

**SUPPORTING STATEMENT
ENVIRONMENTAL PROTECTION AGENCY**

**NESHAP for Inorganic Arsenic Emissions from Primary Copper Smelters
(40 CFR Part 61, Subpart O) (Renewal)**

1. Identification of the Information Collection

1(a) Title of the Information Collection

NESHAP for Inorganic Arsenic Emissions from Primary Copper Smelters (40 CFR Part 61, Subpart O) (Renewal), EPA ICR Number 1089.07, OMB Control Number 2060-0044.

1(b) Short Characterization/Abstract

The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Inorganic Arsenic Emissions from Primary Copper Smelters (40 CFR Part 61, Subpart O) were proposed on July 20, 1983, and promulgated on August 4, 1986. These regulations apply to both existing facilities and new facilities where the total arsenic charging rate for the copper converter department averaged over a 1-year period is greater than 75 kg/hr (165 lb/hr), as determined under 40 CFR 61.174(f). New facilities include those that either commenced construction or reconstruction after the date of proposal. This information is being collected to assure compliance with 40 CFR Part 61, Subpart O.

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

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

The "Affected Public" are owners or operators of primary copper smelter facilities. The "burden" to the Affected Public may be found at the end of this document in Table 1: Annual Respondent Burden and Cost – NESHAP for Inorganic Arsenic Emissions from Primary Copper Smelters (40 CFR Part 61, Subpart O) (Renewal). The "burden" to the Federal Government is

attributed entirely to work performed by either Federal employees or government contractors and may be found at the end of this document in Table 2: Average Annual EPA Burden and Cost – NESHAP for Inorganic Arsenic Emissions from Primary Copper Smelters (40 CFR Part 61, Subpart O) (Renewal). There are approximately 3 facilities. None of the facilities in the United States are owned by either state, local, tribal entities or the Federal government. They are all owned and operated by privately-owned, for-profit businesses. We assume that they will all respond to EPA inquiries.

Based on our consultations with industry representatives, there are an average of 3 affected facilities at each plant site and each plant site has only one respondent (i.e., the owner/operator of the plant site).

Over the next three years, approximately 3 respondents per year will be subject to these standards, and no additional respondents per year will become subject to these same standards.

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

2. Need for and Use of the Collection

2(a) Need/Authority for the Collection

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

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

In the Administrator's judgment, inorganic arsenics emissions from primary copper smelters 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 61, Subpart O.

2(b) Practical Utility/Users of the Data

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

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

The notifications required in the standards are used to inform either the Agency or its delegated authority when a source becomes subject to the requirements of these 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 quarterly and annual reports are used to determine periods of excess emissions, identify problems at the facility, verify operation/maintenance procedures, and for compliance determinations.

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

The requested recordkeeping and reporting are required under 40 CFR Part 61, Subpart O.

3(a) Non-duplication

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

For all other reports, if the subject standards have not been delegated, the information is sent directly to the appropriate EPA regional office. Otherwise, the information is sent directly to the delegated state or local agency. If a state or local agency has adopted its own standards to implement the Federal standards, a copy of the report submitted to 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* (87 FR 20847) on April 8, 2022. No comments were received on the burden published in the *Federal Register* for this renewal.

3(c) Consultations

The Agency has consulted industry experts and internal data sources to project the number of affected facilities and industry growth over the next three years. The primary source of information as reported by industry, in compliance with the recordkeeping and reporting provisions in these standards, is the Integrated Compliance Information System (ICIS). ICIS is EPA's database for the collection, maintenance, and retrieval of compliance data for industrial and government-owned facilities. The growth rate for the industry is based on our consultations with the Agency's internal industry experts. Approximately 3 respondents will be subject to these standards over the three-year period covered by this ICR.

Industry trade association(s) and other interested parties were provided an opportunity to comment on the burden associated with these standards as they were being developed and these same standards have been reviewed previously to determine the minimum information needed for compliance purposes. In developing this ICR, we contacted both the American Copper Council, at (518) 871-1062, and Freeport-McMoRan, at (602) 366-8100.

Freeport-McMoRan commented on several labor burden tasks associated with performing the monthly Method 108A sample collection, calculations and the time to record results. This ICR adjusts the burden for these activities and includes additional burden hours in Table 1: Annual Respondent Burden and Cost – Inorganic Arsenic Emissions from Primary Copper Smelters (40 CFR Part 61, Subpart O) (Renewal). The comments reflected additional time to complete activities and resulted in an increase in labor burden and costs.

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 additional 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 that 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.

3(f) Confidentiality

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

3(g) Sensitive Questions

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

4. The Respondents and the Information Requested

4(a) Respondents/SIC Codes

The respondents to the recordkeeping and reporting requirements are copper smelter facilities. The United States Standard Industrial Classification (SIC) code for the respondents affected by the standards is SIC 3331, which corresponds to the North American Industry Classification System (NAICS) 331410 for Copper Smelting and Refining:

40 CFR Part 61, Subpart O	SIC Codes	NAICS Codes
Copper Smelting and Refining	3331, 3339	331410

4(b) Information Requested

(i) Data Items

In this ICR, all the data that are either recorded or reported is required by the NESHAP for Inorganic Arsenic Emissions from Primary Copper Smelters (40 CFR Part 61, Subpart O).

A source must make the following reports:

Notifications	
Notification of emission test	§ 61.177(a)(1)
Notification of opacity test	§ 61.177(b)

Reports	
Results of emission test	§ 61.177(a)(2)
Result of CMS evaluation	§ 61.177(c)(1)
Results of opacity test	§ 61.177(c)(2)
Quarterly reports of excess opacity	§§ 61.177(c)(3), (e)(1), (e)(3)
Quarterly reports of all air flow rates	§§ 61.177(d)(1) – (d)(2), 61.177(e)(2)
Quarterly reports of changes in the operating conditions of the emission capture system that may increase fugitive emissions	§ 61.177(d)(3)
Annual report of the average annual converter arsenic charging rate	§ 61.177(f)

A source must keep the following records:

Recordkeeping	
Records of visual inspections of secondary hood systems	§ 61.176(a)
Records of continuous monitoring system measurements and performance evaluations, including calibration checks and adjustments	§§ 61.176(b)(1), (b)(3), § 61.175
Records of emission test data and all calculations	§ 61.176(b)(2)
Startups, shutdowns, and malfunctions of copper converters	§ 61.176(b)(4)
Malfunctions of the air pollution control system	§ 61.176(b)(5)
Records of periods during which the continuous monitoring system is inoperative	§ 61.176(b)(6)
Records of all maintenance and repairs performed	§ 61.176(b)(7)
Records of 1-hour average opacity levels for each separate control device	§ 61.176(b)(8)
Flow rates and operation of secondary hood systems	§ 61.176(b)(9)

Recordkeeping	
Records of daily amount of the amount of copper matte and lead matte charged to the copper converter and the total hours of operation	§ 61.176(c)(1)
Records of monthly weight percent of arsenic contained in the copper matte and lead matte	§ 61.176(c)(2)
Records of monthly calculation of the average annual arsenic charging rate	§ 61.176(c)(3)

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.

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

(ii) Respondent Activities

Respondent Activities
Familiarization with the regulatory requirements.
Install, calibrate, maintain, and operate CMS for opacity.
Perform initial performance test, Reference Methods 5, 108A, 108B, or 108C tests, and repeat performance tests if necessary.
Write the notifications and reports listed above.
Enter information required to be recorded above.
Submit the required reports developing, acquiring, installing, and utilizing technology and systems for collecting, validating, and verifying information.
Develop, acquire, install, and utilize technology and systems for processing and maintaining information.

Respondent Activities
Develop, acquire, install, and utilize technology and systems for disclosing and providing information.
Train personnel to be able to respond to a collection of information.
Transmit, or otherwise disclose the information.

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

5(a) Agency Activities

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

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

5(b) Collection Methodology and Management

Following notification of startup, the reviewing authority could inspect the source to determine whether the pollution control devices are properly installed and operated. Performance test reports are used by the Agency to discern a source’s initial capability to comply with the emission standards and note the operating conditions under which compliance was achieved. Data and records maintained by the respondents are tabulated and published for use in compliance and enforcement programs. The quarterly 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. EPA uses ICIS for tracking air pollution compliance and enforcement by local and state regulatory agencies, EPA regional offices and EPA headquarters. 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

There are no small entities (i.e., small businesses) affected by this regulation. A majority of the respondents are large entities (i.e., large businesses). However, the impact on small entities (i.e., small businesses) was taken into consideration during the development of the regulation. Due to technical considerations involving the process operations and the types of control equipment employed, the recordkeeping and reporting requirements are the same for both small and large entities. The Agency considers these to be the minimum requirements needed to ensure compliance and, therefore, cannot reduce them further for small entities. To the extent that larger businesses can use economies of scale to reduce their burden, the overall burden will be reduced.

5(d) Collection Schedule

The specific frequency for each information collection activity within this request is shown at the end of this document in Table 1: Annual Respondent Burden and Cost – Inorganic Arsenic Emissions from Primary Copper Smelters (40 CFR Part 61, Subpart O) (Renewal).

6. Estimating the Burden and Cost of the Collection

Table 1 documents the computation of individual burdens for the recordkeeping and reporting requirements applicable to the industry for the subpart included in this ICR. The individual burdens are expressed under standardized headings believed to be consistent with the concept of burden under the Paperwork Reduction Act. Where appropriate, specific tasks and major assumptions have been identified. Responses to this information collection are mandatory.

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

6(a) Estimating Respondent Burden

The average annual burden to industry over the next three years from these recordkeeping and reporting requirements is estimated to be 6,260 hours (Total Labor Hours from Table 1 below). These hours are based on Agency studies and background documents from the development of these regulations, Agency knowledge and experience with the NESHAP program, the previously-approved ICR, and any comments received.

6(b) Estimating Respondent Costs

(i) Estimating Labor Costs

This ICR uses the following labor rates:

Managerial	\$157.61 (\$75.05 + 110%)
Technical	\$123.94 (\$59.02 + 110%)
Clerical	\$62.52 (\$29.77 + 110%)

These rates are from the United States Department of Labor, Bureau of Labor Statistics, September 2021, “Table 2. Civilian Workers, by occupational and industry group.” The rates are from column 1, “Total compensation.” The rates have been increased by 110 percent to account for varying industry wage rates and the additional overhead business costs of employing workers beyond their wages and benefits, including business expenses associated with hiring, training, and equipping their employees.

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

The type of industry costs associated with the information collection activities in the subject standard(s) are both labor costs, which are addressed elsewhere in this ICR, and the costs associated with continuous monitoring. The capital/startup costs are one-time costs when a facility becomes subject to these regulations. The annual operation and maintenance costs are the ongoing costs for supplies to conduct the Method 108A analysis, 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) Monitoring Requirement	(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)
Method 108A analyses of copper matte samples	\$0	0	\$0	\$500	3	\$1,500
Total			\$0			\$1,500

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

The total capital/startup costs for this ICR are \$0. This is the total of column D in the above table.

The total operation and maintenance (O&M) costs for this ICR are \$1,500. 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 \$1,500. These are the 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. The EPA's overall compliance and enforcement program includes such activities as the examination of records maintained by the respondents, periodic inspection of sources of emissions, and the publication and distribution of collected information.

The average annual Agency cost during the three years of the ICR is estimated to be \$2,110.

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

Managerial	\$70.56 (GS-13, Step 5, \$44.10 + 60%)
Technical	\$52.37 (GS-12, Step 1, \$32.73 + 60%)
Clerical	\$28.34(GS-6, Step 3, \$17.17 + 60%)

These rates are from the Office of Personnel Management (OPM), 2022 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 Inorganic Arsenic Emissions from Primary Copper Smelters (40 CFR Part 61, Subpart O) (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 3 existing respondents will be subject to these standards. It is estimated that no additional respondents per year will become subject to these same standards. The overall average number of respondents, as shown in the table below, is 3 per year.

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

Number of Respondents					
	Respondents That Submit Reports		Respondents That Do Not Submit Any Reports		
Year	(A) Number of New Respondents ¹	(B) Number of Existing Respondents	(C) Number of Existing Respondents that keep records but do not submit reports	(D) Number of Existing Respondents That Are Also New Respondents	(E) Number of Respondents (E=A+B+C-D)
1	0	3	0	0	3
2	0	3	0	0	3
3	0	3	0	0	3
Average	0	3	0	0	3

¹ New respondents include sources with constructed, reconstructed and modified affected facilities.

Column D is subtracted to avoid double-counting respondents. As shown above, the average Number of Respondents over the three-year period of this ICR is 3.

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

Total Annual Responses				
(A) Information Collection Activity	(B) Number of Respondents	(C) Number of Responses	(D) Number of Existing Respondents That Keep Records But Do Not Submit Reports	(E) Total Annual Responses E=(BxC)+D
Annual report of converter charging rate	3	1	0	3
Quarterly excess opacity and air flow rate reports ^a	3	2	0	6
			Total	9

^a It is assumed that respondents will only need to submit excess opacity or air flow rate reports twice a year.

The number of Total Annual Responses is 9.

The total annual labor costs are \$751,000. Details regarding these estimates may be found at the end of this document in Table 1: Annual Respondent Burden and Cost – NESHAP for Inorganic Arsenic Emissions from Primary Copper Smelters (40 CFR Part 61, Subpart O) (Renewal).

6(e) Bottom Line Burden Hours and Cost Tables

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

(i) Respondent Tally

The total annual labor hours are 6,260 hours. Details regarding these estimates may be found below in Table 1: Annual Respondent Burden and Cost – NESHAP for Inorganic Arsenic Emissions from Primary Copper Smelters (40 CFR Part 61, Subpart O) (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 696 hours per response.

The total annual capital/startup and O&M costs to the regulated entity are \$1,500. 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 41 labor hours at a cost of \$2,110; see below in Table 2: Average Annual EPA Burden and Cost – NESHAP for Inorganic Arsenic Emissions from Primary Copper Smelters (40 CFR Part 61, Subpart O) (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 an increase in burden from the most-recently approved ICR as currently identified in the OMB Inventory of Approved Burdens. The increase is due to revisions to the labor burden associated with certain tasks, including performing monthly Method 108A sample collection, calculations, and the time to record results. This ICR adjusts the burden for these activities based on comments received from industry and incorporates additional burden hours in

Table 1: Annual Respondent Burden and Cost – Inorganic Arsenic Emissions from Primary Copper Smelters (40 CFR Part 61, Subpart O) (Renewal). The comments reflected additional time to complete activities and resulted in an increase in labor burden and costs. There is also a slight increase in costs, which is wholly due to the use of updated labor rates. This ICR uses labor rates from the most-recent Bureau of Labor Statistics report (September 2021) to calculate respondent burden costs.

6(g) Burden Statement

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 696 hours per response. ‘Burden’ means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information either to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously-applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

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

To comment on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including the use of automated collection techniques, EPA has established a public docket for this ICR under Docket ID Number EPA-HQ-OAR-2022-0065. 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-2022-0065 and OMB Control Number 2060-0044 in any correspondence.

Part B of the Supporting Statement

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

Table 1: Annual Respondent Burden and Cost – NESHAP for Inorganic Arsenic Emissions from Primary Copper Smelters (40 CFR Part 61, Subpart O) (Renewal)

Burden item	(A) Person hours per occurrence	(B) No. of occurrences per respondent per year	(C) Person hours per respondent per year (AxB)	(D) Respondents per year ^a	(E) Technical person-hours per year (CxD)	(F) Management person hours per year (Ex0.05)	(G) Clerical person hours per year (Ex0.1)	(H) Total Cost Per year ^b
1. Applications	N/A							
2. Surveys and studies	N/A							
3. Acquisition, Installation, and Utilization of Technology and Systems	N/A							
4. Reporting Requirements								
A. Familiarization with regulatory requirements	1	1	1	3	3	0.15	0.3	\$414.22
B. Required activities	N/A							
C. Create information ^c								
i. Initial Method 5 performance test ^c	40	1	40	0	0	0	0	\$0
i. Grab Samples	4	365	1460	3	4380	219	438	\$604,757.55
ii. Method 108 Analysis	4	12	48	3	144	7.2	14.4	\$19,882.44
iii. Monthly Calculation	2	12	24	3	72	3.6	7.2	\$9,941.22
D. Gather existing information	See 4E							
E. Write report								
i. Quarterly report of excess opacity and flow rates ^d	16	2	32	3	96	4.8	9.6	\$13,254.96
ii. Annual report of converter charging rate	16	1	16	3	48	2.4	4.8	\$6,627.48
iii. Notification of performance test	1	1	1	0	0	0	0	\$0

Subtotal for Reporting						5454		\$654,878
5. Recordkeeping Requirements								
A. Familiarization with regulatory requirements	See 4A							
B. Plan activities	N/A							
C. Implement activities	See 4C							
D. Record data	8	1	8	3	24	1.2	2.4	\$3,313.74
E. Time to transmit or disclose information								
1. Record Method 108A analysis results	2	12	24	3	72	3.6	7.2	\$9,941.22
2. Monthly measurements	1.5	12	18	3	54	2.7	5.4	\$7,455.92
3. Daily log of converter operating mode and daily record of matte charge to converter	0.5	365	182.5	3	547.5	27.375	54.75	\$75,594.69
F. Time to train personnel	N/A							
G. Time for audits	N/A							
Subtotal for Recordkeeping						802		\$96,306
TOTAL LABOR BURDEN AND COST^e						6,260		\$751,000
TOTAL ANNUAL COSTS (O&M)^e								\$1,500
GRAND TOTAL^e								\$753,000

^a It is assumed that there are 3 respondents currently operating in the United States. It is estimated that no additional respondents will become subject to the regulation in the next three years based on information available on the sector.

^b This ICR uses the following labor rates: \$157.61 per hour for Executive, Administrative, and Managerial labor; \$123.94 per hour for Technical labor, and \$62.52 per hour for Clerical labor. These rates are from the United States Department of Labor, Bureau of Labor Statistics, September 2021, "Table 2: Civilian Workers, by Occupational and Industry group." The rates are from column 1, "Total Compensation." The rates have been increased by 110% to account for the benefit packages available to those employed by private industry.

^c The burden to report information includes labor to perform Method 108A analysis once a month; obtain a grab sample daily; labor to reduce opacity and air flow data; and labor to perform monthly calculations. The estimated time to collect grab samples is 4 hours and the time for monthly calculations is 2 hours

based on data provided by an individual facility subject to the NESHAP. The time to record results is 2 hours based on data provided by an individual facility subject to the NESHAP.

^d It is assumed that respondents will only need to submit excess opacity or air flow rate reports twice a year.

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

Table 2: Average Annual EPA Burden and Cost – NESHAP for Inorganic Arsenic Emissions from Primary Copper Smelters (40 CFR Part 61, Subpart O) (Renewal)

Burden item	(A) Person hours per occurrence	(B) No. of occurrences per respondent per year	(C) Facilities per year ^a	(D) Technical person- hours per year (CxD)	(E) Management person hours per year (Ex0.05)	(F) Clerical person hours per year (Ex0.1)	(G) Cost, \$
Report Review:							
Review of annual report of feed arsenic content	8	1	3	24	1.2	2.4	\$1,409.57
Review of quarterly excess emissions reports ^c	2	2	3	12	0.6	1.2	\$704.78
TOTAL BURDEN AND COST ^d					41		\$2,110

Assumptions:

^a It is assumed that there are 3 respondents currently operating in the United States. It is estimated that no additional respondents will become subject to the regulation in the next three years based on information available on the sector.

^b This ICR uses the following labor rates: \$70.56 per hour for Managerial labor; \$52.37 per hour for Technical labor, and \$28.34 per hour for Clerical labor. These rates are from the Office of Personnel Management (OPM), 2022 General Schedule, which excludes locality rates of pay. The rates have been increased by 60% to account for the benefit packages available to government employees.

^c It is assumed that respondents will only need to submit excess opacity or air flow rate reports twice a year.

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