

**SUPPORTING STATEMENT
ENVIRONMENTAL PROTECTION AGENCY**

NESHAP for Mercury Cell Chlor-Alkali Plants (40 CFR Part 63, Subpart IIII) (Renewal)

1. Identification of the Information Collection

1(a) Title of the Information Collection

NESHAP for Mercury Cell Chlor-Alkali Plants (40 CFR Part 63, Subpart IIII) (Renewal),
EPA ICR Number 2046.07, OMB Control Number 2060-0542

1(b) Short Characterization/Abstract

The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Mercury Cell Chlor-Alkali Plants were proposed on July 3, 2002, promulgated on December 19, 2003, and amended on April 20, 2006. These regulations apply to existing facilities and new facilities that are part of a major source of hazardous air pollutant (HAP) emissions or part of an area source of HAP emissions. A major source of HAP is one that has the potential to emit 10 tons or more of any HAP or 25 tons or more of total HAP per year; an area source is one with a potential to emit less than this. 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 IIII.

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.

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).

The chlorine production source category is divided into two subcategories: (1) mercury cell chlor-alkali plants, and (2) chlorine production plants that do not rely upon mercury cells for chlorine production (e.g., diaphragm cell chlor-alkali plants, membrane cell chlor-alkali plants). This Information Collection Request (ICR) only addresses the mercury cell chlor-alkali subcategory.

Based on Agency consultations with industry experts, two sources are currently subject to the standard. Also, according to the November 2010 regulatory impact analysis (RIA), which was conducted in support of a proposed revision to the existing NESHAP, we believe that no new mercury cell chlor-alkali plants will be constructed over the next three years. The analysis report can be found in the public docket under Docket ID Number EPA-HQ-OAR-2002-0017. The RIA's assertion of zero industry growth is also supported by the fact that no new plants have been constructed in the United States over the last 30 years. Future demand for chlor-alkali production is anticipated to be met using other types of chlor-alkali cells that do not result in any mercury emissions and, therefore, are not covered by these standards. Therefore, no new or reconstructed plants are anticipated.

The active (previous) ICR had the following Terms of Clearance (TOC):

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

EPA has addressed each item of concern in the TOC by reviewing and updating the aforementioned items accordingly. Specific updates are discussed in detail in Section 6(f).

The "Affected Public" are owners and operators of mercury cell chlor-alkali plants. The burden to the "Affected Public" may be found below in Table 1: Annual Respondent Burden and Cost – NESHAP for Mercury Cell Chlor-Alkali Plants (40 CFR Part 63, Subpart IIII) (Renewal). The burden to the Federal Government is attributed entirely to work performed by either Federal employees or government contractors and refers below to Table 2: Average Annual EPA Burden and Cost – NESHAP for Mercury Cell Chlor-Alkali Plants (40 CFR Part 63, Subpart IIII) (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. 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, mercury emissions from mercury cell chlor-alkali plants 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 63, subpart IIII.

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 standards. Continuous emission monitors are used to ensure compliance with the standard at all times.

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 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 IIII.

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 Chlorine Institute, at (703) 894-4140; and 2) the American Chemistry Council, at (703) 741-5583. The Agency received information from the Chlorine Institute indicating that two facilities have closed since the publication of the November 2010 RIA, in which we identified four mercury cell facilities operating in the U.S. According to the Chlorine Institute, the two remaining facilities currently operating in the U.S. are the ASHTA Chemicals facility in Ashtabula, OH, and the PPG Industries facility in Martinsville, WV.

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 either 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 standards 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 mercury cell chlor-alkali plants. The United States Standard Industrial Classification (SIC) code for the respondents affected by the standard is SIC 2812, "Alkalis and Chlorine," which corresponds to the North American Industry Classification System (NAICS) code 325181, "Alkalis and Chlorine Manufacturing" for mercury cell chlor-alkali plants.

4(b) Information Requested

(i) Data Items

In this ICR, all the data that is recorded or reported is required by the NESHAP for Mercury Cell Chlor-Alkali Plants (40 CFR Part 63, Subpart IIII).

A source must make the following reports:

Notifications	
Initial startup or conversion of minor source to major source	63.9(b)
Application of construction or reconstruction	63.9(b)
Request for extension of compliance	63.9(c)
Subject to special compliance requirements	63.9(d)

Notifications	
Performance tests	63.7(b), (c), 63.9(e)
Performance evaluation of continuous monitoring systems	63.8(e), (f)
Continuous monitoring systems dates of operation	63.9(g)
Initial compliance	63.8252(e)
Compliance status	63.9(h)

Reports	
Report of performance evaluations	63.7(g), 63.10(d)(2)
Immediate startup, shutdown and malfunction	63.8254(c)
Semiannual reports	63.8254(a), (b)

A source must keep the following records:

Recordkeeping	
Notifications and reports	63.8256(a), 63.10(b) (2)(xiv)
Maintain records of monitoring data, monitoring system calibration checks, occurrence and duration of periods where the monitoring system is malfunctioning or inoperative and system operations	63.8256(a), 63.8256(b), 63.8258
Work practice standards	63.8256(c)
Periodic monitoring option	63.8256(d)

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 10 percent of the respondents use electronic reporting.

(ii) Respondent Activities

Respondent Activities
Read instructions.
Install, calibrate, maintain, and operate opacity and/or parameter monitors.
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.

Agency Activities
Observe initial performance tests and repeat performance tests, if necessary.
Review notifications and reports, including performance test reports, and excess emissions

Agency Activities
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. Immediate startup, shutdown and malfunction notifications and reports alert the Agency to atypical operations conditions which result in violations of the emission limitations. 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

Half of the respondents are small entities (i.e., small businesses). Information from both Agency consultation with industry experts and the November 2010 RIA for the proposed rule indicate that currently one source, the ASHTA Chemicals facility in Ashtabula, OH, qualifies as a small entity. The impact on small entities was taken into consideration during the development of the regulation. In the final rulemaking notice, EPA prepared a regulatory flexibility analysis (FRFA) which examined the impact of the final rule on small entities (68 FR 70925, December 19, 2003).

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 in below Table 1: Annual Respondent Burden and Cost – NESHAP for Mercury Cell Chlor-Alkali Plants (40 CFR Part 63, Subpart IIIII) (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 3,682 (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 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 (O&M) costs are the ongoing costs to maintain the monitors and other costs such as photocopying and postage.

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

Capital/Startup vs. Operation and Maintenance (O&M) Costs						
(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)
Mercury Concentration CMS	\$17,000	0	\$0	\$7,300	2	\$14,600
Cell Room Mercury Monitoring System	\$56,000	0	\$0	\$900	2	\$1,800
					Total	\$16,400

There are no capital/startup costs for this ICR, as shown in column D in the above table.

The total O&M costs for this ICR are \$16,400. 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 \$16,400. 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 \$2,488.

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 Mercury Cell Chlor-Alkali Plants (40 CFR Part 63, Subpart IIII) (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 two existing respondents will be subject to the standards. 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 two 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	2	0	0	2
2	0	2	0	0	2
3	0	2	0	0	2
Average	0	2	0	0	2

¹ 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 two.

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
Notifications	0	0	0	0
Startup, shutdown, and malfunction	0	0	0	0
Compliance report (semiannual)	2	2	0	4
			Total	4

The number of Total Annual Responses is four.

The total annual labor costs are \$356,552. Details regarding these estimates may be found below in Table 1: Annual Respondent Burden and Cost – NESHAP for Mercury Cell Chlor-Alkali Plants (40 CFR Part 63, Subpart IIII) (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 (below), respectively, and summarized below.

(i) Respondent Tally

The total annual labor hours are 3,682 hours at a cost of \$356,552. Details regarding these estimates may be found below in Table 1: Annual Respondent Burden and Cost – NESHAP for Mercury Cell Chlor-Alkali Plants (40 CFR Part 63, Subpart IIII) (Renewal).

Furthermore, the annual public reporting and recordkeeping burden for this collection of information is estimated to average 921 hours per response.

The total annual capital/startup and O&M costs to the regulated entity are \$16,400. 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 55 labor hours at a cost of \$2,488. See below Table 2: Average Annual EPA Burden and Cost – NESHAP for Mercury Cell Chlor-Alkali Plants (40 CFR Part 63, Subpart IIII) (Renewal).

6(f) Reasons for Change in Burden

There is an adjustment decrease in the total estimated burden as currently identified in the OMB Inventory of Approved Burdens. The decrease in labor hours and costs is due to fewer sources being subject to the standard, and is not due to any program changes. The previous ICR estimated that nine mercury cell chlor-alkali facilities were subject to the NESHAP. In 2010, EPA conducted an industry analysis in support of a proposed rule revision, which indicated that there has been a decrease in the respondent universe, and that only four facilities were subject to the rule at the time. In consulting with the Chlorine Institute for this current ICR, it was found that only two facilities are in operation in 2013 due to recent plant closures. Therefore, the total number of sources was decreased from nine to two. The decrease in the number of sources also results in a decrease in the total O&M costs.

Respondent and Agency burden calculations presented in the previous ICR estimated individual technical, managerial, and clerical labor hours separately for each burden item. To make the calculation methodology consistent with other ICRs, we have revised the burden tables to show estimates of technical labor hour per occurrence for each burden activity. Managerial and clerical labor hours for each burden item are assumed to account for an additional 5 and 10 percent, respectively, of estimated technical labor hours.

6(g) Burden Statement

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 921 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-2012-0691. 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-2012-0691 and OMB Control Number 2060-0542 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 Cell Chlor-Alkali Plants (40 CFR Part 63, Subpart IIII) (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 (Cx D)	Management hours per year (Ex0.05)	Clerical hours per year (Ex0.10)	Total cost per year (\$) ^b
1. Reporting requirements								
a. Read instructions ^c	32	1	32	0	0	0	0	\$0
b. Prepare startup/shutdown/ malfunction plan ^c	32	1	32	0	0	0	0	\$0
c. Prepare washdown plan ^c	16	1	16	0	0	0	0	\$0
d. Prepare site-specific monitoring plan ^c	32	1	32	0	0	0	0	\$0
e. Record date/time of washdowns ^d	0.1	365	36.5	2	73	3.65	7.3	\$8,128.77
f. Measure cell room mercury vapor level and record data ^d	0.5	365	182.5	2	365	18.25	36.5	\$40,643.85
g. Monitor vent mercury concentration and record CMS data, daily averages, and deviations ^d	0.5	365	182.5	2	365	18.25	36.5	\$40,643.85
h. Perform vent mercury concentration CMS inspections and calibration checks and record results	8	2	16	2	32	1.6	3.2	\$3,563.30
i. Perform twice daily inspections (for vessels and process equipment problems, hydrogen and/or mercury vapor leaks at decomposers and hydrogen piping up to the hydrogen header) and record information ^e	0.75	730	547.5	2	1,095	54.75	109.5	\$121,931.54
j. Inspect cell room floors for cracks, spalling, or other deficiencies and record information ^f	2	12	24	2	48	2.4	4.8	\$5,344.94
k. Inspect pillars and beams for cracks, spalling, and other deficiencies and record information	8	2	16	2	32	1.6	3.2	\$3,563.30

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
l. Perform daily cell room inspections (for caustic leaks in caustic system equipment and piping, liquid mercury spills or accumulations on floors and surfaces, for liquid mercury leaks from vessels, piping, and equipment in liquid mercury service) and record information ^d	1.25	365	456.25	2	912.5	45.63	91.25	\$101,609.61
m. Inspect equipment and piping in the hydrogen system from the header to the last control device for hydrogen and/or mercury vapor leaks and record information on these leaks	4	4	16	2	32	1.6	3.2	\$3,563.30
n. Record information on handling and storage of mercury-containing waste ^d	0.25	365	91.25	2	182.5	9.13	18.25	\$20,321.92
o. Record the mass of virgin mercury added to cells ^g	0.25	2	0.5	2	1	0.05	0.1	\$111.35
Subtotal for Reporting Requirements						3,608.7		\$349,425.71
2. Recordkeeping requirements								
a. Read instructions ^c	-----Included in 1a-----							
b. Initial notifications ^c	6	1	6	0	0	0	0	0
c. Notification of intent to conduct a performance test ^c	3	1	3	0	0	0	0	0
d. Notification of compliance status ^c	16	1	16	0	0	0	0	0
e. Startup, shutdown, and malfunction	16	0	0	0	0	0	0	0
f. Semiannual compliance reports ^h	16	2	32	2	64	3.2	6.4	\$7,126.59
Subtotal for Recordkeeping Requirements						73.6		\$7,126.59
TOTAL ANNUAL BURDEN AND COST (rounded)						3,682		\$356,552

Assumptions:

^a We have assumed that there are approximately 2 respondents subject to the rule, with no new sources expected over the next three-years of this ICR.

^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. We assume that this is a one-time only activity for new facilities.
- d. We have assume that information should be recorded 365 days per year.
- e. We have assumed that inspection should be performed two times per day for a total of 730 times per year.
- f. We have assumed that inspection should be done and recorded once per month.
- g. We have assumed that it will take 0.25 hours two times per year to record information.
- h. We have assumed that it will take each respondent 16 hours to two times per year to complete semiannual compliance reports.

Table 2: Average Annual EPA Burden and Cost – NESHAP for Mercury Cell Chlor-Alkali Plants (40 CFR Part 63, Subpart IIII) (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 (Cx D)	Management hours per year (Ex0.05)	Clerical hours per year (Ex0.10)	Total cost per year (\$) ^b
a. Review Initial Notification	4	1	4	0	0	0	0	\$0
b. Review Notification of intent to conduct a performance test	4	3	12	0	0	0	0	\$0
c. Observe performance tests	16	3	48	0	0	0	0	\$0
d. Review Notification of Compliance Status (including site-specific monitoring plans and operation & maintenance plans) ^c	32	1	32	0	0	0	0	\$0
e. Review performance test reports ^c	8	1	8	0	0	0	0	\$0
f. Review semiannual compliance reports ^d	12	2	24	2	48	2.4	4.8	\$2,487.58
TOTAL ANNUAL BURDEN AND COST (rounded)						55		\$2,488

Assumptions:

^a. We have assumed that there are approximately 2 respondents subject to the rule, with no new sources expected over the next three-years of this ICR. Facilities subject to the NESHAP rules are located in 13 States.

^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. We assume that this is a one-time only cost.

^d. We assume that it will take 12 hours two times per year to review the semiannual compliance reports.