SUPPORTING STATEMENT
ENVIRONMENTAL PROTECTION AGENCY

NESHAP for Refractory Products Manufacturing (40 CFR Part 63, Subpart SSSSS) (Amendments)
December 2020

1. Identification of the Information Collection

1(a) Title of the Information Collection

NESHAP for Refractory Products Manufacturing (40 CFR Part 63, Subpart SSSSS) (Amendments), EPA ICR Number 2040.08, OMB Control Number 2060-0515.

1(b) Short Characterization/Abstract

The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Refractory Products Manufacturing (40 CFR Part 63, Subpart SSSSS) were proposed on June 20, 2002, and promulgated on April 16, 2003. These regulations apply to each refractory products manufacturing facility which produces refractory bricks, refractory shapes, monolithics, kiln furniture, crucibles, and other materials used as linings for boilers, kilns, and other processing units and equipment where extreme temperature, corrosions, and abrasion would destroy other materials. These regulations apply to existing facilities and new facilities that manufacture refractory products and use organic hazardous air pollutant (HAP), chromium refractory, and clay refractory products. New facilities include those that commenced construction, modification or reconstruction after the date of proposal. Amendments to the NESHAP are being proposed as a result of the residual risk and technology review (RTR) required under the Clean Air Act (CAA) (as discussed further below). This information is being collected to assure compliance with 40 CFR part 63, subpart SSSSS.

The proposed amendments to the rule would eliminate the startup, shutdown, and malfunction (SSM) exemption; remove the SSM plan and SSM recordkeeping requirements; require electronic submittal of performance test results; add standards for mercury and non-mercury metal HAP from new and existing clay refractory kilns, add requirements around alternative standard during times of routine control device maintenance; and make miscellaneous technical and editorial changes. The remaining portions of the NESHAP remain unchanged. This ICR estimates the additional burden due to proposed rule amendments for HAP-major source refractory products manufacturing facilities in addition to the burden estimates for provisions that would be unchanged by the proposed amendments.

In general, NESHAP require initial notifications, submission of performance test results, 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 deviation from the emission limitations for an affected facility, or any period during which the monitoring system is inoperative. These notifications, reports, and records are essential in determining compliance, and are required of all affected facilities subject to NESHAP.

Any owner/operator subject to the provisions of this part shall maintain a file containing these documents and retain the file for at least 5 years following the generation date of such maintenance reports and records. Currently, all reports are sent to the delegated state or local authority. If there is no such delegated authority, the reports are sent directly to the U.S. Environmental Protection Agency (EPA) regional office.

The 'burden' to the "Affected Public" for the proposed amendments to 40 CFR part 63, subpart SSSSS may be found below in Table 1: Annual Respondent Burden and Cost – NESHAP for Refractory Products Manufacturing (40 CFR Part 63, Subpart SSSSS) (Amendments). 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 – NESHAP for Refractory Products Manufacturing (40 CFR Part 63, Subpart SSSSS) (Amendments).

There are three major source refractory products manufacturing facilities, which are owned and operated by the refractory products manufacturing industry. None of these three facilities in the United States are owned by either 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.

Over the next 3 years, approximately three respondents per year will be subject to these standards, and no additional respondents per year will become subject to these same standards. Based on our consultations with industry representatives, there are a total of 14 affected facilities between the three respondents, for an average of 4.67 affected facilities at each plant site, and each plant site has only one respondent (i.e., the owner/operator of the plant site).

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 CAA, as amended, to establish standards of performance for each category or subcategory of major sources and area sources of hazardous air pollutants (HAP). These standards are applicable to new or existing sources of HAP and shall require the maximum degree of emission reduction. In addition, section 114(a) of the CAA states that the Administrator may require any owner/operator subject to any requirement of this 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 refractory products manufacturing either cause or contribute to air pollution that may reasonably be anticipated to endanger public health and/or welfare. Therefore, the NESHAP were promulgated for this source category at 40 CFR part 63, subpart SSSSS.

Section 112(d)(6) of the CAA requires the EPA to review the technology-based MACT standards and revise them "as necessary (taking into account developments in practices, processes, and control technologies)" no less frequently than every 8 years. In addition, section 112(f) of the CAA requires the EPA to determine whether the MACT emission limitations provide an ample margin of safety to protect public health. For MACT standards for HAP "classified as a known, probable, or possible human carcinogen" that "do not reduce lifetime excess cancer risks to the individual most exposed to emissions from a source in the category or subcategory to less than 1-in-1 million," the EPA must promulgate residual risk standards for the source category (or subcategory) as necessary to provide an ample margin of safety to protect public health. In doing so, the EPA may adopt standards equal to existing MACT standards, if the EPA determines that the existing standards are sufficiently protective. The EPA must also adopt more stringent standards, if necessary, to prevent an adverse environmental effect, but must consider cost, energy, safety, and other relevant factors in doing so.

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 CAA. The collected information is also used for targeting inspections and as evidence in legal proceedings.

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

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

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

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

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

3(a) Non-duplication

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

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

This section is not applicable because this is a rule-related ICR. Nevertheless, the ICR will be available for public review during the public comment period following publication of the proposed subpart SSSSS RTR in the Federal Register.

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 3 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. The growth rate for the industry is based on our consultations with the Agency's internal industry experts. Approximately three respondents will be subject to these standards over the 3-year period covered by this ICR.

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. In completing the 40 CFR part 63, subpart SSSSS RTR and this associated ICR, we contacted each of the expected respondents as well as the Refractories Institute (TRI). Further stakeholder and public input is expected through public comment and follow-up meetings with interested stakeholders.

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.

These standards require the respondents to maintain all records, including reports and notifications for at least 5 years. This is consistent with the General Provisions as applied to these standards. The EPA believes that the 5-year records retention requirement is consistent with the part 70 permit program and the 5-year statute of limitations on which the permit program is based. The retention of records for 5 years allows the EPA to establish the compliance history of a source, any pattern of non-compliance and to determine the appropriate level of enforcement action. The EPA has found that the most flagrant violators have violations extending beyond 5 years. In addition, the EPA would be prevented from pursuing the violators due to the destruction or nonexistence of essential records.

3(f) Confidentiality

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

3(g) Sensitive Questions

The reporting or recordkeeping requirements in the standard 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 refractory products manufacturing facilities. The United States Standard Industrial Classification (SIC) code for the respondents affected by the standards and the corresponding North American Industry Classification System (NAICS) codes are listed in the table below:

Standard (40 CFR Part 63, Subpart SSSSS)	SIC Codes	NAICS Codes
Clay refractories	3255	327120
Nonclay refractories	3297	327120

4(b) Information Requested

(i) Data Items

All the data that are recorded or reported is required by the NESHAP for Refractory Products Manufacturing (40 CFR part 63, subpart SSSSS).

A source must make the following reports:

Notifications	
Initial notification	§63.9(b)(2), §63.5, §63.9812(b)-(c)
Notification of performance test	§63.7(b)-(c), §63.9(e), and §63.9812(d)
Notification of compliance status	§63.9(h), §63.10(d)(2), §63.9812(e), and §63.9814(j)
Notification of alternative fuel use	§63.9812(f)

Reports	
Report of alternative fuel use	§63.9814(g)
Startup, shutdown, malfunction (only required for the first 180 days following publication of the final amendments to 40 CFR part 63, subpart SSSSS)	§63.10(d)(5), §63.9814(c)(4)
Semi-annual compliance reports	§63.9814(c)-(f)
Report of performance testing results	§63.9814(h)
Report of continuous emissions monitoring system (CEMS) performance evaluation	§63.9814(i)

A source must keep the following records:

Recordkeeping	
Record of startup, shutdown, and malfunctions (only required for the first 180 days following publication of the final amendments to 40 CFR part 63, subpart SSSSS)	§63.6(e)(3), §63.10(b)(2), §63.9816(a)(2)
Records of performance tests	§63.10(b)(2)(viii), §63.9816(a)(3)
Initial notification or notification of compliance status	§63.10(b)(2)(xiv), §63.9816(a)(1)
Record of each CMS	§63.8(d)(3), §63.8(f)(6)(i), §63.8(g), §63.10(b)(2)(vi)-(xi), and §63.9816(c)
Records are required to be retained for 5 years	§63.10(b)(1)

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.

As part of the proposed RTR amendments, respondents are required to use the EPA's Electronic Reporting Tool (ERT) to develop performance test reports and submit them through the EPA's Compliance and Emissions Data Reporting Interface (CEDRI). The ERT is an application rather than a form, and the requirement to use the ERT is applicable to numerous subparts. The splash screen of the ERT contains a link to the Paperwork Reduction Act (PRA) requirements, such as the OMB Control Number, expiration date, and burden estimate for this and other subparts.

The proposed RTR amendments also require respondents to use CEDRI to submit PDF copies of their notification of compliance status reports. For purposes of this ICR, it is assumed that there will be no additional burden associated with the proposed requirement for respondents to submit the notifications and reports electronically.

(ii) Respondent Activities

The required compliance activities are listed below. The compliance activities specific to this ICR are shown in Table 1: Annual Respondent Burden and Cost – NESHAP for Refractory Products Manufacturing (40 CFR Part 63, Subpart SSSSS) (Amendments).

Respondent Activities
Familiarization with the regulatory requirements.
Install, calibrate, maintain, and operate CEMS for THC, or CMS for temperature, flow rate, pH, or pressure drop and liquid supply pressure for control device.
Perform initial performance test, Reference Method 25A or 26A test, Reference Method 5 and 29 test, and repeat performance tests if necessary.
Write the notifications and reports listed above.
Enter information required to be recorded above.
Submit the required reports developing, acquiring, installing, and utilizing technology and systems for the purpose of collecting, validating, and verifying information.
Develop, acquire, install, and utilize technology and systems for the purpose of processing and maintaining information.
Develop, acquire, install, and utilize technology and systems for the purpose of disclosing and providing information.
Train personnel to be able to respond to a collection of information.
Transmit, or otherwise disclose the information.

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

5(a) Agency Activities

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

Agency Activities
Review notifications and reports, including performance test reports and semi-annual compliance 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 standards 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 semi-annual compliance 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 the EPA's Office of Compliance. ICIS is the 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 the data.

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

5(c) Small Entity Flexibility

Two of the three 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 amendments. During rule development, the EPA concluded that the proposed amendments do not have a significant economic impact on small entities.

Due to technical considerations, which involve 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 below in Table 1: Annual Respondent Burden and Cost – NESHAP for Refractory Products Manufacturing (40 CFR Part 63, Subpart SSSSS) (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 in this ICR. As previously stated, this ICR estimates the additional burden due to proposed rule amendments for HAP-major source facilities as well as provisions that would be unchanged by the proposed amendments. 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 3 years from these recordkeeping and reporting requirements is estimated to be 230 hours (Average Labor Hours from Table 1: Summary of Respondent Burden and Cost – NESHAP for Refractory Products Manufacturing (40 CFR Part 63, Subpart SSSSS) (Amendments)). These hours are based on Agency studies and background documents from the development of the regulation, Agency knowledge and experience with the NESHAP program, the previously approved ICR, and any comments received.

6(b) Estimating Respondent Costs

(i) Estimating Labor Costs

This ICR uses the following labor rates:

Civilian Labor Category	Series	BLS Mean Wage Estimate, in 2020$[a]	Loaded Wage (+110%), in 2020$
Managerial	Management, business and financial	$70.86	$148.81
Technical	Professional and related	$58.04	$121.88
Clerical	Office and administrative support	$28.90	$60.69

[a] https://www.bls.gov/news.release/ecec.t02.htm

These rates are from the United States Department of Labor, Bureau of Labor Statistics, June 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 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 (O&M) costs are the ongoing costs to maintain the monitor and other costs such as photocopying and postage.

(iii) 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)
Continuous parameter monitoring system [a]	$16,820	0	$0	$380	3	$1,140
Visible emissions checks [b]				$11,220	2	$22,440
Total (rounded) [c]			$0			$23,600

[a] It is assumed that no existing sources have installed CEMS.

[c] Required for compliance with the proposed particulate matter standards for clay refractory kilns. There are two facilities with clay refractory kilns.

[b] Totals have been rounded to 3 significant figures. Figures may not add exactly due to rounding.

In addition to the costs in the table above, respondents with affected clay refractory kilns subject to the proposed particulate matter and mercury standards will be required to conduct

performance testing to demonstrate compliance every 5 years. The total cost of those tests is expected to be $13,875 (including one retest). Across the 3 years of the ICR, the cost of the tests conducted in each year would be $46,292 per year.

Therefore, the total capital/startup costs for this ICR are $46,292. This is the total of column D in the above table and the performance testing for compliance with the proposed requirements.

The total operation and maintenance (O&M) costs for this ICR are $23,600. This is the total of column G.

As previously described, the EPA is amending provisions related to SSM and electronic reporting as described in the preamble to the final amendments, which are not expected to have associated O&M or capital costs.

The average annual cost for capital/startup and operation and maintenance costs to industry over the next 3 years of the ICR is estimated to be $69,900.

6(c) Estimating Agency Burden and Cost

No additional costs to the Agency are estimated for the activities in this ICR.

The only costs to the Agency are those costs associated with analysis of the reported information. The 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 proposed amendments to provisions related to SSM and electronic reporting are not expected to change Agency burden.

The average annual Agency cost during the 3 years of the ICR is estimated to be $9,990.

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)	$41.47	$24.88	$66.35
Technical (GS-12, step 1)	$31.70	$19.02	$50.72
Clerical (GS-6, step 3)	$17.16	$10.30	$27.46

[a] https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2020/GS_h.pdf

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 government employees. Details upon which this estimate is based appear below in Table 2. Summary of Burden and Cost to the Federal Government – NESHAP for Refractory Products Manufacturing (40 CFR Part 63, Subpart SSSSS) (Amendments).

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

Based on EPA research for this ICR, on average over the next 3 years, approximately 3 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 3 per year.

The 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 Periodic Reports		
Year	(A) Number of New Respondents [a]	(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	3	0	0	3
2	0	3	0	0	3
3	0	3	0	0	3
Average	0	3	0	0	3

[a] New respondents include facilities with affected facilities constructed or reconstructed during the 3-year period of this ICR. Existing respondents include facilities with affected facilities constructed after April 16, 2003 and before the 3-year period of this ICR.

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 3.

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 of applicability	0	1	0	0
Notification of construction/reconstruction	0	1	0	0
Notification of anticipated startup	0	1	0	0
Notification of actual startup	0	1	0	0
Notification of performance test	1	1	0	1

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 of compliance status	1	1	0	1
Notification of intent to use alternative fuel	3	1	0	3
Request approval to bypass the control device for maintenance	1	6	0	6
Semi-annual compliance report with deviations	2	1	0	2
Semi-annual compliance report with no deviations	2	2	0	4
Report of alternative fuel use	3	1	0	3
Performance testing results	1	1	0	1
Total				21

The number of Total Annual Responses is 21.

The total annual labor costs are $27,100 per year. Details regarding these estimates may be found below in Table 1: Summary of Respondent Burden and Cost – NESHAP for Refractory Products Manufacturing (40 CFR Part 63, Subpart SSSSS) (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 below in Tables 1 and 2, respectively, and summarized below.

(i) Respondent Tally

The total annual labor hours are 230 hours. Details regarding these estimates may be found below in Table 1: Summary of Respondent Burden and Cost – NESHAP for Refractory Products Manufacturing (40 CFR part 63, subpart SSSSS) (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 11 hours per response.

The total annual capital/startup and O&M costs to the regulated entity are $69,900. The cost calculations are detailed in Section 6(b)(iii), Capital/Startup vs. Operation and Maintenance (O&M) Costs.

(ii) The Agency Tally

The average annual Agency burden and cost over next 3 years is estimated to be 202 labor hours at a cost of $9,990; see below in Table 2. Summary of Burden and Cost to the Federal Government – NESHAP for Refractory Products Manufacturing (40 CFR Part 63, Subpart SSSSS) (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 proposed amendments to the NESHAP for Refractory Products Manufacturing (40 CFR, part 63, subpart SSSSS). 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 SSSSS) to remove the SSM exemption and SSM plan; (2) require electronic submittal of performance test results; (3) add standards for mercury and non-mercury metal HAP from new and existing clay refractory kilns; (4) add requirements around alternative standard during times of routine control device maintenance; and (5) make technical and editorial changes. Where applicable, adjustments for these amendments are reflected in Table 1 of this ICR. To estimate the costs associated with these changes to recordkeeping and reporting requirements, information previously developed as part of the ICR process was consulted.[1]

The number of facilities subject to the standards changed based on review of 40 CFR part 63, subpart SSSSS facilities included in the EPA's ECHO database and consultation with industry representatives and state/local agencies. The decrease in the number of facilities subject to the standard resulted in a decrease in the costs.

Costs per labor hour have been updated to reflect current labor rates. Labor rates were updated using the United States Department of Labor, Bureau of Labor Statistics, June 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.

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. Five hours in Year 1 have been assumed for each facility to become familiar with the amended regulations, with

1 "Supporting Statement Environmental Protection Agency NESHAP for Refractory Products Manufacturing (40 CFR Part 63, Subpart SSSSS) (Renewal)," March 19, 2019. Docket ID: EPA-HQ-OECA-2014-0088.

0.5 hours allocated in Years 2 and 3 to review the requirements, for an average of 2 hours per year over Years 1 through 3. Agency costs are not expected for this activity.

As noted in section 4(b), the industry and Agency burden estimates for report submittals were not adjusted to account for the proposed requirement that results of performance test reports and notification of compliance status reports be reported electronically through CEDRI. The burden associated with preparing and submitting performance test reports and notification of compliance status reports in paper format is expected to be equivalent to the burden associated with preparing and submitting these notifications and reports electronically.

The proposed removal of the SSM exemption would result in the emissions standards in the rule applying at all times. Based on discussions with affected entities, we believe facilities are already meeting the existing standards during all periods of operation and therefore would incur no costs associated with additional operation of controls or other measures needed to meet the standards at all times. We estimate that the industry and Agency burdens associated with the separate recordkeeping requirements for periods of SSM that are being removed to be approximately the same as the burdens associated with the recordkeeping requirements for deviations from rule requirements and, therefore, did not adjust burden for recordkeeping and semi-annual compliance reporting. We also are eliminating the requirement for the development of a SSM plan as required under the General Provisions (40 CFR 63.6(e)(3)). 40 CFR part 63, subpart SSSSS previously required this plan to be developed by the compliance date of April 17, 2006 or startup for new or reconstructed sources, with no requirement for updates to the plan. Because there is no requirement for updates, no cost savings are estimated for the removal of this provision. All affected facilities are anticipated to experience a small cost savings associated with the removal of recordkeeping requirements specific to SSM events. Previously, facilities were required to maintain SSM records, as outlined under 40 CFR 63.9816(a)(2) and the General Provisions (40 CFR 63.6(e)(3)).

6(g) Burden Statement

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 11 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 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, the EPA has established a public docket for this ICR under Docket ID Number EPA-HQ-OAR-2017-0688. 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), WJC 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-OAR-2020-0148 and OMB Control Number 2060-0540 in any correspondence.

Part B of the Supporting Statement

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