

# **Supporting Statement**

## **ENVIRONMENTAL PROTECTION AGENCY**

### **1. Identification of the Information Collection**

#### **1(a) Title of the Information Collection**

NSPS for Sewage Sludge Treatment Plants (40 CFR part 60, subpart O) (Renewal),  
EPA ICR Number 1063.11, OMB Control Number 2060-0035

#### **1(b) Short Characterization/Abstract**

The New Source Performance Standards (NSPS) for Sewage Sludge Treatment Plant Incinerators (40 CFR part 60, subpart O) were promulgated on February 28, 1974 (39 FR 9312) and amended on October 6, 1975, November 10, 1977, October 6, 1988, and October 17, 2000. These standards apply to each incinerator which combusts wastes containing more than 10 percent sewage sludge (dry basis) produced by municipal sewage treatment plants or each incinerator which charges more than 1000 kg (2205 lb.) per day municipal sewage sludge (dry basis), and any facility that commenced construction or modification after June 11, 1973. Particulate matter (PM) is the pollutant regulated under this subpart. The standard sets an emission limitation for PM. This information is being collected to assure compliance with this regulation.

Approximately 112 facilities with 218 units are currently subject to the standard. It is estimated that two new units will be built over the next five years or 1.2 additional sources will become subject to the regulation over the next three years. The average annual cost to industry over the next three years of this Information Collection Request (ICR) is estimated to be \$1,178,948 in labor, and \$3,960,000 in annualized capital/startup costs and operating & maintenance (O&M).

The active (previous) ICR had the following Terms of Clearance (TOC):

The assumptions underlying the respondent and agency cost and burden calculations should be updated in the next renewal.

EPA has addressed each item of concern in the TOC by basing the number of sources for this ICR on estimates in the upcoming NSPS/Emission Guidelines (EG) for Sewage Sludge Incinerators. EPA consulted with the National Association of Clean Water Agencies, to update the inventory of facilities and sources and refine the inventory further based on new information collected from the ICR, permits, states, and state public databases.

### **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, particulate matter emissions from sewage sludge treatment plant incinerators either cause or contribute to air pollution that may reasonably be anticipated to endanger public health or welfare. Therefore, the NSPS were promulgated for this source category at 40 CFR part 60, subpart O.

### **2(b) Practical Utility/Users of the Data**

The control of emissions of particulate matter from sewage sludge treatment plant incinerators requires not only the installation of properly designed equipment, but also the operation and maintenance of that equipment. Emissions of particulate matter from sewage sludge treatment plant incinerators are the result of operation of the affected facilities. The subject standards are achieved by the reduction of particulate matter emissions using control technology and leak detection and repair procedures.

The recordkeeping and reporting requirements in the standard ensures 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 standard(s). Continuous emission monitors are used to ensure compliance with the standard(s) at all times. The notifications required in the standard(s) 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 60, subpart O.

#### **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 a 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**

The Agency based the number of sources for this ICR on estimates in the upcoming NSPS/Emission Guidelines (EG) for Sewage Sludge Incinerators. The Agency has consulted with Robert Dominak, Co-Chair of the National Association of Clean Water Agencies Biosolids Management Committee, to update the inventory of facilities and sources and refine the inventory further based on new information collected from the ICR, permits, states, and state public databases.

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/NAIC Codes

The respondents to the recordkeeping and reporting requirements are sewage sludge treatment plants. The United States Standard Industrial Classification (SIC) code for the respondents affected by the standards is 4952, which corresponds to the NAICS (The North American Industry Classification System) 221320 for Sewage Sludge Treatment Plants.

##### 4(b) Information Requested

###### (i) Data Items

All data in this ICR that is recorded and/or reported is required by New Source Performance Standards (NSPS) for Sewage Sludge Treatment Plants (40 CFR part 60, subpart O).

A source must make the following reports:

<b>Notifications and Reports</b>	
Notification and application of construction or modification.	60.7(a)
Notification of anticipated date of initial startup.	60.7(a)
Notification of actual startup.	60.7(a)
Notification of physical or operational change which may increase the emission rate.	60.7(a)
Notification of initial performance tests.	60.8(d)
Demonstration of continuous monitoring system.	60.7(a)
Date upon which demonstration of continuous monitoring system performance commences.	60.7(a)
Initial performance test.	60.8(a)
Owner or operator of any multiple hearth, fluidized bed, or electric sludge incinerator shall submit a semiannual report which contains the following: scrubber pressure drop measurements, oxygen content, temperatures, rate of sludge charged, moisture and volatile solids of daily grab sample of sludge charged to the incinerator, and a record of control device operation measurements for other than a wet scrubber.	60.155(a), 60.155(b), and 60.155(c)

A source must keep the following records:

<b>Recordkeeping</b>	
Startups, shutdowns, malfunctions, periods where the continuous monitoring system is inoperative.	60.7(b)
Maintain a file of all measurements including, performance test measurements, and all other information required by this subpart recorded in a permanent file suitable for inspection.	60.7(e)
Recording of daily charging rates and hours of operations	60.153(a)(1)
Install, calibrate, maintain and operate weighing device for determination of the mass of any municipal solid waste charged to the incinerator.	60.153(a)(3)
Install, calibrate, maintain and operate a monitoring device that continuously measures and records the pressure drop of gas flow through the wet scrubbing device.	60.153(b)(1)
Install, calibrate, maintain and operate a monitoring device that continuously measures and records the oxygen content of the incinerator exhaust gas.	60.153(b)(2)
Install, calibrate, maintain and operate temperature measuring devices. The temperature monitoring devices shall be operated continuously and data recorded during all periods of operation of the incinerator.	60.153(b)(3)
Install, calibrate, maintain and operate a device for measuring the fuel flow to the incinerator. The fuel flow measuring device shall be operated continuously and data recorded during all periods of operation of the incinerator.	60.153(b)(4)
Collect and analyze a grab sample of the sludge fed to the incinerator once per day.	60.153(b)(5)
Test methods and procedures for performance tests.	60.154
Install, calibrate, maintain, and operate continuous monitoring system.	60.13
Owner or operator of any multiple hearth, fluidized bed, or electric sludge incinerator subject to the provisions of this subpart, shall retain the following information and make it available for inspection: the measured pressure drop of the gas flow through the wet scrubbing device, a record of the measured oxygen content of the incinerator exhaust gas, record of the rate of sludge charged to the incinerator, the measured temperatures of the incinerator, the fuel flow to the incinerator, and the total solids and volatile solids content of the sludge charges to the incinerator.	60.153(c)(1), 60.153(c)(2), and 60.153(c)(3)
The owner or operator of any sludge incinerator other than a multiple	60.153(e)

<b>Recordkeeping</b>	
hearth, fluidized bed, or electric incinerator or any sludge incinerator equipped with a control device other than a wet scrubber shall submit for approval a plan for monitoring and recording incinerator and control device operation parameters.	
Maintain records for two years.	60.7(f)

### Electronic Reporting

Some of the respondents are using monitoring equipment that automatically records parameter data. Although personnel at the affected facility must still evaluate the data, internal automation has significantly reduced the burden associated with monitoring and recordkeeping at a plant site.

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

#### **(ii) Respondent Activities**

<b>Respondent Activities</b>
Read instructions.
Install, calibrate, maintain, and operate a Continuous Monitoring System (CMS) for opacity, or for pressure drop and liquid supply pressure for wet scrubber.
Perform initial performance test, Reference Method 5 and 9 test, and repeat performance tests if necessary.
Write the notifications and reports listed above.
Enter information required to be recorded above.
Submit the required reports developing, acquiring, installing, and utilizing technology and systems for the purpose of collecting, validating, and verifying information.
Develop, acquire, install, and utilize technology and systems for the purpose of processing and maintaining information.
Develop, acquire, install, and utilize technology and systems for the purpose of disclosing and providing information.
Adjust existing ways to comply with any previously applicable instructions and requirements.
Train personnel to be able to respond to a collection of information.
Transmit, or otherwise disclose the information.

Currently, sources are using automated monitoring equipment that provides parameter data.

Although personnel at the source still need to evaluate the data, this type of monitoring equipment has significantly reduced the burden associated with monitoring and recordkeeping.

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

### **5(a) Agency Activities**

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

<b>Agency Activities</b>
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 AIRS Facility Subsystem (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 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 AFS which is operated and maintained by the EPA's Office of Compliance. AFS is EPA's database for the collection, maintenance and retrieval of compliance data for over 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 two years.

### **5(c) Small Entity Flexibility**

There are no small businesses affected by this regulation at present, and no small businesses are expected to become subject to the regulation in the next three years. (64 FR 72057, December 23, 1999).

### **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 NSPS for Sewage Sludge Treatment Plants (40 CFR part 60, subpart O) (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 burdens 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 over the next three years from these recordkeeping and reporting requirements is estimated to be 12,464 (Total Labor Hours from Table 1). The recordkeeping hours, shown in Table 1, are 2,097.6 and the reporting requirement hours, also shown in Table 1, are 10,366.3. 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 previously approved ICR, 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 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 Operating and Maintenance Costs**

The types of industry cost 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 monitoring. The capital/startup costs are one-time cost 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. Operating and Maintenance (O&M) Costs**

Capital/Startup vs. Operating 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)
Particulate Matter	\$100,000	0.4	\$40,000	\$35,000	112	\$3,920,000

The total capital/startup costs for this ICR are \$40,000. This is the total of column D in the above table. The total operating and maintenance (O&M) costs for this ICR are \$3,920,000. This is the total of column G.

The total respondent 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 cost to industry over the next three years of the ICR is estimated to be \$3,960,000. All costs are considered recordkeeping costs.

**6(c) Estimating Agency Burden and Cost**

The only costs to the Agency are those costs associated with analysis of the reported information. EPA's overall compliance and enforcement program includes activities such as the examination of records maintained by the respondents, periodic inspection of sources of 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 \$94,999. Details upon which this estimate is based appear below in Table 2: Annual Agency Burden and Cost for NSPS for Sewage Sludge Treatment Plant Incinerators (40 CFR part 60, subpart O) (Renewal).

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 % 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 NSPS for Sewage Sludge Treatment Plants (40 CFR part 60, subpart O) (Renewal).

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

Based on our research for this ICR, approximately 112 existing facilities are currently subject to the

standard. It is estimated that no expected additional sources per year will become subject to the standard in the next three years.

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

<b>Number of Respondents</b>					
	Respondents That Submit Reports		Respondents That Do Not Submit Any Reports		
Year	(A) Number of New Respondents <sup>1</sup>	(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	0.4	112	0	0.4	112
2	0.4	112	0	0.4	112
3	0.4	112	0	0.4	112
Average	0.4	112	0	0.4	112

<sup>1</sup> New respondents include sources with constructed, reconstructed and modified affected facilities.

To avoid double-counting respondents, column D is subtracted. As shown above, the average Number of Respondents over the three-year period of this ICR is 112.

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

<b>Total Annual Responses</b>				
(A) Information Collection Activity	(B) Number of Respondents	(C) Number of Responses	(D) Number of Existing Respondents That Keep Records But Do Not Submit Reports	(E) Total Annual Responses E=(BxC)+D
Notification of construction/reconstruction	0.4	1	N/A	0.4
Notification of physical and operational changes	0.4	1	N/A	0.4
Notification of demonstration of CMS	0.4	1	N/A	0.4
Notification of actual startup	0.4	1	N/A	0.4
Notification of initial performance test	0.4	1	N/A	0.4
Semiannual report of excess emissions	112	2	N/A	224

<b>Total Annual Responses</b>		
	Total	226 (rounded)

The number of Total Annual Responses is 226.

The total annual labor costs are \$1,178,948. Details regarding these estimates may be found below in Table 1: Annual Respondent Burden and Cost for NSPS for Sewage Sludge Treatment Plants (40 CFR part 60, subpart O) (Renewal).

Note that the total annual capital and O&M costs to the regulated entity are \$3,960,000. These costs are detailed in Section 6(b)(iii), Capital/Startup vs. Operating and Maintenance (O&M) Costs.

### **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 12,464. Details regarding these estimates may be found below in Table 1: Annual Respondent Burden and Cost for NSPS for Sewage Sludge Treatment Plants (40 CFR part 60, subpart O) (Renewal). Furthermore, the annual public reporting and recordkeeping burden for this collection of information is estimated to average 55 hours (rounded) per response.

#### **(ii) The Agency Tally**

The average annual Agency burden and cost over next three years is estimated to be 2,097 labor hours at a cost of \$94,999. See below Table 2: Annual Agency Burden and Cost for NSPS for Sewage Sludge Treatment Plants (40 CFR part 60, subpart O) (Renewal).

### **6(f) Reasons for Change in Burden**

There is an increase in the total estimated burden as currently identified in the OMB Inventory of Approved Burdens which is due to more accurate estimates of existing sources. The number of existing facilities changed from 54 to 112 and increased the number of responses, burden hours, labor costs, and O&M costs. A reduction in capital/start-up costs occurred due to the decrease of anticipated new sources which declined from 1 to 0.4 new sources per year.

### **6(g) Burden Statement**

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 55 hours per response (rounded). 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'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-2009-0413. 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 Enforcement and Compliance Docket and Information 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 Office for EPA. Please include the EPA Docket ID Number EPA-HQ-OECA-2009-0413 and OMB Control Number 2060-0035 in any correspondence.

### **Part B of the Supporting Statement**

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