

**SUPPORTING STATEMENT  
ENVIRONMENTAL PROTECTION AGENCY**

**NESHAP for Phosphoric Acid Manufacturing and Phosphate Fertilizers Production (40 CFR Part 63, Subparts AA and BB) (Renewal)**

**1. Identification of the Information Collection**

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

NESHAP for Phosphoric Acid Manufacturing and Phosphate Fertilizers Production (40 CFR Part 63, Subparts AA and BB) (Renewal), EPA ICR Number 1790.06, OMB Control Number 2060-0361

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

The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Phosphoric Acid Manufacturing and Phosphate Fertilizers Production were proposed on December 27, 1996, promulgated on June 10, 1999, and amended on both June 12, 2002, and April 20, 2006. These standards apply to either owners or operators of new and existing phosphoric acid manufacturing and phosphate fertilizers production facilities that are major sources. The rule applies to component processes at these facilities and to any new, modified, or reconstructed sources. Component processes include the following facilities: wet process phosphoric acid plants, super-phosphoric acid plants, purified phosphoric acid plants, phosphate rock dryers, phosphate rock calciners, diammonium and monoammonium phosphate plants, and granular triple superphosphate (GTSP) plants. Since many of the facilities affected by the standards also are subject to new source performance standards (NSPS), the standards include an exemption from the NSPS for those sources. The exemption eliminates a duplication of information collection requirements. New facilities include those that commenced construction, modification, or reconstruction after the date of proposal. This information is being collected to assure compliance with 40 CFR part 63, subparts AA and BB.

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 during a previous renewal, there is an average of one affected facilities at each plant site and that each plant site has only one

respondent (i.e., the owner/operator of the plant site).

Over the next three years, an average of 12 respondents per year will be subject to the standard, and no additional respondents will become subject to the standards annually.

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

The burden to the “Affected Public” may be found below in Table 1: Annual Respondent Burden and Cost – NESHAP for Phosphoric Acid Manufacturing and Phosphate Fertilizers Production (40 CFR Part 63, Subparts AA and BB) (Renewal). The burden to the “Federal Government” is attributed entirely to work performed by Federal employees or government contractors; this burden may be found below in Table 2: Average Annual EPA Burden and Cost - NESHAP for Phosphoric Acid Manufacturing and Phosphate Fertilizers Production (40 CFR Part 63, Subparts AA and BB) (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, hazardous air pollutants (HAPs) emissions from phosphoric acid manufacturing and phosphate fertilizers production 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, subparts AA and BB.

## **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. 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 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, subparts AA and BB.

### **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 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. Approximately 12 respondents will be subject to the standard over the three year period covered by this ICR.

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 Fertilizer Institute at, (202) 962-0490; and 2) the PCS Phosphate Company, at (847) 849-4322.

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 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 phosphoric acid manufacturing and phosphate fertilizers production facilities. The United States Standard Industrial Classification (SIC) code for the respondents affected by the standards is SIC 2874, which corresponds to the North American Industry Classification System (NAICS) code 325312 for Phosphatic Fertilizer Manufacturing.

### **4(b) Information Requested**

#### **(i) Data Items**

In this ICR, all the data that is recorded or reported is required by the NESHAP for Phosphoric Acid Manufacturing and Phosphate Fertilizers Production (40 CFR Part 63, Subparts AA and BB).

A source must make the following reports:

<b>Notifications</b>	
Notification and application of construction/reconstruction	63.5(d)
Notification of initial startup	63.09(b), 63.607, and 63.627
Notification of initial performance test	63.7(b), 63.9(e), 63.607, and 63.627
Extension of compliance	63.607, 63.627, and 63.9(c)
Special compliance requirements	63.607, 63.627, and 63.9(d)
Waiver of performance testing	63.607, 63.627, and 63.7(h)
Notification of compliance status	63.607, 63.627, and 63.9(h)

<b>Reports</b>	
Initial performance test report	63.607(a)(1), 63.627(a)(1), and 63.10(d)
Semiannual report	63.10(e) and 63.607(c)(2)
Quarterly report	63.10(e) and 63.607(c)(2)
Annual report	63.10(e) and 63.607(c)(1)

A source must keep the following records:

<b>Recordkeeping</b>	
Performance test report	63.607(b)(1), 63.627(b)(1), and 63.10(b)
Excess emissions report.	63.607(b)(2), 63.627(b)(2), and 63.10(b)
Summary report	63.607(b)(3), 63.627(b)(3), and 63.10(b)
Reports and notifications	63.10(b)
Records retained for 5 years	63.10(b)(1)

### Electronic Reporting

Some of the respondents are using monitoring equipment that automatically records parameter data. Although personnel at the affected facility must still evaluate the data, internal automation has significantly reduced the burden associated with monitoring and recordkeeping at a plant site.

Also, regulatory agencies in cooperation with the respondents continue to create reporting systems to transmit data electronically. However, electronic reporting systems are still not widely used. At this time, it is estimated that approximately 20 percent of the respondents use electronic reporting.

### **(ii) Respondent Activities**

<b>Respondent Activities</b>
Read instructions.
Install, calibrate, maintain, and operate devices for HAPs.
Perform initial performance test, Reference Methods 5 and 13 test, and repeat performance tests if necessary.
Perform annual performance test.
Write the notifications and reports listed above.

<b>Respondent Activities</b>
Enter information required to be recorded above.
Submit the required reports developing, acquiring, installing, and utilizing technology and systems for the purpose of collecting, validating, and verifying information.
Develop, acquire, install, and utilize technology and systems for the purpose of processing and maintaining information.
Develop, acquire, install, and utilize technology and systems for the purpose of disclosing and providing information.
Adjust the existing ways to comply with any previously applicable instructions and requirements.
Train personnel to be able to respond to a collection of information.
Transmit, or otherwise disclose the information.

Currently sources are using monitoring and reporting equipment that provide parameter data in an automated way (e.g., continuous parameter monitoring system). Although personnel at the source still need to evaluate the data, this type of monitoring equipment has significantly reduced the burden associated with monitoring and recordkeeping.

## **5. The Information Collected: Agency Activities, Collection Methodology, and Information Management**

### **5(a) Agency Activities**

EPA conducts the following activities in connection with the acquisition, analysis, storage, and distribution of the required information.

<b>Agency Activities</b>
Observe initial performance tests and repeat performance tests if necessary.
Review notifications and reports, including performance test reports, and excess emissions reports, required to be submitted by industry.
Audit facility records.
Input, analyze, and maintain data in the Online Tracking Information System (OTIS).

### **5(b) Collection Methodology and Management**

Following notification of startup, the reviewing authority could inspect the source to determine whether the pollution control devices are properly installed and operated. Performance test reports are used by the Agency to discern a source's initial capability to

comply with the emission standard and note the operating conditions under which compliance was achieved. Data and records maintained by the respondents are tabulated and published for use in compliance and enforcement programs. The semiannual reports are used for problem identification, as a check on source operation and maintenance, and for compliance determinations.

Information contained in the reports is entered into OTIS which is operated and maintained by EPA's Office of Compliance. OTIS is EPA's database for the collection, maintenance, and retrieval of compliance data for approximately 125,000 industrial and government-owned facilities. EPA uses the OTIS for tracking air pollution compliance and enforcement by local and state regulatory agencies, EPA regional offices and EPA headquarters. EPA and its delegated Authorities can edit, store, retrieve and analyze the data.

The records required by this regulation must be retained by the owner/operator for five years.

### **5(c) Small Entity Flexibility**

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.

The exact number of small entities affected by this rule could not be determined based on a review of available documents related to the rule, including the full text of the Final Rule (60 FR 62930). According to both the Final Rule and the Wood Manufacturing Operations (NESHAP Implementation Document (EPA-456/R-97-005, updated March 2004), additional mechanisms for exempting smaller sources from the standards were put in place. The Implementation Document states: "In order to lessen the burden on ... small sources ... the EPA included material usage and emission limits in the NESHAP. Facilities below these limits are designated by rule as area sources and are therefore not subject to the NESHAP."

### **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 Phosphoric Acid Manufacturing and Phosphate Fertilizers Production (40 CFR Part 63, Subparts AA and BB) (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 1,765 (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 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**

<b>Capital/Startup vs. Operation and Maintenance (O&amp;M) Costs</b>						
(A) Continuous Monitoring Device	(B) Capital/Startup Cost for One Respondent	(C) Number of New Respondents	(D) Total Capital/Startup Cost, (B X C)	(E) Annual O&M Costs for One Respondent	(F) Number of Respondents with O&M	(G) Total O&M, (E X F)
Temperature monitoring device	\$2,700	0	\$0	\$886	12	\$10,632

The total capital/startup costs for this ICR are \$0. This is the total of column D in the above table.

The total operation and maintenance (O&M) costs for this ICR are \$10,632. 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 \$10,632. These are the costs of recordkeeping.

**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 \$55,017.

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 – NESHAP for Phosphoric Acid Manufacturing and Phosphate Fertilizers Production (40 CFR Part 63, Subparts AA and BB) (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 12 existing respondents will be subject to the standard. It is estimated that no additional respondents per year will become subject. The overall average number of respondents, as shown in the table below, is 12 per year.

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

Number of Respondents					
Year	(A) Number of New Respondents <sup>1</sup>	(B) Number of Existing Respondents	(C) Number of Existing Respondents that keep records but do not submit reports	(D) Number of Existing Respondents That Are Also New Respondents	(E) Number of Respondents (E=A+B+C-D)
1	0	12	0	0	12
2	0	12	0	0	12
3	0	12	0	0	12
Average	0	12	0	0	12

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

Column D is subtracted to avoid double-counting respondents. As shown above, the average Number of Respondents over the three year period of this ICR is 12.

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

<b>Total Annual Responses</b>				
(A) Information Collection Activity	(B) Number of Respondents	(C) Number of Responses	(D) Number of Existing Respondents That Keep Records But Do Not Submit Reports	(E) Total Annual Responses E=(BxC)+D
Notification of construction/reconstruction	0	0	0	0
Notification of initial performance test	0	0	0	0
Notification of compliance status	0	0	0	0
Annual performance test report	12	1	0	12
Quarterly reports of excess emissions	1.2	4	0	4.8
Semiannual report of no excess emissions	10.8	2	N/A	21.6
Startup/Shutdown/Malfunction Report	1	1	N/A	1
			Total	39.4

The number of Total Annual Responses is 39.

The total annual labor costs are \$170,949. Details regarding these estimates may be found below in Table 1: Annual Respondent Burden and Cost – NESHP for Phosphoric Acid Manufacturing and Phosphate Fertilizers Production (40 CFR Part 63, Subparts AA and BB) (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 1,765 at a cost of \$170,949. Details regarding these estimates may be found below in Table 1: Annual Respondent Burden and Cost – NESHP for Phosphoric Acid Manufacturing and Phosphate Fertilizers Production (40 CFR Part 63, Subparts AA and BB) (Renewal).

Furthermore, the annual public reporting and recordkeeping burden for this collection of information is estimated to average 45 hours per response.

The total annual capital/startup and O&M costs to the regulated entity are \$10,632. 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 1,221 labor hours at a cost of \$55,017. See below Table 2: Average Annual EPA Burden and Cost – NESHAP for Phosphoric Acid Manufacturing and Phosphate Fertilizers Production (40 CFR part 63, subparts AA and BB) (Renewal).

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

There is an increase in burden for both the respondents and the Agency due to an adjustment. This increase is not due to any program changes. The previous ICR assumed the per-respondent burden hour for each activity is inclusive of all technical, managerial, and clerical hours. This ICR assumes the per-respondent burden hour includes technical hours only, and that managerial and clerical hours are additional 5 and 10 percent of technical hours, respectively. In addition, this ICR uses updated labor rates available from the Bureau of Labor Statistics to calculate burden costs. This results in an adjustment increase in both labor hours and costs.

Additionally, there is a decrease in the estimated number of responses due to a correction. The previous ICR assumed that each respondent would have to submit annual, semiannual, and quarterly reports, or a total of seven reports per year, which is inconsistent with the assumptions used to calculate respondent reporting burden. This ICR corrects the number of responses and clarifies that quarterly reports are only required if there are excess emissions.

**6(g) Burden Statement**

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 45 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 EPA-HQ-OECA-2012-0676. 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-2012-0676 and OMB Control Number 2060-0361 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 Phosphoric Acid Manufacturing and Phosphate Fertilizers Production (40 CFR Part 63, Subparts AA and BB) (Renewal).**

Burden item	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)
	Technical Hours per Occurrence	Occurrences per respondent per year	Person hours per respondent per year (C = AxB)	Respondents per year	Technical person hours per year (E = CxD) <sup>a</sup>	Managerial person hours per year (F = Ex0.05) <sup>a</sup>	Clerical person hours per year (G = Ex0.1) <sup>a</sup>	Total Cost per year(\$)
1. Applications	N/A							
2. Survey and Studies	N/A							
4. Reporting Requirements								
A. Read instructions	4	1	4	0	0	0	0	\$0
B. Required activities								
Initial performance test	28	1	28	0	0	0	0	\$0
Repeat initial performance test	28	0.1	2.8	0	0	0	0	\$0
Startup, shutdown, malfunction plan	40	1	40	0	0	0	0	\$0
Annual performance test <sup>b</sup>	28	1	28	12	336	16.8	33.6	\$37,414.61
Repeat annual performance test <sup>c</sup>	28	0.2	5.6	1	5.6	0.28	0.56	\$623.57
C. Create information	See 4B							
D. Gather existing information	See 4B							
E. Write report <sup>j</sup>								
Notification of applicability	N/A							
Notification of construction./reconstruction	2	1	2	0	0	0	0	\$0
Notification of actual startup	N/A							
Notification of compliance requirements	N/A							
Notification of performance test	2	1	2	0	0	0	0	\$0
Notification of compliance status	4	1	4	0	0	0	0	\$0
Report of performance test	See 4B							
Report monitoring exceedances <sup>d</sup>	16	4	64	1.2	76.8	3.84	7.68	\$8,551.91
Report of no excess emissions <sup>e</sup>	8	2	16	10.8	172.8	8.64	17.28	\$19,241.80

Startup/ shutdown/ malfunction report <sup>f</sup>	8	1	8	1	8	0.4	0.8	\$890.82
<b>Subtotal for Reporting</b>					<b>689</b>			<b>\$66,722.71</b>
5. Recordkeeping Requirements								
A. Read instructions	4	1	4	0	0	0	0	\$0
B. Plan activities	See 5E							
C. Implement activities	See 5E							
D. Develop record system	See 5E							
E. Time to enter information								
Records of operating parameters <sup>b</sup>	1.5 <sup>g</sup>	52 <sup>h</sup>	78	12	936	46.8	93.6	\$104,226.41
F. Time to train personnel <sup>i</sup>	N/A							
G. Time to comply with applicable requirements	See 4B							
H. Time for audits	N/A							
<b>Subtotal for Recordkeeping</b>					<b>1,076</b>			<b>\$104,226.41</b>
<b>TOTAL ANNUAL BURDEN and COST (rounded)</b>					<b>1,765</b>			<b>\$170,949</b>

## Assumptions:

<sup>a</sup> This ICR assumes that managerial hours are 5 percent of technical hours, and clerical hours are 10 percent of technical hours. This ICR uses a labor rate of \$121.44 for managerial hours, \$100.23 for technical hours, and \$50.51 for clerical hours.

<sup>b</sup> We have assumed that the average of respondents that will be subject to the rule will be twelve. There will be no additional new sources per year that will become subject to the rule over the three-year period of this ICR.

<sup>c</sup> We have assumed that 7 percent of respondents ( $12 \times 7\% = 0.84$ / rounded to 1) will fail the initial performance test and must repeat it.

<sup>d</sup> We have assumed that 10 percent of respondents will report exceedances. Respondents are required to report quarterly.

<sup>e</sup> We have assumed that 90 percent of existing respondents report no excess emissions semiannually.

<sup>f</sup> We have assumed that 1 of 12 sources will have to submit a startup, shutdown, or malfunction report.

<sup>g</sup> We have assumed that it will take 1.5 hours per respondent to enter information.

<sup>h</sup> We have assumed that information is entered one-time per week for 52 weeks per year.

<sup>i</sup> There are no hours for training personnel since no training is required by the rule and hours have been allotted under 5A for reading and understanding the recordkeeping/reporting requirements.



**Table 2: Average Annual EPA Burden and Cost – NESHAP for Phosphoric Acid Manufacturing and Phosphate Fertilizers Production (40 CFR Part 63, Subparts AA and BB) (Renewal)**

Burden Item	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)
	Person hours per Occurrence	No. of occurrences per respondent per year	Person hours per respondent per year (C=AxB)	Respondents per year	Technical person hours per year (E = CxD)	Managerial person hours per year (F = Ex0.05)	Clerical person hours per year (G = Ex0.1)	Total Cost per year <sup>a</sup>
Initial performance test	40	1	40	0	0	0	0	\$0
Repeat initial performance test								
Retesting preparation	8	1	8	0	0	0	0	\$0
Retesting	40	1	40	0	0	0	0	\$0
Excess emissions enforcement activities	N/A							
Report review								
Notification of applicability	2	1	2	0	0	0	0	\$0
Notification of construction./reconstruction	N/A							
Notification of anticipated startup	N/A							
Notification of actual startup	N/A							
Notification of special compliance requirements	N/A							
Notification of initial performance test	2	1	2	0	0	0	0	\$0
Notification of compliance status	2	1	2	0	0	0	0	\$0
Annual performance test	40	1	40	12	480	24	48	\$24,875.76
Repeat annual performance test	40	1	40	0.84	33.6	1.68	3.36	\$1,741.30
Excess emissions report	20	4	80	1.2	96	4.8	9.6	\$4,975.15
No excess emissions report	20	2	40	10.8	432	21.6	43.2	\$22,388.18
Waiver application	N/A				0	0	0	\$0
Startup, shutdown, malfunction report	20	1	20	1	20	1	2	\$1,036.49
<b>TOTAL ANNUAL BURDEN AND COST</b>					<b>1,221</b>			<b>\$55,017</b>

(rounded)						
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**Assumptions:**

- <sup>a</sup> The cost is based on rates from the Office of Personnel Management (OPM) “2012 General Schedule” which excludes locality rates of pay.
- <sup>b</sup> We have assumed that the average of respondents that will be subject to the rule will be 12. There will be no additional new sources per year that will become subject to the rule over the three-year period of this ICR.
- <sup>c</sup> We have assumed that 7 percent of respondents will fail the initial performance test and must repeat it.
- <sup>d</sup> We have assumed that 10 percent of respondent will report exceedances. Respondents are required to report quarterly.
- <sup>e</sup> We have assumed that 90 percent of existing respondents report no excess emissions semiannually.
- <sup>f</sup> We have assumed that 1 of 12 sources will have to submit startup, shutdown, or malfunction report.