SUPPORTING STATEMENT
ENVIRONMENTAL PROTECTION AGENCY

NESHAP for Gasoline Distribution Facilities

1. Identification of the Information Collection

1(a) Title of the Information Collection

NESHAP for Gasoline Distribution Facilities (40 CFR part 63, subpart R)

1(b) Short Characterization/Abstract

The National Emission Standards for Hazardous Air Pollutants (NESHAP), for the regulations published at 40 CFR part 63, subpart R were promulgated on December 14, 1994. The standards were revised on June 26, 1995, to correct errors in the printing of the emission screening equation in the final standards, and amended on February 29, 1996, to extend the initial compliance date for the equipment leak standard. The standards were amended again June 12, 1996, to clarify the coverage of gasoline loading racks at refineries with through-puts greater than 75,700 liters/day. Updated direct final standards were promulgated on February 28, 1997, to implement a proposed settlement with the American Petroleum Institute.

These regulations apply to facilities that are new or existing bulk gasoline terminals with through-puts greater than 75,700 liters/day and new or existing pipeline breakout stations commencing construction, modification or reconstruction after the date of proposal. This information is being collected to assure compliance with 40 CFR part 63, subpart R.

In general, all NESHAP standards require initial notifications, performance tests, and periodic reports. Owners or operators are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. These notifications, reports, and records are essential in determining compliance, and are required of all sources subject to NESHAP. Specifically, data is being collected on performance of the continuous monitoring systems for gasoline vapor and related hazardous air pollutants (HAPs), any excess emissions, and any operating parameter exceedances. This data is entered into the AIRS Facility Subsystem (AFS) database.

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

We have estimated that there are 102 facilities, including bulk terminals and pipeline breakout stations which are major sources of HAPs, subject to NESHAP subpart R. We have

further estimated that there are total of 1,380 area sources (i.e., 980 bulk gasoline terminal and 400 pipeline breakout stations), of which 25 percent will be within 50 percent of major source threshold criteria (i.e., 345) and will be required to conduct an annual certification testing. This estimate was developed by the Agency in consultation with industry, including the American Petroleum Institute (API) and the National Petrochemical and Refiners Association (NPRA), for the development of the recent residual risk rule addressing the same source category. The active Information Collection Request (ICR), however, had estimated a larger number of sources subject to this rule (i.e., 263 facilities) based on the initial data that was gathered during the development of the NESHAP subpart R rule. The Agency believes that the significant difference in the estimated number of facilities subject to the NESHAP subpart R rule is due to many facilities reducing its emissions and accepting permit limits, or otherwise demonstrating that their emissions remain below the applicable cutoff values of the rule. We have also estimated that no new sources per year will become subject to the regulation in the next three years. The estimated respondent burden for this ICR is 15,756 hours at a cost of $1,395,986.

The previous ICR had the following Terms of Clearance (TOC), @ Under the terms of the Government Paperwork Elimination Act, EPA should review this collection before resubmitting it for approval and ensure that, to the extent practicable, the collection has been revised to include electronic means of reporting."

Compliance with the subject standard includes the option of electronic reporting to the extent practicable. Respondents may report to the appropriate authority electronically, if they choose to do so. Also, regulatory agencies in cooperation with the respondents continue to create reporting systems to transmit data electronically.

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

At this point in time, electronic reporting systems have not been widely adopted by the respondents. A majority of the respondents prefer to send written reports to the regulating entity. At this time, it is estimated that approximately 10 percent of the respondents use electronic reporting.

The 102 major source facilities, including 87 bulk terminals and 15 pipeline breakout stations, in the United States, which are respondents to this ICR, as well as the 345 area sources facilities only subject to annual certification of applicability, are publicly owned and operated by facilities that transfer and store gasoline, including petroleum refineries, pipeline breakout stations and bulk terminals. None of the facilities are owned by either state, local and tribal agencies or the Federal Government.

2. Need for and Use of the Collection

2(a) Need/Authority for the Collection

The EPA is charged under section 112 of the Clean Air Act, as amended, to establish standards of performance for each category or subcategory of major sources and area sources of hazardous air pollutants. These standards are applicable to new or existing sources of hazardous air pollutants and shall require the maximum degree of emission reduction.

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

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

In the Administrator's judgment, benzene (a known human carcinogen) and the toxic nature of other ten types of hazardous air pollutant (HAP) emitted from gasoline distribution facilities cause or contribute to air pollution that may reasonably be anticipated to endanger public health or welfare. Therefore, the NESHAP were promulgated for this source category at 40 CFR part 63, subpart R.

2(b) Practical Utility/Users of the Data

The control of emissions of HAP from gasoline distribution facilities requires not only the installation of properly designed equipment, but also the operation and maintenance of that equipment. Emissions of HAP from gasoline distribution facilities are the result of operation of the affected facilities. The subject standards are achieved by the reduction of HAP emissions using a vapor collection system and a continuous monitoring system, which can include carbon absorption systems; refrigerant condenser systems; thermal oxidation systems; flares; monitoring an alternative operating parameter that demonstrates continuous compliance with the emission standard; implementation of leak detection and repair procedures; and securing the necessary documentation to assure that each gasoline tank truck loaded is vapor-tight. 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 vapor collection and processing system is properly installed and operated; the leaks are being detected and repaired, and the regulations are being met. Performance test reports are needed as these are the Agency's record of a source's initial

capability to comply with the emission standards, and serve as a record of the operating conditions under which compliance was achieved. 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 requirements described in this ICR is used by the Agency to ensure that facilities affected by the NESHAP 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 63, subpart R.

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 on October 6, 2006 at 71 FR 58853. No comments were received on the burden published in the Federal Register.

3(c) Consultations

The Agency's industry experts have been consulted, and the Agency's internal data sources and projections of industry growth over the next three years have been considered. The primary source of information as reported by industry, in compliance with the recordkeeping and reporting provisions in the standard, is the AFS (Air Facility System) which is operated and maintained by EPA's Office of Compliance. AFS is EPA=s database for the collection, maintenance, and retrieval of all compliance data. The growth rate for the industry is based on our consultations with the Agency's internal industry experts. Approximately 102 respondents will be subject to the standard over the three year period covered by this ICR.

Industry trade associations and other interested parties were provided an opportunity to comment on the burden associated with the standard as it was being developed and the standard has been previously reviewed to determine the minimum information needed for compliance purposes.

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

3(d) Effects of Less Frequent Collection

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

3(e) General Guidelines

These standards require affected facilities to maintain all records, including reports and notifications, for at least five years. This is consistent with the General Provisions as applied to the standards. EPA believes that the five-year records retention requirement is consistent with the part 70 permit program and the five-year statute of limitations on which the permit program is based. Also, the retention of records for five years would allow EPA to establish the compliance history of a source and any pattern of compliance for purposes of determining the appropriate level of enforcement action. Historically, EPA has found that the most flagrant violators frequently have violations extending beyond the five years. EPA would be prevented from pursuing the worst violators due to the destruction or nonexistence of records if records were retained for less than five years. None of these reporting or recordkeeping requirements violate any of the regulations established by OMB at 5 CFR 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 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 NAICS Codes

The respondents to the recordkeeping and reporting requirements are major sources that transfer and store gasoline, including pipeline breakout stations and bulk terminals, as described below:

Standard	SIC Codes	NAICS Codes
40 CFR part 63, subpart R	4226	49311
	4400	48311, 48312
	5169	42269
	5171	454311, 454312, 42271
	5172	42272

4(b) Information Requested

(i) Data Items

All data in this ICR that is recorded and/or reported is required by NESHAP 40 CFR part 63, subpart R.

A source must make the following reports:

Notification Reports	
Notification of facility subject to relevant standard	63.9(b)(2) and 63.9(b)(3)
Notification of anticipated construction or reconstruction of a source subject to the relevant standard not later than 180 days prior to commencement of construction or reconstruction	63.9(b)(5)
Notification of anticipated date of initial startup not more than 60 days nor less than 30 days prior to such date	63.9(b)(4)(iv)
Notification of construction or reconstruction not later than 30 days after the change is commenced	63.9(b)(4)(iii)
Notification of anticipated date of initial startup not more than 60 days nor less than 30 days prior to such date	63.9(b)(4)(iv)
Notification of the actual date of startup, within 15 days after such date	63.9(b)(4)(v)
Notification of performance tests at least 60 days prior to the date of a performance test	63.7(a) and 63.9(e)

Notification Reports	
Notification of installation of a new control device or reconstruction of an existing control device within 180 days before the installation or reconstruction is planned to commence	63.5(b)(6) and 63.5(d)(1)
A request for an extension of compliance report must be submitted if the owner or operator cannot comply with the standards by the designated date	63.9(c)

Reports	
Semiannual compliance reports stating whether or not established parameters have been exceeded	63.428(g)(1) and (i)
Annual reports stating non-applicability of the regulation are required from area sources within 50 percent of the major source threshold	63.428(i)

A source must keep the following records:

Recordkeeping	
Maintain records of monthly visual inspection data on gasoline transfer and vapor collection and processing equipment	63.428(e) and (f)
Maintain and updated records on cargo tank vapor tightness	63.428(b)
Maintain records of the annual inspections of storage vessels	60.115(b)
Continuously monitor and record operating parameter monitoring data	63.428(c)(1)
Records are required to be retained for 5 Years	63.10(b), 63.428(d)

(ii) Respondent Activities

Respondent Activities
Read instructions.
Install, calibrate, maintain, and operate continuous monitoring systems (CMS) for pressure drop and liquid supply pressure for the external floating roof. Install, calibrate, maintain, and operate vapor collection and processing system for loading racks. Inspect storage tanks seals and seal gaps. Inspect cargo tanks.
Perform initial performance test (Method 21 and Method 27), and repeat performance tests if necessary.
Write the notifications and reports listed above.
Enter information required to be recorded above.

Respondent Activities
Submit the required reports developing, acquiring, installing, and utilizing technology and systems for the purpose of collecting, validating, and verifying information.
Develop, acquire, install, and utilize technology and systems for the purpose of processing and maintaining information.
Develop, acquire, install, and utilize technology and systems for the purpose of disclosing and providing information.
Adjust the existing ways to comply with any previously applicable instructions and requirements.
Train personnel to be able to respond to a collection of information.
Transmit, or otherwise disclose the information.

Electronic Reporting

Respondents may report to the appropriate authority electronically, if they choose to do so. Also, regulatory agencies in cooperation with the respondents continue to create reporting systems to transmit data electronically. In addition, some respondents are using monitoring equipment at the affected facilities that automatically records data. Although personnel at the affected facility must still evaluate the data, internal automation has significantly reduced the burden associated with monitoring and recordkeeping at plant sites.

Electronic reporting systems have not been widely adopted by the respondents. A majority of the respondents send written reports to the regulating entity. At this time, it is estimated that approximately 10 percent of the respondents use electronic reporting.

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 AFS.

5(b) Collection Methodology and Management

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

Information contained in the reports is entered into the AFS which is operated and maintained by the EPA Office of Compliance. AFS is the EPA 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 five years.

5(c) Small Entity Flexibility

The majority of the affected facilities are large entities (i.e., large businesses). However, the impact on small entities (i.e., small businesses) was taken into consideration during the development of the regulation. Due to technical considerations involving the process operations and the types of control equipment employed, the recordkeeping and reporting requirements are the same for both small and large entities. The Agency considers these 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. Construction, modification, and reconstruction reports take very little time to complete and are filed only once. Equipment leak monitoring and storage vessel inspection records are brief and tank truck vapor tightness documentation will be supplied by cargo tank operators and kept at the terminal for each tank currently using the terminal.

5(d) Collection Schedule

The specific frequency for each information collection activity within this request is shown in Table 1. Annual Respondent Burden and Cost: NESHAP for Gasoline Distribution Facilities (40 CFR part 63, subpart R).

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 (PRA). Where appropriate, the 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 15,756 hours. These hours are based on Agency studies and background documents from the development of the NEHAP subpart R regulation and its amendments to address its residual risk, Agency knowledge and experience with the NESHAP program, the previously approved ICR, and any comments received.

6(b) Estimating Respondent Costs

(i) Estimating Labor Costs

This ICR uses the following labor rates:

Managerial	$105.36 ($50.17 + 110%)
Technical	$92.09 ($43.85 + 110%)
Clerical	$47.25 ($22.50 + 110%)

These rates are from the United States Department of Labor, Bureau of Labor Statistics, September 2006, Table 2. Civilian Workers, by occupational and industry group. The rates are from column 1, Total compensation. The rates have been increased by 110 percent to account for the benefit packages available to those employed by private industry.

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

The type of industry costs associated with the information collection activities in the subject standards 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 Respondent**	**(F) Number of Respondents with O&M**	**(G) Total O&M (E X F)**
CMS for pressure drop and liquid supply pressure	N/A	0	$0.00	$3,500	102	$357,000

There are no total capital/startup costs for this ICR, as indicated in the total of column D in the above table. The total operation and maintenance (O&M) costs for this ICR are $357,000, as indicated in the total of column G in the above table. Therefore, 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 $357,000.

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 reviewing 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 $60,170 (See Table 2). This cost is based on the following hourly labor:

Managerial	$58.18	(GS-13, Step 5, $36.36 + 60%)
Technical	$42.45	(GS-12, Step 1, $26.98 + 60%)
Clerical	$23.36	(GS-6, Step 3, $14.60 + 60%)

These rates are from the Office of Personnel Management (OPM) 2007 General Schedule which excludes locality rates of pay. The rates have been increased 60 percent to account for the benefit packages available to government employees. Details upon which this estimate is based appear in Table 2: Annual Burden and Cost for the Federal Government: NESHAP for Gasoline Distribution Facilities (40 CFR part 63, subpart R), attached.

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

Based on our research for this ICR, approximately 102 existing sources are currently subject to the standard. It is estimated that no new sources per year will become subject to the regulation in 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	(E) Number of Respondents (E=A+B+C-D)
1	0	102	345	0	447
2	0	102	345	0	447
3	0	102	345	0	447
Average	0	102	345	0	447

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 447. The number of Total Annual Responses is 549, as shown below.

Respondent Universe and Number of Responses Per Year						
Regulation Citation	(A) Average Number of New Respondents per Year	(B) Number of Reports for New Sources	(C) Number of Existing Respondents	(D) Number of Reports for Existing Sources	(F) Number of Respondents That Keep Records But Do Not Submit Reports	(E) Total Annual Responses = (AxB)+(CxD) +F
40 CFR part 63, subpart R: Gasoline Distribution	0	7	102	2	345 *	549

* This estimate includes area sources recordkeeping.

The total annual labor costs are $1,398,864. Details regarding these estimates may be found in Table 1. Annual Respondent Burden and Cost: NESHAP for Gasoline Distribution Facilities (40 CFR part 63, subpart R).

Note that the total annual capital and O&M costs to the regulated entity are $357,000. 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 appear below. The annual public reporting and recordkeeping burden for this collection of information is estimated to average 29 (rounded) hours per response.

6(f) Reasons for Change in Burden

There are two categories of burden in this ICR, major sources and area sources. There is a net decrease in burden hours from the most recently approved ICR due to a decrease in the number of major sources subject to the standard. The decrease occurred because major sources reduced their emissions or otherwise demonstrated that their emissions were below the threshold level for applicability in the standard. However, it should be noted that the previous ICR did not include the burden hours for area sources.

After the calculations were updated to include managerial and clerical hours for major sources, and we added the burden associated with area sources, the sum total of the increases did not offset burden hours associated with the decrease in the number of major sources required to comply with the standard. Hence, there is a net overall decrease in the burden hours to comply with this standard.

The cost the Agency also decreased due to the reasons explained above. In addition, we removed the costs associated with traveling to attend performance tests. This activity is part of the Agency enforcement program and, therefore, exempt from the requirements of the PRA.

6(g) Burden Statement

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 29 (rounded) 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-2006-0750. An electronic version of the public docket is available at http://www.regulations.gov/ which may be used to obtain a copy of the draft

collection of information, submit or view public comments, access the index listing of the contents of the docket, and to access those documents in the public docket that are available electronically. When in the system, select "search," then key in the docket ID number identified in this document. The documents are also available for public viewing at the Enforcement and Compliance Docket and Information Center in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Avenue NW, 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 Information Center is (202) 566-1752. Also, you can send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, DC 20503, Attention: Desk Officer for EPA. Please include the EPA Docket ID Number HQ-OECA-2006-0750 and OMB Control Number 2060-0325 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: NESHAP for Gasoline Distribution Facilities (Stage I) (40 CFR part 63, subpart R)

Burden item	(A) Person-hours per occurrence	(B) No. of occurrences per respondent	(C) Person-hours per respondent (C=AxB)	(D) Respondent per year [a]	(E) Technical person-hours per year (E=CxD)	(F) Management person-hours per year (Ex0.05)	(G) Clerical person-hours per year (Ex0.1)	(H) Cost,$ [b]
1. Applications	N/A							
2. Surveys and Studies	N/A							
3. Acquisition, Installation, and Utilization of Technology and Systems [c]	N/A							
4. Reporting Requirements [c]								
A. Read instructions [c]	1	1	1	102	0.0	0.0	0.0	$0.00
B. Required activities [c]								

Burden item	(A) Person-hours per occurrence	(B) No. of occurrences per respondent	(C) Person-hours per respondent (C=AxB)	(D) Respondent per year [a]	(E) Technical person-hours per year (E=CxD)	(F) Management person-hours per year (Ex0.05)	(G) Clerical person-hours per year (Ex0.1)	(H) Cost,$ [b]
Initial performance tests [d]	175	1	175	0	0.0	0.0	0.0	$0.00
Repeat performance tests	175	1	175	0	0.0	0.0	0.0	$0.00
Storage tank seal/seal gap inspections tanks certification [d]	16	1	16	51	816.0	40.8	81.6	$83,299.73
Annual testing certification of area source compliance status [e]	1	1	1	345	345.0	17.3	34.5	$35,223.90
C. Create information	See 4B							
D. Gather existing information	See 4B							
E. Write report [c]								
Notification of applicability	3	1	3	0	0.0	0.0	0.0	$0.00

Burden item	(A) Person-hours per occurrence	(B) No. of occurrences per respondent	(C) Person-hours per respondent (C=AxB)	(D) Respondent per year [a]	(E) Technical person-hours per year (E=CxD)	(F) Management person-hours per year (Ex0.05)	(G) Clerical person-hours per year (Ex0.1)	(H) Cost,$ [b]
Notification of construction./reconstruction	2	1	2	0	0.0	0.0	0.0	$0.00
Notification of actual startup	2	1	2	0	0.0	0.0	0.0	$0.00
Notification of performance test [d]	2	1	2	0	0.0	0.0	0.0	$0.00
Notification of CEMS performance evaluation	2	1	2	0	0.0	0.0	0.0	$0.00
Notification of area source compliance status	1	1	1	0	0.0	0.0	0.0	$0.00
Report of performance test	See 4B							
Semiannual compliance reports bulk terminals major sources [f]	10	2	20	52.2	1,044.0	52.2	104.4	$106,574.65

Burden item	(A) Person-hours per occurrence	(B) No. of occurrences per respondent	(C) Person-hours per respondent (C=AxB)	(D) Respondent per year [a]	(E) Technical person-hours per year (E=CxD)	(F) Management person-hours per year (Ex0.05)	(G) Clerical person-hours per year (Ex0.1)	(H) Cost,$ [b]
Semiannual compliance reports pipeline breakout stations major sources [f]	8	2	16	9	144.0	7.2	14.4	$14,699.95
5. Recordkeeping requirements								
A. Read instructions	See 4A							
B. Plan activities	See 4B and 5C							
C. Implement activities								
Gasoline terminals:								
File cargo tank inspection records [g]	0.5	26	13	61.2	795.6	39.8	79.6	$81,221.23
Update cargo tank inspection Records	6	1	6	61.2	367.2	18.4	36.7	$37,488.15

Burden item	(A) Person-hours per occurrence	(B) No. of occurrences per respondent	(C) Person-hours per respondent (C=AxB)	(D) Respondent per year [a]	(E) Technical person-hours per year (E=CxD)	(F) Management person-hours per year (Ex0.05)	(G) Clerical person-hours per year (Ex0.1)	(H) Cost,$ [b]
Cross-check cargo tank inspection file	6	26	156	61.2	9,547.2	477.4	954.6	$974,605.36
Pipeline breakout stations	See 4B							
D. Develop record system [h]	8	1	8	0	0.0	0.0	0.0	$0.00
E. Time to enter information								
Record equipment subject to visual inspection requirements at pipeline breakout stations	1	1	1	0	0.0	0.0	0.0	$0.00
Record equipment leaks data at bulk terminals	0.1	4	0.4	87	34.8	1.7	3.5	$3,549.22
Record equipment leaks data at pipeline breakout stations	0.1	12	1.2	15	18.0	0.9	1.8	$1,837.49

Burden item	(A) Person-hours per occurrence	(B) No. of occurrences per respondent	(C) Person-hours per respondent (C=AxB)	(D) Respondent per year [a]	(E) Technical person-hours per year (E=CxD)	(F) Management person-hours per year (Ex0.05)	(G) Clerical person-hours per year (Ex0.1)	(H) Cost,$ [b]
Record storage tank seal inspection results	1	1	1	51	51.0	2.6	5.1	$5,211.50
Record startup, shutdowns, or malfunctions	1	4	4	51	204.0	10.2	20.4	$20,824.93
Area source recordkeeping : [i]	0.25	1	0.25	345	86.3	4.3	8.6	$8,806.77
F. Time to train personnel	1	1	1	102	102.0	5.1	10.2	$10,412.47
G. Time to adjust existing ways to comply with previously applicable requirements	NA							
H. Time to transmit information	Included in 5E							
I. Time for audits: [j]								

Burden item	(A) Person-hours per occurrence	(B) No. of occurrences per respondent	(C) Person-hours per respondent (C=AxB)	(D) Respondent per year [a]	(E) Technical person-hours per year (E=CxD)	(F) Management person-hours per year (Ex0.05)	(G) Clerical person-hours per year (Ex0.1)	(H) Cost,$ [b]
Bulk gasoline terminals	6	1	6	22	132.0	6.6	13.2	$13,474.96
Pipeline breakout stations	4	1	4	4	16.0	0.8	1.6	$1,633.33
Subtotal					13,700.8	685.0	1,370.1	$1,398,863.64
TOTAL LABOR BURDEN AND COST (rounded)					15,756			$1,398,864

Assumptions:

[a] We have estimated that there are 102 respondents, comprised of 87 bulk terminals and 15 pipeline breakout stations, which are major sources of HAPs subject to this NESHAP. We have also estimated that no new respondents will become subject to the regulation in the next three years.

[b] This ICR uses the following labor rates: $105.36 per hour for Executive, Administrative, and Managerial labor; $92.09 per hour for Technical labor, and $47.25 per hour for Clerical labor. These rates are from the United States Department of Labor, Bureau of Labor Statistics, September 2006, ATable 2. Civilian Workers, by occupational and industry group.@ The rates are from column 1, ATotal compensation.@ The rates have been increased by 110 percent to account for the benefit packages available to those employed by private industry.

[c] We have assumed that existing respondents are in compliance with initial rule requirements. New respondents would have to

comply with the initial rule requirements including notifications and performance tests for add-on control devices.

[d] Performance tests are required for vapor processing and collection systems: Method 27 for pressure, Method 21 for leak detection testing at cargo tanks. Annual certification test for cargo tanks using Methods 21 and 27 is required. However, we have assumed that 50 percent of the respondents that are major sources are currently subject to test requirements equivalent to the and volatile organic liquid (VOL) storage NSPS (40 CFR part 60, subparts K, Ka, and Kb) or the storage tank EPA Control Technique Guidelines (CTG) for pipeline breakout stations.

[e] We have estimated that there is a total of 1,380 area sources (i.e., 980 bulk gasoline terminal and 400 pipeline breakout stations), of which 25 percent will be within 50 percent of major source threshold criteria (i.e., 345) and will be required to submit conduct an annual certification testing.

[f] Respondents that are major sources of HAPs (i.e., 87 bulk terminals and 15 pipeline breakout stations) are required to submit semiannual compliance reports. We have assumed that 40 percent of the 102 respondents are currently subject to NSPS reporting requirements equivalent to the Bulk Gasoline Terminal rule, NSPS subpart XX for bulk terminals and the VOL storage NSPS (40 CFR part 60, subparts K, Ka, and Kb) or storage tank CTG's for pipeline breakout stations. Therefore, 60 percent of the sources (i.e., 61.2 respondents, comprised of 52.2 bulk terminals and 9 pipeline breakout stations) would be required to submit semiannual reports under the NESHAP subpart R.

[g] We have assumed that 60 percent of the 102 respondents (i.e., 61.2) are required to maintain cargo tank implementation files.

[h] We have assumed that respondents already have the technology and recordkeeping systems in place to monitor its daily operations and to comply with existing regulations.

[i] We have assumed that 25 percent of area source facilities (i.e., 345) will be required to keep annual records of their area source status using the screening equation.

[j] We have assumed that 25 percent of respondents (i.e., 22 bulk terminals and 4 pipeline breakout stations) will conduct audits.

Table 2. Annual Burden and Cost for The Federal Government: : NESHAP for Gasoline Distribution Facilities (Stage I) (40 CFR part 63, subpart R)

Activity	(A) Hours per occurrence	(B) Hours per plant per year	(C) Plants per year [a]	(D) Technical person-hours per year (D=BxC)	(E) Management person-hours per year (Dx0.05)	(F) Clerical person-hours per year (Dx0.1)	(G) Cost, $ [b]
Report Review [c]							
Notification of construction/reconstruction	N/A						
Notification of actual startup	N/A						
Notification of compliance status	10	10	0	0.0	0.0	0.0	$0.00
Notification of applicability	2	2	0	0.0	0.0	0.0	$0.00
Notification of performance test	2	2	0	0.0	0.0	0.0	$0.00
Notification of CEMS performance evaluation	2	2	0	0.0	0.0	0.0	$0.00
Notification of compliance status	4	4	0	0.0	0.0	0.0	$.00
Semiannual compliance reports [d]	10	20	61.2	1,244	61.2	124.4	$60,170.08
Subtotal Burden and Cost				1,244	61.2	124.4	$60,170.08
TOTAL ANNUAL COST AND BURDEN (ROUNDED)				1,429.6			$60,170

Assumptions:

[a] We have estimated that there are 102 respondents, including 87 bulk terminals and 15 pipeline breakout stations which are major sources of HAPs, subject to NESHAP subpart R. We have further estimated that there are total of 1,380 area sources (i.e., 980 bulk gasoline terminal and 400 pipeline breakout stations), of which 50 percent (i.e., 345) would be certifying annually that they are below the cutoff value for rule applicability.

[b] This cost is based on the following labor rates: Managerial rate of $58.18 (GS-13, Step 5, $36.36 + 60%), Technical rate of $43.17 (GS-12, Step 1, $26.98 + 60%), and Clerical rate of $23.36 (GS-6, Step 3, $14.60 + 60%). These rates are from the Office of Personnel Management (OPM) A2007 General Schedule@ which excludes locality rates of pay. The rates have been increased 60 percent to account for the benefit packages available to government employees.

[c] We have assumed that existing respondents are in compliance with initial rule requirements. New respondents would have to comply with the initial rule requirements including notifications and performance tests for add-on control devices.

[d] We have assumed that 60 percent of the sources (i.e., 61.2) would be required to submit semiannual reports under the NESHAP subpart R since the remaining 40 percent are already complying with similar reporting requirements under another applicable NSPS rule.