

**SUPPORTING STATEMENT
ENVIRONMENTAL PROTECTION AGENCY**

NESHAP for Hydrochloric Acid Production (40 CFR Part 63, Subpart NNNNN) (Residual Risk and Technology Review Amendments)

1. Identification of the Information Collection

1(a) Title of the Information Collection

NESHAP for Hydrochloric Acid Production (40 CFR Part 63, Subpart NNNNN) (Residual Risk and Technology Review Amendments), EPA ICR Number 2032.11, OMB Control Number 2060-0529.

1(b) Short Characterization/Abstract

The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Hydrochloric Acid Production were proposed on September 18, 2001 (66 *FR* 48174), promulgated on April 17, 2003 (68 *FR* 19076), and amended on April 7, 2006 (71 *FR* 17738). Amendments to the NESHAP are being promulgated as a result of the residual risk and technology review (RTR) required under the Clean Air Act (CAA) (as discussed further below). The NESHAP apply to hydrochloric acid production facilities that emit greater than or equal to 10 tons per year (tpy) of any one hazardous air pollutant (HAP) or greater than or equal to 25 tpy of any combination of HAP. Affected sources include new and existing hydrochloric acid production facilities. The pollutants regulated are hydrochloric acid (HCl) and chlorine (Cl₂). New facilities include those that commenced construction or reconstruction after the date of the original proposal (September 18, 2001). This information is being collected to assure compliance with 40 CFR Part 63, Subpart NNNNN.

In general, all NESHAP standards require initial notifications, performance tests, and periodic reports by the owners/operators of the affected facilities. They are also required to maintain records of the occurrence and duration of any failures to meet applicable standards, 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. A semiannual report is also required.

Any owner/operator subject to the provisions of 40 CFR Part 63 shall maintain a file containing these documents, and retain the file for at least five years following the date of such 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 United States Environmental Protection Agency (EPA) regional office.

As part of the residual risk and technology review (RTR) for the NESHAP, the EPA is finalizing amendments to remove the startup, shutdown, and malfunction (SSM) exemption; remove the SSM plan and associated periodic report requirements; add a work practice standard for maintenance vents used during startup and shutdown; require electronic submittal of the notification of compliance status, results of performance

evaluations of continuous monitoring systems, compliance reports, and performance test results; and make miscellaneous technical and editorial changes. The remaining portions of the NESHAP remain unchanged.

The “Affected Public” includes owners and operators of major source asphalt processing or asphalt roofing manufacturing facilities. The burden to the “Affected Public” may be found in Table 1: Annual Respondent Burden and Cost – NESHAP for Hydrochloric Acid Production (40 CFR Part 63, Subpart NNNNN)(Residual Risk and Technology Review Amendments). The burden to the “federal government” is attributed entirely to work performed by federal employees or government contractors, and may be found in Table 2: Average Annual EPA Burden and Cost – NESHAP for Hydrochloric Acid Production (40 CFR Part 63, Subpart NNNNN) (Residual Risk and Technology Review Amendments). All of these facilities are privately-owned, for-profit businesses. None of the facilities in the United States are owned by state, local, tribal or the federal government.

Over the next three years, 19 major source facilities will be subject to the standard, and no additional facilities will become subject to the standard. In addition, we assume there is no industry growth.

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

2. Need for and Use of the Collection

2(a) Need/Authority for the Collection

The EPA is charged under Section 112 of the Clean Air Act, 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) states that the Administrator may require any owner/operator subject to any requirement of this Act to:

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

In the Administrator's judgment, HAP emissions from facilities that produce hydrochloric acid cause or contribute to air pollution that may reasonably be anticipated to endanger public health or welfare. Therefore, the NESHAP were promulgated for this source category at 40 CFR Part 63, Subpart NNNNN.

2(b) Practical Utility/Users of the Data

The control of emissions of HAP from sources at hydrochloric acid production facilities requires not only the installation of properly designed equipment, but also the operation and maintenance of that equipment. Emissions of HAP from these facilities are the result of operation of the affected sources.

The standards are achieved by the reduction of pollutant emissions using control technology. The notifications required in the 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 standards are being met.

Performance test reports are needed, as these are the Agency's record of a source's initial and ongoing capability to comply with the emission standards and serve as a record of the operating conditions under which compliance was achieved. The semiannual compliance reports are used for problem identification, as a check on source operation and maintenance, and for compliance determinations.

The information generated by the monitoring, recordkeeping, and reporting requirements described in this ICR is used by the Agency to ensure that facilities affected by the NESHAP continue to operate their control equipment and achieve continuous compliance with the regulation. Adequate monitoring, recordkeeping, and reporting are necessary to ensure compliance with these standards, as required by the CAA. The information collected from recordkeeping and reporting requirements is also used for targeting inspections, and is of sufficient quality to be used as evidence in court.

3. Nonduplication, Consultations, and Other Collection Criteria

The requested recordkeeping and reporting are required under 40 CFR Part 63, Subpart NNNNN.

3(a) Nonduplication

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, no duplication

exists.

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

A public notice of this collection is provided in the Federal Register notice of rulemaking published for the subpart NNNNN (Hydrochloric Acid Production) RTR. The RTR proposal was published in the Federal Register on February 4, 2019 and the public comment period closed on April 26, 2019. No public comments were received on the ICR.

3(c) Consultations

Industry groups including American Chemistry Council (ACC) and member companies provided information concerning the NESHAP at meetings with the EPA prior to rule proposal. No public comments were received related to the ICR.

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, then the likelihood of detecting poor operation and maintenance of control equipment and noncompliance would decrease.

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 (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

None of these reporting or recordkeeping requirements contain sensitive questions.

4. The Respondents and the Information Requested

4(a) Respondents/SIC Codes

The respondents to the recordkeeping and reporting requirements are owners or operators of facilities that produce hydrochloric acid subject to 40 CFR Part 63, Subpart NNNNN. The United States Standard Industrial Classification (SIC) codes for the respondents affected by the standards, and the corresponding North American Industry Classification System (NAICS) codes are listed below.

Standard (40 CFR Part 63, Subpart NNNNN)	SIC Codes	NAICS Codes
Industrial Inorganic Chemicals, Nonvulcanizable Elastomer Compounds (NEC) (except activated carbon and charcoal, alumina, recovering sulfur from natural gas, and inorganic dyes).	2819	325188
Plastics Materials, Synthetic and Resins, and Nonvulcanizable Elastomers	2821	325211
Industrial Organic Chemicals, NEC (except aliphatics, carbon bisulfide, ethyl alcohol, cyclopropane, diethylcyclohexane, naphthalene sulfoni).	2869	325199

4(b) Information Requested

(i) Data Items

All data in this ICR that are recorded and/or reported are required by 40 CFR Part 63, Subpart NNNNN. Subpart NNNNN references 40 CFR Part 63, Subpart A for several general reporting and recordkeeping requirements that apply for all NESHAP.

A source must make the following notifications and reports:

Notifications	
Initial notification (for sources that start up before April 17, 2003 only); or	63.9(b)(2) & (4), 63.9045(b)-(c)

Notifications	
Application of construction or reconstruction (for sources that start up on or after April 17, 2003)	
Notification of intent to conduct performance test	63.7(b)-(c), 63.8(f)(4) & (6), 63.9(b)-(h), 63.9045(a)
Notification of compliance status	63.9(h)(2), 63.9045(e)-(f)
First compliance report	63.10(a), 63.9050(b)(2)
Semiannual compliance report	63.9050(b)
Startup, shutdown, malfunction report	63.10(d)(5), 63.9050(d)

A source must keep the following records:

Recordkeeping	
Initial notification or notification of compliance status	63.10(b)(2)(xiv), 63.9055(a)
Record of startup, shutdown, and malfunctions	63.6(e)(3), 63.9055(b)(1)
Conduct performance tests	63.10(b)(2)(viii), 63.9055(b)(2)
Record of continuous parameter monitoring systems (CPMS) measurements	63.10(b), 63.9055(b)(3)
Site-specific monitoring plan and equipment LDAR plan	63.9055(b)(5)
Records of planned routine maintenance performed on control device	63.9055(b)(6)
Records are required to be retained for five years	63.10(b)(1)

Electronic Reporting

Currently, sources are using monitoring equipment that provides automated parameter data (e.g., control device parameter monitoring). Although personnel at the facilities still need to evaluate the data, this type of monitoring equipment has significantly reduced the burden associated with monitoring and recordkeeping. As part of the RTR amendments, respondents would be required to use the EPA's Electronic Reporting Tool (ERT) to submit performance test reports for test methods supported by the ERT.¹ The ERT can be accessed via the Compliance and Emissions Data Reporting Interface (CEDRI) and CEDRI can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>).

(ii) Respondent Activities

¹ As of early-2020, Methods 1-4, and 316 are the test methods referenced in subpart NNNNN that are included in the ERT.

Respondent Activities
Familiarization with the regulatory requirements.
Install, calibrate, maintain, and operate CMS for opacity, or for pressure drop and liquid supply pressure for control device.
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

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

Agency Activities
Review notifications, including notifications of construction/reconstruction, actual startup, applicability of standard, performance test, performance evaluation, and compliance status.
Review reports, including performance test reports and semiannual compliance reports, required to be submitted by industry.
Input, analyze, and maintain data in Enforcement and Compliance History Online (ECHO).

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 standard (note the operating conditions under which compliance was achieved). 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 entered into the EPA's ECHO, which is operated and maintained by the EPA's Office of Enforcement and Compliance Assurance. ECHO is the EPA's database to provide integrated compliance and enforcement information for about 800,000 regulated facilities nationwide. The EPA uses ECHO for tracking air pollution compliance and enforcement by local and state regulatory agencies, EPA regional offices and EPA headquarters. The EPA and its delegated Authorities can edit, store, retrieve and analyze the data. ECHO allows users (including the public) to search and obtain information on permits data, inspections, violations, enforcement actions, and penalties.

The records required by this regulation must be retained by the owner/operator for 5 years.

5(c) Small Entity Flexibility

There are no small entities (i.e., small businesses) affected by this regulation.

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 Hydrochloric Acid Production (40 CFR Part 63, Subpart NNNNN) (Amendments).

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 the final RTR amendments recordkeeping and reporting requirements is estimated to be 69 (Total Labor Hours from Table 1). These hours are based on Agency studies and background documents from the development of the regulation, the EPA's recent reevaluation of the source category inventory, 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:

Civilian Labor Category	Occupational Code	BLS Mean Wage Estimate, in 2016\$^a	Loaded Wage (+110%), in 2016\$
Managerial	11-1021	\$58.70	\$123.27
Technical	51-8090	\$30.65	\$64.37
Clerical	43-6010	\$19.39	\$40.72

^a https://www.bls.gov/oes/current/oes_nat.htm#00-0000

These rates are from the United States Department of Labor, Bureau of Labor Statistics, survey titled *May 2016 National Occupational Employment and Wage Estimates United States.* The rates are from column 8, "Mean hourly wage." 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 of the final RTR amendments 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 monitor(s) and other costs such as photocopying and postage.

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

The only type of industry costs associated with the information collection activity in the regulations is labor cost. There are no capital/startup or O&M costs.

6(c) Estimating Agency Burden and Cost

The only costs to the Agency are costs associated with analysis of the reported information. Publication and distribution of the information are part of the ECHO program.

Examination of records maintained by the respondents will occur as part of the periodic inspection of sources, which is part of the EPA's overall compliance and enforcement program. The average annual Agency cost during the 3 years of the ICR is estimated to be \$21,700.

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

Agency Worker Rates	Labor Rates, \$/hr^a	60% Overhead	Total, \$/hr
Managerial (GS-13, step 5)	\$40.50	\$24.30	\$64.80
Technical (GS-12, step 1)	\$30.05	\$18.03	\$48.08
Clerical (GS-6, step 3)	\$16.26	\$9.76	\$26.02

^a https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2016/GS_h.pdf

These rates are from the Office of Personnel Management (OPM), 2017 General Schedule, which excludes locality rates of pay. The rates have been increased by 60 percent to account for the benefit packages available to government employees. Details upon which this estimate is based appear below in Table 2: Average Annual EPA Burden and Cost – NESHAP for Hydrochloric Acid Production (40 CFR Part 63, Subpart NNNNN) (Amendments).

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

Based on our research for this ICR, there are 19 existing respondents currently subject to the standard, all of which will keep records and submit reports. It is estimated that no additional respondents will become subject to the regulation in the next 3 years. The average number of respondents is calculated using the following table that addresses the 3 years covered by this ICR:

Number of Respondents					
	Respondents That Submit Reports		Respondents That Do Not Submit Any Reports		
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	19	0	0	19
2	0	19	0	0	19
3	0	19	0	0	19
Average	0	19	0	0	19

¹ New respondents include sources with constructed and reconstructed 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 19.

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 $E=(B \times C)+D$
Notification of 5-year performance test/retest	6.33	1	0	6.33
Report of performance test/retest	6.33	1	0	6.33
Semiannual compliance reports	19	2	0	38
			Total	51

The number of Total Annual Responses is 51.

The total annual labor costs are \$2,200,000. Details regarding these estimates may be found below in Table 1: Annual Respondent Burden and Cost – NESHAP for Hydrochloric Acid Production (40 CFR Part 63, Subpart NNNNN) (Amendments).

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 in Tables 1 and 2, respectively, and summarized below.

(i) Respondent Tally

The total annual labor hours are 22,000. Details regarding these estimates may be found below in Table 1: Annual Respondent Burden and Cost – NESHAP for Hydrochloric Acid Production (40 CFR Part 63, Subpart NNNNN) (Amendments).

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 431 hours per response.

The total annual capital/startup and O&M costs to the regulated entity are \$0. The cost calculations are detailed in Section 6(b)(iii), Capital/Startup vs. Operation and Maintenance

(O&M) Costs.

(ii) The Agency Tally

The average annual Agency burden and cost over the next 3 years is estimated to be 464 labor hours at a cost of \$21,700. See Table 2: Average Annual EPA Burden and Cost – NESHAP for Hydrochloric Acid Production (40 CFR Part 63, Subpart NNNNN) (Amendments).

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 Hydrochloric Acid Production (40 CFR, Part 63, Subpart NNNNN). These amendments: (1) adjust references to the Part 63 General Provisions (40 CFR, Part 63, Subpart A) and revise provisions in the NESHAP (40 CFR Part 63, Subpart NNNNN) to remove the SSM exemption and SSM plan and periodic report requirements; (2) require electronic submittal of performance test results; and (3) make technical and editorial changes. Where applicable, adjustments for these amendments are reflected in Tables 1 and 2 of this ICR.

The burden estimate for reading and understanding the rule requirements was adjusted to reflect the time it would take industry to review the amended rule, including becoming familiar with the new requirement to electronically submit performance test results. Burden estimates were reduced for submitting periodic SSM reports after consultation with industry representatives. The previous estimate of SSM frequency was roughly an order of magnitude higher than the actual frequency, according to industry. The burden estimate for performance test report submittal was not adjusted to account for the new requirement that results of performance tests will be reported electronically through CEDRI using the ERT. The burden estimate of four hours in the current ICR for paper format submittal of performance test results is an appropriate estimate for electronic submittal of performance test results.

6(g) Burden Statement

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 431 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.

An electronic version of the public docket is available at <https://www.regulations.gov/> which may be used to obtain a copy of the draft collection of information, submit or view public comments, access the index listing of the contents of the docket and to access those documents in the public docket that are available electronically. When in the system, select “search,” then key in the docket ID number identified in this document. The documents are also available for public viewing at the Enforcement and Compliance Docket and Information Center in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Ave., NW, Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is (202) 566-1744, and the telephone number for the docket center is (202) 566-1752. Also, you can send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, DC 20503, Attention: Desk Officer for EPA. Please include the EPA Docket ID Number EPA-HQ-OECA-2011-0275 and OMB control number 2060-0529 in any correspondence.

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 Hydrochloric Acid Production (40 CFR Part 63, Subpart NNNNN) (Amendments)

Burden item	(A) Person- hours per occurrenc e	(B) No. of occurrences per respondent per year	(C) Person- hours per responde nt per year (C=AxB)	(D) Respondents per year ^a	(E) Technical Person- hours per year (E=CxD)	(F) Management person- hours per year (Ex0.05)	(G) Clerical person- hours per year (Ex0.1)	(H) Cost, \$ ^b
1. Applications	N/A							
2. Survey and Studies	N/A							
3. Reporting Requirements								
A. Familiarize with rule requirements ^c	4	1	4	19	76	3.8	7.6	\$5,670.02
B. Gather information ^c	4	1	4	0	0	0	0	\$0.00
C. Write reports								
Initial notification ^c	2	1	2	0	0	0	0	\$0.00
Application for construction ^c	2	1	2	0	0	0	0	\$0.00
Notification of intent to conduct performance test	2	1	2	3.8	7.6	0.38	0.76	\$567.00
Notification of compliance status ^c	19.5	1	19.5	19	370.5	18.525	37.05	\$27,641.34
First compliance report ^{c, d}	8.5	1	8.5	0	0	0	0	\$0.00
Semiannual compliance report ^e	4.5	2	9	38	342	17.1	34.2	\$25,515.08
Subsequent performance test reports ^f	4	1	4	0	0	0	0	\$0.00
Startup, shutdown, malfunction report ^g	2	10	20	0	0	0	0	\$0.00
Subtotal for Reporting Requirements					916			\$59,393
4. Recordkeeping Requirements								
A. Plan activities ^{c, h}	10	1	10	2	20	1	2	\$1,492.11

B. Implement activities								
Record startups, shutdown, malfunctions ⁱ	1	10	10	0	0	0	0	\$0.00
Conduct performance test	48.5	1	48.5	3.8	184.3	9.22	18.43	\$13,749.79
Record CPMS measurements ^j	1	365	365	19	6,935	346.75	693.5	\$517,389.14
^k CMPS calibration and maintenance	3.9	50	195	19	3,705	185.25	370.5	\$276,413.38
Check for and repair leaks ^l	1	365	365	19	6,935	346.75	693.5	\$517,389.14
Record maintenance activities	1	4	4	19	76	3.8	7.6	\$5,670.02
C. Develop record system								
^c Startup, shutdown, malfunction plan	40	1	40	0	0	0	0	\$0.00
Site-specific monitoring plan ^c	20	1	20	0	0	0	0	\$0.00
Site-specific test plan ^c	20	1	20	0	0	0	0	\$0.00
Leak detection and repair plan ^c	40	1	40	0	0	0	0	\$0.00
D. Time to train personnel			0			0	0	\$0.00
CPMS acquisition and installation ^c	20	1	20	0	0	0	0	\$0.00
CPMS inspection and monitoring ^c	4	1	4	0	0	0	0	\$0.00
E. Store, file, and maintain records ^m	20	1	20	19	380	19	38	\$28,350.09
F. Retrieve records/reports ⁿ	20	1	20	19	380	19	38	\$28,350.09
Subtotal for Recordkeeping Requirements						21,408		\$1,388,804
TOTAL LABOR BURDEN AND COST (rounded)						22,000		\$1,400,000
Capital and O&M Cost								\$162,000
Grand TOTAL								\$1,562,000

Assumptions:

- ^a We have assumed that the average number of respondents that will be subject to the rule will be 19. There will be no additional new sources that will become subject to the rule over the three-year period of this ICR.
- ^b This ICR uses the following labor rates: \$123.27 per hour for Executive, Administrative, and Managerial labor; \$64.37 per hour for Technical labor, and \$40.72 per hour for Clerical labor. These rates are from the United States Department of Labor, Bureau of Labor Statistics, June 2016, "Table 2. Civilian Workers, by Occupational and Industry group." The rates are from column 1, "Total Compensation." The rates have been increased by 110% to Account for the benefit packages available to those employed by private industry.
- ^c This is a one-time only activity for each facility and only sources that started up prior to April 17, 2003 are required to submit initial notification
- ^d We have assumed that no new respondents will prepare the first compliance report.
- ^e We have assumed that it will take each respondent 4.5 hours two times per-year to prepare the semiannual compliance report.
- ^f We have assumed that some facilities will take 4 hours to perform tests after the initial compliance determination , by either bringing a new product on line or by significantly increasing its production.
- ^g We have assumed that it will take each respondent two hours ten times a year to prepare a SSM report.
- ^h We have assumed that it will take each respondent 10 hours to record plan activities.
- ⁱ We have assumed that each respondent will have to implement SSM activities 10 times per-year.
- ^j We have assumed that respondents will have to record CPMS measurements 365 time per year.
- ^k We have assumed that respondents will have to implement CMPS calibration and maintenance activities 50 times per year.
- ^l We have assumed that respondent are required to check for and repair leaks 365 times per-year.
- ^m We have assumed that each respondent will take 20 hours once per-year to store, file and maintain records.
- ⁿ We have assumed that it will take respondent 20 hours to retrieve records/reports once per-year.

Table 2: Average Annual EPA Burden and Cost – NESHAP for Hydrochloric Acid Production (40 CFR Part 63, Subpart NNNNN) (Amendments)

Activity	(A) EPA person- hours per occurrence	(B) No. of occurrences per plant per year	(C) EPA person- hours per plant per year (C=AxB)	(D) Plants Per Year ^a	(E) Technical person- hours per year (E=CxD)	(F) Managemen t person- hours per year (Ex0.05)	(G) Clerical person- hours per year (Ex0.10)	(H) Cost, \$ ^b
Review initial notifications: construction/reconstruction, startup, applicability, compliance status ^a	2	1	2	0	0	0	0	\$0
Review notification of 5-year performance test/retest ^c	2	1	2	3.8	7.6	0.38	0.76	\$409.82
Review performance test/retest reports ^c	8	1	8	3.8	30.4	1.52	3.04	\$1,639.23
Semiannual compliance report with instances of failure to meet applicable standards ^d	16	2	32	3.8	121.6	6.08	12.16	\$6,556.92
Semiannual compliance report with no instances of failure to meet applicable standards ^d	8	2	16	15.2	243.2	12.16	24.32	\$13,113.84
TOTAL ANNUAL BURDEN AND COST (rounded) ^{e, f}						463.22 464		\$21,719.81 \$21,700

Assumptions:

^a There are an estimated 19 respondents (i.e., hydrochloric acid production facilities) which are subject to this standard. We have assumed that all sources are in compliance with initial rule requirements and that there will be no new facilities constructed over the 3-year period of this ICR.

^b This cost is based on the following labor rates which incorporates a 1.6 benefits multiplication factor to account for government overhead expenses: Technical rate of \$48.08 (GS-12, Step 1, \$30.05 + 60%), Managerial rate of \$64.80 (GS-13, Step 5, \$40.50 + 60%), and Clerical rate of \$26.02 (GS-6, Step 3, \$16.26 + 60%). These rates are from the OPM “2017 General Schedule” which excludes locality rates of pay.

^c The rule requires a performance test every 5 years since the initial test was conducted. We have assumed that 20 percent of the performance tests fail and will have to be repeated. There are an estimated 19 respondents. On average each year, the number of respondents conducting the performance test is 3.8 (19 / 5 = 3.8).

^d We have assumed that approximately 80 percent of the 19 respondents (or 15.2) will report no instances of failure to meet applicable standards twice a year and approximately 20 percent (or 3.8) will report instances of failure to meet applicable standards twice a year.

^e Totals have been rounded to 2 significant figures. Figures may not add exactly due to rounding.

^f The numbers used in the text for the final totals should be rounded values.

