

**SUPPORTING STATEMENT
ENVIRONMENTAL PROTECTION AGENCY**

**Emission Guidelines for Existing Other Solid Waste Incineration Units
(40 CFR Part 60, Subpart FFFF) (Renewal)**

1. Identification of the Information Collection

1(a) Title of the Information Collection

Emission Guidelines for Existing Other Solid Waste Incineration Units (40 CFR Part 60, Subpart FFFF) (Renewal), EPA ICR Number 2164.07, OMB Control Number 2060-0562.

1(b) Short Characterization/Abstract

The Emission Guidelines for Existing Other Solid Waste Incineration (OSWI) Units (40 CFR Part 60, Subpart FFFF) were proposed on December 9, 2004 (69 FR 71472), promulgated on December 16, 2005 (70 FR 74892), and amended on November 24, 2006 (71 FR 67806). Under the proposed rule, the Emission Guidelines apply to any air quality program in either a state or a United States protectorate with one or more existing OSWI units or air curtain incinerators that commenced construction either on or before December 9, 2004. The affected OSWI units include two additional sub-categories: very small municipal waste combustion (VSMWC) units that combust less than 35 tons per day (TPD) of waste and institutional waste incineration (IWI) units. This Subpart does not directly affect incineration unit owners and operators; however, they must comply with the state's plan that was developed by the air quality program administrator to implement the emission guidelines. This information is being collected to assure compliance with 40 CFR Part 60, Subpart FFFF.

The EPA is proposing to revise 40 CFR Part 60, Subpart FFFF to include subcategories for VSMWC or IWI units that have capacities equal to or less than 10 TPD that commenced construction, reconstruction, or modification before August 30, 2020. For units that have capacities equal to or less than 10 TPD, the EPA is proposing revised emission limits and substitute compliance options in lieu of initial and annual stack testing, add-on control devices, and CEMS. Units with a capacity to combust greater than or equal to 10 TPD that commenced construction either on or before December 9, 2004 would continue to meet the current testing, monitoring, recordkeeping requirements. Additionally, the EPA is proposing to remove startup, shutdown, and malfunction reporting requirements for all units, because the emission limits will apply at all times. The proposed rule also includes requirements for electronic reporting of certain reports and performance test results. This ICR only includes the incremental burden associated with the proposed rule.

In general, all emission guidelines 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 emission guidelines.

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 either 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.

There are approximately 155 OSWI units in the United States, which are owned and operated by the solid waste incineration industry (the “Affected Public”). However, this ICR applies directly to the emission guidelines with most of the units regulated by either state, local, or tribal entities or by the Federal government. They are considered not-for-profit businesses. The “burden” to the Affected Public may be found in Tables 1 through 4 in Attachment 1 of this document. The “burden” to the Federal Government is attributed entirely to work performed by either Federal employees or government contractors and may be found in Tables 5 through 8 in Attachment 1 of this document.

Over the next three years, approximately 155 respondents per year will be subject to these standards, and no additional respondents per year will become subject to these same standards. These standards apply to OSWI units with capacities greater than or equal to 10 TPD that commenced construction either on or before December 9, 2004 or to OSWI units with capacities less than 10 TPD that commenced construction, reconstruction, or modification on or before August 30, 2020. Therefore, there will be no new units constructed during the period covered by this ICR.

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 111(d)(1) of the Clean Air Act (CAA), as amended, to:

. . . prescribe regulations which shall establish a procedure similar to that provided by section 110 under which each State shall submit to the Administrator a plan which (A) establishes standards of performance for any existing source for any air pollutant (i) for which air quality criteria have not been issued or which is not included on a list published under section 108(a) . . . but (ii) to which a standard of performance under this section would apply if such existing source were a new source, and (B) provides for the implementation and enforcement of such standards of performance.

The EPA is required under section 129 of the Act, to establish guidelines for existing stationary sources that reflect the maximum achievable control technology (MACT) for achieving continuous emission reductions:

Section 129(a)(1)(A) states:

The Administrator shall establish performance standards and other requirements pursuant to section 111 and this section for each category of solid waste incineration units. Such standards shall include emissions limitations and other requirements applicable to new units and guidelines (under section 111(d) and this section) and other requirements applicable to existing units.

Section 129(a)(2) states:

Standards applicable to solid waste incineration units promulgated under section 111 and this section shall reflect the maximum degree of reduction in emissions of air pollutants listed under section (a)(4) that the Administrator, taking into consideration the cost of achieving such emission reduction, and any non-air quality health and environmental impacts and energy requirements, determines is achievable for new or existing units in each category.

Section 129(b)(1) states:

Performance standards under this section and section 111 for solid waste incineration units shall include guidelines promulgated pursuant to section 111(d) and this section applicable to existing units. Such guidelines shall include, as provided in this section, each of the elements required by subsection (a) (emissions limitations, notwithstanding any restriction in section 111(d) regarding issuance of such limitations), subsection (c) (monitoring), subsection (d) (operator training), subsection (e) (permits), and subsection (h)(4) (residual risk).

Subpart B of 40 CFR part 60 requires State plans to include monitoring, recordkeeping, and reporting provisions consistent with the emission guidelines. In addition, section 114(a)(1) states that:

the Administrator may require any person who owns or operates any emission source, who manufactures emission control equipment or process equipment, who the Administrator believes may have information necessary for the purposes set forth in this subsection, or who is subject to any requirement of this Act (other than a manufacturer subject to the provisions of section 206(c) or 208 with respect to a provision of title II) on a one-time, periodic or continuous basis 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, cadmium, carbon monoxide, dioxins/furans, hydrogen chloride, lead, mercury, opacity, oxides of nitrogen, particulate matter, and sulfur dioxide emissions from OSWI units either cause or contribute to air pollution that may reasonably be anticipated to endanger public health and/or welfare. Therefore, the emission guidelines were promulgated for this source category at 40 CFR Part 60, Subpart FFFF.

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.

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

The notifications required in the standard 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 annual and semiannual 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 60, Subpart FFFF.

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

A public notice of this collection is provided in the *Federal Register* notice of proposed rulemaking published for the Emission Guidelines for Existing Other Solid Waste Incineration Units (40 CFR Part 60, Subpart FFFF).

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 155 existing respondents and no new respondents will be subject to these standards over the three-year period covered by this ICR.

Industry trade associations and other interested parties were contacted and provided an opportunity to review and comment on the burden associated with the current standard as it was being developed, and the standard was previously reviewed to determine the minimum information needed for compliance purposes. In developing this ICR, we are providing all interested parties the opportunity to review and comment on the revised burden estimated in this Information Collection Request as a result of these proposed amendments.

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 same standards was collected less frequently, the proper operation and maintenance of control equipment and the possibility of detecting violations would be less likely.

3(e) General Guidelines

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

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

3(f) Confidentiality

Any information submitted to the Agency for which a claim of confidentiality is made will be safeguarded according to the Agency policies set forth in Title 40, chapter 1, part 2, subpart B - Confidentiality of Business Information (CBI) (see 40 CFR 2; 41 FR 36902,

September 1, 1976; amended by 43 FR 40000, September 8, 1978; 43 FR 42251, September 20, 1978; 44 FR 17674, March 23, 1979).

3(g) Sensitive Questions

The reporting or recordkeeping requirements in 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 owners and operators of OSWI units. The United States Standard Industrial Classification (SIC) code for the respondents affected by the standard, and the corresponding North American Industry Classification System (NAICS) codes, are listed in the following table:

Standard (40 CFR Part 60, Subpart FFFF)	SIC Codes	NAICS Codes
Solid Waste Combustors and Incinerators	4953	562213
Administration of Air and Waste Resource and Solid Waste Management Programs	9511	92411
Elementary and Secondary Schools	8211	6111
Nursing and Residential Care Facilities	8051, 8052, 8059, 8361	623
Justice, Public Order, and Safety Activities	9211, 9221, 9222, 9223, 9224, 9229, 8322	922
National Security and International Affairs	9711, 9721	928
Junior Colleges	8222	6112
Colleges, Universities, and Professional Schools	8221	6113
Museums, Historical Sites, and Similar Institutions	8412, 8422, 7999	7121
Religious Organizations	8661	8131
Civic and Social Organizations	8641, 8699	8134
Support Activities for Air Transportation	4851, 4959, 7997, 9621	4881
Fishing, hunting and trapping	0912, 0913, 0913, 0971	114
Oil and Gas Extraction	1311, 1321, 2819	211
Mining ¹	10, 12, 14	212
Utilities ¹	49	221
Pipeline Transportation of Crude Oil	4612, 4922, 4923, 4613, 4619	486

¹There are many relevant 4-digit SIC codes that begin with the 2-digit SIC codes shown.

4(b) Information Requested

(i) Data Items

In this ICR, all the data that is recorded or reported is required by the Emission Guidelines for Existing Other Solid Waste Incineration Units (40 CFR Part 60, Subpart FFFF) (Renewal).

States/US protectorates must perform the following requirements:

Requirement	
Submit a state plan	§60.2981
Submit a negative declaration	§60.2982

A source must make the following reports:

Notifications	
Notification of the date of construction or reconstruction	§60.7(a)(1)
Notification of the actual date of initial startup	§60.7(a)(3)
Notification of physical or operational change which may increase the emission rate	§60.7(a)(4)
Notification of performance test	§60.7(a)(5)
Notification of operating limit deviation report	§§60.3052, 60.3053
Notification of deviation	§60.3054(a)(1)
Notification of status report	§60.3054(a)(2)
Notification of resumed operation	§60.3054(b)

Reports	
Initial performance test and report	§§60.3049, 60.8(a)
Annual compliance test report	§§60.3050, 60.3051
Waste management plan	§§60.3010, 60.3011, 60.3012
Semiannual report of deviation	§§60.3052, 60.3053

A source must keep the following records:

Recordkeeping	
Data collected for all operating parameters used to determine compliance with the operating limits	§§60.3046(b), 60.3068(a)
Records of actions taken during periods of malfunction to minimize emissions in accordance with §60.11(d)	§60.3046(d)
Records of the occurrence and duration of each malfunction of operation or the air pollution control and monitoring equipment or deviations from the emission limits and operating limits	§§60.3046(c),(e),(f)
Calibration records	§60.3046(h)
Results of all performance tests	§60.3046(i)
Names, contact information, and training documentation for OSWI unit operators	§§60.3046(j),(k),(l)
Equipment specifications, operation and maintenance procedures, and waste management procedures for the incinerator and monitoring systems	§§60.3019, 60.3046(m),(n)
Records of unit capacity and design, waste variability profiles submitted to the delegated authority; and the substitute compliance demonstration test used to demonstrate initial compliance	§60.3046(o)
Records of unit operations and of wastes combusted	§60.3046(o)
Copies of notifications submitted pursuant to § 60.2993 and § 60.3061	§60.3046(p)
Procedures for receiving, handling, and charging waste; incinerator startup, shutdown; maintaining good combustion practices; operating the incinerator and control systems; monitoring, reporting and recordkeeping; and ash handling.	§60.3019(a)
Maintain waste management plan records	§60.3012

Electronic Reporting

Currently sources may be using monitoring and reporting equipment that provide parameter data in an automated way (e.g., continuous parameter monitoring system). Although personnel at the source still need to evaluate the data, this type of monitoring equipment has significantly reduced the burden associated with monitoring and recordkeeping.

In addition, these proposed amendments include a requirement that facilities would be required to submit initial notifications, annual reports, deviation reports, and performance test results to the EPA through the EPA's Compliance and Emissions Data Reporting Interface (CEDRI) for data collected using test methods supported by the EPA's Electronic Reporting Tool (ERT). The performance test data would be required to be submitted in a file format

generated through the use of the EPA's ERT or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the EPA's ERT Web site. No existing OSWI facilities subject to the Emission Guidelines for Existing Other Solid Waste Incineration Units (40 CFR Part 60, Subpart FFFF) use a control device to comply with the Emission Guidelines; we also estimate these units have a capacity of less than 10 TPD. The proposed amendments to the Emission Guidelines for Existing Other Solid Waste Incineration Units (40 CFR Part 60, Subpart FFFF) allow for a substitute means of compliance demonstration for units with a capacity of less than 10 TPD of solid waste that allows facilities to demonstrate compliance through recordkeeping and reporting in lieu of a performance test, if they continue to combust a similar type of waste stream as was tested during initial stack tests or the initial stack tests for a similar unit as approved by a delegated authority. Therefore, we assume a limited number of operations will be required to electronically submit performance test results via CEDRI in the first three years of the information collection. However, remaining operations would still be required to submit initial notifications, annual reports, and deviation reports via CEDRI. There is no change in burden associated with the proposed amendments for electronic reporting; we assume the burden to prepare and submit performance tests and additional reports electronically would not significantly differ from paper submittals and anticipate that such submittals will eventually reduce burden.

(ii) Respondent Activities

Respondent Activities
Familiarization with the regulatory requirements.
Install, calibrate, maintain, and operate CEMS for carbon monoxide and for oxygen.
Perform initial performance test, Reference Method 1, 3A, 3B, 5, 6, 6C, 7, 7A, 7C, 7D, 7E, 9, 10, 10A, 10B, 23, 26A, 29 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 the purpose of collecting, validating, and verifying information.
Develop, acquire, install, and utilize technology and systems for the purpose of processing and maintaining information.
Develop, acquire, install, and utilize technology and systems for the purpose of disclosing and providing information.
Train personnel to be able to respond to a collection of information.
Transmit, or otherwise disclose the information.

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

5(a) Agency Activities

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

Agency Activities
Review notifications 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. EPA uses ICIS for tracking air pollution compliance and enforcement by local and state regulatory agencies, EPA regional offices and EPA headquarters. EPA and its delegated Authorities can edit, store, retrieve and analyze the data.

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

5(c) Small Entity Flexibility

There is distribution of business sizes in this industry. 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 below in Tables 1 through 3 in Attachment 1 of this document.

6. Estimating the Burden and Cost of the Collection

Tables 1 through 4 of Attachment 1 of this document present an itemization of the incremental burden on the respondents subject to these standards for the recordkeeping and reporting requirements in the first three years following promulgation of the amendments to the standards. 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 5,803 hours (Total Labor Hours from Table 4 in Attachment 1 of this document). These hours are based on Agency studies and background documents from the development of the regulation, Agency knowledge and experience with the Emission Guidelines program, and the previously-approved ICR.

6(b) Estimating Respondent Costs

(i) Estimating Labor Costs

This ICR uses the following labor rates:

Managerial	\$149.35 (\$71.12 + 110%)
Technical	\$112.98 (\$53.80 + 110%)
Clerical	\$54.81 (\$26.10 + 110%)

These rates are from the United States Department of Labor, Bureau of Labor Statistics, June 2017, “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 initial testing. The capital/startup costs are one-time costs when a facility becomes subject to this regulation. The annual operation and maintenance costs are the ongoing costs to maintain the monitor(s) and other costs such as photocopying and postage.

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

Capital/Startup vs. Operation and Maintenance (O&M) Costs						
(A)	(B)	(C)	(D)	(E)	(F)	(G)
Initial Stack Test	Capital/Startup Cost for One Respondent	Number of New Respondents ¹	Total Capital/Startup Cost, (B X C)	Annual O&M Costs for One Respondent	Number of Respondents with O&M	Total O&M, (E X F)
Initial Stack Test (non-ACI Facility)	\$57,333	63	\$4,472,000	\$0	0	\$0
Initial Stack Test (ACI Facility)	\$3,000	0	\$0	\$0	0	\$0
Total ²			\$4,470,000			\$0

¹We believe 63 respondents still need to conduct testing of 78 units to demonstrate compliance. These testing costs are included in the incremental burden from the proposed requirements because the sources are testing to demonstrate compliance with new emission limits.

² 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 \$4,470,000. This is the total of column D in the above table.

The total operation and maintenance (O&M) costs for this ICR are \$0. 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 \$4,470,000. 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 activities such as the

examination of records maintained by the respondents, periodic inspection of sources of emissions, and the publication and distribution of collected information.

The average annual Agency cost during the three years of the ICR is estimated to be \$52,333.

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

Managerial	\$64.80 (GS-13, Step 5, \$40.50 + 60%)
Technical	\$48.08 (GS-12, Step 1, \$30.05 + 60%)
Clerical	\$26.02 (GS-6, Step 3, \$16.26 + 60%)

These rates are from the Office of Personnel Management (OPM), 2017 General Schedule, which excludes locality rates of pay. The rates have been increased by 60 percent to account for the benefit packages available to Federal government employees. Details on the line item estimates used to calculate these burdens are presented in Tables 5 through 8 of Attachment 1 of this document.

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

There are 55 States and U.S. territories subject to these Emission Guidelines. These are the air quality programs in 50 States, one federal district, and four U.S. territories. It is estimated that no new States or U.S. territories will identify a new OSWI unit subject to the Emission Guidelines in the next three-year period.

Based on our research for this ICR, on average over the next three years, approximately 155 existing facilities (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 155 per year.

The number of respondents is calculated using the following tables that address the three years covered by this ICR:

Number of States and U.S. Protectorates					
	Respondents That Submit Reports		Respondents That Do Not Submit Any Reports		
Year	(A) Number of New Respondents ¹	(B) Number of Existing Respondents	(C) Number of Existing Respondents that keep records but do not submit reports	(D) Number of Existing Respondents That Are Also New Respondents	(E) Number of Respondents (E=A+B+C-D)
1	0	55	0	0	55

Number of States and U.S. Protectorates					
2	0	55	0	0	55
3	0	55	0	0	55
Average	0	55	0	0	55

Note: The respondents include the 50 States, one federal district (Washington D.C.), and four territories (America Samoa, Puerto Rico, American Virgin Islands, and Northern Mariana Islands). See 40 CFR Part 62.

¹ New respondents are those who previously submitted a negative declaration but subsequently identify find a OSWI unit.

Number of Respondents – Facilities with OSWI Units					
	Respondents That Submit Reports		Respondents That Do Not Submit Any Reports		
Year	(A) Number of New Respondents ¹	(B) Number of Existing Respondents	(C) Number of Existing Respondents that keep records but do not submit reports	(D) Number of Existing Respondents That Are Also New Respondents	(E) Number of Respondents (E=A+B+C-D)
1	0	155	0	0	155
2	0	155	0	0	155
3	0	155	0	0	155
Average	0	155	0	0	155

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

Column D is subtracted to avoid double-counting respondents. As shown above, the average Number of Respondents over the three-year period of this ICR is 155.

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
State plan	0	1	0	0
Negative declaration	0	1	0	0
Notification of final compliance	42	1	0	42
Initial compliance report ¹	21	1	0	21
Waste management plan	0	1	0	0
Annual compliance reports	0	1	0	0
Semiannual deviation reports	0	2	0	0
			Total	63

¹ Assumes 63 respondents will submit an initial test report in year 1 and 126 facilities will submit a final notification of compliance in year 1. No responses are submitted in year 2 or 3. Therefore, an annual average of respondents will submit an initial test report and 42 respondents will submit a notification of compliance.

The average number of Total Annual Responses is 63.

The average annual labor costs are \$660,000. Details regarding these estimates may be found in Tables 1 through 4 in Attachment 1.

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 through 8, respectively, and summarized below.

(i) Respondent Tally

The average annual labor hours are 5,803 hours. Details regarding these estimates may be found in Tables 1 through 4 of Attachment 1.

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 92 hours per response.

The total annual capital/startup and O&M costs to the regulated entity are \$3,610,000.

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 1,115 labor hours at a cost of \$52,333; see below in Tables 5 through 8 of Attachment 1 of this document.

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 only includes the incremental burden associated with the proposed rule. We have revised the number of respondents based on the inventory conducted as part of the proposed rulemaking; based on the data collected, we estimate there are currently 155 facilities subject to these guidelines. Although the estimated number of respondents increased from the most recently-approved ICR, we anticipate an overall decrease in burden if the proposed rule is finalized, due to the removal of the requirement to perform initial and annual stack testing for certain small OSWI units and the addition of substitute means of compliance demonstration that do not require an add-on control device or CEMS.

The previous ICR assumed none of the existing facilities would need to perform initial stack testing and that all facilities would perform annual stack testing. The ICR is revised to reflect the proposed requirement that all facilities still need to demonstrate initial compliance with the rule, either by performing initial stack testing for 63 facilities that are able to conduct testing, or by using a substitute means of compliance demonstration for the remaining 63 facilities. There is no new proposed testing requirement and therefore no incremental burden for 29 facilities with air curtain incinerators. The substitute means of compliance demonstration method for continuous compliance will require recordkeeping related to the waste profiles combusted, but reduces the burden associated with testing costs.

This ICR assumes that all 126 facilities that are not operating an air curtain incinerator will be able to meet the revised emission limits without the use of an add-on control and will use a substitute means of compliance demonstration rather than the use of CEMS to demonstrate continuous compliance, which results in a decrease in the burden associated with daily calibration and monitoring and RATA and RAA audits.

Therefore, this ICR only reflects the burden associated with initial testing for a limited number of facilities and the continuous compliance costs for sources who use the substitute compliance option, as well as the removal of recordkeeping requirements for startup, shutdown, and malfunction.

6(g) Burden Statement

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 92 hours per response. “Burden” means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB Control Number. The OMB Control Numbers for EPA regulations are listed at 40 CFR Part 9 and 48 CFR Chapter 15.

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-2011-0256. 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-OECA-2011-0256 and OMB Control Number 2060-0562 in any correspondence.

Part B of the Supporting Statement

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