

**SUPPORTING STATEMENT
ENVIRONMENTAL PROTECTION AGENCY**

**Emission Guidelines for Existing Sources: Sewage Sludge Incineration (SSI) Units
(Subpart M MMM)**

1. IDENTIFICATION OF THE INFORMATION COLLECTION

1(a) Title of the Information Collection

"Emission Guidelines for Existing Sources: Solid Sludge Incineration (SSI) Units (Subpart M MMM)."

1(b) Short Characterization/Abstract

This supporting statement addresses information collection activities imposed by the Sewage Sludge Incineration (SSI) Unit Emission Guidelines Subpart M MMM. The guidelines do not apply directly to SSI unit owners and operators. The guidelines can be thought of as model regulations that States use in developing State plans to implement the emission guidelines. If a State does not develop, adopt, and submit an approvable State plan, the Environmental Protection Agency (EPA) must develop a Federal plan to implement the emission guidelines. Whether a SSI unit is ultimately regulated under a State plan or Federal plan, the full respondent burden for the first 3 years after promulgation of the emission guidelines is included in this information collection request (ICR).

The use of the term "Designated Administrator" throughout this document refers to the person or office designated by each State plan to administer the implementation of the plan, or to the U.S. EPA Administrator in the event that a State's plan is not approvable and a Federal plan must be developed. The term "Administrator" alone refers to the U.S. EPA Administrator.

This ICR includes the burden for activities that will be conducted in the first three years following promulgation of the emission guidelines. These activities include reading the rule, submitting a control plan, initial stack testing, establishing operating parameters, and monitoring, recordkeeping, and reporting requirements. We realize, however, that some facilities may not incur these costs within the first three years, and may incur them during the fourth or fifth year instead. Therefore, this ICR presents a conservatively high burden estimate for the initial three years following promulgation of the proposed emission guidelines.

This ICR presents the burden to respondents (owners or operators of SSI units) and the Designated Administrator (State or Federal Government) that will be imposed by State plans developed to implement the emission guidelines. Respondents are owners or operators of existing SSI units.

The requirements described below are the minimum requirements established by the emission guidelines. Although States may choose to impose more stringent requirements, it is assumed for this burden estimate that the State plans mirror the emission guidelines.

Sewage Sludge Incinerators are categorized into fluidized bed or multiple hearth units. For fluidized bed SSI units, 60 units at 42 facilities would be affected by the proposed standards; for multiple hearth SSI units, 144 units at 69 facilities would be affected. One of these facilities has both a multiple hearth and a fluidized bed unit, so 110 facilities in all are expected to be subject to the regulation. The cost of this Information Collection Request (ICR), based on these 204 units at 110 facilities, will be \$28.9 million.

The burden to the “Affected Public” for each SSI subcategory may be found in Tables 1 - 3 in Attachment 2. This rule affects respondents in both the public and private sectors. The burden to the “Designated Administrator” is attributed entirely to work performed by federal employees or government contractors; this burden may be found in Tables 4 - 7 of Attachment 3.

2. AUTHORITY/NEED FOR AND USE OF THE COLLECTION

2(a) Need/Authority for the Collection

The EPA is charged under section 111(c) of the Clean Air Act (Act), as amended, to establish procedures by which:

. . .each State shall submit to the Administrator a plan which (A) establishes standards of performance for any existing source for any air pollutant. . .to which a standard of performance would apply if such existing source were a new source, and (B) provides for the implementation and enforcement of such standards of performance.

The EPA is required under section 129 of the Act, to establish guidelines for existing stationary sources that reflect the maximum achievable control technology (MACT) for achieving continuous emission reductions:

Section 129(a)(1) states:

The Administrator shall establish performance standards and other requirements pursuant to section 111 and this section of each category of solid waste incineration units. Such standards shall include emissions limitations and other requirements applicable to new units and guidelines (under section 111(d) and this section) and other requirements applicable to existing units.

Section 129(a)(2) states:

Standards applicable to solid waste incineration units promulgated under section 111 and this section shall reflect the maximum degree of reduction in emissions of air pollutants listed under section (a)(4) that the Administrator, taking into consideration the cost of achieving such emission reduction, and any non-air quality health and environmental impacts and energy requirements, determines is achievable for new or existing units in each category.

Section 129(b)(1) states:

Performance standards under this section and section 111 for solid waste incineration units shall include guidelines promulgated pursuant to section 111(d) and this section applicable to existing units. Such guidelines shall include, as provided in this section, each of the elements required by subsection (a) (emissions limitations, notwithstanding any restriction in section 111(d) regarding issuance of such limitations), subsection (c) (monitoring), subsection (d) (operator training), subsection (e), (permits), and subsection (h)(4) (residual risk).

Subpart B of 40 CFR 60 requires State plans to include monitoring, recordkeeping, and reporting provisions consistent with the emission guidelines. In addition, section 114(a)(1) states that:

. . . the Administrator may require any person who owns or operates any emission source or who is 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 or methods, (D) sample such emissions (in accordance with such methods, at such locations, at such intervals, and in such manner as the Administrator shall prescribe), and (E) provide such other information, as he may reasonably require.

Certain reports are necessary to enable a Designated Administrator to identify existing sources subject to the State plan that implements the emission guidelines and to determine if the standards are being achieved.

2(b) Practical Utility/Users of the Data

The information will be used by Designated Administrators' enforcement personnel to ensure that the requirements of the State (or Federal) plan are being implemented and are complied with on a continuous basis. Specifically, the information will be used by the Designated Administrator to: (1) identify existing sources subject to the standards; (2) ensure that existing sources have a control plan to achieve compliance by the final compliance date; (3) ensure that subpart M is being properly applied; (4) ensure that the emission standards are being complied with; (5) ensure, on a continuous basis, that the operating parameters established during the initial performance test are not exceeded.

In addition, records and reports are necessary to enable the Designated Administrator to identify SSI units that may not be in compliance with the standards. Based on reported information, the Designated Administrator can decide which SSI units should be inspected and what records or processes should be inspected at the SSI unit. The records that SSI units maintain would indicate to the Designated Administrator whether the personnel are operating and maintaining control equipment properly and whether they have met the qualification requirements.

3. NONDUPLICATION, CONSULTATIONS, AND OTHER COLLECTION CRITERIA

The requested recordkeeping and reporting will be required under (40 CFR part 60, subpart M).)

3(a) Nonduplication

This ICR contains reporting and recordkeeping requirements for SSI units, whether regulated under a State plan or Federal plan. The information collected in the first 3 years following promulgation of the emission guidelines consists of a control plan as well as initial and ongoing compliance information. This information collection amends the information collection requirements currently collected for SSI units by EPA or any other Federal agency.

Other activities, such as performance tests and performance test reports, installation of monitoring systems and control devices, operator training, and monitoring of operating parameters, do not typically occur until 4 or 5 years after promulgation. We are estimating these burdens will occur within the first three years after promulgation of the emission guidelines to be conservative in our estimates.

In more than 95 percent of the cases, the enforcement of emission guidelines has been delegated to State air pollution control agencies. In such cases, the reports required by the standards will be submitted to the appropriate State agency, and not directly to the EPA. Thus, there is a minimal possibility for the submittal of duplicate information to State agencies and EPA. In those few cases where State agencies have not developed a State plan or requested delegation of the Federal plan, Federal enforcement still requires information from the SSI facility. The plant owner or operator may submit a copy of State or local reports to the Administrator in lieu of the report required by the standards, as specified in the General Provisions of 40 CFR part 60.

3(b) Public notice prior to ICR submission to OMB

A public notice of this collection was provided in the Federal Register notice of proposed rulemaking published for the emissions guidelines.

3(c) Consultations

The public was given the opportunity to review and comment on the emission guidelines and ICR during the public comment period for the proposed rulemaking.

3(d) Effects of Less Frequent Data Collection

The emission guidelines require a one-time control plan report, a one-time final compliance report, initial performance tests, annual performance tests, continuous operating parameter monitoring, annual operator training, and annual reporting (a deviation report is required if any of the emission limitations or operating limits are exceeded). The frequency of these activities was chosen by EPA as the period that will provide an adequate margin of assurance that affected facilities will not operate for extended periods in violation of the standards.

The control plan is submitted in the first 3 years after promulgation of the emission guidelines. The one-time control plan will allow the Designated Administrator to determine whether the owner or operator has an adequate strategy for achieving compliance with the emission guidelines by the final compliance date. The other activities take place after the compliance date, which will be in the fifth year after promulgation for most facilities. The final compliance report notifies the Designated Administrator that the owner or operator has achieved compliance with the emission guidelines.

Annual reporting allows the submittal of required information and data parameters so that any potential problems can be identified in a timely fashion. A deviation report is required for deviations from the operating limits and the emission limitations so that the Designated Administrator can ensure that rapid corrective action is being taken.

3(e) General Guidelines

With the exception of requiring records to be maintained for more than 3 years, none of the guidelines in CFR 1320.5 are being exceeded. This rule requires all records to be maintained at the source for a period of 5 years. In 40 CFR part 63, subpart A, "General Provisions for National Emission Standards for Hazardous Air Pollutants for Source Categories," owners or operators of facilities are required to keep and maintain records for a period of 5 years. These records must be kept on file for use, if needed, by the regulating authority to ensure that the plant personnel are operating and maintaining control equipment properly. Under section 129 of the Act, SSI facilities are subject to similar MACT-based regulations, therefore, this 5-year record retention requirement was adopted for SSI facilities. Furthermore, section 129 requires all SSI units to obtain title V operating permits under part 70 or 71 permit programs. The title V permit programs also require records to be retained for 5 years. These records must be kept on file for use, if needed, by the regulating authority to ensure that the plant personnel are operating and maintaining control equipment properly.

3(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).

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

Respondents are owners or operators of SSI units for which construction commences on or before the date of proposal publication in the Federal Register. These standards affect any industry using a sewage sludge incinerator as defined in the regulation. This includes North American Industry Classification System (NAICS) Code 221 (Sewage Treatment Facilities and Water Treatment Plants), among others.

Based on the distribution of facilities with affected sewage sludge incinerators there are 110 existing facilities which will be affected. Of these, 98 percent are located in the public sector and the remaining 2 percent are located in the private sector.

4(b) Information Requested

(i) Data Items

Attachment 1, Source Data and Information Requirements, and Tables 1 and 2 of Attachment 2 present a summary of the recordkeeping and reporting requirements of this regulation.

(ii) Respondent Activities

The respondent activities required by the standards are provided under the first column of Tables 1 and 2 of Attachment 2, introduced in section 6(a). All burden items are included in these tables.

(iii) Summary of Requirements

The information collection activities in this ICR include the preparation and submittal of the final control plan along with initial and ongoing compliance activities. The one-time control plan will allow the Designated Administrator to determine whether the owner or operator has an adequate strategy for achieving compliance with the emission guidelines.

Other information collection activities included in the emission guidelines may occur within the first three years, and are presented in this burden estimate, but may not occur until 4 or 5 years following promulgation of the proposed standards for some affected sources. To be conservative in our estimate, the burden for these items is included in this ICR. These items include: performance tests, operating parameter monitoring, operator training, one-time and periodic reports, and the maintenance of records.

The regulation requires an initial performance test for the following pollutants: PM, dioxins/furans, opacity, HCl, Cd, Pb, Hg, CO, NO_x, SO₂, and fugitive ash. During the initial performance test the owner or operator must establish limits for each operating parameter. Thereafter, the owner or operator must conduct annual performance tests and continuously monitor the operating parameters. The rule allows the owner or operator to conduct annual performance tests once every three years if certain criteria are met.

To ensure the proper operation of the incinerator, the rule requires that each facility have at least one qualified SSI unit operator or supervisor. The operator qualification process includes

training, an exam, and review of site-specific materials. The operator qualification requirements allow the flexibility to use State-approved training and qualification programs. To maintain qualification operators or supervisors must attend an annual refresher course and review site-specific materials annually.

Following the initial performance test, the owner or operator must submit a report that documents the performance test and the values for their operating limits.

An annual report is required that documents: the values for the operating limits; any deviations or malfunctions; the results of any performance tests; if no deviations occurred, a statement that no deviations occurred; and documentation of periods when all qualified operators were unavailable for more than 8 hours.

If the operating limits or emission limitations are exceeded, the owner or operator must submit a deviation report that provides details on the deviation.

Owners or operators of SSI units are required to keep records of certain parameters and information for a period of 5 years. Owners or operators are required to maintain records of the initial performance test, annual performance tests, and any subsequent performance tests. Owners or operators must also maintain records of the monitoring data for the operating parameters.

Records must be maintained for any incinerator malfunctions, any deviations from the operating limits, and days for which the minimum amount of operating parameter data were not obtained.

Owners or operators must maintain the names of persons who have completed the review of site-specific information and who have met the operator qualification requirements.

Records must also be maintained of all documentation for monitoring device calibration and site-specific documentation.

All reports are to be submitted to the Designated Administrator. The information will be used to determine that all sources subject to the emission guidelines are achieving the requirements.

As an administrative addition to this ICR, EPA is also including an illustrative estimate of the burden associated with performing a Root Cause Analysis (RCA) associated with affirmative defense of malfunctions if the source elects to avail themselves to this defense in court. EPA is providing this as an illustrative example of the potential additional administrative burden a source may incur to assert an affirmative defense in response to an action to enforce the standards set forth in the applicable subpart. If a source is in compliance and does not encounter malfunctions that cause a violation of the standard, EPA does not expect this activity to be routinely performed by a source. Our decision to include this record keeping and reporting in the ICR burden is not to assert that EPA assumes less than full compliance. EPA cannot estimate whether an affirmative defense would be necessary for any source or class of sources. It is not an enforceable requirement of compliance.

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

5(a) Agency Activities

A list of Agency activities is provided in section 6(c) and in Tables 4 through 7 of Attachment 3.

5(b) Collection Methodology and Management

This collection of information does not require the use of automated collection techniques because of the relatively small number of respondents affected. See section 5(d) Collection Schedule.

5(c) Small Entity Flexibility

Based on Small Business Administration guidelines, approximately 18 small entities are affected by this rule. The EPA does not expect the standards to have a significant small business impact.

The EG does not contain any provisions reserved exclusively for the benefit of small entities. However, the EG does contain provisions that reduce the impact on all regulated entities, which would include any small entities. The owner or operator is allowed to conduct performance tests once every three years to show compliance if certain criteria are met. Deviation reports are required only if there is a deviation, otherwise reporting is annual, and operating parameter monitoring is required instead of continuous emissions monitoring systems (CEMS).

5(d) Collection Schedule

In the first three years following promulgation of the emission guidelines owners or operators would read the rule and are required to submit a one-time control plan. As discussed earlier, we also anticipate many of the one-time activities, including: initial performance tests (PM, dioxins/furans, opacity, HCl, Cd, Pb, Hg, CO, NO_x, SO₂, fugitive ash), initial operator training and qualification, and the report following an initial performance test (includes operating parameter values) to occur for many facilities within the first three years, but they may occur in years 4 or 5. These data will be entered into the Aerometric Information Retrieval System (AIRS), operated and maintained by EPA's Office of Air Quality Planning and Standards.

Annual performance tests and continuous parameter monitoring are required for each subcategory of SSI. An annual operator training refresher course and site-specific information review is required.

An annual report is required that includes data on the operating parameters, performance test results, identification of deviations and malfunctions, and documentation of periods when all qualified operators were unavailable for more than 8 hours.

Additionally, if the operating limits or emission limitations are exceeded, the owner or operator must submit a deviation report that provides details on the deviation. Information obtained from annual compliance reports will be published and distributed through the compliance data system (CDS). Data obtained during periodic visits by EPA personnel from records maintained by the respondents will be tabulated and published for internal EPA use in compliance with enforcement programs.

6. ESTIMATING THE BURDEN AND COST OF THE COLLECTION

Tables 1 and 2 of Attachment 2 document the computation of individual burdens and non-labor costs for the recordkeeping and reporting requirements applicable to the industry for each year 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, specific tasks and major assumptions have been identified. Responses to this information collection are mandatory. Table 3 of Attachment 2 presents a summary of the agency burden.

6(a) Estimating Respondent Burden

For the burden estimate, due to the fact that one facility has both a multiple hearth and fluidized bed unit, the number of fluidized bed facilities is reduced from 42 to 41 in the calculations to eliminate double counting at the facility level. This has no bearing on unit level costs.

The average annual burden to industry over the next three years from these recordkeeping and reporting requirements is estimated to be 39,400 hours. The average annual recordkeeping hours shown in Tables 1 and 2 of Attachment 2 are 2,900 and the reporting requirement hours are 36,500.

6(b) Estimating Respondent Costs

The information collection activities for sources subject to these requirements are presented in Tables 1 and 2 of Attachment 2. The total cost for each respondent activity includes labor costs, capital/startup costs, and operating and maintenance (O&M) costs.

(i) Estimating Labor Costs

This ICR uses the following labor rates:

Managerial	\$92.77 (\$43.44 + 110%)*1.017
Technical	\$57.22 (\$26.79 + 110%)*1.017
Clerical	\$35.24 (\$16.50 + 110%)*1.017

These rates are taken from the Bureau of Labor Statistics, Occupational Employment Statistics, May 2009 National Industry-Specific Occupational Employment and Wage Estimates for NAICS 999300 - Local Government categories. The occupational categories that are the most

similar to personnel operating SSI unit operations are assumed to be Engineering Technicians, except Drafters, all other (17-3029), General and Operations Managers (11-1021), and Secretaries, except Legal, Medical, and Executive (43-6014). The labor rates are adjusted with an average fringe benefit and overhead rate addition of 110 percent times the base rate to account for paid leave, insurance, etc. Since the labor rates are from May 2009, an Employment Cost Index (ECI) factor of 1.017 was also used to adjust the rates to March 2010 to give a current rate. Therefore, the total loaded wage rates are calculated by the following equation:

$$(\text{Base labor rate} + (\text{Base labor rate} \times 1.10)) \times \text{ECI factor} = \text{Loaded labor rate}$$

For emission testing labor rates, a nominal labor rate of \$80.00 per hour is used. This labor rate reflects the current loaded labor rate for emission testing contractors and includes fringe benefits and overhead, as well as the additional equipment costs needed to perform emission tests and analyze gas samples.

(ii) Estimating Capital/Start-up and Operation and Maintenance Costs

The capital costs associated with the proposed emission guidelines include a file cabinet for storing copies of records and reports, and monitoring system initial costs; one time costs when a facility becomes subject to the regulation. The annual operation and maintenance costs are the ongoing costs to maintain the monitors, conduct initial and subsequent annual testing, and other costs such as photocopying and postage. As discussed earlier, we have estimated the burden if these occurred within the first three years, but realize that some facilities may incur these costs within years 4 or 5.

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

Below are the estimated capital and startup costs and O&M costs for the affected units for the first 3 years after promulgation.

Capital/Startup vs. Operation and Maintenance (O&M) Costs				
(A) SSI Unit Type	(B) Number of Respondents (facilities)	(C) Total Capital/Startup Costs	(D) Total Annualized Capital/Start-up and O&M over 3 years	(E) Average Annual Capital/Startup and O&M Costs
Fluidized Bed	41	\$170,500	\$6,400,000	\$2,100,000
Multiple Hearth	69	\$249,900	\$15,800,000	\$5,300,000
Total	110	\$420,400	\$22,200,000	\$7,400,000

The total capital/startup costs for this ICR are \$420,400.

The total annualized capital/startup and O&M costs for this ICR are \$22.2 million, or an average of \$7.4 million per year. These are recordkeeping costs.

(iv) Potential Burden under Affirmative Defense

When a malfunction occurs, sources must report them according to the applicable reporting requirements of this Subpart DDDDD. An affirmative defense to civil penalties for exceedances of emission limits that are caused by malfunctions is available to a source if it can demonstrate that certain criteria and requirements are satisfied. The criteria ensure that the affirmative defense is available only where the event that causes an exceedance of the emission limit meets the narrow definition of malfunction in 40 C.F.R. 63.2 (sudden, infrequent, not reasonable preventable and not caused by poor maintenance and or careless operation) and where the source took necessary actions to minimize emissions. In addition, the source must meet certain notification and reporting requirements. For example, the source must prepare a written root cause analysis and submit a written report to the Administrator documenting that it has met the conditions and requirements for assertion of the affirmative defense.

To provide the public with an estimate of the relative magnitude of the burden associated with an assertion of the affirmative defense position adopted by a source, EPA provides an administrative adjustment to this ICR that shows the notification, recordkeeping and reporting requirements associated with the assertion of the affirmative defense might entail. EPA's estimate for the required notification, reports and records, including the root cause analysis, totals \$3,141 and is based on the time and effort required of a source to review relevant data, interview plant employees, and document the events surrounding a malfunction that has caused an exceedance of an emission limit. The estimate also includes time to produce and retain the record and reports for submission to EPA. EPA provides this illustrative estimate of this burden because these costs are only incurred if there has been a violation and a source chooses to take advantage of the affirmative defense.

Personnel	Number of Personnel	Time Requirement (hours)	Total Hours	Hourly Rate (\$/hr)	Total
Technical Personnel	3	6	18	98.20	\$ 1,768
Managerial Personnel	2	6	12	114.49	\$ 1,374
Total	5		30		\$ 3,141

6(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 additional information collection requirements. Because reporting and recordkeeping requirements on the part of the respondents are required under sections 111 and 129 of the Act, no operational costs would be incurred by the Federal Government. Publication and distribution of the information are part of the AIRS Facility subsystem, with the result that no Federal costs can be directly attributed to the ICR. Examination of records to be maintained by the respondents would occur incidentally as part of the periodic inspection of sources that is part of the Designated Administrator's overall compliance and enforcement program and, therefore, could not be attributable to the ICR. The only costs that the Implementing Agency would incur in the first three years are: reading and understanding the rule and the preparing of an annual report summarizing progress in implementing State plans and the compliance status of all the affected

facilities. However, to be conservative in our estimate, we have estimated the burden as if the costs to the Implementing Agency for initial and ongoing compliance activities are also accounted for.

The average annual Agency cost during the three years of the ICR is estimated to be \$497,000.

This cost is based on the average hourly labor rates 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 overhead and fringe benefit costs. Details on the line item estimates used to calculate these burdens are presented in Tables 4 through 7 of Attachment 3.

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

The total number of respondents is also referred to as the respondent universe. The respondent universe for this ICR is based on the EPA’s SSI database. Industry burden is calculated based on the number of units and facilities in each subcategory and the anticipated controls and monitoring that each unit will most likely utilize to comply with the emissions guidelines.

Additional estimates regarding the respondent universe are included in the industry burden determination. The EPA estimates that 110 respondents (facilities) will read the rule in year 1 and will submit a control plan. We have also included the burden associated with initial monitoring in the year 1 estimates. In years 2 and 3, the 110 respondents incur the annual burden associated with the emission guidelines, such as annual testing and monitoring system operation and maintenance.

Total Annual Responses			
(A) Unit Type	(B) Number of Respondents (facilities)	(C) Total Number Responses for 3- year Period	(D) Average Annual Number of Responses
Fluidized Bed	41	435	145
Multiple Hearth	69	969	323
Affirmative Defense	0	0	0
Total	110	1404	468

The number of average annual responses is 468.

6(e) Bottom Line Burden Hours and Cost Tables

(i) The Respondent Tally

A breakdown for each of the collection, reporting, and recordkeeping activities required by the emission guidelines is presented in Tables 1 and 2 of Attachment 2. Tables 1.A, 1.B, and 1.C show the costs for Fluidized Bed units in years 1, 2, and 3. Table 1.D summarizes the costs for the three year period. Similarly, Tables 2.A, 2.B, 2.C, and 2.D show the costs for Multiple Hearth units. The estimate of total annual hours requested from the respondents was based on the assumptions outlined in section 6(d) of this ICR. The respondent burden is estimated for the first 3 years after adoption of these guidelines by totaling the hours per year for technical, managerial, and clerical staff at the plant. This total was then divided by 3 to arrive at the annualized burden (see Table 3). A similar approach was taken for estimating annual labor costs. For the first three years after the adoption of the emission guidelines, it is estimated that industry would expend 39,400 hours annually at a cost of \$2.2 million per year to meet the monitoring, recordkeeping, and reporting requirements. The annual non-labor costs are estimated at \$7.4 million, which include the initial and annual costs associated with the monitoring system and initial and annual performance testing.

(ii) The Designated Administrator

The bottom line Designated Administrator burden hours and costs, presented in Tables 4 through 7 of Attachment 3, were calculated by totaling the hours per year for technical, managerial, and clerical staff, and by totaling the cost column. Table 7 of Attachment 3 summarizes the annual agency burden for each of the first three years and calculates the average annual burden by dividing the three year total by three. The estimated average annual burden over the first 3 years for the Designated Administrator would be 10,200 hours at a cost of \$497,000 per year.

(iii) Variations in the annual bottom line

The total respondent costs for years 1, 2, and 3 are \$16,100,000, \$6,400,000, and \$6,400,000, respectively. The corresponding total respondent hours over this period are 59,600, 29,200, and 29,200 (see Tables 1 through 3 of Attachment 2). Activities during this period include reading and understanding the rule and developing a control plan. We have also estimated the burden of the rule to occur within the first three years. These include initial and annual performance tests, operator training and qualification, setting and monitoring of operating parameter values, and reporting and recordkeeping for these activities. We realize, however, that some of these activities will not occur until years 4 or 5 for some sources. Therefore, the respondent burden for years 1 through 3 may be conservatively high.

During the first 3 years, the Designated Administrators will be reviewing the regulation, reviewing the control plans, observing initial stack tests, reviewing initial test reports, and preparing annual summary reports. In years 1, 2, and 3, the Designated Administrators will expend 20,200, 5,200, and 5,200 total hours in labor, respectively. The corresponding costs for each year are \$950,000, \$270,000, and \$270,000 (see Tables 4 through 7 of Attachment 3).

6(f) Reasons for change in burden

The burden has been reduced between proposal and the final rule due to modifications of the rule. The most significant impact on the burden was the allowance for facilities to test once every three years instead of complying through annual performance testing if certain criteria are met. Furthermore, changes in the emission limits have led to different counts for the number of control devices and their associated monitors altering the capital costs. Changes to the facility and unit counts have also caused differences. The reports and their associated hours were also changed to more accurately reflect the rule.

To provide the public with an estimate of the relative magnitude of the burden associated with a source asserting the affirmative defense position, EPA is providing an administrative adjustment to this ICR. The adjustment shows the notification, recordkeeping and reporting requirements associated with the assertion of the affirmative defense. This illustrative example does not result in an increase in the burden for this rule. EPA provides this estimate of the burden because these costs are only incurred if the source believes that there has been a violation, and chooses to take advantage of the affirmative defense.

6(g) Burden Statement

The annual public reporting and recordkeeping burden for this collection of information is estimated to be 84 hours per response. Burden means 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 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-OAR-2009-0559. 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) 566-1927. 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 Officer for EPA. Please include the EPA Docket ID Number EPA-HQ-OAR-2009-0559 in any correspondence.

PART B OF THE SUPPORTING STATEMENT

This section is not applicable because statistical methods are not used in data collection associated with this regulation.

ATTACHMENT 1

SOURCE DATA AND INFORMATION REQUIREMENTS

Requirement	40 CFR 60 Subpart M MMM
RECORDKEEPING	
5-year retention of records.	60.5230
Calendar date of each record.	60.5230(a)
Records of increments of progress. Includes copies of the final control plan and any additional notifications.	60.5230(b)
Records of site-specific information and incinerator operation procedures.	60.5230(c)(1)
Records of names of persons who have completed review of the site-specific information and incinerator operating procedures in 60.5230(c)(1).	60.5230(c)(2)
Records of names of persons who have completed the operator training requirements. Includes documentation of the training and the dates of the training.	60.5230(c)(2)
Records showing the periods when no qualified operators were accessible for more than 8 hours, but less than two weeks.	60.5230(c)(3)
Records showing the periods when no qualified operators were accessible for two weeks or more.	60.5230(c)(4)
Records of control device inspections.	60.5230(d)
Records of initial performance tests, annual performance tests, and any subsequent performance tests.	60.5230(e)
Records of all continuous monitoring data; includes continuous emissions monitors, continuous automated sampling systems, and continuous parameter monitors.	60.5230(f)
Records of other info for continuous monitoring systems.	60.5230(g)

ATTACHMENT 1

SOURCE DATA AND INFORMATION REQUIREMENTS

Requirement	40 CFR 60 Subpart M
Records of days when a deviation from the operating limits have occurred. Includes a description of the deviation and a description of the corrective actions taken.	60.5230(h)
Equipment vendor specifications for the incinerator, emission controls, and monitoring equipment.	60.5230(i)
Records of calibration of any monitoring devices.	60.5230(j)
Records of monitoring plan and performance evaluations.	60.5230(k)
Records of less frequent testing.	60.5230(l)
Records of use of bypass stack.	60.5230(m)
REPORTING	
<p>Increments of progress report - report your increments of progress no later than 10 business days after the compliance date for the increment:</p> <ul style="list-style-type: none"> - final control plan including air pollution control device descriptions, process changes, type of waste to be burned, and the maximum design sewage sludge burning capacity - closure notification, if applicable 	60.5235(a)
<p>Initial compliance report - report the following information no later than 60 days after the initial performance test:</p> <ul style="list-style-type: none"> - complete test report for the initial performance test - results of CMS performance evaluation - the values for site-specific operating limits - documentation of installation of bag leak detection system for fabric filter - results of air pollution control device inspection 	60.5235(b)

ATTACHMENT 1

SOURCE DATA AND INFORMATION REQUIREMENTS

Requirement	40 CFR 60 Subpart M
<p>Annual compliance report - report the following information annually:</p> <ul style="list-style-type: none"> - date of report and beginning and ending dates of reporting period - if a performance test was conducted during the reporting period, the results of the test - highest recorded 3-hour average and the lowest 3-hour average, as applicable, for each pollutant and operating parameter recorded using a CMS - if no deviations occurred, a statement of no deviation - if a fabric filter is used, the date, time, and duration of alarms - if a performance test was not conducted during the reporting period, a statement that the requirements of §60.5205(a)(3) were met - if a performance evaluation of a CMS was conducted, the results - documentation of periods when all qualified SSI unit operators were unavailable for more than 8 hours but less than 2 weeks - annual control device inspection results - information on if continuous monitoring systems malfunctioned or were out of control - if there were no operator training deviations, a statement that there were no such deviations 	<p>60.5235(c)</p>

ATTACHMENT 1

SOURCE DATA AND INFORMATION REQUIREMENTS

Requirement	40 CFR 60 Subpart M MMM
<p>Deviation reports - if a deviation from operating limits or emission limits occurs, submit a deviation report that includes the following information:</p> <ul style="list-style-type: none"> - date and times of deviation - averaged and recorded data for those dates - duration and causes of each deviation and the corrective actions taken - copy of operating parameter monitoring data and any test reports - dates, times, and causes for monitor downtime incidents - if CMS malfunctions or is out of control, including the information specified in §60.5235(d)(3)(viii) 	60.5235(d)
<p>If all qualified operators are unavailable for more than 2 weeks, submit a notification of the deviation within 10 days and a corrective action summary every 4 weeks</p>	60.5235(e)
<p>Notification of a force majeure - report the following information if a force majeure occurs:</p> <ul style="list-style-type: none"> - description of the force majeure event - rationale for attributing the delay to the force majeure - description of measures taken to minimize the delay - identification of date by which you propose to conduct the performance test 	60.5235(f)
<p>Submit a notification 1 month prior if you intend to start or stop use of a CMS</p>	60.5235(g)
<p>Submit a notification 30 days prior if you intend to conduct a performance test</p>	60.5235(g)
<p>Submit a notification at least 7 days in advance if you intend to reschedule a performance test</p>	60.5235(g)

ATTACHMENT 2

TABLES 1, 2, and 3

Tables 1.A – 1.D: Annual Respondent Burden and Cost of Recordkeeping and Reporting Requirements of the Emission Guidelines for Existing Stationary Sources: Sewage Sludge Incineration Units - Subpart M MMM, Fluidized Bed

Tables 2.A – 2.D: Annual Respondent Burden and Cost of Recordkeeping and Reporting Requirements of the Emission Guidelines for Existing Stationary Sources: Sewage Sludge Incineration Units - Subpart M MMM, Multiple Hearth

Table 3: Summary of Annual Respondent Burden and Cost of Recordkeeping and Reporting Requirements of the Emissions Guidelines for Existing Stationary Sources: Sewage Sludge Incineration Units - Subpart M MMM - All Subcategories

ATTACHMENT 3

TABLES 4, 5, 6, and 7

- Table 4: Annual Designated Administrator Burden and Cost of Recordkeeping and Reporting Requirements of the Emission Guidelines for Existing Stationary Sources: Sewage Sludge Incineration Units - Subpart M MMM - Year 1
- Table 5: Annual Designated Administrator Burden and Cost of Recordkeeping and Reporting Requirements of the Emission Guidelines for Existing Stationary Sources: Sewage Sludge Incineration Units - Subpart M MMM - Year 2
- Table 6: Annual Designated Administrator Burden and Cost of Recordkeeping and Reporting Requirements of the Emission Guidelines for Existing Stationary Sources: Sewage Sludge Incineration Units - Subpart M MMM - Year 3
- Table 7: Summary of Designated Administrator Burden and Cost of Recordkeeping and Reporting Requirements of the Emission Guidelines for Existing Stationary Sources: Sewage Sludge Incineration Units – Subpart M MMM