

**SUPPORTING STATEMENT  
ENVIRONMENTAL PROTECTION AGENCY**

**NESHAP for Asphalt Processing and Asphalt Roofing Manufacturing (40 CFR Part 63, Subpart LLLLL) (Renewal)**

**1. Identification of the Information Collection**

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

NESHAP for Asphalt Processing and Asphalt Roofing Manufacturing (40 CFR Part 63, Subpart LLLLL) (Renewal), EPA ICR Number 2029.05, OMB Control Number 2060-0520

**1(b) Short Characterization/Abstract**

The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Asphalt Processing and Asphalt Roofing Manufacturing (40 CFR part 63, subpart LLLLL) were proposed on November 21, 2001 (66 FR 58609), promulgated on May 7, 2003 (68 FR 24561), and amended on May 17, 2005 (70 FR 28360). These regulations apply to existing facilities and to new facilities that manufacture asphalt roofing products or oxidized asphalt that are major sources of hazardous air pollutants (HAPs), or are collocated at major sources. New facilities include those that commenced construction or reconstruction after the date of proposal. This information is being collected to assure compliance with 40 CFR part 63, subpart LLLLL.

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 27 respondents per year will be subject to the standard, and one additional respondent per year will become subject to the standard. We estimate that approximately 25 of 135 existing asphalt processing and asphalt roofing manufacturing source categories, including 9 petroleum refineries that process asphalt, are potential major sources subject to the NESHAP subpart LLLLL requirements.

The burden to the “Affected Public” may be found below in Table 1: Annual Respondent Burden and Cost – NESHAP for Asphalt Processing and Asphalt Roofing Manufacturing (40 CFR Part 63, Subpart LLLLL) (Renewal). The burden to the “Federal Government” is attributed entirely to work performed by either Federal employees or government contractors; this burden

may be found below in Table 2: Average Annual EPA Burden and Cost – NESHAP for Asphalt Processing and Asphalt Roofing Manufacturing (40 CFR Part 63, Subpart LLLLL) (Renewal).

The Office of Management and Budget (OMB) approved this currently active Information Collection Request (ICR) within the “Terms of Clearance (TOC)”, and the EPA has addressed each item of concern in the TOC by reviewing and updating all estimates in this ICR. Any such changes in the estimates are described in Section 6(f) of this ICR.

## **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, HAP emissions from facilities that manufacture asphalt roofing products or oxidized asphalt cause or contribute to air pollution that may reasonably be anticipated to endanger public health or welfare. Therefore, the NESHAP was promulgated for this source category at 40 CFR part 63, subpart LLLLL.

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

The recordkeeping and reporting requirements in the standard ensures 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 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 63, subpart LLLLLL.

#### **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, duplication does not exist.

#### **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. The growth rate for the industry is based on our consultations with the Agency's internal industry experts.

Industry trade associations and other interested parties were provided an opportunity to comment on the burden associated with the standard as it was being developed and the standard

has been previously reviewed to determine the minimum information needed for compliance purposes. In developing this ICR, we contacted: 1) the Technical Association of the Pulp and Paper Industry (TAPPI), at (770) 446-1400; and 2) the National Asphalt Pavement Association, at (301) 731-4748.

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.

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 facilities that manufacture asphalt roofing products or oxidized asphalt. The United States Standard Industrial Classification (SIC) codes for the respondents affected by the standard and the corresponding North American Industry Classification System (NAICS) codes are listed in the following table.

Standard (40 CFR part 63, subpart LLLLL)	SIC Codes	NAICS Codes
Asphalt Felts and Coatings	2952	324122
Petroleum Refining	2911	32411

##### 4(b) Information Requested

###### (i) Data Items

In this ICR, all the data that is recorded or reported is required by the NESHAP for Asphalt Processing and Asphalt Roofing Manufacturing (40 CFR Part 63, Subpart LLLLL).

A source must make the following reports:

<b>Notifications</b>	
Initial notification requirements	63.9(b)(1)
Notification of compliance status when a source becomes subject to the standard	63.9(h), 63.5755(a)
Notification that source is subject to special compliance requirements, if applicable	63.9(d)
Notification of performance test 1	63.7(b), 63.9(e), 63.5755(a)
Rescheduled of performance test	63.7(b)(2)
Demonstration of continuous monitoring system	63.9(g), 63.5755(a)
Change in information already provided	63.9(j)
Request for an extension of compliance with relevant standard	63.9(c)

<b>Reports</b>	
Application for approval of the construction or reconstruction of a new major affected source, or reconstruction of a major affected	63.5(6)(d)

<b>Reports</b>	
source	
Performance test results	63.10(d)(2), 63.5755
Startup, shutdown and malfunction plan	63.6(e)(3), 63.5758(d)
Periodic startup, shutdown and malfunction reports	63.10(d)(5)(i), 63.5758
Progress reports for compliance extension (if applicable)	63.6(i)1
Semiannual compliance reports	63.5758(b-c)

A source must keep the following records:

<b>Recordkeeping</b>	
Startup, shutdown and malfunction plan	63.6(e)(3), 63.8694(a) (2)
All reports and notifications	63.10(b)(1), 63.8694(a)(1)
Records of startup, shutdown, and malfunction of process equipment	63.10(b)(2)(i), (iv-v), 63.8694(a)(2)
Records of malfunctions of air pollution control equipment	63.10(b)(2)(ii)
Any applicability determination that demonstrates why owner or operator believes source is unaffected	63.10(b)(3)
Records of maintenance of air pollution control equipment	63.10(b)(2)(iii)
Records of performance tests, performance evaluations, and opacity and visible emissions observations	63.10(b)(2)(viii), 63.8694(a)(3), 63.8694(b), 63.6(h)(6)
Five-year retention of records	63.10(b)(1), 1 63.8695(c)

### 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 still not widely used. At this time, it is estimated that approximately 25 percent of the respondents

use electronic reporting.

**(ii) Respondent Activities**

<b>Respondent Activities</b>
Read instructions.
Install, calibrate, maintain, and operate CMS for opacity, or for pressure drop and liquid supply pressure for control device.
Perform initial performance test 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.
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.

<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, and note the operating conditions under which compliance was achieved. Data and records maintained by the respondents are tabulated and published for use in compliance and enforcement programs. 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 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**

Over 65 percent of the existing facilities subject to this NESHAP are classified as small businesses according to the Small Business Administration (SBA) size standards and NAICS code (a business with 100 to 500 employees or \$5 million or less in annual sales). 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 Asphalt Processing and Asphalt Roofing Manufacturing (40 CFR Part 63, Subpart LLLLL) (Renewal).

## **6. Estimating the Burden and Cost of the Collection**

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

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

### **6(a) Estimating Respondent Burden**

The average annual burden to industry over the next three years from these recordkeeping and reporting requirements is estimated to be 13,497 (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 type of industry costs associated with the information collection activities in the subject standard 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 monitor 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) Continuous Monitoring Device	(B) Capital/Startup Cost for One Respondent	(C) Number of New Respondents	(D) Total Capital/Startup Cost, (B X C)	(E) Annual O&M Costs for One Respondent	(F) Number of Respondents with O&M	(G) Total O&M, (E X F)
PM control device	NA	0	0	\$7,000 <sup>1</sup>	0	0
Thermal oxidizer	NA	1	0	\$25,000 <sup>2</sup>	1	\$25,000
Other				\$7.50 <sup>3</sup>	60.2	\$451.50
Total			0			\$25,451.50

NA – not applicable; EPA assumes that all facilities subject to the standard have or will obtain add-on control devices that are already equipped with continuous parameter monitoring equipment. This monitoring equipment is required not only for compliance purposes but also to operate the control equipment.

<sup>1</sup> The estimated contractor cost for initial performance tests of a PM control device using EPA Method 5A.

<sup>2</sup> The estimated contractor cost for initial performance tests of a thermal oxidizer, using EPA Method 25A.

<sup>3</sup> The photocopying and postage cost is \$7.50 per report, for a total of 60.2 reports per year.

The total capital/startup costs for this ICR are zero. This is the total of column D in the above table.

The total operation and maintenance (O&M) costs for this ICR are \$25,452 (rounded). This is the total of column G.

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 \$25,452. These are the recordkeeping 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 \$24,461.

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 Asphalt Processing and Asphalt Roofing Manufacturing (40 CFR Part 63, Subpart LLLLL) (Renewal).

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

Based on our research for this ICR, approximately 25 existing respondents will be subject to the standard on average over the next three years. Furthermore, it is estimated that one additional respondent per year will become subject to the standard. The overall average number of respondents, as shown in the table below, is 27 per year.

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

Number of Respondents					
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	1	25	0	0	26
2	1	26	0	0	27
3	1	27	0	0	28
Average	1	26	0	0	27

<sup>1</sup> New respondent include sources with constructed, reconstructed and modified affected facilities.

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 27.

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=(BxC)+D
Notification of compliance status	1	1	0	1
Notification/application of construction	1	1	0	1
Notification of actual startup	1	1	0	1
Notification of performance test and test plan	1	1	0	1
Report of performance test results	1	1.2	0	1.2
Report of semiannual compliance reports	27	2	0	54
Report of startup, shutdown, malfunction	1	1	0	1
			Total	60.2

The number of Total Annual Responses is 60.

The total annual labor costs are \$1,293,301. Details regarding these estimates may be found below in Table 1: Annual Respondent Burden and Cost – NESHAP for Asphalt Processing and Asphalt Roofing Manufacturing (40 CFR Part 63, Subpart LLLLL) (Renewal).

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

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

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

The total annual labor hours are 13,497 at a cost of \$1,293,301. Details regarding these estimates may be found below in Table 1: Annual Respondent Burden and Cost – NESHAP for Asphalt Processing and Asphalt Roofing Manufacturing (40 CFR Part 63, Subpart LLLLL) (Renewal).

Furthermore, the annual public reporting and recordkeeping burden for this collection of information is estimated to average 225 hours per response.

The total annual capital/startup and O&M costs to the regulated entity are \$25,452. 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 next three years is estimated to be 543 labor hours at a cost of \$24,461. See below Table 2: Average Annual EPA Burden and Cost – NESHAP for Asphalt Processing and Asphalt Roofing Manufacturing (40 CFR Part 63, Subpart LLLLL) (Renewal).

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

There is an increase in costs for both the respondents and the Agency from the most recently approved ICR. The increase in burden cost is due to an increase in the number of new or modified sources and adjustments in labor rates. This ICR uses updated labor rates from the Bureau of Labor Statistics to calculate burden costs.

There is an increase of 1,480 hours in labor hours for the respondents and an increase of 55 hours in labor hours for the Agency related to the increase in the number of sources subject to the standard. There may also be some apparent differences that are attributable to rounding; this ICR presents more exact figures. There is no change in the estimation methodology in this ICR compared to the previous ICR.

There is also an increase of \$45 in O&M costs to the respondents in this ICR as compared to the previous ICR. This is attributed to the photocopying and postage costs for an increased number of total sources subject to the standard.

**6(g) Burden Statement**

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 225 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-2011-0267. 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-2011-0267 and OMB Control Number 2060-0520 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 Asphalt Processing and Asphalt Roofing Manufacturing (40 CFR Part 63, Subpart LLLLL) (Renewal)**

Burden item	(A) Person-hours per occurrence	(B) No. Of occurrences per respondent per year	(C) Person-hours per respondent per year (C=AxB)	(D) Respondents per year <sup>a</sup>	(E) Technical person-hours per year (E=CxD)	(F) Management person-hours per year (Ex0.05)	(G) Clerical person-hours per year (Ex0.1)	(H) Cost, \$ <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. Reporting Requirements								
A. Read instructions:	25	1	25	1	25	1.25	2.5	\$2,754.80
B. Required activities:								
New Respondents <sup>c, d</sup>								
i. Initial performance test	24	1	24	1	24	1.2	2.4	\$2,644.61
ii. Repeat of performance test	24	1	24	0.2	4.8	0.24	0.48	\$528.92
iii. Startup, shutdown, malfunction plan	40	1	40	1	40	2	4	\$4,407.68
New and Existing Respondents								
iv. Monitoring of operating parameters and equipment: <sup>e</sup>	Included in 5E							
C. Gather Existing Information	Included in 5D, 5E							
D. Write report <sup>c, d</sup>								
i. Notification of compliance status	4	1	4	1	4	0.2	0.4	\$440.77
ii. Notification of intent to construct a major source and review application	4	1	4	1	4	0.2	0.4	\$440.77
iii. Notification of initial construction/reconstruction <sup>a</sup>	4	1	4	1	4	0.2	0.4	\$440.77
iv. Notification of actual startup	4	1	4	1	4	0.2	0.4	\$440.77

v. Notification of performance test	4	1	4	1	4	0.2	0.4	\$440.77
vi. Reports of performance test results	Included in 4B, 5E							
vii. Semiannual compliance reports <sup>d</sup>	12	2	24	27	648	32.4	64.8	\$71,404.42
viii. Startup, shutdown, malfunction report <sup>f</sup>	8	1	8	1	8	0.4	0.8	\$881.54
<b>Subtotal for Reporting Requirements</b>					<b>885</b>			
5. Recordkeeping Requirements								
A. Read instructions	Included in 4A							
B. Plan activities	10	1	10	1	10	0.5	1	\$1,101.92
C. Implement activities	Included in 4B							
D. Develop record system <sup>g</sup>	NA							
E. Time to enter and transmit all information into record system <sup>h</sup>								
i. Record performance tests	4	1	4	1	4	0.2	0.4	\$440.77
ii. Record operating parameters	1	365	365	27	9,855	492.75	985.5	\$1,085,942.16
iii. Record malfunctions	2	1	2	1	2	0.1	0.2	\$220.38
iv. Continuous parameter monitoring calibration and maintenance	4	5	20	27	540	27	54	\$59,503.68
v. Store, file, and maintain records	20	1	20	27	540	27	54	\$59,503.68
F. Time to train personnel	16	1	16	1	16	0.8	1.6	\$1,763.07
G. Time for audits	N/A							
<b>Subtotal for Recordkeeping Requirements</b>					<b>12,612</b>			
<b>TOTAL LABOR BURDEN AND COST (rounded)</b>					<b>13,497</b>			<b>\$1,293,301</b>

## Assumptions:

<sup>a</sup> There is an average of 27 respondents per year over the next three years of this ICR. We have determined that approximately 22 of 135 existing asphalt processing and asphalt roofing manufacturing source categories, including 9 petroleum refineries that process asphalt, are estimated to be potential major sources subject to the NESHAP subpart LLLLL requirements. In addition, we have assumed that one new facility per year will become subject to this regulation.

<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> We have assumed that existing respondents are in compliance with initial rule requirements. New respondents would have to comply with the initial rule requirements including notifications and performance tests for add-on control devices.

<sup>d</sup> We have assumed that the initial performance tests and reports are conducted by an emissions testing contractor, however, facility personnel will also work on-site to assist the contractor.

<sup>e</sup> Monitoring and recordkeeping of operations for respondents with add-on control devices include: 1) specific operating parameters for each control device established during the performance test, 2) start-up, shutdown, and malfunctions of equipment, and 3) work practices.

<sup>f</sup> We have assumed that one respondent with add-on controls per year will have at least one startup, shutdown or malfunction (SSM) that is not managed according to the SSM plan.

<sup>g</sup> We have assumed that new respondents already have the technology and recordkeeping systems in place to monitor its daily operations and to comply with existing regulations.

<sup>h</sup> We have assumed that it takes respondents the following approximate times to meet recordkeeping requirements: 1) one hour per day for recording operating parameters, 365 days per year; 2) four hours per year to calibrate and provide maintenance to continuous parameter monitors five times per year; and 3) and 16 hours per year to train new employees on add-on control devices, continuous parameter monitoring technology and requirements, and review and implementation of startup, shutdown, and malfunction plans.

**Table 2: Average Annual EPA Burden and Cost – NESHAP for Asphalt Processing and Asphalt Roofing Manufacturing (40 CFR Part 63, Subpart LLLLL) (Renewal)**

Burden item	(A) Person-hours per occurrence	(B) No. Of occurrences per respondent per year	(C) Person-hours per respondent per year (C=AxB)	(D) Respondents per year <sup>a</sup>	(E) Technical person-hours per year (E=CxD)	(F) Management person-hours per year (Ex0.05)	(G) Clerical person-hours per year (Ex0.1)	(H) Cost, \$ <sup>b</sup>
<b>New Respondents:</b>								
i. Notification of compliance status	4	1	4	1	4	0.2	0.4	\$207.30
ii. Notification of intent to construct a major source and review application	4	1	4	1	4	0.2	0.4	\$207.30
iii. Notification of start of construction	2	1	2	1	2	0.1	0.2	\$103.65
iv. Notification of actual startup	2	1	2	1	2	0.1	0.2	\$103.65
v. Notification of initial performance test and test plan	4	1	4	1	4	0.2	0.4	\$207.30
<b>New and Existing Respondents</b>								
i. Report of performance test results including operating parameters	20	1	20	1	20	1	2	\$1,036.49
ii. Review of semiannual compliance reports	8	2	16	27	432	21.6	43.2	\$22,388.18
iii. Review of startup, shutdown, malfunction reports <sup>d</sup>	4	1	4	1	4	0.2	0.4	\$207.30
<b>TOTAL ANNUAL BURDEN AND COST (rounded)</b>					<b>543</b>			<b>\$24,461</b>

Assumptions:

<sup>a</sup> There is an average of 27 respondents per year over the next three years of this ICR. We have determined that approximately 22 of 135 existing asphalt processing and asphalt roofing manufacturing source categories, including 9 petroleum refineries that process asphalt, are estimated to be potential major sources subject to the NESHAP subpart LLLLL requirements. In addition, we have assumed that one new facility per year will become subject to this regulation. .

<sup>b</sup> This cost is based on the following labor rates which incorporates a 1.6 benefits multiplication factor to account for government overhead expenses: Managerial rate of \$62.27 (GS-13, Step 5, \$38.92 x 1.6), Technical rate of \$46.21 (GS-12, Step 1, \$28.88 x 1.6), and Clerical rate of \$25.01 (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 assumed that existing sources have comply with the initial rule requirements. New respondents are required to conduct performance test for add-on control equipments, submit initial notifications and prepare startup, shutdown and malfunction (SSM) plans.

<sup>d</sup> Sources are required to submit semiannual compliance reports and startup, shutdown and malfunction (SSM) reports if there is an occurrence that is not managed according to the SSM plan.