Information Collection Request (ICR) Supporting Statement
for
Guidance for Applicants Requesting to Treat/Dispose of PCBs Using Incineration or an Alternative Method

1. IDENTIFICATION OF THE INFORMATION COLLECTION

1(a). Title and Number of the Information Collection

This ICR is entitled, "Guidance for Applicants Requesting to Treat/Dispose of PCBs Using Incineration or an Alternative Method (New)," EPA ICR No. 2596.01, OMB Control No. 2070-NEW.

1(b). Short Characterization

The Toxic Substances Control Act (TSCA) section 6(e), 15 USC 2605(e), directs the Environmental Protection Agency (EPA) to regulate the disposal of polychlorinated biphenyls (PCBs). Implementing regulations have been codified in Part 761 in Title 40 of the Code of Federal Regulations (40 CFR part 761).[1] Under these rules, persons disposing of regulated PCBs are required to use approved methods and, in some cases, obtain an approval. Two of the approved methods to dispose of PCB wastes includes incinerators or high efficiency boilers that comply with requirements in §§761.70 or 761.71, respectively. Section 761.70(d) discusses the approval process where an application and a demonstration test are required prior to destroying PCBs in an incinerator. Under §761.60(e), facilities may request approval of a method alternative to incinerators or high efficiency boilers if the method can achieve a level of performance equivalent to an incinerator approved under §761.70. As such, the approval process for §761.60(e) is generally similar to the discussion presented in §761.70(d).

Guidance documents were developed in 1986 for persons applying to EPA for approval to dispose of PCBs using incineration (§761.70) or a method alternative to incineration (§761.60(e)). The guidances are split into two document (thermal and non-thermal) and they present and discuss the format, content, and suggested level of detail for approval applications, test plans, and test reports. These guidance documents are being updated and combined into a single document.

This ICR describes the guidance and estimates the annual hour and cost burden to respondents and EPA who choose to use the guidance. This includes burden associated with reading the document and using the tables.

The overall reporting and recordkeeping requirements for obtaining a §§761.60(e) and 761.70 approval is reported in a separate ICR, OMB Control No. 2070-0112 (EPA ICR No. 1446.12). Although this ICR (2596.01) includes a burden increase in terms of reviewing and using the

[1] U.S. Environmental Protection Agency, 1979. "Polychlorinated Biphenyls (PCBs) Manufacturing, Processing, Distribution in Commerce, and Use Prohibitions," Federal Register, Volume 44, pp. 31514-31568, May 31, 1979.

guidance document, EPA notes that the guidance will *reduce* the overall burden in ICR OMB Control No. 2070-0112 to respondents applying for a PCB disposal approval under §§761.60(e) and 761.70 through improved clarification and streamlining of the approval process.

2. NEED, AUTHORITY, AND USE FOR THE COLLECTION

2(a). Need and Authority for the Collection

Section 6(e) of TSCA directs EPA to regulate the disposal of polychlorinated biphenyls (PCBs). Under EPA's regulations, respondents can apply to the EPA to obtain approval to dispose of PCBs through incineration (§761.70) or a method alternative to incineration (§761.60(e)).

The guidance is intended to help respondents in obtaining EPA approval for PCB disposal using these methods. This guidance benefits both applicants and EPA because it clarifies expectations and promotes consistency. The new guidance document combines information from the 1986 guidance documents with current standard practices, policy, and regulation changes that have occurred since 1986. No new requirements or interpretations were created in this guidance. EPA believes that incorporating both 1986 guidance documents and current standard practices into one document will reduce the back-and-forth between the applicant and EPA and reduce the overall time spent on an application.

2(b). Use of the Data

Respondents and EPA will use the data to:

- Develop higher quality applications which will reduce revisions to address deficiencies during EPA review;
- Reduce overall time to obtain an operating approval;
- Increase transparency and expectations by incorporating regulatory changes, guidance documents, and policy decisions since 1986; and
- Improve use of existing guidance (e.g., the document is now word searchable).

3. NONDUPLICATION, CONSULTATIONS, AND OTHER COLLECTION CRITERIA

3(a). Nonduplication

None of the information required by the draft guidance would duplicate information required by existing TSCA regulations. This draft guidance updates and replaces existing guidance published in 1986.

3(b). Public Notice

In compliance with the Paperwork Reduction Act of 1995, EPA submitted the first notice for this ICR on April 16, 2019 and opened a 60-day public comment period. At the end of the comment period, no comments were received. A second notice will be submitted with a 60-day comment

period. EPA will review public comments received in response to the notice and will address comments received, as appropriate.

In addition, EPA released the draft guidance on December 13, 2018, for a 45-day public comment period. See Docket ID No.: EPA-HQ-OLEM-2018-0305.

3(c). Consultations

EPA contacted the following companies requesting their consultation on this burden estimate:

Name	Company	Contact Information
Ted Sinclair	Crystal Clean	Ted.Sinclair@Crystal-Clean.com
Scott Miller	Safety-Kleene	Scott.Miller@safety-kleen.com
L Butler	Heartland Petroleum	LButler@heartland-petroleum.com
Tomey Tuttle	FPL	Tomey.Tuttle@fpl.com
Melvin Keener	CRWI	Mel@cwri.org
Jim Roewer	USWAG	jim.roewer@uswag.org
Vanessa Caron	Northeast Utilities	vanessa.caron@nu.com
ECOS	ECOS	ecos@ecos.org

One response was received. They estimated that it would take 40 to 50 hours to read the guidance and 20 hours to read and use the checklists. They estimated a total burden of 60 to 70 hours. EPA's original estimate of 9.9 hours relied on standard estimates of reading speed by individuals (Carver, 1990).[2]

3(d). Effect of Less Frequent Collection

If these activities were conducted less frequently, the universe of §§761.60(e) and 761.70 applicants would not have access to tools to assist them with applying to EPA for approval to dispose of PCBs.

3(e). General Guidelines

This ICR adheres to the guidelines stated in the Paperwork Reduction Act of 1995 and OMB's implementing regulations, EPA's ICR Handbook, and other applicable OMB guidance.

3(f). Confidentiality

EPA handles claims of confidentiality pursuant to established confidential business information (CBI) procedures, as found at section 14 of TSCA, 40 CFR 750.16 and 750.36, and the Agency's TSCA CBI Manual. CBI is also protected under the Freedom of Information Act (5 USC 525). The guidance does not require any information to be submitted to EPA.

[2] Carver, Ronald P. (1990). Reading rate: A Review of Research and Theory. Boston: Academic Press. October 1, 1990.

3(g). Sensitive Questions

No questions of a sensitive nature are included in any of the information collection requirements.

4. THE RESPONDANTS AND THE INFORMATION REQUESTED

4(a). Respondents and NAICS Codes

The following is a list of North American Industrial Classification System (NAICS) codes associated with the facilities most likely to be affected by the information collection requirements covered in this ICR.

NAICS	Facility Type
562	Waste Management and Remediation Services. E.g., PCB waste handlers (e.g., storage facilities, incinerators), waste treatment and disposal, remediation services, and material recovery facilities.
54	Professional, Scientific, and Technical Services. E.g., testing laboratories, environmental consulting.

4(b). Information Requested

This section describes the information collection requirements related to the guidance. As discussed previously, use of this guidance is voluntary and does not require any information to be submitted to EPA.

(1) Reading the Guidance

An applicant may read the guidance before and during the process for applying to the EPA for approval to dispose of PCBs through incineration or an alternative method.

(2) Utilizing the Tables Provided in the Guidance

An applicant may use the tables listed below for their own benefit to assist them in determining if they have all the appropriate information in their application, test plan, and/or test report. The research, analysis, and development of the information for the tables are not included in this information collection as they are reported within a separate ICR, OMB Control No. 2070-0112. The purpose of these tables is to assist the applicant in confirming they have all the required information and to quickly identify whether certain components are missing.

The tables depend on the type of technology the applicant is using so not all tables listed below are applicable to every applicant.

i. Table B-1. Example Approval Application Checklist for Thermal and Non-Thermal Methods
ii. Table B-2. Example Checklist for a Test Plan
iii. Table B-3. Example Monitoring and Sampling Parameter Summary to be included in Test Plans for Incinerators or Alternative Thermal Destruction Processes
iv. Table B-4. Example Monitoring and Sampling Parameter Supplement for an Alternative Non-Thermal Technology
v. The Quality Assurance Project Plan (QAPP) Template
vi. Table F-1. Example Checklist for Thermal Alternative Methods (e.g., Thermal Desorber) for Use During the Test
vii. Table F-2: Example Checklist for Non-Thermal Alternative Methods (i.e., Chemical Dechlorination) for Use During the Test

5. THE INFORMATION COLLECTED – AGENCY ACTIVITIES, COLLECTION METHODOLOGY, AND INFORMATION MANAGEMENT

5(a). Agency Activities

The guidance will likely reduce Agency burden and costs in reviewing PCB applications, which are activities reported in OMB Control No. 2070-0112.

5(b). Collection Methodology and Management

EPA does not intend to collect information in the guidance. EPA will provide the guidance to applicants on its website.

5(c). Small Entity Flexibility

Small businesses must comply with the PCB regulations under TSCA. This guidance is intended to clarify and streamline the process for obtaining EPA approval, which will benefit all regulated entities, including small entities.

5(d). Collection Schedule

EPA does not intend to collect information in the guidance and, thus, here is no required schedule for collection.

6. ESTIMATING THE HOUR AND COST BURDEN OF THE COLLECTION

6(a). Estimating Respondent Burden

To develop the respondent burden for this ICR, the hourly burdens and the total number of respondents for each requirement were reviewed using a number of data and information sources. The data sources include EPA's Notification of PCB Activity Quarterly Reports, the PCB annual report, and the EPA PCB website, which contain data about entities that dispose PCB wastes.

Hourly wage rates were included for professional/technical (e.g., engineers) and clerical staff. Wages for these categories were taken from the Bureau of Labor Statistics (BLS) Employer Costs for Employee Compensation (ECEC) supplementary tables data for private manufacturing industry workers (BLS, 2018).[3] The cost of fringe benefits such as paid leave and insurance, specific to each labor category, are taken from the same ECEC series. An additional loading factor of 17 percent is applied to wages to account for overhead. This approach is used for consistency with Office of Pollution Prevention and Toxics economic analyses (Rice, 2002).[4] This overhead loading factor is added to the benefits loading factor, and the total is then applied to the base wage to derive the fully loaded wage. Fully loaded costs for managerial, profession/technical, and clerical labor are calculated as shown in Table 6-1.

TABLE 6-1: RESPONDENT WAGE RATES

Labor Category	**BLS Series**	**Wage** (a)	**Fringe Benefit** (b)	**Fringes as % wage** (c)=(b)/(a)	**Over-head % wage** (d)	**Fringe + overhead factor*** (e)=(c)+(d) +1	**Loaded Wages** (f)=(a)* (e)
Professional/ Technical	Professional and related	$46.08	$24.63	53%	17%	1.70	$78.33
Clerical	Office and administrative support	$22.48	$11.50	51%	17%	1.68	$37.76

Methodology Source: Rice, 2002; Data Source: BLS, 2018.

The respondent burden includes time to read the guidance and use the tables in the guidance. According to EPA records there were approximately eight facilities in FY2018 that received an approval to dispose of PCBs using an alternative technology or an incinerator (§§761.60(e) or 761.70). This includes facilities that applied for either a new approval or a renewal of their current approval. Since this is new guidance we will assume all applicants will read the entire

[3] The wage data for this ICR are taken from ECEC Supplementary Tables Historical Data Table 2, which presents wages for private manufacturing industry workers. https://www.bls.gov/web/ecec/ecsuptc.pdf

[4] Rice, 2002. Cody Rice. Wage Rates for Economic Analysis of the Toxics Release Inventory Program. Washington, DC: U.S. EPA, Office of Pollution Prevention and Toxics, Economic and Policy Analysis Branch, June 10.

guidance but, in the future, it is possible that those renewing their approval will not read the entire guidance document. We are assuming the universe is eight facilities per year.

The guidance document is approximately 59,000 words and assuming an average person reads about 200 word per minute, it is estimated that an applicant will take about 4.9 hours to read the entire guidance document (Carver, 1990).

The purpose of the tables in the guidance is for the applicant to use the appropriate information into the tables to quickly determine if they have all the required information or if certain components are missing. In many instances it may only be a check mark indicating that appropriate information is in the corresponding document. The research and development of the information to include in the tables is reported separately under OMB Control No. 2070-0112. Additionally, not all tables in the guidance are applicable to every scenario. After reviewing the tables, it is estimated that an applicant will have to review about 600 different elements and each element is estimated to take 30 seconds. It is estimated that it will take an applicant 5 hours to use the applicable tables in the guidance. EPA notes that use of guidance is entirely voluntary on the part of the respondents.

When consulting a company that may use this guidance, they estimated that it would take 40 to 50 hours to read the guidance and 20 hours to use the checklists. They estimated a total of 60 to 70 hours. Considering only one company responded, EPA believes it is appropriate to average EPA's estimate with the information provided by the company. It is estimated that the burden will be about 27.5 hours to read the guidance and 12.5 hours to use the tables. A total burden of 40 hours per respondent.

6(b). Estimating Respondent Costs

Table 6-2 shows the annual respondent hourly burden and cost estimates for applicants using the guidance document. There are no capital costs to the respondent associated with this information collection.[5]

[5] BLS, 2018. *Employer Costs for Employee Compensation Supplementary Tables, Historical Data December 2006 – March 2018: Supplemental Table 2.Private Manufacturing Industry Workers, by Occupational Group, March 2018*. Bureau of Labor Statistics, U.S. Department of Labor: Washington, DC, June , 2018, https://www.bls.gov/web/ecec/ecsuptc.pdf.

TABLE 6-2: ANNUAL RESPONDENT HOURLY BURDEN AND COST ESTIMATE IF USING THE GUIDANCE [a]

Category	Technical @ $78.33 Hour	Clerical @ $37.76 Hour	Hours/ Resp./ Year[b]	Labor Cost/ Resp./ Year[c]	Total # of Resp.	Total Hours/ Year[d]	Total Cost/ Year[d], [e]
Reading Guidance	27.5		27.5	$ 2,154	8	220	$ 17,232
Filling out Tables in Guidance	12.5		12.5	$ 979	8	100	$ 7,833
Total			**40**	**$ 3,133**		**320**	**$ 25,065**

[a] Totals may not add due to rounding; [b] Sum of staff hours; [c] Sum of staff hours x labor rates; [d] Hours/respondent/year x total number of respondents; [e] Labor cost/respondent x total number of respondents; [e] Numbers in parenthesis represent a negative value.

6(c). Estimating Agency Burden and Costs

The guidance does not impact Agency hourly burden and cost estimates. However, the guidance will likely reduce Agency burden and costs in reviewing PCB applications, which are activities reported in OMB Control No. 2070-0112.

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

See Table 6-2 for this information. The total annual burden on applicants using the guidance will be 320 hours and cost a total of $25,065. However, use of the guidance in streamlining the application process will reduce the burden and cost in OMB Control No. 2070-0112.

6(e). Bottom Line Burden Hours and Costs

6(e)(i). Respondent Tally

As indicated in Table 6-2, the total respondent annual burden is 320 hours and $25,065.

6(e)(ii). Agency Tally

This guidance does not affect Agency annual burden and cost under this ICR. However, the guidance will likely reduce Agency burden and costs in reviewing PCB applications, which are activities reported in OMB Control No. 2070-0112.

6(e)(iii). Variation in the Annual Bottom Line

There are no anticipated significant variations in the annual burden or cost for either the respondents or the federal government.

6(f). Reasons for Change in Burden

This new ICR describes the guidance and estimates the annual hour and cost burden to respondents and EPA who choose to use the new Guidance for Applicants Requesting to Treat/Dispose of PCBs Using Incineration or an Alternative Method. This guidance combines two existing guidance documents that were developed in 1986 for persons applying to EPA for approval to dispose of PCBs using incineration (761.70) or a method alternative to incineration (761.60(e)) and present and discuss the format, content, and suggested level of detail for approval applications, test plans, and test reports.

6(g). Burden Statement

The public burden for using this guidance when applying to treat/dispose of PCB waste using incineration or an alternative method, which is approved under OMB 2070-NEW, is estimated to average 40 hours per applicant. This average is the combination of reading this guidance (estimated to be 27.5 hours per applicant) and filling out the checklists in the appendices of this guidance (estimated to be 12.5 hours per applicant). However, the overall burden on those applying to treat/dispose of PCB waste using incineration or an alternative method is expected to be reduced significantly because this guidance will streamline the approval process. This is captured in a separate ICR, PCBs: Consolidated Reporting and Recordkeeping Requirements found in docket (OMB Control No. 2070-0112). This document may be useful for those applying to treat/dispose of PCB waste using incineration or an alternative method under 40 CFR 761.70 or 40 CFR 761.60(e).

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Those treating/disposing of PCB waste using incineration or an alternative method may submit documentation in accordance with this guidance, or as specified in the corresponding regulation. Comments may be submitted to EPA electronically through http://www.regulations.gov or by mail to: EPA Docket Center, Environmental Protection Agency, Mail Code 28221T, 1200 Pennsylvania Ave., NW, Washington, DC 20460. You can also send comments to OMB, addressed to “OMB Desk Officer for EPA” and referencing OMB Control No. 2070-NEW (EPA ICR No. 2596.01) via email to oira_submission@omb.eop.gov. Include docket ID No. EPA-HQ-OLEM-2018-0305 and OMB control number 2070-NEW (EPA ICR No. 2596.01) in any correspondence, but do not submit any other information (e.g., forms, reports, etc.) to these addresses.