

**SUPPORTING STATEMENT
ENVIRONMENTAL PROTECTION AGENCY**

**NESHAP for Coke Oven Pushing Quenching and Battery Stacks
(40 CFR Part 63, Subpart CCCCC) (Renewal)**

1. Identification of the Information Collection

1(a) Title of the Information Collection

NESHAP for Coke Oven Pushing Quenching and Battery Stacks (40 CFR part 63, subpart CCCCC) (Renewal), EPA ICR Number 1995.04, OMB Control Number 2060-0521

1(b) Short Characterization/Abstract

The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Coke Oven Pushing Quenching and Battery Stacks were proposed on July 3, 2001 (66 FR 35325) and, promulgated on April 14, 2003 (68 FR18007). The respondents are owners or operators of coke plants that are major sources of hazardous air pollutant (HAP) emissions. The national emission standard for hazardous air pollutants (NESHAP) applies to emissions from pushing, soaking, quenching, and battery stacks on new and existing coke oven batteries.

The final rule includes emission limitations, or work practice standards for each type of affected source. Emission limitations are established for control devices applied to pushing emissions. Work practice standards are established for fugitive pushing emissions, soaking, and quenching. Battery stacks are subject to a daily average opacity limit.

Owners or operators of by-product coke oven batteries must prepare and operate by written operation and maintenance plans and work practice plans for soaking. Owners or operators of by-product coke oven batteries with horizontal flues are required to prepare and operate by a written plan designed to prevent green pushes based on a study of minimum flue temperatures. Consistent with the NESHAP General Provisions, all respondents also are required to prepare and operate by a startup, shutdown, and malfunction plan.

Owners or operators must conduct an initial performance test to demonstrate compliance with each emission and opacity limit and make written compliance certifications for the work practice standards and operation and maintenance requirements. Subsequent performance tests for each control device applied to pushing emissions are required twice during each term of their title V operating permit. Bag leak detection systems, or continuous parameter monitoring systems (CPMS) also are required, depending on the type of control device. A continuous opacity monitoring system (COMS) is required to demonstrate continuous compliance with the opacity limit for battery stacks. Installation, inspection, and maintenance requirements are established for different types of monitoring systems.

Respondents must submit one-time notifications as required by the NESHAP General Provisions, quarterly reports of deviations for battery stacks, and semiannual reports of deviations from the rule requirements for all other affected sources. An immediate report is required if actions taken in response to the startup, shutdown, or malfunction were not consistent with the written startup, shutdown, and malfunction plan. Respondents must maintain records of specific information to ensure that the rule requirements are being achieved and maintained.

There is an average of 19 respondents (i.e. coke plants) which are operating 58 by-product batteries and 10 non-recovery batteries. We have assumed that there will be no new respondents subject to this regulation. We have assumed that there is an average of 2.8 battery stacks per plant for the purpose of calculating the burden, however, the average accounts for those few plants that have a pair of batteries served by one stack.

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 are no terms of clearance.

The burden to the “Affected Public” may be found below in Table 1: Annual Respondent Burden and Cost: NESHAP for Coke Oven Pushing Quenching and Battery Stacks (40 CFR Part 63, Subpart CCCCC) (Renewal).

The burden to the “Federal Government” is attributed entirely to work performed by federal employees or government contractors; this burden may be found below in Table 2: Annual Burden and Cost for the Federal Government: NESHAP for Coke Oven Pushing Quenching and Battery Stacks (40 CFR Part 63, Subpart CCCCC) (Renewal).

2. Need for and Use of the Collection

2(a) Need/Authority for the Collection

The Clean Air Act (CAA) provides authority to the Agency to establish standards to control air pollution and to ensure compliance with promulgated regulations through adequate recordkeeping and reporting by the affected industries (i.e., respondents). The regulations include the New Source Performance Standards (NSPS) under section 111 of the Act, the National Emission Standards for Hazardous Air Pollutants (NESHAP), which includes the original NESHAP standards and the more recent Maximum Achievable Control Technology (MACT), or NESHAP-MACT standards under section 112 of the Act, and emission guidelines for the designated types incinerators under section 129 of the CAA.

2(b) Practical Utility/Users of the Data

The recordkeeping and reporting requirements in the standards are used by regulatory agencies, the public and the regulated community for a variety of reasons including the determination of the respondent’s compliance status, analytical studies to demonstrate compliance trends, and evaluations regarding the efficacy of the promulgated regulations.

The required recordkeeping and reporting also are used to: 1) certify compliance with the regulations; 2) determine the respondent's compliance with the designated emission limitations; 3) notify regulatory agencies when a standard is violated; 4) evaluate continuous compliance through the use of emission or operational parameter monitors; and 5) ensure that plant personnel are following the required procedures and are periodically trained, as indicated.

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

3(a) Non-duplication

The standards do not require duplication in the collection and reporting of information. If the subject standards have not been delegated, the information is sent directly to the appropriate Environmental Protection Agency (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.

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

It is our policy to carefully review any comments received since the last ICR renewal including those submitted in response to the first Federal Register notice and to respond appropriately. In this case, no comments were received. The Agency's internal industry experts have been consulted. The Agency's internal data sources and any projections of industry growth over the next three years also 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 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 all compliance data. Approximately 19 respondents (i.e., 19 coke plants with 56 coke oven batteries) are currently subject to the regulation and our consultations with Agency industry experts regarding the growth rate for the industry indicated that an additional one respondent per year will become subject to the regulation over the next three years.

It should be noted that the respondents, the 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 previously has been reviewed to determine the minimum information needed for compliance purposes.

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

Neither the reporting, nor the 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 to 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

The recordkeeping and reporting requirements do not contain sensitive questions.

4. The Respondents and the Information Requested

4(a) Respondents/SIC Codes

The Standard Industrial Classification (SIC) code(s) and corresponding North American Industry Classification System (NAICS) for the respondents are listed below. Approximately 19 respondents (i.e., 19 coke plants with 56 coke oven batteries) are affected.

Category	SIC code	NAICS code	Examples of regulated entities
Coke plants	3312	331111	Coke plants integrated with steel mills
Coke Plants	3312	324199	Coke plants not at integrated iron and steel mills

This table is not meant to be exhaustive, but rather provides a guide for readers regarding the entities likely to be regulated by this standard. To determine whether the standard applies to a particular entity, review the applicability provisions in the standard.

4(b) Information Requested

(i) Data Items

Notification Reports	
Initial notification requirements	63.9(b)(1)
Notification of compliance status when a source becomes subject to the standard	63.9(h), 63.7340(a)
Notification that source is subject to special compliance requirements, if applicable	63.9(d)
Notification of performance test	63.7(b), 63.9(e), 63.5755(a)
Rescheduled of performance test	63.7(b)(2)
Demonstration of continuous monitoring system	63.9(g), 63.7340(a)
Change in information already provided	63.9(j)
Request for an extension of compliance with relevant standard	63.9(c)

Reports	
Application for approval of the construction or reconstruction of a new major affected source, or reconstruction of a major affected source	63.5(6)(d)
Performance test results	63.10(d)(2), 63.5755
Startup, shutdown and malfunction plan	63.6(e)(3), 63.7310©
Operation and maintenance plan for capture systems, control devices applied to pushing emissions, and by-product coke oven batteries	63.7300(b-c)
Immediate startup, shutdown and malfunction reports	63.6(e)(3), 63.10(d)(5), 63.7341(d)
Plan for soaking emissions	63.7294
Plan to prevent green pushes from by-product coke oven batteries with horizontal flues	63.7292

Reports	
Progress reports for compliance extension (if applicable)	63.6(i)
Quarterly and semiannual compliance reports	63.7341(b-c)

A source must keep the following records:

Recordkeeping	
Startup, shutdown and malfunction plan	63.6(e)(3), 63.7342(a)(2)
All reports and notifications	63.10(b)(1), 63.7342(a)(1)
Records of startup, shutdown, and malfunction of process equipment	63.10(b)(2)(i), (iv), (v), 63.7342(a)(2)
Records of malfunctions of air pollution control equipment	63.10(b)(2)(ii)
Any applicability determination that demonstrates why owner or operator believes source is unaffected	63.10(b)(3)
Records of maintenance of air pollution control equipment	63.10(b)(2)(iii)
Records of performance tests, performance evaluations, and opacity and visible emissions observations	63.10(b)(2)(viii), 63.7342(a)(3)
Five-year retention of records	63.10(b)(1), 63.7342(d)

Electronic Reporting

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

(ii) Respondent Activities

Respondent Activities
Read instructions.
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.

Respondent Activities
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.

Regulatory agencies, to the extent possible, are relying more on automated techniques such as electronic submissions of reports, and are improving their tracking systems and database systems to enhance the use of these techniques. 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 one or more of 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 Air Facility System (AFS).

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 through 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 System (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

A small entity for this industry is defined as a firm having no more than 1,000

employees. Three of the existing coke plants are small entities. None of the coke plants owned by small businesses is at risk of closure as a result of the rule. The rule provides a maximum degree of operational flexibility, and the ICR requirements are the minimum necessary to demonstrate compliance.

5(d) Collection Schedule

The specific frequency for each information collection activity within this request is shown below in Table 1: NESHAP for Coke Oven Pushing Quenching and Battery Stacks (40 CFR Part 63, Subpart CCCCC) (Renewal).

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 appropriate, the specific tasks and major assumptions have been identified when calculating the burden. Responses to this information collection are mandatory.

6(a) Estimating Respondent Burden

The respondent burden is shown below in Table 1: NESHAP for Coke Oven Pushing Quenching and Battery Stacks (40 CFR Part 63, Subpart CCCCC) (Renewal). 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	\$100.99 (\$48.09 + 110%)
Technical	\$87.97 (\$41.89 + 110%)
Clerical	\$43.81 (\$20.86 + 110%)

These rates are from the United States Department of Labor, Bureau of Labor Statistics, December, 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 annual burden for respondent activities includes labor costs, capital/start up costs and operating and maintenance (O&M) costs. The capital/startup costs are one-time costs when a

facility becomes subject to the regulation. We have assumed that existing respondents have already purchased leak detectors and continuous opacity monitors, as required by the rule. The capital cost for bag leak detection systems is \$9,000 each and for COMs is \$37,000 each, based on the rule economic impact analysis. However, there are no capital costs associated with this rule since we have assumed that there will be no new sources becoming subject to this rule. The annual operation and maintenance cost for this ICR is \$169,500 per year. This is based on the ongoing costs to maintain 19 bag leak detectors at a cost of \$ 500/year each and 20 continuous opacity monitors at a cost of \$ 8,000/year each.

(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)
Leak detectors	\$9,000	0	\$0.00	\$500	19	\$9,500.00
Continuous Opacity Monitors	\$37,000	0	\$0.00	\$8,421	19	\$160,000.00
Total			\$0.00			\$169,500.00

* Based on the assumption of one bag leak detection system per respondent (i.e., 18 systems) and 1.05 COMs per respondent (i.e., 20 COMs) based on 19 respondents.

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 \$7,236, which is shown below in Table 2: NESHAP for Coke Oven Pushing Quenching and Battery Stacks (40 CFR Part 63, Subpart CCCCC) (Renewal).

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 from the Office of Personnel Management (OPM) “2005 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 Respondents¹	(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	19	0	0	19
2	0	19	0	0	19
3	0	19	0	0	19
Average	0	19	0	0	19

¹ New respondents include sources with constructed, reconstructed and modified affected facilities.

To avoid double-counting respondents column D is subtracted. The average Number of Respondents over the three-year period of this ICR is shown in column D.

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 compliance status	0	1	0	0
Notification/application of construction	0	1	0	0

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 actual startup	0	1	0	0
Notification of performance test and test plan	0	1	0	0
Report of performance test results	6.4	1	0	6.4
Report of semiannual compliance reports	19	2	0	38
Report of quarterly compliance reports	17	4	0	68
Report of startup, shutdown, malfunction	1	1	0	1
Total				113.4

The number of Total Annual Responses, 113 (rounded), is shown in column E.

The Total Hours Requested, 25,879 (rounded). The total annual labor cost may be found in Table 1: Annual Respondent Burden and Cost: NESHAP for Coke Oven Pushing Quenching and Battery Stacks (40 CFR Part 63, Subpart CCCCC) (Renewal).

The average annual Agency burden and cost over next three years is shown in Table 2: Annual Burden and Cost for The Federal Government: NESHAP for Coke Oven Pushing Quenching and Battery Stacks (40 CFR Part 63, Subpart CCCCC) (Renewal).

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.

(i) Respondent Tally

Details regarding the annual labor cost estimates may be found in Table 1: Annual Respondent Burden and Cost: NESHAP for Coke Oven Pushing Quenching and Battery Stacks (40 CFR Part 63, Subpart CCCCC) (Renewal). Furthermore, the annual public reporting and

recordkeeping burden for this collection of information is estimated to average 228 hours per response.

The total annual capital/startup and O&M 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 are shown below in Table 2: Annual Burden and Cost for The Federal Government: NESHAP for Coke Oven Pushing Quenching and Battery Stacks (40 CFR Part 63, Subpart CCCCC) (Renewal).

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: 1) the regulations have not changed over the past three years and are not anticipated to change over the next three years; and 2) the growth rate for respondents is very low, negative, or non-existent.

The previous approved ICR renewal indicated 30 annual responses; after review of the previous supporting statement, we have determined that the number of indicated responses was an error. The total number of annual responses is 113. Additionally, there was a calculation error in the previous burden table (Table 1). The slight increase in burden is due to a correction in the total labor burden and cost from 25,208 to 25,879 per year.

6(g) Burden Statement

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 228 hours 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-2008-0366. 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) 566-1752. 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 EPA-HQ-OECA-2008-0366 and OMB Control Number 2060-0521 in any correspondence.

Part B of the Supporting Statement

This part is not applicable because no statistical methods were used in collecting this information.

Burden item	(A) Person- hours per occurrence	(B) No. of occurrences per respondent	(C) Person- hours per respondent (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
Method 9 daily observations for fugitive pushing emissions ^f	2.8	365	1,022	17	17,374	868.7	1,737.0	\$1,692,218.76
Weekly sampling for total dissolved solids (TSD) ^g	2.3	52	119.6	19	2,272.4	113.6	227.2	\$221,329.12
Monthly inspections and maintenance of affected sources, control devices, and continuous parameter monitoring systems ^e	2	12	24	19	456.0	22.8	45.6	\$44,414.63
C. Create information	See 4B							
D. Gather existing information	See 4B							
E. Write report								
Notification of applicability	2	1	2	0.0	0.0	0.0	0.0	\$0.00
Notification of constr./reconstr.	2	1	2	0.0	0.0	0.0	0.0	\$0.00
Notification of anticipated startup	2	1	2	0.0	0.0	0.0	0.0	\$0.00
Notification of actual startup	2	1	2	0.0	0.0	0.0	0.0	\$0.00
Notification of special compliance Requirements	2	1	2	0.0	0.0	0.0	0.0	\$0.00
Compliance extension request	2	1	2	0.0	0.0	0.0	0.0	\$0.00
Notification of performance test	2	1.5 ^c	3	0.0	0.0	0.0	0.0	\$0.00
Site-specific test plan	40	1	40	0.0	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) 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
Notification of compliance status	8	1	8	0.0	0.0	0.0	0.0	\$0.00
NESHAP waiver application	N/A							
Report of performance test ^h	See 4B							
Semiannual compliance reports ^h	40	2	80	2	160.0	8.0	16.0	\$15,584.08
Quarterly compliance reports for battery stacks ^f	12	4	48	17	816.0	40.8	81.6	\$79,478.81
Emergency startup, shutdown, or malfunction reports ⁱ	4	1	4	1	4	0.2	0.4	\$389.60
SUBTOTAL Reporting					24,731.9			\$2,094,713
5. Recordkeeping Requirements								
A. Read instructions	See 4A							
B. Plan activities	3	1	3	0.0	0.0	0.0	0.0	\$0.00
C. Implement activities	12	1	12	0.0	0.0	0.0	0.0	\$0.00
D. Develop record system	3	1	3	0.0	0.0	0.0	0.0	\$0.00
E. Time to enter information	1	52	52	19	988.0	49.4	98.8	\$96,231.69
F. Time to train personnel	3	1	3	0.0	0.0	0.0	0.0	\$0.00
G. Time to adjust existing ways to comply with previously	3	1	3	0.0	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) 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
applicable requirements								
H. Time to transmit or disclose information ^j	0.25	2	0.5	19	9.5	0.5	1.0	\$930.02
I. Time for audits	N/A							
SUBTOTAL Recordkeeping					1,147.2			\$97,167.71
TOTAL LABOR BURDEN AND COST					21,919.9	1,096.0	2,192.0	\$2,191,874.52
TOTAL LABOR BURDEN AND COST (Rounded)					25,879			\$2,191,875

Assumptions:

^a There is an average of 19 respondents (i.e., coke plants operating 58 by-product batteries and 10 non-recovery batteries). We have assumed that there will be no new sources subject to this regulation.

^b This ICR uses the following labor rates: \$100.99 per hour for Executive, Administrative, and Managerial labor; \$87.97 per hour for Technical labor, and \$43.81 per hour for Clerical labor. These rates are from the United States Department of Labor, Bureau of Labor Statistics, December, 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 existing respondents have already comply with initial rule requirements and are in full compliance with periodic requirements including quarterly and semiannual reports. New respondents would have to comply with the initial rule requirements including notifications and performance tests for add-on control devices.

^d Monitoring and recordkeeping of operations for respondents include: monthly inspection of capture and control systems; daily Method 9 observations; weekly sampling for dissolved solids for quenching operations; work practices for batteries with horizontal flues (one plant); and Method 5 testing for particulate matter.

^e The rule requires that every 2.5 years (or 0.4 times per year over the 3 years of the ICR), each control device applied to pushing emissions must be sampled by Method 5 for particulate matter. We have determined that there is an average of 1.5 emission points (24 control devices for 16 respondents = $24/16 = 1.5$ per respondent) that need to be tested. There is an average of 6.4 respondents per year ($16*0.4$) submitting Method 5 performance test reports.

^f Daily Method 9 observations of 4 pushes per battery stacks one hour per day per battery. We have assumed that 38 of the 53 battery stacks at 17 plants will have burden that can be attributed to the rule since the other plants were doing this type of monitoring before the rule. There is an average of 2.8 battery stacks per plant required to be tested for Method 9 for the burden calculation although we know that a few plants have a pair of batteries served by one stack.

^g The measuring of the total dissolved solids (TDS) in the make-up water used for quenching is a requirement. Since there are about 43 quenching towers (average over the 19 respondents is about 2.3 quenching towers per facility).

^h The rule requires the submittal of quarterly compliance reports for all battery stacks. If no deviation occurred and no continuous monitoring systems were out of control, only a summary report is required. There is an average of 6.4 respondents per year ($16*0.4$) submitting Method 5 performance test reports. For other affected sources, semiannual reports are required for any deviation from an emission limitation (including an operating limit), work practice standard, or O&M requirement.

ⁱ It assumes that one respondent per year will have a startup, shutdown and malfunction (SSM) occurrence that is not managed according to the SSM plan.

^j It assumes 15 minutes to transmit recorded information

Table 2. Annual Burden and Cost for The Federal Government: NESHAP for Coke Oven Pushing Quenching and Battery Stacks (40 CFR Part 63, Subpart CCCCC) (Renewal)

Activity	(A) Hours per occurrence	(B) Hours per plant per year	(C) Plants per year	(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, \$ ^a
Initial performance test	40	40	0	0	0	0	\$0.00
Repeat performance test-Retesting preparation	2	2	0	0	0	0	\$0.00
Repeat performance- Retesting	40	40	0	0	0	0	\$0.00
Report Review							
Notification of construction/reconstruction	N/A						
Notification of anticipated startup	N/A						
Notification of actual startup	N/A						
Notification of special compliance requirements	N/A						
Notification of initial performance test	2	2	0	0	0	0	\$0.00
Notification of compliance status ^d	2	2	0	0	0	0	\$0.00
Review of repeat Method 5 performance test Report	8	8	6.4	51.2	2.56	5.12	\$2,387.00
Review of semi-annual compliance report ^d	8	2	19	32	1.6	3.2	\$1,491.87
Review of NESHAP waiver application	2	2	0	0	0	0	\$0.00
Review of quarterly compliance report for battery stacks ^f	4	4	17	68	3.4	6.8	\$3,170.23
Review of emergency startup, shutdown, and malfunction report ^g	4	1	1	4.0	0.2	0.4	\$186.48

TOTAL BURDEN AND COST (SALARY)				155.2	7.8	15.5	\$7,235.58
TOTAL ANNUAL COST				179			\$7,236

Assumptions:

^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 We have assumed that existing sources have comply with the initial rule requirements. New respondents are required to conduct performance test for add-on control equipments, submit initial notifications and prepare startup, shutdown and malfunction (SSM) plans.

^d Every 2.5 years (or about 0.4 times per year, if average over the three year period of ICR), respondents must sample each emission point using Method 5 for particulate matter, and submit a report of results.

^e Sources are required to submit semiannual compliance reports and startup, shutdown and malfunction (SSM) reports if there is an occurrence that is not managed according to the SSM plan.

^f The rules requires the submittal of quarterly compliance reports for battery stacks. There is an average of 6.4 respondents per year (160.4) submitting Method 5 performance test reports.

^g It assumes that one respondent will have a startup, shutdown and malfunction (SSM) occurrence that is not managed according to the SSM plan.

