

**SUPPORTING STATEMENT
ENVIRONMENTAL PROTECTION AGENCY**

NESHAP for Mercury (40 CFR Part 61, Subpart E) (Renewal)

1. Identification of the Information Collection

1(a) Title of the Information Collection

NESHAP for Mercury (40 CFR Part 61, Subpart E) (Renewal), EPA ICR Number 0113.11, OMB Control Number 2060-0097

1(b) Short Characterization/Abstract

The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Mercury (40 CFR part 61, subpart E) were proposed on December 7, 1971, promulgated on April 6, 1973, and amended on October 14, 1975, March 19, 1987, and October 17, 2000. These regulations apply to the new and existing facilities which process mercury ore to recover mercury, use mercury chlor-alkali cells to produce chlorine gas and alkali metal hydroxide, and incinerate or dry wastewater treatment plant sludge. New facilities include those that commenced construction, modification or reconstruction after the date of proposal. This information is being collected to assure compliance with 40 CFR part 61, subpart E.

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 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.

Based on our consultations with industry representatives, there is an average of one affected facility at each plant site and that each plant site has only one respondent (i.e., the owner/operator of the plant site).

Over the next three years, an average of 107 respondents (100 wastewater sludge incineration and drying plants and 7 cell chlor-alkali plants) per year will be subject to the standard, and no additional respondents per year will become subject to the standard.

The Office of Management and Budget (OMB) approved the currently active ICR with following "Terms of Clearance" (TOC):

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

EPA has addressed each item of concern in the TOC. All estimates and burden calculations for both the “Affected Public” and the Federal government have been reviewed and updated as necessary.

The “Affected Public” is private sector businesses that are owned and operated by the mercury industry. The burden to the “Affected Public” may be found below in Table 1: Annual Respondent Burden and Cost – NESHAP for Mercury (40 CFR Part 61, Subpart E) (Renewal). The burden to the “Federal Government” is attributed entirely to work performed either by Federal employees or government contractors; this burden is found below in Table 2: Average Annual EPA Burden and Cost – NESHAP for Mercury (40 CFR Part 61, Subpart E) (Renewal).

2. Need for and Use of the Collection

2(a) Need/Authority for the Collection

The EPA is charged under Section 112 of the Clean Air Act, as amended, to establish standards of performance for each category or subcategory of major sources and area sources of hazardous air pollutants (HAP). These standards are applicable to new or existing sources of 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 process mercury ore to recovery mercury cause or contribute to air pollution that may reasonably be anticipated to endanger public health or welfare. Therefore, the NESHAP were promulgated for this source category at 40 CFR part 61, subpart E.

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 and leaks are being detected and repaired and the standard are 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 61, subpart E.

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 (77 FR 47631) on August 9, 2012. 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: the 1) Olin Corporation, at (314) 480-1400; and 2) the Frankfort Wastewater Treatment Plant, at (317) 654-6133.

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 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/SIC Codes

The respondents to the recordkeeping and reporting requirements are owners or operators of facilities that process mercury. 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 below for this source category.

Standard (40 CFR Part 61, Subpart E)	SIC Codes	NAICS Codes
All Other Basic Inorganic Chemical Manufacturing	2819	325180
Sewage Treatment Facilities	4952	221320

4(b) Information Requested

(i) Data Items

In this ICR, all the data that is recorded or reported is required by NESHAP for Mercury (40 CFR Part 61, Subpart E).

A source must make the following reports:

Notifications	
Notification and application of construction or modification.	61.06 and 61.07
Notification of anticipated date of initial startup.	61.09(a)(1)
Notification of actual startup.	61.09(a)(2)
Notification of physical or operational change which may increase the emission rate.	61.15
Notification of performance tests.	61.13(c) and (f)
Perform annual stack emission test.	61.53(a)(1), (a)(3), (b)(1), (b)(3), (c)(1), (c)(2), (d)(1), (d)(2), (d)(4), 61.12, 61.55(b)(1), (b)(2)
Performance of sludge test and determine mercury emissions.	61.54(a), (c), (d), (e)
Notification of stack emission test.	61.53(a)(2), (b)(2), (c)(3), (d)(3)
Certify monitoring device.	61.55(b)(5)
Notification of any parameter excursion that persists for 24 consecutive hours or longer (Administrator must be notified within 10 days).	61.55(b)(6)(i) and (ii)
Sludge sampling	61.54

Notifications	
Reports	
Report of stack tests, emission test results and sludge sampling data.	61.53(a)(3), (a)(4), (b)(3), (b)(4), (d)(4), (d)(5) and 61.54(e), (f)
Optional submission of a plant-specific monitoring, record keeping, and recording plan.	61.55(c)
Semiannual reports of parameter excursions.	61.55(b)(7), (b)(8)

A source must keep the following records:

Recordkeeping	
Maintain records of emission test results and sludge sampling data for a minimum of two years.	61.53(a)(5), (b)(5), (d)(6) and 61.54(g)
Maintain records of monitoring data, monitoring system calibration checks, and the occurrence and duration of periods where the monitoring system is malfunctioning or inoperative. Records shall be retained for at least two years.	61.14(f)
Maintain records for two years.	61.55(d)(2)
Monitor and record appropriate process or control device parameters once each hour.	61.55(b)(4)
Maintain daily records of all leaks or spills of mercury.	61.55(d)(1)

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 20 percent of the respondents use electronic reporting.

(ii) Respondent Activities

Respondent Activities	
Read instructions.	
Perform initial performance test, using Method 101 Appendix B for mercury ore processing facilities, Method 102 for mercury chlor-alkali plants with hydrogen streams, Method 101 Appendix B for mercury chlor-alkali plants with cell room ventilation systems, Method 101A	

Respondent Activities
in Appendix B for sludge incineration and drying plants, or the alternative test Method 105 of Appendix B, 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 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 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 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 two years.

5(c) Small Entity Flexibility

A 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 Mercury (40 CFR Part 61, Subpart E) (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 20,490 (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	\$121.44 (\$57.83 + 110%)
Technical	\$100.23 (\$47.73 + 110%)
Clerical	\$50.51 (\$24.05 + 110%)

These rates are from the United States Department of Labor, Bureau of Labor Statistics, March 2012, "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.

(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 cost. There are no capital/startup or operation and maintenance costs.

6(c) Estimating Agency Burden and Cost

The only costs to the Agency are those costs associated with analysis of the reported information. 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 \$32,338.

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

Managerial	\$62.27 (GS-13, Step 5, \$38.92 + 60%)
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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), 2012 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 Mercury (40 CFR Part 61, Subpart E) (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 107 existing respondents will be subject to the standard. It is estimated that no additional respondents per year will become subject. The overall average number of respondents, as shown in the table below, is 107 per year.

The number of respondents is calculated using the following table that 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	107	0	0	107
2	0	107	0	0	107
3	0	107	0	0	107
Average	0	107	0	0	107

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 107.

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

Total Annual Responses				
(A) Information Collection Activity	(B) Number of Respondents	(C) Number of Responses	(D) Number of Existing Respondents That Keep Records But Do Not Submit Reports	(E) Total Annual Responses E=(BxC)+D
Notification of construction/reconstruction	0	1	0	0
Notification of initial startup	0	1	0	0
Notification of actual startup	0	1	0	0

Total Annual Responses				
Notification of initial performance test	0	1	0	0
Report of annual emission test	100	1	0	100
Submit semiannual report	7	2	0	14
Notification of parameter excursions	7	2	0	14
			Total	128

The number of Total Annual Responses is 128.

The total annual labor costs are \$1,984,018. Details regarding these estimates may be found below in Table 1: Annual Respondent Burden and Cost – NESHAP for Mercury (40 CFR Part 61, Subpart E) (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 20,490 at a cost of \$1,984,018. Details regarding these estimates may be found below in Table 1: Annual Respondent Burden and Cost – NESHAP for Mercury (40 CFR Part 61, Subpart E) (Renewal).

Furthermore, the annual public reporting and recordkeeping burden for this collection of information is estimated to average 160 hours per response.

There are no capital/startup or O&M costs.

(ii) The Agency Tally

The average annual Agency burden and cost over next three years is estimated to be 718 labor hours at a cost of \$32,338. See below Table 2: Average Annual EPA Burden and Cost – NESHAP for Mercury (40 CFR Part 61, Subpart E) (Renewal).

6(f) Reasons for Change in Burden

There is no change in the burden hours in this ICR compared to the previous ICR. This is due to two considerations: 1) the regulations have not changed over the past three years and are not anticipated to change over the next three years; and 2) the growth rate for the industry is very low, negative or non-existent, so there is no significant change in the overall 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 labor rates. This ICR uses updated labor rates from the U.S. Bureau of Labor Statistics to calculate burden costs.

6(g) Burden Statement

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 160 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-2012-0529. 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-2012-0529 and OMB Control Number 2060-0097 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 Mercury (40 CFR Part 61, Subpart E) (Renewal)

Burden item	(A) Person hours per occurrence	(B) No. of occurrences per respondent per year	(C) Person hours per respondent per year (C=AxB)	(D) Respondents per year ^a	(E) Technical person- hours per year (E=CxD)	(F) Management person hours per year (Ex0.05)	(G) Clerical person hours per year (Ex0.1)	(H) Total Cost Per year ^b
1. Applications	N/A							
2. Survey and Studies	N/A							
3. Reporting requirements								
New Sources								
A. Read instructions ^c	1	1	1	0	0	0	0	\$0
B. Required activities								
Initial performance test ^d	24	1	24	0	0	0	0	\$0
Repeat performance test ^e	24	0.2	4.8	0	0	0	0	\$0
C. Create information	See 3B							
D. Gather existing information	See 3B							
E. Write reports								
New Sources								
Notification of construction/reconstruction ^f	2	1	2	0	0	0	0	\$0
Notification of initial startup ^g	2	1	2	0	0	0	0	\$0
Notification of actual startup ^g	2	1	2	0	0	0	0	\$0
Report of initial performance test	See 3B							
Notification of initial performance test	2	1	2	0	0	0	0	\$0
Existing Sources								
Report of annual emission test ^h	12	1	12	100	1,200	60	120	\$133,623.60
Submit semiannual report ⁱ	8	2	16	7	112	5.6	11.2	\$12,471.54
Notification of parameter excursions ^j	4	2	8	7	56	2.8	5.6	\$6,235.77
<i>Subtotal for Reporting Requirements</i>						1,573		\$152,331
4. Recordkeeping requirements								
A. Read instructions	See 3A							
B. Plan activities	See 3B							
C. Implement activities	See 3B							
D. Develop record system								
Record operating parameters ^k	0.25	365	91.25	107	9,763.75	488.19	976.38	\$1,087,222.85
Record mercury leaks ^l	0.25	365	91.25	7	638.75	31.94	63.88	\$71,126.73

Burden item	(A) Person hours per occurrence	(B) No. of occurrences per respondent per year	(C) Person hours per respondent per year (C=AxB)	(D) Respondents per year ^a	(E) Technical person- hours per year (E=CxD)	(F) Management person hours per year (Ex0.05)	(G) Clerical person hours per year (Ex0.1)	(H) Total Cost Per year ^b
Record monitored parameters ^l	0.5	365	182.5	7	1,277.5	63.88	127.75	\$142,253.46
Compile data for semiannual reports ^m	8	2	16	7	112	5.6	11.2	\$12,471.54
Maintain data on mercury leaks ⁿ	0.5	52	26	7	182	9.1	18.2	\$20,266.25
Maintain data on monitored parameters ⁿ	0.5	52	26	7	182	9.1	18.2	\$20,266.25
E. Time to enter information								
Records of startup, shutdown, and malfunction ^o	1.5	53.5	80.25	53.5	4,293.38	214.67	429.34	\$478,080.19
F. Audits	N/A							
<i>Subtotal for Recordkeeping Requirements</i>						18,917		\$1,831,687
TOTAL LABOR BURDEN AND COST						20,490		\$1,984,018

Assumptions:

^a We have assumed that there are approximately 107 existing sources currently subject to this rule. There will be no additional new source that will become subject to the rule over the three-year period of this ICR.

^b This ICR uses the following labor rates: \$121.44 per hour for Executive, Administrative, and Managerial labor; \$100.23 per hour for Technical labor, and \$50.51 per hour for Clerical labor. These rates are from the United States Department of Labor, Bureau of Labor Statistics, March 2012 "Table 2. Civilian Workers, by occupational and industry group." The rates are from column 1, "Total compensation." The rates have been increased by 110 percent to account for the benefit packages available to those employed by private industry.

^c We have assumed that it will take 1 hour for a new respondent to read instructions.

^d We have assumed that it will take each new respondent 24 hours to complete initial performance test.

^e We have assumed that 20 percent of new respondents will repeat the performance test due to failure.

^f We have assumed that each new respondent will take two hours to write notification reports on construction/reconstruction.

^g We have assumed that it will take each new respondent two hours each to write notification reports on initial startup and actual startup.

^h We have assumed that 100 of the existing respondents will take 12 hours to write reports on the annual emission tests.

ⁱ We have assumed that seven of the existing respondents will each have to submit semiannual reports.

^j We have assumed that seven of the existing respondents will write notification reports on parameter excursions two times per year.

^k We have assumed that all respondents will record operating parameters 365 days per year.

^l We have assumed that seven respondents will each have to record mercury leaks and monitored parameters.

^m We have assumed that seven respondents will each take eight hours to compile data for semiannual reports.

ⁿ We have assumed that each of the seven respondent will have to maintain data on mercury leaks and monitored parameters 52 times per year.

° We have assumed that 50 percent of the respondents will each take 1.5 hours to record information of startup, shutdown, and malfunctions.

Table 2: Average Annual EPA Burden and Cost – NESHAP for Mercury (40 CFR Part 61, Subpart E) (Renewal)

Activity	(A) EPA person- hours per occurrence	(B) No. of occurrences per plant per year	(C) EPA person- hours per plant per year (C=AxB)	(D) Plants per year ^a	(E) Technical person- hours per year (E=CxD)	(F) Management person-hours per year (Ex0.05)	(G) Clerical person- hours per year (Ex0.1)	(H) Cost, \$ ^b
Required activities								
New Plants								
Initial performance test ^c	24	1	24	0	0	0	0	\$0
Repeat performance test ^{c, d}	24	0.2	4.8	0	0	0	0	\$0
Report Review								
New Plants								
Notification of construction ^e	0.5	1	0.5	0	0	0	0	\$0
Notification of initial startup ^e	0.5	1	0.5	0	0	0	0	\$0
Notification of actual startup ^e	0.5	1	0.5	0	0	0	0	\$0
Notification of initial test ^e	0.5	1	0.5	0	0	0	0	\$0
Review test results ^f	8	1	8	0	0	0	0	\$0
Participate in performance test ^g	24	1	24	0	0	0	0	\$0
Existing Plants								
Annual emission test	4	1	4	100	400	20	40	\$20,729.80
Review semiannual reports ^h	8	2	16	7	112	5.6	11.2	\$5,804.34
Review notification on monitored parameters ⁱ	8	2	16	7	112	5.6	11.2	\$5,804.34
TOTAL ANNUAL BURDEN AND COST						718		\$32,338

Assumptions:

^a We have assumed that there are approximately 107 existing sources currently subject to this rule. There will be no additional new sources that will become subject to the rule over the three-year period of this ICR.

^b This cost is based on the following labor rates which incorporates a 1.6 benefits multiplication factor to account for government overhead expenses: \$62.57 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) "2012 General Schedule" which excludes locality rates of pay.

^c We have assumed that each respondent will take 24 hours to participate in the performance tests.

^d We have assumed that 20 percent of new respondents will have to repeat the performance tests due to failure.

^e We have assumed that it will take each new respondent 0.5 hours to review notification reports.

^f We have assumed that each respondent will take 8 hours to review test results.

^g We have assumed that each respondent will take 24 hours to participate in the performance test.

^h We have assumed that seven existing respondents will take eight hours two times per year to review semiannual reports.

ⁱ We have assumed that seven respondents will take eight hours each to review notification of monitored parameters.