

**SUPPORTING STATEMENT
ENVIRONMENTAL PROTECTION AGENCY**

NESHAP for Site Remediation (40 CFR Part 63, Subpart GGGGG)

1. Identification of the Information Collection

1(a) Title of the Information Collection

NESHAP for Site Remediation (40 CFR Part 63, Subpart GGGGG)

1(b) Short Characterization/Abstract

The final rule for the National Emission Standards for Hazardous Air Pollutants (NESHAP) Site Remediation was published in 40 CFR part 63, subpart GGGGG, and promulgated on October 8, 2003. These standards apply to site remediation activities that use certain types of equipment to clean up materials containing organics that potentially could be released to the atmosphere as a hazardous air pollutant (HAP). These site remediation activities can potentially be conducted at any facility where materials containing organic HAP currently are or have been stored, processed, treated, or otherwise managed at the facility. The types of businesses most likely to be subject to the rule include, but are not limited to, organic liquid storage terminals, petroleum refineries, chemical manufacturing facilities, and manufacturing facilities using organic materials.

A site remediation involves a clean up of hazardous substances in order to protect human health and the environment. These hazardous substances could potentially contaminate soil, groundwater, and the air. Owners and operators of the facilities subject to part 63, subpart GGGGG are required to perform this information collection.

Affected owners and operators subject to the rule are required to install and operate air emission controls and meet certain work practice standards. To demonstrate initial and continuous compliance with the rule requirements, affected owners and operators need to collect information to meet specific monitoring, inspection, recordkeeping, and reporting requirements.

The information collection requirements for the site remediation NESHAP are summarized in Section 4(b).

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 sources subject to NESHAP.

Any owner or 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 previous consultations with the industry, we estimate that there are approximately 286 facilities subject to this regulation and each facility has only one respondent (owner/operator). The Agency estimates that there has not been any growth in the industry since the previous Information Collection Request (ICR). The respondents submit the reports to the permitting authority on a semiannual basis as required by the regulation (the compliance report) and when a startup, shutdown, and malfunction (SSM) report is required in case the facility does not follow its approved SSM Plan (assumed twice a year) for a total of four semiannual reports per year.

During a previous renewal, information provided by the Office of Air Quality Planning and Standards (OAQPS) was used to project industry growth. Based on an assessment of information from the EPA Resource Conservation and Recovery Act (RCRA) reporting system, OAQPS did not project any growth for the affected industry.

During the current renewal of this ICR, EPA consulted with industry on the accuracy of the burden estimates. Details of the consultation may be found in Section 3(c).

The burden to the “Affected Public” may be found in Table 1: Annual Respondent Burden and Cost, NESHAP for Site Remediation (40 CFR Part 63, Subpart GGGGG). The “Affected Public” burden includes respondent burden for the private sector and state, local and tribal governments. The burden to the “Federal Government” is attributed entirely to work performed by federal employees or government contractors; this burden includes report review and respondent burden for the federal government and may be found in Table 2: Average Annual EPA Burden, NESHAP for Site Remediation (40 CFR Part 63, Subpart GGGGG).

The ICR associated with this original rule specifies that the primary affected public category is the private sector; the ICR also anticipates respondents from within the Federal government and state, local, or tribal governments. The most recent previous ICR renewal (2062.03) estimates 10 percent of respondents are from the Federal government, and 5 percent of respondents are from state, local, or tribal governments. This ICR uses the same methodology to estimate 243 respondents from the private sector, 14 from the state, local or tribal governments, and 29 from the Federal government.

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 (CAA), as amended, to establish standards of performance for each category or subcategory of major sources and area sources of hazardous air pollutants. These standards are applicable to new or existing sources of hazardous air pollutants and shall require the maximum degree of emission reduction. In addition, section 114(a) states that the Administrator may require any owner/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, site remediation activities involve the clean up of materials that could potentially emit volatile organic hazardous air pollutants (VOHAP). VOHAP emissions 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 GGGGG.

2(b) Practical Utility/Users of the Data

The recordkeeping and reporting requirements in the standards ensure compliance with the applicable regulations which were promulgated in accordance with the Clean Air Act. The collected information is also used for targeting inspections and as evidence in legal proceedings.

Performance tests are required in order to determine an affected facility's initial capability to comply with the emission standards. Continuous emission monitors are used to ensure compliance with the standards 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 standards 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 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.

To minimize the burden, much of the information the EPA needs to determine compliance is recorded and retained on-site at the facility. Such information will be reviewed by the enforcement personnel during an inspection and will not need to be reported routinely to the EPA. The Agency requires respondents to report a minimal amount of information to demonstrate compliance. However, when a deviation occurs, additional information must be reported that describes the cause of the deviation, steps taken to correct the problem, and time required to return to compliance.

3. Nonduplication, Consultations, and Other Collection Criteria

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

3(a) Nonduplication

If the subject standards have not been delegated, the information is sent directly to the appropriate EPA regional office. Otherwise, the information is sent directly to the delegated state or local agency. If a state or local agency has adopted 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 (74 FR 38004) on July 30, 2009. No comments were received on the burden published in the Federal Register.

3(c) Consultations

It is our policy to review any comments received since the last ICR renewal including those submitted in response to the first Federal Register notice and respond appropriately. It should be noted that participants outside the EPA that were involved in the development of the site remediation NESHAP include other Federal agencies, state air regulatory agencies, trade associations, and private businesses.

The primary source of information was the industry and EPA data including an assessment by the Office of Air and Radiation. Information provided by the industry is retained in the EPA Air Facility System (AFS) database which is operated and maintained by the EPA Office of Compliance. AFS is the EPA database for the collection, maintenance, and retrieval of all compliance data. Approximately 286 respondents are currently subject to the regulation. The Agency estimates that there will not be any industry growth in the next three years.

It should be noted that the industry trade associations and other interested parties were provided an opportunity to comment on the burden associated with the standard when it was proposed, and the standard was previously reviewed to determine the minimum information needed for compliance purposes. No major problems regarding the rule monitoring, recordkeeping, or reporting were identified during the public comment period.

For this renewal, EPA contacted representatives of industry trade organizations to request a voluntary opinion as to the accuracy of the burden estimates associated with this ICR and whether there is any way to reduce the burden. The American Chemistry Council, Lorraine Gershman, telephone: 703-741-5219, did not identify any issues associated with this ICR and had no comments on the estimates.

EPA also contacted the American Petroleum Institute (API), Khary Cauthen, telephone: 202-682-8209; 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 emission limitations are met. If the information required by these standards was collected less frequently, the proper operation and maintenance of control equipment and the possibility of detecting violations would be less likely.

3(e) General Guidelines

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

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 five years. In addition, 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

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

Unlike a specific industry sector or type of business, the respondents potentially affected by this ICR cannot be easily or definitively identified. Potentially, the site remediation NESHAP may be applicable to any type of business or facility at which a site remediation is

conducted to clean up media contaminated with organic HAP, and the remediation activities performed and the magnitude of the cleanup meets the applicability criteria specified in the rule. A site remediation that is subject to this rule potentially may be conducted at any type of privately owned or government-owned facility at which contamination has occurred due to past events or current activities at the facility. Site remediations performed at sites where the facility has permanently closed, the owner has gone out of business, or the facility has been abandoned and there is no owner (in this latter case, a government agency takes responsibility for the cleanup) are not subject to this NESHAP in most cases.

The regulated sources under this NESHAP (i.e., the site remediation activities) are not the predominant activity, process, operation, or service conducted at the facility. A comprehensive list of North American Industry Classification System (NAICS) codes cannot be compiled for the respondents who will potentially be regulated by this action due to the nature of activities regulated by the source category. The NAICS code indicates a primary product produced or service provided at the facility rather than the presence of a site remediation performed to support the predominant function of the facility. Some representative NAICS codes for facilities where site remediations have been, or are currently being, conducted at some (but not all) facilities under a given code include: 325211, 325192, 325188, 32411, 49311, 49319, 48611, 42269, and 42271. However, these codes are not necessarily comprehensive as to the types of facilities at which site remediations subject to the rule may be required in the future.

4(b) Information Requested

Each respondent to this information collection is required to submit to the EPA a one-time notification of applicability of the respondent's facility to the final NESHAP. The respondents will be required to perform an annual performance test for each control device used to comply with the emission limitation standards and submit to the EPA/permitting authority a report following the test. Between performance tests, the respondents will be required to monitor selected operating parameters indicative of the control device performance and to maintain records of the monitoring results. Semiannually, the respondent will be required to prepare and submit to the EPA a compliance report describing any periods of control device operation during which the monitored values of the control device operating parameters deviated from the boundaries established during the most recent performance test.

For the affected sources subject to work practice standards, the respondents will be required to collect and maintain records of the air pollution equipment inspections and repairs, as specified in the rule. In addition, the respondents will need to maintain records of initial and subsequent determinations for any affected sources qualifying for an exemption from control requirements under the rule.

Records and reports must be retained for a total of five years. Records must be kept on-site for two of the five years, and for three of the years, records may be placed at an off-site location. The files can be maintained on microfilm, on computer or floppy disks, on magnetic tape disks, or on microfiche.

(i) Data Items

In this ICR, all the data that is recorded or reported is required by the NESHAP for Site Remediation (40 CFR part 63, subpart GGGGG).

A source must make the following reports:

Reports for 40 CFR part 63, subpart GGGGG		
Requirement	40 CFR part 63 subpart GGGGG Citation	40 CFR part 63 subpart A Citation
<i>Notifications and Reports</i>		
Initial notification	63.7950(a), (c)	63.9(b)
Notification of performance tests	63.7950(a), (d)	63.7, 63.9(e)
Notification of compliance status	63.7950(a), (e)	63.9(h)
Performance test results	63.7950(a), (e)	63.10(d)(2)
Notification of alternative standard selection (if applicable)	63.7950(f)	
Semiannual compliance reports	63.7951(a), (b)	63.10(e)
Startup, shutdown, malfunction reports	63.7951(a), (b), (c)	63.10(d)(5)
Part 70 monitoring report	63.7951(d)	

A source must maintain the following records:

Recordkeeping for 40 CFR part 63, subpart GGGGG			
Requirement	40 CFR part 63 subpart GGGGG Citation	40 CFR part 63 subpart A Citation	Retention Time
Copies of each notification and report submitted to comply with subpart as listed above	63.7952(a)(1)		5 years
Records related to startups, shutdowns, and malfunctions	63.7952(a)(2)	63.10(b)(2)	5 years
Records of performance tests	63.7952(a)(3)	63.10(b)(2)	5 years
Records of initial and subsequent determinations for affected sources exempted from control requirements	63.7952(a)(4)	63.10(b)(2)	5 years
Records of control device operating parameter continuous monitoring system (CMS) deviations, calibrations, and maintenance	63.7952(b)	63.10(b)(2)	5 years

Recordkeeping for 40 CFR part 63, subpart GGGGG			
Records to show continuous compliance with each emissions limitation, work practice standard, and operation and maintenance requirement	63.7952(c), (d)	63.10(b)(2)	5 years

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. Respondents will submit hard copy reports. To minimize the burden, much of the information the EPA needs to determine compliance will be recorded and retained on-site at the facility.

(ii) Respondent Activities

Respondent Activities
Install, calibrate, maintain, operate continuous monitoring system for VOHAP
Perform initial performance test
Write the notification and reports listed above
Enter information required to be recorded above
Submit the required reports developing, acquiring, installing, and using 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 respond to a collection information
Transmit, or otherwise disclose the information

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 remediation site.

Also, regulatory agencies, in cooperation with the respondents, continue to create reporting systems to transmit data electronically. However, electronic reporting systems are still not widely used. At this time, it is estimated that approximately 10 percent of the respondents use electronic reporting

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

5(a) Agency Activities

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

Agency Activities
Review initial notification
Review performance test notification
Conduct initial compliance determination
Review performance test reports
Review semiannual summary reports and any SSM reports
Audit facility records
Input, analyze, and maintain data in the Air facility Subsystem (AFS) data base

5(b) Collection Methodology and Management

Following notification of startup, the reviewing authority could 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. The semiannual reports are used for problem identification, as a check on source operation and maintenance and for compliance determinations.

Information contained in the reports is entered into the AFS which is operated and maintained by the EPA 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 five years.

5(c) Small Entity Flexibility

The rule places no requirement on any facility to initiate site remediation activities. The EPA anticipates that parties that undertake site remediation generally do so voluntarily and that the impact of this rule on those parties will not be significant. Further, because states and other parties decide whether to undertake site remediation activities, predicting how many, or what types of small entities will undertake such activities, is extremely difficult, if not impossible. Nonetheless, the rule is structured to avoid impacts on small businesses.

The rule specifically excludes from its scope remediations conducted at gasoline stations, farm sites, and residential sites. Moreover, the rule applies only to remediation sites located at a facility that is a major source under the CAA and at which is collocated one or more non-remediation activities listed as a Maximum Achievable Control Technology (MACT) major source category, pursuant to CAA section 112(c). Such sources tend to be large businesses. The rule also contains applicability emission thresholds that are likely to exclude many site remediations conducted at small businesses. For example, the rule exempts sources where the total annual quantity of HAP contained in all extracted remediation material at the facility is less

than 1 megagram per year. For these reasons, the rule does not impose a significant burden on a substantial number of small entities.

5(d) Collection Schedule

The specific frequency for each information collection activity within this request is shown in below Table 1: Annual Respondent Burden and Cost, NESHAP for Site Remediation (40 CFR Part 63, Subpart GGGGG).

6. Estimating the Burden and Cost of the Collection

Tables 1 and 2 document the computation of individual burdens for the recordkeeping and reporting requirements applicable to the affected sources 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.

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 (private sector and state, local or tribal governments) over the next three years from these recordkeeping and reporting requirements is estimated to be 112,349 hours (Total Labor Hours from Table 1). The overall recordkeeping hours shown in Table 1 are 85,621. The overall reporting requirement hours shown in Table 1 are 26,728. 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.

Estimating the number of respondents for the site remediation NESHAP is more difficult than the other source categories for which the EPA establishes NESHAP because of a unique set of considerations. As discussed earlier in Section 4(a), site remediations cannot be categorized by a particular industry sector or group of industry sectors. Another consideration is the finite period for which a site remediation is conducted. The objective of a site remediation is to mitigate a detected risk to public health or the environment by successfully completing the cleanup of the area contaminated by a hazardous substance. For NESHAP source categories associated with industrial processes or product distribution, a facility and its air emission sources typically remain in operation for many years. When an existing source reaches the end of its useful service life, it is often reconstructed or replaced with a new source. In contrast, the air emission sources associated with site remediations cease to exist once the remediation cleanup criteria are achieved. Depending on site-specific facts such as the extent of the contamination and the type of remediation activities needed, the “life span” of a given site remediation may be a short period lasting several weeks to a more extended period lasting several years. Even for those site remediations requiring a number of years to complete, it is important to recognize that ultimately, the remediation activities at a facility will be completed and the air emission sources will no longer exist. Thus, at any given time, the number of respondents will be changing since

at some facilities the site remediations are completed (i.e., subtracting respondents from the total number), at other facilities the site remediations are still on-going, and at some new facilities site remediations are beginning (i.e., adding respondents to the total number).

The annual burden estimates for reporting and recordkeeping presented in Table 1 are based on an estimated total of 286 respondents, 243 of which are from the private sector, 14 from state, local or tribal governments, and 29 from the Federal government. The respondent numbers used for the estimates were derived from data used by EPA for estimating the nationwide emission reduction and cost impacts of the final rule. For this total number of respondents, 26 respondents (9 percent) are estimated to use an in-situ treatment process. At each of these sites, a control device is assumed to be required on the process vent. The other 260 respondents (91 percent) are assumed to use an on-site ex-situ treatment process. The vast majority of these sites use tanks for storage and handling of contaminated media. Although a rare practice at existing sites, and not likely to be used at future sites, use of surface impoundments at the ex-situ treatment sites is included in the burden estimates by assuming that 5 of the 260 sites use a surface impoundment in place of tanks. Finally, the organic content of the contaminated media extracted at most of the ex-situ treatment sites will be below the 10 percent threshold level specified in the final rule for implementation of a leak detection and repair (LDAR) program. For the burden estimates, it is assumed that 10 facilities will need to implement an LDAR program. Other assumptions are that 9 percent of the respondents operating ex-situ treatment sites (26 respondents) choose to exempt one source at the site from the air emission control requirements according to the rule requirements, and an additional unit, an oil/water separator, is used at five of the sites.

6(b) Estimating Respondent Costs

(i) Estimating Labor Costs

This ICR uses the following labor rates:

Managerial	\$114.77 (\$54.65 + 110%)
Technical	\$97.59 (\$46.47 + 110%)
Clerical	\$48.26 (\$22.98 + 110%)

These rates are from the United States Department of Labor, Bureau of Labor Statistics, March 2009, 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 standards are both labor costs which are addressed elsewhere in this ICR and the costs associated with continuous monitoring. The capital/startup costs are one-time costs when a facility becomes subject to the regulation. The annual operation and maintenance costs are the ongoing costs to maintain the monitors and other costs such as photocopying and postage.

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

Capital/Startup vs. Operation and Maintenance (O&M) Costs						
A Monitoring Equipment	B Startup Cost for One Affected Facility	C Number of New Affected facilities to Startup	D Total Startup Costs (BxC)	E Annual O&M Costs for One Affected Facility	F Number of Affected Facilities with O&M	G Total O&M (ExF)
Parametric system	\$10,000	0	0	\$2,000	286	\$572,000
Leak detection	\$1,500	0	0	\$1,000	10	\$10,000
Total						\$582,000

There are no capital/startup costs for this ICR. The total operation and maintenance (O&M) costs for this ICR are \$582,000. This is the total of column G, which is the total costs for all 286 respondents—including 243 respondents from the private sector (\$494,496 – rounded down), 14 respondents from the state, local or tribal governments (28,490), and 29 respondents from the Federal government (59,014).

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 \$582,000. These are recordkeeping costs.

6(c) Estimating Agency Burden and Cost

The costs to the Agency are those costs associated with analysis of the reported information. Additionally, the Federal government incurs burden (both labor costs and O&M) as respondents. 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 \$1,555,772.

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

Managerial	\$61.36 (GS-13, Step 5, \$38.35 + 60%)
Technical	\$45.52 (GS-12, Step 1, \$28.45 + 60%)
Clerical	\$24.64 (GS-6, Step 3, \$15.40 + 60%)

These rates are from the Office of Personnel Management (OPM), 2009 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, NESHAP for Site Remediation

(40 CFR Part 63, Subpart GGGGG).

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 286 existing respondents will be subject to the standard. It is estimated that no new respondents will become subject to the standard.

Respondent Universe and Total Burden and Cost						
Regulation Citation	A Average Number of New Respondents Per Year	B Number of Reports for New Sources	C Number of Existing Respondents	D Number of Reports for Existing Sources	E Number of Respondents That Keep Records but Do Not Submit Reports	F Total Annual Responses (AxB)+(CxD)+E
Semiannual reports	0	0	286	2	0	572
SSM reports when not in compliance with the SSM Plan	0	0	0	0	0	0

The number of Total Annual Responses is 572.

The total annual labor costs to non-Federal-government respondents are \$10,796,331. Details regarding these estimates may be found below in Table 1: Annual Respondent Burden and Cost, NESHAP for Site Remediation (40 CFR Part 63, Subpart GGGGG).

The average annual Agency burden and cost over next three years is estimated to be 18,398 labor hours at a cost of \$1,496,758 (not including startup and O&M costs). See Table 2 below: Average Annual EPA Burden, NESHAP for Site Remediation (40 CFR Part 63, Subpart GGGGG).

The total annual capital/startup and O&M costs to the regulated entities are \$582,000. The cost calculations are detailed in Section 6(b)(iii), Capital/Startup vs. Operation and Maintenance (O&M) Costs.

The total annual respondent labor costs for all types of respondents is \$12,014,594.

6(e) Bottom Line Burden Hours and Cost Tables

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

(i) Respondent Tally

The total annual respondent labor hours are 112,349 for the private sector, state, local and tribal government respondents, and 12,678 for Federal government respondents. Details regarding these estimates may be found in Table 1: Annual Respondent Burden and Cost, NESHAP for Site Remediation (40 CFR Part 63, Subpart GGGGG) and Table 2: Average Annual EPA Burden, NESHAP for Site Remediation (40 CFR Part 63, Subpart GGGGG). Furthermore, the annual public reporting and recordkeeping burden for this collection of information is estimated to average 219 hours per response.

The total annual capital/startup and O&M costs to the regulated entity are \$582,000. The cost calculations are detailed in Section 6(b)(iii), Capital/Startup vs. Operation and Maintenance (O&M) Costs.

(ii) The Agency Tally

The average annual Agency burden and cost over next three years is estimated to be 18,398 labor hours at a cost of \$1,496,758. Including O&M costs, the total cost is \$1,555,772. See Table 2: Average Annual EPA Burden, NESHAP for Site Remediation (40 CFR Part 63, Subpart GGGGG) (below).

6(f) Reasons for Change in Burden

There is no change in the labor hours in this ICR compared to the previous ICR. This is due to two considerations. First, the regulations have not changed over the past three years and are not anticipated to change over the next three years. Secondly, the growth rate for respondents is very low, negative, or non-existent. Therefore, the labor hours in the previous ICR reflect the current burden to the respondents and are reiterated in this ICR. There is a minor change to the cost figures due to updates in labor rates and some minor mathematical errors have been corrected. The updated labor categories and associated rates result in an increase to total labor cost.

There is also a change in the method of reporting in this ICR. The labor hours and costs are calculated separately for each respondent type: “private sector,” “state, local or tribal governments,” and “Federal government”. There is no change in the total respondent burden hours (comprising both industry and Federal government respondents).

6(g) Burden Statement

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 219 hours per response. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data

sources; complete and review the collection of information; and transmit or otherwise disclose the information.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB Control Number. The OMB Control Numbers for EPA 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-2009-0545. 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 Avenue, 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-2009-0545 and OMB Control Number 2060-0534 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 Site Remediation (40 CFR Part 63, Subpart GGGGG)

Information Collection Activity	A			B	C	D	E	F	G	H
	Labor hours per Activity			Activities per Respondent per Year	Total Number of Respondents	Management hours per year	Technical hours per year	Clerical hours per year	Total Person Hours per Year	Total Cost per Year
	Mngmt	Technical	Clerical							(\$)
Private Sector										
1. Applications	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
2. Surveys and Studies	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
3. Parametric										
Monitoring System	4	40	0	1	0	0	0	0	0	\$0
4. Reporting requirements										
- Read instructions	8	16	0	1	0	0	0	0	0	\$0
- Conduct performance test	16	120	0	1	0	0	0	0	0	\$0
- Initial notification	8	0	2	1	0	0	0	0	0	\$0
- Performance test notification	2	0	1	1	0	0	0	0	0	\$0
- Initial compliance determination	8	40	8	1	0	0	0	0	0	\$0
- Performance test report	8	80	16	1	0	0	0	0	0	\$0
- Semiannual report	4	40	8	2	243	1944.00	19440	3888.00	25,272	\$2,307,897
- SSM report	1	8	1	0	0	0	0	0	0	\$0
<i>Subtotal Reporting</i>							25,272		25,272	\$2,307,897
5. Recordkeeping requirements										
- Read instructions	8	40	0	1	0	0	0	0	0	\$0
- Plan activities	8	100	0	1	0	0	0	0	0	\$0
- Prepare SSM plan	16	80	8	1	0	0	0	0	0	\$0
- Prepare documentation for exempted sources	16	80	8	1	22.1	353.5	1767.3	176.7	2,297	\$221,563
- In-situ process vents parametric monitoring	0	0.5	0	365	22.1	0	4031.6	0	4,032	\$393,443
- Ex-situ process vents parametric monitoring	0	0.5	0	365	220.9	0	40315.9	0	40,316	\$3,934,430
- Inspect tank covers	0	2	0	12	216.7	0	5199.9	0	5,200	\$507,454
- Inspect container covers	0	0.5	0	12	220.9	0	1325.5	0	1,325	\$129,351

Information Collection Activity	A			B	C	D	E	F	G	H
	Labor hours per Activity			Activities per Respondent per Year	Total Number of Respondents	Management hours per year	Technical hours per year	Clerical hours per year	Total Person Hours per Year	Total Cost per Year
	Mngmt	Technical	Clerical							(\$)
- Inspect surface impoundment covers	0	2	0	12	4.2	0	102.0	0	102	\$9,950
- Inspect separator covers	0	2	0	12	4.2	0	102.0	0	102	\$9,950
- Inspect transfer system covers	0	0.5	0	12	220.9	0	1325.5	0	1,325	\$129,351
- Leak detection and repair program	16	100	0	1	8.5	135.9	849.7	0	986	\$98,520
- Develop record system	16	100	8	1	0	0	0	0	0	\$0
- Enter information	0	2	0	52	243	0	25272	0	25,272	\$2,466,294
- Personnel training	2	20	0	0	0	0	0	0	0	\$0
<i>Subtotal Recordkeeping</i>							80,957		80,957	\$7,900,306
Total for Private Sector									106,229	\$10,208,204
State, Local or Tribal Government										
1. Applications	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
2. Surveys and Studies	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
3. Parametric	4	40	0	1	0	0	0	0	0	\$0
Monitoring System										
4. Reporting requirements										
- Read instructions	8	16	0	1	0	0	0	0	0	\$0
- Conduct performance test	16	120	0	1	0	0	0	0	0	\$0
- Initial notification	8	0	2	1	0	0	0	0	0	\$0
- Performance test notification	2	0	1	1	0	0	0	0	0	\$0
- Initial compliance determination	8	40	8	1	0	0	0	0	0	\$0
- Performance test report	8	80	16	1	0	0	0	0	0	\$0
- Semiannual report	4	40	8	2	14	112	1120	224	1,456	\$132,965
- SSM report	1	8	1	0	0	0	0	0	0	\$0
<i>Subtotal Reporting</i>							1,456		1,456	\$132,965
5. Recordkeeping requirements										
- Read instructions	8	40	0	1	0	0	0	0	0	\$0
- Plan activities	8	100	0	1	0	0	0	0	0	\$0

Information Collection Activity	A			B	C	D	E	F	G	H
	Labor hours per Activity			Activities per Respondent per Year	Total Number of Respondents	Management hours per year	Technical hours per year	Clerical hours per year	Total Person Hours per Year	Total Cost per Year
	Mngmt	Technical	Clerical							(\$)
- Prepare SSM plan	16	80	8	1	0	0	0	0	0	\$0
- Prepare documentation for exempted sources	16	80	8	1	1.3	20.4	101.8	10.2	132	\$12,765
- In-situ process vents parametric monitoring	0	0.5	0	365	1.3	0	232.3	0	232	\$22,667
- Ex-situ process vents parametric monitoring	0	0.5	0	365	12.7	0	2322.7	0	2,323	\$226,675
- Inspect tank covers	0	2	0	12	12.5	0	299.6	0	300	\$29,236
- Inspect container covers	0	0.5	0	12	12.7	0	76.4	0	76	\$7,452
- Inspect surface impoundment covers	0	2	0	12	0.2	0	5.9	0	6	\$573
- Inspect separator covers	0	2	0	12	0.2	0	5.9	0.0	6	\$573
- Inspect transfer system covers	0	0.5	0	12	12.7	0	76.4	0	76	\$7,452
- Leak detection and repair program	16	100	0	1	0.5	7.8	49.0	0	57	\$5,676
- Develop record system	16	100	8	1	0	0	0	0	0	\$0
- Enter information	0	2	0	52	14	0	1456	0	1,456	\$142,091
- Personnel training	2	20	0	0	0	0	0	0	0	\$0
<i>Subtotal Recordkeeping</i>							4,664		4,664	\$455,162
Total for State, Local or Tribal Government									6,120	\$588,127
Overall Reporting									26,728	\$2,440,863
Overall Recordkeeping									85,621	\$8,355,468
OVERALL TOTAL									112,349	\$10,796,331

Assumptions

1) Cost: managerial -\$114.77/hr, technical - \$97.59/hr, clerical - \$48.26/hr.

2) 243 respondents from the private sectors, 29 respondents from the Federal government, and 14 respondents from state, local or tribal governments. (286 respondents total).

3) 26 out of 286 respondents (9 percent) are estimated to use an in-situ treatment process. At each of these sites, it is assumed that a control device is required on the process vent.

- 4) 260 out of 286 respondents (90 percent) are assumed to use an on-site ex-situ treatment process.
- 5) 5 of the 260 sites use a surface impoundment in place of tanks.
- 6) 10 facilities implement an LDAR program.
- 7) 26 out of 286 respondents exempt one source at the site from the air emission control requirements.
- 8) Oil/water separator is used at five of the sites.
- 9) Previous ICR allowed two SSM reports per year, but we determined that these reports are typically included in the semiannual reports.
- 10) The relative proportions in assumptions (3) through (7) are applied to each respondent type according to the breakdown explained in Assumption (2).

Table 2: Average Annual EPA Burden, NESHAP for Site Remediation (40 CFR Part 63, Subpart GGGGG).

Information Collection Activity	A			B	C	E	F	G	H	I
	Labor Hours per Activity per Labor Category			Activities per Respondent per Year	Total Number of Respondents	Management hours per year	Technical hours per year	Clerical hours per year	Total Person Hours per Year	Total Labor Costs per Year (\$)
	Managerial	Technical	Clerical							
Report Review										
a. Initial notification	1	4	0	0	0	0	0	0	0	\$0
b. Performance test notification	1	2	0	0	286	0	0	0	0	\$0
c. Initial compliance determination	4	24	0	0	0	0	0	0	0	\$0
d. Performance test reports	4	24	0	0	286	0	0	0	0	\$0
e. Semiannual report	2	8	0	2	286	1144	4576	0	5,720	\$278,495
TOTAL for Report Review									5,720	\$278,495
Respondent Burden - Federal Government										
1. Applications	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
2. Surveys and Studies	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
3. Parametric										
Monitoring System	4	40	0	1	0	0	0	0	0	\$0
4. Reporting requirements										
- Read instructions	8	16	0	1	0	0	0	0	0	\$0
- Conduct performance test	16	120	0	1	0	0	0	0	0	\$0
- Initial notification	8	0	2	1	0	0	0	0	0	\$0
- Performance test notification	2	0	1	1	0	0	0	0	0	\$0
- Initial compliance determination	8	40	8	1	0	0	0	0	0	\$0
- Performance test report	8	80	16	1	0	0	0	0	0	\$0
- Semiannual report	4	40	8	2	29	232.00	2320	464.00	3,016	\$275,428
- SSM report	1	8	1	0	0	0	0	0	0	\$0
<i>Subtotal Reporting</i>							3,016		3,016	\$275,428
5. Recordkeeping requirements										
- Read instructions	8	40	0	1	0	0	0	0	0	\$0

Information Collection Activity	A			B	C	E	F	G	H	I
	Labor Hours per Activity per Labor Category			Activities per Respondent per Year	Total Number of Respondents	Management hours per year	Technical hours per year	Clerical hours per year	Total Person Hours per Year	Total Labor Costs per Year (\$)
	Managerial	Technical	Clerical							
- Plan activities	8	100	0	1	0	0	0	0	0	\$0
- Prepare SSM plan	16	80	8	1	0	0	0	0	0	\$0
- Prepare documentation for exempted sources	16	80	8	1	2.6	42.2	210.9	21.1	274	\$26,442
- In-situ process vents parametric monitoring	0	0.5	0	365	2.6	0	481.1	0	481	\$46,954
- Ex-situ process vents parametric monitoring	0	0.5	0	365	26.4	0	4811.4	0	4,811	\$469,541
- Inspect tank covers	0	2	0	12	25.9	0	620.6	0	621	\$60,560
- Inspect container covers	0	0.5	0	12	26.4	0	158.2	0	158	\$15,437
- Inspect surface impoundment covers	0	2	0	12	0.5	0	12.2	0	12	\$1,187
- Inspect separator covers	0	2	0	12	0.5	0	12.2	0	12	\$1,187
- Inspect transfer system covers	0	0.5	0	12	26.4	0	158.2	0	158	\$15,437
- Leak detection and repair program	16	100	0	1	1.0	16.2	101.4	0	118	\$11,757
- Develop record system	16	100	8	1	0	0	0	0	0	\$0
- Enter information	0	2	0	52	29	0	3016	0	3,016	\$294,331
- Personnel training	2	20	0	0	0	0	0	0	0	\$0
<i>Subtotal Recordkeeping</i>							9,662		9,662	\$942,835
Subtotal for Federal Government Respondent									12,678	\$1,218,263
Total Labor Burden									18,398	\$1,496,758
Startup and O&M										\$59,014
Total Labor hours and Cost									18,398	\$1,555,772

Assumptions for Report Review

1) Managerial labor - \$61.36, technical labor-\$45.52, clerical labor-\$24.64.

Assumptions for Federal Government Respondent

1) Cost: managerial -\$114.77/hr, technical - \$97.59/hr, clerical - \$48.26/hr.

2) 243 respondents from the private sectors, 29 respondents from the Federal government, and 14 respondents from state, local or tribal governments. (286 respondents total).

3) 26 out of 286 respondents (9 percent) are estimated to use an in-situ treatment process. At each of these sites, it is assumed that a control device is required on the process vent. 4) 260 out of 286 respondents (91 percent) are assumed to use an on-site ex-situ treatment process.

5) 5 of the 260 sites use a surface impoundment in place of tanks.

6) 10 facilities implement an LDAR program.

7) 26 out of 286 respondents exempt one source at the site from the air emission control requirements.

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9) Previous ICR allowed two SSM reports per year, but we determined that these reports are typically included in the semiannual reports.

10) The relative proportions in assumptions (3) through (7) are applied to each respondent type according to the breakdown explained in Assumption (2).