

**SUPPORTING STATEMENT
ENVIRONMENTAL PROTECTION AGENCY**

**NESHAP for Pesticide Active Ingredient Production (40 CFR Part 63, Subpart MMM)
(Renewal)**

1. Identification of the Information Collection

1(a) Title of the Information Collection

NESHAP for Pesticide Active Ingredient Production (40 CFR Part 63, Subpart MMM) (Renewal), EPA ICR Number 1807.09, OMB Control Number 2060-0370.

1(b) Short Characterization/Abstract

The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Pesticide Active Ingredient Production (40 CFR Part 63, Subpart MMM) were proposed on November 10, 1997, and promulgated on March 27, 2014. These regulations apply to both existing and new facilities engaged in the production of pesticide active ingredients (PAIs) that emit HAPs. New facilities include those that commenced construction, or modification or reconstruction after the date of proposal. This information is being collected to assure compliance with 40 CFR Part 63, Subpart MMM.

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 of these measurements and retain the file for at least five years following the date of such measurements, maintenance reports, and records. All reports required to be submitted electronically are submitted through the EPA's Central Data Exchange (CDX), using the Compliance and Emissions Data Reporting Interface (CEDRI), where the delegated state or local authority can review them. If there is no such delegated authority, the EPA regional office can review them. All other reports are sent to the delegated state or local authority. If there is no such delegated authority, the reports are sent directly to the EPA regional offices. The use of the term "Designated Administrator" throughout this document refers to the U.S. EPA or a delegated authority, such as a state agency. The term "Administrator" alone refers to the U.S. EPA Administrator.

The burden to the "Affected Public" may be found below in Table 1: Annual Respondent Burden and Cost – NESHAP for XXXX (40 CFR Part X, Subpart Y) (Renewal). The burden to the Federal Government is attributed entirely to work performed by either Federal employees or government contractors and refers to Table 2: Average Annual EPA Burden and Cost – NESHAP for XXXX (40 CFR Part X, Subpart Y) (Renewal). There are approximately 19

Pesticide Active Ingredient facilities, which are owned and operated by the Pesticide Active Ingredient industry. None of the 19 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 19 respondents per year will be subject to these standards and no additional respondents 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, HAP emissions from PAI production 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 MMM.

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 these emission standards. Continuous emission monitors are used to ensure compliance with these same 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 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, that leaks are being detected and repaired, and the standards are being met. The performance test may also be observed.

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

Additionally, the EPA is requiring electronic reporting for certain notifications or reports. 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), change in information already provided in 40 CFR 63.9(j), and results of performance tests in 40 CFR 63.1368(p)(1) 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. The EPA is also requiring that 40 CFR Part 63, Subpart MMM performance test reports 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 MMM.

3(a) Non-duplication

For reports required to be submitted electronically, the information is sent through the

EPA's CDX, using CEDRI, where the appropriate EPA regional office can review it, as well as state and local agencies that have been delegated the official authority. If a state or local agency has adopted under its own authority in its own standards for reporting or data collection, adherence to those non-Federal requirements does not constitute duplication.

For all other reports, 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 standards to implement the Federal standards, a copy of the report submitted to either 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 19256) on April 13, 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 19 respondents will be subject to these standards over the three-year period covered by this ICR.

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 same standards have been reviewed previously to determine the minimum information needed for compliance purposes. In developing this ICR, we contacted both the American Chemistry Council, at (202) 249-7000, and Corteva Agriscience, at (833) 267-8382.

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, we received comments from Corteva Agriscience related to both capital and operation, and maintenance costs and labor burden, for certain notifications and reports. Corteva provided updated operation and maintenance costs for pressure relief device indicators, performance tests, process vent continuous monitoring, and wastewater continuous monitoring. This ICR incorporates the revised costs for pressure relief device indicators, process vent continuous monitoring, and wastewater continuous monitoring, but adjusts the number of affected facilities

to the total number of plants affected by the rule. Because the rule does not require annual performance tests, this ICR does not include updated O&M costs for performance testing. Corveva also provided updated labor assumptions for certain burden items that previously-applied only to new or reconstructed sources. Corveva asserted that for existing facilities that install a new process unit or equipment, pre-compliance reports, initial compliance demonstrations, updates to record management systems, and development of quality assurance/quality control procedures would be required. This ICR incorporates these revised costs, assuming one existing respondent will install a new process unit per year.

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 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, EPA would be prevented from pursuing the violators due to either 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 owners and operators of PAI production facilities. The United States Standard Industrial Classification (SIC) codes and the corresponding North American Industrial Classification System (NAICS) codes for this source category are listed below:

Standard (40 CFR Part 63, Subpart MMM)	SIC Codes	NAICS Codes
Pesticide and Other Agricultural Chemical Manufacturing	2879	325320
Petrochemical Manufacturing	2869	325110
All Other Basic Inorganic Chemical Manufacturing	2869	325320
Ethyl Alcohol Manufacturing	2869	325193
All Other Basic Organic Chemical Manufacturing	2869	325199
Industrial Gas Manufacturing	2869	325120
All Other Miscellaneous Chemical Production and Preparation Manufacturing	2869	325998

4(b) Information Requested

(i) Data Items

In this ICR, all the data that is recorded or reported is required by the NESHAP for Pesticide Active Ingredient Production (40 CFR Part 63, Subpart MMM).

A source must make the following reports:

Notifications	
Notification and application of construction and reconstruction	§§63.5(d), 63.1368(c)
Notification of CMS performance evaluation	§§63.8(e)(2), 63.1368(d)
Notification of applicability	§§63.9(b)(2), 63.10899(d)
Notification of actual startup	§§63.9b(4)(v), 63.9(b)(5) (ii)

Notifications	
Notification of process change	§63.1368(h)
Pre-compliance plan	§63.1368(e)
Notification of compliance status report	§§63.9(h), 63.1363(h)(2), 63.1368(f)
Notification of performance test and test plan	§§63.7(c)(2)(i), 63.1368(m)
Request for extension of compliance	§§63.1364(a)(2), 63.1368(n)
Request for approval to use alternative monitoring parameters	§§63.8(f), 63.1366(b)(4), 63.1368(e)(1)
Notification of changes in information (reclassification to area source status or to revert to major source status) (electronic submission)	§§63.9(b), 63.9(j)

A source must make the following reports:

Reports	
Periodic reports of excess emissions and noncompliance	§§63.10(e)(3), 63.1363(h)(3), 63.1368(g)
Startup, shutdown, and malfunction reports	§63.1368(i)
Equipment leaks reports	§§63.1363(h), 63.1368(j)
Emissions averaging reports	§63.1368(k)
Heat exchange system reports	§63.1368(l)
PRD requirements in periodic reports	§63.1363(h)(3)(iv)
Reports and notifications of malfunctions that result in an exceedance of the standard for the purpose of affirmative defense	§63.1360(k)
Performance test reports (electronic submission)	§63.1368(p)

A source must keep the following records:

Recordkeeping	
Retain copies of all required records, notifications, reports, applicability determinations, malfunctions, and CMS monitoring data for at least five years	§63.1367(a)
Control device operating parameters to monitor and record	§§63.1366(b), 63.1367(b)(1)
Monitoring and records for CMS	§§ 63.10(c), 63.1367(a)(4), 63.1367(b)(3)
Monitoring and records for uncontrolled emissions	§§63.1366(c), 63.1367(b)(4 and 5)
Monitor and records for equipment leak detection and repair	§§63.10(b)(1), 63.1363(g), 63.1366(d), 63.1367(c), 63.1368(j)
Monitoring and records for heat exchanger systems	§§63.104(f)(1)(i-iv), 63.1362(f), 63.1366(e), 63.1367(e)
Monitoring and records for alternative standard	§§63.1366(b)(5), 63.1366(f), 63.1367(b)(2)
Monitoring and records for emission averaging	§§63.1366(g), 63.1367(d)
Records for process operating parameters and maintenance	§63.1367(b)(6-11)
Records for vapor collection systems and closed-vent systems	§63.1367(f)
Records of primary use as a PAI process	§63.1367(g)

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 previously amended to include electronic reporting provisions on March 27, 2014. 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.

The rule was also recently amended to include additional electronic reporting provisions on November 19, 2020. Respondents are required to use the EPA’s CEDRI to submit notification in the event of reclassification to area source status and to sources that revert 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 proposed 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, calibrate, maintain, and operate CMS for temperature, pressure drop, and liquid supply pressure for relevant scrubbers, condensers, adsorbers, or other control devices.
Perform initial performance test, Reference Method 1, 1A, 2, 2A, 2C, 2D, 3, 4, 5, 18, 25, 25A, 26, 26A, or 301-validated test, and repeat performance tests if necessary.
Write the notifications and reports listed above.
Enter information required to be recorded above.
Submit the required reports developing, acquiring, installing, and utilizing technology and systems for 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. Agency Activities, Collection Methodology, and Information Management

5(a) Agency Activities

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

Agency Activities
Review notifications and reports, including performance test reports, and excess emissions reports, required to be submitted by industry.
Audit facility records.
Input, analyze, and maintain data in the Enforcement and Compliance History Online (ECHO) and ICIS.

5(b) Collection Methodology and Management

Data and records maintained by the respondents are both 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, both EPA regional offices and 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 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 Pesticide Active Ingredient Production (40 CFR Part 63, Subpart MMM) (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 13,200 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	\$153.55 (\$73.12 + 110%)
Technical	\$122.20 (\$58.19 + 110%)
Clerical	\$61.51 (\$29.29 + 110%)

These rates are from the United States Department of Labor, Bureau of Labor Statistics, March 2021, “Table 2. Civilian Workers, by occupational and industry group.” The rates are from column 1, “Total compensation.” The rates have been increased by 110 percent to account for the benefit packages available to those employed by private industry.

(ii) Estimating Capital/Startup and Operation and Maintenance Costs

The type of industry costs associated with the information collection activities in the subject standard(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)	(B)	(C)	(D)	(E)	(F)	(G)
Continuous Monitoring Device	Capital/Startup Cost for One Respondent	Number of New Respondents ^a	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)
PRD Electronic Indicators ^b	\$11,632	1	\$11,632	\$2,825	19	\$53,675
Performance Tests	\$52,200	1	\$52,200	\$0	0	\$0
Process Vents CMS ^c	\$15,920	1	\$15,920	\$1,220	19	\$23,180
Wastewater CMS ^d	\$10,690	1	\$10,690	\$9,038	19	\$171,722
Total (rounded)			\$90,400			\$249,000

^a On average, EPA estimates 19 existing sources will be subject to the NESHAP and no new sources will become subject to the standard over the three-year period of this ICR. However, based on comments received from Corteva, we assume one existing source per year will install a new process unit.

^b Based on comments received from Corteva, we assume a cost of \$2,825 annually per respondent for annual PRD monitoring.

^c Based on comments received from Corteva, we assume approximately 10 hours of technical labor for programming time, correct instrumentation, and calibrations, or \$1,220 per respondent annually.

^d Based on comments received from Corteva, we assume a cost of \$9,038 annually per respondent for calibration and maintenance for the treatment device and associated control devices and operating parameters.

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 \$90,400. This is the total of column D in the above table.

The total operation and maintenance (O&M) costs for this ICR are \$249,000. 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 \$339,000. 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 \$15,900.

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 Pesticide Active Ingredient Production (40 CFR Part 63, Subpart MMM) (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 19 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 19 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	(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	19	0	1	19
2	1	19	0	1	19
3	1	19	0	1	19
Average	1	19	0	1	19

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 19.

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	0	1	0	0
Notification of applicability	0	1	0	0
Notification of anticipated startup	0	1	0	0
Notification of actual startup	0	1	0	0
Notification of process changes	1	1	0	1
Pre-compliance plan	1	1	0	1
Notification of initial performance test	1	1	0	1
Notification of initial CMS performance evaluation	1	1	0	1
CMS evaluation with performance test	0.9	1	0	0.9
CMS evaluation without performance test	0.1	1	0	0.1

Semiannual report	17	2	0	34
Quarterly report	2	4	0	8
Emissions averaging plan	2	1	0	2
			Total	49

The number of Total Annual Responses is 49.

The total annual labor costs are \$1,570,000. Details regarding these estimates may be found at the end of this document in Table 1: Annual Respondent Burden and Cost – NESHAP for Pesticide Active Ingredient Production (40 CFR Part 63, Subpart MMM) (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 13,200 hours. Details regarding these estimates may be found below in Table 1: Annual Respondent Burden and Cost – NESHAP for Pesticide Active Ingredient Production (40 CFR Part 63, Subpart MMM) (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 269 hours per response.

The total annual capital/startup and O&M costs to the regulated entity are \$339,000. 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 319 labor hours at a cost of \$15,900; see below in Table 2: Average Annual EPA Burden and Cost – NESHAP for Pesticide Active Ingredient Production (40 CFR Part 63, Subpart MMM) (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

The increase in burden from the most-recently approved ICR is due to several adjustments. This increase is not due to any program changes. The adjustment increase in burden from the most-recently approved ICR is due to an increase in the number of existing respondents. The number of estimated facilities subjected to this rule has increased to 19 based on a review of EPA's Enforcement and Compliance History Online and data collected during rulemakings for related chemical sectors. Based on comments received from industry, we have also updated the burden to reflect that at least one existing respondent will install a new process unit per year. This ICR adjusts the burden to reflect certain one-time activities for these sources, including submittal of an updated pre-compliance report, notifications of initial performance test or performance evaluation, updates to facility record management systems, and development of a quality assurance/quality control plan for continuous monitoring systems. A slight increase in labor rates from the most-recent Bureau of Labor Statistics report (March 2021) also contributes to the increase in burden costs.

This ICR also adjusts the capital and operation and maintenance costs to reflect comments provided by industry during consultations. The ICR capital costs have been adjusted to account for at least one existing respondent that will install a new process unit per year. Additionally, this ICR adjusts the operation and maintenance costs for pressure relief device, process vent, and wastewater monitoring.

6(g) Burden Statement

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 269 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 EPA-HQ-OAR-2021-0091. 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-2021-0091 and OMB Control Number 2060-0370 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 Pesticide Active Ingredient Production (40 CFR Part 63, Subpart MMM) (Renewal)

Burden item	A	B	C	D	E	F	G	H
	Person-hours per occurrence	Annual occurrences per respondent	Person-hours per respondent per year (AxB)	Respondents per year ^a	Technical hours per year (CxD)	Management hours per year (Ex0.05)	Clerical hours per year (Ex0.10)	Annual Cost (\$) ^b
1. Applications	N/A							
2. Surveys and studies	N/A							
3. Reporting requirements								
A. Familiarization with Regulatory Requirements	2	1	2	19	38	2	4	\$5,169.08
B. Required activities								
Performance evaluation test (CMS certification)	13	6	78	1	78	4	8	\$10,610
C. Create information	See 3B							
D. Gather existing information	See 3E							
E. Write report								
Notification and application of construction/reconstruction ^c	2	1	2	0	0	0	0	\$0
Notification of applicability ^c	2	1	2	0	0	0	0	\$0
Notification of anticipated startup ^c	2	1	2	0	0	0	0	\$0
Notification of actual startup ^c	2	1	2	0	0	0	0	\$0
Notification of process changes ^d	8	1	8	1	8	0.4	0.8	\$1,088.23
Pre-compliance report ^c	40	1	40	1	40	2	4	\$5,441
Notification of initial performance test ^c	2	1	2	1	2	0	0	\$272

Notification of initial CMS performance evaluation ^c	2	1	2	1	2	0	0	\$272
CMS evaluation with performance test ^{c,e}	80	1	80	0.9	72	4	7	\$9,794
CMS evaluation without performance test ^{c,f}	120	1	120	0.1	12	1	1	\$1,632
Periodic reporting								
Semiannual report ^g	8	2	16	17	272	13.6	27.2	\$36,999.75
Quarterly report ^h	24	4	96	2	192	9.6	19.2	\$26,117.47
Emissions averaging plan ⁱ	40	1	40	2	80	4	8	\$10,882.28
PRD reporting ^k	5.5	2	11	19	209	10.5	20.9	\$28,429.96
LDAR reporting ^k	94	2	188	19	3,572	178.6	357.2	\$485,893.80
Subtotal for Reporting Requirements						5,264		\$622,602
4. Recordkeeping requirements								
A. Familiarization with Regulatory Requirements	See 3A							
B. Plan activities	N/A							
C. Implement activities	N/A							
D. Develop record system ^c	40	1	40	1	40	2	4	\$5,441
E. Develop QA/QC plan for CMS ^c	40	1	40	1	40	2	4	\$5,441
F. Time to enter information								
Records of excess emissions	1.5	52	78	1	78	4	8	\$10,610
Records of CMS data								
Record continuously monitored parameters ^j	1	320	320	19	6,080	304	608	\$827,053.28
Enter/verify information for periodic report	16	2	32	19	608	30.4	60.8	\$82,705.33
G. CMS calibration ^c	48	1	48	1	48	2	5	\$6,529
H. Train personnel ^c	40	1	40	1	40	2	4	\$5,441

I. Audits	N/A						
Subtotal for Recordkeeping Requirements						7,974	\$943,000
TOTAL ANNUAL BURDEN AND COST (ROUNDED)^l						13,200	\$1,570,000
TOTAL CAPITAL AND O&M COST (rounded)^l							\$339,000
GRAND TOTAL (rounded)^l							\$1,910,000

^a On average, EPA estimates 19 existing sources will be subject to the NESHAP. No new sources will become subject to the standard over the three-year period of this ICR.

^b This ICR uses the following labor rates: \$122.20 (technical), \$153.55 (managerial), and \$61.51 (clerical). These rates are from the United States Department of Labor, Bureau of Labor Statistics, June 2021, “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 Applies to new or reconstructed sources only. However, based on comments received from Corteva, we assume one existing source per year will install a new process unit and would be required to conduct certain activities, including submit an updated pre-compliance report, notifications of initial performance test or performance evaluation, update record management systems, and develop of a QA/QC plan for CMS.

^d EPA assumes 5 percent of existing facilities ($19 \times 0.05 = 1$, after rounding) will implement process changes.

^e EPA assumes 90 percent of new sources will comply by conducting performance testing.

^f EPA assumes 10 percent of new sources will comply by submitting engineering calculations, designing calculations, and CMS performance evaluation results.

^g EPA assumes 90 percent of sources ($19 \times 0.9 = 17$, after rounding) will have no exceedances and periods of noncompliance; therefore, they will submit periodic reports on a semiannual basis.

^h EPA assumes 10 percent of sources ($19 \times 0.1 = 2$, after rounding) will have exceedances and periods of noncompliance; therefore, they will submit periodic reports on a quarterly basis.

ⁱ EPA assumes 10 percent of existing sources will comply with emissions averaging requirements. New sources are not allowed to use emissions averaging.

^j EPA assumes it will take 1 hour, 320 times per year, to record continuously monitored parameter data.

^k Pressure Relief Device (PRD) reporting and Leak Detection and Repair (LDAR) reporting are submitted with the semiannual report.

^l 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 Pesticide Active Ingredient Production (40 CFR Part 63, Subpart MMM) (Renewal)

Burden item	A	B	C	D	E	F	G	H
	EPA person-hours per occurrence	Annual occurrences per respondent	EPA person-hours per respondent per year (AxB)	Respondents per year ^a	Technical hours per year (CxD)	Management hours per year (Ex0.05)	Clerical hours per year (Ex0.10)	Annual cost (\$) ^b
Initial performance test	40	1	40	1	40	2	4	\$2,298
Repeat performance test ^c	40	1	40	0.2	8	0	1	\$460
Performance evaluation test (CMS certification) ^d	2	6	12	0.1	1	0	0	\$69
Report review								
Notification of construction/reconstruction	2	1	2	0	0	0	0	\$0
Notification of applicability	2	1	2	0	0	0	0	\$0
Notification of anticipated startup	2	1	2	0	0	0	0	\$0
Notification of actual startup	2	1	2	0	0	0	0	\$0
Notification of process changes ^e	8	1	8	1	8	0.4	0.8	\$459.64
Pre-compliance plan	4	1	4	1	4	0	0	\$230
Notification of initial performance test	2	1	2	1	2	0	0	\$115
Notification of initial CMS performance evaluation	2	1	2	1	2	0	0	\$115
CMS evaluation with performance test ^f	40	1	40	0.9	36	2	4	\$2,068
CMS evaluation without performance test ^g	40	1	40	0.1	4	0	0	\$230
Semiannual report ^h	2	2	4	17	68	3.4	6.8	\$3,906.94
Quarterly report ⁱ	8	4	32	2	64	3.2	6.4	\$3,677.12

Emissions averaging plan ^j	20	1	20	2	40	2	4	\$2,298.20
TOTAL ANNUAL BURDEN AND COST (ROUNDED)^k						319		\$15,900

^a On average, EPA estimates 19 existing sources will be subject to the NESHAP. No new sources will become subject to the standard over the three-year period of this ICR. However, based on comments received from Corteva, we assume one existing source per year will install a new process unit.

^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 five percent of new sources will repeat performance testing.

^d EPA assumes Agency personnel will attend ten percent of evaluation tests.

^e EPA assumes 5 percent of existing facilities ($19 \times 0.05 = 1$, after rounding) will implement process changes.

^f EPA assumes 90 percent of new sources will comply by conducting performance testing.

^g EPA assumes 10 percent of new sources will comply by submitting engineering calculations, designing calculations, and CMS performance evaluation results.

^h EPA assumes 90 percent of sources ($19 \times 0.9 = 17$, after rounding) will have no exceedances and periods of noncompliance; therefore, they will submit periodic reports on a semiannual basis.

ⁱ EPA assumes 10 percent of sources ($19 \times 0.1 = 2$, after rounding) will have exceedances and periods of noncompliance; therefore, they will submit periodic reports on a quarterly basis.

^j EPA assumes 10 percent of existing sources will comply with emissions averaging requirements. New sources are not allowed to use emissions averaging.

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