

**SUPPORTING STATEMENT
ENVIRONMENTAL PROTECTION AGENCY**

NSPS for Metallic Mineral Processing Plants (40 CFR Part 60, Subpart LL) (Renewal)

1. Identification of the Information Collection

1(a) Title of the Information Collection

NSPS for Metallic Mineral Processing Plants (40 CFR Part 60, Subpart LL) (Renewal),
EPA ICR Number 0982.13, OMB Control Number 2060-0016.

1(b) Short Characterization/Abstract

The New Source Performance Standards (NSPS) for Metallic Mineral Processing Plants (40 CFR Part 60, Subpart LL) were proposed on August 24, 1982; promulgated on February 21, 1984; and most-recently amended on February 27, 2014. These regulations apply to the following facilities at metallic mineral processing plants: each crusher and screen at open-pit mines and each crusher, screen, bucket elevator, conveyor belt transfer point, thermal dryer, product packaging station, storage bin, enclosed storage area, and truck loading and unloading station at mills or concentrators commencing construction, modification or reconstruction after the date of proposal. The NSPS does not apply to facilities located in underground mines or uranium ore beneficiation processing plants. This information is collected to assure compliance with 40 CFR Part 60, Subpart LL.

In general, all NSPS 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 NSPS.

Any owner/operator subject to the provisions of this part shall maintain a file containing these documents and retain the file for at least two 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 29 metallic mineral processing facilities, which are owned and operated by the metallic mineral processing industry. None of the 29 facilities in the United States are owned by either state, local, or 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 29 respondents per year will be subject to these standards, and no additional respondents per year will become subject to these same standards. For the purposes of estimating burden, we assume that one existing facility will undergo reconstruction or a physical/operational change and will be required to submit initial notifications and conduct initial performance testing.

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 of the Clean Air Act (CAA), as amended, to establish standards of performance for new stationary sources that reflect:

. . . application of the best technological system of continuous emissions reduction which (taking into consideration the cost of achieving such emissions reduction, or any non-air quality health and environmental impact and energy requirements) the Administrator determines has been adequately demonstrated.
Section 111(a)(1).

The Agency refers to this charge as selecting the best demonstrated technology (BDT). Section 111 also requires that the Administrator review and, if appropriate, revise such standards every eight years.

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, particulate matter emissions from metallic mineral processing plants either cause or contribute to air pollution that may reasonably be anticipated to endanger public health and/or welfare. Therefore, the NSPS were promulgated for this source category at 40 CFR Part 60, Subpart LL.

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 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 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 these 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.

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

The requested recordkeeping and reporting are required under 40 CFR Part 60, Subpart LL.

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 29 respondents will be subject to these standards over the three-year period covered by this ICR, and no additional respondents per year will become subject to these same standards. It is possible that one existing facility will undergo reconstruction and/or a physical/operational change.

Industry trade association(s) and other interested parties were provided an opportunity to comment on the 'burden' associated with these standards as they were being developed and that these standards have been reviewed previously to determine the minimum information needed for compliance purposes. In developing this ICR, we contacted both the National Mining Association (NMA), at 202-463-2600, and the Society for Mining, Metallurgy, and Exploration (SME), at 720-574-1256. The NMA responded that one member company did not have new information to provide, and another member company suggested several updates including increased annualized testing costs and increased person-hours per occurrence for familiarization with regulatory requirements; time to enter information (operating parameters); records of startup, shutdown, and malfunction; and to train personnel. Additionally, the member company suggested an increased percentage of management hours required per technical hour. Based on the comments provided by industry, EPA adjusted the person-hours per occurrence for familiarization with regulatory requirements; records of startup, shutdown, and malfunction; and to train personnel. The EPA did not update the time required to record operating parameters to the estimate provided by industry, because the estimate was exceptionally higher than what is typical for sources that are required to use continuous monitoring for pressure and liquid flow rate. Additionally, EPA did not update the annualized testing costs based on the estimate provided by industry, because the estimate was exceptionally higher than typical testing costs for Reference Methods 5 or 17 and 9 for similar industries.

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 that emission limitations are met. If the information required by these standards was collected less frequently, the proper operation and maintenance of control equipment and the possibility of detecting violations would be less likely.

3(e) General Guidelines

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

3(f) Confidentiality

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

3(g) Sensitive Questions

The reporting or recordkeeping requirements in these standards do not include sensitive questions.

4. The Respondents and the Information Requested

4(a) Respondents/SIC Codes

The respondents to the recordkeeping and reporting requirements are metallic mineral processing plants. The United States Standard Industrial Classification (SIC) codes and the corresponding North American Industry Classification System (NAICS) codes for respondents affected by the standard are listed in the following table:

| Standard (40 CFR Part 60, Subpart LL) | SIC Codes | NAICS Codes |
|--|------------------|--------------------|
| Iron Ore Mining | 1011 | 212210 |
| Copper, Nickel, Lead, and Zinc Mining | 1021, 1031, 1061 | 212230 |
| Gold Ore Mining | 1041 | 212221 |

| | | |
|----------------------------|------------|--------|
| Silver Ore Mining | 1044 | 212222 |
| All Other Metal Ore Mining | 1061, 1099 | 212299 |

4(b) Information Requested

(i) Data Items

In this ICR, all the data that are recorded or reported are required by the NSPS for Metallic Mineral Processing Plants (40 CFR Part 60, Subpart LL).

A source must make the following reports:

| Notifications | |
|--|-------------|
| Notification of construction/reconstruction | §60.7(a)(1) |
| Notification of actual startup | §60.7(a)(3) |
| Notification of initial performance test | §60.8(d) |
| Notification of physical or operational changes | §60.7(a)(4) |
| Notification of continuous monitoring system (CMS) demonstration | §60.7(a)(5) |

| Reports | |
|---|-------------------------|
| Performance test results, including CMS demonstration results | §60.8(a) and §60.385(a) |
| Semiannual reports when wet scrubber measurements deviate by more than 30 percent from their respective averages, as measured during the most recent performance test | §60.385(c) |

A source must keep the following records:

| Recordkeeping | |
|---|------------|
| Startups, shutdowns, and malfunctions; periods where the CMS is inoperative | §60.7(b) |
| Weekly measurements of wet scrubber gas stream pressure change and scrubbing liquid flow rate | §60.385(b) |
| Records retention for at least two years | §60.7(f) |

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.

(ii) Respondent Activities

| Respondent Activities |
|--|
| Familiarization with the regulatory requirements. |
| Install, calibrate, maintain, and operate CMS for opacity, or for wet scrubber pressure drop and liquid supply pressure. |
| Perform initial performance test, Reference Method 5, 9, and 17 tests, and repeat performance tests if necessary. |
| Write the notifications and reports listed above. |
| Enter information required to be recorded above. |
| Submit the required reports developing, acquiring, installing, and utilizing technology and systems for collecting, validating, and verifying information. |
| Develop, acquire, install, and utilize technology and systems for processing and maintaining information. |
| Develop, acquire, install, and utilize technology and systems for disclosing and providing information. |
| Train personnel to be able to respond to a collection of information. |
| Transmit, or otherwise disclose the information. |

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

5(a) Agency Activities

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

| Agency Activities |
|---|
| Observe initial performance tests and repeat 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 two 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 these regulations. 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 – NSPS for Metallic Mineral Processing Plants (40 CFR Part 60, Subpart LL) (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 3,350 labor hours. These hours are based on Agency studies and background documents from the development of these regulations, Agency knowledge and experience with the NSPS 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 entities 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(s) 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 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) 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) |
| Wet Scrubber | N/A | 0 | \$0 | \$650 | 29 | \$18,900 |

Note: 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 \$18,900 (rounded). 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 \$18,900. These are the record-keeping 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 \$15,600.

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 – NSPS for Metallic Mineral Processing Plants (40 CFR Part 60, Subpart LL) (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 29 existing respondents will be subject to these standards. It is estimated that no additional respondents per year will become subject to these same standards. It is possible that one existing facility will undergo reconstruction or a physical/operational change. The overall average number of respondents, as shown in the table below, is 29 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 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 | 1 | 29 | 0 | 1 | 29 |
| 2 | 1 | 29 | 0 | 1 | 29 |
| 3 | 1 | 29 | 0 | 1 | 29 |
| Average | 1 | 29 | 0 | 1 | 29 |

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 29.

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 construction/reconstruction | 1 | 1 | 0 | 1 |
| Notification of actual startup | 1 | 1 | 0 | 1 |
| Notification of initial performance test | 1 | 1 | 0 | 1 |
| Notification of CMS demonstration | 1 | 1 | 0 | 1 |
| Report of performance test (includes CMS demonstration report) | 1 | 1 | 0 | 1 |
| Semiannual scrubber report | 29 | 2 | 0 | 58 |
| | | | Total | 63 |

The number of Total Annual Responses is 63.

The total annual labor costs are \$397,000. Details regarding these estimates may be found at the end of this document in Table 1: Annual Respondent Burden and Cost – NSPS for Metallic Mineral Processing Plants (40 CFR Part 60, Subpart LL) (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 3,350 hours. Details regarding these estimates may be found below in Table 1: Annual Respondent Burden and Cost – NSPS for Metallic Mineral Processing Plants (40 CFR Part 60, Subpart LL) (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 53 hours per response.

The total annual capital/startup and O&M costs to the regulated entity are \$18,900. 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 three years is estimated to be 313 labor hours at a cost of \$15,600; see below in Table 2: Average Annual EPA Burden and Cost – NSPS for Metallic Mineral Processing Plants (40 CFR Part 60, Subpart LL) (Renewal).

We assume that burdens for managerial tasks take 5% of the time required for technical tasks because the typical tasks for managers are to review and approve reports. Clerical burdens are assumed to take 10% of the time required for technical tasks because the typical duties of clerical staff are to proofread the reports, make copies and maintain records.

6(f) Reasons for Change in Burden

There is an adjustment increase in the total estimated burden as currently identified in the OMB Inventory of Approved Burdens. This increase is not due to any program changes. This increase is not due to any program changes. The adjustment increase in burden from the most recently-approved ICR is primarily due to a more accurate estimate of existing sources, which is based on more recently information from EPA's Enforcement and Compliance History Online database. Additionally, EPA increased the person-hours per occurrence for familiarization with rule requirements; records of startup, shutdown, and malfunction; and time to train personnel based on comments received from industry consultations. There is also an adjustment increase in costs, which is due to more recently labor rates. This ICR uses labor rates from the most-recent Bureau of Labor Statistics report (September 2020) to calculate respondent burden costs.

The increase in operation and maintenance (O&M) costs as calculated in section 6(b)(iii), compared with the costs in the previous ICR, is due the increase in the estimate of existing sources.

6(g) Burden Statement

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 53 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-2020-0655. 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. Due to COVID-19 precautions, entry to the Reading Room is available by appointment only. Please contact personnel in the Reading Room to schedule an appointment. 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-2020-0655 and OMB Control Number 2060-0016 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 – NSPS for Metallic Mineral Processing Plants (40 CFR Part 60, Subpart LL) (Renewal)

| Burden item | (A) Person- hours per occurrence | (B) Annual occurrences per respondent | (C) Person- hours per respondent per year (AxB) | (D) Respondents per year ^a | (E) Technical hours per year (CxD) | (F) Management hours per year (Ex0.05) | (G) Clerical hours per year (Ex0.10) | (H) Annual cost (\$)^b |
|---|---|--|--|--|---|---|---|---|
| 1. Applications | N/A | | | | | | | |
| 2. Surveys and studies | N/A | | | | | | | |
| 3. Reporting requirements | | | | | | | | |
| A. Familiarization with regulatory requirements | 2 | 1 | 2 | 29 | 58 | 2.90 | 5.80 | 7,901.92 |
| B. Required activities | | | | | | | | |
| Initial performance test | 330 | 1 | 330 | 1 | 330 | 16.5 | 33 | 44,959.20 |
| Repeat performance test ^c | 330 | 1 | 330 | 0.2 | 66 | 3.3 | 6.6 | 8,991.84 |
| C. Create information | See 3B | | | | | | | |
| D. Gather existing information | See 3B | | | | | | | |
| E. Write report | | | | | | | | |
| Notification of construction/reconstruction | 2 | 1 | 2 | 1 | 2 | 0.1 | 0.2 | 272.48 |
| Notification of actual startup | 2 | 1 | 2 | 1 | 2 | 0.1 | 0.2 | 272.48 |
| Notification of initial performance test | 2 | 1 | 2 | 1 | 2 | 0.1 | 0.2 | 272.48 |
| Report of performance test | See 3B | | | | | | | |
| Notification of CMS demonstration | 2 | 1 | 2 | 1 | 2 | 0.1 | 0.2 | 272.48 |
| Report of CMS demonstration | See 3B | | | | | | | |
| Semiannual scrubber report | 8 | 2 | 16 | 29 | 464 | 23 | 46 | 63,215.36 |
| Subtotal for Reporting Requirements | | | | | | 1,065 | | 126,158 |

| | | | | | | | | |
|---|--------|-----|------|----|-------|--------------|-----|-------------------|
| 4. Recordkeeping requirements | | | | | | | | |
| A. Familiarization with regulatory requirements | See 3A | | | | | | | |
| B. Plan activities | See 3A | | | | | | | |
| C. Implement activities | See 3A | | | | | | | |
| D. Develop record system | N/A | | | | | | | |
| E. Time to enter information | | | | | | | | |
| Records of operating parameters | 0.25 | 250 | 62.5 | 29 | 1,813 | 90.6 | 181 | 246,935 |
| Records of startup, shutdown, malfunction | 2 | 1 | 2 | 29 | 58 | 2.9 | 6 | 7,901.92 |
| F. Train personnel | 4 | 1 | 4 | 29 | 116 | 5.8 | 12 | 15,803.84 |
| G. Audits | N/A | | | | | | | |
| Subtotal for Recordkeeping Requirements | | | | | | 2,284 | | 270,641 |
| TOTAL LABOR BURDEN AND COST (rounded)^d | | | | | | 3,350 | | \$ 397,000 |
| TOTAL CAPITAL AND O&M COST (rounded)^d | | | | | | | | \$ 18,900 |
| GRAND TOTAL (rounded)^d | | | | | | | | \$ 416,000 |

Assumptions:

^a On average, EPA estimates 29 existing sources will be subject to the NSPS. No new sources will become subject to the standard over the three-year period of this ICR. EPA also estimates one existing facility will undergo either a reconstruction or a physical or operational change such that it will be required to submit initial notifications and conduct initial performance testing.

^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.” The rates have been increased by 110 percent to account for the benefit packages available to those employed by private industry.

^c EPA assumes 20 percent of respondents will have to repeat the performance test due to failure.

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

Table 2: Average Annual EPA Burden and Cost – NSPS for Metallic Mineral Processing Plants (40 CFR Part 60, Subpart LL) (Renewal)

| Burden item | (A) EPA person- hours per occurrence | (B) Annual occurrences per respondent | (C) EPA person-hours per respondent per year (AxB) | (D) Respondents per year ^a | (E) Technical hours per year (CxD) | (F) Management hours per year (Ex0.05) | (G) Clerical hours per year (Ex0.10) | (H) Annual cost (\$)^b |
|--|---|--|---|--|---|---|---|---|
| Performance test review | | | | | | | | |
| Initial performance test | 24 | 1 | 24 | 1 | 24 | 1.2 | 2.4 | 1,378.92 |
| Repeat performance test ^c | 24 | 1 | 24 | 0.2 | 4.8 | 0.24 | 0.48 | 275.78 |
| Report review | | | | | | | | |
| Notification of construction/reconstruction | 2 | 1 | 2 | 1 | 2 | 0.1 | 0.2 | 114.91 |
| Notification of actual startup | 0.5 | 1 | 0.5 | 1 | 0.5 | 0.03 | 0.05 | 28.73 |
| Notification of initial performance test | 0.5 | 1 | 0.5 | 1 | 0.5 | 0.03 | 0.05 | 28.73 |
| Report of performance test (includes CMS demonstration report) | 8 | 1 | 8 | 1 | 8 | 0.4 | 0.8 | 459.64 |
| Notification of CMS demonstration | 0.5 | 1 | 0.5 | 1 | 0.5 | 0.03 | 0.05 | 28.73 |
| Semiannual scrubber report | 4 | 2 | 8 | 29 | 232 | 12 | 23 | 13,329.56 |
| TOTAL LABOR BURDEN AND COST (ROUNDED)^d | | | | | | 313 | | \$ 15,600 |

^a On average, EPA estimates 20 existing sources will be subject to the NSPS. No new sources will become subject to the standard over the three-year period of this ICR. EPA also estimates one existing facility will undergo either a reconstruction or a physical or operational change such that it will be required to submit initial notifications and conduct initial performance testing.

^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 20 percent of respondents will have to repeat the performance test due to failure.

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