

**SUPPORTING STATEMENT
ENVIRONMENTAL PROTECTION AGENCY**

Air Emission Standards for Tanks, Surface Impoundment and Containers (40 CFR Part 264, Subpart CC, and 40 CFR Part 265, Subpart CC) (Renewal)

1. Identification of the Information Collection

1(a) Title of the Information Collection

Air Emission Standards for Tanks, Surface Impoundment and Containers (40 CFR Part 264, Subpart CC, and 40 CFR Part 265, Subpart CC) (Renewal), EPA ICR Number 1593.11, OMB Control Number 2060-0318

1(b) Short Characterization/Abstract

The Air Emission Standards for Tanks, Surface Impoundment and Containers (40 CFR Part 264, Subpart CC and 40 CFR Part 265, Subpart CC) were: proposed on July 22, 1991; promulgated on December 6, 1994; and amended on November 25, 1996. These rules were amended most-recently on January 3, 2018 (83 FR 420).¹ These regulations apply to existing treatment, storage, and disposal facilities (TSDFs) that dispose of hazardous wastes in tanks, surface impoundments, and containers that are subject to Subparts I, J, or K of these parts, except for Sections 264.1, 265.1, and those management units identified at Sections 264.1080(b) and 265.1080(b). Also, the requirements of these Subparts apply to large quantity generators (LQGs) that manage hazardous wastes in either tanks or containers [Section 262.34(a)(1)(i and ii)]. New facilities include those that commenced construction or reconstruction after the date of proposal. This information is being collected to assure compliance with 40 CFR Part 264, Subpart CC, and 40 CFR Part 265, Subpart CC.

These standards are applicable to TSDFs subject to the existing RCRA Subtitle C permitting requirements. These standards require organic emission control equipment to be used on permitted and interim-status TSDFs tanks, surface impoundments, and containers that manage hazardous waste with an average volatile organic concentration at the point of waste generation greater than, or equal to 500 parts per million by weight (ppmw) on a mass-weighted average basis. In addition, the recommended standards are applicable to hazardous waste generators accumulating hazardous wastes in tanks and containers pursuant to conditions specified in 40 CFR Part 262.34 (a). These units are exempt from RCRA Subtitle C permitting requirements provided the waste generator accumulates waste in the unit for no more than 90 days and complies with the control requirements specified in 40 CFR Part 265, Subparts I and J.

These standards are not applicable to certain waste management units. For example, the requirements of the Subpart CC standards do not apply to: 1) a tank, or surface impoundment in which an owner or operator stops adding hazardous waste and begins undergoing closure, or which is closed in accordance with existing RCRA regulations; 2) a container that has a design

¹ The amendments to 40 CFR Part 264, Subpart CC and 40 CFR Part 265, Subpart CC published on January 3, 2018 include new requirements under Section 264.1086 and Section 265.1087 for containers. The increase in burden (fees) are covered under ICR No. 0801.22 and are not included in this ICR.

capacity less than 0.1 cubic meters (26.4 gallons); or 3) a tank, surface impoundment, or container that contains hazardous waste prior to the rule's effective date if no new hazardous waste is added to the unit on, or after, the effective date.

In general, all air emission 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 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 Air Emission Standards.

Any owner/operator subject to the provisions of this part shall maintain a file containing these documents, and retain the file for at least three 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.

All TSDFs and large quantity generators (LQGs) facilities in the United States are owned and operated by the TSDF and LQG industry (aka: the "Affected Public"). None of the facilities in the United States are owned by state, local, tribal or the Federal government. They are all owned and operated by privately-owned, for-profit businesses. We assume that they will all respond to EPA inquiries. The "burden" to the Affected Public may be found below in Table 1: Annual Respondent Burden and Cost – Air Emission Standards for Tanks, Surface Impoundment and Containers (40 CFR Part 264, Subpart CC, and 40 CFR Part 265, Subpart CC) (Renewal). The Federal Government's "burden" 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 – Air Emission Standards for Tanks, Surface Impoundment and Containers (40 CFR Part 264, Subpart CC, and 40 CFR Part 265, Subpart CC) (Renewal).

Over the next three years, approximately 6,760 respondents per year will be subject to these standards, and no additional respondents per year will become subject to these same standards. This estimate reflects an increase in the estimated number of respondents from the prior ICR, and is based on EPA ECHO data for TSDFs and LQGs subject to hazardous waste and Resource Conservation and Recovery Act requirements.

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

Organic air emissions from hazardous waste TSDFs can contain toxic chemical compounds. Cancer and other adverse non-cancerous human health effects can result from exposure to these emissions. Also, organic air emissions from TSDFs react photo-chemically with other compounds in the atmosphere to form ozone. Excessive ambient ozone concentrations

are a major air quality problem in many cities throughout the United States. Nationwide organic air emissions from TSDFs are estimated to be approximately 1 million megagram per year.

In 1984, Congress passed the Hazardous and Solid Waste Amendments (HSWA) to the RCRA of 1976. Section 3004(n) of HSWA directs the EPA to promulgate regulations for the monitoring and control of air emissions from TSDFs as may be necessary to protect human health and the environment. Recommended standards have been developed by the EPA under the authority of Sections 3002 and 3004 of RCRA to reduce organic air emissions from certain TSDF tanks, surface impoundments, and containers, as well as for certain hazardous waste generator accumulation tanks.

The experience of the EPA in implementing and enforcing New Source Performance Standards (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAP) promulgated under authority of the Clean Air Act has demonstrated that certain information must be collected to ensure compliance with air emission standards. Information collection is needed by the EPA for this rulemaking to determine: a) whether a hazardous waste contains sufficiently low concentrations of volatile organics to allow the waste to be managed in a tank, surface impoundment, or container without the use of emission controls; and b) for units requiring emission controls, whether the controls are being properly operated and maintained.

2(b) Practical Utility/Users of the Data

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

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.

The collected information will be used by the EPA enforcement personnel to ensure that the requirements of the recommended rules are being properly applied and that emission control devices are being properly operated and maintained on a continuous basis. In addition, records and reports are necessary to enable the EPA to identify TSDF owners or operators that may not be operating in compliance with these standards. The reported information is used by the EPA to target TSDFs for inspection and identify what records, or waste management units should be inspected at the TSDF. The information that TSDF owners or operators are required to maintain is recorded in sufficient detail to enable owners or operators to demonstrate their means of complying with the applicable standards. The data collected by the affected facility is retained at the facility for a minimum of three years. In addition, the information collected from the recordkeeping and reporting requirements is of sufficient quality to be used as evidence in court.

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

The requested recordkeeping and reporting are required under 40 CFR Part 264, Subpart CC, and 40 CFR Part 265, Subpart CC.

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

An announcement of a public comment period for the renewal of this ICR was published in the *Federal Register* (85 FR 28003) on May 12, 2020. No comments were received on the burden published in the *Federal Register* for this renewal.

3(c) Consultations

The Agency has consulted industry experts and internal data sources to project the number of affected facilities and industry growth over the next three years. The primary source of information as reported by industry, in compliance with the recordkeeping and reporting provisions in these standards, is the Integrated Compliance Information System (ICIS). ICIS is EPA's database for the collection, maintenance, and retrieval of compliance data for industrial and government-owned facilities. A search of the Agency's ECHO database of sources subject to hazardous waste and Resource Conservation and Recovery Act requirements found 637 TSDFs with an ICIS Air ID within the NAICS codes of "31-33" series and 6,123 LQGs with an ICIS Air ID within the NAICS codes of "31-33" series. Based on this information, the Agency has revised the estimate of respondents subject to the standard over the three-year period covered by this ICR to 6,760, which represents an increase of 551 from the previous ICR. The growth rate for the industry is based on our consultations with the Agency's internal industry experts.

Industry trade associations and other interested parties were provided an opportunity to comment on the burden associated with these standards as they were being developed and these same standards have been reviewed previously to determine the minimum information needed for compliance purposes. In developing this ICR, we contacted the American Chemistry Council, at (202) 293-8020, and the Synthetic Organic Chemical Manufacturing Association, at (571) 348-5100.

It is our policy to respond after a thorough review of comments received since the last ICR renewal, as well as for those submitted in response to the first *Federal Register* notice. In this case, no comments were received.

3(d) Effects of Less-Frequent Collection

Less-frequent information collection would decrease the margin of assurance that facilities are continuing to meet these 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.

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

The respondents to the recordkeeping and reporting requirements are facilities that treat, store, or dispose of RCRA Subtitle C hazardous waste. 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 shown in the following table:

Standards (40 CFR Part 264, Subpart CC, and 40 CFR Part 265, Subpart CC)	SIC Codes	NAICS Codes
Manufacturing – All Categories	20XX – 39XX	31XXXX - 33XXXX
Hazardous Waste Treatment and Disposal	4953	562211

4(b) Information Requested

(i) Data Items

In this ICR, all the data that is recorded or reported is required by the Air Emission Standards for Tanks, Surface Impoundment and Containers (40 CFR Part 264, Subpart CC, and 40 CFR Part 265, Subpart CC).

A source must make the following reports:

Notifications	
The owner or operator notifies the Regional Administrator (RA) in writing that hazardous waste generated by an organic peroxide manufacturing process, or processes meeting the conditions of paragraph (d)(1) of this section are managed at the facility in tanks, or containers meeting the conditions of paragraph (d)(2) of this section.	§264.1080(d)(3)
Notwithstanding the exemption, the Stonewall Plant at Elkton, WV must still comply with §264.1085 and all that is referenced there including complying with §264.1087, §264.1089, and the part of §264.1090 applicable to surface impoundments and/or closed-vent systems and control devices.	§264.1080(e)(2)
The Sistersville, WV plant shall provide to the EPA and WVDEP written notification of the actual date of initial startup of the thermal incinerator, and commencement of the methanol recovery operation.	§264.1080(f)(2)(i)(B)
Prior to each inspection of the internal floating roof the owner or operator shall notify the RA in advance of each inspection to provide the RA with the opportunity to have an observer present during the inspection.	§264.1084(e)(3)(iv), §265.1085(e)(3)(iv)
Prior to each visual inspection of an internal floating roof in a tank that has been emptied and degassed, written notification shall be prepared and sent by the owner or operator so that it is received by the RA at least 30 calendar days before refilling the tank except when an inspection is not planned as provided for in paragraph (e)(3)(iv)(B) of this section.	§264.1084(e)(3)(iv)(A), §265.1085(e)(3)(iv)(A)
When a visual inspection is not planned and the owner or operator could not have known about the inspection 30 calendar days before refilling the tank, the owner or operator shall notify the RA as soon as possible, but no later than 7 calendar days before refilling of the tank.	§264.1084(e)(3)(iv)(B), §265.1085(e)(3)(iv)(B)

Reports	
The reporting requirements of §264.1090 are applicable to the Sistersville, WV plant and are applicable to surface impoundments and closed-vent systems with control devices associated with surface impoundments.	§264.1080(f)(1)(iv)

Reports	
The Sistersville, WV plant shall comply with the reporting requirements of paragraphs §264.1080(f)(2)(viii)(A) through (G) of this section.	§264.1080(f)(2)(viii)
Each owner or operator managing hazardous waste in a tank, surface impoundment, or container exempted from using air emission controls as specified under 40 CFR §264.1082(c) shall report to the RA each occurrence when hazardous waste is placed in a waste management unit in noncompliance with 40 CFR §264.1082(c)(1), or (c)(2) of this part, as applicable. The owner or operator shall submit a written report within 15 calendar days of the time that they become aware of the occurrence.	§264.1090(a)
Each owner or operator using air emission controls on a tank in accordance with 40 CFR §264.1084(c) of this subpart shall report to the RA each occurrence when hazardous waste is managed in a tank in noncompliance with 40 CFR §264.1084(b) of this subpart. The owner or operator shall submit a written report within 15 calendar days of the time that they become aware of the occurrence.	§264.1090(b)
Each owner or operator using control device in accordance with 40 CFR §264.1087 of this subpart shall submit a semiannual report to the RA.	§264.1090(c)
A report to the RA in accordance with the requirements of paragraph (c) of this section is not required for a 6-month period during which all control devices subject to this subpart are operated by the owner or operator such that: (1) During no period of 24 hours, or longer did a control device operate continuously in noncompliance with the applicable operating values defined in §264.1035(c)(4); and (2) No flare was operated with visible emissions for 5 minutes, or longer in a 2-hour period, as defined in §264.1033(d).	§264.1090(d)

A source must keep the following records:

Recordkeeping	
The owner or operator must keep a written operating record of his facility.	§264.73, §265.73

Recordkeeping	
The requirements of this subpart, except for the recordkeeping requirements specified in §264.1089(i) of this subpart, are administratively stayed for a tank, or container used for the management of hazardous waste generated by organic peroxide manufacturing.	§264.1080(d)
The requirements of this subpart, except for the recordkeeping requirements specified in §265.1090(i) of this subpart, are administratively stayed for a tank, or container used for the management of hazardous waste generated by organic peroxide manufacturing.	§265.1080(d)
The owner or operator prepares documentation in accordance with §264.1089(i) of this subpart, explaining why an undue safety hazard would be created if air emission controls specified in §264.1084 through §264.1087 of this subpart are installed and operated on the tanks and containers used at the facility to manage the hazardous waste generated by the organic peroxide manufacturing process, or processes meeting the conditions of paragraph (d)(1) of this section.	§264.1080(d)(2)
The owner or operator prepares documentation in accordance with §265.1090(i) of this subpart, explaining why an undue safety hazard would be created if air emission controls specified in §265.1085 through §265.1088 of this subpart are installed and operated on the tanks and containers used at the facility to manage the hazardous waste generated by the organic peroxide manufacturing process, or processes meeting the conditions of paragraph (d)(1) of this section.	§265.1080(d)(2)
The Sistersville, WV plant shall keep on-site, up to date records of the information described in paragraphs (f)(2)(ii)(C)(1) through (f)(2)(ii)(C)(4) of this section.	§264.1080(f)(2)(ii)(C), §265.1080(f)(2)(ii)(C)
The Sistersville, WV plant shall develop and implement a startup plan as required by the provisions set forth in paragraph (f)(2)(ii)(D) of this section.	§264.1080(f)(2)(ii)(D)(1), §265.1080(f)(2)(ii)(D)(1)
The Sistersville, WV plant shall maintain a record of the defect repair in accordance with the requirements specified in paragraph (f)(2)(iii)(D) of this section.	§264.1080(f)(2)(iii)(C)(3) (ii), §265.1080(f)(2)(iii) (C)(3)(ii)
The Sistersville, WV plant shall keep on-site up to date readily accessible records of the inspections and repairs required to be performed by paragraph (f)(2)(iii) of this section.	§264.1080(f)(2)(iii)(D), §265.1080(f)(2)(iii)(D)
The Sistersville, WV plant shall record the dates and times during which the capper unit and the condenser are operating.	§264.1080(f)(2)(iv)(B)(3), §265.1080(f)(2)(iv)(B)(3)

Recordkeeping	
The Sistersville, WV plant shall keep on-site up to date records of the parameters specified to be monitored under paragraph (f)(2)(iv) (B) of this section.	§264.1080(f)(2)(iv)(C), §265.1080(f)(2) (iv)(C)
The Sistersville, WV plant shall keep on-site up to date readily accessible records of the amounts of collected methanol directed to reuse, recovery, thermal recovery/treatment and bio-treatment necessary for the measurements required under paragraph (f)(2)(iv) (B) of this section.	§264.1080(f)(2)(v)(C), §265.1080(f)(2)(v)(C)
The Sistersville, WV plant shall maintain on-site each record required by paragraph (f)(2) of this section through the MON compliance date.	§264.1080(f)(2)(vii), §265.1080(f)(2)(vii)
Within 30 days of the date the Sistersville Plant receives written notice of the revocation under paragraph (f)(3)(iv) of this section, the Sistersville Plant shall enter and maintain in the facility operating record an implementation schedule.	§264.1080(g)(1)(ii), §265.1080(g)(1)(ii)
Perform initial inspection of the fixed roof and its closure devices on, or before the date that the tank becomes subject to this section and, thereafter, at least once per year.	§264.1084(c)(4)(ii), §265.1085(c)(4)(ii)
Maintain a record of the inspection required by §264.1084(c)(4)(ii) in accordance with the requirements in §264.1089(b) of this subpart.	§264.1084(c)(4)(iv)
Maintain a record of the inspection required by §264.1085(c)(4)(ii) in accordance with the requirements in §265.1090(b) of this subpart.	§264.1085(c)(4)(iv)
The owner or operator shall maintain a record of the inspection in accordance with the requirements specified in §264.1089(b) of this subpart.	§264.1084(e)(3)(vi)
The owner or operator shall maintain a record of the inspection in accordance with the requirements specified in §265.1090(b) of this subpart.	§265.1085(e)(3)(vi)
The owner or operator shall perform measurements of the gaps between the tank wall and the primary seal within 60 calendar days after initial operation of the tank following installation of the floating roof and, thereafter, at least once every 5 years.	§264.1084(f)(3)(i)(A), §265.1085(f)(3)(i)(A)
The owner or operator shall perform measurements of the gaps between the tank wall and the secondary seal within 60 calendar days after initial operation of the tank following installation of the floating roof and, thereafter, at least once every year.	§264.1084(f)(3)(i)(B), §265.1085(f)(3)(i)(B)

Recordkeeping	
The owner or operator shall maintain a record of the inspection in accordance with the requirements specified in §264.1089(b) of this subpart.	§264.1084(f)(3)(i)(F)
The owner or operator shall maintain a record of the inspection in accordance with the requirements specified in §265.1090(b) of this subpart.	§265.1085(f)(3)(i)(F)
The owner or operator shall perform an initial inspection of the external floating roof and its closure devices on, or before the date that the tank becomes subject to this standard. Thereafter, the owner or operator shall perform these inspections at least once every year.	§264.1084(f)(3)(ii)(B), §265.1085(f)(3)(ii)(B)
The owner or operator shall maintain a record of the inspection in accordance with the requirements specified in §264.1089(b) of this subpart.	§264.1084(f)(3)(ii)(D)
The owner or operator shall maintain a record of the inspection in accordance with the requirements specified in §265.1090(b) of this subpart.	§265.1085(f)(3)(ii)(D)
Prior to each inspection of the external floating roof the owner or operator shall notify the RA in advance of each inspection to provide the RA with the opportunity to have an observer present during the inspection.	§264.1084(f)(3)(iii), §265.1085(f)(3)(iii)
Prior to each inspection to measure external floating roof seal gaps as required under paragraph (f)(3)(i) of this section, written notification shall be prepared and sent by the owner or operator so that it is received by the RA at least 30 calendar days before the measurements are scheduled to be performed.	§264.1084(f)(3)(iii)(A), §265.1085(f)(3)(iii)(A)
Prior to each visual inspection of the external floating roof in a tank that has been emptied and degassed, written notification shall be prepared and sent by the owner or operator so that it is received by the RA at least 30 calendar days before refilling the tank, except when an inspection is not planned as provided for in paragraph (f)(3)(iii)(C) of this section.	§264.1084(f)(3)(iii)(B), §265.1085(f)(3)(iii)(B)
When a visual inspection is not planned and the owner or operator could not have known about the inspection 30 calendar days before refilling the tank, the owner or operator shall notify the RA as soon as possible, but no later than 7 calendar days before refilling of the tank.	§264.1084(f)(3)(iii)(C), §265.1085(f)(3)(iii)(C)

Recordkeeping	
The owner or operator shall perform an initial inspection of the air emission control equipment on, or before the date that the tank becomes subject to this section. Thereafter, the owner or operator shall perform these inspections at least once every year.	§264.1084(g)(3)(iii), §265.1085(g)(3)(iii)
The owner or operator shall maintain a record of the inspection in accordance with the requirements specified in §264.1089(b) of this subpart.	§264.1084(g)(3)(v)
The owner or operator shall maintain a record of the inspection in accordance with the requirements specified in §265.1090(b) of this subpart.	§265.1085(g)(3)(v)
The owner or operator who uses an enclosure vented through a closed-vent system to an enclosed combustion control device to control air pollution emission shall perform the verification procedure for the enclosure as specified in Section 5.0 to Procedure T-Criteria for and Verification of a Permanent or Temporary Total Enclosure” initially when the enclosure is first installed and, thereafter, annually.	§264.1084(i)(1), §265.1085(i)(1)
Prepare a written explanation for the cover stating the reasons why the cover is unsafe to inspect and monitor.	§264.1084(l)(1)(i), §265.1085(l)(1)(i)
Develop and implement a written plan and schedule to inspect and monitor the cover, using the procedures specified in the applicable section of this subpart, as frequently as practicable during those times when a worker can safely access the cover.	§264.1084(l)(1)(ii), §265.1085(l)(1)(ii)
The owner or operator shall perform an initial inspection of the floating membrane cover and its closure devices on, or before the date that the surface impoundment becomes subject to this section. Thereafter, the owner or operator shall perform these inspections at least once every year.	§264.1085(c)(3)(ii), §265.1086(c)(3)(ii)
The owner or operator shall maintain a record of the inspection in accordance with the requirements specified in §264.1089(c) of this subpart.	§264.1085(c)(3)(iv)
The owner or operator shall maintain a record of the inspection in accordance with the requirements specified in §265.1090(c) of this subpart.	§265.1086(c)(3)(iv)
The owner or operator shall perform an initial inspection of the air emission control equipment on, or before the date that the surface impoundment becomes subject to this section. Thereafter, the owner or operator shall perform these inspections at least once every year.	§264.1085(d)(3)(iii), §265.1086(d)(3)(iii)

Recordkeeping	
The owner or operator shall maintain a record of the inspection in accordance with the requirements specified in §264.1089(c) of this subpart.	§264.1085(d)(3)(v)
The owner or operator shall maintain a record of the inspection in accordance with the requirements specified in §265.1090(c) of this subpart.	§265.1086(d)(3)(v)
Prepare a written explanation for the cover stating the reasons why the cover is unsafe to inspect visually, or to monitor if required.	§264.1085(g)(1), §265.1086(g)(1)
Develop and implement a written plan and schedule to inspect and monitor the cover using the procedures specified in the applicable section of this subpart as frequently as practicable during those times when a worker can safely access the cover.	§264.1085(g)(2), §265.1086(g)(2)
When a hazardous waste is already in the container at the time the owner or operator first accepts possession of the container and the container is not emptied within 24 hours after the container is accepted the owner or operator shall visually inspect the container and its cover and closure devices.	§264.1086(c)(4)(i), §264.1086(d)(4)(i), §265.1087(c)(4)(i), §265.1087(d)(4)(i)
When a container used for managing hazardous waste remains at the facility for a period of one year, or more the owner or operator shall visually inspect the container and its cover and closure devices initially and, thereafter, at least once every 12 months.	§264.1086(c)(4)(ii), §264.1086(d)(4)(ii), §265.1087(c)(4)(ii), §265.1087(d)(4)(ii)
The owner or operator shall maintain at the facility a copy of the procedure used to determine that containers with capacity of 0.46 cubic meters, or greater, which do not meet the DOT regulations as specified in paragraph (f) of this section, are not managing hazardous waste in light material service.	§264.1086(c)(5), §265.1087(c)(5)
Owners or operators that use Container Level 3 controls in accordance with the provisions of this subpart shall prepare and maintain the records specified in §264.1089(d) of this subpart.	§264.1086(e)(5)
Owners or operators that use Container Level 3 controls in accordance with the provisions of this subpart shall prepare and maintain the records specified in §265.1090(d) of this subpart.	§265.1087(e)(5)
For closed-vent systems and control devices: the closed-vent system joints, seams, or other connections that are permanently, or semi-permanently sealed, shall be visually inspected at least once per year.	§264.1087(b)(4), §264.1033(l)(1)(ii)(A)
Closed vent components, or connections other than those specified in paragraph (l)(1)(ii)(A) of this section shall monitor annually and at other times specified by the RA.	§264.1087(b)(4), §264.1033(l)(1)(ii)(B)

Recordkeeping	
For closed-vent systems and control devices that operate at pressure below atmospheric pressure: the owner or operator shall perform an initial inspection of the closed vent system on, or before the system becomes subject to this section, and at least once per year.	§264.1087(b)(4), §264.1033(l)(2)(ii)
The owner or operator shall maintain a record of the inspection and monitoring in accordance with the requirements specified in §264.1035 of this subpart.	§264.1087(b)(4), §264.1033(l)(2)(iv)
The owner or operator shall maintain a record of the defect repair in accordance with the requirements specified in §264.1035 of this subpart.	§264.1087(b)(4), §264.1033(l)(3)(iv)
The owner or operator using a carbon adsorption system to control air pollution emissions shall document the proper disposal of spent hazardous carbon.	§264.1087(b)(4), §264.1033(n)
The owner or operator shall demonstrate compliance with the requirement that period of planned routine maintenance of the control device, during which the control device does not properly control emissions as required by §264.1087(c)(1), shall not exceed 240 hours, by recording the information specified in §264.1089(e)(1)(v).	§264.1087(c)(2)(iv)
The owner or operator shall demonstrate compliance with the requirement that period of planned routine maintenance of the control device, during which the control device does not properly control emissions as required by §265.1088(c)(1), shall not exceed 240 hours, by recording the information specified in §265.1090(e)(1)(v).	§265.1088(c)(2)(iv)
The owner or operator shall develop and implement a written plan and schedule to perform the inspections and monitoring required by paragraph (a) of this section. The owner or operator shall incorporate this plan and schedule into the facility inspection plan required under 40 CFR §264.15.	§264.1088(b)
The owner or operator shall develop and implement a written plan and schedule to perform the inspections and monitoring required by paragraph (a) of this section. The owner or operator shall incorporate this plan and schedule into the facility inspection plan required under 40 CFR §265.15.	§265.1089(b)
Each owner or operator of a facility subject to the requirements of this subpart shall record and maintain the information specified in paragraphs (b) through (j) of this section.	§264.1089(a), §265.1090(a)

Recordkeeping	
The owner or operator of a tank using air emission controls in accordance with the requirements of §264.1084 of this subpart shall prepare and maintain records.	§264.1089(b)
The owner or operator of a tank using air emission controls in accordance with the requirements of §265.1085 of this subpart shall prepare and maintain records.	§265.1090(b)
The owner or operator of a surface impoundment using air emission controls in accordance with the requirements of §264.1085 of this subpart shall prepare and maintain records for the surface impoundment.	§264.1089(c)
The owner or operator of a surface impoundment using air emission controls in accordance with the requirements of §265.1086 of this subpart shall prepare and maintain records for the surface impoundment.	§265.1090(c)
The owner or operator of containers using Container Level 3 air emission controls in accordance with the requirements of §264.1086 of this subpart shall prepare and maintain records.	§264.1089(d)
The owner or operator of containers using Container Level 3 air emission controls in accordance with the requirements of §265.1087 of this subpart shall prepare and maintain records.	§265.1090(d)
The owner or operator using a closed-vent system and control device in accordance with the requirements of §264.1087 of this subpart shall prepare and maintain records.	§264.1089(e)
The owner or operator using a closed-vent system and control device in accordance with the requirements of §265.1088 of this subpart shall prepare and maintain records.	§265.1090(e)
The owner or operator of a tank, surface impoundment, or container exempted from standards in accordance with the provisions of §264.1082(c) of this subpart shall prepare and maintain records.	§264.1089(f)
The owner or operator of a tank, surface impoundment, or container exempted from standards in accordance with the provisions of §265.1083(c) of this subpart shall prepare and maintain records.	§265.1090(f)

Recordkeeping	
An owner or operator designating a cover as “unsafe to inspect and monitor” pursuant to §264.1084(l), or §264.1085(g) of this subpart shall record in a log kept in the facility operating record the following information: The identification numbers for waste management units with covers that are designated as “unsafe to inspect and monitor,” the explanation for each cover stating why the cover is unsafe to inspect and monitor, and the plan and schedule for inspecting and monitoring each cover.	§264.1089(g)
An owner or operator designating a cover as “unsafe to inspect and monitor” pursuant to §265.1085(l), or §265.1086(g) of this subpart shall record in a log kept in the facility operating record the following information: The identification numbers for waste management units with covers that are designated as “unsafe to inspect and monitor,” the explanation for each cover stating why the cover is unsafe to inspect and monitor, and the plan and schedule for inspecting and monitoring each cover.	§265.1090(g)
The owner or operator of a facility that is subject to this subpart and to the control device standards in 40 CFR part 60, subpart VV, or 40 CFR part 61, subpart V, may elect to demonstrate compliance with the applicable sections of this subpart by documenting either pursuant to this subpart, or pursuant to the provisions of 40 CFR part 60, subpart VV, or 40 CFR part 61, subpart V, to the extent that the documentation required by 40 CFR parts 60 and 61 duplicates the documentation required by this section.	§264.1089(h), §265.1090(h)
For each tank or container not using air emission controls specified in §264.1084 through §264.1087 of this subpart in accordance with the conditions specified in §264.1080(d) of this subpart shall record and maintain the following information: (1) A list of the individual organic peroxide compounds manufactured at the facility that meet the conditions specified in §264.1080(d)(1). (2) A description of how the hazardous waste containing the organic peroxide compounds identified in paragraph (i)(1) are managed at the facility in tanks and containers. (3) An explanation of why managing the hazardous waste containing the organic peroxide compounds identified in paragraph (i)(1) of this section in the tanks and containers as described in paragraph (i)(2) of this section would create an undue safety hazard if the air emission controls, as required under §264.1084 through §264.1087 of this subpart, are installed and operated on these waste management units.	§264.1089(i)

Recordkeeping	
<p>For each tank, or container not using air emission controls specified in §265.1085 through §265.1088 of this subpart in accordance with the conditions specified in §265.1080(d) of this subpart shall record and maintain the following information:</p> <p>(1) A list of the individual organic peroxide compounds manufactured at the facility that meet the conditions specified in §265.1080(d)(1)</p> <p>(2) A description of how the hazardous waste containing the organic peroxide compounds identified in paragraph (i)(1) are managed at the facility in tanks and containers.</p> <p>(3) An explanation of why managing the hazardous waste containing the organic peroxide compounds identified in paragraph (i)(1) of this section in the tanks and containers as described in paragraph (i)(2) of this section would create an undue safety hazard if the air emission controls, as required under §265.1085 through §265.1088 of this subpart, are installed and operated on these waste management units.</p>	§265.1090(i)
<p>For each hazardous waste management unit not using air emission controls specified in §264.1084 through §264.1087 of this subpart in accordance with the requirements of §264.1080(b)(7) of this subpart, the owner and operator shall record and maintain the following information:</p> <p>(1) Certification that the waste management unit is equipped with and operating air emission controls in accordance with the requirements of an applicable Clean Air Act regulation codified under 40 CFR part 60, part 61, or part 63.</p> <p>(2) Identification of the specific requirements codified under 40 CFR part 60, part 61, or part 63 with which the waste management unit is in compliance.</p>	§264.1089(j)
<p>For each hazardous waste management unit not using air emission controls specified in §265.1085 through §265.1088 of this subpart in accordance with the requirements of §265.1080(b)(7) of this subpart, the owner and operator shall record and maintain the following information:</p> <p>(1) Certification that the waste management unit is equipped with and operating air emission controls in accordance with the requirements of an applicable Clean Air Act regulation codified under 40 CFR part 60, part 61, or part 63.</p> <p>(2) Identification of the specific requirements codified under 40 CFR part 60, part 61, or part 63 with which the waste management unit is in compliance.</p>	§265.1090(j)

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. Additionally, the amendments to 40 CFR Part 264, Subpart E and 40 CFR Part 265, Subpart E published on January 3, 2018 require facilities subject to 40 CFR Part 264, Subpart CC and 40 CFR Part 265, Subpart CC to submit hazardous waste manifests electronically through EPA's e-Manifest system and pay a user fee. The increase in burden is covered under ICR No. 0801.22 and is not included in this ICR.

(ii) Respondent Activities

Respondent Activities
Familiarization with the regulatory requirements.
Install, calibrate, maintain, and operate any CMS for temperature, flow rate, leak detection, pressure drop and other parameters associated with monitoring of proper operations of the air pollution control devices.
Perform initial performance test, Reference Method 1 or 1A, Method 2, 2A, 2C, or 2D, 3B, 18, 21, 25D, 25E, 27, 301, and ASTM Method 2879-92 tests, 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 collecting, validating, and verifying information.
Develop, acquire, install, and utilize technology and systems for processing and maintaining information.
Develop, acquire, install, and utilize technology and systems for 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.
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 standard and 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 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. The EPA uses ICIS 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 this data.

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

5(c) Small Entity Flexibility

A majority of the respondents are large entities (i.e., large businesses). However, the impact on small entities (i.e., small businesses) was taken into consideration during the development of the regulation. Due to technical considerations involving the process operations and the types of control equipment employed, the recordkeeping and reporting requirements are the same for both small and large entities. The Agency considers these to be the minimum requirements needed to ensure compliance and, therefore, cannot reduce them further for small entities. To the extent that larger businesses can use economies of scale to reduce their burden, the overall burden will be reduced.

5(d) Collection Schedule

The specific frequency for each information collection activity within this request is shown at the end of this document in Table 1: Annual Respondent Burden and Cost – Air Emission Standards for Tanks, Surface Impoundment and Containers (40 CFR Part 264, Subpart CC, and 40 CFR Part 265, Subpart CC) (Renewal).

6. Estimating the Burden and Cost of the Collection

Table 1 below documents the computation of individual burdens for the recordkeeping and reporting requirements applicable to the industry for each of the subparts 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 neither conduct nor 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 775,000 hours (Total Labor Hours from Table 1 below). These hours are based on Agency studies and background documents from the development of the regulation, Agency knowledge and experience with the RCRA 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	\$148.45 (\$70.69 + 110%)
Technical	\$121.46 (\$57.84 + 110%)
Clerical	\$60.23 (\$28.68 + 110%)

These rates are from the United States Department of Labor, Bureau of Labor Statistics, March 2020, “Table 2. Civilian Workers, by occupational and industry group.” The rates are from column 1, “Total compensation.” 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 standards 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 these regulations. 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)
Organic emission control equipment	\$0	\$0	\$0	\$2,000	6,760	\$13,520,000
Total ^a			\$0			\$13,500,000

^a 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 \$0. This is the total of column D in the above table.

The total operation and maintenance (O&M) costs for this ICR are \$13,500,000. This is the total of column G.

The average annual cost for capital/startup and operation and maintenance costs to industry over the next three years of the ICR is estimated to be \$13,500,000. These are the recordkeeping costs.

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 such activities 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 \$384,000.

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

Managerial	\$68.37 (GS-13, Step 5, \$42.73 + 60%)
Technical	\$50.72 (GS-12, Step 1, \$31.70 + 60%)
Clerical	\$27.46 (GS-6, Step 3, \$17.16 + 60%)

These rates are from the Office of Personnel Management (OPM), 2020 General Schedule, which excludes locality rates of pay. The rates have been increased by 60 percent to account for the benefit packages available to Federal government employees. Details upon which this estimate is based appear at the end of this document in Table 2: Average Annual EPA Burden and Cost – Air Emission Standards for Tanks, Surface Impoundment and Containers (40 CFR Part 264, Subpart CC, and 40 CFR Part 265, Subpart CC) (Renewal).

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 6,760 existing respondents will be subject to these standards. It is estimated that no additional respondents per year will become subject to these same standards. The overall average number of respondents, as shown in the table below, is 6,760 per year.

The number of respondents is calculated using the following table that addresses the three 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 ^a	(B) Number of Existing Respondents ^b	(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	2,132	4,628	0	6,760
2	0	2,132	4,628	0	6,760
3	0	2,132	4,628	0	6,760
Average	0	2,132	4,628	0	6,760

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

^b See the assumptions discussion below to determine the number of respondents that submit reports, including notifications, semiannual and other reports.

Column D is subtracted to avoid double-counting respondents. As shown above, the average Number of Respondents over the three-year period of this ICR is 6,760.

Semiannual Reporting

It is assumed that 0.5 percent of control devices malfunction resulting in the need for a semiannual report. The Sistersville Plant XL project always reports semiannually.

$$0.5\% \text{ of } 6,760 = 33.8, \text{ rounded to } 34$$

$$34 + \text{ Sistersville Plant} = 35 \text{ (Semiannual Reports)}$$

Other Reports

For exceedances it is assumed that 1 percent of waste determination results in exceedance annually. This would result in the need for a report to EPA within 15 calendar days. Therefore, 1 percent of the regulated universe would submit a report to EPA within 15 calendar days, once per year. We also assumed that the Sistersville Plant XL project will submit an annual report.

(1% of 6,760 = 67.6, rounded to 68 (Report to EPA within 15 calendar days, once per year) + 1 annual report for the Sisterville Plant XL project = 69 (Other reports)).

Notification Reports

It is assumed that 10 percent of sources with internal floating roofs and 20 percent of sources with external floating roofs will require notifications annually. One facility notifies EPA that they will use the hydrogen peroxide management exemption (40 CFR 264.1080(d) and 40 CFR 265.1080(d)).

(10% of 6,760 = 676
20% of 6,760 = 1,352

676 + 1,352 + 1 facility using hydrogen peroxide exemption = 2,029
(Notification Reports))

Therefore, the total number of existing respondents that submit reports is 35 + 69 + 2,029 = 2,133.

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
Notification report for internal and external floating roof	2,028	1	0	2,028
Notification of hydrogen peroxide management exemption	1	1	0	1
Semiannual report	35	2	0	70
Annual exceedance report	68	1	0	68
Annual Sisterville Plant project report	1	1	0	1
Recordkeeping requirements	0	0	4,628	4,628
Total	2,132^a			6,796

^a In this total, the Sisterville plant is not counted twice.

As seen above, the number of Total Annual Responses is 6,796.

The total annual labor costs are \$91,000,000. Details regarding these estimates may be found at the end of this document in Table 1: Annual Respondent Burden and Cost – Air Emission Standards for Tanks, Surface Impoundment and Containers (40 CFR Part 264, Subpart CC, and 40 CFR Part 265, Subpart CC) (Renewal).

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 at the end of this document, respectively, and summarized below.

(i) Respondent Tally

The total annual labor hours are 775,000 hours (rounded). Details regarding these estimates may be found at the end of this document in Table 1: Annual Respondent Burden and Cost – Air Emission Standards for Tanks, Surface Impoundment and Containers (40 CFR Part 264, Subpart CC, and 40 CFR Part 265, Subpart CC) (Renewal).

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 114 hours per response.

The total annual capital/startup and O&M costs to the regulated entity are \$13,500,000. The cost calculations are detailed above 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 three years is estimated to be 7,760 labor hours at a cost of \$384,000; see below in Table 2: Average Annual EPA Burden and Cost – Air Emission Standards for Tanks, Surface Impoundment and Containers (40 CFR Part 264, Subpart CC, and 40 CFR Part 265, Subpart CC) (Renewal).

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

There is an adjustment increase in the total estimated burden as currently identified in the OMB Inventory of Approved Burdens. This increase is not due to any program changes; these

regulations have not changed over the past three years and are not anticipated to change over the next three years. The Agency estimate of the number of respondents has increased and there is an attendant increase in the cost of monitoring, recordkeeping, and reporting. The increase in the estimated number of respondents is due to a re-examination of the Agency's ECHO database of sources subject to hazardous waste and Resource Conservation and Recovery Act requirements.

6(g) Burden Statement

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 114 hours per response. 'Burden' means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information either 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 neither conduct nor 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.

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-OECA-2013-0333. An electronic version of the public docket is available at <http://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-2013-0333 and OMB Control Number 2060-0318 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 – Air Emission Standards for Tanks, Surface Impoundment and Containers (40 CFR Part 264, Subpart CC, and 40 CFR Part 265, Subpart CC) (Renewal)

Burden item	(A) Person hours per occurrence	(B) No. of occurrences per respondent per year	(C) Person hours per respondent per year (C=AxB)	(D) Respondents per year ^a	(E) Technical person- hours per year (E=CxD)	(F) Management person hours per year (F=Ex0.05)	(G) Clerical person hours per year (G=Ex0.1)	(H) Total Cost Per Year (\$) ^b
1. Applications	N/A							
2. Survey and Studies	N/A							
3. Reporting requirements								
A. Familiarize with regulatory requirements ^c	4	1	4	6,760	27,040	1,352	2,704	\$3,647,844.72
B. Required activities	N/A							
C. Create information	N/A							
D. Gather existing information	1	1	1	6,760	6,760	338	676	\$911,961.18
E. Write report								
i. Annual project report ^d	1	1	1	1	1	0.05	0.1	\$134.91
ii. Final project report ^d	1	0	0	1	0	0	0	\$0
iii. Report required by 264.1080(f)(2)(viii)(F) ^d	1	0	0	1	0	0	0	\$0
iv. Semiannual report ^e	1	2	2	35	70	3.5	7.0	\$9,443.39
v. Report to EOA within 15 calendar days of waste determination exceedance ^f	1	2	2	68	136	6.8	14	\$18,347.15
vi. Notify EPA/WVDEP 60 days in advance for performance test	1	0	0	1	0	0	0	\$0

of incinerator ^d								
vii. Performance test results report for Sistersville Plant ^d	1	0	0	1	0	0	0	\$0
viii. Notification regarding hydrogen peroxide management ^g	1	1	1	1	1	0.05	0.1	\$134.91
ix. Notify RA 30 days in advance of any gap measurements to be taken ^h	1	1	1	1,352	1,352	68	135	\$182,392.24
x. Notify RA 30 days in advance of filling, or refilling tank ⁱ	1	1	1	676	676	34	68	\$91,196.12
Reporting Subtotal						41,441		\$4,861,455
4. Recordkeeping requirements								
A. Recordkeeping for Sistersville, WV plant ^j								
i. Prepare and record documentation that air emission control present undue hazard	1	1	1	1	1	0.05	0.1	\$134.91
ii. Information going into annual report								
(1) Emission analysis	0.33	1	0.33	1	0.33	0.02	0.03	\$44.52
(2) Plant performance evaluation	0.33	1	0.33	1	0.33	0.02	0.03	\$44.52
(3) Description of anticipated problems	0.33	1	0.33	1	0.33	0.02	0.03	\$44.52
iii. Startup/shutdown plan	1	0	0	1	0	0	0	\$0
iv. Records of defect repair	0.5	2	1	1	1	0.05	0.1	\$134.91
v. Records of the inspection and repair of the closed-vent system	0.5	2	1	1	1	0.05	0.1	\$134.91
vi. Record dates and time that	0.25	365	91.25	1	91	4.6	9.1	\$12,310.13

capper unit and condenser are operating								
vii. Record amount of methanol generated and recovered; and condenser temperature	0.25	365	91.25	1	91	4.6	9.1	\$12,310.13
viii. Record of amount of methanol directed to reuse, recovery, thermal recovery/treatment and bio-treatment	0.25	365	91.25	1	91	4.6	9.1	\$12,310.13
B. Familiarize with regulatory requirements ^c	4	1	4	6,760	27,040	1,352	2,704	\$3,647,844.72
C. Plan activities ^k	16	1	16	6,760	108,160	5,408	10,816	\$14,591,378.88
D. Implement activities								
i. Waste determination for VO concentration at a point of origin								
(1) Waste determination once every 12 months	2	1	2	6,760	13,520	676	1,352	\$1,823,922.36
ii. Waste determination for treated hazardous waste								
(1) Waste determination for batch process once every 12 months	2	1	2	6,760	13,520	676	1,352	\$1,823,922.36
iii. Inspect and monitor each closed vent system ^l	0.08	365	29.2	3,380	98,696	4,935	9,870	\$13,314,633.23
iv. Write and implement an inspection plan and place in facility inspection plan	4	1	4	0	0	0	0	\$0
v. Inspect all coverings and monitor for initial detectable emissions, initial operation, using Method 21								

(1) Tanks	4	1	4	0	0	0	0	\$0
(2) Surface impoundments	5	1	5	0	0	0	0	\$0
(3) Containers	2	1	2	0	0	0	0	\$0
vi. Inspect all coverings and monitor for detectable emissions at least once every 6 months using Method 21								
(1) Tanks (includes Method 27- transportation vehicles)	4	2	8	6,760	54,080	2,704	5,408	\$7,295,689.44
(2) Surface impoundments	5	2	10	119	1,190	60	119	\$160,537.55
(3) Containers	2	2	4	6,760	27,040	1,352	2,704	\$3,647,844.72
vii. Owner/operator writes and implements plan with schedule to inspect unsafe covers	1	1	1	0	0	0	0	\$0
viii. Owner/operator writes and implements plan with schedule to inspect difficult to inspect covers	1	1	1	0	0	0	0	\$0
ix. Secondary seal inspection once a year	4	1	4	6,760	27,040	1,352	2,704	\$3,647,844.72
x. Primary seal inspection once every 5 years ^m	4	1	4	1,352	5,408	270	541	\$729,568.94
xi. General standards, record ID number of BIF, or incinerator used to treat waste	0.25	1	0.25	0	0	0	0	\$0
xii. Tanks and unsafe covers, record list of ID numbers for tanks with unsafe covers explain why it's unsafe and plan to inspect and monitor each cover	0.25	1	0.25	0	0	0	0	\$0
xiii. Tanks with difficult to inspect covers, record list of ID	0.3	1	0.3	0	0	0	0	\$0

numbers, explain why difficult and plan to inspect and monitor each cover								
E. Develop record system	16	1	16	0	0	0	0	\$0
F. Time to enter information								
i. Record each cover installed on a tank and certifies to its specifications	0.25	1	0.25	0	0	0	0	\$0
ii. Record each floating membrane installed on a surface impoundment and certifies to its Specifications	0.25	1	0.25	0	0	0	0	\$0
iii. Record each enclosure used to control air emissions and certifies to its specifications	0.25	1	0.25	0	0	0	0	\$0
iv. Records for each closed vent and control device it is designed to operate at the performance level for tank, surface impoundments, or container	0.25	1	0.25	0	0	0	0	\$0
v. Records all Method 27 tests performed by owner/operator for each container	0.5	1	0.5	6,760	3,380	169	338	\$455,980.59
vi. Records all visual inspections for each tank, surface impoundment and container, including covers	1	1	1	6,760	6,760	338	676	\$911,961.18
Tanks with air emission controls:								
vii. Records date of each attempts to repair leak, repair methods applied and date of successful repair	0.5	2	1	6,760	6,760	338	676	\$911,961.18

viii. Records all continuous monitoring	0.25	365	91.25	676	61,685	3,084	6,169	\$8,321,645.77
ix. Records management of carbon removed from a carbon absorption system	0.5	2	1	3,380	3,380	169	338	\$455,980.59
x. Records date and time of each sample	0.25	2	0.5	6,760	3,380	169	338	\$455,980.59
xi. Records results of each sample	0.25	2	0.5	6,760	3,380	169	338	\$455,980.59
xii. Records tank dimensions and design capacity	0.3	1	0.3	0	0	0	0	\$0
Tanks with alternative emission control (floating roofs):								
xiii. Records in the facility operating plan of the internal floating roof	0.25	1	0.25	0	0	0	0	\$0
xiv. Record the equipment design and certifies that it meet applicable requirements	0.25	1	0.25	0	0	0	0	\$0
xv. Record each inspection, the tank, date, and what components were inspected	0.25	2	0.5	6,760	3,380	169	338	\$455,980.59
(1) If defects found, identify the tank and describe the repairs that were made	0.25	2	0.5	6,760	3,380	169	338	\$455,980.59
xvi. Record in the facility operating plan the external floating roof	0.25	1	0.25	0	0	0	0	\$0
xvii. Record the equipment design and certifies that it meets applicable requirements	0.25	1	0.25	0	0	0	0	\$0
xviii. Record gap	0.25	1	0.25	6,760	1,690	85	169	\$227,990.30

measurements of the tank, date of inspection, raw data and calculations								
(1) If defects found, record the tank, date tank was emptied, or repairs made and the nature of repair	0.25	1	0.25	6,760	1,690	85	169	\$227,990.30
xix. Continuous monitoring inspections								
(1) Closed-vent systems	4	1	4	6,760	27,040	1,352	2,704	\$3,647,844.72
xx. Roof inspections/gap measurements:								
(1) Secondary seal inspection (once a year)	4	1	4	6,760	27,040	1,352	2,704	\$3,647,844.72
(2) Primary seal inspection (once every 5 years) ^a	4	0.2	0.8	1,352	1,082	54	108	\$145,913.79
G. Train personnel								
i. Waste determination methods	8	1	8	6,760	54,080	2,704	5,408	\$7,295,689.44
ii. Control equipment inspection and monitor	8	1	8	6,760	54,080	2,704	5,408	\$7,295,689.44
H. Audits	N/A							
Recordkeeping Subtotal						733,882		\$86,091,070
Total Labor Burden and Costs (Rounded) ^o						775,000		\$91,000,000
Total Capital and O&M Costs (Rounded) ^o								\$13,500,000
Grand Total (Rounded) ^o								\$105,000,000

Assumptions:

^a We have assumed that the average number of respondents that will be subject to this rule will be 6,760. There will be no new additional sources during the

three year period of this ICR.

^b This ICR uses the following labor rates: \$148.45 per hour for Executive, Administrative, and Managerial labor; \$121.46 per hour for Technical labor, and \$60.23 per hour for Clerical labor. These rates are from the United States Department of Labor, Bureau of Labor Statistics, March 2020, “Table 2. Civilian Workers, by Occupational and Industry group.” The rates are from column 1, “Total Compensation.” The rates have been increased by 110 percent to account for the benefit packages available to those employed by private industry.

^c We have assumed that all of the respondents will familiarize with the regulatory requirements each year.

^d We have assumed that only the Sistersville, WV Plant XL Project will be reporting.

^e We have assumed that 0.5 percent of respondents will report control devices malfunction, resulting in exceedance annually ($0.5\% \times 6,760 = 34$), along with the Sistersville Plant XL project (1) always reports semiannually for a total of $34 + 1 = 35$ semiannual reports.

^f We have assumed that 1 percent of waste determination will result in exceedance annually ($1\% \times 6,760 = 67.6$, rounded to 68).

^g We have assumed that only one facility currently uses the exemption regarding hydrogen peroxide management located at 40 CFR 264.1080(d) and 40 CFR 265.1080(d).

^h We have assumed that 20 percent of the tank roofs will be inspected each year (external roof) ($20\% \times 6,760 = 1,352$).

ⁱ We have assumed that 10 percent of respondents will empty and refill a tank (internal floating roof) ($10\% \times 6,760 = 676$).

^j We assume recordkeeping only for the Sistersville, WV Plant XL Project.

^k We have assumed that it will take each respondent sixteen hours once per year to plan activities.

^l We have assumed that 50 percent of respondent will be required on a daily basis to inspect and monitor each closed vent system ($50\% \times 6,760 = 3,380$).

^m We have assumed that 20 percent of respondents will take 4 hours once every five years to complete the primary seal inspection. ($20\% \times 6,760 = 1,352$).

ⁿ We have assumed that 20 percent of tanks with alternative emission controls (floating roofs) will each take 4 hours 0.2 times per year, which equates to once every 5 years, to complete the primary seal inspection. ($20\% \times 6,760 = 1,352$).

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

Table 2: Average Annual EPA Burden and Cost – Air Emission Standards for Tanks, Surface Impoundment and Containers (40 CFR Part 264, Subpart CC, and 40 CFR Part 265, Subpart CC) (Renewal)

Activity	(A) EPA person hours per occurrence e	(B) No. of occurrences per plant per year	(C) EPA person hours per respondent per year (C=AxB)	(D) Plant s per year a	(E) Technica l person- hours per year (E=CxD)	(F) Managemen t person hours per year (F=Ex0.05)	(G) Clerical person hours per year (G=Ex0.1)	(H) Total Cost Per Year (\$) ^b
A. Review report								
1. Waste exceedance reports ^c	4	1	4	68	272	14	27	\$15,472.58
2. Control device exceedance reports ^d	4	2	8	35	280	14	28	\$15,927.66
3. Notification reports ^e	1	1	1	2,029	2,029	101	203	\$115,418.65
4. Annual project report ^f	4	1	4	1	4	0.2	0.4	\$227.54
B. Review Records								
1. Select site and review permit ^g	8	1	8	520	4,160	208	416	\$236,639.52
TOTAL (Rounded)^h					7,760			\$384,000

Assumptions:

^a We have assumed that the average number of respondents that will be subject to this rule will be 6,760. There will be no new additional sources during the next three years of this ICR.

^b The cost is based on the following labor rate which incorporates a 1.6 benefits multiplication factor to account for government overhead expenses. Managerial rates of \$68.37 (GS-13, Step 5, $\$42.73 \times 1.6$), Technical rate of \$50.72 (GS-12, Step 1, $\$31.70 \times 1.6$), and Clerical rate of \$27.46 (GS-6, Step 3, $\$17.16 \times 1.6$). These rates are from the Office of Personnel Management (OPM), 2020 General Schedule, which excludes locality, rates of pay.

^c Annual responses assume 1 percent of waste determination results in an exceedance ($1\% \times 6,760 = 67.6$, rounded to 68).

^d Semiannual responses assumes 0.5% of control devices malfunction resulting in an exceedance ($0.5\% \times 6,760 = 34$) plus the Sistersville, WV Plant. ($34 + 1 = 35$)

^e We have assumed that 10 percent of internal floating roof respondents ($10\% \times 6,760 = 676$), plus 20% of external roof respondents ($20\% \times 6,760 = 1,352$), and one facility using hydrogen peroxide exemption ($676 + 1,352 + 1 = 2,029$) will submit notification reports.

^f We have assumed that the Sistersville Plant will submit an annual project report.

^g We have assumed that it will take respondents 8 hours once per year to review selected sites and review permit records.

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