

**SUPPORTING STATEMENT
ENVIRONMENTAL PROTECTION AGENCY**

NSPS for Nitric Acid Plants (40 CFR Part 60, Subparts G and Ga) (Renewal)

1. Identification of the Information Collection

1(a) Title of the Information Collection

NSPS for Nitric Acid Plants (40 CFR Part 60, Subparts G and Ga) (Renewal),
EPA ICR Number 1056.11, OMB Control Number 2060-0019.

1(b) Short Characterization/Abstract

The New Source Performance Standards (NSPS) for Nitric Acid Plants (40 CFR Part 60, Subpart G) were proposed on August 17, 1971, and promulgated on June 14, 1974. In addition, the New Standard (40 CFR Part 60, Subpart Ga) was promulgated on August 14, 2012. Nitrogen oxide (NO_x) is the pollutant regulated under both standards. Subpart G applies to nitric acid production units which commenced construction, modification or reconstruction on or after August 17, 1971 and prior to October 14, 2011. Subpart G limits the emissions of nitrogen oxides, expressed as nitrogen dioxide (NO₂), to 1.5 kilograms per metric ton of acid produced (3.0 lb. per ton), and limits opacity to 10 percent. Subpart Ga applies to nitric acid production units for which construction, reconstruction, or modification commenced after October 14, 2011, and limits nitrogen oxides (expressed as NO₂) to 0.50 lb per ton of 100 percent nitric acid produced. This information is being collected to assure compliance with 40 CFR part 60, subpart G and Ga.

In general, all NSPS standards require initial notification reports, performance tests, and periodic reports by the owners/operators of the affected facilities. They are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. These notifications, reports, and records are essential in determining compliance, and are required of all affected facilities subject to NSPS.

Any owner/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.

This ICR combines the burden currently approved ICR under OMB Control Number 2060-0019 (EPA ICR Number 1056.10) for the original rule, and the burden resulting from the New Standard (40 CFR Part 60, Subpart Ga) that was promulgated on August 14, 2012, addressed under OMB Control Number 2060-0674 (EPA ICR Number 2445.02).

Over the next three years, we estimate that 24 existing sources are subject to subpart G. In addition, approximately six additional sources are expected to be subject to subpart Ga over

the next five years, for an average of 1.2 sources per year over the three year period of this ICR. The six sources include five newly-constructed sources and one reconstructed or modified source. The overall average number of respondents is 26 per year. This estimate is based on EPA's industry analysis in support of the Subpart Ga final rule, as well as the currently active ICR. Each nitric acid plant can have more than one nitric acid production unit onsite.

The Office of Management and Budget (OMB) approved the currently active ICR without any "Terms of Clearance".

The "Affected Public" are owners and operators of nitric acid plants. The burden to the "Affected Public" may be found below in Table 1: Annual Respondent Burden and Cost – NSPS for Nitric Acid Plants (40 CFR Part 60, Subparts G and Ga) (Renewal). The "burden" to the Federal Government is attributed entirely to work performed by either Federal employees or government contractors and may be found below in Table 2: Average Annual EPA Burden and Cost – NSPS for Nitric Acid Plants (40 CFR Part 60, Subparts G and Ga) (Renewal).

2. Need for and Use of the Collection

2(a) Need/Authority for the Collection

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

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

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

In addition, section 114(a) states that the Administrator may require any owner/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, NO_x emissions from nitric acid plants cause or contribute to air pollution that may reasonably be anticipated to endanger public health or welfare. Therefore, the NSPS were promulgated for this source category at 40 CFR part 60, subparts G and Ga.

2(b) Practical Utility/Users of the Data

The recordkeeping and reporting requirements in these 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. 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 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, leaks are being detected and repaired, and the standards 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 60, subparts G and Ga.

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, no duplication exists.

3(b) Public Notice Required Prior to ICR Submission to OMB

An announcement of a public comment period for the renewal of this ICR was published in the Federal Register (77 FR 63813) on October 17, 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: 1) the International Fertilizer Industry Association, @ www.fertilizer.org; and 2) the Fertilizer Institute, at (202) 962-0490.

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.

These standards require the respondents to maintain all records, including reports and notifications for at least five years. This is consistent with the General Provisions as applied to the standards. EPA believes that the five-year records retention requirement is consistent the Part 70 permit program and the five-year statute of limitations on which the permit program is based. The retention of records for five years allows EPA to establish the compliance history of

a source, any pattern of non-compliance and to determine the appropriate level of enforcement action. EPA has found that the most flagrant violators have violations extending beyond five years. In addition, EPA would be prevented from pursuing the violators due to the destruction or nonexistence of essential records.

3(f) Confidentiality

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

3(g) Sensitive Questions

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

4. The Respondents and the Information Requested

4(a) Respondents/SIC Codes

The respondents to the recordkeeping and reporting requirements are nitric acid plants. The United States Standard Industrial Classification (SIC) code for the respondents affected by the standards is SIC 2873, which corresponds to North American Industry Classification System (NAICS) code 325311 for Nitrogenous Fertilizer Manufacturing.

4(b) Information Requested

(i) Data Items

In this ICR, all the data that is recorded or reported is required by NSPS for Nitric Acid Plants (40 CFR Part 60, Subpart G and Ga).

A source must make the following reports:

Notifications	
Notification of construction or modification application	60.6(a)
Notification of construction/reconstruction	60.7(a)(1)
Initial notifications	60.7(a)(3)
Notification of actual startup	60.7(a)(3)
Initial performance test	60.8(d), 60.73a(e)

Notifications	
Rescheduled initial performance test	60.8(d)
Demonstration of continuous monitoring system	60.7(a)(5)
Physical or operational change	60.7(a)(4)
Opacity or visible emissions	60.7(a)(6)

Reports	
Initial performance test results.	60.8(a), 60.77a(a)
Compliance status.	60.7(a)(7)
Periodic startup, shutdown, malfunction reports	60.7(b)
Semiannual reports	60.7(c)
Source status report	60.7(c)
NO _x emission rates that are not in compliance with the emission standard	60.77a(b)(2)

A source must keep the following records:

Recordkeeping	
Startup, shutdowns, malfunctions, periods where the continuous monitoring system is inoperative	60.7(b), 60.76a(f)
Emission test results and other data needed to determine emissions	60.7(c)
All reports and notifications	60.19
Record of applicability	60.70
Records of sources with continuous monitoring systems (CMS)	60.7(c)
Records of ongoing monitoring.	60.7(f)
Record daily production and nitric acid concentration.	60.76a(b)(2)
Records of noncompliance with the emission standard and description of corrective action.	60.76a(c-d)
Maintain records for two years	60.7(f)

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 Continuous Emission Rate Monitoring Systems (CERMS), which include NO _x concentration and gas flow rate monitors.
Perform initial performance test, Reference Method 7 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.
Train personnel on CERMS operation and maintenance.
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 in below Table 1: Annual Respondent Burden and Cost – NSPS for Nitric Acid Plants (40 CFR Part 60, Subparts G and Ga) (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 each of the subparts 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 1,921 hours (Total Labor Hours from Table 1 below). These hours are based on Agency studies and background documents from the development of the regulation, Agency knowledge and experience with the NSPS program, the previously approved ICR, and any comments received.

6(b) Estimating Respondent Costs

(i) Estimating Labor Costs

This ICR uses the following labor rates:

Managerial	\$121.44 (\$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 standards are both labor costs which are addressed elsewhere in this ICR and the costs associated with continuous monitoring. The capital/startup costs are one time costs when a facility becomes subject to the regulation. The annual operation and maintenance costs are the ongoing costs to maintain the monitors and other costs such as photocopying and postage.

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

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)
Subpart G						
NO _x CMS	\$68,000	0	\$0	\$100,000	24	\$2,400,000
Subpart Ga						
NO _x CERMS ^{1,2}	\$113,478	1.2	\$136,174	\$23,488	2.4	\$56,371
CERMS testing	\$15,019	1.2	\$18,023	NA	0	NA
Flow meter testing	\$6,229	1.2	\$7,475	NA	0	NA
File cabinets ¹	\$783	1.2	\$940	NA	0	NA
TOTAL			\$162,612			\$2,456,371

1 – We estimate an annual capital cost of \$136,174 for NO_x CERMS and \$940 for file cabinets for all respondents. The capital cost per respondent is calculated by dividing the total capital cost by 1.2 new respondents.

2 – On average over the three-year period of this ICR, we estimate 2.4 respondents will be subject to subpart Ga (a growth rate of 1.2 respondents per year).

The total capital/startup costs for this ICR are \$162,612. This is the total of column D in the above table.

The total operation and maintenance (O&M) costs for this ICR are \$2,456,371. 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 \$2,618,983. These are the recordkeeping costs.

6(c) Estimating Agency Burden and Cost

The only costs to the Agency are those costs associated with analysis of the reported information. EPA's overall compliance and enforcement program includes activities such as the examination of records maintained by the respondents, periodic inspection of sources of emissions, and the publication and distribution of collected information.

The average annual Agency cost during the three years of the ICR is estimated to be \$7,550.

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 – NSPS for Nitric Acid Plants (40 CFR Part 60, Subpart G and Ga) (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 24 existing respondents will be subject to the standard. It is estimated that an additional 1.2 respondents per year will become subject. The overall average number of respondents, as shown in the table below, is 26 per year.

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

Number of Respondents					
Year	(A) Number of New Respondents 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	1.2	24	0	0.2	25
2	1.2	25	0	0.2	26
3	1.2	26	0	0.2	27
Average					26

¹ New respondent include sources with constructed, reconstructed and modified affected facilities. During development of the subpart Ga rule, we estimated that 5 newly constructed nitric acid production units and 1 modified nitric acid production unit will become subject to the regulation in the next five years. This estimate was derived from the projected nitric acid production growth within the industry. On average, this translates to 1.2 new respondent per year (including 1 newly constructed source and 0.2 modified sources).

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 26.

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
Subpart Ga				
Notification of construction / reconstruction	1.2	1	0	1.2
Notification of actual startup	1.2	1	0	1.2
Notification of initial performance test	1.2	1	0	1.2
Notification of CERMS demonstration	1.2	1	0	1.2
Report of performance test	1.2	1	0	1.2
Report of noncompliance with NOx emission standard	0.24	1	0	0.24
Subpart G				
Notification of physical/operational changes	0.2	1	0	0.2
Semiannual reports	24	2	0	48
			Total	54.44

The number of Total Annual Responses is 54 (rounded).

The total annual labor costs are \$186,049. Details regarding these estimates may be found below in Table 1. Annual Respondent Burden and Cost – NSPS for Nitric Acid Plants (40 CFR Part 60, Subparts G and Ga) (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 1,921 at a cost of \$186,049. Details regarding these estimates may be found below in Table 1: Annual Respondent Burden and Cost – NSPS for Nitric Acid Plants (40 CFR Part 60, Subparts G and Ga) (Renewal).

Furthermore, the annual public reporting and recordkeeping burden for this collection of information is estimated to average 36 hours per response.

The total annual capital/startup and O&M costs to the regulated entity are \$2,618,983. 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 168 labor hours at a cost of \$7,550. See Table 2 below: Average Annual EPA Burden and Cost – NSPS for Nitric Acid Plants (40 CFR Part 60, Subparts G and Ga) (Renewal).

6(f) Reasons for Change in Burden

There is an increase in burden from the most recently approved ICR. The increase is due to a program change associated with the promulgation of a new standard at 40 CFR part 60, subpart Ga, which affects new nitric acid production units that are constructed, reconstructed, or modified on or after October 14, 2011. The previous ICR reflected burden associated with subpart G only, while this ICR combines the burden for both subpart G and subpart Ga. This results in an increase in overall burden for both the respondents and the Agency.

6(g) Burden Statement

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 36 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-2012-0645. 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-2012-0645 and OMB Control Number 2060-0019 in any correspondence.

Part B of the Supporting Statement

This part is not applicable because no statistical methods were used in collecting this information.

Table 1: Annual Respondent Burden and Cost – NSPS for Nitric Acid Plants (40 CFR Part 60, Subparts G and Ga) (Renewal)

REPORTING/RECORDKEEPING REQUIREMENT	(A) Respondent Hours per Occurrence (Technical hours)	(B) Number of Occurrences per Respondent per Year	(C) Hours per Respondent per Year (C=A x B)	(D) Number of Respondents per Year a, b	(E) Technical Hours per Year @ \$100.23 (E=C x D) ^e	(F) Management Hours per Year @ \$121.20 (F= E x 0.05) ^e	(G) Clerical Hours per Year @ \$50.51 (G= E x 0.1) ^e	Total Labor Costs per Year
1. Applications ^a	N/A							
2. Survey and Studies	N/A							
3. Reporting Requirements								
Sources Constructed or Modified after 10/14/2011 – Subpart Ga								
A. Read Instructions	1	1	1	1.2	1.2	0.06	0.12	\$133.62
B. Required Activities								
Initial performance test	180	1	180	1.2	216	10.8	21.6	\$24,052.25
Demonstration of CERMS	180	1	180	1.2	216	10.8	21.6	\$24,052.25
Repeat performance test ^d	180	1	180	0.24	43.2	2.16	4.32	\$4,810.45
Daily monitoring of CERMS	0.5	330	165	1.2	198	9.9	19.8	\$22,047.89
C. Create Information	See 3B							
D. Gather Existing Information	See 3E							
E. Write Report								
Notification of construction/reconstruction	2	1	2	1.2	2.4	0.12	0.24	\$267.25
Notification of actual startup	2	1	2	1.2	2.4	0.12	0.24	\$267.25
Notification of initial performance test	2	1	2	1.2	2.4	0.12	0.24	\$267.25
Notification of demonstration of CERMS	2	1	2	1.2	2.4	0.12	0.24	\$267.25
Report of performance test	2	1	2	1.2	2.4	0.12	0.24	\$267.25
Report of noncompliance with NOX emission standard	2	1	2	0.24	0.48	0.02	0.05	\$53.45
Subtotal for Reporting Requirements - Subpart Ga						790		\$76,486.15
Existing Sources – Subpart G								
Notification of physical/operational changes ^c	8	1	8	0.2	1.6	0.08	0.16	\$178.16
Semiannual reports of excess emissions ^f	8	2	16	24	384	19.2	38.4	\$42,759.55
Subtotal for Reporting Requirements- Subpart G						443		\$42,937.72
Total Reporting Requirements for Subparts G and Ga						1,233		\$119,423.8

									7
4. Recordkeeping Requirements									
A. Read instructions	See 3B								
B. Plan activities	See 3B								
C. Implement activities	See 3B								
D. Develop record system	N/A								
Subpart Ga: Sources Constructed or Modified after 10/14/2011									
E. Time to Enter Information									
Records of noncompliance	0.5	1	0.5	0.24	0.12	0.01	0.01	\$13.36	
Daily production and flow rates	8	1	8	2.4	19.2	0.96	1.92	\$2,137.98	
Data collection	0.125	330	41.25	2.4	99	4.95	9.9	\$11,023.95	
Records of occurrence of startup, shutdown and malfunctions	8	1	8	2.4	19.2	0.96	1.92	\$2,137.98	
F. Time to Train Personnel									
Train personnel for CERMS maintenance	16	2	32	2.4	76.8	3.84	7.68	\$8,551.91	
Subtotal for Recordkeeping Requirements - Subpart Ga						246		\$23,865.17	
Subpart G: Existing Sources									
E. Time to Enter Information									
Records of daily production rates and hours of operation	8	1	8	24	192	9.6	19.2	\$21,379.78	
Records of occurrence of startup, shutdown and malfunctions	8	1	8	24	192	9.6	19.2	\$21,379.78	
Records of performance test data	80	1	80	0	0	0	0	\$0	
G. Audits	N/A								
Subtotal for Recordkeeping Requirements - Subpart G						442		\$42,759.55	
Total Recordkeeping Requirements for Subparts G and Ga						688		\$66,624.73	
Total Labor Burden and Cost for Subpart Ga						1,036		\$100,351.3	
Total Labor Burden and Cost for Subpart G						885		\$85,697.27	2
TOTAL LABOR BURDEN AND COST (rounded)						1,921		\$186,049	

Assumptions		
a.	Number of new, modified, or reconstructed facilities per year, for the next 3 years =	1.2
b.	Number of existing affected facilities (per year) =	24
c.	We assume 1 existing facility will be reconstructed or modified over the next 5 years (0.2 respondent per year).	
d.	Rate of failed performance tests =	20%
e.	Technical labor rate (Bureau of Labor Statistics) =	\$100.23
	Managerial Labor rate (Bureau of Labor Statistics) =	\$121.44
	Clerical Labor rate (Bureau of Labor Statistics) =	\$50.51
f.	We assume that it will take 8 hours to write semiannual reports.	

Table 2: Average Annual EPA Burden and Cost – NSPS for Nitric Acid Plants (40 CFR Part 60, Subparts G and Ga) (Renewal)

Burden Item	(A) EPA Hours per Occurrence	(B) Number of Occurrences per Plant per Year	(C) EPA Hours per Year (C=A x B)	(D) Plants per Year	(E) Technical Hours per Year @ \$46.21 (E=C x D) ^c	(F) Management Hours per Year @ \$62.27 (F= E x 0.05) ^c	(G) Clerical Hours per Year @ \$25.01 (G= E x 0.1) ^c	Costs per Year
Subpart Ga ^a								
Required Activities								
Observe initial performance test	24	1	24	1.2	28.8	1.4	2.9	\$1,492.55
Repeat performance test ^b	24	0.2	4.8	1.2	5.8	0.3	0.6	\$298.51
Report Review								
Notification of construction/reconstruction	2	1	2	1.2	2.4	0.12	0.24	\$124.38
Notification of actual startup	0.5	1	0.5	1.2	0.6	0.03	0.06	\$31.09
Notification of initial performance test	0.5	1	0.5	1.2	0.6	0.03	0.06	\$31.09
Review test results	8	1	8	1.2	9.6	0.48	0.96	\$497.52
Review test NOX noncompliance reports	8	1	8	0.24	1.92	0.10	0.19	\$99.50
Subtotal for Subpart Ga						57.16		\$2,574.64
Subpart G								
Report Review								
Semiannual reports ^d	2	2	4	24	96	4.8	9.6	\$4,975.15
Subtotal for Subpart G						110.4		\$4,975.15
TOTAL ANNUAL BURDEN and COST (rounded)						168		\$7,550

Assumptions		
a.	Number of new plants (per year)	1.2
b.	Rate of failed performance tests	20%

.		
c.	EPA technical labor rate (GS-13 Step 1 x 1.6 for overhead)	\$46.21
	EPA managerial labor rate (GS-12 Step 5 x 1.6 for overhead)	\$62.27
	EPA clerical labor rate (GS-6 Step 3 x 1.6 for overhead)	\$25.01
d.	Number of existing affected facilities (per year) =	24