

**Implementation of the 2008 National Ambient Air Quality
Standards for Ozone:
State Implementation Plan Requirements; Information
Collection Request Renewal**

Supporting Statement

**EPA ICR # 2347.03
OMB Control #2060-0695
Renewal**

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1. Identification of the Renewal Information Collection Request

1(a) Title of the Information Collection

The title of the Information Collection Request (ICR) renewal is *Agency Information Collection Activities; Comment Request; 2008 National Ambient Air Quality Standards State Implementation Plan Requirements (Renewal)*, Environmental Protection Agency (EPA) ICR number 2347.03, Office of Management and Budget (OMB) Control number 2060-0695.

1(b) Abstract/Executive Summary

The Paperwork Reduction Act (PRA) requires the information found in this Information Collection Request (ICR) number 2347.03, to assess the burden (in hours and dollars) of the “*Implementation of the 2008 National Ambient Air Quality Standards for Ozone: State Implementation Plan (SIP) Requirements; Final Rule,*” including any periodic reporting and record keeping required under the rule. The rule was proposed on June 6, 2013 (78 FR 34178) and promulgated on March 6, 2015 (80 FR 12264). The intended effect of this final rule is to interpret Clean Air Act (CAA) requirements to provide certainty to states regarding their planning obligations such that states may complete SIP development for the 2008 ozone NAAQS. Such planning obligations may include, but are not limited to, developing SIP submissions that contain attainment demonstrations, Reasonably Further Progress (RFP) analyses, and determinations of Reasonably Available Control Technology (RACT). The original ICR applied for the period February 1, 2015 through January 31, 2018.

In the original ICR, which accounted for the transition from states implementing the 1997 8-hour ozone NAAQS to implementing the 2008 8-hour ozone NAAQS, the EPA estimated a total burden of 120,000 hours for 26 respondents (states and the District of Columbia) to address a full range of nonattainment area SIP requirements for implementing the 2008 ozone NAAQS. Among other things, the original estimate included burden hours for a subset of the areas originally classified as Marginal that the EPA predicted would ultimately fail to timely attain the standard and would thus be reclassified to Moderate and subject to the additional SIP requirements for Moderate areas.

This ICR renewal updates the original 2008 ozone NAAQS SIP Requirements Rule ICR based on our current knowledge of the attainment status and predicted future attainment planning obligations for areas originally designated nonattainment for the 2008 NAAQS in July 2012. The revised burden and cost estimates in this ICR renewal are associated with a subset of areas originally designated nonattainment that are under state jurisdiction. This renewal includes an estimate of additional burden hours for one of the two areas designated as nonattainment for the 2008 ozone NAAQS that are located within tribal boundaries in EPA Region 9. The area is identified in Table 4.4. The burden for this tribal area is accounted for under the burden estimates for EPA’s Region 9 office because the EPA fulfills CAA management duties for tribes, unless the tribe chooses to develop a Tribal Implementation Plan. This ICR renewal will apply for the period February 1, 2018 through January 31, 2021.

The following section explains the categories of nonattainment areas for which the EPA is estimating respondent burden hours under this proposed ICR renewal.

- **Areas that have attained (or are predicted to attain) the 2008 ozone standard and are anticipated to request redesignation to attainment.** States with ozone nonattainment areas that attain the 2008 ozone standard are eligible to submit a request to the EPA for redesignation to attainment.¹ The 17 areas listed below are now eligible (or are expected to be eligible) to request redesignation to attainment, so the EPA is estimating 1,000 burden hours per state area to account for states submitting redesignation requests for these areas. States containing a portion of a multi-state nonattainment area are expected to develop separate submittals.
 - Allentown-Bethlehem-Easton, PA
 - Baltimore, MD
 - Calaveras County, CA
 - Chico (Butte County), CA
 - Dukes County, MA
 - Jamestown, NY
 - Lancaster, PA
 - Mariposa County, CA
 - Philadelphia-Wilmington-Atlantic City, DE-MD-NJ-PA
 - Pittsburgh-Beaver Valley, PA
 - Reading, PA
 - San Francisco Bay, CA
 - San Luis Obispo (Eastern San Luis Obispo), CA
 - Seaford, DE
 - Tuscan Buttes, CA
 - Upper Green River Basin Area, WY
 - Washington, DC-MD-VA

- **Areas now classified as Moderate that may be reclassified to Serious due to poor air quality.** The EPA has identified 12 state areas and 1 tribal area classified Moderate that may fail to attain the 2008 ozone NAAQS by the attainment date of July 20, 2018, in which case the area would be reclassified to Serious. Because we assume the state has already submitted a Moderate area plan for this area, the Serious area SIP submittal is anticipated simply to supplement the plan previously submitted. Therefore, the EPA estimates an additional sum of 5,000 burden hours per state area for the areas listed below. States containing a portion of a multi-state nonattainment area are expected to develop separate submittals.
 - Chicago-Naperville, IL-IN-WI
 - Dallas-Fort Worth, TX
 - Denver-Boulder-Greeley-Fort Collins-Loveland, CO
 - Greater Connecticut, CT
 - Houston-Galveston-Brazoria, TX

¹ As of July 1, 2017, during the period covered by the original ICR (February 1, 2015 – January 31, 2018), several states submitted redesignation requests covering 9 nonattainment areas.

- o Imperial County, CA
- o Kern County (Eastern Kern), CA
- o Nevada County (Western Part), CA
- o New York-N. New Jersey-Long Island, NY-NJ-CT
- o Pechanga Band of Luiseno Mission Indians of the Pechanga Reservation
- o Phoenix-Mesa, AZ
- o San Diego County, CA
- o Sheboygan County, WI

In summary, the EPA’s burden estimate for this 3-year ICR renewal covers 17 states with jurisdiction over all or some portion of 29 nonattainment areas, and one tribal nonattainment area with EPA jurisdiction, to meet obligations under the 2008 Ozone NAAQS SIP Requirements Rule. The total additional burden to states is estimated to be 102,000 burden hours. The EPA anticipates an additional administrative burden for the EPA of 30,480 hours in order to review and approve the additional state submissions and address the Serious area planning requirements for the tribal nonattainment area.

The total additional costs for state and local governments (respondents) is estimated at \$6,933,000. This equates to an annual average cost of \$2,311,000 during the 3-year period of the renewed ICR.

The EPA’s additional administrative cost burden is estimated at \$2,037,000. This equates to an annual average cost of \$679,000 during the 3-year period of the renewed ICR. The annual average cost burden for states and the EPA is calculated by averaging the estimated cost burden over 3 years.

2. Need for and Use of the Collection

2(a) Need/Authority for the Collection

Part D of Title I of the CAA sets forth the plan (implementation) requirements for areas designated nonattainment with a promulgated ozone National Ambient Air Quality Standard. When the CAA amendments of 1990 were enacted, the subpart 2 provisions were specific to designated nonattainment areas for the 1-hour ozone NAAQS. That standard was revised in an 8-hour form in 1997, and the level of that 8-hour form was further revised in 2008. The EPA interpreted the CAA amendments’ subpart 2 implementation framework for the new 8-hour form in rulemakings promulgated in 2002 (for the 1997 NAAQS) and 2015 (for the 2008 NAAQS). Therefore, the current information collection requirements are dictated by the CAA and the *Implementation Rule for the 2008 ozone NAAQS: SIP Requirements; Final Rule*, which was published March 6, 2015 (80 FR 12264). This ICR is the first 3-year renewal of the original ICR developed as a companion to the implementation framework to fulfill requirements of the PRA.

2(b) User/Users of the Data²

The information collected from respondents include attainment plan SIP submissions (including attainment demonstrations and contingency measures), RFP plan SIP submissions, RACT SIP submissions and, at the discretion of the state, requests for redesignation to attainment for those areas that are eligible. The attainment plan/demonstration SIP indicates what emission reductions are necessary for timely attainment of the 2008 ozone NAAQS. The RFP plan SIP describes how the RFP obligation will be met by the affected nonattainment areas as emission reductions in the attainment plan are achieved over time. The RACT SIP includes the assessment of available controls on affected sources of emissions to determine whether they meet RACT requirements. In many cases, RACT requirements can also be used to meet RFP plan requirements. The redesignation request must include a 10-year plan for maintaining the NAAQS and a contingency measure plan for responding to any future violations of the NAAQS. Together, steps that air agencies take to meet RACT and RFP requirements can be used to satisfy the emission reduction requirements necessary to timely attain and subsequently maintain the 2008 ozone NAAQS.

The regional and headquarters EPA use the information contained in these submissions to perform the federal review and oversight functions prescribed in the CAA, including determining whether states have adopted adequate emissions control strategies for their particular nonattainment areas to ensure timely attainment and maintenance of the 2008 ozone NAAQS.

3. Non-Duplication, Consultation, and Other Collection Criteria

3(a) Non-Duplication

There are four parts to the information collection for this ICR: the attainment plan/demonstration SIP submission, RFP SIP submission, RACT SIP submission, and redesignation request/maintenance plan.

There are other activities covered by existing ICRs which complement the activities required for the attainment plan/demonstration SIP submission, RFP SIP submission, and RACT SIP submission, as well as redesignation requests. One example is the Consolidated Emissions Reporting Rule. Salient ICRs and their titles are identified below.

- Requirements for Preparation, Adoption, and Submittal of Implementation Plans
 - o 51.121-51.122 NOx SIP Call.....2060-0445
 - o 51.160-51.166 New Source Review.....2060-0003
 - o 51.321-51.323 Air Quality Data Reporting.....2060-0088
 - o 51.353-51.354 Inspection/Maintenance.....2060-0252
 - o 51.365-51.366 Inspection/Maintenance.....2060-0252
- Approval and Promulgation of Implementation Plans

² In the context of the PRA, the attainment plan, RFP plan, and RACT SIP submissions, as well as redesignation requests, are considered data.

- o 52.21 Prevention of Significant Deterioration.....2060-0003
- Ambient Air Monitoring Reference and Equivalent Methods
 - o 53.42080-0005
 - o 53.9(f),(h),(i).....2080-0005
 - o 53.14.....2080-0005
 - o 53.152080-0005
 - o 53.16(a)-(d),(f).....2080-0005
- Outer Continental Shelf Air Regulations
 - o 55.4-55.82060-0249
 - o 55.11-55.142060-0249
- Ambient Air Quality Surveillance
 - o 58.11-58.142060-0084
 - o 58.20-58.232060-0084
 - o 58.25-58.282060-0084
 - o 58.30-58.312060-0084
 - o 58.332060-0084
 - o 58.352060-0084
 - o 58.40-58.412060-0084
 - o 58.432060-0084
 - o 58.452060-0084
 - o 58.502060-0084
- Determining Conformity of Federal Actions to State or Federal Implementation Plans
 - o 91.150-93.1602060-0279

Attainment Plan/Demonstration SIP Submission. The attainment demonstration requirement appears as 40 CFR 51.1108 and 51.1112(c), which implement CAA subsections 172(c)(1), 182(b)(1)(A), and 182(c)(2)(A). The attainment demonstration for the 8-hour ozone NAAQS is unique and does not duplicate other implementation plan requirements. However, states are encouraged to build upon related implementation planning processes they used for the 1-hour ozone NAAQS, 1997 8-hour ozone NAAQS, Regional Haze Rule, and/or PM_{2.5} NAAQS. Taking such steps, where appropriate, may reduce the incremental administrative burden and enable identification of control strategies that achieve requisite emission reductions on a multi-pollutant basis at a lower overall cost to each program.

RFP SIP Submission. This independent requirement is described in 40 CFR 51.1110, which implements CAA sections 172(c)(2), 182(b)(1)(a), and 182(c)(2)(B). Although the RFP submission does not duplicate other plan requirements, the RFP submission may complement them. For example, the emission reductions associated with the RFP SIP may be sufficient to support a demonstration of timely attainment.

States are encouraged to build upon related analyses for federal emission reducing rules as well as salient previous ozone NAAQS, PM_{2.5} NAAQS and regional haze implementation requirements where appropriate. Taking such steps may reduce their incremental administrative burden. For example, the temporal and spatial nature of emission reductions associated with federal rules (e.g., inspection and maintenance for vehicles, reformulated

gasoline, onboard refueling vapor recovery for gasoline vehicle refueling, and national hazardous air pollutant standards) may be sufficient to meet the RFP requirements. Hence, the need to identify additional emission reductions beyond those achieved through federal rules in order to meet RFP requirements may be mitigated in some instances.

In addition, states are encouraged, where appropriate, to take into account similar analyses and planning efforts to meet certain PM_{2.5} NAAQS and regional haze implementation requirements. Such actions may result in RFP plans which achieve requisite emission reductions on a multi-pollutant basis at a lower overall cost to each program.

RACT SIP Submission. This independent nonattainment area requirement is described in 40 CFR 51.1112, which implements CAA subsections 172(c)(1), 182(b)(2)(c),(d) and (e), and 182(f). In accordance with these statutory provisions, state ozone plans must include measures to implement all reasonably available control technology at selected sources of ozone-precursor emissions in nonattainment areas. States may take into account, where appropriate, any relevant control measures being implemented under related CAA control requirements for the PM_{2.5} NAAQS implementation rule, the Regional Haze Rule, and national hazardous air pollutant standards. Taking such steps can reduce administrative burden and foster achievement of multi-pollutant environmental progress at a lower overall cost.

Redesignation Request/Maintenance Plan. Once a state has achieved the goal of attaining the 2008 ozone NAAQS, the state may request that the EPA redesignate the area to attainment. States must demonstrate, in accordance with CAA section 107(d)(3)(E), that the area has attained the ozone NAAQS, that air quality improvements are the result of permanent emissions reductions, that the state has met all of the statutory nonattainment area requirements for the area, and must submit a maintenance plan meeting the requirements of CAA section 175A. Seeking redesignation is purely discretionary on the part of a state.

3(b) Public Notice Required Prior to ICR Submission to the Office of Management and Budget (OMB)

The EPA published *Federal Register* notices on October 2, 2017 (82 FR 45843) and on November 8, 2017 (82 FR 51829) that solicited comment on the 2008 Ozone NAAQS SIP Requirements Rule ICR Renewal. EPA received one comment from the Texas Commission on Environmental Quality (TCEQ).

COMMENT: The TCEQ recognized that the EPA has not decided if or when the 2008 ozone NAAQS will be revoked, and further pointed out that the timing of any potential revocation of the 2008 8-hour ozone NAAQS will impact the extent of any additional burden to states in developing SIP submittals for the 2008 8-hour ozone NAAQS. However, TCEQ maintained that there could be responsibilities and costs for activities that remain applicable for the revoked standard for which the TCEQ believes the EPA has underestimated the burden and costs. The TCEQ recommended that the burden for the State of Texas should range between 45,000 and 50,000 hours for each nonattainment area with an estimated cost

of \$2,019,248 per nonattainment area for work associated with implementing the 2008 ozone standard in the Dallas-Fort Worth and Houston-Galveston-Brazoria nonattainment areas.

The commenter acknowledged that some RACT requirements have already been fulfilled through prior SIP submissions, however they expressed concern that the higher classification would lower the RACT threshold from 100 tons per year (tpy) to 50 tpy and previously classified minor sources may potentially become major sources. The commenter also stated that all counties in the two nonattainment areas were previously classified Serious or higher, with the exception of the Wise County portion of the Dallas-Fort Worth nonattainment area. The commenter indicated that the Wise County RACT determination to the lower 50 tpy major source threshold would be a new burden. The commenter estimated the burden could potentially reach 1,400 hours to develop RACT rules. The commenter also stated that RFP SIP revisions would potentially require the state to update their emissions inventory and estimated a potential 7,000 hours burden. The commenter also pointed out that along with the updated emissions inventory for the RFP SIP revision, the commenter believed that an attainment demonstration submittal to the EPA is mandated, which would potentially involve 40,000 hours burden.

RESPONSE: At the onset of implementing the 2008 8-hour ozone NAAQS, the EPA estimated that an average of 20,000 burden hours would be expended for Serious (and above) areas to develop the initial required SIP submissions to the EPA. This burden estimate was previously subject to notice and comment and approved by the Office of Management and Budget, and has been used to estimate the entire burden for attainment planning for the 2008 8-hour ozone NAAQS. The EPA's methodology for estimating the average burden hours of an area reclassified to Serious assumes that the state has completed all of the required SIP submissions for Moderate areas, and thus the additional burden for a Serious classification is incremental to meeting previous requirements. The EPA's methodology for estimating the burden hours also considers a state's experience in meeting the same requirements for a previous ozone NAAQS. As the commenter indicates, both the Dallas and Houston ozone nonattainment areas have been classified Serious for previous ozone NAAQS. Therefore, we believe the average burden hours would necessarily be significantly less than the full 20,000 hours estimated for a newly classified Serious area. EPA assumes the state will build on and make adjustments to the previous Moderate area SIP submittal. Accordingly, the EPA reduced the estimated average burden from 20,000 total hours to initiate a complete Serious area SIP, to an average of 5,000 hours to revise an existing Moderate-area SIP after reclassification from Moderate to Serious. This would average about 1,666 hours annually over the three-year period of this renewal. The 5,000 hours are intended to represent the burden on states to conduct the tasks associated with completing milestones covered during the ICR reporting period: the RACT SIP revisions, RFP SIP revisions and the attainment demonstration.

As noted by the commenter, the EPA acknowledges that additional planning and emission control requirements that accompany a reclassification to Serious would require the state review sources associated with a lower major source threshold from 100 tons per year (tpy) to 50 tpy, and make any necessary changes to the nonattainment New Source Review (NSR) program (e.g., offset ratios). The state would also need to evaluate whether the existing vehicle Inspection and Maintenance program meets the EPA's enhanced I/M

program required for implementing the 1997 ozone NAAQS (prior to its revocation). However, TCEQ's estimates ranging between 45,000 to 50,000 burden hours for completing SIP revisions seem to contemplate a level of effort far in excess of that anticipated for the average newly reclassified Serious area, especially for those states where only one or two counties in the state are part of a larger multi-state nonattainment area. The EPA has no basis to challenge the commenter's statement that the EPA's assumptions for Texas's burden may under-estimate the burden TCEQ may encounter when submitting the necessary SIP revisions. Based on the TCEQ comment, the EPA has revised upwards its first proposed estimate of the burden for amending an existing Moderate SIP to meet the Serious area SIP requirements from 2,500 hours to 5,000 hours. The revised estimate includes the burden to conduct the tasks associated with completing RACT SIP revisions, RFP SIP revisions and the attainment demonstration. In meeting these milestones, such efforts may include data collection, analysis and assessment, rule development, public review processes and providing information to the EPA. With the revised burden estimate, the average burden for a multi-state nonattainment area comprised of counties in three neighboring states would be 15,000 hours.

The EPA notes that the burden of some tasks that are related to or provide a foundation for the attainment demonstration, RFP SIP revisions, and the RACT SIP revisions are collected as a result of reporting activities required by other OMB-approved ICRs. For example, see the ICR associated with the Consolidated Emissions Reporting Rule: <http://www.epa.gov/ttn/chief/cerr/index.html>. In addition, air pollutant concentration data is covered already by ICR 0940-18, OMB Control Number 2060-0084; the New Source Review provisions are covered by ICR 1230.10 and 1230.11, OMB Control Number 2060-003; and the Reformulated Gasoline Requirements are covered ICR 1951.08, OMB Control Number 2060-0277. The EPA believes that a portion of the burden hours TCEQ identified may be accounted for in these and other ICRs.

The commenter asserted that the 2008 8-hour ozone NAAQS could be revoked within a timeframe that could negate the reclassifications from Moderate to Serious for areas failing to attain before the January 20, 2019 determination of attainment date. However, the EPA believes it applied an appropriately conservative approach for this ICR renewal by including an estimate of burden and cost that states such as Texas may encounter for these areas assuming they are reclassified to Serious.

3(c) Consultations

The preamble for the proposed 2008 Ozone NAAQS SIP Requirements Rule stated that the EPA would prepare an ICR to accompany the rulemaking. The EPA published a *Federal Register* notice on June 6, 2013 (78 FR 34225) that solicited comment on the *Agency Information Collection Activities: Proposed Collection; Comment Request; Implementation of the 2008 Ozone NAAQS: SIP Requirements Rule, EPA ICR No. 2347.02, OMB Control No. 2060-0695*. At this time, a 3-year renewal of the ICR is required.

To renew the information collection activities, the EPA published a *Federal Register* notice on October 2, 2017 (82 FR 45843) and on November 8, 2017 (82 FR 51829) that solicited comment on the *Agency Information Collection Activities, Renewal, Comment Request; 2008 Ozone NAAQS: SIP Requirements Rule, EPA ICR 2347.03, OMB Control no.*

2060-0695. The comment period closed on December 8, 2017, with the EPA receiving 31 comments from anonymous commenters which did not apply to ozone NAAQS implementation and one comment from the Texas Commission on Environmental Quality (TCEQ) that applied to the cost estimates for implementing the ozone NAAQS in the two Texas nonattainment areas. The EPA has revised the cost estimate burden based on the comment from TCEQ. The anonymous public comments unrelated to this ICR action do not require a response in this action.

3(d) Effects of Less Frequent Collection

The collections under 40 CFR 51.1108, 51.1110 and 51.1112 are necessary to provide assurances that emissions reductions identified by states are adequate to ensure timely attainment and maintenance of the 2008 ozone NAAQS, and to adhere to the mandatory measures and requirements in the CAA for nonattainment areas.

3(e) General Guidelines

This ICR renewal adheres to the guidelines stated in the 1995 PRA, the OMB's implementing regulations, the EPA's *Information Collection Request Handbook*, and other applicable OMB guidance. The *Implementation of the 2008 National Ambient Air Quality Standards for Ozone: State Implementation Plan Requirements; Final rule*, does not require:

- reporting more than once a year;
- respondents to participate in a statistical survey;
- responses to agency inquiries in less than 30 days;
- respondents to receive remuneration for preparation of reports;
- records to be kept more than 3 years,³ or,
- manual methods of reporting.⁴

3(f) Confidentiality

The information covered by this ICR is requested from state and local air agencies. To fulfill the attainment plan/demonstration SIP submission, RFP SIP submission, and RACT SIP submission requirements, states will use emissions and control efficiency data provided by certain facilities in the private and public sector. In general, the information states use to develop SIP submittals may not be deemed confidential, and must be available for review by federal officials and the public. Exceptions to this are outlined in the CAA, and the CAA's provisions for handling confidential business information (CBI) will be followed by agency employees to ensure proper confidentiality where allowed by law.

3(g) Sensitive Questions

³ However, the states may choose to retain the information for more than 3 years.

⁴ However, the states must nonetheless submit their attainment demonstration, RFP SIP, and RACT SIP as applicable.

The attainment plan/demonstration SIP submission, RFP SIP submission, and RACT SIP submission do not include questions whose answers would require the reporting of sensitive information.

4.0 Respondents and the Information Requested

4(a) Respondents and the Nonattainment areas

Table 4.1 lists each of the 2008 ozone NAAQS nonattainment areas by area classification (e.g., Marginal, Moderate) or maintenance status. Table 4.2 lists the number of nonattainment areas within each state by classification, and their respective EPA Regional Office. Table 4.3 lists the 17 nonattainment areas and the states that are deemed eligible to submit a request to EPA to redesignate the areas to attainment. Table 4.4 lists the Moderate nonattainment areas that may be reclassified to Serious and thus likely to become subject to Serious area attainment planning requirements.

Local, state, and federal agencies are directly affected entities that are part of the North American Industrial Classification System code number 924110.⁵ There are other entities that may be indirectly affected, due to the fact that they may review and comment on the draft submissions before they are forwarded to EPA’s Regional Offices. These include potentially regulated entities, representatives of special interest groups, and individual members of the public. Consideration of the burden on these entities is beyond the scope of the PRA and therefore this renewal notice.

Table 4.1. Classifications of 2008 Ozone Nonattainment Areas as of September 30, 2017
(See <http://www3.epa.gov/airquality/greenbook/hbtc.html>)

Category/Classification (Attainment Date)

EXTREME (July 2032)

Los Angeles-South Coast Air Basin Area, CA
San Joaquin Valley Area, CA

SEVERE 15 (July 2027)

Los Angeles and San Bernardino Cos (W Mojave Desert) Area, CA
Riverside County (Coachella Valley) Area, CA
Sacramento Metro Area, CA

SERIOUS (July 2021)

Morongo Band of Mission Indians
Ventura County (part) Area, CA

MODERATE (July 2018)

Baltimore, MD
Chicago-Naperville, IL-IN-WI

⁵ <http://www.census.gov/naics>. Code number 924110 includes “administration of air & water resources & solid waste management programs.”

Dallas-Fort Worth, TX
Denver-Boulder-Greeley-Ft. Collins-Love. Area, CO
Greater Connecticut, CT
Houston-Galveston-Brazoria Area, TX
Imperial County, CA
Kern County (Eastern Kern) Area, CA
Mariposa County, CA
Nevada County (Western part) Area, CA
New York-N. New Jersey-Long Island Area, CT-NJ-NY
Pechanga Band of Luiseno Mission Indians of the Pechanga Reservation
Phoenix-Mesa Area, AZ
San Diego County Area, CA
Sheboygan County, WI

MARGINAL (July 2015)

Allentown-Bethlehem-Easton, PA
Calaveras County, CA
Chico Area, CA Dukes County, MA
Jamestown Area, NY
Lancaster, PA
Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE
Pittsburgh-Beaver Valley Area, PA
Reading, PA
San Francisco Bay Area, CA
San Luis Obispo (Eastern San Luis Obispo), CA
Seaford, DE
St. Louis-St. Charles-Farmington, MO-IL
Tuscan Buttes, CA
Upper Green River Basin Area, WY
Washington Area, DC-MD-VA

REDESIGNATED TO MAINTENANCE

Atlanta, GA
Baton Rouge, LA
Charlotte-Rock Hill, NC-SC
Cincinnati, IN-OH-KY
Cleveland-Akron-Lorain, OH
Columbus, OH
Knoxville, TN
Memphis, AR-MS-TN

For multi-state nonattainment areas, the EPA estimates burden for each state with jurisdiction over some portion of the area. The burden estimate is not subdivided by the number of states; rather, each state is assigned the full burden hours (e.g., 5,000 hours to develop a Serious area SIP submittal after a Moderate area is reclassified to Serious). Furthermore, some of these multi-state areas span more than one EPA Region. For example, the New York-N. New Jersey-Long Island nonattainment area encompasses parts of New York, New Jersey, and Connecticut. Connecticut is in EPA Region 1 jurisdiction, while New York and New Jersey are in EPA Region 2 jurisdiction. This affects the estimated administrative burden for the EPA for the required SIP submissions.

The numbers of nonattainment areas or parts of areas in each state and the associated EPA Regional Office are presented in Table 4.2. There are 44 nonattainment areas for which state respondents' burden is estimated in this ICR; four of these areas are multi-state areas. There are

11 states with all or some portion of 4 nonattainment areas with an overall estimated increase in burden hours to account for additional planning requirements after being reclassified to Serious upon failure to timely attain the 2008 NAAQS by July 20, 2018. Overall, there are 17 state respondents identified for this ICR renewal. These estimates were derived from the September 30, 2017 version of the EPA Green Book (with *Federal Register* updates through December 8, 2017) at: <https://www3.epa.gov/airquality/greenbook/hbtc.html>. The current status of ozone nonattainment area implementation plans is available from the EPA SIP Status Reports at: https://www3.epa.gov/airquality/urbanair/sipstatus/reports/ozone-8hr_2008_areabynaaqs.html

Table 4.2. Number of Nonattainment Areas or Parts of Areas in Each State (as of December 8, 2017)

State	EPA Region	No. of Areas or Parts of Areas Redesignated to Maintenance	No. of Nonattainment Areas or Parts of Areas	No. of Marginal Areas	No. of Moderate Areas	No. of Serious Areas	No. of Severe-15 Areas	No. of Extreme Areas
Arkansas	6	1	0	0	0	0	0	0
Arizona	9	0	1	0	1	0	0	0
California	9	0	16	5	5	1	3	2
Colorado	8	0	1	0	1	0	0	0
Connecticut	1	0	2	0	2	0	0	0
Delaware	3	0	2	2	0	0	0	0
District of Columbia	3	0	1	1	0	0	0	0
Georgia	4	1	0	0	0	0	0	0
Illinois	5	0	2	1	1	0	0	0
Indiana	5	1	1	0	1	0	0	0
Kentucky	4	1	0	0	0	0	0	0
Louisiana	6	1	0	0	0	0	0	0
Maryland	3	0	3	2	1	0	0	0
Massachusetts	1	0	1	1	0	0	0	0
Mississippi	4	1	0	0	0	0	0	0
Missouri	7	0	1	0	0	0	0	0
New Jersey	2	0	2	1	1	0	0	0
New York	2	0	2	2	1	0	0	0
North Carolina	4	1	0	0	0	0	0	0
Ohio	5	3	0	0	0	0	0	0
Pennsylvania	3	0	5	5	0	0	0	0
South Carolina	4	1	0	0	0	0	0	0
Tennessee	4	2	0	0	0	0	0	0
Texas	6	0	2	0	2	0	0	0
Virginia	3	0	1	1	0	0	0	0
Wisconsin	5	0	2	0	2	0	0	0
Wyoming	8	0	1	1	0	0	0	0
Pechanga Tribal Lands	9	0	1	0	1	0	0	0
Morongo Tribal Lands	9	0	1	0	0	1	0	0
Total		142	1348	23	19	2	2	3

Table 4.3. Nonattainment Areas and States Eligible (or Expected to be Eligible) to Submit a Redesignation to Attainment Request

Nonattainment Area	State	EPA Region	Classification
Allentown-Bethlehem-Easton	PA	3	Marginal
Baltimore	MD	3	Moderate
Calaveras County	CA	9	Marginal
Chico (Butte County)	CA	9	Marginal
Dukes County	MA	1	Marginal
Jamestown	NY	2	Marginal
Lancaster	PA	3	Marginal
Mariposa County	CA	9	Moderate
Philadelphia-Wilmington-Atlantic City	PA	3	Marginal
Philadelphia-Wilmington-Atlantic City	NJ	3	Marginal
Philadelphia-Wilmington-Atlantic City	MD	3	Marginal
Philadelphia-Wilmington-Atlantic City	DE	3	Marginal
Pittsburgh-Beaver Valley	PA	3	Marginal
Reading	PA	3	Marginal
San Francisco Bay	CA	9	Marginal
San Luis Obispo (Eastern San Luis Obispo)	CA	9	Marginal
Seaford	DE	3	Marginal
Tuscan Buttes	CA	9	Marginal
Upper Green River Basin Area	WY	8	Marginal
Washington	DC	3	Marginal
Washington	MD	3	Marginal
Washington	VA	3	Marginal

Table 4.4. Moderate Nonattainment Areas and States Expected to be Affected by Serious Area SIP Requirements

Nonattainment Area	State	EPA Region	Classification
Chicago-Naperville	IL	5	Moderate
Chicago-Naperville	IN	5	Moderate
Chicago-Naperville	WI	5	Moderate
Dallas-Fort Worth	TX	6	Moderate
Denver-Boulder-Greeley-Ft. Collins-Loveland	CO	8	Moderate
Houston-Galveston-Brazoria	TX	6	Moderate
Imperial County	CA	9	Moderate
Kern County (Eastern Kern)	CA	9	Moderate
Nevada County	CA	9	Moderate
New York-N. New Jersey-Long Island	NY	2	Moderate
New York-N. New Jersey-Long Island	NJ	2	Moderate
New York-N. New Jersey-Long Island	CT	1	Moderate
Pechanga Reservation	CA	9	Moderate
Phoenix-Mesa	AZ	9	Moderate
San Diego County	CA	9	Moderate
Sheboygan	WI	5	Moderate

4(b) Information Requested

The information requested under this ICR renewal is prescribed in the final 2008 ozone NAAQS SIP Requirement Rule by 40 CFR 51.1108 and 51.1112(c) (attainment plan/demonstration SIP submission), 51.1110 (RFP SIP submission), and 51.1112 (RACT SIP submission). The implementation framework set forth in the regulations does not adopt a “one-size-fits all” approach to meeting these applicable requirements. This flexibility enables the states to customize, to the extent allowed by the CAA, their approach to attaining and maintaining the 2008 ozone NAAQS.

Data Items. The emissions and control efficiency data required to develop the attainment plan/demonstration SIP submission, RFP SIP submission, and RACT SIP submission are collected as a result of reporting activities required by other OMB approved ICRs. For example, see the ICR associated with the Consolidated Emissions Reporting Rule: <http://www.epa.gov/ttn/chief/cerr/index.html>. In addition, air pollutant concentration data are covered already by ICR 0940-22, OMB Control Number 2060-0084; the New Source Review provisions are covered by ICR 1230.23, OMB Control Number 2060-003; and the Reformulated Gasoline Requirements are covered ICR 1951.24, OMB Control Number 2060-0277.

There may be other data that the states use to develop SIP submissions. For example, states may identify economic and population growth rates, federal rules that reduce future emissions of ozone precursors, and meteorological data. These data are publicly available.

Respondents’ Activities. States activities include compiling data, developing methodologies, conducting analyses, developing initial draft SIPs, holding hearings, adopting rules, regulations, and programs, having discussions with EPA staff as appropriate, refining the draft SIP submissions as appropriate, adopting the SIP into state law, and submitting that SIP to the EPA. Our past experience with these activities have informed the EPA’s development of this renewal ICR.

EPA’s Activities. Activities for staff in EPA’s Regional Offices include assisting states to develop and make timely submittals of the SIPs by reviewing draft materials and answering questions from states regarding requirements, potential data sources, and analysis tools. The EPA Regional Offices then evaluate the official SIP submissions that they receive from states and take rulemaking action to approve or disapprove the SIP revisions.

EPA Headquarters staff facilitate information flow amongst the regions and states to provide technical and policy guidance, and foster timely review of SIP submissions.

Reporting Protocols. The due dates for the submissions are set forth in the final implementation rule (40 CFR 51.1108, 51.1110, and 51.1112) and in subsequent rulemaking actions, as needed.

5.0 Information Collected—Agency Activities, Collection Methodology, and Information Management

5(a) States, EPA Regional Offices, and EPA Headquarters Offices

States: The states agencies' activities include⁶:

- Review relevant EPA rules and any associated technical guidance.
- Forecast baseline emissions, develop and evaluate emission reduction strategies where warranted, conduct air quality modeling to verify maintenance and attainment of the 8-hour ozone NAAQS.
- Calculate the emission reductions necessary to fulfill RFP requirements, determine creditable emission reductions, where necessary determine additional emission reductions and compliance timing to meet RFP requirements. Draft findings, hold state hearings, make revisions as warranted. Submit RFP SIP to the appropriate EPA Regional office. Have discussions with the EPA.
- Identify RACT applicable sources and their control measures under baseline and attainment conditions, and evaluate alternatives. Draft findings, hold state hearings, make revisions as warranted. Submit RACT SIP to the EPA Regional Office. Have discussions with the EPA.

EPA Regional Offices. The Regional Office activities include:

- Answer inquiries from states.
- Review data, analysis, and findings of attainment plan/demonstration SIP, RFP SIP and RACT SIP.
- Develop *Federal Register* notices to propose and/or finalize action (e.g., approval, conditional approval, disapproval) on SIP submissions.

EPA Headquarters. The EPA Headquarters office activities include:

- Coordinate information flow and problem-solving amongst the regions regarding submittals from the states.
- Answer questions regarding application and interpretation of relevant rule provisions.

5(b) Collection Methodology and Management

The EPA will ensure the completeness of the information submitted by comparing to CAA and rule requirements. The SIP submissions are stored at EPA Regional Offices and made available in a public docket as part of any EPA action to approve/disapprove a submission. Submissions may be in either electronic or paper form.

⁶ In some states, air quality management activities are delegated to local air pollution control districts. These local air agencies work with the states to accomplish the listed activities.

5(c) Small Entity Flexibility

For an approved ICR, the EPA must demonstrate that it has taken all practical steps to develop separate and simplified requirements for small businesses and other small entities. See 5 CFR 1320.6(h). The 8-hour ozone NAAQS implementation regulations do not create a direct administrative burden for small entities.

5(d) Collection Schedule

States have already undertaken a significant amount of planning activities related to meeting the 2008 ozone NAAQS to date. Additional submissions reflected in the revised burden estimates in this ICR renewal include redesignation requests for eligible areas, attainment plan/demonstration SIP submissions, RFP SIP submissions, and RACT SIP submissions.

Redesignation Request. When an ozone nonattainment area attains the 2008 ozone standards, states are eligible to submit a request to the EPA for redesignation to attainment. Such requests are discretionary; to be conservative, this ICR renewal assumes that all states with areas predicted to be eligible for redesignation during the 3-year ICR renewal period will request it.

Attainment Plan/Demonstration. If the EPA takes an action to reclassify to Serious an area that does not attain by the Moderate area attainment date of July 20, 2018, the attainment plan/demonstration SIP submission date for the area will be specified in the EPA action. For this ICR renewal, the EPA assumes the submission due date would be no later than January 1, 2020, which is the start of the attainment year for Serious areas.

RFP SIP Submission. If the EPA takes an action to reclassify to Serious an area that does not attain by the Moderate area attainment date of July 20, 2018, the RFP SIP submission date for the areas will be specified in the EPA action. For this ICR renewal, the EPA assumes the submission due date would be no later than January 1, 2020, which is the start of the attainment year for Serious areas.

RACT SIP Submission. The RACT SIP submission due date for Moderate nonattainment areas reclassified to Serious will be specified in the EPA action reclassifying an area. For this ICR renewal, the EPA assumes the submission due date would be no later than January 1, 2020, which is the start of the attainment year for Serious areas.

6. Estimating the Burden and Cost of the Collection

This section provides information on the cost and hours associated with the information collection for respondents (affected states) and the EPA (regional and headquarters offices). Hours and costs are presented for the activities associated with each collection item for a nonattainment area (or portion thereof) in a given state, as well as the equivalent annual and present value numbers.

6(a) Estimating Respondent Burden

The estimated respondent burden is that associated with the activities to develop and submit the attainment plan/demonstration SIP, RFP SIP, RACT SIP, and requests for redesignation to attainment.

The estimated burden is incremental to that required by other EPA environmental reporting obligations. The actual incremental burden for some areas may be less than for others. There are several reasons for this disparity:

- The severity of the nonattainment problem varies among the designated areas, as does the number and types of sources of ozone precursor emissions.
- For certain areas or parts of areas, states may already have developed and implemented RACT requirements.
- Some areas may be able to fulfill the RFP requirement solely with creditable emission reductions resulting from federal rules that reduce ozone precursor emissions.
- State-level administrative procedures for adopting environmental rules and ensuring public participation vary from state to state.

In estimating the incremental burden to respondents, the EPA did not attempt to tailor estimates for every possible area, but instead has developed what we consider “average” expected burden. As a starting point for developing burden estimates, the EPA looked at the total hours expended in related EPA level of effort for similar deliverables, exclusive of the air quality modeling. For developing redesignation requests, we estimate 1,000 hours per state respondent. Examples of the specific scope of the effort include:

- Reviewing any relevant EPA technical guidance.
- Assessing long-term emissions trends.
- Assessing and adopting contingency measures.

For developing SIPs to meet requirements for attainment plans/demonstrations, RFP, and RACT for areas reclassified to Serious, we estimate 2,500 hours per SIP. Examples of the specific scope of the effort include:

- Reviewing EPA rules and any associated technical guidance.
- Assessing alternative emission reduction targets.
- Designing additional emissions control strategies, including considering controls on sources located in larger geographic areas (e.g., examining the effect of emissions controls on in-state sources located outside nonattainment areas)
 - Assessing RFP emissions reduction targets.
 - Assessing RACT for smaller sources than previously reviewed.
 - Assessing differences in cost, emission reductions, economic impacts, and energy impacts looking at alternative frameworks for attaining the 2008 ozone NAAQS.

Most of the 2008 ozone NAAQS nonattainment areas have had to meet RACT requirements for the prior 1-hour and 1997 8-hour ozone NAAQS, so the additional effort associated with Serious area SIP requirements is reduced. Also, the additional RFP emissions reduction requirement is met or reduced because of creditable emission reductions resulting from federal rules

The estimated incremental burden for states with affected nonattainment areas is presented in Table 6.1.

Nonattainment Areas that Have Attained the 2008 Ozone NAAQS. As of July 7, 2017, 15 Marginal areas have attained the 2008 ozone NAAQS, and the responsible states are eligible to request redesignation to attainment. During the ICR renewal period, we anticipate that two Moderate areas will also attain the 2008 ozone NAAQS and be eligible for redesignation to attainment. These 17 areas are listed in Table 6.1. The EPA is estimating an additional state burden of 1,000 hours per area (or state portion of each area) to develop and submit the redesignation request. This renewal ICR 2347.03 accounts for these burden increases.

Table 6.1. Estimated Burden for Affected States to Request Redesignation to Attainment.

Nonattainment Area	State	EP A Reg ion	Estimated Burden Hours
Allentown-Bethlehem-Easton	PA	3	1,000
Baltimore	MD	3	1,000
Calaveras County	CA	9	1,000
Chico (Butte County)	CA	9	1,000
Dukes County	MA	1	1,000
Jamestown	NY	2	1,000
Lancaster	PA	3	1,000
Mariposa County	CA	9	1,000
Philadelphia-Wilmington-Atlantic City	DE	3	1,000
Philadelphia-Wilmington-Atlantic City	MD	3	1,000
Philadelphia-Wilmington-Atlantic City	NJ	2	1,000
Philadelphia-Wilmington-Atlantic City	PA	3	1,000
Pittsburgh-Beaver Valley	PA	3	1,000
Reading	PA	3	1,000
San Francisco Bay	CA	9	1,000
San Luis Obispo (Eastern San Luis Obispo)	CA	9	1,000
Seaford	DE	3	1,000
Tuscan Buttes	CA	9	1,000
Upper Green River Basin Area	WY	8	1,000
Washington	DC	3	1,000
Washington	MD	3	1,000
Washington	VA	3	1,000
Total			22,000

Moderate Nonattainment Areas. As of July 2017, there are 16 areas with a Moderate classification. We currently anticipate that 13 of these areas may fail to attain the 2008 ozone standard by the Moderate area attainment date of July 20, 2018 and will be reclassified to Serious.⁷ Table 6.2 lists these areas, most of which have been working for several years to

⁷ The EPA expects 11 Moderate areas that had a 2017 Critical Design Value higher than their 2016 Design Value will not meet their 2008 ozone NAAQS Moderate attainment date of July 20, 2018. Also, the preliminary 2017 data as of June 27, 2017, indicate that 2 additional areas are currently not attaining the 2008 ozone NAAQS, therefore,

improve ozone air quality through state-enforceable rules and non-regulatory air quality programs. Thus, the programs and regulations already in place may in some cases be sufficient to meet some Serious area requirements. We have estimated an additional state burden of 5,000 hours per area (or state portion of each area) for these areas to meet the additional Serious areas requirements.

Table 6.2. Estimated State Burden for Moderate Nonattainment Areas Expected to be Reclassified to Serious

Nonattainment Area	State	EPA Region	Estimated Burden Hours
Chicago-Naperville	IL	5	5,000
Chicago-Naperville	IN	5	5,000
Chicago-Naperville	WI	5	5,000
Dallas-Fort Worth	TX	6	5,000
Denver-Boulder-Greeley-Ft. Collins-Loveland	CO	8	5,000
Houston-Galveston-Brazoria	TX	6	5,000
Imperial County	CA	9	5,000
Kern County (Eastern Kern)	CA	9	5,000
Nevada County	CA	9	5,000
New York-N. New Jersey-Long Island	NY	2	5,000
New York-N. New Jersey-Long Island	NJ	2	5,000
New York-N. New Jersey-Long Island	CT	1	5,000
Pechanga Reservation	CA	9	5,000
Phoenix-Mesa	AZ	9	5,000
San Diego County	CA	9	5,000
Sheboygan	WI	5	5,000
Total			80,000

6(b) Estimating Respondent Cost

Labor costs are estimated for state governments using the total of estimated burden hours for 2008 ozone NAAQS nonattainment areas. These estimates do not reflect staff experience or economies of scale that could lower the overall cost for states. The hourly rates are the result of estimated direct and indirect costs for labor. The main source of the information is the federal Office of Personnel Management (OPM) general schedule 2017 pay tables at <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/>. There are no estimated capital/start-up costs, or operating and maintenance costs associated with this ICR renewal.

The estimated weighted direct hourly labor cost is \$43.02 per hour in 2017 dollars. This results from a summation of the professional, managerial, and support staff components (\$35.47+\$4.60+\$2.95) as explained more fully below.

we include these areas to complete a conservative estimate of anticipated burden hours for areas that may become subject to reclassification to Serious.

- Hourly equivalent 2017 salary of permanent professional staff at federal scale GS-11, Step 3 is \$35.47. This is the average of hourly equivalent rates for the San Francisco, CA (\$36.95), and Washington, D.C. (\$33.99), areas.
- To account for permanent managerial staff, we apply a typical federal target of 11 staff to 1 supervisor. Thus, 1/11th or 9.1% of the hourly rate for federal scale GS-13 supervisor is added to the professional staff hourly rates. The average hourly equivalent rate for GS-13, Step 3 using rates for San Francisco, CA (\$52.67), and Washington, D.C. (\$48.45), is \$50.56. Nine and 1/10th percent of that number is \$4.60.
- To account for permanent support staff, we apply a typical federal target ratio of 1 administrative support staff to 8 professional employees, at federal scale GS-6, Step 6. Thus, 1/8th or 12.5% of the hourly rate is added to the professional staff hourly rates. The average hourly equivalent rate for federal scale GS-6, Step 6 using rates for San Francisco, CA (\$24.58), and Washington, D.C. (\$22.61), is \$23.60. Twelve and 5/10th percent of that number is \$2.95.

Following EPA guidance for developing estimates for indirect hourly labor costs yields an addition of 58 percent, or \$24.95. This amount is the sum of the following:

- Benefits at 16% of the weighted direct hourly equivalent labor cost, or \$6.88.
- Sick and annual leave at 10% of the weighted direct hourly equivalent labor cost, or \$4.30.
- General overhead at 32% of the weighed direct hourly equivalent labor cost, or \$13.77.

Accordingly, the estimated total weighted direct and indirect hourly equivalent labor cost is \$67.97. The estimated total incremental respondent burden for meeting 2008 ozone NAAQS requirements during the ICR renewal period is provided in Table 6.3.

Table 6.3. Estimated Total Incremental Cost and Hour Burden for the States (Respondents) to Fulfill the Redesignation Request, Attainment Plan/Demonstration SIP, RACT SIP, and RFP SIP Submittal Requirements.

	Estimated Burden Hours	Estimated Weighted Hourly Labor Cost	Total Estimated Cost (in millions)
Total	102,000	\$67.97	\$6.9
Annual	30,480 hours	\$67.97	\$2.0

The estimated additional annual public reporting and recordkeeping burden for this collection of information is estimated to average 2,000 hours per respondent, assuming 17 state respondents.

6(c) Estimating Agency Burden and Cost

The estimated EPA burden is derived from the estimates for the respondents' burden. The agency burden represents the sum of burden on EPA Regional Offices and burden on EPA Headquarters offices to support states during development of their 2008 ozone NAAQS SIP revisions, and to propose and take final action to approve or disapprove the submissions.

EPA Regional Office Burden. The total EPA Regional Office burden is estimated to be the equivalent of twenty percent of the total respondent yearly burden, with the estimated burden for each Regional Office reflecting the relative level of their respective states' burden. Regional offices are the first line of communication and collaboration with states. The Regions are responsible for receiving state submissions, and conducting reviews and approval actions. The Regions also originate proposals to receive public comment, review and respond to comments, and author final approvals published in the *Federal Register*. Table 6.3 summarizes total incremental respondent burden by EPA Regional Office (102,000 hours total) and provides estimates of total incremental burden to each office (25,400 hours total). The summary of total incremental respondent burden derives from Tables 6.1 and 6.2.

Table 6.4. Estimated EPA Regional Office Burden Derived as 20 Percent of Affiliated State Respondent Burden

EPA Regional Office	Respondents' Burden	EPA Regional Office Burden
1	11,000	2,200
2	12,000	2,400
3	12,000	2,400
4	No areas	-
5	20,000	4,000
6	10,000	2,000
7	No areas	-
8	6,000	1,200
9	31,000	6,200
10	No areas	-
Tribal Area		5,000
Total	102,000	25,400

EPA Headquarters Burden. The Regional Office burden estimates are multiplied by 20 percent to arrive at an estimate for headquarters burden. EPA Headquarters is generally responsible for assisting the Regions' review of submissions and developing proposed and final actions, as well as responding to comments. The hours expended communicating with the Regions, completing document review and addressing significant issues are not expected to exceed 20 percent of the Regions' estimated hours. The resulting total burden hours estimated for headquarters is 5,080.

Total Incremental Burden for the EPA. The total incremental burden for EPA's Regional and Headquarters Offices is the sum of 25,400 hours (for Regional Offices) and 5,080 hours (for Headquarters), or 30,480 hours. For the 3 years covered by this ICR renewal, the average yearly burden is 10,160 hours.

Total Cost for the EPA. Using the weighted direct and indirect equivalent hourly labor rate derived in section 6(b), the total incremental burden hours are multiplied by that rate. The result is the total cost estimate for the EPA of \$2.0 million (see Table 6.5).

Table 6.5. Total Cost Estimate for the EPA

Entity	Estimated Burden Hours	Weighted Hourly Labor Rate	Total Estimated Cost (in millions)
Regional Office	25,400	\$67.97	\$1.7
Headquarters Office	5,080	\$67.97	\$0.3
Total EPA Hours & Cost	30,480	n/a	2.0

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

The primary respondents to this ICR are the states, as they have nearly 80 percent of the estimated additional burden. The remaining burden is imposed on EPA Regional and Headquarters Offices.

The total incremental respondent burden and cost estimates are presented in Table 6.6.

Table 6.6. Total Incremental Respondent & EPA Burden and Cost Estimates

Entity	Estimated Total Burden Hours	Annual Average Total Burden	Weighted Hourly Labor Rate	Total Cost Estimate (in millions)	Annual Average Total Cost Estimate (in millions)
States	102,000	34,000	\$67.97	\$6.9	\$2.3
EPA	30,480	10,160	\$67.97	\$2.0	\$0.7
Total	132,480	44,160	n/a	8.9	3.0

6(e) Bottom Line Burden Hours and Cost Tables

(i) Respondent Tally

As indicated in Table 6.2, the states’ estimated average burden is 34,000 hours annually with a 3-year burden of 102,000 hours, and estimated costs of \$6.9 million for the 3-year burden.

(ii) Agency Tally

As indicated in Table 6.5, the EPA’s estimated average burden is 10,160 hours annually with a 3-year burden of 30,480 hours, and estimated costs of \$2.0 million for the 3-year burden.

(iii) Variations in the Annual Bottom Line

There are no variations in the bottom line.

6(f) Reasons for Change in Burden

The estimated burden for the ICR renewal period reflects the activities expected to occur during this period, which are similar but not identical to the SIP planning and submission activities in the original ICR period. Factors contributing to the variation include the stage of the ozone implementation program that various nonattainment areas are in, and states' relative success in attaining the 2008 ozone NAAQS during the original ICR period. More specifically, the reasons the total estimated burden of 102,000 hours in this ICR renewal is different than the total estimated burden of 120,000 hours during the period of the original 2008 ozone NAAQS ICR currently approved by OMB (EPA ICR #2247.02), include:

- Many areas that have successfully attained the 2008 ozone NAAQS are now eligible to request redesignation to attainment.
- As many as 13 nonattainment areas are likely subject to the additional air quality planning and emissions control requirements of the Serious classification because they are predicted not to attain the 2008 NAAQS by the Moderate area attainment deadline. For these areas, states must take further steps to ensure air quality standards are achieved by the next attainment deadline.
- The estimates have been calculated using 2017 dollars. The adjustments to the cost assumptions are summarized in sections 6(b) and 6(c) above, and fully detailed in a background spreadsheet titled "Estimate of Burden for 2008 O3 SIP Rule 1st Renewal ICR Worksheet, 2017." This spreadsheet is available in the docket.

6(g) Burden Statement

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 34,000 hours (Table 6.6) for this reporting period. 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; to 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; to adjust the existing ways to comply with any previously applicable instructions and requirements; to train personnel to be able to respond to a collection of information; to search data sources; to complete and review the collection of information; and, to transmit or otherwise disclose the information. This estimate includes the time and burden needed to conduct the tasks associated with requesting a redesignation to attainment and meeting particular SIP requirements for reclassified areas. Those requirements include developing and submitting the RACT SIP, RFP SIP, and the attainment plan/demonstration. In meeting these requirements, such incremental efforts may include reviewing instructions as well as verifying, processing, maintaining, and disclosing information. Such efforts may require incremental development, acquisition, installation, and/or utilization of technological systems for several purposes. These purposes include collecting, verifying, validating, processing, maintaining and disclosing information associated with meeting the SIP requirements. The incremental efforts may result from adjusting the ways to comply with the previously applicable instructions

associated with the 2008 ozone NAAQS. Consequently, in meeting the SIP requirements, there could be some incremental burden associated with learning/training, searching data sources, and transmitting the deliverables. Redesignation requests are submitted at the discretion of states who have areas that are eligible for redesignation; developing such requests includes the burden of developing an approvable maintenance plan for the area to ensure the NAAQS, once attained, is also maintained into the future.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for the EPA's regulations are listed in 40 CFR part 9 and 48 CFR chapter 15. The EPA notes that the failure to have an approved ICR for the 2008 ozone NAAQS SIP Requirements Rule does not affect the statutory obligation for states with nonattainment areas to develop and submit SIPs as required under part D of the CAA.

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, the EPA has established a public docket for this ICR under Docket ID Number EPA-HQ-OAR-2010-0885, which is available for online viewing at <https://www.regulations.gov>, or in person viewing at the Air and Radiation Docket in the EPA Docket Center (EPA/DC), WCJ West, Room 3334, 1301 Constitution Avenue, NW, 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. An electronic version of the public docket is available at www.regulations.gov. This site can be used to submit or view public comments, access the index listing of the contents of the public docket, and to access those documents in the public docket that are available electronically. When in the system, select "search," then key in the Docket ID Number identified above. Also, you can send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, D.C. 20503, Attention: Desk Officer for EPA. Please include the EPA Docket ID Number EPA-HQ-OAR-2010-0885 and OMB Control Number 2060-0695 in any correspondence.

PART B

This section is not applicable because statistical methods are not used in data collection associated with this proposed ICR renewal notice.