

U.S. Environmental Protection Agency Information Collection Request

Title: Air Pollution Regulations for Outer Continental Shelf (OCS) Activities

OMB Control Number: 2060-0249

EPA ICR Number: 1601.11

Abstract: Section 328 (Air Pollution For Outer Continental Shelf Activities) of the Clean Air Act (CAA), as amended in 1990, gave the EPA responsibility for regulating air pollution from OCS sources located offshore of the states along the Pacific, Arctic, and Atlantic coasts, and along the eastern Gulf of Mexico coast (off the coast of Florida). The U.S. Department of Interior's Bureau of Ocean Energy Management (BOEM) retained the responsibility for regulating air pollution from sources located in the western Gulf of Mexico, and in 2011 CAA section 328 was amended to transfer the authority for regulating air emissions from the EPA to BOEM for those parts of the OCS adjacent to the North Slope Borough of the State of Alaska. To comply with the requirements of section 328 of the CAA, the EPA promulgated regulations¹ in 1992 to control air pollution from OCS sources in order to attain and maintain federal and state ambient air quality standards and to comply with the provisions of part C of title I of the CAA.² Sources located within 25 miles of a state's seaward boundary (i.e. inner OCS) must comply with the same state/local air pollution control requirements as would be applicable if the source were located in the corresponding onshore area (COA)³ Sources located more than 25 miles from a state's seaward boundary (i.e., outer OCS) must comply with federal EPA air pollution control regulations. The Outer Continental Shelf Air Regulations are codified as part 55 of chapter I of title 40 of the *Code of Federal Regulations* (40 CFR part 55). The references for the sections of the OCS regulations that pertain to the burden activities addressed in this ICR are shown in Table 1.

This ICR addresses the information collection burden (i.e., hours and costs) to industry respondents who are subject to the reporting, recordkeeping, and testing requirements of the OCS air regulations. Industry respondents include owners or operators of existing and new or modified stationary sources. This ICR also addresses the burden to the EPA and other agencies who are responsible for implementing and enforcing the OCS regulations. The EPA has

¹ See 57 FR 40792, September 2, 1992.

² Part C of title I of the CAA specifies requirements for the prevention of significant deterioration of air quality in areas where the air quality is better than the national ambient air quality standards (NAAQS) for criteria pollutants. OCS Sources in the inner OCS, and for which the corresponding onshore area is designated as nonattainment for one or more criteria pollutants, must comply with part D (Plan Requirements for Nonattainment Areas) of title I of the CAA.

³ Section 328 of the CAA defines "corresponding onshore area," with respect to any OCS source, as the onshore attainment or nonattainment area that is closest to the OCS source, unless the EPA Administrator determines that another area, with more stringent requirements with respect to the control and abatement of air pollution, may reasonably be expected to be affected by such emissions.

delegated the authority to implement and enforce the OCS regulations to four local air pollution control agencies off the Coast of California: Santa Barbara County Air Pollution Control District (SBCAPCD), South Coast Air Quality Management District (SCAQMD), Ventura County Air Pollution Control District (VCAPCD) and the San Luis Obispo County Air Pollution Control District (SLOCAPCD). The EPA also has delegated the authority to implement and enforce the OCS regulations for sources located off the coast of 3 state air pollution control agencies: Delaware (DNREC), Maryland (MDE), and Virginia (VDEQ). The EPA implements and enforces the regulations for all other sources under its federal regulatory authority. All burden estimates are calculated for the 3-year period beginning June 1, 2024, and ending May 31, 2027.

To be consistent with terminology used by the BOEM, OCS sources associated with the recovery of oil and gas resources are characterized according to one of the following operational phases. The first phase consists of exploration activities, which are conducted from temporarily placed vessels or structures. Drilling is a process in the exploration or delineation of a well which averages an estimated 2 to 3 months to finish a well, but it can last up to 6 months depending on safety, weather, and geology. The second phase consists of the construction and installation of a permanent production platform on the seabed and the associated "topside" (above sea level) structures. A typical construction phase lasts from 6 to 12 months. The third phase consists of the development drilling of wells, from which the oil and gas resources are extracted, and the long-term operations and maintenance of the production facility over the life of the field or structure. A typical development/production phase can last for over 30 years. These three phases are referred to as exploration, construction, and development/production, respectively, throughout the remainder of this ICR. During the decommissioning process of a platform, emissions are expected to be similar to those that occur during the construction phase.

EPA estimates that one (1) new OCS permitted oil and gas exploration activity, one (1) new OCS permitted oil and gas development/production activity in the outer OCS and three (3) oil and gas decommissioning activities will be covered by this ICR renewal in the June 1, 2024, through May 31, 2027, timeframe.

In addition to oil and gas activities, OCS activities may also involve alternative energy activities. The 2005 Energy Policy Act gave BOEM the authority to manage alternative energy development on the OCS. Alternative energy development includes, but is not limited to, offshore wind energy development.

The development of offshore wind energy typically involves the installation of wind turbine generators on piles driven into the ocean bottom, although floating platforms are coming into use for deeper water applications. In either case, power cables are laid on the ocean bottom to convey the generated electricity to offshore substations and to land. OCS-related air emissions from a wind energy project occur primarily in the construction phase from barges, cranes, pile drivers, transport vessels, and crew and supply boats. During the operational phase, there are typically smaller amounts of air emissions from air pollution emitting equipment such as emergency generators at wind turbine generators or offshore substations and air emissions from vessels conducting routine inspection visits, and occasional maintenance and repair activities. During the decommissioning of offshore wind energy facilities, air emissions are expected to be similar to those that occur during construction.

BOEM has awarded leases for potential wind energy projects in the Atlantic and Pacific Oceans off the coasts of several states. The first stage of such projects usually involves the installation of meteorological towers or buoys by prospective developers for assessing the wind energy potential. If the data gathered during the assessment phase is favorable, the developer may move to a construction phase and then to the operational phase. A number of wind energy projects have gone through the assessment phase and are moving toward construction or have begun construction. Current projections indicate that some OCS permits may be issued prior to the beginning of the period covered by this ICR renewal (June 1, 2024, through May 31, 2027), and more are likely to be issued during the ICR renewal period. Construction will then follow, and some projects are likely to start operation during the ICR renewal period. EPA estimates 27 new alternative windfarm energy sources during this ICR period (June 1, 2024, through May 31, 2027).

ICR Respondent Tally

As presented in Exhibit 14, the total industry respondent burden includes 8,697 hours and \$878,350 in labor costs plus \$2,530,079 for O&M costs and \$487,656 for capital costs. The total for state and local agency respondents is 4,465 hours with labor costs of \$410,749. This is a total of 13,161 hours and \$1,289,099 in labor costs plus \$2,530,079 for O&M costs and \$467,656 for capital costs.

The Agency Tally

As presented in Exhibit 14, the average annual EPA burden to implement and enforce the OCS Air Regulations is estimated to be 7,291 hours and \$452,021.

Supporting Statement A

1. NEED AND AUTHORITY FOR THE COLLECTION

Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.

The need and authority for this information collection is contained in section 328 of the CAA and in EPA OCS Air Regulations, codified as title 40 CFR part 55. Section 328 requires the EPA to establish requirements to control air pollution from OCS sources to attain and maintain federal and state ambient air quality standards and to comply with the provisions of part C of title I of the CAA. Per CAA Section 328(a)(1) and 40 CFR 55.12, the Administrator must update these requirements as necessary to maintain consistency with onshore regulations.

In addition, 40 CFR 55.11 establishes the procedures for states and local agencies to request and receive delegation of authority to implement and enforce the regulations. The requesting agency must demonstrate that it has:

1. Adopted the appropriate portions of part 55 into state law,

2. Adequate authority under state law to implement and enforce the requirements of part 55,
3. Adequate resources to implement and enforce the requirements of part 55, and
4. Adequate administrative procedures to implement and enforce the requirements of part 55, including public notice and comment procedures.

2. PRACTICAL UTILITY/USERS OF THE DATA

Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

There are six types of reporting requirements for the industrial respondent: notice of intent (NOI) to construct, preconstruction permit application, operating permit application, compliance testing, recordkeeping and reporting tasks, and decommissioning process.

Notice of Intent (NOI) to Construct

The owner or operator of proposed OCS sources that are located within in the inner OCS are required to prepare a NOI to construct. Not more than 18 months prior to submitting a permit application, the owner or operator must submit a NOI to construct to the EPA Administrator through the EPA Regional Office and to the air pollution control agency of the nearest onshore area (NOA) and adjacent onshore areas. The purposes of the NOI are to: (1) trigger an EPA review of onshore regulations to determine if they are consistent with the OCS regulations, and (2) to allow adequate time for onshore areas other than the NOA to determine if they will petition the EPA for designation as the Corresponding Onshore Area (COA). The COA is the onshore area that is geographically closest to the OCS source unless the Administrator determines that another area with more stringent requirements with respect to the control and abatement of air pollution may be reasonably expected to be affected by the emissions of the OCS source. (See CAA section 328(a)(4)(B).)

Preconstruction Permit Applications

All OCS sources must comply with all applicable preconstruction permit requirements including submitting a preconstruction permit application in accordance with the requirements of 40 CFR Part 55. If an OCS project involves an exploration phase and a development phase, a separate preconstruction permit application may be required for each phase. The owner or operator of an OCS source is responsible for developing a preconstruction permit application and collecting all relevant information not otherwise available to the permit reviewing authority⁴

⁴ The NSR regulations at 40 CFR 52.21(b)(51) define reviewing authority as “the State air pollution control agency, local agency, other State agency, Indian tribe, or other agency authorized by the Administrator to carry out a permit program under 40 CFR § 51.165 or § 51.166, or the Administrator in the case of EPA-implemented permit programs under this section.” The OCS regulations define State in a similar manner, which “means the State air pollution control agency that would be the permitting authority, a local air pollution permitting agency, or certain Indian tribes which can be the permitting authority for areas within their jurisdiction. This ICR uses the term reviewing authority when referring to the agency, whether federal state, local or tribal, that issues OCS permits.

(reviewing authority) that may be needed to complete the permit application. The reviewing authority reviews the application materials and determines if the proposed OCS source meets all the applicable requirements.

For OCS sources locating in the inner OCS, these requirements include but are not limited to: New Source Performance Standards (NSPS), National Emissions Standards for Hazardous Air Pollutants (NESHAP), Prevention of Significant Deterioration (“PSD”), Nonattainment New Source Review (NNSR), Title V and any other state/local requirements applicable in the COA (e.g., engine-specific air pollution control requirements). For OCS sources locating in the outer OCS, only federal requirements apply, which include, NSPS, NESHAPs, and PSD. The NNSR program does not apply in the outer OCS as there are no areas not attaining the National Ambient Air Quality Standards (NAAQS)⁵ in the outer OCS.

In general, the NSPS’ are technology-based standards applicable to sources that emit one or more criteria pollutants. The NESHAPs are stationary source standards for hazardous air pollutants (HAPs). HAPs⁶ are those pollutants that are known or suspected to cause cancer or other serious health effects, such as reproductive effects or birth defects, or adverse environmental effects. The PSD preconstruction permitting program applies to new major sources or major modifications at existing sources for pollutants where the area the source is located complies (i.e., attains) with one or more NAAQS. PSD requires: (1) the installation of Best Available Control Technology (BACT)⁷, (2) an air quality analysis⁸, (3) an additional impact analysis⁹, and a (4) Class I area air quality analysis if the source will be located near an area of special national or regional natural, scenic, recreation or historic value, such as a national park or wilderness area. NNSR applies to new [major sources](#) or [major modifications](#) at existing sources for pollutants where the area the source is located is not attaining one or more NAAQS. All sources subject to NNSR are required to at least (1) install the lowest achievable emission

5 The NAAQS are also known as criteria pollutants, which are pollutants for which nationwide acceptable levels of exposure can be determined. The criteria pollutants are Ozone, Particulate Matter, Carbon Monoxide, Lead, Sulfur Dioxide and Nitrogen Dioxide.

6 The EPA maintains a list of 188 HAPs found at: <https://www.epa.gov/haps/initial-list-hazardous-air-pollutants-modifications>.

7 BACT is an emission limitation which is based on the maximum degree of control that can be achieved by the source being permitted. It is a case-by-case determination that considers energy, environmental, and economic impacts before selecting the BACT. BACT can be add-on control equipment or modification of the production processes or methods. This includes fuel cleaning or treatment and innovative fuel combustion techniques. BACT may be a design, equipment, work practice, or operational standard if imposition of an emissions standard is infeasible. See 40 CFR § 52.21(b)(12) for the BACT regulatory definition and 40 CFR 52.21(j) for the BACT control technology review requirements.

8 An air quality analysis demonstrates that new emissions emitted from a proposed major stationary source or major modification, will not cause, or contribute to a violation of any applicable NAAQS or PSD increment. PSD increments are the amount of pollution (below the NAAQS) that an area is allowed to increase. See 40 CFR § 52.21(m) for the applicable regulatory requirements.

9 The additional impacts analysis assesses the impacts of air, ground and water pollution on soils, vegetation, and visibility caused by any increase in emissions of any regulated pollutant from the source or modification under review, and from associated growth. Associated growth is industrial, commercial, and residential growth that will occur in the area due to the source. See 40 CFR § 52.21(o) for the applicable regulatory requirements.

rate (LAER)¹⁰ and obtain (2) emission offsets.¹¹ OCS sources not subject to PSD or NNSR preconstruction permitting might still be subject to minor NSR preconstruction permitting. Minor NSR permitting requirements vary greatly by reviewing authority. Permits issued under the Title V operating permits program or permits that contain title V permitting requirements are legally enforceable documents designed to improve compliance by clarifying what sources must do to control air pollution. Title V permits are issued to major sources and a limited number of smaller sources called area sources, minor sources, or non-major sources. See the “Operating Permit Application” section next for more information about operating permits.

Operating Permit Application

OCS sources must obtain an operating permit. The operating permit might be applied for and issued at the same time as the OCS permit that includes PSD and other requirements is issued since OCS sources need to comply with both PSD and title V requirements as applicable. OCS sources can also apply for and obtain the title V operating permit after the initial OCS permit that includes PSD and other requirements is issued. The OCS source owner or operator is required to apply for a title V operating permit no later than 12 months after the OCS source commences operation for the first time. If the OCS source applies for the title V permit separately from the initial OCS permit that includes PSD and other requirements, the OCS source operating permit application will contain information similar to the information required for the preconstruction permit application. That information will include the OCS source analysis for showing compliance with any applicable NSPS, NESHAPs, title V permitting requirements and, if the OCS source is in the inner OCS, any SIP requirements applicable in the COA. In addition to these requirements, CAA operating permits may independently include, at the discretion of the reviewing authority, recordkeeping, reporting and monitoring requirements in addition to those that may be required by the underlying applicable requirements.

Compliance Testing

Within 6 months of the start of operations, new or modified major OCS sources¹² may be required to complete initial compliance tests to demonstrate compliance with control equipment design and performance specifications in their preconstruction permits.

Recordkeeping and Reporting Tasks

10 LAER is the most stringent emission limitation derived from either of the following: (1) the most stringent emission limitation contained in the implementation plan of any State for such class or category of source; or (2) the most stringent emission limitation achieved in practice by such class or category of source. See 40 CFR 51.165(a)(1)(xiii) for the LAER regulatory definition.

11 Offsets are emission reductions, generally obtained from existing sources located in the vicinity of a proposed source which must (1) offset the emissions increase from the new source or modification and (2) provide a net air quality benefit. The purpose for requiring offsetting emissions decreases is to allow an area to move towards attainment of the NAAQS while still allowing industrial growth. See 40 CFR 51.165 for more information about the offset regulatory requirements.

12 OCS sources subject to Minor NSR regulations may be required to conduct performance testing as required by the applicable regulations.

OCS sources are required to monitor emissions and operating parameters to ensure compliance with emission limits and operating requirements. The regulatory agencies will use the compliance test results and the monitoring information to ensure OCS sources owners/operators are complying with all applicable regulations. Records related to compliance with permit conditions are generally required to be retained for 5 years, consistent with the CAA’s title V operating permitting program requirements.

Decommissioning

When OCS permits are issued for construction and operation activities in the OCS, decommissioning activities are usually not considered because it is premature at the time of construction and operation to know what activities will take place during decommissioning of those OCS sources. Depending on the decommissioning activities, owners/operators of OCS sources might maintain their OCS permit until the relevant “equipment, activity, or facility” no longer satisfies the criteria in the definition of “OCS source” in section 328 of the CAA and EPA’s implementing regulations at 40 CFR part 55. In other instances additional “equipment, activity, or facilities” that meet the OCS source definition might need to be used during the decommissioning process, which may require the application and issuance of a new OCS air permit. Since these additional activities and potential associated OCS permit requirements are case-by-case determinations, this ICR only provides estimates of the decommissioning burden expected in the period covered by this ICR renewal (June 1, 2024, through May 31, 2027), as EPA currently does not have project-specific information for decommissioning activities in the OCS.

3. USE OF TECHNOLOGY

Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.

It is the responsibility of each owner and operator of an OCS source affected by the OCS regulations to prepare and submit a NOI to construct, a preconstruction permit application, and an operating permit application to the EPA reviewing authority. The EPA reviewing authority will review permit applications and store them for record retention. Because the preconstruction permits and associated control technology determinations are performed on a case-by-case basis, the EPA has not developed standardized permit application forms to carry out its OCS permitting responsibilities.

While performing permit application reviews, the EPA will check the quality of data submitted by the applicant. The EPA will evaluate data quality by reviewing test data and verifying engineering calculations, and by reviewing control technology determinations for similar sources. The EPA reviewing authority will also review the BACT/LAER Clearinghouse data base for information on control technology determinations made for sources similar to the OCS sources included in a permit application. Confidential information submitted by the

applicant will be handled by the EPA reviewing authority's confidential information handling procedures. The EPA reviewing authority will provide the public with the opportunity to review a permit application and provide an opportunity for public hearing.

4. EFFORTS TO IDENTIFY DUPLICATION

Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

The information collection activities that will be required under the OCS regulations are not routinely required elsewhere by the EPA. However, similar information may be collected by the federal government during the development of environmental impact statements (EIS), as part of, for example, the BOEM OCS leasing activities. Some of the required information necessary for administering air pollution regulations may also be available from state or other federal agencies. However, even when this information is available, it is not generally adequate to completely address the relevant requirements of the CAA's OCS regulations.

As explained in more detail previously, Section 328 of the CAA requires the OCS sources located in the inner OCS to meet the same requirements as are applicable in the COA. This includes the permitting, monitoring, recordkeeping, and reporting requirements. The OCS Air Regulations require OCS sources located in the outer OCS to meet the federal requirements (e.g., PSD, NSPS, and title V operating permit programs) including the monitoring, recordkeeping, and reporting requirements of those programs. The only additional information collection requirement that is specific to inner OCS sources is the need for those OCS source owners to file a NOI. This information is not available elsewhere in the Agency and is necessary to identify the COA and to ensure that the relevant regulatory requirements of the COA are updated and applied to OCS sources located in the inner OCS.

5. MINIMIZING BURDEN ON SMALL BUSINESSES AND SMALL ENTITIES

If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

The NOI to construct, preconstruction and operating permits, annual compliance testing, recordkeeping, and reporting requirements associated with the OCS regulations do not directly affect small entities.

6. CONSEQUENCES OF LESS FREQUENT COLLECTION

Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

The information required to be submitted by each preconstruction permit applicant will be submitted on a one-time-only basis. When an existing OCS source wishes to modify or

expand a facility already in operation, most of the information submitted will pertain to the modification or expansion. During the 3-year period covered by this ICR renewal (June 1, 2024, through May 31, 2027) EPA is projecting 1 exploration outer OCS source authorizing up to 1 exploratory well, 1 new oil/gas development/production outer OCS source and 27 new permits for alternative energy OCS sources off the Atlantic and Pacific coasts. For the existing development/production OCS sources under the regulatory authority of local agencies in California, EPA is projecting that an average of five OCS sources would renew their operating permits each year during the 3-year time period covered by this ICR renewal to comply with local agency regulations. These OCS sources are also subject to compliance testing, recordkeeping, and reporting requirements to demonstrate compliance with their applicable requirements.¹³ Less frequent collection of information than that required by these requirements would jeopardize the ability of regulatory agencies to evaluate an OCS source's compliance with the OCS regulations.

7. GENERAL GUIDELINES

Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.

With one exception, the reporting or recordkeeping requirements described in this ICR do not violate any of the regulations promulgated under 5 CFR 1320.5(d)(2).¹⁴ Records related to compliance with permit conditions are generally required to be retained for 5 years, consistent with the CAA's title V operating permitting program requirements.

8. PUBLIC COMMENT AND CONSULTATIONS

8a. Public Comment

If applicable, provide a copy and identify the date and page number of publication in the Federal

¹³ The federal regulations that implement the title V operating permit requirements (40 CFR part 70 and 40 CFR part 71) define "applicable requirement" as all substantive requirements originating from non-title V, federal air quality standards and other similar requirements, including implementation plans, under various titles of the Act. The title V regulations may impose certain monitoring, reporting, and requirements independently, but they are not "applicable requirements."

¹⁴ This regulatory provision implementing the Paperwork Reduction Act indicates that OMB will not approve a collection of information—(i) Requiring respondents to report information to the agency more often than quarterly; (ii) Requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it; (iii) Requiring respondents to submit more than an original and two copies of any document; (iv) Requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years; (v) In connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study; (vi) Requiring the use of a statistical data classification that has not been reviewed and approved by OMB; (vii) That includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or (viii) Requiring respondents to submit proprietary, trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

Register of the Agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the Agency in response to these comments. Specifically address comments received on cost and hour burden.

On February 8, 2024, EPA published a notice in the *Federal Register* announcing its intention to submit this ICR renewal to OMB. The notice provided a 60-day public comment period, which ended on April 8, 2024. One relevant public comment was received.

The commenter stated “Please budget for North Carolina and also Docket BOEM-2024-004-001 concerning wind leases and site assessment on the Atlantic OCS offshore Delaware, Maryland, and Virginia. Thank You for considering my ideas.”

The EPA understands the commenter is asking the agency to estimate the OCS air permitting burden for the State of North Carolina since North Carolina has two offshore wind projects (Kitty Hawk North and Kitty Hawk South) scheduled for the near future. The EPA has estimated the burden for the State of North Carolina as part of EPA’s burden estimates. The EPA did so under that category because the state and local agencies’ annual burden is reserved for those states that have delegation of the OCS permitting program, while the EPA burden is reserved for those areas where the EPA is the permitting authority, which would be the case for the State of North Carolina since they do not have a delegation of EPA’s authority to implement the OCS permitting program.

BOEM is the lead federal agency that conducts wind lease and site assessments for wind energy projects in the Outer Continental Shelf. As BOEM has done for projects offshore of the states of Delaware, Maryland, and Virginia, BOEM requires wind lease and site assessments for all offshore wind energy projects, including those off the coast of North Carolina (See Title 30 CFR Parts 585.605 - 585.607). For more information about these assessment, please visit: <https://www.boem.gov/renewable-energy/offshore-renewable-activities>. Furthermore, the Fixing America’s Surface Transportation Act Title 41 (FAST-41) dashboard, is the online tool available to federal agencies, project developers, and interested members of the public to track the federal government’s environmental review and authorization processes for large or complex infrastructure projects. The EPA encourages you to visit the FAST-41 dashboard, <https://www.permits.performance.gov/projects/fast-41-covered>, to find the latest information about these and other offshore wind projects.

Finally, the EPA acknowledges that the commenter included website links as part of the comment, but it is not clear what purpose those links serve or how the commenter intended those links to support the comment. Therefore, the EPA is unable to address the links included in the comment.

8b. Consultations

Describe efforts to consult with persons outside the Agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported. Consultation with representatives of those from whom information is to be obtained or

those who must compile records should occur at least once every 3 years - even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

In developing this ICR renewal, EPA OAQPS coordinated with the EPA Regional Offices that are responsible for reviewing and developing air permits for new and existing OCS projects, and for overseeing state and local agencies that have received delegation of the OCS program. Specifically, EPA obtained information from EPA Regions 1, 2, 3, 4, 9, and 10 regarding the projected number of OCS oil and gas and alternative energy OCS sources during the period covered by this ICR renewal (June 1, 2024, through May 31, 2027).

EPA requested feedback from some industry respondents on their respective OCS permitting activities and estimated burden associated with those activities. EPA contacted Ms. Omobola Mudasiru of the American Petroleum Institute to request review of the burden information for oil and gas offshore activities but did not obtain a response as of the time of the first ICR public notice. For feedback from state and local agency respondents EPA contacted Ms. Karen Mongoven of the National Association of Clean Air Agencies and Jason Sloan of the Association of Air Pollution Control Agencies. These consultations resulted in some changes to the activities and associated burden estimates used to estimate the overall burden of the OCS program for this ICR renewal.

9. PAYMENTS OR GIFTS TO RESPONDENTS

Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.

No payments or gifts are provided to respondents.

10. ASSURANCE OF CONFIDENTIALITY

Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or Agency policy. If the collection requires a systems of records notice (SORN) or privacy impact assessment (PIA), those should be cited and described here.

Any information submitted to EPA for which a claim of confidentiality is made will be safeguarded according to the EPA's policies set forth in title 40, chapter 1, part 2, subpart B—Confidentiality of Business Information (see 40 CFR part 2; 41 FR 36902, September 1, 1976; amended by 43 FR 39999, September 8, 1978; 43 FR 42251, September 28, 1978; 44 FR 17674, March 23, 1979).

11. JUSTIFICATION FOR SENSITIVE QUESTIONS

Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the Agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom

the information is requested, and any steps to be taken to obtain their consent.

No questions of a sensitive nature are included in the information collection requirements.

12. RESPONDENT BURDEN HOURS & LABOR COSTS

Provide estimates of the hour burden of the collection of information. The statement should:

- *Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Generally, estimates should not include burden hours for customary and usual business practices.*
 - *If this request for approval covers more than one form, provide separate hour burden estimates for each form and the aggregate the hour burdens.*
 - *Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included as O&M costs under non-labor costs covered under question 13.*
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12a. Respondent NAICS/SIC Codes

Industry Respondents

Section 328(a)(4)(C) of the CAA defines “OCS sources” as “... any equipment, activity, or facility which:

- Emits or has the potential to emit any air pollutant,
- Is regulated or authorized under the Outer Continental Shelf Lands Act, and
- Is located on the Outer Continental Shelf or in or on waters above the Outer Continental Shelf.

Such activities include, but are not limited to, platform and drill ship exploration, construction, development, production, processing, and transportation. Emissions from any vessel servicing or associated with an OCS source, including emissions while at the OCS source or en route to or from the OCS source within 25 miles of the OCS source (inner OCS), will be considered direct emissions from the OCS source."

The SIC codes (with accompanying North American Industry Classification System (NAICS) codes in brackets), for OCS sources that may be subject to the OCS regulations, include the following:

- Major Group 13 [211] - Oil and Gas Extraction
 - o SIC code 1311 [211111] - Crude petroleum and natural gas
 - o SIC code 1321 [211112] - Natural gas liquids
 - o SIC code 1382 [213112] - Oil and gas field exploration services
- Major Group 22 [221] – Utilities Sector/Electric Power Generation
 - o SIC code 2211 [221115] – Electric Power Generation, Wind

- Major Group 49 [221] - Electric, Gas, and Sanitary Services
 - o SIC code 4911 [221115] – Wind electric power generation
 - o SIC code 4922 [48621] - Natural gas transmissions

State and Local Agency Respondents

As noted previously, some state and local agencies have received delegation of authority to administer the OCS program for OCS sources locating off their coasts. The SIC code for these agencies is 9511 (Air and Water Resource and Solid Waste Management) and the NAICS code is 924110.

Number of Respondents

Based on information received from EPA Regions 1, 2, 3, 4, 9, and 10, the SBCAPCD, and the SLOCAPCD, and review of the BOEM web site, the following number of OCS sources were assumed for the purposes of this ICR:

OCS Sources under EPA authority

New exploration sources	1
Existing exploration sources	1
Exploration wells to be drilled	1
New development/production sources	1
Existing development/production sources	9
New alternative energy sources	24
Existing alternative energy sources	9
Decommission sources	0

OCS Sources under the authority of the state/local agencies

New exploration sources	0
Existing exploration sources	0
Exploration wells to be drilled	0
New development/production sources	0
Existing development/production sources	24
New alternative energy sources	3
Existing alternative energy sources	2
Decommission sources	3

For purposes of this ICR, new OCS sources are those that are initially permitted within the time period covered by this ICR renewal (June 1, 2024, through May 31, 2027). Existing” OCS sources are those that received an OCS permit before the time period covered by this ICR renewal (June 1, 2024, through May 31, 2027). As explained previously in this document, exploration refers to the first phase of an OCS oil and gas project, which consists of exploration activities that are conducted from temporarily placed vessels or structures. Drilling is a process

in the exploration or delineation of a well which averages an estimated 2 to 3 months to finish a well, but it can last up to 6 months depending on safety, weather, and geology. Development/production refers to the third phase of an OCS oil and gas project after the second phase, construction, occurs. This third phase consists of the development drilling of wells, from which the oil and gas resources are extracted, and the long-term operations and maintenance of the production facility over the life of the field or structure. Decommissioning refers to the process under which an oil and gas platform or OCS wind energy project are no longer operational and all or part of the structures placed on the OCS for those projects are permanently removed.

12b. Information Requested

Since the OCS Air Regulations essentially extend the coverage of other regulations to OCS sources, the data and information requirements associated with the OCS regulations will vary depending on the regulations that ultimately apply to the OCS source. For example, sources locating in the inner OCS and off the coast of a NAAQS nonattainment COA will generally have to comply with more stringent NSR regulations than those locating off the coast of a COA attaining the NAAQS. The data and information requirements will also vary depending on the type and amount of emissions of the OCS source. For example, exploration OCS sources are generally smaller emitting sources with fewer applicable permitting requirements than other larger emitting OCS sources.

The data items associated with the OCS program are listed below. In each case, the industry respondent (i.e., the project owner or operator) is responsible for preparing or conducting each item. Subsequently, EPA and state or local agency respondents (i.e., those with delegated OCS program authority) are responsible for reviewing and acting on submissions and, if desired, observing compliance tests.

NOI to Construct

New or modified OCS sources will have to prepare and submit a NOI to construct no more than 18 months before submitting a permit application. Per 40 CFR § 55.4, the data and information requirements that an OCS source must include in a NOI to construct include the following minimum information:

- General company information, including company name and address, owner's name and agent, and facility site contact.
- Facility description in terms of the process and products, including identification by Standard Industrial Classification code.
- Estimate of the proposed project's potential emissions of any air pollutant, expressed in total tons per year and in such other terms as may be necessary to determine the applicability of requirements of 40 CFR 55.4 of the regulation. Potential emissions for the project must include all vessel emissions associated with the proposed project in accordance with the definition of "potential emissions" in §55.2 of the regulation.
- Description of all emission points including associated vessels.
- Estimate of quantity and type of fuels and raw materials to be used.

- Description of proposed air pollution control equipment.
- Proposed limitations on source operations or any work practice standards affecting emissions.
- Other information affecting emissions including, where applicable, information related to stack parameters (including height, diameter, and plume temperature), flow rates, and equipment and facility dimensions.
- Such other information as may be necessary to determine the applicability of onshore air pollution-related requirements.
- Such other information as may be necessary to determine the OCS source's air emissions impact in onshore areas. Per 40 CFR § 55.4(c), exploration sources and modifications to existing sources are exempt from this requirement.

Preconstruction Permit Applications

Table 2 at the end of this document references the applicable CAA data and information requirements and the corresponding regulatory references that apply to OCS permits with PSD requirements. References to 40 CFR § Part 51 refer to the PSD preconstruction permitting regulations that govern when state and local NSR permitting requirements apply. References to 40 CFR § Part 52 refer to the PSD preconstruction permitting regulations that govern (shown in brackets) when EPA is the reviewing authority.

Table 3 at the end of this document references the applicable CAA data and information requirements and the corresponding regulatory references that apply to preconstruction permits with NNSR requirements.

In some cases, proposed emissions for an OCS project are below the applicability levels for PSD and NNSR preconstruction permitting. In other words, the amount of emissions do not subject the OCS source to the PSD and NNSR preconstruction permitting requirements. However, such OCS sources in the inner OCS might be subject to the minor source preconstruction permitting requirements of the COA. These minor NSR permitting requirements vary greatly between reviewing authorities and are universally less stringent than the major source PSD and NNSR permit requirements. For example, minor NSR programs generally require limited or no modeling of air emissions and no case-by-case control technology review. Therefore, for the initial permitting of minor sources, EPA assumed a burden that is half that of major source permitting for the same type of source (i.e., exploration, development/production, or alternative energy).

Existing OCS sources may also make modifications that trigger preconstruction permitting. Major modifications to OCS sources are subject to PSD and/or NNSR preconstruction permitting requirements depending on the regulated NSR pollutants being emitted by the OCS source and the attainment status of the OCS source's COA, the latter for those OCS sources located in the inner OCS. Minor modifications at OCS sources could be subject to minor NSR if the source is located in the inner OCS. Minor NSR modifications could also be subject to the title V minor permit modification procedures as defined within the title V permitting program. EPA projects 2 minor modification development/production OCS sources during the time period covered by this ICR. EPA also assumed that the burden associated with

minor modifications will be half of the burden assumed for major modifications at the development/production phase of oil and gas OCS sources and for major modifications of existing alternative energy OCS sources.

Operating Permits

For purposes of this ICR, it was assumed that the one “existing” exploration project under the EPA’s regulatory authority will obtain a title V operating permit during the time period for this ICR renewal. Operating permits typically contain the following minimum information requirements:

- Ownership and location of the source.
- An inventory of the type and amount of emissions associated with each piece of equipment used at the source.
- Identification of emissions control techniques required by applicable requirements for each piece of equipment; such techniques may include process design or operational changes to equipment, add-on control equipment, and inspection and maintenance procedures.
- Identification of recordkeeping requirements, including those required by applicable requirements (such as NSPS, NESHAP or SIP) and those required by operating permits regulations (e.g., 6-month monitoring reports, deviation reports, and annual compliance certification) to ensure that control techniques and inspection and maintenance procedures are being properly implemented.
- Annual compliance testing requirements.
- Reporting requirements for the periodic submittal of recordkeeping or test data for review by the regulatory authority, whether required by the applicable requirements or by the operating permit regulations.

All 24 existing development/production OCS sources off the coast of Southern California were required to obtain operating permits. Because title V permits are valid for 5-years, EPA assumed that 14 (i.e., three fifths) of these OCS sources will renew their operating permits in each year covered by this ICR renewal. Similarly, three fifths of the 9 existing development/production OCS sources (i.e., 5) under EPA authority are assumed to have to renew their operating permits in each year covered by this ICR renewal.

Compliance Testing

For purposes of this ICR, the EPA assumed that one exploration project will have obtained the necessary preconstruction permit prior to the period covered by this ICR renewal. The EPA estimates that the permit will authorize the construction of one exploratory well. EPA also anticipates that the one projected exploration OCS source and the projected alternative energy OCS source will conduct initial emissions tests as required by the applicable regulations.

The purpose of the annual testing requirements is to demonstrate that each OCS source is in compliance with its applicable emission control requirements. For this analysis, it was also assumed that each OCS sources identified in this ICR will be subject to 3 years of annual compliance testing.

Recordkeeping and Reporting Tasks

The recordkeeping and reporting tasks will vary depending on the type of OCS source and the applicable requirements that apply. For example, owners or operators of exploration OCS sources may be required to maintain a logbook and provide a copy of the book to the EPA or delegated reviewing authority when the exploration is complete; these requirements apply only during the time that an exploratory well is actually being drilled. Development/production OCS sources typically are required to monitor certain emissions and operational parameters and submit annual reports to the applicable reviewing authority.

12c. Respondent Activities

NOI to Construct

The following items are a comprehensive list of the activities that the owner or operator of a new OCS source would have to perform to prepare and submit a NOI to construct:

- Read applicable regulations to determine compliance requirements.
- Inquire or meet with the appropriate reviewing authority to obtain guidance on what data are needed to meet the applicable requirements.
- Prepare NOI to construct.
- Submit the NOI to construct to the EPA Administrator through the EPA Regional Office and to the air pollution control agency of the NOA and adjacent onshore areas.

Preconstruction Permit Applications

The following items are a comprehensive list of the activities that the owner or operator of a new OCS source would have to perform to prepare a preconstruction permit application if the source is subject to the PSD preconstruction permitting regulations:

- Read applicable regulations to determine compliance requirements.
- Inquire or meet with the appropriate reviewing authority to obtain guidance on what data are needed to assure compliance with the applicable requirements.
- Prepare BACT engineering analysis.
- Perform air quality modeling.
- Perform pre- and post-construction air quality monitoring (if not already available).
- Determine impacts on air quality related values in Federal Class I areas.
- Submit application to the U.S. Fish and Wildlife Service for endangered species impact analysis.
- Prepare and submit permit application.
- Attend public hearing.
- Revise permit application per comments received from the reviewing authority and/or public comments.

For purposes of this ICR, EPA assumed that OCS permit applications with PSD permitting requirements will be submitted for all the new alternative energy OCS sources, the projected new OCS oil and gas exploration OCS source, and the projected new OCS permitted

oil and gas development/production OCS source. However, the level of effort associated with performing these activities will vary depending on the types and amounts of pollutants emitted by the OCS source, location of the OCS source, and availability of existing information such as air quality and modeling data. For example, an owner or operator will not have to perform dispersion modeling analyses to determine impacts on air quality related values in a Federal Class I area if the OCS source's emissions will not impact a Federal Class I area. In addition, an owner or operator will only have to perform monitoring if required by the applicable reviewing authority.

Operating Permits

In general, the activities that new or modified and existing OCS sources will have to perform to prepare an operating permit ¹⁵application include the following:

- Read applicable regulations to determine compliance requirements.
- Inquire or meet with the appropriate reviewing authority to obtain guidance on which data, compliance testing, and recordkeeping and reporting activities are needed to assure compliance with the applicable requirements.
- Prepare and submit the permit application.
- Attend public hearing, if one is conducted.
- Revise permit application based upon comments received from the reviewing authority and/or public comments.

Compliance Testing

For the purposes of this ICR, it was assumed that development/production OCS sources would use Reference Method 20 to test for nitrogen oxide emissions from gas turbines. For development/production and exploration OCS sources that have internal combustion engines, it was assumed that the instrumental methods of Reference Methods 3A, 6C, and 7E using the electro-chemical cell methodology would be used to test for nitrogen oxide, carbon monoxide, hydrocarbon, and sulfur dioxide emissions. The activities associated with completing compliance tests are as follows:

- Prepare a pretest plan and submit the plan to the appropriate reviewing authority for review and approval at least 30 days before conducting the tests.
- Clean and calibrate test equipment for tests.

¹⁵ Under operating permit programs, sources are required to submit permit applications for initial permit issuance, for permit revisions (as needed), and for permit renewals every 5 years. After permit issuance, sources are required to report deviations from permit requirements, report summaries of monitoring every 6 months, perform an annual compliance certification, and annually pay fees. In some cases, sources are required to develop gap-filling monitoring and/or recordkeeping to serve as monitoring and operate that monitoring/recordkeeping to help them meet the compliance certification requirement.

Estimates of burdens and costs for various types of sources subject to operating permit programs have been approved separately by OMB. 40 CFR part 70 is generally implemented by state, local, or tribal permitting authorities, while 40 CFR part 71 is implemented in areas where EPA is the permitting authority. See the Part 71 ICR renewal titled "Federal Operating Permit Regulations (40 CFR 71)(Renewal)," OMB Control No. 2060-0336 (https://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=201905-2060-021) and the Part 70 ICR renewal titled "Part 70 State Operating Permit Program (Renewal)," OMB Control No. 2060-0243 (<https://www.reginfo.gov/public/do/PRAOMBHistory?ombControlNumber=2060-0243>)

- Perform tests.
- Analyze samples, summarize data, and write report.

For alternative energy OCS sources, it was assumed that these OCS sources would comply with the applicable testing requirements of 40 CFR §§ 60 and 63, which depend on the engine size, model year, and associated engine displacement. If the OCS source is in the inner OCS, the OCS source would also comply with any COA-specific testing requirements. Therefore, the activities associated with completing compliance tests are similar to those for oil and gas development/production OCS sources:

- Prepare a pretest plan and submit the plan to the appropriate reviewing authority for review and approval as specified in the applicable requirements.
- Clean and calibrate test equipment for tests.
- Perform tests.
- Analyze samples, summarize data, and write report.

Recordkeeping and Reporting Tasks

Exploration, development/production, and alternative energy OCS sources are typically required to monitor the fuel usage and operating hours of each piece of equipment and each support vessel. Where add-on control equipment is required, continuous monitoring typically is required. Once an owner or operator has obtained a title V operating permit, a monitoring report is required twice per year and a compliance certification report is required annually (Prior to issuance of a title V permit, only an annual report typically is required.).

State and Local Agency Respondents

Agencies delegated authority for the OCS program are responsible for processing NOI's to construct, reviewing and acting on preconstruction and operating permit applications, conducting enforcement activities such as inspections, reviewing pretest plans and test reports, attending tests (if desired by the agency), and reviewing reports that OCS sources must submit to comply with their operating permits.

Agencies responsible for processing NOI's to construct and preconstruction and operating permit applications will typically perform the following activities:

- Answer industry respondent questions.
- Review data submissions.
- Request additional information for incomplete applications.
- Analyze requests for confidentiality and provide appropriate protection.
- Evaluate completed applications for processing and approval.
- Prepare notices of public hearings on permit applications for publication, arrange and attend public hearings, and summarize and respond to public comments.
- Voluntarily submit information on BACT/LAER determinations to the EPA's BACT/LAER Clearinghouse for entry into a database.

12d. Respondent Burden Hours and Labor Costs

For purposes of calculating the burden (in hours) and costs incurred by industry and delegated state and local agency respondents under the OCS permit program, the EPA has prepared the exhibits in the MS Excel spreadsheet accompanying this Supporting Statement. Exhibits 1 through 6 address industry respondents, divided according to the type of OCS source and whether the OCS source is under the jurisdiction of the EPA or a delegated state or local agency. Exhibits 7 through 9 address state and local agency respondents, divided according to the type of OCS source being overseen. The table below identifies these exhibits.

Exhibit	Contents
Exhibit 1	New and Previously Permitted Exploration Sources under EPA Authority: Respondents' Annual Burden
Exhibit 2	New and Previously Permitted Alternative Energy Sources under EPA Authority: Respondents' Annual Burden
Exhibit 3	New and Previously Permitted Development/Production Sources under EPA Authority: Respondents' Annual Burden
Exhibit 4	New and Previously Permitted Exploration Sources under State/Local Authority: Respondents' Annual Burden
Exhibit 5	New and Previously Permitted Alternative Energy Sources under State/Local Authority: Respondents' Annual Burden
Exhibit 6	Existing Development/Production Sources under State/Local Authority: Respondents' Annual Burden
Exhibit 7	New and Previously Permitted Exploration Sources under State/Local Authority: State/Local Agencies' Annual Burden
Exhibit 8	New and Previously Permitted Alternative Energy Sources under State/Local Authority: State/Local Agencies' Annual Burden
Exhibit 9	Existing Development/Production Sources under State/Local Authority: State/Local Agencies' Annual Burden

For industry respondents, Exhibits 1 through 6 in the spreadsheet accompanying this Supporting Statement present the activities to be carried out by the respondents and the estimated average burden for each activity. In these exhibits, the estimated in-house burden for each activity is found in Column E while the additional burden expected to be outsourced to contractors is found in Column G. This same information is presented in Exhibits 7 through 9 for state and local agency respondents. In these exhibits, the estimated total burden for each activity is found in Column E; these respondents are not expected to use contractors.

The derivation of the labor costs used for this ICR renewal are detailed in Appendix A-1, which can be found in the MS Excel spreadsheet accompanying this Supporting Statement. All costs are presented in 2023 dollars.

The cost estimates for industry respondents are based on a wage rate of \$50.43 per hour derived from the mean hourly wage for Environmental Engineers of \$48.88 from the most recent BLS Occupational Employment Statistics, which gives wages as of June 2023.¹⁶ EPA escalated

¹⁶ Environmental Engineer hourly wages obtained from "Occupational Employment Statistics, Occupational Employment and Wages, May 2022, 17-2081 Environmental Engineers," U.S. Dept. of Labor, BLS. (<http://www.bls.gov/oes/current/oes172081.htm>, accessed November 2023).

the hourly wages to June 2023 (the latest date for which figures were available) using the BLS Employment Cost Index (ECI) for private industry workers, resulting in hourly wages of \$50.43.¹⁷ The escalation calculation for Environmental Engineers is as follows:

$$Wage_{June2023} = Wage_{May2022} \times \frac{ECI_{June2023}}{ECI_{Sept2022}}$$
$$Wage_{June2023} = \$48.88 \times \frac{159.0}{154.1} = \$50.43$$

To determine the “loaded” labor rate, EPA assumed a 100 percent factor to account for benefits and overhead, which EPA believes to be representative. The resultant rate was rounded to the nearest dollar, yielding \$108.00 per hour in 2023 dollars for in-house respondent labor. This labor rate was applied to all in-house industry respondent burden hours to calculate the in-house portion of the OCS sources’ labor costs. This labor rate was applied to all the contractor hours included in the OCS sources’ burden hours. The industry respondents’ annual labor hours and costs for the 3-year time period covered by this ICR are presented in Exhibits 1 through 6.

For state and local agency respondents, EPA assumed that permit engineers are all Environmental Engineers, but experience tells us that these positions are typically filled by younger engineers, early in their careers. For this reason, EPA selected the 25th percentile hourly wage of \$45.10 for Environmental Engineers from the same recent BLS Occupational Employment Statistics publication that EPA used for industry respondents. EPA escalated this May 2022 hourly wage to June 2023 as discussed above using the ECI for state and local government workers, resulting in hourly wages of \$46.19.¹⁸ As above, EPA assumed a 100 percent factor to account for benefits and overhead and rounded the resultant rate to the nearest dollar, yielding \$92.00 per hour in 2023 dollars. This labor rate was applied to all the state and local agency respondent hours, and these respondents’ annual labor hours and costs for the 3-year period covered by this ICR are presented in Exhibits 7 through 9.

Estimating Industry Respondent Burden and Costs

This section presents estimates of the burden for exploration, development/production, and alternative energy project OCS sources associated with the OCS regulations. The respondent burden estimates are based on the data items and respondent activities described above

A...New and Previously Permitted Exploration OCS Sources under EPA Authority: Respondents' Annual Burden (Exhibit 1)

For the purposes of this ICR, it was assumed that one well would be drilled with the one exploratory well to be authorized under a permit during the ICR renewal period. It is assumed that initial compliance tests, monitoring, and reporting will be required during the period that each of the wells is being drilled.

¹⁷ Employment Cost Index (ECI) for wages and salaries for Private Industry Workers - All Workers found at <https://www.bls.gov/eci/home.htm#data>. accessed November 13, 2023.

¹⁸ Employment Cost Index (ECI) for wages and salaries for Private Industry Workers - All Workers found at <https://www.bls.gov/eci/home.htm#data>. accessed November 13, 2023.

Exhibit 1 provides a breakdown of the burden and costs for these activities. For the estimated average of 3 responses, the average annual burden for the respondents is estimated to be 109 hours, \$11,043 in respondent labor costs, and \$38,052 in contractor labor (considered O&M) costs. Since the exploration vessels are expected to have all necessary monitoring equipment to meet the OCS Air Regulations, no capital cost or other O&M costs are projected to be necessary.

B...New and Previously Permitted Alternative Energy OCS Sources under EPA Authority: Respondents' Annual Burden (Exhibit 2)

There are estimated to be 24 new alternative energy OCS sources projected to occur during this ICR renewal period off the Atlantic and Pacific coasts in areas under EPA authority, as well as five projects that will have already been permitted but not yet been constructed. EPA assumed that the 24 new alternative energy OCS sources under EPA authority would incur the burden for basic activities including reading the regulations, consulting with EPA, and preparing a NOI to construct. EPA estimates that all the new OCS sources will be major sources under the NSR preconstruction permitting program and will have to prepare preconstruction permit applications to comply with PSD requirements under part C of title I of the CAA.¹⁹ See below in the discussion for Exhibit 3 for a summary of activities that are expected to occur in this process. EPA has assumed that preparing a major OCS source alternative energy project permit application for OCS sources under Exhibit 2 is half of the burden of preparing a PSD application as described in Exhibit 3. EPA also assumed that preparing a minor OCS source exploration permit application under Exhibit 2 is one-quarter the burden of preparing a PSD application under Exhibit 3, although for this ICR renewal EPA has assumed that none of the new OCS sources will undergo minor source permitting. EPA assumed that one out of the five previously permitted OCS sources obtained a permit that includes the operating permit requirements during initial permitting. Therefore, the four other previously permitted OCS sources will incur additional operating permit costs during this ICR period. EPA further assumed that the 24 new alternative energy OCS sources will have to separately obtain operating permits and will incur the associated operating permit costs under this ICR. It is anticipated that the alternative energy OCS sources may have to comply with performance testing requirements for this ICR period. EPA believes that all the permitted OCS sources and new OCS sources will be required to conduct recordkeeping and reporting in each of the 3 years of the ICR period.

Exhibit 2 provides a breakdown of the burden and costs for these activities. For the estimated 82 responses, the average annual burden for the respondents is estimated to be 2,968 hours, \$299,768 in respondent labor costs, and \$287,712 in contractor labor (considered O&M) costs. Since the support vessels are expected to have all necessary monitoring equipment to meet the OCS Air Regulations, no capital cost or other O&M costs are projected to be necessary.

¹⁹ Where the COA is a nonattainment area for one or more pollutants, the OCS sources will have to prepare preconstruction permit applications to comply with the Nonattainment NSR requirements under part D of title I of the CAA. The burden for preparing permit applications under the part D nonattainment program is typically less than that for PSD permits.

C...New and Previously Permitted Development/Production OCS Sources under EPA Authority: Respondents' Annual Burden (Exhibit 3)

New OCS sources owners and operators are expected to read the regulations, consult with the EPA, prepare a NOI to construct, prepare a PSD application, perform a compliance test, submit an operating permit application, and conduct recordkeeping and reporting tasks. Additionally, existing development/production OCS sources are expected to have to renew their operating permit application. Because of the expertise required to prepare a preconstruction permit application and to conduct a compliance emission test, the OCS source would most likely use a contractor for these operations.

Typical tasks which the contractor would perform in the preparation of the preconstruction permit application include:

- Inquire or meet with the appropriate reviewing authority to obtain guidance on what data are needed to meet the applicable requirements.
- Prepare BACT engineering analysis.
- Perform air quality modeling.
- Perform preconstruction air quality monitoring (if not already available).
- Determine impacts on air quality related values in Federal Class I areas.
- Prepare a Draft permit application.
- Attend public hearing.
- Revise permit application per comments received from the reviewing authority and/or public comments.

Typical tasks which the contractor would perform in conducting compliance tests include:

- Prepare a pretest plan and submit the plan to the appropriate reviewing authority for review and approval at least 30 days before conducting the tests.
- Clean and calibrate test equipment for tests.
- Perform tests.
- Analyze samples, summarize data, and write report.

The contractors would be expected to bill the services on an hourly basis.

Generally, development/production OCS sources are required to monitor process parameters, fuel consumption, exhaust gas flow rates, and sulfur concentrations in the gases.²⁰ When the OCS rules were adopted, existing platforms had to install some additional gas flow and sulfur monitoring equipment. One platform reportedly had to install a complex monitoring system, which cost almost \$100,000. In addition, the vessels servicing the platforms also had to install fuel-monitoring meters, which cost between \$30,000 and \$50,000 each.²¹ However, in most cases new OCS sources under EPA authority are not expected to have to install additional monitoring equipment beyond that which is required by BOEM. Even if the new OCS sources are required to install additional monitoring equipment, the cost of installing that equipment on

²⁰Based on a 2002 telephone conversation with Craig Strommen, Chief Inspector for the SBCAPCD.

²¹Based on a 2002 telephone conversation with Marianne Strange, M. Strange and Associates.

new facilities would be less than the cost of retrofitting older units, and it is anticipated that the service vessels would be servicing more than one platform.

Exhibit 3 provides a breakdown of the burden and costs for these activities. For the estimated 14.3 responses, the average annual burden for the respondents is estimated to be 862 hours, \$87,089 in respondent labor costs, and \$103,572 in contractor labor (considered O&M) costs. Additional O&M and capital expenses amount to \$16,255 and \$325,104 respectively.

D. New and Previously Permitted Exploration OCS Sources under State/Local Authority: Respondents' Annual Burden (Exhibit 4)

Exhibit 4 provides a breakdown of the burden and cost to the respondents for these activities. While no new exploration OCS sources under state/local authority are expected to occur in the 3-year ICR renewal period and the burden is zero, EPA has retained this exhibit for use in future renewals if needed. If there were any OCS sources, they would have to read the regulations and prepare NOIs to construct and preconstruction permit applications to comply with the state or local regulations. In addition, the OCS sources would have to conduct a compliance test and recordkeeping and reporting tasks. The sources would be subject to preconstruction permit requirements for nonattainment and attainment pollutants. Because of the expertise required to conduct a compliance emission test, the OCS sources would most likely use a contractor to conduct the tests.

Typical tasks which the contractor would perform in conducting compliance tests include:

- Prepare a pretest plan and submit the plan to the appropriate reviewing authority for review and approval at least 30 days before conducting the tests.
- Clean and calibrate test equipment for tests.
- Perform tests.
- Analyze samples, summarize data, and write report.

It is anticipated that any future exploration OCS sources would not have to install any additional monitoring equipment to comply with the regulatory requirements. Therefore, there would be no capital cost or O&M cost for these OCS sources.

E. New and Previously Permitted Alternative Energy Sources under State/Local Authority: Respondents' Annual Burden (Exhibit 5)

EPA estimates that there will be two existing (i.e., previously permitted) and three new alternative energy OCS sources off the Atlantic coast in the inner OCS, subject to the COAs' requirements and under state/local authority. As discussed above for Exhibit 2, EPA has assumed that new OCS sources will be major source projects under NSR permitting. For purposes of estimating burden, EPA has assumed that these OCS sources will be treated similarly to new and recently permitted exploration OCS sources described above in Exhibit 1. EPA believes that all the existing and new OCS sources will be required to conduct recordkeeping and reporting in each of the 3 years of the ICR renewal period.

Exhibit 5 provides a breakdown of the burden and costs for these activities. The burden estimate is 392 hours, \$39,592 in labor costs, and \$35,964 in contractor labor (considered O&M) costs. Additional O&M and capital expenses amount to \$8,128 and \$162,552 respectively.

F. Existing Development/Production OCS Sources under State/Local Authority: Respondents' Annual Burden (Exhibit 6)

The existing 24 development/production OCS sources off the southern California coast are located in the inner OCS, and the EPA has delegated to the local districts the authority to implement and enforce OCS Air Regulations for those OCS sources. These 24 existing OCS sources are expected to perform annual compliance tests and conduct recordkeeping and reporting tasks. EPA estimates that two of these sources will undertake minor modifications that require a minor NSR permit, with associated burden at half the level previously estimated for major source preconstruction permitting for this type of source. Because of the expertise required to conduct a compliance emission test and prepare minor NSR permit applications, these OCS sources will most likely use a contractor to conduct the tests and prepare the bulk of the minor NSR permit application. Since title V permits have a term of 5 years, EPA assumed that an average of three OCS sources will apply to renew their title V permits each year.

Typical tasks which the contractor would perform in conducting compliance tests include:

- Preparing a pretest plan and submit the plan to the appropriate reviewing authority for review and approval at least 30 days before conducting the tests.
- Cleaning and calibrating test equipment for tests.
- Performing tests.
- Analyzing samples, summarizing data, and writing report.

Exhibit 6 provides a breakdown of the burden and costs for these activities. For the estimated average of 55 responses, the average annual burden for the respondents is estimated to be 22,896 hours and \$2,442,242.27, plus O&M costs for the emissions monitoring equipment totaling \$39,012.49 per year.

Exhibit 6 provides a breakdown of the burden and costs for these activities. The burden estimate is 4,365 hours, \$440,858 in labor costs, and \$18,531 in contractor labor (considered O&M) costs. Additional O&M and capital expenses amount to \$39,012. There are no expected capital costs.

Estimating State and Local Agency Respondent Burden and Costs

This section presents estimates of the burden to state and local agencies associated with the OCS Air Regulations. The burden estimates are based on the data items and state and local agency respondent activities described in section 4(a) of this ICR.

A. Prepare Delegation Requests

The EPA has delegated the authority to implement and enforce the OCS regulations to four local air pollution control districts in California (SBCAPCD, SCAQMD, VCAPCD, and SLOCAPCD) and to three state air pollution agencies (Delaware (DNREC), Maryland (MDE), and Virginia (VDEQ)). No additional delegation requests are expected during the period covered by this ICR renewal.

B...New and Previously Permitted Exploration OCS Sources under State/Local Authority: State/Local Agencies' Annual Burden (Exhibit 7)

No new exploration OCS sources under state or local agency authority are expected during the 3-year period covered by this ICR renewal. If such OCS sources are initiated in the future, the state/local agency would expend burden to consult, review the NOI to construct, review the permit applications, oversee the compliance test, conduct inspections, and review data reports. Exhibit 7 provides a breakdown of the cost to the state or local agency respondents for implementing and enforcing the OCS Air Regulations.

C...New and Previously Permitted Alternative Energy OCS Sources under State/Local Authority: State/Local Agencies' Annual Burden (Exhibit 8)

There are 2 previously permitted and 3 new alternative energy OCS sources under state agencies' authority that are expected during the 3-year period covered by this ICR renewal. Exhibit 8 provides a breakdown of the cost to the state agencies for implementing and enforcing the OCS Air Regulations. The average annual burden for the state agencies is estimated to be 770 hours and \$70,840.00 in labor costs. Note we have revised our hour burden estimates due to greater experience with permitting of wind energy OCS sources along the eastern seaboard and outreach to the National Association of Clean Air Act Agencies (NACAA) prior to this ICR renewal.

D. Existing Development/Production OCS Sources under State/Local Authority: State/Local Agencies' Annual Burden (Exhibit 9)

The 24 existing development/production OCS sources are located within 25 miles of the state's seaward boundary off southern California and are under the authority of the local districts. The inner OCS sources are generally required to conduct annual compliance tests and submit data reports to the local districts. In addition, the local districts conduct quarterly compliance inspections of the facilities. It is assumed that three fifth of these OCS sources will renew their operating permits each year during the time period for this ICR renewal to comply with local agency regulations. Exhibit 9 provides a breakdown of the burden and cost to the local air pollution control districts for implementing and enforcing the OCS Air Regulations for these OCS sources. The average annual burden for the local districts is estimated to be 3,695 hours and \$339,909.33 in labor costs.

13. RESPONDENT CAPITAL AND O&M COSTS

Provide an estimate for the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected on the burden worksheet).

The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life) and (b) a total operation and maintenance and purchase of services component. The estimates should consider costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling, and testing equipment; and record storage facilities.

If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collections services should be a part of this cost burden estimate.

Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.

Even if an applicant is a brand-new company, most, if not all, of the equipment needed to prepare NOIs to construct and permit applications (for example, the computers and basic software) and to maintain records and prepare reports will be part of the OCS source's business operation inventory. Furthermore, much of the data and regulatory and policy information for making technology determinations, and even models for performing ambient air impact analyses, are available in electronic form from several different EPA websites for just the communication charges, which are typically absorbed in routine business overhead expenses. The same considerations apply to state and local agency respondents. Since the purchase of any additional capital equipment is believed to be insignificant for these activities, the EPA assumes that the operation, maintenance, or services for same are negligible.

OCS sources may be required to purchase, operate, and maintain the monitoring equipment required to assure compliance with the applicable emissions limitations. The capital cost for such monitoring equipment was estimated in 2019 to be \$28,662.00 for each new development/production OCS source. EPA revised²² the 2019 cost to 2022 cost based upon the most current data available to \$32,510. EPA estimates that O&M costs associated with this equipment is 5 percent of the total capital costs, or \$1,625.52.

The capital cost for monitoring equipment is included in Exhibit(s) 3 and 5, which addresses New and Previously Permitted Development/Production and Alternative Energy Sources under EPA Authority. Exhibit 6 addresses Existing Development/Production OCS Sources under State/Local Authority. These existing development/production OCS sources have already installed their monitoring equipment; therefore, they are not expected to incur any additional capital cost for new monitoring equipment. EPA assumed that they will have the same

²² Table 1.1.9. Implicit Price Deflators for Gross Product [Index numbers, 2012=100], frequency = annual. Source: Bureau of Economic Analysis, <https://fred.stlouisfed.org>. Last Updated on: September 28, 2023 and annual deflators from <https://fred.stlouisfed.org/series/A191RD3A086NBEA> accessed November 2023.

O&M costs faced by new development OCS sources (5 percent of the capital cost of monitoring equipment), or \$1,625.52 per year per OCS source.

As noted in Section 12 A-D of this ICR, there are several instances where it is expected that respondents will employ contracted labor to carry out tasks required to support the reporting requirements of this collection. While the hourly burden associated with these tasks has been calculated in Exhibits 1-6, it is customary to not include those hours as respondent burden and instead account for the costs of that labor as respondent O&M expenses. [Note that previous ICR for this collection have not followed this standard practice. They included contractor labor hours along with the labor hours of direct respondents as the total hourly burden for the collection. Similarly, respondent and contractor labor costs were combined in those ICRs.] Estimated average annual contractor labor costs for this collection are \$2466,684.

14. AGENCY COSTS

Provide estimates of annualized costs to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information.

In areas where EPA is the reviewing authority, the EPA will carry out all the same activities as those listed above for state and local agency respondents. These activities are:

- Answer industry respondent questions.
- Review data submissions.
- Request additional information for incomplete applications.
- Analyze requests for confidentiality and provide appropriate protection.
- Evaluate completed applications for processing and approval.
- Prepare notices of public hearings on permit applications for publication, arrange and attend public hearings, and summarize and respond to public comments.
- Voluntarily submit information on BACT/LAER determinations to the EPA's BACT/LAER Clearinghouse for entry into a data base.

However, EPA is also responsible for additional activities that are unique to the EPA as a federal reviewing authority. These activities include conducting consistency updates and showing compliance with the Endangered Species Act (ESA), the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA) and the National Historic Preservation Act (NHPA) for each OCS source that the EPA issues a permit for.

Pursuant to 40 CFR 55.12, the EPA is required to update the OCS rules as necessary to maintain consistency with the regulations of onshore area in order to attain and maintain federal and state ambient standards and comply with part C of title I of the CAA. Where an OCS activity is occurring within the inner OCS, consistency reviews will occur at least annually. In addition, consistency reviews will occur upon receipt of an NOI to construct and when a state or local agency submits a rule to the EPA to be considered for incorporation by reference in part 55. If it is determined that a new onshore regulation is applicable to OCS sources and that the new regulation does not conflict with federal law, then the EPA will update the OCS regulations by incorporation such regulation by reference in part 55. Such an update will require formal notice

in the *Federal Register* and opportunities for public comment. Therefore, EPA has estimated this burden in this ICR.

Under Section 7(a)(2) of the ESA, 16 U.S.C. § 1536(a)(2), the EPA must ensure that any action authorized, funded, or carried out by the EPA is not likely to jeopardize the continued existence of any federally listed endangered species or threatened species or result in the destruction or adverse modification of such species designated critical habitat. If the EPA's action (i.e., OCS air permit issuance) may affect a federally listed species or designated critical habitat, Section 7(a)(2) of the ESA and relevant implementing regulations at 50 CFR part 402 require consultation between the EPA and the U.S. Fish and Wildlife Service (FWS) and/or the National Marine Fisheries Service (NMFS), depending on the species and/or habitat at issue.

For MSFCMA and in accordance with Section 305(b)(2) of this Act, 16 U.S.C. § 1855(b)(2), Federal agencies are also required to consult with the NMFS on any action that may result in adverse effects to essential fish habitat (EFH).

For NHPA, Section 106 of this Act, 54 U.S.C. § 306108, and the implementing regulations at 36 CFR part 800 require federal agencies to consider the effect of their actions on historic properties and afford the opportunity for the Advisory Council on Historic Preservation (ACHP) and consulting parties to consult on the federal undertaking.

The ESA regulations at 50 CFR § 402.07, the MSFCMA regulations at 50 CFR § 600.920(b), and the NHPA regulations at 36 CFR § 800.2(a)(2) provide that where more than one federal agency is involved in an action, the consultation requirements may be fulfilled by a designated lead agency on behalf of itself and the other involved agencies. BOEM is the designated lead agency for the purposes of fulfilling EPA's obligations under Section 7 of the ESA, Section 305(b) of the MSFCMA, and Section 106 of the NHPA for offshore wind development projects on the Atlantic OCS²³. However, since this consultation process is not expected to increase the EPA's burden associated with the OCS program activities, a burden estimate was not calculated for these consultation activities.

It is the responsibility of each owner and operator of an OCS source affected by the OCS regulations to prepare and submit a NOI to construct, a preconstruction permit application, and an operating permit application to the EPA reviewing authority. The EPA reviewing authority will review permit applications and store them for record retention. Because the preconstruction permits and associated control technology determinations are performed on a case-by-case basis, the EPA has not developed standardized permit application forms to carry out its OCS permitting responsibilities.

14b. Agency Labor Cost

23 See September 24, 2018 letter from James F. Bennett, Program Manager of BOEM's Office of Renewable Energy Programs to Alexandra Dunn, Regional Administrator for EPA Region 1 regarding BOEM accepting lead agency responsibility for compliance with ESA, MSFCMA and NHPA at <https://www.epa.gov/system/files/documents/2023-07/BOEM%20Letter%20To%20EPA%20Lead%20Agency%20Designation%20Acceptance%2009-24-18.pdf>

This section presents estimates of the burden and cost to the EPA associated with the OCS regulations. Exhibits 10 through 13 in the MS Excel spreadsheet accompanying this Supporting Statement present the activities undertaken by the Agency, the estimated average burden of each, and the associated cost.

The derivation of the labor costs used for this ICR renewal are detailed in Appendix A-1, which can be found in the spreadsheet accompanying this Supporting Statement. All costs are presented in 2023 dollars. The federal labor cost was obtained from the U.S. Office of Personnel Management 2023 General Schedule Table 2023-GS²⁴. The hourly labor rate assumed is GS-12, Step 5 (Technical Labor). The corresponding salary is loaded with benefits at the rate of 60 percent. This approach to determining the loaded labor rate is consistent with the *ICR Handbook*, which states that salary is to be multiplied by a 1.6 benefits multiplication factor.

Review Requests for Delegation of Authority

The EPA has delegated the authority to implement and enforce the OCS regulations to 4 local air pollution control districts in California (SBCAPCD (Santa Barbara), SCAQMD (South Coast), VCAPCD (Ventura County), SLOCAPCD (San Luis Obispo)) and to 3 state air pollution agencies (Delaware, Maryland, and Virginia). No additional delegation requests are expected during the ICR renewal period from June 1, 2024, through May 31, 2027. Therefore, there is no burden associated with the processing of delegation requests for this ICR renewal.

New and Previously Permitted Exploration OCS Sources under EPA Authority: EPA's Annual Burden (Exhibit 10)

Exhibit 10 provides a breakdown of the burden and cost to the EPA for implementing and enforcing the OCS Air Regulations for these OCS sources in areas where the EPA has not delegated its authority to a state or local air pollution control district. The average annual burden is estimated to be 138 hours and \$8,576.67.

New and Previously Permitted Alternative Energy OCS Sources under EPA Authority: EPA's Annual Burden (Exhibit 11)

There are 24 new alternative energy projects anticipated to occur during this ICR period. Exhibit 11 shows the average annual burden to be 6,099 hours and \$378,117.33. Note EPA has revised its hour burden estimates due to greater experience with permitting of wind energy OCS sources along the eastern seaboard and outreach to the National Association of Clean Air Act Agencies (NACAA) prior to this OCS renewal.

New and Previously Permitted Development/Production OCS Sources under EPA Authority: EPA's Annual Burden (Exhibit 12)

²⁴ https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2023/GS_h.pdf

EPA anticipates one potential new well during the 3-year ICR timeframe. There are 9 existing development/production OCS sources under EPA authority. Exhibit 12 shows the average annual burden during the period of this ICR to be 300 hours and \$18,620.67.

Consistency Updates and Overseeing State/Local Activities: EPA's Annual Burden (Exhibit 13)

As required by 40 CFR 55.12, Consistency Updates, the EPA is required to update the OCS rules as needed to maintain consistency with the regulations of onshore areas in order to attain and maintain federal and state ambient standards and comply with part C of title I of the CAA. Inner OCS consistency reviews will occur at least annually. Consistency reviews will occur upon receipt of an NOI to construct and when a state or local agency submits a rule to the EPA to be considered for incorporation by reference in part 55.

EPA assumed that the annual consistency reviews that are not triggered by an NOI to construct or regulatory review will take up to 40 hours per review related to the areas with OCS activity. For this ICR renewal period, EPA anticipates that up to 10 states (Alaska, California, Delaware, Maryland, Massachusetts, New Jersey, New York, North Carolina, and Virginia) and the four California local agencies will require annual reviews to confirm that the part 55 OCS rules continue to be consistent with the existing onshore regulations. This will result in up to 14 reviews per year which is the same burden EPA estimated for the previous OCS ICR renewal period.

EPA estimated the universe of NOI/regulatory reviews to be conducted in the 3-year ICR renewal period by considering the projects that are projected in the next 3 years and whether the states currently have onshore OCS regulations. For states that currently have regulations, EPA expects that most of the consistency reviews to be fairly minor efforts (40 hours/review) related to evaluating the impact of changes. However, for states that do not currently have regulations or if the project that triggers the NOI to construct results in major changes to the onshore rules, the consistency review will be a more significant effort (150 hours/review).

Exhibit 13 provides a breakdown of the cost and burden to the EPA to implement and conduct the consistency updates and to oversee the regulatory implementation in the districts where the authority has been delegated. The average annual burden for the EPA is estimated to be 753 hours and \$46,706.67.

The burden estimates for the OCS Air Regulations have been revised to reflect projections from information obtained directly from EPA Regional Offices and reviewing authorities, which have resulted in changes in the number, mix, and types of OCS sources projected to occur in the upcoming ICR renewal period. This ICR also has additional burden for performance testing that has been added to alternative energy OCS sources, revised consistency review burden estimates, and other permit step burden increase for alternative energy OCS sources as noted in the summary excel spreadsheet summarizing burden in the docket for this notice.

14c. Agency Non-Labor Costs

The Agency does not expect it will incur capital or O&M costs in association with this collection.

15) REASONS FOR CHANGE IN BURDEN

Explain the reasons for any program changes or adjustments reported in the burden or capital/O&M cost estimates.

The burden estimates for the OCS Air Regulations have been revised to reflect projections from information obtained directly from EPA Regional Offices and reviewing authorities, which have resulted in changes in the number, mix, and types of OCS sources projected to occur in the upcoming ICR renewal period. This ICR also has additional burden for performance testing that has been added to alternative energy OCS sources, revised consistency review burden estimates, and other permit step burden increase for alternative energy OCS sources as noted in the summary Excel spreadsheet in the docket for this notice titled, "[1601t10 Draft OCS ICR Burden Calculations 2024](#)."

Furthermore, as noted in Section 13, this ICR has deviated from the methods previously used to record respondent burden and labor costs for this collection. While past ICRs have included contractor labor hours and labor costs along with the labor hours and costs of direct respondents as part of the total hourly burden and labor costs for the collection, this ICR correctly identifies contractor labor only as a component of O&M costs. This modification was done to bring the ICR in line with standard practices employed across EPA's ICR inventory. The change in methodology has resulted in a reduction of 22,839.67 hours in average annual burden and a transfer of \$2,466,684 from labor to O&M costs compared to the figures that the described collection would have yielded using the previous methods. Additional detail on these changes is provided on the Respondent Summary tab of the Excel burden calculation file (named "1601t11") included with this ICR submission.

16) PUBLICATION OF DATA

For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

The Agency does not intend to publish information from this collection.

17) DISPLAY OF EXPIRATION DATE

If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

All instruments will display the expiration date for OMB approval of the information collection.

18) CERTIFICATION STATEMENT

Explain each exception to the topics of the certification statement identified in "Certification for Paperwork Reduction Act Submissions."

EPA does not seek any exceptions to the topics for the certification statement identified in the “Certification for Paperwork Reduction Act Submissions.”

Table 1
Requirements References for Burden Activities
Associated with the OCS Air Regulations at 40 CR Part 55

Applicable Sections of OCS Air Regulations	Burden Activities
55.4	Requirements to submit a notice of intent.
55.5	Corresponding onshore area designation.
55.6	Permit requirements.
55.8	Monitoring, reporting, inspections, and compliance.
55.9	Enforcement.
55.11	Delegation.
55.12	Consistency updates.
55.13	Federal requirements that apply to OCS sources.
55.14	Requirements that apply to OCS sources located within 25 miles of States' seaward boundaries, by State

Table 2
Respondent Data and Information Requirements for
Preparing OCS permits with PSD Preconstruction Permitting Requirements

Requirements	Current Regulation Reference - 40 CFR ²⁵	CAA Reference (section)
Description of the nature, location, design capacity, and typical operating schedule	51.166(n)(2)(i) [52.21(n)(1)(i)]	110(a)(2)(A)
Detailed schedule for construction	51.166(n)(2)(ii) [52.21(n)(1)(ii)]	110(a)(2)(A)
Description of continuous emission reduction system, emission estimates, and other information needed to determine that BACT is used	51.166(n)(2)(iii) [52.21(n)(1)(iii)]	165(a)(4)
Air quality impact, meteorological, and topographical data	51.166(n)(3)(i) [52.21(n)(2)(i)]	165(a)(3)
Nature and extent of general commercial, residential, industrial, and other growth in area of source	51.166(n)(3)(ii) [52.21(n)(2)(ii)]	165(a)(6)
Use of air quality models to demonstrate compliance with NAAQS	51.166(k)&(l) [52.21(k)&(l)]	165(a)(3)&(e)(3)(D)
Information necessary to determine adverse impacts on any air quality related values (including visibility) for Federal Class I areas	51.166(o) [52.21(o)] 51.166(p)(4) [52.21(p)(5)]	165(a)(5) 165(d)(2)(C)(iii)& (iv)
Air quality monitoring data	51.166(m)(1) [52.21(m)(1)]	165(a)(7) 110(a)(2)(B)&(F)
Impairment of visibility, soils, and vegetation	51.166(o)(1) [52.21(o)(1)]	165(e)(3)
Air quality impact resulting from general commercial, residential, industrial, and other growth associated with source	51.166(o)(2) [52.21(o)(2)]	165(e)(3)
Written notice of proposed relocation of portable source	51.166(i)(1)(iii)(d) [52.21(i)(1)(viii)(d)]	301
Description of the location, design construction, and operation of building, structure, facility, or installation	51.160(c)(2)	110(a)(2)(A)
Description of the nature and amounts of emissions to be emitted	51.160(c)(1)	110(a)(2)(F)(ii)
Description of the air quality data and dispersion or other air quality modeling used	51.160(f)	110(a)(2)(B)&(K)
Sufficient information to ensure attainment and maintenance of NAAQS	51.160(c)-(e) 51.161 51.162 51.163	110(a)(2)(A)

25 The requirements under part 51 govern the way states implement part C programs under EPA approved programs. The part 52 references [in brackets] govern the way the EPA implements part C programs when states fail to implement part C programs, when a state is delegated authority to implement 52.21 on behalf of EPA or when EPA is responsible for permitting. In the context of OCS permitting, the part 52 requirements also govern when an OCS source is located more than 25 miles from the state seaward boundary.

Requirements	Current Regulation Reference - 40 CFR	CAA Reference (section)
Table 3		
Respondent Data and Information Requirements for Preparing OCS permits with Nonattainment NSR Preconstruction Permitting Requirements		
Requirements	Regulation Reference 40 CFR	CAA Reference
Documentation that LAER is being applied	51.165(a)(2)(i)	173(a)(2)
Documentation that all sources owned or operated by same person are in compliance	51.165(a)(2)(i)	173(a)(3)
Documentation that sufficient offsetting emissions reductions are occurring to ensure reasonable further progress	51.165(a)(2)(i)	173(a)(1)
Documentation that benefits of proposed source significantly outweigh the environmental and social costs imposed as a result of its location, construction, or modification	51.165(a)(2)(i)	173(a)(5)
Description of the location, design, construction, and operation of building, structure, facility, or installation	51.160(c)(2)	110(a)(2)(A)
Description of the nature and amounts of emissions to be emitted	51.160(c)(1)	110(a)(2)(F)(ii)
Description of the air quality data and dispersion or other air quality modeling used	51.160(f)	110(a)(2)(B)&(K)
Sufficient information to ensure attainment and maintenance of NAAQS	51.160(c)-(e) 51.161 51.162 51.163	110(a)(2)(A) 172(c)(6)