

1. IDENTIFICATION OF THE INFORMATION COLLECTION

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

Accidental Release Prevention Requirements: Risk Management Programs under the Clean Air Act (Final Reconsideration Rule)

EPA ICR No. 2537.05, Office of Management and Budget (OMB) No. 2050-0216.

1(b) Short Characterization

This ICR amends a previously approved ICR (EPA ICR No. 1656.15), OMB Control No. 2050-0144, which covers the Risk Management Program rule, codified under 40 Code of Federal Regulations (CFR) part 68. This 2537.05 package represents the Risk Management Program rule information collection requirements impacted by the Reconsideration 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.

On January 13, 2017 (82 FR 4594), EPA published in the Federal Register the Risk Management Program Amendments rule (Amendments rule). The Amendments rule added several requirements to the RMP rule, including several requirements that would impose information collection burdens on regulated entities. EPA is now finalizing a rule that reconsiders the Amendments rule, including retaining, retaining with modification, or rescinding provisions from the Amendments rule (Reconsideration rule).

This ICR addresses the Amendments rule information collection requirements impacted by the Reconsideration rule. A summary of how the Reconsideration rule impacts the Amendments rule information collection requirements is provided in the following tables.

Improve information availability (applies to all facilities)

| Amendments Rule Information Collection | Reconsideration Rule Action |
|---|-----------------------------|
| 1. Make certain information related to the risk management program available to the public upon request. | Rescinded |
| 2. Hold a public meeting within 90 days of an accident subject to reporting under § 68.42 (i.e., an RMP reportable accident). | Retained with modification |

Revise accident prevention program requirements (applies to P2 and P3 facilities unless otherwise specified)

| Amendments Rule Information Collection | Reconsideration Rule Action |
|--|-----------------------------|
| 3. Hire a third party to conduct the compliance audit after an RMP reportable accident or after an implementing agency determines that conditions at the stationary source could lead to an accidental release of a regulated substance or identifies problems with the prior third-party audit. | Rescinded |
| 4. Conduct and document a root cause analysis after an RMP reportable accident or a near miss. | Rescinded |
| 5. Conduct and document a safer technology and alternatives analysis (STAA) for a subset of Program 3 facilities in North American Industrial Classification System (NAICS) codes 322 (paper manufacturing), 324 (petroleum and coal products manufacturing), and 325 (chemical manufacturing). | Rescinded |

Improve emergency preparedness (applies to P2 and P3 facilities)

| Amendments Rule Information Collection | Reconsideration Rule Action |
|---|-----------------------------|
| 6. Meet and coordinate with local responders annually to exchange emergency response planning information. | Retained with modification |
| 7. Conduct an annual notification drill to verify emergency contact information. | Retained |
| 8. Responding facilities conduct and document emergency response exercises including: <ul style="list-style-type: none"> a. A field exercise at least every ten years, and b. A tabletop exercise at least every three years. | Retained with modification |

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 section 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

With respect to the existing RMP rule, as amended by those provisions of the Amendments rule retained after the Reconsideration rule:

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 to 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 and provides 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

With respect to the existing RMP rule, as amended by those provisions of the Amendments rule retained after the Reconsideration rule:

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 and hazard assessment 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.

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.

3(b) Consultations

EPA published a proposed rulemaking to reconsider the Amendments rule on May 30, 2018 (83 FR 24850). EPA received a total of 77,360 public comments on the proposed rulemaking. Several public comments were the result of various mass mail campaigns and contained numerous copies of letters or

petition signatures. Approximately 76,355 letters and signatures were contained in these several comments. The remaining comments included 987 submissions with unique content, 13 duplicate submissions, and 5 non-germane submissions. Included in this count of public submissions are written comments and 38 members of the public that provided verbal comments at a public hearing on June 14, 2018.

EPA received a few comments on the ICR for the proposed Reconsideration rule. An industry trade association commented that EPA used a flawed analysis in the 2017 Amendments rule ICR that has trickled into the burden estimates in the Reconsideration ICR. The industry trade association, as well as several other commenters, raised similar concerns with the Amendments rule ICR after the publication of the proposed Amendments rule. Those comments generally stated that EPA had underestimated information collection burden associated with the proposed Amendments rule. Some commenters provided alternate estimates of information collection burden for various provisions. EPA considered these comments, and made significant adjustments to the information collection burden estimate for the final Amendments rule. EPA also increased the information collection burden estimate for rule familiarization in response to comments received on the proposed Reconsideration rule (See Section 6 for further discussion of EPA's rule familiarization burden estimate). EPA's responses to specific comments on the ICR for the proposed Amendments rule are contained in the Summary and Response to Comments document for the final Amendments rule, which is available in docket number EPA-HQ-OEM-2015-0725. Additionally, EPA's responses to specific comments on the ICR for the proposed Reconsideration rule are contained in the Summary and Response to Comments document for the final Reconsideration rule, which is also available in the docket. EPA believes that the burden estimates included in this ICR are the best possible estimates given the existing data and, with the exception of the adjustments discussed above, has not made any additional revisions to the Reconsideration ICR burden estimates compared to the Amendments ICR burden estimates.

3(c) Public Notice

The proposed rule was published on May 30, 2018 at 83 FR 24850. In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 et seq.), EPA will notify the public through a Federal Register notice of the final rule.

3(d) Effects of Less Frequent Collection

With respect to the existing RMP rule, as amended by those provisions of the Amendments rule retained after the Reconsideration rule:

- 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.
- Coordination with the local responders will occur annually; less frequent coordination may result in new responders being unaware of hazards at the facility and current responders being uninformed about changes at the facility.
- Owners and operators of facilities with Program 2 and 3 processes will conduct notification exercises annually. For responding facilities, table top exercises will occur at least once every three and there is no required frequency for field exercises. Less frequent exercises may 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 (PHAs) 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, and the information submitted in support of a petition to modify the list of regulated substances includes toxicity data and accident history data. 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 stationary 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 others.

As of December 2015, approximately 12,500 sources were subject to 40 CFR part 68 requirements. In the RIA for the Reconsideration rule, EPA compared the 2015 RMP database to the RMP database from November 2017 for the purposes of understanding and comparing how the universe of RMP facilities has changed in the intervening period between developing the Amendments RIA and the RIA for the proposed Reconsideration rule. The comparison revealed that the number of RMP facilities and processes had experienced minor changes in the period between rulemakings. In total, the number of RMP facilities decreased by 1.8% over the time period and included small changes in the number of facilities in most industry codes and process levels. EPA therefore determined that the differences between the databases were minor. As a result, EPA used the number of sources estimated for the Amendments RIA as the baseline to be impacted by the Reconsideration rule. Likewise, in this ICR, EPA is using the RMP facility universe from the Amendments ICR as the baseline to be impacted by this Reconsideration ICR. All sources will be respondents for one or more of the provisions of the Reconsideration final rule.

4(b) Information Requested

The Reconsideration rule retains, modifies, or rescinds, provisions from the Amendments rule related to information availability (applies to all facilities), accident prevention program requirements

(applies to P2 and P3 facilities unless otherwise specified), and emergency preparedness requirements (applies to P2 and P3 facilities), as described below.

(i) Data Items

All sources will need to become familiar with the final Reconsideration rule. All sources that became subject to new information collection activities as a result of the Amendments rule will see reductions in burden from the Reconsideration rule. Sources that experience an RMP reportable accident will no longer need to conduct and document a root cause analysis or hire a third party to conduct the next scheduled compliance audit. Sources that experience a near miss are no longer required to conduct a root cause analysis. The P3 sources with processes in NAICS 322, 324, and 325 will no longer be required to conduct and document a STAA as part of the PHA (once every 5 years). Sources will no longer be required to make information related to the risk management program available to the public upon request or hold a public meeting within 90 days of an RMP-reportable accident that has onsite impacts only.

(ii) Respondent Activities

Rule Familiarization

All sources are expected to spend time to read and understand the revised requirements when the rule is promulgated. However, because the Reconsideration rule rescinds most provisions from the Amendments rule with future compliance dates, a portion of the labor burden associated with becoming familiar with the rescinded provisions of the Amendments rule will not be imposed on RMP facilities. EPA acknowledges that facilities, local responders, and implementing agencies would have needed to obtain enough familiarity with the rescinded provisions in order to fully understand EPA's final rule action. Thus, EPA has assumed that the management labor portion of the Amendments rule familiarization burden for rescinded provisions associated with the need for sources to spend time reading and understanding those provisions has not been averted. However, EPA also estimates that a portion of the labor burden and cost associated with becoming familiar with the rescinded provisions of the Amendments rule *will* be averted. For the rescinded provisions, EPA's rule familiarization estimate had included significant costs associated with training various facility staff (i.e., production staff, engineers, and attorneys) in how to comply with rescinded accident prevention program and information availability provisions, particularly for P3 sources that were subject to the STAA provision. As the rescinded provisions all had 2021 compliance dates, EPA does not believe that most facilities have expended this degree of effort to conduct such rule familiarization training for provisions that EPA had proposed to rescind. Thus, EPA has assumed that most of the rule familiarization burden estimated for the Amendments rule in facility labor categories other than management has been averted.

Prevention Program Activities

Third-Party Audits. The Reconsideration rule rescinded the Amendments rule provision that specified that P2 and P3 sources that have an RMP reportable accident would be required to hire a third party to conduct the next compliance audit. The rescinded Amendments rule provision also specified that an owner or operator must also perform a third-party audit when an implementing agency determines that conditions at the stationary source could lead to an accidental release of a regulated substance or when a previous third-party audit failed to meet the competency or independence criteria specified in the rule. The Reconsideration rule eliminates the burden for staff to draft a contract with an auditor that was accounted for in the Amendments rule ICR. In addition, the Reconsideration rule eliminates the other costs included in the Amendments rule ICR covering the contract value with the third-party auditor.

Root Cause and Near Miss Investigations. The Reconsideration rule rescinded the Amendments rule provision that specified that P2 and P3 sources that have an RMP reportable accident or near miss will be required to conduct a root cause analysis as part of the incident investigation already required by

Part 68. The Reconsideration rule also eliminates the need for sources to hire an expert trained in the root cause analysis methodology to conduct these analyses.

STAA. The Reconsideration rule rescinded the Amendments rule provision that specified that P3 sources in NAICS 322, 324, and 325 are required to conduct a STAA and assess the practicability of implementing any inherently safer technologies considered as part of their PHA every 5 years. The Reconsideration rule eliminates the need for sources to conduct and document the analyses and practicability determinations.

Emergency Response Activities

Coordination Activities. The Reconsideration rule modified the Amendments rule provision that specified that all P2 and P3 sources are required to coordinate with local response agencies annually to share information and coordinate emergency response plans. The Reconsideration rule modified the rule language to address security concerns with the type of information to be shared.

Notification Drills. The Reconsideration rule retained the Amendments rule provision that specified that all P2 and P3 sources are required to conduct a notification exercise annually 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. The Reconsideration rule modified the Amendments rule provision that specified that 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. In the Reconsideration rule, EPA eliminated the ten-year frequency requirement for full field exercises. With the elimination of the ten-year frequency requirement, facilities will consult with local emergency response officials to establish an appropriate frequency for field exercises. With no minimum frequency requirement, facilities and local responders will have the option to choose when to conduct a full field exercise. Although facilities and responders may therefore choose to hold field exercises less often than every ten years, EPA has taken the conservative approach for burden estimation to assume that the average RMP facility will still conduct a field exercise every ten years. As in the Amendments rule, the Reconsideration rule also permits facilities to meet the exercise requirements with joint and combined exercises as a way to reduce costs (for both facilities and local responders). EPA expects many facilities will take advantage of this alternative means of complying with the exercise requirement. While it is likely that many facilities will conduct joint exercises or conduct exercises at a frequency greater than once every ten years, reducing burden on facilities and allowing for greater flexibility, EPA notes that it is also possible that some facilities may choose to conduct exercises independently and on a more frequent basis.

In addition to removing the minimum frequency requirement for field exercises, the Reconsideration rule also establishes more flexible scope and documentation provisions for field and tabletop exercises. Documentation of both types of exercises would still be required, but the items specified for inclusion in exercises and exercise evaluation reports under the Amendments rule would be recommended, and not required.

The Reconsideration rule does not modify the 3-year minimum frequency requirement for tabletop exercises from the Amendments rule.

Information Disclosure Activities

Disclosure to the Public. The Reconsideration rule rescinded the Amendments rule provision that specified that all sources are required to collect basic chemical hazard information (mostly from the RMP) and safety data sheets used to inform employees of hazards, notify the public through websites, social media platforms, or through other publicly accessible means that the specified information is

available, and provide it to the public upon request.

Public Meeting. The Reconsideration rule modified the Amendments rule provision that specified that sources are required to hold a public meeting within 90-days of any RMP-reportable accident. The Reconsideration rule modifies the rule language to address security concerns with the type of information to be shared at a public meeting and to clarify that accident information specified in § 68.42 (b) shall be provided for only the most recent accident. The Reconsideration rule also modifies the Amendments rule public meeting provision by limiting the trigger for the requirement to the occurrence of an RMP reportable accident with offsite impacts specified in § 68.42(a) (i.e., known offsite deaths, injuries, evacuations, sheltering in place, property damage, or environmental damage).

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 responders will incur some burden for rule familiarization. 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 will 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 Reconsideration rule (see section 6(c) for additional discussion).

5(b) Collection Methodology and Management

The Amendments rule did not dictate how information must be provided or maintained. Sources were allowed to create and maintain required information electronically. The Reconsideration rule does not result in any new information collections.

5(c) Small Entity Flexibility

EPA determined that the Reconsideration rule will not have a significant economic impact on a substantial number of small entities. The Reconsideration rule largely repeals, or retains with slight modification, provisions incurring costs on small entities. As a result, EPA expects the Reconsideration rule to reduce burden for nearly all facilities, including small entities. Even P1 facilities, which were exempted from most provisions in the Amendments rule (and therefore would not see large burden reductions in the Reconsideration rule because the repeals did not affect them), would generally still experience a burden reduction as a result of the rule's implementation. The only new burden imposed on small entities would be rule familiarization with the Reconsideration rule, but even that burden would be partially offset by burden reduction associated with avoiding part of the burden of becoming familiar with the Amendments rule (see section 4(b)(ii)).

5(d) Collection Schedule

The information provided under the Amendments rule would vary based on the provision. The Reconsideration rule results in a reduction in burden.

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.

6(a) Respondent Burden

This section provides estimates of the respondent hourly burden associated with the information collection requirements covered in this ICR. In all cases other than rule familiarization for the Reconsideration rule, the Reconsideration rule reduces burden; that is, burden estimates presented here are negative. 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 Reconsideration rule and determine which provisions apply to the facility. The Reconsideration rule rescinds the Amendments rule requirements related to third-party audits, incident investigation root cause analyses, STAA, and chemical hazard information availability to the public. The final rule also proposes to modify the language of the local emergency coordination, facility exercises, and public meeting provisions. The Reconsideration rule does not introduce new provisions. Because of these changes, RMP facility staff will require some time to review the final rule and determine how the RMP provisions have changed, and which provisions apply to the RMP facility. Many of the revised provisions are straightforward, such as the rescission of the chemical hazard information public disclosure provision. Others, such as the local emergency coordination, exercise and public meeting provisions, have been modified and will require RMP facility staff to review the non-rescinded provisions and any amendments to their language. Overall, EPA expects RMP facilities to review the Reconsideration rule to determine how the rule differs from the Amendments rule; however, labor burden is expected to be reduced relative to the rule familiarization labor burden estimated in the Amendments ICR.

Although the Amendments rule has gone into effect as a result of the vacatur of the Delay rule, EPA assumes that as of the effective date of the final version of this Reconsideration rule, few facilities will have taken steps to begin implementing Amendments rule provisions being rescinded by the final rule, as all of these provisions have future compliance dates. For the rescinded provisions, EPA's rule familiarization estimate under the Amendments rule had included significant labor burden associated with training various facility staff (i.e., production staff, engineers, and attorneys) in how to comply with rescinded accident prevention program and information availability provisions, particularly for P3 sources that were subject to the STAA provision. As the rescinded provisions all had 2021 compliance dates, EPA does not believe that most facilities have expended this degree of effort to conduct such rule familiarization training for provisions that EPA had proposed to rescind. Thus, EPA has assumed that most of the rule familiarization burden estimated for the Amendments rule in facility labor categories other than management has been averted. Therefore, to account for the net effects on rule familiarization burden of EPA's final rule action, EPA is assuming a new cost burden that includes (1) the non-averted labor costs associated with management becoming familiar with the rescinded provisions of the Amendments, and (2) the full labor costs of becoming familiar with the non-rescinded and revised provisions of the Amendments rule, offset by a burden reduction associated with regulated facilities not being required to become familiar with the provisions of the Amendments rule. The Reconsideration rule retained the single major provision with a compliance date prior to 2021 – local emergency coordination, which had an original compliance date of March 14, 2018 – and therefore rule familiarization burden for this provision is accounted for in this ICR. This analysis assumes that rule familiarization will only occur in year 1.

Exhibit 6-1 presents the estimates of respondent burden (in hours) for rule familiarization with the Reconsideration rule.

Exhibit 6-1: Rule Familiarization for Reconsideration Rule (in Hours)

| Facility Type | Total # of Affected Facilities | Mgr. | Corp Mgr. | Atty. | Eng. | Prod. Staff | Total Labor Burden |
|-----------------------|--------------------------------|------|-----------|-------|------|-------------|--------------------|
| Simple | 10,920 | 6 | 0 | 0 | 0 | 0 | 65,520 |
| P1 and 2 Complex | 133 | 6 | 0 | 0 | 0 | 0 | 798 |
| P3 Complex | 1,489 | 30 | 4 | 6 | 6 | 6 | 77,428 |
| Local Government | 1,724 | 10 | 0 | 0 | 0 | 0 | 17,240 |
| Implementing Agencies | 14 | 6 | 0 | 0 | 0 | 0 | 84 |
| Total | 14,280 | | | | | | 161,070 |

Exhibit 6-2 presents the estimates of respondent burden (in hours) for rule familiarization with the Amendments rule.

Exhibit 6-2: Rule Familiarization for Amendments Rule (in Hours)

| Facility Type | Total # of Affected Facilities | Mgr. | Corp Mgr. | Atty. | Eng. | Prod. Staff | Total Labor Burden |
|-----------------------|--------------------------------|------|-----------|-------|------|-------------|--------------------|
| Simple | 10,920 | 4 | 0 | 0 | 0 | 0 | (43,680) |
| P1 and 2 Complex | 133 | 4 | 0 | 0 | 0 | 0 | (532) |
| P3 Complex | 1,489 | 20 | 48 | 12 | 87 | 125 | (434,788) |
| Local Government | 1,724 | 5 | 0 | 0 | 0 | 0 | (8,620) |
| Implementing Agencies | 14 | 5 | 0 | 0 | 0 | 0 | (56) |
| Total | 14,280 | | | | | | (487,676) |

Respondent Burden for Third-Party Audits

The Amendments rule required facilities to contract with a third-party to conduct the next scheduled compliance audit within 12 months, following an RMP reportable accident or after an implementing agency determines that conditions at the stationary source could lead to an accidental release of a regulated substance or identifies problems with the prior third-party audit. At least one member of the third-party audit team must be someone with whom the facility does not have an existing or recent relationship and who meets specific qualification criteria.

The Reconsideration rule removed this requirement and allowed the next required compliance audit to be conducted with no third-party requirements and according to the existing compliance audit schedule of one audit every 3 years. This change eliminates the burden associated with the third-party audit provision included in the Amendments rule.

Exhibit 6-3 presents the reduction in respondent burden (in hours) associated with the rescission of the third-party audits provision.

Exhibit 6-3: Third-Party Audits (in Hours)

| Facility Type | Total # of Affected Facilities | Mgr. | Corp Mgr. | Atty. | Eng. | Prod. Staff | Total Labor Burden |
|------------------|--------------------------------|------|-----------|-------|------|-------------|--------------------|
| Simple <20 FTE | 18 | 64 | 0 | 8 | 0 | 0 | (1,296) |
| Simple 20-99 FTE | 15 | 88 | 0 | 8 | 36 | 0 | (1,980) |
| Simple 100+ FTE | 40 | 60 | 0 | 8 | 112 | 0 | (7,200) |
| Complex < 20 | 3 | 64 | 0 | 8 | 0 | 0 | (216) |
| Complex 20-99 | 13 | 88 | 0 | 8 | 36 | 0 | (1,716) |
| Complex 100+ | 52 | 60 | 0 | 8 | 112 | 0 | (9,360) |
| Small Government | 3 | 60 | 0 | 0 | 50 | 0 | (330) |
| Large Government | 4 | 120 | 0 | 0 | 78 | 0 | (792) |
| Total | 148 | | | | | | (22,890) |

Respondent Burden for Incident Investigation and Root Cause Analysis

The Amendments rule required facilities to conduct a root cause analysis as part of an incident investigation following an incident that resulted in a catastrophic release or an incident that could reasonably have resulted in a catastrophic release (i.e., “near miss”). A root cause analysis is a formal process to identify underlying reasons for failures that lead to accidental releases. These analyses usually require someone trained in the technique. The Amendments rule also required additional information in the investigation report and required the report to be completed within 12 months.

The Reconsideration rule removed this requirement and reverted to the previous requirement of Program 2 and 3 processes conducting an incident investigation (without explicitly requiring a root cause analysis, additional reporting elements, or completion deadline) following an incident that resulted in a catastrophic release or an incident that could reasonably have resulted in a catastrophic release. This change eliminates the burden associated with the incident investigation and root cause analysis provisions included in the Amendments rule.

Exhibit 6-4 presents the reduction in respondent burden (in hours) associated with the rescission of the incident investigation and root cause analysis provisions.

Exhibit 6-4: Incident Investigation and Root Cause Analysis (in Hours)

| Facility Type | Total # of Affected Facilities | Mgr. | Corp Mgr. | Atty. | Eng. | Prod. Staff | Total Labor Burden |
|----------------|--------------------------------|------|-----------|-------|------|-------------|--------------------|
| P2 Near Miss - | 18 | 6 | 0 | 0 | 4 | 4 | (252) |

| | | | | | | | |
|------------------------|-------------|----|-----|---|----|----|-----------------|
| simple | | | | | | | |
| P2 Near Miss - complex | 0 | 68 | 0.5 | 6 | 30 | 28 | 0 |
| P3 Near Miss - simple | 63 | 6 | 0 | 0 | 4 | 4 | (882) |
| P3 Near Miss - complex | 68 | 68 | 0.5 | 6 | 30 | 28 | (9,010) |
| P2 Accidents - simple | 18 | 6 | 0 | 0 | 4 | 4 | (252) |
| P2 Accidents - complex | 0 | 68 | 0.5 | 6 | 30 | 28 | 0 |
| P3 Accidents - simple | 63 | 6 | 0 | 0 | 4 | 4 | (882) |
| P3 Accidents - complex | 68 | 68 | 0.5 | 6 | 30 | 28 | (9,010) |
| Total | 298* | | | | | | (20,288) |

* Total number of facilities may not sum to twice the total of the number of facilities in the third-party audit provision, due to rounding of the number of P2 accidents and near misses.

Respondent Burden for STAA

Under the Amendments Rule, facilities in NAICS codes 322 (paper manufacturing), 324 (petroleum and coal products manufacturing), and 325 (chemical manufacturing) with Program 3 processes were required to conduct a STAA for each process as part of their process hazard analysis (PHA), which occurs every 5 years. The STAA requirement included two parts: the initial analysis to identify alternatives, and a practicability study to determine whether a safer alternative could be successfully accomplished within a reasonable time, accounting for economic, environmental, legal, social, and technological factors.

The Reconsideration rule removed this requirement, and reverted to the previous requirement of all Program 3 processes performing a PHA update and revalidation every five years. This change eliminates the burden associated with the STAA provision in the Amendments rule.

Exhibit 6-5 presents the reduction in respondent burden (in hours) associated with the rescission of the STAA provision.

Exhibit 6-5: STAA (in Hours)

| Facility Type | Total # of Affected Processes | Mgr. | Corp Mgr. | Atty. | Eng. | Prod. Staff | Total Labor Burden |
|----------------------------------|--------------------------------------|-------------|------------------|--------------|-------------|--------------------|---------------------------|
| Initial Analysis | | | | | | | |
| Paper | 96 | 4 | 0.1 | 0.7 | 16.5 | 4.7 | (2,496) |
| Small/ Medium Complex | 2,733 | 4 | 0.1 | 0.7 | 16.5 | 4.7 | (71,058) |
| Large Complex | 1,444 | 0 | 0 | 0 | 148 | 0 | (213,134) |
| Total | 4,273 | | | | | | (286,688) |
| Practicability Assessment | | | | | | | |
| Facility Type | Number | Mgr. | Corp | Atty. | Eng. | Prod. | Total Labor |

| | of Facilities | | Mgr. | | | Staff | Burden |
|-----------------------------|--------------------------|---|-------------|---|-------|--------------|------------------|
| Paper | 68 | 0 | 67.6 | 0 | 338.2 | 0 | (27,598) |
| Small/ Medium Complex | 1,349 | 0 | 11.5 | 0 | 57.3 | 0 | (92,685) |
| Large Complex | 140 | 0 | 778 | 0 | 2,593 | 0 | (471,990) |
| Total | 1,557 | | | | | | (592,274) |
| Grand Total | | | | | | | (878,962) |

Respondent Burden for Coordination Activities

Under the Amendments rule, all facilities with Program 2 or Program 3 processes were required to coordinate with local response agencies annually to determine how the source is addressed in the community emergency response plan and to ensure that local response organizations were aware of the regulated substances at the source, their quantities, the risks presented by covered processes, and the resources and capabilities at the source to respond to an accidental release of a regulated substance. The owner or operator would be required to provide their source's emergency response plan, if one exists, updated emergency contact information and any other information that local emergency planning and response organizations identify as relevant to local emergency response planning. The owner or operator would also be required to document coordination activities.

This Reconsideration rule retained this requirement, but modified the rule language to address security concerns with the type of information to be shared. The modification to the rule language to describe the type of information that could be shared does not impact the burden anticipated to be imposed on regulated entities.

Respondent Burden for Notification Drills

The Amendments rule required all facilities with P2 or P3 processes to conduct a notification drill, during which an RMP facility would contact each person and agency on its emergency action 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). The Reconsideration rule would not modify the notification drills provision of the Amendments rule. Therefore, this ICR does not account for a change in burden associated with the notification drill provision.

Respondent Burden for Exercises

The Amendments rule required responding facilities (facilities that intend to develop and implement the emergency response program required under § 68.95 in order to respond to releases at their site) to conduct exercises of their emergency response program and plan developed in accordance with § 68.95. The Amendments rule required that at least once every 10 years, a full field exercise be conducted; and every three years, a facility must conduct a tabletop exercise. During a tabletop exercise, the participants would work together to identify a scenario and then establish objectives for the response without actually mobilizing responders and employees. The objectives for both field and tabletop exercises would include:

1. Identifying who would be contacted in an emergency,
2. Exercising 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
3. Exercising proper first-aid and emergency medical treatment necessary to treat accidental human exposures to regulated substances.

In a field exercise, the steps of a response are actually 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 the Reconsideration rule, EPA eliminated the ten-year frequency requirement for full field exercises. With the elimination of the ten-year frequency requirement, facilities will consult with local emergency response officials to establish an appropriate frequency for field exercises. With no minimum frequency requirement, facilities and local responders will have the option to choose when to conduct a full field exercise. Although facilities and responders may therefore choose to hold field exercises at a frequency greater than ten years, EPA has taken the conservative approach for burden estimation to assume that the average RMP facility will still conduct a field exercise every ten years. This assumption is based on the rationale that facilities, even without the minimum frequency requirement, will conduct field exercises at least this often in order to train new employees and community responders on the workings of the facility's emergency plan. As in the Amendments rule, the Reconsideration rule also permits facilities to meet the exercise requirements with joint and combined exercises as a way to reduce costs (for both facilities and local responders). EPA expects many facilities will take advantage of this alternative means of complying with the exercise requirement. While it is likely that many facilities will conduct joint exercises or conduct exercises at a frequency greater than once every ten years, reducing burden on facilities and allowing for greater flexibility, EPA notes that it is also possible that some facilities may choose to conduct exercises independently and on a more frequent basis.

In addition to removing the minimum frequency requirement for field exercises, the Reconsideration rule also establishes more flexible scope and documentation provisions for field and tabletop exercises. Documentation of both types of exercises would still be required, but the items specified for inclusion in exercises and exercise evaluation reports under the Amendments rule would be recommended, and not required. As with the removal of the minimum frequency for field exercises, this change could reduce the burden on facilities of conducting and documenting exercises. However, as a conservative approach toward estimating the burden of the exercise provisions, EPA is assuming no burden reduction associated with these changes.

The Reconsideration rule does not modify the minimum frequency requirement for table top exercises from the Amendments rule. Therefore, as with field exercises, EPA is estimating that the burden of table top exercises will not change under the Reconsideration rule.

Therefore, this ICR does not account for a change in burden associated with the exercise provision.

Respondent Burden for Public Disclosure

Under the Amendments rule, regulated facilities were required to make certain information available upon request to the public. The provision also required facilities to provide ongoing notification to inform the public on how to obtain the requested information, on either a company Web site, social media platforms, or through other publicly accessible means. The information elements were expected to be readily available to facility managers because most of the information is already compiled for compliance with various health and safety regulations. For example, Safety Data Sheets are documents that OSHA requires every facility to have available for its employees, and which contain chemical hazard information required under 29 CFR 1910.1200. The names of chemicals and the facility's 5-year accident history are already collected for reporting in the RMP. Especially for simple facilities, this information was expected to be unlikely to change much from year to year; the only cost associated with this element was the time required to collect and review the information for accuracy.

The Reconsideration rule rescinds the chemical hazard information availability provisions in § 68.210 (b) – (c) of the Amendments rule. This change eliminates the burden associated with the public disclosure provisions included in the Amendments rule.

Exhibit 6-6 presents the reduction in respondent burden (in hours) associated with the rescission of the public disclosure provisions.

Exhibit 6-6: Public Disclosure (in Hours)

| Facility Type | Total # of Affected Facilities | Mgr. | Corp Mgr. | Atty. | Eng. | Prod. Staff | Total Labor Burden |
|----------------------|---------------------------------------|-------------|------------------|--------------|-------------|--------------------|---------------------------|
| Small Complex | 708 | 1 | 0 | 0 | 1 | 0 | (1,416) |
| Large Complex | 914 | 4 | 0 | 5 | 18 | 0 | (24,678) |
| Simple | 10,920 | 0.5 | 0 | 0 | 0.5 | 0 | (10,920) |
| Total | 12,542 | | | | | | (37,014) |

Respondent Burden for Public Meetings

The Amendments rule required RMP facilities to hold a public meeting to provide accident information required under § 68.42, as well as other relevant chemical hazard information such as that described in § 68.210(b), no later than 90 days after any accident subject to reporting under § 68.42.

The Reconsideration rule retains this requirement, but modifies the rule language to address security concerns with the type of information to be shared at a public meeting and clarify that accident information specified in § 68.42 (b) shall be provided for only the most recent accident. The Amendments rule requirement to provide “other relevant chemical hazard information” could be interpreted to be an overly broad requirement that could result in the release of security-sensitive information. The Reconsideration rule rescinds this language. However, EPA does not expect that deleting this language from the public meeting provision will have a significant impact on the burden associated with that provision and has not projected any burden reduction associated with this change. EPA also amended the public meeting provision to require the information listed in § 68.42(b) be provided for only the most recent accident, and not for previous accidents covered by the 5-year accident history requirement of § 68.42(a). This modification should provide clarity for the regulated community regarding the public meeting requirements. EPA does not expect that deleting this language from the public meeting provision will have a significant impact on the burden of that provision, and has not projected any burden reduction associated with this change.

The Reconsideration rule also modifies the Amendments rule public meeting provision by limiting the trigger for the requirement to the occurrence of any RMP reportable accident with offsite impacts specified in § 68.42(a) (i.e., known offsite deaths, injuries, evacuations, sheltering in place, property damage, or environmental damage). EPA anticipates that this reduction in the scope of accidents that require a public meeting will decrease the annual number of public meetings held by RMP facilities.

Exhibit 6-7 presents the reduction in respondent burden (in hours) associated with the revised trigger for the public meeting requirement.

Exhibit 6-7: Public Meetings (in Hours)

| Facility Type | Total Affected Facilities | Mgr. | Corp Mgr. | Atty. | Eng. | Prod. Staff | Total Labor Burden |
|----------------------|----------------------------------|-------------|------------------|--------------|-------------|--------------------|---------------------------|
| Simple | 53 | 8 | 0 | 0 | 8 | 4 | (1,062) |
| Complex | 52 | 16 | 0 | 0 | 16 | 8 | (2,076) |
| Total | 105 | | | | | | (3,138) |

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 Estimates¹ to construct a weighted wage rate for different occupation categories. 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.²

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.

Exhibit 6-8 presents the weighted-average loaded hourly wage rates.

Exhibit 6-8: 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 |
| Engineers | \$55.67 | \$75.89 |
| Production Staff | \$29.69 | \$43.81 |
| Local Responders | \$54.47 | \$54.47 |

¹ See http://www.bls.gov/oes/current/oes_nat.htm.

² 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.

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. Exhibit 6-11 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 the Amendments rule ICR, EPA estimated that simple facilities would need to spend \$1,000 on contracting with a consultant to conduct the incident investigation root cause analysis. The Reconsideration rule would eliminate the need for simple facilities to contract with a consultant to conduct the incident investigation root cause analysis, eliminating the \$1,000 O&M cost from the Amendments rule ICR.

Further, in the Amendment rule ICR, EPA estimated that facilities would need to expend \$550 to rent a meeting room to host the public meeting. The Reconsideration rule would decrease the frequency in which a meeting room would be needed but would not impact the unit cost associated with the meeting room to host the public meeting.³

Respondent Costs for Third-Party Audits

The RMP rule, prior to the Amendments rule, required P2 and P3 facilities to conduct a compliance audit at least once every three years. The Amendments rule third-party audit provision required facilities that have had RMP reportable accidents to contract with a third party to conduct the audit. The Amendments rule also required the owner or operator to perform a third-party audit when an implementing agency determines that conditions at the stationary source could lead to an accidental release of a regulated substance or when a previous third-party audit failed to meet the competency or independence criteria specified in the rule. The Amendments rule ICR estimated the cost of hiring a third party to conduct the audit based on the public comments that EPA received in response to the July 31, 2014, RFI. Of the 14 comments providing input on the economic impacts of amendments to the RMP rule, several comments specifically provided point estimates for the cost of hiring a third-party auditor.⁴ These estimates ranged between \$10,000 and \$20,000 for simpler facilities and up to \$40,000 for larger facilities. The ICR for the proposed Amendments rule assumed \$15,000 for simple and small government facilities and \$40,000 for complex and large government facilities.

In response to the proposed Amendments rule, EPA received numerous public comments on the third-part compliance audit provision. Received comments broadly stated that the EPA’s estimate for the cost of hiring third-party auditors and conducting third-party audits was lower than the costs experienced by industry. Many commenters submitted examples of higher auditing costs estimates, which EPA took into account when revising the cost estimate for the final ICR for the Amendments rule. EPA’s recent experience with a facility in EPA Region 1 also suggested that third-party audit costs may be higher than initially estimated. Therefore, in conjunction with input from public comments, EPA used its industry

³ EPA’s estimates of the O&M cost savings associated with the rescission of the root cause analysis provision and modification of the public meeting provision are included in Exhibit 6-11.

⁴ See comments 0638 and 0667 – These two comments from industry specifically provided point estimates on the costs of third-party audits. One comment placed the cost of the audit between \$36,000 and \$40,000 and the other placed the estimates at approximately \$10,000 based on membership experience.

knowledge of third-party audit costs to revise the provision's cost estimate for the final ICR for the Amendments rule to better reflect industry costs.⁵

The Reconsideration rule removed the third-party audits requirement and allowed the next required compliance audit to be conducted with no third-party requirements and according to the existing compliance audit schedule of one audit every 3 years. This change eliminates the burden associated with the third-party audit provision included in the Amendments rule.

Exhibit 6-9 presents EPA's estimates of the O&M cost savings associated with the rescission of the third-party audit provision.

Exhibit 6-9: Third-Party Audit Contract Costs (2015 Dollars)

| Facility Category | Affected Facilities | Cost | Facility Total |
|--------------------------|----------------------------|-------------|-----------------------|
| Simple <20 FTE | 18 | \$30,000 | (\$5,400,000) |
| Simple 20-99 FTE | 15 | \$30,000 | (\$450,000) |
| Simple 100+ FTE | 40 | \$30,000 | (\$1,200,000) |
| Complex < 20 | 3 | \$80,000 | (\$240,000) |
| Complex 20-99 | 13 | \$80,000 | (\$1,040,000) |
| Complex 100+ | 52 | \$80,000 | (\$4,160,000) |
| Small Government | 3 | \$30,000 | (\$90,000) |
| Large Government | 4 | \$80,000 | (\$320,000) |
| Total | 148 | | (\$8,040,000) |

6(c) Estimating Agency Burden and Cost

The information collection burden and costs associated with EPA 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. EPA does not anticipate any additional information collection burden or cost for the agency under the Reconsideration 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. Under the Reconsideration rule, State and local implementing agencies will incur some burden for rule familiarization. This burden has been included in Exhibit 6-1, Rule Familiarization for Reconsideration Rule.

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 Reconsideration rule.

Respondent Universe

Exhibit 6-10 presents the respondent universe that will be impacted by the Reconsideration rule.

⁵ EPA has doubled the labor hour burden and contractor costs associated with Third-Party Audits as a result of EPA's Region 1's experience with the Mann Distribution Facility.

Exhibit 6-10: Respondent Universe Under the Reconsideration 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 |
| Total | 642 | 5,920 | 5,980 | 12,542 |
| State and local agencies (for Rule Familiarization) | | | | 1,738 |
| *Except government owned which appear as NAICS 92 Government. | | | | |

6(e) Bottom Line Burden Hours and Costs

Exhibit 6-11 presents the bottom line burden hours and costs. The total number of respondents includes all regulated facilities (12,542), all LEPCs associated with regulated facilities (1,724), and 14 delegated state and local implementing agencies, or 14,280 total respondents.

Exhibit 6-11: Yearly Total for Labor Burden, Labor Costs, and Other Costs

| Provision | Total Respondents | Total Labor Burden | Labor Costs | Other Costs |
|---|--------------------------|---------------------------|--------------------|--------------------|
| Rule Familiarization for Reconsideration Rule | 14,280 | 161,070 | \$13,774,716 | |
| Rule Familiarization for Amendments Rule | 14,280 | (487,676) | (\$34,697,646) | |
| Third-party Audit | 148 | (22,890) | (\$1,802,339) | (\$8,040,000) |
| Root Cause Analysis | 298 | (20,288) | (\$1,644,700) | (\$162,000) |
| STAA | 1,557 | (878,962) | (\$70,117,913)* | |
| Public Disclosure | 12,542 | (37,014) | (\$3,052,663) | |
| Public Meeting | 105 | (3,138) | (\$227,076) | (\$57,750) |

| | | | | |
|-----------------------|--|--------------------|-----------------------|----------------------|
| Year 1 Total** | | (1,288,898) | (\$97,767,622) | (\$8,259,750) |
| Year 2 Total** | | (962,292) | (\$76,844,692) | (\$8,259,750) |
| Year 3 Total** | | (962,292) | (\$76,844,692) | (\$8,259,750) |
| Yearly Average | | (1,071,161) | (\$83,819,002) | (\$8,259,750) |

* Value may not equal labor costs reported in the RIA due to rounding of expected labor hours.

** Values may not sum due to rounding.

| Annual | Respondents | Responses⁺ | Non-labor Cost⁺ | Hours⁺ |
|----------------|--------------------|------------------------------|-----------------------------------|--------------------------|
| Private | 12,542 | 18,831 | (\$8,259,750) | (1,074,043) |
| States/Local | 1,738 | 579 | \$0 | 2,883 ⁺⁺ |
| Total** | 14,280 | 19,410 | (\$8,259,750) | (1,071,161) |

⁺ Correspond to the yearly average responses, non-labor cost, and labor burden hours.

⁺⁺ Represents rule familiarization hours.

** Values may not sum due to rounding.

Burden Statement

Burden Statement: The annual reporting and recordkeeping burden for this collection of information is estimated to reduce baseline burden by 1,071,161 hours and \$92,078,752 per year. 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, or in person viewing at the OLEM Docket in 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 OLEM Docket is (202) 566-0270. An electronic version of the public docket is available at www.regulations.gov. This site can be used to submit or view public comments, access the index listing of the contents of the public docket, and to access those documents in the public docket that are available electronically. When in the system, select "search," then key in the Docket ID Number identified above. Also, you can send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, D.C. 20503, Attention: Desk Officer for EPA. Please

include the EPA Docket ID Number EPA-HQ-OEM-2015-0725 and OMB Control Number 2050-0216 in any correspondence.