**SUPPORTING STATEMENT**

NESHAP for Gold Mine Ore Processing (40 CFR part 63, subpart EEEEEEE)

**PART A**

**1.0 Identification of the Information Collection**

*(a) Title and Number of the Information Collection.*

 NESHAP for Gold Mine Ore Processing (40 CFR part 63, subpart EEEEEEE) (Final Rule). This is a new information collection request (ICR). The EPA tracking number is 2383.02, and the OMB Control Number is 2060-NEW.

 *(b) Short Characterization.*

 This ICR covers information collection requirements in the final National Emissions Standards for Hazardous Air Pollutants (NESHAP) for gold mine ore processing and production sources (40 CFR part 63, subpart EEEEEEE). Potential respondents are owners or operators of all gold mine ore processing and production facilities that use ore pretreatment, carbon processes with mercury retorts, carbon processes without mercury retorts, and non-carbon concentrate processes. The owner or operator of an existing facility is required to comply with this rule no later than 3 years after publication of the final rule in the Federal Register. A new affected source is required to comply by the date of publication of the final rule in the Federal Register or upon startup of the affected source, whichever occurs later.

The owners or operators of gold mine ore processing facilities subject to the NESHAP are required to meet mercury emission limits. Facilities with existing ore pretreatment processes are required to meet a mercury emission limit of 127 pounds of mercury per million tons (lb/million tons) of ore processed, and new sources must meet a limit of 84 lb/million tons of ore processed. Facilities with existing carbon processes with mercury retorts are required to meet a mercury emission limit of 2.2 lb/ton of concentrate, and new sources must meet a limit of 0.8 lb/ton of concentrate. Facilities with existing carbon processes without mercury retorts are required to meet a mercury emission limit of 0.17 lb/ton of concentrate, and new sources must meet a limit of 0.14 lb/ton of concentrate. Facilities with existing non-carbon concentrate processes are required to meet a mercury emission limit of 0.2 lb/ton of concentrate processed, and new sources must meet a limit of 0.1 lb/ton of concentrate processed.

Testing requirements include annual mercury emissions tests of process stacks at affected sources. Monitoring requirements for roasters include either continuous monitoring of mercury emissions from roaster stacks or weekly samples of mercury concentration. Facilities that emit less than 10 lb/million tons of ore are exempt from the requirement to monitor mercury continuously or at least twice per month. If the weekly sampling option is chosen, facilities are also required to perform continuous parametric monitoring of the mercuric chloride scrubbers on roasters for the scrubber liquor flow rate or line pressure and the inlet gas temperature and the mercuric scrubber solution chemistry. The final rule includes two monitoring options for processes controlled by carbon adsorbers: (1) sampling of the exit stream from the carbon bed for mercury, and (2) sampling the carbon for adsorbed mercury. The inlet to the carbon adsorber must also be monitored for temperature. For wet scrubbers not followed by a mercury control system, the final rule requires the scrubber water flow rate or line pressure, and the scrubber pressure drop be monitored. All control device parameters must be maintained within the limits established either during the initial compliance test, from the manufacturer’s specifications, or approved by the permitting authority. Facilities in Nevada already perform annual sampling and analysis for mercury using EPA Method 29; consequently, those facilities will not incur any additional stack testing burden under this proposed rule. In addition, these facilities already routinely monitor scrubber pressure drop and scrubber liquor flow rate, as well as the gas inlet temperature into carbon adsorbers.

The owner or operator of an existing or new affected source is required to prepare and submit an initial notification of applicability and an initial notification of compliance status. Each owner or operator of an affected source is required to keep records to document compliance with the mercury emission limits and also maintain records of all monitoring data and specified process throughput data. If a deviation from the rule requirements occurs, an affected source is required to submit a compliance report for that semi-annual reporting period.

**2. Need For and Use of the Collection**

*(a) Need/Authority for the Collection*.

 Section 112(c)(6) of the Clean Air Act (CAA) requires that EPA list categories and subcategories of sources assuring that sources accounting for not less than 90 percent of the aggregate emissions of each of the seven specified hazardous air pollutants (HAP), including mercury, are subject to standards under section 112(d)(2) or (d)(4). The seven HAP specified in section 112 (c) (6) are as follows: alkylated lead compounds, polycyclic organic matter, hexachlorobenzene, mercury, polychlorinated biphenyls, 2,3,7,9-tetrachlorodibenzofurans, and 2,3,7,8-tetrachloridibenzo-p-dioxin. Congress targeted these HAP for regulation because of their persistence and tendency to bioaccumulate in the environment. These HAPs are also associated with adverse health effects such as nervous system damage and reproductive effects. We published an initial list of source categories under CAA section 112(c)(6) on April 10, 1998 (63 FR 17838). We are adding gold mine ore processing facilities to this list of source categories under CAA section 112(c)(6) solely on the basis of mercury emissions.

 The final standards for mercury are based on the maximum achievable control technology (MACT) because standards established under CAA section 112(d)(2) must reflect performance of MACT. The MACT-based regulation can be based on the emissions reductions achievable through application of measures, processes, methods, systems, or techniques including, but not limited to: (1) reducing the volume of, or eliminating emissions of, such pollutants through process changes, substitutions of materials, or other modifications; (2) enclosing systems or processes to eliminate emissions; (3) collecting, capturing, or treating such pollutants when released from a process, stack, storage or fugitive emission point; (4) design, equipment, work practices, or operational standards as provided in section 112(h) of the CAA; or (5) a combination of the above.

 The MACT floor is the minimum control level allowed for NESHAP developed pursuant to 112(d)(2) and is defined under CAA section 112(d)(3). For new sources, MACT standards cannot be less stringent than the emission control achieved in practice by the best-controlled similar source, as determined by the Administrator. The MACT standards for existing sources can be less stringent than standards for new sources, but they cannot be less stringent than the average emission limitation achieved by the best performing 12 percent of existing sources in the category or subcategory (for which the Administrator has emission information) or the best performing 5 sources for categories or subcategories with fewer than 30 sources.

 Certain records and reports are necessary for the Administrator to confirm the compliance status of affected sources, identify any new or reconstructed sources subject to the standards, and confirm that the standards are being achieved on a continuous basis. These recordkeeping and reporting requirements are specifically authorized by section 114 of the CAA (42 U.S.C. 7414) and set out in the part 63 NESHAP General Provisions. Under part 63, the owner or operator must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.

 *(b) Use/Users of the Data.*

 The information will be used by the delegated authority (State agency or Regional Administrator if there is no delegated State agency) to ensure that the emissions limits and other requirements are being achieved. Based on review of the recorded information at the site and the reported information, the delegated permitting authority can identify facilities that may not be in compliance and decide which plants, records, or processes may need inspection.

**3.** **Nonduplication, Consultations, and Other Collection Criteria**

*(a) Nonduplication.*

A computer search of EPA's ongoing ICR's revealed no duplication of information-gathering efforts.

 *(b) Public Notice Required Prior to ICR Submission to OMB.*

Public notice of this ICR was provided in the preamble to the final rule.

*(c) Consultations.*

The final rule was developed in consultation with State permitting organizations, individual plants and trade associations. The non-EPA persons consulted on the information collection activities are identified in Table 1.

**TABLE 1. PERSONS CONSULTED ON THE INFORMATION COLLECTION ACTIVITIES**

|  |  |  |
| --- | --- | --- |
| **Contact** | **Organization** | **Telephone Number** |
| Colleen Cripps and staff | Nevada Division of Environmental Protection | (775) 687-9302 |
| John Barber | Environmental Committee, Nevada Mining Assoc. | (715) 829-2121 |
| Melissa Barbanell | Counsel for Barrick Gold Corporation | (801) 990-3815 |
| Joe Beetler | Newmont Mining Corporation | (775) 778-4484 |
| Greg Schoen | Round Mountain Gold Corporation | (775) 377-3336 |
| Kevin Lewis | Air Sciences Inc. | (303) 988-2960 ext 213 |

*(d) Effects of Less Frequent Collection.*

 If the relevant information were collected less frequently, the delegated authority (State or EPA) would not be reasonably assured that a plant is in compliance with the standards.

*(e) General Guidelines*.

 None of the guidelines in 5 CFR 1320.6 are being exceeded.

*(f) Confidentiality.*

 All 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 (see 40 CFR 2; 41 FR 36902, September 1, 1976; amended by 43 FR 39999, September 28, 1978; 43 FR 42251, September 28, 1978; 44 FR 17674, March 23, 1979).

*(g) Sensitive Questions.*

 This section is not applicable because this ICR does not involve matters of a sensitive nature.

**4. The Respondents and the Information Requested**

*(a) Respondents/NAICS Codes*.

 Potential respondents under Subpart EEEEEEE are owners or operators of gold mine ore processing and production facilities. The North American Industry Classification System (NAICS) code is 212221 (gold ore mining). We estimate that 21 gold mine ore processing and production facilities will be subject to the rule requirements; few, if any, new sources are projected during the 3-year period of this ICR.

 *(b) Information Requested.*

 *(i) Data Items, Including Recordkeeping Requirements.* Attachment 1, Source Data and Information Requirements, summarizes the data items, including recordkeeping and reporting requirements.

 *(ii) Respondent Activities.* The respondent activities required by the final rule are identified in Table 2 and are introduced in section 6(a).

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

*(a) Agency Activities.*

 The Agency activities are provided in Table 3 and are introduced in section 6(c).

*(b) Collection Methodology and Management*.

 Data and records maintained by the respondents are tabulated and published for use in compliance and enforcement programs of the delegated authority. The monitoring reports submitted to the delegated authority are used for problem identification, as a check on source operation and maintenance, and for compliance determinations. The EPA is the delegated authority until the State agency is delegated authority to implement the final rule. Therefore, information contained in the reports submitted to the Regional Administrator will be entered into the Air Facility System (AFS), which is operated and maintained by EPA's Office of Compliance. The AFS is EPA’s database for the collection, maintenance, and retrieval of compliance data for approximately 125,000 industrial and government-owned facilities. The EPA uses the AFS for tracking air pollution compliance and enforcement by local and state regulatory agencies, EPA regional offices and EPA headquarters. The EPA and its delegated authorities can edit, store, retrieve and analyze the data.

*(c) Small Entity Flexibility.*

 A small entity for this industry is defined as: (1) a small business whose parent company meets the Small Business Administration size standards for small businesses found at 13 CFR 121.201 (less than 500 employees for gold mine ore processing facilities); (2) a small governmental jurisdiction that is a government of a city, county, town, school district, or special district with a population of less than 50,000; and (3) a small organization that is any not-for-profit enterprise that is independently owned and operated and is not dominant in its field. This final rule is estimated to impact about 21 gold mine ore processing facilities, none of which are small entities.

 Although this final rule will not affect any small entities, EPA nonetheless has tried to reduce the impact of this final rule on all of the affected sources. The standards include parametric monitoring requirements for mercury emission control devices that are common throughout the industry and in many cases are already required by State operating permits. The standards also require only the essential monitoring, recordkeeping, and reporting needed to verify compliance.

*(d) Collection Schedule*.

 The specific frequency for each information collection activity within this request is shown in Tables 2 and 3.

**6. Estimating the Burden and Cost of the Collection**

*(a) Estimating Respondent Burden.*

 The annual burden estimates for the final NESHAP are shown in Table 2. These numbers were derived from estimates based on EPA’s experience with other standards. No burden estimates are provided for new sources because no new facilities are expected during the 3-year period of this ICR. These estimates represent the maximum burden that will be imposed by the rule based on all affected sources that are gold mine ore processing and production facilities.

*(b) Estimating Respondent Costs.*

 The information collection activities for the final NESHAP are presented in Table 2.

(i) *Estimating Labor Costs*. Labor rates and associated costs are based on Bureau of Labor Statistics (BLS) data. Technical, management, and clerical average hourly rates for private industry workers in the mining industry (NAICS 212200) were taken from the United States Department of Labor, Bureau of Labor Statistics, May 2009, which is available at: http://www.bls.gov/oes/current/naics4\_212200.htm. Wages for occupational groups are used as the basis for the labor rates with a total compensation of $35.24/hour for technical (environmental engineer), $57.27/hour for managerial, and $18.31/hour for clerical. These rates represent salaries plus fringe benefits and do not include the cost of overhead. An overhead rate of 60 percent is used to account for these costs. The fully-burdened hourly wage rates used to represent respondent labor costs are: technical at $56.38, management at $91.63, and clerical at $29.30.

 *(ii) Estimating Capital and Operations and Maintenance (O&M) Costs*. The capital cost for mercury continuous emissions monitoring systems (CEMS) and for sorbent trap sampling are estimated as $1.34 million, the cost for performance tests are estimated at $131,880, and the annual operations and maintenance costs are estimated to be $67,000 per year.

 *(iii) Capital/Startup vs. O&M Costs*. No startup costs are expected to be incurred over the 3-year period of this ICR.

 *(iv) Annualizing Capital Costs*. Table 2 shows an estimate of the annualized cost of capital to be $350,930 per year with a total annualized cost of $417,930 per year.

 *(c) Estimating Agency Burden and Cost*.

 Because the information collection requirements were developed as an incidental part of standards development, no costs can be attributed to the development of the information collection requirements. Because reporting and recordkeeping requirements on the part of the respondents are required under the part 63 NESHAP General Provisions, no operational costs are expected to be incurred by the Federal Government. Publication and distribution of the information are part of the Compliance Data System, with the result that no Federal costs can be directly attributed to the ICR. Examination of records to be maintained by the respondents will occur incidentally as part of the periodic inspection of sources that is part of EPA's overall compliance and enforcement program, and, therefore, is not attributable to the ICR. The only costs that the Federal government will incur are user costs associated with the analysis of the reported information, as presented in Table 3.

 The Agency labor rates are from the Office of Personnel Management (OPM) 2010 General Schedule which excludes locality rates of pay. These rates can be obtained from Salary Table 2010-GS available on the OPM website, <http://www.opm.gov/oca/10tables/pdf/gs_h.pdf>. The government employee labor rates are $15.63/hour for clerical (GS-6, Step 3), $28.88 for technical (GS-12, Step 1), and $38.92/hr for management (GS-13, Step 5). These rates were increased by 60 percent to include fringe benefits and overhead. The fully-burdened wage rates used to represent Agency labor costs are: clerical at $25.01; technical at $46.21, and management at $62.27.

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

There are an estimated 21 existing gold mine ore processing facilities that are subject to the rule requirements. Few, if any, new sources are expected to be constructed during the next 3 years. Consequently, the average number of respondents during the 3 year period of this ICR is 7.

The components of the total annual responses attributable to this ICR are two one-time notifications for each facility (applicability and compliance status). Gold mine ore processing and production facilities are required to submit a notification of performance tests, prepare a test plan, prepare a quality assurance (QA) plan for CEMS, if installed, and conduct annual performance tests for mercury emissions. Each facility must perform continuous or frequent monitoring for mercury concentration exiting emission control devices and perform parametric monitoring of mercuric chloride scrubbers on roasters, carbon adsorbers, and wet scrubbers; however, these activities will not be required during the 3-year period of this ICR. Semi-annual reports of excess emissions are required, although no reports are expected to be submitted during the 3-year period of this ICR. Each affected source will also be required to prepare a startup, shutdown, and malfunction plan. The number of total annual responses for Subpart EEEEEEE is estimated as: (7 annual average respondents × 1 notification of applicability) + (7 annual average respondents × 1 notification of compliance status) + (7 annual average respondents × 1 performance test notification) + (7 annual average respondents × 1 test plan) + (1.3 annual average respondents × 1 QA plan) + (7 annual average respondents × 1 startup, shutdown, and malfunction plan). Therefore, the number of total annual responses for Subpart EEEEEEE is 36.3, or an average of 1.7 annual responses per respondent.

*(e) Bottom Line Burden Hours and Cost Tables.*

 *(i) Respondent tally.* The bottom line respondent burden hours and costs, presented in Table 2 are calculated by adding person-hours per year down each column for technical, managerial, and clerical staff, and by adding down the cost column.

The average annual burden for the monitoring, recordkeeping, and reporting requirements in Subpart EEEEEEE is 483 person hours with an annual average burden cost of $26,847 with $1.34 million in capital costs, $67,000/year in O&M costs, and $417,930/year in total annualized cost.

 *(ii) The Agency tally.* The total annual Federal Government cost is for 56 total annual hours and $3,868/year. The bottom line Agency burden hours and costs presented in Table 3 are calculated by adding person-hours per year down each column for technical, managerial, and clerical staff, and by adding down the cost column.

 *(iii) Variations in the annual bottom line.* This section does not apply since no significant variation is anticipated.

*(f) Reasons for Change in Burden.*

 This ICR covers information collection requirements in the final National Emissions Standards for Hazardous Air Pollutants (NESHAP) for gold mine ore processing and production sources (40 CFR part 63, subpart EEEEEEE).

*(g) Burden Statement*

 The average annual respondent burden for the proposed NESHAP for gold mine ore processing and production sources is estimated at 13 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 in 40 CFR part 63 are listed in 40 CFR part 9.

**PART B**

 This section is not applicable because statistical methods are not used in data collection associated with the proposed rule.

**TABLE 2. ANNUAL RESPONDENT BURDEN AND COSTS**

| **Burden item** | **(A)****Person-hours per occurrence** | **(B)****No. of occurrences per respondent** | **(C)****Person-hours per respondent (C=A\*B)** | **(D) Respondents per year** | **(E)****Technical person-hours per year (E=C\*D)** | **(F)****Management person-hours per year (E\*0.05)** | **(G)****Clerical person-hours per year (E\*0.1)** | **(H)****Costa, $**  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
|
|  |
| 1. Applications | N/A |   |   |   |   |   |   |   |
| 2. Surveys and Studies | N/A |   |   |   |   |   |   |   |
| 3. Acquisition, Installation, and Utilization of Technology and Systems  | N/A |   |   |   |   |   |   |   |
| 4. Reporting Requirements |   |   |   |   |   |   |   |   |
| A. Read instructions | 8 | 1 | 8 | 7b | 56 | 2.8 | 5.6 | $3,578 |
| B. Required activities  | N/Ac  |   |   |   |  |  |  |  |
| C. Create information | See 4B |   |   |   |   |   |   |   |
| D. Gather existing information | See 4B |   |   |   |   |   |   |   |
| E. Write report | See 4B |   |   |   |   |   |   |   |
| Initial notification of applicability | 2 | 1 | 2 | 7b | 14 | 0.7 | 1.4 | $895 |
|  Notification of compliance status | 2 | 1 | 2 | 7b | 14 | 0.7 | 1.4 | $895 |
|  Request for compliance extension | N/A |   |   |   |   |   |   |   |
| Site-specific test plan | 4 | 1 | 4 | 7b | 28 | 1.4 | 2.8 | $1,789 |
| Quality assurance plan for CEMS | 8 | 1 | 8 | 1.3d | 11 | 0.5 | 1.1 | $682 |
| Notification of performance test | 2 | 1 | 2 | 7b | 14 | 0.7 | 1.4 | $895 |
| Startup, shutdown, malfunction plan | 4 | 1 | 4 | 7b | 28 | 1.4 | 2.8 | $1,789 |
| 5. Recordkeeping Requirements  |  |  |  |  |  |  |   |   |
| A. Read instructions | See 4A |   |   |   |   |   |   |   |
| B. Plan activities | See 4A |   |   |   |   |   |   |   |
| C. Implement activities | See 4A |   |   |   |   |   |   |   |
| D Develop record system | 4 | 1 | 4 | 7b | 28 | 1.4 | 2.8 | $1,789 |
| E. Time to enter information | 0.5 | 52 | 26 | 7b | 182 | 9 | 18 | $11,629 |
| F. Time to transmit or disclose information | 0.25 | 2 | 1 | 7b | 4 | 0.2 | 0.4 | $224 |
| G. Time to adjust existing ways | 2 | 1 | 2 | 7b | 14 | 0.7 | 1.4 | $895 |
| F. Time to train personnel | 4 | 1 | 4 | 7b | 28 | 1.4 | 2.8 | $1,789 |
| G. Time for audits | N/A |   |   |   |   |   |   |   |
| **TOTAL LABOR BURDEN AND COST** | **483 hours** | **$26,847** |
| Annualized cost of capitale | **$350,930** |
| Operation and maintenance (O&M) f | **$67,000** |
|  Total (capital recovery plus O&M)  | **$417,930** |

a This ICR uses the following labor rates based on Bureau of Labor Statistics (BLS) data for private industry workers in the mining industry (NAICS 212200): $35.24/hour for technical (environmental engineer), $57.27/hour for managerial, and $18.31/hour for clerical. For an overhead rate of 60 percent, the fully-burdened hourly wage rates are: technical at $56.38, management at $91.63, and clerical at $29.30.

b Assumes 21 facilities will be subject to the rule and will perform these activities over the 3-year term of the ICR (21/3 = 7 respondents per year).

c Rule will require operating CEMS, weekly sampling, and monthly sampling, but these activities will not begin until after the 3-year ICR period.

d Assumes 4 roaster stacks will be equipped with mercury CEMS (4/3 = 1.33 respondents per year).

e A capital recovery factor of 0.1424 (10 year life at 7%) applied to a total installed capital cost of $1.34 million for monitoring equipment; also includes $160,140 for Method 29 stack sampling for mercury on 17 process units outside of Nevada .

f Labor for O&M costs are included in the burden estimates above. These O&M costs are for materials and supplies (e.g., sorbent trap tubes, calibration standards) estimated as 5% of the installed capital costs ($1.34 million).

**TABLE 3. ANNUAL BURDEN AND COST TO THE AGENCY**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Burden Item** | **(A)** **Person hours per occurrence** | **(B)** **Occurrences per respondent** | **(C)** **Plants per year**  | **(D)** **Technical hours/year (D=A\*B\*C)** | **(E)** **Management hours/year (E=0.05\*D)** | **(F)** **Clerical-hours/year (F=0.1\*D)** | **(G)** **Costa, $** |
| Observe performance testb | 16 | 1 | 1 | 16.0 | 0.8 | 1.6 | $829 |
| Report Review: |
|  Initial notification of applicability | 1 | 1 | 7c | 7.0 | 0.4 | 0.7 | $363 |
|  Notification of compliance status | 2 | 1 | 7c | 14.0 | 0.7 | 1.4 | $726 |
|  Notification of performance test | 2 | 1 | 7c | 14.0 | 0.7 | 1.4 | $726 |
| Deviation reports | N/A |   |   |   |   |   |   |
|  Startup, shutdown, malfunction plan | 2 | 1 | 7c | 14.0 | 0.7 | 1.4 | $726 |
| Semiannual excess emissions report | 1 | 0 | 0d |  |  |  |  |
| **TOTAL BURDEN AND COST (SALARY)** | $3,368 |
| Travel expenses for tests observede |  |  |  |  |  |  | $500 |
| **TOTAL BURDEN AND COST** | **56.4 hours** | **$3,868** |

a These rates were be obtained from Salary Table 2010-GS available on the OPM website, <http://www.opm.gov/oca/10tables/pdf/gs_h.pdf>: $15.63/hour for clerical (GS-6, Step 3), $28.88 for technical (GS-12, Step 1), and $38.92/hr for management (GS-13, Step 5). These rates were increased by 60 percent to include fringe benefits and overhead. The fully-burdened wage rates used to represent Agency labor costs are: clerical at $25.01; technical at $46.21, and management at $62.27.

b Assumes Agency staff will observe the performance test of one affected plant per year.

c Assumes 21 gold mine ore processing facilities will be subject to the rule and will perform these activities over the 3-year term of the ICR (21/3 = 7 respondents per year).

d No excess emissions reports expected during 3-year ICR period.

e Assumes Agency staff (1 person) will spend 2 days per plant at $50 per diem and $400 transportation expense to observe performance test.

**ATTACHMENT 1. INFORMATION REQUIREMENTS**

|  |  |  |
| --- | --- | --- |
|  **Requirement for new and existing sources**  | **Rule citation** | **Citation for NESHAP general provisions**  |
| Annual performance test for mercury emissions | §63.11646(a) and (b) | 40 CFR 63.7 |
| Monitoring for roasters | §63.11647(a), (b), (c) | NA |
| Monitoring for carbon adsorbers | §63.11647 (f), (g) | NA |
| Monitoring for wet scrubbers | §63.11647(h) | NA |
| Notification of applicability | §63.11648(a) | 40 CFR 63.9(b)(2) |
| Notification of construction/reconstruction 1 | NA | 40 CFR 63.9(b)(5) |
| Notification of special compliance requirements  1 | NA | 40 CFR 63.9(d) |
| Notification of performance test | Table 1  | 40 CFR 63.9(c) |
| Notification of opacity observations | NA | 40 CFR 63.9(f) |
| Additional CMS notifications | NA | 40 CFR 63.9(g) |
| Notification of compliance status | §63.11648(b) | 40 CFR 63.9(h)(1) |
| Notification of changes in information  1 | NA | 40 CFR 63.9(j) |
| Malfunction reports | §63.11648(d) | NA |
| Performance test plan | Table 1 | 40 CFR 63.7(c)(2) |
| CMS quality control plan | NA | 40 CFR 63.8(d) |
| CMS performance evaluation test plan/report | NA | 40 CFR 63.8(e) |
| Records to support notifications | §63.11648(e)(1) | 40 CFR 63.10(b)(2) |
| Records of monitoring data | §63.11648(e)(2) | NA |
| Records of monthly ore and concentrate throughput, operating hours for each process unit | §63.11648(e)(3) | NA |
| Compliance report if deviation occurs | §63.11648(c) | 40 CFR 63.10(e)(3) |

1 Requirement is not expected to occur during the 3-year term of this ICR