

**SUPPORTING STATEMENT
ENVIRONMENTAL PROTECTION AGENCY**

**NESHAP for Stationary Combustion Turbines (40 CFR Part 63, Subpart YYYY)
(Renewal)**

1. Identification of the Information Collection

1(a) Title of the Information Collection

NESHAP for Stationary Combustion Turbines (40 CFR Part 63, Subpart YYYY)
(Renewal), EPA ICR Number 1967.09, OMB Control Number 2060-0540.

1(b) Short Characterization/Abstract

The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Stationary Combustion Turbines (40 CFR Part 63, Subpart YYYY) were proposed on January 14, 2003; promulgated on March 5, 2004; and amended on: April 20, 2006; November 20, 2019; and March 9, 2020. The regulations apply to sources that either commenced construction or reconstruction after January 14, 2003. On August 18, 2004, these standards were amended to stay the effectiveness for the two gas-fired stationary combustion turbine subcategories (i.e., lean pre-mix gas-fired turbines and diffusion flame gas-fired turbines). Amendments to this NESHAP were finalized on March 9, 2020, as a result of a residual risk and technology review (RTR) required under the Clean Air Act (CAA).¹ Additionally, the EPA removed the stay of the effectiveness of the standards for new lean premix and diffusion flame gas-fired turbines that was promulgated in 2004 on March 9, 2022.² New facilities include those that commenced either construction, or modification or reconstruction after the date of proposal. This information is being collected to assure compliance with 40 CFR Part 63, Subpart YYYY.

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

Any owner/operator subject to the provisions of this part shall maintain a file of these measurements and retain the file for at least five years following the date of such measurements,

¹ Per the March 9, 2020 final rule (85 FR 13537), the final rule did not impose any new information collection burden. The EPA estimated that the burdens associated with the separate recordkeeping requirements for periods of SSM that were proposed to be removed were approximately the same as the burdens associated with the proposed recordkeeping requirements for deviations from rule requirements. Similarly, the EPA estimated that the burden associated with preparing and submitting reports under the current provisions was an appropriate estimate for the burden associated with preparing and submitting reports electronically. (See the memorandum, "Impacts of Final Stationary Combustion Turbines Risk and Technology Review (RTR) Amendments" in Docket Id. No. EPA-HQ-OAR-2017-0688-0134.)

² Per the March 9, 2022 final rule (87 FR 13191), the final rule did not impose any new information collection burden because the EPA did not make any changes to the information collection requirements.

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's regional offices 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 "Affected Public" are owners or operators of stationary combustion turbines. The "burden" to the Affected Public is found below, at the end of this document, in Table 1: Annual Respondent Burden and Cost – NESHAP for Stationary Combustion Turbines (40 CFR Part 63, Subpart YYYY) (Renewal). There are approximately 860 stationary combustion turbines at 264 facilities, which are owned and operated by the stationary combustion turbine industry. None of the 264 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 three 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 280 respondents per year will be subject to these standards. This includes 264 existing respondents per year, including 237 facilities with gas-fired turbines, 7 facilities with landfill/digester gas-fired turbines, and 20 facilities with oil-fired stationary combustion turbines. In addition, approximately 8 facilities per year will become subject to these same standards, including 8 facilities with gas-fired turbines, 0 facilities with landfill/digester gas-fired turbines, and 0 facilities with oil-fired turbines. The number of respondents in this ICR is based on a list of stationary combustion turbines collected to support the March 9, 2022 final rule.

The Office of Management and Budget (OMB) approved the currently-active ICR without any "Terms of Clearance;" however, the previous ICR had the following Terms of Clearance (TOC):

Upon resubmission, the agency must update the burden estimates to accurately reflect the number of respondents in industry and verify that there are no reporting or recordkeeping requirements for States in 40 CFR part 63, subpart YYYY. The agency must also ensure that burden is calculated for all of the requirements and that the requirements and burden tables are consistent throughout the supporting statement. The agency must provide screen shots of the electronic mode of collection that is used for this information collection. In addition, the agency must have a burden statement that aligns with the requirements under 5 CFR 1320.8(b)(3) and

placement of the OMB control number for on-line submissions on the initial screen per 5 CFR 1320.3(f)(2).

In renewing the currently-approved ICR, the agency has reviewed the number of respondents in industry and updated the burden estimates accordingly. In this case, we identified 264 as the number of sources based on additional data collected by the Agency for the 2022 final rule. This number of sources includes 237 facilities with gas-fired turbines, 7 facilities with landfill/digester gas-fired turbines, and 20 facilities with oil-fired stationary combustion turbines. An additional 8 gas-fired sources will be subject to this subpart every year for the next three years. This results in a total of 280 sources that will be subject to these standards over the next three years. There are no reporting requirements for states. 'Burden' has been calculated for all requirements, which are reflected in the burden tables in the supporting statement. All electronic collection in this information collection is submitted through EPA's CEDRI or ERT, as discussed in section 4(b)(i) of this document. Additional Paperwork Reduction Act requirements for CEDRI and ERT, including the burden statement and OMB control number, are available at: <https://www.epa.gov/electronic-reporting-air-emissions/paperwork-reduction-act-pra-cedri-and-ert>.

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 pollutants (HAP) emissions from

stationary combustion turbines 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 YYYY.

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 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 delegated authority when a source becomes subject to the requirements of these 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 same standards are being met. The performance test may also be observed.

The required annual or 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), changes in information already provided, performance test reports, and compliance reports, semiannual reports, and annual reports through the EPA's Central Data Exchange (CDX), using the Compliance and Emissions Data Reporting Interface (CEDRI). For compliance reports and semiannual and annual reports, EPA has developed a template for the reporting form in CEDRI specifically for 40 CFR Part 63, Subpart YYYY. 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 YYYY 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 63, Subpart YYYY.

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 either 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 43843) on July 22, 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 280 respondents will be subject to these same 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 Gas Turbine Association (GTA), at 704-945-4612, and the American Fuel & Petrochemical Manufacturers, at 202-457-0480.

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 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, 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 and operators of stationary combustion sources. The United States Standard Industrial Classification (SIC) code for the respondents affected by the standards and corresponding North American Industry Classification System (NAICS) codes are listed in the table below:

Standard (40 CFR Part 63, Subpart YYYY)	SIC Codes	NAICS Codes
Utilities	4911, 4931, 4939, 4923, 4924, 4925, 4932, 4939	221111, 221112, 221113, 221114, 221115, 221116, 221117, 221118, 221121, 221122, 221110, 221210
Pipeline Transportation	4612, 4922, 4923, 4613, 4619	486110, 486210, 486910, 486990
Oil and Gas Extraction	1311, 1321, 2819	211120, 211130
Chemical Manufacturing	2865, 2869, 2813, 2869,	325110, 325120
Petroleum and Coal Products Manufacturing	2911, 2999	324211, 324199,

4(b) Information Requested

(i) Data Items

In this ICR, all the data that are recorded or reported is required by the NESHAP for Stationary Combustion Turbines (40 CFR Part 63, Subpart YYYY).

A source must make the following reports:

Notifications	
<i>Landfill/Digester Gas-Fired Stationary Combustion Turbine Subcategory</i>	
Initial notification	§§63.6090(b), 63.6145(d)
<i>Oil-Fired and Gas-Fired Stationary Combustion Turbine Subcategories</i>	
Initial notification	§§63.6145, 63.9(b)
Notification of construction/reconstruction	§§63.6095(c), 63.6145, 63.5, 63.9(b)(5)(i)
Notification of actual startup date	§§63.6095(c), 63.6145, 63.9(b)(5)(ii)
Notification of performance test	§§63.7(b)(1), 63.7(c), 63.9(e), 63.6145(e)
Notification of CMS performance evaluation	§§63.8(e), 63.9(g)(1), 63.6145(a)
Notification of compliance status	§§63.9(h), 63.7, 63.8(e), 63.10(d)(2), 63.10(e)(2), 63.6145(a), 63.6145(f)

Reports	
<i>Landfill/Digester Gas-Fired Stationary Combustion Turbine Subcategory</i>	
Annual compliance report	§§63.6090(b)(2), 63.6150(c)
<i>Oil-Fired and Gas-Fired Stationary Combustion Turbine Subcategories</i>	
Excess emissions and parameter exceedance reports	§63.10(e)(3)
Semiannual compliance reports	§63.6150(a)

A source must keep the following records:

Recordkeeping	
<i>All Subcategories</i>	
Maintain records of monitoring data	§§63.7(g), 63.6155

Recordkeeping	
Maintain records for five years	§§63.10(b), 63.6160(b)

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 both the monitoring and recordkeeping at a plant site.

The rule was recently amended to include electronic reporting provisions on March 9, 2020, and November 19, 2022. 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 for other subparts. Respondents are also required to submit electronic copies of notifications and certain reports through EPA’s CEDRI. The notification is an upload of their currently required notification in portable document format (PDF) file. The compliance reports and semiannual and annual reports are to be created using Form 5900-600, the electronic template included with this Supporting Statement. The template is an Excel spreadsheet which can be partially completed and saved for subsequent semiannual and annual reports to limit some of the repetitive data entry. It reflects the reporting elements required by the rule and does not impose additional reporting elements. The OMB Control Number is displayed on the Welcome page of the template, with a link to an online repository that contains the PRA requirements. For purposes of this ICR, it is assumed that there is no additional burden associated with the proposed requirement for respondents to submit the notifications and reports electronically.

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

(ii) Respondent Activities

Respondent Activities
Familiarization with the regulatory requirements.

Respondent Activities
Install, calibrate, maintain, and operate the catalyst inlet temperature monitor.
Perform initial performance test, Reference Method 1, 1A, 3A, 3B, 4, 320, ASTM D6348-12e1, ANSI/ASME PTC 19-10-1981 (Part 10), ASTM D6522-11, and/or ASTM D6348-03 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 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 both 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. 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 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 these regulations. During rule development, EPA conducted a regulatory impact analysis and concluded that the rule does not have a significant economic impact on small entities. Furthermore, EPA determined that any potential impacts are further reduced by the rule's exclusion of turbines with capacities below 1.0 megawatt. Due to technical considerations involving the process operations and the types of control equipment employed, the recordkeeping and reporting requirements are the same for both small and large entities. The Agency considers these to be the minimum requirements needed to ensure compliance and, therefore, cannot reduce them further for small entities. To the extent that larger businesses can use economies of scale to reduce their burden, the overall burden will be reduced.

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 Stationary Combustion Turbines (40 CFR Part 63, Subpart YYYYY) (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 8,490 labor 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 NESHAP program, the previously-approved ICR, and any comments received.

6(b) Estimating Respondent Costs

(i) Estimating Labor Costs

This ICR uses the following labor rates:

Managerial	\$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, 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 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 these regulations. 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

Capital/Startup vs. Operation and Maintenance (O&M) Costs						
(A) Continuous Monitoring Device	(B) Capital/ Startup Cost for One Respondent ^a	(C) Number of New Respondents ^b	(D) Total Capital/Startup Cost, (B X C)	(E) Annual O&M Costs for One Respondent ^c	(F) Number of Respondents with O&M	(G) Total O&M, (E X F)
Catalyst inlet temperature	\$4,642	8	\$37,100	\$0	265	\$0

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

^a We estimate a total capital startup cost of \$4,642 per respondent, which comprises a purchase cost of \$500 and an installation cost of \$4,142. The installation cost assumes 30 technical, 1.5 managerial, and 3 clerical hours at a labor rate of \$123.94, \$157.61, and \$62.52, respectively. As described previously, these rates are based on figures from the United States Department of Labor and have been increased by 110 percent to account for private industry benefit packages.

^b At present, only oil-fired and gas-fired subcategories are required to install, operate, and maintain continuous monitoring devices.

^c No annual O&M costs are shown because we expect the catalyst inlet temperature monitor to be maintenance-free.

The total capital/startup costs for this ICR are \$37,100. This is the total of column D in the above table.

The total operation and maintenance (O&M) costs for this ICR are \$0. This is the total of column G.

The average annual cost for capital/startup and/or operation and maintenance costs to industry over the next three years of the ICR is estimated to be \$37,100. These are the record-keeping 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 \$265,000.00 (rounded).

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, \$17.71 + 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 – NESHAP for Stationary Combustion Turbines (40 CFR Part 63, Subpart YYYYY) (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 246 existing respondents will be subject to these standards. It is estimated that an additional 8 respondents per year will become subject to these same standards. The overall average number of respondents, as shown in the table below, is 280 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	(B) Number of Existing Respondents	(C) Number of Existing Respondents that keep records but do not submit reports ^a	(D) Number of Existing Respondents That Are Also New Respondents	(E) Number of Respondents (E=A+B+C-D)
<i>Gas-Fired Stationary Combustion Turbine Subcategories</i>					
1	8	237	0	0	245
2	8	245	0	0	253
3	8	253	0	0	261
Average	8	245	0	0	253
<i>Landfill/Digester Gas-Fired Stationary Combustion Turbine Subcategory</i>					
1	0	7	0	0	7
2	0	7	0	0	7
3	0	7	0	0	7
Average	0	7	0	0	7
<i>Oil-Fired Stationary Combustion Turbine Subcategories</i>					
1	0	20	0	0	20
2	0	20	0	0	20

Number of Respondents					
3	0	20	0	0	20
Average	0	20	0	0	20
TOTAL	8	272	0	0	280

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 280.

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 $E=(B \times C)+D$
Landfill/Digester Gas-Fired Stationary Combustion Turbine Subcategory				
Initial notification	0	1	0	0
Annual compliance report ^a	7	1	0	7
Subtotal				7
Oil-Fired and Gas-Fired Stationary Combustion Turbine Subcategories				
Initial notification	8	1	0	8
Notification of construction/reconstruction	8	1	0	8
Notification of actual startup	8	1	0	8
Notification of performance test	8	1	0	8
Notification of CMS performance evaluation	8	1	0	8
Notification of compliance status	8	1	0	8
Semiannual compliance report ^b	265	2	0	530
Subtotal				578
TOTAL				585

^a This activity applies to new and existing landfill/digester gas-fired sources.

^b This activity applies to new and existing oil-fired and gas-fired sources.

The number of Total Annual Responses is 585.

The total annual labor costs are \$1,020,000. Details regarding these estimates may be found at the end of this document in Table 1: Annual Respondent Burden and Cost – NESHP for Stationary Combustion Turbines (40 CFR Part 63, Subpart YYYY) (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 8,490. Details regarding these estimates may be found below in Table 1: Annual Respondent Burden and Cost – NESHAP for Stationary Combustion Turbines (40 CFR Part 63, Subpart YYYYY) (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 15 hours per response.

The total annual capital/startup and O&M costs to the regulated entity are \$0. 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 5,198 labor hours at a cost of \$265,470; see below in Table 2: Average Annual EPA Burden and Cost – NESHAP for Stationary Combustion Turbines (40 CFR Part 63, Subpart YYYYY) (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 adjustments. The change in burden for both the new and existing facilities is due primarily to implementation of prior amendments to this regulation. An amendment finalized in March 2022 removed the stay of effectiveness for standards implemented in 2004. The removed stay affected standards of new lean premix and diffusion flame gas-fired turbines. This led to an adjustment increase in burden

from the most-recently approved ICR since there is an increase in the number of existing sources required to meet the notification, recordkeeping, and reporting requirements over the next three years. During the development of rule amendments in both 2020 and 2022, EPA collaborated with industry to investigate an estimate of existing sources. The data collected by EPA indicated an additional 158 sources were identified compared to the previous ICR. As a result, we identified 246 existing facilities subject to Subpart YYYY. This ICR assumes a continuous growth rate of 8 new gas-fired turbines per year based on the industry growth rate in the currently-approved ICR and information collected during the 2020 and 2020 rulemakings.

6(g) Burden Statement

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 15 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-2022-0027. 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-2022-0027 and OMB Control Number 2060-0540 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 Stationary Combustion Turbines (40 CFR Part 63, Subpart YYYY) (Renewal)

Burden item	(A) Person hours per occurrence	(B) No. of occurrences per respondent per year	(C) Person hours per respondent per year (AxB)	(D) Respondents per year ^a	(E) Technical person-hours per year (Cx D)	(F) Management person hours per year (Ex0.05)	(G) Clerical person hours per year (Ex0.1)	(H) Total Cost Per year ^b
1. Applications	N/A							
2. Survey and Studies	N/A							
3. Reporting Requirements								
A. Familiarization with the regulatory requirements ^c	4	1	4	280	1120	56	112	\$154,642.82
B. Required Activities								
Initial CMS performance evaluation ^d	12	1	12	8	96	4.8	9.6	\$13,255
Performance test ^e	12	1	12	8	96	4.8	9.6	\$13,255
C. Create Information	See 3B							
D. Gather Existing Information	See 3B							
E. Write Report								
Initial notification ^f	2	1	2	8	16	0.8	1.6	\$2,209.18
Notification of construction/reconstruction ^g	2	1	2	8	16	0.8	1.6	\$2,209
Notification of actual startup ^g	2	1	2	8	16	0.8	1.6	\$2,209
Notification of performance test ^g	2	1	2	8	16	0.8	1.6	\$2,209
Notification of CMS performance evaluation ^g	2	1	2	8	16	0.8	1.6	\$2,209
Notification of compliance status ^g	2	1	2	8	16	0.8	1.6	\$2,209
Annual compliance report ^h	8	1	8	7	56	2.8	5.6	\$7,732.14
Semiannual compliance reports ⁱ	8	2	16	265	4240	212	424	\$585,433.55

Subtotal for Reporting Requirements						6,560		\$787,573.81
4. Recordkeeping Requirements								
A. Familiarization with the regulatory requirements	See 3A							
B. Plan Activities	See 3B							
C. Implement Activities	See 3B							
D. Time to Enter Information								
Records of operating parameters ^j	0.5	12	6	280	1680	84	168	\$231,964.24
F. Train Personnel	N/A							
G. Audits	N/A							
Subtotal for Recordkeeping Requirements						1,932		\$231,964
TOTAN ANNUAL BURDEN AND COST (rounded) ^k						8,490		\$1,020,000
Capital and O&M Cost (see Section 6(b)(iii)): ^k								\$37,100
TOTAL COST: ^k								\$1,060,000

Assumptions:

- a. We estimate 8 new sources, comprising 8 gas-fired, and 0 landfill/digester gas-fired or oil-fired stationary combustion turbines, will become subject to the rule over the three-year period of this ICR. We also estimate 264 existing sources are subject, comprising 237 facilities with gas-fired turbines, 7 facilities with landfill/digester gas-fired turbines, and 20 facilities with oil-fired stationary combustion turbines. The March 9, 2022 final rule lifted the stay of effectiveness for existing gas-fired sources, which were required to comply with the emission standards on or before March 9, 2022.
- b. This ICR uses the following labor rates: Managerial \$157.61 (\$75.05+ 110%); Technical \$123.94 (\$59.02 + 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 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.
- c. We assume four hours are required to read instructions. This activity applies to existing and new sources in all subcategories.
- d. We assume 12 hours are required to complete the CMS performance evaluation. This activity only applies to new sources in the oil-fired and gas-fired turbine subcategories.
- e. We assume 12 hours are required to complete the performance test. This activity only applies to new sources in the oil-fired and gas-fired turbine subcategories.
- f. We assume two hours are required to prepare each notification. This activity applies to new sources in all subcategories.

- g. We assume two hours are required to prepare each notification. These activities only apply to new sources in the oil-fired and gas-fired turbine subcategories.
- h. We assume eight hours are required to prepare annual compliance reports. This activity only applies to existing sources in the landfill/digester gas-fired turbine subcategory. (7 existing sources)
- i. We assume eight hours are required to prepare semiannual compliance reports. This activity only applies to existing sources in the oil-fired and gas-fired turbine subcategories.
- j. We assume one half-hour is required to record operating parameters. This activity applies to existing sources in all subcategories.
- k. 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 Stationary Combustion Turbines (40 CFR Part 63, Subpart YYYYY) (Renewal)

Activity	(A) EPA Hours per occurrence	(B) Number of occurrences per Year	(C) EPA Hours per Year (AxB)	(D) Plants per Year ^a	(E) Technical Hours per Year (Cx D)	(F) Managerial Hours per Year (Ex0.05)	(G) Clerical Hours per Year (Ex0.10)	(H) Total cost per year, \$ ^b
Initial notification ^c	2	1	2	8	16	0.8	1.6	\$939.71
Notification of construction/reconstruction ^d	2	1	2	8	16	0.8	1.6	\$940
Notification of actual startup ^d	2	1	2	8	16	0.8	1.6	\$940
Notification of performance test ^d	2	1	2	8	16	0.8	1.6	\$940
Notification of CMS performance evaluation ^d	2	1	2	8	16	0.8	1.6	\$940
Notification of compliance status ^e	18	1	18	8	144	7.2	14.4	\$8,457
Annual compliance report ^f	8	1	8	7	56	2.8	5.6	\$3,288.99
Semiannual compliance reports ^g	8	2	16	265	4240	212	424	\$249,023.68
TOTAL ANNUAL BURDEN AND COST (rounded)^h						5,200		\$265,000

Assumptions:

a. We estimate 8 new sources, comprising 8 gas-fired, and 0 landfill/digester gas-fired or oil-fired stationary combustion turbines, will become subject to the rule over the three-year period of this ICR. We also estimate 264 existing sources are subject, comprising 237 facilities with gas-fired turbines, 7 facilities with landfill/digester gas-fired turbines, and 20 facilities with oil-fired stationary combustion turbines. The March 9, 2022 final rule lifted the stay of effectiveness for existing gas-fired sources, which were required to comply with the emission standards on or before March 9, 2022.

b. 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%); and Clerical \$28.34 (GS-6, Step 3, \$17.71 + 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 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 government employees.

c. We assume two hours are required to review each initial notification. This activity applies to new sources in all subcategories (i.e., 8 new sources comprising 8 gas-fired, 0 oil-fired, and 0 landfill/digester gas-fired turbines).

- d. We assume two hours are required to review each notification. This activity only applies to new sources in the oil-fired and gas-fired turbine subcategories.
- e. We assume that performance test and CMS performance evaluation reports will be submitted for review concurrently with the notification of compliance status, and that a total of 16 hours will be required to review each compliance notification (2 hours), performance test report (8 hours), and performance evaluation report (8 hours).
- f. We assume eight hours are required to review each annual compliance report. This activity only applies to existing sources in the landfill/digester gas-fired turbine subcategory (7 existing sources).
- g. We assume eight hours are required to review each semiannual compliance report. This activity only applies to existing sources in the oil-fired and gas-fired turbine subcategories.
- h. Totals have been rounded to 3 significant figures. Figures may not add exactly due to rounding.

**Appendix A – Draft Electronic Reporting Template
(see Docket ID Number EPA-HQ-OAR-2020-0027)**