

**SUPPORTING STATEMENT
ENVIRONMENTAL PROTECTION AGENCY**

**Emission Guidelines and Compliance Times for Existing Municipal Solid Waste Landfills
(40 CFR Part 60, Subpart Cc and 40 CFR Part 62, Subpart GGG) (Renewal)**

1. Identification of the Information Collection

1(a) Title of the Information Collection

Emission Guidelines and Compliance Times for Existing Municipal Solid Waste Landfills (40 CFR Part 60, Subpart Cc and 40 CFR Part 62, Subpart GGG) (Renewal), EPA ICR Number 1893.06, OMB Control Number 2060-0430.

1(b) Short Characterization/Abstract

The Emission Guidelines and Compliance Times for Existing Municipal Solid Waste Landfills (40 CFR part 60, subpart Cc) were proposed on May 30, 1991, and promulgated on March 12, 1996. The landfills emission guidelines are implemented through either State or Federal plans (40 CFR part 62, subpart GGG), which EPA developed for landfills located in States and Indian countries that did not develop State or Tribal plans. States directly implement and enforce their own State plans, whereas EPA both implements and enforces the Federal plan. State plans were due to EPA by December 12, 1996, and the Federal plan was promulgated on November 8, 1999. The emission guidelines apply to existing municipal solid waste (MSW) landfills that: commenced modification or construction before May 30, 1991; accepted waste at any time since November 8, 1987; or have a capacity available for future waste deposition. MSW landfills that were constructed on or after May 30, 1991, or that had changes in design capacities on or after May 30, 1991, are subject to EPA's new source performance standards (NSPS) and not the emission guidelines. This information is being collected from subject MSW landfills to assure compliance with 40 CFR part 60, subpart Cc and 40 CFR part 62, subpart GGG.

Existing MSW landfills are required to submit reports and maintain records specified in section 4(b) of this supporting statement. Because landfills have been subject to the emission guidelines for several years, they have already completed initial notifications and submitted design plans. Since subpart Cc applies to existing sources only, and no more sources are expected to trigger the requirements, only the routine reporting and recordkeeping requirements currently apply. The notifications, reports, and records are essential in determining compliance, and are required of all MSW landfills subject to the emission guidelines.

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. For landfills subject to a State plan, reports are sent to the State or local authority that developed the State plan. For landfills subject to the Federal plan, reports are sent to the respective EPA regional office.

Over the next three years, an average of 474 MSW landfills owners/operators and 37 State/local agencies, for a total of 511 MSW per year will be subject to the standards. This figure is based on the previous ICR, which initially estimated an average of 519 respondents. The previous ICR also estimated a landfill closure rate of three percent per year. To account for closures occurring in the three-year period that passed since the previous ICR, we have subtracted 45 landfills from the previous estimate, or 15 landfills per year (519 x 3 percent per year = 15 landfills per year, after rounding) over three years. No additional sources will become subject to this regulation during the next three years. It is not possible for additional facilities to qualify as an existing source, since they would have to be operational and exceed the design capacity requirements before May 30, 1991.

The active (previous) ICR had the 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 by reviewing the aforementioned items and updating the estimates accordingly. These updates are discussed in detail in Section 6(f).

The burden to the “Affected Public” may be found in Table 1a below: Annual Respondent Burden and Cost – Emission Guidelines and Compliance Times for Existing Municipal Solid Waste Landfills (40 CFR Part 60, Subpart Cc and 40 CFR Part 62, Subpart GGG) (Renewal). For landfills covered by a State plan, State and local agencies are the “implementing agency,” and will incur a burden through the review of reports submitted to them in accordance with the State plan. The Burden to “State and local agencies” is attributed entirely to work performed by State and local employees, and is provided below in Table 1b: Average Annual State/Local Agency Burden and Cost – Emission Guidelines and Compliance Times for Existing Municipal Solid Waste Landfills (40 CFR Part 60, Subpart Cc and 40 CFR Part 62, Subpart GGG) (Renewal). For landfills covered by the Federal plan, EPA is the implementing agency. The “burden” to the Federal government is attributed entirely to work performed by either Federal employees or government contractors and is provided below in Table 2: Average Annual EPA Burden and Cost – Emission Guidelines and Compliance Times for Existing Municipal Solid Waste Landfills (40 CFR Part 60, Subpart Cc and 40 CFR Part 62, Subpart GGG).

2. Need for and Use of the Collection

2(a) Need/Authority for the Collection

The EPA is charged under section 111(d)(1) of the Clean Air Act (CAA), as amended, to:

... prescribe regulations which shall establish a procedure similar to that provided by section 110 under which each State shall submit to the Administrator a plan which (A) establishes standards

of performance for any existing source for any air pollutant (i) for which air quality criteria have not been issued or which is not included on a list published under section 108(a) . . . but (ii) to which a standard of performance under this section would apply if such existing source were a new source, and (B) provides for the implementation and enforcement of such standards of performance.

The EPA is required under section 129 of the Act, to establish guidelines for existing stationary sources that reflect the maximum achievable control technology (MACT) for achieving continuous emission reductions:

Section 129(a)(1)(A) states:

The Administrator shall establish performance standards and other requirements pursuant to section 111 and this section for each category of solid waste incineration units. Such standards shall include emissions limitations and other requirements applicable to new units and guidelines (under section 111(d) and this section) and other requirements applicable to existing units.

Section 129(a)(2) states:

Standards applicable to solid waste incineration units promulgated under section 111 and this section shall reflect the maximum degree of reduction in emissions of air pollutants listed under section (a)(4) that the Administrator, taking into consideration the cost of achieving such emission reduction, and any non-air quality health and environmental impacts and energy requirements, determines is achievable for new or existing units in each category.

Section 129(b)(1) states:

Performance standards under this section and section 111 for solid waste incineration units shall include guidelines promulgated pursuant to section 111(d) and this section applicable to existing units. Such guidelines shall include, as provided in this section, each of the elements required by subsection (a) (emissions limitations, notwithstanding any restriction in section 111(d) regarding issuance of such limitations), subsection (c) (monitoring), subsection (d) (operator training), subsection (e) (permits), and subsection (h)(4) (residual risk).

Subpart B of 40 CFR part 60 requires State plans to include monitoring, recordkeeping, and reporting provisions consistent with the emission guidelines. In addition, section 114(a)(1) states that:

he Administrator may require any person who owns or operates any emission source, who manufactures emission control equipment or process equipment, who the Administrator believes may have information necessary for the purposes set forth in this subsection, or who is subject to any requirement of this Act (other than a manufacturer subject to the provisions of section 206(c) or 208 with respect to a provision of title II) on a one-time, periodic or continuous basis 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, non-methane organic compound (NMOC) emissions from MSW landfills cause or contribute to air pollution that may reasonably be anticipated to endanger either public health or welfare. Therefore, the emission guidelines were promulgated for this source category at 40 CFR part 60, subpart Cc, and part 62, subpart GGG.

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 required annual 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 Cc and 40 CFR part 62, subpart GGG.

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 63813) on October 17, 2012. No comments were received on the burden published in the Federal Register.

3(c) Consultations

The Agency's industry experts have been consulted, and the Agency's internal data sources and projections of industry growth over the next three years have been considered. 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 the EPA Office of Compliance. OTIS is the EPA database for the collection, maintenance, and retrieval of all compliance data.

Consultations with industry representatives (i.e., respondents) were conducted to determine if there is any way for EPA to reduce the recordkeeping and reporting burden or improve the language in the standard to make it easier to comply. In developing this ICR, EPA contacted: 1) the Solid Waste Association of North America, at (240) 494-2253; and 2) the United States Conference of Mayors, Municipal Waste Management Association, at (202) 861-6798.

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 with the Part 70 permit program and the five-year statute of limitations on which the permit program is based. The retention of records for five years allows EPA to establish the compliance history of a source, any pattern of non-compliance and to determine the appropriate level of enforcement action. EPA has found that the most flagrant violators have violations extending beyond five years. In addition, EPA would be prevented from pursuing the violators due to the destruction or nonexistence of essential records.

3(f) Confidentiality

Any information submitted to the Agency for which a claim of confidentiality is made will be safeguarded according to the Agency policies set forth in Title 40, chapter 1, part 2, subpart B - Confidentiality of Business Information (CBI) (see 40 CFR 2; 41 FR 36902, September 1, 1976; amended by 43 FR 40000, September 8, 1978; 43 FR 42251, September 20, 1978; 44 FR 17674, March 23, 1979).

3(g) Sensitive Questions

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

4. The Respondents and the Information Requested

4(a) Respondents/SIC Codes

The respondents to the recordkeeping and reporting requirements are owners and operators of MSW landfills. The United States Standard Industrial Classification (SIC) codes and corresponding North American Industry Classification System (NAICS) codes for the respondents affected by the standards are provided in the following table:

| Standard (40 CFR Part 60, Subpart Cc and 40 CFR Part 62, Subpart GGG) | SIC Codes | NAICS Codes |
|--|------------------|--------------------|
| Air and Water Resource and Solid Waste Management | 9511 | 924110 |
| Refuse Systems, Solid Waste Landfills | 4953 | 562212 |

Respondents are also State and local agencies that review reports submitted by landfill owners/operators located in States that have an effective State plan. State and local agencies will conduct the same activities as EPA. Activities for implementing agencies (i.e., State, local or EPA) are identified in Section 5(a).

4(b) Information Requested

(i) Data Items

In this ICR, all the data that is recorded or reported is required by the Emission Guidelines and Compliance Times for Existing Municipal Solid Waste Landfills (40 CFR Part 60, Subpart Cc and 40 CFR Part 62, Subpart GGG).

A source must make the following reports:

| Notifications/Reports | |
|---|--|
| Initial design capacity report. ¹ | 60.33c(d), 60.757(a) 62.14355(a)(1) |
| Initial and annual NMOC emission rate reports. ¹ | 60.33c(e)(1)(i), 60.757(b) 62.14355(a)(2) |
| Collection and control system design plan. ¹ | 60.757(c), 62.14355 |
| Increments of progress report. ¹ | 62.14355(b-c) |
| Annual compliance report | 60.757(f) |
| Landfill closure report | 60.757(d) |
| Equipment removal report | 60.757(e) |

¹ Because landfills have been subject to the emission guidelines for several years, they have already completed initial notifications and submitted design plans. Since subpart Cc only applies to existing sources, and no additional sources are expected, only routine reporting, and recordkeeping requirements currently apply.

A source must keep the following records:

| Recordkeeping | |
|--|-------------------|
| Records of control system monitoring (maintain for five years) | 60.758(b) |
| Records of maximum design capacity, refuse-in-place, year-by-year waste acceptance (maintain for five years) | 60.758(a) |
| Records of system design and initial performance test/compliance determination (maintain for five years) | 60.758(b) |
| Record of a plot map and well locations for the life of the landfill (maintain for life of collection system) | 60.758(d) |
| Records of collection & control system exceedances, including surface monitoring exceedances (maintain for five years) | 60.758(c) and (e) |

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 source 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 10 percent of the respondents use electronic reporting.

(ii) Respondent Activities

| Respondent Activities |
|---|
| Read instructions. |
| Write the 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. |

| Respondent Activities |
|--|
| 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

State and local agencies are the implementing agencies for landfills covered by a State plan and conduct the same activities as EPA. EPA conducts the following activities in connection with the acquisition, analysis, storage, and distribution of the required information.

| Agency Activities |
|---|
| Observe performance tests if necessary (requirement no longer applies). |
| Review reports required to be submitted by industry. Annual compliance, amended design, and closure reports are the only types of reports expected to be submitted by respondents and reviewed by EPA or State and local agencies during the time period covered by this ICR. |
| Review surface monitoring methane concentrations. |
| Audit facility records. |
| Input, analyze, and maintain data in the Online Tracking Information System (OTIS). |

5(b) Collection Methodology and Management

Data and records maintained by the respondents are tabulated and published for use in compliance and enforcement programs. The annual 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

The majority of respondents are large entities (i.e., large businesses). There are no small entities (i.e., small businesses) affected by this regulation. Therefore, EPA does not expect that small MSW landfills will be adversely impacted by the emission guidelines. Small landfills were required to submit a one-time design capacity report only. In choosing a design capacity of 2.5 million megagrams (Mg) and 2.5 million cubic meters as the regulatory cutoff for annual reporting, EPA exempted landfills that are very unlikely to emit 50 Mg or more of NMOC per year (see 61 FR 9918, March 12, 1996). EPA also developed a computer model version of the tiered approach to estimate emissions on the landfills Web site (www.epa.gov/ttn/atw/landfill/landflpg.htm) that is available to any owner or operator subject to the emission guidelines. Such tools significantly reduced the burden of the NMOC emission rate calculation.

5(d) Collection Schedule

The specific frequency for each information collection activity within this request is shown below in Tables 1a and 1b: Annual Respondent Burden and Cost – Emission Guidelines and Compliance Times for Existing Municipal Solid Waste Landfills (40 CFR Part 60, Subpart Cc and 40 CFR Part 62, Subpart GGG) (Renewal).

6. Estimating the Burden and Cost of the Collection

Table 1a documents the computation of individual burdens for the recordkeeping and reporting requirements applicable to the industry for each of the subparts included in this ICR. The individual burdens are expressed under standardized headings for landfills, both privately- and publicly-owned, that are believed to be consistent with the concept of burden under the Paperwork Reduction Act. Where appropriate, specific tasks and major assumptions have been identified. Responses to this information collection are mandatory.

Table 1b documents the computation of annual burden for State and local agencies that implement and enforce the State plan. State and local agency burden is expressed under standardized headings, which are believed to be consistent with the concept of burden under the Paperwork Reduction Act. Where appropriate, specific tasks and major assumptions have been identified in the table. On average, 37 State/local agencies will be enforcing State plans that cover 317 landfills affected by State plans. State and local agencies conduct the same activities as EPA.

In total, the emission guidelines for MSW landfills are estimated to affect an average of 474 landfills. Of these, 157 are affected by the Federal plan and 317 are affected by State plans. This ICR assumes all 474 landfills have already exceeded the 50 Mg/yr NMOC emission threshold and are no longer submitting annual NMOC emission rate reports. The landfills must submit annual compliance reports and conduct quarterly monitoring for methane emissions from the surface of the landfill.

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 41,518 hours (Total Labor Hours from Table 1a below). The average annual burden to State and local agencies that implement and enforce State plans is 759 hours (Total Labor Hours from Table 1b below). Therefore, total average annual respondent hours are 42,277. These hours are based on Agency studies and background documents from the development of the regulation, Agency knowledge and experience with the emission guideline 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.

For public-sector respondents (i.e., publicly-owned or -operated landfills), EPA applied the same government employee labor rates as EPA agency staff, which are presented in Section 6(c).

(ii) Estimating Capital/Startup and Operation 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. Capital/startup costs are one-time costs when a facility becomes subject to the regulation. No capital/startup costs are included in this ICR since these costs would have been incurred in the first year by existing sources, and since no new sources are expected. Annual operation and maintenance (O&M) costs are the ongoing costs to maintain the monitor(s) and other costs such as photocopying and postage.

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

| Capital/Startup vs. Operation and Maintenance (O&M) Costs | | | | | | |
|--|------------------------|------------------|--------------|-------------------|------------------|-------------------|
| (A) Continuous | (B) Capital/Startup | (C) Number of | (D) Total | (E) Annual O&M | (F) Number of | (G) Total O&M, |

| Capital/Startup vs. Operation and Maintenance (O&M) Costs | | | | | | |
|--|-------------------------|-----------------|-------------------------------|--------------------------|-----------------------------------|-----------|
| Monitoring Device | Cost for One Respondent | New Respondents | Capital/Startup Cost, (B X C) | Costs for One Respondent | Respondents with O&M ¹ | (E X F) |
| NA | NA | NA | NA | \$1,400 | 474 | \$663,600 |

¹ Total number of respondents are derived from 157 Privately owned and 317 Publicly owned

There are no capital/startup costs for this ICR. This is the total of column D in the table above.

The total O&M costs for this ICR are \$663,600. 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 \$663,600. These are 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 \$16,947.

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), 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 – Emission Guidelines and Compliance Times for Existing Municipal Solid Waste Landfills (40 CFR Part 60, Subpart Cc and 40 CFR Part 62, Subpart GGG) (Renewal).

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

Based on our research for this ICR, the average number of respondents over the next three years is approximately 474 landfill owners/operators and 37 State/local agencies, for a total respondent count of 511. It is estimated that 15 respondents per year will undergo landfill closures and will no longer be subject to the emission guidelines. The overall average number

of respondents, as shown in the table below, is 474 respondents per year.

EPA estimates that 67 percent of landfills are publicly-owned and that 33 percent are privately-owned. Thus, the count of 474 landfills includes 157 private landfills and 317 public landfills. We also estimate that 67 percent of landfills are subject to a State plan; therefore, there are 317 landfills (publicly- or privately-owned) for which State and local agencies will implement the emission guidelines.

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 Existing Respondents | (B) Number of Existing Respondents that keep records but do not submit reports | (C) Number of Existing Respondents That Are No Longer Subject ¹ | (D) Number of Existing Respondents That Are Also New Respondents | (E) Number of Respondents (E=A+B-C-D) |
| Private Landfills | | | | | |
| 1 | 167 | 0 | 5 | 0 | 162 |
| 2 | 162 | 0 | 5 | 0 | 157 |
| 3 | 157 | 0 | 5 | 0 | 152 |
| | | | | Average | 157 |
| Public Landfills | | | | | |
| 1 | 337 | 0 | 10 | 0 | 327 |
| 2 | 327 | 0 | 10 | 0 | 317 |
| 3 | 316 | 0 | 10 | 0 | 306 |
| | | | | Average | 317 |
| Total for Private and Public Landfills | | | | | 474 |
| State/Local Agencies | | | | | |
| 1 | 39 | 0 | 1 | 0 | 38 |
| 2 | 38 | 0 | 1 | 0 | 37 |
| 3 | 37 | 0 | 1 | 0 | 36 |
| | | | | Average | 37 |

¹ This ICR assumes a landfill closure rate of three percent. Upon closure, these landfills will no longer be subject to the emission guidelines. This ICR also assumes there will be a proportional decrease in the number of State/local agency respondents.

Columns C and D are subtracted to avoid double-counting respondents. As shown above, the average Number of Respondents over the three-year period of this ICR is 474 landfill owners/operators and 37 State/local agencies, for a total respondent count of 511.

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 $E=(B \times C)+(C \times D)$ |
| Private Landfills | | | | |
| Amended design capacity report | 8 | 1 | 0 | 8 |
| Annual compliance report | 157 | 1 | 0 | 157 |
| Landfill closure report | 5 | 1 | 0 | 5 |
| Surface methane monitoring | 0 | 4 | 157 | 628 |
| Total Responses for Private Landfills | | | | 798 |
| Public Landfills | | | | |
| Amended design capacity report | 16 | 1 | 0 | 16 |
| Annual compliance report | 317 | 1 | 0 | 317 |
| Landfill closure report | 10 | 1 | 0 | 10 |
| Surface methane monitoring | 0 | 4 | 317 | 1,268 |
| Total Responses for Public Landfills | | | | 1,611 |
| State/Local Agencies | | | | |
| Amended design capacity report | 16 | 1 | 0 | 16 |
| Annual compliance report | 317 | 1 | 0 | 317 |
| Landfill closure report | 10 | 1 | 0 | 10 |
| Surface methane monitoring | 0 | 4 | 0 | 0 |
| Total Responses for State/Local Agencies | | | | 343 |
| Total Respondents | | | | 2,752 |

The number of Total Annual Responses is 2,752.

The total annual labor costs are \$4,054,254. Details regarding these estimates may be found below in both Tables 1a and 1b.

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 1a and 1b, respectively, and are summarized below.

(i) Respondent Tally

The total annual labor hours are 42,277 at a cost of \$4,054,254. Details regarding these estimates may be found in Tables 1 and 2.

Furthermore, the annual public reporting and recordkeeping burden for this collection of

information is estimated to average 15 hours per response.

The total annual capital/startup and O&M costs to the regulated entity are \$663,600. The cost calculations are detailed in Section 6(b)(iii), Capital/Startup vs. Operation and Maintenance (O&M) Costs.

The following table summarizes the respondent tally from Tables 1 and 2.

| Respondent Tally | | | | | |
|-------------------------|------------------------------|-------------------------------------|-----------------------------|--------------------------------|-----------------------------------|
| Entity | Number of respondents | Number of responses per year | Total hours per year | Total annual labor cost | Total annual O&M costs |
| Private landfills | 157 | 798 | 13,752 | \$1,331,558 | \$219,800 |
| Public landfills | 317 | 1,611 | 27,766 | \$2,688,507 | \$443,800 |
| State/local agencies | 37 | 343 | 759 | \$34,189 | \$0 |
| Total (rounded) | 511 | 2,752 | 42,277 | \$4,054,254 | \$663,600 |

(ii) The Agency Tally

The average annual Agency burden and cost over next three years is estimated to be 376 labor hours at a cost of \$16,947, see Table 2 below: Average Annual EPA Burden and Cost – Emission Guidelines and Compliance Times for Existing Municipal Solid Waste Landfills (40 CFR Part 60, Subpart Cc and 40 CFR Part 62, Subpart GGG) (Renewal).

6(f) Reasons for Change in Burden

There is a net decrease in the total burden associated with both privately- and publicly-owned landfills. This decrease is due to an adjustment to the estimated average number of respondents. To account for landfill closures that have occurred since the previous ICR was approved, this ICR applies a three-percent per year landfill closure rate to the previous ICR's estimated number of respondents. This adjustment decreased the total burden hours associated with privately and publicly owned landfills. There is an increase in burden cost from the most recently approved ICR. This is due to the fact that this ICR uses updated labor rates from the Bureau of Labor Statistics to calculate respondent burden costs.

There is an increase in the respondent burden and cost associated with State and local agencies. This increase is due to an adjustment in the labor burden calculations. The previous ICR assumed that, for each burden item, person-hours per occurrence included technical, managerial, and clerical labor hours. To be consistent with the estimation methodology used in other ICRs, this ICR assumes that person-hours per occurrence includes technical labor only, and that managerial and clerical hours account for an additional 5 and 10 percent, respectively, of technical labor hours. This adjustment increased the State and local agency burden hours and costs.

There is also a decrease in the Federal Agency burden due to adjustments in the labor burden calculations. The previous ICR included a burden item for Agency review of surface methane monitoring reports. Respondents, however, are not required to submit reports; therefore, no Agency burden will be incurred. For this reason we have adjusted the calculations to exclude any Agency burden associated with surface methane monitoring. We have also adjusted the total labor burden attributed to EPA technical, managerial, and clerical labor. As described in the previous paragraph, we adjusted the calculations for consistency with other ICRs, and so that managerial and clerical hours account for an additional 5 and 10 percent, respectively, of technical labor hours. The net result of these adjustments was a decrease in burden.

There is also a decrease in O&M costs from the most recently approved ICR. This decrease is not due to any program changes, and is attributed to the decrease in the number of respondents due to landfill closures that have occurred since the previous ICR was approved. As a result, there is a proportional decrease in the O&M cost.

6(g) Burden Statement

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 15 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-2012-0680](#). 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-2012-0680 and OMB Control Number 2060-0430 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 1a: Annual Respondent Burden and Cost – Emission Guidelines and Compliance Times for Existing Municipal Solid Waste Landfills (40 CFR Part 60, Subpart Cc and 40 CFR Part 62, Subpart GGG) (Renewal)

| Burden Item | A | B | C | D | E | F | G | H |
|--|---------------------------------------|--|--|-----------------------------------|--------------------------------|------------------------------------|----------------------------------|--|
| | Technical person-hours per occurrence | No. of occurrences per respondent per year | Technical person-hours per respondent per year (AxB) | Respondents per year ^a | Technical hours per year (CxD) | Management hours per year (Ex0.05) | Clerical hours per year (Ex0.10) | Total cost per year (\$) ^{b, c} |
| 1. Reporting Requirements (Privately Owned Landfills) | | | | | | | | |
| A. Initial design capacity report | N/A | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| B. Initial and annual NMOC emission rate reports ^d | N/A | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| C. Collection and control system design plan | N/A | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| D. Increments of progress | N/A | 5 | 0 | 0 | 0 | 0 | 0 | 0 |
| E. Amended design capacity report ^e | 2 | 1 | 2 | 8 | 16 | 0.8 | 1.6 | 1,781.65 |
| F. Annual compliance report ^f | 2 | 1 | 2 | 157 | 314 | 15.7 | 31.4 | 34,964.84 |
| G. Landfill closure report ^g | 2 | 1 | 2 | 5 | 10 | 0.5 | 1 | 1,113.53 |
| H. Equipment removal report ^h | 2 | 1 | 2 | 0 | 0 | 0 | 0 | 0 |
| I. Surface methane monitoring | 14 | 4 | 56 | 157 | 8,792 | 439.6 | 879.2 | 979,015.58 |
| Subtotal for Reporting Requirements for Privately Owned | | | | | | 10,502 | | 1,016,875.60 |
| 2. Reporting Requirements (Publicly Owned Landfills) | | | | | | | | |
| A. Initial design capacity report | N/A | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| B. Initial and annual NMOC emission rate reports ^d | N/A | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| C. Collection and control system design plan | N/A | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| D. Increments of progress | N/A | 5 | 0 | 0 | 0 | 0 | 0 | 0 |
| E. Amended design capacity report ^e | 2 | 1 | 2 | 16 | 32 | 1.6 | 3.2 | 3,563.29 |

| Burden Item | A | B | C | D | E | F | G | H |
|--|---------------------------------------|--|--|-----------------------------------|---------------------------------|------------------------------------|----------------------------------|--|
| | Technical person-hours per occurrence | No. of occurrences per respondent per year | Technical person-hours per respondent per year (AxB) | Respondents per year ^a | Technical hours per year (Cx D) | Management hours per year (Ex0.05) | Clerical hours per year (Ex0.10) | Total cost per year (\$) ^{b, c} |
| F. Annual compliance report ^f | 2 | 1 | 2 | 317 | 634 | 31.7 | 63.4 | 70,597.80 |
| G. Landfill closure report ^g | 2 | 1 | 2 | 10 | 20 | 1 | 2 | 2,227.06 |
| H. Equipment removal report ^h | 2 | 1 | 2 | 0 | 0 | 0 | 0 | 0 |
| I. Surface methane monitoring | 14 | 4 | 56 | 317 | 17,752 | 887.6 | 1,775.2 | 1,976,738.45 |
| Subtotal for Reporting Requirements for Publicly Owned | | | | | | 21,204 | | 2,053,126.60 |
| 3. Recordkeeping Requirements (Privately Owned Landfills) | | | | | | | | |
| A. Records of control system monitoring | 0.5 | 12 | 6 | 157 | 942 | 47.1 | 94.2 | 104,894.58 |
| B. Records of accumulated refuse | 8 | 1 | 8 | 157 | 1,256 | 62.8 | 125.6 | 139,859.37 |
| C. Records of surface methane monitoring | 0.5 | 4 | 2 | 157 | 314 | 15.7 | 31.4 | 34,964.84 |
| D. Records of collection and control system exceedances | 0.5 | 4 | 2 | 157 | 314 | 15.7 | 31.4 | 34,964.84 |
| E. Records of system design and initial performance test | N/A | 4 | 0 | 157 | 0 | 0 | 0 | 0 |
| Subtotal for Recordkeeping Requirements for Privately Owned | | | | | | 3,250 | | 314,682.63 |
| 4. Recordkeeping Requirements (Publicly Owned Landfills) | | | | | | | | |
| A. Records of control system monitoring | 0.5 | 12 | 6 | 317 | 1,902 | 95.1 | 190.2 | 211,793.40 |
| B. Records of accumulated refuse | 8 | 1 | 8 | 317 | 2,536 | 126.8 | 253.6 | 282,391.21 |
| C. Records of surface methane monitoring | 0.5 | 4 | 2 | 317 | 634 | 31.7 | 63.4 | 70,597.80 |
| D. Records of collection and control system exceedances | 0.5 | 4 | 2 | 317 | 634 | 31.7 | 63.4 | 70,597.80 |

| Burden Item | A | B | C | D | E | F | G | H |
|---|---------------------------------------|--|--|-----------------------------------|---------------------------------|------------------------------------|----------------------------------|--|
| | Technical person-hours per occurrence | No. of occurrences per respondent per year | Technical person-hours per respondent per year (AxB) | Respondents per year ^a | Technical hours per year (Cx D) | Management hours per year (Ex0.05) | Clerical hours per year (Ex0.10) | Total cost per year (\$) ^{b, c} |
| E. Records of system design and initial performance test | N/A | 4 | 0 | 317 | 0 | 0 | 0 | 0 |
| Subtotal for Recordkeeping Requirements for Publicly Owned | | | | | | 6,562 | | 635,380.21 |
| Reporting and Recordkeeping Subtotals for Privately and Publicly Owned Landfills | | | | | | | | |
| Reporting Labor Burden (Privately Owned Landfills) | | | | | | 10,502 | | 1,016,875.60 |
| Recordkeeping Labor Burden (Privately Owned Landfills) | | | | | | 3,250 | | 314,683.58 |
| Subtotal Labor Burden and Cost (Privately Owned Landfills) | | | | | | 13,752 | | 1,331,558.23 |
| Reporting Labor Burden (Publicly Owned Landfills) | | | | | | 21,204 | | 2,053,126.60 |
| Recordkeeping Labor Burden (Publicly Owned Landfills) | | | | | | 6,562 | | 635,380.21 |
| Subtotal Labor Burden and Cost (Publicly Owned Landfills) | | | | | | 27,766 | | 2,688,506.81 |
| TOTAL LABOR BURDEN AND COST (rounded) | | | | | | 41,518 | | \$4,020,065 |

Assumptions:

- ^a. We estimate there are 474 existing landfills subject to the emission guidelines. Of these, we estimate 157 (33%) landfills are private and 317 (67%) are public.
- ^b. This ICR uses the following labor rates: Technical \$100.23 (\$47.73 + 110%); Managerial \$121.44 (\$57.83+ 110%); and 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. This ICR assumes that Managerial hours are 5 percent of Technical hours, and Clerical hours are 10 percent of Technical hours.
- ^c. Labor rates for Federal agency personnel were applied to publicly owned landfills, and are based on the average hourly labor rate as follows: Technical \$46.21 (GS-12, Step 1, \$28.88 + 60%); Managerial \$62.27 (GS-13, Step 5, \$38.92 + 60%); and Clerical \$25.01 (GS-6, Step 3, \$15.63 + 60%). This ICR assumes that Managerial hours are 5 percent of Technical hours, and Clerical hours are 10 percent of Technical hours. These rates are from the OPM, 2012 General Schedule, which excludes locality rates of pay. The rates have been applied to local agencies and have been increased by 60 percent to account for the benefit packages available to government employees.
- ^d. This ICR assumes that all landfills affected by a State plan or the Federal plan have already exceeded the 50 Mg/yr NMOC emission threshold and are no longer submitting annual NMOC emission rate reports.

- e. This ICR assumes 5 percent of landfills will submit an amended design capacity report per year.
- f. We estimate that 33% of private landfills are subject to the Federal plan and 67% of private landfills are subject to a State plan. Our estimate of 157 private landfills includes 52 private landfills subject to the Federal plan and 105 private landfills subject to a State plan. Our estimate of 317 public landfills includes 105 public landfills subject to the Federal plan and 212 public landfills subject to a State plan.
- g. This ICR assumes 3 percent of landfills will submit a landfill closure report per year.
- h. This ICR assumes no landfills will submit an equipment removal report over the 3-year period of this ICR.

Table 1b: Average Annual State/Local Agency Burden and Cost – Emission Guidelines and Compliance Times for Existing Municipal Solid Waste Landfills (40 CFR Part 60, Subpart Cc and 40 CFR Part 62, Subpart GGG) (Renewal)

| Burden Item | A | B | C | D | E | F | G | H | I |
|--|---------------------------------------|--|---|--|--|--------------------------------|------------------------------------|----------------------------------|---------------------------------------|
| | Technical person-hours per occurrence | No. of occurrences per landfill per year | Landfills per agency (Average no. in States enforcing State plans) ^a | Technical person-hours per agency per year (AxBxC) | No. of agencies enforcing State plans ^a | Technical hours per year (DxE) | Management hours per year (Fx0.05) | Clerical hours per year (Fx0.10) | Total cost per year (\$) ^b |
| 1. Reporting Requirements | | | | | | | | | |
| A. Review initial design capacity report | N/A | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| B. Review initial and annual NMOC emission rate reports ^c | N/A | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| C. Review collection and control system design plan | N/A | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| D. Review increments of progress | N/A | 5 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| E. Review amended design capacity report ^d | 1 | 1 | 0.43 | 0.43 | 37 | 15.91 | 0.8 | 1.59 | 824.53 |
| F. Review annual compliance report ^e | 2 | 1 | 8.57 | 17.14 | 37 | 634.18 | 31.71 | 63.42 | 32,866.06 |
| G. Review landfill closure report ^f | 1 | 1 | 0.26 | 0.26 | 37 | 9.62 | 0.48 | 0.96 | 498.55 |
| H. Review equipment removal report ^g | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Labor Burden and Cost (rounded) | | | | | | | 759 | | \$34,189 |

Assumptions:

- ^a. This ICR assumes that 317 landfills are subject to State plans, and that 37 State and local agencies will be enforcing State plans. Thus, each agency is expected to review reports for an average of 8.34 landfills.
- ^b. Labor rates for Federal agency personnel were applied to State/Local agencies, and are based on the average hourly labor rate as follows: Technical \$46.21 (GS-12, Step 1, \$28.88 + 60%); Managerial \$62.27 (GS-13, Step 5, \$38.92 + 60%); and Clerical \$25.01 (GS-6, Step 3, \$15.63 + 60%). This ICR assumes that Managerial hours are 5 percent of Technical hours, and Clerical hours are 10 percent of Technical hours. These rates are from the OPM, 2012 General Schedule, which excludes locality rates of pay. The rates have been applied to local agencies and have been increased by 60 percent to account for the benefit packages available to government employees.

- c. This ICR assumes that all landfills affected by a State plan have already exceeded the 50 Mg/yr NMOC emission threshold and are no longer submitting annual NMOC emission rate reports.
- d. This ICR assumes 5 percent of landfills will submit an amended design capacity report per year.
- e. We estimate that 33% of landfills are subject to the Federal plan and 67% of landfills are subject to a State plan. Our estimate of 317 landfills subject to a State plan includes 105 private landfills and 212 public landfills.
- f. This ICR assumes 3 percent of landfills will submit a landfill closure report per year.
- g. This ICR assumes no landfills will submit an equipment removal report over the 3-year period of this ICR.

Table 2: Average Annual EPA Burden and Cost – Emission Guidelines and Compliance Times for Existing Municipal Solid Waste Landfills (40 CFR Part 60, Subpart Cc and 40 CFR Part 62, Subpart GGG) (Renewal)

| Burden Item | A | B | C | D | E | F | G | H |
|---|---------------------------------------|--|--|-----------------------------------|--------------------------------|------------------------------------|----------------------------------|---------------------------------------|
| | Technical person-hours per occurrence | No. of occurrences per respondent per year | Technical person-hours per respondent per year (AxB) | Respondents per year ^a | Technical hours per year (CxD) | Management hours per year (Ex0.05) | Clerical hours per year (Ex0.10) | Total cost per year (\$) ^b |
| 1. Reporting Requirements | | | | | | | | |
| A. Review initial design capacity report | N/A | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| B. Review initial and annual NMOC rate reports ^c | N/A | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| C. Review collection and control system design plan | N/A | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| D. Review increments of progress | N/A | 5 | 0 | 0 | 0 | 0 | 0 | 0 |
| E. Review amended design capacity report | 1 | 1 | 1 | 8 | 8 | 0.4 | 0.8 | 414.6 |
| F. Review annual compliance report | 2 | 1 | 2 | 157 | 314 | 15.7 | 31.4 | 16,272.89 |
| G. Review landfill closure report ^e | 1 | 1 | 1 | 5 | 5 | 0.25 | 0.5 | 259.12 |
| H. Review equipment removal report ^f | 1 | 1 | 1 | 0 | 0 | 0 | 0 | 0 |
| Total Labor Burden and Cost (rounded) | | | | | | 376 | | \$16,947 |

Assumptions:

- ^a. We estimate there are 474 existing landfills that are subject to the emission guidelines. Of these, we estimate 157 (33%) of landfills are private and 317 (67%) are public.
- ^b. This cost is based on the average hourly labor rate as follows: Technical \$46.21 (GS-12, Step 1, \$28.88 + 60%); Managerial \$62.27 (GS-13, Step 5, \$38.92 + 60%); and Clerical \$25.01 (GS-6, Step 3, \$15.63 + 60%). This ICR assumes that Managerial hours are 5 percent of Technical hours, and Clerical hours are 10 percent of Technical hours. These rates are from the 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.
- ^c. This ICR assumes that all landfills affected by a State plan or the Federal plan have already exceeded the 50 Mg/yr NMOC emission threshold and are no longer submitting annual NMOC emission rate reports.
- ^d. This ICR assumes 5 percent of landfills will submit an amended design capacity report per year.
- ^e. We estimate that 33% of landfills are subject to the Federal plan and 67% of landfills are subject to a State plan. Our estimate of 157 landfills subject to the Federal plan includes 52 private landfills and 105 public landfills.

- ^f. This ICR assumes 3 percent of landfills will submit a landfill closure report per year.
- ^g. This ICR assumes no landfills will submit an equipment removal report over the 3-year period of this ICR.