

**SUPPORTING STATEMENT
ENVIRONMENTAL PROTECTION AGENCY**

NSPS for Hot Mix Asphalt Facilities (40 CFR Part 60, Subpart I) (Renewal)

1. Identification of the Information Collection

1(a) Title of the Information Collection

NSPS for Hot Mix Asphalt Facilities (40 CFR part 60, subpart I) (Renewal), EPA ICR 1127.09, OMB Control Number 2060-0083

1(b) Short Characterization/Abstract

The New Source Performance Standards (NSPS) for the regulations (40 CFR part 60, subpart I) were proposed on June 11, 1973, and promulgated on July 25, 1977. These regulations apply to hot mix asphalt facilities comprised only of a combination of the following: dryers; systems for screening, handling, storing, and weighing hot aggregate; systems for loading, transferring, and storing mineral filler; systems for mixing hot mix asphalt; and the loading, transfer, and storage systems associated with emission control systems.

In general, all NSPS standards require initial notifications, performance tests, and periodic reports. Owners or operators of the affected facilities described must make the following on-time only reports: notification of the date of construction or reconstruction; notification of the anticipated and 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 the date of the initial performance test; and the results of the initial performance test. 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. In general, these notifications, reports, and records are required of all sources subject to NSPS.

This information is being collected to assure compliance with 40 CFR Part 60, Subpart I. Any owner or operator subject to the provisions of this part will maintain a file of these records, and retain the file for at least two years following the date of such records. The reporting requirements for this industry currently include only the initial notifications and initial performance test report listed above. 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.

In the development of this Information Collection Request (ICR), we reviewed the Office of Management and Budget (OMB) "Terms of Clearance" (TOC) section on the active ICR. There were no comments in the TOC section.

We have determined that approximately 95 percent (i.e., 3800) of 4,000 existing hot mix asphalt facilities in the United States are currently subject to NSPS subpart I. In addition, we are expecting an average net growth of 105 facilities per year for this sector, and that an average of 3.5 percent (i.e. 140) of the existing facilities would be conducting modifications of their facilities, such that they will be required to comply with the initial rule requirements. This information has been gathered through consultation with the National Asphalt Pavement Association and the EPA Office of Air Quality Planning and Standards.

The burden to the “Affected Public” may be found in Table 1: Annual Respondent Burden and Cost: NSPS for Hot Mix Asphalt Facilities (40 CFR Part 60, Subpart I) (Renewal), attached. The burden to the “Federal Government” is attributed entirely to work performed by federal employees or government contractors; this burden may be found in Table 2: Annual Burden and Cost for the Federal Government: NSPS for Hot Mix Asphalt Facilities (40 CFR Part 60, Subpart I) (Renewal), attached.

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/operator subject to any requirement of this Act to:

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, particulate matter emissions from hot mix asphalt facilities 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, subpart I.

2(b) Practical Utility/Users of the Data

The recordkeeping and reporting requirements in the standard ensure compliance with the applicable regulations that were promulgated in accordance with the Clean Air Act. 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 test, 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 check if the pollution control devices are properly installed and operated, leaks are being detected and repaired, and the standard is being met. The performance test may also be observed.

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

3. Non-duplication, Consultations, and Other Collection Criteria

The requested recordkeeping and reporting are required under 40 CFR part 60, subpart I.

3(a) Non-duplication

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 its 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 (73 FR 31088) on May 30, 2008. No comments were received on the burden published in the Federal Register.

3(c) Consultations

In previous renewals of this ICR, the information available on the active ICR, the standard and on the Agency databases was reviewed; the sector contact at the EPA's Office of Air, Quality Planning and Standards (OAQPS), the Director of Environmental and Safety Services at the National Asphalt Pavement Association (NAPA) were also contacted.

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 that 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

Neither the reporting nor recordkeeping requirements violate the regulations established by Office of Management and Budget (OMB) at 5 CFR part 1320, section 1320.5. However, most NESHAP standards and a few NSPS standards require records be kept more than three years. In general, these standards require the respondents to maintain all records, including reports and notifications, for five years. The five-year record retention requirement is consistent with the Permit program at 40 CFR part 70, and the five-year statute of limitations on which the permit program is based.

The retention of records for five years allows EPA to establish the compliance history of the respondent for purposes of determining the appropriate level of enforcement action. Historically, EPA notes that the most flagrant violations have extended beyond a five-year period. If records are retained for less than five years, EPA would be deterred from pursuing the most flagrant violations due to the destruction of records documenting noncompliance

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 Codes

The respondents to the recordkeeping and reporting requirements are hot mix asphalt facilities commencing construction, modification or reconstruction after June 11, 1973. The SIC code for the respondents affected by the standards is SIC (United States Standard Industrial Classification) 2951 which corresponds to the NAICS (The North American Industry Classification System) 324121 for hot mix asphalt facilities.

4(b) Information Requested

(i) Data Items

All data in this ICR that is recorded and/or reported is required by NSPS for Hot Mix Asphalt Facilities (40 CFR part 60, subpart I).

A source must make the following reports:

| Notification Reports | |
|--|-------------------|
| Notification of construction or reconstruction | 40 CFR 60.7(a)(1) |
| Notification of actual date of initial startup | 40 CFR 60.7(a)(3) |
| Notification of physical or operational change | 40 CFR 60.7(a)(4) |
| Notification of performance test | 40 CFR 60.8(d) |

| Reports | |
|-----------------------------|----------------|
| Report of performance tests | 40 CFR 60.8(a) |

A source must maintain the following records:

| Recordkeeping | |
|---|---------|
| Record of startups, shutdowns, and malfunctions | 60.7(b) |
| Records are required to be retained for two years | 60.7(f) |

Electronic Reporting

At the present, many respondents to CAA standards use monitoring equipment that automatically records parameter data. Although personnel at the affected facility must evaluate the data, this internal automation has significantly reduced the burden associated with monitoring and recordkeeping at the plant site.

In addition, 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.

(ii) Respondent Activities

Respondents must conduct the following activities:

| Respondent Activities |
|--|
| Read instructions |
| Perform initial performance test, Reference Methods 5 for particulate matter and Method 9 to determine opacity, 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 |
| Developing, acquiring, installing, and utilizing technology and systems for the purpose of processing and maintaining information |
| Developing, acquiring, installing, and utilizing technology and systems for the purpose of disclosing and providing information |
| Adjusting the existing ways to comply with any previously applicable instructions and requirements |
| Training personnel to be able to respond to a collection of information |
| Transmitting, or otherwise disclosing 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 information required under 40 CFR part 60, subpart I:

| Agency Activities |
|---|
| Observes initial performance tests and repeat performance tests if necessary |
| Reviews notifications and reports, including performance test reports, and excess emissions reports, required to be submitted by industry |
| Audits facility records |
| Inputs and maintains data in the Aerometric Information Retrieval System (AIRS) database |

5(b) Collection Methodology and Management

The required data and reports can be evaluated on-site by conducting a partial compliance evaluation, full compliance evaluation or inspection, or thru an off-site review of compliance monitoring records and reports. Evaluation reports and inspection results are maintained by the Agency or delegated authority.

The results of these evaluations are entered into the Air Facility Subsystem (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 data for approximately 125,000 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 delegated authorities can retrieve and analyze the data.

5(c) Small Entity Flexibility

The recordkeeping and reporting requirements were selected within the context of this specific subpart and the specific process equipment and pollutant. The requirements reflect the burden on small businesses. To the extent that larger businesses can use economies of scale to reduce their burden, the overall burden will be reduced. Although the recordkeeping and reporting requirements are the same for small and larger businesses, the Agency considers these requirements to be the minimum needed to ensure compliance and, therefore, cannot reduce them further for small businesses.

The number of small entities affected by this rule could not be determined, based on review of the following sources: the promulgated rule notice in the Federal Register; the *Background Information for New Source Performance Standards: Asphalt Concrete Plants, Petroleum Refineries, Storage Vessels, Secondary Lead Smelters and Refineries, Brass or Bronze Ingot Production Plants, Iron and Steel Plants, Sewage Treatment Plants; Volume 3, Promulgated Standards* (1974); and a search of publicly available current data sources. The Background Information document states: "In 1970, there were 1,846 concrete firms operating an estimated

4,500 plans in the United States. Approximately one-third of the firms operated a single plant and most of the remainder operated less than five plants.”

5(d) Collection Schedule

The specific frequency for each information collection activity within this request is shown in Table 1, attached.

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. The individual burdens are expressed under standardized headings believed to be consistent with the concept of burden under the Paperwork Reduction Act. Where it was appropriate, specific tasks and major assumptions have been identified in the burden calculations. 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

Over the next three years, the average annual burden to industry for these recordkeeping and reporting requirements is estimated to be 17,740 hours (Total Labor Hours from Table 1). The respondent burden is shown in Table 1, attached. The labor hours in Table 1 are based on Agency studies and background documents from the development of the regulation, Agency knowledge and experience with the standard, 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 | \$97.46 | (\$46.41 + 110%) |
| Technical | \$83.71 | (\$39.86 + 110%) |
| Clerical | \$42.55 | (\$20.26 + 110%) |

These rates are from the United States Department of Labor, Bureau of Labor Statistics, March 19, 2005, “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 only type of industry costs associated with the information collection activities in the

subject standards is labor costs which are addressed elsewhere in this ICR. There are no capital/startup and operation and maintenance costs associated with continuous monitoring equipment. 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(s) and other costs such as photocopying and postage.

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

There are no average annual costs for capital/startup and operation and maintenance costs to industry over the next three years of the ICR because the rule does not require the use of continuous monitoring equipment.

6(c) Estimating Agency Burden and Costs

The only costs to the Agency are those 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 and the publication and distribution of collected information.

The average annual Agency cost during the three years of the ICR is estimated to be \$169,700. This burden is shown in Table 2: Annual Burden and Cost for the Federal Government: NSPS for Hot Mix Asphalt Facilities (40 CFR Part 60, Subpart I) (Renewal), attached.

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

| | | |
|------------|---------|--------------------------------|
| Managerial | \$56.02 | (GS-13, Step 5, \$35.01 x 1.6) |
| Technical | \$41.57 | (GS-12, Step 1, \$25.98 x 1.6) |
| Clerical | \$22.50 | (GS-6, Step 3, \$14.06 x 1.6) |

These rates are from the Office of Personnel Management (OPM) A2005 General Schedule@ which excludes locality rates of pay.

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

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 ¹ | (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 | 245 | 0 | 3,800 | 140 | 3,905 |
| 2 | 245 | 0 | 3,905 | 140 | 4,010 |
| 3 | 245 | 0 | 4,010 | 140 | 4,115 |
| Average | 245 | 0 | 3,905 | 140 | 4,010 |

¹ New respondents include sources with constructed, reconstructed and modified affected facilities. In this standard, existing respondents that conduct operational changes submit initial notifications and conduct performance tests.

To avoid double-counting, column D is subtracted. As shown above, the average Number of Respondents over the three-year period of this ICR is 4,010.

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

| Total Annual Responses | | | | |
|--|--------------------------------------|------------------------------------|---|---|
| (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=(BxC)+D |
| Notification of initial startup | 105 | 1 | | 105 |
| Notification of contraction/reconstruction | 105 | 1 | | 105 |
| Notification of operational change | 140 | 1 | | 140 |
| Notification of performance test | 245 | 1.2 | | 294 |
| Performance test reports | 245 | 1.2 | | 294 |
| Recordkeeping | | | 3,905 | 3,905 |
| Total | | | | 4,843 |

The number of Total Annual Responses is 4,843, as shown in column E.

6(e) Bottom Line 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, attached.

(i) Respondent Tally

The Total Hours Requested is 17,740. Details regarding these estimates may be found in Table 1. Furthermore, the annual public reporting and recordkeeping burden for this collection of information is estimated to average 4 hours (rounded) per response

There are no total annual capital/startup and O&M costs to the regulated entity. The cost calculations are detailed in Section 6(b)(iii), Capital/Startup vs. Operation and Maintenance (O&M) Cost.

(ii) The Agency Tally

The average annual Agency burden hours and cost over next three years is shown in Table 2, attached.

6(f) Reasons for Change in Burden

There is no change in the estimation methodology for labor hours or cost to the respondents 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 respondents is very low, negative, or non-existent.

The previous approved ICR renewal indicated 17,318 annual labor hours; after review of the burden tables, we have determined that the number of indicated hours was based on a calculation error. The slight increase in burden is due to a correction in the labor hours from 17,318 to 17,740 per year.

6(g) Burden Statement

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 4 hours (rounded) per response. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, disclose, or provide information to or for a Federal agency. This includes the time needed to review instructions; to develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating and verifying information, processing and maintaining information, and disclosing and providing information; to adjust the existing ways to comply with any previously applicable instructions and requirements; to train personnel to be able to respond to a collection of information; to search data sources; to complete and review the collection of information; and to transmit or otherwise disclose the information.

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-2008-0376. 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 Ave., 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 docket center 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, NW, Washington, DC 20503, Attention: Desk Officer for EPA. Please include the EPA Docket ID Number EPA-HQ-OECA-2008-0376 and OMB Control Number 2060-0083 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 Hot Mix Asphalt Facilities (40 CFR Part 60, Subpart I) (Renewal)

| Burden item | (A) Person-hours per occurrence | (B) No. of occurrences per respondent per year | (C) Person-hours per respondent per year (C=AxB) | (D) Respondents 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. Survey and Studies | N/A | | | | | | | |
| 3. Acquisition, Installation, and Utilization of Technology and Systems | N/A | | | | | | | |
| 4. Reporting Requirements | | | | | | | | |
| A. Read instructions | 1 | 1 | 1 | 245 | 245.0 | 12.3 | 24.5 | \$22,750.18 |
| B. Required activities: | | | | | | | | |
| i. Initial Performance tests ^c | 24 | 1 | 24 | 245 | 5,880.0 | 294.0 | 588.0 | \$545,887.44 |
| ii. Repeat Performance tests ^c | 24 | 0.2 | 4.8 | 245 | 1,176.0 | 58.8 | 117.6 | \$109,177.49 |
| iii. Reference Method 9 | 4 | 1 | 4 | 245 | 980.0 | 49.0 | 98.0 | \$90,981.24 |
| iii. Monitoring of operations and equipment: | Included in `5E | | | | | | | |
| C. Gather Existing Information | Included in 4B and 5E | | | | | | | |
| D. Write report ^{a, c} | | | | | | | | |

| | | | | | | | | |
|--|----------------|-----|-----|-------|----------|----------|---------|----------------|
| i. Notification of actual startup date | 2 | 1 | 2 | 105 | 210.0 | 10.5 | 21.0 | \$19,495.98 |
| ii. Notification of construction/ reconstruction | 2 | 1 | 2 | 105 | 210.0 | 10.5 | 21.0 | \$19,495.98 |
| iii. Notification of physical or operational change | 2 | 1 | 2 | 140 | 280.0 | 14.0 | 28.0 | \$25,994.64 |
| iii. Notification of Performance Test ^c | 2 | 1.2 | 2.4 | 245 | 588.0 | 29.4 | 58.8 | \$53,877.75 |
| iv. Reports of performance test results | Included in 4B | | | | | | | |
| v. Periodic reports ^d | N/A | | | | | | | |
| SUBTOTAL Reporting | | | | | | 11,004.4 | | \$887,660.70 |
| 5. Recordkeeping Requirements | | | | | | | | |
| A. Read instructions | Included in 4A | | | | | | | |
| B. Plan activities | Included in 4B | | | | | | | |
| C. Implement activities | Included in 4B | | | | | | | |
| D. Develop record system | N/A | | | | | | | |
| E. Time to enter and transmit information ^e | 1.5 | 1 | 1.5 | 3,905 | 5,857 | 292.9 | 585.7 | \$543,794.03 |
| F. Time to train personnel | N/A | | | | | | | |
| G. Time for audits | N/A | | | | | | | |
| SUBTOTAL Recordkeeping | | | | | | 6,736 | | \$543,794.03 |
| LABOR BURDEN AND COST | | | | | 15,059.0 | 753.0 | 1,505.9 | \$1,431,454.73 |

| | | | | | | |
|---------------------------------------|--|--|--|--|--------|-------------|
| TOTAL LABOR BURDEN AND COST (Rounded) | | | | | 17,740 | \$1,431,455 |
|---------------------------------------|--|--|--|--|--------|-------------|

Assumptions:

- ^a We have determined that approximately 95 percent of 4,000 (i.e., 3800) existing hot mix asphalt facilities in the United States are currently subject to NSPS subpart I. In addition, we are expecting an average net growth of 105 facilities per year for this sector and that an average of 3.5 percent of the existing facilities (i.e., 140) would be conducting modifications of their facilities.
- ^b This ICR uses the following labor rates: \$97.46 per hour for Executive, Administrative, and Managerial labor; \$83.71 per hour for Technical labor, and \$42.55 per hour for Clerical labor. These rates are from the United States Department of Labor, Bureau of Labor Statistics, March 19, 2005, "Table 2. Civilian Workers, by Occupational and Industry group." The rates are from column 1, "Total compensation." The rates have been increased by 110% to account for the benefit packages available to those employed by private industry.
- ^c We have assumed that a total of 245 new and modified hot mix asphalt facilities would be required to submit notification and conduct a performance test. We have further assumed that about 20 percent of the sources would repeat performance tests due to failure.
- ^d The rule does not require existing sources to submit periodic reports.
- ^e We have assumed that recordkeeping would take sources an average of 1.5 hours a year.

Table 2. Annual Burden and Cost for the Federal Government: NSPS for Hot Mix Asphalt Facilities (40 CFR Part 60, Subpart I) (Renewal)

| Activity | (A) EPA person- hours per occurrence | (B) No. of occurrences per plant per year | (C) EPA person- hours per plant per year (C=AxB) | (D) Plants Per year ^{a, c} | (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 actual startup date | 2 | 1 | 2 | 105 | 210.0 | 10.5 | 21.0 | \$9,790.41 |
| Notification of construction/ reconstruction | 2 | 1 | 2 | 105 | 210.0 | 10.5 | 21.0 | \$9,790.41 |
| Notification of physical or operational change | 2 | 1 | 2 | 140 | 280.0 | 14.0 | 28.0 | \$13,053.88 |
| Notification of Performance Test | 2 | 1.2 | 2.4 | 245 | 588.0 | 29.4 | 58.8 | \$27,413.15 |
| Reports of performance test results ^c | 8 | 1.2 | 9.6 | 245 | 2,352.0 | 117.6 | 235.2 | \$109,652.59 |
| Periodic reports ^d | N/A | | | | | | | |
| Subtotal Burden and Cost | | | | | 3,640.0 | 182.0 | 364.4 | \$169,700.44 |
| TOTAL ANNUAL BURDEN AND COST (rounded) | | | | | | 4,186 | | \$169,700 |

Assumptions:

^a We have determined that approximately 95 percent of 4,000 (i.e., 3800) existing hot mix asphalt facilities in the United States are currently subject to NSPS subpart I. In addition, we are expecting an average net growth of 105 facilities per year for this sector and that an average of 3.5 percent of the existing facilities (i.e., 140) would be conducting modifications of their facilities.

^b This cost is based on the following labor rates which incorporates a 1.6 benefits multiplication factor to account for government overhead expenses: Managerial rate of \$56.02 (GS-13, Step 5, \$35.01 x 1.6), Technical rate of \$41.57 (GS-12, Step 1, \$25.98 x 1.6), and Clerical rate of \$22.50 (GS-6, Step 3, \$14.06 x 1.6). These rates are from the Office of Personnel Management (OPM) “2005 General Schedule” which excludes locality rates of pay.

^c The 245 new and modified hot mix asphalt facilities would be required to submit notifications and perform performance tests.

^d The rule does not require sources to submit periodic reports.

