

**SUPPORTING STATEMENT
ENVIRONMENTAL PROTECTION AGENCY**

NESHAP for Municipal Solid Waste Landfills (40 CFR Part 63, Subpart AAAA) (Renewal)

1. Identification of the Information Collection

1(a) Title of the Information Collection

NESHAP for Municipal Solid Waste Landfills (40 CFR Part 63, Subpart AAAA) (Renewal), EPA ICR Number 1938.08, OMB Control Number 2060-0505.

1(b) Short Characterization/Abstract

The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Municipal Solid Waste Landfills (40 CFR Part 63, Subpart AAAA) were proposed on November 7, 2000; promulgated on January 16, 2003; and most-recently amended on both March 26 and October 13, 2020. These regulations apply to existing and new municipal solid waste (MSW) landfills that have accepted waste since November 8, 1987 or have additional capacity for waste deposition, including those that operate as bioreactors, and the landfill is either: 1) a major source or is collocated with a major source; or 2) an area source with a design capacity of 2.5 million megagrams (Mg) and 2.5 million cubic meters (m³), and emits either equal to or greater than 50 tons per year of non-methane organic compounds (NMOC). New facilities include those that commenced construction or reconstruction after the date of proposal. The March 26, 2020 amendments to Subpart AAAA (85 FR 17261) allow landfills subject to the Landfill EG (40 CFR Part 60, Subpart Cf) and the Landfill NSPS (40 CFR Part 60 Subpart XXX) to opt-in to certain compliance provisions. The technical corrections in the Oct. 13, 2020 amendment (85 FR 64400) corrected inadvertent errors in the cross-referencing and formatting in the Federal Register, as well as clarified two operational and reporting requirements in the March 26, 2020, final rule. This information is being collected to assure compliance with 40 CFR Part 63, Subpart AAAA.

On August 29, 2016 (81 FR 59332), the EPA finalized a new NSPS subpart (40 CFR Part 60, Subpart XXX) based on its review of subpart WWW. Subpart XXX applies to MSW landfills that are new, reconstructed, or modified after July 17, 2014. Concurrently, the EPA finalized revised Emissions Guidelines under a new subpart (40 CFR Part 60, Subpart Cf). The new Emission Guidelines apply to existing landfills accepting waste after 1987 for which construction was commenced either on or before July 17, 2014. There exist overlapping requirements between these rules and Subpart AAAA. 'Burden' associated with overlapping requirements is accounted for in the ICRs associated with Subpart XXX (ICR number 2498.03, OMB Control number 2060-0697) and Subpart Cf (ICR 2522.02, OMB Control number 2060-0720) to avoid duplicating the burden estimates since the requirements in Subpart AAAA mimic most of the requirements in these 2016 rules.

In general, all NESHAP standards require initial notifications, performance tests, and periodic reports by the owners/operators of the affected facilities. They are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the

operation of an affected facility, or any period during which the monitoring system is inoperative. These notifications, reports, and records are essential in determining compliance, and are required of all affected facilities subject to NESHAP.

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

In the United States, there are an average of 1,169 MSW facilities, which are owned and operated by the municipal solid waste industry (aka: the “Affected Public”), that would be subject to this regulation over the next three years. While the majority of these facilities are privately-owned, for-profit businesses, some landfills are owned by either municipal, state, or tribal governments. We assume approximately 36 percent (421 facilities) are publicly owned and 64 percent (748 facilities) are privately owned, based on a landfill ownership analysis from the database used to support the 2016 rulemaking for 40 CFR Part 60, Subpart XXX and 40 CFR Part 60, Subpart Cf. We assume that they will all respond to EPA inquiries. The ‘burden’ to the Affected Public in both the private and public sectors may be found at the end of this document in both Tables 1a: Annual Respondent Burden and Cost – NESHAP Privately-Owned for Municipal Solid Waste Landfills (40 CFR Part 63, Subpart AAAA) (Renewal) and 1b: Annual Respondent Burden and Cost – NESHAP for Publicly-Owned Municipal Solid Waste Landfills (40 CFR Part 63, Subpart AAAA) (Renewal). The Federal government’s burden associated with the review of reports submitted by the 50 states and other respondents may be found below in Table 2: Average Annual EPA Burden – NESHAP for Municipal Solid Waste Landfills (40 CFR Part 63, Subpart AAAA) (Renewal).

Based on our consultations with industry representatives, there are an average of one affected facility at each plant site and each plant site has only one respondent (i.e., the owner/operator of the plant site).

Over the next three years, approximately 1,169 respondents per year will be subject to these standards. This includes 27 new or modified respondents per year which will become subject to these same standards. Of these 27 new respondents, 25 are expected to be modified, while two are expected to be new. The estimate is based on the industry growth rate obtained from the database used to support the 2016 rulemakings for 40 CFR Part 60, Subpart XXX and 40 CFR Part 60, Subpart Cf.

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

2. Need for and Use of the Collection

2(a) Need/Authority for the Collection

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

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

In the Administrator's judgment, hazardous air pollutant (HAP) emissions from MSW landfills either cause or contribute to air pollution that may reasonably be anticipated to endanger public health and/or welfare. Therefore, the NESHAP were promulgated for this source category at 40 CFR Part 63, Subpart AAAA.

2(b) Practical Utility/Users of the Data

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

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

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

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

The EPA is requiring that owners or operators of affected sources would submit electronic copies of initial notifications required in 40 CFR 63.9(b), notifications for changes in information already provided required in 40 CFR 63.9(j), NMOC emission rate reports required in 40 CFR 63.1981(c), semi-annual reports required in 63.1981(h), and bio-reactor 40% moisture reports required in 40 CFR 63.1982(i) through the EPA's Central Data Exchange (CDX), using the Compliance and Emissions Data Reporting Interface (CEDRI). For the NMOC emission rate report, semiannual reports, and bio-reactor 40% moisture report, EPA has developed spreadsheet templates for the reporting forms in CEDRI specifically for 40 CFR Part 63, Subpart AAAA. For the notifications required in 40 CFR 63.9(b) and 63.9(j), owners and operators would be required to upload a PDF of the required notifications.

CEDRI includes the Electronic Reporting Tool (ERT) software, which is used by these facilities to generate electronic reports of performance tests. The EPA is also requiring that 40 CFR Part 63, Subpart AAAA performance test reports, required in 40 CFR 63.1981(i), be submitted through the EPA's ERT.

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

The requested recordkeeping and reporting are required under 40 CFR Part 63, Subpart AAAA.

3(a) Non-duplication

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

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

An announcement of a public comment period for the renewal of this ICR was published in the *Federal Register* (86 FR 19256) on April 13, 2021. No comments were received on the burden published in the *Federal Register* for this renewal.

3(c) Consultations

The Agency has consulted industry experts and internal data sources to project the number of affected facilities and industry growth over the next three years. The primary source of information as reported by industry, in compliance with the recordkeeping and reporting

provisions in these standards, is the Integrated Compliance Information System (ICIS). ICIS is EPA's database for the collection, maintenance, and retrieval of compliance data for industrial and government-owned facilities. The growth rate for the industry is based on our consultations with the Agency's internal industry experts. The Agency also analyzed regulatory data in the landfill ownership database used to support the 2016 rulemaking for 40 CFR Part 60, Subpart XXX and 40 CFR Part 60, Subpart Cf. Industry trade associations and other interested parties also provided input on the burden estimated during the 2016 rulemakings for 40 CFR 60 Subpart XXX and 40 CFR 60 Subpart Cf. Approximately 1,169 respondents will be subject to these standards over the three-year period covered by this ICR.

Industry trade associations and other interested parties were provided an opportunity to comment on the 'burden' associated with these standards as they were being developed and these same standards have been reviewed previously to determine the minimum information needed for compliance purposes. In developing this ICR, we contacted both the Solid Waste Association of North America, at (800) 467-9262, and the National Waste & Recycling Association, at (202) 244-4700.

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

3(d) Effects of Less-Frequent Collection

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

3(e) General Guidelines

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

These standards require the respondents to maintain all records, including reports and notifications for at least five years. This is consistent with the General Provisions as applied to these standards. The EPA believes that the five-year records retention requirement is consistent with the Part 70 permit program and the five-year statute of limitations on which the permit program is based. The retention of records for five years allows EPA to establish the compliance history of a source, any pattern of non-compliance and to determine the appropriate level of enforcement action. The EPA has found that the most flagrant violators have violations extending beyond five years. In addition, EPA would be prevented from pursuing the violators due to either the destruction or nonexistence of essential records.

3(f) Confidentiality

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

3(g) Sensitive Questions

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

4. The Respondents and the Information Requested

4(a) Respondents/SIC Codes

The respondents to the recordkeeping and reporting requirements are owners and operators of MSW landfills. The United States Standard Industrial Classification (SIC) codes and corresponding North American Industry Classification System (NAICS) codes for respondents affected by these standards are listed in the following table:

Standard (40 CFR Part 63, Subpart AAAA)	SIC Codes	NAICS Codes
Administration of Air and Water Resource and Solid Waste Management Programs	9511	924110
Solid Waste Landfill (Refuse Systems)	4953	562212

4(b) Information Requested

(i) Data Items

In this ICR, all the data that are recorded or reported is required by the NESHAP for Municipal Solid Waste Landfills (40 CFR Part 63, Subpart AAAA).

A source must make the following reports specific to Subpart AAAA:

Notifications and Reports	
Semi-annual compliance report	§63.1981(h)
Corrective action and the corresponding timeline report	§63.1981(j)
24-hour high temperature report	§63.1981(k)
Claims of EPA system outage (for electronic reports)	§63.1981(m)
Claims of force majeure (for electronic reports)	§63.1981(n)

Notifications and Reports	
Semi-annual compliance report for a bioreactor	§§63.1982(a)-(b)
Notification of reclassification to area source status or to revert back to major source status (electronic submission)	§§63.9(b), 63.9(j)

A source must keep the following records specific to Subpart AAAA:

Recordkeeping	
Records of % moisture in waste calculation, where applicable	§§63.1982(c)-(d)
Records of CMS quality control program	§63.1983(c)(8)
Records of each wellhead temperature monitoring value $\geq 62.8^{\circ}$ C	§63.1983(e)(2)(i)
Monthly records of landfill gas temperature data	§63.1983(h)(1)
Records of enhanced monitoring data at wells with temperature $> 62.8^{\circ}$ C	§63.1983(h)(2)

Electronic Reporting

Some of the respondents are using monitoring equipment that automatically records parameter data. Although personnel at the affected facility must still evaluate the data, internal automation has significantly reduced the burden associated with monitoring and recordkeeping at a plant site.

The rule was recently amended to include electronic reporting provisions on March 26, 2020. Respondents are required to use the EPA’s Electronic Reporting Tool (ERT) to develop performance test reports and submit them through the EPA’s Compliance and Emissions Data Reporting Interface (CEDRI), which can be accessed through the EPA’s Central Data Exchange (CDX) (<https://cdx.epa.gov/>). The ERT is an application rather than a form, and the requirement to use the ERT is applicable to numerous subparts. The splash screen of the ERT contains a link to the Paperwork Reduction Act (PRA) requirements, such as the OMB Control Number, expiration date, and burden estimate for this and other subparts. Respondents are also required to submit electronic copies of notifications and certain reports through EPA’s CEDRI. The notifications are an upload of their currently required notifications in portable document format (PDF) file. The NMOC emission rate report, semi-annual reports, and bio-reactor 40% moisture reports are to be created using Form 5900-522, the electronic template included with this Supporting Statement. The template is an Excel spreadsheet which can be partially completed and saved for subsequent semiannual and annual reports to limit some of the repetitive data entry. It reflects the reporting elements required by the rule and does not impose additional reporting elements. The OMB Control Number is displayed on the Welcome page of the template, with a link to an online repository that contains the PRA requirements. For purposes of this ICR, it is assumed that there is no additional burden associated with the proposed requirement for respondents to submit the notifications and reports electronically.

Electronic copies of records may also be maintained in order to satisfy federal recordkeeping requirements. For additional information on the Paperwork Reduction Act requirements for CEDRI and ERT for this rule, see: <https://www.epa.gov/electronic-reporting-air-emissions/paperwork-reduction-act-pra-cedri-and-ert>.

(ii) Respondent Activities

Respondent Activities
Familiarization with the regulatory requirements.
Calibrate and operate surface emission monitoring equipment for quarterly monitoring and portable LFG emission analyzer equipment for monthly wellhead monitoring.
Estimate NMOC emission estimates using Tier 1, Tier 2, or Tier 3 procedures in the regulation.
Perform initial performance test, Reference Method 25, Method 25A or 25C test, and repeat performance test if necessary.
Write the notifications and reports listed above.
Enter information required to be recorded above.
Submit the required reports developing, acquiring, installing, and utilizing technology and systems for collecting, validating, and verifying information.
Develop, acquire, install, and utilize technology and systems for processing and maintaining information.
Develop, acquire, install, and utilize technology and systems for disclosing and providing information.
Train personnel to be able to respond to a collection of information.
Transmit, or otherwise disclose the information.

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

5(a) Agency Activities

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

Agency Activities
Observe initial performance tests and repeat performance tests if necessary.

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

5(b) Collection Methodology and Management

Following notification of startup, the reviewing authority could inspect the source to determine whether the pollution control devices are properly installed and operated. Performance test reports are used by the Agency to discern a source’s initial capability to comply with the emission standard. Data and records maintained by the respondents are tabulated and published for use in compliance and enforcement programs. The semiannual reports are used for problem identification, as a check on source operation and maintenance, and for compliance determinations.

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

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

5(c) Small Entity Flexibility

The majority of respondents are large entities (i.e., large businesses). However, the impact on small entities (i.e., small businesses) was taken into consideration during the development of these regulations. For example, the regulation has a design capacity threshold of 2.5 million megagrams and 2.5 million cubic meters, which limits the effect of this regulation on smaller landfills, which tend to be disproportionately owned by smaller entities. Due to technical considerations involving the process operations and the types of control equipment employed, the recordkeeping and reporting requirements are the same for both small and large entities. The Agency considers these to be the minimum requirements needed to ensure compliance and, therefore, cannot reduce them further for small entities. To the extent that larger businesses can use economies of scale to reduce their burden, the overall burden will be reduced.

5(d) Collection Schedule

The specific frequency for each information collection activity within this request is shown at the end of this document in both Table 1a: Annual Respondent Burden and Cost – NESHAP Privately-Owned for Municipal Solid Waste Landfills (40 CFR Part 63, Subpart

AAAA) (Renewal) and Table 1b: Annual Respondent Burden and Cost – NESHAP for Publicly-Owned Municipal Solid Waste Landfills (40 CFR Part 63, Subpart AAAA) (Renewal).

6. Estimating the Burden and Cost of the Collection

Table 1a documents the computation of individual burdens for the recordkeeping and reporting requirements applicable to privately-owned municipal solid waste landfills for Subpart AAAA. Table 1b documents the computation of individual burdens for the recordkeeping and reporting requirements applicable to publicly-owned municipal solid waste landfills for Subpart AAAA. The individual burdens are expressed under standardized headings believed to be consistent with the concept of ‘Burden’ under the Paperwork Reduction Act. Where appropriate, specific tasks and major assumptions have been identified. Responses to this information collection are mandatory.

The Agency may neither conduct nor sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number.

6(a) Estimating Respondent Burden

The average annual burden to industry over the next three years from these recordkeeping and reporting requirements is estimated to be 35,500 hours (Total Labor Hours from Tables 1a and 1b below). These hours are based on Agency studies and background documents from the development of these regulations, Agency knowledge and experience with the NESHAP program, the previously-approved ICR, and any comments received.

6(b) Estimating Respondent Costs

(i) Estimating Labor Costs

This ICR uses the following labor rates for employees at both privately-owned and publicly-owned landfills:

Managerial	\$125.18 (\$59.61 + 110%)
Technical – Civil Engineer	\$96.35 (\$45.88 + 110%)
Technical – Civil Engineer Technician	\$57.14 (\$27.21 + 110%)
Clerical	\$38.14 (\$18.16 + 110%)

These rates are from the United States Department of Labor, Bureau of Labor Statistics, May 2020, “National Occupational Employment and Wage Estimates United States” for employees at privately-owned landfills: Managers, All Other for Managerial Labor, Civil Engineers, Civil Engineer Technicians, and Office Clerks, General for Clerical Labor. The rates have been increased by 110 percent to account for the benefit packages available to those employed by private industry. We assume that publicly-owned landfills will be operated and managed by private contractors.

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

The type of industry costs associated with the information collection activities in the subject standards are both labor costs which are addressed elsewhere in this ICR and the costs associated with continuous monitoring. The capital/startup costs are one-time costs when a facility becomes subject to these regulations. The annual operation and maintenance costs are the ongoing costs to maintain the monitors and other costs such as photocopying and postage.

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

Capital/Startup vs. Operation and Maintenance (O&M) Costs						
(A) Continuous Monitoring Device	(B) Capital/Startup Cost for One Respondent	(C) Number of New Respondents	(D) Total Capital/Startup Cost, (B X C)	(E) Annual O&M Costs for One Respondent	(F) Number of Respondents with O&M	(G) Total O&M, (E X F)
Photocopying and postage - Private Sector	N/A	N/A	N/A	\$15	472	\$7,080
Photocopying and postage - Public Sector	N/A	N/A	N/A	\$15	265	\$3,980
Total ^a			\$0		737	\$11,100

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

The total capital/startup costs for this ICR are \$0. This is the total of column D in the above table. The total operation and maintenance (O&M) costs for this ICR are \$11,100. This is the total of column G.

The average annual cost for capital/startup and operation and maintenance costs to industry over the next three years of the ICR is estimated to be \$11,100. These are record-keeping costs.

6(c) Estimating Agency Burden and Cost

The only costs to the Agency are those costs associated with analysis of the reported information. EPA's overall compliance and enforcement program includes such activities as the examination of records maintained by the respondents, the periodic inspection of sources of emissions, and the publication and distribution of collected information.

The average annual Agency cost during the three years of the ICR is estimated to be \$119,000.

This cost is based on the average hourly labor rate as follows:

Managerial	\$68.37 (GS-13, Step 5, \$42.73 + 60%)
Technical	\$50.72 (GS-12, Step 1, \$31.70 + 60%)

Clerical \$27.46 (GS-6, Step 3, \$17.16 + 60%)

These rates are from the Office of Personnel Management (OPM), 2020 General Schedule, which excludes locality rates of pay. The rates have been increased by 60 percent to account for the benefit packages available to Federal government employees. Details upon which this estimate is based appear at the end of this document in Table 2: Average Annual EPA Burden and Cost – NESHAP for Municipal Solid Waste Landfills (40 CFR Part 63, Subpart AAAA) (Renewal).

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

Based on our research for this ICR, on average over the next three years, approximately 1,167 existing respondents will be subject to these standards. It is estimated that an additional 27 respondents per year will become subject to these same standards. Of these 27 new respondents, 25 are expected to be modified, while 2 are expected to be new. The overall average number of respondents, as shown in the table below, is 1,169 per year.

The number of respondents is calculated using the following table that addresses the three years covered by this ICR:

Number of Respondents					
	Respondents That Submit Reports		Respondents That Do Not Submit Any Reports		
Year	(A) Number of New Respondents ^a	(B) Number of Existing Respondents ^{b, d}	(C) Number of Existing Respondents that keep records but do not submit reports ^b	(D) Number of Existing Respondents That Are Also New Respondents ^c	(E) Number of Respondents (E=A+B+C-D)
1	27	734	430	25	1,166
2	27	737	430	25	1,169
3	27	739	430	25	1,171
Average	27	737	430	25	1,169

^a New respondents include sources with constructed, reconstructed and modified affected facilities. On average 2 new greenfields per year and 25 modified landfills per year. Of these 27 sources, 16 are expected to install controls. While sources that commenced construction or modification after July 17, 2014 are subject to 40 Part 60 Subpart XXX instead of Subpart WWW, these new sources are also subject to the NESHAP (40 Part 63 Subpart AAAA).

^b Sources are subject to the NESHAP because they are a major source, or co-located with a major source, or an area source based on size threshold of 2.5 million Megagrams and 50 Mg/yr NMOC, or meets the definition of a bioreactor. Not all sources subject will be subject to control requirements. All of the major sources overlapped with landfills that had exceeded the 50 Mg/yr NMOC threshold. Since the number of co-located major sources is unknown, the estimated number of sources subject was based on all landfills that met the size threshold, to be conservative and avoid underestimating burden.

^c Modified landfills are both existing and new sources. These sources have been subtracted to avoid double counting of respondents.

^d Number of controlling landfills was based on the estimates for landfills controlling under a 50 Mg/yr

NMOC emission threshold in 2018, 2019 and 2020, and have been updated to reflect expected values for the years 2023 through 2025. The source of these estimates were the databases used for the 2016 Landfill Rulemakings. See 2016 Municipal Solid Waste New Source Performance Standards (NSPS) and Emission Guidelines (EG) Data Files. Available at: <https://www.epa.gov/stationary-sources-air-pollution/2016-municipal-solid-waste-new-source-performance-standards-nsp>.

Column D is subtracted to avoid double-counting respondents. As shown above, the average Number of Respondents over the three-year period of this ICR is 1,169. Of this number of total respondents, an average of 737 respondents are required to control LFG emissions and are thus subject to additional reporting requirements. The number of respondents utilizing add-on controls is shown in Column B in the above table as ‘Respondents That Submit Reports’.

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

Total Annual Responses				
(A) Information Collection Activity	(B) Number of Respondents ^a	(C) Number of Responses	(D) Number of Existing Respondents That Keep Records But Do Not Submit Reports	(E) Total Annual Responses E=(BxC)+D
Initial performance test report	0	1	N/A	0
Surface methane monitoring quarterly	0	4	N/A	0
Wellhead monitoring monthly	0	12	N/A	0
Initial Design Capacity Report	0	1	N/A	0
Amended Design Capacity Report	0	1	N/A	0
Report of NMOC rate (Tier 1)	0	1	N/A	0
Report of NMOC rate (Tier 2)	0	1	N/A	0
Landfill Closure Report	0	1	N/A	0
Equipment Removal Report	0	1	N/A	0
Collection and Control System Design Plan	0	1	N/A	0
Revised Design Plan	0	1	N/A	0
Initial Performance Test	0	0	N/A	0
Compliance Report	0	0	N/A	0
Semi-Annual Report ^b	737	1	N/A	737
Corrective Action Analysis	0	1	N/A	0
Implementation Timeline	0	1	N/A	0
Root Cause Analysis	0	1	N/A	0
24-Hour High Temperature Report	0	1	N/A	0
Semi-Annual Wet Landfill Monitoring Report	289	1	N/A	289

Total Annual Responses				
			Total	1,026

^a The responses for individual notifications and reports were not quantified here since those items are accounted for in the responses table for 2016 ICRs for 40 CFR Part 60 Subpart XXX (ICR 2498.03, OMB 2060-0697) and 40 CFR Part 60 Subpart Cf (ICR 2522.02, OMB 2060-0720). This avoids duplication of burden estimates since the same report prepared under this subpart is completed under Subparts XXX or Cf.

^b Semiannual compliance reports are required under this NESHAP. However, an annual compliance report is already required under 40 CFR Part 60, Subpart Cf or XXX. Therefore, semiannual compliance reporting under this NESHAP will pose a burden for only one additional report.

The number of Total Annual Responses is 1,026.

The total annual labor costs are \$3,280,000. Details regarding these estimates may be found at the end of this document in Table 1a: Annual Respondent Burden and Cost – NESHAP Privately-Owned for Municipal Solid Waste Landfills (40 CFR Part 63, Subpart AAAA) (Renewal) and Table 1b: Annual Respondent Burden and Cost – NESHAP for Publicly-Owned Municipal Solid Waste Landfills (40 CFR Part 63, Subpart AAAA) (Renewal).

6(e) Bottom Line Burden Hours and Cost Tables

The detailed bottom line burden hours and cost calculations for the respondents and the Agency are shown in Tables 1a, 1b, 1c, and 2 at the end of this document, respectively, and summarized below.

(i) Respondent Tally

The total annual labor hours are 35,500 hours. Details regarding these estimates may be found in Table 1a: Annual Respondent Burden and Cost – NESHAP for Privately-Owned Municipal Solid Waste Landfills (40 CFR Part 63, Subpart AAAA) (Renewal) and Table 1b: Annual Respondent Burden and Cost – NESHAP for Publicly-Owned Municipal Solid Waste Landfills (40 CFR Part 63, Subpart AAAA) (Renewal).

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

Furthermore, the annual public reporting and recordkeeping burden for this collection of information is estimated to average 34.6 hours per response.

The total annual capital/startup and O&M costs to the regulated entity are \$11,100. The cost calculations are detailed in Section 6(b)(iii), Capital/Startup vs. Operation and Maintenance (O&M) Costs.

(ii) The Agency Tally

The average annual Agency burden and cost over next three years is estimated to be 2,410 labor hours at a cost of \$119,000; see below in Table 2: Average Annual EPA Burden and Cost - NESHAP for Municipal Solid Waste Landfills (40 CFR Part 63, Subpart AAAA) (Renewal)

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

6(f) Reasons for Change in Burden

There is a small decrease in burden from the most-recently approved ICR as currently identified in the OMB Inventory of Approved Burdens. This is due to several considerations. The regulations have been amended in the past three years. The March 26, 2020 amendments revised NESHAP Subpart AAAA, NSPS Subpart XXX and EG Subpart Cf to allow affected sources to demonstrate compliance with landfill gas control, operating, monitoring, recordkeeping, and reporting requirements by following the corresponding requirements in the MSW Landfills NESHAP, harmonizing the control requirements across all of the landfill rules. The 2020 amendments removed the SSM requirements from Subpart AAAA, resulting in a decrease in labor burden. The 2020 amendments added a new semiannual wet landfill monitoring report requirement, resulting in an increase in burden. Since the 2020 amendments also added an annual wet landfill monitoring report requirement to Subparts Cf and XXX, the additional burden to Subpart AAAA sources for this report consists of one additional report per year. The growth rate for this industry is low (two new landfills per year), resulting in a small increase in burden. The labor rates for privately-owned landfills and publicly-owned landfills were revised to use labor rates from the United States Department of Labor, Bureau of Labor Statistics, May 2020, “National Occupational Employment and Wage Estimates United States”, consistent with the wage rates used in the MSW Landfill ICRs (Subpart Cf, Subpart XXX, and Subpart AAAA). This change results in overall lower labor rates and a decrease in labor costs for privately-owned landfills, but an increase in labor rates and labor costs for publicly-owned landfills, which previously used Agency labor rates from the Office of Personnel Management (OPM) “2018 General Schedule.” There are no changes in the capital/startup or operation and maintenance (O&M) costs. The labor burden for re-familiarizing with the regulatory requirements each year was increased from 1 hour to 5 hours, so that the labor burden for this requirement is consistent with that of other NESHAPs. These changes resulted in a small decrease in labor burden (hours), and a small increase in labor costs, resulting in a small increase in costs from the previous ICR.

6(g) Burden Statement

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 34.6 hours per response. ‘Burden’ means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information either to or for a Federal agency. This includes the time needed to review

instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

An agency may neither conduct nor sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB Control Number. The OMB Control Numbers for EPA regulations are listed at 40 CFR Part 9 and 48 CFR Chapter 15.

To comment on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including the use of automated collection techniques, the EPA has established a public docket for this ICR under Docket ID Number EPA-HQ-OAR-2021-0097. An electronic version of the public docket is available at <http://www.regulations.gov/>, which may be used to obtain a copy of the draft collection of information, submit or view public comments, access the index listing of the contents of the docket, and to access those documents in the public docket that are available electronically. When in the system, select "search," then key in the docket ID number identified in this document. The documents are also available for public viewing at the Enforcement and Compliance Docket and Information Center in the EPA Docket Center (EPA/DC), WJC West, Room 3334, 1301 Constitution Ave., NW, Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. Due to COVID-19 precautions, entry to the Reading Room is available by appointment only. Please contact personnel in the Reading Room to schedule an appointment. The telephone number for the Reading Room is (202) 566-1744, and the telephone number for the docket center is (202) 566-1752. Also, you can send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, DC 20503, Attention: Desk Officer for EPA. Please include the EPA Docket ID Number EPA-HQ-OAR-2021-0097 and OMB Control Number 2060-0505 in any correspondence.

Part B of the Supporting Statement

This part is not applicable because no statistical methods were used in collecting this information.

Table 1a: Annual Respondent Burden and Cost – NESHAP for Privately-Owned Municipal Solid Waste Landfills - (40 CFR Part 63, Subpart AAAA) (Renewal)

Burden Item	(A) Respondent Hours per Occurrence	(B) Number of Occurrences Per Respondent Per Year	(C) Technical Person-Hours per Respondent Per Year (A x B)	(D) Average Number of Respondents Per Year ^a	(E) Civil Engineer Technician Hours Per Year (A x C)	(F) Civil Engineer Technical Hours per Year (E x F)	(I) Management Hours per Year (H x .05)	(H) Clerical Hours per Year (H x 0.1)	(J) Total Labor Costs Per Year ^b
1. Applications	N/A								
2. Surveys and Studies	N/A								
3. Reporting Requirements									
A. Familiarization with regulatory requirements ^c	5	1	5	748	0	3,740	187	374	\$398,013.23
B. Required Activities									
1. Initial performance test report ^d	12	1	12	0	0	0	0	0	\$0
2. Surface methane monitoring quarterly ^d	44	4	176	0	0	0	0	0	\$0
3. Wellhead monitoring monthly ^d	40	12	480	0	0	0	0	0	\$0
C. Create Information	Included in 3B								
D. Gather Information	Included in 3B								
E. Report Preparation									
1. Initial Design Capacity Report ^e	2	1	2	0	0	0	0	0	\$0
2. Amended Design Capacity Report ^e	2	1	2	0	0	0	0	0	\$0
3. Report of NMOC rate (Tier 1) ^e	8	1	8	0	0	0	0	0	\$0
4. Report of NMOC rate (Tier 2) ^e	12	1	12	0	0	0	0	0	\$0
5. Landfill Closure Report ^e	1	1	1	0	0	0	0	0	\$0
6. Equipment Removal Report ^e	36	1	36	0	0	0	0	0	\$0

7. Collection and Control System Design Plan ^e	80	1	80	0	0	0	0	0	\$0
8. Revised Design Plan ^e	20	1	20	0	0	0	0	0	\$0
9. Initial Performance Test	Included in 3B								
10. Compliance Report	Included in 3B								
11. Semi-Annual Report ^f	27	1	27	472	0	12,744	637	1,274	\$1,356,224.76
12. Corrective Action Analysis ^g	15	1	15	0	0	0	0	0	\$0
13. Implementation Timeline ^g	15	1	15	0	0	0	0	0	\$0
14. Root Cause Analysis ^g	15	1	15	0	0	0	0	0	\$0
^h 15. 24-Hour High Temperature Report	2	1	2	0	0	0	0	0	\$0
16. Semi-Annual Wet Landfill Monitoring Report ⁱ	15	1	15	190	0	2,850	143	285	\$303,298.85
Subtotal for Reporting Requirements						22,234			\$2,057,537
4. Recordkeeping Requirements									
A. Read Instructions	Included in 3A								
B. Plan Activities	N/A								
C. Implement Activities	N/A								
D. Develop Record System	N/A								
E. Record Information									
1. Data Compilation and Review (controllers) ^j	5	12	60	0	0	0	0	0	\$0
2. Recordkeeping and Data Storage (controllers) ^j	11	12	132	0	0	0	0	0	\$0
3. Recordkeeping and Data Storage (others) ^j	4	1	4	0	0	0	0	0	\$0
4. Records of liquids addition ^k	2	12	24	22	0	528	26	53	\$56,190.10
E. Personnel Training	N/A								
F. Time for Audits	N/A								

Subtotal for Recordkeeping Requirements									607	\$56,190
Total Labor Burden and Costs (rounded) ¹									22,800	\$2,110,000
Total Capital and O&M Cost (rounded) ¹										\$7,080
GRAND TOTAL (rounded) ¹										\$2,120,000

Assumptions:

^a We estimate that, during the three-year period of this ICR, there will be an average of 1,169 landfills per year (748 privately-owned and 421 publicly-owned) subject to the requirements of NESHAP Subpart AAAA. Of these, an average of 737 landfills per year (471 privately-owned and 265 publicly-owned) are controlling emissions.

^b This ICR uses mean hourly wage for the following labor categories from the United States Department of Labor, Bureau of Labor Statistics, May 2020, “National Occupational Employment and Wage Estimates United States” for employees at privately-owned landfills: Managers, All Other for Managerial Labor, Civil Engineers, Civil Engineer Technicians, and Office Clerks, General for Clerical Labor. The rates have been increased by 110 percent to account for the benefit packages available to those employed by private industry. We assume that publicly-owned landfills will be operated and managed by private contractors.

^c We have assumed that it will take five hours for each respondent to read instructions as part of their reporting requirements.

^d No respondents are included for the initial performance test report, quarterly surface methane monitoring, and monthly wellhead monitoring. The burden for these items is accounted for in the estimates for the corresponding burden line items under the ICRs for 40 CFR Part 60, Subpart XXX (ICR 2498.03, OMB 2060-0697) and 40 CFR Part 60, Subpart Cf (ICR 2522.02, OMB 2060-0720). Cost of re-monitoring for exceedances of surface monitoring or wellhead monitoring are not included because the rule does not require re-monitoring unless an exceedance is found. Landfills can minimize the number of exceedances found by ensuring the GCCS is well-operated and the surface is well sealed.

^e No respondents are included for the initial or amended design capacity reports, reports of NMOC rate (Tier 1 and Tier 2), landfill closure report, equipment removal report, or the initial or revised collection and control system design plan. The burden for these items is accounted for in the estimates for the corresponding burden line items under the ICRs for 40 CFR Part 60, Subpart XXX (ICR 2498.03, OMB 2060-0697) and 40 CFR Part 60, Subpart Cf (ICR 2522.02, OMB 2060-0720).

^f All controlled landfills are required to submit an annual report. Under the NESHAP rule, all controlled landfills are required to submit semiannual compliance reports. However, one annual compliance report is already required under 40 CFR Part 60, Subpart Cf, or 40 CFR Part 60, Subpart XXX. Therefore, this NESHAP rule requires only one additional report instead of two for this subpart to avoid double counting reports submitted for other subparts.

^g We assume that, during the three-year period of this ICR, an average of one privately-owned landfill per year and one publicly-owned landfill per year will be required to conduct a root cause analysis, corrective action analysis, and implementation timeline. These items are not required by the rule for controlling landfills. The burden for these items is accounted for in the estimates for the corresponding burden line items under the ICRs for 40 CFR Part 60, Subpart XXX (ICR 2498.03, OMB 2060-0697) and 40 CFR Part 60, Subpart Cf (ICR 2522.02, OMB 2060-0720).

^h We assume that, during the three-year period of this ICR, no privately-owned landfills or publicly-owned landfills will be required to submit a 24-hour high temperature report. Historically, most landfills operate under the temperature threshold that would trigger this report. Landfill operators can operate their landfills so that they avoid temperatures ever getting this high.

ⁱ Landfills with a design capacity equal to or greater than 2.5 million megagrams and 2.5 million cubic meters that have employed leachate recirculation or added liquids based on a Research, Development, and Demonstration permit must file this report. We assume that, during the three-year period of this ICR, 190 privately-owned landfills and 99 publicly-owned landfills will be required to file this report. Under the NESHAP rule, these landfills are required to submit semiannual reports. However, one annual compliance report is already required under 40 CFR Part 60, Subpart Cf, or 40 CFR Part 60, Subpart XXX. Therefore, this NESHAP rule requires only one additional report

instead of two for this subpart to avoid double counting reports submitted for other subparts.

^j No respondents are included for these data compilation and recordkeeping tasks. The burden for these items is accounted for in the estimates for the corresponding burden line items under the ICRs for 40 CFR Part 60, Subpart XXX (ICR 2498.03, OMB 2060-0697) and 40 CFR Part 60, Subpart Cf (ICR 2522.02, OMB 2060-0720).

^k Landfills that add liquids other than leachate are required to keep records to demonstrate that their landfill has not met the 40% moisture by weight definition for the bioreactor landfill under the NESHAP. Based on RD&D permit data, we estimate 34 landfills (22 are privately owned, 12 are publicly owned) add liquids other than leachate and would maintain these records. We have assumed that each of these landfills takes 2 hours per month to maintain these records.

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

Table 1b: Annual Respondent Burden and Cost – NESHAP for Publicly-Owned Municipal Solid Waste Landfills - (40 CFR Part 63, Subpart AAAA) (Renewal)

Burden Item	(A) Person Hours per Occurrence	(B) Number of Occurrences Per Respondent Per Year	(C) Technical Person- Hours per Respondent Per Year (A x B)	(D) Average Number of Respondents Per Year ^a	(E) Civil Engineer Technician Hours Per Year (A x C)	(F) Civil Engineer Hours per Year (E x F)	(I) Management Hours per Year (H x .05)	(H) Clerical Hours per Year (H x 0.1)	(J) Total Labor Costs Per Year ^b
1. Applications	N/A								
2. Surveys and Studies	N/A								
3. Reporting Requirements									
A. Familiarization with regulatory requirements ^c	5	1	5	421	0	2,105	105	211	\$224,015.47
B. Required Activities									
1. Initial performance test report ^d	12	1	12	0	0	0	0	0	\$0
2. Surface methane monitoring quarterly ^d	44	4	176	0	0	0	0	0	\$0
3. Wellhead monitoring monthly ^d	40	12	480	0	0	0	0	0	\$0
C. Create Information	Included in 3B								
D. Gather Information	Included in 3B								
E. Report Preparation									
1. Initial design capacity report ^e	2	1	2	0	0	0	0	0	\$0
2. Amended design capacity report ^e	2	1	2	0	0	0	0	0	\$0
3. Report of NMOC rate (Tier 1) ^e	8	1	8	0	0	0	0	0	\$0
4. Report of NMOC rate (Tier 2) ^e	12	1	12	0	0	0	0	0	\$0
5. Landfill Closure Report ^e	1	1	1	0	0	0	0	0	\$0
6. Equipment Removal Report ^e	36	1	36	0	0	0	0	0	\$0

7. Collection and Control System Design Plan ^e	80	1	80	0	0	0	0	0	\$0
8. Revised design plan ^e	20	1	20	0	0	0	0	0	\$0
9. Initial Performance Test	Included in 3B								
10. Compliance Report	Included in 3B								
11. Semi-Annual Report ^f	27	1	27	265	0	7,155	358	716	\$761,439.75
12. Corrective Action Analysis ^g	15	1	15	0	1	0	0	0	\$0
13. Implementation Timeline ^g	15	1	15	0	2	0	0	0	\$0
14. Root Cause Analysis ^g	15	1	15	0	3	0	0	0	\$0
15. 24-Hour High Temperature Report ^h	2	1	2	0	4	0	0	0	\$0
16. Semi-Annual Wet Landfill Monitoring Report ⁱ	15	1	15	99	0	1,485	74	149	\$158,034.67
Subtotal for Reporting Requirements						12,367			\$1,143,490
4. Recordkeeping Requirements									
A. Read Instructions	Included in 3a								
B. Plan Activities	N/A								
C. Implement Activities	N/A								
D. Develop Record System	N/A								
E. Record Information									
1. Data Compilation and Review (controllers) ^j	5	12	60	0	0	0	0	0	\$0
2. Recordkeeping and Data Storage (controllers) ^j	11	12	132	0	0	0	0	0	\$0
3. Recordkeeping and Data Storage (others) ^j	4	1	4	0	0	0	0	0	\$0
4. Records of liquids addition ^k	2	12	24	12	0	288	14	29	\$30,649.15
E. Personnel Training	N/A								
F. Time for Audits	N/A								

Subtotal for Recordkeeping Requirements									331	\$30,649
Total Labor Burden and Costs (rounded) ¹									12,700	\$1,170,000
Total Capital and O&M Cost (rounded) ¹										\$3,980
GRAND TOTAL (rounded) ¹										\$1,170,000

Assumptions:

^a We estimate that, during the three-year period of this ICR, there will be an average of 1,169 landfills per year (748 privately-owned and 421 publicly-owned) subject to the requirements of NESHAP Subpart AAAA. Of these, an average of 737 landfills per year (471 privately-owned and 265 publicly-owned) are controlling emissions.

^b This ICR uses mean hourly wage for the following labor categories from the United States Department of Labor, Bureau of Labor Statistics, May 2020, “National Occupational Employment and Wage Estimates United States” for employees at privately-owned landfills: Managers, All Other for Managerial Labor, Civil Engineers, Civil Engineer Technicians, and Office Clerks, General for Clerical Labor. The rates have been increased by 110 percent to account for the benefit packages available to those employed by private industry. We assume that publicly-owned landfills will be operated and managed by private contractors.

^c We have assumed that it will take five hours for each respondent to read instructions as part of their reporting requirements.

^d No respondents are included for the initial performance test report, quarterly surface methane monitoring, and monthly wellhead monitoring. The burden for these items is accounted for in the estimates for the corresponding burden line items under the ICRs for 40 CFR Part 60, Subpart XXX (ICR 2498.03, OMB 2060-0697) and 40 CFR Part 60, Subpart Cf (ICR 2522.02, OMB 2060-0720). Cost of re-monitoring for exceedances of surface monitoring or wellhead monitoring are not included because the rule does not require re-monitoring unless an exceedance is found. Landfills can minimize the number of exceedances found by ensuring the GCCS is well-operated and the surface is well sealed.

^e No respondents are included for the initial or amended design capacity reports, reports of NMOC rate (Tier 1 and Tier 2), landfill closure report, equipment removal report, or the initial or revised collection and control system design plan. The burden for these items is accounted for in the estimates for the corresponding burden line items under the ICRs for 40 CFR Part 60, Subpart XXX (ICR 2498.03, OMB 2060-0697) and 40 CFR Part 60, Subpart Cf (ICR 2522.02, OMB 2060-0720).

^f All controlled landfills are required to submit an annual report. Under the NESHAP rule, all controlled landfills are required to submit semiannual compliance reports. However, one annual compliance report is already required under 40 CFR Part 60, Subpart Cf, or 40 CFR Part 60, Subpart XXX. Therefore, this NESHAP rule requires only one additional report instead of two for this subpart to avoid double counting reports submitted for other subparts.

^g We assume that, during the three-year period of this ICR, an average of one privately-owned landfill per year and one publicly-owned landfill per year will be required to conduct a root cause analysis, corrective action analysis, and implementation timeline. These items are not required by the rule for controlling landfills. The burden for these items is accounted for in the estimates for the corresponding burden line items under the ICRs for 40 CFR Part 60, Subpart XXX (ICR 2498.03, OMB 2060-0697) and 40 CFR Part 60, Subpart Cf (ICR 2522.02, OMB 2060-0720).

^h We assume that, during the three-year period of this ICR, no privately-owned landfills or publicly-owned landfills will be required to submit a 24-hour high temperature report. Historically, most landfills operate under the temperature threshold that would trigger this report. Landfill operators can operate their landfills so that they avoid temperatures ever getting this high.

ⁱ Landfills with a design capacity equal to or greater than 2.5 million megagrams and 2.5 million cubic meters that have employed leachate recirculation or added liquids based on a Research, Development, and Demonstration permit must file this report. We assume that, during the three-year period of this ICR, 190 privately-owned landfills and 99 publicly-owned landfills will be required to file this report. Under the NESHAP rule, these landfills are required to submit semiannual reports. However, one annual compliance report is already required under 40 CFR Part 60, Subpart Cf, or 40 CFR Part 60, Subpart XXX. Therefore, this NESHAP rule requires only one additional report instead of two for this subpart to avoid double counting reports submitted for other subparts.

^j No respondents are included for these data compilation and recordkeeping tasks. The burden for these items is accounted for in the estimates for the corresponding burden line items under the ICRs for 40 CFR Part 60, Subpart XXX (ICR 2498.03, OMB 2060-0697) and 40 CFR Part 60, Subpart Cf (ICR 2522.02, OMB 2060-0720).

^k Landfills that add liquids other than leachate are required to keep records to demonstrate that their landfill has not met the 40% moisture by weight definition for the bioreactor landfill under the NESHAP. Based on RD&D permit data, we estimate 34 landfills (22 are privately owned, 12 are publicly owned) add liquids other than leachate and would maintain these records. We have assumed that each of these landfills takes 2 hours per month to maintain these records.

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

Table 1c: Summary of Annual Respondent Burden and Cost Breakdown by Affected Sector - NESHAP for Municipal Solid Waste Landfills (40 CFR Part 63, Subpart AAAAA) (Renewal)

Affected Sector	Number of Respondents per Year (Average)	Number of Responses Per Year (Average)	Labor Hours			Costs		
			Reporting	Record keeping	Total (Rounded)	Labor Cost (rounded)	Capital and O&M Cost (rounded)	Total Costs (Rounded)
All Respondents - Private Sector	748	657	22,234	607	22,800	\$2,110,000	\$7,080	\$2,120,000
All Respondents - Public Sector	421	369	12,367	331	12,700	\$1,170,000	\$3,980	\$1,170,000
All Respondents - Total	1,169	1,026	34,601	938	35,500	\$3,280,000	\$11,100	\$3,290,000

Table 2: Average Annual EPA Burden and Cost - NESHAP for Municipal Solid Waste Landfills (40 CFR Part 63, Subpart AAAA) (Renewal)

Burden Item	(A) EPA hours per occurrence	(B) Number of occurrences per year	(C) EPA hours per occurrence per year (C=A×B)	(D) Landfills per year ^a	(D) Technical hours per year (D=C)	(E) Management hours per year (E=D×0.05)	(F) Clerical hours per year (F=D×0.1)	(G) Costs, \$ ^b
1. Familiarization with regulatory requirements (10 EPA Regions) ^c	4	1	4	10	40	2	4	\$2,275.38
2. Enter and update information into agency recordkeeping system ^d	2	1	2	0	0	0	0	\$0
3. Required activities								
A. Observe initial performance test ^e	12	1	12	0	0	0	0	\$0
B. Observe surface methane monitoring quarterly ^e	20	1	20	0	0	0	0	\$0
C. Review operating parameters ^e	1	1	1	0	0	0	0	\$0
D. Review continuous parameter monitoring ^e	1	1	1	0	0	0	0	\$0
E. Review notification of performance test ^e	2	1	2	0	0	0	0	\$0
4. Excess Emissions Enforcement Activities ^f	24	0.1	2.4	0	0	0	0	\$0
5. Notification requirements								
A. Review amended design capacity report ^g	2	1	2	0	0	0	0	\$0
6. Reporting requirements								
A. Review initial design capacity report ^h	1	1	1	0	0	0	0	\$0
B. Review annual NMOC emission rate report ^h	2	1	2	0	0	0	0	\$0
C. Review landfill closure report ^h	1	1	1	0	0	0	0	\$0
D. Review equipment removal report ^h	1	1	1	0	0	0	0	\$0
E. Review Collection and Control System Design Plan ^h	15	1	15	0	0	0	0	\$0

F. Review Revised Collection and Control System Design Plan ^h	5	1	5	0	0	0	0	\$0
G. Review Initial Performance Test Report ⁱ	12	1	12	0	0	0	0	\$0
H. Review Semi-annual Report ^j	2	1	2	737	1,474	74	147	\$83,847.75
I. Corrective Action Analysis ^k	3.75	1	3.75	0	0	0	0	\$0
J. Implementation Timeline ^k	3.75	1	3.75	0	0	0	0	\$0
K. Root Cause Analysis ^k	3.75	1	3.75	0	0	0	0	\$0
L. 24-Hour High Temperature Report ^l	3.75	1	3.75	0	0	0	0	\$0
M. Semi-Annual Wet Landfill Monitoring Report ^m	2	1	2	289	578	29	58	\$32,879.24
7. Travel Expenses for Tests Attended ⁿ	3 days * (\$134 hotel + \$63 meals/incidentals) + (\$600 round trip) = \$1191 per trip							\$0
TOTAL^o						2,410		\$119,000

Assumptions:

^a We estimate that, during the three-year period of this ICR, there will be an average of 1,169 landfills per year (748 privately-owned and 421 publicly-owned) subject to the requirements of NESHAP Subpart AAAA. Of these, an average of 737 landfills per year (471 privately-owned and 265 publicly-owned) are controlling emissions.

^b This ICR uses the following labor rates: \$68.37 for managerial, \$50.72 for technical, and \$27.46 for clerical labor. These rates are from the Office of Personnel Management (OPM), 2020 General Schedule, which excludes locality rates of pay. The rates have been increased by 60 percent to account for the benefit packages available to government employees.

^c This ICR estimates that staff from each EPA region will familiarize themselves with the requirements of this subpart each year, to account for staff transitions.

^d No respondents are included for this line item. This line item is accounted for under ICRs for 40 Part 60, Subpart XXX (ICR 2498.03, OMB 2060-0697) and 40 CFR Part 60, Subpart Cf (ICR 2522.02, OMB 2060-0720).

^e The number of occurrences is estimated to be zero. This line item is accounted for under ICRs for 40 Part 60, Subpart XXX (ICR 2498.03, OMB 2060-0697) and 40 CFR Part 60, Subpart Cf (ICR 2522.02, OMB 2060-0720) and is not duplicated here.

^f Number of occurrences is based on the assumption that of the landfills that do the initial performance test, 10% of them will have exceedances and need enforcement. No respondents are included for this line item. This line item is accounted for under ICRs for 40 Part 60, Subpart XXX (ICR 2498.03, OMB 2060-0697) and 40 CFR Part 60, Subpart Cf (ICR 2522.02, OMB 2060-0720).

^g No respondents are estimated here because the facilities have already submitted initial design capacity reports under Subparts WWW or XXX. Amended design capacity reports would be submitted as sources were modified with additional capacity and would become subject to subpart XXX. The burden for this line item is accounted for under ICRs for 40 Part 60, Subpart XXX (ICR 2498.03, OMB 2060-0697).

^h No respondents are included for the initial or amended design capacity reports, reports of NMOC rate (Tier 1 and Tier 2), landfill closure report, equipment removal report, or the initial or revised collection and control system design plan. The burden for these items is accounted for in the estimates for the corresponding burden line items under the ICRs for 40 CFR Part 60, Subpart XXX (ICR 2498.03, OMB 2060-0697) and 40 CFR Part 60, Subpart Cf (ICR 2522.02, OMB 2060-0720).

ⁱ No respondents are included for review of the initial test report. The burden for this item is accounted for in the estimates for the corresponding burden line item under the ICR for 40 CFR Part 60, Subpart XXX (ICR 2498.03, OMB 2060-0697).

^j All controlled landfills are required to submit an annual report. Under the NESHAP rule, all controlled landfills are required to submit semiannual compliance reports. However, one annual compliance report is already required under 40 CFR Part 60, Subpart Cf, or 40 CFR Part 60, Subpart XXX. Therefore, this NESHAP rule requires only one additional report instead of two for this subpart to avoid double counting reports submitted for other subparts.

^k We assume that, during the three-year period of this ICR, an average of one privately-owned landfill per year and one publicly-owned landfill per year will be required to conduct a root cause analysis, corrective action analysis, and implementation timeline. These items are not required by the rule for controlling landfills. The burden for these items is accounted for in the estimates for the corresponding burden line items under the ICRs for 40 CFR Part 60, Subpart XXX (ICR 2498.03, OMB 2060-0697) and 40 CFR Part 60, Subpart Cf (ICR 2522.02, OMB 2060-0720).

^l We assume that, during the three-year period of this ICR, no privately-owned landfills or publicly-owned landfills will be required to submit a 24-hour high temperature report. Historically, most landfills operate under the temperature threshold that would trigger this report. Landfill operators can operate their landfills so that they avoid temperatures ever getting this high.

^m Landfills with a design capacity equal to or greater than 2.5 million megagrams and 2.5 million cubic meters that have employed leachate recirculation or added liquids based on a Research, Development, and Demonstration permit must file this report. We assume that, during the three-year period of this ICR, 190 privately-owned landfills and 99 publicly-owned landfills will be required to file this report. Under the NESHAP rule, these landfills are required to submit semiannual reports. However, one annual compliance report is already required under 40 CFR Part 60, Subpart Cf, or 40 CFR Part 60, Subpart XXX. Therefore, this NESHAP rule requires only one additional report instead of two for this subpart to avoid double counting reports submitted for other subparts.

ⁿ There are no trips estimated since this line item is accounted for under ICRs for 40 CFR Part 60, Subpart XXX (ICR 2498.03, OMB 2060-0697) and 40 CFR Part 60 Subpart Cf (ICR 2522.02, OMB 2060-0720) and therefore not duplicated here. The source for hotel and meals/incidental costs is based on FY '18 per diem rates, averaged across all locations in the United States. Airfares are estimated based on experience from other rulemakings. See: <http://www.gsa.gov/portal/category/100125>

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

**Appendix A – Draft Electronic Reporting Template
(see Docket ID Number EPA-HQ-OAR-2021-0097)**