
Supporting Statement
Restructuring of the Stationary Source Audit Program
EPA ICR # 2355.02

PART A

1. Identification of the Information Collection

(a) Title of the Information Collection

“Restructuring of the Stationary Source Audit Program”

(b) Short Characterization/Abstract

This final rule will allow accredited private audit sample providers to supply regulated emission sources with audit samples to verify the results of emissions testing that demonstrates compliance with emission limits. A regulated emission source conducting a compliance test, would purchase an audit sample from an accredited audit sample provider(AASP). The AASP would report the true value of the audit sample to the compliance authority (State, local or EPA Regional Office). This is a new reporting requirement. The AASP would in most cases make the report by electronic mail. A report would be made for each audit sample that the AASP sold to a regulated emission source that was conducting an emissions test to determine compliance with an emission limit. Based on historic data, EPA estimates that there will be about 832 audit samples sold each year generating the need for about 832 reports.

2. Need for and Use of the Collection

(a) Need/Authority for the Collection

The information requirements included within this ICR are necessary to assure the EPA that the restructured audit sample program is operating in a way that protects the integrity of the audit samples. The integrity of an audit sample depends on its being distributed as a “blind sample.” This means that the true value of the audit sample is known by the provider but not the user. The flow of information about the audit sample in the current program is slightly different than that of the restructured program. In the current system, EPA supplies the audit sample to the appropriate compliance authority who then gives it to the user. After measuring the audit sample, the user reports the result to the compliance authority who then reports it to EPA and receives the true value in return. In the restructured program, the accredited audit sample provider (AASP) supplies the audit sample to the user. Just as in the current program, the user reports the measured result to the appropriate compliance authority and to the AASP. The restructured program then requires the AASP to report the true value of the sample to the compliance authority before or at the same time as the true value is reported to the user. This is a new reporting requirement that does not exist under the current program. This requirement is

necessary to help the compliance authority insure that the audit samples are provided as blind samples to the user.

The principal legal authority for this information collection is 23 U.S.C. § 101 and 42 U.S.C. ' 7410-7671q .

2(b) Practical Utility/Users of the Data

Local, State and EPA regional offices who have been delegated authority to enforce emission limits will use the data from the audit samples to assure that regulated sources are correctly measuring their pollutant emissions when they perform compliance tests. The results from the audit samples are an objective measure of testing performance during a compliance test. If the emissions tester produces results that are within the allowable range for the audit sample, the compliance authority has objective evidence to show that the tester's performance was within the normal range for a well qualified tester.

3. NON-DUPLICATION, CONSULTATIONS, AND OTHER COLLECTION CRITERIA

3(a) Non-duplication

This collection is not unnecessarily duplicative of information otherwise reasonably accessible to the compliance authorities. There is no other source for this information.

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

The preamble to the final rule will give public notice of this ICR.

3(c) Consultations

Through the course of planning this collection and its associated regulation, the EPA regularly consulted with affected AASPs, and State and local compliance authorities through regular public meetings.

3(d) Effects of Less Frequent Collection

The reporting under this information collection is event driven. There is no regular schedule for reporting. Information is collected only when an audit sample is supplied to a user during a compliance test. A report must be submitted for each event.

3(e) General Guidelines

All of the OMB's general guidelines for information collections in 5 CFR 1320.6 are met by this ICR. None of the guidelines are exceeded.

- There is no data reporting schedule.

- There is no requirement to retain records for more than three years.

3(f) Confidentiality

Information that is considered personal, private, proprietary, or confidential is not required for this collection.

3(g) Sensitive Questions

This section is not applicable to this ICR because no information involving matters of a sensitive nature is collected.

4. THE RESPONDENTS AND THE INFORMATION REQUESTED

4(a) Respondents/SIC Codes

This ICR affects laboratories that supply audit samples. The SIC is 8734.

4(b) Information Requested

AASPs must report to the appropriate compliance authority the true value of any audit sample supplied for quality assurance purposes to a regulated emission source or the source's authorized representative for use during a compliance test. The AASP must also maintain for three years a record of the recipient of the sample, the date the sample was provided, and the true value of the sample.

(i) Data items, including record keeping requirements

Audit sample number;
Name of the recipient of the sample; and
True value of the sample.

(ii) Respondent Activities

A model respondent would engage in the following activities to comply with this information request:

- Produce an audit sample and verify its true value.
- Ship the audit sample to the source that is conducting a compliance test.
- Generate an electronic message showing the audit sample number, the sample recipient's name, and the true value of the sample.
- Transmit the message electronically to the appropriate compliance authority.

- Record electronically the audit sample number, the sample recipient's name, the date the sample was shipped, and the true value of the sample.

Each of these activities is part of the customary and usual business practice (CBP) of the AASP because the same information must be provided to the recipient of the audit sample. Development of the database and system to handle the recordkeeping and reporting are attributed to the CBP of the AASP. The activities related to the ICR are only the incremental activity needed to produce and distribute the audit sample and to transmit a copy of the results of the audit sample to the appropriate compliance authority.

5. THE INFORMATION COLLECTED--AGENCY ACTIVITIES, COLLECTION METHODOLOGY, AND INFORMATION MANAGEMENT

5(a) Agency Activities

There are no EPA activities associated with this ICR.

5(b) Collection Methodology and Management

The information will be collected and used by the appropriate compliance authority for each regulated source. The AASP will submit the report using the procedures described in a publicly available technical criteria document (TCD). The TCD must be developed by a public process through a consensus making body. The consensus making body will select a third party accreditor who will be responsible for insuring that all AASPs operate in accordance with the procedures in the technical criteria document.

5(c) Small Entity Flexibility --

This collection requires submittal of the minimum amount of information in order to insure that the restructured stationary source audit program continues to operate in a credible manner. This collection reduces to a practicable and appropriate level the burden on any small entities that are AASPs.

5(d) Collection Schedule

There is no regular schedule for collecting information. The information is event driven and information is collected only when an AASP supplies an audit sample to a user.

6. ESTIMATING THE BURDEN AND COST OF THE COLLECTION

6(a) Estimating Respondent Burden

All activities listed with section 4 (b) (ii) of this ICR Supporting Statement are presented in Worksheet 1.

Tables showing the detailed burden estimate calculations are presented below. A summary of the average annual respondent burden costs follows. The burden for this ICR is limited to the incremental activity required to provide a copy of the information generated for the audit sample user to the appropriate compliance authority. All the labor expended on behalf of this ICR will be expended by the AASPs. However, they will not bear the burden of the ICR costs. Their labor costs will be passed to the stationary sources who are required to demonstrate compliance with pollutant emission limits and must purchase audit sample as part of the demonstration. There are estimated to be a very limited number (a maximum of nine) AASPs who will supply the audit samples, but there will be many stationary sources who will buy them. The following estimates are believed to be an accurate estimate for each respondent, but the actual costs of the respondents will be paid by an estimated 504 stationary sources so that the actual cost per stationary source will be on average about \$398.66.

Worksheet 1: Annual Average Respondent Burden Estimates

Collection Activities	Total Labor Hours Per Respondent Per Year (9 respondents)
1. Prepare audit samples	136
2. Verify audit sample concentration	95
3. Distribute audit samples	53
4. Generate and transmit audit sample report	7
5. Record audit sample results	4
TOTAL	294

6(b) Estimating Respondent Costs

All activities listed with section 4 (b) (ii) of this ICR Supporting Statement are included in the Worksheet 2. A summary of the average annual respondent burden costs follows.

Worksheet 2: Annual Average Respondent Cost Estimates

Collection Activities	Total Labor Cost Per Respondent Per Year (9 respondents)
1. Prepare audit samples	\$10,170
2. Verify audit concentration	\$8,058
3. Distribute audit samples	\$3,432
4. Generate and transmit audit sample report	\$416
5. Record audit sample results	\$249
TOTAL	\$22,325

6(c) Estimating Agency Burden and Cost

We estimated the Agency burden and cost to be zero.

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

Worksheet 3 shows the total respondent hourly burdens and costs which was taken from section 6(b) above for the estimated 9 respondents. The total labor burden for the respondents was estimated to be 2646 hours at a total cost of \$201,116.

Worksheet 3: Annual Total Respondent Labor Burden/Cost Estimates

Collection Activities	Total Labor Hours Per Year	Total Labor Cost Per Year
1. Prepare audit sample	1220	\$91530
2. Verify audit sample concentration	853	\$72522
3. Distribute audit samples	475	\$30888
4. Generate and transmit audit sample report	62	\$3931
5. Record audit sample results	36	\$2245
TOTAL	2646	\$201116

6(e) Bottom Line Burden Hours and Cost Tables

(i) Respondent Tally

Respondent Total Annual Burden =294 hours

Respondent Total Annual Labor Cost = \$22,325.

(ii) The Agency Tally

Agency Total Annual Burden = 0 hours

Agency Total Annual Cost = \$0.0

(iii) Variations In The Annual Bottom Line.

We do not expect any significant variations in the annual bottom line for the clearance period requested.

6(f) Reasons for Change in Burden

The burden included in this ICR is associated with a final rule that will allow accredited private audit sample providers to supply regulated emission sources with audit samples to verify the results of emissions testing that demonstrates compliance with emission limits.

6(g) Burden Statement

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 3 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 allow 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 established a public docket for the rulemaking that includes this ICR under Docket ID Number EPA-HQ-OAR-2008-0531 which is available for online viewing at <http://www.regulations.gov>, or in person viewing at the Air Docket 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 Air Docket Center is (202) 566-1742. An electronic version of the public docket is available at <http://www.regulations.gov>. This site can be used to submit or view public comments, access the index listing of the contents of the public 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 above. Also, you may 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-OAR-2008-0531 and OMB Control Number 2060-NEW in any correspondence.

PART B OF SUPPORTING STATEMENT

This section is not applicable to this ICR because statistical methods are not used in the data collection associated with the rule amendments.