

**SUPPORTING STATEMENT  
ENVIRONMENTAL PROTECTION AGENCY**

**NSPS for Industrial-Commercial-Institutional Steam Generating Units (40 CFR Part 60, Subpart Db) (Renewal)**

**1. Identification of the Information Collection**

**1(a) Title of the Information Collection**

NSPS for Industrial-Commercial-Institutional Steam Generating Units (40 CFR Part 60, Subpart Db)

**1(b) Short Characterization/Abstract**

The New Source Performance Standards (NSPS) for the regulations published at 40 CFR part 60, subpart Db for the pollutant sulfur dioxide (SO<sub>2</sub>) were proposed on June 19, 1986, and promulgated on December 16, 1987. These regulations apply to industrial-commercial-institutional steam generating units (boilers) that commenced construction, modification, or reconstruction after June 19, 1984, and that have a heat input capacity from fuels combusted in the unit of greater than 29 MW (100 million Btu/hour). The regulations were amended on February 27, 2006 (71 FR 9865), June 13, 2007 (72 FR 32710), and on January 28, 2009 (74 FR 5086). This ICR is updated to reflect changes due to the 2007 and 2009 amendments. The 2007 amendments added compliance alternatives, revised certain recordkeeping and reporting requirements, corrected technical and editorial errors, and updated the grammatical style of the four D subparts. The 2009 amendments clarified the intent for applying and implementing specific rule requirements, provided additional compliance alternatives, and corrected unintentional technical omissions and editorial errors. This information is being collected to assure compliance with 40 CFR part 60, subpart Db.

In general, all NSPS standards require initial notifications, performance tests, and periodic reports. Owners or operators 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 sources subject to NSPS.

Any owner or operator subject to the provisions of this part shall maintain a file of these measurements, and retain the file for at least two years following the date of such measurements, maintenance reports, and records. All reports are sent to the delegated state or local authority. In the event that there is no such delegated authority, the reports are sent directly to the United States Environmental Protection Agency (EPA) regional office.

Size of the Regulated Community

In a study from 1979, EPA modeled the total capacity of United States (U.S.) industrial/commercial boilers for 1980, 1985 and 2000, for boilers with capacities greater than 29

MW (100 million BTU/hour) (“Population and Characteristics of Industrial/Commercial Boilers in the United States from 1979”; EPA Number PB80 - 150881). This model shows an increase of 4,139 new industrial/commercial boilers between 1985 and 2000 with capacities greater than 29 MW (100 million BTU/hour), and these would be subject to NSPS Db. Therefore, according to this model there should be approximately 4,139 steam generating units (or boilers) currently subject to NSPS subpart Db. Assuming one boiler per facility, the number of facilities subject to NSPS subpart Db would be 4,139.

However, during the nitrogen oxide (NO<sub>x</sub>) NSPS revision, information on industrial boilers subject to NSPS Db was obtained from three sources: a best available technology/ lowest achievable emission rate database search; copies of permits obtained from EPA regional offices; and telephone contacts with EPA regions, state agencies, and boiler vendors. Based on the information obtained, as of 1995, only 45 NSPS Db boilers were identified. Since NSPS Db was in effect for ten years in 1995, 45 boilers is probably a low number and model projects indicate that it may be far from the true regulated universe for 1995. The Information Collection Request (ICR) approved in 2000 estimated 957 facilities subject to NSPS Db.

During the NO<sub>x</sub> NSPS revision mentioned above, an analysis was conducted to determine the projected growth of new industrial boilers over the period from 1996 to 2000. This analysis showed that the growth rate would be 76 new industrial boilers per year. Therefore, using the estimate from the ICR approved in 2000 of 957 sources, assuming a growth rate of 76 new industrial boilers per year over the three-year period since the last ICR, and assuming one boiler per facility, the 2003 ICR estimated 1,185 existing NSPS Db facilities. The 2006 ICR renewal assumed no change in the total estimate of 1,185 existing NSPS Db facilities.

### Growth Rate for the Next Three Years

In the Industrial Boiler Maximum Achievable Control Technology (MACT) rulemaking, a projection of new industrial, commercial, and institutional boilers was performed for economic analysis in October 2002. This analysis showed that 134 industrial, commercial, and institutional boilers would become subject to NSPS subpart Db over the next three years (or 45 per year). This is the most recent growth projection available for these facilities.

This ICR estimates the existing number of sources based on the 2003 ICR estimate of 1,185 existing sources plus 270 new facilities over a six-year period (assuming a growth rate of 45 facilities per year over six years). Therefore, this ICR is estimating that approximately 1,455 existing sources are currently subject to the regulation; and it is estimated that an additional 45 new sources per year will become subject to the regulation in the next three years.

The Office of Management and Budget (OMB) approved the currently active ICR without any “Terms of Clearance.”

The burden to the “Affected Public” may be found in Table 1: Annual Respondent Burden and Cost - NSPS for Industrial-Commercial-Institutional Steam Generating Units (40 CFR part 60, subpart Db). The burden to the “Federal Government” is attributed entirely to work performed by Federal employees or government contractors; this burden may be found in

Table 2: Average Annual EPA Burden - NSPS for Industrial-Commercial-Institutional Steam Generating Units (40 CFR part 60, subpart Db).

## **2. Need for and Use of the Collection**

### **2(a) Need/Authority for the Collection**

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)(1).

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 four 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, SO<sub>2</sub>, particulate matter (PM), and NO<sub>x</sub> emissions from Industrial-Commercial-Institutional Steam Generating units cause or contribute to air pollution that may reasonably be anticipated to endanger public health or welfare. Therefore, the NSPS were promulgated for this source category at 40 CFR part 60, subpart Db.

### **2(b) Practical Utility/Users of the Data**

The control of emissions of SO<sub>2</sub>, PM, and NO<sub>x</sub> from Industrial-Commercial-Institutional Steam Generating units requires not only the installation of properly designed equipment, but

also the operation and maintenance of that equipment. Emissions of SO<sub>2</sub>, PM, and NO<sub>x</sub> from Industrial-Commercial-Institutional Steam Generating units are the result of operation of the affected facilities. The subject standards are achieved by the capture and/or reduction of SO<sub>2</sub>, PM, and NO<sub>x</sub> emissions using control technologies such as sorbent injection technologies and wet and dry scrubbers for SO<sub>2</sub>; cyclones, electrostatic precipitators, and fabric filters for PM; and low NO<sub>x</sub> burners and selective catalytic or noncatalytic reduction technologies for NO<sub>x</sub>.

The notifications required in the applicable regulations are used to inform the Agency, or delegated authority, when a source becomes subject to the requirements of the regulations. The reviewing authority may then inspect the source to check if the pollution control devices are properly installed and operated and the regulations are being met.

Performance test reports are needed as these are the Agency's record of a source's initial capability to comply with the emission standards, and serve as a record of the operating conditions under which compliance was achieved. Continuous emission monitors are used to ensure compliance with the standards at all times.

The information generated by the monitoring, recordkeeping and reporting requirements described in this ICR is used by the Agency to ensure that facilities affected by the NSPS continue to operate the control equipment and achieve compliance with the regulation. Adequate monitoring, recordkeeping, and reporting are necessary to ensure compliance with the applicable regulations, as required by the Clean Air Act. The collected information is also used for targeting inspections and as evidence in legal proceedings.

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

### **3. Nonduplication, Consultations, and Other Collection Criteria**

The requested recordkeeping and reporting are required under 40 CFR part 60, subpart Db.

#### **3(a) Nonduplication**

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 similar 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, no duplication exists.

#### **3(b) Public Notice Required Prior to ICR Submission to OMB**

An announcement of a public comment period for the renewal of this ICR was published

in the Federal Register (74 FR 38004) on July 30, 2009. No comments were received on the burden published in the Federal Register.

### **3(c) Consultations**

In determining the correct burden estimate associated with this ICR, industry trade associations and other interested parties have been provided an opportunity to comment on the burden associated with the standard as it was being developed and in subsequent renewals of the ICR. It is our policy to review any comments received since the last ICR renewal including those submitted in response to the first Federal Register notice and respond appropriately. EPA published an announcement of a public comment period for the renewal of this ICR in the Federal Register on July 30, 2009. No comments were received on respondent burden associated with the reporting and recordkeeping requirements provided in this ICR.

To determine the size of the regulated community and the rate of industry growth, the EPA Office of Air Quality Planning and Standards was consulted. The Agency's internal industry experts have been consulted. The Agency's internal data sources and projections of industry growth over the next three years also have been considered.

Another source of information from the 2003 renewal was the information provided by the industry. Information provided in the industry reports is located in the EPA's AFS (Air Facility System) database. In 2003, approximately 1,230 respondents were subject to the regulation.

It should be noted that the 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.

For this renewal, EPA contacted a representative industry trade organization to request a voluntary opinion as to the accuracy of the burden estimates associated with this ICR and whether there is any way to reduce the burden. EPA contacted the Council of Industrial Boiler Owners (CIBO, Bob Bessette, telephone: 703-530-9042); no comments were received.

### **3(d) Effects of Less Frequent Collection**

Less frequent information collection would decrease the margin of assurance that facilities are continuing to meet 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.

### **3(e) General Guidelines**

These reporting or recordkeeping requirements do not violate any of the regulations promulgated by OMB under 5 CFR part 1320, section 1320.5.

### **3(f) Confidentiality**

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

### **3(g) Sensitive Questions**

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

## **4. The Respondents and the Information Requested**

### **4(a) Respondents/SIC Codes**

Industrial-commercial-institutional boilers (also known as steam generating units) are classified by type, fuel, and method of construction. The three main types are cast iron, fire tube, and water tube. These three categories of boilers are designed and manufactured to meet specific applications and site requirements. Unit size, design pressure and temperature all depend on boiler application. Each boiler type may burn coal, oil, or natural gas, and increasingly are being designed to burn more than one fuel type.

All boilers subject to NSPS subpart Db are water tube boilers. Water tube boilers are used in a variety of applications ranging from supplying large amounts of process steam to providing space heat for industrial facilities, or commercial buildings. Water tube boilers are fueled by coal, 25 percent; oil, 32 percent, and natural gas, 43 percent. Process steam accounts for the largest use of fuel to fire boilers, using about one-third of all industrial fuel.

The following industries use water tube boilers with capacities greater than 29 MW (100 mmBtu/hr). In EPA studies, energy usage was used to estimate the potential for industry boiler usage. The chemical and paper industries use the most energy accounting for about a third of all U.S. industrial fuel usage. Petroleum refineries, steel and aluminum manufacturers, and food processing industries use most of the remainder of industrial fuel. Other industries using smaller, but significant amounts of fuel are the textiles, lumber, and rubber manufacturers, and metal fabrication and transportation industries. The other two industries that would be expected to have boilers large enough to be subject to NSPS subpart Db are office and shopping center heating and boiler rentals.

The respondents to the recordkeeping and reporting requirements are facilities subject to NSPS subpart Db that commenced construction, modification, or reconstruction after June 19, 1984, and that have a heat input capacity from fuels combusted in the steam generating unit of

greater than 29 MW (100 mmBtu/hr).

<b>Regulation</b>	<b>SIC Codes</b>	<b>NAICS Codes</b>
40 CFR part 60, subpart Db	1531	23332
	2033	311421
	Major Group 22	Major Group 313
	Major Group 24	Major Group 321
	2611	322110
	Major Group 28	Major Group 325
	2911	324110
	Major Group 30	Major Group 326
	Major Group 33	Major Group 331
	Major Group 34	Major Group 332
	Major Group 37	Major Group 336
	7299	81299

#### **4(b) Information Requested**

##### **(i) Data Items**

In this ICR, all the data that is recorded or reported is required by NSPS for Industrial-Commercial-Institutional Steam Generating Units (40 CFR part 60, subpart Db).

A source must make the following reports:

<b>Reports for 40 CFR part 60, subpart Db</b>	
Construction/reconstruction	60.7(a)(1)
Actual startup	60.7(a)(3), 60.49b(a)
Initial performance test results	60.8 (a), 60.49b(b)
Initial performance test	60.8(d)
Demonstration of continuous monitoring system	60.7(a)(5)

<b>Reports for 40 CFR part 60, subpart Db</b>	
Physical or operational change	60.7(a)(4)
Operating conditions for compliance with NO <sub>x</sub> standard	60.49b(c)
Monitoring results	60.49b(i)-(m)
Annual Capacity Factor, Fuel Nitrogen Content, NO <sub>x</sub> Emission Tests	60.49b(q)
Fuel-based Compliance Alternative Report	60.49b(r)
Removal efficiency by fuel pretreatment and associated documentation	60.49b(n)
Excess emissions (semiannual)	60.7(c), 60.49b(h), 60.49b(w)
Quarterly reporting for Cytec Industries Fortier Plant's C.AOG incinerator, Westwego, Louisiana	60.49b(s)
Quarterly reporting for Rohm and Haas Kentucky Incorporated's Boiler Number 100, Louisville, Kentucky	60.49b(t)
Quarterly reporting for Merck & Co., Inc.'s Stonewall Plant, Elkton, Virginia	60.49b(u)
Quarterly reporting for Weyerhaeuser Company's No. 2 Power Boiler, New Bern, North Carolina	60.49(x)
Quarterly reporting for INEOS USA's AOGI, Lima, Ohio	60.49b(y)
Quarterly reporting (electronic)	60.49b(v)

A source must maintain the following records:

<b>Recordkeeping for 40 CFR part 60, subpart Db</b>	
Startups, shutdowns, malfunctions, and periods when the continuous monitoring system is inoperative.	60.7(b)
Fuel Monitoring	60.49b(d), 60.49b(r)
Nitrogen content of residual oil combusted	60.49b(e)
Opacity	60.49b(f)
Nitrogen oxide emission rates	60.49b(g)
Records are required to be retained at the facility for two years.	60.7(f), 60.49b(o)

<b>Recordkeeping for 40 CFR part 60, subpart Db</b>	
Steam load	60.49b(p)
Fuel Receipts	60.49b(r)

### Electronic Reporting

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

Also, regulatory agencies in cooperation with the respondents continue to create reporting systems to transmit data electronically. However, electronic reporting systems are still not widely used. At this time, it is estimated that approximately 20 percent of the respondents use electronic reporting.

### **(ii) Respondent Activities**

<b>Respondent Activities</b>
Read instructions.
Install, calibrate, maintain, certify, and operate Continuous Emission Monitoring Systems for NO <sub>x</sub> , SO <sub>2</sub> , and opacity or alternative monitoring methods (e.g., CO CEMS in place of using a COMS).
Perform initial performance test.
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 the purpose of collecting, validating, and verifying information.
Develop, acquire, install, and utilize technology and systems for the purpose of processing and maintaining information.
Develop, acquire, install, and utilize technology and systems for the purpose of disclosing and providing information.
Adjust the existing ways to comply with any previously applicable instructions and requirements.
Train personnel to be able to respond to a collection of information.

<b>Respondent Activities</b>
Transmit, or otherwise disclose the information.

## **5. The Information Collected: Agency Activities, Collection Methodology, and Information Management**

### **5(a) Agency Activities**

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

<b>Agency Activities</b>
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 Air Facility System (AFS).

### **5(b) Collection Methodology and Management**

Following notification of startup, the reviewing authority might 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. 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 entered into the AFS which is operated and maintained by the EPA Office of Compliance. AFS is EPA's database for the collection, maintenance, and retrieval of compliance data for approximately 125,000 industrial and government-owned facilities. EPA uses the AFS 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.

### **5(c) Small Entity Flexibility**

According to the 2005 Economic Impacts Analysis for the Proposed NSPS amendments in 2005 (see Docket ID: EPA-HQ-OAR-2005-0031-0059) 2 of the 17 or 12 percent of the projected new biomass units were expected to be small entities. Applying this percent to the

respondent universe for this ICR results in approximately 180 small entities impacted by this ICR..

### **5(d) Collection Schedule**

The specific frequency for each information collection activity within this request is shown in below Table 1: Annual Respondent Burden and Cost - NSPS for Industrial-Commercial-Institutional Steam Generating Units (40 CFR part 60, subpart Db).

## **6. Estimating the Burden and Cost of the Collection**

Table 1 documents the computation of individual burdens for the recordkeeping and reporting requirements applicable to the industry for the subpart included in this ICR. The individual burdens are expressed under standardized headings believed to be consistent with the concept of burden under the Paperwork Reduction Act. Where appropriate, specific tasks and major assumptions have been identified. Responses to this information collection are mandatory.

The Agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number.

### **6(a) Estimating Respondent Burden**

The average annual burden to industry over the next three years from these recordkeeping and reporting requirements is estimated to be 771,889 hours (Total Labor Hours from Table 1). The recordkeeping hours shown in Table 1 are 234,045. The reporting requirement hours shown in Table 1 are 537,844. 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.

### **6(b) Estimating Respondent Costs**

#### **(i) Estimating Labor Costs**

This ICR uses the following labor rates:

Managerial	\$114.77 (\$54.65 + 110%)
Technical	\$97.59 (\$46.47 + 110%)
Clerical	\$48.26 (\$22.98 + 110%)

These rates are from the United States Department of Labor, Bureau of Labor Statistics, March 2009, "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 the benefit packages available to those employed by private industry.

#### **(ii) Estimating Capital/Startup and Operation and Maintenance Costs**

The type of industry costs associated with the information collection activities in the subject standard 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 the regulation. The annual operation and maintenance costs are the ongoing costs to maintain the monitors and other costs such as photocopying and postage.

### (iii) Capital/Startup vs. Operation and Maintenance (O&M) Costs

<b>Capital/Startup vs. Operation and Maintenance (O&amp;M) Costs</b>						
(A) Continuous Monitoring Device	(B) Startup Cost (\$) for One Affected Facility	(C) Number of New Affected Facilities to Startup	(D) Total Startup (B X C)	(E) Annual O&M Costs (\$) for One Affected Facility	(F) Number of Affected Facilities with O&M	(G) Total O&M (E X F)
SO <sub>2</sub> , PM, and NO <sub>x</sub>	\$200,000	45	\$9,000,000	\$15,000	1,500	\$22,500,000

The total capital/startup costs for this ICR are \$9,000,000. This is the total of column D in the above table.

The total operation and maintenance (O&M) costs for this ICR are \$22,500,000. 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 \$31,500,000. These are recordkeeping costs.

### 6(c) Estimating Agency Burden and 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 \$27,885,868 (see Table 2).

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

Managerial	\$61.36 (GS-13, Step 5, \$38.35 + 60%)
Technical	\$45.52 (GS-12, Step 1, \$28.45 + 60%)
Clerical	\$24.64 (GS-6, Step 3, \$15.40 + 60%)

These rates are from the Office of Personnel Management (OPM), 2009 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 below in Table 2: Annual Agency Burden and Cost - NSPS for Industrial-Commercial-Institutional Steam Generating Units (40 CFR Part 60, Subpart Db).

#### **6(d) Estimating the Respondent Universe and Total Burden and Costs**

Approximately 1,455 sources are currently subject to the regulation, and it is estimated that an additional 45 sources per year will become subject to the regulation in the next three years.

<b>Respondent Universe and Number of Responses Per Year</b>						
Regulation Citation	(A) Average Number of New Respondents per Year	(B) Number of Reports for New Sources	(C) Number of Existing Respondents	(D) Number of Reports for Existing Sources	(E) Number of Respondents That Keep Records But Do Not Submit Reports	(F) Total Annual Responses = (AxB)+(CxD)+ E
40 CFR 60.49b (w)	36	2	1,164	2	0	2,400
40 CFR 60.49b (v)	9	4	291	4	0	1,200
Total	45		1,455			3,600

The number of total respondents is 1,500. This number is the sum of column A and column C of the Respondent Universe and Number of Responses Per Year table. This represents the number of existing sources and the number of new sources averaged over the three-year period (i.e., the number of new respondents over the three-year period divided by three years).

The number of Total Annual Responses is 3,600.

The total annual labor costs are \$63,338,557. Details upon which this estimate is based appear in Table 1: Annual Respondent Burden and Cost - NSPS for Industrial-Commercial-Institutional Steam Generating Units (40 CFR Part 60, Subpart Db).

The total annual capital and O&M costs to the regulated entities are \$31,500,000.

#### **6(e) Bottom Line Burden Hours and Cost Tables**

The detailed bottom line burden hours and cost calculations for the respondents and the Agency are shown in Tables 1 and 2 below, respectively, and summarized below.

##### **(i) Respondent Tally**

The total annual labor hours are 771,889. Details regarding these estimates may be found

in Table 1. Annual Respondent Burden and Cost - NSPS for Industrial-Commercial-Institutional Steam Generating Units (40 CFR Part 60, Subpart Db) (below). Furthermore, the annual public reporting and recordkeeping burden for this collection of information is estimated to average 214 hours per response.

The total annual capital/startup and O&M costs to the regulated entity are \$31,500,000. The cost calculations are detailed in Section 6(b)(iii), Capital/Startup vs. Operation and Maintenance (O&M) Costs.

### **(ii) The Agency Tally**

The average annual Agency burden and cost over next three years is estimated to be 777,014 labor hours at a cost of \$27,885,868. See Table 2: Annual Agency Burden and Cost - NSPS for Industrial-Commercial-Institutional Steam Generating Units (40 CFR Part 60, Subpart Db).

### **6(f) Reasons for Change in Burden**

The increase in burden from the most recently approved ICR is due to adjustment. Growth rate in the number of existing sources since previous approved ICRs has been taken into account, along with projected growth rate for the three years covered by this ICR. The total number of respondents has increased from 1,185 to 1,500 which results in a larger number of respondents, responses, and burden hours.

The increase in burden is also related to calculation errors in the previous ICR calculations in Table 1: Annual Respondent Burden and Cost - NSPS for Industrial-Commercial-Institutional Steam Generating Units (40 CFR Part 60, Subpart Db). Corrections have been made to Table 1 of this ICR.

The respondent and Agency labor costs have also increased. Also, while the previous ICR used only a technical rate, Tables 1 and 2 of this ICR reflect burden and cost calculations expanded to include managerial and clerical labor rates.

### **6(g) Burden Statement**

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 214 hours per response. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB Control Number. The OMB Control Numbers for EPA regulations are listed at 40 CFR part 9 and 48 CFR chapter 15.

To comment on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including the use of automated collection techniques, EPA has established a public docket for this ICR under Docket ID Number EPA-HQ-OECA-2009-0528. An electronic version of the public docket is available at <http://www.regulations.gov/> which may be used to obtain a copy of the draft collection of information, submit or view public comments, access the index listing of the contents of the docket, and to access those documents in the public docket that are available electronically. When in the system, select "search," then key in the docket ID number identified in this document. The documents are also available for public viewing at the Enforcement and Compliance Docket and Information Center in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Avenue, N.W., Washington, D.C. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is (202) 566-1744, and the telephone number for the docket center is (202) 566-1752. Also, you can send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, N.W., Washington, DC 20503, Attention: Desk Officer for EPA. Please include the EPA Docket ID Number EPA-HQ-OECA-2009-0528 and OMB Control Number 2060-0072 in any correspondence.

### **Part B of the Supporting Statement**

This part is not applicable because no statistical methods were used in collecting this information.

**Table 1: Annual Respondent Burden and Cost - NSPS for Industrial-Commercial-Institutional Steam Generating Units (40 CFR Part 60, Subpart Db)**

Reporting and recordkeeping requirements	A Person hours per occurrence	B Annual occurrences per respondent	C Annual person hours per respondent (A x B)	D Total number of respondents	E Technical person hours <sup>a</sup>	F Clerical person hours <sup>a</sup>	G Manage- ment person hours <sup>a</sup>	H Total annual person hours (C x D)	I Total annual cost
<b>1. Applicants</b>	N/A								
<b>2. Survey and Studies</b>	N/A								
<b>3. Reporting Requirements <sup>b</sup></b>									
A. Read Instructions <sup>c</sup>	see 4A							12,770	
B. Required Activities									
Initial Performance Test:									
PM <sup>b</sup>	330	1	330	19	5,452.17	545.22	272.61	6,270	\$589,677
24 hour test for Gas Units <sup>c</sup>	250	1	250	26	5,652.17	565.22	282.61	6,500	\$611,308
Repeat of Performance Test:									
PM <sup>b, d</sup>	330	1	330	4	1,147.83	114.78	57.39	1,320	\$124,143
24 hour tests for Gas Units <sup>c, d</sup>	250	1	250	5	1,086.96	108.70	54.35	1,250	\$117,559
Report of Initial Performance Test: <sup>c</sup>									
SO <sub>2</sub>	16	1	16	13	180.87	18.09	9.04	208	\$19,562
PM	16	1	16	19	264.35	26.43	13.22	304	\$28,590
NO <sub>x</sub>	16	1	16	45	626.09	62.61	31.30	720	\$67,714
Notification of CEMS Demonstration <sup>c</sup>									
SO <sub>2</sub>	2	1	2	13	22.61	2.26	1.13	26	\$2,445
PM	2	1	2	19	33.04	3.30	1.65	38	\$3,574
NO <sub>x</sub>	2	1	2	45	78.26	7.83	3.91	90	\$8,464
Demonstration of CEMS <sup>c</sup>									
SO <sub>2</sub>	150	1	150	13	1,695.65	169.57	84.78	1,950	\$183,392
PM	100	1	100	19	1,652.17	165.22	82.61	1,900	\$178,690
NO <sub>x</sub>	350	1	350	45	13,695.65	1,369.57	684.78	15,750	\$1,481,246
Repeat Demonstration of CEMS <sup>c, d</sup>									
SO <sub>2</sub>	150	1	150	3	391.30	39.13	19.57	450	\$42,321
PM	100	1	100	4	347.83	34.78	17.39	400	\$37,619

Reporting and recordkeeping requirements	A Person hours per occurrence	B Annual occurrences per respondent	C Annual person hours per respondent (A x B)	D Total number of respondents	E Technical person hours <sup>a</sup>	F Clerical person hours <sup>a</sup>	G Manage- ment person hours <sup>a</sup>	H Total annual person hours (C x D)	I Total annual cost
NO <sub>x</sub>	350	1	350	9	2,739.13	273.91	136.96	3,150	\$296,249
Report of CEMS Demonstration <sup>c</sup>	See 3B								
Reports for SO <sub>2</sub> <sup>e</sup>									
Quarterly <sup>f</sup>	16	4	64	148	8,236.52	823.65	411.83	9,472	\$890,817
Semiannual	16	2	32	593	16,500.87	1,650.09	825.04	18,976	\$1,784,643
Reports for PM <sup>e, g</sup>									
Quarterly: <sup>f</sup>									
Excess	16	4	64	38	2,114.78	211.48	105.74	2,432	\$228,723
No Excess	8	4	32	152	4,229.57	422.96	211.48	4,864	\$457,447
Semiannual:									
Excess	16	2	32	177	4,925.22	492.52	246.26	5,664	\$532,684
No Excess	8	2	16	570	7,930.43	793.04	396.52	9,120	\$857,712
Reports for NO <sub>x</sub> <sup>e, g</sup>									
Quarterly: <sup>f</sup>									
CEMS	16	4	64	162	9,015.65	901.57	450.78	10,368	\$975,083
Excess	16	4	64	33	1,836.52	183.65	91.83	2,112	\$198,628
No Excess	8	4	32	129	3,589.57	358.96	179.48	4,128	\$388,228
Semiannual:									
CEMS	16	2	32	647	18,003.48	1,800.35	900.17	20,704	\$1,947,157
Excess	16	2	32	129	3,589.57	358.96	179.48	4,128	\$388,228
No Excess	8	2	16	518	7,206.96	720.70	360.35	8,288	\$779,465
Appendix F Report <sup>e, h</sup>									
Quarterly: <sup>f</sup>									
SO <sub>2</sub>	11	4	44	130	4,973.91	497.39	248.70	5,720	\$537,951
NO <sub>x</sub>	11	4	44	171	6,542.61	654.26	327.13	7,524	\$707,613
Semiannual:									
SO <sub>2</sub>	11	2	22	514	9,833.04	983.30	491.65	11,308	\$1,063,488

Reporting and recordkeeping requirements	A Person hours per occurrence	B Annual occurrences per respondent	C Annual person hours per respondent (A x B)	D Total number of respondents	E Technical person hours <sup>a</sup>	F Clerical person hours <sup>a</sup>	G Manage- ment person hours <sup>a</sup>	H Total annual person hours (C x D)	I Total annual cost
NO <sub>x</sub>	11	2	22	685	13,104.35	1,310.43	655.22	15,070	\$1,417,294
Annual Compliance Tests for NO <sub>x</sub> <sup>e</sup>	250	1	250	372	80,869.57	8,086.96	4,043.48	93,000	\$8,746,407
Appendix F Annual Accuracy Test: <sup>e</sup> <sub>h</sub>									
SO <sub>2</sub>	36	1	36	856	26,796.52	2,679.65	1,339.83	30,816	\$2,898,164
NO <sub>x</sub>	36	1	36	644	20,160.00	2,016.00	1,008.00	23,184	\$2,180,395
Appendix F Audits <sup>e, i, j</sup>									
Quarterly									
SO <sub>2</sub> - In Situ	125	4	500	33	16,500.00	0.00	0.00	16,500	\$825,000
SO <sub>2</sub> – Extractive	36	4	144	97	13,968.00	0.00	0.00	13,968	\$698,400
Semiannual									
SO <sub>2</sub> - In Situ	125	2	250	129	32,250.00	0.00	0.00	32,250	\$1,612,500
SO <sub>2</sub> - Extractive	36	2	72	385	27,720.00	0.00	0.00	27,720	\$1,386,000
Quarterly									
NO <sub>x</sub> - In Situ	125	4	500	43	21,500.00	0.00	0.00	21,500	\$1,075,000
NO <sub>x</sub> - Extractive	36	4	144	128	18,432.00	0.00	0.00	18,432	\$921,600
Semiannual									
NO <sub>x</sub> - In Situ	125	2	250	171	42,750.00	0.00	0.00	42,750	\$2,137,500
NO <sub>x</sub> - Extractive	36	2	72	514	37,008.00	0.00	0.00	37,008	\$1,850,400
C. Create Information <sup>c</sup>	Included in 3B								
D. Gather Existing Information	Included in 3B								
E. Write Report									
Notify of Construction/ Reconstruction <sup>c</sup>	2	1	2	45	78.26	7.83	3.91	90	\$8,464
Notify of Anticipated Startup <sup>c</sup>	2	1	2	45	78.26	7.83	3.91	90	\$8,464
Notify of Actual Startup <sup>c</sup>	2	1	2	45	78.26	7.83	3.91	90	\$8,464
Monitoring Plan <sup>c</sup>	4	1	4	22	76.52	7.65	3.83	88	\$8,276

Reporting and recordkeeping requirements	A Person hours per occurrence	B Annual occurrences per respondent	C Annual person hours per respondent (A x B)	D Total number of respondents	E Technical person hours <sup>a</sup>	F Clerical person hours <sup>a</sup>	G Manage- ment person hours <sup>a</sup>	H Total annual person hours (C x D)	I Total annual cost
Notification of Initial Performance Test <sup>c</sup>									
SO <sub>2</sub>	2	1	2	13	22.61	2.26	1.13	26	\$2,445
PM	2	1	2	19	33.04	3.30	1.65	38	\$3,574
NO <sub>x</sub>	2	1	2	45	78.26	7.83	3.91	90	\$8,464
<b>Total Reporting Burden</b>								537,844	\$41,327,235
<b>4. RECORDKEEPING REQUIREMENTS</b>									
A. Read Instructions <sup>c</sup>	1	1	1	45	39.13	3.91	1.96	45	\$4,232
B. Plan Activities	N/A								
C. Implement Activities	N/A								
D. Develop Record System	N/A								
E. Time to Enter Information									
F. Records of Startup, Shutdown, Malfunction	1.5	52	78	1,500	101,739.13	10,173.91	5,086.96	117,000	\$11,003,545
G. Records of All Measurements	1.5	52	78	1,500	101,739.13	10,173.91	5,086.96	117,000	\$11,003,545
<b>Total Recordkeeping Burden</b>								234,045	22,011,322
<b>TOTAL ANNUAL BURDEN</b>								<b>771,889</b>	<b>63,338,557</b>

**Footnotes:**

a) This ICR uses the following labor rates: Managerial \$114.77 (\$54.65 + 110%); Technical \$97.59 (\$46.47 + 110%); and Clerical \$48.26 (\$22.98 + 110%). These rates are from the United States Department of Labor, Bureau of Labor Statistics, March 2009, 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 the benefit packages available to those employed by private industry. This ICR assumes that Managerial hours are 5 percent of Technical hours, and Clerical hours are 10 percent of Technical hours.

b) EPA estimates that there will be 26 new gas-fired steam generating units per year (which require NO<sub>x</sub> controls), 13 new coal-fired generating units per year (which require SO<sub>2</sub>, NO<sub>x</sub>, and PM controls), and 6 new biomass/wood (which require NO<sub>x</sub> and PM controls).

c) One-time only costs associated with the anticipated 45 new sources per year over the next three years. According to the 2003 ICR renewal, approximately half of all new sources will submit a monitoring plan.

d) Assume 20 percent of initial performance tests and CEMS demonstrations are repeated due to failures.

e) According to the 2003 ICR renewal, there are 640 sources that must report SO<sub>2</sub> emissions, 622 sources that must report PM emissions, and 1322 sources that must report NO<sub>x</sub> emissions. Because these existing source estimates were from 2003, this ICR renewal adds 270 additional existing sources since the 2003 ICR renewal (45 sources times six years) to update the total number of existing sources reported each type of pollutant. These 270 sources are split out according to the same distribution of gas, coal, and biomass

units listed in note (b) above. To estimate the total number of respondents for each type of pollutant reporting, the existing sources subject to each type of pollutant reporting were added to the 45 new sources per year and these new sources were distributed according to note (b).

f) Assume that 20 percent of respondents will choose to report quarterly.

g) Assume the 20 percent of units are found to be in excess of emission standard, 80 percent are found to be in no excess.

h) According to the 2003 ICR renewal, 57 percent of all sources submit an Appendix F Report for SO<sub>2</sub>, and the remaining 43 percent submit an Appendix F Report for NO<sub>x</sub>.

i) Appendix F audit costs are based on contractor costs of \$50.00 per hour.

j) Assume that 25 percent of units have in situ CEMS and 75 percent have extractive CEMS.

**Table 2: Annual Agency Burden and Cost - NSPS for Industrial-Commercial-Institutional Steam Generating Units (40 CFR Part 60, Subpart Db)**

Activity	A EPA hours per occurrence	B Occurrences per plant per year	C EPA hours per plant per year (A x B)	D Plants per year	E Technical person hours <sup>a</sup>	F Clerical person hours <sup>a</sup>	G Management person hours <sup>a</sup>	H EPA hours per year (C x D)	I Total annual cost
Report Review For Construction, Anticipated Startup, Actual Startup <sup>b</sup>	116	1	116	45	4,539	454	227	5,220	\$231,732
Review Notification of Initial Test:									
SO <sub>2</sub> <sup>c</sup>	70	1	70	13	791	79	40	910	\$40,398
PM <sup>c</sup>	72	1	72	19	1,190	119	59	1,368	\$60,730
NO <sub>x</sub> <sup>c</sup>	104	1	104	45	4,070	407	203	4,680	\$207,759
Review Initial Test Results:									
SO <sub>2</sub> <sup>c</sup>	280	1	280	13	3,165	317	158	3,640	\$161,591
PM <sup>c</sup>	288	1	288	19	4,758	476	238	5,472	\$242,919
NO <sub>x</sub> <sup>c</sup>	416	1	416	45	16,278	1,628	814	18,720	\$831,038
Review Notification of CMS Demonstration:									
SO <sub>2</sub> <sup>c</sup>	56	1	56	13	633	63	32	728	\$32,318
PM <sup>c</sup>	82	1	82	19	1,355	135	68	1,558	\$69,164
NO <sub>x</sub> <sup>c</sup>	42	1	42	45	1,643	164	82	1,890	\$83,903
Review CMS Performance Demonstration:									
SO <sub>2</sub> <sup>c</sup>	448	1	448	13	5,064	506	253	5,824	\$258,545
PM <sup>c</sup>	656	1	656	19	10,838	1,084	542	12,464	\$553,315
NO <sub>x</sub> <sup>c</sup>	336	1	336	45	13,148	1,315	657	15,120	\$671,223
Review Monitoring Plan <sup>b</sup>	108	1	108	22	2,066	207	103	2,376	\$105,478
Review NO <sub>x</sub> Compliance Reports <sup>d, e</sup>									
Quarterly	42	4	168	162	23,666	2,367	1,183	27,216	\$1,208,201
Semiannual	42	2	84	647	47,259	4,726	2,363	54,348	\$2,412,673
Review SO <sub>2</sub> Compliance Reports <sup>d, e</sup>					0	0	0		

Activity	A EPA hours per occurrence	B Occurrences per plant per year	C EPA hours per plant per year (A x B)	D Plants per year	E Technical person hours <sup>a</sup>	F Clerical person hours <sup>a</sup>	G Management person hours <sup>a</sup>	H EPA hours per year (C x D)	I Total annual cost
Quarterly	70	4	280	148	36,035	3,603	1,802	41,440	\$1,839,648
Semiannual	70	2	140	593	72,191	7,219	3,610	83,020	\$3,685,510
Review Excess Emissions Reports: <sup>d, e</sup>									
SO <sub>2</sub> :									
Quarterly	130	4	520	148	36,035	3,603	1,802	41,440	\$1,839,648
Semiannual	130	2	260	593	72,191	7,219	3,610	83,020	\$3,685,510
NO <sub>x</sub> :									
Quarterly	92	4	368	33	10,560	1,056	528	12,144	\$539,109
Semiannual	92	2	184	129	20,640	2,064	1,032	23,736	\$1,053,713
Review Appendix F QA Data Assessment Reports: <sup>d</sup>									
SO <sub>2</sub>	42	1	42	644	23,520	2,352	1,176	27,048	\$1,200,743
NO <sub>x</sub>	56	1	56	856	41,683	4,168	2,084	47,936	\$2,128,025
<b>SUBTOTAL</b>								462,638	\$27,878,743
Travel Expenses <sup>f</sup>									\$7,125
<b>TOTAL ANNUAL COST</b>									\$27,855,868

## Footnotes:

a) This ICR uses the following labor rates: Managerial \$61.36 (GS-13, Step 5, \$38.35 + 60%); Technical \$45.52 (GS-12, Step 1, \$28.45 + 60%); and Clerical \$24.64 (GS-6, Step 3, \$15.40 + 60%).

These rates are from the Office of Personnel Management (OPM), 2009 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. This ICR assumes that Managerial hours are 5 percent of Technical hours, and Clerical hours are 10 percent of Technical hours.

b) All new plants subject to the standard must provide reports of these events as required by section 60.7. These are one-time-only costs associated with the anticipated 45 new sources per year over the next three years. According to the 2003 ICR renewal, approximately half of all new sources will submit a monitoring plan.

c) EPA estimates that there will be 26 new gas-fired steam generating units per year (which require NO<sub>x</sub> controls), 13 new coal-fired generating units per year (which require SO<sub>2</sub>, NO<sub>x</sub>, and PM controls), and 6 new biomass/wood (which require NO<sub>x</sub> and PM controls).

- d) The average number of new sources for each control for SO<sub>2</sub>, PM and NO<sub>x</sub> have been determined according to assumption (b) in Table 1 above, accounting for industry growth during the years since the ICR renewal of the year 2003, and added to the number of existing sources required to submit reports for each type of pollutant. The estimates for the number of existing sources are in note (e) of Table 1 above.
- e) We assume that 20 percent of respondents will choose to report quarterly.
- f) Travel expenses (1 person x 15/plants/yr x 3 days/plant x \$75 per diem) + (\$250 round trip/plant x 15 plants/yr).