

**SUPPORTING STATEMENT
ENVIRONMENTAL PROTECTION AGENCY**

NESHAP for Source Categories: Gasoline Distribution Bulk Terminals, Bulk Plants, Pipeline Facilities, and Gasoline Dispensing Facilities (40 CFR Part 63, Subparts BBBBBB and CCCCCC) (Renewal)

1. Identification of the Information Collection

1(a) Title of the Information Collection

NESHAP for Source Categories: Gasoline Distribution Bulk Terminals, Bulk Plants, Pipeline Facilities, and Gasoline Dispensing Facilities (40 CFR Part 63, Subparts BBBBBB and CCCCCC) (Renewal), EPA ICR Number 2237.06, OMB Control Number 2060-0620.

1(b) Short Characterization/Abstract

The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Source Categories: Gasoline Distribution Bulk Terminals, Bulk Plants, Pipeline Facilities, and Gasoline Dispensing Facilities (40 CFR Part 63, Subparts BBBBBB and CCCCCC) were proposed on January 8, 2007; promulgated on January 10, 2008; and revised on: March 7, 2008; January 24, 2011; and November 19, 2020. These regulations apply to existing facilities and new gasoline distribution facilities that are area sources of hazardous air pollutants (HAP). New facilities include those that commenced construction or reconstruction after the date of this proposal. This information is being collected to assure compliance with 40 CFR Part 63, Subparts BBBBBB and CCCCCC.

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

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

The ‘burden’ to the “Affected Public” may be found in Table 1: Annual Respondent Burden and Cost – NESHAP for Source Categories: Gasoline Distribution Bulk Terminals, Bulk Plants, Pipeline Facilities, and Gasoline Dispensing Facilities (40 CFR Part 63, Subparts BBBBBB and CCCCCC) (Renewal). The Federal Government’s ‘burden’ is attributed entirely to work performed by either Federal employees or government contractors and may be found in Table 2: Average Annual EPA Burden and Cost – NESHAP for Source Categories: Gasoline Distribution Bulk Terminals, Bulk Plants, Pipeline Facilities, and Gasoline Dispensing Facilities

(40 CFR Part 63, Subparts BBBBBB and CCCCCC) (Renewal). There are approximately 350,000 gasoline distribution, bulk terminals, bulk plants, pipeline, and gasoline dispensing facilities, which are owned and operated by the gasoline distribution industry. The gasoline dispensing facility segment alone accounts for about 340,000 of these facilities. None of the 350,000 facilities in the United States are either owned by 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 350,000 respondents per year will be subject to these standards, and no additional respondents per year will become subject to these same standards.

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

2. Need for and Use of the Collection

2(a) Need/Authority for the Collection

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

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

In the Administrator's judgment, HAP emissions from gasoline distribution facilities 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 BBBBBB and CCCCCC.

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 these standards are used to inform either the Agency or its 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.

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) and change in information for major source to area source reclassification required in 40 CFR 63.9(j) 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.

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

The requested recordkeeping and reporting are required under 40 CFR 63, Subpart BBBBBB and CCCCCC.

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 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 the standard, 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 350,000 respondents will be subject to these standards over the three-year period covered by this ICR, with approximately 19,120 respondents required to conduct recordkeeping and reporting.

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 Fuel & Petrochemical Manufacturers (AFPM), at 202-457-0480, and the American Petroleum Institute (API), at 202-682-8000.

It is our policy to respond after a thorough review of comments received since the last ICR renewal, as well as for those submitted in response to the first *Federal Register* notice. In this case, no comments were received.

3(d) Effects of Less-Frequent Collection

Less-frequent information collection would decrease the margin of assurance that facilities are continuing to meet these standards. Requirements for information gathering and recordkeeping are useful techniques to ensure that good operation and maintenance practices are applied and emission limitations are met. If the information required by these standards was collected less frequently, the proper operation and maintenance of control equipment and the possibility of detecting violations would be less likely.

3(e) General Guidelines

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

These standards require the respondents to maintain all records, including reports and notifications for at least five years. This is consistent with the General Provisions as applied to these standards. The EPA believes that the five-year records retention requirement is consistent with the Part 70 permit program and the five-year statute of limitations on which the permit program is based. The retention of records for five years allows 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 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 gasoline distribution bulk terminals, bulk plants, pipeline facilities, and gasoline dispensing facilities. The United States Standard Industrial Classification (SIC) code for the respondents affected by the standards, and the corresponding North American Industry Classification System (NAICS) code are listed in the table below:

Standard (40 CFR Part 63, Subparts BBBBBB and CCCCC)	SIC Codes	NAICS Codes
---	------------------	--------------------

Pipeline transportation of refined petroleum products	4613	486910
Petroleum Bulk Stations and Terminals	5171	424710
Gasoline stations with convenience stores	5411	447110
Other Gasoline Stations	5541	447190
Specialized Freight (except Used Goods) Trucking - Local	4214	484220
Specialized Freight (except Used Goods) Trucking – Long Distance	4213	484230

4(b) Information Requested

(i) Data Items

In this ICR, all the data that are recorded or reported is required by the NESHAP for Source Categories: Gasoline Distribution Bulk Terminals, Bulk Plants, Pipeline Facilities, and Gasoline Dispensing Facilities (40 CFR Part 63, Subparts BBBBBB and CCCCCC).

A source must make the following reports:

Notifications	
Notification requirements—applicability and general information	§63.9(a)
Initial notifications, reports of startups, shutdowns, malfunctions, anticipated construction/reconstruction, and modification	§63.5, §63.9(b)(2-5), §63.10(d)(5), §63.13, §63.11124(a)
Notification and report of performance test and results	§63.7(a-b), §63.9(e), §63.10(d)(2), §63.11120(b)
Notification of initial continuous monitoring system (CMS)/ continuous opacity monitoring system (COMS) demonstration	§63.9(g), §63.867(a)
Notification and report of compliance status	§63.9(h), §63.9(b)(2), §63.11095(b), §63.11124(a-b)
Request for extension of compliance	§63.9(c)
Notification that source is subject to special compliance requirements	§63.9(d)
Adjustment to time periods or postmark deadlines for submittal and review of required communications	§63.9(i)

Notifications	
Notification of reclassification to area source status or to revert to major source status (electronic submission)	§§63.9(b), 63.9(j)

Reports	
Semiannual compliance report	§63.11095(a), §63.11095(b), §63.11095(d)
Report of the number, duration, and type of malfunction and actions taken to minimize emissions	§63.11126(b)

A source must keep the following records:

Recordkeeping	
Five years retention of records	§63.10(b)(1), §63.11094(a), §63.11125(b-c)
Records of performance tests	§63.10(b)(2)(viii),
Documentation supporting initial notifications and notification of compliance status	§63.10(b)(2)(xiv), §63.11094(b), §63.11125(a)
Records of annual inspections	§63.11094(a) and (e)
Record of operating parameter monitoring data, as well as specific records to ensure that the monitoring activities will provide an indication of the facility's compliance	§63.11094(b) and (f)
Records of the occurrence, duration, and actions taken during each malfunction	§63.11094(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 recently amended to include additional electronic reporting provisions on

November 19, 2020. Respondents are required to use the EPA’s Compliance and Emissions Reporting Interface (CEDRI) to submit notification in the event of reclassification to area source status and 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 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 opacity, or for pressure drop and liquid supply pressure for wet scrubber.
Perform initial performance test, Reference Method 18, 25, 27, 1A, 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
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 standard 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, and both EPA's 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

Since these regulations address area sources of HAP emissions (i.e., a source that emits less than 10 tons per year of any individual hazardous air pollutant (HAP) or less than 25 tons per year of any combination of HAP emissions), a majority of the respondents (i.e., owners or

operators of gasoline dispensing facilities, bulk plants, bulk terminals, pipeline breakout stations, and pipeline pumping stations) are typically small facilities and many of them meet the definition of a small business entity (i.e., small business). Therefore, 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. Construction, modification, and reconstruction reports take very little time to complete and are filed only once. Equipment leak monitoring and storage tank inspection records are brief, and cargo tank vapor tightness documentation will be supplied primarily by independent cargo tank operators and kept at the gasoline distribution facility for each cargo tank and railcar that is to be loaded at the facility. 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 Tables 1.1 through 1.6: Annual Respondent Burden and Cost – NESHAP for Source Categories: Gasoline Distribution Bulk Terminals, Bulk Plants, Pipeline Facilities, and Gasoline Dispensing Facilities (40 CFR Part 63, Subparts BBBBBB and CCCCCC) (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 each of the subparts 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 214,000 hours (Total Labor Hours from Table 1.6 below). These hours are based on Agency studies and background documents from the development of these regulations, Agency knowledge and experience with the NESHAP program, the previously-approved ICR, and any comments received.

6(b) Estimating Respondent Costs

(i) Estimating Labor Costs

This ICR uses the following labor rates:

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

These rates are from the United States Department of Labor, Bureau of Labor Statistics, September 2020, “Table 2. Civilian Workers, by occupational and industry group.” The rates are from column 1, “Total compensation.” The rates have been increased by 110 percent to account for the benefit packages available to those employed by private industry.

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

The type of industry costs associated with the information collection activities in the subject 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)
CPMS for vapor processors	\$0	0	\$0	\$1,000	110 (10% of Bulk Terminals)	\$110,000

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 \$110,000. 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 \$110,000. These are 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 \$1,190,000.

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 Source Categories: Gasoline Distribution Bulk Terminals, Bulk Plants, Pipeline Facilities, and Gasoline Dispensing Facilities (40 CFR Part 63, SubpartsBBBBBB and CCCCCC) (Renewal).

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

Over the next three years, approximately 350,000 respondents per year will be subject to these standards, and no additional respondents per year will become subject to these same standards. However, a large percentage of these facilities are already complying with these standards due to their compliance with applicable state and local rules. We have either minimized or eliminated the reporting and recordkeeping requirements under this rule for most of those sources. Therefore, based on our research for this ICR, on average over the next three years, approximately 19,120 existing respondents will be subject to the recordkeeping and reporting requirements of these standards. This estimate consists of the following: 1,100 bulk terminals, 460 pipeline breakout stations, 1,800 pipeline pumping stations, 5,900 bulk plants, and 9,860 gasoline dispensing facilities. It is estimated that no additional respondents per year will become subject to these same regulations. The overall average number of respondents, as shown in the table below, is 19,120 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	0	19,120	0	0	19,120
2	0	19,120	0	0	19,120
3	0	19,120	0	0	19,120
Average	0	19,120	0	0	19,120

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 19,120.

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
Initial Notification	19,120	0	0	0
Initial Performance Test	14,695	0	0	0
Notification of Compliance Status	14,695	0	0	0
Storage Tank Inspections	1,560	1	0	1,560
Semiannual Compliance Report	1,714	2	0	3,428
Non-routine reports	1,912	1	0	1,912
			Total	6,900

The number of Total Annual Responses is 6,900 responses.

The total annual labor costs are \$25,300,000. Details regarding these estimates may be found at the end of this document in Tables 1.1 through 1.6: Annual Respondent Burden and Cost – NESHAP for Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities; and Gasoline Dispensing Facilities (40 CFR part 63, subparts BBBBBB and CCCCCC) (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 1.1 through 1.6 and Table 2 at the end of this document, respectively, and summarized below.

(i) Respondent Tally

The total annual labor hours are 214,000 hours. Details regarding these estimates may be found below in Tables 1.1 through 1.5 (and summarized in Table 1.6): Annual Respondent Burden and Cost – NESHAP for Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities; and Gasoline Dispensing Facilities (40 CFR part 63, subparts BBBBBB and CCCCCC) (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 31 hours per response.

The total annual capital/startup and O&M costs to the regulated entity are \$110,000. 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 the next three years is estimated to be 23,900 labor hours at a cost of \$1,190,000; see below in Table 2: Average Annual EPA Burden and Cost – NESHAP for Source Categories: Gasoline Distribution Bulk Terminals, Bulk Plants, Pipeline Facilities, and Gasoline Dispensing Facilities (40 CFR Part 63, Subparts BBBBBB and CCCCCC) (Renewal).

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

6(f) Reasons for Change in Burden

There is no change in burden from the most-recently approved ICR as currently identified in the OMB Inventory of Approved Burdens. This is due to two considerations. First, the regulations have not changed over the past three years, except to add electronic reporting for notifications that were already required under 40 CFR 63.9(b) and (j), which is not expected to increase burden. Also, the regulations are not anticipated to change over the next three years. Second, the growth rate for this industry is either very low or non-existent, so there is no significant change in the overall burden. Since there are no changes in the regulatory requirements and there is no significant industry growth, there are also no changes in the capital/startup or operation and maintenance (O&M) costs. There is an increase in costs, which is wholly due to the use of updated labor rates. This ICR uses labor rates from the most-recent Bureau of Labor Statistics report (September 2020) to calculate respondent burden costs.

6(g) Burden Statement

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 31 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-2021-0114. 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-2021-0114 and OMB Control Number 2060-0620 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 1.1: Annual Respondent Burden and Cost – NESHAP for Source Categories: Gasoline Distribution Bulk Terminals, Bulk Plants, Pipeline Facilities, and Gasoline Dispensing Facilities (40 CFR Part 63, Subparts BBBB and CCCCC) (Renewal)

Burden item	(A) Person hours per occurrence	(B) No. of occurrences per respondent per year	(C) Person hours per respondent per year (C=AxB)	(D) Respondents per year ^a	(E) Technical person-hours per year (E=CxD)	(F) Management person hours per year (Ex0.05)	(G) Clerical person hours per year (Ex0.1)	(H) Total Cost per year ^b
<i>1.1 Bulk Terminals</i>								
(a) Familiarization with rule requirements	6	1	6	1,100	6,600	330	660	\$899,184
(b) Prepare Initial Notification ^c	4	0	4	0	0	0	0	0
(c) Perform Initial Performance Test ^c	175	0	175	0	0	0	0	0
(d) Prepare Notification of Compliance Status ^c	4	0	4	0	0	0	0	0
(e) Perform annual storage tank inspection ^d	12	1	12	1,100	13,200	660	1,320	\$1,798,368
(f) Perform equipment leak inspections ^d	2	12	24	1,100	26,400	1,320	2,640	\$3,596,736
(g) Keep records of performance tests, storage tank and equipment leak inspections, and cargo tank vapor tightness documentation	0.75	12	9	1,100	9,900	495	990	\$1,348,776
(h) Submit semiannual compliance report	4	2	8	1,100	8,800	440	880	\$1,198,912
Subtotal Reporting [(h)]						10,120		\$1,198,912
Subtotal Recordkeeping [(e) - (g)]						64,515		\$7,643,064
TOTAL LABOR BURDEN AND COST (rounded)^e						74,600		\$8,840,000
TOTAL CAPITAL AND O&M COST (rounded)^e								\$110,000

GRAND TOTAL (rounded)^e					74,600	\$8,950,000
--	--	--	--	--	---------------	--------------------

Assumptions for Table 1.1:

- ^a We expect no new affected sources the next 3 years of this ICR. Therefore, the estimated number of respondents remains unchanged as 1,100 existing bulk terminals.
- ^b This ICR uses the following labor rates: \$149.84 per hour for Executive, Administrative, and Managerial labor; \$122.66 per hour for Technical labor, and \$60.88 per hour for Clerical labor. 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 Preparing Initial Notification, performing initial performance test, and preparing Notification of Compliance Status are one-time activities.
- ^d Assumed that all respondents are currently performing annual storage tank inspections; and, that all are currently performing equipment leak inspections at least once per month.
- ^e Totals have been rounded to 3 significant figures. Figures may not add exactly due to rounding.

Table 1.2: Annual Respondent Burden and Cost – NESHAP for Source Categories: Gasoline Distribution Bulk Terminals, Bulk Plants, Pipeline Facilities, and Gasoline Dispensing Facilities (40 CFR Part 63, Subparts BBBB and CCCCC) (Renewal)

Burden item	(A) Person hours per occurrence	(B) No. of occurrences per respondent per year	(C) Person hours per respondent per year (C=AxB)	(D) Respondents per year ^a	(E) Technical person-hours per year (E=CxD)	(F) Management person hours per year (Ex0.05)	(G) Clerical person hours per year (Ex0.1)	(H) Total Cost per year ^b
<i>1.2 Pipeline Breakout Stations</i>								
(a) Familiarization with rule requirements	6	1	6	460	2,760	138	276	\$376,022.40
(b) Prepare Initial Notification ^c	8	1	8	0	0	0	0	\$0
(c) Prepare Notification of Compliance Status ^c	8	1	8	0	0	0	0	\$0
(d) Perform annual storage tank inspection ^d	12	1	12	460	5,520	276	552	\$752,044.80
(e) Perform equipment leak inspections ^d	2	12	24	460	11,040	552	1,104	\$1,504,089.60
(f) Keep records of storage tank and equipment leak inspections ^d	16	1	16	460	7,360	368	736	\$1,002,726.40
(g) Submit semiannual compliance report	4	2	8	460	3,680	184	368	\$501,363.20

<i>Subtotal Reporting [(g)]</i>					4,232	\$501,363
<i>Subtotal Recordkeeping [(d) - (f)]</i>					30,682	\$3,634,883
TOTAL LABOR BURDEN AND COST (rounded)^e					34,900	\$4,140,000
TOTAL CAPITAL AND O&M COST (rounded)^e						\$0
GRAND TOTAL (rounded)^e					34,900	\$4,140,000

Assumptions for Table 1.2:

^a We expect no new affected sources the next 3 years of this ICR. Therefore, the estimated number of respondents remains unchanged as 460 existing pipeline breakout stations.

^b This ICR uses the following labor rates: \$149.84 per hour for Executive, Administrative, and Managerial labor; \$122.66 per hour for Technical labor, and \$60.88 per hour for Clerical labor. 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 Preparing Initial Notification, performing initial performance test, and preparing Notification of Compliance Status are one-time activities.

^d Assumed that all respondents are currently performing annual storage tank inspections; and, that all are currently performing equipment leak inspections at least once per month.

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

Table 1.3: Annual Respondent Burden and Cost – NESHAP for Source Categories: Gasoline Distribution Bulk Terminals, Bulk Plants, Pipeline Facilities, and Gasoline Dispensing Facilities (40 CFR Part 63, Subparts BBBBBB and CCCCCC) (Renewal)

Burden item	(A) Person hours per occurrence ^e	(B) No. of occurrences per respondent per year	(C) Person hours per respondent per year (C=AxB)	(D) Respondents per year ^a	(E) Technical person-hours per year (E=CxD)	(F) Management person hours per year (Ex0.05)	(G) Clerical person hours per year (Ex0.1)	(H) Total Cost per year ^b
<i>1.3 Pipeline Pumping Stations</i>								
(a) Familiarization with rule requirements	4	1	4	1,800	7,200	360	720	\$980,928
(b) Prepare Initial Notification ^c	1	1	1	0	0	0	0	\$0
(c) Prepare Notification of Compliance Status ^c	1	1	1	0	0	0	0	\$0
(d) Perform equipment leak inspections	1	12	12	1,800	21,600	1,080	2,160	\$2,942,784
(e) Keep records of equipment leak inspections ^d	0.1	12	1.2	1,800	2,160	108	216	\$294,278.40
(f) Submit semiannual compliance report ^e	0.25	2	0.5	36	18	0.9	1.8	\$2,452.32
Subtotal Reporting [(f)]						21		\$2,452
Subtotal Recordkeeping [(d) - (e)]						35,604		\$4,217,990
TOTAL LABOR BURDEN AND COST (rounded)^f						35,600		\$4,220,000
TOTAL CAPITAL AND O&M COST (rounded)^f								\$0
GRAND TOTAL (rounded)^f						35,600		\$4,220,000

Assumptions for Table 1.3:

^a We expect no new affected sources the next 3 years of this ICR. Therefore, the estimated number of respondents remains unchanged as 1,800 existing

pipeline pumping stations.

^b This ICR uses the following labor rates: \$149.84 per hour for Executive, Administrative, and Managerial labor; \$122.66 per hour for Technical labor, and \$60.88 per hour for Clerical labor. 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 Preparing Initial Notification, performing initial performance test, and preparing Notification of Compliance Status are one-time activities.

^d Assumed that all respondents are currently performing equipment leak inspections at least once per month.

^e Assumed that, on an annual average basis, 2 percent of facilities (36) will be required to submit a semiannual compliance report because of delays in repairing equipment leaks.

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

Table 1.4: Annual Respondent Burden and Cost – NESHAP for Source Categories: Gasoline Distribution Bulk Terminals, Bulk Plants, Pipeline Facilities, and Gasoline Dispensing Facilities (40 CFR Part 63, Subparts BBBB and CCCC) (Renewal)

Burden item	(A) Person hours per occurrence	(B) No. of occurrences per respondent per year	(C) Person hours per respondent per year (C=AxB)	(D) Respondents per year ^a	(E) Technical person-hours per year (E=CxD)	(F) Management person hours per year (Ex0.05)	(G) Clerical person hours per year (Ex0.1)	(H) Total Cost per year ^b
<i>1.4 Bulk Plants</i>								
(a) Familiarization with rule requirements (in States without submerged fill rules)	2	1	2	1,475	2,950	147.5	295	\$401,908
(b) Familiarization with rule requirements (in States with submerged fill rules)	2	1	2	4,425	8,850	442.5	885	\$1,205,724
(c) Prepare Initial Notification ^c	2	1	2	0	0	0	0	\$0
(d) Prepare Notification of Compliance Status ^c	1	1	1	0	0	0	0	\$0
(e) Perform equipment leak inspections ^d	0.25	12	3	5,900	17,700	885	1,770	\$2,411,448
(f) Keep records of equipment leak inspections ^d	0.1	12	1.2	5,900	7,080	354	708	\$964,579.20
(g) Submit semiannual compliance report ^e	1	2	2	118	236	11.8	23.6	\$32,152.64
Subtotal Reporting [(g)]						271		\$32,153
Subtotal Recordkeeping [(e) - (f)]						42,067		\$4,983,659
TOTAL LABOR BURDEN AND COST (rounded)^f						42,300		\$5,020,000
TOTAL CAPITAL AND O&M COST (rounded)^f								\$0

GRAND TOTAL (rounded)^f					42,300	\$5,020,000
--	--	--	--	--	---------------	--------------------

Assumptions for Table 1.4:

^a We expect no new affected sources the next 3 years of this ICR. Therefore, the estimated number of respondents remains unchanged as 5,900 existing bulk plants.

^b This ICR uses the following labor rates: \$149.84 per hour for Executive, Administrative, and Managerial labor; \$122.66 per hour for Technical labor, and \$60.88 per hour for Clerical labor. 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 Preparing Initial Notification and preparing Notification of Compliance Status are one-time activities. Note: 25% of the respondents are in States without bulk plant rules and 75% are in States with rules.

^d Assumed that all respondents are currently performing equipment leak inspections at least once per month.

^e Assumed that, on an annual average basis, 2 percent of facilities (118) will be required to submit a semiannual compliance report because of delays in repairing equipment leaks.

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

Table 1.5: Annual Respondent Burden and Cost – NESHAP for Source Categories: Gasoline Distribution Bulk Terminals, Bulk Plants, Pipeline Facilities, and Gasoline Dispensing Facilities (40 CFR Part 63, Subparts BBBBBB and CCCCCC) (Renewal)

Burden item	(A) Person hours per occurrence ^e	(B) No. of occurrences per respondent per year	(C) Person hours per respondent per year (C=AxB)	(D) Respondents per year ^a	(E) Technical person-hours per year (E=CxD)	(F) Management person hours per year (Ex0.05)	(G) Clerical person hours per year (Ex0.1)	(H) Total Cost per year ^b
<i>1.5 Gasoline Dispensing Facilities</i>								
(a) Familiarization with rule requirements (facilities >100k already in compliance)	0.5	1	0.5	9,860	4,930	246.5	493	\$671,663.20
(b) Familiarization with rule requirements (facilities <100k already in compliance)	0.25	0.33	0.08	0	0.0	0	0	\$0
(c) Initial vapor balance system testing	6	1	6	0	0	0	0	\$0
(d) Prepare Initial Notification ^c	1	1	1	0	0	0	0	\$0
(d) Prepare Notification of Compliance Status ^c	1	1	1	0	0	0	0	\$0
(e) Vapor balance system testing ^d	6	0.3	1.8	9,860	17,748	887.4	1,774.8	\$2,417,987.52
Subtotal Reporting [(e)]						20,410		\$2,417,988
Subtotal Recordkeeping [NA]						5,670		\$671,663
TOTAL LABOR BURDEN AND COST (rounded)^e						26,100		\$3,090,000
TOTAL CAPITAL AND O&M COST (rounded)^e								\$0
GRAND TOTAL (rounded)^e						26,100		\$3,090,000

Assumptions for Table 1.5:

^a We expect no new affected sources the next 3 years of this ICR. Of the total 340,000 facilities, 243,587 facilities with throughputs of <100,000 gpm that are complying with a SLT submerged fill requirement, and for the 85,340 facilities with throughputs of >100,000 gpm that are complying with a state (SLT) vapor balancing requirement, there are no other reporting or recordkeeping requirements associated with this rule for this ICR. Therefore, the estimated number of

respondents with recordkeeping and reporting requirements remains unchanged from the previous ICR as 11,073 gasoline dispensing facilities, of which 9,860 install vapor balance system and 1,213 must add submerged filled as a result of this rulemaking.

^b This ICR uses the following labor rates: \$149.84 per hour for Executive, Administrative, and Managerial labor; \$122.66 per hour for Technical labor, and \$60.88 per hour for Clerical labor. 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 Preparing Initial Notification, conducting an initial vapor balance system test, and preparing Notification of Compliance Status are one-time activities.

^d Assume vapor balance pressure retesting require every three years. There are 9,860 gasoline dispensing facilities would have to retest.

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

Table 1.6: Annual Respondent Burden and Cost – NESHAP for Source Categories: Gasoline Distribution Bulk Terminals, Bulk Plants, Pipeline Facilities, and Gasoline Dispensing Facilities (40 CFR Part 63, Subparts BBBBBB and CCCCCC) (Renewal)

Burden Item	Average Number of Respondents per year	Total person-hours per year	Total Cost per year
<i>Subtotal for Reporting Requirements</i>	19,120	35,054	\$4,152,868
<i>Subtotal for Recordkeeping Requirements</i>		178,538	\$21,151,260
TOTAL LABOR BURDEN AND COST		213,592	\$25,304,128
TOTAL LABOR BURDEN AND COST (Rounded)^a		214,000	\$25,300,000
TOTAL CAPITAL AND O&M COST(Rounded)^a			\$110,000
GRAND TOTAL (Rounded)^a			\$25,400,000

^aTotals 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 Source Categories: Gasoline Distribution Bulk Terminals, Bulk Plants, Pipeline Facilities, and Gasoline Dispensing Facilities (40 CFR Part 63, Subparts BBBBBB and CCCCCC) (Renewal)

Activity	(A) EPA person-hours per occurrence	(B) No. of occurrences per plant per year	(C) EPA person hours per plant per year (AxB)	(D) Plants per year ^a	(E) Technical person-hours per year (Cx D)	(F) Management person-hours per year (Ex0.05)	(G) Clerical person-hours per year (Ex0.1)	(H) Cost, \$ ^b
Review of storage tank inspection reports	4	1	4	1,560	6,240	312	624	\$358,519.20
Review semiannual compliance reports	2	2	4	1,714	6,856	342.8	685.6	\$393,911.48
Review of other, non-routine reports ^c	4	1	4	1,912	7,648	382.4	764.8	\$439,415.84
TOTAL LABOR BURDEN AND COST (rounded)^d						23,900		\$1,190,000

Assumptions for Table 2:

^a Number of activities per year is the sum of the number of applicable respondents from Tables 1.1 through 1.5.

^b This cost is based on the following labor rates: \$69.04 for Managerial, \$51.23 for Technical, and \$27.73 for 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 Assumed that 10 percent of affected facilities industry-wide will submit non-routine reports each year. (19,120 x 10% = 1,912)

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