

**SUPPORTING STATEMENT
ENVIRONMENTAL PROTECTION AGENCY**

**NESHAP for Marine Tank Vessel Loading Operations (40 CFR Part 63, Subpart Y)
(Renewal)**

1. Identification of the Information Collection

1(a) Title of the Information Collection

NESHAP for Marine Tank Vessel Loading Operations (40 CFR Part 63, Subpart Y) (Renewal),
EPA ICR Number 1679.07, OMB Control Number 2060-0289

1(b) Short Characterization/Abstract

The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Marine Tank Vessel Loading Operations (MTVLO) (40 CFR part 63, subpart Y) were proposed on May 13, 1994, promulgated on September 19, 1995, and a proposed amendment of October 21, 2010 will be promulgated. These regulations apply maximum achievable control technology (MACT) standards to existing facilities and new facilities that load marine tank vessels with petroleum or gasoline and have aggregate actual hazardous air pollutants (HAP) emissions of 10 tons or more of HAP, or 25 tons or more of all HAP combined. These regulations also apply reasonably available control technology (RACT) standards to such facilities with an annual throughput of 10 million or more barrels of gasoline or 200 million or more barrels of crude oil. This Information Collection Request (ICR) also covers owners or operators of existing MTVLO that emit less than 10 tons per year of each individual HAP and less than 25 tons/year of all HAP combined, located at major sources of HAP that load more than 1 million barrels/yr of gasoline to meet volatile organic compound (VOC) emission limits of 10 mg per liter of gasoline leaded, or 97 percent control of VOC emissions. This information is being collected to assure compliance with 40 CFR part 63, subpart Y.

In general, all NESHAP standards require initial notifications, performance tests, and periodic reports by the owners/operators of the affected facilities. They are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. These notifications, reports, and records are essential in determining compliance, and are required of all affected facilities subject to NESHAP.

Any owner/operator subject to the provisions of this part shall maintain a file of these measurements, and retain the file for at least five years following the date of such measurements, maintenance reports, and records. In addition, the owner/operator shall keep the written operation and maintenance plan on record for the life of the facility. All reports are sent to the delegated state or local authority. In the event that there is no such delegated authority, the reports are sent directly to the U. S. Environmental Protection Agency (EPA) regional office.

This ICR is being combined with the ICR proposed amended rule to the NESHAP for

Marine Tank Vessel Loading Operations (EPA number 1679.08) and the renewal ICR.

Approximately 804 sources are currently subject to the standard. Of the 804 sources, 38 of the existing sources are currently subject to the emissions standard, and the remaining 766 facilities are not subject to the emissions standards, but are subject to some of the recordkeeping requirements. It is estimated that there will be no new growth in the industry over the next three years.

All of the marine tank vessel loading plants in the United States are owned and operated by the Marine Tank Vessel Loading industry (the “Affected Public”). None of the facilities in the United States are owned by state, local, tribal, or the Federal government. They are all owned and operated by privately-owned, for-profit businesses. You can find the burden to the “Affected Public” listed below in Table 1: Annual Industry Burden and Cost - NESHAP for Marine Tank Vessel Loading Operations (40 CFR Part 63, Subpart Y) (Renewal). The Federal government burden associated with the review of reports submitted by the respondent is shown below in Table 2: Average Annual EPA Burden - NESHAP for Marine Tank Vessel Loading Operations (40 CFR Part 63, Subpart Y) (Renewal).

Subsequent to 1679.06, the Office of Management and Budget (OMB) recommended that the EPA review the respondent burden, universe, labor rates, and capital costs and to ensure these estimates have been updated. Based upon consultations with industry experts, EPA concluded that there were no changes to the respondent burden, universe, and capital costs; however, EPA did increase the respondent labor rates by 110% to account for the benefit packages available to those employed by private industry. These rates are from the United States Department of Labor, Bureau of Labor Statistics, March 2010, "Table 2. Civilian Workers, by Occupational and Industry group." The rates are from column 1, "Total Compensation."

2. Need for and Use of the Collection

2(a) Need/Authority for the Collection

The EPA is charged under section 112 of the Clean Air Act, as amended, to establish standards of performance for each category or subcategory of major sources and area sources of hazardous air pollutants (HAP). These standards are applicable to new or existing sources of HAP and shall require the maximum degree of emission reduction. In addition, section 114(a) states that the Administrator may require any owner or operator 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, and use such audit procedures, or methods;
- (D) sample such emissions (in accordance with such procedures or methods, at such locations, at such intervals, during such periods, and in such manner as the Administrator shall prescribe);
- (E) keep records on control equipment parameters, production variables or other indirect data when direct monitoring of emissions is impractical;
- (F) submit

compliance certifications in accordance with Section 114(a)(3); and (G) provide such other information as the Administrator may reasonably require.

In the Administrator's judgment, HAP and VOC emissions from marine tank vessel loading operations cause or contribute to air pollution that may reasonably be anticipated to endanger public health or welfare. Therefore, the NESHAP was promulgated for this source category at 40 CFR part 63, subpart Y.

2(b) Practical Utility/Users of the Data

The recordkeeping and reporting requirements in the standard ensure compliance with the applicable regulations which were promulgated in accordance with the Clean Air Act. In addition, the collected information is used for targeting inspections and as evidence in legal proceedings.

Performance tests are required in order to determine an affected facility's initial capability to comply with the emission standard. Continuous emission monitors are used to ensure compliance with the standard at all times. During the performance tests, a record of the operating parameters under which compliance was achieved may be recorded and used to determine compliance in place of a continuous emission monitor.

The notifications required in the standard are used to inform the Agency or delegated authority when a source becomes subject to the requirements of the regulations. The reviewing authority may then inspect the source to ensure that the pollution control devices are properly installed and operated, that leaks are being detected and repaired, and that the standards are being met. The performance test may also be observed.

The information generated by the monitoring, recordkeeping, and reporting requirements described in this ICR is used by the Agency to ensure that facilities affected by the NESHAP continue to operate the control equipment in compliance with the regulation.

3. Non-duplication, Consultations, and Other Collection Criteria

The requested recordkeeping and reporting are required under 40 CFR part 63, subpart Y.

3(a) Non-duplication

If the subject standards have not been delegated, the information is sent directly to the appropriate EPA regional office. Otherwise, the information is sent directly to the delegated state or local agency. If a state or local agency has adopted their own similar standards to implement the Federal standards, a copy of the report submitted to the state or local agency can be sent to the Administrator in lieu of the report required by the Federal standards. Therefore, no duplication exists.

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

An announcement of a public comment period for the renewal of this ICR was published in the Federal Register (75 FR 30812) on June 2, 2010. No comments were received on the burden published in the Federal Register.

3(c) Consultations

The Agency's industry experts have been consulted, and the Agency's internal data sources and projections of industry growth over the next three years have been considered. The primary source of information as reported by industry, in compliance with the recordkeeping and reporting provisions in the standard, is the Online Tracking Information System (OTIS) which is operated and maintained by the EPA Office of Compliance. OTIS is the EPA database for the collection, maintenance, and retrieval of all compliance data. The growth rate for the industry is based on our consultations with the Agency's internal industry experts.

Industry trade associations and other interested parties were provided an opportunity to comment on the burden associated with the standard as it was being developed. In developing this ICR, we contacted the American Petroleum Institute at (202) 682-8319, and the American Chemistry Council at (202) 249-7000.

3(d) Effects of Less Frequent Collection

Less frequent information collection would decrease the margin of assurance that facilities are continuing to meet the standards. Requirements for information gathering and recordkeeping are useful techniques to ensure that good operation and maintenance practices are applied and emission limitations are met. If the information required by these standards was collected less frequently, the proper operation and maintenance of control equipment and the possibility of detecting violations would be less likely.

3(e) General Guidelines

None of these reporting or recordkeeping requirements violate any of the regulations established by OMB at 5 CFR part 1320, section 1320.5.

These standards require the respondents to maintain all records, including reports and notifications for at least five years. This is consistent with the General Provisions as applied to the standards. EPA believes that the five-year records retention requirement is consistent with the Part 70 permit program and the five-year statute of limitations on which the permit program is based. The retention of records for five years allows EPA to establish the compliance history of a source, any pattern of non-compliance, and to determine the appropriate level of enforcement action. EPA has found that the most flagrant violators have violations extending beyond the five years. Without the five-year record retention, EPA would be prevented from pursuing the violators due to the destruction or nonexistence of essential records.

3(f) Confidentiality

Any information submitted to the Agency for which a claim of confidentiality is made will be safeguarded according to the Agency policies set forth in title 40, chapter 1, part 2, subpart B - Confidentiality of Business Information (CBI) (see 40 CFR 2; 41 FR 36902, September 1, 1976; amended by 43 FR 40000, September 8, 1978; 43 FR 42251, September 20, 1978; 44 FR 17674, March 23, 1979).

3(g) Sensitive Questions

None of the reporting or recordkeeping requirements contain sensitive questions.

4. The Respondents and the Information Requested

4(a) Respondents/SIC Codes

The respondents to the recordkeeping and reporting requirements are marine tank vessel loading operations at marine terminals. The North American Industry Classification System (NAICS) codes are listed below for each source category description.

40 CFR part 63, subpart Y	SIC Codes	NAICS Codes
Marine Cargo Handling	4491	488320
Part and Harbor Operations	4491	488310
Support Activities for water Transportation		4883

4(b) Information Requested

None of these reporting or recordkeeping requirements violate any of the regulations established by OMB at 5 CFR part 1320, section 1320.5.

(i) Data Items

In this ICR, all the data recorded or reported is required by National Emission Standards for Hazardous Air Pollutants for Marine Tank Vessel Loading Operations (40 CFR Part 63, Subpart Y).

A source must make the following reports:

Notifications	
Notification of performance test	63.7(b), 63.9(e), 63.567(a)
Notification of the date the continuous monitoring system (CMS) performance evaluation is scheduled to begin.	63.8(e)(2), 63.9(g)(1), 63.567(a)
Notification of compliance status	63.9(h), 63.567(a)

Notifications	
Notifications of adjustments to time periods or deadlines for submittal and review of required communications.	63.9(i), 63.567(a)
Notification of changes in information provided to the Administrator.	63.9(j), 63.567(a)
Initial notifications, applications for approval of construction or reconstruction.	63.5, 63.566, 63.567(a), and (b)(1-5)
Notification of intent to construct/reconstruct	63.5, 63.9(b)(4), 63.567(a), and (b)(4)(i)
Notification of the date when construction/reconstruction was commenced.	63.567(a), and (b)(4)(ii)
Notification of the anticipated date of startup of the source.	63.567(b)(4)(iii)
Notification of the actual date of startup of the source.	63.567(a) and (b)(4)(iv)
Additional initial notifications for MACT sources.	63.567(b)(5)
Request for extension of compliance.	63.6(i)(4)(i)(B), (i)(5-6), and 63.567(c)
Report of performance (opacity) testing of flares.	63.567(d), 63.565(e), 63.11
Annual summary reports of excess emissions and continuous monitoring system performance reports (semiannual, if there are excess emissions).	63.10(c)(5), 63.10(c)(8), 63.10(c)(10-13), 63.563(b), 63.567(a) and (e)
Engineering report for vapor collection systems.	63.567(f)
Annual report of source's HAP control efficiency including identification of each pollutant monitored.	63.10(e)(3)(vi), 63.565(l), 63.567(a) and (j)(3)
Reporting results of performance tests/evaluations.	63.7, 63.8(e), 63.9(h), 63.10(d), 63.10(e)(1), 63.567(a)
Progress reports related to an extension of compliance.	63.6(i), 63.10(d)(4), 63.567(a)

A source must keep the following records:

Recordkeeping	
Records of all excess emissions and monitoring system performance reports.	63.567(e)(4)
Records of engineering reports describing vent system or vapor collection system.	63.567(f)
Records of all periods when flow bypassing the control device is indicated.	63.563(a)(1), 63.564(b), 63.567(g)(1)
Records of changes in position and maintenance of car-sealed valves.	63.564(b)(3), 63.567(g)(2)
Records of vapor tightness documentation.	63.563(a)(4), 63.567(h)
Documentation of vapor tightness test results for marine tank vessels.	63.563(a)(4), 63.565(c)(1-2), 63.567(i)

Recordkeeping	
Retain records of the current, written operation and maintenance plan for the life of the source. If plan is revised, retain records of the previous (i.e., superseded) operation and maintenance plan for at least 5 years after the revision.	63.562(e)(5)
Records of measurements and calculations used to identify exempted commodities.	63.560(d), 63.567(j)(1)
Records of emissions estimation calculations.	63.565(l), 63.567(j)(2)
Records of emissions estimates and actual throughput for owners and operators of marine tank vessel loading operations.	63.560(a)(3), 63.565(l), 63.567(j)(4)
Records of leak detection and repair of vapor collection systems and control devices.	63.563(c), 63.567(k)
Records of the occurrence and duration of each malfunction of the control equipment.	63.10(b)(2)(ii), 63.567(a)
Records of all maintenance performed on the air pollution control equipment.	63.10(b)(2)(iii), 63.567(a)
Records of periods during which a CMS is malfunctioning.	63.10(b)(2)(vi), 63.567(a)
Records of all measurements, results from performance tests, CMS calibration checks, adjustments made to CMS, emission levels, information demonstrating whether a source is meeting the requirements for a waiver, and supporting documentation for initial notifications and notification of compliance status.	63.10(b)(2)(vii-xiv), 63.567(a)
Records of all CMS measurements.	63.10(c)(1), 63.567(a)
Records of all CMS malfunctions or exceedances	63.10(c)(8) and (c)(10-13), 63.567(a)

Electronic Reporting

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

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

(ii) Respondent Activities

Respondent Activities
Read instructions.
Install, calibrate, maintain, and operate CMS for opacity, temperature change, and volatile organic compounds (VOC) emissions temperature change, and VOC emissions for control devices listed in 40 CFR 63.564(a) through (j).
Perform initial performance test, using the procedures listed in 40 CFR section 63.7 according to the applicability in Table 1 of section 63.560, the procedures listed in section 63.564, and the test methods listed in section 63.565, and repeat performance test is necessary.
Write the notifications and reports listed above.
Enter information required to be recorded above.
Submit the required reports developing, acquiring, installing, and utilizing technology and systems for the purpose of collecting, validating, and verifying information.
Develop, acquire, install, and utilize technology and systems for the purpose of processing and maintaining, 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.
Transmit, or otherwise disclose the information.

5. The Information Collected: Agency Activities, Collection Methodology, and Information Management**5(a) Agency Activities**

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

Agency Activities
Observe initial performance tests and repeat performance tests if necessary.
Review notifications and reports, including performance test reports, excess emissions reports, required to be submitted by industry.
Audit facility records.
Input, analyze, and maintain data in the Online Tracking Information System (OTIS).

5(b) Collection Methodology and Management

Following notification of startup, the reviewing authority might inspect the source to determine whether the pollution control devices are properly installed and operational. Performance test reports are used by the Agency to discern a source's initial capability to comply with the emission standard, and note the operating conditions under which compliance was

achieved. Data and records maintained by the respondents are tabulated and published for use in compliance and enforcement programs.

Information contained in the reports is entered into OTIS which is operated and maintained by the EPA Office of Compliance. OTIS is the EPA database for the collection, maintenance, and retrieval of compliance data for approximately 125,000 industrial and government-owned facilities. EPA uses OTIS for tracking air pollution compliance and enforcement by local and state regulatory agencies, EPA regional offices, and EPA headquarters. EPA edits, stores, retrieves, and analyzes the data.

The records required by this regulation must be retained by the owner or operator for five years.

5(c) Small Entity Flexibility

All of the current respondents are large entities (i.e., large businesses). However, the impact on small entities (i.e., small businesses) was taken into consideration during the development of the regulation. Due to technical considerations involving the process operations and the types of control equipment employed, the recordkeeping and reporting requirements are the same for both small and large entities. The Agency considers these to be the minimum requirements needed to ensure compliance and, therefore, cannot reduce them further for small entities. To the extent that larger businesses can use economies of scale to reduce their burden, the overall burden will be reduced.

5(d) Collection Schedule

The specific frequency for each information collection activity within this request is shown below in Table 1: Annual Respondent Burden - NESHAP for Marine Tank Vessel Loading Operations (40 CFR Part 63, Subpart Y) (Renewal).

6. Estimating the Burden and Cost of the Collection

Table 1 documents the computation of individual burdens for the recordkeeping and reporting requirements applicable to the industry for the subpart included in this ICR. The individual burdens are expressed under standardized headings believed to be consistent with the concept of burden under the Paperwork Reduction Act. Wherever appropriate, specific tasks and major assumptions have been identified. Responses to this information collection are mandatory.

The Agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number.

6(a) Estimating Respondent Burden

The average annual burden to industry over the next three years from these recordkeeping and reporting requirements is estimated to be 9,872 hours (Total Labor Hours from Table 1). These hours are based on Agency studies and background documents from the development of

the regulation, Agency knowledge and experience with the NESHAP program, the previously approved ICR, and any comments received.

6(b) Estimating Respondent Costs

(i) Estimating Labor Costs

Managerial	\$116.05 (\$55.26 + 110%)
Technical	\$97.21 (\$46.29 + 110%)
Clerical	\$48.87 (\$23.27 + 110%)

These rates are from the United States Department of Labor, Bureau of Labor Statistics, March 2010, "Table 2. Civilian Workers, by Occupational and Industry group." The rates are from column 1, "Total Compensation." The rates have been increased by 110 percent to account for the benefit packages available to those employed by private industry.

(ii) Estimating Capital/Startup and Operation and Maintenance Costs

The only costs to the regulation industry resulting from information collection activities required by the subject standard are labor costs. There are no capital/startup or operation and maintenance costs.

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

The only type of industry costs associated with the information collection activity in the relations is labor costs. There are no capital/startup or operation and maintenance costs.

6(c) Estimating Agency Burden and Cost

The only costs to the Agency are those costs associated with analysis of the reported information. The EPA compliance and enforcement program includes activities such as: the examination of records maintained by the respondents; periodic inspection of sources of emissions; and the publication and distribution of collected information.

The average annual Agency cost during the three years of the ICR is estimated to be \$31,509.

This cost is based on the average hourly labor rate as follows:

Managerial	\$62.27 (GS-13, Step 5, \$38.92 + 60%)
Technical	\$46.21 (GS-12, Step 1, \$28.88 + 60%)
Clerical	\$25.01 (GS-6, Step 3, \$15.63 + 60%)

These rates are from the Office of Personnel Management (OPM), 2011 General Schedule, which excludes locality rate of pay. The rates have been increased by 60 percent to account for the benefit packages available to government employees. Details upon which this

estimate is based appear below in Table 2: Average Annual EPA Burden - NESHAP for Marine Tank Vessel Loading Operations (40 CFR Part 63, Subpart Y) (Renewal).

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

Based on our research for this ICR, on average over the next three years, approximately 804 respondents will be subject to the standard. It is estimated that no new respondents per year will become subject to the standard. The overall average number of respondents, as shown in the table below is 804 per year.

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

Number of Respondents					
Year	(A) Number of New Respondents ¹	(B) Number of Existing Respondents	(C) Number of Existing Respondents That Keep Records But Do Not Submit Reports	(D) Number of Existing Respondents That Are Also New Respondents	(E) Number of Respondents (E=A+B+C-D)
1	0	92	766	0	804
2	0	92	712	0	804
3	0	92	712	0	804
Average	0	92	712	0	804

¹ New respondents include sources with constructed, reconstructed, and modified affected facilities.

To avoid double-counting respondents, column D is subtracted. As shown above, the average Number of Respondents over the three-year period of this ICR is 804.

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

Total Annual Responses				
(A) Information Collection Activity	(B) Number of Respondents	(C) Number of Responses	(D) Number of Existing Respondents That Keep Records But Do Not Submit Reports	(E) Total Annual Responses E=(BxC)+D
Notification of construction/reconstruction	0	1	0	0
Notification of anticipated startup	0	1	0	0
Notification of actual startup	0	1	0	0
Initial notification of applicability report	0	1	0	0
Waiver application	0	1	0	0
Alternative test method/monitoring application	0	1	0	0
Preparation of site-specific test plan	0	1	0	0

Total Annual Responses				
(A) Information Collection Activity	(B) Number of Respondents	(C) Number of Responses	(D) Number of Existing Respondents That Keep Records But Do Not Submit Reports	(E) Total Annual Responses $E=(B \times C)+D$
Notification of initial compliance test date	0	1	0	0
Notification of compliance status	0	1	0	0
Notification of performance test	0	1	0	0
Notification of changes in information provided to Administrator	0	1	0	0
Request for extension of compliance	0	1	0	0
Extension of compliance progress reports	0	1	0	0
Report of results of performance test/evaluation	0	1	0	0
Annual excess emissions and monitoring exceedances report and/or summary report (ongoing compliance status report)	38	1	0	38
Report of HAP control efficiency	38	1	0	38
Retain records of emissions estimates and actual throughput	0	1	766	766
Total Number of Annual Responses			Total	842

The number of Total Annual Responses is 842.

The total annual labor costs are \$926,209. Details regarding these estimates may be found below in Table 1: Annual Respondent Burden and Cost - NESHAP for Marine Tank Vessel Loading Operations (40 CFR Part 63, Subpart Y) (Renewal).

6(e) Bottom Line Burden Hours Burden Hours and Cost Tables

The detailed bottom line burden hours and cost calculations for the respondents and the Agency are shown in Tables 1 and 2, respectively, and summarized below.

(i) Respondent Tally

The total annual labor hours are 9,872. Details regarding these estimates may be found below in Table 1: Annual Respondent Burden and Cost - NESHAP for Marine Tank Vessel Loading Operations (40 CFR Part 63, Subpart Y) (Renewal).

Furthermore, the annual public reporting and recordkeeping burden for this collection of information is estimated to average 12 hours per response.

The total annual capital/startup and Operation and Maintenance (O&M) costs to the

regulated entity are zero.

(ii) The Agency Tally

The average annual Agency burden and cost over next three years is estimated to be 699 labor hours at a cost of \$31,509. See below Table 2: Annual Agency Burden and Cost – NESHAP for Marine Tank Vessel Loading Operations (40 CFR Part 63, Subpart Y) (Renewal).

6(f) Reasons for Change in Burden

There is no increase in the number of affected facilities or the number of responses as compared to the previous ICR. There is, however, an increase in the estimated burden cost as currently identified in the OMB Inventory of Approved Burdens. The change in burden cost is due to the use of a more recent labor rates.

6(g) Burden Statement

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 12 hours per response. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; to 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; to adjust the existing ways to comply with any previously applicable instructions and requirements; to train personnel to be able to respond to a collection of information; to search data sources; to complete and review the collection of information; and to transmit or otherwise disclose the information.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB Control Number. The OMB Control Numbers for EPA's regulations are listed at 40 CFR part 9 and 48 CFR chapter 15.

To comment on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including the use of automated collection techniques, EPA has established a public docket for this ICR under Docket ID Number EPA-HQ-OECA-2010-0371. 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 content of the docket, and to access those documents in the public docket that are available electronically. When in the system, select "search" than 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 Avenue, N.W., Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is (202) 566-1744, and the telephone number for the Enforcement and Compliance Docket and Information Center Docket is (202)

566-1752. Also, you can send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, N.W., Washington, DC 20503, Attention: Desk Officer for EPA. Please include the EPA Docket ID Number EPA-HQ-OECA-2010-0371 and OMB Control Number 2060-0289 in any correspondence.

Part B of the Supporting Statement

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

Table 1: Annual Respondent Burden and Cost – NESHAP for Marine Tank Vessel Loading Operations (40 CFR Part 63, Subpart Y) (Renewal)

Burden item	(A) Person hours per occurrence	(B) No. of occurrences per respondent per year	(C) Person hours per respondent per year (C=AxB)	(D) Respondents per year ^a	(E) Technical person- hours per year (E=CxD)	(F) Management person hours per year (Ex0.05)	(G) Clerical person hours per year (Ex0.1)	(H) Total Cost Per year ^b
1. Applications	N/A							
2. Surveys and studies	N/A							
3. Reporting requirements								
A. Read instructions ^c	1	1	1	38	38	1.9	3.8	\$4,100.18
B. Required activities								
Performance test ^{c,d}	280	1	280	0	0	0	0	\$0
Repeat performance test ^{d,e}	280	1	280	0	0	0	0	\$0
Annual leak check ^f	16	1	16	38	608	30.4	60.8	\$65,602.90
Annual vapor tightness check ^{g,h,i}	8	1	8	450	3,600	180	360	\$388,438.20
C. Create information	See 3B							
D. Gather existing information	See 3E							
E. Write report								
Notification of construction/reconstruction	2	1	2	0	0	0	0	\$0
Notification of anticipated startup	2	1	2	0	0	0	0	\$0
Notification of actual startup	2	1	2	0	0	0	0	\$0
Initial notification of applicability	4	1	4	0	0	0	0	\$0
Waiver application ^j	2	1	2	0	0	0	0	\$0
Alternative test method/monitoring application ^k	1	1	1	0	0	0	0	\$0
Site-specific test plan	See 3B							
Notification of initial compliance test date	2	1	2	0	0	0	0	\$0
Notification of compliance status	See 3B							
Notification of changes in information provided to Administrator	1	1	1	0	0	0	0	\$0
Request for extension of compliance	1	1	1	0	0	0	0	\$0
Extension of compliance progress reports	1	1	1	0	0	0	0	\$0
Report of results of performance test/evaluations	1	1	1	0	0	0	0	\$0
Annual excess emissions and monitoring exceedances report and/or summary report ^l	32	1	32	38	1,216	60.8	121.6	\$131,205.79
Report of HAP control efficiency ^m	8	1	8	38	304	15.2	30.4	\$32,801.45

Burden item	(A) Person hours per occurrence	(B) No. of occurrences per respondent per year	(C) Person hours per respondent per year (C=AxB)	(D) Respondents per year ^a	(E) Technical person- hours per year (E=CxD)	(F) Management person hours per year (Ex0.05)	(G) Clerical person hours per year (Ex0.1)	(H) Total Cost Per year ^b
Subtotal for Reporting Requirements					6,630.9			
4. Recordkeeping requirements								
A. Read instructions	1	1	1	38	38	1.9	3.8	\$4,100.18
B. Plan activities	N/A							
C. Implement activities	16	1	16	0	0	0	0	\$0
D. Develop record system	16	1	16	0	0	0	0	\$0
E. Time to enter information ⁿ	1	52	52	38	1,976	98.8	197.6	\$213,209.41
F. Time to train personnel	N/A							
G. Time to transmit or disclose information	1	1	1	38	38	1.9	3.8	\$4,100.18
H. Retain records of emissions estimates and actual throughput (facilities with HAP emissions of less than 10 and 25 tons) ^o	1	1	1	766	766	38.3	76.6	\$82,651.01
I. Time for audits	N/A							
Subtotal for Recordkeeping Requirements					3,240.7			
					8,584	429.2	858.4	\$926,209.30
TOTAL LABOR BURDEN AND COST (rounded)					9,871.6 9,872 (rounded)			\$926,209

Assumptions:

^a We have assumed that the average number of existing sources subject to the rule will be 804. Of the 804 sources, 38 of the existing sources are currently subject to the emissions standard, and the remaining 766 facilities are not subject to the emissions standards, but are subject to some of the recordkeeping requirements. However, based on the amended rule and according to OAQPS, there will be no additional increase in burden to this ICR. There will be no additional new sources per year that will become subject to the rule over the three-year period of this ICR.

^b This ICR uses the following labor rates: \$116.05 per hour for Executive, Administrative, and Managerial labor; \$97.21 per hour for Technical labor, and \$48.87 per hour for Clerical labor. These rates are from the United States Department of Labor, Bureau of Labor Statistics, March, 2010, Table 2. Civilian Workers, by Occupational and Industry group. The rates are from column 1, Total Compensation. The rates have been increased by 110 percent to account for the benefit packages available to those employed by private industry.

^c We have assumed that this is a one-time-only cost.

^d We have assumed that it will take each respondent 280 hours to complete the performance test.

^e We have assumed that 15 percent of respondents will repeat performance test due to failure.

^f We have assumed that it will take each respondent 16 hours once per year to complete the annual leak checks.

- ^g We have assumed that this burden is to the owners of marine vessels and not to the affected facilities.
- ^h We have assumed that it will take each respondent eight hours once per year to complete the vapor tightness check.
- ⁱ This number is based on factors calculated for the original ICR in 1995. This ICR uses fleet factor and affected facility throughout and then divided it in half. We have assumed that half of the facilities load at negative pressure.
- ^j We have assumed that 5 percent of respondents will request a waiver.
- ^k We have assumed that 1 percent of respondents will request either the alternative test methods or monitoring methods.
- ^l We have assumed that it will take each respondent 32 hours once per year to complete the ongoing compliance status report.
- ^m We have assumed that it will take each respondent 8 hours once per year to complete the HAP control efficiency report.
- ⁿ We have assumed that it will take each respondent 1 hour 52 times per year to enter information.
- ^o Semiannual reports are required when there are excess emissions. We have assumed that there will be no excess emission: therefore, each respondent will submit one excess emissions and monitoring exceedances report and/or summary report once per year.

Table 2: Average Annual EPA Burden - NESHAP for Marine Tank Vessel Loading Operations (40 CFR Part 63, Subpart Y) (Renewal)

Activity	(A) EPA person- hours per occurrence	(B) No. of occurrences per plant per year	(C) EPA person- hours per plant per year (C=AxB)	(D) Plants per year ^a	(E) Technical person- hours per year (E=CxD)	(F) Management person-hours per year (Ex0.05)	(G) Clerical person- hours per year (Ex0.1)	(H) Cost, \$ ^b
Activity								
Initial performance test	40	1	40	0	0	0	0	\$0
Repeat performance test	40	1	40	0	0	0	0	\$0
Report review								
Notification of construction/reconstruction ^c	2	1	2	0	0	0	0	\$0
Notification of anticipated startup ^c	2	1	2	0	0	0	0	\$0
Notification of actual startup ^c	2	1	2	0	0	0	0	\$0
Initial notification of applicability report	2	1	2	0	0	0	0	\$0
Notification of initial compliance test date ^c	2	1	2	0	0	0	0	\$0
Waiver application ^{c,d}	2	1	2	0	0	0	0	\$0
Notification of compliance status ^e	4	1	4	0	0	0	0	\$0
Review of alternate test method/monitoring application ^{c,f}	1	1	1	0	0	0	0	\$0
Review of excess emissions and monitoring exceedances report and/or summary report ^g	8	1	8	38	304	15.2	30.4	\$15,754.64
Report of HAP control efficiency ^h	8	1	8	38	304	15.2	30.4	\$15,754.64
Subtotals Labor Burden and cost					608	30.4	60.8	\$31,509.28
TOTAL ANNUAL BURDEN AND COST (rounded)						699.2 699 (rounded)		\$31,509

Assumptions:

^a We have assumed that the average number of existing sources subject to the rule will be 804. Of the 804 sources, 38 of the existing sources are currently subject to the emissions standard, and the remaining 766 facilities are not subject to the emissions standards, but are still subject to some of the recordkeeping requirements. However, based on OAQPS the amended rule will not have an impact on either the number of sources or the burden associated with this renewal. There will be no additional new sources per year that will become subject to the rule over the three-year period of this ICR.

^b This cost is based on the following labor rates which incorporates a 1.6 benefits multiplication factor to account for government overhead expenses: \$62.27 Managerial rate (GS-13, Step 5, \$38.92 x 1.6), \$46.21 Technical rate (GS-12, Step 1, \$28.88 x 1.6), and \$25.01 Clerical rate (GS-6, Step 3, \$15.63 x 1.6). These rates are from the Office of Personnel Management (OPM) 2010 General Schedule which excludes locality rates of pay.

- ^c We have assumed that this is a one-time-only cost.
- ^d We have assumed that 5 percent of respondents will request a waiver.
- ^e We have assumed that each respondent will take 2 hours once per year to review the compliance status report.
- ^f We have assumed that 1 percent of respondents will request alternative test methods or monitoring methods.
- ^g Semiannual reports are required when there are excess emissions. We have assumed that there will be no excess emissions; therefore, each facility will submit one excess emissions and monitoring exceedances report and/or summary report once per year.
- ^h We have assumed that 38 existing sources that are currently subject to the emissions standard will each take eight hours once per year to complete the HAP control efficiency report.