

U.S. Environmental Protection Agency

Information Collection Request

Title: SUPPLEMENTAL EFFLUENT LIMITATIONS GUIDELINES AND STANDARDS FOR THE STEAM ELECTRIC POWER GENERATING POINT SOURCE CATEGORY FINAL RULE

OMB Control Number: 2040-0310

EPA ICR Number: 2752.02

Abstract: This Information Collection Request (ICR) seeks approval of the information requirements in the Final Rule for the Supplemental Steam Electric ELGs (Final rule). EPA is revising Best Available Technology Economically Achievable (BAT) and Pretreatment Standards for Existing Sources (PSES) under the Clean Water Act (CWA) for discharges of pollutants in wastewater from steam electric power plants, including updated requirements for flue gas desulfurization (FGD) wastewater, bottom ash (BA) transport water, combustion residual leachate (CRL), and legacy wastewater.

The Final rule also revises subcategorization of the industry by adding one subcategory (for steam electric generating units ceasing coal combustion by 2034), by retaining the permanent cessation of coal combustion by 2028 subcategory, and by eliminating two subcategories (for high flow FGD wastewater facilities and for low utilization boilers with BA transport water). Certain power plants would still be required to file notices of planned participation (NOPPs) to qualify as permanent cessation of coal combustion by 2034 or notice of any transition between subcategories of operations occurring at the plant. The Final rule would require plants compile and post an annual CRL monitoring report. The Final rule also includes requirements for certification of necessary discharges during high intensity, infrequent storm events and requirements for a one-year flexibility for any necessary discharges of permeate or distillate from newly operations FGD wastewater or CRL treatment systems.

The Final rule would also require plants to post all reporting and recordkeeping information on a publicly available website, including any NOPPs or other filings that have occurred since the 2020 revisions to the Steam Electric Power Generating ELGs (2020 rule).

Supporting Statement A

1. NEED AND AUTHORITY FOR THE COLLECTION

EPA is revising this regulation under the authorities of sections 301, 304, 306, 307, 308, 402, and 501 of the Clean Water Act (CWA), 33 U.S.C. §§ 1251, 1311, 1314, 1316, 1317, 1318, 1342 and 1361 and pursuant to the Pollution Prevention Act of 1990, 42 U.S.C. § 13101 et seq.

2. PRACTICAL UTILITY/USERS OF THE DATA

The users of the data would be steam electric power plants, state and local regulatory authorities, EPA, and, perhaps most importantly, the general public.

3. USE OF TECHNOLOGY

A steam electric power plant would submit its certifications and annual reports in a manner specified by the permitting authority. In addition, the power plant would post all required reporting, including certain monitoring data, to a publicly accessible website.

4. EFFORTS TO IDENTIFY DUPLICATION

The rule does not duplicate other information requirements. Steam electric power plants have already filed NOPPs under the 2020 rule. However, the Final rule revises the requirements for subcategories and may trigger a filing requirement if a facility changes their desired compliance option. There are no public sources available from which a control authority or the general public would be able to obtain this information.

5. MINIMIZING BURDEN ON SMALL BUSINESSES AND SMALL ENTITIES

The Final rule is unlikely to have a significant impact on a substantial number of small entities.

6. CONSEQUENCES OF LESS FREQUENT COLLECTION

Steam electric power plants were already required to file a one-time NOPPs under the 2020 rule. The submission date for those NOPPs have passed. However, if the requirements associated with the Final rule alters the compliance approach for a plant, they may need to refile NOPPs associated with the new rule requirements.

Steam electric power plants are also already required to report the characteristics of their wastewater discharges to their permitting authority and to provide copies of any filings. The Final rule would also require those data and filings to be posted on a publicly available website.

7. GENERAL GUIDELINES

The information collection requirements of the rule are in accordance with the Paperwork Reduction Act guidelines in 5 CFR 1320.5(d)(2). This is a 10-year recordkeeping requirement.

8. PUBLIC COMMENT AND CONSULTATIONS

8a. Public Comment

A summary of the information request burdens for the proposed rule was included in the Supplemental Effluent Limitations Guidelines and Standards for the Steam Electric Point Source Category Federal Register Notice (88 FR 18824).

8b. Consultations

EPA met with or requested data from 12 steam electric power companies since the 2020 rule. Power companies provided data on steam electric power generating processes, wastewater treatment technologies, and wastewater characteristics through three CWA 308 requests, nine voluntary requests, and other industry data provided during the 2022 proposed rulemaking process. EPA also met with four steam electric power companies to gather information on the changes to treatment and management of BA transport water, FGD wastewater, legacy, and CRL since the 2020 rule. EPA also consulted with the Department of Energy, environmental groups, and technology vendors.

9. PAYMENTS OR GIFTS TO RESPONDENTS

Not applicable.

10. ASSURANCE OF CONFIDENTIALITY

Reports submitted to the Control Authority may contain confidential business information. However, EPA does not consider the specific information being requested by the rule to be typical of confidential business or personal information. If a respondent does consider this information to be of a confidential nature, the respondent may request that such information be treated as such. All confidential data will be handled in accordance with 40 CFR 122.7, 40 CFR Part 2, and EPA's Security Manual Part III, Chapter 9, dated August 9, 1976.

11. JUSTIFICATION FOR SENSITIVE QUESTIONS

The Final rule does not require respondents to divulge information of a sensitive nature, such as private or personal information.

12. RESPONDENT BURDEN HOURS & LABOR COSTS

12a. Respondents/NAICS Codes

The respondents affected by this information collection request are steam electric power plants and permitting/control authorities.

Steam Electric Power Plants. The North American Industry Classification System (NAICS) identification number applicable to respondents is 221112: Electric Power Generation Plants – Fossil Fuel Electric Power Generation. The U.S. Census Bureau describes this U.S. industry as establishments primarily engaged in operating fossil fuel powered electric power generation facilities. These plants use fossil fuels, such as coal, oil, or gas, in internal combustion or combustion turbine conventional steam process to produce electric energy. The electric energy produced in these establishments is provided to electric power transmission systems or to electric power distribution systems.

Permitting Authorities. NPDES permits are issued by EPA or authorized states. In many states, NPDES permits are issued by the authorized state. EPA is the sole permitting authority in three states (Massachusetts, New Hampshire, and New Mexico) and for certain discharges in other states, territories, and Indian Country.

Control Authorities. Control authorities have regulatory oversight for pollutant discharges to POTWs. The “Control Authority” refers to the regulatory entity delegated the authority as an approved pretreatment authority. The Control Authority may be the local POTW, regional water authority, the State, or EPA.

12b. Information Requested

The Final rule would require all applicable steam electric power plants to control discharges of FGD wastewater, BA transport water, CRL, and legacy wastewater. The remainder of this section outlines requested information by section of the ELG.

i. Section 423.19(c) – Publicly Accessible Internet Site Requirements

Requires that all reporting and recordkeeping information not only be retained by the regulated entity and provided to the permitting authority, but that it also be posted to a central webpage for public consumption. The permittee must maintain a publicly accessible internet site (ELG website) containing

the information specified in §423.19 paragraphs (d)-(o). This website must be titled “ELG Rule Compliance Data and Information.” The facility must ensure that all information required to be posted is immediately available to anyone visiting the site, without requiring any prerequisite, such as registration or a requirement to submit a document request. All required information must be clearly identifiable and must be able to be immediately downloaded by anyone accessing the site in a format that enables additional analysis (e.g., comma-separated values text file format). When the facility initially creates, or later changes, the web address (i.e., uniform resource locator (URL)) at any point, they must notify EPA via the “contact us” form on the Agency’s Effluent Guidelines website and the permitting authority or control authority within 14 days of creating the website or making the change. The facility’s ELG website must also have a “contact us” form or a specific email address posted on the website for the public to use to submit questions and issues relating to the availability of information on the website.

When an owner or operator subject to section 423.19(c) already maintains a “CCR Rule Compliance Data and Information” website pursuant to §257.107, the postings required under 423.19(c) may be made to the existing “CCR Rule Compliance Data and Information” website and shall be delineated under a separate heading that shall state “ELG Rule Compliance Data and Information.” When electing to use an existing website pursuant to 423.19(c), the facility shall notify EPA via the “contact us” form on the Agency’s Effluent Guidelines website and the permitting authority or control authority no later than 60 days after publication of the Final rule or upon first becoming subject to paragraphs (d)-(o), whichever is later.

When the same owner or operator is subject to the provisions of 423.19(c) for multiple facilities, the owner or operator may comply with the requirements of 423.19(c) by using the same Internet site for multiple facilities provided the ELG website clearly delineates information by the name of each facility.

Unless otherwise required in 423.19(c), the information required to be posted to the ELG website must be made available to the public for at least ten years following the date on which the information was first posted to the ELG website, or the length of the permit plus five years, whichever is longer. All required information must be clearly identifiable and must be able to be immediately downloaded by anyone accessing the site in a format that enables additional analysis (e.g., comma-separated values text file format).

Unless otherwise required in 423.19(c), the information must be posted to the ELG website within 30 days of submitting the information to the permitting authority or control authority, or where information was submitted to the permitting authority or control authority prior to 60 days after publication of the Final rule, by 60 days after publication of the Final rule.

ii. Section 423.19(g) - Requirements for Units that will Achieve Permanent Cessation of Coal Combustion by December 31, 2028

Section 423.19(g) requires sources seeking to qualify as a unit that will achieve permanent cessation of coal combustion by December 31, 2028, under this part, to file a NOPP to the permitting authority or control authority no later than June 27, 2023. This ICR does not address these NOPPs as they have already been submitted to permitting authorities. As part of this requirement, sources are also required to submit an annual progress report.

Annual Progress Report should include:

- One of the following:

- A copy of the official suspension filing (or equivalent filing) to the facility's reliability authority detailing the conversion to a fuel source other than coal;
- A copy of the official retirement filing (or equivalent filing) made to the facility's reliability authority, which must include a waiver of rescission rights; or
- An initial certification, or recertification for subsequent annual progress reports, containing either a statement that the facility will make a suspension or retirement filing, including an estimate of when such a filing will be made. The final annual progress report prior to permanent cessation of coal combustion must include the official filing.
- Details on the completion of any interim milestones listed in the NOPP since the previous progress report.
- Narrative discussion of any completed, missed, or delayed milestones and updated milestones.

iii. Section 423.19(h) - Requirements for Units that will Achieve Permanent Cessation of Coal Combustion by December 31, 2034

Section 423.19(h) requires sources seeking to qualify as electric generating units that will achieve permanent cessation of coal combustion by December 31, 2034, under this part, file a NOPP to the permitting authority or control authority, no later than December 31, 2025, along with an annual progress report.

NOPP should include:

- Identification of the generating unit(s).
- The expected date that each generating unit is projected to achieve permanent cessations of coal combustion (either by retirement or fuel conversion), whether that date has been approved by a regulatory body (and if yes, what regulatory body).
- Copy of the most recent integrated resource plan for which the applicable state agency approved the retirement or repowering of each unit or other documentation supporting that each EGU will permanently cease the combustion of coal by December 31, 2034.
- Timeline to achieve the permanent cessation of coal combustion, including interim milestones and projected dates of completion for each EGU.
- Certification statement that the facility is in compliance with the FGD wastewater and BA transport water limitations of the 2020 rule for each EGU.

Annual Progress Report should include:

- One of the following:
 - A copy of the official suspension filing (or equivalent filing) made to the facility's reliability authority detailing the conversion to a fuel source other than coal.
 - A copy of the official retirement filing (or equivalent filing) made to the facility's reliability authority, which must include a waiver of rescission rights.
 - An initial certification, or recertification for subsequent annual progress reports, containing a statement that the facility will make one of the other filings, including the estimated date that such a filing will be made. The final annual progress report must include the actual filing to the reliability authority (not a certification statement).
- Details on the completion of any interim milestones listed in the NOPP since the previous progress report.

- Narrative discussion of any completed, missed, or delayed milestones and updated milestones.

iv. Section 423.19(i) - Requirements for Facilities Seeking Protections of 40 CFR part 423.18(a) and (b)

Section 423.19(i) requires facilities seeking the protections of 40 CFR part 423.18(a), and for each instance Section 423.18(a) is applied, to submit a certification statement to the permitting or control authority: in the case of an order, alert, or agreement under 423.18(a)(1)-(3), no later than 30 days from receipt of the order or agreement attached pursuant to paragraph (i)(2)(B), or in the case of an “Emergency” or “Major Disaster” under 423.18(a)(4), no later than 30 days from the date that a load balancing need arose.

Certification Statement should include:

- The qualifying event from the list in §423.18(a), the individual or entity that triggered the event, and the date of the event.
- Copy of any documentation of the qualifying event from the individual or entity, or, where such documentation does not exist, other documentation with indicia of reliability for the permitting authority to confirm the qualifying event.
- Analysis and accompanying narrative discussion which demonstrates that the generating unit would have qualified for the subcategory at issue absent the event (including the material data, assumptions, and methods used).

Termination of Need Statement should include:

- Narrative discussion including the date of the qualifying event terminated, or if it has not terminated, why the source believes the capacity utilization will no longer be elevated to a level requiring the protection of §423.18.

v. Section 423.19(j) - Requirements for Facilities that will Voluntarily Meet the Limits in 423.13(g)(3)(i)

Section 423.19(j) requires facilities seeking to voluntarily meet the limits in §423.13(g)(3)(i) to submit a NOPP to the permitting authority no later than October 13, 2021. This ICR does not address these NOPPs as they have already been submitted to permitting authorities. As part of this requirement, sources are also required to submit an annual progress report.

Annual Progress Report should include:

- Details on the completion of any interim milestones presented in the engineering dependency chart included in the NOPP since the previous progress report.
- Narrative discussion of any completed, missed, or delayed milestones and updated milestones.

vi. Section 423.19(k) - Requirements for Facilities with Discharges of Unmanaged Combustion Residual Leachate as Defined by 423.11(ff)(1)

Section 423.19(k) requires that facilities with unmanaged CRL landfills or surface impoundments submit an annual CRL monitoring report submitted to the permitting authority each calendar year.

Annual CRL monitoring report should include:

- A list of all CRL landfills and surface impoundments which the permitting authority has determined are point sources with functional equivalent direct discharges (FEDDs).
- For all pollutants treated by chemical precipitation (see table at 40 CFR 423.19(k)(2)), include: effluent monitoring data reported pursuant to 40 CFR 127, groundwater monitoring data as the CRL leaves each of the applicable landfills and surface impoundments, groundwater monitoring at the point the combustion residual leachate enters each of the surface water bodies, and summary statistics for the data submitted along with a comparison to any limitation in section 423.13(l)(2)(ii).
- Locations of monitoring wells, screening depth, and frequency of sampling for data collected as the CRL leaves each of the landfills and surface impoundments and at the point the CRL enters a surface water body.

vii. Section 423.19(l) - Requirements for Facilities Seeking to Transfer Between Applicable Limitations in a Permit under 423.13(o)

Section 423.19(l) requires facilities that have filed a NOPP under paragraphs (f)(1), (g)(1), or (j)(1) of 423.19 and intend to make changes that would qualify them for a different set of requirements under §423.13(o) to file a NOPP to the permitting or control authority no later than the dates stated in 423.13(o)(1).

NOPP should include:

- List of the electric generating unit(s) for which the source intends to change compliance alternatives.
- For each electric generating unit, the specific provision under which the transfer will occur, the reason the transfer is warranted, and a narrative discussion demonstrating that each electric generating unit will be able to maintain compliance with the relative provisions.

vii. Section 423.19(m) - Notice of Material Delay

Section 423.19(m) requires facilities experiencing material delay in the milestones set forth in §429.13(g)(2), (h)(2), or (j)(2) to submit a notice to the permitting or control authority.

Notice that includes:

- Reason for delay, projected length of delay, and the proposed resolution to maintain compliance.

viii. Section 423.19(n) - Requirements for Facilities Seeking a One-year Flexibility to Discharge Permeate or Distillate from an FGD Wastewater or CRL Treatment System Designed to Achieve the Limitations in Section 423.13(g)(4)(i) or (l)(1)(i)

Section 423.19(n) requires facilities to submit a letter requesting this flexibility from the permitting authority when filing a permit application or permit modification request.

Initial request letter that includes:

- The expected type, frequency, duration, and necessity of discharge.
- Statement that this period of discharge was not included for consideration in establishing the applicability timing under paragraph 423.11(t)(3).

ix. Section 423.19(o) – Certification for Wastewater Generated by a 10-year, 24-hour or Longer Duration Storm Event

Section 423.19(o) requires facilities to submit notice to the permitting or control authority when sources are seeking to discharge low-volume wastewater that would otherwise be considered FGD wastewater, BA transport water, or CRL but for a storm event exceeding a 10-year, 24-hour or longer duration storm event. The certification statement must be signed and certified by a professional engineer and submitted no later than five business days from the last discharge.

Certification statement should include:

- A statement that the professional engineer is a licensed professional engineer, is familiar with the regulation requirements, and that the professional engineer is familiar with the facility.
- A statement that the facility experienced a storm event exceeding a 10-year, 24-hour or longer duration, including specifics of the actual storm event that are sufficient for a third party to verify the accuracy of the statement.
- A statement that a discharge of low-volume wastewater that would otherwise meet the definition of FGD wastewater, BA transport water, or CRL was necessary, including of list of the best management practices at the site and a narrative discussion of the ability of on-site equipment and practices to manage the wastewater.
- The duration and volume of any such discharge.
- A statement that the discharge does not otherwise violate any other limitation or permit condition.

12c. Respondent Activities

Respondent requirements vary by section. Table 1 lists all facility activities and permitting/control authority activities by section of 40 CFR 423.19.

Table 1. Respondent Reporting/Recordkeeping Activities by 423.19 Section

423.19	Data Item	Facility Activities	Permitting/Control Authority Activities
(c)	NA	Place all Data Items required by 40 CFR 423.19 on the permittee's ELG or CCR website.	None.
(g)	Annual Progress Report	<ul style="list-style-type: none"> - Submit official filing or certification that the filing will be made. The final annual progress report must include official filing. - Prepare and compile details on the completion of any interim milestones listed in the NOPP since the previous progress report. - Prepare and compile detailed narrative discussions of any completed, missed, or delayed milestones and updated milestones. 	Review for completeness and accuracy.
(h)	NOPP	<ul style="list-style-type: none"> - Compile requested operating information, diagrams, data, and calculations used to make the determination to participate in the subcategory for each EGU. - Compile the most recent integrated source plan or other documentation supporting that each EGU will permanently cease the combustion of coal by December 31, 2034, and corresponding information. - Prepare a timeline with identified dates for achieving permanent cessation of coal combustion for each EGU. - Prepare statements and materials regarding FGD wastewater and/or BA transport water for the permitting or control authority. 	Review for completeness and accuracy.
	Annual Progress Report	<ul style="list-style-type: none"> - Prepare and compile details on the completion of any interim milestones listed in the NOPP since the previous progress report. - Prepare and compile detailed narrative discussions of any completed, missed, or delayed milestones and updated milestones. - Submit a copy of the official suspension filing, retirement filing, or an initial certification (or recertification for subsequent reports) that the facility will make one of the other filings. The final annual progress report shall include an official suspension filing or retirement filing. 	Review for completeness and accuracy.
(i)	Certification Statement	<ul style="list-style-type: none"> - Identify and describe the qualifying event from the list in §423.18(a) and compile corresponding documentation. - Prepare and compile an analysis and narrative discussion. 	Review for completeness and accuracy.
	Termination	Prepare a narrative discussion including the date the qualifying event terminated.	Review for completeness and accuracy.

Table 1. Respondent Reporting/Recordkeeping Activities by 423.19 Section

423.19	Data Item	Facility Activities	Permitting/Control Authority Activities
	of Need Statement		
(j)	Annual Progress Report	<ul style="list-style-type: none"> - Prepare and compile details on the completion of any interim milestones listed in the NOPP since the previous progress report. - Prepare and compile detailed narrative discussions of any completed, missed, or delayed milestones and updated milestones. 	Review for completeness and accuracy.
(k)	Annual Monitoring Report	<ul style="list-style-type: none"> - Compile landfill and surface impoundments with FEDDs. - Compile monitoring data and calculate summary statistics for the data submitted. - Compile information on monitoring wells. 	Review for completeness and accuracy.
(l)	NOPP	Compile reason transfer is warranted, identify the specific provision under which the transfer will occur, and prepare the corresponding narrative discussion to demonstrate compliance.	Review for completeness and accuracy.
(m)	Notice	Prepare and submit statement for the delay, projected length, and proposed resolution.	Review for completeness and accuracy.
(n)	Request Letter	<ul style="list-style-type: none"> - Determine whether the period of discharge was considered in establishing applicability timing. - Compile information on the expected discharge. 	<ul style="list-style-type: none"> - Review for completeness and accuracy. - Extend any existing monitoring and reporting requirements (e.g., arsenic monitoring) inclusion in the permit of the flexibility to discharge the permeate or distillate.
(o)	Certification Statement	<ul style="list-style-type: none"> - Evaluate whether the discharge violates any other limitations or permit conditions. - Compile information on the duration and volume of the discharge, best management practices, and discussion of on-site equipment and practices to manage the wastewater. 	Review for completeness and accuracy.

12d. Respondent Burden Hours and Labor Costs

Facilities: EPA estimates 236 steam electric power plants would be subject to the Final rule. As explained above, steam electric plants, depending on individual reporting requirements, would need to generate and post all data to a publicly available website; compile data to submit NOPPs, progress reports, and other notices. EPA's estimated burden for completion of these reporting requirements are presented in Table 2 below.

Table 2. Estimated Facility Burden

423.19	Frequency of Reporting	Legal (Hours)	Mgr (Hours)	Env. Engineer (Hours)	Number of Facilities
(c)	One-Time	0	1	15	236
	Annually	1	2	10	
(g)	One-Time	0	0	0	11
	Annually	1	10	10	
(h)	One-Time	1	8	30	14
	Annually	1	10	10	
(i)	One-Time	1	10	20	5
	Annually	0	0	0	
(j)	One-Time	0	0	0	5
	Annually	1	10	20	
(k)	One-Time	0	0	0	231
	Annually	5	25	50	
(l)	One-Time	1	6	20	5
	Annually	0	0	0	
(m)	One-Time	1	5	10	5
	Annually	0	0	0	
(n)	One-Time	1	6	20	62
	Annually	0	0	0	
(o)	One-Time	1	10	20	5
	Annually	0	0	0	

Permitting/Control Authorities: EPA estimates a total of 41 permitting/control authorities would be subject to the Final rule. The Final rule would require permitting or control authorities to review the documentation (e.g., NOPPs, progress reports, and notices) provided by the facility per the reporting requirements. Some of these reviews will be a one-time review (e.g., NOPPs and notices) and some will be annual (e.g., progress reports). EPA's estimated burden for review of these reporting requirements are presented in Table 3 below.

Table 3. Estimated Permitting/Control Authority Burden

423.19	Frequency	Mgr. (Hours)	Tech (Hours)	Number of Permitting/Control Authorities
(c)	One-Time	0	0	41

Table 3. Estimated Permitting/Control Authority Burden

423.19	Frequency	Mgr. (Hours)	Tech (Hours)	Number of Permitting/Control Authorities
	Annually	0	0	
(g)	One-Time	0	0	8
	Annually	2	10	
(h)	One-Time	2	10	9
	Annually	2	10	
(i)	One-Time	2	5	5
	Annually	0	0	
(j)	One-Time	0	0	4
	Annually	2	5	
(k)	One-Time	75	100	39
	Annually	30	45	
(l)	One-Time	2	5	5
	Annually	0	0	
(m)	One-Time	2	5	5
	Annually	0	0	
(n)	One-Time	2	5	24
	Annually	0	0	
(o)	One-Time	2	5	5
	Annually	0	0	

Facilities: EPA estimated facility labor costs for the specific activities related to the final reporting requirements of the rule and assumed rates for legal review, managerial support, and engineering support (i.e., technical support). EPA based the labor rates for the reporting requirements on average labor costs from the [Bureau of Labor Statistics](#) (2023). EPA used the estimated hours required to respond to the requirements of the Final rule and multiplied these costs by this labor rate, along with requirements for frequency of upload (e.g., annual reporting requirements versus monthly). See EPA’s estimates in Table 4. EPA made the following assumptions for estimating labor costs:

- Website creation, NOPPs and notices would be submitted one time (in the first year of the requirements).
- Progress reports would be submitted once a year following the submittal of the official NOPP (i.e., twice over a three-year period).
- Progress reports associated with EPA’s VIP program or NOPPs that have already been submitted and CRL monitoring reports would be submitted once a year following the publication of the final rule.
- Hourly rates were estimated as: Lawyer (\$84.84/hr), Manager (\$62.18/hr), and Engineer (\$53.79/hr).
- Hourly rates were increased by 80 percent for benefits and overhead costs.

Permitting/Control Authorities: EPA estimated permitting and control authority labor costs for the specific activities related to oversight requirements. EPA included managerial and technical support using labor rates from the Salary [Table 2023-GS](#) from the US Office of Personal Management. The government employee labor rates are \$40.51 per hour for technical (GS-13, Step1) and \$56.31 per hour for managerial (GS-15, Step 1). EPA used the estimated hours required to respond to the requirements of the Final rule and multiplied these costs by this labor rate, along with requirements for frequency of upload (e.g., annual reporting requirements versus monthly). See EPA's estimates in Table 5. EPA made the following assumptions for estimating labor costs:

- NOPPs and notices would be submitted one time (in the first year of the requirements).
- Progress reports would be submitted once a year following the submittal of the official NOPP (i.e., twice over a three-year period).
- Progress reports associated with EPA's VIP program or NOPPs that have already been submitted and CRL monitoring reports would be submitted once a year following the publication of the final rule.
- Hourly rates were estimated as: Manager (\$52.93/hr) and Technical (\$38.08/hr).
- Hourly rates were increased by 80 percent for benefits and overhead costs.

Table 4. Estimated Facility Labor Cost

423.19	Number of Facilities	Frequency	Frequency Multiplier	Legal (hours)	Mgr. (hours)	Tech (hours)	Legal (total hours)	Mgr. (total hours)	Tech (total hours)	Total Hours	Legal (\$)	Mgr. (\$)	Tech (\$)	Total \$
(c)	236	One-Time	1	0	1	15	-	236	3,540	3,776	-	26,414	342,750	369,164
	236	Annually	3	1	2	10	708	1,416	7,080	9,204	108,120	158,484	685,500	952,104
(g)	11	One-Time	0	0	0	0	-	-	-	0	-	0	0	0
	11	Annually	3	1	10	10	33	330	330	693	5,039	36,935	31,951	73,926
(h)	14	One-Time	1	1	8	30	14	112	420	546	2,138	12,535	40,665	55,339
	14	Annually	2	1	10	10	28	280	280	588	4,276	31,339	27,110	62,725
(i)	5	One-Time	1	1	10	20	5	50	100	155	764	5,596	9,682	16,042
	5	Annually	0	0	0	0	-	-	-	0	-	0	0	0
(j)	5	One-Time	0	0	0	0	-	-	-	0	-	0	0	0
	5	Annually	3	1	10	20	15	150	300	465	2,291	16,789	29,047	48,126
(k)	231	One-Time	0	0	0	0	-	-	-	0	-	0	0	0
	231	Annually	3	5	25	50	3,465	17,325	34,650	55,440	529,147	1,939,083	3,354,882	5,823,113
(l)	5	One-Time	1	1	6	20	5	30	100	135	764	3,358	9,682	13,803
	5	Annually	0	0	0	0	-	-	-	0	-	0	0	0
(m)	5	One-Time	1	1	5	10	5	25	50	80	764	2,798	4,841	8,403
	5	Annually	0	0	0	0	-	-	-	0	-	0	0	0
(n)	62	One-Time	1	1	6	20	62	372	1,240	1,674	9,468	41,636	120,059	171,163
	62	Annually	0	0	0	0	-	-	-	0	-	0	0	0
(o)	5	One-Time	1	1	10	20	5	50	100	155	764	5,596	9,682	16,042
	5	Annually	0	0	0	0	-	-	-	0	-	0	0	0
Total One-Time							96	875	5,550	6,521	14,660	97,934	537,362	649,956
Total One-Time per Year							32	292	1,850	2,174	4,887	32,645	179,121	216,652
Total Annually - Year 1							1,407	6,407	14,120	21,934	214,866	717,097	1,367,127	2,299,089
Total Annually - Year 2							1,421	6,547	14,260	22,228	217,004	732,766	1,380,682	2,330,452
Total Annually - Year 3							1,421	6,547	14,260	22,228	217,004	732,766	1,380,682	2,330,452
Average Annual^a							1,448	6,792	16,063	24,304	221,178	760,188	1,555,284	2,536,650

a - Estimated as the total annual average of years one through three, plus the average three-year one-time cost.

Table 5. Estimated Permitting/Control Authority Labor Cost

423.19	Frequency	Number of Permitting/Control Authorities	Frequency Multiplier	Mgr. (hours)	Tech (hours)	Mgr. (total hours)	Tech (total hours)	Total Hours	Mgr. (\$)	Tech (\$)	Total \$
(c)	One-Time	41	1	0	0	-	-	-	-	-	-
	Annually	41	3	0	0	-	-	-	-	-	-
(g)	One-Time	8	0	0	0	-	-	-	-	-	-
	Annually	8	3	2	10	48	240	288	4,865	17,500	22,366
(h)	One-Time	9	1	2	10	18	90	108	1,824	6,563	8,387
	Annually	9	2	2	10	36	180	216	3,649	13,125	16,774
(i)	One-Time	5	1	2	5	10	25	35	1,014	1,823	2,837
	Annually	5	0	0	0	-	-	-	-	-	-
(j)	One-Time	4	0	0	0	-	-	-	-	-	-
	Annually	4	3	2	5	24	60	84	2,433	4,375	6,808
(k)	One-Time	39	0	75	100	-	-	-	-	-	-
	Annually	39	3	30	45	3,510	5,265	8,775	355,767	383,913	739,680
(l)	One-Time	5	1	2	5	10	25	35	1,014	1,823	2,837
	Annually	5	0	0	0	-	-	-	-	-	-
(m)	One-Time	5	1	2	5	10	25	35	1,014	1,823	2,837
	Annually	5	0	0	0	-	-	-	-	-	-
(n)	One-Time	24	1	2	5	48	120	168	4,865	8,750	13,615
	Annually	24	0	0	0	-	-	-	-	-	-
(o)	One-Time	5	1	2	5	10	25	35	1,014	1,823	2,837
	Annually	5	0	0	0	-	-	-	-	-	-
Total One-Time						106	310	416	10,744	22,605	33,349
Total One-Time per Year						35	103	139	3,581	7,535	11,116
Total Annually - Year 1						1,194	1,855	3,049	121,021	135,263	256,284
Total Annually - Year 2						1,212	1,945	3,157	122,846	141,826	264,671
Total Annually - Year 3						1,212	1,945	3,157	122,846	141,826	264,671
Average Annual^a						1,241	2,018	3,260	125,819	147,173	272,992

a - Estimated as the total annual average of years one through three, plus the average three-year one-time cost.

13. RESPONDENT CAPITAL AND O&M COSTS

Because EPA is not requiring respondents to purchase any nonexpendable goods, including equipment or machinery, to perform reporting, the Agency does not expect capital costs to result from the reporting requirements. EPA expects that recordkeeping and reporting to be done electronically, consistent with existing requirements for NPDES reporting, and therefore does not estimate any additional O&M costs.

There are no capital costs associated with any of the reporting, as described above.

Facilities: The estimated facility universe for any reporting, for the purpose of this estimate is 236 facilities. EPA estimates the total one-time labor hours associated with this ICR to facilities is 6,520 and total annual labor hours of 22,000 hours for a total annual average of 24,300 hours. Similarly, EPA estimates the total one-time labor costs to facilities to be \$650,000 and total annual labor costs of about \$2,300,000 for a total annual average of \$2,540,000. See Table 4.

Permitting/Control Authorities: For purposes of this ICR, EPA estimated that 41 permitting or control authorities would review the required recordkeeping and reporting requirements (submitted by the facilities as outlined in Tables 3 and 4). EPA estimates the total one-time labor hours associated with this ICR to permitting/control authorities is 416 and total annual labor hours ranging from 3,050 to 3,160 for a total annual average of 3,230 hours. Similarly, EPA estimates the total one-time labor costs to permitting/control authorities to be \$33,300 and total annual labor costs range from \$256,000 to \$265,000 for a total annual average of \$273,000. See Table 5.

14. AGENCY COSTS

14a. Agency Activities

EPA is responsible for overseeing the implementation of the rule.

14b. Agency Labor Cost

EPA does not estimate any Agency burden and labor costs associated with these recordkeeping and reporting requirements.

14c. Agency Non-Labor Costs

EPA does not estimate any non-labor costs associated with these recordkeeping and reporting requirements.

15. REASONS FOR CHANGE IN BURDEN

Not applicable, because this request does not renew or modify an existing ICR.

16. PUBLICATION OF DATA

Steam electric power plants would be required to submit one-time notices of planned participation (NOPPs) if they wish to participate in a specific subcategory within one year of publication of the Final rule in the Federal Register. In addition, plants must maintain a publicly accessible internet site and post all required reporting information to the website within 30 days of submission to the permitting authority, as well as notify EPA and the permitting authority when changes are made to the website. Dependent on the subcategories applicable to the plant, they must also submit one-time initial

certification statements within 30 days, a one-time termination of need statement within 30 days from when the source no longer qualifies, and annual progress reports each year.

17. DISPLAY OF EXPIRATION DATE

Not applicable to this ICR.

18. CERTIFICATION STATEMENT

The information collection requirements of the rule are in accordance with the Paperwork Reduction Act guidelines in 5 CFR 1320.5(d)(2).