

**SUPPORTING STATEMENT  
ENVIRONMENTAL PROTECTION AGENCY**

**NSPS for Petroleum Refineries for which Construction, Reconstruction, or Modification  
Commenced after May 14, 2007 (40 CFR Part 60, Subpart Ja) (Renewal)**

**1. Identification of the Information Collection**

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

NSPS for Petroleum Refineries for which Construction, Reconstruction, or Modification Commenced after May 14, 2007(40 CFR Part 60, Subpart Ja) (Renewal), EPA ICR Number 2263.05, OMB Control Number 2060-0602.

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

The New Source Performance Standards (NSPS) for Petroleum Refineries were proposed on May 14, 2007, promulgated on June 24, 2008 and amended on September 26, 2008, September 12, 2012 and December 19, 2013. The 2013 direct final rule amends the definition of “delayed coking unit” by removing process piping and associated equipment (pumps, valves, and connectors) from the definition. The Subpart Ja regulations apply to units that are constructed, reconstructed, or modified after May 14, 2007 for fuel gas combustion devices (FGCDs) other than a flare and June 24, 2008 for a flare, which no longer is a subcategory of FGCDs and EPA has established a separate suite of standards under Subpart Ja. The affected facilities include: fluid catalytic cracking units, fluid coking units, delayed coking units, process heaters and other FGCDs, flares and sulfur recovery plants. Emissions limitations would be used to control emissions of particulate matter (PM), nitrogen oxides (NO<sub>x</sub>), carbon monoxide (CO), sulfur dioxide (SO<sub>2</sub>), hydrogen sulfide (H<sub>2</sub>S) and/or reduced sulfur compounds (RSC). 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 60, Subpart Ja.

In general, all NSPS 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 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 United States Environmental Protection Agency (EPA) regional office.

All of the petroleum refinery facilities in the United States are owned and operated by the petroleum refinery industry (the “Affected Public”). None of the facilities in the United States

are owned by state, local, tribal or the federal government. They are all privately-owned, for profit businesses. The burden to the “Affected Public” may be found below in Table 1: Annual Respondent Burden and Cost – NSPS for Petroleum Refineries for which Construction, Reconstruction, or Modification Commenced after May 14, 2007 (40 CFR Part 60, Subpart Ja) (Renewal). The burden to the “Federal Government” burden is attributed entirely to work performed by federal employees or government contractors; this burden is found below in Table 2: Average Annual EPA Burden and Cost – NSPS for Petroleum Refineries for which Construction, Reconstruction, or Modification Commenced after May 14, 2007 (40 CFR Part 60, Subpart Ja) (Renewal).

Based on our consultations with industry representatives, there are an average of 2.67 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, approximately 150 respondents (refineries) per year will be subject to the standard, and no additional respondents per year will become subject to the standard. This ICR includes estimates of the monitoring, recordkeeping, and reporting burden for affected entities, covering fuel gas combustion devices at 18 plants and 400 flares at 150 refineries.

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

## **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, PM, NO<sub>x</sub>, CO, SO<sub>2</sub>, H<sub>2</sub>S and RSC emissions from petroleum refineries 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, Subpart Ja.

### **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 and/or leaks are being detected and repaired and the standard 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. Nonduplication, Consultations, and Other Collection Criteria**

The requested recordkeeping and reporting are required under 40 CFR Part 60, Subpart Ja.

### **3(a) Nonduplication**

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 (80 FR 32116) on June 5, 2015. 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 Integrated Compliance Information System (ICIS). ICIS is EPA's database for the collection, maintenance, and retrieval of compliance data for industrial and government-owned facilities. 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) American Fuel and Petrochemical Manufacturers, at (202)-457-0480; and 2) American Petroleum Institute, at (202)-682-8000.

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.

### **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 (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 petroleum refineries that were constructed, modified, or reconstructed after May 14, 2007. The United States Standard Industrial Classification (SIC) code for the respondents affected by the standards is SIC 2911, which corresponds to the North American Industry Classification System (NAICS) 324110 for Petroleum Refineries.

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

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

In this ICR, all the data that is recorded or reported is required by the NSPS for Petroleum Refineries for which Construction, Reconstruction, or Modification Commenced after May 14, 2007 (40 CFR Part 60, Subpart Ja).

A source must make the following reports:

<b>Notifications</b>	
Initial notifications:	60.7(a)
Construction/reconstruction	60.7(a)(1)
Actual Start-up	60.7(a)(3)
Physical or Operational Change	60.7(a)(4)
Demonstration of continuous monitoring system (CMS)	60.7(a)(5)
Excess emissions report	60.7(c), 60.108a(d)

<b>Notifications</b>	
Initial performance test results	60.8(a)
Notification of initial performance test	60.8(d)
Notification of Compliance status	60.11(a),(b),(c)
Periodic start-up, shutdown, malfunction reports	60.8(c)
Written work practice plans/root cause analyses/corrective action analyses	60.103a(a)-(e), 60.108a(b)

A source must keep the following records:

<b>Recordkeeping</b>	
Start-ups, shutdowns, malfunctions, periods where the continuous monitoring system is inoperative	60.7(b)
All reports and notifications	60.7
Emission test methods and other data needed to determine emissions	60.104a
Written plans, information to document conformance with operation and maintenance requirements, monitoring exemptions, discharges to flare gas system, results of root cause analyses and corrective action analyses	60.108a

### 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.

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

<b>Respondent Activities</b>	
Familiarization with the regulatory requirements.	
Gather relevant information.	
Perform initial performance test, Reference Method 1-6, 8-11, 15.	
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	

<b>Respondent Activities</b>
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

## **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.
Conduct on-site inspections as necessary.
Review notifications and reports, including performance test reports, excess emissions reports, flare management plans, and requests for site-specific process heater emissions limits required to be submitted by industry.
Audit facility records.
Input, analyze, and maintain data in the Enforcement and Compliance History Online (ECHO) and ICIS.

### **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 reported by state and local governments in the ICIS Air database, which is operated and maintained by EPA's Office of Compliance. ICIS is EPA's database for the collection, maintenance, and retrieval of compliance data for industrial and government-owned facilities. EPA uses ICIS 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 affected facilities 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. The recordkeeping and reporting requirements were selected within the context of Subpart Ja and the specific process equipment and pollutants. 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 EPA considers these requirements the minimum 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 Petroleum Refineries for which Construction, Reconstruction, or Modification Commenced after May 14, 2007 (40 CFR Part 60, Subpart Ja) (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. Where 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 64,300 (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 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	\$129.93 (\$61.87 + 110%)
Technical	\$103.97 (\$49.51 + 110%)
Clerical	\$51.79 (\$24.66 + 110%)

These rates are from the United States Department of Labor, Bureau of Labor Statistics, June 2014, "Table 2. Civilian Workers, by occupational and industry group." The rates are from column 1, "Total compensation." The rates have been increased by 110 percent to account for the benefit packages available to those employed by private industry.

### (ii) Estimating Capital/Startup and Operation and Maintenance Costs

The type of industry costs associated with the information collection activities in the subject standard are both labor costs which are addressed elsewhere in this ICR and the costs associated with continuous monitoring. The capital/startup costs are one-time costs when a facility becomes subject to the regulation. The annual operation and maintenance costs are the ongoing costs to maintain the monitor(s) and other costs such as photocopying and postage. The capital costs and the operation and maintenance costs for this ICR include the CMS for affected flares and the CEMS costs for the other affected facilities, including process heaters.

### (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)
CEMS	\$19,000	0	\$0	\$93,120 <sup>a</sup>	18	\$1,676,160
CMS	\$43,000	0	\$0	\$133,500 <sup>b</sup>	105	\$14,017,500
<b>Total<sup>c</sup></b>						<b>\$15,700,000</b>

<sup>a</sup> This number assumes 6 CEMS per respondent at an O&M cost of \$15,520 per year per CEMS. There are 18 refineries expected to incur in O&M costs for CEMS

<sup>b</sup> This number is based on 2.67 flares per respondent at an O&M cost of \$50,000 per year per CMS. There are 400 flares at 150 refineries. Only 70 percent of the total affected flares are expected to be required to install CMS. The

other 30 percent are expected to use the monitoring alternative for emergency flares and flares with flare gas recovery system.

<sup>c</sup> Totals have been rounded to 3 significant figures. Figures may not add exactly due to rounding.

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 \$15,700,000 (rounded). 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 \$15,700,000 (rounded). These are recordkeeping costs.

### **6(c) Estimating Agency Burden and Cost**

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

The average annual Agency cost during the three years of the ICR is estimated to be \$65,900.

This cost is based on the average hourly labor rate as follows:

Managerial	\$62.90 (GS-13, Step 5, \$39.31 + 60%)
Technical	\$46.67 (GS-12, Step 1, \$29.17 + 60%)
Clerical	\$25.25 (GS-6, Step 3, \$15.78 + 60%)

These rates are from the Office of Personnel Management (OPM), 2014 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 Petroleum Refineries for which Construction, Reconstruction, or Modification Commenced after May 14, 2007 (40 CFR Part 60, Subpart Ja) (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 150 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 150 per year.

The number of respondents is calculated using the following table that addresses the three

years covered by this ICR.

<b>Number of Respondents</b>					
	Respondents That Submit Reports		Respondents That Do Not Submit Any Reports		
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	150	0	0	150
2	0	150	0	0	150
3	0	150	0	0	150
Average	0	150	0	0	150

<sup>1</sup> New respondents 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 150.

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
Initial of construction/reconstruction	0	0	0	0
Notification of anticipated startup	0	0	0	0
Notification of actual startup	0	0	0	0
Notification of performance test	0	0	0	0
Semiannual reports of excess emission	150	2	0	300
			Total	300

The number of Total Annual Responses is 300.

The total annual labor costs are \$6,440,000. Details regarding these estimates may be found below in Table 1: Annual Respondent Burden and Cost – NSPS for Petroleum Refineries

for which Construction, Reconstruction, or Modification Commenced after May 14, 2007 (40 CFR Part 60, Subpart Ja) (Renewal).

### **6(e) Bottom Line Burden Hours and Cost Tables**

The detailed bottom line burden hours and cost calculations for the respondents and the Agency are shown in Tables 1 and 2 below, respectively, and summarized below.

#### **(i) Respondent Tally**

The total annual labor hours are 64,300. Details regarding these estimates may be found in Table 1. Annual Respondent Burden and Cost – NSPS for Petroleum Refineries for which Construction, Reconstruction, or Modification Commenced after May 14, 2007 for FGCDs and other than a flare and June 24, 2008 for a flare, which no longer is a subcategory of FGCDs (40 CFR Part 60, Subpart Ja) (Renewal).

We assume that burdens for managerial tasks take 5% of the time required for technical tasks because the typical tasks for managers are to review and approve reports. Clerical burdens are assumed to take 10% of the time required for technical tasks because the typical duties of clerical staff are to proofread the reports, make copies and maintain records.

Furthermore, the annual public reporting and recordkeeping burden for this collection of information is estimated to average 214 hours per response.

The total annual capital/startup and O&M costs to the regulated entity are \$15,700,000. 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 1,450 labor hours at a cost of \$65,900. See Table 2: Average Annual EPA Burden and Cost – NSPS for Petroleum Refineries for which Construction, Reconstruction, or Modification Commenced after May 14, 2007 (40 CFR Part 60, Subpart Ja) (Renewal).

We assume that burdens for managerial tasks take 5% of the time required for technical tasks because the typical tasks for managers are to review and approve reports. Clerical burdens are assumed to take 10% of the time required for technical tasks because the typical duties of clerical staff are to proofread the reports, make copies and maintain records.

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

There is an adjustment decrease in the number of responses, capital costs, and O&M costs as currently identified in the OMB Inventory of Approved Burdens. This decrease is not due to any program changes. The change in the burden and cost estimates for the renewal of this

ICR occurred because we assumed that all refineries (respondents) are in full compliance with the rule initial flare compliance requirements since the standard has been in effect for more than three years. The active ICR reflected those burdens and costs associated with the initial activities for respondents. The initial rule activities included purchasing monitoring equipment, conducting performance test(s) and establishing recordkeeping systems. Therefore, this ICR renewal addresses the on-going burden and costs for existing respondents to comply with ongoing compliance requirements, which include continuously monitoring of pollutants and the submission of semiannual reports since we assumed no new respondents.

However, there is an increase in the respondent labor hours since we assumed all respondents are now complying with the ongoing flare rule requirements each year compared to one third per year in the active ICR. In addition, the labor burden calculation in the renewal includes additional hours associated with managerial and clerical work compare to the active ICR that did not break down these types of labor costs, which also contributes to labor burden increase.

### **6(g) Burden Statement**

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 214 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-2011-0228. 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) 566-1927. 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-2011-0228 and OMB Control Number 2060-0602 in any correspondence.

**Part B of the Supporting Statement**

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







**Assumptions**

<sup>a</sup> Occurrences per respondent per year is calculated as the number of occurrences per source per year multiplied by the number of affected sources per respondent (refinery).

<sup>b</sup> Assume that there are approximately 150 plants (respondents) which become subject over a 3-year period. There will be no additional new affected source that will become subject to the rule over the three years of this ICR.

<sup>c</sup> This ICR uses the following labor rates: \$129.93 per hour for Executive, Administrative, and Managerial labor; \$103.97 per hour for Technical labor, and \$51.79 per hour for Clerical labor. These rates are from the United States Department of Labor, Bureau of Labor Statistics, June 2014, Table 2. Civilian Workers, by Occupational and Industry groups. 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.

<sup>d</sup> We have assumed that it will take 40 hour for each respondent to perform initial performance tests. There are 6 CEM units at 18 plants (respondents).

<sup>e</sup> We have assumed that 20 percent of sources would have to repeat performance test due to failure.

<sup>f</sup> Assume that there are two monitors needed for each source, one to monitor sulfur content and one to monitor flow rate.

<sup>g</sup> We have assumed that each respondent will take 2 hours to write report.

<sup>h</sup> We have assumed that each respondent will take 8 hours twice per year to complete semiannual reports.

<sup>i</sup> Assume operation 350 days per year as specified in the NSPS review document.

<sup>j</sup> Totals have been rounded to 3 significant figures. Figures may not add exactly due to rounding.

**Table 2: Average Annual EPA Burden and Cost – NSPS for Petroleum Refineries for which Construction, Reconstruction, or Modification Commenced after May 14, 2007 (40 CFR Part 60, Subpart Ja) (Renewal)**

Activity	(A) Person-hours per occurrence <sup>e</sup>	(B) No. of occurrences per respondent per year	(C) Person-hours per respondent per year (C=AxB)	(D) Respondents per year <sup>a</sup>	(E) Technical Person-hours per year (E=CxD)	(F) Management person-hours per year (Ex0.05)	(G) Clerical person-hours per year (Ex0.1)	(H) Cost, \$ <sup>b</sup>
<i>New Plants:</i>								
Report Review								
Notification of construction, reconstruction, or modification <sup>c</sup>	2	2.89	5.78	0	0	0	0	\$0
Notification of anticipated startup <sup>d</sup>	0.5	2.89	1.445	0	0	0	0	\$0
Notification of actual startup <sup>d</sup>	0.5	2.89	1.445	0	0	0	0	\$0
Notification of accuracy test <sup>d</sup>	0.5	1.98	0.99	0	0	0	0	\$0
Flare management plans <sup>e</sup>	1	2.89	2.89	0	0	0	0	\$0
Review test results	8	1.98	15.84	0	0	0	0	\$0
Emission Reports	4.2	2	8.4	0	0	0	0	\$0
<i>Existing Plants:</i>								
Semiannual Emissions Reports <sup>f</sup>	4.2	2	8.4	150	1260	63	126	\$65,948.40
<b>TOTAL ANNUAL BURDEN AND COST (rounded<sup>g</sup>)</b>					<b>1,450</b>			<b>\$65,900</b>

**Assumptions:**

<sup>a</sup> We have assumed that there are approximately 150 respondents, with no additional new or reconstructed sources becoming subject to the rule over the next three years.

<sup>b</sup> This cost is based on the following hourly labor rates times a 1.6 benefits multiplication factor to account for government overhead expenses: \$62.90 for Managerial (GS-13, Step 5, \$39.31 x 1.6), \$46.67 for Technical (GS-12, Step 1, \$29.17 x 1.6) and \$25.25 Clerical (GS-6, Step 3, \$15.78 x 1.6). These rates are from the Office of Personnel Management (OPM) 2014 General Schedule, which excludes locality rates of pay.

<sup>c</sup> We have assumed that all existing new sources will take 2 hours to complete report.

<sup>d</sup> We have assumed that all existing sources will each take 0.5 hours to complete report.

<sup>e</sup> Some plans will need more review than others, depending on complexity of flare connections and baseline calculations; assume 1 hour is the average amount of time spent per plan.

<sup>f</sup> We have assumed that all existing plants will be required to complete emission reports.

<sup>g</sup> Totals have been rounded to 3 significant figures. Figures may not add exactly due to rounding.