

**SUPPORTING STATEMENT
ENVIRONMENTAL PROTECTION AGENCY**

NESHAP for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks (40 CFR part 63, subpart N) (Renewal)

1. Identification of the Information Collection

1(a) Title of the Information Collection

NESHAP for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks (40 CFR part 63, subpart N) (Renewal), EPA ICR Number 1611.07, OMB Control Number 2060-0327

1(b) Short Characterization/Abstract

The national emission standards for hazardous air pollutants (NESHAP) using maximum achievable control technology (MACT) for control of chromium emissions from hard and decorative chromium electroplating and chromium anodizing tanks were proposed on December 16, 1993, and promulgated on January 25, 1995. This rule applies to sources performing hard chromium electroplating, decorative chromium electroplating, and chromium anodizing. The affected source is each chromium electroplating, or chromium anodizing tank. This information is being collected to assure compliance with these regulations.

There are approximately 1,770 chromium electroplating and anodizing operations nationwide. Of this total, approximately 790 are hard chromium electroplating operations, 740 are decorative chromium electroplating operations, and 240 are chromium anodizing operations. No net growth is predicted for this industry. It is expected that new tanks will only be added to replace, or expand existing capacity and that few new facilities will be constructed. The ongoing monitoring, reporting, and recordkeeping for new tanks are the same as those for existing tanks.

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. 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, 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, chromium emissions from hard and decorative chromium electroplating and chromium anodizing tanks 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 N.

2(b) Practical Utility/Users of the Data

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.

Performance tests are required in order to determine an affected facility's initial capability to comply with the emission standards, and serve as a record of the operating conditions under which compliance was achieved. The ongoing compliance status reports (i.e., semiannual reports for major sources and annual reports for area sources) are used for problem identification, as a check on source operation and maintenance, and for compliance determinations. The information generated by the monitoring, recordkeeping and reporting requirements described in this ICR is used by the Agency to ensure that facilities affected by the NESHAP continue to operate the control equipment in compliance with the regulation. Adequate monitoring, recordkeeping, and reporting are necessary to ensure compliance with the applicable regulations, as required by the Clean Air Act.

The notifications required in the standard are used to inform the Agency or delegated authority when a source becomes subject to the requirements of the regulations. The reviewing authority may then inspect the source to check if the pollution control devices are properly installed and operated and the standard(s) 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.

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

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

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 32581). No comments were received on the burden published in the Federal Register.

3(c) Consultations

For this information collection, the Agency has consulted industry experts and internal data sources to project the number of affected facilities and industry growth over the next three years. The primary sources of information are Section 114 Surveys from the Plating and Polishing Area Source NESHAP, EPA's National Emission Inventory (NEI) database, and industry trade association.

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

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

3(f) Confidentiality

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

3(g) Sensitive Questions

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

4. The Respondents and the Information Requested

4(a) Respondents/NAICS Codes

The respondents to the recordkeeping and reporting requirements are sources performing hard chromium electroplating, decorative chromium electroplating, and chromium anodizing. The SIC (United States Standard Industrial Classification) codes for the respondents affected by the standard with the corresponding North American Industry Classification System (NAICS) codes are listed below.

Standard	SIC Code	NAICS Code	Source Description
40 CFR part 63, subpart N	3471	332813	Electroplating, Plating, Polishing, Anodizing, and Coloring
	3423	332212	Hand and Edge Tool Manufacturing
	3479	332812	Metal Coating, Engraving (except Jewelry and Silverware), and Allied Services to Manufacturers
	3593	333995	Power Cylinder and Actuator Manufacturing

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

All data recorded and/or reported in this ICR are required by NESHAP for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks (40 CFR part 63, subpart N).

A source must make the following reports:

Notifications	
Notification of construction/reconstruction	63.5(a); 63.5(b); 63.5(e); 63.345
Notification of initial performance test	63.347(d)
Reschedule of initial performance test	63.7(b)(2)
Notification of compliance status	63.347(e)
Request for extension of compliance status, adjustments to time periods, and changes in information	63.9(c); 63.9(i); 63.9(j); 63.343(a)(6)

Reports	
Initial performance test results	63.347(f)
Operation and maintenance plan	63.342(f)(3); 63.347(g)(3)
Submission of site specific test plan upon request	63.344(a)
Ongoing semiannual compliance status reports for major sources, unless the source is required to submit it a more frequent basis (e.g., quarterly reports are required when an emission limit is exceeded), except for sources using trivalent chromium baths	63.347(g)
Ongoing annual compliance status reports for area sources, unless the source is required to submit it on a more frequent basis (e.g., semiannual reports are required when the duration of an excess emissions is one percent or greater of the total operating time), except for sources using trivalent chromium baths	63.347(h)
Request to reduce reporting frequency of ongoing compliance status reports	63.347(g)(2); 63.347(h)(2)
Reports associated with trivalent chromium baths	63.347(i)

A source must keep the following records:

Recordkeeping	
General recordkeeping requirements (e.g., startups, shutdowns and malfunctions including process equipment, air pollution control equipment, maintenance performed, and actions taken outside of the scope of the existing plans, records of monitoring data used to demonstrate compliance, performance test results, documentation supporting notifications and reports)	63.346(a); 63.346(b)
Records for sources with continuous monitoring systems	63.346(b)
Records are required to be retained for 5 years. The first 2 years of records must be kept on site.	63.10(b)(1); 63.346(c)

Electronic Reporting

Some of the respondents are using monitoring equipment that automatically records parameter data. Although personnel at the source still need to 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.

(ii) Respondent Activities

Respondent Activities
Read instructions.
Install, calibrate, maintain, and operate monitoring system for pressure drop for composite mesh pad systems and fiber bed mist eliminators; pressure drop and velocity pressure for packed bed scrubbers, surface tension for wetting agents, or the appropriate parameter for an alternative control option.
Perform initial performance test, Reference Method 306, 306(a) or 306(b), 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.

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

5(a) Agency Activities

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

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

5(b) Collection Methodology and Management

Following notification of startup, the reviewing authority might inspect the source to determine whether the pollution control devices are properly installed and operated. Performance test reports are used by the Agency to discern a source's initial capability to comply with the emission standard and to 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. 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 Air Facility System (AFS), which is operated and maintained by EPA's Office of Compliance. AFS is EPA's database for the collection, maintenance, and retrieval of compliance data for approximately 125,000 industrial and government-owned facilities. EPA uses the AFS for tracking air pollution compliance and enforcement by local and state regulatory agencies, EPA regional offices and EPA headquarters. EPA and its delegated Authorities can edit, store, retrieve and analyze the data.

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

5(c) Small Entity Flexibility

The majority of affected facilities subject to this regulation are small businesses. The recordkeeping and reporting requirements were selected within the context of this specific subpart and the specific process equipment and pollutant. The impact on small businesses was accounted for in the regulation development. Reduction in reporting was provided to small businesses subject to this regulation. Small (area source) businesses are only required to prepare annual compliance status reports and may retain these reports on site. These reports must be submitted to the Agency or a delegated authority on a semiannual basis only where the duration of excess emissions and air pollution control device malfunctions exceeds specified thresholds. Large (major source) facilities must prepare and submit these reports on a semiannual or quarterly basis depending on their performance.

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 for NESHAP for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks (40 CFR part 63, subpart N) (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, the 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 171,118 hours (Total Labor Hours from Table 1). The recordkeeping hours shown below in Table 1 are 158,247 and the reporting requirement hours, also shown below in Table 1, are 12,871. These hours are based on Agency studies and background documents available 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	\$55.67 (\$26.51 + 110%)
Technical	\$30.60 (\$14.57 + 110%)
Clerical	\$27.97 (\$13.32 + 110%)

These rates are from the United States Department of Labor, Bureau of Labor Statistics, Occupational Employment and Wages, May 2009. The mean hourly wage for “First-Line Supervisors/Managers of Office and Administrative Support Workers” was used for the managerial rate, “Plating and Coating Machine Setters, Operators, and Tenders, Metal and Plastic” for technical, Office Clerks, General for the clerical rate. 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 types of industry costs associated with the information collection activity in the standards are both labor costs, which are addressed elsewhere in this ICR, and the costs associated with continuous monitoring of operating parameters associated with the following control options: fume suppressants; packed bed scrubbers; composite mesh pads; and fiber bed mist eliminators. The capital startup costs are one time costs incurred when a facility becomes subject to the standard. The annual operations and maintenance costs are the ongoing costs to maintain the monitors and other costs such as photocopying and postage. The total respondent costs have been calculated on the addition of the capital start up costs and the annual operations and maintenance costs.

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

Capital/Startup vs. Operation and Maintenance (O&M) Costs						
(A) Continuous Monitoring Device	(B) Capital / Startup Cost for One Respondent	(C) Number of New Respondents	(D) Total Capital / Startup Cost (B X C)	(E) Annual O&M Costs for One Respondent	(F) Number of Respondents with O&M	(G) Total O&M, (E X F)
Operating Parameter Monitoring Systems	\$0.00	0	\$0.00	\$15,000	1,770	\$26,550,000

The total capital/startup costs for this ICR are \$0 since we have assumed that there will be no industry growth over the 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 \$26,550,000. This is the total of column G.

The combined average annual cost for capital/startup and operation and maintenance (O&M) costs to industry over the next three years of the ICR is estimated to be \$26,550,000.

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 reviewing 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 \$228,586.

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. Details upon which this estimate is based appear below in Table 2: Annual Agency Burden and Cost for NESHAP for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks (40 CFR part 63, subpart N) (Renewal).

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

We estimate that there are approximately 1,770 chromium electroplating and anodizing operations nationwide which currently are subject to the standard. Of this total, approximately 790 are hard chromium electroplating operations, 740 are decorative chromium electroplating operations, and 240 are chromium anodizing operations. It is estimated that no new sources per year will become subject to the regulation in the next three years, since no net growth is predicted for this industry.

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

Number of Respondents					
	Respondents That Submit Reports		Respondents That Do Not Submit Any Reports		
Year	(A) Number of New Respondents	(B) Number of Existing Respondents	(C) Number of Existing Respondents That Keep Records But Do Not Submit Reports	(D) Number of Existing Respondents That Are Also New Respondents	(E) Number of Respondents (E=A+B+C-D)
1	0	1,696	74	0	1,770
2	0	1,696	74	0	1,770
3	0	1,696	74	0	1,770
Average	0	1,696	74	0	1,770

Column D is subtracted to avoid double-counting respondents. As shown above, the average Number of Respondents over the three year period of this ICR is 1,770.

The total number of annual responses per year is calculated using the following table:

Total Annual Responses					
(A) Number of New Respondents	(B) Number of Reports for New Respondents	(C) Number of Existing Respondents	(D) Number of Reports for Existing Respondents *	(F) Number of Existing Respondents That Keep Records But Do Not Submit Reports	(E) Total Annual Responses E=(AxB)+(CxD)+F
0	6	1,357	1	74	2,278.5
		339	2.5		

*We assume that all sources are area sources. Area sources, except for chromium anodizing plants (1,696), are required to submit an annual compliance status report. However, sources are required to submit these reports on a more frequent basis if excess emissions occur (i.e., semiannually for area sources). We further assume that 80 percent of the sources (0.80 times 1,696 yields 1,357) will have no excess emissions and 20 percent of the sources (0.20 times 1,696 yields 339) will have excess emissions. Half of the area sources submitting semiannual reports due to excess emissions (0.5 x 339 = 170) will request the regulatory agency to approve a reduction in frequency for ongoing compliance status reports (i.e., annual reporting)

The number of Total Annual Responses is 2,278.5.

The total annual labor costs are \$5,383,586. Details regarding these estimates may be found below in Table 1: Annual Respondent Burden and Cost for NESHAP for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks (40 CFR part 63, subpart N) (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 below, respectively, and summarized below.

(i) Respondent Tally

The total annual labor hours are 171,118. Details regarding these estimates may be found below in Table 1: Annual Respondent Burden and Cost for NESHAP for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks (40 CFR part 63, subpart N) (Renewal). Furthermore, the annual public reporting and recordkeeping burden for this collection of information is estimated to average 75.08 hours per response.

The total annual capital/startup and O&M costs to the regulated entity are \$26,550,000. 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 5,072

labor hours at a cost of \$228,586. See below Table 2. Annual Agency Burden and Cost for NESHAP for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks (40 CFR part 63, subpart N) (Renewal).

6(f) Reasons for Change in Burden

There was a decrease in burden hours, costs, and number of responses currently identified in the OMB Inventory of Approved Burdens. This is due to a change in the number of estimated chromium electroplating and anodizing operations affected by ICR since the last renewal which decreased from 5,020 to 1,770 sources.

6(g) Burden Statement

The annual public reporting and recordkeeping burden for this collection of information are estimated to average 75.08 hours per response. Burdens 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'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-2009-0422. 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, comments can be sent 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-2009-0422 and OMB Control Number 2060-0327 in any correspondence.

Part B of the Supporting Statement

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