

**SUPPORTING STATEMENT
ENVIRONMENTAL PROTECTION AGENCY**

NESHAP for Miscellaneous Organic Chemical Manufacturing (40 CFR part 63, subpart FFFF) (Renewal)

1. Identification of the Information Collection

1(a) Title of the Information Collection

NESHAP for Miscellaneous Organic Chemical Manufacturing (40 CFR part 63, subpart FFFF) (Renewal)

1(b) Short Characterization/Abstract

The National Emission Standards for Hazardous Air Pollutants (NESHAP) for the regulations published at 40 CFR part 63, subpart FFFF, were proposed on April 4, 2002, and promulgated on November 10, 2003. These regulations apply to new and existing facilities that manufacture a miscellaneous organic chemical and are located at, or are part of, major sources of hazardous air pollutant (HAP) emissions. New facilities include those that commenced construction or reconstruction after the date of proposal. These regulations do not apply to the federal or state, local or tribal governments as reported in the previous Information Collection Request (ICR). This information is being collected to assure compliance with 40 CFR part 63 subpart FFFF.

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

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

We have determined that there are an estimated 257 respondents, currently subject to this rule, and it is estimated that an increase of two additional respondents per year will become subject to the standard over the three-year period of this ICR.

All of the miscellaneous organic chemical manufacturing facilities in the United States are owned and operated by the organic chemical industry (the “Affected Public”). None of the facilities in the United States are owned by state, local, tribal or the Federal government. They are all privately, owned for-profit businesses. The burden to the “Affected Public” is listed below in Table 1: Annual Respondent Burden and Cost - NESHAP for Miscellaneous Organic Chemical Manufacturing (40 CFR Part 63, Subpart FFFF) (Renewal). The Federal government burden associated with the review of reports submitted by the respondent is shown below in Table 2: Average Annual EPA Burden - NESHAP for Miscellaneous Organic Chemical Manufacturing (40 CFR Part 63, Subpart FFFF) (Renewal).

The Office of Management and Budget (OMB) approved the currently active Information Collection Request (ICR) without any “Terms of Clearance.”

2. Need for and Use of the Collection

2(a) Need/Authority for the Collection

The EPA is charged under section 112 of the Clean Air Act, as amended, to establish standards of performance for each category or subcategory of major sources and area sources of hazardous air pollutants (HAP). These standards are applicable to new or existing sources of HAP and shall require the maximum degree of emission reduction. In addition, section 114(a) states that the Administrator may require any owner or operator subject to any requirement of this Act to:

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

In the Administrator's judgment, hazardous air pollutant emissions from the miscellaneous organic chemical manufacturing industry cause or contribute to air pollution that may reasonably be anticipated to endanger public health or welfare. Therefore, the NESHAP standards were promulgated for this source category at 40 CFR part 63, subpart FFFF.

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. In

addition, the collected information 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 tests, a record of the operating parameters under which compliance was achieved may be recorded and used to determine compliance in place of a continuous emission monitor.

The notifications required in the standard are used to inform the Agency or delegated authority when a source becomes subject to the requirements of the regulations. The reviewing authority may then inspect the source to ensure that the pollution control devices are properly installed and operated, that leaks are being detected and repaired, and that the standards are being met. The performance test may also be observed.

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

The pre-compliance reports and emissions averaging plans are necessary to ensure that the emission limitations, which are based on maximum achievable control technology (MACT) for miscellaneous organic chemical manufacturing facilities, will be achieved.

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

The requested recordkeeping and reporting are required under 40 CFR part 63, subpart FFFF.

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 their own similar standards to implement the Federal standards, a copy of the report submitted to the state or local agency can be sent to the Administrator in lieu of the report required by the Federal standards. Therefore, no duplication exists.

3(b) Public Notice Required Prior to ICR Submission to OMB

An announcement of a public comment period for the renewal of this ICR was published in the Federal Register (74 FR 32580) on July 8, 2009. No comments were received on the burden published in the Federal Register.

3(c) Consultations

The Agency's industry experts have been consulted, and the Agency's internal data sources and projections of industry growth over the next three years have been considered. The

primary source of information as reported by industry, in compliance with the recordkeeping and reporting provisions in the standard, is the Online Tracking Information System (OTIS) which is operated and maintained by the EPA Office of Compliance. OTIS is the EPA database for the collection, maintenance, and retrieval of all compliance data. The growth rate for the industry is based on our consultations with the Agency's internal industry experts.

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. We contacted the National Association of Chemical Distributors (NACD) at (703) 527-6223, and the American Chemistry Council at (703) 741-5165.

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.

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

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

These standards require the respondents to maintain all records, including reports and notifications for at least five years. This is consistent with the General Provisions as applied to the standards. EPA believes that the five-year records retention requirement is consistent with the Part 70 permit program and the five-year statute of limitations on which the permit program is based. The retention of records for five years allows EPA to establish the compliance history of a source, any pattern of non-compliance, and to determine the appropriate level of enforcement action. EPA has found that the most flagrant violators have violations extending beyond the five years. Without the five-year record retention, EPA would be prevented from pursuing the violators due to the destruction or nonexistence of essential records.

3(f) Confidentiality

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

3(g) Sensitive Questions

None of the reporting or recordkeeping requirements contain sensitive questions.

4. The Respondents and the Information Requested

4(a) Respondents/SIC Codes

The respondents to the recordkeeping and reporting requirements are miscellaneous organic chemical manufacturing. The United States Standard Industrial Classification (SIC) codes for the respondents affected by the standards, which correspond to the North American Industry Classification System (NAICS) codes, are listed below for source category description.

Standard (40 CFR, part 63, subpart FFFF)	NAICS Codes
Resin, Synthetic Rubber, and Artificial Synthetic Fibers and Filaments Manufacturing	3252
Pharmaceutical and Medicine Manufacturing	3254
Soap, Cleaning Compound, and Toilet Preparation Manufacturing	3256
Paint, Coating, and Adhesive Manufacturing	3255
Basic Chemical Manufacturing (Does not include 325131-Inorganic Dye and Pigment Manufacturing or 325181- Alkalis and Chlorine Manufacturing)	3251
Pesticide, Fertilizer, and Other Agricultural Chemical Manufacturing	3253
Other Chemical Product and Preparation Manufacturing	3259

4(b) Information Requested

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

(i) Data Items

In this ICR, all the data recorded or reported is required by the NESHAP for Miscellaneous Organic Chemical Manufacturing (40 CFR Part 63, Subpart FFFF).

A source must make the following reports:

Notifications	
Initial notification	63.5, 63.9(b), 63.2515(a)-(c)
Initial performance test , test plan, and emission profile	63.7(b)-(c), 63.9(e), 63.2515(a), (d)
Notification of CMS performance evaluation	63.8(e)(2), 63.9(g)

Notifications	
Notification of compliance status (including performance test results)	63.9(h), 63.10(d)(2), 63.2515(e)
Notification of process change	63.2515(f)
Emissions averaging plan	63.2500(c)
Pre-compliance report	63.2520(c)
Semiannual compliance report	63.10(e)(3), 63.2520(b), (d)

A source must keep the following records:

Recordkeeping	
Record retention	63.10(b)(1), 62.2530
Documentation supporting initial notification and notification of compliance status	63.10(b)(2)(xiv) and 63.2525(a)(1)
Startup, shutdown, and malfunction plan	63.6(e)(3)
Record related to startup, shutdown, and malfunction	63.6(e)(3)(iii)-(iv), 63.2525(a)(2)
Records of performance tests and CMS performance evaluations	63.10(b)(2)(viii), 63.2525(a)(3)
Records for equipment leaks	63.1038(b-(c), 63.2525(a)(4)
Daily schedule or log of each operating scenario	63.2525(a)(5)
Records for batch processes complying with process based emission limitations	63.2525(a)(6)-(7)
Planned routine maintenance records for storage tank control devices	63.2525(a)(8)
Maintenance wastewater plan	63.2525(a)(9)
Records for safety device openings	63.2525(a)(10)
Results of each CMS calibration, validation check, and inspection	63.2475(c)(6)-(8), (d)(4)-(5), (e)(4)-(7), (f)(3)-(4), 63.2525(a)(11)
Records for emissions averaging	63.2500(d)
Records for each CMS	63.8(d)(3), 63.8(f)(6)(i), 63.10(b)(2)(vi)-(xi), 63.2525(b)

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 are not widely used. At this time, it is estimated that 20 percent of the respondents use electronic reporting.

(ii) Respondent Activities

Respondent Activities
Read instructions.
Install, calibrate, maintain, and operate PMS for the appropriate control device.
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.
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.

Currently, sources are using monitoring equipment that provides parameter data in an automated way (e.g., continuous parameter monitoring system). Although personnel at the source 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, excess emissions reports, required to be submitted by industry.

Agency Activities
Audit facility records.
Input, analyze, and maintain data in the OTIS.

5(b) Collection Methodology and Management

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

Information contained in the reports is entered into OTIS which is operated and maintained by the EPA Office of Compliance. OTIS is the EPA database for the collection, maintenance, and retrieval of compliance data for approximately 125,000 industrial and government-owned facilities. EPA uses OTIS for tracking air pollution compliance and enforcement by local and state regulatory agencies, EPA regional offices, and EPA headquarters. EPA edit, store, retrieve and analyze the data.

The records required by this regulation must be retained by the owner or operator for five years.

5(c) Small Entity Flexibility

The majority of the respondents are large entities (i.e., large businesses). However, the impact on small entities (i.e., small businesses) was taken into consideration during the development of the regulation. Due to technical considerations involving the process operations and the types of control equipment employed, the recordkeeping and reporting requirements are the same for both small and large entities. The Agency considers these to be the minimum requirements needed to ensure compliance and, therefore, cannot reduce them further for small entities. To the extent that larger businesses can use economies of scale to reduce their burden, the overall burden will be reduced.

5(d) Collection Schedule

The specific frequency for each information collection activity within this request is shown below in Table 1: Annual Respondent Burden - NESHAP for Miscellaneous Organic Chemical Manufacturing (40 CFR Part 63, Subpart FFFF) (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. Wherever appropriate, specific tasks and

major assumptions have been identified. Responses to this information collection are mandatory.

The Agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number.

6(a) Estimating Respondent Burden

The average annual burden to industry over the next three years from these recordkeeping and reporting requirements is estimated to be 416,830 (Total Labor Hours from Table 1). These hours are based on Agency studies and background documents from the development of the regulation, Agency knowledge and experience with the NESHAP program, the previously approved ICR, and any comments received.

6(b) Estimating Respondent Costs

(i) Estimating Labor Costs

This ICR uses the following labor rates:

Managerial	\$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 type of industry costs associated with the information collection activities in the subject standard are labor costs which are addressed elsewhere in this ICR and the costs associated with continuous monitoring. The capital/startup costs are one-time costs when a facility becomes subject to the regulation. The annual operation and maintenance costs are the ongoing costs to maintain the monitor and other costs such as photocopying and postage.

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

Capital/Startup for Monitoring Equipment					
	(A) Capital Cost / Respondent	(B) Annualized Capital Cost/ Respondent	(C) New Respondent/Yr	(D) Existing Respondents/Yr	(E) Annualized Capital Cost =(C+D)xB
Year 1	\$17,174	\$2,573	2	253	\$656,115

Capital/Startup for Monitoring Equipment					
Year 2	\$17,174	\$2,573	2	255	\$661,261
Year 3	\$17,174	\$2,573	2	257	\$666,407
Average (Years 1-3)					\$661,261

A one-time capital cost can be estimated over multiple years by annualizing the cost using an OMB-approved interest rate. For this Supporting Statement, capital costs were annualized over 15 years, assuming an interest rate of 7 percent. In most cases, administrative charges, insurance, and property taxes were also included with the annualized capital costs, at 4 percent of the capital cost.

The capital costs associated with monitoring equipment include the monitoring equipment, installation, ancillary costs (planning and selection), and a data acquisition system (DAS) (data logger, computer, logging and reporting software, and printer). The capital costs for the monitoring equipment were estimated based on the following assumptions: (1) the monitoring equipment cost per process vent is \$12,150, which includes the cost for thermocouple, wire, and DAS; (2) the monitoring equipment cost for each facility with wastewater systems is \$20,100, which includes the cost for steam flow meter, liquid flow meter, thermocouple, wire, and DAS; (3) the monitoring equipment cost for each storage tank with separate emission controls is \$780, which includes the cost for thermocouple and wire to connect to the DAS for process vents; and (4) two new facilities will purchase this equipment for process vents, wastewater systems, and storage tanks in each of the three years covered by this ICR. As established in the previous ICR, the monitoring equipment costs were applied to the impacted process vents, wastewater systems, and storage tanks to determine an average capital cost per facility for monitoring equipment. In this way, the average capital cost per facility was estimated to be \$17,174. The average annualized capital cost per facility for monitoring equipment was estimated to be \$2,573.

The capital costs associated with file cabinets for storing collected data and reports include the purchase of one standard four-drawer file cabinet for each facility (assume \$235 per file cabinet). An estimated two new facilities will purchase this equipment in each of the three years covered by this ICR. The average annualized capital cost per facility for file cabinets is \$35.

Capital/Startup for Monitoring Equipment					
	(A) Capital Cost / Respondent	(B) Annualized Capital Cost/ Respondent	(C) New Respondent/Yr	(D) Existing Respondents/Yr	(E) Annualized Capital Cost =(C+D)xB
Year 1	\$235	\$35	2	253	\$8,925
Year 2	\$235	\$35	2	255	\$8,995
Year 3	\$235	\$35	2	257	\$9,065

Capital/Startup for Monitoring Equipment					
Average (Years 1-3)					\$8,995

Operation and maintenance costs include those costs associated with the general upkeep of capital equipment, such as monitoring equipment. Those costs would include maintenance materials and supplies. Maintenance materials and supplies were estimated at \$500. The O&M cost associated with the monitoring equipment is \$15,875 for process vents, \$20,510 for wastewater systems, and \$5,825 for storage tanks. As established in the previous ICR, the O&M costs were applied to the impacted process vents, wastewater systems, and storage tanks to determine an average capital cost per facility O&M. In this way, the average O&M cost per facility for monitoring equipment was estimated to be \$21,209.

Operation and Maintenance Costs				
	(A) O&M Cost/Respondent	(B) New Respondents / Yr	(C) Exiting Respondents/Yr	(D) O&M Cost = (B+C)xA
Year 1	\$21,209	2	255	\$5,408,322
Year 2	\$21,209	2	257	\$5,450,740
Year 3	\$21,209	2	259	\$5,493,159
Average (Years 1-3)				\$5,450,740

Operation and maintenance costs also include the costs associated with the paperwork requirement incurred continuously over the life of the ICR. For example, the O&M costs for rules that require respondents to submit reports to EPA and maintain records should be estimated as costs for photocopying and postage. Photocopying costs per response were estimated at 0.5 hour of clerical labor at a wage rate of \$28.14/hr. First class postage was estimated at \$7.63 per response for mailing to regulatory agencies. Photocopying and postage costs will be applied to the 549 reports submitted to EPA by the respondents, for a total of \$11,913. (The number of reports was determined by adding the number of reports submitted to EPA by respondents, as shown in Table 3).

The total average annualized capital/startup costs for this ICR are \$670,256. This is the total of Average Annual cost for column E in the above tables.

The total operation and maintenance (O&M) costs for this ICR are \$5,462,653. This is the total of column D, above and Column H of Table 3, attached.

The average annual cost for capital/startup and operation and maintenance costs to industry over the next three years of the ICR is estimated to be \$6,132,909.

6(c) Estimating Agency Burden and Cost

The only costs to the Agency are those costs associated with analysis of the reported information. The EPA compliance and enforcement program includes activities such as: the examination of records maintained by the respondents; periodic inspection of sources of emissions; and the publication and distribution of collected information.

The average annual Agency cost during the three years of the ICR is estimated to be \$342,856.

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

Managerial	\$57.20 (GS-13, Step 5, \$35.75 + 60%)
Technical	\$42.45 (GS-12, Step 1, \$26.53 + 60%)
Clerical	\$22.96 (GS-6, Step 3, \$14.35 + 60%)

These rates are from the Office of Personnel Management (OPM) 2006 General Schedule, which excludes locality rates of pay. The rates have been increased by 60 percent to account for the benefit packages available to government employees. Details upon which this estimate is based appear below in Table 2: Average Annual EPA Burden - NESHP for Miscellaneous Organic Chemical Manufacturing (40 CFR Part 63, Subpart FFFF) (Renewal).

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

Based on our research for this ICR, on average over the next three years, approximately 257 existing respondents will be subject to the standard. It is estimated that an additional two respondents per year will become subject.

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

Number of Respondents					
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	2	253	0	0	255
2	2	255	0	0	257
3	2	257	0	0	259
Average	2	255	0	0	257

¹ New respondents include sources with constructed or reconstructed affected facilities.

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 257.

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 $E=(B \times C)+D$
Read rule and instructions	2	1	0	2
Required activities				
Initial performance test process vents	2	1	0	2
Initial performance test wastewater	2	1	0	2
Initial CMS performance evaluation	0	1	0	0
Repeat performance test	2	1	0	2
Create information	See 3E			
Gather existing information	See 3E			
Write reports				
Notification of construction/reconstruction	2	1	0	2
Notification of actual startup	2	1	0	2
Initial notification	2	1	0	2
Emission Averaging plan	0	1	0	0
Pre-compliance report	1	1	0	1
Notification of performance test	2	1	0	2
Notification of initial CMS performance evaluation	0	1	0	0
Notification of compliance status				
a. With performance test	2	1	0	2
b. Without performance test	0	1	0	0
Notification of physical/operational change	26	1	0	26
Semiannual summary reports				
a. No deviations	231	2	0	462
b. Deviations	26	2	0	52
c. SS&M report	257	2	0	514
d. Leak detention and repair (LDAR) report	257	2	0	514
e. Emission averaging report	26	2	0	52
Total Number of Annual Responses			Total	1,639

The number of Total Annual Responses is 1,639.

The total annual labor costs are \$35,303,884. Details regarding these estimates may be found below in Table 1: Annual Respondent Burden and Cost - NESHAP for Miscellaneous Organic Chemical Manufacturing (40 CFR Part 63, Subpart FFFF) (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, and summarized below.

(i) Respondent Tally

The total annual labor hours are 416,830. Details regarding these estimates may be found below in Table 1. Annual Respondent Burden and Cost - NESHAP for Miscellaneous Organic Chemical Manufacturing (40 CFR Part 63, Subpart FFFF) (Renewal).

Furthermore, the annual public reporting and recordkeeping burden for this collection of information is estimated to average 254 hours (rounded) per response.

The total annual capital/startup and Operation and Maintenance (O&M) costs to the regulated entity are \$6,132,909.

(ii) The Agency Tally

The average annual Agency burden and cost over next three years is estimated to be 8,282 labor hours at a cost of \$342,856. See below Table 2: Annual Agency Burden and Cost – NESHAP for Miscellaneous Organic Chemical Manufacturing (40 CFR Part 63, Subpart FFFF) (Renewal).

6(f) Reasons for Change in Burden

There is no change in the labor hours in this ICR as compared to the previous one. 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 year; 2) the growth rate for the industry is very low, negative or nonexistent, so there is no significant change in the overall burden

The burden reported in the “Notice of Office of Management and Budget Action” dated 12/28/2006 does not reflect the burden reported in the previous ICR. The differences are: 1) number of annual responses (1645 vs 1639), 2) annual hours requested (417,830 vs 416,830), and 3) the annualize cost requested (\$6,155,359 vs \$6,133,000). This ICR shows the corrected burden.

6(g) Burden Statement

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 254 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-2009-0401. An electronic version of the public docket is available at <http://www.regulations.gov/> which may be used to obtain a copy of the draft collection of information, submit or view public comments, access the index listing of the content of the docket, and to access those documents in the public docket that are available electronically. When in the system, select "search" than key in the docket ID number identified in this document. The documents are also available for public viewing at the Enforcement and Compliance Docket and Information Center in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Avenue, N.W., Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is (202) 566-1744, and the telephone number for the Enforcement and Compliance Docket and Information Center Docket is (202) 566-1752. Also, you can send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, N.W., Washington, DC 20503, Attention: Desk Officer for EPA. Please include the EPA Docket ID Number EPA-HQ-OECA-2009-0401 and OMB Control Number 2060-0533 in any correspondence.

Part B of the Supporting Statement

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

Table 1: Annual Respondent Burden and Cost – NESHAP for Miscellaneous Organic Chemical Manufacturing (40 CFR Part 63, Subpart FFFF) (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) Total Cost Per year ^b
1. Applications	N/A							
2. Surveys and studies	N/A							
3. Reporting requirements								
a. Read rule and instructions ^c	1	1	1	2	2	0.1	0.2	\$195
b. Required activities								
i. Initial performance test – process vents	480	1	480	2	960	48	96	\$93,504
ii. Initial performance test – wastewater	160	1	160	2	320	16	32	\$31,168
iii. Initial CMS performance evaluation ^d	10	1	10	0	0	0	0	\$0
iv. Repeat performance test	20	1	20	2	40	2	4	\$3,896
c. Create information	See 3E							
d. Gather existing information	See 3E							
e. Write report								
i. Notification of construction/reconstruction	2	1	2	2	4	0.2	0.4	\$390
ii. Notification of actual startup	2	1	2	2	4	0.2	0.4	\$390
iii. Initial notification	2	1	2	2	4	0.2	0.4	\$390
iv. Emissions averaging plan ^e	40	1	40	0	0	0	0	\$3,896
v. Pre-compliance report ^f	40	1	40	1	40	2	4	\$0
vi. Performance test notification ^g	2	1	2	2	4	0.2	0.4	\$390
vii. Notification of initial CMS performance evaluation	2	1	2	0	0	0	0	\$0
viii. Notification of compliance status								
a. With performance test ^g	80	1	80	2	160	8	16	\$15,584
b. Without performance test ^h	120	1	120	0	0	0	0	\$0
ix. Notification of physical/operational change ⁱ	8	1	8	26	208	10.4	20.8	\$20,259
x. Semiannual summary report								
a. No deviations ^j	8	2	16	231	3,696	184.8	369.6	\$359,992
b. Deviations ^j	24	2	48	26	1,248	62.4	124.8	\$121,556

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) Total Cost Per year ^b
c. SS&M report ^k	8	2	16	257	4,112	205.6	411.2	\$400,511
d. LDAR report ^l	404	2	808	257	207,656	10,382.8	20,765.6	\$20,225,798
e. Emission averaging report ^m	20	2	40	26	1,040	52	104	\$101,297
Subtotal for Reporting Requirements						252,422.7		
4 Recordkeeping requirements								
a. Read rules and instructions	See 3E							
b. Plan activities	N/A							
c. Implement activities	N/A							
d. Develop record system ⁿ	40	1	40	2	80	4	8	\$7,792
e. Develop SS&M plan ^o	100	1	100	2	200	10	20	\$19,480
f. Develop QA/QC plan for CMS ^p	40	1	40	0	0	0	0	\$0
g. Time to train personnel ^q	40	1	40	2	80	4	8	\$7,792
h. Time to retrain/refresh personnel ^r	16	1	16	255	4,080	204	408	\$397,394
i. Time to enter information								
i. Records of SS&M	1.5	52	78	257	20,046	1,002.3	2,004.6	\$1,952,490
ii. Records of CMS data ^s								
a. Record of continuously monitored Parameters	1	365	365	257	93,805	4,690.25	9,380.5	\$9,136,654
b. Compile data	24	2	48	257	12,336	616.8	1,233.6	\$1,201,533
c. Enter/verify information for semiannual report	16	2	32	257	8,224	411.2	822.4	\$801,022
j. Calibration of CMS ^t	16	1	16	257	4,112	205.6	411.2	\$400,511
Subtotal for Recordkeeping Requirements						164,407.45		
					362,461	18,123.05	362,46.1	\$35,303,884
TOTAL LABOR BURDEN AND COST (rounded)						416,830.15 416,830 (rounded)		\$35,303,884

Assumptions:

^a We have assumed that the average number of respondents that will be subject to this rule will be 255. There will be two additional new major sources each year over the three-year period of this ICR.

^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 percent to account for the benefit packages available to those employed by private industry.

^c This will occur only in the first year after a facility becomes subject to the rule.

^d Person-hours per occurrence are based on the performance specification costs to certify CMS (\$500) divided by the composite hourly labor rate. No performance evaluations are required for the parameter monitoring systems included in the rule. Assumes no facilities will use the alternative standard, which required CEMS and performance evaluations.

^e We have assumed that 10 percent of existing facilities will comply with emissions averaging requirements; new facilities are not allowed to use emissions averaging.

^f Assumed 50 percent of new facilities will submit a pre-compliance report.

^g We have assumed that 90 percent of facilities will comply by conducting a performance test(s). The notification of compliance status includes the report of the performance test(s).

^h We have assumed that 10 percent of facilities will comply by submitting engineering calculations, design calculations, etc. with no performance tests. The notification of compliance status includes those calculations.

ⁱ We have assumed that 10 percent of facilities will implement process changes.

^j We have assumed that 90 percent of facilities will have no deviations, only 10 percent will have deviations.

^k We assume that all facilities will report actions taken during startup, shutdown, or malfunction that are consistent with the SS&M plan.

^l According to EPA guidance, annual recordkeeping and reporting costs for LDAR programs are estimated to be 40 percent of monitoring and repair labor, which averages \$51,681 per facility, or \$20,672 per facility ($40 \times 51,681 = 20,672$) person hours per occurrence are based on this cost divided by the composite hourly labor rate.

^m We have assumed that 10 percent of existing facilities will comply with emissions averaging requirements; new facilities are not allowed to use emissions averaging.

ⁿ We have assumed that it will take 40 hours for each respondent to develop a record system for recording parameter monitoring information.

^o We have assumed that it will take 80 hours for each respondent to draft the startup, shutdown, and malfunction plan and another 20 hours of review/revisions, for a total of 100 hours.

^p We have assumed that it will take 40 hours to develop and review the QA/QC plan for the CMS. No QA/QC plan is required for the parameter monitoring systems included in the rule. We have assumed that no facility will use the alternative standard, which requires CEMS and QA/QC plans.

^q We have assumed that it will take 40 hours to train personnel.

^r We have assumed it will take 20 days (16 hours) to provide refresher training for personnel.

^s The record of continuously monitored parameters includes: process vent, storage tank, and wastewater monitoring and inspections.

^t We have assumed that calibration of CMS will require 8 hours per year for each monitor. We are assuming a total of 2 CMS for each facility, for a total requirement of 16 hours per year per facility.

Table 2: Average Annual EPA Burden - NESHP for Miscellaneous Organic Chemical Manufacturing (40 CFR Part 63, Subpart FFFF) (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. Review notification of construction/ reconstruction	2	1	2	2	4	0.2	0.4	\$190
2. Review notification of actual startup	1	1	1	2	2	0.1	0.2	\$95
3. Review initial notification	2	1	2	2	4	0.2	0.4	\$190
4. Review emissions averaging plan ^c	20	1	20	0	0	0	0	\$0
5. Review pre-compliance report ^d	4	1	4	1	4	0.2	0.4	\$190
6. Review notification of initial performance test	2	1	2	2	4	0.2	0.4	\$190
7. Review notification of initial CMS demonstration	2	1	2	0	0	0	0	\$0
8. Review notification of compliance status report								
i. With performance test ^e	40	1	40	2	80	4	8	\$3,808
ii. Without performance test ^f	40	1	40	0	0	0	0	\$0
9. Review notification physical/operational change ^g	8	1	8	26	208	10.4	20.8	\$9,902
10. Review semiannual summary report								
i. No deviations ^h	2	2	4	231	924	46.2	92.4	\$43,988
ii. Deviations ^h	8	2	16	26	416	20.8	41.6	\$19,804
iii. SS&M report ⁱ	2	2	4	257	1,028	51.4	102.8	\$48,939
iv. LDAR report ^j	8	2	16	257	4,112	205.6	411.2	\$195,756
v. Emission averaging report ^c	8	2	16	26	416	20.8	41.6	\$19,804
Subtotals Labor Burden and cost					7,202	360.1	720.2	\$342,856
TOTAL ANNUAL BURDEN AND COST (rounded)						8,282.3 8,282 (rounded)		\$342,856

Assumptions:

- ^a We have assumed that the average number of respondents that will be subject to this rule will be 255. There will be two additional new major sources each year over the three-year period of this ICR.
- ^b This cost is based on the following labor rates which incorporates a 1.6 benefits multiplication factor to account for government overhead expenses: \$57.20 Managerial rate (GS-13, Step 5, \$35.75 x 1.6), \$42.45 Technical rate (GS-12, Step 1, \$26.53 x 1.6), and \$22.96 Clerical rate (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 We have assumed that 10 percent of existing facilities will comply with emissions averaging requirements.
- ^d We have assumed that 50 percent of new facilities will submit a pre-compliance report.
- ^e We have assumed that 90 percent of facilities will comply by conducting a performance test(s). The notification of compliance status includes the report of the performance test(s).
- ^f We have assumed that 10 percent of facilities will comply by submitting engineering calculations, design calculation, etc., with no performance tests. The notification of compliance status includes those calculations.
- ^g We have assumed that 10 percent of facilities will implement process changes.
- ^h We have assumed that 90 percent of facilities will have no deviations, 10 percent will have deviations.
- ⁱ We have assumed that all facilities will report actions taken during startup, shutdown, or malfunction that are consistent with the SS&M plan.
- ^j We have assumed that all facilities will report the specified information for processes subject to the equipment leak standards.

