

**SUPPORTING STATEMENT
ENVIRONMENTAL PROTECTION AGENCY**

NESHAP for Coke Oven Batteries (40 CFR Part 63, Subpart L) (Renewal)

1. Identification of the Information Collection

1(a) Title of the Information Collection

NESHAP for Coke Oven Batteries (40 CFR Part 63, Subpart L) (Renewal),
EPA ICR Control Number 1362.09, OMB Control Number 2060-0253

1(b) Short Characterization/Abstract

The National Emissions Standards for Hazardous Air Pollutants (NESHAP) for Coke Oven Batteries (40 CFR Part 63, Subpart L) were proposed on December 4, 1992, promulgated on October 27, 1993, and amended on April 15, 2005. These standards apply to all coke oven batteries, whether existing, new, reconstructed, rebuilt or restarted. It also applies to all batteries using the conventional by-product recovery, the non-recovery process, or any new recovery process. This information is being collected to assure compliance with 40 CFR part 63, subpart L.

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. 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.

Over the next three years, an average of 19 respondents per year will be subject to the standard, and no additional respondents will become subject to the standard. The respondents consist of two sectors within the coke industry, iron and steel integrated plants which produce coke for their operations (nine plants) and merchant plants which produce furnace and foundry coke for sale on the open market (10 plants). These 19 coke plants operate 55 coke oven batteries (affected facilities); 44 are by-product batteries operated at 16 plants, and 11 are non-recovery batteries operated at three plants.

In the United States, there are approximately 19 coke oven facilities, which are owned and operated by the coke oven industry (the "Affected Public"). None of the facilities in the United States are owned by state, local, tribal, or the Federal government; all are privately owned

for-profit businesses. The burden of the “Affected Public” is listed below in Table 1: Annual Respondent Burden and Cost – NESHAP for Coke Oven Batteries (40 CFR Part 63, Subpart L) (Renewal). The burden to the “Federal Government” is attributed entirely to work performed by either Federal employees or government contractors. The burden to the “Federal Government” is listed below in Table 2: Average Annual EPA Burden and Cost – NESHAP for Coke Oven Batteries (40 CFR Part 63, Subpart L) (Renewal).

In the development of the Information Collection Request (ICR), we addressed the Office of Management and Budget (OMB) “Terms of Clearance (TOC)” on the active ICR. The TOC are as follows:

When this ICR is renewed, EPA should review the respondent burden, universe, response number, labor rates, and capital costs and ensure these estimates have been updated.

EPA has addressed each item of concern in the TOC. The respondent burden, universe, labor rates, and capital cost have been thoroughly checked, and all estimates updated.

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. These standards are applicable to new or existing sources of hazardous air pollutants and shall require the maximum degree of emission reduction. In addition, Section 114(a) states that the Administrator may require any owner/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, particulate matter emissions from coke batteries at coke plants either cause or contribute to air pollution that may reasonably be anticipated to endanger public health or welfare. Therefore, the NESHAP standards were promulgated for this source category at 40 CFR part 63, subpart L.

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. The collected information is also 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 test, 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 check if the pollution control devices are properly installed and operated, leaks are being detected and repaired, and the standard is being met. The performance test may also be observed.

The required semiannual compliance certifications are used to determine periods of excess emissions, identify problems at the facility, verify operation and maintenance procedures and for compliance determinations.

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

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

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 its 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 on May 9, 2011 (76 FR 26900). No comments were received on the burden published in the Federal Register.

3(c) Consultations

The Agency has consulted industry experts and internal data sources to project the number of affected facilities and industry growth over the next three years. The primary source of information as reported by industry, in compliance with the recordkeeping and reporting

provisions in the standard, is the OTIS (Online Tracking Information System) which is operated and maintained by EPA's Office of Compliance. OTIS is EPA's 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. Approximately 19 respondents will be subject to the standard over the three year period covered by this ICR.

Industry trade associations and other interested parties were provided with an opportunity to comment on the burden associated with the standard when it was being developed and further amended, and the standard has been previously reviewed to determine the minimum information needed for compliance purposes. For the current renewal, EPA contacted: 1) the Sun Coke Energy Incorporated, at (630) 824-1000; and 2) Drummond Company Incorporated (owner of ABC Coke), at (205) 945-6300. No comments were received on the burden associated with this ICR.

It is our policy to respond after a thorough review of comments received since the last ICR renewal as well as those submitted in response to the first Federal Register notice. In this case, no comments were received.

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 detection violations would be less likely.

3(e) General Guidelines

These reporting or recordkeeping requirements do not violate any of the regulations promulgated by OMB under 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 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 five years. In addition, 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

The reporting or recordkeeping requirements in the standard do not include sensitive questions.

4. The Respondents and the Information Requested

4(a) Respondents/SIC Codes

The respondents to the recordkeeping and reporting requirements are owners or operators of new or existing byproduct or non-recovery coke oven batteries. The Standard Industrial Classification (SIC) Code for the respondents affected by the standards, which corresponds to the North American Industrial Classification System (NAICS) codes, are listed below for source category description.

Standard (40 CFR Part 63, Subpart L)	SIC Codes	NAICS Codes
Iron and Steel Mills	3312	331111
All Other Petroleum and Coal Products Manufacturing	3312	324199

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

All data in this ICR that are recorded or reported are required by NESHAP for Coke Oven Batteries (40 CFR Part 63, Subpart L).

A source must make the following reports:

Notifications	
Intention to construct a new, brownfield, or padup rebuilt coke oven battery.	63.311(c)(1), 63.5, 63.9(b)

Notifications	
Notification of compliance status when a source becomes subject to the standard.	63.9(h), 63.311(c)(2)
Notification that source is subject to special compliance requirements: obtaining an exemption from control requirements for bypass/bleeder stacks by committing to permanent closure of a battery or using an equivalent alternative control system for the stacks; and obtaining an alternative standard for coke oven doors on a battery equipped with a shed.	63.9(d)
Initial performance test.	63.7(b), 63.9(e)
Rescheduled initial performance test.	63.7(b)(2)
Notification requirements for coke ovens with a shed using a continuous monitoring system for opacity of emissions discharged from the emission control equipment; and meeting the alternative standard.	63.9(g), 63.305(f)(4)
Demonstration of continuous monitoring system.	63.9(g)
Change in information already provided.	63.9(j)
Request for an extension of compliance with relevant standard.	63.9(c)

Reports	
Application for approval of the construction or reconstruction of a new major affected source, or reconstruction of a major affected source.	63.5(6)(d), 63.9(b)(1)(iii)
Performance test results.	60.8 (a), 61.13(f), 63.10(d)(2), 63.309
Report of opacity and visible emission observations.	63.9(f)
Emission control work practices plan for each coke oven battery.	63.306(a)
Opacity or visible emissions.	63.10(d)(3)
Periodic startup, shutdown and malfunction reports.	63.10(d)(5)(I)
Initial compliance certification.	63.9(h), 63.111(b)
Submit semiannual compliance certifications.	63.9(h), 63.311(d)
Report for the venting of coke oven gas other than through a flare system.	63.311(e)

A source must keep the following records:

Recordkeeping	
Startup, shutdown and malfunction plan.	63.6(e)(3), 63.1(b)(2), 63.310, 63.311(f)(6)

Recordkeeping	
All reports and notifications.	63.10(b)(1)
Any applicability determination that demonstrates why owner or operator believes source(s) is/are unaffected.	63.10(b)(3)
Copy of the coke oven emission control work practice plan and revisions, and records related to implementation of plan requirements.	63.306, 63.311(f) (3-4)
For an approved alternative emission limitation: monitoring records of parameters that indicate the exhaust flow rate is maintained, records for the continuous opacity monitoring system, and quarterly visual inspection of the shed.	63.10(c), 63.311(f) (2)
For the bypass/bleeder stack flare system or an approved alternative control device: design of drawings and of engineering specifications.	63.311(f)(5)
For nonrecovery coke oven batteries: records of daily operating parameters and design characteristics.	63.111(f)(1)

Electronic Reporting

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

Also, regulatory agencies, in cooperation with the respondents, continue to create reporting systems to transmit data electronically. However, electronic reporting systems are still not widely used. At this time, it is estimated that approximately 20 percent of the respondents use electronic reporting.

(ii) Respondent Activities

Respondent Activities
Read instructions.
Daily performance tests by a certified observer, commencing on the applicable date, using Method 303 or 303A for each new and existing coke oven battery are needed to determine compliance with the visible emission limitations for coke oven doors, topside port lids, offtake systems, and charging operations.
Develop and implement an emission control work practice plan for each coke oven battery.
For coke ovens equipped with sheds choosing to comply with an alternative to the emission limitation standards, submit an initial test plan, and once approved, conduct an initial performance test using Methods 5 (determine the efficiency of control equipment), Method 9 (measure opacity of emissions from control device), and Method 22 (measure visible emissions that escape the shed) to get approval to use alternative standard.

Respondent Activities
For coke ovens equipped with sheds complying with the alternative standard, conduct weekly performance tests using Method 303 to determine compliance; and if the visible emission limitation is achieved for 12 consecutive observations, then switch to monthly tests until an exceedance occurs, at which time the weekly tests shall be resumed.
Install, calibrate, maintain, and operate continuous monitoring system for opacity emissions discharged from the control system at coke oven doors equipped with sheds and complying with the alternative standard.
For non-recovery coke oven batteries, daily monitoring of pressure in oven or common tunnel to ensure a negative pressure; implement work practices requirement for charging operations at existing batteries; and install, operate and maintain control system for the capture and collection of emissions at new batteries.
For a by-product recovery, a brownfield or padup rebuild coke oven battery, install, operate and maintain a bypass/bleeder stack flare system capable of controlling 120 percent of the normal gas flow generated by the battery; unless the owner or operator has been approved for an alternative control device or system that achieves at least 98 percent destruction or control of coke oven emissions.
For by-product coke oven, daily inspection of the collecting main for leaks according to Method 303.
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 information.
Develop, acquire, install, and utilize technology and systems for the purpose of 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.

Currently sources are using monitoring and reporting equipment that provide parameter data in an automated way e.g., continuous parameter monitoring system. Although personnel at the source still need to evaluate the data, this type of monitoring equipment has significantly reduced the burden associated with monitoring and recordkeeping.

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, and 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 operated. Performance test reports are used by the Agency to discern a source's initial capability to comply with the emission standard. Data and records maintained by the respondents are tabulated and published for use in compliance and enforcement programs. The semiannual compliance reports are used for problem identification, as a check on source operation and maintenance, and for compliance determinations.

Information contained in the reports is entered into OTIS which is operated and maintained by the EPA Office of Compliance. OTIS is the EPA's database for the collection, maintenance, and retrieval of compliance data for approximately 125,000 industrial and government-owned facilities. EPA uses the OTIS for tracking air pollution compliance and enforcement by local and state regulatory agencies, EPA regional offices and EPA headquarters. EPA and its delegated Authorities can edit, store, retrieve and analyze the data.

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

5(c) Small Entity Flexibility

The majority of the 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 and Cost - NESHAP for Coke Oven Batteries (40 CFR Part 63, Subpart L) (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 in calculating the burden to industry as a result of this regulation 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 80,120 hours (Total Labor Hours from Table 1 below). 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

This ICR uses the following labor rates:

Managerial	\$121.42	(\$57.82 + 110%)
Technical	\$99.14	(\$47.21 + 110%)
Clerical	\$49.81	(\$23.72 + 110%)

These rates are from the United States Department of Labor, Bureau of Labor Statistics, September 2011, "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 regulated industry resulting from information collection activities required by the subject standard are labor costs. There are no capital/startup or operation and maintenance costs. There are no annual operations and maintenance costs associated with continuous emissions monitors (CEMs) since there are no sources using CEMs for opacity

emissions discharged from the control device.

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

The only type of industry costs associated with the information collection activity in the regulations 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 labor costs associated with analysis of the reported information and the annual visible observer certification training. The EPA's overall 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 \$5,209.

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 rates 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 and Cost - NESHAP for Coke Oven Batteries (40 CFR Part 63, Subpart L) (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 19 existing respondents will be subject to the standard. It is estimated that no new sources per year will become subject to the standard in the next three years.

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

Number of Respondents					
	Respondents That Submit Reports		Respondents That Do Not Submit Any Reports		
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	19	0	0	19
2	0	19	0	0	19
3	0	19	0	0	19
Average	0	19	0	0	19

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 19.

The total number of annual responses 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 Initial Compliance	0.0	1	N/A	0
Notification of Construction/Reconstruction	0	1	N/A	0
Notification of Malfunction and Report	2	1	N/A	2
Notification of Battery Closure	0	1	N/A	0
Report of Venting Coke Oven Gas Episode at a Stack Flare	1.6	1	N/A	1.6
Semiannual Compliance Report	19	2	N/A	38
			Total	41.6

The number of Total Annual Responses is 42.

The total annual labor costs are \$7,676,989. Details regarding these estimates may be found below in Table 1: Annual Respondent Burden and Cost - NESHP for Coke Oven Batteries (40 CFR Part 63, Subpart L) (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 burden to industry is 80,120 labor hours at a cost of \$7,676,989. Details regarding these estimates may be found below in Table 1: Annual Respondent Burden and Cost - NESHAP for Coke Oven Batteries (40 CFR Part 63, Subpart L) (Renewal).

Furthermore, the annual public reporting and recordkeeping burden for this collection of information is estimated to average 1,908 hours per response.

There are no annualized capital/startup and O&M costs to the regulated entities.

(ii) The Agency Tally

The average annual Agency burden and cost over next three years is estimated to be 116 labor hours at a cost of \$5,209. See below Table 2: Average Annual EPA Burden and Cost - NESHAP for Coke Oven Batteries (40 CFR Part 63, Subpart L) (Renewal).

6(f) Reasons for Change in Burden

There is a decrease of one hour in the respondent burden hours in this ICR compared to the most recently approved ICR due to rounding errors. This ICR was updated with more accurate burden calculations.

There is an increase in burden costs from the most recently approved ICR. This increase is not due to any program changes. The change in cost estimates occurred because this ICR uses updated labor rates in calculating the burden costs for both the respondents and the Agency.

6(g) Burden Statement

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 1,908 hours per response. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

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

Numbers for EPA 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-2011-0243. 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) 566-1752. 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-OECA-2011-0243 and OMB Control Number 2060-0253 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 Coke Oven Batteries (40 CFR Part 63, Subpart L) (Renewal)

Burden item	(A) Person- hours per occurrence	(B) No. of occurrences per respondent	(C) Person- hours per respondent (C=A*B)	(D) Respondents per year ^a	(E) Technical person- hours per year (E=C*D)	(F) Management person- hours per year (E*0.05)	(G) Clerical person- hours per year (E*0.1)	(H) Cost ^b, \$
1. Applications	N/A							
2. Surveys and Studies	N/A							
3. Acquisition, Installation, and Utilization of Technology and Systems	N/A							
4. Recordkeeping Requirements								
A. Read instructions	8	1	8	19	152	7.6	15.2	\$16,749.18
B. Plan activities	See 4E							
C. Create Information	See 4F							
D. Gather existing information	See 4E							
E. Implement activities								
ALL PLANTS:								
Daily performance tests/visible observations ^c	8.25	365	3,011.25	19	57,213.75	2,860.69	5,721.38	\$6,304,498.09
Certification Program ^d	24	1	24	19	456	22.8	45.6	\$50,247.56
Implement work practice plan	40	1	40	19	760	38	76	\$83,745.92
Implement startup, shutdown, and malfunction plan	40	1	40	19	760	38	76	\$83,745.92
NON-RECOVERY PLANTS:								
Coke oven doors: daily pressure monitoring ^e	0.50	365	182.5	3	547.5	27.38	54.75	\$60,330.73
Coke oven doors: leak detection procedures ^f	1	365	365	2	730	36.5	73	\$80,440.16
Charging operations: work practices on the control equipment ^g	0.5	365	182.5	3	547.5	27.38	54.75	\$60,330.73

BY-PRODUCT PLANTS:								
Daily inspection of the collecting main for leaks	0.5	365	182.5	17	3,102.5	155.13	310.25	\$341,871.28
Inspect bypass/bleeder stack/flare system ^h	0.5	365	182.5	17	3,102.5	155.13	310.25	\$341,871.28
Coke oven doors with sheds complying with the alternative standard: initial and regular performance test and monitoring of opacity ⁱ	N/A							
F. Record information: all data required by rule	1.5	52	78	19	1,482	74.1	148.2	\$163,316.68
G. Time to transmit or disclose information	1	2	2	19	38	1.9	3.8	\$4,187.30
H. Time to train personnel	32	1	32	19	608	30.4	60.8	\$66,996.74
I. Time for audits	N/A							
Subtotal Recordkeeping						79,924.84		
5. Reporting Requirements								
A. Read instructions	See 4A							
B. Required activities	See 5B							
C. Write report								
Notification requirements include:								
- Election of compliance track ^j	2	1	2	0	0	0	0	\$0
- Construct/reconstruct a new battery, a brownfield battery, or a padup rebuild battery ^k	2	1	2	0.33	0.66	0.03	0.07	\$72.56
Malfunction notification ^l	26	1	26	2	52	2.6	5.2	\$5,729.98
Report of plant or battery closure ^m	2	1	2	0.33	0.66	0.03	0.07	\$72.56
Report of venting of coke oven gas through a bypass/bleeder stack ⁿ	25	1	25	1.6	40	2	4	\$4,407.68
Initial compliance certification ^o	3	0	0					\$0
Semiannual compliance	2	2	4	19	76	3.8	7.6	\$8,374.60

certifications								
Subtotal Reporting					194.72			
Subtotals Labor Burden and Cost					69,669.07	3,483.57	6,966.92	\$7,676,988.95
TOTAL LABOR BURDEN AND COST (rounded)					80,119.56			\$7,676,989
					80,120 (rounded)			

Assumptions:

^a There are 19 respondents that are currently owners or operators of new or existing byproduct or non-recovery coke oven batteries subject to 40 CFR part 63, subpart L. As of March 2005, these 19 coke plants were operating 55 coke oven batteries (affected facilities); 44 are by-product batteries operated at 16 plants, and 11 are non-recovery batteries operated at three plants. No additional respondents (new sources) are expected over the next three years.

^b This ICR uses the following labor rates: \$121.42 for managerial labor, \$99.14 for technical labor, and \$49.81 for clerical labor. These rates are from the United States Department of Labor, Bureau of Labor Statistics, September 2011, "Table 2. Civilian Workers, by Occupational and Industry group." The rates are from column 1, "Total Compensation." The rates reflect an increase of 110 percent to account for overhead costs.

^c Daily performance tests are conducted by a certified observer provided by the State enforcement agency for each emission point on each battery. Respondents reimburse States through permit fees. Based on an average of 3 coke ovens batteries per plant, the total person hours for inspections is estimated at 8.25 hours using the cost formula for calculating reimbursement costs included in the rule.

^d This burden includes the indirect costs to respondents to provide certification to the observer provided by the State enforcement agency or its contractor including a 3-day EPA certification course.

^e The owners or operators of three existing non-recovery plants are required to either conduct leak detection procedures or monitor oven pressure each day. The plants have elected to monitor pressure.

^f The promulgated rule amendments (70 FR 19992, April 15, 2005) require visible emission observations of doors for two non-recovery plants that are not on the LAER extension track.

^g The owners or operators of three existing non-recovery plants are required to implement specified work practices for the control of emissions from charging operations and to document the performance of each procedure.

^h All 17 of the by-product coke plants must install and maintain flares.

ⁱ None of the plants with cokeside sheds have applied for the alternative door standard.

^j All sources have submitted this notification (the deadline was January 1, 1998).

^k Assume that one plant would submit a notification to reconstruct a battery over the 3-year period.

^l Assume that one plant per year may experience a malfunction requiring notification to inform the Agency and a written report.

^m Assume that one plant over a three-year period is expected to permanently close one or more batteries and submit the required notification.

- ⁿ Ten percent of the 16 by-product plants (1.6) are expected to experience a venting episode where emissions are released through bypass/bleeder stacks without flaring requiring notification and a written report.
- ^o All of the existing plants have already submitted initial compliance certifications.

**TABLE 2: Average Annual EPA Burden and Cost -
L (Renewal)**

NESHAP for Coke Oven Batteries (40 CFR Part 63, Subpart

Burden Item	(A) Person hours per occurrence	(B) Occurrences per plant per year	(C) Plants per year^a	(D) Technical hours/year (E=A*B*C)	(E) Management hours/year (F=0.05*D)	(F) Clerical- hours/year (G=0.1*D)	(G) Cost^b \$
Report Review:							
- Site-specific test plan	16	0	0	0	0	0	\$0
- NESHAP waiver application	4	0	0	0	0	0	\$0
- Compliance extension request	4	0	0	0	0	0	\$0
- Work practice plan ^c	24	0	0	0	0	0	\$0
- Startup, shutdown and malfunction plan ^c							
- Construct/reconstruct a new battery, a brownfield battery, or a padup rebuild battery ^d	2	1	0.33	0.66	0.033	0.066	\$34
- Request for startup of cold-idle battery ^e	N/A						
- Notification of election of compliance track ^f	N/A						
- Request for alternative door standard ^g	N/A						
- Notification of closure of batteries ^h	2	1	0.33	0.66	0.033	0.066	\$34
- Malfunction notification ⁱ	2	1	2	4	0.2	0.4	\$207
- Malfunction report ⁱ	8	1	2	16	0.8	1.6	\$829
- Report of venting of coke oven gas through a bypass/bleeder stack	2	1	1.6	3.2	0.16	0.32	\$166

flare ^j							
- Initial compliance certification ^k	2	1	0	0	0	0	\$0
- Semiannual compliance certifications ^l	2	2	19	76	3.8	7.6	\$3,939
TOTAL BURDEN AND COST					116		\$5,209

Assumptions:

^a There are 19 respondents that are currently owners or operators of new or existing byproduct or non-recovery coke oven batteries subject to 40 CFR part 63, subpart L. As of March 2005, these 19 coke plants were operating 55 coke oven batteries (affected facilities); 44 are by-product batteries operated at 16 plants, and 11 are non-recovery batteries operated at three plants. No additional respondents (new sources) are expected over the next three years.

^b This ICR uses the following average hourly labor rates: 62.27 for Managerial (GS-13, Step 5, \$38.92 x 1.6), \$46.21 (GS-12, Step 1, \$28.88 x 1.6) for Technical and \$25.01 (GS-6, Step 3, \$15.63 x 1.6) for Clerical. These rates are from the Office of Personnel Management (OPM) "2011 General Schedule" which excludes locality rates of pay.

^c These plans have already been submitted.

^d Assume that one plant over the three-year period will reconstruct or rebuild a battery.

^e There are no batteries on cold idle.

^f All sources have submitted this notification (the deadline was January 1, 1998).

^g None of the plants with cokeside sheds have applied for the alternative door standard.

^h Assume that one plant over a three-year period is expected to permanently close batteries and submit the required notification.

ⁱ Assume that two plants per year may experience a malfunction requiring notification to inform the Agency and a written report.

^j Ten percent of the 16 by-product plants are expected to experience a venting episode where emissions are released through bypass/bleeder stacks without flaring requiring notification and a written report.

^k All sources have already submitted this initial notification.

^l All plants are required to submit semiannual compliance certifications.