STATEMENT SUPPORTING THE RENEWAL OF THE INFORMATION REQUEST FOR THE RISK MANAGEMENT PROGRAM REQUIREMENTS AND PETITIONS TO MODIFY THE LIST OF REGULATED SUBSTANCES UNDER SECTION 112(R) OF THE CLEAN AIR ACT (CAA)

1. IDENTIFICATION OF THE INFORMATION COLLECTION

1(a) Title of the Information Collection Request

Risk Management Program Requirements and Petitions to Modify the List of Regulated Substances under section 112(r) of the Clean Air Act (Renewal) EPA ICR Number 1656.18, OMB Control Number 2050-0144.

1(b) Short Characterization

This information collection request (ICR) consolidates two previously approved ICRs: (1) Risk Management Program Requirements and Petitions to Modify the List of Regulated Substances under section 112(r) of the Clean Air Act (1656.17), OMB Control No. 2050-0144, and (2) Accidental Release Prevention Requirements: Risk Management Programs under the Clean Air Act (2537.06), OMB No. 2050-0216 into the first ICR and renews the consolidated ICR. The second ICR will be discontinued once this consolidated ICR is approved by OMB.

This ICR addresses the following information requirements:

(1) Documenting sources'[1] risk management programs and submitting a source's risk management plan (RMP) under the Clean Air Act (CAA) section 112(r)(7).

(2) Collecting and submitting information to support petitions to modify the list of regulated substances under CAA section 112(r)(3).

(3) Holding a public meeting within 90 days of an RMP-reportable accident with offsite impacts specified in 40 CFR 68.42(a).

(4) Meeting and coordinating with local responders annually to exchange emergency response planning information.

(5) Conducting an annual notification drill to verify emergency contact information.

(6) Conducting and documenting emergency response exercises.

The U.S. Environmental Protection Agency (EPA) issued a final rule on June 20, 1996 (61 FR 31668) to require covered sources to submit an RMP (including source registration as well as information on a source's hazard assessment, prevention program, and emergency response program) to the EPA every five years, beginning June 21, 1999. The RMP requirements (codified in 40 CFR part 68) have been amended several times. The final rule establishing the list of regulated substances and threshold quantities under CAA section 112(r) was published on January 31, 1994 (59 FR 4478) and includes provisions and procedures for submitting a petition to add or delete a substance.

On January 13, 2017 (82 FR 4594), EPA published in the Federal Register the Risk Management Program Amendments rule (Amendments rule), which added several requirements to the RMP rule, including several information collection requirements that imposed burden on regulated entities. On

[1] In this Supporting Statement, the term "source" refers to a "stationary source," which is the Clean Air Act term for facility.

December 19, 2019 (84 FR 69834), EPA published the Reconsideration Rule, which retained, retained with modification, or rescinded provisions from the Amendments rule.

Part 68 provides a tiering approach of the regulatory requirements to take into consideration differences between various types and classes of stationary sources (also referred to as "sources" or "facilities") as well as the risk posed by the different sources. The regulatory program consists of three tiers, i.e., Program 1, 2 and 3 sources classified based on the degree of risk posed by potential accidental releases and coverage by the Occupational Safety and Health Administration (OSHA)'s Process Safety Management (PSM) standard. Program 1 (P1) sources pose less risk and face minimal compliance requirements. Program 2 (P2) sources must implement a streamlined list of prevention program requirements. Program 3 (P3) sources must complete a prevention program nearly identical to that required by the OSHA PSM Standard (29 CFR 1910.119). The program also imposes emergency response program requirements only on facilities that use their own employees and resources to respond in whole or in part to releases of regulated substances (i.e., "responding facilities").

The compliance schedule for the part 68 requirements requires sources to submit an RMP at least every five years, or earlier if they undergo certain changes to their covered processes. Sources use EPA's online system, RMP*eSubmit, for RMP submissions. EPA has assumed responsibility for maintaining a database of submitted RMPs, which are made available electronically to the implementing agency, States, local governments, and except for the Offsite Consequence Analysis data, the public.

Most sources that will submit RMPs during this ICR renewal period also must comply with prevention program activities and onsite documentation of their prevention program (sources with only Program 1 processes do not have prevention program obligations under part 68).

This ICR estimates burden for existing and new sources that are required to comply with RMP requirements.

2. NEED FOR AND USE OF THE COLLECTION

2(a) Need/Authority for the Collection

Risk Management Plans

Information collection for onsite documentation is authorized by CAA Sections 112(r)(7)(B)(i) and (ii), which state, "The Administrator shall promulgate reasonable regulations and appropriate guidance to provide ... for the prevention and detection of accidental releases of regulated substances...." and, "The regulations ... shall require the owner or operator ... to prepare and implement a risk management plan to detect and prevent or minimize accidental releases..." Information collection for submitting an RMP is authorized under CAA section 112(r)(7)(B)(iii), which, in the relevant part, states, "The owner or operator of each stationary source...shall register a risk management plan...with the Administrator before the effective date of the regulations...in such form and manner as the Administrator shall, by rule, require...and shall be available to the public under section 114(c)." Information collection for onsite documentation and submittal of RMPs also are authorized by CAA section 114(a)(1). The list and thresholds promulgated under CAA section 112(r)(3) determine which sources must comply with the accident prevention regulations; a source must comply with the CAA section 112(r)(7) regulations if it holds more than a threshold quantity of a listed substance in a process. State and local authorities will use the information in RMPs to modify and enhance their community response plans. The agencies implementing the RMP rule will use RMPs to evaluate compliance with part 68 and to identify sources for inspection because they may pose significant risks to the community. Citizens may use RMPs to assess and address chemical hazards in their communities and to respond appropriately in the event of a

release of a regulated substance.

Petitions

This information collection is authorized under CAA section 112(r)(3), which, in the relevant part, states, "The Administrator shall establish procedures for the addition and deletion of substances from the list established under this paragraph consistent with those applicable to the list in subsection (b)." The information collected during the petition process will provide the primary basis for EPA to determine whether it is appropriate to add or delete a chemical. To be consistent with the petition process under CAA section 112(b), EPA is required to consider and respond to petitions to modify the list of regulated substances within 18 months of submission of the petition; complete data supporting the petition are necessary to enable EPA to finish its review within that period.

2(b) Use/Users of the Data

Risk Management Plans

The information collected in the RMP is critical for assisting government agencies in assessing the quality and thoroughness of a source's hazard assessment, prevention program, and emergency response program. The information also is used by State and local emergency planners to prepare or modify community response plans, identify hazards to the community and provide a basis for working with sources to prevent accidents. The public uses the information to understand the risks posed by accidental releases and to respond to warnings and advice should a release occur.

Risk Management Programs

Documentation of the implementation of risk management programs is necessary to assist government agencies in determining whether a source has complied with the regulations. In some cases (e.g., safety information and operating procedures), the documentation is a critical requirement of the rule and provides the basis for other rule elements. The documentation also is important to provide a basis for the facility's ability to ensure implementation (e.g., training and maintenance records), to audit compliance, and to review past activities. Furthermore, records of past analyses can limit the burden of updates by reducing the need to repeat analyses for elements that are unchanged since the previous review.

Petitions

EPA uses the information collected in support of a petition to modify the list of regulated substances to determine whether to grant or deny a petition to add or delete a chemical from the list.

3. NONDUPLICATION, CONSULTATIONS, AND OTHER COLLECTION CRITERIA

3(a) Nonduplication

Risk Management Plans

Some sources may have submitted information to EPA Headquarters or Regions under other regulations (i.e., Toxics Release Inventory (TRI) Form R or Resource Conservation and Recovery Act (RCRA) Biennial Reports), which may appear similar to the information requested in the registration form under these regulations. However, not all the information in the RMP registration section, and almost none of the information in the prevention program and hazard assessment sections of the RMP, is

submitted to EPA under other regulations. The Emergency Planning and Community Right-to-Know Act (EPCRA) section 312 Tier II forms, which also include some information similar to that in the RMP registration form, are submitted only to States and local planning authorities, not to EPA. Therefore, for EPA to best comply with the Act, the information requested for registration should be submitted in a concise and organized format, along with prevention program, hazard assessment, and emergency response program information, using the RMP form.

Confidential Business Information (CBI)

Some sources may have submitted substantiation of Confidential Business Information (CBI) claims for chemical identity or other information to EPA Headquarters or Regions under other regulations similar to the substantiation information requested under these regulations. For EPA to best comply with the Act and most effectively evaluate such claims, the CBI substantiation should accompany the submission of the RMP.

3(b) Public Notice

In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 et seq.), the Agency notified the public of the ICR renewal through publication of a Federal Register notice on December 14, 2021 (86 FR 71059). The public comment period extended through February 14, 2022. EPA received no comments in response to the Federal Register notice.

3(c) Consultations

In developing this ICR renewal, the Agency contacted several sources to obtain information on the number of hours they spend collecting data and submitting an RMP. EPA sent questionnaires to six facilities that had indicated they were willing to provide feedback on the ICR's current burden estimates, including:

East Vacuum Liquid Recovery and CO2 Plant, Lovington, NM
C&M Supply, Inc., Ruskin, NE
Sea-3, Inc., Newington, NH
Kenosha Water Utility Wastewater Plant, Kenosha, WI
Prestige Fabricators, Asheboro, NC
Mote Farm Service, Inc., Union City, IN

EPA received completed questionnaires from 3 sources and conducted a consultation by phone with a fourth. See Appendix B for more details on the burden estimates reported in the consultation questionnaires.

The sources that provided feedback on the ICR burden hour estimates are in various industry sectors, including natural gas liquid extraction, crop production, petroleum bulk stations and terminals, and sewage treatment. Employees at covered sources spend time preparing and submitting an RMP, as well as complying with hazard assessment, management, and prevention program activities. Although currently covered sources already have a risk management program in place, these sources are expected to review and update it for any changes made and to resubmit the RMP on their resubmission deadline. For RMP-covered sources that are also covered under the OSHA PSM standard, which requires activities that are virtually identical to those required under Subparts C and D of part 68 for P3 sources, the burden associated with ongoing prevention program activities accrues to the OSHA PSM standard rather than this ICR. Therefore, burden hours reported by PSM-covered sources include only burden hours required to comply with part 68 requirements beyond those of OSHA PSM (e.g., hazard assessment, RMP

submission, etc.).

3(d) Effects of Less Frequent Collection

Sources are required to register and submit an RMP only once every five years unless there are significant changes in the information provided. There is a statutory requirement for sources to register, submit, and update an RMP. Coordination with the local responders occurs annually; less frequent coordination may result in new responders being unaware of hazards at the facility and current responders being uninformed about changes at the facility. In addition, owners and operators of facilities with Program 2 and 3 processes conduct notification exercises annually. For responding facilities, table-top exercises occur at least once every three years and there is no required frequency for field exercises. Less frequent exercises may result in outdated emergency response contact information, personnel unacquainted with emergency response requirements, and poor response capability at the time of an accidental release.

3(e) General Guidelines

CAA section 112(r)(7)(B)(iii) requires that sources update their RMPs periodically. To maintain consistency with OSHA PSM requirements, EPA's implementing rule requires sources to update process hazard analyses (PHAs) and hazard assessments every five years. Thus, sources are required to maintain such documentation for five years (and in the case of the PHA, for the life of the covered process), which is greater than the three years specified in OMB's general guidelines.

3(f) Confidentiality and Sensitive Questions

(i) Confidentiality

Certain elements mandated in the regulation for the RMP may require the submittal of data viewed as proprietary, trade secret, or confidential (e.g., confidential business information, or CBI). As described above, EPA has adopted procedures for sources to claim certain information as CBI.

(ii) Sensitive Questions

No questions of a sensitive nature are included in any of the information collection requirements covered in this ICR. The information submitted in an RMP includes information on a source's hazard assessment, prevention program, and emergency response program, and the information submitted in support of a petition to modify the list of regulated substances includes toxicity data and accident history data. The information collection requested complies with the Privacy Act of 1974 and OMB Circular A-108.

4. THE RESPONDENTS AND THE INFORMATION REQUESTED

4(a) Respondents/North American Industry Classification System (NAICS) Codes

Risk Management Programs and Plans

The accidental release prevention program under the CAA was developed for sources that manufacture, react, mix, store, or use regulated substances in processes that require equipment designed, constructed, installed, operated, or maintained in specific ways to prevent accidental releases and ensure safe operations. The CAA requires sources to comply with the regulations if they have more than a threshold quantity of a regulated substance onsite to use in a process. Based on submissions of RMPs, the

rule applies to manufacturers (i.e., sources categorized in North American Industry Classification System (NAICS) codes 31-33), as well as some non-manufacturers, including Federal sources, utilities (NAICS code 221: electric utilities, drinking water systems, wastewater treatment works), warehouses, large ammonia refrigeration systems (e.g., food processors and distributors), wholesalers, ammonia retailers, gas processors, and others.

The total number of respondents for this ICR renewal period is 14,827 (i.e., 12,341 sources + 13 State/local agencies + 2,473 Local Emergency Planning Committees (LEPCs)). A more detailed discussion of the respondent universe for this ICR period is provided in section 6(d).

Petitions

Any person may petition EPA to modify, by addition or deletion, the list of regulated substances. Potential petitioners are likely to include environmental groups, industry, and State and local agencies. Due to the nature of its activities, the chemical manufacturing sector is likely to be the primary industry producing, using, or storing listed regulated substances affected by the petition process. Since the list rule was promulgated in January 1994, however, only one petition has been submitted to EPA, and that petition later was withdrawn. Based on this record, EPA assumes that no additional petitions will be submitted in the period covered by this ICR.

4(b) Information Requested

Data requirements and respondent activities vary by program level. Program 1 requires the smallest amount of data and respondent time, while Program 3 requires the most. Sources with Program 3 processes are those that do not meet Program 1 but are subject to OSHA's PSM Standard, or those in any of the ten NAICS codes listed in 40 CFR 68.10(d)(1). Program 2 processes are those that do not meet Program 1 or 3 eligibility requirements. See 40 CFR 68.10 for more detailed description of each Program.

Every five years, all sources are required to update and submit an RMP that includes basic facility data, an executive summary, five-year accident history, data on the worst-case release scenarios (a minimum of one for toxics and one for flammables), and data on emergency response regardless of their program classification. In addition, Program 2 and 3 sources also must submit data on alternative release scenarios (one for each toxic and one for flammables) and their prevention programs (by process). If a change at the source (e.g., a substantial change in the quantity held, a major modification of a covered process) meets one or more of the conditions specified in 40 CFR 68.190(b), the RMP must be revised and resubmitted. Depending on the event that triggers the need for an update, the source must resubmit the revised RMP either before the change is implemented (e.g., the addition of a new regulated substance) or within six months of the change (e.g., a major process modification).

All Program 2 and 3 sources are required to meet with public response agencies to coordinate emergency response plans. Program 2 and 3 sources also are required to conduct an exercise to check the information on their emergency notification lists annually. Sources are required to hold a public meeting within 90 days of any RMP-reportable accident with offsite impacts specified in 40 CFR 68.42(a) (i.e., known offsite deaths, injuries, evacuations, sheltering in place, property damage, or environmental damage). Responding sources are required to conduct and document emergency response tabletop exercises at least every three years and field exercises at an appropriate frequency, with no minimum frequency requirement.

(i) Data Items

Risk Management Plans

Respondents are required to submit information to EPA in the registration, Executive Summary, and, depending on the program level, type of chemicals and history of accidents of the respondent's regulated process or processes, certain data sections of the RMP. Respondents that are no longer subject to the rule must submit a deregistration notice to EPA. See Appendix C for a detailed list of information items for RMP registration and data sections.

Risk Management Programs

Prevention Program Documentation

All covered sources with Program 2 or 3 processes are required to conduct and document a compliance audit within the three-year period of this ICR. These sources are also assumed to incur costs for incident investigation if they have an incident meeting the incident investigation criteria specified in 40 CFR 68.60 (for Program 2) or 68.81 (for Program 3). Other on-going costs for documentation for Program 2 processes are for maintaining up-to-date safety information and operating procedures. For Program 3 processes, most on-going costs of keeping Process Safety Information (PSI) and Operating Procedures up-to date, documenting refresher training, training of new employees, mechanical integrity, and management of change accrue to the OSHA PSM standard. Any source that has an emergency response plan is subject to the OSHA Hazardous Waste Operations and Emergency Response (HAZWOPER) standard (29 CFR 1910.120); all costs for updating the plan accrue to the OSHA standard. A few sources are expected to change their OCA over the three-year period. The documentation for those costs is included in the RMP costs. Detailed information for Prevention Program Documentation for Program 1, 2 and 3 sources can be found in Appendix D.

Emergency Response Activities

Emergency Response Exercises. All Program 2 and 3 responding facilities will be required to plan for and conduct emergency response tabletop and field exercises. Documentation of both types of exercises will be required. It is recommended, but not required, that exercise evaluation reports include:

- Lessons learned,
- Recommendations, and
- A schedule to resolve recommendations.

Confidential Business Information (CBI)

40 CFR 68.210 provides that information will be available to the public under CAA section 114(c), which provides for protection of trade secrets. To clarify procedures for submitting RMPs that contain confidential business information (CBI), EPA added two sections to the rule. In general, however, the existing rules governing CBI in 40 CFR part 2 will also apply and provide procedures for determining the appropriateness of CBI claims as well as the substantive criteria that must be met to assert such claims.

To qualify for CBI protection, the substantive criteria set forth at 40 CFR 2.301 must be met. These criteria generally require that the data not be available to the public through other means, that the source take appropriate steps to prevent disclosure, and that disclosure of the data would be likely to cause substantial harm to the source's competitive position.

To assert a CBI claim, a source is required to submit a sanitized version of its RMP, which EPA enters into the RMP database. The sanitized version will identify each data element, except chemical

identity, claimed as CBI by the notation "CBI" in the data field. For chemical identity, the source is required to provide a generic chemical category or class name in lieu of the actual chemical name. At the same time, the source is also required to submit to EPA the data claimed as confidential on a separate, paper form. The source must also substantiate why each item claimed as CBI meets the CBI criteria. Substantiation information may be claimed as CBI. If all or part of the substantiation is claimed as CBI, a sanitized version of substantiation must also be filed with EPA. Review of the CBI claims will be handled as provided for in 40 CFR part 2.

CBI claims must be made at the time of submittal. The source's owner, operator, or senior official is required to certify the accuracy of the CBI substantiation claims.

Petitions

Any person may petition the Administrator to modify, by addition or deletion, the list of regulated substances in 40 CFR 68.130. Based on the information presented by the petitioner, EPA may grant or deny a petition. A list of the information items a petition is required to contain under 40 CFR 68.120(g) can be found in Appendix E.

(ii) Respondent Activities

Rule Familiarization

All newly affected sources are expected to spend time reading and understanding the requirements when they first become subject to part 68. This is a one-time activity. Therefore, burden for rule familiarization for currently covered sources is not included in this ICR.

Risk Management Programs and Plans

Deregistration. Any source that is no longer subject to part 68 is required to notify EPA in writing within six months of the date on which it is no longer subject.

Program 1. Burden for new Program 1 sources to prepare and submit an RMP is included in this ICR. Burden for existing Program 1 sources that will be resubmitting their RMP in 2022, 2023, or 2024 is also included in this ICR. New and existing Program 1 sources are required to maintain records supporting the implementation of the risk management program, as explained in the previous section.

Program 2. Program 2 sources incur the burden of preparing or revising an RMP and maintaining specific onsite documentation of the items listed in the previous section.

Program 3. Program 3 sources incur the burden of assembling information to maintain onsite documentation (except that already required under OSHA PSM) and preparing and submitting an RMP.

The burden estimates for preparing the RMP and maintaining onsite documentation for sources with Program 2 or Program 3 processes are presented in section 6(a) of this ICR.

Emergency Response Activities

Coordination Activities. All Program 2 and 3 sources are required to coordinate with local response agencies annually to share information and coordinate emergency response plans.

Notification Drills. All Program 2 and 3 sources are required to conduct a notification exercise

annually to verify the accuracy of the contact information on the emergency notification lists (e.g., local responders, State and Federal agencies, mutual aid groups) to ensure that the information is current and correct.

Emergency Response Exercises. All Program 2 and 3 responding facilities are required to plan for and conduct emergency response tabletop and field exercises. Documentation of both types of exercises is required. Tabletop exercises are required to be conducted at least every three years. Facilities are required to consult with local emergency response officials to establish an appropriate frequency for field exercises. Facilities are permitted to meet the exercise requirements with joint and combined exercises to reduce costs (for both facilities and local responders).

The burden estimates for emergency response activities are presented in section 6(a) of this ICR.

Information Disclosure Activities

Public Meetings. Sources are required to hold a public meeting within 90 days of any RMP-reportable accident with offsite impacts specified in 40 CFR 68.42(a) (i.e., known offsite deaths, injuries, evacuations, sheltering in place, property damage, or environmental damage). Accident information specified in 40 CFR 68.42 (b) must be provided for only the most recent accident. The burden estimates for public meetings are presented in section 6(a) of this ICR.

Confidential Business Information

Based on the CBI claims received in prior reporting years, EPA expects a small number of sources with processes in Program 2 and Program 3 may seek to claim certain RMP information as confidential business information during the three-year ICR renewal period (2022-2024). The required activities for such sources include the preparation of a sanitized RMP (estimated as described above for all sources) and a substantiation of the claim for each data element (and potentially the substantiation itself) claimed as confidential, the list of unsanitized data elements and the submission of these documents to EPA at the time of the submission of the RMP. Burden estimates for these activities are presented in section 6(a) of this ICR.

Petitions

To submit a petition to modify the list of regulated substances, a petitioner is expected to perform the following activities:

- Read EPA guidance document and consult with EPA
- Plan activities
- Prepare literature search
- Conduct literature search
- Process information
- Review and focus information
- Write petition
- Review and edit petition, and
- Submit petition to EPA and file.

The burden for petitions is discussed in section 6(a) of this ICR.

5. THE INFORMATION COLLECTED — AGENCY ACTIVITIES, COLLECTION METHODOLOGY, AND INFORMATION MANAGEMENT

5(a) Federal, State, and Local Government Activities

Burden to State and Local Agencies and Others

Local responders incur burden for coordinating with respondents annually to determine how the source is addressed in the community emergency response plan and to ensure that local response organizations are aware of the regulated substances at the source, their quantities, the risks presented by covered processes, and the resources and capabilities at the source to respond to an accidental release of a regulated substance. Local responders also incur some burden for consulting with facilities to establish an appropriate frequency for field exercises. The burden for these activities is accounted for in section 6(a) of this ICR. The burden and cost estimates developed for the following State and local government activities are presented in section 6(b) of this Supporting Statement.

Program Management

Thirteen State and local agencies currently are approved to serve as the implementing agencies for part 68. EPA does not expect any additional agencies to seek delegation to implement the program during the period of this ICR. Delegated implementing agencies are required to implement and enforce the program for all or some of the sources in their States. Implementing agencies need to keep records of reviews, audits, and inspections conducted, any administrative and legal actions taken, and other correspondence between the agency and sources, other agencies, EPA, and the public. Implementing agencies also need to document their budgets for internal purposes, and any agreements they reach with other State, local, or Federal agencies. To become a delegated implementing agency, the State or local agency must be able to demonstrate to EPA that it has the personnel and other resources to perform these tasks.

During the period covered by this ICR, EPA expects that all 13 agencies will be implementing the program each year.

Burden to the Federal Government

The burden estimates developed for the following Federal government activities are presented in section 6(c) of this Supporting Statement.

Federal Program Management

EPA serves as the implementing agency for any State that does not seek or is not granted delegation. EPA will need to keep records of reviews, audits, and inspections conducted, any administrative and legal actions taken, and other correspondence between the agency and sources, other agencies, and the public. EPA also needs to document its budgets for internal purposes, and any agreements it reaches with other State, local, or Federal agencies.

Risk Management Plans

In 2009, EPA instituted a web-based RMP submission system named RMP*eSubmit, which allows sources to submit their RMP directly to EPA over the internet. RMP*eSubmit includes pick lists

for chemical names, LEPCs, and certain other data elements from which a source may choose its responses. RMP*eSubmit and accompanying documentation are available via EPA's website. The web-based system reduces burden for facilities by simplifying the RMP submission process. It also has improved data quality and security.

Other software applications allow processing of the RMPs and creation of a database, which are functions performed by contractors who operate EPA's RMP Reporting Center to which facilities electronically submit their RMPs. The suite of applications also includes RMP*Info, a database with extracts from the main RMP database and query functions, and software to assist in querying the database.

The Agency performs the following activities:

- Makes the RMP submission system, database, software and forms available.
- Processes the RMPs submitted by sources into a database and makes the information available through various means.
- Answers any questions from sources concerning the submission process.
- Processes any claims of confidential business information.
- Notifies each submitter of the status of their RMP.
- Stores RMP submissions and retrieves information.
- Provides technical assistance to sources.
- Maintains the RMP database.

The EPA contractor who operates the reporting center processes electronically submitted RMPs. The Center also responds to questions from sources and handles any CBI information.

EPA also has provided web-based access to the database by Federal, State and local government officials through RMP*Info now available via the Agency's Central Data Exchange (CDX).

Petitions

EPA does not expect to receive any petitions during this ICR period. However, for any petition submitted under 40 CFR 68.120, EPA would perform the following activities:

- Answer respondent's questions
- Review petition for completeness
- Publish a notice of petition receipt and request for comments
- Review data submissions
- Record or enter the data submissions
- Store the data, and
- Prepare and publish the final decision.

5(b) Collection Methodology and Management

Respondents complete an RMP electronically. EPA manages the data as discussed above.

5(c) Small Entity Flexibility

The rule includes several measures to reduce the burden to small entities. Most sources subject to Program 3 requirements already are required to comply with the OSHA PSM standard, and therefore, have already completed the prevention program elements specified in Subpart D of 40 CFR part 68. All other small sources face reduced requirements under Programs 1 and 2. In addition, the quantity of information submitted in the RMP and the associated burden varies with the size of the source (i.e., smaller sources would generally have a lower burden). EPA has developed industry-specific guidance documents to help smaller sources comply with the rule. Therefore, the RMP regulations do not impose a disproportionate compliance burden on small sources. Also, as mentioned in the end of section 1 of this document, the RMP online reporting system (RMP*eSubmit) was made available in 2009. This reduces burden for small entities because submitters can more easily revise and resubmit information online rather than print and/or mail EPA CDs with the changes.

5(d) Collection Schedule

Risk Management Plans

Sources with greater than a threshold quantity of a listed substance in a process are required to comply with the risk management program beginning June 21, 1999. Compliance includes, among other activities, submitting an RMP to EPA by the initial compliance date and at least every five years thereafter. After submitting an RMP, a source must update it by the time it adds a listed substance new to the source in a process above a threshold quantity or for other reasons and within the timeframes specified in 40 CFR 68.190. Otherwise, sources are required to resubmit their RMP within five years of their last submission even if there were no significant changes to the source or its covered processes during the five-year period.

6. ESTIMATING THE BURDEN AND COST OF THE COLLECTION

6(a) Respondent Burden

This section of the document presents the respondent burden for each of the information collection activities covered in the ICR. The source-level (unit) burden applied to various types of sources and sectors is based on the size of the source and on the number and complexity of the processes at the sources in each sector. Exhibits 1 to 7 in Appendix A show the source-level burden for new and currently covered sources.

Familiarization with the Regulations (*New sources*)

The burden associated with familiarization with the regulations was estimated in previous ICRs for currently covered sources. This ICR estimates familiarization burden only for any new sources that may become subject to the regulations during the period covered by this ICR. The source-level burden for familiarization with the regulations is estimated to range from 12 to 32 hours for the various sectors covered by the regulations (Exhibit 1 in Appendix A).

Initial RMP Preparation and Submission (*New sources*)

Exhibit 1 in Appendix A presents the estimated source-level burden hours for preparing and submitting an RMP for new sources that are expected to be subject to the regulations during the period covered by this ICR. Based on the information provided by some of the sources that EPA contacted and the estimates developed in previous ICRs, the average unit burden to prepare and submit an RMP ranges from 8.25 to 33 hours for the various sectors covered by the regulations.

Prevention Program (*New sources*)

New sources also incur costs for developing documentation for prevention program elements. Estimates of the respondent burden hours for maintaining onsite documentation vary depending on the size of the source and the complexity of the onsite processes as well as whether the source is already covered by OSHA's PSM Standard. These sources are expected to incur the costs of maintaining onsite documentation only for those activities performed for processes and substances not covered under OSHA's PSM Standard. EPA developed an estimate, based on the number of PSM and non-PSM sources currently subject to the regulations, of the numbers of new sources in these categories. The estimated source-level burden for prevention program activities for new sources ranges from 7 to 188 hours (Exhibit 2 in Appendix A).

RMP Submission and Prevention Program Documentation (*Currently covered sources with resubmission deadlines in this ICR period*)

As mentioned previously in this document, EPA contacted several sources that recently resubmitted RMPs to consult about the burden they incur to revise and resubmit their RMP (see section 3(b) of this document for more details). EPA contacted small, medium, and large sources in various sectors. The source-level burden for RMP preparation and submission ranges from 5 to 28 hours (Exhibit 3 in Appendix A). The source-level burden for prevention program documentation ranges from 4.5 to 124 hours (Exhibit 3 in Appendix A).

Prevention Program Documentation (*Currently covered sources with resubmission deadlines in 2025 and 2026*)

These sources have submitted their RMPs prior to this ICR period because they were assigned a five-year resubmission deadline based on their last resubmission date. Therefore, these sources are required to conduct only certain onsite activities of their prevention program (compliance audits, refresher training, etc.) in this ICR period. Some of the prevention program elements must be conducted annually or every three or five years. EPA encourages sources to review all the prevention program elements and update them periodically even where they are not required to do so on any specific deadline or schedule.

Estimates of the respondent burden hours for conducting prevention program activities and maintaining onsite documentation also vary depending upon the size of the source and the complexity of onsite processes, as well as whether the source is already covered by the OSHA PSM Standard. However, EPA assumes that sources with resubmission deadlines beyond this ICR period (i.e., years 2025 and 2026) will spend only half of the time on these activities compared to the time spent by sources with resubmission deadlines within this ICR period (i.e., years 2022 to 2024). As a result, the source-level burden for sources with resubmission deadlines beyond this ICR period is half of the burden presented in Exhibit 3 in Appendix A.

Overdue Sources (*Expected to comply this ICR period*)

The source-level burden for overdue sources is the same as the burden to currently covered sources. Thus, for overdue sources, the source-level burden for RMP preparation and submission ranges

from 5 to 28 hours (Exhibit 3 in Appendix A). The source-level burden for prevention program documentation ranges from 4.5 to 124 hours (Exhibit 3 in Appendix A).

Coordination Activities

All facilities with Program 2 or 3 processes are required to coordinate with local response agencies annually to determine how the source is addressed in the community emergency response plan and to ensure that local response organizations are aware of the regulated substances at the source, their quantities, the risks presented by covered processes, and the resources and capabilities at the source to respond to an accidental release of a regulated substance. The owner or operator is required to provide their source's emergency response plan, if one exists, updated emergency contact information, and any other information that local emergency planning and response organizations identify as relevant to local emergency response planning. The owner or operator also is required to document coordination activities.

Each facility type is expected to incur a different burden in addressing coordination activities. EPA estimates that facilities in the simple category will spend 13 hours in coordination activities, while facilities in the complex category will spend 47 hours in coordination activities (Exhibit 4 in Appendix A).

Notification Drills

All facilities with Program 2 or 3 processes are required to conduct an annual notification exercise to verify that emergency contact information is up-to-date. This includes verifying that notification contact information for emergency responders, Federal, State and local response agencies, and other accidental release notification contacts is correct and includes functional phone numbers. All facilities with Program 2 or 3 processes are required to conduct a notification drill, during which a facility member checks each person and agency on its emergency contact list, to ensure that the contact information is accurate (e.g., that the person listed is still in that position and the phone numbers and email addresses are correct).

Each facility type is expected to incur the same burden in conducting notification drills: 2 hours per notification drill (Exhibit 4 in Appendix A).

Exercises

Responding facilities are facilities that intend to develop and implement the emergency response program required under 40 CFR 68.95 to respond to releases at their site. Such facilities are required to conduct an exercise of their emergency response program in accordance with 40 CFR 68.96. The owner or operator must conduct a tabletop exercise at least once every three years and must consult with local emergency response officials to establish an appropriate frequency for field exercises. In a field exercise, all the steps of a response are carried out (e.g., responders and equipment are deployed). The purpose of a field exercise is to evaluate the ability of the responders and other employees to implement the emergency response plan on which they have been trained. In a tabletop exercise, participants discuss response procedures without actually conducting response actions.

With no minimum frequency requirement for field exercises, facilities and local responders have the option to choose when to conduct a full field exercise. Although facilities and responders may therefore choose to hold field exercises less frequently than every ten years, EPA has taken the conservative approach for burden estimation to assume that the average RMP facility will still conduct a field exercise every ten years. This assumption is based on the rationale that facilities, even without the minimum frequency requirement, will conduct field exercises at least this often in order to train new

employees and community responders on the workings of the facility's emergency plan. The objectives of field and tabletop exercises include: identifying who would be contacted in an emergency, testing procedures and measures for emergency response after an accidental release of a regulated substance (e.g., what equipment would be deployed, who would be evacuated, how decisions on public notification would be made, who would contact the public, etc.), and identifying and testing proper first-aid and emergency medical treatment procedures necessary to treat accidental human exposures.

The burdens associated with both types of exercises vary with the size and complexity of a facility. Every phase of the process – planning, exercise, and post-action evaluation – will require more time for larger and more complex facilities. Smaller facilities have a limited number of possible scenarios (from leaks to slow releases to total failure of a storage vessel). Larger facilities – particularly those with complex chemical processes – have more potential failure modes and a greater possibility of the first release triggering additional releases or creating other risks. Management time is expected to be devoted to developing the exercise plan; engineers, production staff, and emergency responders are expected to plan and participate in the exercise.

Facilities are permitted to meet the exercise requirements with joint and combined exercises to reduce burden (for both facilities and local responders). EPA expects many facilities will take advantage of this alternative means of complying with the exercise requirement. While it is likely that many facilities will conduct joint exercises or conduct exercises less frequently than once every ten years, reducing burden on facilities and allowing for greater flexibility, EPA notes that it is also possible that some facilities may choose to conduct exercises independently and on a more frequent basis.

Each facility type is expected to incur a different burden in conducting facility exercises. EPA estimates that the burden to facilities in the simple category ranges from 46.77 to 112.17 hours, while the burden to facilities in the complex category ranges from 46.77 to 154 hours (Exhibit 5 in Appendix A).

Public Meetings

RMP facilities are required to hold a public meeting to provide accident information required under 40 CFR 68.42, no later than 90 days after any accident with offsite impacts specified in 40 CFR 68.42(a) (i.e., known offsite deaths, injuries, evacuations, sheltering in place, property damage, or environmental damage) that is subject to reporting under 40 CFR 68.42. Accident information specified in 40 CFR 68.42(b) must be provided for only the most recent accident and not for previous accidents covered by the five-year accident history requirement of 40 CFR 68.42(a).

EPA estimates that each facility needs to spend time planning for the meeting, including time to decide when and where to hold the meeting, arrange the meeting space, develop and post notices of the meeting, and to develop materials to be presented and distributed. In addition, EPA assumes that at least two people from the facility will attend the meeting, which is estimated to take 4 hours of the attendees' time; even if the meeting is only 2 hours, attendees would have to arrive early and would stay after the official ending to talk with people, collect extra materials, and close the meeting space.

Each facility type is expected to incur a different burden in hosting public meetings. EPA estimates that facilities in the simple category will spend 20 hours hosting public meetings, while facilities in the complex category will spend 40 hours hosting public meetings (Exhibit 6 in Appendix A).

Confidential Business Information (CBI) Claims

The requirement that sources submit substantiation with the CBI claim will impose costs on the source making the CBI claim. Previous ICRs estimated respondents spend 9.5 hours per claim to develop

and submit CBI substantiations. These requirements have not changed, so the same burden estimate is used for this ICR. Exhibit 8 in Appendix A shows the estimated burden per claim for this activity.

Petitions

Since 1994 when EPA initially published the list of chemicals, EPA has received only one petition to remove a chemical from the list. The Agency does not expect to receive any petitions during the period covered by this ICR. Therefore, this ICR does not account for any burden for filing petitions.

Deregistration

EPA estimates that technical staff will spend one hour to produce a deregistration letter.

Implementing Agencies

Although EPA does not require States to obtain delegation to implement the 40 CFR part 68 program, some State and local agencies have the delegated authority to implement the program. Because EPA will not be granting funds to implementing agencies as part of the delegation process, the burden that the implementing agencies will incur is added to the respondent burden in this ICR. For the States that do not obtain delegation of the program, EPA will be the implementing agency.

Implementing agencies are expected to conduct the following activities:

- **Initial reviews,** which are first checks of the RMPs to identify any problems (e.g., inconsistencies in reported data, failure to list obvious hazards such as flammability for a listed flammable material), are estimated to require between one and five hours, depending on the number and complexity of processes covered in the RMP.
- **Audits** are detailed reviews of the RMPs, requiring between two and 12 hours per RMP. Audits require technical staff capable of identifying data that may indicate safety problems (e.g., failure to report chemical or process hazards, which could indicate an inadequate PHA, or lack of normal process controls, which could indicate either an incomplete RMP or inadequate safety practices). Audits may be conducted entirely offsite or may include a site visit to review documentation and other aspects of the program. The results of the audits will help identify sources that may require inspection to determine whether the source complies with the rule and is operating safely.
- **Inspections** are site visits to review the activities and documentation. Inspections are estimated to take between eight and 50 hours.
- **Report writing** is assumed to be 12.5 percent of the inspection time and recordkeeping is assumed to be 10 percent of the inspection time.

6(b) Estimating Respondent Costs (*Sources, Local Responders, and State Implementing Agencies*)

(i) Estimating Labor Costs

EPA used the Bureau of Labor Statistics (BLS) May 2020 National Industry-Specific Occupational Employment and Wage Estimates to construct weighted wage rates for different occupation categories.[2] For all information collection activities, labor hours were assumed to be distributed across six general labor categories: Management, Corporate Management, Attorneys, Engineers, Production Staff,

[2] See https://www.bls.gov/oes/current/oessrci.htm.

and Local Responders. For each of the NAICS codes representing industries affected by the regulations (e.g., Food and Beverage, Agricultural Facilities), standardized BLS Occupation Titles were identified to match the general labor categories (Management, Corporate Management, Attorneys, Engineers, Production Staff, and Local Responders). The wage rates for each BLS Occupation Title were multiplied by a fringe benefits factor of 1.5 to create a loaded wage rate.[3]

For certain information collection activities, the weighted wage rates for complex facilities (NAICS codes 324 and 325) were estimated separately from simple facilities because wages paid by these facilities are higher than in wholesale and government sectors, which dominate the simple facilities category. After loaded wage rates were established for each industry, they were combined to form a weighted average based on the share of each industry within its universe of facilities, either simple or complex. Exhibit 8 in Appendix A presents the weighted-average loaded hourly wage rates for simple and complex facilities.

For the remaining information collection activities, EPA estimated loaded wage rates for different types of facilities: (1) small/medium manufacturers, (2) large manufacturers, (3) small/medium non-manufacturers, and (4) large non-manufacturers. EPA estimated the wage rates individually because wages vary across the four categories. For each of the four categories, one industry included in that category was chosen to represent the loaded wage rates.[4] Exhibit 9 in Appendix A presents the loaded hourly wage rates for small/medium and large manufacturers and non-manufacturers.

To estimate the labor costs for each information collection activity, EPA multiplied the number of hours estimated in each labor category by the corresponding loaded hourly wage rate. The labor cost for each facility was then multiplied by the total number of affected facilities to arrive at the total labor costs.

(ii) Estimating Capital and Operations and Maintenance Costs

Capital Costs

Capital costs usually include any produced physical good needed to provide the needed information, such as machinery, computers, and other equipment. EPA does not anticipate that respondents will incur capital costs in carrying out the information collection requirements covered in this ICR.

Because RMPs will be available electronically and EPA will provide them to anyone who does not have Internet access, State and local agencies are expected to incur no capital costs related to RMPs. Implementing agencies will also incur minimal capital costs to maintain documents on program implementation. Most files associated with program implementation are electronic and implementing agencies are assumed to already have computer systems, so the cost of these systems does not accrue to this ICR. Previous ICRs calculated the required number of file cabinets for the States, but because EPA now assumes that States store files electronically, the Agency does not include the costs of file cabinets in this ICR.

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[3] The benefits multiplier is based on an average for the sectors as estimated by BLS in its Employer Costs for Employee Compensation. BLS includes items such as sick leave and vacation as benefits. See https://www.bls.gov/news.release/ecec.toc.htm.

[4] Chemical manufacturing (NAICS 325) was used to represent large manufacturers, other facilities (all NAICS) were used to represent small/medium manufacturers, food manufacturing (NAICS 311) was used to represent large non-manufacturers, and agriculture, forestry, fishing and hunting (NAICS 11) was used to represent small/medium non-manufacturers.

Operating & Maintenance (O&M) Costs

O&M costs are associated with a paperwork requirement incurred continually over the life of the ICR. They are defined by the Paperwork Reduction Act of 1995 as "the recurring dollar amount of costs associated with O&M or purchasing services."

Sources are not required nor expected to use consultants to prepare and submit their RMP or their onsite documentation. The RMP program has simplified the requirements and now allows sources to use prepared forms and models to eliminate the need for consultants. Sources are required to submit the data electronically online. EPA has developed an online reporting system to submit the RMP, at no cost to the regulated community. Most sources already have access to the Internet; therefore, the connection charge associated with Internet access is not applied to this ICR. In previous ICRs, EPA estimated mailing costs as part of operating costs. However, sources no longer incur mailing costs because EPA now requires sources to submit their RMP online.

For this ICR, EPA estimates that renting a meeting room to host the public meeting will cost facilities $597.[5]

6(c) Estimating Agency Burden and Cost

EPA is the implementing agency for sources in those states not delegated to implement the program. Of the sources responding during this ICR period, approximately 10,134 will be managed by EPA. EPA expects to audit and inspect only approximately four percent of these sources (or 405 sources) annually during this ICR period.

EPA estimates an average hourly labor cost of $109.82 for management staff (GS-14, Step 7) and $84.67 for technical staff (GS-12, Step 10). To derive these hourly estimates, EPA referred to the U.S. Office of Personnel Management (OPM) 2021 General Schedule (GS) Salary Table for Denver-Aurora, Colorado.[6] EPA then applied the standard government overhead factor of 1.6 to the unloaded rate to derive loaded hourly rates. Exhibit 10 in Appendix A presents the loaded hourly wage rates for EPA.

The average burden to review an RMP, inspect the source and prepare a report, is 20.7 hours per source. Using the loaded labor rates, the cost to conduct one inspection is estimated to be $1,778. Total annual burden for all 10 EPA Regions to inspect and prepare reports in this ICR period is estimated to be 8,384.07 hours at a cost of $720,0655 annually (25,152.21 hours at a cost of $2,160,194 for three years).

In addition to labor costs, EPA incurs O&M costs associated with the requirements covered in this ICR. These O&M costs include:

- *RMP Software Maintenance and Development.* In 2009, for the second five-year reporting deadline, EPA introduced a web-based reporting application called RMP*eSubmit, which is the current system for submitting RMPs. Other components of the suite of applications for the RMP system (SRMP) include RMP Maintain, an Oracle application maintaining a secure database with

[5] Based on a cost of $550 in the Final Reconsideration Rule ICR (EPA ICR No. 2537.05), December 19, 2019. This cost was adjusted to represent 2021 value. See Bureau of Labor Statistics, "All items in U.S. city average, all urban consumers, not seasonally adjusted," U.S. City Average, February 1, 2022. Available online at: https://data.bls.gov/timeseries/CUUR0000SA0?amp%253bdata_tool=XGtable&output_view=data&include_graphs=true.%20%20December%202019=256.974%20and%20December%202021=278.802.

[6] Available at https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2021/DEN_h.pdf.

complete RMP data. RMP*Info is a user-friendly version of the database on the Agency's Central Data Exchange (CDX), which makes RMPs available to the government staff. Extramural costs for the software maintenance and development for the RMP program are $612,352 annually ($1,837,056 for three years).

- *RMP Reporting Center Operations.* The cost to operate the RMP Reporting Center, including answering questions from the public, etc., is estimated to be $750,442 annually ($2,251,326 over three years).

The combined total cost for the RMP Reporting Center, including both software maintenance and development, and operations, is estimated to be $1,362,794 annually ($4,088,382 for three years).

The total Federal government cost for both inspections and RMP Reporting Center costs is $2,082,859 annually ($6,248,576 for three years).

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

In this section, EPA first describes the estimated respondent universe. EPA then estimates the annual burden to respondents under the information collection requirements covered in this ICR.

(i) Respondent Universe

Sources

Based on the number of new sources that reported between 2018 and 2020 (the most recent calendar years including a major RMP reporting year), EPA estimates that approximately 578 new sources will comply with the regulation during this three-year ICR period, or an average of approximately 193 each year. Exhibit 11 shows the number of new sources EPA expects to comply in this ICR period. The number of new sources estimated in each category (manufacturers/non-manufacturers, PSM/non-PSM) is calculated based on the number of new sources that submitted RMPs from 2018 to 2020. EPA assumes that the new sources are mainly small to medium-sized facilities in the non-manufacturing sectors. The distribution of new sources among various sectors is similar to previous ICRs, and the source-level burden is applied to these sectors as in previous ICRs.

As of August 2021, approximately 11,763 sources currently are subject to 40 CFR part 68 requirements. The number of sources changes weekly and sometimes even daily, depending on the numbers of new sources that come into compliance and deregister. As previously indicated, RMPs are due every five years. The next five-year resubmission deadline is June 2024. While this ICR period includes a major reporting year (i.e., 2024), some covered sources included in this ICR resubmitted their RMPs for various reasons specified in 40 CFR 68.190 prior to the next scheduled five-year submission deadline. Therefore, EPA assigned these sources a new five-year deadline. Accordingly, this ICR includes sources with on-cycle (i.e., June 2024) and off-cycle RMP submission dates.

EPA estimates that approximately 64 percent of the 11,763 currently covered sources (i.e., 7,530) will be resubmitting their RMPs by their scheduled resubmission deadline. Of these 7,530 sources, 1,341 sources have a resubmission deadline in the first year of this ICR period (January to December 2022), 1,518 sources have a resubmission deadline in the second year, and 4,671 sources have a resubmission deadline in the third year covered by this ICR.

At the time of the publication of this ICR, approximately 381 sources of the 11,763 currently covered sources had overdue resubmissions (i.e., these sources had not resubmitted their RMPs by their

last five-year resubmission deadline and had not submitted a deregistration notice to the Agency). EPA estimates that 190, or half of the overdue sources will resubmit during this ICR period. These sources will update their PHAs, hazard reviews, offsite consequence analyses, etc. EPA also estimates that the other half of the overdue sources are, in fact, no longer covered under 40 CFR part 68 and will submit a deregistration notice to the Agency.

The remaining sources covered under 40 CFR part 68 (3,394 sources of the 11,763 currently covered sources) have resubmission deadlines beyond the period covered by this ICR. The burden incurred by these sources will consist of complying with some of the prevention program, hazard assessment, and management system elements during this ICR period. Although these sources submitted their RMPs prior to this ICR period, some of the program elements (e.g., compliance audits, refresher training for their employees) will be conducted during this ICR period.

Although not all covered sources will resubmit their RMPs during this ICR period, all sources are required to maintain onsite documentation. In addition, new sources will need to become familiar with the regulations (Exhibit 11 in Appendix A). Program 2 and 3 facilities are required to conduct coordination activities and notification drills (Exhibit 13 in Appendix A). Responding facilities are required to conduct emergency response exercises (Exhibit 14 in Appendix A). All facilities must comply with the public meetings provision (Exhibit 15 in Appendix A).

Based on the above, EPA assumes that all new sources (578) and all currently covered sources (11,763) will be subject to one or more RMP provisions during the three-year period covered by this ICR. Therefore, EPA estimates that there will be a total of 12,341 sources complying with RMP requirements during this ICR period (i.e., 578 + 11,763).

Implementing Agencies

EPA estimates that during the period covered by this ICR, 13 State and local agencies will maintain a delegation of authority from EPA to implement the RMP program in their States.

Local Emergency Planning Committees

During the period covered by this ICR, 2,473 LEPCs will participate in coordination activities and emergency exercises.

Summary

Based on the above information, the total number of respondents for this ICR period is 14,827 (i.e., 12,341 sources + 13 implementing agencies + 2,473 LEPCs).

(ii) Annual Respondent Burden and Costs

Familiarization with the Regulations (*New sources*)

EPA estimates rule familiarization burden only for any new sources that are expected to become subject to the regulations during the three-year period covered by this ICR. The total burden for new sources to become familiar with the regulations is estimated to be 3,016 hours at a cost of $208,500 annually (9,048 hours at a cost of $625,501 for three years) (Exhibits 16, 21, and 26 in Appendix A).

Initial RMP Preparation and Submission (*New sources*)

The total burden for new sources to prepare and submit an RMP is estimated to be 2,501 hours at a cost of $160,069 annually (7,502 hours at a cost of $480,206 for three years) (Exhibits 16, 21, and 26 in Appendix A).

Prevention Program (*New sources*)

The total burden for new sources to comply with prevention program is estimated to be 7,290 hours at a cost of $563,951 annually (21,870 hours at a cost of $1,691,854 for three years) (Exhibits 16, 21, and 26 in Appendix A).

RMP Submission and Prevention Program Documentation (*Currently covered sources with resubmission deadlines in this ICR period*)

EPA estimates that the 7,530 currently covered sources that resubmit RMPs in this ICR period will spend 26,271 hours at a cost of $1,955,387 annually (78,813 hours at a cost of $5,866,161 for three years) (Exhibits 17, 22, and 27 in Appendix A).

EPA also estimates that the 7,530 currently covered sources that will comply with the prevention program documentation will spend 8,212 hours at a cost of $525,373 annually (24,636 hours at a cost of $1,576,121 for three years) (Exhibits 17, 22, and 27 in Appendix A).

Prevention Program Documentation (*Currently covered sources with resubmission deadlines in 2025 and 2026*)

For the approximately 3,394 sources that have resubmission deadlines in 2025 and 2026, EPA estimates a total burden for prevention program documentation of 4,038 hours at a cost of $257,144 annually (12,114 hours at a cost of $771,431 for three years) (Exhibits 17, 22, and 27 in Appendix A).

Overdue Sources (*Expected to comply this ICR period*)

The total number of hours estimated for overdue sources to resubmit their RMP is 583 hours at a cost of $41,172 annually (1,749 hours at a cost of $123,516 for three years) (Exhibits 17, 22, and 27 in Appendix A).

The total number of hours estimated for overdue sources to comply with prevention program and documentation requirements is 316 hours at a cost of $21,139 annually (948 hours at a cost of $63,417 for three years) (Exhibits 17, 22, and 27 in Appendix A).

Coordination Activities

The total number of hours estimated for Program 2 and 3 facilities to conduct coordination activities is 203,505 hours at a cost of $17,777,601 annually (610,515 hours at a cost of $53,332,803 for three years) (Exhibits18, 23, and 28 in Appendix A). Of the 203,505 total hours, LEPC burden accounts for approximately 61,352 hours at a cost of $47,921 annually (184,056 hours at a cost of $143,763 for three years).

Notification Drills

The total number of hours estimated for Program 2 and 3 facilities to conduct notification drills is 22,526 hours at a cost of $1,366,258 annually (67,578 hours at a cost of $4,098,773 for three years) (Exhibits 18, 23, and 28 in Appendix A).

Exercises

The total number of hours estimated for responding facilities to conduct exercises is 417,096 hours at a cost of $26,624,587 annually (1,251,287 hours at a cost of $79,873,760 for three years) (Exhibits 19, 24, and 29 in Appendix A). Of the 417,096 total hours, LEPC burden accounts for approximately 115,932 hours at a cost of $7,034,733 annually (347,796 hours at a cost of $21,104,99 for three years).

Public Meetings

The total number of labor hours for facilities to comply with the public meetings requirement is estimated to be 1,420 hours, at a labor cost of $109,531 annually. For public meetings, there also is a total O&M cost (for meeting room rental) of $31,044 annually. As a result, the total burden for public meetings is estimated to be 1,420 hours at a cost of $140,575 annually (4,260 hours at a cost of $421,726 for three years (Exhibits 20, 25, and 30 in Appendix A).

Confidential Business Information (CBI) Claims

EPA received 25 CBI claims for the three-year period covered in the previous ICR renewal (2018-2020), with 15 claims submitted during a major reporting year (2019). Because this ICR period also includes a major reporting year (2024), EPA assumes that the number of CBI claims made during this ICR period (2022-2024) will be similar. Therefore, for the estimated 25 sources preparing and submitting CBI claims, the estimated industry burden is 76 hours at cost of $7,303 annually (228 hours at a cost of $21,909 for three years) (Exhibit 31 in Appendix A).

Petitions

The Agency does not expect to receive any petitions during the period covered by this ICR. Therefore, this ICR does not account for any burden and costs for filing petitions.

Deregistration

Based on the number of deregistration letters EPA received in the period 2018 to 2020 (1,221), which includes the major reporting year of 2019, EPA estimates that 407 sources may submit deregistration letters to EPA annually. The 1,221 estimate includes the deregistration letters from approximately half of the overdue sources. The deregistration form letter is available on the RMP information website for download, or sources can write their own letter. The total burden for this activity is estimated to be 407 hours at a cost of $26,699 annually (1,221 hours at a cost of $80,097 for three years) (Exhibit 31 in Appendix A).

Implementing Agencies

EPA estimates that 13 State and local agencies will carry out RMP Program implementation duties during each year covered by this ICR. These 13 agencies cover a total of 1,629 sources, with an average of 125 sources per agency. The implementing agencies are expected to complete inspections of all sources within their jurisdiction in five years, which means each will have to review RMPs, inspect the facility, etc., for approximately 25 sources per year. This ICR accounts for reporting and recordkeeping burden and costs related to inspections over the next three-year ICR period.

EPA estimates that each implementing agency will spend an estimated 519 hours at a cost of

$36,259 annually on these activities (1,557 hours at a cost of $108,777 for three years) based on a five-year inspection cycle. The estimated burden for the 13 implementing agencies combined is 6,749 hours at a cost of $471,369 annually (20,247 hours at a cost of $1,414,107 for three years) (Exhibit 31 in Appendix A).

6(e) Bottom Line Burden Hours and Costs

(i) Respondent Tally

Exhibit 6-1 summarizes the total annual respondent hour and cost burden associated with all the requirements covered in this ICR. As shown in the exhibit, EPA estimates the annual respondent burden to be 704,005 hours and $50,147,128. The bottom line burden to respondents over three years is estimated to be 2,112,015 hours and $150,441,384.

Exhibit 6-1: Annual Respondent Burden and Cost

Type of Respondent	Annual Number of Respondents	Annual Burden Hours	Annual Labor Costs	Annual O&M Costs	Total Annual Costs
Sources	11,730[7]	519,973	$38,887,142	$31,044	$38,918,186
State/Local*	2,486	184,032	$11,228,942	$0	$11,228,942
Total	14,216	704,005	$50,116,084	$31,044	$50,147,128

*Represents implementing agency hours and local entity hours associated with coordination and exercises.

(ii) Agency Tally

EPA estimates the annual EPA burden to be 8,384 hours at a cost of $2,082,859. The bottom line burden to EPA over three years is estimated to be 25,152 hours and at a cost of $6,248,576.

6(f) Reasons for Change in Burden

In this section of the document, EPA presents two alternative approaches for analyzing the change in burden: (1) comparing the burden in this ICR with the total burden associated with the previous two ICRs being consolidated here (i.e., the total burden associated with OMB Control No. 2050-0144 and OMB Control No. 2050-0216) and (2) comparing the burden in this ICR with the burden associated with the ICR being renewed (i.e., the burden associated with OMB Control No. 2050-0144).

[7] This count was estimated by considering the average number of unique source respondents that would be subject to information collection requirements each year covered by this ICR. The count includes all Program 2 and 3 facilities required to comply annually with coordination and notification drills (11,263 sources) plus the count of facilities assumed to submit CBI claims annually, submit deregistration letters, or hold a public meeting (467 sources). To be conservative, EPA assumed that the facilities submitting CBI claims, submitting deregistration letters, or holding public meetings are unique Program 1 facilities or new sources (i.e., facilities complying with these requirements are not the 11,263 Program 2 or 3 sources).

(i) Change in Burden Compared to the Total Burden of the Previous Two ICRs Being Consolidated in this ICR (OMB Control No. 2050-0144 and OMB Control No. 2050-0216)

Compared to the previous two ICRs being consolidated here, this ICR includes a decrease of 68,663 burden hours for all sources and States. Three primary reasons account for this decrease in burden. First, as explained in section 1 of this document, the burden varies from one ICR renewal to the next due to different resubmission deadlines based on the sources' RMP re-submission deadlines and other regulatory deadlines. Therefore, the burden changes each year depending on how many sources must submit their RMP and comply with certain prevention program requirements. Second, as mentioned in section 6(d), the number of sources subject to the regulations fluctuates regularly and is slightly lower than in the previous ICR (12,995 sources in the previous ICR versus 12,341 sources in this ICR). Finally, the burden for rule familiarization under the Amendments rule and the Reconsideration rule is a one-time burden that was incurred at the time of implementation of the Reconsideration rule and is not included in this consolidated ICR. However, rule familiarization with the RMP requirements in general is retained for new sources in this consolidated ICR.

(ii) Change in Burden Compared to the Burden of the ICR Being Renewed (OMB Control No. 2050-0144)

For the ICR being renewed (EPA ICR No. 1656.17; OMB Control No. 2050-0144), EPA estimated a total of 66,793 annual burden hours and 4,346 annual responses. For this ICR (EPA ICR Number 1656.18), EPA estimates 704,005 annual burden hours and 48,626 annual responses. This represents an increase of 637,212 annual burden hours and 44,280 annual responses.

This increase in total annual burden hours and annual responses is due to the inclusion of the information collection requirements currently covered under the ICR with OMB Control No. 2050-0216. These information collection requirements include coordination activities, notification drills, exercises, and public meetings. The increase in annual burden hours and annual responses associated with these requirements was slightly offset by a slight reduction in the number of facilities that need to comply with these information collection activities.

6(g) Burden Statement

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 16.1 hours per response. The public reporting burden will depend on the size of the sources complying with 40 CFR part 68 requirements. In this ICR, the public reporting burden for rule familiarization for new sources is estimated to range between 12 and 32 hours per source; to prepare and submit a RMP for new sources, between 8.25 and 33 hours; and to develop a prevention program, between 7 and 188 hours per source. The public reporting burden for those sources that claim CBI is estimated to be 9.5 hours per claim. For currently covered sources, the public reporting burden to prepare and submit an RMP is estimated to range from 5 to 28 hours; and the recordkeeping burden to maintain onsite documentation, between 4.5 and 124 hours. The total annual public reporting burden for all sources is 519,973 hours (1,559,919 hours for three years). The total annual burden estimated for 13 implementing agencies is 6,749 hours (20,247 hours for three years). The total annual burden estimated for 2,473 LEPCs is 177,283 hours (531,849 hours for three years). Therefore, the total annual burden for all respondents (sources, States, and LEPCs) is estimated to be 704,005 hours (2,112,015 hours for three years).

Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time

needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 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-2003-0052-0030, which is available for online viewing at www.regulations.gov. Out of an abundance of caution for members of the public and our staff, the EPA Docket Center and Reading Room is closed to the public, with limited exceptions, to reduce the risk of transmitting COVID-19. Our Docket Center staff will continue to provide remote customer service via email, phone, and webform. For further information about the EPA’s public docket, Docket Center services and the current status, please visit us online at https://www.epa.gov/dockets. The telephone number for the Docket Center is (202) 566-1744. An electronic version of the public docket is available at www.regulations.gov. This site can be used to submit or view public comments, access the index listing of the contents of the public 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 above. Also, you can send comments to EPA Docket Center, Environmental Protection Agency, Mail Code 28221T, 1200 Pennsylvania Ave. NW, Washington, DC 20460, or to OMB via email to oira_submission@omb.eop.gov. Address comments to OMB Desk Officer for EPA.

APPENDIX A

EXHIBIT 1
RULE FAMILIARIZATION and RMP SUBMISSION
Source-Level Burden, New Sources

	Rule Familiarization			RMP Preparation and Submission		
	Management	**Technical**	**Total**	**Management**	**Technical**	**Total**
Small/Medium Manufacturers	4	8	**12**	0.25	16	**16.25**
Large Manufacturers	8	24	**32**	1	32	**33**
Small/Medium Non-Manufacturers	4	8	**12**	0.25	8	**8.25**
Large Non-Manufacturers	8	24	**32**	0.5	12	**12.5**

EXHIBIT 2
PREVENTION PROGRAM DOCUMENTATION
Source-Level Burden, New Sources

	Management	**Technical**	**Total**
Small/Medium Manufacturers	2	48	**50**
Large Manufacturers	8	180	**188**
Small/Medium Non-Manufacturers	1	6	**7**
Large Non-Manufacturers	2	24	**26**

EXHIBIT 3
RMP SUBMISSION, PREVENTION PROGRAM DOCUMENTATION
Source-Level Burden, Currently Covered Sources

	RMP Preparation and Submission			**Prevention Program Documentation (Non-PSM sources)**		
	Management	**Technical**	**Total**	**Management**	**Technical**	**Total**
Small/Medium Manufacturers	1	9	**10**	1	32	**33**
Large Manufacturers	4	24	**28**	4	120	**124**
Small/Medium Non-Manufacturers	1	4	**5**	0.5	4	**4.5**
Large Non-Manufacturers	2	6	**8**	1	16	**17**

Note: Prevention program documentation burden for sources that are covered by the OSHA PSM program is accounted for under OSHA PSM.

EXHIBIT 4
COORDINATION ACTIVITIES, NOTIFICATION DRILLS
Source-Level Burden, Program 2 and Program 3 Sources

	Coordination Activities			**Notification Drills**	
	Management	**LEPCs**	**Total**	**Engineers**	**Total**
Simple	8	5	**13**	2	**2**
Complex	39	8	**47**	2	**2**
Total	47	13	**60**	4	**4**

EXHIBIT 5
EMERGENCY EXERCISES
Source-Level Burden, Responding Facilities

	Management	Technical	Production	LEPCs	Total
Simple Responding <20 FTE	11	15.13	5.96	14.66	46.77
Simple Responding 20-99 FTE	14.5	17.73	16.5	19	67.8
Simple Responding 100+ FTE	28.13	27.13	28	28.9	112.17
Complex Responding <20 FTE	11	15.13	5.96	14.66	46.77
Complex Responding 20-99 FTE	14.5	17.73	16.53	19	67.8
Complex Responding 100+FTE	41.6	33.6	33.6	45.2	154
Total	**120.73**	**126.47**	**106.6**	**141.5**	**495.3**

EXHIBIT 6
PUBLIC MEETINGS
Source-Level Burden, Facilities

	Management	Technical	Production	Total
Simple	8	8	4	20
Complex	16	16	8	40
Total	**24**	**24**	**12**	**60**

EXHIBIT 7
CONFIDENTIAL BUSINESS INFORMATION
Burden Per Claim

	Legal*	Management	Technical	Total
Hours	1	3	5.5	**9.5**

EXHIBIT 8
FULLY LOADED WAGE RATES
Simple and Complex Facilities

	Simple	Complex
Managers	$84.66	$115.51
Corporate Managers	$89.77	$114.64
Attorneys	$114.44	$133.27
Engineers	$56.31	$85.44
Production Staff	$29.58	$48.17
Local Responders	$60.68	$60.68

Source: Bureau of Labor Statistics, National Industry-specific Occupational Employment and Wage Estimates, May 2020, released March 2021.

EXHIBIT 9
FULLY LOADED WAGE RATES
Small/Medium and Large Manufacturers and Non-Manufacturers

	Management	**Technical**
Large Manufacturers	$114.59	$83.94
Small/Medium Manufacturers	$99.95	$73.92
Large Non-Manufacturers	$83.81	$65.60
Small/Medium Non-Manufacturers	$79.20	$40.79

Source: Bureau of Labor Statistics, National Industry-specific Occupational Employment and Wage Estimates, May 2020, released March 2021.

EXHIBIT 10
FULLY LOADED WAGE RATES - GOVERNMENT

	Management	**Technical**
State/Local Government*	$81.99	$84.67
Federal Government**	$109.82	$84.67

** Source: Bureau of Labor Statistics, National Industry-specific Occupational Employment and Wage Estimates, May 2020, released March 2021.*
*** Source: Office of Personnel Management,2021 Salary Tables for Denver-Aurora, CO*

EXHIBIT 11
NEW SOURCES
With Expected Compliance Deadlines 2022-2024

	Manufacturers				Non-Manufacturers				
	PSM		Non-PSM		PSM		Non-PSM		
Year	*Large*	*S/M*	*Large*	*S/M*	*Large*	*S/M*	*Large*	*S/M*	*Total*
2022	29	33	0	0	16	127	0	1	**206**
2023	23	37	0	0	8	121	0	1	**190**
2024	18	37	0	0	12	114	0	1	**182**
Total	**70**	**107**	**0**	**0**	**36**	**362**	**0**	**3**	**578**

Note: These estimates are based on the number of new sources that submitted RMPs in calendar years 2018 to 2020, the most recent three-year period which includes a major reporting year (2019).

EXHIBIT 12
ALL CURRENTLY COVERED SOURCES
With submission deadlines January 1, 2022 to December 31, 2026

	Manufacturers				Non-Manufacturers				
	PSM		Non-PSM		PSM		Non-PSM		
Year	*Large*	*S/M*	*Large*	*S/M*	*Large*	*S/M*	*Large*	*S/M*	*Total*
2022	303	174	18	14	145	387	17	283	**1,341**
2023	343	188	10	22	135	429	8	383	**1,518**
2024	802	420	44	54	259	1,118	36	1,938	**4,671**
2025	429	238	8	35	181	582	9	557	**2,039**
2026	264	129	9	20	103	560	8	262	**1,355**
Total	**2,118**	**1,172**	**112**	**122**	**814**	**2,830**	**87**	**3,669**	**10,924**

EXHIBIT 13
NUMBER OF RESPONDENTS
Coordination Activities and Notification Drills

Facility	Program 2	Program 3	Total
Simple	5,017	4,567	9,584
Complex	87	1.592	1,679
Total	**5,104**	**6,159**	**11,263**

EXHIBIT 14
NUMBER OF RESPONDENTS
Emergency Exercises

Facility Type	Number of Facilities
Simple Responding	
<20 FTE	1,188
20-99 FTE	848
100+ FTE	1,651
Complex Responding	
<20 FTE	93
20-99 FTE	369
100+ FTE	581
Total	**4,730**

EXHIBIT 15
NUMBER OF RESPONDENTS
Public Meetings

Facility Type	Total Accidents	Average Yearly Accidents
	Accidents with Offsite Impacts	
Complex	329	19.4
Simple	563	33.1
Total	**892**	**52.5**

**The average number of yearly RMP reportable accidents was calculated by relying on the numbers of accidents from 2004 to 2020.*

EXHIBIT 16
THREE-YEAR AND ANNUAL TOTAL BURDEN HOURS
New Sources

		New Sources			
		Rule Familiarization	*RMP Preparation and Submission*	*Prevention Program Documentation (non-PSM)*	**Total**
Manufacturers					
	Small/Medium	1,296	1,755	5,400	
	Large	2,208	2,277	12,972	
Non-Manufacturers					
	Small/Medium	4,392	3,019.5	2,562	
	Large	1,152	450	936	
Three-Year Total		**9,048**	**7,501.50**	**21,870**	**38,420**
Annual Total		**3,016**	**2,500.50**	**7,290**	**12,807**

EXHIBIT 17
THREE-YEAR AND ANNUAL TOTAL BURDEN HOURS
Currently Covered and Overdue Sources

		Currently Covered Sources (resubmission deadline 2022 to 2024)		**Overdue Sources (expected to resubmit in this ICR period)**		**Currently Covered Sources (resubmission deadline 2025 and 2026)**	**Total**
		RMP Preparation & Submission	*Prevention Program documentation (non-PSM)**	*RMP Preparation & Submission*	*Prevention Program documentation (non-PSM)**	*Prevention Program and documentation (non-PSM)**	
Manufacturers							
	Small/Medium	8,730	2,970	270	198	2,772	
	Large	42,588	8,928	756	372	3,348	
Non-Manufacturers							
	Small/Medium	22,695	11,718	675	378	5,535	
	Large	4,800	1,020	48	0	459	
Three-Year Total		**78,813**	**24,636**	**1,749**	**948**	**12,114**	**118,260**
Annual Total		**26,271**	**8,212**	**583**	**316**	**4,038**	**39,420**

**Note: Prevention program documentation burden for sources covered by PSM is accounted for in OSHA PSM standard.*

EXHIBIT 18
THREE-YEAR AND ANNUAL TOTAL BURDEN HOURS
Coordination Activities and Notification Drills, Program 2 and Program 3 Sources

	Coordination Activities	Notification Drills	Total
Simple	373,776	57,504	
Complex	236,739	10,074	
Three-Year Total	**610,515**	**67,578**	**678,093**
Annual Total	**203,505**	**22,526**	**226,031**

EXHIBIT 19
THREE-YEAR AND ANNUAL TOTAL BURDEN HOURS
Emergency Exercises, Responding Facilities

	Total Annual Burden	Three-Year Total Burden
Simple Responding <20 FTE	55,563.00	166,689
Simple Responding 20-99 FTE	57,496.60	172,489.8
Simple Responding 100+ FTE	185,191.02	555,573.06
Complex Responding <20 FTE	4,349.63	13,048.89
Complex Responding 20-99 FTE	25,019.16	75,057.48
Complex Responding 100+ FTE	89,476.32	268,428.96
Total	**417,095.73**	**1,251,287.19**

EXHIBIT 20
THREE-YEAR AND ANNUAL TOTAL BURDEN HOURS
Public Meetings, Facilities

	Total Annual	**Three-Year Total**
Simple	660	1,980
Complex	760	2,280
Total	**1,420**	**4,260**

EXHIBIT 21
SOURCE-LEVEL COSTS
New Sources

		New Sources		
		Rule Familiarization	*RMP Preparation and Submission*	*Prevention Program and Documentation (non-PSM)**
Manufacturers				
	Small/Medium	$991	$1,208	$3,748
	Large	$2,931	$2,801	$16,025
Non-Manufacturers				
	Small/Medium	$643	$346	$324
	Large	$2,245	$829	$1,742

**Note: Prevention program documentation burden for sources covered by PSM is accounted for in OSHA PSM standard.*

EXHIBIT 22
SOURCE-LEVEL COSTS
Currently Covered and Overdue Sources

		Currently Covered Sources (resubmission deadline 2022 to 2024)		**Overdue Sources (expected to resubmit in this ICR period)**		**Currently Covered Sources (resubmission deadline 2025 and 2026)**	
		RMP Preparation & Submission	*Prevention Program and Documentation (non-PSM)**	*RMP Preparation & Submission*	*Prevention Program and Documentation (non-PSM)**	*Prevention Program and Documentation (non-PSM)**	***Total***
Manufacturers							
	Small/ Medium	$765	$2,465	$765	$2,465	$2,465	**$8,925**
	Large	$2,473	$10,531	$2,473	$10,531	$10,531	**$36,539**
Non-Manufacturers							
	Small/Medium	$242	$203	$242	$203	$203	**$1,093**
	Large	$561	$1,133	$561	$0	$1,133	**$3,388**
Total							**$49,945**

**Note: Prevention program documentation burden for sources covered by PSM is accounted for in OSHA PSM standard.*

EXHIBIT 23
SOURCE-LEVEL COSTS
Coordination Activities and Notification Drills, Program 2 and Program 3 Sources

	Coordination Activities	**Notification Drills**	**Total**
Simple	$981	$113	$1,094
Complex	$4,990	$171	$5,161
Total	**$5,971**	**284**	**$6,255**

EXHIBIT 25
SOURCE-LEVEL COSTS
Emergency Exercises, Responding Facilities

Simple Responding <20 FTE	$2,850
Simple Responding 20-99 FTE	$3,870
Simple Responding 100+ FTE	$6,492
Complex Responding <20 FTE	$3,741
Complex Responding 20-99 FTE	$5,142
Complex Responding 100+FTE	$12,038
Total	**$34,133**

EXHIBIT 24
SOURCE-LEVEL COSTS
Public Meetings, Facilities*

Simple	$1,843
Complex	**$4,198**
Total	**$6,041**

***Includes O&M costs.*

EXHIBIT 26
THREE-YEAR AND ANNUAL TOTAL COSTS
New Sources

		New Sources			
		Rule Familiarization	*RMP Preparation & Submission*	*Prevention Program and Documentation (non-PSM)**	**Total**
Manufacturers					
	Small/Medium	$107,045.28	$130,432.41	$404,790.48	**$642,268.17**
	Large	$202,258.32	$193,246.23	$1,105,788.48	**$1,501,293.03**
Non-Manufacturers					
	Small/Medium	$235,381.92	$126,679.92	$118,562.04	**$480,623.88**
	Large	$80,815.68	$29,847.78	$62,712.72	**$173,376.18**
Three-Year Total Costs		**$625,501.20**	**$480,206.34**	**$1,691,853.72**	**$2,797,561.26**
Annual Costs		**$208,500.40**	**$160,068.78**	**$563,951.24**	**$932,520.42**

**Note: Prevention program documentation burden for sources covered by PSM is accounted for in OSHA PSM standard.*

EXHIBIT 27
THREE-YEAR AND ANNUAL TOTAL COSTS
Currently Covered Sources, Overdue Sources

		Currently Covered Sources (resubmission deadline 2022 to 2024)		**Overdue Sources (expected to resubmit in this ICR period)**		**Currently Covered Sources (resubmission deadline 2025 and 2026)**	**Total**
		RMP Preparation and Submission	*Prevention Program and Documentation (non-PSM)**	*RMP Preparation and Submission*	*Prevention Program and Documentation (non-PSM)**	*Prevention Program and Documentation (non-PSM)**	
Manufacturers							
	Small/ Medium	$668,046	$221,885	$20,661	$14,792	$207,093	**$1,132,477**
	Large	$3,761,311	$758,244	$66,769	$31,593	$284,341	**$4,902,258**
Non-Manufacturers							
	Small/ Medium	$1,100,072	$527,987	$32,719	$17,032	$249,395	**$1,927,205**
	Large	336,732	$68,005	$3,367	$0	$30,602	**$438,706**
Three-Year Total Costs		**$5,866,161**	**$1,576,121**	**$123,516**	**$63,417**	**$771,431**	**08,400,646**
Annual Costs		**$1,955,387**	**$525,373**	**$41,172**	**$21,139**	**$257,144**	**$2,800,215**

**Note: Prevention program documentation burden for sources covered by PSM is accounted for in OSHA PSM standard.*

EXHIBIT 28
THREE-YEAR AND ANNUAL TOTAL COSTS
Coordination Activities and Notification Drills, Program 2 and Program 3 Sources

	Coordination Activities	**Notification Drills**
Simple	$28,196,511	$3,238,050
Complex	$25,136,292	$860,723
Three-Year Total Costs	**$53,332,803**	**$4,098,773**
Total Annual Costs	**$17,777,601**	**$1,366,258**

EXHIBIT 29
THREE-YEAR AND ANNUAL TOTAL COSTS
Emergency Exercises, Responding Facilities

	Total Annual Costs	**Three-Year Total Costs**
Simple Responding <20 FTE	$3,385,845.67	10,157,537
Simple Responding 20-99 FTE	$3,281,972.72	$129,845,918
Simple Responding 100+ FTE	$10,717,771.63	$32,153,314.80
Complex Responding <20	$347,930.34	$113,791.02
Complex Responding 20-99	$1,897,237.51	$5,691,712.53
Complex Responding 100+	$6,993,828.88	$20,981,486.60
Total	**$26,624,586.75**	**$79,873,760.10**

EXHIBIT 30
THREE-YEAR AND ANNUAL TOTAL COSTS
Public Meetings, Facilities

	Total Annual Labor Costs	**Total Annual O&M Costs**	**Total Annual Costs**	**Three-Year Total Costs**
Simple	$41,120.64	$19,701	$60,821.64	$182,464.92
Complex	$68,410.64	$11,343	$79,753.64	$239,260.92
Total	**$109,531.28**	**$31,044**	**$140,575.28**	**$421,725.84**

EXHIBIT 31
SUMMARY
THREE-YEAR TOTAL BURDEN AND COSTS
All Sources and Implementing Agencies

	New Sources	**Currently Covered Sources (resubmission deadline 2022-2024)**	**Currently Covered Sources (resubmission deadline 2025-2026)**	**Overdue Sources expected to resubmit in this ICR period**	**CBI Claims ***	**Deregistration Letters**	**Coordination Activities****	**Notification Drills**	**Exercises ****	**Public Meetings**	**Implementing Agencies**	**Total**
Three-Year Total Burden (Hours)	38,421	103,449	12,114	2,697	228	1,221	610,515	67,578	1,251,288	4,260	20,247	**2,112,015**
Three-Year Total Costs ($)	$2,797,560	$7,442,280	$771,432	$186,933	$21,909	$80,097	$53,332,803	$4,098,774	$79,873,761	$421,725	1,414,107	**$150,441,384**

NOTE: Exhibit includes rounding error.

** An hourly rate of $107.39 for attorneys was used to calculate total annual labor costs.*

*** Values are inclusive of 2,473 local government entities that are involved in coordination and exercise activities.*

Appendix B

Summary of Facility Consultations

EPA sent questionnaires to six facilities that had indicated they were willing to provide feedback on the ICR's current burden estimates. EPA received feedback from four facilities; three facilities (one from each program level) filled out and returned the questionnaires, and one facility (Level 3) did not fill out the questionnaire but provided feedback over the phone.

Of the facilities that filled out the questionnaire, two facilities provided burden estimates that typically varied only slightly from the ICR estimates. Specifically, the Level 1 facility's estimated burden hours were slightly higher than the ICR's estimates for all activities for which the facility provided feedback. The facility explained that it added hours to each activity to account for the burden of the engineering staff.

The Level 2 facility's estimates that differed from the ICR's estimates were either slightly higher or lower than the ICR estimates. For example, the Level 2 facility estimated that rule familiarization for new sources would only take eight to ten hours, slightly less than the ICR's estimated twelve hours, but indicated that RMP preparation and submission for new sources would take ten to twelve hours, which is more than the ICR's estimated 8.25 hours. The facility provided no basis or explanation for its assumptions.

The Level 3 facility provided the only feedback that was drastically different from the ICR; it estimated that RMP preparation and submission would take 75 hours for currently covered sources, as compared to the ICR's estimate of 5 hours. The facility indicated that an additional 70 hours would be needed for OCA and PHA, stating that complexity varies with each facility and the number of RMP chemicals above the threshold. The Level 3 facility agreed with the ICR estimates for other facility activities and provided no feedback for the estimates for new sources.

The Level 3 facility that did not fill out the questionnaire stated that all the ICR estimates appear to be reasonable.

Below is the list of facilities which EPA contacted and the burden estimates that were provided by the facilities that completed the questionnaire.

List of Facilities Contacted:

East Vacuum Liquid Recovery and CO2 Plant, Lovington, NM [*Provided a written response to the consultation questionnaire*]
C&M Supply, Inc., Ruskin, NE [*Provided a written response to the consultation questionnaire*]
Sea-3, Inc., Newington, NH [*Provided a verbal response to the consultation questionnaire*]
Kenosha Water Utility Wastewater Plant, Kenosha, WI [*Provided a written response to the consultation questionnaire*]
Prestige Fabricators, Asheboro, NC [*No feedback was provided by this facility*]
Mote Farm Service, Inc., Union City, IN [*No feedback was provided by this facility*]

Burden Estimates Provided:

1. **East Vacuum Liquid Recovery and CO2 Plant (Program Level 1)**

- New sources:
  - Rule familiarization (13 hours vs. ICR estimate of 12 hours)

- RMP preparation and submission (12.5 hours vs. ICR estimate of 8.25 hours)
- Prevention program documentation (11 hours vs. ICR estimate of 7 hours)

- Currently covered sources:
  - RMP preparation and submission (6 hours vs. ICR estimate of 5 hours)
  - Prevention program documentation (6.5 hours vs. ICR estimate of 4.5 hours)
- Facilities:
  - Public meetings (no response given)
  - Deregistration (no response given)

2. C&M Supply, Inc. (Ruskin plant) (Program Level 2)

- New sources:
  - Rule familiarization (8-10 hours vs. ICR estimate of 12 hours)
  - RMP preparation and submission (10-12 hours vs. ICR estimate of 8.25 hours)
  - Prevention program documentation (6 hours vs. ICR estimate of 7 hours)
- Currently covered sources:
  - RMP preparation and submission (6 hours vs. ICR estimate of 5 hours)
  - Prevention program documentation (4 hours vs. ICR estimate of 4.5 hours)
- Facilities:
  - CBI (8 hours vs. 9.5 ICR)
  - Coordination activities (10 vs. ICR estimate of 13)
  - Notification drills (same as ICR estimate)
  - Emergency exercises (50-60 hours vs. ICR estimate of 67.7 hours)
  - Public meetings (15-20 hours vs. ICR estimate of 20 hours)
  - Deregistration (same as ICR estimate)
  -

3. Kenosha Water Utility Wastewater Plant (Program Level 3)

- New sources:
  - Rule familiarization (no response given)
  - RMP preparation and submission (no response given)
  - Prevention program documentation (no response given)
- Currently covered sources:
  - RMP preparation and submission (75 hours vs. ICR estimate of 5 hours)
- Facilities:
  - CBI (agreed with ICR estimate)
  - Coordination activities (agreed with ICR estimate)
  - Notification drills (agreed with ICR estimate)
  - Emergency exercises (agreed with ICR estimate)
  - Public meetings (agreed with ICR estimate)
  - Deregistration (agreed with ICR estimate)

Appendix C

RMP Data Elements

***Registration*.** Sources must submit the following information to EPA in the registration section of the RMP:

- Name and location of the stationary source, latitude and longitude, as well as the method used to determine the latitude and longitude and an indication of the specific location at the source that it represents.
- The name, telephone number, and mailing address of the owner/operator of the source.
- Name and title or position of the person responsible for RMP implementation at the source.
- Name, title, phone number, 24-hour telephone number and the email address of the emergency contact at the source.
- Name, mailing address, and telephone number of the contractor who prepared the RMP (if any).
- The source's (and parent company's, if applicable) Dun & Bradstreet number, which is a common identifier for sources and would allow EPA to cross-reference the data with other EPA databases
- For each covered process, the names, Chemical Abstracts Service (CAS) numbers, and quantities (to two significant digits) of all regulated substances and the applicable NAICS code(s)
- Number of full-time employees at the source.
- Whether the source is covered under the OSHA PSM Standard and EPCRA section 302.
- The source's CAA Title V permit number (if applicable).
- The type of and reason for any changes being made to a previously submitted RMP.

Voluntary data elements that may be provided as part of the registration include the LEPC for the planning district in which the source is located; and, to support communication with the public, a public contact phone number for the source, the website of the source or its parent company, and the e-mail address of the source.

Program 1. Sources with Program 1 processes are required to prepare an executive summary and include a five-year accident history and emergency response data in their RMP. In addition, for Program 1 processes, owners/operators are required to document the worst-case release in the RMP and certify that:

(1) The worst-case release would not reach any public receptors.
(2) The process has had no accidents in the previous five years that resulted in certain impacts offsite.
(3) No additional measures are necessary to prevent offsite impacts from accidental releases.
(4) In the event of fire, explosion, or a release of a regulated substance from the process(es), entry within the distance to the specified endpoints may pose a danger to public emergency responders. Therefore, public emergency responders should not enter this area except as arranged with the emergency contact indicated in the RMP.

Programs 2 and 3. Sources with Program 2 and Program 3 processes are required to submit an RMP that includes the following information:

- An Executive Summary.
- A five-year accident history for each incident that caused specific onsite or offsite impacts from a release of a regulated substance held above its threshold in a covered process.
- The results of the offsite consequence analysis (OCA) (worst-case and alternative release scenarios).
- Information concerning the prevention program and process hazards, controls, mitigation systems, and detection systems identified during the PHA or hazard review for each covered process
- Information concerning emergency response steps and coordination with the LEPC plan.
- Certification of the accuracy of the information submitted.

The requested information in the RMP is critical in assisting government agencies in assessing the quality and thoroughness of a source's prevention, detection, and response program. The information will assist agencies in identifying sources that should be visited to ensure safe source operations.

Deregistration. Sources that are no longer subject to part 68 are required to notify EPA in writing within six months of the date on which they are no longer covered.

Appendix D

Risk Management Programs
Prevention Program Required Documentation

Program 1. New Program 1 sources will need to maintain only onsite records of their worst-case release analysis, and their simplified RMP. Maintaining copies of these submissions is expected to require no additional effort.

Program 2. New Program 2 sources will need to maintain onsite records supporting the contents of their RMP and compliance with other rule requirements. These sources must also maintain records of any compliance audits performed and any accident investigation reports.

The onsite documentation associated with the risk management program for Program 2 sources consists of information that will be generated automatically during the development of the hazard assessment, operating procedures, compliance audits, and safety information. Each required data item is an integral element of a good program; maintenance of these data onsite will allow EPA or State or local authorities to conduct effective source audits without requiring submittal of sensitive business information. Under the requirements, Program 2 sources must maintain the following specific onsite documentation:

- Records of the hazard assessment, including data and assumptions used, and descriptions of alternative and worst-case release scenarios (updated once every five years).
- Documentation of the source's management system for implementation of risk management program requirements.
- Applicable parameters and other documentation associated with the safety information requirements.
- Written operating procedures for each Program 2 process.
- Hazard review report using models, checklists, or What Ifs (updated once every five years.
- Compliance audit reports.
- The emergency response plan, including procedures for warning employees and the public, a list of response personnel and equipment, and response action procedures.

Program 3. EPA's risk management program identifies specific information that Program 3 sources are required to maintain onsite, as well as specific information to be included in the RMP. Most Program 3 processes are covered by OSHA's PSM standard. Therefore, these sources are expected to incur the costs of maintaining onsite documentation for only those activities performed for processes and substances not already covered under OSHA's PSM standard.

The onsite documentation consists of information that will be generated automatically during the development and performance of the hazard assessment, the PHA, safety information, operating procedures, the mechanical integrity and training programs, compliance audits, management of change, accident investigations, and emergency response program. Onsite documentation for Program 3 sources will include the following:

- Records of the hazard assessment, including data and assumptions used, and descriptions of alternative and worst-case release scenarios (updated once every five years).
- Documentation of the source's management system for implementation of risk management program requirements.
- Chemical and process information, including equipment specifications, and diagrams of equipment, piping, pumps, valves, controls, and instrumentation (P&IDs) for each Program 3 process.
- Process hazard analysis report and management steps to address identified hazards (updated once every five years).
- Written operating procedures for each Program 3 process.
- Records of all training programs.
- Records of the mechanical integrity program, including inspection and testing schedules.
- Procedures for conducting pre-startup reviews.
- Procedures used for managing changes in processes, operations, and procedures.
- Compliance audit reports.
- Accident investigation procedures.
- The emergency response plan, including procedures for warning employees and the public, a list of response personnel and equipment, and response action procedures.

All the data elements listed above are integral to an efficient and effective risk management program. Sources and processes covered by OSHA's standard are already required to maintain all of this information (except the hazard assessment and management system) onsite and are assumed to incur only the additional costs to maintain onsite records of the hazard assessment and management system. For example, the ICR includes no additional costs associated with developing pre-startup review and management of change procedures because all Program 3 sources are already required to have such procedures in place under the OSHA PSM standard. For any source that has an emergency response plan is subject to 29 CFR 1910.120, all costs for updating the plan accrue to the OSHA standard.

APPENDIX E

Required Information for Petitions

All petitions must contain the following information:

- Name and address of the petitioner and a brief description of the organization(s) that the petitioner represents, if applicable.
- Name, address, and telephone number of a contact person for the petition.
- Common chemical name(s), common synonym(s), Chemical Abstract Service (CAS) number(s), and chemical formula and structure.
- Action requested (addition or deletion of a substance)
- Rationale supporting the petitioner's position — how the substance meets the criteria for addition or deletion. A short summary of the rationale must be submitted along with a more detailed narrative.
- Supporting data — the petition must include sufficient information to scientifically support the request to modify the list. EPA believes that the information required to be submitted in support of a petition is the minimum information that would enable the Agency to determine whether to grant or deny a petition within the 18-month time frame. The information must include:
    - A list of all supporting documents.
    - Documentation of literature searches conducted, including, but not limited to, identification of the database(s) searched, the search strategy, dates covered, and printed results.
    - Effects data (animal, human, and environmental test data) indicating the potential for death, injury, or serious adverse human and environmental impacts from acute exposure following an accidental release. Printed copies of the data sources, in English, should be provided.
    - Exposure data or previous release accident history data indicating the potential for serious adverse human health or environmental effects from accidental releases. These data might include, but are not limited to, physical and chemical properties of the substance (such as vapor pressure); modeling results (including data and assumptions used and model documentation); and historical accident data, citing data sources.