

Supporting Statement for the
Control Technology Determinations for Constructed and
Reconstructed Major Sources of Hazardous Air Pollutants,
40 CFR part 63, subpart B

Prepared by

Office of Air Quality Planning and Standards

Part A of the Supporting Statement

1. IDENTIFICATION OF THE INFORMATION COLLECTION

1(a) Title of the Information Collection

This Information Collection Request (ICR) is entitled “Control Technology Determinations for Constructed and Reconstructed Major Sources of Hazardous Air Pollutants (40 CFR part 63, subpart B)” and numbered as EPA ICR Number 1658.07 and Office of Management and Budget (OMB) Control Number 2060-0373.

1(b) Short Characterization

Section 112(g)(2)(B) of the Clean Air Act as amended in 1990 (CAA) requires that maximum achievable control technology (MACT) standards be met by constructed or reconstructed major sources of hazardous air pollutants (HAP). Where no applicable emission limit has been set, the MACT determination shall be made on a case-by-case basis.

This ICR supports the regulations at 40 CFR part 63, subpart B (sections 63.40 – 63.44) to implement section 112(g). It addresses the information collection burden (hours and costs) to three parties: (1) industry respondents subject to these provisions, (2) State, local, and Tribal agencies that review applications made under these provisions, and (3) the EPA for oversight review of a percentage of State/local decisions. The information collection activities for which burden estimates are calculated are summarized below.

Owners or operators who construct or reconstruct a major source of HAP emissions must comply with any applicable MACT standard. Where no MACT standard exists, a case-by-case determination of MACT (case-by-case MACT) under CAA section 112(g) must be made. The owner or operator is responsible for obtaining such a case-by-case MACT determination. This ICR contains supporting information for case-by-case MACT determinations.

State, local, and Tribal agencies with operating permit programs that have been approved by the EPA will review applications submitted by sources under the CAA section 112(g) provisions. These permitting agencies must determine the level of control that will be necessary to meet case-by-case MACT requirements for new sources. Finally, the EPA will review a percentage of the determinations in order to provide oversight of the various State, local, and Tribal permitting authorities.

2. NEED FOR AND USE OF THE COLLECTION

2(a) Need / Authority for the Collection

This information is needed and used to determine if the entity submitting an application for a case-by-case MACT determination has met the criteria established in the CAA section 112(g) rule. This information is necessary for the State or local agency to make the case-by-case determination. Finally, this information is needed by the Administrator to review a portion of the case-by-case determinations to ensure that the program is functioning as intended.

The need and authority for this information collection is contained in CAA section 112(g) 42 U.S.C. 7401 (et seq.) as amended by Pub. L. 101-549.

2(b) Practical Utility / Users of the Data

The information collected in the CAA section 112(g) applications provides (for the purposes of compliance determination) documentation of the selection of a particular control technology for case-by-case MACT. Applications are reviewed by a State or local agency for which authority has been delegated by the EPA to make the requisite determinations. In addition, the EPA will review some applications as an oversight function.

3. NONDUPLICATION, CONSULTATIONS, AND OTHER COLLECTION CRITERIA

3(a) Nonduplication

This information collection is not unnecessarily duplicative of information otherwise reasonably accessible to us. For instances where other information items (e.g., a site plan) may have been previously collected from source owners or operators by the permitting authority in support of other applications, it is possible to use this information to meet all or part of the requirements of this information collection. In general, however, most items of information are tailored specifically for the individual case-by-case MACT determinations, meaning that previously submitted information is likely to be inadequate for CAA section 112(g) purposes.

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

EPA issued a *Federal Register* notice requesting comments on the ICR renewal on September 9, 2009 (76 FR55905), and received no comment.

3(c) Consultations

The final rule for subpart B was issued on December 27, 1996 (61 FR 68384). Since then, we have gained extensive experience in working with the State and local agencies in developing case-by-case MACT determinations for sources subject to CAA section 112(g). We have consulted with knowledgeable State agency staff who have been involved in making case-by-case MACT determinations over the past 3 years and potential industry respondents. We used

this information to prepare this ICR renewal package.

In general, State contacts confirmed that there has been a low level of activity related to CAA section 112(g) applications over the last few years and that most of the applications were for major sources that were eventually subject to CAA section 112(d) MACT standards or for sources that ended up taking enforceable permit limits to keep their emissions below the CAA section 112(g) applicability threshold (i.e., major source status). They confirmed that the relative burden hours for the State review of these applications were on average reasonable. They also reported that there were no major concerns related to the burden associated with the section CAA 112(g) requirements by the permit applicants they worked with. The industry contact raised no major issues with the hourly burden estimate.

The following table lists the contact information of the people we consulted.

| Name | Agency | Phone Number |
|----------------|---|--------------|
| James Geier | Colorado Department of Public Health and Environment | 303/692/3167 |
| Joseph Eller | South Carolina Department of Health and Environmental Control | 803/898-4079 |
| Cindy Phillips | Florida Department of Environmental Protection | 850/921-9534 |
| Brian Toth | Southern Company | 205/257-7440 |

3(d) Effects of Less Frequent Collection

This section does not apply because the information required to be submitted by each applicant would be submitted on a one-time-only basis.

3(e) General Guidelines

None of the general information collection guidelines in 5 CFR 1230.5(d)(2) of the OMB regulations implementing the Paperwork Reduction Act is being exceeded in the CAA section 112(g) regulations.

3(f) Confidentiality

All information submitted to us for which a claim of confidentiality is made will be safeguarded according to the policies set forth in Title 40, Chapter 1, part 2, subpart B, Confidentiality of Business Information. See 40 CFR; 41 FR 36902, September 1, 1976;

amended by 43 FR 3999, September 8, 1978; 43 FR 42251, September 28, 1978; and 44 FR 17674, March 23, 1979. Even where we have determined that data received in response to an ICR is eligible for confidential treatment under 40 CFR part 2, subpart B, we may nonetheless disclose the information if it is “relevant in any proceeding” under the statute [42 U.S.C. 7414(c); 40 CFR 2.301(g)]. The information collection complies with the Privacy Act of 1974 and OMB Circular 108.

3(g) Sensitive Questions

This section is not applicable. This ICR does not contain any sensitive questions relating to sexuality, religious beliefs, or other matters usually considered private.

4. THE RESPONDENTS AND THE INFORMATION REQUESTED

4(a) Respondents / SIC Codes

Respondents include owners/operators of constructed or reconstructed major sources of HAP where no applicable MACT emission limit has been set. The section 112(g) regulations define “construct a major source” and “reconstruct a major source” at 40 CFR 63.41 (also see Section 6(a)(i) of this document). A major source is defined as one that emits more than 10 tons per year of any HAP, 25 tons per year for a combination of all HAP, or amounts exceeding any lesser quantity cutoff established under 40 CFR part 63. This definition of major source cuts across a wide variety of industries, including both manufacturing and non-manufacturing sources. See Attachment 1 for a list of potentially affected industry sectors. Potentially affected sources include those formerly subject to the vacated MACT standards for polyvinyl chloride and copolymers production; brick and structural clay products manufacturing; and clay ceramics manufacturing.

Respondents also include State, local and tribal agencies that make the case-by-case MACT determinations. These government establishments are classified as Air and Water Resource and Solid Waste Management Programs under Standard Industrial Classification (SIC) code 9511 and North American Industry Classification System (NAICS) code 92411.

4(b) Information Requested

(i) Data Items, Including Recordkeeping Requirements

All items addressed in this ICR involve information submitted with the application. There are no recordkeeping requirements *per se*, although some of the information necessary to document control options would require the source to have kept records of certain information. The data items for the CAA section 112(g) rule consist of the following:

Actual Emissions. Sources complying with the requirements of CAA section 112(g) under the case-by-case MACT provisions (i.e., constructed and reconstructed major sources) generally do not have to provide detailed analytic determinations of individual HAP if the owner/operator agrees that the HAP emissions will exceed major source thresholds that will subject the construction or reconstruction to the CAA section 112(g) requirements. Rather, the source needs only to identify and quantify classes and types of pollutants to a sufficient degree to support the MACT evaluation.

Case-by-Case MACT Determination. The source owner or operator must submit the following information when it performs a case-by-case MACT determination [40 CFR 63.43(e)]:

- The name and address (physical location) of the major source and affected source(s) undergoing construction or reconstruction;
- A brief description of the major source, its source category or subcategory, and a description of the affected stationary source(s) requiring a MACT determination;
- The expected commencement date of the construction or reconstruction of the affected source;
- The expected completion date of the construction or reconstruction of the affected sources;
- The anticipated date of start-up;
- The type of HAP emitted by each emission unit and the emission rate for each HAP;
- Any federally-enforceable emission limitations applicable to the MACT-affected emissions units;
- The maximum capacity and expected utilization, and associated uncontrolled emission rates, for the MACT-affected emissions units (potential to emit in an uncontrolled state);
- Controlled emissions for the MACT-affected emission unit in tons per year (potential to emit in a controlled state); and
- A recommended emission limitation for the MACT-affected emission unit that complies with all relevant emission standards.

If the application specifies additional control technology or a change in control technologies, the application must include:

- The candidate control technology to meet the emission limitation including technical information on the design, operation, size, estimated control efficiency, etc.;
- Supporting documentation including identification of alternative control technologies considered to meet the emission limitation, and an analysis of non-air quality health environmental impacts or energy requirements for the selected MACT candidate; and
- Any other information which may be required pursuant to 40 CFR part 63, subpart A.

(ii) Respondent Activities.

Activities that the owner or operator must perform are listed in this section.

- Read applicable regulations to determine compliance requirements;
- Assemble necessary source information, including source identification and descriptive information, construction schedules, sufficient data on classes and types of pollutants to support the MACT evaluations, and potential to emit (controlled and uncontrolled);
- Identify and describe MACT candidate, any required MACT limits, expected emissions limitation, and MACT installation schedule;
- Prepare and submit application; and
- Revise application per comments received from the permitting authority, ensuring compliance with the case-by-case MACT decision.

The permitting authority, typically the State, local or Tribal air agency, will perform the following activities:

- Answer respondent questions;
- Log in and review applications;
- Request additional information for incomplete applications;
- When no MACT standard has been promulgated, verify that the source will achieve the level of control necessary to meet case-by-case MACT requirements for constructed or reconstructed sources; and
- Inform the source of permitting authority's decision regarding the application.

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

5(a) Agency Activities

In carrying out its oversight role, the EPA will review the decision of the permitting authority.

5(b) Collection Methodology and Management

It will be the responsibility of the owners or operators of the constructed or reconstructed major sources affected by these regulations to submit an application to the permitting authority. Applications will be prepared and submitted according to guidance issued in conjunction with the CAA section 112(g) rules. No forms are contained in the regulations for CAA section 112(g) applications.

The permitting authority will determine how to log in and track applications. MACT determinations are performed on a case-by-case basis. It will also be the responsibility of the

permitting authority to provide the EPA with the information necessary for oversight review.

For each application, the applicant will be required to supply information on how the data were obtained (e.g., indicate whether the emissions data were obtained through the use of emission factors or test data) and how calculations were performed. Qualified staff at the permitting authority will check the quality of the data submitted by the applicant on a case-by-case basis. This will be done by reviewing control technology determinations for similar sources, by reviewing test data, and by checking engineering calculations. Confidential information submitted by the applicant will be handled by the permitting authority in conformance with confidential information handling procedures. No specific provisions have been made for electronic methods of submittal.

The CAA section 112(g) regulations will not require the request of information through any type of survey.

5(c) Small Entity Flexibility

Minimizing the information collection burden for all sizes of organizations is a continuing principle for our efforts. The CAA section 112(g) regulations only include the application and recordkeeping and reporting requirements we need to determine compliance with the rule. We have reduced the collection burden to the extent practicable and appropriate, including consideration of the resources available to the respondents and clarifying, consolidating, and simplifying the requirements. Furthermore, we do not anticipate that any small entities will be participating in this program.

5(d) Collection Schedule

Each source affected by the CAA section 112(g) regulations will be required to submit an application. Preparation of the application in compliance with the CAA section 112(g) rules is a one-time-only activity (i.e., once for each construction or reconstruction subject to the CAA section 112(g) provisions). The CAA section 112(g) regulations will not require periodic reporting or surveys.

6. ESTIMATING THE BURDEN AND COST OF THE COLLECTION

6(a) Estimating Respondent Burden

(i) Estimating Industry Burden

Respondents include owners/operators of major sources of HAP, for which no MACT standard is in effect, that undertake construction or reconstruction. To construct a major source means generally to fabricate, erect, or install at any “greenfield” site a major source of HAP, or

to fabricate, erect, or install at any developed site a new process or production unit which in and of itself is a major source (40 CFR 63.41). To reconstruct a major source means to replace components of an existing process or production unit that in and of itself is a major source of HAP to the extent that the fixed capital costs of the replacement components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable process or production unit, and it is technically and economically feasible for the reconstructed major source to meet the applicable MACT emission limitation of new sources established under the CAA section 112(g) regulations. (id.) When calculating the burden hours for this ICR, we made assumptions about the number of sources that would submit applications each year. As discussed in more detail in Section 6(d), Estimating the Respondent Universe and Total Burden Costs, we have conservatively estimated that there could be about 6 sources affected by CAA section 112(g) over the next 3 years.

We retained the same activities and burden hour estimates per respondent used in the previous ICR (ICR Number 1658.06). Based on our consultations, we did not identify any concerns that the burden hours associated with preparing an application are understated. Contacts noted that these sources are often also complying with New Source Review requirements and other State preconstruction permitting as well. The additional information needed that is unique to the CAA section 112(g) application is an estimate of HAP emissions.

The total hours associated with preparing the application in Table 1 are for technical hours only. Table 4 contains the results of the burden hours calculation for each activity during each year of this ICR. Overall, the CAA section 112(g) regulations contain an average burden of 345 hours per year.

(ii) Estimating State, Local, and Tribal Agency Burden

The estimated number of State, local and Tribal agency respondents is equal to the number of estimated permit applications. We retained the same activities and burden hour estimates per respondent used in the previous ICR (ICR Number 1658.06). Based on our consultations, we determined that the previous estimate of 80 technical hours per application is a reasonable average estimate. Some applications might be more complex and take more hours, but others would be similar to other sources and/or MACT standards or represent simple scenarios and would take fewer hours.

The total hours associated with preparing the application in Table 2 are for technical hours only. Table 4 contains the results of the burden hours calculation for each activity during each year of this ICR. Overall, the CAA section 112(g) regulations contain an average burden of 184 hours per year for State, local, and Tribal agencies.

6(b) Estimating Respondent Costs

(i) *Estimating Industry Costs*

Wage rates were based on raw labor rates for the Manufacturing Sector (NAICS 31 thru 34), loaded using an overhead factor of 110 percent. The resulting rates are \$115.12 for management personnel, \$77.77 for technical personnel and \$30.58 for clerical personnel. These values were taken from the Bureau of Labor Statistics (BLS) Occupational Employment Statistics Survey website. The Employment Cost Index is located at: <http://www.bls.gov/news.release/eci.t02.htm>. Table 1 provides a breakdown of labor hours and associated costs per occurrence for each activity in each part of the application process for affected sources.

The respondent labor costs are found by multiplying the burden hours associated with each activity by the hourly rate associated with each labor type. In total, the CAA section 112(g) regulations contain an average labor cost of \$28,089 per year. Table 4 contains the results of the calculation of labor costs for the respondents.

This ICR does not require any capital or start-up costs for equipment, machinery, and construction.

Industry applicants submitting CAA section 112(g) applications for case-by-case MACT determinations must transmit their findings to the delegated State, local, and Tribal agency, which results in photocopying and postage costs. We determined that two types of documents would be both copied and mailed: 2-ounce letters and 1-pound packages. The 2-ounce letter would contain 5 pages, and the 1-pound package would contain 200 pages. Based on the typical price to copy a page, we used \$0.05 a page as our price per unit cost of copying. The cost for mailing a 2-ounce letter and 1-pound package via the United States Postal Service is \$0.58 and \$4.50, respectively. We also assumed that a total of three copies would be made for each letter or package. We estimate that each applicant will submit one package (the permit application) and one letter (response to questions). Table 5 summarizes the total copying and mailing costs per year. For industry respondents, the average cost for copying and postage is \$153 per year. Therefore, the average total cost to respondents, including labor cost and copying/postage cost, is \$28,242 per year. Table 6 shows this breakdown by year.

(ii) *Estimating State, Local, and Tribal Agency Costs*

The activities for State, local, and Tribal agencies are divided into the activities that would take place for the application process as shown in Table 2. Wage rates for State, local, and Tribal employees were retrieved from the BLS website. Employer costs per hour worked for employee compensation and costs as a percent of total compensation: State and local government workers, by occupational group and full-time and part-time status) and are as follows: \$33.11 per hour for management labor, \$33.22 per hour for technical labor, and \$16.39 per hour for clerical labor. We added in the value of total benefits in BLS. We chose 20 percent

of the base rate as the percentage of salary that constitutes overhead. The addition of benefits and overhead to the hourly rate produces a pay rate that reflects the true cost to employ a State, Local, or Tribal agency worker. The following is a summary of the computed hourly wages for State, Local, and Tribal agency employees.

| Hourly Labor Rates for State, Local, and Tribal Respondents | | | | |
|--|--------------------|-----------------|-----------------------------------|---------------------------------|
| Labor Type | Hourly Rate | Benefits | Overhead (20 % Salary) | Adjusted Hourly Rate |
| Management | \$33.11 | \$14.18 | \$6.62 | \$53.91 |
| Technical | \$33.22 | \$13.79 | \$6.64 | \$53.65 |
| Clerical | \$16.39 | \$10.21 | \$3.28 | \$29.88 |

The State and local labor costs are found by multiplying the burden hours associated with each activity by the hourly rate associated with each labor type. In total, the CAA section 112(g) regulations contain an average labor cost of \$9,782 per year. Table 4 contains the results of the calculation of labor costs for the State and local agencies.

This ICR does not require any capital or start-up costs for equipment, machinery, and construction.

State, local, and Tribal agencies responding to applications for case-by-case MACT determinations must transmit their findings to the applicant, which results in photocopying and postage costs. Copying and postage costs were calculated in the same manner as described above. We estimate that each State, local, and Tribal agency responding to an application will send three letters (receipt of complete application and/or notice of additional information, notice of MACT approval to source, notice of MACT approval to the EPA). Table 5 summarizes the total copying and mailing costs per year. For State, local, and Tribal agencies, the total average cost for copying and postage is \$15 per year. Therefore, the average total cost to respondents, including labor cost and copying/postage cost is \$9,797 per year. Table 6 shows this breakdown by year.

6(c) Estimating Agency Burden and Costs

Under the CAA section 112(g) regulations, the EPA serves in an oversight capacity and audits approximately 10 percent of all applications processed by State, local, Tribal agencies, for an average of about 2 to 3 applications per year. Since MACT applications are rare, we conservatively estimated that the EPA would review one application a year. In reviewing and evaluating these applications, we will carry out the activities listed in section 5(a) of this ICR. We retained the same activities and burden hour estimates used in the previous ICR (ICR Number 1658.06).

Table 4 contains the results of the burden hours calculation for each activity during each year of this ICR. Overall, the section CAA 112(g) regulations contain an average burden of 84 hours per year for the EPA.

We calculated the hourly rates for the EPA employees using information on annual salaries from the Internet site for the Office of Personnel Management. We used the appropriate pay grade levels for management, technical, and clerical personnel. We divided the annual pay rate by 2080, the amount of working hours during a calendar year, to get the hourly wage rate. We then multiplied this rate by 1.6 to produce a pay rate that reflects the true cost to the Federal government to employ a worker. The value of 1.6 incorporates the addition of benefits at 40 percent of salary and the addition of overhead at 20 percent of salary to the hourly rate. Following is a summary of the computed wages for the EPA personnel.

| Hourly Labor Rates for EPA | | | | | | |
|-----------------------------------|------------------|----------------------|--------------------|-------------------------------|-------------------------------|-----------------------------|
| Labor Type | Pay Grade | Annual Salary | Hourly Rate | Benefits (40 % Salary) | Overhead (20 % Salary) | Adjusted Hourly Rate |
| Management | GS-15 | \$117,202 | \$56.35 | \$22.54 | \$11.72 | \$90.16 |
| Technical | GS-12 | \$70,906 | \$34.09 | \$13.64 | \$6.82 | \$54.54 |
| Clerical | GS-6 | \$35,971 | \$17.29 | \$6.92 | \$3.46 | \$27.67 |

The EPA labor costs are found by multiplying the burden hours associated with each activity by the hourly rate associated with each labor type. As shown in Table 4, the average labor cost for the EPA is \$1,979 dollars per year. Copying and postal costs for the EPA were calculated in the same manner as described in the section 6(b). We estimate that the EPA will send two letters (questions on the MACT determination, final review results). Table 5 presents the total EPA copying and postal costs. The EPA would spend an annual average of \$5 on copying and postage. The total cost for the EPA, including labor and copying/postal costs, would be an average of \$1,984 per year as shown in Table 6.

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

All of the CAA section 112(d) standards for listed categories have been promulgated. In addition, the MACT standards for the source categories of polyvinyl chloride and copolymers production; brick and structural clay products manufacturing; and clay ceramics manufacturing have been vacated and are now subject to CAA section 112(g). We have estimated the potential universe of sources that could be subject to CAA section 112(g).

Based on our consultations as described in section 3(c), we learned that a small proportion of facilities have submitted CAA section 112(g) applications, even in past years when the universe of potentially affected sources was larger and included those for which a MACT

standard was planned, but not yet final. Our State contacts estimated that an average of 1 to 3 applications per year was actually processed in the previously approved ICR. Most of these were for listed source categories for which no MACT standard had yet been issued. Therefore, based only on that estimate, the number of applications would have decreased in the next ICR clearance period. In the previous ICR, we assumed two determinations per year per State. This determination represents any major source not included in a source category listed on the source category list.

Although sources in the source categories of polyvinyl chloride and copolymers production; brick and structural clay products manufacturing; and clay ceramics manufacturing are potentially subject to section 112(g) due to the MACT standards vacatur, we are not aware of any new or reconstructed major sources over the next 3 years in those categories that would trigger section 112(g).

Thus, we have assumed that 2 unspecified major sources will file section 112(g) permit applications per year, for a total of 6 permit applications over the next 3 years. This estimate will become smaller if vacated MACT standards are re-promulgated before the end of 3 years.

We also assume 6 State, local, and agency respondents over the next three years to review the permit applications, for a total of about 6 respondents.

As shown in Table 4, the total 3-year respondent burden is 1,587 hours. As shown in Table 6, the total 3-year respondent labor cost is \$113,611.

6(e) Bottom Line Burden Hours and Cost

(i) Respondent Tally

Over the 3-year period of this ICR, the total average annual burden and labor cost for the respondents resulting from the CAA section 112(g) regulations are 529 hours and \$37,871, respectively (see Table 4). There is no capital start-up costs associated with this collection. Operation and maintenance costs result from photocopying and postage expenses, which are a total of \$168 per year (see Table 5). The total average annual cost to respondents is \$38,039 (see Table 6).

(ii) Agency Tally

Over the 3-year period of this ICR, the total average annual burden and labor cost for the EPA is 69 hours and \$1,979, respectively (see Table 4). Operation and maintenance costs result from photocopying and postage expenses, which are a total of \$5 per year (see Table 5). The total average annual cost to the EPA is \$1,984 (see Table 6).

6(f) Reasons for Change in Burden

The currently approved reporting and recordkeeping hour burden, based on ICR Number 1658.06, is 6,437 hours per year. The difference, 5,908 hours, is due to a program adjustment. The following discussion explains these changes.

Primarily, the change in burden is due to promulgation of the industrial, commercial, and institutional boilers and process heaters and electric utility steam generating unit MACTs. Therefore, our revised estimate of burden is much smaller than that estimated in the last ICR.

We are also requesting a decrease in the reporting and recordkeeping cost burden due to the decrease in photocopying and postage costs for the CAA section 112(g) applications as part of annual operation and maintenance (O&M) costs. Our assumptions for copying and postage costs are discussed in section 6(b). The total annual copying and postage costs for respondents is \$168, a decrease from the previous estimate of \$801 per year.

6(g) Burden Statement

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 need to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and 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 the EPA's regulation 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, the EPA has established a public docket for this ICR under Docket ID Number EPA-HQ-OAR-2004-0073, which is available for online viewing at www.regulations.gov, or in person viewing at the Air and Radiation Docket and Information Center in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Avenue, NW, Washington, D.C. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is (202) 566-1744, and the telephone number for the Air and Radiation Docket and Information Center is (202) 566-1742. An electronic version of the public docket is available at www.regulations.gov. This site can be used to submit or view public comments, access the index listing of the contents of the public docket, and to access those documents in the public docket that are available electronically. When in the system, select "search," then key in

the Docket ID Number identified above. Also, you can send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, D.C. 20503, Attention: Desk Officer for EPA. Please include the EPA Docket ID Number EPA-HQ-OAR-2004-0073 and OMB Control Number 2060-0373 in any correspondence.

TABLE 1. INDUSTRY RESPONDENT BURDEN ESTIMATES PER RESPONSE

| Activity | Hours |
|--|--------------|
| 1. Read rule, make compliance determination | 15 |
| 2. Receive training | 7.5 |
| 3. Plan activities | 15 |
| 4. Gather information | 55 |
| 5. Process, compile, and review information for accuracy and appropriateness | 20 |
| 6. Complete application | 37.5 |
| Total Technical Hours | 150 |
| Total technical, managerial, and clerical hours | 172.5 |

TABLE 2. STATE AND LOCAL AGENCY BURDEN ESTIMATES PER RESPONSE

| Activity | Hours |
|---|--------------|
| 1. Answer respondent questions | 8 |
| 2. Log in and review/audit applications | 36 |
| 3. Determine early MACT, if required, and verify MACT is being proposed | 36 |
| Total Technical Hours | 80 |
| Total technical, managerial, and clerical hours | 92 |

TABLE 3. EPA BURDEN ESTIMATES PER RESPONSE

| Activity | Hours |
|---|--------------|
| 1. Audit, review applications | 15 |
| 2. Review decisions of permitting authority | 15 |
| Total Technical Hours | 30 |
| Total technical, managerial, and clerical hours | 34.5 |

| Table 4. Burden Hours and Costs | | | | |
|--|--------------------|----------------|--------------------|----------------|
| | Total Over 3 Years | Annual Average | Total Over 3 Years | Annual Average |
| No. of Permit Applications | 6 | 2 | 6 | 2 |
| | Person Hours (Hrs) | | Labor Costs (\$) | |
| Industry Respondents | 1,035 | 345 | 84,266 | 28,089 |
| State and Local Agencies | 552 | 184 | 29,345 | 9,782 |
| Total for Respondents | 1,587 | 529 | 113,611 | 37,871 |
| EPA | 207 | 69 | 5,938 | 1,979 |

| Table 5. Copying and Postal Costs (\$) | | | Table 6. Total Costs (\$) | | |
|---|--------------------|----------------|----------------------------------|--------------------|----------------|
| | Total Over 3 Years | Annual Average | | Total Over 3 Years | Annual Average |
| Industry Respondents | 459 | 153 | Industry Respondents | 84,725 | 28,242 |
| State and Local Agencies | 45 | 15 | State and Local Agencies | 29,390 | 9,797 |
| Total for Respondents | 504 | 168 | Total for Respondents | 114,115 | 38,039 |
| EPA | 15 | 5 | EPA | 5,953 | 1,984 |

PART B OF THE SUPPORTING STATEMENT

This section is not applicable because statistical methods are not used in the data collection associated with the CAA section 112(g) regulations.

ATTACHMENT 1

List of Potentially Affected Industry Sectors (by NAICS codes)

| NAICS Code | NAICS Title |
|-------------------|---|
| 325211 | Polyvinyl Chloride Resins Manufacturing |
| 327121 | Brick and Structural Clay Tile Manufacturing Facilities |
| 327122 | Extruded Tile Manufacturing Facilities |
| 327123 | Other Structural Clay Products Manufacturing Facilities |