

# U.S. Environmental Protection Agency

## Information Collection Request

**TITLE: NSPS for Electric Utility Steam Generating Units (40 CFR Part 60, Subpart Da) (Renewal)**

**OMB CONTROL NUMBER: 2060-0023**

**EPA ICR NUMBER: 1053.14**

### **ABSTRACT:**

The New Source Performance Standards (NSPS) for NSPS for Electric Utility Steam Generating Units (40 CFR Part 60 Subpart Da) were proposed on September 18, 1978, promulgated on June 11, 1979, and amended on November 19, 2014 and April 6, 2016. These regulations apply to new and existing electric utility steam generating units capable of combusting more than 73 megawatts (MW) heat input of fossil fuel. New facilities include those that commenced construction, modification, or reconstruction after the date of proposal. This information is being collected to assure compliance with 40 CFR Part 60, Subpart Da.

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

Any owner/operator subject to the provisions of this part shall maintain a file containing these documents and retain the file for at least two years following the generation date of such maintenance reports and records. All reports are sent to the delegated state or local authority. If there is no such delegated authority, the reports are sent directly to the U.S. Environmental Protection Agency (EPA) regional office.

The "Affected Public" are owners or operators of electric utility steam generating units. The "burden" to the "Affected Public" may be found in Table 1: Annual Respondent Burden and Cost – NSPS for Electric Utility Steam Generating Units (40 CFR Part 60, Subpart Da) (Renewal). The "burden" to the Federal Government is attributed entirely to work performed by either Federal employees or government contractors and may be found in Table 2: Average Annual EPA Burden and Cost – NSPS for Electric Utility Steam Generating Units (40 CFR Part 60, Subpart Da) (Renewal). There are approximately 732 electric utility steam generating facilities. None of the facilities in the United States are owned by state, local, tribal or the Federal government. They are all owned and operated by privately-owned, for-profit businesses. We assume that they will all respond.

Based on our consultations with industry representatives, there is an average of one affected facility at each plant site and each plant site has only one respondent (i.e., the owner/operator of the plant site).

Over the next three years, approximately 732 respondents per year will be subject to the standard, and no additional respondents per year will become subject to the standard.

## **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.*

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The EPA is charged under Section 111 of the Clean Air Act (CAA), as amended, to establish standards of performance for new stationary sources that reflect:

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

The Agency refers to this charge as selecting the best demonstrated technology (BDT). Section 111 also requires that the Administrator review and, if appropriate, revise such standards every eight years.

In addition, section 114(a) states that the Administrator may require any owner/operator subject to any requirement of this Act to:

(A) Establish and maintain such records; (B) make such reports; (C) install, use, and maintain such monitoring equipment, and use such audit procedures, or methods; (D) sample such emissions (in accordance with such procedures or methods, at such locations, at such intervals, during such periods, and in such manner as the Administrator shall prescribe); (E) keep records on control equipment parameters, production variables or other indirect data when direct monitoring of emissions is impractical; (F) submit compliance certifications in accordance with Section 114(a)(3); and (G) provide such other information as the Administrator may reasonably require.

In the Administrator's judgment, sulfur dioxide (SO<sub>2</sub>), particulate matter (PM), and nitrogen oxide (NO<sub>x</sub>) emissions from electric utility steam generating units either cause or contribute to air pollution that may reasonably be anticipated to endanger public health and/or welfare. Therefore, the NSPS were promulgated for this source category at 40 CFR Part 60, Subpart Da.

### **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.*

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The recordkeeping and reporting requirements in the standards ensure compliance with the applicable regulations which were promulgated in accordance with the Clean Air Act. The collected information is also used for targeting inspections and as evidence in legal proceedings.

Performance tests are required in order to determine an affected facility's initial capability to comply with the emission standards. Continuous emission monitors are used to ensure compliance with the standards at all times. During the performance test a record of the operating parameters under which compliance was achieved may be recorded and used to determine compliance in place of a continuous emission monitor.

The notifications required in these standards are used to inform the Agency or delegated authority when a source becomes subject to the requirements of these regulations. The reviewing authority may then inspect the source to check if the pollution control devices are properly installed and operated, leaks are being detected and repaired, and these same standards are being met. The performance test may also be observed.

The required quarterly and semiannual reports are used to determine periods of excess emissions, identify problems at the facility, verify operation/maintenance procedures, and for compliance determinations.

Additionally, the EPA is requiring electronic reporting for certain notifications or reports. The EPA is requiring that owners or operators of affected sources would submit electronic copies of test audit and performance test reports, through the EPA's Central Data Exchange (CDX), using the Compliance and Emissions Data Reporting Interface (CEDRI).

CEDRI includes the Electronic Reporting Tool (ERT) software, which is used by facilities to generate electronic reports of performance tests. EPA is also requiring that 40 CFR Part 60, Subpart Da performance test reports be submitted through the EPA's ERT.

### **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.*

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Some of the respondents are using monitoring equipment that automatically records parameter data. Although personnel at the affected facility must still evaluate the data, internal automation has significantly reduced the burden associated with monitoring and recordkeeping at a plant site.

The rule was amended to include electronic reporting provisions on January 1, 2012. Respondents are required to use the EPA's Electronic Reporting Tool (ERT) to develop relative accuracy test audit data and performance test reports and submit them through the EPA's Compliance and Emissions Data Reporting Interface (CEDRI), which can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>). The ERT is an application rather than a form, and the requirement to use the ERT is applicable to numerous subparts. The splash screen of the ERT contains a link to the Paperwork Reduction Act (PRA) requirements, such as the OMB Control Number, expiration date, and burden estimate for this and other subparts. Per 40 CFR 60.51Da(k), some owners and operators may also submit electronic quarterly reports for SO<sub>2</sub>, NO<sub>x</sub>, and/or opacity, however, the format and transmission of these electronic reports are coordinated directly with the permitting authority. For purposes of this

ICR, it is assumed that there is no additional burden associated with the proposed requirement for respondents to submit the notifications and reports electronically.

Electronic copies of records may also be maintained in order to satisfy federal recordkeeping requirements. For additional information on the Paperwork Reduction Act requirements for CEDRI and ERT for this rule, see: <https://www.epa.gov/electronic-reporting-air-emissions/paperwork-reduction-act-act-1996-05-01>.

#### **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.*

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For reports required to be submitted electronically, the information is sent through the EPA's CDX, using CEDRI, where the appropriate EPA regional office can review it, as well as state and local agencies that have been delegated authority. If a state or local agency has adopted under its own authority its own standards for reporting or data collection, adherence to those non-Federal requirements does not constitute duplication.

For all other reports, if the subject standards have not been delegated, the information is sent directly to the appropriate EPA regional office. Otherwise, the information is sent directly to the delegated state or local agency. If a state or local agency has adopted its own standards to implement the Federal standards, a copy of the report submitted to the state or local agency can be sent to the Administrator in lieu of the report required by the Federal standards. Therefore, duplication does not exist.

#### **5. MINIMIZING BURDEN ON SMALL ENTITIES:**

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

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A majority of the respondents are large entities (i.e., large businesses). However, the impact on small entities (i.e., small businesses) was taken into consideration during the development of the regulation. Due to technical considerations involving the process operations and the types of control equipment employed, the recordkeeping and reporting requirements are the same for both small and large entities. The Agency considers these to be the minimum requirements needed to ensure compliance and, therefore, cannot reduce them further for small entities. To the extent that larger businesses can use economies of scale to reduce their burden, the overall burden will be reduced.

According to the EPA 2006 Final Rule (71 FR 9865) regarding amendments proposed to 40 CFR part 60, subparts Da, Db, and Dc, on February 28, 2005, "...at most, one entity out of five new entities in the industry may be small entities." Applying this data to the respondent universe for this ICR results in approximately 146 small entities impacted by this ICR.

#### **6. EFFECTS 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.*

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Less frequent information collection would decrease the margin of assurance that facilities are continuing to meet the standards. Requirements for information gathering and recordkeeping are useful techniques to ensure that good operation and maintenance practices are applied and emission limitations are met. If the information required by these standards was collected less frequently, the proper operation and maintenance of control equipment and the possibility of detecting violations would be less likely.

## **7. GENERAL GUIDELINES:**

*Explain any special circumstances that require the collection to be conducted in a manner inconsistent with PRA Guidelines at 5 CFR 1320.5(d)(2).*

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With the following exception, these reporting or recordkeeping requirements do not violate any of the regulations promulgated by OMB under 5 CFR Part 1320, Section 1320.5.

## **8. PUBLIC COMMENT AND CONSULTATIONS:**

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### **8a. Public Comment**

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

An announcement of a public comment period for the renewal of this ICR was published in the *Federal Register* (88 FR 31748) on May 18, 2023. No comments were received on the burden published in the *Federal Register* for this renewal.

### **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.*

The Agency has consulted industry experts and internal data sources to project the number of affected facilities and industry growth over the next three years. The primary source of information as reported by industry, in compliance with the recordkeeping and reporting provisions in the standard, is the Integrated Compliance Information System (ICIS). ICIS is EPA's database for the collection, maintenance, and retrieval of compliance data for industrial and government-owned facilities. The growth rate for the industry is based on our consultations with the Agency's internal industry experts. Approximately 732 respondents will be subject to the standard over the three-year period covered by this ICR.

Industry trade associations and other interested parties were provided an opportunity to comment on the burden associated with the standard as it was being developed and the standard has been previously reviewed to determine the minimum information needed for compliance purposes. In developing this ICR, we contacted both the Electric Power Research Institute at (800) 313-3774 and the Edison Electric Institute at (202) 508-5000. In this case, no comments were received.

It is our policy to respond after a thorough review of comments received since the last ICR renewal as well as those submitted in response to the first Federal Register notice. In this case, no comments were received.

#### **9. PAYMENTS OR GIFTS TO RESPONDENTS:**

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

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The Agency does not intend to provide payments or gifts to respondents as part of this collection.

#### **10. PROVISIONS FOR PROTECTION OF INFORMATION:**

*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.*

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Any information submitted to the Agency for which a claim of confidentiality is made will be safeguarded according to the Agency policies set forth in Title 40, chapter 1, part 2, subpart B - Confidentiality of Business Information (see 40 CFR 2; 41 FR 36902, September 1, 1976; amended by 43 FR 40000, September 8, 1978; 43 FR 42251, September 20, 1978; 44 FR 17674, March 23, 1979).

#### **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.*

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The reporting or recordkeeping requirements in the standard do not include sensitive questions.

#### **12. RESPONDENT BURDEN HOURS AND 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.*
  - *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. RESPONDENTS/NAICS CODES

The respondents to the recordkeeping and reporting requirements are owners and operators of electric steam generating units. The United States Standard Industrial Classification (SIC) code for the respondents affected by the standards is SIC 4911 which corresponds to the North American Industry Classification System (NAICS) 221112 for Fossil Fuel Electric Power Generation.

Based on our research for this ICR, on average over the next three years, approximately 732 existing respondents will be subject to the standard. It is estimated that no additional respondents per year will become subject. The overall average number of respondents, as shown in the table below, is 732 per year.

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

Number of Respondents					
	Respondents That Submit Reports		Respondents That Do Not Submit Any Reports		
Year	(A) Number of New Respondents <sup>1</sup>	(B) Number of Existing Respondents	(C) Number of Existing Respondents that keep records but do not submit reports	(D) Number of Existing Respondents That Are Also New Respondents	(E) Number of Respondents (E=A+B+C-D)
1	0	732	0	0	732
2	0	732	0	0	732
3	0	732	0	0	732
Average	0	732	0	0	732

<sup>1</sup> New respondents include sources with constructed, reconstructed and modified affected facilities.

Column D is subtracted to avoid double-counting respondents. As shown above, the average Number of Respondents over the three-year period of this ICR is 732.

The total number of annual responses per year is calculated using the following table:

Total Annual Responses				
(A) Information Collection Activity	(B) Number of Respondents	(C) Number of Responses	(D) Number of Existing Respondents That Keep Records But Do Not Submit Reports	(E) Total Annual Responses E=(BxC)+D
Notification of construction/	0	1	0	0

Total Annual Responses				
reconstruction				
Notification of actual startup	0	1	0	0
Notify of initial performance test	0	1.2	0	0
Notification of demonstration of CMS	0	1	0	0
Semiannual report	586	2	0	1172
Quarterly report	146	4	0	584
			<b>Total</b>	<b>1,756</b>

The number of Total Annual Responses is 1,756.

#### 12b. INFORMATION REQUESTED

In this ICR, all the data that are recorded or reported is required by the NSPS for Electric Utility Steam Generating Units (40 CFR Part 60, Subpart Da).

A source must make the following reports:

Notifications	
Notification of construction or reconstruction	§60.7(a)(1)
Notification of actual startup	§60.7(a)(3)
Notification of physical or operational change	§60.7(a)(4)
Demonstration of continuous monitoring system	§60.7(a)(5)
Notification of use of CEMS to measure PM emissions	§60.48Da(p)(1)
Notification of initial performance test results	§60.8(d)

Reports	
Initial and subsequent performance test or performance evaluation report	§§60.8(f)(2), 60.51Da(a)
Daily operating parameters - emission controls	§60.51Da(b)
Monitoring system - minimum quantity of emission data	§60.51Da(c)



<b>Reports</b>	
Excess emission reports	§§60.7(c), 60.51Da(d), 60.51Da(i)
Fuel pretreatment credit toward SO <sub>2</sub> emission standard	§60.51Da(e)
Periods for which opacity, SO <sub>2</sub> , and NO <sub>x</sub> data are unavailable	§60.51Da(f)
Monitoring system performance	§§60.7(c), 60.51Da(h)
Semiannual reporting	§60.51Da(j)
Quarterly reporting	§60.51Da(k)
Relative accuracy test audit and performance test data (electronic submission)	§60.49Da(v)(4)

A source must keep the following records:

<b>Recordkeeping</b>	
Maintain records of startups, shutdowns, malfunctions, periods where the continuous monitoring system is inoperative	§60.7(b)
Performance test records and site-specific monitoring plan records	§60.52Da
Emissions monitoring	§60.49Da
Maintain all records for two years	§60.7(f)

### 12c. RESPONDENT ACTIVITIES

- Familiarization with the regulatory requirements.
- Install, calibrate, maintain, and operate CMS for opacity, or for pressure drop and liquid supply pressure for wet scrubber.
- Perform initial performance test, Reference Method 3 or 3B, 5, 6, 7, 9, and 19 tests, and repeat performance tests if necessary.
- Write the notifications and reports listed above.
- Enter information required to be recorded above.
- Submit the required reports developing, acquiring, installing, and utilizing technology and systems for collecting, validating, and verifying information.
- Develop, acquire, install, and utilize technology and systems for processing and maintaining information.
- Develop, acquire, install, and utilize technology and systems for disclosing and providing information.
- Train personnel to be able to respond to a collection of information.

- Transmit, or otherwise disclose the information.

The specific frequency for each information collection activity within this request is shown at the end of this document in Table 1: Annual Respondent Burden and Cost – NSPS for Electric Utility Steam Generating Units (40 CFR Part 60, Subpart Da) (Renewal).

#### **12d. RESPONDENT BURDEN HOURS AND LABOR COSTS**

The average annual burden to industry over the next three years from these recordkeeping and reporting requirements is estimated to be 171,000 hours (Total Labor Hours from Table 1). These hours are based on Agency studies and background documents from the development of the regulation, Agency knowledge and experience with the NSPS program, the previously approved ICR, and any comments received.

This ICR uses the following labor rates:

Managerial	\$163.17 (\$77.70 + 110%)
Technical	\$130.28 (\$62.04 + 110%)
Clerical	\$65.71 (\$31.29 + 110%)

These rates are from the United States Department of Labor, Bureau of Labor Statistics, September 2022, “Table 2. Civilian workers by occupational and industry group.” The rates are from column 1, “Total compensation.” The rates have been increased by 110 percent to account for varying industry wage rates and the additional overhead business costs of employing workers beyond their wages and benefits, including business expenses associated with hiring, training, and equipping their employees.

The total annual labor hours are 171,000. Details regarding these estimates may be found in Table 1: Annual Respondent Burden and Cost – NSPS for Electric Utility Steam Generating Units (40 CFR Part 60, Subpart Da) (Renewal).

We assume that burdens for managerial tasks take 5% of the time required for technical tasks because the typical tasks for managers are to review and approve reports. Clerical burdens are assumed to take 10% of the time required for technical tasks because the typical duties of clerical staff are to proofread the reports, make copies and maintain records.

Furthermore, the annual public reporting and recordkeeping burden for this collection of information is estimated to average 97 hours per response.

#### **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.

The type of industry costs associated with the information collection activities in the subject standard(s) are both labor costs which are addressed elsewhere in this ICR and the costs associated with continuous monitoring. The capital/startup costs are one-time costs when a facility becomes subject to these regulations. The annual operation and maintenance costs are the ongoing costs to maintain the monitor(s) and other costs such as photocopying and postage.

Capital/Startup vs. Operation and Maintenance (O&M) Costs						
(A) Continuous Monitoring Device	(B) Capital/Startup Cost for One Respondent <sup>a</sup>	(C) Number of New Respondents	(D) Total Capital/Startup Cost, (B X C)	(E) Annual O&M Costs for One Respondent <sup>a</sup>	(F) Number of Respondents with O&M	(G) Total O&M, (E X F)
SO <sub>2</sub> , PM, and NO <sub>x</sub>	\$283,629	0	\$0	\$21,272	732	\$15,571,220
<b>Total (rounded) <sup>b</sup></b>			<b>\$0</b>			<b>\$15,600,000</b>

<sup>a</sup> Costs have been increased from 2008 to 2022 \$ using the CEPCI Equipment Cost Index.

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

The total capital/startup costs for this ICR are \$0. This is the total of column D in the above table.

The total operation and maintenance (O&M) costs for this ICR are \$15,600,000. This is the total of column G.

The average annual cost for capital/startup and operation and maintenance costs to industry over the next three years of the ICR is estimated to be \$15,600,000. These are recordkeeping costs.

The total annual labor costs are \$21,500,000. Details regarding these estimates may be found at the end of this document in Table 1: Annual Respondent Burden and Cost – NSPS for Electric Utility Steam Generating Units (40 CFR Part 60, Subpart Da) (Renewal).

The total annual capital/startup and O&M costs to the regulated entity are \$15,600,000. The cost calculations are detailed in Capital/Startup vs. Operation and Maintenance (O&M) Costs.

#### 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.*

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#### **14a. Agency Activities**

EPA conducts the following activities in connection with the acquisition, analysis, storage, and distribution of the required information.

- Observe initial performance tests and repeat performance tests if necessary.
- Review notifications and reports, including performance test reports, and excess emissions reports, required to be submitted by industry.
- Audit facility records.
- Input, analyze, and maintain data in the Enforcement and Compliance History Online (ECHO) and ICIS.

Following notification of startup, the reviewing authority could inspect the source to determine whether the pollution control devices are properly installed and operated. Performance test reports are used by the Agency to discern a source's initial capability to comply with the emission standard and note the operating conditions under which compliance was achieved. Data and records maintained by the respondents are tabulated and published for use in compliance and enforcement programs. The semiannual reports are used for problem identification, as a check on source operation and maintenance, and for compliance determinations.

Information contained in the reports is reported by state and local governments in the ICIS Air database, which is operated and maintained by EPA's Office of Compliance. EPA uses ICIS for tracking air pollution compliance and enforcement by local and state regulatory agencies, EPA regional offices and EPA headquarters. EPA and its delegated Authorities can edit, store, retrieve and analyze the data.

The records required by this regulation must be retained by the owner/operator for two years.

#### **14b. Agency Burden and Labor Cost**

The only costs to the Agency are those costs associated with analysis of the reported information. EPA's overall compliance and enforcement program includes activities such as the examination of records maintained by the respondents, periodic inspection of sources of emissions, and the publication and distribution of collected information.

The average annual Agency cost during the three years of the ICR is estimated to be \$859,000.

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

Managerial	\$73.46 (GS-13, Step 5, \$45.91 + 60%)
Technical	\$54.51 (GS-12, Step 1, \$34.07 + 60%)
Clerical	\$29.50 (GS-6, Step 3, \$18.44 + 60%)

These rates are from the Office of Personnel Management (OPM), 2023 General Schedule, which excludes locality rates of pay. The rates have been increased by 60 percent to account for the benefit

packages available to government employees. Details upon which this estimate is based appear at the end of this document in Table 2: Average Annual EPA Burden and Cost – NSPS for Electric Utility Steam Generating Units (40 CFR Part 60, Subpart Da) (Renewal).

The average annual Agency burden and cost over next three years is estimated to be 16,200 labor hours at a cost of \$859,000. See Table 2: Average Annual EPA Burden and Cost – NSPS for Electric Utility Steam Generating Units (40 CFR Part 60, Subpart Da) (Renewal).

We assume that burdens for managerial tasks take 5% of the time required for technical tasks because the typical tasks for managers are to review and approve reports. Clerical burdens are assumed to take 10% of the time required for technical tasks because the typical duties of clerical staff are to proofread the reports, make copies and maintain records.

#### **14c. Agency Non-Labor Costs**

There are no anticipated non-labor costs for the Agency.

#### **14d. Agency Total Costs**

As stated within 14b, the average annual Agency burden and cost over next three years is estimated to be 16,200 labor hours at a cost of \$859,000. See Table 2: Average Annual EPA Burden and Cost – NSPS for Electric Utility Steam Generating Units (40 CFR Part 60, Subpart Da) (Renewal).

### **15. CHANGE IN BURDEN:**

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

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There is no change in burden from the most recently approved ICR as currently identified in the OMB Inventory of Approved Burdens. This is due to two considerations. First, the regulations have not changed over the past three years and are not anticipated to change over the next three years. Second, the growth rate for this industry is very low or non-existent, so there is no significant change in the overall burden. There is an increase in costs, which is wholly due to the use of updated labor rates. This ICR uses labor rates from the most recent Bureau of Labor Statistics report (September 2022) to calculate respondent burden costs. There is an increase in operation & maintenance costs due to an adjustment to increase from 2008 to 2022 \$ using the CEPCI Equipment Cost Index.

### **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.*

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All non-CBI data submitted electronically to the Agency through CEDRI are available to the public for review and printing and are accessible using WebFIRE. Electronically submitted emissions data from performance testing or performance evaluations using the Electronic Reporting Tool or templates attached to CEDRI, as well as data from reports from regulations with electronic templates, are tabulated; data submitted as portable document format (PDF) files attached to CEDRI are neither

tabulated nor subject to complex analytical techniques. Electronically submitted emissions data used to develop emissions factors undergo complex analytical techniques and the draft emissions factors are available on the Clearinghouse for Inventories and Emission Factors listserv at <https://www.epa.gov/chief/chief-listserv> for public review and printing. Electronically submitted emissions data, as well as other data, obtained from one-time or sporadic information collection requests often undergo complex analytical techniques; results of those activities are included in individual rulemaking dockets and are available at <https://www.regulations.gov/> for public review and printing.

**17. DISPLAY OF OMB CONTROL NUMBER AND EXPIRATION DATE ON INSTRUMENTS:**

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

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The Agency plans to display the expiration date for OMB approval of the information collection on all instruments.

**18. CERTIFICATION STATEMENT:**

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

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This information collection complies with all provisions of the Certification for Paperwork Reduction Act Submissions.

**ADDITIONAL TABLES AND APPENDICES**

**Table 1: Annual Respondent Burden and Cost – NSPS for Electric Utility Steam Generating Units (40 CFR Part 60, Subpart Da) (Renewal)**

Burden Item	(A) Person hours per occurrence	(B) No. of occurrences per respondent per year	(C) Person hours per respondent per year (C=AxB)	(D) Respondent s per year <sup>a</sup>	(E) Technical person- hours per year (E=CxD)	(F) Management person hours per year (Ex0.05)	(G) Clerical person hours per year (Ex0.1)	(H) Cost, \$ <sup>b</sup>
1. Applications	N/A							
2. Survey and Studies	N/A							
3. Reporting requirements								
A. Familiarize with regulatory requirements <sup>c</sup>	1	1	1	732	732	36.6	73.2	\$106,146.95
B. Required activities								
Initial emissions tests	160	1	160	0	0	0	0	\$0.00
Reference Method 9	4	30	120	0	0	0	0	\$0.00
Repeat performance test <sup>d</sup>	60	0.2	12	0	0	0	0	\$0.00
C. Create information	See 3B							
D. Gather existing information	See 3E							
E. Write report								
Notification of construction/reconstruction	2	1	2	0	0	0	0	\$0.00
Notification of actual startup	2	1	2	0	0	0	0	\$0.00

Notification of initial performance test	2	1.2	2.4	0	0	0	0	\$0.00
Notification of demonstration of CMS	2	1	2	0	0	0	0	\$0.00
Report of performance test	See 3B							
Semiannual report <sup>e</sup>	8	2	16	586	9,370	468	937	\$1,358,681.01
Quarterly report <sup>f</sup>	8	4	32	146	4,685	234	468	\$679,340.51
<b>Subtotal for Reporting Requirements</b>						<b>17,004</b>		<b>\$2,144,168</b>
4. Recordkeeping requirements								
A. Familiarize with regulatory requirements	See 3A							
B. Plan activities	See 4C							
Implement activities	See 3B							
Develop record system	N/A							
C. Time to check computer system and calibrate continuous monitor <sup>g</sup>	0.5	365	182.5	732	133,590	6,680	13,359	\$19,371,819.11
D. Train personnel	N/A							
E. Audits	N/A							
<b>Subtotal for Recordkeeping Requirements</b>						<b>153,629</b>		<b>\$19,371,819</b>
<b>TOTAL LABOR BURDEN AND COSTS (rounded) <sup>h</sup></b>						<b>171,000</b>		<b>\$21,500,000</b>
<b>TOTAL CAPITAL AND O&amp;M COST</b>								<b>\$15,600,000</b>



(rounded) <sup>h</sup>								
<b>GRAND TOTAL (rounded) <sup>h</sup></b>								<b>\$37,100,000</b>

**Assumptions:**

a We have assumed that there are an average of 732 existing respondents subject to the rule and no new sources that will become subject to the rule over the three-year period of this ICR.

b This ICR uses the following labor rates: Managerial \$163.17 (\$77.70 + 110%); Technical \$130.28 (\$62.04 + 110%); and Clerical \$65.71 (\$31.29 + 110%). These rates are from the United States Department of Labor, Bureau of Labor Statistics, September 2022, “Table 2. Civilian Workers, by occupational and industry group.” The rates are from column 1, “Total compensation.” The rates have been increased by 110 percent to account for varying industry wage rates and the additional overhead business costs of employing workers beyond their wages and benefits, including business expenses associated with hiring, training, and equipping their employees.

c We have assumed that all respondents will have to familiarize with the regulatory requirements each year.

d We have assumed that 20 percent of initial performance tests will be repeated due to failure.

e We have assumed that 80 percent of respondents will each take 8 hours two times per year to write the semiannual report.

f We have assumed that 20 percent of respondents will each take 8 hours four times per year to write the quarterly report.

g We have assumed that each respondent will take 30 minutes each day to check computer system and calibrate continuous monitors.

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

**Table 2: Average Annual EPA Burden and Cost - NSPS for Electric Utility Steam Generating Units (40 CFR Part 60, Subpart Da) (Renewal)**

Burden item	(A) Person hours per occurrence	(B) No. of occurrences per respondent per year	(C) Person hours per respondent per year (C=AxB)	(D) Respondents per year <sup>a</sup>	(E) Technical person- hours per year (E=CxD)	(F) Management person hours per year (Ex0.05)	(G) Clerical person hours per year (Ex0.1)	(H) Cost, \$ <sup>b</sup>
Performance tests								
New plants	24	1.2	28.8	0	0	0	0	\$0

Review startup report <sup>c</sup>	40	1.2	48	0	0	0	0	\$0
Report Review								
Notification of construction/reconstruction	2	1	2	0	0	0	0	\$0
Notification of actual startup	0.5	1	0.5	0	0	0	0	\$0
Notification of initial test	0.5	1.2	0.6	0	0	0	0	\$0
Notification of CMS demonstration	0.5	1	0.5	0	0	0	0	\$0
Review excess emissions reports								
Semiannual <sup>d</sup>	8	2	16	586	9,370	468.48	936.96	\$572,792
Quarterly <sup>e</sup>	8	4	32	146	4,685	234.24	468.48	\$286,396
<b>TOTAL (rounded) <sup>f</sup></b>						<b>16,200</b>		<b>\$859,000</b>

**Assumptions:**

a We have assumed that there are an average of 732 existing respondents subject to the rule and no new sources that will become subject to the rule over the three-year period of this ICR.

b This cost is based on the average hourly labor rate as follows: Managerial \$73.46 (GS-13, Step 5, \$45.91 + 60%); Technical \$54.51 (GS-12, Step 1, \$34.07 + 60%); and Clerical \$29.50 (GS-6, Step 3, \$18.44 + 60%). These rates are from the Office of Personnel Management (OPM), 2023 General Schedule, which excludes locality rates of pay. The rates have been increased by 60 percent to account for the benefit packages available to government employees.

c We have assumed that it will take 40 hours to review each startup report.

d We have assumed that it will take 8 hours two times per year to review each semiannual report.

e We have assumed that it will take 8 hours four times per year to review each the quarterly report.

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