

**SUPPORTING STATEMENT
ENVIRONMENTAL PROTECTION AGENCY
NESHAP FOR PETROLEUM REFINERIES, CATALYTIC CRACKING UNITS,
CATALYTIC REFORMING UNITS AND SULFUR RECOVERY UNITS
40 CFR PART 63, SUBPART UUU
MAY 2014**

1. Identification of the Information Collection

1(a) Title of the Information collection

“National Emission Standards for Petroleum Refineries: Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units” (40 CFR part 63, subpart UUU). This is a revision of an existing information collection request (ICR); the OMB Control Number is 2060-0554 and the EPA tracking number is 1844.07.

1(b) Short Characterization/Abstract

This ICR covers information collection requirements in the proposed amendments to the Petroleum Refineries, Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units NESHAP (40 CFR part 63, subpart UUU).

The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Petroleum Refineries, Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units (40 CFR part 63, subpart UUU) were proposed on September 11, 1998, promulgated on April 11, 2002, and amended on February 9, 2005. These regulations apply to three types of affected sources at major source petroleum refineries. The three affected sources are: the fluid catalytic cracking unit catalyst regeneration; the catalytic reforming unit catalyst regeneration; and the sulfur recovery unit. The rule also includes requirements for by-pass lines associated with the three affected sources. New facilities include those that commenced construction or reconstruction after the date of proposal.

The EPA is proposing to amend subpart UUU to revise the standards for fluid catalytic cracking units and clarify the requirements for sulfur recovery units. The potential respondents are owners or operators of any existing or new petroleum refinery facilities. There are an estimated 142 major source refinery facilities subject to the Petroleum Refineries Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Units NESHAP. Emission points affected by the proposed amendments to subpart UUU are fluid catalytic cracking unit catalyst regeneration and sulfur recovery units. Significant changes include more stringent emission limits and requirement of performance testing every 5 years for fluid catalytic cracking unit catalyst regeneration, and more stringent emission limits and rule clarifications for sulfur recovery units. Other significant changes include new electronic reporting requirements for performance test reporting and revised monitoring requirements. An overarching change to all NESHAP regulations is a change in policy with regards to emission requirements and associated monitoring, recordkeeping, and reporting during startup, shutdown, and malfunctions.

This information is being collected to assure compliance with 40 CFR part 63, subpart UUU. This ICR estimates burden for 142 major source refineries to comply with the amended provisions for fluid catalytic cracking units and sulfur recovery units.¹ The reduction in burden as a result of electronic reporting is included in this ICR. The burden associated with startups, shutdowns, and malfunctions did not change.

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. Section 112 also requires that the Administrator review and, if appropriate, revise such standards every 8 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.

Certain records and reports are necessary for the Administrator to confirm the compliance status of sources subject to NESHAP, identify any new or reconstructed sources subject to the standards, and confirm that the standards are being achieved on a continuous basis. These recordkeeping and reporting requirements are specifically authorized by section 114 of the Clean Air Act (42 U.S.C. 7414) and set out in the part 63 NESHAP General Provisions. The recordkeeping and reporting requirements for title V permits are contained in 40 CFR 70.6 and 40 CFR 71.6. Under parts 63 and 70 or 71, the owner or operator must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.

¹ The previous ICR for this subpart (EPA ICR Number 1844.04, OMB Control Number 2060-0554) included estimates of the monitoring, recordkeeping, and reporting burden for less than 1 refinery. No new or reconstructed facilities were expected over those 3 years. However, it was estimated that three affected emission source units had qualified for a compliance date extension and would be complying with the initial compliance requirements during the period of that ICR (one per year); and one affected facility (0.33 per year) would conduct a performance test due to a process/operating change.

2(b) Practical Utility/Users of the Data

The information will be used by the delegated authority (State agency, or Regional Administrator if there is no delegated State agency) to ensure that the standards and other requirements are being achieved. Based on review of the recorded information at the site and the reported information, the delegated permitting authority can identify facilities that may not be in compliance and decide which facilities, records, or processes may need inspection.

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

The requested recordkeeping and reporting are required under 40 CFR part 63, subpart UUU.

3(a) Non-duplication

For notifications and reporting not required to be submitted electronically, 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

This section is not applicable because this is a rule-related ICR.

3(c) Consultations

The proposed amendments are based upon the data provided by each individual refinery in response to an EPA survey of the petroleum refinery industry in 2011 (data from calendar year 2010); these responses were compiled into a Petroleum Refinery Database. The proposed amendments were also developed in consultation with trade associations, including Matt Todd of the American Petroleum Institute (API) and David Freidman of the American Fuel and Petrochemical Manufacturers (AFPM). The assumptions made in the development of this ICR, including the estimate of the number of petroleum refineries subject to the standard, were updated by reviewing the EPA's Petroleum Refinery Database, as well as the Agency's internal data sources, such as our own industry experts and the Air Facility System (AFS), which is the EPA database for the collection, maintenance, and retrieval of all compliance data. The information in AFS is reported by industry as required in the recordkeeping and reporting provisions of the standard. AFS is operated and maintained by the EPA Office of Compliance. We have estimated that there are approximately 142 existing respondents subject to the standard, and no new sources will become subject to the standard over the 3-year period covered by this ICR.

The EPA will provide a 60-day public comment period after proposal of the amendments to subpart UUU. All affected parties will be given the opportunity to comment on the proposed

amendments during this period. The EPA will consider all of the comments received and may incorporate them in developing the final amendments.

3(d) Effects of Less Frequent Collection

If the relevant information were collected less frequently, the delegated permitting authority (State or EPA) will not be reasonably assured that a facility is in compliance with the standards.

3(e) General Guidelines

None of the guidelines in 5 CFR 1320.5 are being exceeded.

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 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 39999, September 8, 1978; 43 FR 42251, September 28, 1978; 44 FR 17674, March 23, 1979).

3(g) Sensitive Questions

This section is not applicable because this ICR does not involve matters of a sensitive nature.

4. The Respondents and the Information Requested

4(a) Respondents/NAICS Codes

The potential respondents to the recordkeeping and reporting requirements under subpart UUU are owners or operators of existing or new major source petroleum refineries. The North American Industry Classification System (NAICS) code is 32411 for petroleum refineries that operate catalytic cracking units, catalytic reforming units, or sulfur recovery units.

4(b) Information Requested

(i) Data Items

In this ICR, all the data that is recorded or reported is required by the proposed amendments to NESHAP for Petroleum Refineries, Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units (40 CFR part 63, subpart UUU).

A source must make the following reports:

Notification Reports	
Notification of performance tests	63.7(a) and 63.9(e), 63.1574(a)(3)
Operation, maintenance, and monitoring plan	63.1574(f)
Reports	
Semiannual compliance reports	63.10(e)(3), 63.1575(c), (g)
Performance test reports every 5 years – electronic reporting	63.1571(a)(5), 63.1575(f), (k)

A source must keep the following records:

Recordkeeping	
Maintain malfunction records	63.1576(a)(2)
Operation, maintenance, and monitoring plan	63.1576(e)
Emissions data	63.1576(a)(3), 63.1576(d), 63.10(d)
Monitoring data	63.1576(d)

Electronic Reporting. We are proposing electronic reporting of performance test reports and CEMS performance evaluation data. Electronic reporting is common in environmental data collection, provides standardization of data reporting formats, and reduces reporting burden for the regulated community.

(ii) Respondent Activities

The respondent activities that will be required by the proposed amendments to subpart UUU include the following activities:

Respondent Activities
Read instructions.
Install, calibrate, maintain, and operate CMS or emission monitoring for catalytic cracking units, catalytic reforming units, and sulfur recovery systems.
Perform performance test for fluid catalytic cracking unit catalyst regeneration every 5 years, Reference Method 5, 5B or 5F (of appendix A to 40 CFR Part 60) test for PM, and repeat performance tests if necessary.
Write the performance test notifications.
Revise the operating, maintenance, and monitoring plan.

Respondent Activities
Submit the required reports developing, acquiring, installing, and utilizing technology and systems for the purpose of collecting, validating, and verifying information.

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 every 5 years for catalytic cracking unit catalyst regeneration, required to be submitted by industry.
Audit facility records.
Input, analyze, and maintain data in the Air Facility System (AFS).

5(b) Collection Methodology and Management

Performance test reports are used by the Agency to discern a source's 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 compliance reports are used for problem identification, as a check on source operation and maintenance, and for compliance determinations.

Some of the information contained in the reports is entered into AFS, which is operated and maintained by the EPA's Office of Compliance and Enforcement. AFS is the EPA's database for the collection, maintenance, and retrieval of compliance and annual emission inventory data for over 100,000 industrial and government-owned facilities. The data entered into AFS is focused on compliance inspections, enforcement actions, and issuance of permits. The EPA uses the AFS for tracking air pollution compliance and enforcement by local and state regulatory agencies, EPA regional offices and EPA headquarters. The EPA and its delegated authorities can edit, store, retrieve and analyze the data.

As part of the proposed revisions to this rule, all data that are required to be reported electronically will be collected through the EPA's Compliance and Emissions Data Reporting Interface (CEDRI), which is part of the EPA's Central Data Exchange. The data collected via CEDRI will be more extensive than the data collected through AFS and will be visible to the public through WebFIRE.

The records required by this regulation must be retained by the owner or operator for 5 years.

5(c) Small Entity Flexibility

A majority of the respondents are large entities (*i.e.*, large businesses). However, the impact on small entities (*i.e.*, small businesses) was taken into consideration during the development of the regulation. A small entity for petroleum refineries is defined as a firm having no more than 1,500 employees. The proposed amendments would not result in any adverse impacts on a substantial number of small entities in the Petroleum Refining Source Category. The proposed amendments would not create any new requirements or burdens for existing sources other than minimal notification requirements, and for some facilities, performance testing requirements.

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: Proposed Amendments to NESHAP for Petroleum Refineries, Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units (40 CFR Part 63, Subpart UUU).

6. Estimating the Burden and Cost of the Collection

Table 1 documents the computation of individual burdens for the proposed recordkeeping and reporting requirements applicable to the industry for each of the subparts included in this ICR. The individual burdens are expressed under standardized headings believed to be consistent with the concept of burden under the Paperwork Reduction Act. 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 3 years from these recordkeeping and reporting requirements is estimated to be 2,860 (Total Labor Hours from Table 1). The recordkeeping hours shown below in Table 1 are 0. The reporting requirement hours shown below in Table 1 are 2,860. These hours are based on Agency studies and background documents from the development of the regulation and Agency knowledge and experience with the NESHAP program. The average annual burden over the next 3 years was estimated assuming one-third of all facilities would comply each year.

6(b) Estimating Respondent Costs

(i) Estimating Labor Costs

This ICR uses the following labor rates:

Managerial	\$130.26	(\$62.03 + 110%)
Technical	\$84.95	(\$40.45 + 110%)
Clerical	\$41.18	(\$19.61 + 110%)

Labor rates and associated costs are based on the Bureau of Labor Statistics (BLS) data. Technical, management, and clerical average hourly rates for private industry workers were taken from the Occupational Employment Statistics: NAICS 324 (Petroleum and Coal Products Manufacturing), May 2009 Employment and Wage Estimates. These BLS rates represent salaries plus fringe benefits and do not include the cost of overhead. The rates have been increased by 110 percent to account for the benefit packages available to those employed by private industry.

(ii) Estimating Capital and Operation and Maintenance Costs

The type of industry costs associated with the information collection activities in the subject standards are both labor costs which are addressed elsewhere in this ICR and the costs associated with continuous monitoring.

The capital costs are one-time costs for a facility subject to the regulation. There are no capital costs associated with the information collection requirements of the proposed amendments to subpart UUU.

An annual operation and maintenance cost for this subpart includes performance testing. The proposed amendments do require an estimated 99 facilities to conduct periodic performance testing every 5 years for catalytic cracking unit catalyst regeneration (116 FCCUs). In the 3 years following promulgation, this is estimated to cost an average of \$355,733 per year ($\$9,200$ per FCCU for EPA Method 5 performance test \times 116 FCCUs / 3 years = \$355,733/yr).²

(iii) Annualizing Capital Costs

There are no annualized capital costs associated with the information collection requirements of the proposed amendments.

6(c) Estimating Agency Burden and Cost

The only costs to the Agency are those costs associated with analysis of the reported information. The EPA compliance and enforcement program includes activities such as: the

² The proposed amendments would require the first performance test for each FCCU to be conducted no later than 3 years and 180 days after promulgation. The proposed amendments would consider a performance test conducted a year and a half before promulgation as meeting this requirement; however, for purposes of this ICR, it is assumed that performance tests will be conducted for all 116 FCCU in the three years following promulgation. After the compliance date, it is assumed that facilities will conduct performance testing for approximately 23.2 FCCUs each year ($116 \text{ FCCUs} / 5 \text{ years} = 23.2 \text{ FCCUs/yr}$).

review 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 3 years of the ICR is estimated to be \$7,386 (see Table 2 below.)

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

Managerial	\$61.36	(GS-13, Step 5, \$38.35 + 60%)
Technical	\$45.52	(GS-12, Step 1, \$28.45 + 60%)
Clerical	\$24.64	(GS-6, Step 3, \$15.40 + 60%)

These rates are from the Office of Personnel Management (OPM) 2009 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.

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

There are currently 142 major source refineries in the United States and no new refineries are expected to be built during the next 3-year period. It is estimated that no additional respondents per year will become subject to the standard. The overall average number of respondents per year subject to this standard is calculated using the following table that addresses the 3 years covered by this ICR.

Number of Respondents					
Year	Respondents That Submit Reports		Respondents That Do Not Submit Any Reports	(D) Number of Existing Respondents That Are Also New Respondents	(E) Number of Respondents (E=A+B+C-D)
	(A) Number of New Respondents ^a	(B) Number of Existing Respondents	(C) Number of Existing Respondents that keep records but do not submit reports		
1	0	47.3	0	0	47.3
2	0	94.7	0	0	94.7
3	0	142	0	0	142
Average	0	94.7	0	0	94.7

^a 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 3-year period of this ICR is 94.7.

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=(B×C)+D
Notification of performance test	33.7 ^a	1.15 ^b	0	38.8
Operation, maintenance, and monitoring plan	33.7 ^c	1	0	33.7
Performance test reports	33.7 ^a	1.15 ^b	0	38.8
			Total	111

^a There are 101 facilities with FCCUs, conducting a performance test every 5 years. In the 3 years following promulgation, 101 facilities will test their FCCUs, so there are 33.7 respondents per year, *i.e.*, 101 fac / 3 years = 33.7 fac/yr that respond.

^b There are approximately 116 FCCUs at 101 facilities, so each facility would report 1.15 responses per year, *i.e.*, 116 FCCUs / 101 facilities = 1.15 FCCUs/facility.

^c Assumed 101 facilities must revise the operation, maintenance, and monitoring (OMM) Plan due to monitoring requirement changes for FCCUs (there are 116 FCCUs at 101 facilities in the source category); we assumed that one-third of facilities comply in each of the 3 years following promulgation, so that 33.7 facilities will revise the plan each year.

The number of Total Annual Responses is 111 (rounded) (38.8 annual responses for the notification of performance test, 33.7 annual responses for the operation, maintenance, and monitoring plan, and 38.8 annual responses for the performance test reports). The total annual labor costs are \$238,000 (rounded). Details regarding these estimates may be found below in Table 1: Annual Respondent Burden and Cost: Proposed Amendments to NESHAP for Petroleum Refineries, Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units (40 CFR Part 63, Subpart UUU) .

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

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

(i) Respondent Tally

The bottom line respondent burden hours and costs, presented in Table 1, are calculated by adding person-hours per year down each column for technical, managerial, and clerical staff, and by adding down the cost column. The average annual burden for the recordkeeping and reporting requirements in the proposed amendments to subpart UUU for the 142 major source facilities that are subject is 2,860 person-hours, with an annual average cost of \$237,666. Details regarding these estimates may be found below in Table 1: Annual Respondent Burden and Cost: Proposed Amendments to NESHAP for Petroleum Refineries, Catalytic Cracking, Reforming and Sulfur Units (40 CFR Part 63, Subpart UUU).

There are no annual capital costs associated with the proposed amendments; the operation and maintenance costs associated with the proposed amendments include performance testing costs for the regulated entity of \$355,733 per year. The cost calculations are detailed in Section 6(b)(ii), Capital vs. Operation and Maintenance (O&M) Costs.

(ii) The Agency Tally

The average annual Agency burden and cost over next 3 years is estimated to be 166 labor hours (rounded) at a cost of \$7,390 (rounded). See below Table 2: Annual Agency Burden and Cost: Proposed Amendments to NESHAP for Petroleum Refineries, Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units (40 CFR Part 63, Subpart UUU) .

6(f) Reasons for Change in Burden

The change in burden estimate reflects the additional requirements of the proposed amendments to 40 CFR part 63, subpart UUU.

6(g) Burden Statement

The average annual respondent burden for the proposed amendments for subpart UUU is estimated at 2,860 hours. 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, the EPA has established a public docket for this ICR under Docket ID Number EPA-HQ-OAR-2010-0682, which is available for on-line viewing at www.regulations.gov, or in person viewing at the Air and Radiation Docket and Information Center in the EPA Docket Center (EPA/DC), EPA West, Room B102, 1301 Constitution Avenue, NW, Washington, D.C. 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 Air and Radiation Docket and Information Center is (202) 566-1742. An electronic version of the public docket is available at www.regulations.gov. This site can be used to submit or view public comments, access the index listing of the contents of the public 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 above. Also, you can send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW,

Washington, D.C. 20503, Attention: Desk Officer for EPA. Please include the EPA Docket ID Number EPA-HQ-OAR-2010-0682 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: Proposed Amendments to NESHAP for Petroleum Refineries, Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units (40 CFR Part 63, Subpart UUU)

Burden item	(A) Person-hours per occurrence	(B) No. of occurrences per respondent per year	(C) Person-hours per respondent per year (C=A×B)	(D) Respondents per year ^a	(E) Technical person-hours per year (E=C×D)	(F) Management person-hours per year (E×0.05)	(G) Clerical person-hours per year (E×0.1)	(H) Cost,\$ ^b
1. Applications	N/A							
2. Survey and Studies	N/A							
3. Acquisition, Installation, and Utilization of Technology and Systems	40	1	40	0	0	0	0	\$0
4. Reporting Requirements								
A. Read instructions ^c	2	1	2	94.7	189.3	9.5	18.9	\$18,096
B. Required activities								
Initial Performance test ^d	40	1	40	0	0	0	0	\$0
Performance test (internal) ^e	40	1	40	38.7	1546.7	77.3	154.7	\$147,825
Operating, maintenance, and monitoring plan ^f	20	1	20	33.7	673.3	33.7	67.3	\$64,355
C. Create information	See 4B							
D. Gather existing information	See 4B							
E. Write report								
Notification of construction/reconstruction ^d	2	1	2	0	0	0	0	\$0
Notification of actual startup ^d	2	1	2	0	0	0	0	\$0
Notification of special compliance requirements	N/A							
Notification of performance test ^e	2	1	2	38.7	77.3	3.9	7.7	\$7,391
Notification of compliance Status ^d	4	1	4	0	0	0	0	\$0
Extended compliance request	N/A							
Report of performance test	See 4B							
Semiannual compliance reports ^g	10.0	2	20.0	0	0	0	0	\$0
Annual report	0	0	0.0	0	0	0	0	\$0

Burden item	(A) Person-hours per occurrence	(B) No. of occurrences per respondent per year	(C) Person-hours per respondent per year (C=A×B)	(D) Respondents per year ^a	(E) Technical person-hours per year (E=C×D)	(F) Management person-hours per year (E×0.05)	(G) Clerical person-hours per year (E×0.1)	(H) Cost,\$ ^b
5. Recordkeeping Requirements								
A. Read instructions	See 4A							
B. Plan activities	See 4B							
C. Implement activities	See 4B							
D. Develop record system ^d	N/A							
E. Time to enter information								
Records of operations ^h	1	52	52	0	0	0	0	\$0
F. Time to train personnel ⁱ	4	1	4	0	0	0.0	0.0	\$0
G. Time to adjust existing ways to comply with previously applicable requirements ^d	N/A							
H. Time to transmit or disclose Information ^j	0.25	2	0.5	0	0	0.0	0.0	\$0
I. Time for audits	N/A							
Subtotal Labor Burden					2,487	124	249	\$237,666
					2,860			
TOTAL ANNUAL NUMBER OF RESPONSES								111
ANNUAL CAPITAL COSTS								NA
Performance Tests (outsourced) ^k								\$355,733
OPERATION AND MAINTENANCE COSTS								NA
TOTAL LABOR BURDEN AND COST								\$593,400

Assumptions:

^a We have determined that there are 142 major petroleum refineries that have one or more affected facilities subject to the standard. No new or reconstructed facilities are expected over the next 3 years. We assumed that approximately one-third of facilities would comply with the amended rule in each of the 3 years following promulgation, so that 47.3 facilities would comply and be subject the first year, 94.7 facilities would be subject the second year, and 142 facilities would be subject the third year. We assumed costs based on the second year, with 94.7 facilities subject to the rule.

^b This ICR uses the following labor rates: \$130.26 per hour for Executive, Administrative, and Managerial labor; \$84.95 per hour for Technical labor, and \$41.18 per hour for Clerical labor. These rates are from the United States Department of Labor, Bureau of Labor Statistics, May 2009. 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.

^c Assumed 142 facilities have to read the amended UUU rule. Assumed costs based on the second year, with 94.7 facilities subject to the rule.

^d Assumed that this activity has already occurred for existing sources.

^e The proposed rule requires FCCU to conduct EPA Reference Method (M5) PM testing every 5 years. There are 116 FCCUs that will test over the 3 years after promulgation, so each year, approximately 38.7 performance tests will be conducted ($116 \text{ FCCUs} / 3 \text{ years} = 38.7 \text{ FCCU/yr}$).

^f Assumed approximately 101 facilities must revise the OMM Plan due to monitoring requirement changes for FCCUs (there are 116 FCCUs at 101 facilities in the source category); we assumed that one-third of facilities comply in each of the 3 years following promulgation, so that 33.7 facilities will revise the plan each year. Assumed 40 hr for initial OMM Plan, and assumed half that time to revise the OMM Plan (20 hr).

^g Assumed all facilities submit semiannual compliance reports, however, this requirement is already in the rule and no changes to this requirement are made in the current rule action.

^h Assumed it requires facilities 1 hour to record data per week (52 weeks), and all facilities would record; however this requirement is already in the rule and no changes to this requirement are made in the current rule action.

ⁱ Assumed it requires facilities 4 hours to conduct training one time each year and that all facilities would conduct; however this requirement is already in the rule and no changes to this requirement are made in the current rule action.

^j Assumed it requires facilities 15 minutes to transmit information semiannually and that all facilities would submit each year; however, this requirement is already in the rule and no changes to this requirement are made in the current rule action.

^k Assumed that an EPA Reference Method 5 (M5) performance test would cost approximately \$9,200, and 38.7 performance tests would be conducted each year in the 3 years following promulgation. After the compliance date (*i.e.*, beginning in the fourth year following promulgation), 23.2 performance tests would be conducted each year (one-fifth of the total number of FCCU), and performance testing is estimated to cost an average of \$213,440 per year.

Table 2. Annual Burden and Cost to the Federal/State Government: Proposed Amendments to NESHAP for Petroleum Refineries, Catalytic Cracking, Reforming and Sulfur Units (40 CFR Part 63, Subpart UUU)

Activity	(A) Hours per occurrence	(B) Hours per plant per year	(C) Plants per year	(D) Technical person-hours per year (E=B×C)	(E) Management person-hours per year (D×0.05)	(F) Clerical person- hours per year (D×0.1)	(G) Cost,\$ ^a
Report Review							
Notification of construction/reconstruction	N/A						
Notification of actual startup	N/A						
Notification of special compliance requirements	N/A						
Notification of initial performance test ^b	NA						
Notification of performance test ^c	2	2	38.7	77.3	3.9	7.7	\$3,948
Notification of compliance status	2	2	0	0.0	0.0	0.0	\$0
Review of operation, maintenance, and monitoring plan ^d	2	2	33.7	67.3	3.4	6.7	\$3,438
Review of repeat performance test report	8	8	0	0.0	0.0	0.0	\$0
Review of compliance report	N/A						
Review of semiannual compliance reports ^e	2	4	0	0.0	0.0	0.0	\$0
Review of NESHAP waiver application	4	4	0	0.0	0.0	0.0	\$0
Subtotal Labor Burden				145	7	14	\$7,386
TOTAL LABOR BURDEN AND COST					166		\$7,386

Assumptions:

^a This ICR uses the following labor rates: Managerial rate of \$61.36 per hour (GS-13, Step 5, \$38.35 + 60%); Technical rate of \$45.52 per hour (GS-12, Step 1, \$28.45 + 60%); and Clerical rate of \$24.64 per hour (GS-6, Step 3, \$15.40 + 60%). These rates are from the Office of Personnel Management (OPM) 2009 General Schedule, which excludes locality rates of pay.

^b Assumed that this activity has already occurred for existing sources.

^c The proposed rule requires facilities to conduct EPA Reference Method (M5) PM testing for FCCUs every 5 years. There are 116 FCCUs that will test in the 3 years after promulgation, so each year, approximately 38.7 performance tests will be conducted (116 FCCUs / 3 years = 38.7 FCCU/yr).

^d Assumed approximately 101 facilities must revise the OMM Plan due to monitoring requirement changes for FCCUs (there are 116 FCCUs at 101 facilities in the source category); we assumed that one-third of facilities comply in each of the 3 years following promulgation, so that 33.7 facilities will revise the plan each year. Assumed 2 hr for review of the OMM Plan.

^e We have determined that there are 142 major petroleum refineries that have one or more affected facilities subject to the standard. No new or reconstructed facilities are expected over the next 3 years. For the current burden estimate, however, we note that this requirement is already in the rule and no changes to this requirement are made in the current rule action.