

**SUPPORTING STATEMENT
ENVIRONMENTAL PROTECTION AGENCY**

**NESHAP for the Secondary Lead Smelter Industry (40 CFR Part 63, Subpart X)
(Renewal)**

1. Identification of the Information Collection

1(a) Title of the Information Collection

NESHAP for the Secondary Lead Smelter Industry (40 CFR Part 63, Subpart X) (Renewal), EPA ICR Number 1686.12, OMB Control Number 2060-0296.

1(b) Short Characterization/Abstract

The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Secondary Lead Smelter Industry (40 CFR Part 63, Subpart X) were proposed on June 9, 1994; promulgated on June 13, 1997; and amended on: June 13, 1997, January 5, 2012, January 3, 2014, and November 19, 2020¹. These regulations apply to both existing facilities and new facilities that operate furnaces to reduce scrap lead metal and lead compounds to elemental lead. Specifically, the rule applies to secondary lead smelters that use blast, reverberatory, rotary, or electric smelting furnaces to recover lead metal from scrap lead, primarily from used lead-acid automotive-type batteries. New facilities include those that either commenced construction or reconstruction after the date of proposal. This information is being collected to assure compliance with 40 CFR Part 63, Subpart X.

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

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

The “Affected Public” are those facilities engaged in operating secondary lead smelter facilities. The ‘burden’ to the Affected Public may be found at the end of this document in Table 1: Annual Respondent Burden and Cost – NESHAP for the Secondary Lead Smelter Industry (40 CFR Part 63, Subpart X) (Renewal). The ‘burden’ to the “Federal Government” is attributed

¹ The most recent amendments (85 FR 73854) include notification and recordkeeping requirements that apply to sources choosing to reclassify to area source status and to sources that revert back to major source status, including a requirement for electronic notification. There is no additional burden associated with the amendments or the requirement for respondents to submit the notifications and reports, which are existing requirements, electronically.

entirely to work performed by either Federal employees or government contractors and may be found at the end of this document in Table 2: Average Annual EPA Burden and Cost – NESHAP for the Secondary Lead Smelter Industry (40 CFR Part 63, Subpart X) (Renewal).

There are approximately 12 secondary lead smelter facilities, which are owned and operated by the secondary lead smelter industry. None of the 12 facilities in the United States are owned by either state, local, tribal entities 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.

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

Over the next three years, approximately 12 respondents per year will be subject to these standards, and no additional respondents per year will become subject to these same standards.

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

2. Need for and Use of the Collection

2(a) Need/Authority for the Collection

The EPA is charged under Section 112 of the Clean Air Act, as amended, to establish standards of performance for each category or subcategory of major sources and area sources of hazardous air pollutants. These standards are applicable to new or existing sources of hazardous air pollutants and shall require the maximum degree of emission reduction. In addition, section 114(a) states that the Administrator may require any owner/operator subject to any requirement of this Act to:

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

In the Administrator's judgment, lead metal, lead metal compound, and organic hazardous air pollutant (HAP) emissions (i.e., total hydrocarbons (THC) and dioxins and furans emissions) from secondary lead smelting processes 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 X.

2(b) Practical Utility/Users of the Data

The recordkeeping and reporting requirements in the 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.

Performance tests are required in order to determine an affected facility's initial capability to comply with the emission standards. Continuous emission monitors are used to ensure compliance with the standards at all times.

The notifications required in the standards are used to inform the Agency or its delegated authority when a source becomes subject to the requirements of these 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 semiannual reports are used to determine periods of excess emissions, identify problems at the facility, verify operation/maintenance procedures and for compliance determinations.

The EPA is requiring that owners or operators of affected sources would submit electronic copies of initial notifications required in 40 CFR 63.9(b), notifications of changes in information already provided in 40 CFR 63.9(j), performance test reports in 40 CFR 63.550(e)(14)(i), and Relative Accuracy Test Audit (RATA) Data in 40 CFR 63.550(e)(14)(ii) through the EPA's Central Data Exchange (CDX), using the Compliance and Emissions Data Reporting Interface (CEDRI). For the notifications required in 40 CFR 63.9(b) and 63.9(j), owners and operators would be required to upload a PDF of the required notifications.

CEDRI includes the Electronic Reporting Tool (ERT) software, which is used by facilities to generate electronic reports of performance tests and performance evaluations. The EPA is also requiring that 40 CFR Part 63, Subpart X performance test reports and performance evaluation data be submitted through the EPA's ERT.

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

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

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* (86 FR 8634) on February 8, 2021. 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. The growth rate for the industry is based on our consultations with the Agency's internal industry experts. Approximately 12 respondents will be subject to these standards over the three-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 and these same standards have been reviewed previously to determine the minimum information needed for compliance purposes. In developing this ICR, we contacted: (1) Exide Technologies, at (676) 566-9000; (2) Quemetco, at (626) 364-1281; (3) Johnson Controls, Inc., at (414) 524-4307; and (4) Battery Council International (BCI), at (312) 245-1074.

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.

These standards require the respondents to maintain all records, including reports and

notifications for at least five years. This is consistent with the General Provisions as applied to these standards. The EPA believes that the five-year records retention requirement is consistent with the Part 70 permit program and the five-year statute of limitations on which the permit program is based. The retention of records for five years allows 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 five 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 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 source category description. The United States Standard Industrial Classification (SIC) code for the respondents affected by the standards is SIC 3341 (Secondary Smelting and Refining of Nonferrous Metals), which corresponds to the North American Industry Classification System (NAICS) 331492 for Secondary Smelting and Refining of Nonferrous Metals.

4(b) Information Requested

(i) Data Items

In this ICR, all the data that are recorded or reported is required by the NESHAP for the Secondary Lead Smelter Industry (40 CFR Part 63, Subpart X).

A source must make the following reports:

| Notifications | |
|---|----------------------|
| Application for approval of construction/reconstruction | §63.5(d) and (f) |
| Notification of applicability | §63.549(a), §63.9(b) |

| Notifications | |
|---|---|
| | (2) |
| Notification of intention to construct/reconstruct | §63.549(a), §63.9(b)(4)(i), §63.9(b)(5)(i) |
| Notification of actual startup date | §63.549(a), §63.9(b)(4)(v), §63.9(b)(5)(ii) |
| Notification that source is subject to special compliance requirements | §63.549(a), §63.9(d) |
| Notification of performance test | §63.7(b), §63.9(e), §63.549(a) |
| Notification of opacity and visible emission observations | §63.549(a), §63.9(f) |
| Demonstration of continuous monitoring system | §63.549(a), §63.9(g) |
| Notification of compliance status | §63.549(a), §63.9(h) |
| Standard operating procedures manuals for fugitive dust controls and baghouses | §63.549(b) |
| Notification of reclassification to area source status or to revert back to major source status (electronic submission) | §§63.9(b), 63.9(j) |

| Reports | |
|--|--|
| Performance test results, including opacity CMS data (electronic submission) | §63.550(a), §63.550(d), §63.550(e), §63.10(d)(2), §63.10(e)(4) |
| Opacity or visible emission observations results | §63.550(a), §63.550(d), §63.550(e), §63.10(d)(3) |
| CMS performance evaluation results (electronic submission) | §63.550(a), §63.550(d), §63.550(e), §63.10(e)(2) |
| Excess emissions and CMS performance and summary reports | §63.550(a), §63.550(d), §63.550(e), §63.10(e)(3) |

A source must keep the following records:

| Recordkeeping | |
|--|--------------|
| Records of all reports and notifications | §63.10(b)(1) |
| Records of applicability determinations | §63.10(b)(3) |
| Records for sources with CMS | §63.10(c) |

| Recordkeeping | |
|---|------------------------------------|
| Records retention for five years (most recent two years must be kept on-site) | §63.550(a) and (c) |
| Records of standard operating procedures manuals for fugitive dust controls and baghouses | §63.550(b) |
| Records of bag leak detection system outputs and alarms, including baghouse inspection, maintenance, and corrective actions | §§63.550(c)(1)-(3) |
| Records of parametric monitoring data, including system inspection, maintenance, and calibration | §§63.550(c)(4)-(10) |
| Records of startups, shutdowns, malfunctions, or periods where the CMS is inoperative | §§63.550(c)(11)-(13), §63.10(b)(2) |

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.

The rule was amended to include electronic reporting provisions on both January 5, 2012 and November 19, 2020. 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), which can be accessed through the EPA’s Central Data Exchange (CDX) (<https://cdx.epa.gov/>). 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.

Respondents are also required to use the EPA’s CEDRI to submit notification in the event of reclassification to area source status and to sources that revert back to major source status. The notification is a one-time notification already required in 40 CFR 63.9(j) in the case where the facility is notifying of a change in major source status, and is an upload of the currently required notification in portable document format (PDF) file. For purposes of this ICR, it is assumed that there is no additional burden associated with the requirement for respondents to submit the notifications and reports electronically.

Electronic copies of records may also be maintained in order to satisfy federal recordkeeping requirements. For additional information on the Paperwork Reduction Act requirements for CEDRI and ERT for this rule, see: <https://www.epa.gov/electronic-reporting-air-emissions/paperwork-reduction-act-pra-cedri-and-ert>.

(ii) Respondent Activities

| Respondent Activities |
|---|
| Familiarization with the regulatory requirements. |
| Install, operate, and maintain baghouses according to the standard operating procedures manual, and consistent with the manufacturer's instructions. |
| Monitor and record pressure drop and liquid supply pressure at the wet scrubber at least once every hour when using this control device for controlling particulate matter and metal HAP emissions from a process fugitive source. |
| Install, calibrate, maintain, and operate CMS for temperature monitoring of the afterburner or the combined blast furnace and reverberatory furnace exhaust streams when complying with the total hydrocarbon emission standard. |
| Install, calibrate, maintain, and operate a total hydrocarbon CMS for measuring emissions when complying with the total hydrocarbon emission standard. |
| Equip pressurized drying bleaching seals with an alarm to determine seal malfunctions. |
| Perform initial performance tests and repeat performance tests if necessary. |
| Use referenced test methods in Appendix A, Part 60, to determine compliance with the emission standards for: lead-bearing materials (e.g. method 1311); lead compounds (e.g., methods 1, 2 or 5D, 3, 3A, or 3B, 4, 12, and 29); total hydrocarbons (e.g., methods 1, 3A or 3B, 4, and 25A); and dioxins and furans (e.g., methods 1, 2 or 5D, 3A or 3B, 4, and 23). |
| 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 |
|---|
| Observe annual performance tests, if necessary. |
| 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 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 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 the data.

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

5(c) Small Entity Flexibility

The 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 – NESHAP for the Secondary Lead Smelter Industry (40 CFR Part 63, Subpart X) (Renewal).

6. Estimating the Burden and Cost of the Collection

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

The Agency may 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 21,700 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 NESHAP program, the previously-approved ICR, and any comments received.

6(b) Estimating Respondent Costs

(i) Estimating Labor Costs

This ICR uses the following labor rates:

| | |
|------------|---------------------------|
| Managerial | \$149.84 (\$71.35 + 110%) |
| Technical | \$122.66 (\$58.41 + 110%) |
| Clerical | \$60.88 (\$28.99 + 110%) |

These rates are from the United States Department of Labor, Bureau of Labor Statistics, September 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) |
| THC testing | \$0 | 0 | \$0 | \$4,700 | 12 | \$56,400 |
| Dioxin/furan testing ^a | \$0 | 0 | \$0 | \$19,300 | 2 | \$38,600 |
| Lead testing ^b | \$0 | 0 | \$0 | \$10,000 | 6 | \$60,000 |
| Continuous particulate monitor ^c | \$0 | 0 | \$0 | \$7,500 | 12 | \$90,000 |
| Differential pressure monitor ^d | \$2,300 | 0 | \$0 | \$230 | 24 | \$5,520 |
| HEPA filter monitor | \$32,759 | 0 | \$0 | \$4,665 | 0 | \$0 |
| Total ^e | \$35,059 | | \$0 | \$46,395 | | \$251,000 |

^a Dioxin/Furan testing occurs every 6 years, or 12 facilities/6 years = 2 facilities per year.

^b Lead testing is required annually, but there are provisions by which facilities can apply for an extension. This ICR assumes all facilities will apply for an extension to test once every 24 months. 12 facilities/2 years = 6 facilities per year conducting lead testing.

^c EPA has assumed that all facilities will have CPMs.

^d EPA has assumed that each facility will have two differential pressure monitors.

^e 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 \$251,000. 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 \$251,000. 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. 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 average annual Agency cost during the three years of the ICR is estimated to be \$53,100.

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

Managerial \$69.04 (GS-13, Step 5, \$43.15 + 60%)

| | |
|-----------|--|
| Technical | \$51.23 (GS-12, Step 1, \$32.02 + 60%) |
| Clerical | \$27.73 (GS-6, Step 3, \$17.33 + 60%) |

These rates are from the Office of Personnel Management (OPM), 2021 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 – NESHAP for the Secondary Lead Smelter Industry (40 CFR Part 63, Subpart X) (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 12 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 12 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 | (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 | 12 | 0 | 0 | 12 |
| 2 | 0 | 12 | 0 | 0 | 12 |
| 3 | 0 | 12 | 0 | 0 | 12 |
| Average | 0 | 12 | 0 | 0 | 12 |

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

Column D is subtracted to avoid double-counting respondents. As shown above, the average Number of Respondents over the three-year period of this ICR is 12.

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

| Total Annual Responses | | | | |
|------------------------|-----|-----|---------------------------|---------------------|
| (A) | (B) | (C) | (D) Number of Existing | (E) Total Annual |

| Total Annual Responses | | | | |
|---|-----------------------|---------------------|---|---------------------|
| Information Collection Activity | Number of Respondents | Number of Responses | Respondents That Keep Records But Do Not Submit Reports | Responses E=(BxC)+D |
| Notification of Performance Test | 12 | 2 | 0 | 24 |
| Semiannual compliance report | 12 | 2 | 0 | 24 |
| Annual (performance test) report ^a | 12 | 2 | 0 | 24 |
| Differential pressure monitoring report | 12 | 1 | 0 | 12 |
| Revised Standard Operating Procedures Manual | 1 | 1 | 0 | 1 |
| | | | Total | 85 |

^a Performance test data and performance evaluation data must be developed using EPA's Electronic Reporting Tool (ERT) and submitted through the EPA's Compliance and Emissions Data Reporting Interface (CEDRI).

The number of Total Annual Responses is 85.

The total annual labor costs are \$2,580,000. Details regarding these estimates may be found at the end of this document in Table 1: Annual Respondent Burden and Cost – NESHAP for the Secondary Lead Smelter Industry (40 CFR Part 63, Subpart X) (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 21,700. Details regarding these estimates may be found below in Table 1: Annual Respondent Burden and Cost – NESHAP for the Secondary Lead Smelter Industry (40 CFR Part 63, Subpart X) (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 255 hours per response.

The total annual capital/startup and O&M costs to the regulated entity are \$251,000. The cost calculations are detailed in Section 6(b)(iii), Capital/Startup vs. Operation and Maintenance (O&M) Costs.

(ii) The Agency Tally

The average annual Agency burden and cost over next three years is estimated to be 1,063 labor hours at a cost of \$53,100; see below in Table 2: Average Annual EPA Burden and Cost – NESHAP for the Secondary Lead Smelter Industry (40 CFR Part 63, Subpart X) (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 no change in burden from the most-recently approved ICR as currently identified in the OMB Inventory of Approved Burdens. This situation is due to two considerations: 1) the regulations have not changed significantly over the past three years and are not anticipated to change over the next three years. The most recent amendments (85 FR 73854, November 20, 2020) included no change in burden. And 2) the growth rate for this industry is very low or non-existent, so there is no significant change in the overall burden. Since there are no significant changes in the regulatory requirements and there is no significant industry growth, there are also no changes in the capital/startup or operation and maintenance (O&M) costs. There is a slight increase in costs, which is wholly due to the use of updated labor rates. This ICR uses labor rates from the most-recent Bureau of Labor Statistics report (September 2020) to calculate respondent burden costs.

6(g) Burden Statement

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 255 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-OAR-2020-0634. 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-2020-0634 and OMB Control Number 2060-0296 in any correspondence.

Part B of the Supporting Statement

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

Table 1: Annual Respondent Burden and Cost – NESHAP for the Secondary Lead Smelter Industry (40 CFR Part 63, Subpart X) (Renewal)

| Burden item | (A) Person-hours per occurrence | (B) Annual occurrences per respondent | (C) Person-hours per respondent per year (A x B) | (D) Respondents per year ^a | (E) Technical hours per year (C x D) | (F) Management hours per year (E x 0.05) | (G) Clerical hours per year (E x 0.10) | (H) Annual cost (\$) ^b |
|--|------------------------------------|--|---|--|---|---|---|--------------------------------------|
| 1. Applications | N/A | | | | | | | |
| 2. Surveys and studies | N/A | | | | | | | |
| 3. Reporting requirements | | | | | | | | |
| A. Familiarization with the regulatory requirements ^a | 1 | 1 | 1 | 12 | 12 | 0.6 | 1.2 | \$1,634.88 |
| B. Required activities ^c | | | | | | | | |
| Annual performance test | 330 | 1 | 330 | 12 | 3,960 | 198 | 396 | \$539,510.40 |
| THC testing | 10 | 1 | 10 | 12 | 120 | 6 | 12 | \$16,348.80 |
| Dioxin/furan testing | 10 | 1 | 10 | 2 | 20 | 1 | 2 | \$2,724.80 |
| Lead testing | 10 | 0.5 | 5 | 6 | 30 | 1.5 | 3 | \$4,087.20 |
| Continuous particulate monitor | 1 | 52 | 52 | 12 | 624 | 31.2 | 62.4 | \$85,013.76 |
| Differential pressure monitor | 2 | 1 | 2 | 24 | 48 | 2.4 | 4.8 | \$6,539.52 |
| Inspect capture hoods | 8 | 12 | 96 | 12 | 1,152 | 57.6 | 115.2 | \$156,948.48 |
| Inspect and repair enclosures | 20 | 12 | 240 | 12 | 2,880 | 144 | 288 | \$392,371.20 |
| Inspect battery storage areas | 8 | 52 | 416 | 12 | 4,992 | 249.6 | 499.2 | \$680,110.08 |
| Revise SOP manual ^d | 20 | 1 | 20 | 1 | 20 | 1 | 2 | \$2,724.80 |
| C. Create information | See 3B | | | | | | | |
| D. Gather information | See 3E | | | | | | | |
| E. Report preparation | | | | | | | | |
| Notification of performance test ^e | 2 | 2 | 4 | 12 | 48 | 2.4 | 4.8 | \$6,539.52 |
| Semiannual compliance report | 16 | 2 | 32 | 12 | 384 | 19.2 | 38.4 | \$52,316.16 |
| Annual (performance test) report ^e | 10 | 2 | 20 | 12 | 240 | 12 | 24 | \$32,697.60 |
| Differential pressure monitoring | 10 | 1 | 10 | 12 | 120 | 6 | 12 | \$16,348.80 |

| | | | | | | | | |
|--|--------|----|-----|----|-------|---------------|-------|--------------------|
| report ^f | | | | | | | | |
| Reporting Subtotal | | | | | | 16,848 | | \$1,995,916 |
| 1. Recordkeeping requirements | | | | | | | | |
| A. Familiarization with the regulatory requirements | See 3A | | | | | | | |
| B. Implement activities | N/A | | | | | | | |
| C. Develop record system | N/A | | | | | | | |
| D. Record information | | | | | | | | |
| Fugitives | 1 | 12 | 12 | 12 | 144 | 7.2 | 14.4 | \$19,618.56 |
| Flow weighted averages for lead | 1 | 1 | 1 | 12 | 12 | 0.6 | 1.2 | \$1,634.88 |
| Continuous particulate monitor | 1 | 52 | 52 | 12 | 624 | 31.2 | 62.4 | \$85,013.76 |
| Differential pressure monitors | 1 | 12 | 12 | 24 | 288 | 14.4 | 28.8 | \$39,237.12 |
| Power outages | 1 | 12 | 12 | 12 | 144 | 7.2 | 14.4 | \$19,618.56 |
| Facility enclosure inspections | 1 | 12 | 12 | 12 | 144 | 7.2 | 14.4 | \$19,618.56 |
| Startup and shutdown periods | 1 | 12 | 12 | 12 | 144 | 7.2 | 14.4 | \$19,618.56 |
| Malfunctions | 2 | 6 | 12 | 12 | 144 | 7.2 | 14.4 | \$19,618.56 |
| Actions taken during malfunctions | 1 | 6 | 6 | 12 | 72 | 3.6 | 7.2 | \$9,809.28 |
| Bag Leak Detection System | 1 | 12 | 12 | 12 | 144 | 7.2 | 14.4 | \$19,618.56 |
| Furnace inspections | 1 | 12 | 12 | 12 | 144 | 7.2 | 14.4 | \$19,618.56 |
| Plastic battery casing material recovery | 1 | 6 | 6 | 12 | 72 | 3.6 | 7.2 | \$9,809.28 |
| Monitoring parameters, performance tests, and periodic inspections | 3.5 | 52 | 182 | 12 | 2,184 | 109.2 | 218.4 | \$297,548.16 |
| E. Personnel training | 8 | 1 | 8 | 0 | 0 | 0 | 0 | \$0 |
| F. Time for audits | N/A | | | | | | | |
| Recordkeeping Subtotal | | | | | | 4,899 | | \$580,382 |
| Total Labor Burden and Costs (rounded)^g | | | | | | 21,700 | | \$2,580,000 |
| Total Capital and O&M Cost (rounded)^g | | | | | | | | \$251,000 |
| GRAND TOTAL (rounded)^g | | | | | | | | \$2,830,000 |

Assumptions:

- ^a EPA estimates an average of 12 existing facilities and no new or modified facilities per year will be subject to the NESHAP over the next 3 years. In addition to the 12 active facilities there is one inactive facility that has been idled since 2013. We assume that each source subject to the standard will have to familiarize with the regulatory requirements each year. Since there are no new or modified/reconstructed facilities expected the notifications for startup, intention to construct/reconstruct, notification of applicability and notification of initial compliance will not occur during this three-year ICR period.
- ^b This ICR uses the following labor rates: \$122.66 (technical), \$149.84 (managerial), and \$60.88 (clerical). These rates are from the United States Department of Labor, Bureau of Labor Statistics, September 2020, “Table 2. Civilian workers, by occupational and industry group.” The rates are from column 1, “Total compensation.” They have been increased by 110 percent to account for the benefit packages available to those employed by private industry.
- ^c Testing frequency was assumed as follows, based on rule requirements and experience with the affected source actual testing schedule. THC testing is conducted annually. Dioxin/Furan tests are required every 6 years, and this ICR assumes 2 of the 12 sources conduct dioxin/furan tests each year. Lead testing is required annually but many sources requests extensions for this test and the tests occur every two years. This ICR assumes 6 of the 12 sources conduct lead tests each year. The ICR estimates that all sources have continuous particulate monitors and that two differential pressure monitors exist per source. Since all sources have continuous particulate monitors, the visible emission observation requirement in the rule is not accounted for in the burden estimate. In addition, each facility must conduct monthly inspections of capture hoods and enclosures, and weekly inspections of battery storage areas that are not in enclosures.
- ^d EPA assumes each facility will make one major adjustment per year. In each instance, the SOP must be revised.
- ^e Performance test data and performance evaluation data must be developed using EPA’s Electronic Reporting Tool (ERT) and submitted through the EPA’s Compliance and Emissions Data Reporting Interface (CEDRI). EPA assumes one notification and one test report for each test conducted will be submitted. There are 20 tests for the 12 sources, $20/12 = 1.67$, or 2 responses per respondent for each of these activities.
- ^f EPA assumes that one report will be submitted for all differential pressure monitors at the facility.
- ^g Totals have been rounded to 3 significant figures. Figures may not add exactly due to rounding.

Table 2: Average Annual EPA Burden and Cost – NESHAP for the Secondary Lead Smelter Industry (40 CFR Part 63, Subpart X) (Renewal)

| Burden item | (A) EPA person- hours per occurrence | (B) Annual occurrences per respondent | (C) EPA person- hours per respondent per year (A x B) | (D) Respondents per year ^a | (E) Technical hours per year (C x D) | (F) Management hours per year (E x 0.05) | (G) Clerical hours per year (E x 0.10) | (H) Annual cost (\$) ^b |
|---|--|---|--|---|--|--|--|---|
| 1. Applications | N/A | | | | | | | |
| 2. Required activities | | | | | | | | |
| A. Observe stack tests ^c | 48 | 1 | 48 | 4 | 192 | 9.6 | 19.2 | \$11,031.36 |
| B. Excess emissions - enforcement activities ^d | 24 | 1 | 24 | 1 | 96 | 4.8 | 9.6 | \$5,515.68 |
| C. Create information | N/A | | | | | | | |
| D. Gather information | N/A | | | | | | | |
| E. Report reviews | | | | | | | | |
| Notification of performance test | 3 | 2 | 6 | 12 | 72 | 3.6 | 7.2 | \$4,136.76 |
| Semiannual report | 10 | 2 | 20 | 12 | 240 | 12 | 24 | \$13,789.20 |
| Annual report | 10 | 2 | 20 | 12 | 240 | 12 | 24 | \$13,789.20 |
| Differential pressure monitoring report | 3 | 1 | 3 | 12 | 36 | 1.8 | 3.6 | \$2,068.38 |
| F. Prepare annual summary report ^e | 4 | 12 | 48 | 1 | 48 | 2.4 | 4.8 | \$2,757.84 |
| TOTAL (rounded) ^f | | | | | | 1,063 | | \$53,100 |

Assumptions:

^a EPA estimates an average of 12 existing facilities and no new facilities per year will be subject to the NESHAP over the next 3 years.

^b This ICR uses the following labor rates: \$51.23 (technical), \$69.04 (managerial), and \$27.73 (clerical). These rates are from the Office of Personnel Management (OPM), 2021 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.

^c EPA assumes Agency personnel will attend 20% of facility stack tests (0.2 x 20 tests on average across the 12 facilities = 4, after rounding).

^d EPA assumes 10% of facilities will have excess emissions ($0.1 \times 12 = 1$, after rounding).

^e EPA assumes state and EPA personnel will require 4 technical hours per respondent when preparing the annual summary report ($12 \times 4 = 48$).

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