

**SUPPORTING STATEMENT  
ENVIRONMENTAL PROTECTION AGENCY**

**NSPS for Nonmetallic Mineral Processing (40 CFR, Part 60, Subpart OOO) (Renewal)**

**1. Identification of the Information Collection**

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

NSPS for Nonmetallic Mineral Processing (40 CFR Part 60, Subpart OOO) (Renewal),  
EPA ICR Number 1084.12, OMB Control Number 2060-0050.

**1(b) Short Characterization**

The New Source Performance Standards (NSPS) for Nonmetallic Mineral Processing (40 CFR part 60, subpart OOO) were proposed on August 31, 1983, promulgated on August 1, 1985, and most recently amended on April 28, 2009. These regulations apply to the following affected facilities in fixed or portable nonmetallic mineral processing plants: each crusher, grinding mill, screening operation, bucket elevator, belt conveyor, bagging operation, storage bin, and enclosed truck or railcar loading station, which commenced construction, modification or reconstruction after August 31, 1983. Also, crushers and grinding mills at hot mix asphalt facilities that reduce the size of nonmetallic minerals embedded in recycled asphalt pavement and subsequent affected facilities up to, but not including, the first storage silo or bin are subject to the provisions of the subpart.

The provisions of subpart OOO do not apply to the following operations: facilities located in underground mines; wet material processing operations; and plants without crushers or grinding mills. An affected facility that is subject to the provisions of either subparts F or I, or that follows in the process any facility subject to the provisions of subparts F or I of this part, is not subject to the provisions of this part. In addition, the following plants are not subject to subpart OOO: fixed sand and gravel plants and crushed stone plants with capacities of 23 megagrams per hour (25 tons per hour) or less; portable sand and gravel plants and crushed stone plants with capacities of 136 megagrams per hour (150 tons per hour) or less; common clay plants and pumice plants with capacities of 9 megagrams per hour (10 tons per hour) or less. This information is being collected to assure compliance with 40 CFR part 60, subpart OOO.

In general, all NSPS 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 NSPS.

Any owner or operator subject to the provisions of this part shall maintain a file of these measurements, and retain the file for at least two 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 4,697 respondents per year will be subject to the standard, and 66.4 additional respondents per year will become subject to the standard.

The Office of Management and Budget (OMB) approved the currently active Information Collection Request (ICR) without any “Terms of Clearance.”

The respondents to this ICR (the “Affected Public) are publicly owned and operated by fixed or portable nonmetallic mineral processing plants. None of the facilities are owned by either state, local and tribal agencies or the Federal government. The burden to respondents is calculated below in Table 1: Annual Respondent Burden and Cost – NSPS for Nonmetallic Mineral Processing (40 CFR Part 60, Subpart OOO) (Renewal). The burden to the “Federal Government” burden is attributed entirely to work performed by Federal employees or government contractors. This burden is calculated below in Table 2: Average Annual EPA Burden and Cost – NSPS for Nonmetallic Mineral Processing (40 CFR Part 60, Subpart OOO) (Renewal).

## **2. Need for and Use of the Collection**

### **2(a) Need/Authority for the Collection**

The EPA is charged under section 111 of the Clean Air Act (CAA), as amended, to establish standards of performance for new stationary sources that reflect:

... application of the best technological system of continuous emissions reduction which (taking into consideration the cost of achieving such emissions reduction, or any non-air quality health and environmental impact and energy requirements) the Administrator determines has been adequately demonstrated.  
Section 111(a)(1).

The Agency refers to this charge as selecting the best demonstrated technology (BDT). Section 111 also requires that the Administrator review and, if appropriate, revise such standards every four years.

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, particulate emissions from nonmetallic mineral processing plants (NMPP) cause or contribute to air pollution that may reasonably be anticipated to endanger public health or welfare. Therefore, the NSPS were promulgated for this source category at 40 CFR part 60, subpart OOO.

### **2(b) Practical Utility/Users of the Data**

The recordkeeping and reporting requirements in the standards 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 standards. Continuous emission monitors are used to ensure compliance with the standards at all times.

The notifications required in the standards 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 and the standards are being met. The performance test may also be observed.

The required semiannual compliance status reports are used to determine periods of excess emissions, identify problems at the facility, verify operation/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 60, subpart OOO.

### **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 (76 FR 26900) on May 9, 2011. 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 Online Tracking Information System (OTIS), 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.

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: 1) the National Stone, Sand, and Gravel Association (NSSGA), at (703) 525-8788; 2) the Industrial Minerals Association - North America (IMA-NA), at (240) 457-0200; and 3) the Georgia Mining Association (GMA), at (478) 757-1211.

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.

### **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**

These reporting or recordkeeping requirements do not violate any of the regulations promulgated by OMB under 5 CFR part 1320, section 1320.5.

### **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/NAICS Codes

The respondents to the recordkeeping and reporting requirements are owners or operators of nonmetallic mineral processing facilities. The United States Standard Industrial Classification (SIC) codes for the respondents affected by the standards, which corresponds to the North American Industry Classification System (NAICS) codes, are listed in the following table.

<b>Standard (40 CFR Part 60, Subpart OOO)</b>	<b>SIC Codes</b>	<b>NAICS Codes</b>
Dimension Stone Mining and Quarrying	1411	212311
Crushed and Broken Limestone Mining and Quarrying	1422	212312
Crushed and Broken Granite Mining and Quarrying	1423	212313
Other Crushed and Broken Stone Mining and Quarrying	1429, 1499	212319
Construction Sand and Gravel Mining	1442	212321
Industrial Sand Mining	1446	212322
Kaolin and Ball Clay Mining	1455, 3295	212324
Clay and Ceramic and Refractory Minerals Mining	1459, 3295	212325
Potash, Soda, and Borate Mineral Mining	1474	212391
Other Chemical and Fertilizer Mineral Mining	1479, 3295	212393
All Other Nonmetallic Mineral Mining	1499, 3295	212399
Fossil Fuel Electric Power Generation	4911, 4931, 4939	221112
Asphalt Paving Mixture and Block Manufacturing	2951	324121
Brick and Structural Clay Tile Manufacturing	3251	327121
Ceramic Wall and Floor Tile Manufacturing	3253	327122
Other Structural Clay Product Manufacturing	3259	327123
Clay Refractory Manufacturing	3255	327124
Cement Manufacturing	3241	327310
Lime Manufacturing	3274	327410
Gypsum Product Manufacturing	3275, 3299	327420

<b>Standard (40 CFR Part 60, Subpart OOO)</b>	<b>SIC Codes</b>	<b>NAICS Codes</b>
Ground or Treated Mineral and Earth Manufacturing	3295	327992
Iron and Steel Mills	3312	331111

#### **4(b) Information Requested**

##### **(i) Data Items**

In this ICR, all the data that is recorded or reported is required by NSPS for Nonmetallic Mineral Processing (40 CFR Part 60, Subpart OOO).

A source must make the following reports:

<b>Notifications</b>	
Notification of actual startup.	60.7(a)(3), 60.676(i)
Physical or operational change.	60.7(a)(4)
Notification of initial performance test.	60.8(d), 60.672

<b>Reports</b>	
Initial performance test results.	60.8(a), 60.676(f)
Repeat performance test results.	60.8(a), 60.11, 60.675

A source must keep the following records:

<b>Recordkeeping</b>	
Startups, shutdowns, malfunctions, periods where the continuous monitoring system is inoperative.	60.7(b)
Records are required to be retained for two (2) years and kept onsite.	60.7(f)
Records of ongoing monitoring.	60.7(f), 60.674(b), 60.674(c)
Records of replacement activities	60.670(d), 60.676

#### 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 use electronic reporting.

**(ii) Respondent Activities.**

<b>Respondent Activities</b>
Read instructions.
Perform initial performance test using appropriate Reference Method, and repeat performance tests if 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 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 equipment that provides 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.

<b>Agency Activities</b>
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 could 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 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 EPA's Office of Compliance. OTIS is EPA's 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 and its delegated Authorities can edit, store, retrieve and analyze the data.

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

### 5(c) Small Entity Flexibility

The majority of respondents are estimated to be small entities. The impact on small entities (i.e., small businesses) was taken into consideration during the development of the regulation by exempting wet material processing operations, simplifying certain notification requirements, and selecting relatively low-cost repeat testing and monitoring provisions. In addition, certain plants operating at small capacities were exempted from subpart OOO due to economic considerations when the standards were originally developed. 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 requirements the minimum needed to ensure compliance and, therefore, cannot reduce them further for small entities.



### **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 – NSPS for Nonmetallic Mineral Processing (40 CFR Part 60, Subpart OOO) (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 record-keeping and reporting requirements is estimated to be 12,374 (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 NSPS 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	(\$23.27 + 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 Operations and Maintenance Costs**

The type of industry costs associated with the information collection activities in the subject standards are both labor costs which are addressed elsewhere in this ICR and the costs

associated with continuous monitoring. The capital/startup costs are one-time costs when a facility becomes subject to the regulation. The annual operation and maintenance costs are the ongoing costs to maintain the monitors and other costs such as photocopying and postage.

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

<b>Capital/Startup vs. Operation and Maintenance (O&amp;M) Costs</b>						
(A) Requirement	(B) Capital/Startup Cost For One Respondent	(C) Number of New Respondents <sup>b</sup>	(D) Total Capital/Startup Cost, (B X C) <sup>c</sup>	(E) Annual O&M Costs for One Respondent	(F) Number of Respondents with O&M	(G) Total O&M Costs
Performance Tests <sup>a</sup>	N/A	66.4	\$152,868	0	0	0
File Cabinets	N/A	66.4	\$1,709	N/A	N/A	N/A
Total			\$154,577	0	0	0

<sup>a</sup> The total costs for performance testing were calculated for each industry sector covered by subpart OOO. A testing cost of \$7,000 for Method 5 tests and \$216.67 for a 30-minute Method 9 tests was used. It was assumed there are 22 emission points for each plant in the crushed/broken stone and sand/gravel sectors and 9 emission points for each plant in other sectors.

<sup>b</sup> Growth in each of the NMPP sectors was estimated using model plants and recent (e.g., 2005/2006) production data available from the U.S. Geological Survey (USGS) and model plant parameters used in development of the original promulgated NSPS. It is estimated that, of the 66.4 new respondents per year, 60.9 will be in the crushed/broken stone and sand/gravel sectors and 5.5 will be in other sectors.

<sup>c</sup> These are annualized costs for all new respondents. The capital cost associated with testing was annualized assuming a 7 percent interest rate and 5-year life (i.e., capital recovery factor [CRF] of 0.2439). The annualized capital cost for file cabinets was calculated using a 7 percent interest rate and a 15-year life (i.e., CRF of 0.1098). The total cost for performance testing is \$626,767 per year, and the total capital cost for filing cabinets was estimated at \$15,604. Over the 3-year period, performance test costs are \$1.0 million and \$872,000 for Method 5 and Method 9 respectively.

The total capital/startup costs for this ICR are \$154,577 per year (rounded). This is the total of column D in the above table.

The total operation and maintenance (O&M) costs for this ICR are zero.

The average annual cost for capital startup and operation and maintenance costs to industry over the next three years of the ICR is estimated to be \$154,577. These are capital/startup costs.

**6(c) Estimating Agency Burden and Cost**

The only costs to the Agency are those costs associated with analysis of the reported information. 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 \$1,162,379.

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 – NSPS for Nonmetallic Mineral Processing (40 CFR Part 60, Subpart OOO) (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 4,630.4 existing respondents will be subject to the standard. It is estimated that an additional 66.4 respondents per year will become subject. The overall average number of respondents, as shown in the table below, is 4,697 (rounded).

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

<b>Number of Respondents</b>					
Year	(A) Number of New Respondents <sup>1</sup>	(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	66.4	4,564	0	0	4,630.4
2	66.4	4,630.4	0	0	4,696.8
3	66.4	4,696.8	0	0	4,763.2
Average	66.4	4,630	0	0	4,697

<sup>1</sup> Based on model plant parameters used in development of the original promulgated NSPS and the most recent production data available from the USGS, 332 new plants were projected over the 5-year NSPS review period. Thus, it is estimated that an additional 66.4 NMPP per year will become subject to the regulation over the three year ICR period ( $332/5 = 66.4$ ).

Column D is subtracted to avoid double-counting respondents. As shown above, the average Number of Respondents over the three year period of this ICR is 4,697.

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

<b>Total Annual Responses</b>				
(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 x C)+D
Notification of construction/ reconstruction commencement	0	1	0	0
Notification of actual startup	66.4	1	0	66.4
Notification of initial performance test	66.4	1	0	66.4
Notification of physical or operational change	66.4	1	0	66.4
Report of performance test results:				
Initial performance test (new sources)	66.4	1	0	66.4
Repeat performance test (new sources)	16.6	1	0	16.6
Performance test (existing sources)	20.3	1	0	20.3
Records of startups, shutdowns, malfunctions, etc.	N/A	0	4,697	4,697
<b>Total</b>				4999.5

The number of Total Annual Responses is 5,000 (rounded).

The total annual labor costs are \$1,185,697. Details regarding these estimates may be found in Table 1: Annual Respondent Burden and Cost – NSPS for Nonmetallic Mineral Processing (40 CFR Part 60, Subpart OOO) (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 below in Tables 1 and 2, respectively, and summarized below.

#### **(i) Respondent Tally**

The total annual labor hours are 12,374. Details regarding these estimates may be found below in Table 1: Annual Respondent Burden and Cost – NSPS for Nonmetallic Mineral Processing (40 CFR Part 60, Subpart OOO) (Renewal).

Furthermore, the annual public reporting and recordkeeping burden for this collection of information is estimated to average 2 hours per response.

The total annualized capital/startup and O&M costs to the regulated entity are \$154,577. The cost calculations are detailed in section 6(b)(iii), Capital/Startup vs. Operation and Maintenance (O&M) Costs.

#### **(ii) The Agency Tally**

The average annual Agency burden and cost over the next three years is estimated to be 25,793 labor hours at a cost of \$1,162,379. See below Table 2: Average Annual EPA Burden and Cost – NSPS for Nonmetallic Mineral Processing (40 CFR Part 60, Subpart OOO) (Renewal).

### **6(f) Reasons for Change in Burden**

There is an increase in the labor hours for both the respondents and the Agency in this ICR compared to the previous ICR. This is due to two considerations. First, performance testing for existing sources will begin 5 years after the initial performance testing following the 2009 ICR amendments, which corresponds to the third year of this renewal. Beginning in the third year of this ICR renewal, 60.9 sources would conduct 5-year repeat fugitive Method 9 performance tests. These tests are only required for crushed/broken stone and sand/gravel facilities that do not have water sprays. This yields an annual average of 20.3 sources requiring Method 9 performance tests over the next 3 years. Secondly, there is an increase in the total number of respondents subject to the rule due to a growth in the respondent universe.

There is also an increase in the total labor and Agency costs as currently identified in the OMB Inventory of Approved Burdens. The change in cost estimates reflects the changes in respondent numbers (described above) and updated labor rates available from the U.S. Bureau of Labor Statistics.

### **6(g) Burden Statement**

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 2 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'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-2011-0253. 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 EPA Docket Center, EPA West, Room 3334, 1301 Constitution Avenue, 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 (OMB), 725 17th St., NW, Washington, DC 20503, Attention: Desk Officer for EPA. Please include the EPA Docket ID Number EPA-HQ-OECA-2011-0253 and OMB Control Number 2060-0050 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 – NSPS for Nonmetallic Mineral Processing (40 CFR Part 60, Subpart OOO) (Renewal)**

	(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 <sup>a</sup>	(E) Technical person- hours per year (E=CxD)	(F) Management person hours per year (Ex0.05)	(G) EPA Clerical person hours per year (Ex0.1)	(H) Total Cost Per year <sup>b</sup>
1. Applications	N/A							
2. Survey and studies	N/A							
3. Acquisition, installation, and utilization of technology and systems	N/A							
4. Report requirements								
A. Read instructions	1	1	1	66.4	66.4	3.32	6.64	\$7,316.75
B. Required activities								
Monitoring--wet suppression <sup>c</sup>	0.17	12	2	60.9	121.8	6.09	12.18	\$13,421.38
Monitoring--M22 readings <sup>d</sup>	1	4	4	5.5	22	1.1	2.2	\$2,424.22
C. Create information	See 4B							
D. Gather existing information	See 4E							
E. Write Report								
Notification of construction/reconstruction	2	1	2	0	0	0	0	\$0
Notification of actual startup	2	1	2	66.4	132.8	6.64	13.28	\$14,633.50
Notification of initial performance test	2	1	2	66.4	132.8	6.64	13.28	\$14,633.50
Report of performance test	See 5B							
Notification of Physical /Operational Change	2	1	2	66.4	132.8	6.64	13.28	\$14,633.50
<b>Subtotal for Reporting Requirements</b>					<b>699.89</b>			
5. Recordkeeping								
A. Read instructions	See 4A							
B. Plan activities	See 4B							
Initial performance test (new sources) <sup>e</sup>	30	1	30	66.4	1,992	99.6	199.2	\$219,502.46
Repeat performance test (new sources) <sup>e,f</sup>	30	1	30	16.6	498	24.9	49.8	\$54,875.62
Performance test (existing sources) <sup>e,g</sup>	30	1	30	20.3	609	30.45	60.9	\$67,106.93
C. Implement activities	See 4B							
D. Record data								
Monitoring--wet suppression <sup>c</sup>	0.1	1	0.1	60.9	6.09	0.3	0.61	\$670.58
Monitoring--M22 readings <sup>d</sup>	0.2	1	0.2	5.5	1.1	0.06	0.11	\$121.81
E. Time to transmit or disclose information								
Records of startups, shutdowns, malfunctions <sup>h</sup>	1.5	1	1.5	4,697	7,045.5	352.27	704.55	\$776,357.12
F. Time to train personnel	N/A							
G. Time for audits	N/A							
<b>Subtotal for Recordkeeping Requirements</b>						<b>11,674.43</b>		

	(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 <sup>a</sup>	(E) Technical person- hours per year (E=CxD)	(F) Management person hours per year (Ex0.05)	(G) EPA Clerical person hours per year (Ex0.1)	(H) Total Cost Per year <sup>b</sup>
<b>Subtotals Labor Burden and Cost</b>					<b>10,760.29</b>	<b>538.01</b>	<b>1,076.02</b>	<b>\$1,185,697.36</b>
<b>TOTAL LABOR BURDEN AND COST (rounded)</b>						<b>12,374</b>		<b>\$1,185,697</b>

**Assumptions:**

<sup>a</sup> We have assumed that there are an average of 4,697 sources per year will be subject to the standard, and an additional 66.4 new sources that will become subject to the rule over the next three years. We have estimated that there are approximately 332 NMPP, which will become subject over a 5-year period, the number of new sources per year equals  $(332/5=66.4)$  for the additional new sources.

<sup>b</sup> This ICR uses the following labor rates: \$121.42 per hour for Executive, Administrative, and Managerial labor; \$99.14 per hour for Technical labor, and \$49.81 per hour 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 have been increased by 110% to account for the benefit packages available to those employed by private industry.

<sup>c</sup> Monitoring for wet suppression involves checking that water is actually flowing. This is estimated to take 10 minutes per check and to occur on a monthly basis. Wet suppression is expected to be used in the following sectors: crushed/broken stone, and sand/gravel. The number of new sources per year from these sectors over the next three years is expected to be 60.9.

<sup>d</sup> We have assumed that it will take each respondent 1 hour four times per year to complete Method 22 readings. All industry sectors except for crushed/broken stone and sand/gravel are expected to use baghouses and will employ baghouse Method 22 readings to comply with the periodic monitoring requirements. The number of new sources per year from these sectors over the next three years is expected to be 5.5.

<sup>e</sup> Performance tests include 8 hours to develop and review a performance test report and 22 hours to plan for the performance tests. The time required to conduct Method 5 and Method 9 tests are included in capital costs because a contractor is typically hired to perform the tests.

<sup>f</sup> We have assumed that 25% of initial performance tests must be repeated due to failure.

<sup>g</sup> We have assumed that performance testing for existing sources will not occur until 5 years after the initial performance testing, which is the 6th year of the ICR (i.e. the third year of this renewal). Beginning in the third year of this ICR renewal, 60.9 sources per year would conduct 5-year repeat fugitive Method 9 performance tests. These tests are only required for crushed/broken stone and sand/gravel facilities that do not have water sprays.

<sup>h</sup> We assume the average number of affected facilities over the next three years is represented by the number of sources in year 2 (66.4 new in first and second years and 4,564 existing sources in the first year) for a total of 4,697.



**Table 2: Average Annual EPA Burden and Cost – NSPS for Nonmetallic Mineral Processing (40 CFR Part 60, Subpart OOO) (Renewal)**

Activity	(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 <sup>a</sup>	(E) Technical person- hours per year (E=CxD)	(F) Management person hours per year (Ex0.05)	(G) EPA Clerical person hours per year (Ex0.1)	(H) Total Cost Per year <sup>b</sup>
Initial Performance Tests (New Plants)	24	1	24	66.4	1,593.6	79.68	159.36	\$82,587.18
Repeat Performance Tests (New Plants)	24	1	24	16.6	398.4	19.92	39.84	\$20,646.88
Performance test (existing sources) <sup>c</sup>	24	1	24	20.3	487.2	24.36	48.72	\$25,248.90
Report Review (New Plants)								
Notification of construction/reconstruction	0.5	1	0.5	0	0	0	0	\$0
Notification of actual startup <sup>d</sup>	0.5	1	0.5	66.4	33.2	1.66	3.32	\$1,720.57
Notification of initial test <sup>d</sup>	0.5	1	0.5	66.4	33.2	1.66	3.32	\$1,720.57
Notification of physical or operational change <sup>d</sup>	0.5	1	0.5	66.4	33.2	1.66	3.32	\$1,720.57
Review test results <sup>e</sup>	8	1	8	66.4	531.2	26.56	53.12	\$27,529.17
Emission Reports <sup>f</sup>	4	2	8	66.4	531.2	26.56	53.12	\$27,529.17
Report Review (Existing Plants) <sup>g</sup>	4	1	4	4,697	18,788	939.4	1,878.8	\$973,678.71
<b>Subtotals Labor Burden and Cost</b>					<b>22,429.2</b>	<b>1,121.46</b>	<b>2,242.92</b>	<b>\$1,162,378.72</b>
<b>TOTAL ANNUAL COST (rounded)</b>						<b>25,793</b>		<b>\$1,162,379</b>

**Assumptions:**

<sup>a</sup> We have assumed that there are an average of 4,697 sources per year will be subject to the standard, and an additional 66.4 new sources that will become subject to the rule over the next three years. We have estimated that there are approximately 332 NMPP, which will become subject over a 5-year period, the number of new sources per year equals (332/=66.4) for the additional new sources.

<sup>b</sup> This cost is based on the following hourly labor rates times a 1.6 benefits multiplication factor to account for government overhead expenses: \$62.27 for Managerial (GS-13, Step 5, \$38.92 x 1.6), \$46.21 for Technical (GS-12, Step 1, \$28.88 x 1.6), and \$25.01 Clerical (GS-6, Step 3, \$15.63 x 1.6). These rates are from the Office of Personnel Management (OPM) “2011 General Schedule” which excludes locality rates of pay.

<sup>c</sup> We have assume 25% of initial performance tests must be repeated due to failure.

<sup>d</sup> We have assumed that each new respondent will take 0.5 hours once per year to complete task.

<sup>e</sup> We have assumed that each new respondent will take eight hours once per year to review test results.

<sup>f</sup> We have assumed that each new respondent will take four hours to twice per year to complete emission reports.

<sup>g</sup> We have assumed that the average number of affected facilities over the next three years is estimated by the number of affected facilities in the second year (66.4 new in first year and 66.4 in the second year, and 4,564 existing in the first year) for a total of 4,697.