

**SUPPORTING STATEMENT
ENVIRONMENTAL PROTECTION AGENCY**

NSPS for Petroleum Dry Cleaners (40 CFR Part 60, Subpart JJJ) (Renewal)

1. Identification of the Information Collection

1(a) Title of the Information Collection

NSPS for Petroleum Dry Cleaners (40 CFR part 60, subpart JJJ) (Renewal),
EPA ICR Number 0997.09, OMB Control Number 2060-0079

1(b) Short Characterization/Abstract

The New Source Performance Standards (NSPS) for Petroleum Dry Cleaners were proposed on December 14, 1982, promulgated on September 21, 1984, and amended on October 17, 2000 (65 FR 61773). These standards apply to owners or operators of petroleum dry cleaning facilities constructed, reconstructed, or modified after December 14, 1982, with a total manufacturers' rated dryer capacity equal to or greater than 38 kilograms (84 pounds). This information is being collected to assure compliance with 40 CFR part 60, subpart JJJ.

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

Any owner/operator subject to the provisions of this part shall 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. 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 United States Environmental Protection Agency (EPA) regional office.

Based on our consultations with industry representatives, there is an average of one affected facility at each plant site and that each plant site has only one respondent (i.e., the owner/operator of the plant site).

There are approximately 342 existing sources that currently are associated with the rule, with an estimated 18 new additional sources per year over the next three years. The rule stipulates that only new sources with one-time-only requirements are subject to this subpart. Therefore, we concluded that the number of respondents for this renewal ICR is 18 sources per year.

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

The burden to the “Affected Public” may be below found in Table 1: Annual Respondent Burden and Cost – NSPS for Petroleum Dry Cleaners (40 CFR part 60, subpart JJJ) (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: Average Annual EPA Burden – NSPS for Petroleum Dry Cleaners (40 CFR part 60, subpart JJJ) (Renewal).

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 the Administrator's judgment, pollutant emissions from volatile organic compounds (VOCs) 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 JJJ.

2(b) Practical Utility/Users of the Data

The recordkeeping and reporting requirements in the standard ensure compliance with the applicable regulations which were promulgated in accordance with the Clean Air Act. The collected information also is 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, that leaks are being detected and repaired, and that the standards are being met. The performance test may also be observed.

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

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

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

Past consultations include contacting industry representatives, referencing the most recent ICR, consultation with the preparer of the active ICR, and use of other resources to obtain the most recent data available. Information from the United States Census Bureau, the Air Facility System (AFS), which is the primary source of information regarding the number of existing sources, and websites covering petroleum dry cleaners was reviewed; additionally, consultation was conducted with EPA's Office of Air Quality Planning and Standards, Information Transfer and Program Integration Division.

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

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

3(f) Confidentiality

Any information submitted to the Agency for which a claim of confidentiality is made will be safeguarded according to the Agency policies set forth in Title 40, Chapter 1, Part 2, Subpart B - Confidentiality of Business Information (CBI) (see 40 CFR 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 reporting, or recordkeeping, requirements in the standard do not include sensitive questions.

4. The Respondents and the Information Requested

4(a) Respondents/SIC Codes

The respondents to the recordkeeping and reporting requirements are petroleum dry cleaners. The United States Standard Industrial Classification (SIC) codes for the respondents affected by the standards, which corresponds to the North American Industry Classification System (NAICS) codes, are listed below for source category descriptions.

Standard (40 CFR part 60, subpart JJJ)	SIC Codes	NAICS Codes
Coin-Operating Laundry and Drycleaning	7215	812310
Drycleaning Plants, Except Rug Cleaning	7216	812320
Industrial Launderers	7218	812332

4(b) Information Requested

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

(i) Data Items

In this ICR, all the data that are recorded or reported are required by NSPS for Petroleum Dry Cleaners (40 CFR part 60, subpart JJJ).

A source must make the following reports:

Notifications	Standard Citation by Sections
Notification of construction/reconstruction	60.7(a)(1)
Notification of actual startup	60.7(a)(3)
Notification of initial performance test	60.8(d)
Notification of physical or operational change	60.7(a)(4)
Initial performance test results	60.8(a)

A source must make the following reports:

Recordkeeping	
Record of startup, shutdown, and malfunctions	60.7(b)
Initial and repeat of performance tests	60.625
Records are required to be retained for two years	60.7(f)

Electronic Reporting

Some of the respondents are using 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 still are 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.
Perform initial performance 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 disclosing and providing information.
Train personnel to be able to respond to a collection of information.
Transmit, or otherwise disclose the information.

Currently, sources are using automated monitoring equipment that provides parameter data. Although personnel at the sources still need to evaluate the data, this type of monitoring equipment has significantly reduced the burden associated with monitoring and recordkeeping.

5. The Information Collected: Agency Activities, Collection Methodology, and Information Management

5(a) Agency Activities

EPA conducts the following activities in connection with the acquisition, analysis, storage, and distribution of the required information.

Agency Activities
Observe initial performance tests and repeat performance tests if necessary.
Review notifications and reports, including performance test reports, and excess emissions reports, required to be submitted by industry.
Audit facility records.
Input, analyze, and maintain data in the Air Facility System (AFS).

5(b) Collection Methodology and Management

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

Information contained in the reports is 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 its delegated Authorities can edit, store, retrieve and analyze the data.

The records required by this regulation must be retained by the owner/operator for two years.

5(c) Small Entity Flexibility

A 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. 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 *Petroleum Dry Cleaners – Background Information for Proposed Standards*

(1982); and a search of publicly available current data sources. The Background Information document states: “Most [commercial] dry cleaners are small businesses. Family or sole proprietor businesses are common. More than half of the commercial dry cleaners employ fewer than five employees. Compared to commercial dry cleaners, industrial cleaners are much larger and employ more workers per plant. Under 15 percent of industrial cleaners employ fewer than five workers. Most industrial plants employ 10 to 100 workers.”

Due to technical considerations involving the process operations and the types of control equipment employed, the recordkeeping and reporting requirements are the same for both small and large entities. The Agency considers these requirements the minimum needed to ensure compliance and, therefore, cannot reduce them further for small entities. To the extent that larger businesses can use economies of scale to reduce their burden, the overall burden will be reduced.

5(d) Collection Schedule

The specific frequency for each information collection activity within this request is shown below in Table 1: Annual Industry Burden for NSPS for Petroleum Dry Cleaners (40 CFR part 60, subpart JJJ) (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 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. Where 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 1,664 hours (Total Labor Hours from Table 1). This estimate is based on Agency studies and background documents from the development of this 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	\$97.46 per hour	(\$46.41 + 110%)
Technical	\$83.71 per hour	(\$39.86 + 110%)
Clerical	\$42.55 per hour	(\$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 costs to the regulated industry resulting from information collection activities required by the subject standard are labor costs. There are no capital/startup or operation and maintenance (O&M) costs.

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 emission, and the publication and distribution of collected information.

The average annual Agency cost during the three years of the ICR is estimated to be \$26,736. This cost is based on the average hourly labor rate as follows:

Managerial	\$57.20	per hour	(GS-13, Step 5, \$35.75 x 1.6)
Technical	\$42.45	per hour	(GS-12, Step 1, \$26.53 x 1.6)
Clerical	\$22.96	per hour	(GS-6, Step 3, \$14.35 x 1.6)

These rates are from the Office of Personnel Management (OPM) "2006 General Schedule" which excludes locality rates of pay. Details upon which this estimate is based appear below in Table 2: Average Annual EPA Burden, NSPS for Petroleum Dry Cleaners (40 CFR part 60, subpart JJJ) (Renewal).

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

Based on our research for this ICR, over the next three years, approximately 18 respondents per year will be subject to the standard. The rule stipulates that only new sources with one-time-only requirements are subject to this subpart.

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

Number of Respondents					
	Respondents That Submit Reports		Respondents That Do Not Submit Any Reports		
Year	(A) Number of New Respondents	(B) Number of Existing Respondents	(C) Number of Existing Respondents That Keep Records but Do Not Submit Reports	(D) Number of Existing Respondents That Are Also New Respondents	(E) Number of Respondents (E=A+B+C-D)
1	18	0	0	0	18
2	18	0	0	0	18
3	18	0	0	0	18
Average	18	0	0	0	18

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 18 per year.

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 $E=(B \times C)+D$
Notification of construction/reconstruction	18	1	0	18
Notification of actual startup	18	1	0	18
Notification of initial performance test	18	1	0	18
Report of performance test	18	1	0	18
Report of repeat of performance test	3.6	1	0	3.6
			Total	75

The number of Total Annual Responses is 75.

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

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

(i) Respondent Tally

The total annual labor costs are \$134,355. Details regarding these estimates may be found below in Table 1: Annual Respondent Burden and Cost, NSPS for Petroleum Dry Cleaners (40 CFR part 60, subpart JJJ) (Renewal). Furthermore, the annual public reporting and recordkeeping burden for this collection of information is estimated to average 22 hours per response.

The total annual capital/startup and O&M costs to the regulated entity are \$0.

(ii) The Agency Tally

The average annual Agency burden and cost over the next three years is estimated to be 646 labor hours at a cost of \$26,736. See below Table 2: Annual Agency Burden and Cost, NSPS for Petroleum Dry Cleaners (40 CFR part 60, subpart JJJ) (Renewal).

6(f) Reasons for Change in Burden

There is no change in the 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. Therefore, the labor hours and cost figures in the previous ICR reflect the current burden to the respondents and are reiterated in this ICR. Apparent differences of less than 500 hours are attributable to rounding; in previous years, hours were rounded to the nearest thousand; this ICR presents more exact figures.

6(g) Burden Statement

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 22 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 request for 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-2008-0372. 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-2008-0372 and OMB Control Number 2060-0079 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 Petroleum Dry Cleaners (40 CFR Part 60, Subpart JJJ) (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. Reporting Requirements								
A. Read instructions	Included in 4E							
B. Required activities								
Initial performance test ^{c, d}	61	1	61	18	1,098	54.9	109.8	\$101,936.12
Repeat of performance test ^{c, d, e}	61	1	61	3.6	219.6	10.98	21.96	\$20,387.23
C. Create information	See 3B							
D. Gather existing information	See 3B							
E. Write report								
Notification of construction/ modification ^{c, f}	2	1	2	18	36	1.8	3.6	\$3,342.17
Notification of actual startup ^{c, f}	2	1	2	18	36	1.8	3.6	\$3,342.17
Notification of initial performance test ^{c, f}	2	1	2	18	36	1.8	3.6	\$3,342.17
Report of performance test	Included in 3B							
SUBTOTAL Reporting						1,639.44		\$132,349.86
4. Recordkeeping requirements								
A. Read instructions	Included in 3A							
B. Plan activities	Included in 4C							
C. Implement activities	Included in 3B							
D. Develop record system	N/A							
E. Time to enter information								
Record of all performance tests ^{c, g}	1	1.2	1.2	18	21.6	1.08	2.16	\$2,005.30
F. Time for audits	N/A							

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
SUBTOTAL Recordkeeping						24.84		\$2,005.30
Subtotals Labor Burden and cost					1,447.2	72.36	144.72	\$134,355.16
TOTAL LABOR BURDEN AND COST (rounded)						1,664		\$134,355

Assumptions:

^a We have assumed that there are approximately 342 existing sources that are currently subject to the rule with an estimated 18 new additional sources per year over the next three years. The rule stipulates that only new sources with one-time-only requirements are subject to this subpart. We therefore, concluded that the number of respondents for this renewal ICR is 18 sources per year.

^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 This is a one-time only activity.

^d We have assumed that it will take 61 hours for each respondent to complete the required activity.

^e We have assumed that 20 percent of respondents will have to repeat initial performance tests due to failure.

^f We have assumed that it will take 2 hours for respondents to write report.

^g We have assumed that it will take each respondent one hour to enter information on all performance tests.

Table 2: Average Annual EPA Burden - NSPS for Petroleum Dry Cleaners (40 CFR Part 60, Subpart JJJ) (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	(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. Initial performance test	16	1	16	18	288	14.4	28.8	\$13,710.52
2 Repeat performance test ^{c, d}	16	1	16	3.6	57.6	2.88	5.76	\$2,742.11
3. Report review								
Notification of construction/ reconstruction ^c	2	1	2	18	36	1.8	3.6	\$1,713.82
Notification of actual startup ^c	1	1	1	18	18	0.9	1.8	\$856.91
Initial performance test ^{c, e}	7.5	1	7.5	18	135	6.75	13.5	\$6,426.81
Repeat performance test ^{c, f}	7.5	1	7.5	3.6	27	1.35	2.7	\$1,285.36
Subtotals Labor Burden and cost					561.6	28.08	56.16	\$26,735.53
TOTAL ANNUAL BURDEN AND COST (rounded)						646		\$26,736

Assumptions:

^a We have assumed that there are approximately 342 existing sources that are currently subject to the rule with an estimated 18 new additional sources per year over the next three years. The rule stipulates that only new sources with one-time-only requirements are subject to this subpart. We therefore, concluded that the number of respondents for this renewal ICR is 18 sources per year.

^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 \$57.20 (GS-13, Step 5, \$35.75 x 1.6), Technical rate of \$42.45 (GS-12, Step 1, \$26.53 x 1.6), and Clerical rate of \$22.96 (GS-6, Step 3, \$14.35 x 1.6). These rates are from the Office of Personnel Management (OPM) "2006 General Schedule" which excludes locality rates of pay.

^c This is a one-time only activity.

^d We have assumed that 20 percent of respondents will have to repeat performance test

^e We have assumed that each respondent will take 7.5 hours to review the initial performance test report.

^f We have assumed that 20 percent of respondents will have to review the repeat performance test report.