

**SUPPORTING STATEMENT
ENVIRONMENTAL PROTECTION AGENCY**

NSPS Review for Municipal Solid Waste Landfills (40 CFR Part 60, Subpart XXX)

1. Identification of the Information Collection

1(a) Title of the Information Collection

NSPS Review for Municipal Solid Waste Landfills (40 CFR Part 60, Subpart XXX) EPA ICR Number 2498.03, OMB Control Number 2060-0697.

1(b) Short Characterization/Abstract

The New Source Performance Standards (NSPS) for Municipal Solid Waste Landfills were proposed on May 30, 1991, promulgated on May 12, 1996, and amended on June 16, 1998 (63 FR 32753), February 24, 1999 (64 FR 9262), and April 10, 2000 (65 FR 18909). These standards apply to municipal solid waste landfills that commenced construction, modification, or reconstruction on or after May 30, 1991.

Clean Air Act (CAA) section 111(b)(1)(B) requires the EPA to “at least every 8 years review and, if appropriate, revise” new source performance standards. In response to this mandate, EPA is finalizing a new subpart (40 CFR part 60, subpart XXX) that will apply to municipal solid waste landfills that commenced construction, modification, or reconstruction after July 17, 2014.

The finalized subpart retains the current design capacity cutoff of 2.5 million Mg and 2.5 million cubic meters but reduces the NMOC emission rate threshold that triggers the requirement to install controls to 34 megagrams per year (Mg/yr) from 50 Mg/yr (see 40 CFR part 60, subpart WWW). The final rule also changes certain reporting and recordkeeping requirements from what is required in subpart WWW. This information is being collected to assure compliance with the proposed 40 CFR part 60, subpart XXX.

In general, the landfills NSPS require initial notifications are required to submit initial notifications and reports and maintain records, and conduct initial performance tests and periodic monitoring. Landfill owners/operators must submit an initial design capacity report, initial performance test report, emission rate reports, and collection and control system design plans. Landfill closure and equipment removal reports are required when the landfill closes or the landfill meets the criteria for removing controls. Annual compliance reports must include the following information: descriptions of any period in which the value of any of the monitored operating parameters fell outside the specified ranges, any period during which the monitoring system is not operating or when the collected gas was diverted from the control device, and any exceedances during the period. The final rule is also requiring an annual wet landfill report for any landfill that recirculated leachate or added other liquids in the last 10 years. In addition, landfills with exceedances of wellhead operational standards may have additional reporting and recordkeeping burden, including a root cause analysis, corrective action analysis, and

implementation timeline for any exceedances that cannot be corrected within the timeframes specified in the regulation.

Landfill owners or operators must keep continuous monitoring records of the parameters reported in the initial performance report; records of monthly monitoring of wellhead temperature, pressure, and nitrogen or oxygen concentration; and records of quarterly monitoring of surface methane concentrations. Landfill owners or operators must also maintain records of all reports, plot map, and well locations. In addition, owners or operators are required to maintain records of the annual compliance reports, including 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. The recordkeeping and reporting requirements specific to municipal solid waste landfills are detailed in Section 4(b) of this supporting statement. These notifications, reports, and records are essential in determining compliance and are required of all affected facilities subject to the NSPS.

Any owner or operator subject to the provisions of subpart XXX will maintain a file of these measurements, and retain the file for at least five years following the date of such measurements, maintenance reports, and records. All reports are sent to the delegated state or local authority. In the event that there is no such delegated authority, the reports are sent directly to the United States Environmental Protection Agency (EPA) regional office.

Based on our consultations with industry representatives, there is an average of one affected facility at each plant site, and each plant site has only one respondent (i.e., the owner/operator of the landfill).

It is estimated that on average, 133 respondents per year will be subject to the regulation in the next three years based on a design capacity threshold of at least 2.5 million Mg and cubic meters.

Approximately 136 new or modified municipal solid waste (MSW) facilities, which are owned and operated by the public and private landfill owners (the “Affected Public”), would be subject to the regulation over the next three years. Sixty-two of the facilities are publically-owned and seventy-four facilities are privately-owned, for-profit businesses. The burden to the “Affected Public” may be found in Tables 1.A to 3.B in Attachments A and B. The cost of this ICR to all MSW facilities is \$5.5 million in labor costs, averaged over the first 3 years after the proposal is final.

The burden to the “Federal Government” is attributed entirely to work performed by federal employees or government contractors or to state or local agencies that have been delegated authority; this burden may be found in Tables 1.C through 3.C of Attachment C.

2. Need for and Use of the Collection

2(a) Need/Authority for the Collection

The EPA is charged under section 111 of the Clean Air Act (CAA), as amended, to establish standards of performance for new stationary sources that reflect:

. . . the degree of emission limitation achievable through the application of the best system of emission reduction which (taking into consideration the cost of achieving such emissions reduction, or any non-air quality health and environmental impact and energy requirements) the Administrator determines has been adequately demonstrated. Section 111(a)(1).

The EPA refers to this charge as selecting the best system of emission reduction (BSER). Section 111 also requires that the Administrator review and, if appropriate, revise such standards every eight years.

In addition, CAA section 114(a) states that the Administrator may require any owner/operator subject to any requirement of this CAA 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.

The Administrator has determined that municipal solid waste landfill emissions either cause or contribute to air pollution that may reasonably be anticipated to endanger public health or welfare. Therefore, the NSPS were promulgated for this source category at 40 CFR part 60, subpart WWW and a review of these NSPS is being finalized under new subpart XXX.

2(b) Practical Utility/Users of the Data

The recordkeeping and reporting requirements in the standard ensure compliance with the applicable regulations, which were promulgated in accordance with the CAA. In addition, the collected information is used for targeting inspections and as evidence in legal proceedings.

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

The notifications required in the standard are used to inform the EPA 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, that leaks are being detected and repaired, and that the standards are being met. The performance test may also be observed.

The required 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 60, subpart XXX.

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, no duplication exists.

3(b) Public Notice Required Prior to ICR Submission to OMB

A public notice of this collection is provided in the Federal Register notice of the proposed rulemaking published for the NSPS Review for Municipal Solid Waste Landfills. This ICR addresses public comments received on the proposed rule.

3(c) Consultations

Industry experts have been consulted and the EPA's internal data sources and projections of industry and growth over the next three years have been considered. The primary source of information is the data from 40 CFR part 98, subpart HH of the EPA Greenhouse Gas Reporting Program (GHGRP). This data was supplemented with a database maintained by EPA's Landfill Methane Outreach Program (LMOP), as well as information received from EPA Regional Offices and state authorities, and public comments regarding landfills expected to be built or modify between 2014-2018.

Based on these data sources, a consolidated database of 14 new landfills was created, consisting of 11 model landfills and three landfills that have been permitted but not yet constructed. The growth rate for the industry and attributes for these model landfills are based on the assumption that the sizes and locations of landfills opening in the most recent complete eight years of data (2005-2012) from the above three data sources would be similar to landfills opening in the next 8 years (2013-2020). In addition to the new landfills, the EPA database shows a total of 123 modified sources during the period of 2014-2018.

Given the numerous reporting and recordkeeping similarities between subpart XXX and the currently promulgated NSPS subpart WWW, many of the line item burden estimates in this ICR estimate are the same as the burdens recently submitted to OMB under ICR number 1557.09 for the most recent ICR renewal for subpart WWW. For the most recent subpart WWW ICR renewal, industry trade associations and other parties were provided an opportunity to comment on the burden associated with the standard. For the most recent subpart WWW ICR renewal, EPA consulted with two trade groups: the Solid Waste Association of North America (SWANA) at (800) 467-9262, and the National Waste & Recycling Association (NW&RA) at (202) 244-4700. EPA received written comments from the Solid Waste Association of North America (SWANA) requesting that EPA adjust the line item estimates for certain burden items.¹ While the estimated respondent universe and labor rates for subpart XXX as well as some of burden line item estimates in subpart XXX are unique to this subpart, many of the comments on the ICR renewal for subpart WWW were relevant for improving the burden estimates in this ICR. The burden table calculations provide notes on which burden line items reflect public comments received on the ICR renewal for subpart WWW.

The public was provided an opportunity to review and comment on the burden estimated in the ICR for the July 17, 2014 proposed subpart XXX (79 FR 41796). The EPA received comments that its estimates did not accurately account for the burden on MSW landfills that would become modified and become subject to subpart XXX. The EPA revised its estimates in ICR 2498.02 with the supplemental NSPS proposal (80 FR 52162) to incorporate both new and modified sources. The EPA did not receive any additional comments specific to the ICR burden methodology used in the 2015 proposal. EPA has updated the burden associated with this final rule ICR to reflect the latest inventory of new and modified landfills and any final changes to the reporting and requirements of the final rule since the 2015 proposal.

3(d) Effects of Less Frequent Collection

Less frequent information collection would decrease the margin of assurance that facilities are continuing to meet the standards. Requirements for information gathering and recordkeeping are useful techniques to ensure that good operation and maintenance practices are applied and that emission limitations are met. If the information required by these standards was collected less frequently, the proper operation and maintenance of control equipment and the possibility of detecting violations would be less likely.

3(e) General Guidelines

None of these reporting or recordkeeping requirements violate any of the regulations established by OMB at 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

¹ See Docket EPA-HQ-OECA-2014-0047 for a copy of the written comments submitted by SWANA.

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 the 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 EPA for which a claim of confidentiality is made will be safeguarded according to the EPA policies set forth in Title 40, chapter 1, part 2, subpart B - Confidentiality of Business Information (see 40 CFR 2; 41 FR 36902, September 1, 1976; amended by 43 FR 40000, September 8, 1978; 43 FR 42251, September 20, 1978; 44 FR 17674, March 23, 1979).

3(g) Sensitive Questions

The reporting or recordkeeping requirements in the standard do not include sensitive questions.

4. The Respondents and the Information Requested

4(a) Respondents/NAICS Codes

The respondents to the recordkeeping and reporting requirements are municipal solid waste landfills which correspond to the North American Industry Classification System (NAICS) 924110 for Air and Water Resources and Solid Waste Management, and NAICS 562212 for Solid Waste Landfill. The respondents include both publically and privately owned landfills. The breakdown of ownership is shown in the burden tables of this ICR.

4(b) Information Requested

None of these reporting or recordkeeping requirements violate any of the regulations established by OMB at 5 CFR part 1320, section 1320.5.

(i) Data Items

In this ICR, all data recorded and/or reported are required by NSPS for Municipal Solid Waste Landfill (40 CFR Part 60, subpart XXX) and the general provisions of Part 60.

A source must make the following reports:

Reports	Standard Citation by Section
Initial design capacity report and amended design capacity report	60.7(a)(1), 60.767(a)
Notification of actual startup	60.7(a)(3)

Reports	Standard Citation by Section
Initial and annual (or 5-year) non-methane organic compounds (NMOC) emission rate reports	60.767(b)
Initial and revised collection and control system design plans	60.767(c), 60.767(d)
Landfill closure report	60.767(e)
Equipment removal report	60.767(f)
Initial performance test report and annual operations reports	60.8, 60.767(h), 60.767(g)
Corrective Action Analysis	60.767(g)(7), 60.767(j)
Implementation Timeline	60.767(j)
Root Cause Analysis	60.767(g)(7), 60.767(j)
Notifications of SEM prior to Tier 4	60.767(l)
Wet landfill Annual Report	60.767(k)

A source must keep the following records:

Recordkeeping	
Maintain records of maximum design capacity, refuse-in-place, year-by-year waste acceptance rate (maintain for 5 years)	60.768(a)
Maintain records of system design and initial performance test/compliance determination (must be kept for life of the control equipment; records of subsequent tests must be maintained for 5 years)	60.768(b)
Maintain records of monitoring for five years	60.768(c)
Maintain records of plot map and well locations for the life of the landfill (for life of the collection system)	60.768(d)
Maintain records of collection and control system exceedances and control system monitoring data for 5 years	60.768(e)(1), 60.768(h)
Maintain records of root cause analysis conducted, corrective action, and implementation timeline	60.768(e)(2), 60.768(e)(3), 60.768(e)(4)
Maintain records of annual recalculation of site-specific density and design capacity	60.768(f)
Maintain records of all surface emissions monitoring and information related to instrument calibrations for 5 years (for landfills opting to use the Tier 4 approach)	60.768(g)
Maintain records of any engineering calculations or company records used to estimate the quantities of leachate or liquids added	60.768(j)

Electronic Reporting

Currently, some of the respondents are using monitoring equipment that automatically records parameter data. Further, data collected from wellhead and surface emission monitoring equipment can be transferred from the equipment to a computer for additional spreadsheet analysis. Although personnel at the affected facility must evaluate the data, internal automation has significantly reduced the burden associated with monitoring and recordkeeping at the facility.

Also, regulatory agencies, in cooperation with the respondents, continue to create reporting systems to transmit data electronically. At this time, it is estimated that approximately 90 percent of the respondents will use electronic reporting for subpart XXX. Further, most of the methods in the landfills NSPS are not supported by the EPA Electronic Reporting Tool (ERT). Thus, electronic reporting of performance tests may not be required for some landfills initially, but will be required when applicable methods are added to the ERT.

The EPA is requiring owners and operators of new or modified landfills to submit electronic copies of certain required performance test reports, NMOC emission rate reports, annual reports, Tier 4 emission rate reports, and annual reports on wet landfilling practices through EPA's Central Data Exchange (CDX) (http://cdx.epa.gov/epa_home.asp) using the Compliance and Emissions Data Reporting Interface (CEDRI). Electronic copies of records may also be maintained in order to satisfy federal recordkeeping requirements.

(ii) Respondent Activities

Respondent Activities
Read instructions.
Calibrate and operate surface emission monitoring equipment for quarterly monitoring and portable LFG emission analyzer equipment for monthly wellhead monitoring.
Estimate NMOC emission estimates using Tier 1, Tier 2, Tier 3 or Tier 4 procedures in the regulation.
Perform initial performance test, Reference Method 25, Method 25A or 25C test, and repeat performance test 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.
Develop, acquire, install, and utilize technology and systems for the purpose of processing and maintaining information.
Develop, acquire, install, and utilize technology and systems for the purpose of disclosing and providing information.
Adjust the existing ways to comply with any previously applicable instructions and requirements.

Respondent Activities
Train personnel to be able to respond to a collection of information.
Transmit, or otherwise disclose the information.

Currently, sources are using monitoring equipment that provides parameter data in an automated way (e.g., continuous parameter monitoring system). Although personnel at the source still need to evaluate the data, this type of monitoring equipment has significantly reduced the burden associated with monitoring and recordkeeping.

5. The Information Collected: Agency Activities, Collection Methodology, and Information Management

5(a) Agency Activities

EPA conducts the following activities in connection with the acquisition, analysis, storage, and distribution of the required information.

Agency Activities
Observe initial performance tests, repeat performance tests and quarterly surface emissions monitoring (or Tier 4) if necessary.
Review notifications and reports, including performance test reports, excess emissions reports, root cause and corrective action analysis, implementation timeline, and wet landfill monitoring report required to be submitted by industry.
Audit facility records.
Input, analyze, and maintain data in Enforcement and Compliance History Online (ECHO) and ICIS.

5(b) Collection Methodology and Management

Following notification of startup, the reviewing authority might inspect the source to determine whether the pollution control devices are properly installed and operated. Performance tests reports are used by the EPA to determine a source's initial capability to comply with the emission standard. Data and records maintained by the respondents are tabulated and published for use in compliance and enforcement programs. The annual 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. OTIS 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.

Certain data will also be stored and accessible through the EPA's Central Data Exchange (CDX) (http://cdx.epa.gov/epa_home.asp).

The records required by this regulation must be retained in a readily accessible format by the owner/operator for five years.

5(c) Small Entity Flexibility

Although it is unknown how many new "greenfield" landfills will be owned or operated by small entities, recent trends in the waste industry have been towards consolidated ownership among larger companies. Based on landfills anticipated to modify and become subject to subpart XXX, and the ownership of recent greenfield landfills, the EPA has determined that approximately eight of the privately owned landfills and eight of the publically owned landfills are small entities.

Subpart XXX does not contain any provisions reserved exclusively for the benefit of small entities. However, the design capacity threshold of 2.5 million megagrams and 2.5 million cubic meters limits the effect of this regulation on smaller landfills, which tend to be disproportionately owned by smaller entities.

However, the rule has provided a finalized a non-numeric definition of treatment, which is expected to provide some flexibility for landfills with LFG energy recovery. Since treatment is one of the three compliance pathways for controlling LFG, this ICR does not estimate the number of landfills that may opt to use the treatment pathway for compliance. In addition, while the standard continues to require monthly monitoring of wellhead parameters, the EPA has removed the wellhead operating standards for oxygen/nitrogen, which will reduce the corrective actions, re-monitoring, and requests for alternative timelines. The final rule has also included alternative site-specific emission thresholds for determining when a landfill must install (via Tier 4) or remove controls, which are expected to provide flexibility for landfill owners/operators required to control under subpart XXX. The ICR burden was estimated assuming 50% of landfills use Tier 1 and 50% use Tier 2 as it is unknown how many landfills would opt to use Tier 4.

5(d) Collection Schedule

The specific frequency for each information collection activity within this request is shown in Tables 1.A through 3.B of Attachments A and B.

6. Estimating the Burden and Cost of the Collection

Tables 1.A through 3.A of Attachment A document the computation of individual burdens for the recordkeeping and reporting requirements applicable to publically-owned MSW landfills. Tables 1.B to 3.B present the burden on privately-owned MSW landfills.

The individual burdens are expressed under standardized headings consistent with the concept of burden under the Paperwork Reduction Act. Wherever appropriate, specific tasks and major assumptions have been identified. Responses to this information collection are mandatory.

The EPA 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 91,087 labor hours for the final option 2.5/34 (Total Labor Hours from Tables 1.A through 3.B). These hours are based on EPA studies and background documents from the development of the regulation, EPA knowledge and experience with the NSPS program, the most recent ICR renewal for subpart WWW, and any comments received on the ICR for the July 17, 2014 and August 27, 2015 proposals for subpart XXX.

6(b) Estimating Respondent Costs

(i) Estimating Labor Costs

This ICR uses the following labor rates:

Managerial	\$109.43	(\$52.11 + 110%)
Technical	\$ 86.46	(\$41.17 + 110%)
Civil Engineer Technician	\$ 49.85	(\$23.74 + 110%)
Clerical	\$ 30.28	(\$14.42 + 110%)

These rates are from the United States Department of Labor, Bureau of Labor Statistics, May 2013, National Occupational Employment and Wage Estimates United States. 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. For public-sector respondents (i.e., publicly-owned or -operated landfills), it was assumed that the work performed will be completed by private contractors.

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

The types of industry costs associated with the information collection activities in the subject standard are both labor costs, which are addressed elsewhere in this ICR, and the costs associated with continuous monitoring at the flare station, quarterly surface monitoring, monthly wellhead monitoring, and conducting a Tier II NMOC emission rate test. The capital/startup costs are one-time costs when a facility becomes subject to the regulation or when the facility first installs controls. The capital costs have been annualized over the five-year period allowed before another Tier II test must be conducted. While this final rule allows landfills to conduct Tier 3 or Tier 4, industry experience suggest that no landfills are using the Tier 3 approach and it is unknown how many landfills would use the Tier 4 alternative. The capital costs for the initial performance testing continuous monitoring equipment are annualized over a 15-year period,

consistent with the expected lifetime of the flare, and an estimated annual O&M for these equipment were also estimated based on recent consultation with industry on the subpart WWW ICR renewal.

For landfills that must install gas collection and control systems, there are additional non-labor costs associated with conducting an initial (and repeat, if necessary) performance test on the flare or other destruction device, conducting quarterly surface emission monitoring (SEM), and conducting monthly wellhead monitoring. However, the final rule cost analysis assumes that the portable equipment used to complete the SEM and wellhead is rented and not purchased. Based on industry experience, many landfills contract out monitoring services. Therefore, no capital/startup costs are estimated. The table below includes rental cost and calibration and hydrogen fuel costs for the annual O&M of SEM equipment. For wellhead monitoring, the comments received on the most recent ICR renewal provided a cost per month for monitoring, but the costs did not break out labor vs. equipment costs and this ICR applies the full cost in terms of burden hours. Therefore, the table below only shows the O&M costs associated with the calibration gases for the wellhead monitoring device. The costs to monitor surface emissions and wellheads are also included in the annualized cost impacts analysis for the finalized subpart.

The annual operation and maintenance costs are the ongoing costs to maintain, calibrate, and operate the purchased monitoring equipment, rent monitoring equipment, and other costs such as photocopying and postage.

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

Annualized Capital/Startup vs. Operation and Maintenance (O&M) Costs							
(A) Monitoring Device	(B) Capital/ Startup Cost for One Respondent	(C) Annualized Capital/Startup Cost for One Respondent	(D) Average Number of Respondents per Year	(E) Total Annualize d Capital / Startup Cost, (C X D) per Year	(F) Annual O&M Costs for One Respondent	(G) Number of Respondent s with O&M	(H) Total O&M, (F X G)
Method 25, 25A or 25C testing costs for initial performance test	\$10,067	\$1,105	93	\$102,765	\$0	0	\$0
Sampling probe and Method 25, 25A or 25C testing costs for Tier 2 test	\$10,067	\$2,455	11	\$25,778	\$0	0	\$0
Method 21 Surface Emission Monitor	0	0	0	\$0	\$2,816	93	\$261,888
Portable Wellhead Monitor	0	0	0	\$0	\$204	93	\$18,972
Flow Meter	\$3,000	\$330	107.3	\$35,409	\$1000	93	\$93,000
Thermocouple	\$500	\$55	107.3	\$5,902			
Data Recorder	\$4,500	\$494	107.3	\$53,006			

The average annualized capital/startup costs for this ICR are \$223,000. This is the total of column E in the above table. The average annual O&M costs are \$374,000 this is the total from column H in the above table. The total non-labor costs are approximately \$597,000.

6(c) Estimating Agency Burden and Cost

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

The average annual agency cost during the three years of the ICR is estimated to be \$169,978. In subsequent years, the agency costs will be lower because it will require less review of initial one-time tests and reports, but as additional landfills modify and become subject to

subpart XXX the costs could grow gradually over time to account for recurring review of annual report data.

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 rate 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 in Tables 1.C through 3.C of Attachment C.

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

Based on the regulatory database used to estimate the impacts for Subpart XXX, on average over the next three years, approximately 133 existing respondents per year will become subject to the standard under the final option 2.5/34 based on exceeding the design capacity threshold of at least 2.5 million Mg or cubic meters.

The number of respondents is calculated using the following table, which addresses the three years covered by this ICR.

Number of Respondents					
Year	(A) Number of New Respondents¹	(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	126	0	0	0	126
2	10	126	0	0	136
3	0	136	0	0	136
Average	45	87	0	0	133

¹ New respondent include sources with constructed, reconstructed and modified affected facilities.

To avoid double-counting respondents, column D is subtracted. As shown above, the average Number of Respondents over the three-year period of this ICR is 133, of which approximately 61 are public entities and 72 are private entities.

The total number of responses over the three-year period is calculated using the following table:

Total Responses				
(A) Information Collection Activity	(B) Number of Respondents	(C) Number of Responses per Respondent	(D) Number of Existing Respondents That Keep Records But Do Not Submit Reports	(E) Total Responses E=(BxC)+D
Initial design capacity report	9	1	N/A	9
Amended design capacity report	0	1	N/A	0
Report of NMOC rate (Tier 1)	46	1	N/A	46
Report of NMOC rate (Tier 2)	18	1	N/A	18
Landfill Closure Report	0	1	N/A	0
Equipment Removal Report	0	1	N/A	0
Collection and Control System Design Plan	104	1	N/A	104
Initial Performance Test Report	104	1	N/A	104
Revised design plan	10	1	N/A	10
Annual Report	279	1	N/A	279
Corrective Action Analysis	6	1	N/A	6
Implementation Timeline	6	1	N/A	6
Root Cause Analysis	6	1	N/A	6
Wet Landfill Monitoring Report	96	1	N/A	96
Total Number of Annual Responses				684

The number of Total Annual Responses is 684 responses over the three-year period, or 228 responses per year (rounded). Many respondents submit more than one type of response (report), depending on the year of the ICR.

The total labor costs are \$16,575,310, or \$5,525,103 per year. Details regarding these estimates may be found in Tables 1.A through 3.B of Attachments A and B.

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.A through 3.B of Attachments A and B and Tables 1.C through 3.C of Attachment C and summarized below.

(i) Respondent Tally

The total annual labor hours are 273,260 over this initial three-year period, or an average of 91,087 hours per year. Details regarding these estimates may be found in Tables 1.A through 3.B of Attachments A and B. Furthermore, the annual respondent reporting and recordkeeping burden for this collection of information is estimated to average 476 hours per response.

The total annualized capital/startup and annual O&M costs to the regulated entity are \$1.8 million over the three-year period or an average of \$605,549 per year. The cost calculations are detailed in Section 6(b)(iii) of this supporting statement, Capital/Startup vs. Operation and Maintenance (O&M) Costs.

(ii) The Agency Tally

The average annual agency burden and cost over next three years for each compliance option is estimated to be 2,634 labor hours at a cost of \$169,978. See Tables 1.C through 3.C of Attachment C.

6(f) Reasons for Change in Burden

As a result of revised estimates of modified landfills since the 2015 proposal, which resulted in a lower number of respondents, and adding new reporting requirements, the estimated number of landfills required to install controls have decreased. Thus, the burden hours, costs, and number of responses have decreased in this final rule as compared to the estimates in the proposal.

In addition, labor rates were updated for EPA thus causing a change in annual labor costs for the respondents and Agency.

6(g) Burden Statement

The annual public reporting and recordkeeping burden for this collection of information for the final rule is estimated to average 399.5 hours per response. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, 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 the EPA regulations are listed at 40 CFR part 9 and 48 CFR chapter 15.

To comment on the EPA'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 the finalized NSPS Review for Municipal Solid Waste Landfills under Docket ID Number EPA-HQ-OAR-2003-0215. 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 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-2003-0215 and ICR Number 2498.03 in any correspondence.

Part B of the Supporting Statement

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