

Supporting Statement
ENVIRONMENTAL PROTECTION AGENCY

NSPS for Lead Acid Battery Manufacturing (40 CFR part 60, subpart KK) (Renewal)

1. Identification of the Information Collection

1(a) Title of the Information Collection

NSPS for Lead Acid Battery Manufacturing (40 CFR part 60, subpart KK) (Renewal),
EPA ICR Number 1072.09, OMB Control Number 2060-0081

1(b) Short Characterization/Abstract

The New Source Performance Standards (NSPS) for Lead Acid Battery Manufacturing (40 CFR part 60, subpart KK) were proposed on January 14, 1980, and promulgated on April 16, 1982. These regulations apply to the following affected facilities in lead-acid battery manufacturing plants with production capacity that is equal to, or exceeds 6.5 tons of lead: grid casting facilities, paste mixing facilities, three-process operation facilities, lead-oxide manufacturing facilities, lead reclamation facilities, and other lead-emitting operations, commencing construction, modification, or reconstruction after the date of proposal. This information is being collected to assure compliance with these regulations.

Based on the number of applicable sources in a previous ICR renewal, approximately 52 sources currently are subject to the standard, and it is anticipated that no additional sources will become subject to the standard in the next three years.

The current ICR is based on the most recently approved Information Collection Request (ICR). The cost of this ICR will be \$383,346. All reports are sent to the delegated State, or local authority. In the event that there is no such delegated authority, the reports are sent directly to the EPA Regional Office.

OMB approved the currently active 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 111 of the Clean Air Act (CAA), as amended, to establish standards of performance for new stationary sources that reflect:

. . . application of the best technological system of continuous emissions reduction which (taking into consideration the cost of achieving such emissions reduction, or any non-air quality health and environmental impact and energy requirements) the Administrator determines has been adequately demonstrated.
Section 111(a)(1).

The Agency refers to this charge as selecting the best demonstrated technology (BDT). Section 111 also requires that the Administrator review and, if appropriate, revise such standards every eight years.

In the Administrator's judgment, lead emissions from lead-acid battery manufacturing plants cause, or contribute to air pollution that may reasonably be anticipated to endanger public health or welfare. Therefore, NSPS standards were promulgated for this source category at 40 CFR part 60, subpart KK.

2(b) Practical Utility/Users of the Data

The control of emissions of lead from lead-acid battery manufacturing plants requires not only the installation of properly designed equipment, but also the operation and maintenance of that equipment.

The recordkeeping and reporting requirements in the standard(s) 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.

Emissions of lead in the production of lead-acid batteries are the result of the operation of grid casting, paste mixing, three-process operation, lead oxide, and lead reclamation facilities, as well as any other lead-emitting operations. These standards rely on the capture of lead emissions by control devices such as scrubbers. The subject standards are achieved by the capture of lead emissions using scrubbing systems and baghouses. The notifications required in the applicable regulations 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 the regulations are being met.

Performance tests are required in order to determine an affected facility's initial capability to comply with the emission standard(s). Continuous emission monitors are used to ensure compliance with the standard(s) at all times. Operating conditions include lead emission concentration in the gas stream, volumetric flow rate of the effluent gas, lead feed rate to the facility, number of emission points, pressure drop across the scrubbing system, and opacity of gases.

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

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

3(a) Non-duplication

If the subject standards have not been delegated, the information is sent directly to the appropriate EPA regional office. Otherwise, the information is sent directly to the delegated state or local agency. If a state or local agency has adopted its own similar standards to implement the Federal standards, a copy of the report submitted to the state or local agency can be sent to the Administrator in lieu of the report required by the Federal standards. Therefore,

no duplication exists.

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

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

3(c) Consultations

For this information collection, the previous ICR renewal was used to obtain burden estimates since this ICR renewal was processed under the “Expedited Approach” option provided in May 1, 2008 guidance. Per this guidance, all data and assumptions from the previous ICR renewal were used as the basis for estimating the hourly and cost burdens associated with this renewal.

It is our policy to respond after a thorough review of comments received since the last ICR renewal as well as those submitted in response to the first Federal Register notice. In this case, no comments were received.

3(d) Effects of Less Frequent Collection

Less frequent information collection would decrease the margin of assurance that facilities are continuing to meet the standards. Requirements for information gathering and recordkeeping are useful techniques to ensure that good operation and maintenance practices are applied and 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 violates any of the regulations established by OMB at 5 CFR 1320.5.

3(f) Confidentiality

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

3(g) Sensitive Questions

The reporting or recordkeeping requirements in the standard do not include sensitive questions.

4. The Respondents and the Information Requested

4(a) Respondents/SIC Codes

The respondents to the recordkeeping and reporting requirements are lead-acid battery manufacturing plants. The SIC code for the respondents affected by the standards is SIC (United States Standard Industrial Classification) 3691, Storage Batteries, which corresponds to the NAICS (The North American Industry Classification System) code 335911, Storage Battery Manufacturing.

Standard	SIC Codes	NAICS Codes
40 CFR part 60, subpart KK	3691	335911

To compare the SIC and NAICS codes, see the website at <http://www.census.gov/epcd/www/naics.html>.

4(b) Information Requested

(i) Data Items

In this ICR, all the data that is recorded or reported is required by New Source Performance Standards (NSPS) for Lead Acid Battery Manufacturing, 40 CFR part 60, subpart KK.

A source must make the following reports:

Reports for 40 CFR part 60, subpart KK	
Notification of construction/reconstruction	60.7(a)(1)
Notification of initial startup	60.7(a)(3)
Notification of initial performance test	60.8(d)
Physical or operational change	60.7(a)(4)
Report opacity results (reported with the initial performance test results) and at other times opacity observations are required	60.11(e)
Report of performance test results	60.8(a)
Periodic reports if using continuous emissions monitoring systems (e.g., semiannual)	60.7(c) 60.7(e)

A source must maintain the following records:

Recordkeeping for 40 CFR part 60, subpart KK	
Startups, shutdowns, malfunctions, periods where the continuous monitoring system is inoperative	60.7(b)
Performance test records	60.7(d)
Pressure drop monitoring records for sources using a scrubber system	60.7(e), 60.373
Maintain a file of all measurements, maintenance, reports, and records, for at least two years	60.7(f)

(ii) Respondent Activities

Respondent Activities
Read instructions.
Install, calibrate, maintain, and operate a monitoring device that measures pressure drop across the scrubbing system every 15 minutes.
Perform initial performance test using Reference Method 12 to determine lead concentration and volumetric flow rate, and Reference Method 9 for opacity readings, 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.

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 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
Observe initial performance tests and repeat performance tests if necessary.
Review notifications and reports, including performance test results, required to be submitted by industry.
Audit facility records.
Input, analyze, and maintain data in the AFS database, which can be accessed through 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 operated. 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 the AFS, which is operated and maintained by EPA's Office of Compliance. AFS is EPA's database for the collection, maintenance, and retrieval of compliance and annual emission inventory data for more than 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 or operator for at least two years.

5(c) Small Entity Flexibility

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

The information available on the Lead Acid Battery Manufacturing sector indicates that small operations are being bought by larger facilities. It was assumed for this ICR that none of the existing sources is a small entity.

5(d) Collection Schedule

The specific frequency for each information collection activity within this request is shown below in Table 1: Annual Respondent Burden and Cost - NSPS for Lead Acid Battery Manufacturing (40 CFR part 60, subpart KK) (Renewal).

6. Estimating the Burden and Cost of the Collection

Table 1 documents the computation of individual burdens for the recordkeeping and reporting requirements applicable to the industry for the subpart included in this ICR. The individual burdens are expressed under standardized headings believed to be consistent with the concept of burden under the Paperwork Reduction Act. Where appropriate, specific tasks and major assumptions have been identified in Table 1. 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 4,053 (rounded) (See Total Labor Hours from Table 1). The recordkeeping hours shown in Table 1 are 3,637. The reporting requirement hours shown in Table 1 are 416. These hours are based on Agency studies and background documents from the development of the regulation, Agency knowledge and experience with the NSPS program, the most recently approved ICR, consultation with industry, and any comments received.

6(b) Estimating Respondent Costs

(i) Estimating Labor Costs

This ICR uses the following labor rates:

Managerial	\$114.49 (\$54.52 + 110%)
Technical	\$98.20 (\$46.76 + 110%)
Clerical	\$48.53 (\$23.11 + 110%)

These rates are from the United States Department of Labor, Bureau of Labor Statistics, September 2009, "Table 2. Civilian Workers, by occupational and industry group." The rates are from column 1, "Total compensation." The rate has been increased by 110% 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 both labor costs, which are addressed elsewhere in this ICR, and the costs associated with continuous parameter (i.e., pressure drop) monitoring when a scrubbing system is used as the control device. 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) Continuous Monitoring Device	(B) Capital/ Startup Cost for One Respondent	(C) Number of New Respondents	(D) Total Capital/Startu p Costs, (B X C)	(E) Annual O&M Costs for One Respondent	(F) Number of Respondents with O&M	(G) Total O&M Costs, (E X F)
Pressure Drop Monitors ¹	\$ 0	0	0	\$ 900	13	\$ 12,000 (rounded)

There are no capital/startup costs for this regulation since there are no new sources anticipated over the three-year period of this ICR. This is the total of column D in the above table.

The total operation and maintenance (O&M) costs for this ICR are \$ 12,000 (rounded). This is the total of column G.

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 \$12,000. These are recordkeeping costs.

The total respondent non-labor costs have been calculated as the addition of the capital/startup costs, and the annual operation and maintenance costs. The average annual cost for capital/startup and operation and maintenance costs to industry over the three-year period of this ICR are estimated to be \$12,000.

6(c) Estimating Agency Burden and Cost

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

¹ It is estimated that 25 percent of the 52 existing sources (i.e., 13 sources) have scrubber systems and are, therefore, required to install and maintain a monitor to measure and record pressure drop across the scrubbing system.

The average annual Agency cost during the three years of the ICR is estimated to be \$4,687 (rounded).

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

Managerial	\$62.27 (GS-13, Step 5, \$38.92 + 60%)
Technical	\$46.21 (GS-12, Step 1, \$28.88 + 60%)
Clerical	\$25.01 (GS-6, Step 3, \$15.63 + 60%)

These rates are from the Office of Personnel Management (OPM), 2010 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. These rates can be obtained from the OPM web site: <http://www.opm.gov/oca/payrates/index/htm>. Details upon which this estimate is based appear below in Table 2: Average Annual Agency Burden - NSPS for Lead Acid Battery Manufacturing (40 CFR part 60, subpart KK) (Renewed).

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

On average over the next three years, approximately 52 existing respondents will be subject to the standard. It is estimated that no additional respondents per year will become subject.

Respondent Universe and Number of Responses Per Year						
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	(F) Number of Respondents that keep records but do not submit reports	(E) Total Annual Responses = (AxB)+(Cx D) +F
NSPS, subpart KK	0 ¹	4	13	2	39	65

The number of total annual responses is 65. This is the number is in column F of the Respondent Universe and Number of Responses Per Year table.

The total annual labor costs are \$ 383,346 (rounded). Details regarding these estimates may be found below in Table 1: Annual Respondent Burden and Cost - NSPS for Lead Acid Battery Manufacturing (40 CFR part 60, subpart KK) (Renewal).

Note that the total annual capital and O&M costs to the regulated entity are \$12,000. These costs are detailed in Section 6(b)(iii), Capital/Startup vs. Operation and Maintenance (O&M) Costs.

1 The information available on the sector indicates that facilities are closing operations or are that small operations are being bought by larger facilities. We have assumed that there will be no significant process changes triggering NSPS, subpart KK, applicability.

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, respectively, and summarized below.

(i) Respondent Tally

The total annual labor hours are 4,053. Details regarding these estimates may be found below in Table 1: Annual Respondent Burden and Cost - NSPS for Lead Acid Battery Manufacturing (40 CFR part 60, subpart KK) (Renewal). Furthermore, the annual public reporting and recordkeeping burden for this collection of information is estimated to average 62 hours per response.

The total annual capital/startup and O&M costs to the regulated entity are \$12,000. 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 104 labor hours at a cost of \$4,687. See below Table 2: Annual Agency Burden and Cost - NSPS for Lead Acid Battery Manufacturing (40 CFR part 60, subpart KK) (Renewal).

6(f) Reasons for Change in Burden

There is no change in the labor hours or cost to the respondents in this ICR compared to the previous ICR because the regulations have not changed over the past three years and are not anticipated to change over the next three years. Since this ICR renewal was approved to be processed under the “Expedited Approach” option, EPA has maintained the same estimate for the number of sources currently subject to this standard as indicated in the most recently approved ICR. Therefore, the labor hours figures in the previous ICR reflect the current burden to the respondents and are reiterated in this ICR.

6(g) Burden Statement

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 62 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 currently valid OMB control number. The OMB

control numbers for EPA's regulations are listed in 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-2009-0415. An electronic version of the public docket is available at <http://www.regulations.gov/> which may be used to obtain a copy of the draft collection of information, submit or view public comments, access the index listing of the contents of the docket, and to access those documents in the public docket that are available electronically. When in the system, select "search," then key in the docket ID number identified in this document. The documents are also available for public viewing at the Enforcement and Compliance Docket and Information Center in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Ave., NW, Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is (202) 566-1744, and the telephone number for the docket center is (202) 566-1752. Also, you can send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, DC 20503, Attention: Desk Officer for EPA. Please include the EPA Docket ID Number EPA-HQ-OECA-2009-0415 and OMB Control Number 2060-0081 in any correspondence.

Part B of the Supporting Statement

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