

INFORMATION COLLECTION REQUEST
for
Aerospace Manufacturing and Rework Industry Information Collection
EPA ICR number 2395.01, OMB Control number is 2060-NEW

RESPONSE TO COMMENT

On June 22, 2010, EPA published a notice in the Federal Register (75 FR 35454) announcing their intent to submit a request to the Office of Management and Budget (OMB) for a new Information Collection Request (ICR). The ICR will be used to collect certain information from aerospace manufacturing and rework facilities potentially subject to the National Emission Standards for Aerospace Manufacturing and Rework Facilities (Aerospace NESHAP).¹

The notice included a request for comments on specific aspects of the proposed ICR; we received two comments in response to the notice. Comments were received from United Airlines (United) and the Aerospace Industries Association (AIA). Their comments and suggested responses to those comments are summarized below.

I. United Airlines

Comment: United is concerned that abrasive blasting may be further regulated based on its inclusion in the draft ICR. These operations are generally exempt or excluded entirely from existing local regulations.

The draft ICR requests information on metal finishing and depainting activities already regulated under other existing NESHAP. Including these operations in the aerospace NESHAP would be duplicative and burdensome.

Response: Section 112 of the CAA establishes a two-stage regulatory process to address emissions of hazardous air pollutants (HAP) from stationary sources. The first stage is to develop NESHAP for major sources. EPA is then required to review these technology-based standards and to revise them “as necessary (taking into account developments in practices, processes, and control technologies)” no less frequently than every 8 years, under CAA section 112(d)(6). The second stage in the regulatory process focuses on reducing any remaining “residual” risk according to CAA section 112(f). CAA section 112(f)(2) requires us to determine, for source categories subject to certain CAA section 112(d) standards, whether the emissions limitations provide an ample margin of safety to protect public health. The ICR will be used as a data gathering tool for both technology review and the residual risk review of the Aerospace NESHAP. Additionally, we are evaluating whether operations exempted or excluded from the Aerospace NESHAP should now be regulated. Thus, we must collect information for all operations at aerospace facilities, not just those currently regulated under the Aerospace NESHAP.

¹ 40 CFR part 63, subpart GG.

We do not intend to further regulate under the Aerospace NESHAP those operations at aerospace facilities that are regulated under other NESHAP. We have amended the instructions for the ICR to clarify that reporting is not required for operations regulated under NESHAP other than the Aerospace NESHAP. For example, even though the ICR requests information on electroplating operations, reporting is not required for chromium electroplating regulated under the Chromium Electroplating NESHAP.

The one exception is cleaning operations covered under the Halogenated Solvent Cleaning NESHAP (40 CFR 60, subpart T). The initial residual risk analysis for the aerospace source category indicated that emissions of certain halogenated solvents are significant drivers in the risk to exposed populations near some aerospace facilities. We suspect that emissions of halogenated solvents may have been reported in the National Emissions Inventory (NEI) database as total halogenated solvent emissions from the facility rather than distinguishing the halogenated solvent emissions from each source category (e.g., Aerospace NESHAP and Halogenated Solvent Cleaning NESHAP). For these reasons, it is important that we have better data regarding the source of the halogenated solvent emissions before we conduct the residual risk analysis for both the Aerospace NESHAP and the Halogenated Solvent Cleaning NESHAP.

Comment: The portion of the ICR related to composite materials does not distinguish between HAP and non-HAP materials. Requesting information on non-HAP materials appears to be unnecessary and beyond the scope of the Aerospace NESHAP.

Response: Throughout the ICR we request information on coatings, solvents, resins, and cleaning materials. Many of these materials will contain no HAP. We are requiring the ICR recipients to report these non-HAP materials so that we can accurately assess the level of control of HAP emissions that represents current technology in the industry. Control of HAP emissions includes the use of low HAP and non-HAP materials. To assess the current level of control, we need to understand where low HAP and non-HAP materials are available for a specific operation.

Comment: At large aerospace facilities such as United's San Francisco Maintenance Center, wastewater is collected into a single stream from numerous sources throughout the facility. Separating out the streams that originate from Aerospace NESHAP sources is likely infeasible.

Response: We understand the complexity of wastewater systems at large facilities. When completing the ICR response forms, provide the requested information to the best of your ability given the records and information at your disposal or that are readily available. You are not required to perform additional testing for the purposes of this ICR.

Comment: United believes that the request for precise latitude and longitude locations of emission sources is unduly burdensome and unnecessary. Instead, United believes that providing

an accurate facility map that identifies the location of emission sources, as well as sensitive receptors outside the property line, would be adequate.

Response: Latitude and longitude coordinates are a necessary input into the air dispersion models we will be using as part of the residual risk analysis. Precise location of emission points in relation to the facility boundaries is an important factor in the analysis. Therefore, the latitude and longitude coordinates are required in your response to the ICR. We believe that adequate methods for determining latitude and longitude coordinates are readily available, and the requirement to supply this information is not overly burdensome for any one facility.

Comment: United made the following suggestions concerning the information requested for control equipment:

- Provide definitions and examples relevant to the aerospace industry for each type of control device.
- Provide a drop down list in the tables for selection of control device type.
- For fabric filters, include a choice for cartridge filters. Place method of cleaning and cleaning cycle frequency on separate lines and include drop down lists of choices. Since HEPA filters are frequently used in the industry, perhaps a separate sheet could be included for them.
- The information requested for filters appears to be unnecessary and much of it is not available. United specifically mentioned inlet grain loading, average stack opacity, and quantity of solid waste collected as examples. Each sheet should include an instruction that information not known can be listed as “unknown” or N/A.

Response: We appreciate the commenter’s helpful suggestions concerning the survey forms. We will review the forms in light of these comments and incorporate the suggestions as appropriate.

Comment: The notice included an estimate on the number of hours required to complete the ICR. United does not believe that the estimate is accurate. Due in part to the large number of materials used at United’s San Francisco facility, along with the need to obtain and analyze data sheets for materials not currently regulated under the Aerospace NESHAP, United believes a more accurate estimate of the time required to complete the ICR is four times the EPA estimate.

Response: We have reviewed our estimate of the level of effort required to complete the ICR in light of this comment and a similar comment from AIA. We concur with the commenters that our original estimate of the labor hours was low and revised our level of effort estimates. We used the midpoint of the labor hour estimates provided in the AIA comments. These values roughly correlated with United’s suggestion that our estimate was off by a factor of four. Our revised estimate of the total industry burden for the ICR is now 227,700 labor hours at a cost of \$10,956,834.

II. Aerospace Industries Association

Comment: The AIA believes that the level of effort required to respond to the ICR may be formidable. To reduce the burden, AIA suggests that EPA perform a screening analysis be conducted to identify which sources will have an impact on assessing risk.

Response: The history of the residual risk analysis for the aerospace industry includes several air dispersion modeling efforts, including a screening analysis. We found that 35 out of 128 facilities modeled had a cancer risk greater than 1 in 1 million. Based on these results, we believe that the best course of action is to obtain the most current and accurate emission and emission point data for all aerospace facilities and perform at least one additional air dispersion modeling analysis with these data.

Comment: Minor source aerospace facilities may be regulated under subparts HHHHHH (paint stripping) and WWWWWW (plating and polishing). The preambles to these rules state that the decision to include or exclude operations was determined using the National Emissions Inventory and the level of urban residual risk. Thus, EPA has already evaluated residual risk from these sources and requiring data from minor sources is unnecessary.

Response: We are not requiring area sources to respond to the survey and have amended the ICR instructions to make this clear. However, facilities that have taken enforceable permit restrictions to limit HAP emissions to less than major source thresholds will have to respond to the ICR.

Comment: Many aerospace facilities are located in local jurisdictions that are stringently regulated. AIA suggests that EPA contact regulatory agencies in these jurisdictions to obtain emissions data and risk determinations.

Response: As discussed previously, we have determined that the best course of action is to model all aerospace facilities. Only a limited number of these facilities have had modeling performed by state or local authorities, and there may not be consistency between these modeling efforts. Therefore, we do not believe obtaining available information from state and local authorities would achieve the necessary goals of the residual risk and technology review projects.

Comment: AIA believes that much of the information requested in the ICR is not readily available and may not be pertinent to the current rulemaking. AIA recommends that EPA update the database created for the risk and technology review with the data and subsequent updates that the industry provided in 2007.

Response: As discussed previously, the data gathering effort will be used for the residual risk and technology review project, among others. The diverse data requirements of these efforts

dictate the level of detail we have specified in the ICR. We have reviewed the ICR in light of this and similar comments and believe that each question asked is useful and justified.

In response to the comment on the 2007 industry data, we did incorporate that data into the database used for the residual risk analysis.

Comment: AIA requests that EPA clarify the specific purposes for which the ICR data will be used, including specific modeling programs and how the ICR data will be used within those programs to ensure that results obtained accurately portray facility operating conditions. AIA also suggests that EPA use a screening survey to limit the distribution of the full ICR to only those facilities that pose a measurable risk impact.

Response: As discussed above, we will be using the data collected with the ICR to complete the air dispersion modeling for the residual risk analysis, as well as to assess the current level of emission control technology used by the industry. The air dispersion modeling will rely on the HEM-3 with AERMOD.

Comments: AIA suggests that EPA consider the following factors to assure that the modeling programs accurately reflect operating conditions and limit the collection of extraneous information:

- Establish a minimum threshold for usage of HAP-containing materials.
- Establish a minimum vapor pressure for HAP-containing materials.
- Remove wastewater treatment operations from further consideration since these operations primarily deal with metals in solution and have little or no HAP emissions.
- Clarify that laboratories and R&D operations are excluded.
- Clarify that emission sources with no HAP emissions and materials that contain no HAP are excluded from the ICR
- Only spray-applied resins should be included for composite operations.
- Autoclaves should be exempt from reporting because of low emissions.
- Operations related to the manufacture and testing of electronic components are covered by state regulations or the recently published area source NESHAP and should be excluded from the ICR.

Response: Due to the complexity of factors involved with air dispersion modeling, we do not believe we can make an accurate assessment of risk solely from the amount of a HAP-containing material used or the amount of HAP emissions. If an accurate estimate of risk could be achieved from product usage or emissions data, air dispersion modeling would not be needed. However, factors such as toxicity, emission point characteristics, and climatic data affect the risk assessment and necessitate the need to use modeling programs such as HEM-3.

Concerning which operations to include or exclude from ICR reporting, we believe the ICR instructions clearly define which operations to include in the responses.

Comment: AIA believes that the EPA's burden estimate is significantly understated. While the burden may not necessarily be related to facility size, AIA members estimated the burden to be 150-200 hours for small facilities, 200-400 hours for medium facilities, and 400-500 hours for large facilities. Additionally, a combination of in-house and consulting services may be required to complete the questionnaire. AIA believes the true labor costs to be in the range of \$150-200 per labor hour.

Response: We agree with the commenter. As stated previously, we have revised our labor hour level of effort estimates reflecting the recommendations received from both commenters; we used the midpoint of the labor hour estimates provided in the AIA comments which roughly correlate with United's suggestion that our estimate was off by a factor of four. Our revised estimate of the total industry burden for the ICR is now 227,700 labor hours at a cost of \$10,956,834. However, we continue to use the labor cost values from the Bureau of Labor Statistics, National Compensation Survey, Employer Costs for Employee Compensation Supplementary Tables December 2007. While labor costs may vary among facilities, we believe the BLS data accurately portrays labor costs for the industry as a whole.

Comment: Due to the level of effort required to complete the survey, AIA requests that EPA provide a 90-day response time.

Response: We understand that responding to the ICR is a large undertaking. However, EPA has strict deadlines for completing this project and must have responses to the ICR within the timeframe provided in order to have adequate time to thoroughly and completely analyze the ICR responses. In addition, we met with the industry on December 18, 2009 to discuss the specific data needed and made the draft ICR available to the public on June 22, 2010. Facilities that know or suspect that they will be required to respond to the ICR should at their earliest convenience begin to assess the required data and work with their suppliers to obtain the data.

Comment: In addition to the factors listed above for assuring the modeling effort reflects actual operating conditions, AIA provided additional suggestions to reduce the burden of the ICR:

- Establish calculation criteria for concentration ranges of HAP constituents as listed on product data sheets and material safety data sheets.
- EPA should provide guidance for how to address constituents listed as proprietary on product data sheets and material safety data sheets.
- Form J-10, which requests information on ventilation systems, appears to be overly burdensome particularly for buildings that do not use or store HAP-containing materials.

AIA also provided a listing of issues needing clarification specific to many of the ICR forms.

Response: We appreciate the helpful suggestions for clarifying the ICR forms. We will review each of these comments and modify the forms accordingly.

We do not believe it is necessary or appropriate for us to provide definitive guidelines on how to interpret concentration ranges or proprietary information as reported on product literature. We urge each respondent to work with their suppliers to obtain the data needed to respond to the ICR.