

**SUPPORTING STATEMENT  
ENVIRONMENTAL PROTECTION AGENCY**

**Emission Guidelines for Commercial and Industrial Solid Waste Incineration  
(CISWI) Units (40 CFR Part 60, Subpart DDDD) (Renewal)**

**1. Identification of the Information Collection**

**1(a) Title of the Information Collection**

Emission Guidelines for Commercial and Industrial Solid Waste Incineration (CISWI) Units (40 CFR Part 60, Subpart DDDD) (Renewal), EPA ICR Number 2385.08, OMB Control Number 2060-0664.

**1(b) Short Characterization/Abstract**

The Emission Guidelines for Commercial and Industrial Solid Waste Incineration (CISWI) Units (40 CFR Part 60, Subpart DDDD) were proposed on April 29, 2010; and promulgated on March 21, 2011 (76 FR 15769). The regulations were amended on: February 7, 2013 (78 FR 9195); June 23, 2016 (81 FR 41001); April 16, 2019 (84 FR 15846); and Oct. 7, 2020 (85 FR 63406). The 2019 amendments provided clarity, addressed implementation issues in the final CISWI EG, and corrected inconsistencies and errors in the provisions. The 2020 amendments revised the requirements for performance testing and CEMS operation. The 2019 and 2020 amendments did not include additional burden. The Emission Guidelines apply to any air quality program in either a state or a United States protectorate with one or more existing CISWI units. The guidelines can be thought of as model regulations that States use in developing State plans to implement the emission guidelines. If a state does not develop, adopt, and submit an approvable state plan, the Environmental Protection Agency (EPA) must develop a Federal plan to implement the emission guidelines. These regulations apply to existing CISWI units (units that commenced construction on or before the date of proposal). This information is being collected to assure compliance with 40 CFR Part 60, Subpart DDDD.

In general, all Emissions Guidelines 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 Emissions Guidelines.

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

The “Affected Public” are owners and operators of existing CISWI units who will be

affected by the State Plan. The “burden” to the Affected Public may be found below in Table 1: Annual Respondent Burden and Cost Summary – Emission Guidelines for Commercial and Industrial Solid Waste Incineration (CISWI) Units (40 CFR Part 60, Subpart DDDD) (Renewal). The “burden” to the Federal Government is attributed entirely to work performed by either Federal employees or government contractors and can be found below in Table 2: Average Annual EPA Burden and Cost – Emission Guidelines for Commercial and Industrial Solid Waste Incineration (CISWI) Units (40 CFR Part 60, Subpart DDDD) (Renewal).

There are approximately 108 CISWI units at 78 facilities. None of the 78 facilities in the United States are owned by either state, local, tribal entities or by 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 are an average of 1.4 affected facilities 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 78 respondents per year will be subject to these standards, and no additional respondents per year will become subject to these same standards. These estimates were developed in consultation with internal experts at OAQPS, based on an inventory of facilities subject to the provisions of Subpart DDDD since the last ICR renewal period. The EPA proposed amendments to the Other Solid Waste Incinerators (OSWI) New Source Performance Standards and Emission Guidelines (40 CFR 60 Subparts EEEE and FFFF) on August 31, 2020 that could potentially impact the universe of units subject to the CISWI standards. However, those amendments have not been finalized; therefore, the burden reflected in this ICR does not consider the potential changes in burden from the proposed OSWI amendments, but is based on the existing 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 111(d)(1) of the Clean Air Act (CAA), as amended, to:

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

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

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

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

Section 129(a)(2) states:

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

Section 129(b)(1) states:

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

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

the Administrator may require any person who owns or operates any emission source, who manufactures emission control equipment or process equipment, who the Administrator believes may have information necessary for the purposes set forth in this subsection, or who is subject to any requirement of this Act (other than a manufacturer subject to the provisions of section 206(c) or

208 with respect to a provision of title II) on a one-time, periodic or continuous basis to -

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

In the Administrator's judgment, cadmium, carbon monoxide, dioxins/furans, hydrogen chloride, lead, mercury, opacity, oxides of nitrogen, particulate matter, and sulfur dioxide emissions from CISWI units either cause or contribute to air pollution that may reasonably be anticipated to endanger public health and/or welfare. Therefore, the Emission Guidelines were promulgated for this source category at 40 CFR Part 60, Subpart DDDD.

### **2(b) Practical Utility/Users of the Data**

The recordkeeping and reporting requirements in these standards ensure compliance with the applicable regulations which were promulgated in accordance with the Clean Air Act. The collected information is also used for targeting inspections and as evidence in legal proceedings.

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

The notifications required in these standards are used to inform the Agency or delegated authority when a source becomes subject to the requirements of the regulations. The reviewing authority may then inspect the source to check if the pollution control devices are properly installed and operated, and that the standards are being met. The performance test may also be observed.

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

determinations.

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 performance test reports and results of CEMS performance evaluations through the EPA's Central Data Exchange (CDX), using the Compliance and Emissions Data Reporting Interface (CEDRI).

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 60, Subpart DDDD performance test reports and CEMS performance evaluations 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 60, Subpart DDDD.

#### **3(a) Non-duplication**

If the subject standards have not been delegated, the information is sent directly to the appropriate EPA regional office. Otherwise, the information is sent directly to the delegated state or local agency. If a state or local agency has adopted its own similar standards to implement the Federal standards, a copy of the report submitted to the state or local agency can be sent to the Administrator in lieu of the report required by the Federal standards. Therefore, duplication does not exist.

#### **3(b) Public Notice Required Prior to ICR Submission to OMB**

An announcement of a public comment period for the renewal of this ICR was published in the *Federal Register* (86 FR 8634) on February 8, 2021. No comments were received on the burden published in the *Federal Register* for this renewal.

#### **3(c) Consultations**

The Agency has consulted industry experts and internal data sources to project the number of affected facilities and industry growth over the next three years. The primary source of information as reported by industry, in compliance with the recordkeeping and reporting provisions in these standards, is the Integrated Compliance Information System (ICIS). ICIS is the 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 78 respondents will be subject to these standards over the three-year period covered by this ICR.

Industry trade associations and other interested parties were provided an opportunity to comment on the burden associated with these standards as they were being developed and these

same standards have been reviewed previously to determine the minimum information needed for compliance purposes. In developing this ICR, we contacted both the Energy Recovery Council, at (202) 467-6240, and the National Waste & Recycling Association, at (202) 244-4700.

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 same standards. EPA believes that the five-year records retention requirement is consistent with the Part 70 permit program and the five-year statute of limitations on which the permit program is based. The retention of records for five years allows EPA to establish the compliance history of a source, any pattern of non-compliance and to determine the appropriate level of enforcement action. 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 existing CISWI units. The United States Standard Industrial Classification (SIC) code for the respondents affected by the standard, and the corresponding North American Industry Classification System (NAICS) codes are listed below:

Standard (40 CFR Part 60, Subpart DDDD)	SIC Codes	NAICS Codes
Wood Product Manufacturing	242, 243, 244, 245, 249	321
Chemical Manufacturing	281 – 287, 289, 399	325
Plastics and Rubber Products Manufacturing	267, 301, 305, 306, 308, 399	326
Merchant Wholesalers, Durable Goods	501 – 509, 513	423
Nonmetallic Mineral Product Manufacturing	321 - 329	327
Paper Manufacturing	261, 262, 263, 265, 267, 349	322
Furniture and Related Product Manufacturing	242, 243, 249, 251 – 254, 259, 308, 342, 349, 382, 384, 395, 571	337
Oil and Gas Extraction	131, 132, 281	211
Pipeline Transportation	461, 492	486
Mining (except Oil and Gas)	101 – 104, 106, 109, 122, 123, 1421, 142, 144, 145, 147, 149, 329	212
Utilities	491 - 497	221

##### 4(b) Information Requested (i) Data Items

In this ICR, all the data that are recorded or reported is required by the Emission Guidelines for Commercial and Industrial Solid Waste Incineration (CISWI) Units (40 CFR Part 60, Subpart DDDD).

A source must make the following reports:

Notifications	
Submit final control plan	§60.2600(a)
Submit notification of final compliance	§60.2605
Submit waste management plan	§60.2755
Closure notification report	§60.2615
If all qualified operators are unavailable for more than 2 weeks, submit a notification of the deviation within 10 days and a corrective action summary	§60.2785

<b>Notifications</b>	
every 4 weeks	
If an increment of progress is not met, submit a notification each month until increment is met	§60.2595

<b>Reports</b>	
If a deviation from operating limits or emission limitations occurs, submit a deviation report that includes the following information: <ul style="list-style-type: none"> <li>- date of deviation</li> <li>- the data for that date</li> <li>- the reason for the deviation</li> <li>- the corrective actions that were taken</li> </ul>	§60.2775 §60.2780 §60.2785
Report the following information annually: <ul style="list-style-type: none"> <li>- company name and address</li> <li>- certification by responsible official</li> <li>- date of report and beginning and ending dates of reporting period</li> <li>- the values for the site-specific operating parameters</li> <li>- the highest maximum operating parameter and the lowest minimum operating parameter</li> <li>- information on deviations and malfunctions</li> <li>- the results of performance tests conducted during the period, if any</li> <li>- if no deviations or malfunctions occurred during the period, a statement that no exceedances occurred</li> <li>- documentation of periods when all qualified CISWI unit operators were unavailable for more than 8 hours</li> </ul>	§60.2765 §60.2770
Report the following information no later than 60 days after the initial performance test: <ul style="list-style-type: none"> <li>- complete test report for the initial performance test results</li> <li>- the values for site-specific operating limits</li> <li>- Installation of bag leak detection systems for fabric filters</li> </ul>	§60.2760

A source must keep the following records:

<b>Recordkeeping</b>	
5-year retention of records	§60.2740
Calendar date of each record.	§60.2740(a)
Records of operating parameters.	§60.2740(b)
Records of days when a deviation from the operating limits have occurred. Includes a description of the deviation and a description of the corrective actions taken.	§60.2740(e)



<b>Recordkeeping</b>	
Records of initial performance tests, annual performance tests, and any subsequent performance tests.	§60.2740(f)
Records of names of persons who have completed review of the site-specific information and incinerator operating procedures in 60.2660(c).	§60.2740(g)
Records of names of persons who have completed the operator training requirements. Includes documentation of the training and the dates of the training.	§60.2740(h)
Records of phone and/or pager number of persons who have met the operator qualification criteria.	§60.2740(i)
Records of calibration of any monitoring devices.	§60.2740(j)
Equipment vendor specifications for the incinerator, emission controls, and monitoring equipment.	§60.2740(k)
Daily log of quantity and types of waste burned.	§60.2740(m)
Records of annual control device inspections.	§60.2740(n)
Records of parameters measured using CMS.	§60.2740(o)
Records of site-specific information and incinerator operation procedures.	§60.2660(c)

### 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 both monitoring and recordkeeping at a plant site.

The rule was amended to include electronic reporting provisions on February 7, 2013. Respondents are required to use the EPA's Electronic Reporting Tool (ERT) to develop both performance test reports and CEMS performance evaluations 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. At this time, it is estimated that approximately 100 percent of the respondents use electronic reporting. For purposes of this ICR, it is assumed that there is no additional burden associated with the proposed requirement for respondents to submit the 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->

**(ii) Respondent Activities**

<b>Respondent Activities</b>
Familiarization with the regulatory requirements.
Install, calibrate, maintain, and operate CMS for opacity, O <sub>2</sub> (or CO <sub>2</sub> ), SO <sub>2</sub> , NO <sub>x</sub> , and CO.
Perform annual performance tests, Reference Method 1, 3A, 3B, 5, 6, 6C, 7, 7E, 9, 10, 10A, 10B, 22, 23, 26 or 26A, or 29 tests, and repeat performance tests if necessary.
Write the notifications and reports listed above.
Enter information required to be recorded above.
Submit the required reports developing, acquiring, installing, and utilizing technology and systems for 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:

<b>Agency Activities</b>
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. Data and records maintained by the respondents are tabulated and published for use in compliance and enforcement programs. The semiannual reports are used for problem identification, as a check on source operation and maintenance, and for compliance determinations.

Information contained in the reports is reported by state and local governments in the ICIS Air database, which is operated and maintained by EPA's Office of Compliance. ICIS is EPA's database for the collection, maintenance, and retrieval of compliance data for industrial and government-owned facilities. The EPA uses ICIS for tracking air pollution compliance and enforcement by local and state regulatory agencies, EPA regional offices, and EPA headquarters. The EPA and its delegated authorities can edit, store, retrieve and analyze the data.

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

### **5(c) Small Entity Flexibility**

Based on Small Business Administration's guidelines, approximately 6 small businesses are affected by this rule. The EPA does not expect these standards to have a significant small business impact.

The rule does not contain any provisions reserved exclusively for the benefit of small entities. However, the rule does contain several provisions that reduce the impact of the rule on regulated entities, which include small entities. These are: annual performance testing is only required for four pollutants rather than the full ten pollutants included in the initial performance test for some subcategories; operating parameter monitoring is required instead of continuous emissions monitoring systems (CEMS) for some subcategories; the owner or operator is allowed to skip two annual performance tests for a pollutant if all performance tests over the previous 3 years show compliance within a certain threshold of the emission limit; and deviation reports are only required if there is a deviation, otherwise reporting is annual.

### **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 Summary – Emission Guidelines for Commercial and Industrial Solid Waste Incineration (CISWI) Units (40 CFR Part 60, Subpart DDDD) (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 9,890 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 Emissions Guidelines 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 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 the regulation. The annual operation and maintenance costs are the ongoing costs to maintain the monitors and other costs such as photocopying and postage.

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

<b>Capital/Startup vs. Operation and Maintenance (O&amp;M) Costs</b>						
(A)	(B)	(C)	(D)	(E)	(F)	(G)
Continuous Monitoring Device	Capital/Startup Cost for One	Number of New Respondents	Total Capital/Startup	Annual O&M Costs for One	Number of Respondents with O&M	Total O&M, (ExF)

	Respondent		Cost, (B x C)	Respondent		
Annual stack test <sup>a</sup>						
- Incinerator	NA	0	0	\$63,233	27	\$1,707,300
- ERU, solid	NA	0	0	\$63,233	22	\$1,390,913
- small remote incinerator	NA	0	0	\$63,233	30	\$1,896,700
- ERU, liquid	NA	0	0	\$63,233	6	\$379,340
- waste-burning kiln	NA	0	0	\$46,690	23	\$1,073,870
CMS <sup>a</sup>						
- Incinerator	NA	0	0	\$13,456	27	\$363,319
- ERU, solid	NA	0	0	\$46,078	22	\$1,013,723
- small remote incinerator	NA	0	0	\$5,871	30	\$176,121
- ERU, liquid	NA	0	0	\$10,683	6	\$64,100
- waste-burning kiln	NA	0	0	\$128,806	23	\$2,962,545
Photocopy and postage						
- annual report	NA	0	0	\$8	108	\$810
- semiannual report	NA	0	0	\$8	10.8	\$81
<b>TOTAL <sup>b</sup></b>						<b>\$11,000,000</b>

<sup>a</sup> Stack testing and CEMS costs have been updated from \$2008 to \$2020 using the CEPCI Index.

<sup>b</sup> 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 \$11,000,000. 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 this ICR is estimated to be \$11,000,000. 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 \$93,400.

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 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 – Emission Guidelines for Existing Stationary Sources: Emission Guidelines for Commercial and Industrial Solid Waste Incineration (CISWI) Units (40 CFR Part 60, Subpart DDDD) (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 78 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 78 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 <sup>a</sup>	(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	78	0	0	78
2	0	78	0	0	78
3	0	78	0	0	78
Average	0	78	0	0	78

<sup>a</sup> 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 78.

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

Total Annual Responses				
(A)	(B)	(C)	(D)	(E)

<b>Total Annual Responses</b>				
Information Collection Activity	Number of Respondents	Number of Responses	Number of Existing Respondents That Keep Records But Do Not Submit Reports	Total Annual Responses E=(BxC)+D
Notification of initial performance test	0	1	0	0
Notification of initial CMS demonstration	0	1	0	0
Report of initial performance test	0	1	0	0
Report of initial CMS demonstration	0	1	0	0
Report prior to construction	0	1	0	0
Report prior to initial start-up	0	1	0	0
Report of initial stack test	0	1	0	0
Report to establish values for site-specific operating parameters	0	1	0	0
Waste management plan	0	1	0	0
Annual report of performance test results	108	1	0	108
Status report for operators that are off-site for more than 2 weeks	10.8	1	0	10.8
Corrective action summary for operators that are off-site for more than 2 weeks	10.8	2	0	21.6
Semiannual report of exceedance	10.8	1	0	10.8
			Total (rounded)	151

The number of Total Annual Responses is 151.

The total annual labor costs are \$1,170,000. Details regarding these estimates may be found at the end of this document in Table 1: Annual Respondent Burden and Cost Summary – Emission Guidelines for Commercial and Industrial Solid Waste Incineration (CISWI) Units (40 CFR Part 60, Subpart DDDD) (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 9,890 hours. Details regarding these estimates may be found below in Table 1: Annual Respondent Burden and Cost Summary – Emission Guidelines for Commercial and Industrial Solid Waste Incineration (CISWI) Units (40 CFR Part 60, Subpart DDDD) (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 65 hours per response.

The total annual capital/startup and O&M costs to the regulated entity are \$11,000,000. The cost calculations are detailed in Section 6(b)(iii), Capital/Startup vs. Operation and Maintenance (O&M) Costs.

### **(ii) The Agency Tally**

The average annual Agency burden and cost over next three years is estimated to be 1,870 labor hours at a cost of \$93,400; see below in Table 2: Average Annual EPA Burden and Cost - Emission Guidelines for Existing Stationary Sources: Emission Guidelines for Commercial and Industrial Solid Waste Incineration (CISWI) Units (40 CFR Part 60, Subpart DDDD) (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 a decrease in burden from the most-recently approved ICR as currently identified in the OMB Inventory of Approved Burdens. This is due to several considerations. The growth rate for this industry is very low or non-existent, so there is no change in the number of respondents. The regulations have changed over the past three years, however, the amendments resulted in no changes in burden. The labor calculations for incinerators were corrected to remove one instance in the previous ICR where labor costs for continuous parameter monitoring were double-counted. The labor calculations for incinerators were also corrected to revise the number of respondents submitting a status report, corrective action summary, and semiannual report to reflect reports submitted for 10 percent of the total number of CISWI units. The overall result is an decrease in burden hours. However, this ICR uses updated labor rates from the most-recent Bureau of Labor Statistics report (September 2020) to calculate respondent burden costs, resulting in an increase in labor costs. The costs for annual performance testing were updated from 2008 to 2020 using the CEPCI Index, resulting in an increase in O&M costs. The labor rates for visible emissions testing were updated from 2008 rates to 2020 rates using Bureau of Labor Statistics data on wage increases during that period, resulting in an increase in these testing costs. The monitoring costs were updated from 2008 values to 2020 values using the CEPCI Index and Bureau of Labor Statistics data, resulting in an increase in monitoring costs.



## **6(g) Burden Statement**

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 65 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, the EPA has established a public docket for this ICR under Docket ID Number EPA-HQ-OAR-2020-0668. An electronic version of the public docket is available at <http://www.regulations.gov/> which may be used to obtain a copy of the draft collection of information, submit or view public comments, access the index listing of the contents of the docket, and to access those documents in the public docket that are available electronically. When in the system, select “search,” then key in the docket ID number identified in this document. The documents are also available for public viewing at the Enforcement and Compliance Docket and Information Center in the EPA Docket Center (EPA/DC), WJC West, Room 3334, 1301 Constitution Ave., NW, Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. Due to COVID-19 precautions, entry to the Reading Room is available by appointment only. Please contact personnel in the Reading Room to schedule an appointment. The telephone number for the Reading Room is (202) 566-1744, and the telephone number for the docket center is (202) 566-1752. Also, you can send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, DC 20503, Attention: Desk Officer for EPA. Please include the EPA Docket ID Number EPA-HQ-OAR-2020-0668 and OMB Control Number 2060-0664 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 Summary – Emission Guidelines for Commercial and Industrial Solid Waste Incineration (CISWI) Units (40 CFR Part 60, Subpart DDDD) (Renewal)**

CISWI Unit Type	Number of Respondents Per Year	Number of Units	Number of Responses	Reporting Hours	Recordkeeping Hours	Total Labor Hours	Total Labor Costs	Annualized Capital/O&M Costs	Total Costs
Incinerator	22	27	38	1,922	688	2,610	\$309,000	\$2,070,000	\$2,379,000
ERU, solid	13	22	31	1,447	407	1,855	\$220,000	\$2,400,000	\$2,620,000
Small, remote incinerator	26	30	42	2,174	812	2,986	\$354,000	\$2,070,000	\$2,424,000
ERU, liquid/gas	4	6	8	406	125	531	\$62,900	\$443,000	\$505,900
Waste-burning kilns	13	23	32	1,499	408	1,907	\$226,000	\$4,040,000	\$4,266,000
<b>Subtotals (all types)</b>	<b>78</b>	<b>108</b>	<b>151</b>	<b>7,448</b>	<b>2,441</b>	<b>9,888</b>	<b>\$1,171,900</b>	<b>\$11,023,000</b>	<b>\$12,194,900</b>
<b>GRAND TOTAL (rounded)<sup>1</sup></b>						<b>9,890</b>	<b>\$1,170,000</b>	<b>\$11,000,000</b>	<b>\$12,200,000</b>

<sup>1</sup>Totals have been rounded to 3 significant figures. Figures may not add exactly due to rounding.

**Table 2: Average Annual EPA Burden and Cost – Emission Guidelines for Existing Stationary Sources: Emission Guidelines for Commercial and Industrial Solid Waste Incineration (CISWI) Units (40 CFR Part 60, Subpart DDDD) (Renewal)**

Burden Item	(A)	(B)	(C)	(D)	(C)	(D)	(E)	(F)
	EPA person-hours per occurrence	Number of Occurrences Per Plant Per Year	EPA person-hours per plant per year (C=AxB)	Plants per year <sup>a</sup>	Tech Hours Per Year (C=AxB)	Management Hours Per Year (D=Cx0.05)	Clerical Hours Per Year (E=Cx0.1)	EPA Cost Per Year <sup>b</sup>
Required Activities								
A. Observe initial stack tests (PM, dioxins/furans, opacity, HCl, Cd, Pb, Hg, CO, NO <sub>x</sub> , and SO <sub>2</sub> ) <sup>c, d</sup>	48	0.2	10	0	0	0	0	\$0
B. Excess emissions -- Enforcement Activities <sup>e</sup>	24	0.1	2	108	259	13	26	\$14,892.34
C. Report Reviews								
1) Review waste management plan and siting analysis <sup>c</sup>	8	0	0	0	0	0	0	\$0
2) Review report submitted prior to initial startup <sup>c</sup>	2	0	0	0	0	0	0	\$0
3) Review initial stack test report <sup>c</sup>	40	1	40	0	0	0	0	\$0
4) Review annual compliance report	8	1	8	108	864	43	86.4	\$49,641.12
5) Review semi-annual excess emission and parameter exceedance report <sup>e</sup>	16	1	1.6	10.8	173	8.6	17.3	\$9,928.22
6) Review status reports and corrective action summary for operators off-site <sup>f</sup>	4	3	0.4	10.8	130	6.5	13	\$7,446.17
D. Prepare annual summary report <sup>g</sup>	200	1	200	1	200	10	20	\$11,491.00
<b>TOTAL (rounded) <sup>h</sup></b>						<b>1,870</b>		<b>\$93,400</b>

**Assumptions**

<sup>a</sup> We have assumed an average of 108 CISWI units at 78 facilities over the three-year period of this ICR. We also assume that no new units will become subject during the three-year period of this ICR.

<sup>b</sup> 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.

<sup>c</sup> These are one-time only costs associated with the startup of a new CISWI unit. We assume that no new units will become subject during the three-year period of this ICR.

<sup>d</sup> We assume that EPA personnel will attend 20 percent of the initial stack tests.

<sup>e</sup> We assume that 10 percent of the 108 CISWI units have an exceedance during the year.

<sup>f</sup> We assume that 10 percent of the 108 facilities would not have a qualified operator for more than two weeks at least once a year. We assume that 1 status report and 2 corrective action summaries are submitted and that it takes 4 hours to review each report.

<sup>g</sup> Once each year, EPA prepares an annual summary report for all of the CISWI units subject to Subpart DDDD.

<sup>h</sup> Totals have been rounded to 3 significant figures. Figures may not add exactly due to rounding.