advocacy Review Panel and the public comment period and revised the final rule to greatly simplify continuous compliance requirements and decrease the frequency of periodic testing. The EPA believes the revisions makes compliance less onerous for all regulated units, including those owned by 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 – NSPS for Industrial/Commercial/Institutional Steam Generating Units (40 CFR Part 60, Subpart Db) (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 1,890,000 hours (Total Labor Hours from Table 1 below). These hours are based on Agency studies and background documents from the development of this regulation, Agency knowledge and experience with the NSPS 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	\$157.61 (\$75.05 + 110%)
Technical	\$123.94 (\$59.02 + 110%)
Clerical	\$62.52 (\$29.77 + 110%)

These rates are from the United States Department of Labor, Bureau of Labor Statistics, February 2022, “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 varying industry wage rates and the additional overhead business costs of employing workers beyond their wages and benefits, including business expenses associated with hiring, training, and equipping their employees.

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

The type of industry costs associated with the information collection activities in the subject standard(s) 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 this regulation. The annual operation and maintenance costs are the ongoing costs to maintain the monitor(s) and other costs such as photocopying and postage.

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

<b>Capital/Startup vs. Operation and Maintenance (O&amp;M) Costs</b>						
(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)
SO <sub>2</sub> , PM, and NO <sub>x</sub>	\$200,000	37	\$7,400,000	\$15,000	2,031	\$30,500,000

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 \$7,400,000. This is the total of column D in the above table.

The total operation and maintenance (O&M) costs for this ICR are \$30,500,000. 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 \$37,900,000. These are the 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 \$74,900,000.

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

Managerial	\$70.56 (GS-13, Step 5, \$44.10 + 60%)
Technical	\$52.37 (GS-12, Step 1, \$32.73 + 60%)
Clerical	\$28.34(GS-6, Step 3, \$17.17 + 60%)

These rates are from the Office of Personnel Management (OPM), 2022 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 – NSPS for Industrial/Commercial/Institutional Steam Generating Units (40 CFR Part 60, Subpart Db) (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 2,031 existing respondents will be subject to these standards. It is estimated that an additional 37 respondents per year will become subject to these same standards. The overall average number of respondents, as shown in the table below, is 2,068 per year.

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

Number of Respondents					
	Respondents That Submit Reports		Respondents That Do Not Submit Any Reports		
Year	(A) Number of New Respondents <sup>1</sup>	(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	37	1,994	0	0	2,031
2	37	2,031	0	0	2,068
3	37	2,068	0	0	2,105
Average	37	2,031	0	0	2,068

<sup>1</sup> 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 2,068.

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
Semiannual excess emissions <sup>1</sup>	1,654	2	0	3,309
Quarterly SO <sub>2</sub> , PM, and NO <sub>x</sub> reporting <sup>2</sup>	414	4	0	1,654

<b>Total Annual Responses</b>				
			Total	4,963

<sup>1</sup> This ICR assumes that 80 percent of all respondents will submit semiannual reports.

<sup>2</sup> This ICR assumes that 20 percent of all respondents will submit quarterly reports.

The number of Total Annual Responses is 4,963.

The total annual labor costs are \$227,000,000. Details regarding these estimates may be found at the end of this document in Table 1: Annual Respondent Burden and Cost – NSPS for Industrial/Commercial/Institutional Steam Generating Units (40 CFR Part 60, Subpart Db) (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 1,890,000 hours. Details regarding these estimates may be found below in Table 1: Annual Respondent Burden and Cost – NSPS for Industrial/Commercial/Institutional Steam Generating Units (40 CFR Part 60, Subpart Db) (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 381 hours per response.

The total annual capital/startup and O&M costs to the regulated entity are \$37,900,000. 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 1,470,000 labor hours at a cost of \$74,900,000; see below in Table 2: Average Annual EPA Burden and Cost – NSPS for Industrial/Commercial/Institutional Steam Generating Units (40

CFR Part 60, Subpart Db) (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**

The increase in burden from the most recently approved ICR is due to an adjustment. This increase is not due to any program changes. The increase is based on an increase in the number of sources subject to the NSPS due to continued growth in the industry. There is no increase in capital costs, but there is an increase in O&M costs because the number of existing respondents conducting O&M has increased.

### **6(g) Burden Statement**

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 381 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-2022-0063. 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-2022-0063 and OMB Control Number 2060-0072 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 – NSPS for Industrial/Commercial/Institutional Steam Generating Units (40 CFR Part 60, Subpart Db) (Renewal)**

Burden Item	(A) Hours per Occurrence	(B) Number of occurrences per respondent per year	(C) Hours per respondent per year (AxB)	(D) Respondents per Year <sup>a</sup>	(E) Technical hours per year (CxD)	(F) Management hours per year (Ex0.05)	(G) Clerical hours per year (Ex0.1)	(H) Total cost per year, \$ <sup>b</sup>
<b>1. Applicants</b>	N/A							
<b>2. Survey and Studies</b>	N/A							
<b>3. Reporting Requirements<sup>c</sup></b>								
A. Familiarization with the regulatory requirements	See 4A							
B. Required activities								
Initial Performance Test								
PM <sup>c</sup>	330	1	330	4	1,320	66	132	\$182,255.70
24 hour test for Gas Units <sup>d</sup>	250	1	250	33	8,250	412.5	825	\$1,139,098.13
Repeat of Performance Test <sup>e</sup>								
PM <sup>c</sup>	330	1	330	1	330	16.5	33	\$45,563.93
24 hour tests for Gas Units <sup>d</sup>	250	1	250	7	1,750	87.5	175	\$241,626.88
Report of Initial Performance Test <sup>d</sup>								
SO <sub>2</sub>	16	1	16	0	0	0	0	\$0.00
PM	16	1	16	4	64	3.2	6.4	\$8,836.64
NO <sub>x</sub>	16	1	16	37	592	29.6	59.2	\$81,738.92
Notification of CEMS Demonstration <sup>d</sup>								
SO <sub>2</sub>	2	1	2	0	0	0	0	\$0.00
PM	2	1	2	4	8	0.4	0.8	\$1,104.58
NO <sub>x</sub>	2	1	2	37	74	3.7	7.4	\$10,217.37

Demonstration of CEMS <sup>d</sup>								
SO <sub>2</sub>	150	1	150	0	0	0	0	\$0.00
PM	100	1	100	4	400	20	40	\$55,229.00
NO <sub>x</sub>	350	1	350	37	12,950	647.5	1295	\$1,788,038.88
Repeat Demonstration of CEMS <sup>d,e</sup>								
SO <sub>2</sub>	150	1	150	0	0	0	0	\$0.00
PM	100	1	100	1	100	5	10	\$13,807.25
NO <sub>x</sub>	350	1	350	7	2,450	122.5	245	\$338,277.63
Report of CEMS Demonstration <sup>d</sup>	See 3B							
Reports for SO <sub>2</sub> <sup>f</sup>								
Quarterly <sup>g</sup>	16	4	64	172	11,008	550.4	1100.8	\$1,519,902.08
Semiannual	16	2	32	690	22,080	1104	2208	\$3,048,640.80
Reports for PM <sup>f,h</sup>								
Quarterly <sup>g</sup>								
Excess	16	4	64	37	2,368	118.4	236.8	\$326,955.68
No Excess	8	4	32	147	4,704	235.2	470.4	\$649,493.04
Semiannual								
Excess	16	2	32	147	4,704	235.2	470.4	\$649,493.04
No Excess	8	2	16	588	9,408	470.4	940.8	\$1,298,986.08
Reports for NO <sub>x</sub> <sup>f,h</sup>								
Quarterly <sup>g</sup>								
CEMS Compliance	16	4	64	414	26,496	1324.8	2649.6	\$3,658,368.96
Excess	16	4	64	83	5,312	265.6	531.2	\$733,441.12
No Excess	8	4	32	331	10,592	529.6	1059.2	\$1,462,463.92
Semiannual								
CEMS Compliance	16	2	32	1,654	52,928	2646.4	5292.8	\$7,307,901.28
Excess	16	2	32	331	10,592	529.6	1059.2	\$1,462,463.92
No Excess	8	2	16	1,323	21,168	1058.4	2116.8	\$2,922,718.68
Appendix F Report <sup>f</sup>								

Quarterly <sup>g</sup>								
SO <sub>2</sub>	11	4	44	172	7,568	378.4	756.8	\$1,044,932.68
NO <sub>x</sub>	11	4	44	414	18,216	910.8	1821.6	\$2,515,128.66
Semiannual								
SO <sub>2</sub>	11	2	22	690	15,180	759.0	1,518.0	\$2,095,940.55
NO <sub>x</sub>	11	2	22	1,654	36,388	1,819.4	3,638.8	\$5,024,182.13
Annual Compliance Tests for NO <sub>x</sub> <sup>f</sup>	250	1	250	2,068	517,000	25850	51700	\$71,383,482.50
Appendix F Annual Accuracy Test <sup>f</sup>								
SO <sub>2</sub>	36	1	36	862	31,045	1,552	3,104	\$4,286,435.36
NO <sub>x</sub>	36	1	36	2,068	74,448	3,722.4	7,444.8	\$10,279,221.48
Appendix F Audits <sup>f,i</sup>								
Quarterly <sup>g</sup>								
SO <sub>2</sub> - In Situ	125	4	500	43	21,500	1,075	2,150	\$2,968,558.75
SO <sub>2</sub> - Extractive	36	4	144	129	18,576	928.8	1,857.6	\$2,564,834.76
Semiannual								
SO <sub>2</sub> - In Situ	125	2	250	172	43,000	2,150	4,300	\$5,937,117.50
SO <sub>2</sub> - Extractive	36	2	72	517	37,224	1,861.2	3,722.4	\$5,139,610.74
Quarterly <sup>g</sup>								
NO <sub>x</sub> - In Situ	125	4	500	103	51,500	2,575	5,150	\$7,110,733.75
NO <sub>x</sub> - Extractive	36	4	144	310	44,640	2,232.0	4,464.0	\$6,163,556.40
Semiannual								
NO <sub>x</sub> - In Situ	125	2	250	414	103,500	5,175	10,350	\$14,290,503.75
NO <sub>x</sub> - Extractive	36	2	72	1,241	89,352	4,467.6	8,935.2	\$12,337,054.02
C. Create Information <sup>d</sup>	See 3B							
D. Gather Existing Information	See 3B							
E. Write Report								
Notify of construction/reconstruction <sup>d</sup>	2	1	2	37	74	3.7	7.4	\$10,217.37

Notify of Anticipated Startup <sup>d</sup>	2	1	2	37	74	3.7	7.4	\$10,217.37
Notify of Actual Startup <sup>d</sup>	2	1	2	37	74	3.7	7.4	\$10,217.37
Monitoring Plan <sup>d</sup>	4	1	4	19	76	3.8	7.6	\$10,493.51
Notification of initial performance test <sup>d</sup>								
SO <sub>2</sub>	2	1	2	0	0	0	0	\$0.00
PM	2	1	2	4	8	0.4	0.8	\$1,104.58
NO <sub>x</sub>	2	1	2	37	74	3.7	7.4	\$10,217.37
<b>Subtotal for Reporting Requirements</b>						<b>1,517,040</b>		<b>\$182,140,384.06</b>
<b>4. Recordkeeping Requirements</b>								
A. Familiarization with the regulatory requirements	1	1	1	2,068	2,068	103.4	206.8	\$285,533.93
B. Plan activities	N/A							
C. Implement activities	N/A							
D. Develop record system	N/A							
E. Time to enter information	N/A							
F. Records of startup, shutdown, malfunction	1.5	52	78	2,068	161,304	8065.2	16130.4	\$22,271,646.54
G. Records of All Measurements	1.5	52	78	2,068	161,304	8065.2	16130.4	\$22,271,646.54
<b>Subtotal for Recordkeeping Requirements</b>						<b>373,377</b>		<b>\$44,828,827.01</b>
<b>TOTAL LABOR BURDEN AND COST (rounded)<sup>j</sup></b>						<b>1,890,000</b>		<b>\$227,000,000</b>
<b>Capital and O&amp;M Cost (see Section 6(b)(iii)):<sup>j</sup></b>								<b>\$37,900,000</b>
<b>TOTAL COST:<sup>j</sup></b>								<b>\$265,000,000</b>

Assumptions:

<sup>a</sup>. We have assumed that the average number of respondents that will be subject to the rule will be 2,068. There will be 37 additional new sources that will become subject to the rule over the three-year period of this ICR.

<sup>b</sup>. This ICR uses the following labor rates: Technical \$123.94 (\$59.02 + 110%); Managerial \$157.61 (\$75.05 + 110%); and Clerical \$62.52 (\$29.77 + 110%). These rates are from the United States Department of Labor, Bureau of Labor Statistics, September 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. This ICR assumes that Managerial hours are 5 percent of Technical hours, and Clerical hours are 10 percent of Technical hours.

<sup>c</sup> EPA estimates that there will be 33 new gas-fired steam generating units per year (which require NO<sub>x</sub> controls), 0 new coal-fired steam generating units per year (which require SO<sub>2</sub>, NO<sub>x</sub>, and PM controls), and 4 new biomass/wood-fired steam generating units per year (which require NO<sub>x</sub> and PM controls).

<sup>d</sup> One-time only costs associated with the anticipated 37 new sources per year over the next three years. According to the 2003 ICR renewal, approximately half of all new sources will submit a monitoring plan.

<sup>e</sup> Assume 20 percent of initial performance tests and CEMS demonstrations are repeated due to failures.

<sup>f</sup> EPA assumes, based on the 2003 ICR renewal and additional sources since that time, there are 862 sources that must report SO<sub>2</sub> emissions, 919 sources that must report PM emissions, and 2,068 sources that must report NO<sub>x</sub> emissions.

<sup>g</sup> Assume that 20 percent of respondents will choose to report quarterly.

<sup>h</sup> Assume the 20 percent of units are found to be in excess of emission standard and 80 percent are found not to be in excess.

<sup>i</sup> Assume that 25 percent of units have in situ CEMS and 75 percent have extractive CEMS.

<sup>j</sup> Totals have been rounded to 3 significant figures. Figures may not add exactly due to rounding.

**Table 2: Average Annual EPA Burden and Cost – NSPS for Industrial/Commercial/Institutional Steam Generating Units (40 CFR Part 60, Subpart Db) (Renewal)**

Burden Item	(A) EPA hours per occurrence <sup>e</sup>	(B) Number of occurrences per plant per year	(C) EPA hours per plant per year (AxB)	(D) Plants per year <sup>a</sup>	(E) EPA Technical hours per plant per year (CxD)	(F) EPA Managerial hours per year (Ex0.05)	(G) EPA Clerical hours per year (Ex0.1)	(H) Total cost per year <sup>b</sup>
Report review for construction, anticipated startup, actual startup <sup>c</sup>	1	116	116	37	4,292	214.6	429.2	\$252,077.74
Review notification of initial test <sup>c</sup>								
SO <sub>2</sub> <sup>d</sup>	1	70	70	0	0	0	0	\$0.00
PM <sup>d</sup>	1	72	72	4	288	14.4	28.8	\$16,914.82
Nox <sup>d</sup>	1	104	104	37	3,848	192.4	384.8	\$226,000.74
Review initial test results <sup>c</sup>								
SO <sub>2</sub> <sup>d</sup>	1	280	280	0	0	0	0	\$0.00
PM <sup>d</sup>	1	288	288	4	1,152	57.6	115.2	\$67,659.26
Nox <sup>d</sup>	1	416	416	37	15,392	769.6	1539.2	\$904,002.94
Review notification of CMS demonstration <sup>c</sup>								
SO <sub>2</sub> <sup>d</sup>	1	56	56	0	0	0	0	\$0.00
PM <sup>d</sup>	1	82	82	4	328	16.4	32.8	\$19,264.10
Nox <sup>d</sup>	1	42	42	37	1,554	77.7	155.4	\$91,269.53
Review CMS performance demonstration <sup>c</sup>								
SO <sub>2</sub> <sup>d</sup>	1	448	448	0	0	0	0	\$0.00
PM <sup>d</sup>	1	656	656	4	2,624	131.2	262.4	\$154,112.77
Nox <sup>d</sup>	1	336	336	37	12,432	621.6	1,243	\$730,156.22
Review monitoring plan <sup>c</sup>	1	108	108	19	2,052	102.6	205.2	\$120,518.06
Review NOx compliance reports <sup>e,f</sup>								

Quarterly	4	42	168	414	69,552	3,477.6	6,955.2	\$4,084,928.06
Semiannual	2	42	84	1,654	138,936	6,946.8	13,893.6	\$8,159,989.15
Review SO <sub>2</sub> compliance reports <sup>e,f</sup>								
Quarterly	4	70	280	172	48,160	2,408	4,816	\$2,828,533.12
Semiannual	2	70	140	690	96,600	4,830	9,660	\$5,673,511.20
Review excess emissions reports <sup>e,f</sup>								
SO <sub>2</sub>								
Quarterly	4	130	520	172	89,440	4,472	8,944	\$5,252,990.08
Semiannual	2	130	260	690	179,400	8,970	17,940	\$10,536,520.80
NO <sub>x</sub>								
Quarterly	4	92	368	414	152,352	7,617.6	15,235.2	\$8,947,937.66
Semiannual	2	92	184	1,654	304,336	15,216.8	30,433.6	\$17,874,261.95
Review appendix F QA data assessment reports <sup>e</sup>								
SO <sub>2</sub>	1	42	42	862	36,219	1,811	3,622	\$2,127,211.49
NO <sub>x</sub>	1	56	56	2,068	115,808	5,790.4	11,580.8	\$6,801,635.46
<b>TOTAL ANNUAL BURDEN AND COST (rounded) <sup>g</sup></b>						<b>1,470,000</b>		<b>\$74,900,000</b>

Assumptions:

<sup>a</sup>. We have assumed that the average number of respondents that will be subject to the rule will be 2,068. There will be 37 additional new sources that will become subject to the rule over the three-year period of this ICR.

<sup>b</sup>. This cost is based on the average hourly labor rate as follows: Technical \$52.37 (GS-12, Step 1, \$32.73 + 60%); Managerial \$70.56 (GS-13, Step 5, \$44.10 + 60%); and Clerical \$28.34 (GS-6, Step 3, \$17.17 + 60%). This ICR assumes that Managerial hours are 5 percent of Technical hours, and Clerical hours are 10 percent of Technical hours. These rates are from the OPM, 2022 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.

<sup>c</sup>. All new plants subject to the standard must provide reports of these events as required by section 60.7. These are one-time-only costs associated with the anticipated 37 new sources per year over the next three years. According to the 2003 ICR renewal, approximately half of all new sources will submit a monitoring plan.

<sup>d</sup>. EPA estimates that there will be 33 new gas-fired steam generating units per year (which require NO<sub>x</sub> controls), 0 new coal-fired steam generating units per year (which require SO<sub>2</sub>, NO<sub>x</sub>, and PM controls), and 4 new biomass/wood-fired steam generating units per year (which require NO<sub>x</sub> and PM controls).

<sup>e</sup> EPA assumes, based on the 2003 ICR renewal and additional sources since that time, there are 862 sources that must report SO<sub>2</sub> emissions, 919 sources that must report PM emissions, and 2,068 sources that must report NO<sub>x</sub> emissions.

<sup>f</sup> We assume that 20 percent of respondents will choose to report quarterly.

<sup>g</sup> Totals have been rounded to 3 significant figures. Figures may not add exactly due to rounding.