

**SUPPORTING STATEMENT
ENVIRONMENTAL PROTECTION AGENCY**

NESHAP for Organic Liquids Distribution (Non-Gasoline) Facilities (40 CFR Part 63, Subpart EEEE) (Renewal)

1. Identification of the Information Collection

1(a) Title of the Information Collection

NESHAP for Organic Liquids Distribution (Non-Gasoline) Facilities (40 CFR Part 63, Subpart EEEE) (Renewal), EPA ICR Number 1963.05, OMB Control Number 2060-0539

1(b) Short Characterization/Abstract

The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Organic Liquids Distribution (Non-Gasoline) Facilities were proposed on April 2, 2002, and promulgated on February 3, 2004. Amendments to the regulations were made on July 28, 2006, and July 17, 2008. These regulations apply to the collection of activities and equipment at new and existing facilities used to distribute organic liquids into, out of, or within a major source plant site. Organic liquids distribution includes, but is not limited to, activities such as storage, transfer, blending, compounding, and packaging. Organic liquid means any non-crude oil liquid or liquid mixture that contains 5 percent by weight or greater of the organic HAP listed in Table 1 to this subpart, as determined using the procedures specified in Section 63.2354(c) and/or any crude oils downstream of the first point of custody transfer.

Organic liquids, for purposes of this subpart, do not include the following liquids: gasoline (including aviation gasoline); kerosene (No. 1 distillate oil); diesel (No. 2 distillate oil); asphalt; heavier distillate and fuel oils; any fuel consumed or dispensed on the plant site directly to users (such as fuels for fleet refueling or for refueling marine vessels that support the operation of the plant; hazardous waste; wastewater; ballast water; or any non-crude oil liquid with an annual average true vapor pressure (TVP) less than 0.7 kilopascals (0.1 psia). 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 EEEE.

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 facilities at each plant site and each plant site has only one respondent (i.e., the owner/operator of the plant site).

Over the next three years, an average of 381 respondents per year will be subject to the standard, and 12 additional respondents per year will become subject to the standard. The same numbers of facilities close or are no longer subject to the standards each year, so the overall growth rate of the industry is zero.

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

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

EPA has addressed each item of concern in the TOC by conducting consultations with industry and updating all burden estimates with the latest labor rates.

The burden to the “Affected Public” may be found below in Table 1: Annual Respondent Burden and Cost – NESHAP for Organic Liquids Distribution (Non-Gasoline) Facilities (40 CFR Part 63, Subpart EEEE) (Renewal). The “Federal Government” burden is attributed entirely to work performed by federal employees or government contractors and may be found below in Table 2: Average Annual EPA Burden and Cost – NESHAP for Organic Liquids Distribution (Non-Gasoline) Facilities (40 CFR Part 63, Subpart EEEE) (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 pollutant (HAP) emissions from the distribution of organic liquids either cause or contribute to air pollution that may reasonably be anticipated to endanger public health and/or welfare. Therefore, the NESHAP were promulgated for this source category at 40 CFR part 63, subpart EEEE.

2(b) Practical Utility/Users of the Data

The recordkeeping and reporting requirements in the standard ensure compliance with the applicable regulations which were promulgated in accordance with the Clean Air Act. The collected information is also used for targeting inspections and as evidence in legal proceedings.

Performance tests are required in order to determine an affected facility's initial capability to comply with the emission standard. Continuous emission monitors are used to ensure compliance with the standard at all times. During the performance test a record of the operating parameters under which compliance was achieved may be recorded and used to determine compliance in place of a continuous emission monitor.

The notifications required in the standard are used to inform the Agency or delegated authority when a source becomes subject to the requirements of the regulations. The reviewing authority may then inspect the source to check if the pollution control devices are properly installed and operated, leaks are being detected and repaired, 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 EEEE.

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 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 reviewed previously to determine the minimum information needed for compliance purposes. In developing this ICR, we contacted: 1) the Dow Chemical Company, at (979) 238-5418; and 2) the DuPont Company, at (302) 774-8043. The Dow Chemical Company indicated that EPA underestimated the burden required to prepare semiannual reports. Specifically, Dow estimated that its facilities spend four to ten hours for data gathering per process area, and that each facility has 20 process areas with organic liquid distribution activities. Therefore, the total number of hours required to prepare each semiannual report ranges from 80 to 200 hours. We have revised the estimate in this ICR in response to the consultation comments received.

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 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 owner and operators of plant sites at which the distribution of organic liquids into, out of or within a major source plant site occur. The United States Standard Industrial Classification (SIC) codes for the respondents affected by the standards and corresponding North American Industry Classification System (NAICS) codes may be found in the following table.

Standard (40 CFR Part 63, Subpart EEEE)	SIC Codes	NAICS Codes
Chemical Production	2821, 2865, 2869	325211, 325192, 325188
Petroleum Refineries	2911	32411
Liquid Terminals	4226	49311, 49319
Crude oil pipeline stations	4612	48611
Petroleum terminals	5169, 5171	42269, 42271

4(b) Information Requested

(i) Data Items

In this ICR, all the data that is recorded or reported is required by the NESHAP for Organic Liquids Distribution (Non-Gasoline) Facilities (40 CFR Part 63, Subpart EEEE).

A source must make the following reports:

Notifications/ Reports	
Maintain copies of all submitted reports and notifications for five years	63.10(b), 63.2394(b)
Initial notifications (including construction/reconstruction)	63.5, 63.9(b), 63.2382(b)
Notification of actual date of startup	63.9(b)(4)(v)
Notification of performance test, test plan, and emission profile	63.7(b)-(c)(2), 63.9(e),63.999(a) (1)63.2382(c)
Notification of CEMS performance evaluation	63.8(e)(2), 63.9(g)
Notification of continuous parameter monitoring system (CPMS) performance evaluation	63.8(e)(2), 63.9(g)
Request for Extension of Compliance, if necessary and required progress reports	63.9(c), 63.10(d)(4)
Request to use alternative recordkeeping	63.998(b)(5)
Request for alternative monitoring	63.998(d)
Notification of compliance status (including performance test results)	63.9(h), 63.10(d)(2), 63.999(a)(2), 63.999(b), 63.2382(d)
First Compliance Report	63.10(e)(3), 63.999(c), 63.2386(a), (b)(1), (c), and (e)
Semi-annual compliance report	63.10(e)(3), 63.999(c) and 63.2386(a), (b)(2), (d), and (e)
SSM Reports, periodic and immediate	63.10(d)(5), 63.2386(a)

A source must keep the following records:

Recordkeeping	
Record retention	63.10(b)(1), 63.2394(b)
Documentation supporting initial notifications and notifications of compliance status	63.10(b)(2)(xiv), 63.2525(a)(1)
Records relating to emissions points which are part of the affected source but which do not require control	63.2390(b)
Startup, shutdown, and malfunction plan	63.6(e)(3)
Records related to startup, shutdown, and malfunction	63.6(e)(3)(iii)-(iv), 63.10(b)(2)(i)-(ii) and (iv)-(v), 63.2390(b)(1)
Records of performance tests and CEMS performance evaluations and conditions of performance tests and CEMS performance evaluations	63.10(b)(2)(viii) and (ix), 63.2390(b)(1)
Records of performance tests and CPMS performance evaluations and conditions of performance tests and CPMS performance evaluations	63.998(a), 63.2390(b)(1)
Records for equipment leaks	63.1038(b)-(c), 63.2525(a)(4)
Records for applicability determinations	63.10(b)(3)
Results of each CEMS calibration, validation check, and inspection and maintenance	63.10(b)(2)(x), and (xi), 63.2390(b)(1)
Results of each CPMS calibration, validation check, and inspection and maintenance	63.2390(b)(1)
Records for each CEMS	63.8(d)(3), 63.8(f) (6)(i), 63.10(b)(2) (vi)-(ix), and 63.2390(b)(1)
Records for each CPMS	63.2390(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

Respondent Activities
Read instructions.
Install, calibrate, maintain, and operate CMS for opacity, or for pressure drop and liquid supply pressure for control device.
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
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 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.

Although this standard will not have a significant economic impact on a substantial number of small entities, we nonetheless have tried to minimize the impact of this rule on small entities in several ways during the development of this rule. First, we chose to set the control requirements at the MACT floor control level and not at a control level more stringent. Thus, the control level specified in the proposed OLD rule is the least stringent allowed by the CAA.

Second, we have set facility size, transfer rack throughput, and tank size cutoffs in the rule to minimize the effects on small businesses. Third, we have identified a list of 69 HAP from the list of 188 in the CAA to be considered for regulation. Regulated liquids are organic liquids that contain at least 5 percent by weight of the 69 HAP listed. In addition, we worked with various trade associations during the development of the rule. These actions have reduced the economic impact on small entities from this rule.

5(d) Collection Schedule

The specific frequency for each information collection activity within this request is shown below in Table 1: Annual Respondent Burden and Cost – NESHAP for Organic Liquids Distribution (Non-Gasoline) Facilities (40 CFR Part 63, Subpart EEEE) (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 114,667 hours (Total Labor Hours from Table 1). 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	\$122.49(\$58.33 + 110%)
Technical	\$101.28 (\$48.23 + 110%)
Clerical	\$50.80 (\$24.19 + 110%)

These rates are from the United States Department of Labor, Bureau of Labor Statistics, September 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. Both new and existing sources are expected to incur capital/startup costs because the monitoring equipment only has a five-year expected service life. Therefore, the capital/startup costs in this ICR include the cost to repurchase equipment and are not 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

The capital costs associated with monitoring equipment for storage tanks and transfer racks include the monitoring equipment, installation, ancillary costs (planning and selection), and a data acquisition system (DAS) (data logger, computer, logging and reporting software, and printer). The capital costs for the monitoring equipment were estimated based on the following assumptions: (1) the monitoring equipment cost per facility with transfer racks is \$12,150, which includes the cost for thermocouple, wire, and DAS; (2) the monitoring equipment cost for each facility with storage tanks with separate emission controls is \$780, which includes the cost for thermocouple and wire to connect to the DAS for transfer racks; and (3) the monitoring equipment has a 5-year expected life and is not capitalized, so no discount rate applies. The annual average capital cost for monitoring equipment for transfer racks per facility is \$12,500 divided by 5, or \$2,500 per year. The annual average capital cost for monitoring equipment for storage tanks per facility is \$780 divided by 5, or \$156 per year.

The capital costs associated with monitoring equipment for leak detection and repair (LDAR) include the cost of the purchase of an organic volatile analyzer (OVA). The estimated average cost of OVA is \$7,000 with a five-year expected life. The equipment is not capitalized, so no discount rate applies. The average annual cost is \$7,000 divided by 5 years or \$1,400 per year.

Operation and maintenance (O&M) costs include those costs associated with the general upkeep of capital equipment, such as monitoring equipment. The O&M cost associated with the monitoring equipment is \$15,875 for transfer racks and \$5,825 for storage tanks, per respondent. For LDAR monitoring, the operation of the monitors is included in the monitoring costs. Maintenance costs on these units are incidental; therefore, no maintenance or operation costs incur.

Capital/Startup vs. Operation and Maintenance (O&M) Costs						
(A) Continuous Monitoring Device	(B) Capital/Startup Cost for One Respondent	(C) Number of Respondents	(D) Total Capital/Startup Cost, (B X C)	(E) Annual O&M Costs for One Respondent ⁵	(F) Number of Respondents with O&M	(G) Total O&M, (E X F)
Transfer rack – thermo-couple, DAS, wire ¹	\$2,500	319	\$797,500	\$15,875	319	5,064,125
Storage Tank thermocouple, wire ¹	\$156	319	\$49,764	\$5,825	319	1,858,175
LDAR ²	\$1,400	564	\$789,600	N/A	N/A	N/A
Total			\$1,636,864			\$6,922,300

¹It is estimated that two new facilities will purchase transfer rack equipment and that two additional new facilities will purchase storage tank equipment in each of the three years covered by this ICR. There are 317 out of the 381 existing respondents that will have transfer rack equipment and storage tank equipment. Therefore, the total number of respondents is 319.

²181 existing sources and 6 new sources will have LDAR programs. Fifty percent of the sources with LDAR programs will purchase a monitor for use in-house, and the rest will contract out the practice. Those facilities which contract out (91 existing facilities and 3 new facilities) will purchase one unit as backup; the remaining facilities performing LDAR in-house (91 existing facilities and 3 new facilities) will purchase 5 units to support the program, for a total of 546 and 18 units purchased for existing and new facilities, respectively. The total number of units combined is 564.

The total capital/startup costs for this ICR are \$1,636,864. This is the total of column D in the above table.

The total operation and maintenance (O&M) costs for this ICR are \$6,922,300. 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 \$8,559,164. 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 \$474,091.

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 Organic Liquids Distribution (Non-Gasoline) Facilities (40 CFR Part 63, Subpart EEEE) (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 381 existing respondents will be subject to the standard. It is estimated that an additional 12 respondents per year will become subject, and 12 existing respondents will either close or cease to be become subject to the regulation. The overall average number of respondents, as shown in the table below is 381 per year. Among the 381 respondents, 64 sources will only incur minimal recordkeeping burden and have no reporting requirement, because they are not require to install control equipment and have no other on-going requirement beyond an initial notification.

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 Respondent ²	(C) Number of Existing Respondents that keep records but do not submit reports	(D) Number of Existing Respondents That Are No Longer Subject	(E) Number of Respondents (E=A+B+C-D)
1	12	381	0	12	381
2	12	381	0	12	381
3	12	381	0	12	381
Average	12	381	0	12	381

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 381.

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
Initial Notification	12	1	N/A	12
Notification of Performance Test	3	1	N/A	3
Notification of Compliance Status	12	1	N/A	12
Semiannual Report	317	2	64	698
Notification of Construction/Reconstruction	12	1	N/A	12
Notification of Actual Startup	12	1	N/A	12
			Total	749

Note: We assume 12 new sources and 381 existing sources per year. Of the new sources, we assume 25 percent (12 x 25% = 3) have to install control and conduct initial performance test. Of the existing sources, 64 sources do not have on-going reporting requirement, and only 317 sources have to submit semiannual reports.

The number of Total Annual Responses is 749.

The total annual labor costs are \$11,210,842. Details regarding these estimates may be found below in Table 1: Annual Respondent Burden and Cost – NESHAP for Organic Liquids Distribution (Non-Gasoline) Facilities (40 CFR Part 63, Subpart EEEE) (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 114,667 hours at a cost of \$11,210,842. Details regarding these estimates may be found below in Table 1: Annual Respondent Burden and Cost – NESHAP for Organic Liquids Distribution (Non-Gasoline) Facilities (40 CFR Part 63, Subpart EEEE) (Renewal).

Furthermore, the annual public reporting and recordkeeping burden for this collection of information is estimated to average 153 hours per response.

The total annual capital/startup and O&M costs to the regulated entity are \$8,559,164. 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 the next three years is estimated to be 10,520 labor hours at a cost of \$474,091. See Table 2 below: Average Annual EPA Burden and Cost – NESHAP for Organic Liquids Distribution (Non-Gasoline) Facilities (40 CFR Part 63, Subpart EEEE) (Renewal).

6(f) Reasons for Change in Burden

There is an adjustment increase in the respondent labor hours in this ICR compared to the previous ICR. This is due to an increase in the estimated number of hours to prepare semiannual reports. The previous ICR estimated 40 technical hours per occurrence for this burden item. Based on the consultation comments received during the development of this ICR, we revised the estimate to 80 hours per semiannual report to more accurately reflect industry burden. In addition, there is an increase in respondent labor costs from the most recently-approved ICR due to adjustments in labor rates. This ICR uses updated labor rates to calculate all burden costs.

6(g) Burden Statement

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 153 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-2012-0686. 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-2012-0686 and OMB Control Number 2060-0539 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 – NESHP for Organic Liquids Distribution (Non-Gasoline) Facilities (40 CFR Part 63, Subpart EEEE) (Renewal)

Burden Item	(A) Hours per Occurrence	(B) Number of Occurrences per Respondent per Year	(C) Technical Hours per Respondent (C=AxB)	(D) Number of Respondents per Year	(E) Technical Hours per Year (E=CxD)	(F) Manag. Hours per Year (F=E \times 0.05)	(G) Clerical Hours per Year (G=E \times 0.1)	(H) Total Labor Cost per Year (\$) ^k
1. Applications	N/A							
2. Surveys and Studies	N/A							
3. Reporting Requirements								
A. Read and understand rule requirements ^a	40	1	40	12	480	24	48	\$53,969
B. Required activities:								
3.1 Organic Liquids								
(a). Provide true vapor pressure and percent Table 1 HAP of all organic liquids transferred into/out of facility ^b	10	1	10	317	3,170	158.5	317	\$356,417
(b). Determine and provide Table 1 HAP percentages in organic liquids using Method 311 ^b	1	15	15	83	1,245	62.25	124.5	\$139,981
3.2 Storage Tanks								
(a). Provide a list of all tanks in OLD operation including their capacity, HAP vapor pressure for tanks less than 50,000 gallons, roof type, primary and secondary seal types, and fittings ^a	20	1	20	12	240	12	24	\$26,984
(b). Provide results of the required inspections for storage tanks ^b	15	1	15	317	4,755	237.75	475.5	\$534,626
3.3 Transfer Operations								
(a). Provide documentation of the facility-wide volume of affected liquids transferred through loading racks and the HAP percentage of affected liquids transferred through each rack ^b	20	2	40	188	7,520	376	752	\$845,507
(b). Provide documentation that cargo tanks subject to Method 27 vapor tightness testing loading at affected loading positions have current vapor tightness certification ^b	15	1	15	188	2,820	141	282	\$317,065
3.4 Equipment Leaks								
(a). Provide a list of all equipment in OLD service ^a	20	1	20	6	120	6	12	\$13,492

Burden Item	(A) Hours per Occurrence	(B) Number of Occurrences per Respondent per Year	(C) Technical Hours per Respondent (C=AxB)	(D) Number of Respondents per Year	(E) Technical Hours per Year (E=CxD)	(F) Manag. Hours per Year (F=E \times 0.05)	(G) Clerical Hours per Year (G=E \times 0.1)	(H) Total Labor Cost per Year (\$) ^k
(b). Provide documentation detailing equipment found leaking using Method 21 was repaired in time required ^c	10	4	40	302	12,080	604	1,208	\$1,358,209
3.5 Control Devices								
(a). Provide records of control devices in OLD service and the emission sources which they control ^{a,d}	10	1	10	3	30	1.5	3	\$3,373
(b). Provide records detailing deviations in the proper operating conditions of the control devices in OLD service ^d	5	1	5	96	480	24	48	\$53,969
(c). Provide records of all performance tests required for the control devices ^{a,d,e}	24	1	24	3	72	3.6	7.2	\$8,095
(d). Performance test of control devices, Method 25A. ^{a,d,e}	24	1	24	3	72	3.6	7.2	\$8,095
3.6 Repeat of Performance Test								
Method 18--Measurement of Gaseous Organic Compound Emissions by Gas Chromatography ^{e,f,g}	5	1	5	0	0	0	0	\$0
Method 25A--Determination of Gaseous TOC by Flame Ionization Detection ^{e,f,g}	24	1	24	0	0	0	0	\$0
Method 27--Determination of Vapor Tightness Test for Gasoline Delivery Tanks ^j	2	1	2	75	150	7.5	15	\$16,865
C. Create Information	See 3B							
D. Gather Information	See 3B							
E. Report Preparation								
Initial notification report ^a	16	1	16	12	192	9.6	19.2	\$21,587
Initial compliance report ^a	20	1	20	12	240	12	24	\$26,984
Semiannual compliance report ^e	80	2	160	317	50,720	2,536	5,072	\$5,702,678
Notification of performance test ^{a,e}	4	1	4	3	12	0.6	1.2	\$1,349
Notification of construction/reconstruction ^{a,i}	4	1	4	12	48	2.4	4.8	\$5,397
Notification of actual startup ^{a,i}	4	1	4	12	48	2.4	4.8	\$5,397
Subtotal for Reporting Requirements					97,168.1			\$9,500,039
4. Recordkeeping Requirements								
A. Read Instructions	See 3A							
B. Plan Activities	See 3A							

Burden Item	(A) Hours per Occurrence	(B) Number of Occurrences per Respondent per Year	(C) Technical Hours per Respondent (C=AxB)	(D) Number of Respondents per Year	(E) Technical Hours per Year (E=CxD)	(F) Manag. Hours per Year (F=E \times 0.05)	(G) Clerical Hours per Year (G=E \times 0.1)	(H) Total Labor Cost per Year (\$) ^k
C. Implement Activities	See 3A							
D. Develop Record System	See 3A							
E. Record Information								
4.1 Organic Liquids								
(a). Maintain records of true vapor pressure of organic liquids.	See 3.1(a)							
(b). Maintain records of Table 1 HAP in organic liquids.	See 3.1(a), (b)							
4.2 Storage Tanks								
(a). Maintain records of all storage tanks in OLD service, their dimensions, roof types, seal types, and fittings.	See 3.2(a)							
(b). Maintain records of organic liquids and their respective volumes stored in individual storage tanks.	See 3.2(a)							
(c). Maintain records of storage tank inspections and repairs.	See 3.2(b)							
4.3 Liquid Transfers								
(a). Maintain records of the organic liquids and their respective volumes transferred through each loading arm.	See 3.3(a)							
(b). Maintain records of cargo tanks and their vapor tightness certification.	See 3.3(b)							
4.4 Equipment Leaks								
(a). Maintain records of equipment associated with organic liquids distribution.	See 3.4(a)							
(b). Maintain records of periodic Method 21 inspections, including leaking equipment found, and time required to repair leaking equipment.	See 3.4(b)							
4.5 Control Devices								
(a). Maintain records describing the control devices used to comply with the NESHAP, and what emission sources they control.	See 3.5(a)							

Burden Item	(A) Hours per Occurrence	(B) Number of Occurrences per Respondent per Year	(C) Technical Hours per Respondent (C=AxB)	(D) Number of Respondents per Year	(E) Technical Hours per Year (E=CxD)	(F) Manag. Hours per Year (F=E \times 0.05)	(G) Clerical Hours per Year (G=E \times 0.1)	(H) Total Labor Cost per Year (\$) ^k
(b). Maintain records of performance tests.	See 3.5(b)							
(c) Record startups, shutdowns, and malfunctions (deviations) ^b	4	12	48	317	15,216	760.8	1,521.6	\$1,710,803
G. Personnel Training	N/A							
Subtotal for Recordkeeping Requirements						17,498.4		\$1,710,803
TOTAL ANNUAL BURDEN and COST (rounded)						114,667		\$11,210,842

Assumptions:

We assume 381 existing sources and 12 new sources per year that are subject to this rule. Additionally, we expect that 12 existing sources will either close or no longer become subject, and that the total number of respondents remain at 381 each year.

^a One-time activity for new sources only. Growth rate assumed to be 3 percent (or 12 new sources per year).

^b Required of all affected facilities. Of the 381 facilities, 64 have minimal tasks to do and are assigned a burden of 1 hour total,

The annualized number of respondents per year actively engaged in the detection and correction of pollution problems is effectively (381 - 64 = 317).

All 317 of the affected facilities have storage tanks. 188 of the affected facilities have transfer racks. 181 of the affected facilities have LDAR programs.

^c Estimates do not include facilities that already operate an LDAR program.

^d Only includes facilities installing a new control device as a result of OLD NESHAP (25 percent of sources).

^e Estimate includes test plan, test report, and parametric monitoring setup. Assumes no facilities will use methods 18 or 25A. Based on comments received from Dow, we estimate approximately 80 hours to prepare each semiannual report. This is based on 4 hours to gather data for each of 20 process areas with organic liquid distribution.

^f Assumes that 15% of all performance tests need to be repeated.

^g Assumes that this method will only be used to determine the percent of HAP in organic liquids.

^h Assumes that only for-hire terminals and bulk gasoline terminals will require Method 18 testing of organic liquids.

ⁱ Assumes that 12 facilities per year would be subject to construction/reconstruction/actual startup provision.

^j Assumes that 1/2 percent of the approximately 15,000 tank trucks carrying organic liquids would undergo Method 27 testing on an annual basis.

^k Assume a technical labor rate of \$101.28, managerial rate \$122.49, and clerical rate of \$50.80 from the United States Department of Labor, Bureau of Labor Statistics,

September 2012, "Table 2. Civilian Workers, by Occupational and Industry group." The rates are from column 1: Total compensation. The wage rate obtained from the table has been increased by 110 percent.

Table 2: Average Annual EPA Burden and Cost – NESHAP for Organic Liquids Distribution (Non-Gasoline) Facilities (40 CFR Part 63, Subpart EEEE) (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 ^a	(E) Technical Hours per Year (E=C x D)	(F) Management Hours per Year (F= E x 0.05)	(G) Clerical Hours per Year (G= E x 0.1)	(H) Costs per Year ^f
1. Applications								
2. Surveys and Studies								
3. Reporting Requirements								
A. Read and understand rule requirements	40	1	40	1	40	2	4	\$2,072.98
B. Required activities								
3.1 Organic Liquids								
(a). Review documentation of organic liquids, their vapor pressure, and percent of regulated HAP ^a	6	1	6	317	1,902	95.1	190.2	\$98,570.20
3.2 Storage Tanks								
(a). Review documentation of storage tanks, their roof types, etc ^a	8	1	8	12	96	4.8	9.6	\$4,975.15
(b). Review documentation of the required storage tank inspections ^a	4	1	4	317	1,268	63.4	126.8	\$65,713.47
3.3 Transfer Operations								
(a). Review documentation of the organic liquids transferred, their volumes, TVP, and HAP percentages ^b	4	1	4	188	752	37.6	75.2	\$38,972.02
(b). Review documentation of vapor tightness testing on cargo tanks ^{d,b}	4	1	4	188	752	37.6	75.2	\$38,972.02
3.4 Equipment Leaks								
(a). Review report of equipment leak program ^c	8	1	8	181	1,448	72.4	144.8	\$75,041.88
(b). Review report of equipment leak repairs ^c	4	1	4	181	724	36.2	72.4	\$37,520.94
(c). Review Method 21 documentation ^c	4	1	4	181	724	36.2	72.4	\$37,520.94
3.5 Control Devices								
(a). Review control devices in OLD service ^a	4	1	4	3	12	0.6	1.2	\$621.89

(b). Review records of deviations ^d								
(c). Review control device performance test results ^d	4	1	4	3	12	0.6	1.2	\$621.89
C. Create Information								
D. Gather Information								
E. Report Preparation								
Review initial notification report ^a	4	1	4	12	48	2.4	4.8	\$2,487.58
Review initial compliance report ^a	4	1	4	12	48	2.4	4.8	\$2,487.58
Review semi-annual compliance report ^a	2	1	2	634	1,268	63.4	126.8	\$65,713.47
Review notification of performance test ^a	2	1	2	3	6	0.3	0.6	\$310.95
Review notification of construction/ reconstruction ^e	2	1	2	12	24	1.2	2.4	\$1,243.79
Review notification of actual startup ^e	2	1	2	12	24	1.2	2.4	\$1,243.79
Total Annual Burden and Cost (rounded)						10,520		\$474,091

Assumptions:

We assume 381 existing sources and 12 new sources per year that are subject to this rule. Additionally, we expect that 12 existing sources will either close or no longer become subject, and that the total number of respondents remain at 381 each year.

^a Estimate includes all affected facilities.

^b Estimate does not include crude oil pipeline breakout stations.

^c Estimate does not include facilities that already operate an LDAR program.

^d Only includes facilities incurring costs for a new control device as a result of the OLD NESHAP.

^e Estimate that only 12 facilities will undergo construction/reconstruction, anticipated startup, and actual startup.

^f Assume a technical labor rate of \$46.21, managerial rate \$62.27, and clerical rate of \$25.01. 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. These rates can be obtained from the OPM web site, <http://www.opm.gov/oca/payrates/index/htm>.