



**ENVIRONMENTAL PROTECTION AGENCY**

**[EPA-HQ-OAR-2013-0711; FRL-9996-52-OAR]**

**Proposed Information Collection Request; Comment Request; Data Requirements Rule for the 1-Hour Sulfur Dioxide Primary National Ambient Air Quality Standard (NAAQS) Information Request (Renewal)**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** The Environmental Protection Agency (EPA) is planning to submit a renewal of an information collection request (ICR), “Data Requirements Rule for the 1-Hour Sulfur Dioxide Primary National Ambient Air Quality Standard (NAAQS) Information Request (Renewal)” (EPA ICR No. 2495.03), Office of Management and Budget (OMB) Control No. 2060-0696) to the OMB for review and approval in accordance with the Paperwork Reduction Act (PRA).

Before doing so, the EPA is soliciting public comments on specific aspects of the proposed information collection as described below. This is a proposed renewal of the existing ICR for the Data Requirements Rule for the 1-Hour Sulfur Dioxide Primary NAAQS (SO<sub>2</sub> Data Requirements Rule), which is currently approved through September 30, 2019. 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.

**DATES:** Comments must be submitted on or before **[INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-HQ-OAR-2013-0711, at <http://www.regulations.gov>. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from Regulations.gov. The EPA may publish

any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information the disclosure of which is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered to be the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (i.e. on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <https://www.epa.gov/dockets/commenting-epa-dockets>.

**FOR FURTHER INFORMATION CONTACT:** Dr. Larry D. Wallace, Office of Air Quality Planning and Standards, Air Quality Policy Division, C504-05, U.S. Environmental Protection Agency, Research Triangle Park, NC; telephone number: (919) 541-0906; fax number: (919) 541-5509; email address: [wallace.larry@epa.gov](mailto:wallace.larry@epa.gov).

**SUPPLEMENTARY INFORMATION:**

Supporting documents which explain in detail the information that the EPA will be collecting are available in the public docket for this ICR. The docket can be viewed online at [www.regulations.gov](http://www.regulations.gov) or in person at the EPA Docket Center, WJC West, Room 3334, 1301 Constitution Avenue, NW, Washington, DC. The telephone number for the Docket Center is (202) 566-1744. For additional information about the EPA's public docket, visit <http://www.epa.gov/dockets>.

Pursuant to section 3506(c)(2)(A) of the PRA, the EPA is soliciting comments and information to enable it to: (i) evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the

information will have practical utility; (ii) evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (iii) enhance the quality, utility, and clarity of the information to be collected; and (iv) minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses. The EPA will consider the comments received and amend the ICR as appropriate. The final ICR package will then be submitted to OMB for review and approval. At that time, the EPA will issue another **Federal Register** notice to announce the submission of the ICR to OMB and the opportunity to submit additional comments to OMB.

*Abstract:* This ICR includes: 1) estimates for ambient air monitoring data reporting, and other supporting measurements, as well as record keeping activities, and 2) estimates for emissions and emissions-related information and ambient air dispersion modeling reporting and activities, associated with the 40 CFR part 51 Requirements for Preparation, Adoption and Submittal of Implementation Plans, as they apply to the 2010 1-Hour SO<sub>2</sub> Primary NAAQS.<sup>1</sup> These data and information are collected by various state and local air quality management agencies and reported to the EPA. State and local air management agencies chose to submit either monitoring or modeling information in order to meet the initial and on-going requirements, as applicable, under the final SO<sub>2</sub> Data Requirements Rule (RIN 2060-AR19). 80 FR 51052 (August 21, 2015). This ICR Renewal adopts (with some revisions) the estimates contained in the initial ICR, covers

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<sup>1</sup> Subpart J of part 51: Ambient Air Quality Surveillance refers back to 40 CFR part 58; through the rest of this ICR, reference will be made to part 58 for monitoring requirements and part 51, Appendix W for modeling requirements.

the period 2019-2021, and includes estimates of the information described above in regard to the on-going requirements under the SO<sub>2</sub> Data Requirements Rule.

The number of monitoring stations, sampling parameters, and frequency of data collection and submittal is expected to remain relatively stable for October 1, 2019-September 30, 2022, with decreases possible if the EPA approves requests from air monitoring agencies to shut down monitor(s) where the requirements to do so under the SO<sub>2</sub> Data Requirements Rule have been met. The number of annual emissions reports is expected to remain relatively stable for October 1, 2019-September 30, 2022, with decreases possible if the EPA approves requests from air agencies to no longer be subject to the on-going requirements, where the requirements to do so under the SO<sub>2</sub> Data Requirements Rule have been met. In accordance with the requirements of the SO<sub>2</sub> Data Requirements Rule, where an air agency finds in the annual emissions report that emissions have increased in an area, the state or the EPA may determine that the state must submit updated air quality modeling data for the area to determine whether or not the area is meeting the 2010 1-Hour SO<sub>2</sub> Primary NAAQS .

The SO<sub>2</sub> Data Requirements Rule directed state, local, and tribal air quality management agencies to provide data to initially characterize current air quality in areas that contain large sources of SO<sub>2</sub> emissions, information that may be used in the NAAQS designations and other processes. The rule also requires states to continue to provide monitoring, modeling, and emissions data from a subset of these sources, that meet certain requirements under the rule, which may serve to verify whether these areas continue to meet the 2010 SO<sub>2</sub> NAAQS.

Through the SO<sub>2</sub> Data Requirements Rule and the initial ICR, the EPA required that states characterize ambient air quality around sources with emissions that are greater than 2,000 tons per year (tpy) or that were otherwise included as a listed source in accordance with the

Rule.<sup>2</sup> Based upon 2011 emissions data, the ICR identified approximately 412 sources of SO<sub>2</sub> in 43 states that may potentially be listed under the SO<sub>2</sub> Data Requirements Rule.

The SO<sub>2</sub> Data Requirements Rule described the criteria for identifying the source areas where air agencies needed to characterize SO<sub>2</sub> air quality. It also described the process and timetables by which air quality management agencies were required to characterize air quality in areas around sources through ambient monitoring and/or air quality modeling techniques and submit this data to the EPA. The air quality data developed by the states in accordance with the Rule is intended to be used by the EPA to assist in the remaining round(s) of area designations for the 2010 SO<sub>2</sub> NAAQS, as well as in other areas, and to provide information which would serve to verify whether areas are meeting the standard.

For those air quality management agencies which elected to conduct ambient air monitoring for areas containing listed DRR sources to provide the necessary air quality data to EPA, the State and local air quality management agencies are responsible for reporting ambient air quality data information, as requested in this ICR, and will submit these data electronically to the EPA's Air Quality System (AQS) and voluntary databases. Quality assurance/quality control records and monitoring network documentation are also maintained by each state and local agency, in AQS electronic format where possible. Although the state and local air quality management agencies are responsible for the operation of this air monitoring network, they may have opportunities to work with industry to help support modeling exercises and/or monitoring network installation, operations, and maintenance.

For those air quality management agencies which elected to conduct air quality modeling

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<sup>2</sup> Pursuant to section 51.1203(a) of the SO<sub>2</sub> Data Requirements Rule, air management agencies were required to submit a list of applicable sources of SO<sub>2</sub> emissions in their jurisdiction with emissions of 2,000 tpy or greater by no later than January 15, 2016. *See* 80 FR 51087, August 21, 2015.

of the areas containing listed DRR sources to provide the necessary air quality data to the EPA and which were designated either unclassifiable/attainment or attainment/unclassifiable based on modeling of actual emissions of the area, state and local air quality management agencies are responsible for submitting on-going data reports. In accordance with the SO<sub>2</sub> Data Requirements Rule, these reports must be submitted annually as either a stand-alone document made available for public inspection or as an appendix to the air agency's Annual Monitoring Network Plan, and are required to include the annual SO<sub>2</sub> emissions of each applicable source in each such area, provide an assessment of the cause of any emissions increase from the previous year, and include a recommendation from the air agency regarding whether additional modeling is needed to characterize air quality in any area to determine whether the area meets or does not meet the 2010 SO<sub>2</sub> NAAQS. If the EPA requires that the air agency conduct updated air quality modeling for the area, the air agency has 12 months to submit it to the EPA.

The information requirements included within this ICR are necessary to provide the EPA with ambient air quality data, which includes monitoring data, emissions data, and/or modeling data, to determine the United States air quality status, to make attainment decisions with respect to the NAAQS, to assist in developing necessary control strategies in order to ensure attainment of the NAAQS, to assess national trends in air pollution, to inform the public of air quality, and to determine the population's exposure to various ambient air pollutants. The EPA's goal of attaining the NAAQS in all areas of the United States is directly dependent upon the availability of ambient air quality data (monitoring, emissions, and/or modeling data) requested in this information collection. Additionally, the EPA, state and local air quality management agencies, environmental groups, industrial groups, and academic organizations use these data to study atmospheric chemistry, *e. g.*, the formation and fate of SO<sub>2</sub> to determine the most appropriate

and effective control strategies necessary to reduce air pollution.

The principal legal authority for this information collection is the Clean Air Act (CAA), 42 U.S.C. 7403, 7410, and 7511a, from which the 40 CFR part 51 regulations were promulgated. Under section 7403(c), the Administrator is required to conduct a program of research, testing, and development of methods for sampling, measurement, monitoring, analysis, and modeling of air pollutants, specifically including a requirement to establish a national network to monitor, collect, and compile data with quantification of certainty in the status and trends of air emissions and air quality.

Sections 7410(a) and (k) contain the state implementation plan (SIP) requirements, which include a requirement that each State submit a SIP that: 1) provides for the establishment and operation of appropriate devices, methods, systems, and procedures necessary to monitor, compile, analyze, and make available to the Administrator data on ambient air quality and 2) provides for the performance of such air quality modeling as the Administrator may prescribe for the purpose of predicting the effect on ambient air quality of any emissions of any air pollutant for which the Administrator has established a NAAQS, and the submission, upon request, of data related to such air quality modeling to the designee as stipulated in the rule.

*Form Numbers:* None

*Respondents/affected entities:* State, local and tribal air pollution management control agencies.

*Respondent's obligation to respond:* mandatory (see CAA),

42 U.S.C. 7403, 7410, and 7511a, from which the 40 CFR part 51 regulations were promulgated).

*Estimated number of respondents:* 21 for monitoring, and 170 sources and 43 States for

modeling.

*Frequency of response:* Varies by requirement. Quarterly for monitoring data and annually for on-going data verification reporting.

*Total estimated burden:* 26,938 hours (per year) for monitoring (specific hours for modeling not estimated, but labor costs are included in the estimated cost for modeling below). Burden is defined at 5 CFR 1320.03(b).

*Total estimated cost:* \$2,538,895 (per year) for monitoring, includes \$189,246 annualized capital or operation and maintenance costs for monitoring and \$5,100,000 (per year) for modeling.

*Changes in Estimates:* There is a decrease of 75,931 hours per year for the estimated respondent burden compared with the ICR currently approved by OMB. This decrease is due to the revised number of air pollution control agencies monitoring to meet their requirements for listed sources. There is a decrease of \$7,260,000 for the sources modeling. This decrease is due to the revised number of listed sources for which states chose modeling to meet their requirements.

Dated: June 27, 2019.

Scott Mathias,  
Acting Director, Air Quality Policy Division.  
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