

**OMB ROCIS TEMPLATE
SUPPORTING STATEMENT
ENVIRONMENTAL PROTECTION AGENCY**

NSPS for Nitric Acid Plants

1. Identification of the Information Collection

1(a) Title of the Information Collection

NSPS for Nitric Acid Plants (40 CFR part 60, subpart G) (Renewal)

1(b) Short Characterization/Abstract

The New Source Performance Standards (NSPS) for nitric acid plants were proposed on August 17, 1971, and promulgated on June 14, 1974. These standards apply to nitric acid production units which commenced construction, modification or reconstruction after the date of proposal. Nitrogen oxide (NO_x) is the pollutant regulated under this subpart. The standards limit nitrogen oxides, expressed as NO₂, in excess of 1.5 kilograms per metric ton of acid produced (3.0 lb. per ton), and limit opacity to 10 percent.

Owners or operators of the affected facilities described must make the following one-time-only reports: notification of the date of construction or reconstruction; notification of the actual dates of startup; notification of any physical or operational change to an existing facility which may increase the regulated pollutant emission rate; notification of demonstration of the continuous monitoring system (CMS); notification of the date of the initial performance test; and the results of the initial performance test. Owners or operators are 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 required, in general, of all sources subject to NSPS.

Monitoring requirements specific to nitric acid plants provide information on nitrogen oxide emissions. The owners or operators are required to record the production rate of nitric acid produced, the hours of operation of the source, and the levels of nitrogen oxides emitted into the atmosphere. Owners or operators of affected facilities are required to install, calibrate, maintain, and operate a continuous monitoring system (CMS) for the measurement and recording of nitrogen oxides. Recordkeeping requirements for nitric acid plants consist of the occurrence and duration of any startup and malfunctions as described. They include the initial performance test results including information necessary to determine the conditions of the performance test, and performance test measurements and results, including the emission rate and concentration of NO_x and the volumetric flow rate of the effluent gas. Records of startups, shutdowns, and malfunctions should be noted as they occur. Any owner or operator subject to the provisions of this subpart will maintain a file of all measurements, including continuous monitoring system, monitoring device and performance testing measurements; all continuous monitoring system performance evaluations; all continuous monitoring system or monitoring device calibration checks; and all other information required by this part, recorded in a

permanent form suitable for inspection.

The reporting requirements for this industry currently include the initial notifications listed, the initial performance test results, and semiannual reports of instances of excess emissions and a monitoring system performance report. Periods of excess emissions will be reported and are defined as any three hour period during which the average nitrogen oxides emissions (arithmetic average of three contiguous one hour periods) as measured by a continuous emission monitoring system exceed the standard. Semiannual excess emission reports and monitoring system performance reports will include the date and time of the exceedence or deviation, the nature and cause of the malfunction (if known) and corrective measures taken, and identification of the time period during which the CMS was inoperative (this does not include zero and span checks or typical repairs/adjustments).

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 EPA Regional office. Notifications are used to inform the Agency or delegated authority when a source becomes subject to the standard. The reviewing authority may then inspect the source to verify if the standard is being met. Performance test reports are needed as these are the Agency's records of a source's initial capability to comply with the emission standard, and to note the operating conditions under which compliance was achieved. The semiannual reports are used for problem identification, as a check on source operation and maintenance, and for compliance determinations.

Owners or operators subject to the provisions of this part will 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.

Approximately 24 sources are currently subject to the standard, and it is estimated that an additional one source per year will become subject to the standard over the next three years due to the modification or reconstruction of an existing affected facility.

The Office of Management and Budget (OMB) approved the current Information Collection Request (ICR) without any A Terms of Clearance. ©

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.

2(b) Practical Utility/Users of the Data

The control of emissions of NO_x from nitric acid plants requires not only the installation of properly designed equipment, but also the operation and maintenance of that equipment. Emissions of nitrogen oxide from nitric acid plants are the result of operation of the affected facilities. The subject standards are achieved by the reduction of pollutant emissions using control technology and leak detection and repair procedures. 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 leaks are being detected and repaired and the regulations are being met.

Performance test reports are needed as these are the Agency's records 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. The semiannual reports are used for problem identification, as a check on source operation and maintenance, and for compliance determinations. The information generated by the (monitoring, recordkeeping and reporting) requirement described in this ICR is used by the Agency to ensure that facilities affected by the NSPS continue to operate the control equipment in 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 information collected from recordkeeping and reporting requirements is also used for targeting inspections, and is of sufficient quality to be used as evidence in court.

3. Nonduplication, Consultations, and Other Collection Criteria

The requested recordkeeping and reporting are required under (40 CFR part 60, subpart G).

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 their 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 (71 FR 35652) on June 21, 2006. No comments were received on the

burden published in the Federal Register.

3(c) Consultations

For this information collection, we referenced the most recent ICR, the preparer of the active ICR, and accessed the most recent data available on the AIRS Facility Subsystem (AFS) database as maintained by the Office of Compliance. We reviewed information available from the Office of Compliance Sector Notebook AProfile of the Agricultural Chemical, Pesticide, and Fertilizer Industry, the United States Census Bureau via the internet, and other websites covering nitric acid. We consulted with EPA's Office of Air Quality Planning and Standards, Information Transfer and Program Integration Division. In addition, we consulted The Fertilizer Institute (TFI), Mr. Bill Herz, (202) 515-2706; Agrium, Mr. Robert Williams, (559) 627-5553; Costal Chemical, Ms. Barbara Cabot, (307) 637-2700; and BP Chemicals, Incorporated, Mr. Kevin Sprague, (419) 226-1200.

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 a useful technique 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 likelihood of detecting poor operation and maintenance of control equipment and noncompliance would decrease.

3(e) General Guidelines

None of these reporting or recordkeeping requirements violate any of the regulations established by OMB at 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 (CBI) (see 40 CFR part 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

None of the reporting or recordkeeping requirements contain sensitive questions.

4. The Respondents and the Information Requested

4(a) Respondents/SIC and NAIC Codes

The respondents to the recordkeeping and reporting requirements are nitric acid plants. The United States Standard Industrial Classification (SIC) code for the respondents affected by the standard is 2873, which corresponds to the North American Industry Classification System (NAICS) 325311 code for nitric acid.

4(b) Information Requested

None of these reporting or recordkeeping requirements violate any of the regulations established by OMB at 5 CFR part 1320, section 1320.5.

(i) Data Items

All data in this ICR that are recorded and/or reported are required by New Source Performance Standards (NSPS) for Nitric Acid Plants (40 CFR part 60, subpart G).

A source must make the following reports:

Notifications	Standard Citation by Section
Notification of construction or modification application	60.6(a)
Initial notifications	60.7(a)(3)
Notification of actual startup	60.7(a)(3)
Initial performance test	60.8(d)
Initial performance test results	60.8(a)
Rescheduled initial performance test	60.8(d)
Demonstration of continuous monitoring system	60.7(a)(5)
Compliance status	60.7 (a)(7)
Physical or operational change	60.7(a)(4)
Opacity or visible emissions	60.7(a)(6)
Periodic startup, shutdown, malfunction reports	60.7(b)
Source status report	60.7(c)

Reports	Standard Citation by Section
Semiannual	60.7(c)

A source must make the following records:

Recordkeeping for 40 CFR part 60, subpart G	
Startup, shutdowns, malfunctions, periods where the continuous monitoring system is inoperative	60.7(b)
Emission test results and other data needed to determine emissions	60.7(c)
All reports and notifications	60.19
Record of applicability	60.70
Records of sources with continuous monitoring systems (CMS)	60.7(c)
Maintain records for two years	60.7(f)

Electronic Reporting

Currently, sources are using monitoring equipment that provides parameter data in an automated way, e.g., leaks and spills of mercury. Although personnel at the source still need to evaluate the data, this type of monitoring equipment has significantly reduced the burden associated with monitoring and recordkeeping. In addition, some regulatory agencies are setting up electronic reporting systems to allow sources to report electronically which is reducing the reporting burden. However, electronic reporting systems are still not widely used by the regulatory agencies. It is estimated that approximately 10 percent of the respondents use electronic reporting.

(ii) Respondent Activities

Respondent Activities
Read instructions.
Install, calibrate, maintain, and operate CMS for opacity.
Perform initial performance test, Reference Method 7, and repeat performance tests if necessary.
Write the notifications and reports listed above.
Enter information required to be recorded above.
Submit the required reports developing, acquiring, installing, and utilizing technology and systems for 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 existing ways to comply with any previously applicable instructions and requirements.
Train personnel to be able to respond to a collection of information.
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.

Agency Activities
Observe initial performance tests and repeat performance tests if necessary.
Review notifications and reports, including performance test reports, and excess emissions reports, required to be submitted by industry.
Audit facility records.
Input, analyze, and maintain data in the AIRS 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 and note the operating conditions under which compliance was achieved. Data and records maintained by the respondents are tabulated and published for use in compliance and enforcement programs. The semiannual reports are used for problems 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 EPA's Office of Compliance. AFS is EPA's database for the collection, maintenance, and retrieval of compliance and annual emission inventory data for over 100,000 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 or operator for two years.

5(c) Small Entity Flexibility

A majority of the affected facilities are large entities (e.g., large businesses). However, the possible impact on small entities (i.e., small businesses) was taken into consideration during the development of the regulation. Due to technical considerations involving the process operations and the types of control equipment employed, the recordkeeping and reporting requirements are the same for both small and large entities. The Agency considers these requirements the minimum needed to ensure compliance and, therefore, cannot reduce them

further for small entities. To the extent that larger businesses can use economies of scale to reduce their burden, the overall burden will be reduced.

5(d) Collection Schedule

The specific frequency for each information collection activity within this request is shown in Table 1: Average Annual Industry Burden and Costs for NSPS for Nitric Acids (40 CFR part 60, subpart G).

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. Wherever 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 1,290 (Total Labor Hours from Table 1). These hours are based on Agency studies and background documents from the development of the regulation, Agency knowledge and experience with the NSPS program, the previously approved ICR, and any comments received.

6(b) Estimating Respondent Costs

(i) Estimating Labor Costs

This ICR uses the following labor rates: \$93.09 per hour for Executive, Administrative, and Managerial labor; \$64.13 per hour for Technical labor, and \$39.65 per hour for Clerical labor. These rates are from the United States Department of Labor, Bureau of Labor Statistics, June 2003, Table 10. Private industry, by occupational and industry group. The rates are from column 1, Total compensation. The rates have been increase by 110 percent to account for the benefit packages available to those employed by private industry.

Managerial	\$93.09	(\$44.33 + 110%)
Technical	\$64.13	(\$30.54 + 110%)
Clerical	\$39.65	(\$18.88 + 110%)

(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

Capital/Startup vs. Operation and Maintenance (O&M) Costs						
(A) Continuous Monitoring Device	(B) Capital/Startup Cost for One Respondent	(C) Number of New Respondents	(D) Total Capital/Startup Cost, (B X C)	(E) Annual O&M Costs for One Respon- dent	(F) Number of Respondents with O&M	(G) Total O&M, (E X F)
NO _x	\$68,000	1	\$68,000	\$100,000	24	\$2,400,000

The total capital/startup costs for this ICR are \$68,000. This is the total of column D in the above table.

The total operation and maintenance (O&M) costs for this ICR are \$2,400,000. 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 \$2,468,000.

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 \$4,915 (rounded). This cost is based on the average hourly labor rate at a GS-12, Step 1, times a 1.6 benefits multiplication factor to account for government overhead expenses for a total of \$39.49 per hour.

These rates are from the Office of Personnel Management (OPM) A2003 General Schedule@ which excludes locality rates of pay. Details upon which this estimate is based appear in Table 2: Average Annual EPA Burden and Costs - NSPS for Nitric Acid Plants (40 CFR part 60, subpart G), below.

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

Based on our research for this ICR, approximately 24 existing sources are currently subject to the standard. It is estimated that an additional one affected facility at an existing source per year will become subject to the regulation over the next three years.

Number of respondents is calculated using the following table which addresses the three years covered by this ICR.

Number of Respondents					
	Respondents That Submit Reports		Respondents That Do Not Submit Any Reports		
Year	(A) Number of New Respondents	(B) Number of Existing Respondents	(C) Number of Existing Respondents That Keep Records But Do Not Submit Reports	(D) Number of Existing Respondents That Are Also New Respondents (with initial notification requirements)	(E) Number of Respondents (E=A+B+C-D)
1	1	23	0	1	23
2	1	24	0	1	24
3	1	25	0	1	25
Average	1	24	0	1	24

To avoid double-counting respondents column D is subtracted. As shown above, the average Number of Respondents over the three year period of this ICR is twenty-four.

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

Total Annual Responses					
(A) Number of New Respondents	(B) Number of Reports for New Respondents	(C) Number of Existing Respondents	(D) Number of Reports for Existing Respondents	(F) Number of Existing Respondents That Keep Records But Do Not Submit Reports	(E) Total Annual Responses E=(AxB)+(CxD)+F
1	3	24	2	0	51

The number of Total Annual Responses is 51.

The total annual labor costs are \$81,639. Details regarding these estimates may be found in Table 1: Average Annual Industry Burden and Costs, NSPS for Nitric Acid Plants (40 CFR part 60, subpart G), below.

The total annual capital/startup and O&M costs to the regulated entities are \$2,468,000. These costs are detailed in Section 6(b)(iii), Capital/Startup vs. Operation and Maintenance (O&M) Costs.

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

The bottom line burden hours and cost tables for both the Agency and the respondents are attached. The annual public reporting and recordkeeping burden for this collection of information is estimated to average 25 hours per response.

6(f) Reasons for Change in Burden

There is no change in the labor hours or cost in this ICR compared to the previous ICR, which is due to two considerations. First, the regulations have not changed over the past three years and are not anticipated to change over the next three years. Secondly, the growth rate for the industry is very low, negative or non-existent, so there is no significant change in the overall burden.

Since there are no changes in the regulatory requirements and there is no significant industry growth, the labor hours and cost figures in the previous ICR are used in this ICR and there is no change in burden to industry.

6(g) Burden Statement

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 25 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's 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-2006-0437, which is available for online viewing at www.regulations.gov, or in person viewing at the Enforcement and Compliance Docket and Information Center in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Ave., N.W., Washington, DC. 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 Enforcement and Compliance Docket and Information Center Docket is (202) 566-1927. An

electronic version of the public docket is available online 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, N.W., Washington, DC 20503, Attention: Desk Officer for EPA. Please include the EPA Docket ID Number EPA-HQ-OECA-2006-0437 and OMB Control Number 2060-0019 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 Nitric Acid Plants (40 CFR Part 60, Subpart G)

Burden item	(A) Respondent Hours per Occurrence	(B) Number of Occurrences per Respondent per year	(C) Hours per respondent Per Year (C=AxB)	(D) Number of Respondents Per Year	(E) Technical Hours Per Year @\$64.13 (Cx D)	(F) Management Hours per year @\$93.09 (Ex0.05)	(G) Clerical Hours Per Year @\$39.65 (Ex0.1)	(H) Total Cost Per Year ^a
1. Applications	N/A							
2. Survey and Studies	N/A							
3. Reporting Requirements								
New Sources ^b								
A. Read instructions	1	1	1	1	1	0.05	0.1	\$72.74
B. Required activities								
Initial performance test	360	1	360	1	360	18	36	\$26,189.82
Demonstration of monitoring system	Included in 3B							
Repeat performance test ^c	360	1	360	0.2	72	3.6	7.2	\$5,237.96
Ref Method 7	4	1	4	1	4	0.2	0.4	\$291.00
Ref Method 2	4	1	4	1	4	0.2	0.4	\$291.00
C. Create information	Included in 3B							
D. Gather existing information	N/A							
E. Write reports								
New Sources								
Notification of construction/ reconstruction	2	1	2	1	2	0.1	0.2	\$145.50
Notification of initial startup	2	1	2	1	2	0.1	0.2	\$145.50
Notification of initial performance test	2	1	2	1	2	0.1	0.2	\$145.50
Performance test report	Included in 3B							
Existing Sources								
Notification of physical/operational changes ^d	8	1	8	2.4	19.2	0.96	1.92	\$1,396.80

Burden item	(A) Respondent Hours per Occurrence	(B) Number of Occurrences per Respondent per year	(C) Hours per respondent Per Year (C=AxB)	(D) Number of Respondents Per Year	(E) Technical Hours Per Year @\$64.13 (Cx D)	(F) Management Hours per year @\$93.09 (Ex0.05)	(G) Clerical Hours Per Year @\$39.65 (Ex0.1)	(H) Total Cost Per Year ^a
Semiannual reports of excess emissions ^e	8	1	8	24	192	9.6	19.2	\$13,967.90
4. Recordkeeping requirements								
A. Read instructions	Included in 4B							
B. Plan activities ^k	Included in 4B							
C. Implement activities	Included in 4B							
D. Develop record systems	N/A							
E. Time to enter information								
Records of daily production rates and hours of operation	8	1	8	24	192	9.6	19.2	\$13,967.90
Records of occurrence of startup, shutdown, and malfunctions	8	1	8	24	192	9.6	19.2	\$13,967.90
Records of performance test data	80	1	80	1	80	4	8	\$5,819.96
F. Audits	N/A							
Subtotals Labor Burden and cost					1,122	56	112	\$81,639.48
TOTAL LABOR BURDEN AND COST (rounded)						1,290		\$81,639

Assumptions:

^a Assume that all tasks are to be performed by management, technical and clerical personnel. This ICR uses the following labor rates: \$93.09 for Managerial labor, \$64.13 for Technical labor and \$39.65 for Clerical labor. These rates are from the United States Department of Labor Bureau of Labor Statistics, September 2003, "Table 10. Private industry, by occupational and industry group." The rates have been increased by 110% to account for the benefit packages available to those employed by private industry. We also included contractors at \$100. The labor rate was also taken from the above occupational and industry group under Blue-Collar occupation, that covers Machine operators, and took the rates from column 1, "Total compensation,"

^b Assume that there will be one new, modified or reconstructed facility constructed for the next three years.

^c Assume that 20 percent of facilities would have to repeat performance testing each year due to failure.

^d Assume that 10 percent of the facilities would be modified or reconstructed over the next three years.

^e Assume that it will take eight hours to write semiannual reports.

^f The total number of hours requested is 1,290.

Table 2: Average Annual EPA Burden - NSPS for Nitric Acid Plants (40 CFR Part 60, Subpart G)

Activity	(A) EPA Per Occurrence	(B) Occurrences plant/ year	(C) EPA hr/ plant/yr (C=AxB)	(D) Plants/ year	(E) ^e EPA Hours Per Year (E=CxD)	(F) ^a EPA Cost Per Year (E x \$39.49)
Required activities						
New Plant ^b						
Initial performance test ^c	24	1	24	1	24	\$947.76
Repeat performance tests ^d	24	0.2	4.8	0.2	0.96	\$37.91
Report Review						
New Plant						
Notification of construction/reconstruction/modification	2	1	2	1	2	\$78.98
Notification of initial startup	0.5	1	0.5	1	0.5	\$19.74
Notification of actual startup	0.5	1	0.5	1	0.5	\$19.74
Notification of initial test	0.5	1	0.5	1	0.5	\$19.74
Existing Plants						
Semiannual reports	2	2	4	24	96	\$3,791.04
Subtotals Labor Burden and cost					124.46	\$4,914.91
TOTAL ANNUAL BURDEN AND COST (rounded)				124		\$4,915

Assumptions:

^a The cost is based on the hourly rate at a GS-12, Step 1, times a 1.6 benefits multiplication factor to account for government overhead expenses for a total of \$39.49. This rate is from the Office of Personnel Management (OPM) "2003 General Schedule" which excludes locality rates of pay.

^b Assume that there will be one new source (respondent) per year over the three years period of this ICR.

^c Assume that it would take 24 hours to complete initial performance test.

^d Assume 20 percent of initial performance tests are repeated due to failure.

^e Total number of burden hours of this ICR is 124 (rounded).