

**SUPPORTING STATEMENT  
ENVIRONMENTAL PROTECTION AGENCY**

**NSPS for Municipal Waste Combustors (40 CFR part 60, subparts Ea and Eb) (Renewal)**

**1. Identification of the Information Collection**

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

NSPS for Municipal Waste Combustors (40 CFR part 60, subparts Ea and Eb) (Renewal)

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

The New Source Performance Standards (NSPS) for subpart Ea and subpart Eb were proposed on December 20, 1980, and September 20, 1994 (respectively) and promulgated on February 11, 1991, and December 19, 1995 (respectively). Municipal waste combustor (MWC) facilities which commenced construction after December 20, 1989, and on or before September 20, 1994, or commenced modification or reconstruction after December 20, 1989, and on or before June 19, 1996, are subject to the regulations in 40 CFR part 60, subpart Ea. MWC facilities which commenced construction after September 20, 1994, or commenced modification or reconstruction after June 19, 1996, are subject to the regulations in 40 CFR part 60, subpart Eb. This information is being collected to assure compliance with 40 CFR part 60, subparts Ea and Eb.

In general, all NSPS standards require initial notifications, performance tests, and periodic reports by the owners or operators of the affected facilities. They are also required to maintain records of the occurrence and duration of any start-up, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. These notifications and records are essential in determining compliance, and are required of all sources subject to the NSPS.

Owners or operators subject to the provisions of subpart Ea 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. Any owner or operator subject to the provisions of subpart Eb will 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. In addition, annual compliance reports are required for respondents (i.e., sources), along with semiannual reports of excess emissions, and quarterly reports for both subparts Ea and Eb.

Based on our consultations with industry representatives, there is an average of twelve sources that are subject to subparts Ea and Eb. There are seven sources that are subject to Ea, and it is estimated that no additional sources will become subject to the regulation in the next three years, since the latest applicability date was June 19, 1996. It is further assumed that there are two affected facilities per plant per respondent (i.e., the owner or operator of the plant site). The remaining five sources are subject to subpart Eb, and it is estimated that one additional source per year will become subject to the standard over the next three years. It is further

assumed that there is an average of two affected facilities per plant.

There are approximately 12 municipal waste combustor plants in the United States, which are all publicly owned and operated by the municipal waste combustor industry. None of the facilities in the United States are owned by either state, local, tribal or the Federal Government. They are all owned and operated solely by privately owned for-profit businesses. You can find the burden to the “Affected Public” listed below in Table 1: Annual Industry Burden and Cost - NSPS for Municipal Waste Combustors (40 CFR part 60, subparts Ea and Eb). The Federal government burden does not include work performed by Federal employees only work performed by contractors, which could be found listed below in Table 2: Average Annual EPA Burden - NSPS for Municipal Waste Combustors (40 CFR part 60, subparts Ea and Eb).

The Office of Management and Budget (OMB) approved the current Information Collection Request (ICR) without any “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.

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, organic, acid gas, and nitrogen oxide emissions from MWCs cause or contribute to air pollution that may reasonably be anticipated to endanger public health or welfare. Therefore, the NSPS were promulgated for this source category at 40 CFR part 60, subparts Ea and Eb.

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

The recordkeeping and reporting requirements in the standard ensure compliance with the applicable regulations. The collected information is also used for targeting inspections and as evidence in legal proceedings.

Performance tests are required in order to determine an affected facility's initial capability to comply with the emission standard. Continuous emission monitors are used to ensure compliance with the standard at all times. During the performance tests, a record of the operating parameters under which compliance was achieved may be recorded and used to determine compliance in place of a continuous emission monitor.

The notifications required in the standard 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 ensure that the pollution control devices are properly installed and operated, that leaks are being detected and repaired, and that the standard is being met. The performance test may also be observed.

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

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

The requested recordkeeping and reporting are required under 40 CFR part 60, subparts Ea and Eb.

#### **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 (72 FR 10735) on March 9, 2007. 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 Online Tracking Information System (OTIS) which is operated and maintained by the EPA Office of Compliance. OTIS is the EPA 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 twelve 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. Since there is no change in burden for this renewal no further consultations were conducted.

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

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

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

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

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

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

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

None of the reporting or recordkeeping requirements contain sensitive questions.

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

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

The respondents to the recordkeeping and reporting requirements are municipal waste combustors. The United States Standard Industrial Classification (SIC) codes which correspond to the North American Industry Classification System (NAICS) codes could be found in the following table:

<b>Standard (40 CFR part 60, subparts Ea and Eb)</b>	<b>SIC Codes</b>	<b>NAICS Codes</b>
Air and Water Resource and Solid Waste Management	9511	924110
Refuse Systems (hazardous waste treatment and disposal)	4953	562211
Refuse Systems (material recovery facilities)	4953	562920
Refuse Systems (other hazardous waste treatment and disposal)	4953	562219
Refuse Systems (solid waste combustors and incinerators)	4953	562213
Refuse Systems (solid waste landfills)	4953	562212

#### 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

In this ICR, all the data recorded or reported is required by the New Source Performance Standards for Municipal Waste Combustors (40 CFR part 60, subparts Ea and Eb).

A source must make the following reports:

<b>Notification</b>	
Notification of construction/reconstruction or modification	60.7(a)(1), 60.59a(a), 60.59b(a), 60.59b(b) and 60.59b(c)
Notification of preconstruction plans and public meeting material	60.59b(a)
Notification of actual startup	60.7(a)(3), 60.59a(a) and 60.9b(c)
Notification related to siting analysis	60.59b(a)
Notification of initial performance tests	60.8(d)
Notification of initial performance tests results	60.8(a)

<b>Notification</b>	
Notification of demonstration of continuous monitoring system	60.7(a)(5)
Notification of physical or operational change	60.7(a)(4)
Notification related to opacity	60.7(a)(6) and 60.59b(c)

<b>Reports</b>	
Report on initial performance test results	60.8(a), 60.59a(c) and 60.59b(f)
Report on public meeting (notification and transcript)	60.59b(a)(2) and 60.59b(a)(3)
Report on responses to public comment	60.59b(a)(4)
Report on preliminary and final draft materials separation plans	60.59b(a)(1)
Report on weights of municipal solid waste and other fuels fired	60.59a(b)(3)
Report on performance tests/compliance report	60.8(a), 60.59a(e), 60.59a(g) and 60.59b(g)
Report excess emissions	60.59a(f) and 60.59b(h)
Report on continuous emission monitoring system (CEMS) demonstration and test data	60.8(a) and 60.59b(f)
Report of emission levels during annual test (if necessary)	60.59b(d)
Semiannual report and explanation for excess emissions (if necessary)	60.59b(d)
Semiannual carbon report for mercury control (if necessary)	60.59b(d)

A source must keep the following records:

<b>Recordkeeping</b>	
Initial performance tests and annual performance tests	60.59b(d)
Records of periodic testing for fugitive ash emissions	60.59b(d)
Startup, shutdown, malfunction periods where the continuous monitoring system is inoperative	60.7(b)
Occurrence, duration of interruption in operation	60.7(b)
Records of sources with continuous monitoring systems	60.59a(i)
Results of daily CEMs drift tests and Appendix F accuracy assessment	60.59b(d)
Amounts of sorbent used for mercury (Hg) control	60.59b(d)
Persons reviewing operating material	60.59a(j) and 60.59b(d)
Records are required to be retained for two years (subpart Ea)	60.59a(b)
Records are required to be retained for five years (subpart Eb)	60.59b(d) and 60.59b(e)

<b>Respondent Activities</b>
Read instructions.
Install, calibrate, maintain, and operate CMS for opacity.
Perform initial performance test, Reference Methods 19 test, 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 processing and maintaining 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.
Perform site selection analysis.
Hold public meeting on site analysis and material separation plan.

### Electronic Reporting

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

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

<b>Agency Activities</b>
Observe initial performance tests and repeat performance tests if necessary.
Review notifications and reports, including performance test reports, excess emissions reports, required to be submitted by industry.
Audit facility records.
Input, analyze, and maintain data in the Online Tracking Information System (OTIS).

### **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 operational. 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 problem identification, as a check on source operation and maintenance, and for compliance determinations.

Information contained in the reports is entered into OTIS which is operated and maintained by the EPA Office of Compliance. OTIS is an EPA database for the collection, maintenance, and retrieval of compliance data for approximately 125,000 industrial and government-owned facilities. EPA uses OTIS 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**

The majority of the respondents 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 to be the minimum requirements 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: Annual Industry Burden, NSPS for Municipal Waste Combustors (40 CFR part 60, subparts Ea and Eb).

## **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.

### **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 20,421 (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:

Managerial	\$95.32	(\$45.39 + 110%)
Technical	\$64.60	(\$30.76 + 110%)
Clerical	\$40.09	(\$19.09 + 110%)

These rates are from the United States Department of Labor, Bureau of Labor Statistics, December 2003, "Table 10. Private industry, 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. The wage rates were not adjusted from the 2003 BLS standards because the burden has not changed.

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

The only costs to the regulated industry resulting from information collection activities required by the subject standard are labor 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 monitor and other costs such as photocopying and postage.

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

<b>Capital/Startup vs. Operation and Maintenance (O&amp;M) Costs</b>						
(A) Continuous Monitoring Device	(B) Capital/Startup Cost for One Respondent	(C) Number of New Respondents	(D) Total Capital/ Startup Cost, (BXC)	(E) Annual O&M Costs for One Respondent	(F) Number of Respondents with O&M	(G) Total O&M, (E X F)
CEMs for subpart Ea	\$60,000	0	\$0	\$8,972	7	\$62,804
CEMs for subpart Eb	\$60,000	1	\$60,000	\$8,972	4	\$35,888
Total			\$60,000			\$98,692

The total capital/startup costs for this ICR are \$60,000. This is the total of column D in the above table.

The total operation and maintenance (O&M) costs for this ICR are \$98,692. 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 \$159,000 (rounded).

**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 \$31,069.

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

Managerial	\$54.66 (GS-13, Step 5, \$34.16 + 60%)
Technical	\$40.56 (GS-12, Step 1, \$25.35 + 60%)
Clerical	\$21.95 (GS-6, Step 3, \$13.72 + 60%)

These rates are from the Office of Personnel Management (OPM) 2004 General Schedule which

excludes locality rates of pay. Details upon which this estimate is based appear in Table 2: Average Annual EPA Burden, NSPS for Municipal Waste Combustors (40 CFR part 60, subparts Ea and Eb), below. The rates used in this collection have not changed from the 2004 GS levels because the burden has not changed.

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

Based on our research for this ICR, approximately ten respondents are currently subject to the standard. It is estimated that an additional one source per year under subpart Eb will become subject to the standard in the next three years. The average number of respondents per year is, therefore: 1) subpart Ea - 7 existing, and zero new; and 2) subpart Eb - 4 existing, and one new. The average number of existing respondents per year is 11, with one new for a total of 12 sources. This is illustrated below.

The number of respondents is calculated using the following table that addresses the three years covered by this ICR.

Number of Respondents					
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-Ea	0	7	0	0	7
2-Ea	0	7	0	0	7
3-Ea	0	7	0	0	7
1-Eb <sup>1</sup>	1	4	0	1	4
2-Eb	1	5	0	1	5
3-Eb	1	6	0	1	6
Average	1	12	0	1	12

<sup>1</sup> The average number of existing respondents for subpart Eb is four.

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 12.

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

<b>Total Annual Responses</b>				
(A) Information Collection Activity	(B) Number of Respondents	(C) Number of Responses	(D) Number of Existing Respondents That Keep Records But Do Not Submit Reports	(E) Total Annual Responses $E=(B \times C) + D$
Notification of construction/reconstruction for Ea	0	0	N/A	0
Notification of actual startup for Ea	0	0	N/A	0
Notification of initial performance test for Ea	0	0	N/A	0
Notification of CMS demonstration for Ea	0	0	N/A	0
Notification of construction/reconstruction for Eb	1	1	N/A	1
Notification of initial performance test for Eb	1	1	N/A	1
Compliance reports for Ea	7	1	N/A	7
Opacity reports for Ea (no excess emission)	5.6	1	N/A	5.6
Opacity reports for Ea (excess emission)	1.4	1	N/A	1.4
Report of daily weight of municipal solid waste (MSW) and fuel for Ea	7	4	N/A	28
Appendix F reports for Ea	7	4	N/A	28
Initial compliance reports for Eb	1	1	N/A	1
Annual compliance reports for Eb	4	1	N/A	4
Semiannual excess emission reports Eb	4	2	N/A	8
Appendix F quarterly reports for Eb	4	4	N/A	16
Initial report on site selection analysis for Eb	1	1	N/A	1
Public meetings and comment responses for Eb	1	1	N/A	1
			Total	103

The number of total respondents is 12.

The number of Total Annual Responses is 103. This is the number in column E of the Respondent Universe and Number of Responses per year in table above.

The total annual labor costs are \$1,476,293. Details regarding these estimates may be found in Table 1: Annual Industry Burden, NSPS for Municipal Waste Combustors (40 CFR part 60, subparts Ea and Eb), below.

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

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

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

The total annual labor costs are \$1,476,293. Details regarding these estimates may be

found in Table 1. Annual Respondent Burden and Cost: NSPS for Municipal Waste Combustors (40 CFR part 60, subparts Ea and Eb), below. Furthermore, the annual public reporting and recordkeeping burden for this collection of information is estimated to average 198 hours per response.

The total annual capital/startup and O&M cost to the regulated entity are \$159,000.

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

The average annual Agency burden and cost over next three years is estimated to be 785 labor hours at a cost of \$31,069. See Table 2. Annual Agency Burden and Cost: NSPS for Municipal Waste Combustors (40 CFR part 60, subparts Ea and Eb), below.

### **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. This 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 198 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-2007-0056. 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 content of the docket, and to access those documents in the public docket that are available electronically. When in the system, select “search” than key in the docket ID number identified in this document. The documents are also available for public viewing at the Enforcement and Compliance Docket and Information Center in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Avenue, N.W., Washington, 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. 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-2007-0056 and OMB Control Number 2060-0210 in any correspondence.

**Table 1: Annual Respondent Burden and Cost – NSPS for Municipal Waste Combustors (40 CFR part 60, subparts Ea and Eb)**

	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)
Burden item	Technical Person-Hour Per Occurrence	Number of Occurrences Per Respondent Per Year	Technical Person-Hour Per Respondent Per Year (C=AxB)	Number of Respondents Per Year <sup>a</sup>	Technical Person-Hour Per Year (E=CxD) <sup>b</sup>	Management Person-Hour Per Year (E x 0.05) <sup>b</sup>	Clerical Person-Hour Per Year (E x 0.1) <sup>b</sup>	Total Labor Costs Per Year	Emission Testing Contractor Hours Per Occurrence	Emission Testing Contractor Hour Per Respondent Per Year (J= IxB)	Contractor Person-Hour Per Year (K= JxD)	Total Contractor Cost Per Year (L=Kx\$80) <sup>b</sup>
1. Applications	N/A											
2. Survey and Studies	N/A											
3. Reporting requirements												
A. Read instructions	1	1	1	2	2	0.1	0.2	\$146.75	1	1	2	\$160.00
B. Required activities												
Initial performance test for Eb <sup>i</sup>	24	1	24	1	24	1.2	2.4	\$1,761.00	1,053	1,053	1,053	\$84,240.00
Repeat performance test for Eb <sup>c,i</sup>	24	1	24	0.2	4.8	0.24	0.48	\$352.20	1,053	1,053	210.6	\$16,848.00
Demonstration/CEMS for Eb	24	1	24	1	24	1.2	2.4	\$1,761.00	470	470	470	\$37,600.00
Repeat CEM demonstration Eb <sup>d</sup>	24	1	24	0.2	4.8	0.24	0.48	\$352.20	470	470	94	\$7,520.00
Annual compliance test for Ea <sup>e</sup>	24	1	24	7	168	8.4	16.8	\$12,327.00	826	826	5,782	\$462,560.00
Annual compliance test for Eb <sup>f</sup>	24	1	24	4	96	4.8	9.6	\$7,044.00	1,053	1,053	4,212	\$336,960.00
Appendix F audit for Ea (in-situ)	125	8	1,000	0	0	0	0	\$0	0	0	0	\$0
Appendix F audit for Ea (extractive)	36	8	288	0	0	0	0	\$0	0	0	0	\$0
C. Create Information	See 3B											
D. Gather information	See 3B											
E. Write report												
Notification of construction/reconstruction for Ea	2	1	2	0	0	0	0	\$0	0	0	0	\$0
Notification of actual startup – Ea	2	1	2	0	0	0	0	\$0	0	0	0	\$0
Notification of initial performance test - Ea	2	1	2	0	0	0	0	\$0	0	0	0	\$0
Notification of CMS demonstration for Ea	2	1	2	0	0	0	0	\$0	0	0	0	\$0
Notification of construction/reconstruction for Eb	2	1	2	1	2	0.1	0.2	\$146.75	0	0	0	\$0

Notification of initial performance test – Eb	2	1	2	1	2	0.1	0.2	\$146,75	0	0	0	\$0
Annual compliance reports for Ea	16	1	16	7	112	5.6	11.2	\$8,218.00	0	0	0	\$0
Annual opacity report of <sup>g</sup> no excess emission for Ea	8	1	8	5.6	44.8	2.24	4.48	\$3,287.20	0	0	0	\$0
Annual opacity report for excess emission for Ea <sup>h</sup>	16	1	16	1.4	22.4	1.12	2.24	\$1,643.60	0	0	0	\$0
Report of daily weight of MSW and fuel for Ea	34	4	136	7	952	47.6	95.2	\$53,145.40	0	0	0	\$0
Appendix F reports for Ea	11	4	44	7	308	15.4	30.8	\$21,131.57	0	0	0	\$0
Initial compliance report for Eb	40	1	40	4	160	8	16	\$11,740.00	0	0	0	\$0
Annual compliance report for Eb	40	1	40	4	160	8	16	\$11,740.00	0	0	0	\$0
Semiannual excess emission report Eb	17	2	34	4	136	6.8	13.6	\$9,979.00	0	0	0	\$0
Appendix F reports for Eb	11	4	44	4	176	8.8	17.6	\$12,914.00	0	0	0	\$0
Initial site selection analysis/report for Eb	270	1	270	4	1,080	54	108	\$79,245.00	0	0	0	\$0
Public meeting and comment response for Eb	140	1	140	4	560	28	56	\$41,090.00	0	0	0	\$0
4. Recordkeeping												
A. Read instructions	See 3A											
B. Plan activities	See 4E											
C. Implement activities	See 4E											
D. Develop record system	See 4E											
E. Time to enter information												
Records of SSM for Ea	1.5	104	156	7	1,092	54.6	109.2	\$80,125.50	0	0	0	\$0
Record emission Measurements	1.5	104	156	7	1,092	54.6	109.2	\$80,125.00	0	0	0	\$0
Record of employee review of operation for Ea	4	2	8	7	56	2.8	5.6	\$4,109.00	0	0	0	\$0
Record of emission rates, and computation tests for Eb	1.5	94	141	4	564	28.2	56.4	\$41,383.50	0	0	0	\$0
Record of SSM for Eb	1.5	94	141	4	564	28.2	56.4	\$41,383.50	0	0	0	\$0
Record of employee review of operation for Eb	4	2	8	4	32	1.6	3.2	\$2,348.00	0	0	0	\$0
Record amount of sorbent for Hg control for Eb	0.1	94	9.4	4	37.6	1.88	3.76	\$2,758.90	0	0	0	\$0
F. Train personnel	See 4E											
G. Audits	See 4E											
Subtotal					7,476.4	373.82	747.64	\$530,405.32			11,823.6	\$945,888.00



<b>TOTAL LABOR BURDEN AND COST</b>	Labor Hours (E+F+G)	8,597.86	Labor Cost	\$530,405.32
	Contractor Labor Hours	11,823.6	Contractor Labor Cost	\$945,888.00
	Total Hours	20,421.46	Total Cost	\$1,476,293.32
	Total Hours (rounded)	20,421	Labor Cost	\$530,405.32

Assumptions:

- <sup>a</sup> We have estimated that an average of 12 sources are subject to subparts Ea and Eb. Seven of these sources are currently subject to subpart Ea, with no additional sources becoming subject to the regulation in the next three years. The remaining five sources are subject to subpart Eb (4 existing and 1 new). We have assumed that one additional source per year will become subject to the standard over the next three years. It is further assumed that there is an average of two affected facilities per plant per respondent.
- <sup>b</sup> Assume that all tasks are to be performed by managerial, technical and clerical personnel. This ICR uses the following labor rates: \$95.32 for Managerial labor, \$64.60 for Technical labor and \$40.09 for Clerical labor. These rates are from the United States Department of Labor Bureau of Labor Statistics, December 2003, ATable 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 have also included contractors = rate at \$80.00 per hour.
- <sup>c</sup> It is estimated that 20 percent of respondents will repeat performance test for Eb.
- <sup>d</sup> It is assumed that 20 percent of the respondents will repeat CEM demonstration activity for Eb.
- <sup>e</sup> Assume that seven respondents for subpart Ea will have to complete an annual compliance test.
- <sup>f</sup> Assume that four respondents for subpart Eb will have to complete an annual compliance test.
- <sup>g</sup> It is assumed that 80 percent of respondents will file an opacity report of no excess emission for Ea.
- <sup>h</sup> It is assumed that 20 percent of respondents will file an opacity report of excess emission for Ea.
- <sup>i</sup> Assume that it will take an emission testing contractor 1,053 hours to perform both initial performance test and repeat performance test for subpart Eb.
- <sup>j</sup> Assume that it will take an emission testing contractor 826 hours to complete an annual compliance test for Eb.

**Table 2: Average Annual EPA Burden – NSPS for Municipal Waste Combustors (40 CFR part 60, subparts Ea and Eb)**

	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)
Activity	EPA person-hours per occurrence	No. of occurrences per plant per year	EPA person-hours per plant per year (C=AxB)	Plants per year (a)	Technical person-hours per year (E=CxD)	Management person-hours per year (Ex0.05)	Clerical person-hours per year (Ex0.1)	Cost (\$) <sup>b</sup>
Initial performance tests for Ea	180	1	180	0	0	0	0	\$0
Review report of initial performance test for Ea	24	1	24	0	0	0	0	\$0
Repeat performance test for Ea	12	1	12	0	0	0	0	\$0
Repeat performance test for Eb <sup>c</sup>	12	1	12	0.2	2.4	0.12	0.24	\$109.17
Report review for Ea								
Notification of construction	2	1	2	0	0	0	0	\$0
Notification of actual startup	2	1	2	0	0	0	0	\$0
Notification of initial test	2	1	2	0	0	0	0	\$0
Notification of CMS demonstration	12	1	12	0	0	0	0	\$0
Review of CEMS demonstration for Ea	96	1	96	0	0	0	0	\$0
Report review for Eb								
Notification of construction	2	1	2	1	2	0.1	0.2	\$90.98
Notification of actual startup	2	1	2	1	2	0.1	0.2	\$90.98
Notification of initial performance test	8	1	8	1	8	0.4	0.8	\$363.90
Notification of CEMS demonstration	5	1	5	1	5	0.25	0.5	\$227.45
Review CEMS demonstration for Eb	40	1	40	1	40	2	4	\$1,819.52
Review excess emission reports for Ea								
No excess emission report <sup>d</sup>	8	1	8	5.6	44.8	2.24	4.48	\$2,037.87
Excess emission report <sup>e</sup>	2	1	2	1.4	2.8	0.14	0.28	\$127.67
Review semiannual excess emission reports for Eb <sup>f</sup>	12	2	24	4	96	4.8	9.6	\$4,366.85
Review quarterly appendix F reports for Ea <sup>g</sup>	0.5	4	2	7	14	0.7	1.4	\$636.83
Review quarterly compliance report for Ea <sup>g</sup>	8	4	32	7	224	11.2	22.4	\$10,189.31
Review annual compliance reports for Eb <sup>h</sup>	5	1	5	4	20	1	2	\$909.76
Review annual compliance tests for Ea <sup>i</sup>	18	1	18	7	126	6.3	12.6	\$5,731.49
Review siting requirements study for Eb <sup>j</sup>	24	1	24	4	96	4.8	9.6	\$4,366.85
Subtotal					683	34.15	68.3	\$31,068.63
TOTAL ANNUAL BURDEN AND COST (rounded)						785.45 785 (rounded)		\$31,069

## Assumptions:

- <sup>a</sup> We have estimated that an average of 12 sources is subject to subparts Ea and Eb. Seven of these sources are currently subject to subpart Ea, with no additional sources becoming subject to the regulation in the next three years. The remaining five sources are subject to subpart Eb (4 existing and 1 new). We have assumed that one additional source per year will become subject to the standard over the next three years. It is further assumed that there is an average of two affected facilities per plant per respondent.
- <sup>b</sup> The cost is based on the following labor rate which incorporates a 1.6 benefits multiplication factor to account for government overhead expenses. Managerial rates of \$54.66 (GS-13, Step 5, \$34.16x1.6), Technical rate of \$40.56 (GS-12, Step 1, \$25.35 x 1.6), and Clerical rate of \$21.95 (GS-6, Step 3, \$13.72 x 1.6). These rates are from the Office of Personnel Management (OPM) “2004 General Schedule” which excludes locality rates of pay.
- <sup>c</sup> It is estimated that 20 percent of respondents are required to perform retest preparations and observance for subpart Eb.
- <sup>d</sup> It is estimated that 80 percent of respondents will review reports for no excess emission for subpart Ea.
- <sup>e</sup> It is assumed that 20 percent of respondents will review reports for excess emission for subpart Ea.
- <sup>f</sup> We have assumed that all four respondents that are subject to subpart EB will review semiannual excess emission reports.
- <sup>g</sup> We have assumed that all seven respondents that are currently subject to subpart Ea will have to review quarterly reports.
- <sup>h</sup> We have assumed that all four respondents that are subject to subpart Eb will have to review annual compliance reports.
- <sup>i</sup> We have assumed that it will take 18 hours to review the annual compliance test for Ea.
- <sup>j</sup> All of the four respondents that are subject to subpart Eb will have to review the siting requirement’s study.