

**SUPPORTING STATEMENT  
ENVIRONMENTAL PROTECTION AGENCY**

**NSPS for Nonmetallic Mineral Processing (40 CFR Part 60, Subpart OOO) (Renewal)**

**1. Identification of the Information Collection**

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

NSPS for Nonmetallic Mineral Processing (40 CFR Part 60, Subpart OOO) (Renewal),  
EPA ICR Number 1084.14, OMB Control Number 2060-0050.

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

The New Source Performance Standards (NSPS) for Nonmetallic Mineral Processing (40 CFR Part 60, Subpart OOO) were proposed on August 31, 1983, promulgated on August 1, 1985, and most-recently amended on April 28, 2009. These regulations apply to the following affected facilities in fixed or portable nonmetallic mineral processing plants: each crusher, grinding mill, screening operation, bucket elevator, belt conveyor, bagging operation, storage bin, and enclosed truck or railcar loading station, which commenced construction, modification or reconstruction after August 31, 1983. Also, crushers and grinding mills at hot mix asphalt facilities that reduce the size of nonmetallic minerals embedded in recycled asphalt pavement and subsequent affected facilities up to, but not including, the first storage silo or bin are subject to the provisions of the subpart. New facilities include those that commenced construction, modification, or reconstruction after the date of proposal. This information is being collected to assure compliance with 40 CFR Part 60, Subpart OOO.

The provisions of Subpart OOO do not apply to the following operations: facilities located in underground mines, wet material processing operations, and plants without crushers or grinding mills. An affected facility that is subject to the provisions of either 40 CFR Part 60, Subparts F or I, or that follows in the process any facility subject to the provisions of 40 CFR Part 60, Subparts F or I, is not subject to the provisions of this subpart. In addition, the following plants are not subject to Subpart OOO: fixed sand and gravel plants and crushed stone plants with capacities of 23 megagrams per hour (25 tons per hour) or less; portable sand and gravel plants and crushed stone plants with capacities of 136 megagrams per hour (150 tons per hour) or less; and common clay plants and pumice plants with capacities of 9 megagrams per hour (10 tons per hour) or less.

In general, all NSPS standards require initial notifications, performance tests, and periodic reports by the owners/operators of the affected facilities. They are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. These notifications, reports, and records are essential in determining compliance, and are required of all affected facilities subject to NSPS.

Any owner/operator subject to the provisions of this part shall maintain a file containing these documents, and retain the file for at least two years following the date of such maintenance

reports and records. All reports are sent to the delegated state or local authority. If there is no such delegated authority, the reports are sent directly to the U.S. Environmental Protection Agency (EPA) regional office.

Over the next three years, an average of 5,095 existing respondents per year will be subject to these standards and 66.4 additional new respondents per year will become subject to the standard. None of the 5,095 facilities in the United States are owned by either state, local, tribal or the Federal government. They are all owned and operated by privately-owned, for-profit businesses. We assume that they will all respond to EPA inquiries.

The term “Affected Public” applies to any publicly-owned and operated fixed or portable nonmetallic mineral processing plant. The ‘burden’ to the Affected Public may be found below in Table 1: Annual Respondent Burden and Cost – NSPS for Nonmetallic Mineral Processing (40 CFR Part 60, Subpart OOO) (Renewal). The ‘burden’ to the Federal Government is attributed entirely to work performed by either Federal employees or government contractors, and may be found below in Table 2: Average Annual EPA Burden and Cost – NSPS for Nonmetallic Mineral Processing (40 CFR Part 60, Subpart OOO) (Renewal).

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

## **2. Need for and Use of the Collection**

### **2(a) Need/Authority for the Collection**

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

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

The Agency refers to this charge as selecting the best demonstrated technology (BDT). Section 111 also requires that the Administrator review and, if appropriate, revise such standards every eight years. In addition, Section 114(a) states that the Administrator may require any owner/operator subject to any requirement of this Act to:

(A) Establish and maintain such records; (B) make such reports;  
(C) install, use, and maintain such monitoring equipment, and use such audit procedures, or methods; (D) sample such emissions (in accordance with such procedures or methods, at such locations, at

such intervals, during such periods, and in such manner as the Administrator shall prescribe); (E) keep records on control equipment parameters, production variables or other indirect data when direct monitoring of emissions is impractical; (F) submit compliance certifications in accordance with Section 114(a)(3); and (G) provide such other information as the Administrator may reasonably require.

In the Administrator's judgment, particulate emissions from nonmetallic mineral processing plants (NMPPs) either cause or contribute to air pollution that may reasonably be anticipated to endanger public health and/or welfare. Therefore, the NSPS were promulgated for this source category at 40 CFR Part 60, Subpart OOO.

### **2(b) Practical Utility/Users of the Data**

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

Performance tests are required in order to determine an affected facility's initial capability to comply with the emission standards. For some facilities, during the performance test, a record of the operating parameters under which compliance was achieved is recorded and used to determine compliance.

The notifications required in these standards are used to inform the Agency or delegated authority when a source becomes subject to the requirements of the regulations. The reviewing authority may then inspect the source to check if the pollution control devices are properly installed and operated and that the standards are being met. The performance test may also be observed.

The required semiannual compliance 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 OOO.

### **3(a) Non-duplication**

If the subject standards have not been delegated, the information is sent directly to the appropriate EPA regional office. Otherwise, the information is sent directly to the delegated state or local agency. If a state or local agency has adopted its own similar standards to implement the

Federal standards, a copy of the report submitted to the state or local agency can be sent to the Administrator in lieu of the report required by the Federal standards. Therefore, duplication does not exist.

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

An announcement of a public comment period for the renewal of this ICR was published in the *Federal Register* (82 FR 29552) on June 29, 2017. No comments were received on the burden published in the *Federal Register* for this renewal.

### **3(c) Consultations**

The Agency has consulted industry experts and internal data sources to project the number of affected facilities and industry growth over the next three years. The primary source of information as reported by industry, in compliance with the recordkeeping and reporting provisions in the standard, is the Integrated Compliance Information System (ICIS). ICIS is EPA's database for the collection, maintenance, and retrieval of all compliance data for industrial and government-owned facilities. The growth rate for the industry is based on our consultations with the Agency's internal industry experts. Approximately 5,095 respondents will be subject to these standards over the three-year period covered by this ICR, and there will be approximately 66 new respondents per year through the period.

Industry trade associations and other interested parties were provided with an opportunity to comment on the burden associated with these standards when they were being developed and further amended, and these same standards have been reviewed previously to determine the minimum information needed for compliance purposes. In developing this ICR, we contacted both the National Stone, Sand, and Gravel Association (NSSGA), at (703) 525-8788, and the Industrial Minerals Association - North America (IMA-NA), at (240) 457-0200.

It is our policy to respond after a thorough review of comments received since the last ICR renewal, as well as those submitted in response to the first *Federal Register* notice. In this case, no comments were received.

### **3(d) Effects of Less-Frequent Collection**

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

### **3(e) General Guidelines**

These reporting or recordkeeping requirements do not violate any of the regulations

promulgated by OMB under 5 CFR Part 1320, Section 1320.5.

### **3(f) Confidentiality**

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

### **3(g) Sensitive Questions**

The reporting or recordkeeping requirements in these standards do not include sensitive questions.

## **4. The Respondents and the Information Requested**

### **4(a) Respondents/SIC Codes**

The respondents to the recordkeeping and reporting requirements are owners or operators of nonmetallic mineral processing facilities. The United States Standard Industrial Classification (SIC) codes and corresponding North American Industry Classification System (NAICS) codes for respondents affected by the standard are listed in the following table:

<b>Standard (40 CFR Part 60, Subpart OOO)</b>	<b>SIC Codes</b>	<b>NAICS Codes</b>
Dimension Stone Mining and Quarrying	1411	212311
Crushed and Broken Limestone Mining and Quarrying	1422	212312
Crushed and Broken Granite Mining and Quarrying	1423	212313
Other Crushed and Broken Stone Mining and Quarrying	1429, 1499	212319
Construction Sand and Gravel Mining	1442	212321
Industrial Sand Mining	1446	212322
Kaolin and Ball Clay Mining	1455, 3295	212324
Clay and Ceramic and Refractory Minerals Mining	1459, 3295	212325
Potash, Soda, and Borate Mineral Mining	1474	212391
Other Chemical and Fertilizer Mineral Mining	1479, 3295	212393
All Other Nonmetallic Mineral Mining	1499, 3295	212399
Fossil Fuel Electric Power Generation	4911, 4931, 4939	221112

<b>Standard (40 CFR Part 60, Subpart OOO)</b>	<b>SIC Codes</b>	<b>NAICS Codes</b>
Asphalt Paving Mixture and Block Manufacturing	2951	324121
Clay Building Material and Refractories Manufacturing	3251, 3253, 3255, 3259	327120
Cement Manufacturing	3241	327310
Lime Manufacturing	3274	327410
Gypsum Product Manufacturing	3275, 3299	327420
Ground or Treated Mineral and Earth Manufacturing	3295	327992
Iron and Steel Mills and Ferroalloy Manufacturing	3312	331110

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

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

In this ICR, all the data that are recorded or reported is required by the NSPS for Nonmetallic Mineral Processing (40 CFR Part 60, Subpart OOO).

A source must make the following notifications:

<b>Notifications</b>	
Actual startup date	§§ 60.7(a)(3), 60.676(i)
Physical or operational change	§ 60.7(a)(4)
Initial performance test	§§ 60.8(d), 60.672
Demonstration of continuous monitoring system	§ 60.7(a)(5)

A source must make the following reports:

<b>Reports</b>	
Initial performance test results	§§ 60.8(a), 60.676(f)
Repeat performance test results	§§ 60.8(a), 60.11, 60.675
Replacement activities	§ 60.676(a)

<b>Reports</b>	
Semiannual reports of when scrubber pressure losses and liquid flow rates are 30 percent below the average determined from performance testing	§§ 60.7(c) and (d), 60.676(d), 60.676(e)
Report of process change	§ 60.676(g)
Site-specific monitoring plan for each bag leak detection system	§ 60.674(d)(2)

A source must keep the following records:

<b>Recordkeeping</b>	
Startups, shutdowns, malfunctions in operation of affected facility; malfunctions of control device; periods where the continuous monitoring system is inoperative	§ 60.7(b)
Records are required to be retained for two years and kept onsite	§ 60.7(f)
Records of inspections and monitoring	§§ 60.7(f), 60.674(b), 60.674(c), 60.676(b) through (d)

### Electronic Reporting

Some of the respondents are using monitoring equipment that automatically records parameter data. Although personnel at the affected facility must still evaluate the data, internal automation has significantly reduced the burden associated with monitoring and recordkeeping at a plant site.

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

<b>Respondent Activities</b>	
Familiarization with the regulatory requirements.	
Perform initial performance test using appropriate Reference Method repeat initial performance tests if necessary, and perform repeat performance tests within 5 years, as required.	
Install, calibrate, maintain, and operate monitoring devices for wet scrubbers to achieve compliance.	
For wet suppression systems to control emissions, perform monthly periodic inspections to check that water is flowing to discharge spray nozzles.	

<b>Respondent Activities</b>
Conduct quarterly 30-minute EPA Method 22 visible emissions inspections of baghouses used to control emissions.
As an alternative to Method 22 inspections, install, operate, and maintain any bag leak detection system used in place of Method 22 inspections; adjust quarterly the sensitivity of the bag leak detection system to account for seasonal effects; take corrective action(s) within 3 hours of each alarm.
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.
Adjust the existing ways to comply with any previously applicable instructions and requirements.
Train personnel to be able to respond to a collection of information.
Transmit, or otherwise disclose the information.

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

### **5(a) Agency Activities**

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

<b>Agency Activities</b>
Observe initial performance tests and repeat performance tests, if necessary.
Review notifications and reports, including performance test reports and excess emissions reports, required to be submitted by industry.



<b>Agency Activities</b>
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 could inspect the source to determine whether the pollution control devices are properly installed and operated. Performance test reports are used by the Agency to discern a source's initial capability to comply with the emission standards. Data and records maintained by the respondents are tabulated and published for use in compliance and enforcement programs. The semiannual reports are used for problem identification, as a check on source operation and maintenance, and for compliance determinations.

Information contained in the reports is reported by state and local governments in the ICIS Air database, which is operated and maintained by EPA's Office of Compliance. ICIS is EPA's database for the collection, maintenance, and retrieval of compliance data for industrial and government-owned facilities. EPA uses ICIS for tracking air pollution compliance and enforcement by local and state regulatory agencies, EPA regional offices, and EPA headquarters. EPA and its delegated Authorities can edit, store, retrieve, and analyze the data.

The records required by this regulation must be retained by the owner/operator for two years.

### **5(c) Small Entity Flexibility**

The majority of respondents are estimated to be small entities. The impact on small entities (i.e., small businesses) was taken into consideration during the development of the regulation by exempting wet material processing operations, simplifying certain notification requirements, and selecting relatively low-cost repeat testing and monitoring provisions. In addition, certain plants operating at small capacities were exempted from Subpart OOO due to economic considerations when the standards were originally developed. Due to technical considerations involving the process operations and the types of control equipment employed, the recordkeeping and reporting requirements are the same for both small and large entities. The Agency considers these to be the minimum requirements needed to ensure compliance and, therefore, cannot reduce them further for small entities. To the extent that larger businesses can use economies of scale to reduce their burden, the overall burden will be reduced.

### **5(d) Collection Schedule**

The specific frequency for each information collection activity within this request is shown below in Table 1: Annual Respondent Burden and Cost – NSPS for Nonmetallic Mineral

Processing (40 CFR Part 60, Subpart OOO) (Renewal).

## **6. Estimating the Burden and Cost of the Collection**

Table 1 documents the computation of individual burdens for the recordkeeping and reporting requirements applicable to the industry for the subpart included in this ICR. The individual burdens are expressed under standardized headings believed to be consistent with the concept of burden under the Paperwork Reduction Act. Where appropriate, specific tasks and major assumptions have been identified. Responses to this information collection are mandatory.

The Agency may neither conduct nor sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number.

### **6(a) Estimating Respondent Burden**

The average annual burden to industry over the next three years from these recordkeeping and reporting requirements is estimated to be 20,200 hours (Total Labor Hours from Table 1 below). These hours are based on Agency studies and background documents from the development of the regulation, Agency knowledge and experience with the NSPS program, the previously-approved ICR, and any comments received.

### **6(b) Estimating Respondent Costs**

#### **(i) Estimating Labor Costs**

This ICR uses the following labor rates:

Managerial	\$149.35 (\$71.12+ 110%)
Technical	\$112.98 (\$53.80 + 110%)
Clerical	\$54.81 (\$26.10 + 110%)

These rates are from the United States Department of Labor, Bureau of Labor Statistics, June 2017, "Table 2. Civilian Workers, by occupational and industry group." The rates are from column 1, "Total compensation." The rates have been increased by 110 percent to account for the benefit packages available to those employed by private industry.

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

The type of industry costs associated with the information collection activities in the subject standards are both labor costs, which are addressed elsewhere in this ICR, and the costs associated with continuous monitoring. The capital/startup costs are one-time costs when a facility becomes subject to the regulations. The annual operation and maintenance (O&M) costs are the ongoing costs to maintain the monitors and other costs such as photocopying and postage.

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

<b>Capital/Startup vs. Operation and Maintenance (O&amp;M) Costs</b>						
(A) Requirement	(B) Capital/Startup Cost for One Respondent	(C) Number of New Respondents <sup>a</sup>	(D) Total Capital/Startup Cost, (B X C x CRF) <sup>b</sup>	(E) Annual O&M Costs for One Respondent	(F) Number of Respondents with O&M	(G) Total O&M, (E X F)
Method 9 performance tests (new sources) <sup>c</sup>	\$4,767	60.9	\$70,807	\$0	0	\$0
Method 9 performance tests (existing sources) <sup>c, d</sup>	\$4,767	60.9	\$70,807	\$0	0	\$0
Method 5 performance tests (new sources) <sup>e</sup>	\$63,000	5.5	\$84,511	\$0	0	\$0
File cabinets	\$235	66.4	\$1,713	N/A	N/A	N/A
Total <sup>f</sup>			\$228,000			\$0

<sup>a</sup> Of the 66.4 new respondents per year, EPA estimates 60.9 will be in the crushed/broken stone and sand/gravel industrial sectors and 5.5 will be in other industrial sectors.

<sup>b</sup> These are annualized costs for all new respondents. The capital cost associated with testing was annualized assuming a 7% interest rate and 5-year life (i.e., capital recovery factor (CRF) of 0.2439). The annualized capital cost for file cabinets was calculated using a 7% interest rate and a 15-year life (i.e., CRF of 0.1098).

<sup>c</sup> EPA estimates a testing cost of \$216.67 per 30-minute Method 9 test. EPA assumes each plant in the crushed/broken stone and sand/gravel industrial sectors has 22 emissions points requiring Method 9 testing; therefore, the capital/startup cost per respondent is \$4,767 (rounded) ( $\$216.67 \times 22 = 4,766.74$ ).

<sup>d</sup> Existing sources in the crushed/broken stone and sand/gravel industrial sectors, built in 2008 or later, must repeat performance testing every five years. Over the next three years (2019 to 2021), an average of 60.9 existing sources per year will repeat performance testing. These existing sources were the new sources that conducted initial performance testing in 2014, 2015, and 2016.

<sup>e</sup> EPA estimates a testing cost of \$7,000 per Method 5 test. EPA assumes each plant in other industrial sectors subject to the rule has 9 emission points requiring Method 5 testing; therefore, the capital/startup cost per respondent is \$63,000 ( $\$7,000 \times 9 = \$63,000$ ).

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

The total capital/startup costs for this ICR are \$228,000.

The total operation and maintenance (O&M) costs for this ICR are \$0. This is the total of column G.

The average annual cost for capital/startup and O&M costs to industry over the next three years of the ICR is estimated to be \$228,000. These are capital/startup costs.

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

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

The average annual Agency cost during the three years of the ICR is estimated to be \$254,000.

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

Managerial	\$64.80 (GS-13, Step 5, \$40.50 + 60%)
Technical	\$48.08 (GS-12, Step 1, \$30.05 + 60%)
Clerical	\$26.02 (GS-6, Step 3, \$16.26 + 60%)

These rates are from the Office of Personnel Management (OPM), 2017 General Schedule, which excludes locality rates of pay. The rates have been increased by 60 percent to account for the benefit packages available to government employees. Details upon which this estimate is based appear below in Table 2: Average Annual EPA Burden and Cost – NSPS for Nonmetallic Mineral Processing (40 CFR Part 60, Subpart OOO) (Renewal).

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

Based on our research for this ICR, on average over the next three years, approximately 5,029 existing respondents will be subject to these standards. It is estimated that an additional 66.4 respondents per year will become subject. The overall average number of respondents, as shown in the table below, is 5,095 (rounded).

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

<b>Number of Respondents</b>					
	Respondents That Submit Reports		Respondents That Do Not Submit Any Reports		
Year	(A) Number of New Respondents <sup>1</sup>	(B) Number of Existing Respondents	(C) Number of Existing Respondents that keep records but do not submit reports	(D) Number of Existing Respondents That Are Also New Respondents	(E) Number of Respondents (E=A+B+C-D)
1	66.4	4,962.4	0	0	5,028.8
2	66.4	5,028.8	0	0	5,095.2
3	66.4	5,095.2	0	0	5,161.6
Average	66.4	5,028.8	0	0	5,095

<sup>1</sup> New respondents include sources with constructed, reconstructed, and modified affected facilities.

Column D is subtracted to avoid double-counting respondents. As shown above, the average Number of Respondents over the three-year period of this ICR is 5,095.

The total number of annual responses per year is calculated using the following table:

<b>Total Annual Responses</b>				
(A) Information Collection Activity	(B) Number of Respondents	(C) Number of Responses	(D) Number of Existing Respondents That Keep Records But Do Not Submit Reports	(E) Total Annual Responses E=(BxC)+D
Notification of actual startup	66.4	1	0	66.4
Notification of initial performance test	66.4	1	0	66.4
Notification of physical or operational change	66.4	1	0	66.4
Report of initial performance test (new sources)	66.4	1	0	66.4
Report of repeat initial performance test (new sources)	16.6	1	0	16.6
Report of five-year performance test (existing sources)	60.9	1	0	60.9
Records of startups, shutdowns, and malfunctions	0	0	5,095	5,095
			Total (rounded)	5,438

The number of Total Annual Responses is 5,438 (rounded).

The total annual labor costs are \$2,220,000. Details regarding these estimates may be found below in Table 1: Annual Respondent Burden and Cost – NSPS for Nonmetallic Mineral Processing (40 CFR Part 60, Subpart OOO) (Renewal).

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

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

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

The total annual labor hours are 20,200 hours. Details regarding these estimates may be found below in Table 1: Annual Respondent Burden and Cost – NSPS for Nonmetallic Mineral Processing (40 CFR Part 60, Subpart OOO) (Renewal).

Furthermore, the annual public reporting and recordkeeping burden for this collection of information is estimated to average 4 hours per response.

The total annual capital/startup and O&M costs to the regulated entity are \$228,000. The cost calculations are detailed in Section 6(b)(iii), Capital/Startup vs. Operation and Maintenance (O&M) Costs.

#### **(ii) The Agency Tally**

The average annual Agency burden and cost over the next three years is estimated to be 4,850 labor hours at a cost of \$254,000; see below in Table 2: Average Annual EPA Burden and Cost – NSPS for Nonmetallic Mineral Processing (40 CFR Part 60, Subpart OOO) (Renewal).

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

The increase in burden for respondents from the most-recently approved ICR is due to two adjustments. The first adjustment increase in burden is an increase in the number of new or modified sources. The second adjustment increase in burden from the most-recently approved ICR is the addition of burden hours to account for the time spent by existing facilities to re-familiarize themselves annually with the rule requirements. These adjustments result in an overall increase in burden.

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

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 4 hours per response. ‘Burden’ means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and

verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

An agency may neither conduct nor sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB Control Number. The OMB Control Numbers for EPA regulations are listed at 40 CFR Part 9 and 48 CFR Chapter 15.

To comment on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including the use of automated collection techniques, EPA has established a public docket for this ICR under Docket ID Number EPA-HQ-OECA-2014-0039. An electronic version of the public docket is available at <http://www.regulations.gov>, which may be used to obtain a copy of the draft collection of information, submit or view public comments, access the index listing of the contents of the docket, and to access those documents in the public docket that are available electronically. When in the system, select "search," then key in the docket ID number identified in this document. The documents are also available for public viewing at the Enforcement and Compliance Docket and Information Center in the EPA Docket Center (EPA/DC), WJC West, Room 3334, 1301 Constitution Ave., NW, Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is (202) 566-1744, and the telephone number for the docket center is (202) 566-1752. Also, you can send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, DC 20503, Attention: Desk Officer for EPA. Please include the EPA Docket ID Number EPA-HQ-OECA-2014-0039 and OMB Control Number 2060-0050 in any correspondence.

### **Part B of the Supporting Statement**

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





A. Familiarization with regulatory requirements	See 4A							
B. Plan activities								
Initial performance test (new sources) <sup>e</sup>	30	1	30	66.4	1,992	99.6	199.2	\$ 250,849.77
Repeat initial performance test (new sources) <sup>e, f</sup>	30	1	30	16.6	498	24.9	49.8	\$ 62,712.44
Five-year performance test (existing sources) <sup>e, g</sup>	30	1	30	60.9	1,827	91.35	182.7	\$ 230,071.55
C. Implement activities	See 4B							
D. Record data								
Monitoring: wet suppression	0.1	1	0.1	60.9	6.09	0.3	0.61	\$ 766.29
Monitoring: M22 readings	0.2	1	0.2	5.5	1.1	0.06	0.11	\$ 139.27
E. Time to transmit or disclose information								
Records of startups, shutdowns, and malfunctions	1.5	1	1.5	5,095	7,643	382.1	764.3	\$ 962,447.10
F. Time to train personnel	N/A							
G. Time for audits	N/A							
<b>Recordkeeping Subtotal</b>						<b>13,762</b>		<b>\$ 1,506,986</b>
<b>TOTAL LABOR BURDEN AND COSTS (rounded) <sup>h</sup></b>						<b>20,200</b>		<b>\$ 2,220,000</b>
<b>TOTAL CAPITAL AND O&amp;M COST (rounded) <sup>h</sup></b>								<b>\$ 228,000</b>
<b>GRAND TOTAL (rounded) <sup>h</sup></b>								<b>\$ 2,450,000</b>

N/A – Not Applicable

<sup>a</sup> EPA estimates an average of 5,095 existing sources will be subject to the standard and 66.4 new sources per year will become subject over the next three years. These estimates are based on model plant parameters used in development of the original promulgated NSPS and 2005/2006 USGS production data. Of the 66.4 new respondents per year, EPA estimates 60.9 will be in the crushed/broken stone and sand/gravel industrial sectors and 5.5 will be in other industrial sectors.

<sup>b</sup> This ICR uses the following labor rates: \$112.98 (technical), \$149.35 (managerial), and \$54.81 (clerical). These rates are from the United States Department of Labor, Bureau of Labor Statistics, June 2017, “Table 2. Civilian Workers, by occupational and industry group.” The rates are from column 1, “Total compensation.” They have been increased by 110 percent to account for the benefit packages available to those employed by private industry.

<sup>c</sup> Monitoring for wet suppression involves checking that water is actually flowing. EPA estimates it will occur on a monthly basis and take 10 minutes per check.

Wet suppression is expected to be used in the crushed/broken stone and sand/gravel industrial sectors.

- <sup>d</sup> EPA estimates it will take each respondent one hour four times per year to complete Method 22 readings. All other industry sectors except for crushed/broken stone and sand/gravel are expected to use baghouses and will employ baghouse Method 22 readings to comply with the periodic monitoring requirements.
- <sup>e</sup> Includes 8 hours to develop and review performance test report and 22 hours to plan for performance testing. The time required to conduct Method 5 and Method 9 performance tests is included under capital costs because a contractor is typically hired to perform these tests.
- <sup>f</sup> EPA assumes 25% of initial performance tests will be repeated due to failure ( $66.4 \times 0.25 = 16.6$ ).
- <sup>g</sup> Existing sources in the crushed/broken stone and sand/gravel industrial sectors, built in 2008 or later, must repeat performance testing every five years. Over the next three years (2019 to 2021), an average of 60.9 existing sources per year will repeat performance testing. These existing sources were the new sources that conducted initial performance testing in 2014, 2015, and 2016.
- <sup>h</sup> Totals have been rounded to 3 significant figures. Figures may not add exactly due to rounding.

**Table 2: Average Annual EPA Burden and Cost – NSPS for Nonmetallic Mineral Processing (40 CFR Part 60, Subpart OOO) (Renewal)**

	A	B	C	D	E	F	G	H
<b>Burden item</b>	<b>EPA person-hours per occurrence</b>	<b>Annual occurrences per respondent</b>	<b>EPA person-hours per respondent per year (AxB)</b>	<b>Respondents per year <sup>a</sup></b>	<b>Technical hours per year (CxD)</b>	<b>Management hours per year (Ex0.05)</b>	<b>Clerical hours per year (Ex0.10)</b>	<b>Annual cost (\$) <sup>b</sup></b>
Initial performance test (new sources)	24	1	24	66.4	1,593.6	79.68	159.36	\$ 85,929.46
Repeat initial performance test (new sources) <sup>c</sup>	24	1	24	16.6	398.4	19.92	39.84	\$ 21,482.37
Five-year performance test (existing sources)	24	1	24	60.9	1,461.60	73.08	146.16	\$ 78,811.81
Report review (new sources)								
Notification of actual startup	0.5	1	1	66.4	33.2	1.66	3.32	\$ 1,790.20
Notification of initial performance test	0.5	1	1	66.4	33.2	1.66	3.32	\$ 1,790.20
Report of initial performance test <sup>d</sup>	8	1	8	83	664	33.20	66.40	\$ 35,803.94
Notification of physical/operational change	0.5	1	1	66.4	33.2	1.66	3.32	\$ 1,790.20
Report review (existing sources)								
Report of five-year performance test	8	1	8	60.9	487.2	24.36	48.72	\$ 26,270.60
<b>TOTAL (rounded) <sup>e</sup></b>						<b>4,850</b>		<b>\$ 254,000</b>

<sup>a</sup> EPA estimates an average of 5,095 existing sources will be subject to the standard and 66.4 new sources per year will become subject over the next three years. These estimates are based on model plant parameters used in development of the original promulgated NSPS and 2005/2006 USGS production data. Of the 66.4 new respondents per year, EPA estimates 60.9 will be in the crushed/broken stone and sand/gravel industrial sectors and 5.5 will be in other industrial sectors.

- <sup>b</sup> This ICR uses the following labor rates: \$48.08 (technical), \$64.80 (managerial), and \$26.02 (clerical). These rates are from the Office of Personnel Management (OPM), 2017 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.
- <sup>c</sup> EPA assumes 25% of initial performance tests will be repeated due to failure ( $66.4 \times 0.25 = 16.6$ ).
- <sup>d</sup> Includes EPA review of initial and repeat performance tests conducted by new sources ( $66.4 + 16.6 = 83$ ).
- <sup>e</sup> Totals have been rounded to 3 significant figures. Figures may not add exactly due to rounding.