

**SUPPORTING STATEMENT
ENVIRONMENTAL PROTECTION AGENCY**

NESHAP for Gold Mine Ore Processing (40 CFR Part 63, Subpart EEEEEEE) (Renewal)

1. Identification of the Information Collection

1(a) Title of the Information Collection

NESHAP for Gold Mine Ore Processing (40 CFR Part 63, Subpart EEEEEEE) (Renewal), EPA ICR Number 2383.04, OMB Control Number 2060-0659.

1(b) Short Characterization/Abstract

The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Gold Mine Ore Processing (40 CFR Part 63, Subpart EEEEEEE) were proposed on April 28, 2010, and promulgated on February 17, 2011. These regulations apply to existing facilities and new gold mine ore processing and production facilities that are area sources and use ore pretreatment, carbon processes with mercury retorts, carbon processes without mercury retorts, and non-carbon concentrate processes. The regulation sets mercury emission limits for each of the affected processes at new and existing facilities. 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 EEEEEEE.

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 containing these documents, and retain the file for at least five years following the generation date of such 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 are an average of 6 (rounded) affected stacks (foot note ¹ below) at each plant site and that each plant site has only one respondent (i.e., the owner/operator of the plant site).

All of the gold mine ore processing and production facilities in the United States are

¹ There is a total of 125 stacks that must be monitored for mercury emissions at 21 gold mine ore processing and production facilities (14 facilities in Nevada, 7 facilities outside Nevada). 17 stacks at the 7 facilities located outside of Nevada will incur additional costs for Method 29 testing. For additional information, see the April 2010 document titled "Estimates of Impacts for the Proposed Mercury Emission Standards for Gold Mine Ore Processing and Production".

owned and operated by the gold mine ore processing and production industry (the “Affected Public”). None of the facilities in the United States are owned by either state, local, tribal or the Federal government. They are all owned and operated by privately-owned, commercial businesses. We assume that they will all respond. The “burden” to the Affected Public may be found below in Table 1: Annual Respondent Burden and Cost – NESHAP for Gold Mine Ore Processing (40 CFR Part 63, Subpart EEEEEEE) (Renewal). The “burden” to the Federal Government is attributed entirely to work performed by either Federal employees or government contractors and may be found below in Table 2: Average Annual EPA Burden and Cost – NESHAP for Gold Mine Ore Processing (40 CFR Part 63, Subpart EEEEEEE) (Renewal).

Over the next three years, approximately 21 respondents per year will be subject to these standards, and no additional respondents per year will become subject to these same standards.

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 112 of the Clean Air Act, as amended, to establish standards of performance for each category or subcategory of major sources and area sources of hazardous air pollutants. These standards are applicable to new or existing sources of hazardous air pollutants and shall require the maximum degree of emission reduction. In addition, section 114(a) states that the Administrator may require any owner/operator subject to any requirement of this Act to:

- (A) Establish and maintain such records;
- (B) make such reports;
- (C) install, use, and maintain such monitoring equipment, and use such audit procedures, or methods;
- (D) sample such emissions (in accordance with such procedures or methods, at such locations, at such intervals, during such periods, and in such manner as the Administrator shall prescribe);
- (E) keep records on control equipment parameters, production variables or other indirect data when direct monitoring of emissions is impractical;
- (F) submit compliance certifications in accordance with Section 114(a)(3);
- and (G) provide such other information as the Administrator may reasonably require.

In the Administrator's judgment, mercury emissions from gold ore processing and production facilities 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 EEEEEEE.

2(b) Practical Utility/Users of the Data

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

Performance tests are required in order to determine an affected facility's initial capability to comply with the emission standards. Continuous emission monitors are used to ensure compliance with these 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 these 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 these standards are being met. The performance test may also be observed.

The required semiannual reports are used to determine periods of excess emissions, identify problems at the facility, verify operation/maintenance procedures and for compliance determinations.

3. Non-duplication, Consultations, and Other Collection Criteria

The requested recordkeeping and reporting are required under 40 CFR Part 63, Subpart EEEEEEE.

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 (81 FR 26546) on May 3, 2016. 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 these standards, 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 these standards as they were being developed and the same standards have been reviewed previously to determine the minimum information needed for compliance purposes. In developing this ICR, we contacted both: 1) the Nevada Mining Association, at dana@nevadaming.org and; 2) the National Mining Association, at bwatzman@nma.org.

We received comments from the Nevada Mining Association (NvMA). The trade organization's first comment is on the Agency's assumption of no new respondents over the next three years. NvMA indicates that unpredictable market conditions and other operational considerations may cause a need for additional capacity in the next three years. However, the organization is not aware of any definitive plans to expand at this time. The NvMA indicates decisions to expand are constantly re-evaluated based on moving commodity prices and changing mine plans. The organization thinks it is best not to speculate on the market three years in advance as the permitting under this rule requires less than a year to complete. Because neither the NvMA nor EPA's internal experts have specific information regarding a change in the respondent universe at this time, we have not changed this assumption in the ICR.

NvMA's second comment is in regards to the Capital/Startup and O&M costs in Section 6(b)(iii), specifically, regarding the Agency only calculating O&M costs for Method 29 sampling for operations occurring outside Nevada despite Nevada mines accounting for over 80% of the U.S. gold industry. We updated the footnote in the table to further clarify that operations in Nevada were not included in the cost estimate as these operations are already required to perform Method 29 sampling to comply with the Nevada Division of Environmental Protection. Therefore, those facilities will not incur any additional stack testing burden under this rule. NvMA also noted that it is unclear whether the "process units" referred to for Method 29 sampling are affected sources or individual stacks and that to appropriately estimate the cost of Method 29 sampling the estimates should be based on testing individual stacks. We note that the 17 "process units" are for individual stacks located outside of Nevada and, therefore, our estimate agrees with the organization's comment.

NvMA's third comment states that the Agency's stack sampling costs significantly underestimates the actual sampling costs. The organization points specifically to the assumption of eight person hours per annual performance test provided below in Table 1: Annual Respondent Burden and Cost – NESHAP for Gold Mine Ore Processing (40 CFR Part 63, Subpart EEEEEEE) (Renewal) as an underestimate. NvMA states that only two stacks can be

tested per day and that each testing day is at least 10 hours and requires 3 technicians to complete. A small facility has a minimum of four stacks to test: furnace, retort, electrowinning/pregnant tank, and the carbon regeneration kiln. Therefore, for a small facility the total hours for testing would be: (4 stacks/year / 2 stacks/day) x 10 hrs/day x 3 technicians = 60 hours/year for testing at a small facility. The organization indicates that facilities in Nevada may have up to 13 stacks thus increases the person hours per occurrence well beyond the 60 hours. We note that the eight-hour estimate is for completing the report for the annual performance test and not for the actual testing activity. However, the previous ICR did not include a line item in Table 1 to account for labor costs associated with testing activities. We added a required activity to Table 1 for Method 29 sampling to estimate this costs, assuming 15 person hours per test: (10 hours/day / 2 stacks/day) x 3 technicians = 15 hours/stack/yr. The estimate in Table 1 only includes the estimate for the 17 stacks outside of Nevada as Nevada operations are already required to perform Method 29 testing to comply with the Nevada Division of Environmental Protection as described above and will not incur additional labor burden from this rule for Method 29 sampling activities.

NvMA's final comment states that the annual performance test for Hg emissions does not account for costs of testing firms and the laboratory analyses of samples. The organization indicates that the Agency does not account for mobilization/demobilization of the testing firm, or the per diem costs to eat and stay in the area. NvMA indicates testing firms may have to travel hundreds of miles to the mine for stack sampling causing substantial increases in overall testing costs. The Agency has accounted for these costs in the O&M costs for Method 29 sampling in Section 6(b)(iii). The breakdown of the O&M costs associated with Method 29 sampling can be found in the 2010 EPA document entitled "Estimates of Impacts for the Proposed Mercury Emission Standards for Gold Mine Ore Processing and Production" which was developed during the rulemaking process. This document can be found in the public docket created for the rule, EPA Docket ID Number: EPA-HQ-OAR-2010-0239.

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 these 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 same 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 owners and operators of gold ore processing and production facilities. The United States Standard Industrial Classification (SIC) code for the respondents affected by the standards is SIC 1041 which corresponds to the North American Industry Classification System (NAICS) 212221 for Gold Ore Mining.

4(b) Information Requested

(i) Data Items

In this ICR, all the data that is recorded or reported is required by the NESHAP for Gold Mine Ore Processing (40 CFR Part 63, Subpart EEEEEEE).

A source must make the following reports:

Notifications	
Notification of applicability	63.9(b)(2), 63.11648(a)
Notification of construction/reconstruction	63.9(b)(5)
Notification of special compliance requirements	63.9(d)
Notification of performance test	63.9(e)
Additional CMS notifications	63.9(g)
Notification of compliance status	63.9(h), 63.11648(b)
Notification of changes in information	63.9(j)

Reports	
Malfunction reports	63.11648(d)
Performance test plan	63.7(c)(2)
CMS quality control plan	63.8(d)
CMS performance evaluation test plan/report	63.8(e)
Compliance report if deviation occurs	63.11648(c), 63.10(e)(3)
Annual performance test for mercury emissions	63.11646(a-b), 63.7

A source must keep the following records:

Recordkeeping	
Records to support notifications	63.11648(e)(1), 63.10(b)(2)
Records of monitoring data	63.11648(e)(2)
Records of monthly ore and concentrate throughput, operating hour for each process unit	63.11648(e)(3)
Records are required to be retained for five years	63.10(b)(1), 63.11648(f)

Electronic Reporting

Some of the respondents are using monitoring equipment that automatically records parameter data. Although personnel at the affected facility must still evaluate the data, internal

automation has significantly reduced the burden associated with monitoring and recordkeeping at a plant site.

(ii) Respondent Activities

Respondent Activities
Familiarization with the regulatory requirements.
Install, calibrate, maintain, and operate CMS for mercury.
Perform initial performance test, Reference Method 29 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.

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 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 (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 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 five years.

5(c) Small Entity Flexibility

There are no small entities (i.e., small businesses) affected by this regulation. A small entity for this industry is defined as: (1) a small business whose parent company meets the Small Business Administration size standards for small businesses found at 13 CFR 121.201 (less than 500 employees for gold mine ore processing facilities); (2) a small, governmental jurisdiction that is a government of a city, county, town, school district, or special district with a population of less than 50,000; and (3) a small organization that is any not-for-profit enterprise that is independently owned and operated and is not dominant in its field.

Although these standards will not affect any small entities, EPA nonetheless has tried to reduce the impact of this final rule on all of the affected sources. These standards include parametric monitoring requirements for mercury emission control devices that are common throughout the industry and in many cases are already required by State operating permits. These same standards also require only the essential monitoring, recordkeeping, and reporting needed

to verify compliance.

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 Gold Mine Ore Processing (40 CFR Part 63, Subpart EEEEEEE) (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 neither conduct nor 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 2,840 hours (Total Labor Hours from Table 1 below). These hours are based on Agency studies and background documents from the development of the regulation, Agency knowledge and experience with the 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	\$138.43 (\$65.92+ 110%)
Technical	\$106.45 (\$50.69 + 110%)
Clerical	\$52.77 (\$25.13 + 110%)

These rates are from the United States Department of Labor, Bureau of Labor Statistics, September 2015, “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 these

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 monitor(s) and other costs such as photocopying and postage.

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

Capital/Startup vs. Operation and Maintenance (O&M) Costs						
(A) Continuous Monitoring Device	(B) Capital/Startup Cost for One Respondent	(C) Number of New Respondents	(D) Total Capital/Startup Cost, (B X C)	(E) Annual O&M Costs for One Respondent	(F) Number of Respondents with O&M	(G) Total O&M, (E X F)
Monitoring equipment ¹	\$9,085	0	\$0	\$0	0	\$0
Method 29 Hg stack sampling ²	NA	NA	NA	\$9,420	17	\$160,140
Material and supply ³	NA	NA	NA	\$3,190	21	\$66,990
Total ⁴			\$0			\$227,000

¹ Annualized installed capital cost is \$190,790 per year based on a capital recovery factor of 0.1424 (10 year life at 7%), and a total installed capital cost of \$1.34 million for monitoring equipment. We assume no new sources will become subject over the three-year period of this ICR.

² Annualized cost for Method 29 stack sampling for mercury on 17 process units outside of Nevada. Facilities in Nevada already perform annual sampling and analysis for mercury to comply with the Nevada Division of Environmental Protection. Consequently, those facilities will not incur any additional stack testing burden under this rule.

³ O&M costs are for materials and supplies (e.g., sorbent trap tubes, calibration standards) estimated as 5% of the installed capital cost (\$1.34 million).

⁴ 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 \$227,000. 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 \$227,000. 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 such activities as the

examination of records maintained by the respondents, periodic inspection of sources of emissions, and the publication and distribution of collected information.

The average annual Agency cost during the three years of the ICR is estimated to be \$2,210.

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

Managerial	\$64.16 (GS-13, Step 5, \$40.10 + 60%)
Technical	\$47.62 (GS-12, Step 1, \$29.76 + 60%)
Clerical	\$25.76 (GS-6, Step 3, \$16.10 + 60%)

These rates are from the Office of Personnel Management (OPM), 2016 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 Gold Mine Ore Processing (40 CFR Part 63, Subpart EEEEEEE) (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 21 existing respondents will be subject to these standards. It is estimated that no additional respondents per year will become subject to these standards. The overall average number of respondents, as shown in the table below, is 21 per year.

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

Number of Respondents					
	Respondents That Submit Reports		Respondents That Do Not Submit Any Reports		
Year	(A) Number of New Respondents ¹	(B) Number of Existing Respondents	(C) Number of Existing Respondents that keep records but do not submit reports	(D) Number of Existing Respondents That Are Also New Respondents	(E) Number of Respondents (E=A+B+C-D)
1	0	21	0	0	21
2	0	21	0	0	21
3	0	21	0	0	21
Average	0	21	0	0	21

¹ 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 21.

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 of applicability	0	1	0	0
Initial notification of compliance status	0	1	0	0
Notification of performance test	0	1	0	0
Test plan	0	1	0	0
QA plan for CEMS	0	1	0	0
Startup, shutdown, and malfunction (SSM) plan	0	1	0	0
Annual performance test for Hg emissions ¹	17	1	0	17
Semiannual reports of excess emissions ²	4.2	2	0	8.4
			Total	25.4

¹ Method 29 stack sampling for mercury on 17 process units outside of Nevada. Facilities in Nevada already perform annual sampling and analysis for mercury; consequently, those facilities will not incur any additional stack testing burden under this rule.

² We assume 20% of the 21 facilities will have excess emissions reports.

The number of Total Annual Responses is 25 (rounded).

The total annual labor costs are \$294,000. Details regarding these estimates may be found below in Table 1: Annual Respondent Burden and Cost – NESHAP for Gold Mine Ore Processing (40 CFR Part 63, Subpart EEEEEEE) (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 2,840 hours at a cost of \$294,000. Details regarding these estimates may be found below in Table 1. Annual Respondent Burden and Cost – NESHAP for Gold Mine Ore Processing (40 CFR Part 63, Subpart EEEEEEE) (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 114 hours per response.

The total annual capital/startup and O&M costs to the regulated entity are \$227,000. 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 48 labor hours at a cost of \$2,210. See below in Table 2: Average Annual EPA Burden and Cost – NESHAP for Gold Mine Ore Processing (40 CFR Part 63, Subpart EEEEEEE) (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 increase in the respondent labor hours as currently identified in the OMB Inventory of Approved Burdens. This increase is not due to any program changes. The change in the respondent labor hour estimates occurred for two reasons. First, a labor burden estimate for completing Method 29 testing was added based on comments from the Nevada Mining Association (note: this activity was already required by the rule; however, the previous ICR did not estimate the labor burden for completing the testing.) Second, this ICR assumes all existing respondents will have to familiarize themselves with the regulatory requirements each year.

There is a small adjustment decrease of \$130 in the total capital and O&M costs as currently identified in the OMB Inventory of Approved Burdens. This decrease occurred because this ICR rounds totals to three significant figures. There is no change in methodology for calculating O&M costs.

6(g) Burden Statement

The annual public reporting and recordkeeping burden for this collection of information

is estimated to average 114 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 neither conduct nor 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-2013-0317. 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), WJC 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-2013-0317 and OMB Control Number 2060-0659 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 Gold Mine Ore Processing (40 CFR Part 63, Subpart EEEEEEE) (Renewal)

Burden item	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)
	Person hours per occurrence	No. of occurrences per respondent	Person-hours per respondent per year (C=AxB)	Respondents per year ^a	Technical person-hours per year (E=CxD)	Management person-hours per year (F=Ex0.05)	Clerical person-hours per year (G=Ex0.1)	Total Cost per year ^b , \$
1. Applications	N/A							
2. Surveys and Studies	N/A							
3. Acquisition, Installation, and Utilization of Technology and Systems	N/A							
4. Reporting Requirements								
A. Familiarize with regulatory requirements ^c	8	1	8	21	168	8.4	16.8	\$19,932.95
B. Required activities ^d	N/A							
Operating CEMS ^e	0.25	365	91.25	4	365	18.25	36.5	\$43,306.70
Weekly and monthly sampling	1	52	52	17	884	44.2	88.4	\$104,885.27
Annual Method 29 Performance Test ^h	15	1	15	17	255	12.75	25.5	\$30,255.37
C. Create information	See 4B							
D. Gather existing information	See 4B							
E. Write report	See 4B							
Initial notification of applicability ^f	2	1	2	0	0	0	0	\$0
Notification of compliance status ^f	2	1	2	0	0	0	0	\$0
Request for compliance extension	N/A							
Site-specific test plan ^f	4	1	4	0	0	0	0	\$0
Quality assurance plan for CEMS ^e	8	1	8	0	0	0	0	\$0
Notification of performance test ^f	2	1	2	0	0	0	0	\$0
Startup, shutdown, malfunction plan ^f	4	1	4	0	0	0	0	\$0

Annual performance test for Hg emissions	8	1	8	17	136	6.8	13.6	\$16,136.20
Semiannual report of excess emissions ^g	8	2	16	4.2	67.2	3.36	6.72	\$7,973.18
Subtotal for Reporting Requirements						2,156		\$222,490
5. Recordkeeping Requirements								
A. Familiarize with regulatory requirements	See 4A							
B. Plan activities	See 4A							
C. Implement activities	See 4A							
D. Develop record system	4	1	4	0	0	0	0	\$0
E. Time to enter information	0.5	52	26	21	546	27.3	54.6	\$64,782.08
F. Time to transmit or disclose information	0.25	2	0.5	21	10.5	0.53	1.05	\$1,245.81
G. Time to adjust existing ways	2	1	2	21	42	2.1	4.2	\$4,983.24
H. Time to train personnel	4	1	4	0	0	0	0	\$0
I. Time for audits	N/A							
Subtotal for Recordkeeping Requirements						688		\$71,011
TOTAL LABOR BURDEN AND COST (rounded)ⁱ						2,840		\$294,000
CAPITAL AND O&M COST (rounded)ⁱ								\$227,000
GRAND TOTAL (rounded)ⁱ								\$521,000

Assumptions:

^a We assume there are 21 existing facilities subject to the rule and no additional sources will become subject to the rule during the three year period of this ICR.

^b This ICR uses the following labor rates based on Department of Labor, Bureau of Labor Statistics (BLS) data "Table 2 Civilian Workers, by Occupational and Industry group: \$138.43 per hour for Executive, Administrative, and Managerial labor; \$106.45 per hour for Technical labor, and \$52.77 per hour for Clerical labor. The rates have been increased by 110 percent to account for the benefit packages available to those employed by private industry.

^c This ICR assumes all existing sources will have to familiarize with the regulatory requirements each year.

^d Rule will require operating CEMS, weekly sampling, and monthly sampling.

^e Assumes 4 roaster stacks will be equipped with mercury CEMS, and that QA plan has already been developed during initial rule compliance.

^f Assumes existing gold mine ore processing facilities have already complied with initial rule requirements.

^g Assumes 20% of existing facilities (21 x 20% = 4.2 facilities) will need to submit excess emissions reports.

^h Based on comments from the Nevada Mining Association, we assume it will take 5 hours to test each stack and that each test will require 3 technicians to complete. 5 hour x 3 technicians = 15 hours/stack. This ICR only calculates burden for Method 29 testing for 17 process units located outside of Nevada. Facilities in Nevada already perform annual sampling and analysis for mercury to comply with the Nevada Division of Environmental Protection. Consequently, those facilities will not incur any additional stack testing burden under this rule.

ⁱ Totals have been rounded to 3 significant figures. Figures may not add exactly due to rounding.

Table 2: Average Annual EPA Burden and Cost – NESHAP for Gold Mine Ore Processing (40 CFR Part 63, Subpart EEEEEEE) (Renewal)

Burden Item	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)
	EPA Person hours per occurrence	Occurrences per respondent	EPA Person-hours per plant (C=AxB)	Plants per year ^a	Technical hours/year (E=CxD)	Management hours/year (F=Ex0.05)	Clerical-hours/year (G=Ex0.1)	Total Cost per year ^b , \$
Observe performance test ^c	16	1	16	1	16	0.8	1.6	\$854.46
Report Review:								
Initial notification of applicability ^d	1	1	1	0	0	0	0	\$0
Notification of compliance status ^d	2	1	2	0	0	0	0	\$0
Notification of performance test ^d	2	1	2	0	0	0	0	\$0
Deviation reports	N/A							
Startup, shutdown, malfunction plan ^d	2	1	2	0	0	0	0	\$0
Semiannual excess emissions report ^e	1	2	2	4.2	8.4	0.42	0.84	\$448.59
Annual performance test report for Hg emission ^f	1	1	1	17	17	0.85	1.7	\$907.87
TOTAL ANNUAL BURDEN AND COST (rounded) ^g						48		\$2,210

Assumptions:

^a We assume there are 21 existing facilities subject to the rule and no additional sources will become subject to the rule during the three year period of this ICR.

^b This ICR uses the following labor rates: \$47.63 for technical, \$64.16 for managerial, and \$25.76 for clerical labor. These rates are from the Office of Personnel Management (OPM), 2016 General Schedule, which excludes locality rates of pay. The rates have been increased by 60 percent to account for the benefit packages available to government employees.

^c Assumes Agency staff will observe the performance test of one affected plant per year.

^d Assumes existing gold mine ore processing facilities have already complied with initial rule requirements.

^e Assumes 20% of existing facilities (21 x 20% = 4.2 facilities) will need to submit excess emissions reports.

^f This ICR only calculates burden for Method 29 testing for 17 process units located outside of Nevada. Facilities in Nevada already perform annual sampling and analysis for mercury to comply with the Nevada Division of Environmental Protection. Consequently, those facilities will not incur any additional stack testing burden under this rule.

⁸ Totals have been rounded to 3 significant figures. Figures may not add exactly due to rounding.