

**SUPPORTING STATEMENT
ENVIRONMENTAL PROTECTION AGENCY**

NESHAP for Site Remediation (40 CFR Part 63, Subpart GGGGG) (Final Rule)

1. Identification of the Information Collection
1(a) Title of the Information Collection

National Emission Standards for Hazardous Air Pollutants (NESHAP) for Site Remediation (40 CFR part 63, Subpart GGGGG) (Final Rule), EPA ICR Number 2062.09, OMB Control Number 2060-0534.

1(b) Short Characterization/Abstract

The amendments to this information collection request (ICR) are a result of the review of the existing NESHAP for Site Remediation (40 CFR part 63, subpart GGGGG) as required by the Clean Air Act (CAA). The NESHAP published at 40 CFR part 63, subpart GGGGG were July 30, 2002, promulgated on October 8, 2003, and amended on November 29, 2006. These regulations apply to site remediation activities that clean up materials containing organic hazardous air pollutants (HAP), where the site remediation is co-located at any facility with one or more stationary source that emit HAP, and where the facility is a major source of HAP. Major sources of HAP are sources that emit any single HAP at a rate of 10 tons or more per year or any combination of HAP at a rate of 25 tons or more per year. Site remediation activities may potentially occur at any facility where materials containing organic HAP currently are or have been stored, processed, treated, or otherwise managed at the facility. The types of businesses most likely to be subject to this rule include, but are not limited to, organic liquid storage terminals, petroleum refineries, chemical manufacturing facilities, and manufacturing facilities using organic materials. New facilities include those that commenced construction, modification or reconstruction after the date of proposal. This information is being collected to assure compliance with 40 CFR part 63, subpart GGGGG.

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

The rulemaking amends title 40, chapter I, part 63, subpart GGGGG revising the leak detection and repair (LDAR) requirements. In addition, the final amendments also add requirements for each pressure relief devices (PRD) in the event that a pressure relief device releases HAP to the atmosphere due to actuation of the device. Information related to these new provisions is required to be submitted in the semiannual reports required by the existing NESHAP. Burden changes associated with these final amendments would result from new recordkeeping and reporting requirements associated with the LDAR and PRD requirements for all facilities subject to subpart GGGGG.

Any owner/operator subject to the provisions of this part shall maintain a file containing these documents and retain the file for at least five years following the generation date of such maintenance reports and records. All reports are sent to the delegated state or local authority. In the event that there is no such delegated authority, the reports are sent directly to the U.S. Environmental Protection Agency (EPA) regional office.

The “Affected Public” includes owners and operators of facilities that conduct site remediation activities. The “burden” to the Affected Public may be found below in Table 1: Annual Respondent Burden and Cost – NESHAP for Site Remediation (40 CFR part 63, subpart GGGGG) (Revised). The “burden” to the Federal Government is attributed entirely to work performed by either Federal employees or government contractors and may be found below in Table 2: Average Annual EPA Burden and Cost – NESHAP for Site Remediation (40 CFR part 63, subpart GGGGG) (Revised).

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

The period considered in this ICR and throughout this supporting statement is the first three years following the promulgation of the Site Remediation NESHAP amendments addressing the risk and technology review. The estimates of the size of the regulated universe are based on the number of affected facilities found in EPA databases associated with permitting, enforcement and emissions reporting programs. There are an estimated 63 major source facilities currently subject to the Site Remediation NESHAP. Based on available permit information, 33 facilities are known to be exempt from most of the rule requirements due to the low HAP content of the remediation material they handle. Therefore, we estimate that there is an annual average of 30 respondents that are subject to the regulation. We do not expect any additional facilities to become subject to the NESHAP due to the final amendments, and we do not know of any new facilities that are expected to be constructed in the foreseeable future. Consequently, it is estimated that no additional sources will become subject to the standard over the next three years. Of the 30 respondents, we estimate 29 respondents are from the private sector (97 percent) and 1 respondent is from the Federal government (3 percent).

The Office of Management and Budget (OMB) approved the currently active ICR without any “Terms of Clearance.” The overall change in burden found in this ICR reflect an update in the cost of labor and corrections to the number of affected facilities found in EPA ICR number 2062.06 as well as new recordkeeping and reporting requirements associated with the final LDAR and PRD requirements.

2. Need for and Use of the Collection

2(a) Need/Authority for the Collection

The EPA is charged under section 112 of the CAA, as amended, to establish standards of performance for each category or subcategory of major sources and area sources of HAP. These standards are applicable to new or existing sources of HAP and shall require the maximum

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

(A) Establish and maintain such records; (B) make such reports; (C) install, use, and maintain such monitoring equipment, and use such audit procedures, or methods; (D) sample such emissions (in accordance with such procedures or methods, at such locations, at such intervals, during such periods, and in such manner as the Administrator shall prescribe); (E) keep records on control equipment parameters, production variables or other indirect data when direct monitoring of emissions is impractical; (F) submit compliance certifications in accordance with Section 114(a)(3); and (G) provide such other information as the Administrator may reasonably require.

In the Administrator's judgment, HAP emissions from site remediation activities either cause or contribute to air pollution that may reasonably be anticipated to endanger public health and/or welfare. Therefore, the NESHAP were promulgated for this source category at 40 CFR part 63, subpart GGGGG.

2(b) Practical Utility/Users of the Data

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

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

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

The required semiannual reports are used to determine periods of excess emissions, identify problems at the facility, verify operation/maintenance procedures and for compliance determinations.

To minimize the burden, much of the information the EPA needs to determine compliance is recorded and retained on-site at the facility. Such information will be reviewed by the enforcement personnel during an inspection and will not need to be reported routinely to the

EPA. The Agency requires respondents to report a minimal amount of information to demonstrate compliance. However, when a deviation occurs, additional information must be reported that describes the cause of the deviation, steps taken to correct the problem, and time required to return to compliance.

3. Non-duplication, Consultations, and Other Collection Criteria

The requested recordkeeping and reporting are required under 40 CFR part 63, subpart GGGGG.

3(a) Non-duplication

If the subject standards have not been delegated, the information is sent directly to the appropriate EPA regional office. Otherwise, the information is sent directly to the delegated state or local agency. If a state or local agency has adopted its own similar standards to implement the Federal standards, a copy of the report submitted to the state or local agency can be sent to the Administrator in lieu of the report required by the Federal standards. Therefore, duplication does not exist.

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

This ICR is related to final amendments to 40 CFR part 63, subpart GGGGG for the Site Remediation source category. Comments were solicited on the proposal package and the proposed ICR.

A commenter remarked that the EPA did not add an additional burden in its supporting statement related to the requirement to report emissions test data using the electronic reporting tool (“ERT”). The commenter remarks that most state or local permitting authorities still require submittal of a paper copy of the test report, so the ERT entry and electronic submittal to EPA does not replace the submittal of a test report to the local agency.

In response, we acknowledge that certain sources may be required to submit a report electronically through CEDRI and a hard copy report to an air agency that has delegation to enforce the NESHAP. However, the burden associated with this effort was already included in the burden estimate associated with submitted performance test reports, and we have not changed this estimate since proposal.

A commenter also asserted that the EPA also has not included a burden estimate for implementation and reporting for the new PRD work practice requirements and submittal of the PRD system description. In the proposed burden estimate, the EPA did include an additional burden estimate for reading the new PRD requirements, planning related activities and reporting of PRD actuation events, and this estimate has not changed since proposal.

3(c) Consultations

Over the next three years, an average of 30 facilities per year will be subject to the

standard, with no additional sources per year becoming subject to the standard. In estimating the affected number of sources and the growth rate of Site Remediation facilities subject to this standard, we referenced the most recent ICR and used other resources to obtain the most recent data available. For the most recent ICR, we reviewed information available from the Online Tracking Information System (OTIS), which is the primary source of information regarding the number of existing sources. OTIS data was used in conjunction with industry consultation to verify the number of sources and the industry growth rate.

3(d) Effects of Less-Frequent Collection

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

3(e) General Guidelines

These reporting or recordkeeping requirements do not violate any of the regulations promulgated by OMB under 5 CFR Part 1320, Section 1320.5.

These standards require the respondents to maintain all records, including reports and notifications for at least five years. This is consistent with the General Provisions as applied to the standards. EPA believes that the five-year records retention requirement is consistent with the Part 70 permit program and the five-year statute of limitations on which the permit program is based. The retention of records for five years allows EPA to establish the compliance history of a source, any pattern of non-compliance and to determine the appropriate level of enforcement action. EPA has found that the most flagrant violators have violations extending beyond five years. In addition, EPA would be prevented from pursuing the violators due to the destruction or nonexistence of essential records.

3(f) Confidentiality

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

3(g) Sensitive Questions

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

4. The Respondents and the Information Requested

4(a) Respondents/SIC Codes

Unlike a specific industry sector or type of business, the respondents potentially affected by this ICR cannot be easily or definitively identified. Potentially, the site remediation NESHAP may be applicable to any type of business or facility at which a site remediation is conducted to clean up media contaminated with organic HAP where the remediation activities and the magnitude of the cleanup meets the applicability criteria specified in the rule. A site remediation that is subject to this rule potentially may be conducted at any type of privately owned or government-owned facility at which contamination has occurred due to past events or current activities at the facility. Site remediation performed at sites where the facility has permanently closed, the owner has gone out of business, or the facility has been abandoned and there is no owner (in this latter case, a government agency takes responsibility for the cleanup) are not subject to this NESHAP in most cases.

The regulated sources under this NESHAP (i.e., the site remediation activities) are not the predominant activity, process, operation, or service conducted at the facility. A comprehensive list of Standard Industrial Classification (SIC) codes and North American Industry Classification System (NAICS) codes cannot be compiled for the respondents who will potentially be regulated by this action due to the nature of activities regulated by the source category. The NAICS code indicates a primary product produced or service provided at the facility rather than the presence of a site remediation performed to support the predominant function of the facility. Some representative NAICS codes and their corresponding SIC codes for facilities where site remediation activities have been or are currently being conducted at some (but not all) facilities under a given code can be found in the table below. However, these codes are not necessarily comprehensive as to the types of facilities at which site remediation subject to the rule may be required in the future.

| Standard (40 CFR part 63, subpart GGGGG) | SIC Codes | NAICS Codes |
|--|------------------------------|--------------------|
| Plastics Material and Resin Manufacturing | 2821 | 325211 |
| Cyclic Crude, Intermediate and Gum and Wood Chemical Manufacturing | 2861, 2865, 2869 | 325194 |
| Other Basic Inorganic Chemical Manufacturing | 2812, 2816, 2819, 2869, 2895 | 325180 |
| Petroleum Refineries | 2911, | 32411 |
| General Warehousing and Storage | 4225, 4226 | 49311 |
| Other Warehousing and Storage | 4226 | 49319 |
| Pipeline Transportation of Crude Oil | 4612 | 48611 |

4(b) Information Requested

(i) Data Items

In this ICR, all the data that is recorded or reported is required by the NESHAP for Site Remediation (40 CFR part 63, subpart GGGGG).

A source must make the following reports:

| Notifications/Reports | |
|--|-------------------------------|
| Initial notification | 63.9(b), 63.7950(a), (c) |
| Notification of performance tests | 63.9(b), (e), 63.7950(a), (d) |
| Notification of compliance status | 63.9(h), 63.7950(a), (e) |
| Performance test results | 63.9(h), 63.7950(a), (e) |
| Notification of alternative standard selection (if applicable) | 63.7950(f) |
| Semiannual compliance reports | 63.7951(a), (b) |
| Part 70 monitoring report | 63.7951(d) |

A source must keep the following records:

| Recordkeeping | |
|---|-----------------|
| Copies of each notification and report submitted to comply with subpart as listed above | 63.7952(a)(1) |
| Records related to pressure relief devices | 63.7952(a)(2) |
| Records of performance tests | 63.7952(a)(3) |
| Records of initial and subsequent determinations for affected sources exempted from control requirements | 63.7952(a)(4) |
| Records of control device operating parameter continuous monitoring system (CMS) deviations, calibrations, and maintenance | 63.7952(b) |
| Records to show continuous compliance with each emissions limitation, work practice standard, and operation and maintenance requirement | 63.7952(c), (d) |

Electronic Reporting

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

(ii) Respondent Activities

| Respondent Activities |
|---|
| Familiarization with the regulatory requirements. |
| Install, calibrate, maintain, and operate CMS for opacity, or for pressure drop and liquid supply pressure for VOHAP. |
| Perform initial performance test and repeat performance tests if necessary. |
| Write the notifications and reports listed above. |
| Enter information required to be recorded above. |
| Submit the required reports developing, acquiring, installing, and utilizing technology and systems for the purpose of collecting, validating, and verifying information. |
| Develop, acquire, install, and utilize technology and systems for the purpose of processing and maintaining information. |
| Develop, acquire, install, and utilize technology and systems for the purpose of disclosing and providing information. |
| Train personnel to be able to respond to a collection of information. |
| Transmit, or otherwise disclose the information. |

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

5(a) Agency Activities

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

| Agency Activities |
|---|
| Review notifications and reports, including performance test reports, and excess emissions reports, required to be submitted by industry. |
| Conduct initial compliance determination. |
| Audit facility records. |
| Input, analyze, and maintain data in the Enforcement and Compliance History Online (ECHO) and ICIS. |

5(b) Collection Methodology and Management

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

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

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

5(c) Small Entity Flexibility

The rule places no requirement on any facility to initiate site remediation activities. The EPA anticipates that parties that undertake site remediation generally do so voluntarily and that the impact of this rule on those parties will not be significant. Further, because states and other parties decide whether to undertake site remediation activities, predicting how many, or what types of small entities will undertake such activities is extremely difficult, if not impossible. Nonetheless, the rule is structured to avoid impacts on small businesses.

The rule specifically excludes from its scope remediation conducted at gasoline stations, farm sites, and residential sites. Moreover, the rule applies only to remediation sites located at a facility that is a major source under the CAA and at which is collocated with one or more non-remediation activities listed as a Maximum Achievable Control Technology (MACT) major source category, pursuant to CAA section 112(c). Such sources tend to be large businesses. The rule also contains applicability emission thresholds that are likely to exclude site remediation conducted at many small businesses. For example, the rule exempts sources where the total annual quantity of HAP contained in all extracted remediation material at the facility is less than 1 megagram per year. For these reasons, the rule does not impose a significant burden on a substantial number of small entities.

5(d) Collection Schedule

The specific frequency for each information collection activity within this request is shown below in Table 1: Annual Respondent Burden and Cost – NESHAP for Site Remediation (40 CFR Part 63, Subpart GGGGG) (Revised).

6. Estimating the Burden and Cost of the Collection

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

The Agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number.

6(a) Estimating Respondent Burden

The average annual burden to industry over the next three years from these recordkeeping and reporting requirements is estimated to be 19,700 hours (Total Labor Hours from Table 1). These hours are based on Agency studies and background documents from the development of the regulation, Agency knowledge and experience with the NESHAP program, the previously approved ICR, and any comments received.

6(b) Estimating Respondent Costs

(i) Estimating Labor Costs

This ICR uses the following labor rates:

| | |
|------------|--------------------------|
| Managerial | \$101.03 (\$48.11+ 110%) |
| Technical | \$65.18 (\$31.04 + 110%) |
| Clerical | \$38.24 (\$18.21 + 110%) |

These rates are median hourly wages from the United States Department of Labor, Bureau of Labor Statistics, May 2017 National Occupational Employment and Wage Estimates for the United States for Production Occupations (http://www.bls.gov/oes/current/oes_nat.htm#51-0000), occupational codes 51-8090 for miscellaneous plant and system operators (technical), 11-1021 for general and operations managers (managerial) and 43-6010 for secretaries and administrative assistants (clerical). The rates have been increased by 110 percent to account for the benefit packages available to those employed by private industry.

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

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

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

| Capital/Startup vs. Operation and Maintenance (O&M) Costs | | | | | | |
|--|--|----------------------------------|--|--|---------------------------------------|---------------------------|
| (A) Continuous Monitoring Device | (B) Capital/Startup Cost for One Respondent | (C) Number of New Respondents | (D) Total Capital/Startup Cost, (B X C) | (E) Annual O&M Costs for One Respondent | (F) Number of Respondents with O&M | (G) Total O&M, (E X F) |
| Parametric system | \$10,000 | 0 | \$0 | \$2,000 | 30 | \$60,000 |
| Leak detection | \$878 | 30 | \$26,340 | \$1,323 | 30 | \$39,690 |
| PRD Monitors | \$5,396 | 30 | \$161,880 | \$0 | 30 | \$0 |
| Total | | | \$188,220 | | | \$99,690 |

Note: Totals have been rounded to 3 significant figures. Figures may not add exactly due to rounding.

The total capital/startup costs for this ICR are approximately \$188,000. This is the total of column D in the above table.

The total operation and maintenance (O&M) costs for this ICR are approximately \$100,000. This is the total of column G, which is the total cost for all 30 respondents.

6(c) Estimating Agency Burden and Cost

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

The average annual Agency cost during the three years of the ICR is estimated to be \$29,000.

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

| | |
|------------|--|
| Managerial | \$65.71 (GS-13, Step 5, \$41.07 + 60%) |
| Technical | \$48.75 (GS-12, Step 1, \$30.47 + 60%) |
| Clerical | \$26.38 (GS-6, Step 3, \$16.49 + 60%) |

These rates are from the Office of Personnel Management (OPM), 2018 General Schedule, which excludes locality rates of pay. The rates have been increased by 60 percent to account for the benefit packages available to government employees. Details upon which this estimate is based appear in Table 2: Average Annual EPA Burden and Cost – NESHAP for Site Remediation (40 CFR Part 63, Subpart GGGGG) (Revised).

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

Based on our research for this ICR, on average over the next three years, approximately 30 existing respondents will be subject to the standard. It is estimated that no additional respondents per year will become subject. The overall average number of respondents, as shown in the table below, is 30 per year.

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

| Number of Respondents | | | | | |
|------------------------------|---|---------------------------------------|---|---|--|
| Year | (A) Number of New Respondents ¹ | (B) Number of Existing Respondents | (C) Number of Existing Respondents that keep records but do not submit reports | (D) Number of Existing Respondents That Are Also New Respondents | (E) Number of Respondents (E=A+B+C-D) |
| 1 | 0 | 30 | 0 | 0 | 30 |
| 2 | 0 | 30 | 0 | 0 | 30 |
| 3 | 0 | 30 | 0 | 0 | 30 |
| Average | | 30 | | | 30 |

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

Column D is subtracted to avoid double-counting respondents. As shown above, the average Number of Respondents over the 3-year period of this ICR is 30 (29 respondents from the private sector and 1 respondent from the Federal government).

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

| Total Annual Responses | | | | |
|--|------------------------------|----------------------------|---|---|
| (A) Information Collection Activity | (B) Number of Respondents | (C) Number of Responses | (D) Number of Existing Respondents That Keep Records But Do Not Submit Reports | (E) Total Annual Responses E=(BxC)+D |
| Semiannual reports | 30 | 2 | 0 | 60 |
| | | | Total | 60 |

The number of Total Annual Responses is 60.

The total annual labor costs are \$1,260,000. Details regarding these estimates may be found in Table 1: Annual Respondent Burden and Cost – NESHAP for Site Remediation (40 CFR Part 63, Subpart GGGG) (Revised).

6(e) Bottom Line Burden Hours and Cost Tables

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

(i) Respondent Tally

The total annual labor hours are 19,700 hours. Details regarding these estimates may be found below in Table 1: Annual Respondent Burden and Cost – NESHAP for Site Remediation (40 CFR Part 63, Subpart GGGGG) (Revised).

We assume that burdens for managerial tasks take 5% of the time required for technical tasks because the typical tasks for managers are to review and approve reports. Clerical burdens are assumed to take 10% of the time required for technical tasks because the typical duties of clerical staff are to proofread the reports, make copies and maintain records.

Furthermore, the annual public reporting and recordkeeping burden for this collection of information is estimated to average 328 hours per response.

The total annual capital/startup and O&M costs to the regulated entities are approximately \$288,000. The cost calculations are detailed in Section 6(b)(iii), Capital/Startup vs. Operation and Maintenance (O&M) Costs.

(ii) The Agency Tally

The average annual Agency burden and cost over next 3 years is estimated to be 612 labor hours at a cost of \$29,000. See Table 2: Average Annual EPA Burden and Cost – NESHAP for Site Remediation (40 CFR Part 63, Subpart GGGGG) (Revised).

We assume that burdens for managerial tasks take 5% of the time required for technical tasks because the typical tasks for managers are to review and approve reports. Clerical burdens are assumed to take 10% of the time required for technical tasks because the typical duties of clerical staff are to proofread the reports, make copies and maintain records.

6(f) Reasons for Change in Burden

This ICR is prepared for amendments to the NESHAP for Site Remediation (40 CFR Part 63, Subpart GGGGG). These amendments revise the leak detection and repair (LDAR) requirements. The final amendments also add requirements for each pressure relief device (PRD) in the event that a PRD releases HAP to the atmosphere due to actuation of the device. Burden changes associated with these final amendments result from new recordkeeping and reporting requirements associated with the LDAR and PRD requirements. There is an overall decrease in the change in burden due to the decrease in the number of facilities estimated to be subject to the NESHAP for Site Remediation.

6(g) Burden Statement

The annual public reporting and recordkeeping burden for this collection of information

is estimated to average 328 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 valid OMB Control Number. The OMB Control Numbers for EPA regulations are listed at 40 CFR Part 9 and 48 CFR Chapter 15.

Part B of the Supporting Statement

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

Table 1: Annual Respondent Burden and Cost – NESHAP for Site Remediation (40 CFR Part 63, Subpart GGGGG) (Revised)

| Burden Item | (A) | (B) | (C) | (D) | (E) | (F) | (G) | (H) |
|---|--|--------------------------------|--|-----------------------------------|---------------------------------------|---|--|---------------------------------------|
| | Person hours per occurrence ^e | Number of occurrences per year | Person hrs per respondent per year (C=AxB) | Respondents per year ^a | Technical person hrs per year (E=CxD) | Management person hrs per year (F=Ex0.05) | Clerical person hrs per year (G=Ex0.1) | Total Cost per year (\$) ^b |
| Private Sector | | | | | | | | |
| 1. Applications | NA | | | | | | | |
| 2. Surveys and Studies | NA | | | | | | | |
| 3. Parametric Monitoring System^c | 40 | 1 | 40 | 1 | 40 | 2 | 4 | 2,962 |
| 4. Reporting requirements | | | | | | | | |
| - Read instructions ^{c2} | 1 | 1 | 1 | 29 | 29 | 1.45 | 2.9 | 2,148 |
| - Conduct performance test ^c | 136 | 1 | 136 | 1 | 136 | 6.8 | 13.6 | 10,072 |
| - Initial notification ^d | 14 | 0.33 | 4.62 | 0 | 0 | 0 | 0 | 0 |
| - Performance test notification ^c | 3 | 1 | 3 | 1 | 3 | 0.15 | 0.3 | 222 |
| - Initial compliance determination ^d | 60 | 1 | 60 | 0 | 0 | 0 | 0 | 0 |
| - Performance test report ^c | 108 | 1 | 108 | 1 | 108 | 5.4 | 10.8 | 7,998 |
| - Semiannual report ^e | 56 | 2 | 112 | 29 | 3248 | 162.4 | 324.8 | 240,532 |
| - SSM report ^g | 10 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Subtotal Reporting for Private Sector | | | | | 4,099 | | | 263,934 |
| 5. Recordkeeping requirements | | | | | | | | |
| - Read instructions ^{c2} | 1 | 1 | 1 | 29 | 29 | 1.45 | 2.9 | 2,148 |
| - Plan activities ^{c2} | 1 | 1 | 1 | 29 | 29 | 1.45 | 2.9 | 2,148 |
| - Prepare SSM plan ^g | 112 | 1 | 112 | 0 | 0 | 0 | 0 | 0 |
| - Prepare documentation for exempted sources ^h | 112 | 1 | 112 | 0 | 0 | 0 | 0 | 0 |

| Burden Item | (A) | (B) | (C) | (D) | (E) | (F) | (G) | (H) |
|--|-----------------------------|--------------------------------|--|-----------------------------------|---------------------------------------|---|--|---------------------------------------|
| | Person hours per occurrence | Number of occurrences per year | Person hrs per respondent per year (C=AxB) | Respondents per year ^a | Technical person hrs per year (E=CxD) | Management person hrs per year (F=Ex0.05) | Clerical person hrs per year (G=Ex0.1) | Total Cost per year (\$) ^b |
| - In-situ process vents parametric monitoring ⁱ | 0.5 | 365 | 182.5 | 3 | 547.5 | 27.375 | 54.75 | 40,545 |
| - Ex-situ process vents parametric monitoring ^j | 0.5 | 365 | 182.5 | 29 | 5292.5 | 264.625 | 529.25 | 391,939 |
| - Inspect tank covers ^k | 2 | 12 | 24 | 14 | 336 | 16.8 | 33.6 | 24,883 |
| - Inspect container covers ^k | 0.5 | 12 | 6 | 14 | 84 | 4.2 | 8.4 | 6,221 |
| - Inspect surface impoundment covers ^l | 2 | 12 | 24 | 3 | 72 | 3.6 | 7.2 | 5,332 |
| - Inspect separator covers ^m | 2 | 12 | 24 | 3 | 72 | 3.6 | 7.2 | 5,332 |
| - Inspect transfer system covers ^k | 0.5 | 12 | 6 | 3 | 18 | 0.9 | 1.8 | 1,333 |
| - Leak detection and repair program ⁿ | 116 | 1 | 116 | 29 | 3364 | 168.2 | 336.4 | 249,123 |
| - PRD release analysis and corrective action | 20 | 0.3 | 6 | 29 | 174 | 8.7 | 17.4 | 12,886 |
| - Develop record system ^f | 124 | 1 | 124 | 0 | 0 | 0 | 0 | 0 |
| - Enter information ^o | 2 | 52 | 104 | 29 | 3016 | 150.8 | 301.6 | 223,351 |
| - Personnel training | | | | | | | | |
| - sources already subject ^f | 124 | 1 | 124 | 0 | 0.0 | 0.0 | 0.0 | 0 |
| - sources newly subject ^f | 248 | 1 | 248 | 0 | 0.0 | 0.0 | 0.0 | 0 |
| Subtotal Recordkeeping for Private Sector | | | | | 14,989 | | | 965,239 |
| Total for the Private Sector | | | | | 19,088 | | | 1,229,173 |
| Federal Facilities | | | | | | | | |
| 1. Applications | NA | | | | | | | |
| 2. Surveys and Studies | NA | | | | | | | |
| 3. Parametric Monitoring System^c | 40 | 1 | 40 | 0 | 0.0 | 0.0 | 0.0 | 0 |

| Burden Item | (A) | (B) | (C) | (D) | (E) | (F) | (G) | (H) |
|--|-----------------------------|--------------------------------|--|-----------------------------------|---------------------------------------|---|--|---------------------------------------|
| | Person hours per occurrence | Number of occurrences per year | Person hrs per respondent per year (C=AxB) | Respondents per year ^a | Technical person hrs per year (E=CxD) | Management person hrs per year (F=Ex0.05) | Clerical person hrs per year (G=Ex0.1) | Total Cost per year (\$) ^b |
| 4. Reporting requirements | | | | | | | | |
| - Read instructions ^{c2} | 1 | 1 | 1 | 1 | 1.0 | 0.1 | 0.1 | 55 |
| - Conduct performance test ^c | 136 | 1 | 136 | 0 | 0.0 | 0.0 | 0.0 | 0 |
| - Initial notification ^d | 14 | 1 | 14 | 0 | 0.0 | 0.0 | 0.0 | 0 |
| - Performance test notification ^c | 3 | 1 | 3 | 0 | 0.0 | 0.0 | 0.0 | 0 |
| - Initial compliance determination ^d | 60 | 1 | 60 | 0 | 0.0 | 0.0 | 0.0 | 0 |
| - Performance test report ^c | 108 | 1 | 108 | 0 | 0.0 | 0.0 | 0.0 | 0 |
| - Semiannual report ^e | 56 | 2 | 112 | 1 | 112.0 | 5.6 | 11.2 | 6,123 |
| - SSM report ^g | 10 | 0 | 0 | 0 | 0.0 | 0.0 | 0.0 | 0 |
| Subtotal Reporting for Federal Facilities | | | | | 130 | | | 6,178 |
| 5. Recordkeeping requirements | | | | | | | | |
| - Read instructions ^{c2} | 1 | 1 | 1 | 1 | 0.9 | 0.0 | 0.1 | 48 |
| - Plan activities ^{c2} | 1 | 1 | 1 | 1 | 1.0 | 0.1 | 0.1 | 55 |
| - Prepare SSM plan ^g | 112 | 1 | 112 | 0 | 0.0 | 0.0 | 0.0 | 0 |
| - Prepare documentation for exempted sources ^h | 112 | 1 | 112 | 0 | 0.0 | 0.0 | 0.0 | 0 |
| - In-situ process vents parametric monitoring ⁱ | 0.5 | 365 | 182.5 | 0 | 0.0 | 0.0 | 0.0 | 0 |
| - Ex-situ process vents parametric monitoring ^j | 0.5 | 365 | 182.5 | 1 | 182.5 | 9.1 | 18.3 | 9,978 |
| - Inspect tank covers ^k | 2 | 12 | 24 | 1 | 24.0 | 1.2 | 2.4 | 1,312 |
| - Inspect container covers ^k | 0.5 | 12 | 6 | 1 | 6.0 | 0.3 | 0.6 | 328 |
| - Inspect surface impoundment covers ^l | 2 | 12 | 24 | 0 | 0.0 | 0.0 | 0.0 | 0 |
| - Inspect separator covers ^m | 2 | 12 | 24 | 0 | 0.0 | 0.0 | 0.0 | 0 |

| Burden Item | (A) | (B) | (C) | (D) | (E) | (F) | (G) | (H) |
|--|-----------------------------|--------------------------------|--|-----------------------------------|---------------------------------------|---|--|---------------------------------------|
| | Person hours per occurrence | Number of occurrences per year | Person hrs per respondent per year (C=AxB) | Respondents per year ^a | Technical person hrs per year (E=CxD) | Management person hrs per year (F=Ex0.05) | Clerical person hrs per year (G=Ex0.1) | Total Cost per year (\$) ^b |
| - Inspect transfer system covers ^k | 0.5 | 12 | 6 | 0 | 0.0 | 0.0 | 0.0 | 0 |
| - Leak detection and repair program ⁿ | 116 | 1 | 116 | 1 | 116.0 | 5.8 | 11.6 | 6,342 |
| - PRD release analysis and corrective action | 20 | 0.3 | 6 | 1 | 6 | 0.3 | 0.6 | 444 |
| - Develop record system ^f | 124 | 1 | 124 | 0 | 0.0 | 0.0 | 0.0 | 0 |
| - Enter information ^o | 2 | 52 | 104 | 1 | 104.0 | 5.2 | 10.4 | 5,686 |
| - Personnel training | | | | | | | | |
| - sources already subject ^f | 124 | 1 | 124 | 0 | 0.0 | 0.0 | 0.0 | 0 |
| - sources newly subject ^f | 248 | 1 | 248 | 0 | 0.0 | 0.0 | 0.0 | 0 |
| Subtotal Recordkeeping for Federal Facilities | | | | | 506 | | | 24,193 |
| Total for Federal Facilities | | | | | 636 | | | 30,371 |
| Total for All Facilities^p | | | | | 19,700 | | | 1,260,000 |

^a We have assumed there are approximately 30 respondents, with 30 existing sources and 0 additional sources becoming subject to the rule over the next three years. The breakdown is as follows: 30 total respondents: 29 respondents from the private sector and 1 from the Federal government.

^b This table uses the labor rates presented in sections 6(b) and 6(c) of this document.

^c We have assumed there will be 1 respondent per year (privately owned) that will require a new parametric monitoring system and performance test.

^{c2} We have assumed that it will take 1 hour to read new LDAR and PRD reporting and recordkeeping requirements and plan related activities.

^d We have assumed there will be no additional facilities becoming subject to the rule over the next three years.

^e Assumes there will be 29 private and 1 federal existing facility and 0 new facilities that will submit semiannual reports.

^f Assumes only newly regulated facilities required to submit semi-annual reports will perform this one-time activity.

^g Assumes no respondents will prepare an SSM plan or submit an SSM report.

^h Assumes existing sources have already done this one-time activity and there will be no additional facilities becoming subject to the rule.

| Burden Item | (A) | (B) | (C) | (D) | (E) | (F) | (G) | (H) |
|-------------|-----------------------------|--------------------------------|---|-----------------------------------|--|--|---|---------------------------------------|
| | Person hours per occurrence | Number of occurrences per year | Person hrs per respondent per year (C=AxB) | Respondents per year ^a | Technical person hrs per year (E=CxD) | Management person hrs per year (F=Ex0.05) | Clerical person hrs per year (G=Ex0.1) | Total Cost per year (\$) ^b |

ⁱ We have assumed that 3 out of the 30 existing respondents (10 percent) will use an on-site in-situ treatment process. At each of these sites, it is assumed that a control device is required on the process vent.

^j We have assumed that it will take 0.5 hours 365 times per year to record parametric monitoring of ex-situ process vents. It is also assumed that out of all existing respondents will use an on-site ex-situ treatment process.

^k We have assumed that half of the facilities have tanks and containers.

^l We have assumed that it will take 2 hours once per month to inspect surface impoundments. It is assumed that 3 out of the 30 existing respondents (10 percent) will use a surface impoundment.

^m We have assumed it will take 2 hours once per month to inspect separator covers. It is assumed that 3 out of the 30 existing respondents (10 percent) will use oil-water separators.

ⁿ We have assumed that all existing and no new facilities will be implementing a LDAR program.

^o We have assumed that it will take 2 hours 52 times per year to enter information for facilities required to submit semiannual reports.

^p Total has been rounded to 3 significant figures. Figures may not add exactly due to rounding.

Table 2: Annual EPA Burden and Cost – NESHAP for Site Remediation (40 CFR Part 63, Subpart GGGGG) (Revised)

| Burden Item | (A) Person hours per occurrence | (B) Number of occurrences per year | (C) Person hrs per respondent per year (C=AxB) | (D) Respondents per year ^a | (E) Technical person hrs per year (E=CxD) | (F) Management person hrs per year (F=Ex0.05) | (G) Clerical person hrs per year (G=Ex0.1) | (H) Cost per year (\$) |
|--|--|---|---|---|---|---|--|------------------------------|
| Report Review | | | | | | | | |
| a. Initial notification | 4 | 0 | 0 | 0 | 0 | 0 | 0 | \$0 |
| b. Performance test notification | 2 | 1 | 2 | 2 | 4 | 0.2 | 0.4 | \$219 |
| c. Initial compliance determination | 24 | 0 | 0 | 0 | 0 | 0 | 0 | \$0 |
| d. Performance test reports | 24 | 1 | 24 | 2 | 48 | 2.4 | 4.8 | \$2,624 |
| e. Semiannual report ^c | 8 | 2 | 16 | 30 | 480 | 24 | 48 | \$26,243 |
| Total Annual Burden and Cost (rounded) ^d | | | | | | 612 | | 29,000 |

Assumptions:

^a We have assumed that there are approximately 30 respondents, with no additional new sources becoming subject to the rule over the next three years. The breakdown is as follows: 29 respondents for from the private sector and 1 from the Federal government.

^b This table uses the labor rates presented in section 6(c) of this document.

^c We have assumed that it will take eight hours twice per year for to review each respondent’s semiannual report.

^d Totals have been rounded to 3 significant figures. Figures may not add exactly due to rounding.