SUPPORTING STATEMENT – INFORMATION COLLECTION REQUEST
ICR for the Federal "Good Neighbor Plan" for the 2015 Ozone National Ambient Air Quality Standard: Transport Obligations for Electric Generating Units

1.0 Identification of the Information Collection

1.1 Title of the Information Collection

ICR for the Federal "Good Neighbor Plan" for the 2015 Ozone National Ambient Air Quality Standard: Transport Obligations for Electric Generating Units. EPA ICR Number 2709.02, OMB Control Number 2060-NEW.

1.2 Short Characterization / Abstract

The United States Environmental Protection Agency (EPA) is finalizing an information collection request (ICR), related specifically to electric generating units (EGU), for the Federal "Good Neighbor Plan" for the 2015 Ozone National Ambient Air Quality Standard. The rule amends the Cross-State Air Pollution Rule (CSAPR) NO_X Ozone Season Group 3 trading program addressing seasonal NO_X emissions in various states. Under the rule, all EGU sources in the original twelve Group 3 states (Illinois, Indiana, Kentucky, Louisiana, Maryland, Michigan, New Jersey, New York, Ohio, Pennsylvania, Virginia, and West Virginia) would remain. Additionally, EGU sources in seven states (Alabama, Arkansas, Mississippi, Missouri, Oklahoma, Texas, and Wisconsin) currently covered by the CSAPR NO_X Ozone Season Group 2 Trading Program would transition from the Group 2 program to the revised Group 3 program beginning with the 2023 ozone season. Further, sources in three states not currently covered by any CSAPR NO_X ozone season trading program would join the revised Group 3 program: Minnesota, Nevada, and Utah. In total, EGU sources in 22 states would be covered by the Group 3 program.

There is an existing ICR (OMB Control Number 2060-0667), that includes information collection requirements placed on EGU sources for the six Cross-State Air Pollution Rule (CSAPR) trading programs addressing sulfur dioxide (SO_2) emissions, annual nitrogen oxides (NO_X) emissions, or seasonal NO_x emissions in various sets of states, and the Texas SO_2 trading program which is modeled after CSAPR. This ICR accounts for the additional respondent burden related to the amendments to the CSAPR NO_X Ozone Group 3 Trading Program.

The principal information collection requirements under the CSAPR and Texas trading programs relate to the monitoring and reporting of emissions and associated data in accordance with 40 CFR part 75. Other information collection requirements under the programs concern the submittal of information necessary to allocate and transfer emission allowances and the submittal of certificates of representation and other typically one-time registration forms.

Affected sources under the CSAPR and Texas trading programs are generally stationary, fossil fuel-fired boilers and combustion turbines serving generators larger than 25 megawatts (MW) producing electricity for sale. Most of these affected sources are also subject to the Acid Rain Program (ARP). The information collection requirements under the CSAPR and Texas trading programs and the ARP substantially overlap and are fully integrated. The burden and

costs of overlapping requirements are accounted for in the ARP ICR (OMB Control Number 2060-0258). Thus, this ICR accounts for information collection burden and costs under the CSAPR NO_x Ozone Season Group 3 trading program that are incremental to the burden and costs already accounted for in both the ARP and CSAPR ICRs.

For most sources already reporting data under the CSAPR NO_X Ozone Season Group 3 or the CSAPR NO_x Ozone Group 2 trading programs, the reporting requirements will remain identical so there will be no incremental burden or cost. Certain sources currently reporting data will be subject to additional emission reporting requirements under the rule requiring these sources to make a one-time monitoring plan and Data Acquisition and Handling System (DAHS) update. These sources include those with a common stack configuration and/or coal-fired EGUs serving generators with nameplate capacity greater than or equal to 100 MW, except circulating fluidized bed units. Additionally, sources with a common stack configuration have the option to install additional monitoring equipment to accurately measure emissions at each individual unit within the facility and EPA assumes certain sources will utilize this option. Finally, the assessment of incremental cost and burden are required for those sources in the three states not currently reporting data under a CSAPR NO_X Ozone Season program. Sources in Minnesota are already reporting data for the CSAPR NO_X Annual program with almost identical information collection requirements, requiring only a one-time monitoring plan and DAHS update. Most of the affected sources in Nevada and Utah are already reporting data as part of the Acid Rain Program, thus only requiring a monitoring plan and DAHS update as well. For the units that already report to EPA under the Acid Rain Program, with the exception of any one-time costs to update monitoring plans and DAHS, all information collection costs and burden are already reflected in the previously approved ICRs for those other rules (OMB Control Nos. 2060-0258 and 2060-0445).

For sources that currently monitor and report with a common stack configuration, it is estimated that a total of 5 units would elect to install additional monitoring equipment. EPA expects each of the five units may elect to upgrade their monitoring equipment to monitor on a unit-specific basis instead of at that common stack. EPA believes the burden and costs associated with monitors for these units have been previously accounted for in current ICRs. The emissions-related costs under the ARP and CSAPR ICRs are determined on a per unit basis for each unit in the program including those in a common stack configuration. Due to this methodology in previous ICRs, the start-up costs for installation of monitoring equipment on these additional units has already been represented.

Additionally, there are 148 units within the states of Minnesota, Nevada, and Utah that currently follow Part 75 monitoring methodologies but will need to make a one-time monitoring plan and DAHS update to report the necessary ozone season data. One-time monitoring plan and DAHS updates will also need to be made for 125 units that will require additional monitoring to report daily NOx emission rates.

There are an estimated 15 units in Nevada and Utah that do not already report data to EPA according to 40 CFR part 75 and that would need to implement one of the Part 75 monitoring methodologies, including certification of monitoring systems or implementation of the low mass emissions methodology. These units would also require monitoring plan and DAHS updates.

Of these fifteen units, two units would be expected to adopt low mass emissions (LME) as the monitoring method, twelve would be expected to adopt Appendix D monitoring methods, and one would be expected to adopt CEMS monitoring methods.

2.0 Need for and Use of the Collection

2.1 Need / Authority for the Collection

Emissions data are of vital importance to EPA for fulfilling a host of monitoring, standard-setting, rulemaking, reviewing, and reporting duties. Allowance-related data are essential elements of regulatory approaches that use allowance trading as a mechanism to reduce the cost of achieving environmental objectives. Certificates of representation and other registration forms are needed to ensure authoritative and timely action by sources within the deadlines essential to operation of an effective allowance trading program, to relieve retired sources of compliance requirements, and to enable non-source entities to participate in allowance trading activities.

Clean Air Act (CAA) section 110(a)(2)(D)(i)(I), 42 U.S.C. § 7410(a)(2)(D)(i)(I) – often referred to as the "good neighbor" provision – requires all states, within three years of EPA's promulgation of a new or revised national ambient air quality standard (NAAQS), to revise their SIPs to prohibit certain emissions of air pollutants because of the adverse impact those emissions would have on air quality in other states. The first four CSAPR trading programs at 40 CFR part 97, subparts AAAAA through DDDDD, were promulgated in 2011 to fully or partially address multiple states' good neighbor obligations with respect to the 1997 ozone NAAQS and the 1997 and 2006 fine particulate matter ($PM_{2.5}$) NAAQS. The fifth CSAPR trading program at 40 CFR part 97, subpart EEEEE, was promulgated in 2016 to fully or partially address multiple states' good neighbor obligations with respect to the 2008 ozone NAAQS. The sixth CSAPR trading program at 40 CFR part 97, subpart GGGGG, was promulgated in 2021 to fully address multiple states' remaining good neighbor obligations with respect to the 2008 ozone NAAQS. The current rulemaking will amend the sixth CSAPR trading program at 40 CFR part 97, subpart GGGGG, to address state's obligations under the 2015 ozone NAAQS.

CAA section 169A, 42 U.S.C. § 7491, contains provisions addressing the impairment of visibility in certain areas, including requirements for certain sources to install and operate best available retrofit technology (BART). EPA's regulations at 40 CFR 51.308(e) allow alternatives to BART under some circumstances. The Texas SO_2 Trading Program at 40 CFR part 97, subpart FFFFF, was promulgated in 2017 as a BART alternative for Texas sources.

EPA's promulgation of the CSAPR trading programs is supported by three additional statutory provisions. First, CAA section 110(c)(1), 42 U.S.C. § 7410(c)(1), requires the EPA Administrator to promulgate a FIP at any time within two years after he or she finds that a state has failed to make a required SIP submission, finds that a SIP submission is incomplete, or disapproves a SIP submission. Second, CAA section 301(a)(1), 42 U.S.C. § 7601(a)(1), gives the Administrator general authority to prescribe such regulations as are necessary to carry out his or her statutory functions. Finally, CAA section 301(d)(4), 42 U.S.C. § 7601(d)(4), authorizes the Administrator to prescribe such regulations as are necessary or appropriate to administer CAA provisions in Indian country, including Indian reservation lands and other areas of Indian country over which EPA or a tribe has demonstrated that a tribe has jurisdiction.

2.2 Practical Utility / Users of the Data

Accurate data from emissions monitoring under 40 CFR part 75 is indispensable to successful implementation of the CSAPR and Texas trading programs for two reasons:

- Accurate emissions data is integral in EPA and state assessment of the impact of the trading programs in reducing NO_X and SO_2 emissions, and therefore in assisting states in meeting the ozone and fine particulate matter NAAQS and addressing visibility-related requirements. By reducing levels of NO_X and SO_2 emissions, the trading programs reduce the adverse effects of the transport of ozone and fine particles and their precursors from upwind states.

- EPA enforces the trading programs (in part) by comparing emissions data measured, recorded, and reported under 40 CFR part 75 from affected sources with the number of allowances held in the respective compliance accounts of such affected sources.

Information collected on allowance transfers is used by EPA to track allowances for the purpose of determining compliance with the NO_X and SO_2 trading programs. Information on allowance transfers is also used by participants in the allowance market and the public to evaluate the activities of affected sources and is used by EPA for program evaluation.

Certificates of representation are used to identify a single individual (and optionally a single alternate individual) authorized to represent and act on behalf of all owners and operating personnel of each affected unit. Without a designated representative, disagreements among joint owners of a unit or lack of clear authority could hamper the operation of an effective allowance trading program by impeding timely submission of quality-assured emissions data or timely decisions with respect to allowance transfers needed for program compliance. Other one-time registration forms allow qualifying sources or non-source parties to efficiently manage their own participation in the programs, including allowance trading activities.

Together, the emissions data, allowance data, and various registration forms help to provide the accountability necessary to allow the NO_X and SO_2 trading programs to function, thereby avoiding the need to pursue costlier command-and-control approaches for achieving environmental objectives.

3.0 Nonduplication, Consultations, and Other Collection Criteria

3.1 Nonduplication

Reporting formats for affected sources for the CSAPR and Texas trading programs are integrated with existing reporting formats under 40 CFR part 75. These reporting formats are currently used by ARP-affected units to meet reporting requirements related to SO_2 and NO_X under Title IV of the Clean Air Act. For a unit subject to more than one of these programs, a single quarterly submission is used to satisfy the quarterly reporting requirements for all programs.

Information collection procedures under the CSAPR and Texas trading programs for submitting and updating certificates of representation, identifying retired units, and establishing

non-source general accounts in the allowance tracking system are similarly integrated with the analogous procedures under the ARP. In each case, a representative can submit a single form to address the analogous requirements under all applicable programs.

3.2 Public Notice

The notice and comment period for this ICR were provided under the Federal "Good Neighbor Plan" for the 2015 Ozone National Ambient Air Quality Standard proposed rulemaking (Docket ID No. EPA-HQ-OAR-2021-0668).

3.3 Consultations

The information collection requirements for the CSAPR and Texas trading programs are largely based on the analogous requirements initially developed for the ARP and promulgated in 40 CFR parts 72, 73, and 75, as modified for use in subsequent trading programs under the NO_X SIP Call and the Clean Air Interstate Rule (CAIR). The requirements have evolved based on the trading programs' needs, EPA's experience administering those programs and a similar trading program established by the Ozone Transport Commission (OTC), and consultations with interested parties.

Initial development of the ARP's reporting requirements involved a multi-stakeholder advisory committee that included representatives of states, industry, and environmental groups. EPA conducted similar processes when modifying the reporting requirements to implement the trading program under the NO_X SIP Call and held workshops with states that participated in the NO_X SIP Call or OTC programs to discuss lessons learned in those programs when formulating the emission trading requirements of CAIR. In 2009, EPA held a series of discussions with stakeholders to identify potential options for addressing states' good neighbor obligations following the remand of CAIR. EPA incorporated those comments from those discussions into CSAPR. The requirements for each successive trading program have been established through notice-and-comment rulemaking. Additionally, EPA has had frequent interaction with affected sources and states in the course of implementing the ARP, NO_X SIP Call, CAIR, and CSAPR trading programs.

In 2021, in coordination with renewing the ICR for the Acid Rain Program, EPA consulted with a small number of stakeholders to receive feedback on burdens associated with the Acid Rain, CSAPR, and Texas SO2 trading programs. The respondents were various industry representatives including utility employees, monitoring system vendors, and utility consultants who were asked to evaluate the most recently estimated burdens from the Acid Rain ICR. The feedback received indicated those burden hours and costs are slightly conservative estimates for certain tasks but remain sufficient estimates. Due to sources reporting the same information in the same manner for all of these programs, the burden estimates for this ICR are consistent with those for the Acid Rain ICR.

3.4 Effects of Less Frequent Collection

Submittal of allowance trading and emissions information on at least an annual basis (and/or on an ozone-season basis, as applicable) provides the data necessary to determine whether state budgets have been exceeded. If this information collection were not carried out at least annually for sources subject to the CSAPR and Texas trading programs, EPA would not be

able to verify that emission reductions necessary to meet each state's NO_X and SO_2 emission budgets were being achieved. Meeting the annual or seasonal budgets is a central compliance requirement under each of the trading programs.

Quarterly collection of emissions data allows for frequent checking of data for errors and provides rapid feedback to industry of needed adjustments to data collection systems, thereby promoting more accurate and reliable emissions data. Also, existing federal and state emission monitoring programs often require reporting on a quarterly or even monthly basis. Less frequent collection, such as semi-annually or annually, would increase the amount of preparation and review time at the end of the reporting period both for regulated sources and for EPA, and would slow down the process of compliance determination.

3.5 General Guidelines

This ICR does not violate any of OMB's general guidelines for information collections.

3.6 Confidentiality

Emissions or allowance-related data that are submitted to EPA under this rule generally will be considered in the public domain and will not be treated as confidential. CAA section 114(c), 42 U.S.C. § 7414(c), specifically requires that estimates or measurements of emissions must be treated as non-confidential. Under Agency procedures, data items relating to the computation of emissions may be identified as sensitive by a state and are then treated as "state-sensitive" by EPA. The potentially state-sensitive items include process rate, boiler design capacity, emission estimation codes, percent space heat, operating rate, and maximum operation rate/hour. Where federal and state requirements are inconsistent, the appropriate EPA Regional Office should be consulted.

3.7 Sensitive Questions

This information collection does not ask any questions concerning sexual behavior or attitudes, religious beliefs, or other matters usually considered private.

4.0 The Respondents and the Information Requested

4.1 Respondents / North American Industry Classification System (NAICS) Codes

The CSAPR and Texas trading programs generally apply to stationary, fossil fuel-fired boilers and combustion turbines serving generators larger than 25 MW producing electricity for sale. In the North American Industry Classification System, these sources are generally classified as NAICS code 221112 – Fossil Fuel-Fired Electric Power Generation. Covered sources are subject to recurring emissions-related information collection requirements and one-time or occasional registration requirements.

Under the CSAPR and Texas trading programs' allowance trading provisions, all covered sources may engage in optional allowance trading activities. Opportunities to participate in allowance trading activities are also open to non-source entities. Use of these opportunities is subject to trading-related information collection requirements and, in the case of non-source entities, a one-time registration requirement.

The CSAPR and Texas trading programs do not impose any information collection obligations on states and do not establish any program-specific permitting requirements that would implicate state and local permitting authorities. However, a state whose sources participate in a CSAPR trading program under either a FIP or a SIP has certain options to determine how CSAPR emission allowances are allocated each year among the state's affected sources. Use of this opportunity triggers requirements to submit allowance allocation information.

4.2 Information Requested

This section describes the data items requested from affected sources for the collections described in this ICR and defines the activities in which respondents must engage to assemble, submit, or store these data items.

(i) Data Items, Including Recordkeeping Requirements

(a) Certificates of Representation and Other One-Time Registration Forms

For each affected source under each of the CSAPR trading programs and the Texas SO_2 trading program, the designated representative must submit a certificate of representation. The certificate must be updated as needed to reflect any changes in the units at the source or in the identities of owners, operators, or the designated representative or alternate. A complete certificate of representation for a source includes:

- Identification of the source and the units at the source;
- Dates on which the units commenced commercial operation;
- Name and contact information for the designated representative and alternate (if applicable);
- A list of the owners and operators of each unit; and
- A certification statement and signature of the designated representative and alternate (if applicable).

Certification applications are to be kept for a period of five years pursuant to the general requirements imposed for Title V permitted facilities.

The CSAPR and Texas trading programs exempt a retired unit from emission monitoring and reporting requirements following receipt of appropriate notification from the designated representative. A complete retired unit exemption form includes:

- Identification of the source and unit;
- Date on which the unit was or will be permanently retired;
- A certification statement and signature of the designated representative or alternate.

Non-source entities participating in allowance trading activities under the CSAPR and Texas trading programs must submit an application to establish a general account in the allowance tracking system. For purposes of this ICR, it is assumed that the burden and costs of all general account applications are accounted for in the ARP ICR.

(b) Allowance Tracking

Sources and other trading program participants must submit allowance transfer, allowance deduction, and compliance assurance information, as necessary.

The authorized account representative for an allowance tracking system account is required to provide the following information for each transfer of allowances to another account:

- Allowance tracking system account number;
- Name, phone number, and facsimile number of the authorized account representative, along with the representative's signature and date of submission; and
- Serial numbers of allowances to be transferred.

In addition, if the designated representative for a source chooses to identify the specific serialized allowances to be deducted from the source's allowance tracking system account for annual reconciliation, then the following information is required:

- Allowance tracking system account number;
- Type of deduction;
- Serial numbers of the allowance blocks to be deducted; and
- Dated signature of the designated representative.

In the event that total emissions in a state during a control period ever exceeded the state's emission budget by more than a specified variability limit, some sources in the state would be required to submit additional information for compliance assurance. For purposes of this ICR, it is assumed that no such exceedances will occur.

Where a state has elected to determine allowance allocations, the state must submit a list identifying the units or other entities to which allowances are being allocated and the numbers of allowances being allocated to each unit or entity.

(c) Emissions Monitoring and Reporting

Sources affected under the CSAPR and Texas trading programs are required to monitor NO_X and/or SO_2 mass emissions and record and report emissions data following the procedures of 40 CFR part 75. The emissions monitoring requirements specify that affected sources must (1) submit a monitoring plan for each affected unit at a source, (2) submit data for certification of each monitor, (3) record hourly operational, pollutant monitor, and flow monitor data for each affected unit, and (4) submit quarterly reports of their emissions data to EPA.

Respondents are required under 40 CFR 75.64 to submit the quarterly NO_X and SO_2 mass emissions data via direct electronic submission to EPA. Such data must include a certification statement by the designated representative of the facility attesting to the accuracy, truthfulness, and completeness of the submission. Generally, all monitoring records are required to be kept for three years.

(ii) Respondent Activities

Industry respondents' tasks to meet the certificate of representation requirement are to submit the certificate when a source first becomes subject to a particular trading program and to submit an updated certificate whenever there are changes in the units at the source or changes in the source's owners, operators, or designated representative. The task to meet the retired unit exemption notification requirement is to submit a one-time form. These forms may be submitted on paper or electronically through the CAMD Business System.

Industry respondents' only required task for allowance tracking is occasional submission of allowance transfer forms as necessary to ensure that sufficient allowances are in a source's compliance account as of each compliance deadline. Additional allowance transfer forms may be submitted by industry or non-source entity respondents as desired, and industry respondents may submit optional allowance deduction forms as desired. These forms may be submitted on paper or electronically through the CAMD Business System.

Industry respondents' primary tasks to meet the emissions monitoring and reporting requirements are: (1) completing and submitting appropriate monitoring plans; (2) conducting tests to certify monitors and submitting test results to EPA; (3) recording hourly emissions and operational data (this activity is generally performed electronically); (4) performing operation and maintenance activities associated with monitoring, including quality assurance activities; (5) assuring data quality, preparing quarterly reports of emissions data, and submitting these reports to EPA; and (6) responding to error messages generated by such submissions. In addition, respondents must purchase the necessary monitoring hardware and electronic data reporting software (or software upgrades).

Under the CSAPR programs, states have the option to submit state-determined CSAPR allowance allocations that are calculated according to the state's procedures. Those allocation determinations are annually submitted to the EPA by specified deadlines. For the purposes of this ICR, EPA believes the burden and costs for state allocation determinations are already accounted for in the current CSAPR ICR (OMB Control Number 2060-0667) and there will no incremental burden or costs associated with this rulemaking.

5.0 The Information Collected – Agency Activities, Collection Methods, and Information Management

5.1 Agency Activities

EPA activities related to the CSAPR and Texas trading programs include: (1) reviewing and processing certificates of representation and retired unit exemptions; (2) allocating allowances to affected units, or reviewing states' allocations, and recording the allocations; (3) reviewing and recording allowance transfers and deductions; (4) reviewing monitoring plans and monitor certification applications; (5) processing, reviewing, and evaluating reports of quarterly emissions data from affected units, providing feedback, and storing the data; (6) calculating/reviewing annual and/or seasonal emissions from affected sources, and aggregating such annual and/or seasonal emissions for compliance assurance purposes; and (7) reviewing total annual emissions data submitted to track each state's progress toward meeting its budgets and creating a summary report of emissions. EPA also answers respondents' questions and conducts audits of data submissions.

5.2 Collection Methodology and Management

To ensure consistency across sources and to expedite data entry, EPA requires that standard formats used for reporting under 40 CFR part 75 be used to submit the information collected for the CSAPR and Texas trading programs.

Several computer systems and associated databases have been developed to (1) track allowance activity, (2) record quarterly emissions monitoring data, and (3) calculate the number of allowances to be deducted each year. These systems and databases are designed to provide easy access to information for use by the Agency, states, the regulated community, and the general public. EPA provides access to the data on emissions and allowance activity in both detailed and summary formats on the Clean Air Markets Division website.

5.3 Small Entity Flexibility

The CSAPR trading programs apply to fossil fuel-fired units (stationary boilers and combustion turbines) that serve an electrical generator with nameplate capacity greater than 25 MWe. Some cogeneration units and solid waste incinerators are exempt from CSAPR trading programs if they meet certain criteria. The Texas SO_2 Trading Program applies to a subset of CSAPR-affected units.

The low mass emissions provisions under 40 CFR 75.19 provide for optional reduced monitoring, quality assurance, and reporting requirements for certain units that combust natural gas and/or fuel oil. Such units must emit no more than 100 tons of NO_X annually, 50 tons of NO_X during the May-September ozone season, and 25 tons of SO_2 annually, and must calculate no more than these same amounts based on specified procedures for calculating and reporting emissions. Units that qualify are exempted from certain requirements to install and operate monitoring equipment, conduct fuel sampling, and perform quality assurance or quality control tests. Moreover, emissions reporting requirements are significantly simplified for these units.

Gas- or oil-fired units that do not qualify for the low mass emissions unit provisions under 40 CFR part 75 may still meet criteria that allow for the use of alternative methods to

measure emissions. As discussed in the Regulatory Impact Analysis of the final ARP regulations (October 19, 1992), smaller utilities are more likely to be dependent on these oil- and gas-fired units, especially very small utilities.

5.4 Collection Schedule

Collection frequency under the CSAPR and Texas trading programs is on a quarterly basis. All affected industry sources must use the Emission Collection and Monitoring Plan System (ECMPS) to submit monitoring plan, quality assurance, certification test, and emissions data to EPA quarterly. In addition, the programs require the collection of allowance trading information as transfers are submitted, as well as information regarding other "event" submissions made on a one-time or annual basis.

6.0 Estimating the Burden and Cost of the Collection

6.1 Estimating Respondent Burden

This section estimates respondents' burden and cost to meet the information collection requirements described above. To estimate the burden and/or cost of each requirement, EPA utilized prior estimates of the costs of activities, estimates provided by affected utilities in comments to the Agency, and/or estimates based on the Agency's experience in implementing existing trading programs.

For purposes of this ICR, most emissions-related burdens and costs are calculated only for units not currently accounted for under the ARP, NO_x SIP Call or CSAPR ICRs. Additionally, some newly affected units under the CSAPR NO_x Ozone Season Group 3 program are already subject to the emissions monitoring and reporting requirements under ARP, NO_x SIP Call, or CSAPR and will need to make one-time updates to now report additional data. EPA believes that the associated ongoing burdens and costs for those units already subject to monitoring and reporting requirements are accounted for under the ARP, NO_x SIP Call, or CSAPR ICRs.

Burden and costs associated with allowance-related activities and submittal of certificates of representation and other registration forms are calculated based on the estimated numbers of transactions. The estimates reflect transactions by those newly affected sources under the CSAPR NO_x Ozone Season Group 3 program.

Table 2 summarizes the annual industry respondent burden for registration-related, allowance-related, and emissions-related activities. The following discussion describes how the burden estimates were derived.

(i) Respondent Burden Related to Certificates of Representation and Other One-Time Registration Forms

Under the CSAPR and Texas trading programs, the designated representative for each affected source must submit a certificate of representation to EPA. This ICR accounts for the one-time certificate of representation submittal required by newly affected units not currently subject to the ARP or CSAPR. Based on estimates in the ARP ICR, EPA believes that all such submittals require about two hours of managerial time and three hours of technical time. EPA

believes that any certificate of representation updates that may occur for newly affected units is accounted for under the ARP and CSAPR ICRs.

(ii) Respondent Burden Related to Allowance Tracking

Based on the number of allowance transfers recorded by EPA for all CSAPR trading programs for the 2018, 2019, and 2020 control periods, EPA estimates that each source will submit approximately two allowance transfers each year. The Agency estimates that each transaction submitted will involve about one hour each of managerial and technician time.

Because compliance under the CSAPR and Texas trading programs is determined on a facility basis rather than a unit basis, allowance deduction forms are also generally submitted for facilities rather than individual units. From experience, EPA estimates that these optional forms will be submitted for approximately one half of all affected facilities, and that each transaction submitted will involve about one hour of managerial time and two hours of technician time.

(iii) Respondent Burden Related to Emissions Monitoring and Reporting

For emissions monitoring and reporting, the respondent burden varies depending on the monitoring approach followed by the unit and the trading programs in which the unit participates. The burden and costs in Table 2 are broken out for various groups of respondents to reflect these differences. As noted above, EPA believes that the emissions-related information collection burden and costs of the CSAPR and Texas trading programs are mainly accounted for in the ARP ICR, and this ICR therefore accounts for emissions-related burden and costs for units newly subject to the monitoring requirements or those units that must make one-time updates.

The CSAPR and Texas trading programs generally require all affected sources to monitor their NO_X and/or SO_2 emission rate and heat input to determine NO_X mass emissions and/or SO_2 mass emissions. Coal-fired units use NO_X, SO_2, and stack flow CEMS to meet those requirements. Oil and gas-fired units have alternatives. For SO_2, these units can use fuel sampling and analysis (or an SO_2 default factor for pipeline natural gas) combined with a fuel flowmeter. In addition, peaking units that burn natural gas and/or fuel oil may use an alternative method for calculating NO_X emission rates. The regulations also allow certain low mass emissions units to use assumed emissions factors together with operational data to calculate emissions.

The monitoring and emissions data collected are reported to EPA through the submission of quarterly reports. A majority of the newly affected units already submit these reports and the burden is covered under the ARP, NO_X SIP Call, or current CSPAR ICR. For the purposes of this ICR, the burden and costs are captured for those newly affected units that do not currently submit quarterly reports. Due to the units being subject to an ozone season program, EPA estimates the units will submit quarterly reports for only the two quarters of each year that encompass the May-September ozone season.

Start-up Activities

For many sources, a large part of the overall emissions monitoring burden consists of start-up costs for the acquisition, installation, and testing of monitoring equipment. For units already subject to the ARP, NO_X SIP Call, or CSAPR, the burden and costs for both NO_X and

SO_2 monitoring equipment are accounted for in the ARP, NO_X SIP Call, or CSAPR ICRs. This ICR includes annualized start-up/capital costs as well as O&M burden and costs for any monitoring equipment needed by units newly subject to the applicable monitoring and reporting requirements of the CSAPR trading programs.

Regulatory Review

The ICR includes an allocation of time for the managerial and technical staff to review the CSAPR regulatory requirements as well as the XML formats and instructions associated with electronic emissions data submissions. For purposes of review, the estimated annual burden for each source is four hours each for managerial and technician time.

Response to Error Messages

The Agency provides feedback for errors that are found in monitoring plans or other reports. The Agency estimates that for each newly affected unit, an owner or operator will spend approximately six hours of managerial time and eighteen hours of technician time responding to these error messages each year.

DAHS Debugging

An estimated burden to fix problems with the DAHS software used to report in the 40 CFR part 75 formats was included in previous ICRs for most newly affected Group 3 units. For those units newly subject to the emissions monitoring requirements, EPA estimates that for each unit, one managerial and four technician hours will be required annually for occasional debugging.

DAHS Updates

The DAHS software may need to be updated when the monitoring and reporting requirements for a unit are altered. Under the CSAPR NO_X Ozone Season Group 3 program certain newly affected units that already follow Part 75 monitoring will need to update the DAHS software to comply with additional reporting requirements. The DAHS update is a one-time cost for units which is annualized over three years to align with the timeframe of the ICR.

Monitoring Plans

The regulations require submittal of monitoring plans. Units newly subject to Part 75 monitoring and reporting requirements will need to submit an initial monitoring plan. As described in the ARP ICR, EPA estimates this will require ten hours of managerial and ten hours of technical time to complete. Units newly subject to the Part 75 monitoring and reporting requirements will need to submit a new monitoring plan. EPA averaged the number of units required to submit a new monitoring plan over three years to accurately represent the total burden and cost. For those units already subject to Part 75, the effort involved in developing and maintaining the monitoring plans are incorporated into the overall reporting burden estimate, which is accounted for in previous ICRs.

Monitor Certification/Recertification

Initial certification burdens and costs for new monitoring equipment are considered part of start-up activities since these costs are often part of the overall purchase expense for the equipment. Sources occasionally experience burdens for recertification to the extent a change in a monitoring system requires recertification. The burden and costs for any newly affected sources that may require monitors to be recertified are reflected in the current ARP or CSAPR ICRs.

Quality Assurance

Quality assurance (QA) activities and other routine maintenance for monitoring systems is the largest burden item under the CSAPR and Texas trading programs. These requirements generally include daily, quarterly, and annual QA requirements, depending on the monitoring approach being used. For reporting units that use a CEMS, the Agency has assumed a per unit labor burden based on a variety of sources, including the existing ARP ICR, information provided by sources, a CEM cost model developed by EPA, and comments submitted in response to the NO_X SIP Call. For units that rely on alternative methodologies, reduced labor burden estimates apply because the quality assurance activities for the accepted methods are less than for a CEMS. Consistent with the existing ARP ICR, the labor burden is expected to be almost entirely technician labor.

Quarterly Reports

Tasks performed by utilities in preparing quarterly reports include: (1) assuring the quality of the data, (2) preparing the quarterly report, (3) revising the monitoring plan, if necessary, (4) preparation of hard copy documentation accompanying the quarterly reports, and (5) managerial review. The existing ARP ICR was used as the basis for these estimates.

6.2 Estimating Respondent Costs

Table 2 summarizes the annual industry respondent costs for registration-related, allowance-related, and emissions-related activities. The following discussion describes how the costs were derived.

(i) Estimating Respondent Labor Costs

In estimating labor costs for industry, EPA used the following amounts: $108.89 per hour for managers and $77.15 per hour for technicians. These rates were updated in coordination with the rates identified for the Acid Rain ICR (OMB Control No. 2060-0258) and are based on the Current Employment Cost Index, September 2020. The Employment Cost Index values were obtained from “Table 5: Private Industry; by occupational group and industry” from the Employment Cost Index Historical Listing (https://www.bls.gov/web/eci/echistrynaics.pdf) which indicates the total compensation, including benefits, for private industry workers in various occupational categories.

(ii) Estimating Capital and Operations and Maintenance Costs

Capital/start-up costs include the cost of installing required CEMS or alternatives. Operation and maintenance costs (exclusive of labor costs) reflect ongoing costs to a unit and include both contractor costs for the required recertification, diagnostic, and quality assurance (QA) testing, and other direct maintenance-related expenses (e.g., spare parts and calibration gases). These cost estimates have been derived from EPA CEM cost models, existing ICRs, Agency staff experience under the ARP, NO_X SIP Call, CAIR, and CSAPR programs, and supplemental estimates provided by affected utilities and others related to the various cost items. These costs are assumed to include incremental calibration gas costs consistent with the former ICR for the Protocol Gas Verification Program (OMB Control Number 2060-0626).

For units newly subject to monitoring and reporting requirements, this ICR includes ongoing annualized start-up/capital costs as well as ongoing O&M costs for any monitoring equipment needed by the unit to meet the applicable monitoring and reporting requirements of the CSAPR trading programs.

(iii) Capital/Start-up vs. Operating and Maintenance (O & M) Costs

Capital costs reflect one-time costs for purchase of equipment, or one-time updates to equipment, which will be used over a period of years. Conversely, operating and maintenance costs are those costs which are incurred on an annual or other scheduled basis. For instance, costs associated with quality assurance activities, such as spare parts or contractor costs for work, will be incurred on an annual basis.

(iv) Annualizing Capital Costs

The capital costs for the initial purchase of equipment, in coordination with the ARP and CSAPR ICRs, were annualized at a rate of seven percent, (i.e., the annualized capital cost was calculated assuming money to purchase the capital equipment was borrowed at a seven percent annual interest rate). The cost of the loan was amortized over the life of the loan to repay the borrowed amount plus interest. The result is the annualized capital cost reported. The annualized cost of the necessary capital purchases varies by the type of monitoring methodology. Table 2 contains a breakdown of these annualized capital costs by monitoring methodology.

For the purposes of this ICR, a one-time cost for DAHS updates is applied to certain units subject to additional reporting requirements. This one-time cost is annualized over three years to align with the length of the ICR approval. The DAHS update cost is shown in Table 2.

6.3 Estimating Agency Burden and Costs

Table 3 summarizes estimated Agency burden and costs. The following discussion describes how the estimates were derived.

(i) Agency Burden Related to Certificates of Representation and Other One-Time Registration Forms

The Agency must review and process each updated certificate of representation and retired exemption form submitted by industry respondents. EPA estimates that the time required is 0.5 hours per updated certificate of representation and 0.3 hours per retired unit exemption.

(ii) Agency Burden Related to Allowance Tracking

Most allowance transfer and deduction forms are submitted electronically using the CAMD Business System. These transactions are verified and processed automatically at no incremental cost to the Agency. EPA estimates that approximately 1% of the submissions each year will be submitted on paper, and that review and processing of paper submissions will require one hour per allowance transfer form and one half-hour per allowance deduction form.

The costs of the computer systems used by the Agency in allowance tracking activities are accounted for under the ARP ICR.

(iii) Agency Burden Related to Emissions Monitoring and Reporting

Agency activities related to the monitoring and reporting of emissions data include reviewing monitoring plans and monitor certification applications; processing, reviewing, and evaluating reports of quarterly emissions data from affected units, providing feedback, and storing the data; calculating/reviewing annual emissions from affected sources, and aggregating such annual emissions for compliance assurance purposes; and reviewing total annual emissions data submitted to track each state's progress toward meeting its budgets and creating a summary report of emissions. The Agency estimates that these activities will require one hour per quarterly report submitted.

The costs of the computer systems used by the Agency in emissions-related activities are accounted for under the ARP ICR.

(iv) Agency Labor Costs

Federal Agency labor rates were assumed to be $84.82 per hour. This labor rate was derived from the federal government's 2021 U.S. Office of Personnel Management General Schedule "Salary Table 2021-GS" (https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/21Tables/html/GS.aspx using the factors in Table 1 below.

Table 1: Determination of Federal Wage Rates

Labor category	Factors	Total
Annual salary of technical staff, GS 13, Step 8		$98,011
Annual cost of supervisory staff, GS 15, Step 8	$136,234	
Factor (1/11) applied to cost of supervisory staff	0.09	
		$12,261.06
Benefits	1.6	
Total cost per FTE		$176,435.30
Total hourly cost (total cost per FTE divided by 2,080 hours per year)		$84.82

6.4 Estimating the Respondent Universe and Total Burden and Costs

This ICR includes estimated allowance-related and emissions-related burden and costs for industry respondents not currently accounted for under the ARP, NOx SIP Call, or CSAPR ICRs. EPA believes that most of the emissions-related information collection burden and costs for sources and units already subject to the monitoring and reporting requirements are fully accounted for in the ARP, NO_X SIP Call, or CSAPR ICRs (OMB Control Numbers 2060-0258, 2060-0445, 2060-0667). Accordingly, this ICR includes estimated emissions-related burden and costs for sources that are not currently subject to the Part 75 monitoring and reporting requirements under the ARP, NO_X SIP Call, or CSAPR programs and sources which need to make one-time DAHS upgrades due to altered reporting requirements. EPA estimates that there are approximately 6 sources with 15 units newly subject to emissions-related information collection requirements and 115 sources with 273 units that will need one-time upgrades. Table 2 provides estimates of annual industry respondent burden and costs. Estimates of the Agency's burden and costs are provided in Table 3.

Table 2: Annual Industry Respondent Burden and Cost by Activity

	Manager $108.89 per hour	Technician $77.15 per hour	Respondent hours per year	Respondent labor cost per year	Cont. O&M cost per year	Start-up / capital cost per year	Number of respondents / transactions	Total hours per year	Total Capital and O&M costs	Total cost per year
Registration-related burden and costs										
Certificate of representation	2	3	5	$449			6	30		$2,694
Allowance-related burden and costs										
Allowance transfer form submissions[1]	1	1	2	$186			12	24		$2.232
Allowance deduction form submissions[2]	1	2	3	$279			3	9		$837
Emissions-related burden and costs										
Review of regulations[3]	4	4	8	$744			68	544		$50,592
Response to error messages	6	18	24	$2,042			12	288		$24,504
DAHS Updates[4]						$190	273		$51,870	$51,870
DAHS debugging	1	4	5	$417			12	60		$5,004
New Unit Monitoring Plans[5]	10	10	20	$1,860			5	100		$9,300
Start-up/capital items and performance of QA testing and maintenance, by monitoring approach:										
Solid fuel units: SO_2 CEMS (where needed), NO_X CEMS, and stack flow CEMS	50	480	530	$42,477	$31,949	$30,282	1	530	$62,231	$104,708
Gas/oil peaking units: Appendix D fuel monitoring, Appendix E, or LME methods	5	30	35	$2,859	$1,843	$2,359	14	490	$58,828	$98,854
Data quality assurance and preparation and submittal of quarterly reports, by reporting frequency:[6]										
Ozone season-only reporters (two quarterly reports/year)	8	21	29	$2,491			15	435		$37,365
Totals	**88**	**573**	**661**	**$53,804**	**$33,792**	**$32,831**	**421**	**2510**	**$172,929**	**$387,960**

[1] Estimate is based on 2018-2020 average annual number of transfers and assumes 2 transfers per source. Number of sources reflects those not included in a previous ICR.

[2] Assumes half of sources will submit optional allowance deduction forms.

[3] Applies to sources newly subject to monitoring and reporting requirements and those with additional reporting requirements
[4] Applies to units making a one-time DAHS update due to revised monitoring and reporting requirements.
[5] Applies to sources newly subject to monitoring and reporting requirements. Number of units averaged over three years to represent annual cost of one-time activity.
[6] Assumes units newly subject to monitoring and reporting requirements under the CSAPR NO_x Ozone Season Group 3 program will elect to report on an ozone season only basis.

Table 3: Annual Agency Burden and Cost by Activity

	Hours per occurrence	Cost per occurrence	Occurrences per year	Total hours per year	Total cost per year
Review and processing of certificates of representation.	0.5	$42	5	2.5	$210
Review and recordation of allowance transfers and notification of transfer participants.[1]	1	$85	0	0	$0
Review and recordation of allowance deductions.[2]	0.5	$42	0	0	$0
Review and processing of quarterly reports and issuance of feedback letters.[3]	1	$85	24	24	$2,040
Totals				**26.5**	**$2,250**

[1] Assumes 1% of all allowance transfers each year are submitted on paper rather than electronically.
[2] Assumes 1% of all allowance deductions each year are submitted on paper rather than electronically.
[3] Assumes units newly subject to monitoring and reporting requirements (12) will report ozone season only (2 reports/year).

6.5 Bottom-Line Burden Hours and Cost Table

Table 4 summarizes the bottom-line burden and costs for industry respondents and the Agency.

Table 4: Total Estimated Burden and Cost Summary

	Number of Respondents	Total Hours Per Year (All Respondents)	Total Cost Per Year (All Respondents)
Industry Respondents	121	2,510	$387,960
EPA	1	26.5	$2,250

6.6 Burden Statement

The annual public reporting and recordkeeping burden for this collection of information is estimated to be 2,510 hours per year for industry respondents, or approximately 21 hours per respondent. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, disclose or provide information to, or for, a federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information; processing, maintaining, disclosing, and providing information; adjusting the existing ways to comply with any previously applicable instructions and requirements; training personnel to be able to respond to a collection of information; searching data sources; completing and reviewing the collection of information; and transmitting or otherwise disclosing the information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR Part 9 and 48 CFR Chapter 15.

To facilitate 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 No. EPA-HQ-OAR-2021-0668, which is available for public viewing at the Air and Radiation Docket and Information Center in the EPA Docket Center, Room 3334, 1301 Constitution Avenue 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. The telephone number for the Reading Room is (202) 566-1744, and the telephone number for the Air and Radiation Docket and Information Center is (202) 566-1742. An electronic version of the public docket is available at *www.regulations.gov*. This site can be used to submit or view public comments, to access the index listing of the contents of the public 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 above. 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 EPA Docket ID No. EPA-HQ-OAR-2021-0668 and OMB Control Number 2060-0667 in any correspondence.