

**SUPPORTING STATEMENT
ENVIRONMENTAL PROTECTION AGENCY**

**Risk and Technology Review of the National Emission Standards for Hazardous Air
Pollutants from Manufacturing of Nutritional Yeast**

1. IDENTIFICATION OF THE INFORMATION COLLECTION

1(a) Title of the Information Collection

Risk and Technology Review of the National Emission Standards for Hazardous Air Pollutants from Manufacturing of Nutritional Yeast (40 CFR part 63, subpart CCCC), EPA ICR Number 2568.01, OMB Control Number 2060-NEW.

1(b) Short Characterization/Abstract

This supporting statement addresses information collection activities that will be imposed by proposed amendments to the National Emission Standards for Hazardous Air Pollutants (NESHAP) from Manufacturing of Nutritional Yeast, 40 CFR part 63, subpart CCCC, referred to as the Nutritional Yeast NESHAP. In 2001, the U.S. Environmental Protection Agency (EPA) promulgated national emission standards for hazardous air pollutants for new and existing nutritional yeast production facilities under 40 CFR part 63, subpart CCCC (66 FR 27876, May 21, 2001) that apply to facilities where the total hazardous air pollutants (HAP) emitted are greater than or equal to 10 tons per year of any single HAP, or where the total HAP emitted are greater than or equal to 25 tons per year of any combination of HAP. This NESHAP sets emission limits for fermenter operations at nutritional yeast manufacturing facilities.

As part of the residual risk and technology reviews for the NESHAP, the EPA is proposing amendments that change the form of the current emission limits, require the use of volatile organic compound continuous emission monitoring systems (CEMS), require valid CEMS data from each hour of the batch monitoring period, require annual tests to evaluate the performance of the CEMS over time, require electronic reporting, and remove exemptions for malfunctions so that affected facilities would be subject to the emission standards at all times. This information collection request documents the recordkeeping and reporting requirements and burden imposed by the rule – both the requirements that were previously promulgated and retained, as well as the proposed amendments.

In general, all NESHAP standards require initial notifications, performance tests, and periodic reports by the owners/operators of the affected facilities. These notifications, reports, and records are essential in determining compliance and are required of all affected facilities subject to NESHAP. This ICR includes the burden for all activities that will be conducted in the first three years following promulgation of the proposed amendments to the Nutritional Yeast NESHAP. These activities include reading the rule, installing and maintaining CEMS, performing annual CEMS relative accuracy test audits (RATA), and completing the monitoring, recordkeeping, and reporting requirements.

Any owner/operator subject to the provisions of this part shall maintain a file of these notifications, reports, and records, and retain the file for at least five years. All reports are sent to the delegated state or local authority. In the event there is no such delegated authority, the reports are sent directly to the EPA regional office. The use of the term "Designated Administrator" throughout this document refers to the U.S. EPA or a delegated authority such as a state agency. The term "Administrator" alone refers to the U.S. EPA Administrator.

This ICR presents the burden to respondents and the Designated Administrator (State or Federal Government) that will be imposed by the plans developed to implement the Nutritional Yeast NESHAP. Respondents are owners or operators of existing major source nutritional yeast manufacturing facilities. The requirements described below are the minimum requirements established by the proposed Nutritional Yeast NESHAP. Although the Designated Administrator may choose to impose more stringent requirements, it is assumed for this burden estimate that the implemented plans mirror the Nutritional Yeast NESHAP.

Over the next three years, four nutritional yeast manufacturing facilities will be subject to this standard per year, and the total labor, capital, and operations and maintenance costs of this ICR will be approximately \$939,000 per year for the first 3 years after the proposed amendments are finalized. The burden to the respondents from each facility may be found in Tables 1 through 4 in Attachment 1.

The four existing nutritional yeast manufacturing facilities are located in three states, which are represented by three separate EPA regional offices. The total average annual cost to these 6 Designated Administrators during the 3 years of the ICR is estimated to be \$5,400 per year. This burden includes labor costs for the Federal EPA and state and local authorities to implement the requirements in the NESHAP after the proposed amendments are finalized. This burden may be found in Tables 5 through 8 of Attachment 2.

2. Need for and Use of the Collection

2(a) Need/Authority for the Collection

The EPA is charged under CAA Section 112, as amended, to establish standards of performance for each category or subcategory of major sources and area sources of hazardous air pollutants (HAP). These standards are applicable to new or existing sources of HAP and require the maximum degree of emission reduction. In addition, CAA 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, HAP emissions from nutritional yeast manufacturing facilities cause or contribute to air pollution that may reasonably be anticipated to endanger public health or welfare. Therefore, the NESHAP were promulgated for major sources in this source category at 40 CFR part 63, subpart CCCC.

2(b) Practical Utility/Users of the Data

The recordkeeping and reporting information will be used by Designated Administrators to 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.

Continuous emission monitors are used to ensure compliance with the emission standards at all times. Annual RATAs are used to verify the ongoing performance of the emission monitors.

The required notifications are used to inform the Designated Administrator when a source becomes subject to the requirement of the regulations. The reviewing authority may then inspect the source to ensure that continuous emission monitors are properly installed and operated, process controls are used on fermentation units, and the emission standards are being met.

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

3. Nonduplication, Consultations, and Other Collection Criteria

The requested recordkeeping and reporting will be required under 40 CFR part 63, subpart CCCC.

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 prior to ICR submission to OMB

A public notice of this collection is provided in the Federal Register notice of proposed

rulemaking published for the Risk and Technology Review of the National Emission Standards for Hazardous Air Pollutants from Manufacturing of Nutritional Yeast.

3(c) Consultations

The public will be provided the opportunity to review and comment on the burden estimated in this Information Collection Request during the comment period for the proposed rulemaking. In addition, consultations with representatives of each company involved with nutritional yeast manufacturing that are subject to the current Nutritional Yeast NESHAP were conducted throughout the residual risk and technology review process.

3(d) Effects of Less Frequent Data Collection

The Nutritional Yeast NESHAP requires continuous monitoring of VOC emissions and semiannual compliance reports. These periodic reports are essential to enforcement of the emission limitations and detection of violations. The ongoing recordkeeping requirements also ensure that emission monitoring equipment is properly maintained and enhances the reliability of the data that is gathered for this collection.

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.

This rule requires all records to be maintained at the source for a period of five years. In 40 CFR part 63, subpart A, "General Provisions for National Emission Standards for Hazardous Air Pollutants for Source Categories," owners or operators of facilities are required to keep and maintain records for a period of five years. The title V permit programs also require records to be retained for five years. These records must be kept on file for use, if needed, by the regulating authority to ensure that the plant personnel are operating and maintaining control equipment properly.

3(f) Confidentiality

All information submitted to the Agency for which a claim of confidentiality is made will be safeguarded according to the Agency policies set forth in 40 CFR 2, subpart B -- Confidentiality of Business Information (see 40 CFR 2; 41 FR 36902, September 1, 1976, amended by 43 FR 39999, September 28, 1978; 43 FR 42251, September 28, 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/NAICS Codes

The respondents to the recordkeeping and reporting requirements are owners or operators of new or existing major source nutritional yeast manufacturing facilities. This includes, but is not limited to, North American Industry Classification System (NAICS) Code 311999, “All Other Miscellaneous Food Manufacturing.”

4(b) Information Requested

(i) Data Items

In this ICR, all data that is recorded or reported is required by the Nutritional Yeast NESHAP (40 CFR, part 63, subpart CCCC). The tables below reflect the final requirements after promulgation of the proposed amendments.

A source must make the following reports:

Notifications/Reports	
Notification of construction and modification	63.5(d)
Initial notification for sources	63.9(b)-(d)
Performance evaluation plan and Notification of performance evaluation and results	63.7(c), 63.8(e),63.9(g), 63.2180(c)-(e), 63.2181(a)(1)
Notification of performance test and results	63.7(b), 63.7(g) (1), 63.9(e), 63.2180(c)-(e), 63.2181(a)(1)
Notification of compliance status	63.9(h), 63.2180(f)
Semiannual compliance report	63.2181(c)

A source must keep the following records:

Recordkeeping	
Each notification and report	63.2182(a)(1)
Failure to meet a standard	63.2182(a)(2)
Performance tests and performance evaluations	63.2182(a)(3)
Brew-to-exhaust correlations	63.2182(a)(4)
CEMS records	63.2182(b)
Continuous compliance data	63.2182(c)
Fermentation and batch data	63.2182(d)
Retention of records	63.10(b)(1), 63.2182(b)(7),

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.

(ii) Respondent Activities

Respondent Activities
Read instructions.
Acquire, install, calibrate, and operate CEMS to monitoring fermenter exhaust.
Conduct performance test, if applicable.
Adjust the existing ways to comply with any previously applicable instruction and requirements.
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 automated data for emissions or a related parameter. 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

The 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

Upon promulgation of the proposed amendments, facilities will be required to monitor emissions using continuous monitoring systems, use the data for monthly compliance determinations, and report their compliance status semi-annually. Notifications and the reports of results from annual performance tests are also required. The data obtained during periodic visits by the EPA, from records maintained by the respondents, and from information provided in reports will be used in compliance and enforcement programs. The Nutritional Yeast NESHAP allows records to be retained in hardcopy or electronic format to allow flexibility and minimize burden.

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 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

One of the four entities affected by this regulation is assumed to be a small business; this is a conservative assumption as its actual status could not be discerned due to a complex ownership structure. Therefore, the impact on small entities was taken into consideration during the development of the regulation and was not determined to be significant. Due to technical considerations involving the process operations, 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.

5(d) Collection Schedule

Owners or operators of nutritional yeast manufacturing facilities must comply with the reporting and recordkeeping requirements upon promulgation of the proposed amendments. Facilities currently monitoring emissions with a continuous emission monitoring system will be required to maintain these requirements while facilities that have used alternate compliance monitoring options will continue to use those methods for up to one year while they transition to the use of a continuous emission monitoring system. We anticipate the one-time and annual

activities, including development of performance evaluation plans, implementation of CEMS RATAs, and semiannual compliance reports will occur for facilities starting in the first year. The specific frequency for each information collection activity within this request is shown in Tables 1 through 3 of Attachment 1.

6. ESTIMATING THE BURDEN AND COST OF THE COLLECTION

Tables 1 through 4 of Attachment 1 present an itemization of the burden on the respondents subject to this NESHAP for the recordkeeping and reporting requirements in the first three years following promulgation of the proposed amendments to the Nutritional Yeast NESHAP. Tables 5 through 8 of Attachment 2 present a summary of the burden on the EPA in the first three years following promulgation of the proposed amendments to the Nutritional Yeast NESHAP.

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 1,340 hours. The average annual recordkeeping hours are 1,219 and the reporting requirement hours are 121, both of which are shown in Tables 1 through 4 of Attachment 1. These hours are based on review of background documents and information gathered during site visits by the EPA in development of the proposed amendments to this NESHAP, as well as Agency knowledge and experience with the NESHAP program.

6(b) Estimating Respondent Costs

The information collection activities for sources subject to these requirements are presented in Tables 1 through 4 of Attachment 1. The total cost for each respondent activity includes labor costs, capital/startup costs, and operating and maintenance (O&M) costs.

(i) Estimating Labor Costs

This ICR uses the following labor rates:

Managerial	\$97.02 (\$46.2 + 110%)
Technical	\$83.16 (\$39.6 + 110%)
Clerical	\$35.85 (\$17.07 + 110%)

These rates are from the United States Department of Labor, Bureau of Labor Statistics,

May 2015, “National Industry-Specific Occupational Employment and Wage Estimates, NAICS 311900.” The rates are from column 8, mean hourly wage. The rates have been increased by 110 percent to account for the benefit packages available to those employed by private industry.

(ii) Estimating Capital/Start-up and Operation and Maintenance Costs

In addition to the labor costs mentioned above, industry costs associated with the information collection activities in the Nutritional Yeast NESHAP include capital/start-up costs and operation and maintenance costs. The capital/startup costs are one-time costs when a facility becomes subject to the regulation and include the installation of CEMS. The annual operation and maintenance costs are the ongoing costs to maintain the CEMS and complete performance evaluations, as well as other costs such as photocopying and postage related to the reporting and recordkeeping requirements.

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

Below are the estimated capital and startup costs and O&M costs for the respondents subject to the Nutritional Yeast NESHAP for the first three years after promulgation of the proposed amendments.

Capital/Startup and O&M Costs						
(A) Unit Type	(B) Capital/Startup Costs for One Respondent	(C) Number of Respondents with Capital/Startup Costs	(D) Total Capital/ Startup Cost (B X C)	(E) Annual Cost (O&M and Capital) for One Respondent	(F) Number of Respondents	(G) Total Annual Cost, (E X F)
CEMS	\$510,899	1	\$510,899	\$186,860	4	747,441
CEMS RATA	n/a	n/a	n/a	\$3,264	4	\$84,865

The total capital/startup costs for this ICR are \$511,000; this is the total of column D.

The total annual costs for this ICR are \$832,000; this is the total of column G. These are recordkeeping costs. This includes O&M and annualized capital costs. Annualized costs were calculated using an equipment life of 10 years and a 7 percent discount rate.

6(c) Estimating Agency Burden and Cost

The costs to the Agency are those costs associated with analysis of the reported information. The 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 \$5,400.

This cost is based on the average hourly labor rates 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 on the line item estimates used to calculate these burdens are presented in Tables 5 through 8 of Attachment 2.

6(d) Estimating the Respondent Universe and Total Burden and Costs

The total number of respondents is also referred to as the respondent universe. Based on site visits and research conducted for the residual risk and technology reviews of the Nutritional Yeast NESHAP, four facilities are subject to the Nutritional Yeast NESHAP and will be covered by this ICR over the next three years. No new respondents will become subject to this rule due to the proposed amendments. Additionally, no sources are expected to start-up over the next three years. The EPA estimates that one facility will be required to purchase CEMS upon promulgation of the proposed amendments and that all four facilities will conduct RATAs and develop and submit required reports. Over the next three years, respondents will be required to submit a performance evaluation plan, notifications of performance evaluations, annual performance evaluation reports, and semiannual compliance reports.

6(e) Bottom Line Burden Hours and Cost Tables

(i) The Respondent Tally

The total annual labor hours for respondents are 1,340 at a cost of \$107,000. Furthermore, the annual public reporting and recordkeeping burden for this collection of information is estimated to average 335 hours per respondent. Details regarding these estimates may be found in Tables 1 through 4 of Attachment 1.

The total annual capital/startup and O&M costs to the regulated entity are \$832,000. The cost calculations are detailed in Section 6(b)(iii), Capital/Startup vs. Operation and Maintenance Costs.

(ii) The Agency Tally

The average annual burden over the first three years for the Agency is estimated to be 117 hours at a cost of \$5,400. The Agency burden hours and costs are presented in Tables 5 through 8 of Attachment 2.

6(f) Reasons for change in burden

There is no change in the labor hours or cost in this ICR as it presents the burden based

on the total requirement of, including proposed amendments to, the Nutritional Yeast NESHAP and is considered new burden.

6(g) Burden Statement

The annual public reporting and recordkeeping burden for this collection of information is estimated to be 335 hours per respondent. Burden means 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 currently valid OMB control number. The OMB Control Numbers for EPA regulations are listed in 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, the EPA has established a public docket for this ICR under Docket ID Number EPA-HQ-OAR-2015-0730. 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-OAR-2015-0730 and OMB Control Number 2060-NEW in any correspondence.

PART B OF THE SUPPORTING STATEMENT

This section is not applicable because statistical methods are not used in data collection associated with this regulation.

ATTACHMENT 1

TABLES 1, 2, 3, and 4

Tables 1 - 3: Annual Respondent Burden and Cost of Recordkeeping and Reporting Requirements for the Nutritional Yeast NESHAP – Years 1-3

Table 4: Summary of Annual Respondent Burden and Cost of Recordkeeping and Reporting Requirements for the Nutritional Yeast NESHAP

ATTACHMENT 2

TABLES 5, 6, 7, and 8

Tables 5 - 7: Annual Agency Burden and Cost of Recordkeeping and Reporting Requirements for the Nutritional Yeast NESHAP - Year 1-3

Table 8: Summary of Annual Agency Burden and Cost of Recordkeeping and Reporting Requirements for the Nutritional Yeast NESHAP