

## 1. IDENTIFICATION OF THE INFORMATION COLLECTION

### 1(a) Title of the Information Collection Request (ICR)

Accidental Release Prevention Requirements: Risk Management Program Modernization Under the Clean Air Act (CAA), Section 112(r)(7) (Proposed Rule)

EPA ICR No. 2537.03, Office of Management and Budget (OMB) No. 2050-NEW.

### 1(b) Short Characterization

This ICR would amend a previously approved ICR (1656.15), OMB Control No. 2050-0144. That ICR covers the Risk Management Program rule, originally promulgated on June 20, 1996; the current rule, including previous amendments, is codified as 40 Code of Federal Regulations (CFR) part 68. This 2537.03 package represents the new information collection requirements imposed by the provisions of the RMP Amendments final rule (82 FR 4594, January 13, 2017) that are not proposed to be rescinded by the proposed rule and does not embody the past 1656.15 collection.

Part 68 provides a tiering approach of the regulatory requirements to take into consideration differences between various types and classes of stationary sources (also referred to as “sources” or “facilities”), as well as the risk posed by the different sources. The regulatory program consists of three tiers with sources being classified into program tiers based on the degree of risk posed by potential accidental releases and coverage by the Occupational Safety and Health Administration (OSHA)’s Process Safety Management (PSM) standard. Sources with covered processes classified as Program 1 (P1) pose less risk and face minimal compliance requirements. Sources with covered processes classified as Program 2 (P2) must implement a streamlined list of prevention program requirements. Sources with covered processes classified in Program 3 (P3) must complete a prevention program nearly identical to that required by the OSHA PSM Standard (29 CFR 1910.119). The rule also imposes emergency response program requirements only on facilities that use their own employees and resources to respond in whole or in part to releases of regulated substances.

This ICR addresses the following information requirements associated with the final RMP Amendments rule and the proposed rule:

#### *Improve information availability (applies to all facilities)*

1. Hold a public meeting within 90 days of an accident subject to reporting under §68.42 (i.e., an RMP reportable accident) and provide 5-year accident history information required under §68.42.

#### *Improve emergency preparedness (applies to P2 and P3 facilities)*

2. Meet and coordinate with local responders annually to exchange emergency planning information and coordinate exercise schedules. Responding facilities’ updates of their facility emergency response plans will include appropriate changes based on information obtained from coordination activities, emergency response exercises, incident investigations or other information. Emergency response plans will have procedures for informing appropriate Federal and state emergency response agencies, as well as local agencies and the public (informing local agencies and the public is already required under the original rule).
3. Conduct an annual notification drill with emergency responders to verify emergency contact information.
4. Responding facilities conduct and document emergency response exercises including:
  - a. Field exercises according to a schedule established by the facility in consultation with local responders, and

- b. A tabletop exercise at least every three years.

## **2. NEED FOR AND USE OF THE COLLECTION**

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

Information collection for on-site documentation is authorized by CAA sections 112(r)(7)(B)(i) and (ii), which state that “The Administrator shall promulgate reasonable regulations and appropriate guidance to provide ... for the prevention and detection of accidental releases of regulated substances...” and “The regulations ... shall require the owner or operator ... to prepare and implement a risk management plan to detect and prevent or minimize accidental releases...” Information collection for submitting a Risk Management Plan (RMP) is authorized under CAA section 112(r)(7)(B)(iii), which states in relevant part that “The owner or operator of each stationary source...shall register a risk management plan...with the Administrator before the effective date of the regulations...in such form and manner as the Administrator shall, by rule, require...and shall be available to the public under section 114(c).” Information collection for on-site documentation and submittal of RMPs is also authorized by CAA 114(a)(1). State and local authorities use the information in RMPs to modify and enhance their community response plans. The agencies implementing the Risk Management Program rule use RMPs to evaluate compliance with part 68 and to identify sources for inspection because they may pose significant risks to the community. Citizens may use the information to assess and address chemical hazards in their communities and to respond appropriately in the event of a release of a regulated substance.

### **2(b) Use/Users of the Data**

**Risk Management Plans/Public Information.** The information collected in the RMP is critical for assisting government agencies in assessing the quality and thoroughness of a source’s hazard assessment, prevention program, and emergency response program. The information is also used by state and local emergency planners to prepare or modify community response plans; to identify hazards to the community; and provide a basis for working with sources to prevent accidents. The public uses the information to understand the risks posed by accidental releases and to respond to warnings and advice should a release occur.

**Risk Management Programs.** Documenting Risk Management Program implementation is necessary to assist government agencies in determining whether a source has complied with the regulations. In some cases (e.g., safety information and operating procedures), the documentation is a critical requirement of the rule, providing the basis for other rule elements. The documentation is also important to provide a basis for the facility’s ability to ensure implementation (e.g., training and maintenance records), to audit compliance, and to review past activities. Furthermore, records of past analyses can limit the burden of updates by reducing the need to repeat analyses for elements that are unchanged since the previous review.

## **3. NONDUPLICATION, CONSULTATIONS, AND OTHER COLLECTION CRITERIA**

### **3(a) Nonduplication**

**RMPs.** Some sources may have submitted information to EPA Headquarters or the Regions under other regulations (e.g., Form R or Resource Conservation and Recovery Act (RCRA) Biennial Reports) that appears similar to the information requested in the registration form under these regulations. However, not all of the information in the RMP registration section, and almost none of the information in the prevention program, hazard assessment, and emergency response program sections of the RMP are submitted to EPA under other regulations. The Emergency Planning and Community Right-to-Know Act (EPCRA) Section 312 Tier II forms, include some information similar to that in the RMP registration form, but are submitted only to states and local planning authorities, not EPA. Therefore, for EPA to best

comply with the Act, it is most beneficial if the information requested for registration is submitted in a concise and organized format, along with prevention program, hazard assessment, and emergency response program information, using the RMP form.

**Public Information.** The 5-year accident history information that facilities would be required to make available to the public during public meetings is part of the RMP, but public access to RMPs is limited by CAA requirements. The information relating to emergency response exercises is new information associated with new requirements for exercises.

**Confidential Business Information (CBI).** Some sources may have submitted substantiation of CBI claims for chemical identity or other information to EPA Headquarters or the Regions under other regulations that is similar to the information requested under these regulations. For EPA to best comply with the Act and most effectively evaluate such claims, it is most beneficial if the CBI substantiation accompanies the submission of the RMP. The current RMP rule includes procedures for sources to claim certain information as CBI.

### **3(b) Consultations**

EPA published a request for information (RFI) on potential regulatory amendments on July 31, 2014 (79 FR 44604). EPA received a total of 579 public comments on the RFI.

EPA subsequently published a Notice of Proposed Rulemaking on March 14, 2016 (81 FR 13637), and a Final Rule on January 13, 2017 (82 FR 4594). The 2016 proposed RMP Amendments rule and 2017 final RMP Amendments rule contained all of the provisions in this proposal, as well as additional provisions. However, EPA delayed the effective date of the 2017 final rule in subsequent regulatory actions (see 82 FR 8499 (January 26, 2017), 82 FR 13968 (March 16, 2017), and 82 FR 27133 (June 14, 2017)), and all provisions of the 2017 final RMP Amendments rule are delayed until February 19, 2019. The effect of the current proposal would be to rescind several provisions of the 2017 final rule, and allow the remaining provisions to go into effect, with some modifications. As there is no approved ICR for the 2017 final RMP Amendments rule, this ICR accounts for the burden of provisions that would go into effect after publication of a final rule resulting from this proposal.

EPA received a total of 61,555 public comments on the 2016 proposed rule. Several public comments were the result of various mass mail campaigns and contained numerous copies of letters or petition signatures. Approximately 61,306 letters and signatures were contained in these several comments. The remaining comments included 235 submissions with unique content, 10 duplicate submissions, and 4 non-germane submissions. EPA also hosted a public hearing on March 29, 2016 to provide interested parties the opportunity to present data, views or arguments concerning the proposed action. EPA received 8 written comments and had 22 members of the public provide verbal comments at the public hearing.

EPA also received several comments on the ICR for the 2016 proposed rule. These comments generally stated that EPA had underestimated information collection burden associated with that proposal. Some commenters provided alternate estimates of information collection burden for various provisions. EPA's estimate of information collection burden in this proposal is based in part on the alternate estimates of information collection burden submitted by commenters on the 2016 proposed rule ICR.

### **3(c) Public Notice**

In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 et seq.), the Agency will notify the public through a Federal Register notice of the proposed rule.

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

Sources are required to register and submit an RMP only once every five years, unless there are

significant changes in the information provided. There is a statutory requirement for sources to register, submit, and update an RMP. Under the proposed rule, accident history information would be made available to the public at public meetings only after a facility has a reportable accident. Such accidents occur rarely. Failure to provide the public with facility information following accidents could result in members of the local community being less prepared to respond to future accidents. Coordination with the local responders would occur annually; less frequent coordination could result in new responders being unaware of hazards at the facility and current responders being uninformed about changes at the facility. For responding facilities, notification exercises would occur annually, tabletop exercises would occur at least every three years, and field exercises would occur on a schedule established by the facility in consultation with local responders. Less frequent exercises could result in outdated emergency response contact information; personnel unacquainted with emergency response requirements; and poor response capability at the time of an accidental release.

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

CAA section 112(r)(7)(B)(iii) requires that sources update their RMPs periodically. To maintain consistency with OSHA PSM requirements, the Risk Management Program rule requires sources to update process hazard analyses (PHA) and hazard assessments every five years. Thus, sources are required to maintain such documentation for five years (and in the case of the PHA, for the life of the covered process), which is greater than the three years specified in OMB's general guidelines.

### **3(f) Confidentiality and Sensitive Questions**

#### **(i) Confidentiality**

Some of the elements mandated in the Risk Management Program rule may require the submittal of data viewed as proprietary, trade secret, or confidential. As described above, EPA has adopted procedures for sources to claim certain information as CBI.

#### **(ii) Sensitive Questions**

No questions of a sensitive nature are included in any of the information collection requirements. The information submitted in an RMP includes information on a source's hazard assessment, prevention program, and emergency response program. The ICR under the EPA rulemaking is in compliance with the Privacy Act of 1974 and OMB Circular A-108.

## **4. THE RESPONDENTS AND THE INFORMATION REQUESTED**

### **4(a) Respondents/North American Industry Classification System (NAICS) Codes**

#### **Risk Management Programs and Plans**

The accidental release prevention program under the CAA was developed for sources that manufacture, react, mix, store, or use regulated substances in processes that require equipment designed, constructed, installed, operated, or maintained in specific ways to prevent accidental releases and ensure safe operations. The CAA requires sources to comply with the regulations if they have more than a threshold quantity of a listed regulated substance in a process. Based on submissions of RMPs, the rule applies to manufacturers (i.e., sources categorized in NAICS codes 31-33), as well as some non-manufacturers, including federal sources, utilities (NAICS code 221: electric utilities, drinking water systems, wastewater treatment works), warehouses, large ammonia refrigeration systems (e.g., food processors and distributors), wholesalers, ammonia retailers, gas processors, and other sources.

As of November 2017, approximately 12,500 sources are currently subject to 40 CFR part 68 requirements. All sources would be respondents for one or more of the provisions of the proposed rule.

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

Data requirements and respondent activities would vary by program level. P1 sources would require the least amount of data and time from respondents, while P2 and P3 sources would have more requirements. Responding facilities (i.e., those that have complied with the emergency response program requirements of §68.95) would incur higher burdens than those that rely on public responders.

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

All sources will need to become familiar with the rule. All P2 and P3 sources will be required to meet with public response agencies to coordinate emergency response plans and would have to conduct an exercise to check the information on their emergency notification lists annually. All sources will be required to hold a public meeting within 90 days of any RMP-reportable accident. Responding sources must update their emergency response plans to include Federal and state emergency response agencies in their accidental release notification procedures and update the plan as appropriate to include changes based on local coordination activities, emergency exercises, and incident investigations. Responding sources will be required to conduct and document emergency response tabletop exercises at least every three years and field exercises on a schedule established by the facility in consultation with local responders.

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

###### **Rule Familiarization**

All sources are expected to spend time to read and understand the new requirements when the rule is promulgated.

###### **Emergency Response Activities**

*Coordination Activities.* All P2 and P3 sources would be required to coordinate with local response agencies annually to share information and coordinate emergency response plans. Emergency response plans would be updated to include Federal and state emergency responder contacts and any appropriate information based on coordination activities, emergency exercises or incident investigations.

*Notification Drills.* All P2 and P3 sources would be required to verify the accuracy of the contact information on the emergency notification lists (e.g., local responders, State and Federal agencies, mutual aid groups) to ensure that the information is current and correct.

*Emergency Response Exercises.* All P2 and P3 responding facilities will be required to plan for and conduct emergency response tabletop and field exercises, including developing any materials that the response team will use, carrying out the exercise, documenting lessons learned and recommendations in an exercise report, and documenting a schedule to resolve recommendations. Tabletop exercises will be required to be conducted at least every three years, and field exercises will be required to be conducted on a schedule established by the facility in consultation with local responders. For the purposes of estimating respondent burden for field exercises, EPA has assumed that each facility will hold a field exercise every ten years.

###### **Information Disclosure Activities**

*Public Meeting.* Sources would be required to hold a public meeting within 90-days of any RMP-reportable accident.

## **5. THE INFORMATION COLLECTED — AGENCY ACTIVITIES, COLLECTION METHODOLOGY, AND INFORMATION MANAGEMENT**

### **5(a) Federal, State, and Local Government Activities**

#### **Burden to State and Local Agencies and Others**

Local Emergency Planning Committees (LEPCs) and other local responders would incur some burden for rule familiarization and to review information provided to them by regulated sources during coordination activities. Also, 14 State and local agencies that have received a delegation of authority from EPA to oversee implementation of 40 CFR part 68 requirements in their jurisdiction would incur a burden for rule familiarization. The burden for these activities is accounted for in section 6(a) of this ICR.

#### **Burden to the Federal Government**

EPA is not expected to incur any additional burden as a result of the proposed rule (see section 6(c) for additional discussion).

### **5(b) Collection Methodology and Management**

The proposed rule would not dictate how information must be provided or maintained. Sources may create and maintain required information electronically.

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

The burden of the proposed rule requirements generally would increase as the size and complexity of the covered source increases, but the proposed rule would not specifically provide relief for small entities. The existing rule, which the proposed rule will modify, already includes several measures to reduce the burden to small entities. For example, EPA has developed industry-specific guidance documents to help smaller sources comply with the rule, and these documents will be updated to incorporate any provisions of the proposed rule that are finalized. Additionally, Program 2 sources, which tend to be smaller facilities with less complex processes, have a streamlined list of prevention program requirements, compared to requirements of the Program 3 sources.

Also, the RMP online reporting system (RMP\*eSubmit) reduces burden for small entities since the information reported is easily available to make any changes and resubmit online rather than printing and/or mailing information with changes.

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

The information provided would vary based on the provision. Emergency planning coordination with local responders and emergency notification drills would occur annually. Table top exercises would be required every three years, and while the proposed rule does not specify a schedule for field exercises, we expect field exercises to occur approximately every ten years for responding sources required to perform emergency exercises.

## **6. ESTIMATING THE BURDEN AND COST OF THE COLLECTION**

The unit burden applied to various sectors is based on the size of the sources and on the number and complexity of the processes at the sources in each sector<sup>1</sup>.

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<sup>1</sup> For a more detailed derivation of labor burden and cost values, see the Regulatory Impact Analysis: Accidental Release Prevention Requirements: Risk Management Programs Under the Clean Air Act, Section 112(r)(7), December 16, 2016 (“2017 Amendments rule RIA”), and the Regulatory Impact Analysis: Reconsideration of the 2017 Amendments to the Accidental Release Prevention Requirements: Risk Management Programs Under the

## 6(a) Respondent Burden

This section provides estimates of the respondent hourly burden associated with the information collection requirements covered in this ICR. The section includes burden hours by labor type per respondent, as well as the overall burden hours for all respondents.

### Respondent Burden for Rule Familiarization

EPA assumes that RMP facility staff will require some time to review the final rule and determine which provisions apply to the facility. The time required for this review will be limited because there are few new provisions (i.e., exercises, notification drills, and public meetings), and other provisions (i.e., emergency coordination and emergency response program provisions) amend current requirements as opposed to introducing completely new provisions. This analysis assumes that rule familiarization will only occur in year 1.

Each facility type is not expected to incur the same burden in reviewing and becoming familiar with the final rule. EPA has estimated labor hour burdens for each facility type and multiplied the total number of expected labor hours by the total number of affected facilities to calculate the total labor burden of becoming familiar with the rule.

Table 1 presents the estimates of respondent burden (in hours) for rule familiarization.

**Table 1: Rule Familiarization (in Hours)**

Facility Type	Total # of Affected Facilities	Mgr.	Corp Mgr.	Atty.	Eng.	Prod. Staff	Total Labor Burden
Simple	10,920	2	0	0	0	0	21,842
P1 and P2 Complex	133	2	0	0	0	0	266
P3 Complex	1,489	10	4	6	6	6	47,648
Local Government	1,724	5	0	0	0	0	8,620
Implementing Agencies	14	2	0	0	0	0	28
<b>Total</b>	<b>14,280</b>						<b>78,402</b>

### Respondent Burden for Coordination Activities

This provision would require all facilities with P2 or P3 processes to coordinate with local responders annually to make them aware of the hazards at the facility. If the facility is a non-responder and relies on the local response force, then the coordination will primarily focus on any changes that have occurred at the facility and confirm existing response strategies or develop new ones.

The coordination requirement is intended to improve responders' understanding of the risks at the facility and to better prepare them for a safe and timely response. Coordination activities may include a review of the facility's emergency action plan (for non-responding facilities), the facility's emergency response plans (for responding facilities), and local response capabilities, including providing information for the local community emergency response plan.

If the facility is a responder and in charge of responding to its own chemical emergencies, then

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Clean Air Act, Section 112(r)(7) ("Reconsideration rule RIA"). Both documents are available in the docket for this rulemaking (Docket ID Number EPA-HQ-OEM-2015-0725).

the coordination will primarily focus on informing local entities on what response capabilities are in place and how the community may be impacted. Responders would also update their emergency response plan to include Federal and state responder contacts and make other updates as appropriate, based on changes at the stationary source or new information obtained from coordination activities.

Each facility type is not expected to incur the same burden in addressing coordination activities. EPA has estimated labor hour burdens for each facility type and multiplied the total number of expected labor hours by the estimated total number of affected facilities to calculate the total labor burden of complying with the provision.

Table 2 presents the estimates of respondent burden (in hours) for coordination activities.

**Table 2: Coordination Activities (in Hours)**

Facility Type	Total # of Affected Facilities	Mgr.	Corp Mgr.	Atty.	Eng.	Prod. Staff	LEPC	Total Labor Burden
Simple	10,344	8	0	0	0	0	5	134,472
Complex	1,556	39	0	0	0	0	8	73,132
<b>Total</b>	<b>11,900</b>							<b>207,604</b>

**Respondent Burden for Notification Drills**

This provision requires all P2 and P3 facilities to conduct an annual notification exercise to verify that emergency contact information is up-to-date. This includes verifying that notification contact information for emergency responders, Federal, state and local response agencies, and other accidental release notification contacts is correct and includes functional phone numbers.

The rule requires all facilities with P2 or P3 processes to conduct a notification drill, during which a facility member checks each person and agency on its emergency contact list, to ensure that the contact information is accurate (e.g., that the person listed is still in that position and the phone numbers and email addresses are correct). As the contact list is somewhat limited (the number of organizations to be contacted must be small enough that the primary ones could be contacted quickly), the analysis estimated that it would take no more than 2 hours of engineering staff time to verify the information.

Each facility type is expected to incur the same burden in conducting notification drills. EPA has estimated labor hour burdens for simple and complex facilities and multiplied the total number of expected labor hours by the estimated total number of affected facilities to calculate the total labor burden of complying with the provision.

Table 3 presents the estimates of respondent burden (in hours) for notification drills.

**Table 3: Notification Drills (in Hours)**

Facility Type	Total #of	Mgr.	Corp	Atty.	Eng.	Prod.	LEPC	Total
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	<b>Affected Facilities</b>		<b>Mgr.</b>			<b>Staff</b>		<b>Labor Burden</b>
Simple	10,344	0	0	0	2	0	0	20,688
Complex	1,556	0	0	0	2	0	0	3,112
<b>Total</b>	<b>11,900</b>							<b>23,800</b>

### **Respondent Burden for Exercises**

Responding facilities are facilities that intend to develop and implement the emergency response program required under §68.95 in order to respond to releases at their site. The proposed rule requires such facilities to conduct an exercise of their emergency response program in accordance with §68.96. Under the proposed rule, the owner or operator is required to consult with local emergency response officials to establish an appropriate frequency for exercises. However, the owner or operator must conduct a tabletop exercise at least once every three years. The proposed rule would not require any minimum frequency for field exercises. For the purposes of this ICR, EPA assumes that each responding facilities will conduct a field exercise every ten years in order to train new employees and community responders on the workings of the facility’s emergency plan. The objective of field and tabletop exercises include: identifying who would be contacted in an emergency, testing procedures and measures for emergency response after an accidental release of a regulated substance (e.g., what equipment would be deployed, who would be evacuated, how decisions on public notification would be made, who would contact the public, etc.), and identifying and testing proper first-aid and emergency medical treatment procedures necessary to treat accidental human exposures. Responding facilities would update their emergency response plans, as appropriate, based on new information from conducting and evaluating the emergency exercises.

In a field exercise, the steps of a response are carried out (e.g., responders and equipment would be deployed). The purpose of a field exercise is to evaluate the ability of the responders and other employees to implement the emergency response plan on which they have been trained. In a tabletop exercise, participants discuss response procedures without actually carrying out response actions.

The cost of both types of exercises vary with the size and complexity of a facility. Every phase of the process—planning, exercise, and post-action evaluation—will require more time for larger and more complex facilities. Smaller facilities have a limited number of possible scenarios (from leaks to slow releases to total failure of a storage vessel). Larger facilities—particularly those with complex chemical processes—have more possible failure modes and a greater possibility of the first release triggering additional releases or creating other risks.

Management time is expected to be devoted to developing the exercise plan; engineers, production staff, and emergency responders are expected to plan and participate in the exercise.

Each facility type is not expected to incur the same burden in conducting facility exercises. EPA has estimated labor hour burdens for each facility type and multiplied the total number of expected labor hours by the estimated total number of affected facilities to calculate the total labor burden of complying with the provision.

Table 4 presents estimates of respondent burden (in hours) for exercises.

**Table 4: Exercises (in Hours)**

Facility Type	Total # of Affected Facilities	Mgr.	Corp Mgr.	Atty.	Eng.	Prod. Staff	LEPC	Total Labor Burden
Simple Responding <20 FTE	1,640	11	0	0	15.1	6	14.7	76,697
Simple Responding 20-99 FTE	880	14.5	0	0	17.7	16.5	19	59,635
Simple Responding 100+ FTE	1,466	28.1	0	0	27.1	28	28.9	164,436
Complex Responding <20	141	11	0	0	15.1	6	14.7	6,594
Complex Responding 20-99	459	14.5	0	0	17.7	16.5	19	31,105
Complex Responding 100+	534	41.6	0	0	33.6	33.6	45.2	82,236
<b>Total</b>	<b>5,120</b>							<b>420,703</b>

**Respondent Burden for Public Meetings**

This provision requires RMP facilities to hold a public meeting within 90 days of an RMP reportable accident. The analysis estimates that each facility would need to spend time planning for the meeting—deciding when and where to hold the meeting, arranging the meeting space, developing and posting notices of the meeting, and developing materials to be presented and distributed. In addition, at least two people from the facility would attend the meeting, which is estimated to take 4 hours of the attendees’ time; even if the meeting is only 2 hours, attendees would have to arrive early and would stay after the official ending to talk with people, collect extra materials, and close up the meeting space.

For large complex facilities, where the information presented may be more complicated and subject to legal concerns (security and confidentiality), the analysis estimated that the facility staff would spend 24 hours preparing and reviewing presentations and handouts (12 hours of manager time and 12 hours of engineer time); and 16 hours of facility staff at the meeting (4 hours of manager and engineer time, and an additional 8 hours for 4 production staff to attend). The costs for space are expected to vary from nothing, when the meeting can be held in a public building, to between \$500 and \$1,000 when a meeting space must be rented or where the facility has to pay overtime to a custodian (e.g., at a public school).

Each facility type is not expected to incur the same burden in hosting public meetings. EPA has estimated labor hour burdens for each facility type and multiplied the total number of expected labor hours by the estimated total number of affected facilities to calculate the total labor burden of complying with the provision.

Table 5 presents the estimates of respondent burden (in hours) for public meetings.

**Table 5: Public Meetings (in Hours)**

Facility Type	Total Affected Facilities	Mgr.	Corp Mgr.	Atty.	Eng.	Prod. Staff	Total Labor Burden
Simple	83	8	0	0	8	4	1,656
Complex	69	16	0	0	16	8	2,768
<b>Total</b>	<b>152</b>						<b>4,424</b>

**6(b) Estimating Respondent Costs (Sources & Local Responders)****(i) Estimating Labor Costs**

EPA used the Bureau of Labor Statistics (BLS) May 2015 Occupational Employment and Wage Estimates<sup>2</sup> to construct a weighted wage rate for different occupation categories. EPA used 2015 instead of 2016 wage rates to be consistent with the RIA for the proposed rule, which is also based on 2015 wage rates (the differences between 2015 and 2016 wage rates were small)<sup>3</sup>. For all rule provisions, labor hours were assumed to be distributed across six general labor categories: Management, Corporate Management, Attorneys, Engineers, Production Staff, and Local Responders. The weighted wage rates for complex facilities (NAICS codes 324 and 325) were estimated separately from simple facilities because wages paid by these facilities are higher than in wholesale and government sectors, which dominate the simple facilities category. For each of the NAICS codes representing industries in the simple facilities category that are affected by the rule provisions (Food and Beverage, Agricultural Facilities, etc.), standardized BLS Occupation Titles were identified to match the general labor categories (Management, Corporate Management, Attorneys, Engineers, Production Staff, and Local Responders). The wage rates for each BLS Occupation Title were multiplied by a fringe benefits factor of 1.5 to create a loaded wage rate.<sup>4</sup>

After loaded wage rates were established for each industry, they were combined to form a weighted average based on how prominent each industry was within its universe of facilities, either simple or complex. Table 6 presents the weighted-average loaded hourly wage rates.

**Table 6: Weighted-Average Loaded Hourly Wage Rates (2015 Dollars)**

Labor Category	Simple Facilities	Complex Facilities
Management	\$77.15	\$100.12
Corporate Management	\$82.83	\$102.67
Attorneys	\$101.66	\$128.73

<sup>2</sup> See [http://www.bls.gov/oes/current/oes\\_nat.htm](http://www.bls.gov/oes/current/oes_nat.htm).

<sup>3</sup> All wage rates and cost figures in this ICR statement are in 2015 dollars. This was necessary to allow simple comparisons of the cost values in this ICR to the cost values in the proposed Reconsideration rule RIA and the 2017 Amendments rule RIA, both of which also use 2015 dollars.

<sup>4</sup> The benefits multiplier is based on an average for the sectors as estimated by BLS in its Employer Costs for Employee Compensation. BLS includes items such as sick leave and vacation as benefits.

Engineers	\$55.67	\$75.89
Production Staff	\$29.69	\$43.81
Local Responders	\$54.47	\$54.47

To estimate the labor costs for each rule provision, EPA multiplied the number of hours expected in each labor category—discussed in detail above—by that category’s BLS labor wage rate. The cost for each facility was then multiplied by the total number of affected facilities to arrive at the total cost. Table 8 below presents the total burden and cost for each provision.

**(ii) Estimating Capital and Operations and Maintenance (O&M) Costs**

Capital costs usually include any produced physical good needed to provide the needed information, such as machinery, computers, and other equipment. EPA does not anticipate that respondents will incur capital costs in carrying out the information collection requirements covered in this ICR.

O&M costs are those costs associated with a paperwork requirement incurred continually over the life of the ICR. They are defined by the Paperwork Reduction Act of 1995 as “the recurring dollar amount of costs associated with O&M or purchasing services.” For this ICR, EPA estimates that facilities would need to expend \$550 to rent a meeting room to host the public meeting.

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

Information relating to certain proposed rule provisions would be incorporated into sources’ RMPs, which are submitted to the Agency at least every five years. The information collection burden and costs associated with Agency operations and maintenance of the RMP reporting system and RMP database, and with review of sources’ RMPs and on-site documentation are accounted for in the existing approved ICR. Therefore, the Agency is not expected to incur any additional information collection burden or cost as a result of the proposed rule.

The burden associated with State and local implementing agencies’ review of sources’ RMPs and on-site documentation is accounted for in the existing approved ICR. State and local implementing agencies will incur some burden for rule familiarization. This burden has been included in the rule familiarization row in Table 1.

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

In this section, EPA first describes the respondent universe affected by the information collection requirements under the proposed rule.

**Respondent Universe**

Table 7 presents the annual number of respondents subject to the new information collection requirements under the proposed rule.

**Table 7: Annual Number of Respondents Subject to New Information Collection Requirements under the Proposed Rule**

Sector	P1	P2	P3	Totals
NAICS 311, 312 Food Manufacturer, Beverage/Ice	3	11	1,462	1,476
NAICS 322 Pulp and Paper	1	1	68	70

NAICS 324 Petroleum	13	3	140	156
NAICS 325 Chemical	53	64	1,349	1,466
Other Manufacturing	62	73	249	384
NAICS 4246 Chemical Distributors	6	0	327	333
NAICS 4247 Petroleum Distributors	14	0	262	276
NAICS 11, 12, 15, 42491 Agricultural	10	3,371	286	3,667
NAICS 211 Oil and Gas Exploration	310	41	390	741
NAICS 2213 Water/Wastewater*	1	10	91	102
NAICS 221, 222 Utilities	38	72	233	343
NAICS 493 Warehousing	70	986	0	1,056
NAICS 423, 424 Other Wholesale	5	291	6	302
NAICS 92 Governments	15	935	973	1,923
Other	41	62	144	247
<b>Total</b>	<b>642</b>	<b>5,920</b>	<b>5,980</b>	<b>12,542</b>
State and local agencies (for Rule Familiarization)				1,738
<b>*Except government owned which appear as NAICS 92 Government.</b>				

**6(e) Bottom Line Burden Hours and Costs**

Table 8 presents the bottom line burden hours and costs. The total number of respondents includes all regulated facilities (12,542), all LEPCs associated with a regulated facility (1,724), and 14 delegated state and local implementing agencies or 14,280 total respondents.

**Table 8: Yearly Total for Labor Burden, Labor Costs, and Other Costs**

<b>Provision</b>	<b>Total Respondents</b>	<b>Total Labor Burden, hours</b>	<b>Labor Costs</b>	<b>Other Costs</b>
Rule Familiarization	14,280	78,402	\$6,700,561	\$0
Coordination Activities	13,624*	207,604	\$15,955,003	\$0
Notification Drills	11,900	23,800	\$1,387,858	\$0
Exercises	6,844*	420,703	\$24,735,539	\$0
Public Meeting	152	4,424	\$316,944	\$83,600
<b>Year 1 Total**</b>		<b>734,933</b>	<b>\$49,095,906</b>	<b>\$83,600</b>
<b>Year 2 Total**</b>		<b>656,531</b>	<b>\$42,395,345</b>	<b>\$83,600</b>
<b>Year 3 Total**</b>		<b>656,531</b>	<b>\$42,395,345</b>	<b>\$83,600</b>
<b>Yearly Average</b>		<b>682,665</b>	<b>\$44,628,865</b>	<b>\$83,600</b>

\* Values are inclusive of 1,724 local government entities that are involved in coordination and exercise activities.

\*\* Values may not sum due to rounding.

<b>Annual</b>	<b>Respondents</b>	<b>Responses<sup>+</sup></b>	<b>Non-labor Cost<sup>+</sup></b>	<b>Hours<sup>+</sup></b>
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Private	12,542	33,253	\$83,600	497,504
States/Local	1,738	4,027	\$0	185,162 <sup>++</sup>
<b>Total<sup>+++</sup></b>	<b>14,280</b>	<b>37,280</b>	<b>\$83,600</b>	<b>682,665</b>

<sup>+</sup> Correspond to the yearly average responses, non-labor cost, and labor burden.

<sup>++</sup> Represents state and local entity hours associated with rule familiarization, coordination and exercises.

<sup>+++</sup> Values may not sum due to rounding.

**Burden Statement:** The annual public reporting and recordkeeping burden for this collection of information is estimated to average about 18 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 not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR part 9 and 48 CFR chapter 15.

To comment on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including the use of automated collection techniques, EPA has established a public docket for this ICR under Docket ID Number EPA-HQ-OEM-2015-0725, which is available for online viewing at [www.regulations.gov](http://www.regulations.gov), or in person viewing at the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Avenue, NW, Washington, D.C. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is (202) 566-1744, and the telephone number for the Office of Land and Emergency Management (OLEM) Docket is (202) 566-0276. An electronic version of the public docket is available at [www.regulations.gov](http://www.regulations.gov). This site can be used to submit or view public comments, access the index listing of the contents of the public docket, and to access those documents in the public docket that are available electronically. When in the system, select "search," then key in the Docket ID Number identified above. Also, you can send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, D.C. 20503, Attention: Desk Officer for EPA. Please include the EPA Docket ID Number EPA-HQ-OEM-2015-0725 and OMB Control Number 2050-NEW in any correspondence.