

**SUPPORTING STATEMENT  
ENVIRONMENTAL PROTECTION AGENCY**

**NESHAP for Publicly-Owned Treatment Works (40 CFR Part 63, Subpart VVV)  
(Renewal)**

**1. Identification of the Information Collection**

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

NESHAP for Publicly-Owned Treatment Works (40 CFR Part 63, Subpart VVV)  
(Renewal), EPA ICR Number 1891.11, OMB Control Number 2060-0428.

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

The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Publicly-Owned Treatment Works (POTW) (40 CFR Part 63, Subpart VVV) were proposed on December 1, 1998; and promulgated on October 26, 1999; and amended on both December 22, 2008, and October 26, 2017 (82 FR 49513).<sup>1</sup> These regulations apply to both existing and new Group 2 POTW, located at a major source of hazardous air pollutants (HAP), or to Group 1 POTW that are either area or major sources. Group 1 POTWs are facilities that accept wastewater regulated by another NESHAP and provide treatment “as an agent” for the industrial user. Group 1 POTWs are subject to the monitoring, recordkeeping, and reporting requirements of the other regulating NESHAP, but have no additional monitoring, recordkeeping, or reporting requirements under Subpart VVV. Group 2 POTWs are POTWs that do not meet the definition of a Group 1 POTW and must meet the criteria for a pretreatment program under 40 CFR 403.8. New facilities include those that commenced either construction, or reconstruction, after the date of proposal. This information is being collected to assure compliance with 40 CFR Part 63, Subpart VVV.

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 the 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

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<sup>1</sup> The October 2017 amendments included revisions to names and definitions of the subcategories; revisions to the applicability criteria; revised regulatory provisions pertaining to emissions during periods of startup, shutdown, and malfunction; initial notification requirements for existing Group 1 and Group 2 POTW; revisions to the requirements for new Group 1 POTW; requirements for electronic reporting; and other miscellaneous edits and technical corrections. These amendments did not include additional burden.

review them. If there is no such delegated authority, the EPA's regional offices can review them. All other reports are sent to the delegated state or local authority. If there is no such delegated authority, the reports are sent directly to the EPA's 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" includes owners and operators of POTW. The 'burden' to the Affected Public may be found below in Table 1: Annual Respondent Burden and Cost – NESHAP for Publicly Owned Treatment Works (40 CFR Part 63, Subpart VVV) (Renewal). The 'burden' to the "Federal Government" is attributed entirely to work performed by either Federal employees or government contractors and may be found below in Table 2: Average Annual EPA Burden and Cost – NESHAP for Publicly Owned Treatment Works (40 CFR Part 63, Subpart VVV) (Renewal). There are approximately 13 POTW facilities, which are owned and operated by either state, local, or tribal entities or by the Federal government.

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 13 respondents per year will be subject to these standards, and one additional respondent will become subject to these same standards.

The active (previous) ICR had the following Terms of Clearance (TOC):

"Upon resubmission, the agency must update the burden estimates to accurately reflect the number of respondents in industry and verify that there are no reporting or recordkeeping requirements for States in 40 CFR part 63, subpart VVV. The agency must also ensure that burden is calculated for all of the requirements and that the requirements and burden tables are consistent throughout the supporting statement. The agency must provide screen shots of the electronic mode of collection that is used for this information collection. In addition, the agency must have a burden statement that aligns with the requirements under 5 CFR 1320.8(b)(3) and placement of the OMB control number for on-line submissions on the initial screen per 5 CFR 1320.3(f)(2)."

In renewing the currently-approved ICR, the agency has reviewed the number of respondents in industry and updated the burden estimates accordingly. In this case, we identified one new source based on growth within the industry. There are no reporting requirements for states. 'Burden' has been calculated for all requirements, which are reflected in the burden tables in the supporting statement. All electronic collection in this information collection is submitted through EPA's CEDRI or ERT, as discussed in section 4(b)(i) of this document. Additional Paperwork Reduction Act requirements for CEDRI and ERT, including the burden statement and OMB control number, are available at:

<https://www.epa.gov/electronic-reporting-air-emissions/paperwork-reduction-act-procedure-and-ert>.

## **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 either new or existing sources of hazardous air pollutants and shall require the maximum degree of emission reduction. In addition, section 114(a) states that the Administrator may require any owner/operator subject to any requirement of this Act to:

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

In the Administrator's judgment, HAP emissions from POTW 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 VVV.

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

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

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

The notifications required in these standards are used to inform the Agency or 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, that leaks are being detected and repaired, and that these same standards are being met. The performance test may also be observed.

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

Additionally, the EPA is requiring electronic reporting for certain notifications or reports. The EPA requires that owners or operators of affected sources would submit electronic copies of initial notifications required in 40 CFR 63.9(b), performance test reports required in 40 CFR 63.1590(c)(1), annual reports required in 40 CFR 63.1590(b), and changes in information already provided required in 40 CFR 63.9(j), through the EPA's Central Data Exchange (CDX), using the Compliance and Emissions Data Reporting Interface (CEDRI). For annual reports, EPA has developed a template for the reporting form in CEDRI specifically for 40 CFR Part 63, Subpart VVV. 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 facilities to generate electronic reports of performance tests. The EPA is also requiring that 40 CFR Part 63, Subpart VVV performance test reports 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 VVV.

#### **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 43843) on July 22, 2022. No comments were received on the burden published in the *Federal Register* for this renewal.

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 13 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 standards have been reviewed previously to determine the minimum information needed for compliance purposes. In developing this ICR, we contacted both the National Association of Clean Water Agencies, at (202) 533-1836, and the Southern California Alliance of Publicly Owned Treatment Works, at (760) 479-4112.

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 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.

These standards require the respondents to maintain all records, including reports and notifications for at least five years. This is consistent with the General Provisions as applied to these standards. The EPA believes that the five-year records retention requirement is consistent

with the Part 70 permit program and the five-year statute of limitations on which the permit program is based. The retention of records for five years allows EPA to establish the compliance history of a source, any pattern of non-compliance, and to determine the appropriate level of enforcement action. The EPA has found that the most flagrant violators have violations extending beyond five years. In addition, EPA would be prevented from pursuing the violators due to the destruction or nonexistence of essential records.

### **3(f) Confidentiality**

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

### **3(g) Sensitive Questions**

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

## **4. The Respondents and the Information Requested**

### **4(a) Respondents/SIC Codes**

The respondents to the recordkeeping and reporting requirements are owners and operators of POTW. The United States Standard Industrial Classification (SIC) code for the respondents affected by the standards is SIC 4952 which corresponds to the North American Industry Classification System (NAICS) 221320 for Sewage Treatment Facilities.

### **4(b) Information Requested**

#### **(i) Data Items**

In this ICR, all the data that are recorded or reported is required by the NESHAP for Publicly Owned Treatment Works (40 CFR Part 63, Subpart VVV).

A source must make the following notifications:

<b>Notifications</b>	
Initial notification	§§ 63.9(b), 63.1591(a) and (b)
Request for extension of compliance; notification of delay of repair	§§ 63.9(c), 63.1590(d)
Notification of special compliance requirements	§ 63.9(d)
Notification of performance tests	§§ 63.7(b), 63.9(e), 63.1590(c)
Additional notification requirements for sources with CMS	§ 63.9(g)
Notification of compliance status	§§ 63.9(h), 63.1591(c)
30-day notification of excess emissions	§ 63.1591(d)
Notification of adjustments to time periods for submitting required communications	§ 63.9(i)
Notification of changes in information (reclassification to area source status or to revert to major source status) (electronic submission)	§§ 63.9(b), 63.9(j)

A source must make the following reports:

<b>Reports</b>	
Performance test report (electronic submission)	§§ 63.10(d)(2), 63.1590(c)
Inspection and monitoring plan	§§ 63.1588(c) and 63.1590(f)
Annual report (electronic submission)	§ 63.1590(b)
Excess emissions report	§§ 63.1590(b)(4), 63.1590(c) and 63.697(b)(3)

A source must keep the following records:

<b>Recordkeeping</b>	
Record of annual inspections	§ 63.1589(a)(1)
Records of defects detected	§ 63.1589(a)(2)
Records of defect repair delays	§ 63.1589(a)(3)

<b>Recordkeeping</b>	
Records of control devices covered by other NESHAPS	§ 63.1590(a)(4)
Records of methods used to calculate annual HAP emissions	§ 63.1589(b)(1)
Record of methods and data used to determine if POTW meets fraction emitted standard	§ 63.1589(b)(2)
Records of methods and data that demonstrates POTW is in continuous compliance	§ 63.1589(b)(3)
<b>Records for failures to meet a standard</b>	§ 63.1589(c)
Maintain records for five years	§ 63.10(b)(1)

### 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 amended to include electronic reporting provisions on October 26, 2017 and November 19, 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 ICR and other subparts. Respondents are also required to submit electronic copies of notifications and certain reports through EPA's CEDRI. The notification is an upload of their currently required notification in portable document format (PDF) file. The annual reports are to be created using Form 5900-603, the electronic template included with this Supporting Statement. The template is an Excel spreadsheet which can be partially completed and saved for subsequent 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**

<b>Respondent Activities</b>
Familiarization with the regulatory requirements.
Write the notifications and reports listed above.
Prepare required plans and conduct performance test, if required.
Enter information required to be recorded above.
Submit the required reports developing, acquiring, installing, and utilizing technology and systems for collecting, validating, and verifying information.
Develop, acquire, install, and utilize technology and systems for processing and maintaining information.
Develop, acquire, install, and utilize technology and systems for disclosing and providing information.
Train personnel to be able to respond to a collection of information.
Transmit, or otherwise disclose the information.

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

**5(a) Agency Activities**

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

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

## **5(b) Collection Methodology and Management**

Following the 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 to 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 annual 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 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 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 and subsequent amendments. Due to technical considerations involving the process operations and the types of control equipment employed, the record-keeping 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 – NESHAP for Publicly-Owned Treatment Works (40 CFR Part 63, Subpart VVV).

## **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 17 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	\$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, \$17.71 + 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 Publicly-Owned Treatment Works (40 CFR Part 63, Subpart VVV).

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

The only costs to the regulated industry resulting from information collection activities required by the subject standard(s) are labor costs. There are no capital/startup or operation and maintenance costs.

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

The only type of industry costs associated with the information collection activity in these regulations are labor costs. There are no capital/startup or operation and maintenance 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 \$359.

Again, 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, \$17.71 + 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 Publicly-Owned Treatment Works (40 CFR Part 63, Subpart VVV).

### **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 13 existing respondents will be subject to these standards. It is estimated that one new respondent will become subject to these same standards during the three-year period of this ICR. The overall average number of respondents, as shown in the table below, is 13.7 per year.

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

<b>Number of Respondents</b>					
	Respondents That Submit Reports		Respondents That Do Not Submit Any Reports		
Year	(A) Number of New Respondents <sup>a</sup>	(B) Number of Existing Respondents	(C) Number of Existing Respondents that keep records but do not submit reports	(D) Number of Existing Respondents That Are Also New Respondents	(E) Number of Respondents (E=A+B+C-D)
1	0.33	13	0	0	13.3
2	0.33	13.3	0	0	13.7
3	0.33	13.7	0	0	14.0
Average	0.33	13.3	0	0	13.7

<sup>a</sup> One new respondent will become subject to this NESHAP over the three-year period of this ICR.

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 13.7.

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

<b>Total Annual Responses</b>				
(A) Information Collection Activity	(B) Number of Respondents	(C) Number of Responses	(D) Number of Existing Respondents That Keep Records But Do Not Submit Reports	(E) Total Annual Responses E=(BxC)+D
Initial notification	0.33	1	0	0.33
Notification of compliance status	0.33	1	0	0.33
Request for extension of compliance	0.33	1	0	0.33
Notification of special compliance requirements	0.33	1	0	0.33
Notification of performance test <sup>b</sup>	0	1	0	0
Additional notification requirements for sources	0	1	0	0

<b>Total Annual Responses</b>				
with CMS <sup>b</sup>				
Notification of adjustments to time periods	0.33	1	0	0.33
Notification of changes to information provided	0.33	1	0	0.33
30-day notification of excess emissions	0.33	1	0	0.33
Performance test report <sup>b</sup>	0	1	0	0
Inspection and monitoring plan	0.33	1	0	0.33
Annual report <sup>c</sup>	0.33	1	0	0.33
Annual excess emissions report <sup>c</sup>	0.33	1	0	0.33
Initial report on compliance approach	0.33	1	0	0.33
			Total	3.6

CMS - Continuous Monitoring System

<sup>a</sup> One new respondent will become subject to this NESHAP over the three-year period of this ICR, or 0.33 respondents per year.

<sup>b</sup> Assumes the new/reconstructed source will demonstrate compliance using the HAP fraction emitted standard, utilizing a combination of pretreatment and wastewater treatment plant modifications to achieve this performance standard. This compliance option does not require performance testing or a CMS.

<sup>c</sup> Reporting and recordkeeping activities do not apply to existing sources, which demonstrate compliance with the rule by operating treatment and control devices that meet all requirements specified in the appropriate industrial NESHAP(s).

The number of Total Annual Responses is 3.6.

The total annual labor costs are \$865. Details regarding these estimates may be found at the end of this document in Table 1: Annual Respondent Burden and Cost NESHAP for Publicly-Owned Treatment Works (40 CFR Part 63, Subpart VVV) (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 17 hours. Details regarding these estimates may be found

below in Table 1: Annual Respondent Burden and Cost – NESHAP for Publicly-Owned Treatment Works (40 CFR Part 63, Subpart VVV) (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 4.7 hours per response.

There are neither annual capital/startup nor O&M costs to this regulated entity.

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

The average annual Agency burden and cost over next three years is estimated to be 7 labor hours at a cost of \$359; see below in Table 2: Average Annual EPA Burden and Cost – NESHAP for Publicly-Owned Treatment Works (40 CFR Part 63, Subpart VVV) (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**

The increase in burden from the most-recently approved ICR is due to adjustment(s). The adjustment increase is due to a slight increase in the number of respondents. There is a slight increase in costs, which is due to the increased number of respondents and 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 4.7 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-2022-0020. 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-2022-0020 and OMB Control Number 2060-0428 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 Publicly Owned Treatment Works  
(40 CFR Part 63, Subpart VVV) (Renewal)**

Burden item	A	B	C	D	E	F	G	H
	Person-hours per occurrence	Annual occurrences per respondent	Person-hours per respondent per year (AxB)	Respondents per year <sup>a</sup>	Technical hours per year (Cx D)	Management hours per year (Ex0.05)	Clerical hours per year (Ex0.10)	Annual cost (\$) <sup>b</sup>
1. Applications	N/A							
2. Surveys and studies	N/A							
3. Reporting requirements								
A. Familiarization with regulatory requirements <sup>c</sup>	0.5	1	1	13.6	7	0.3	0.7	\$400.41
B. Required activities								
Initial notification <sup>d</sup>	2	1	2	0.33	0.66	0.03	0.07	\$38.66
Notification of compliance status <sup>d</sup>	2	1	2	0.33	0.66	0.03	0.07	\$38.66
C. Create information	See 3B							
D. Gather existing information	See 3B							
E. Write reports								
Request for extension of compliance	2	1	2	0.33	0.66	0.03	0.07	\$38.66
Notification of special compliance requirements	2	1	2	0.33	0.66	0.03	0.07	\$38.66
Notification of performance test <sup>d</sup>	N/A							
Additional notification requirements for source with CMS <sup>d</sup>	N/A							
Notification of adjustments to time	2	1	2	0.33	0.66	0.03	0.07	\$38.66

periods								
Notification of changes to information provided	2	1	2	0.33	0.66	0.03	0.07	\$38.66
30-day notification of excess emissions <sup>d</sup>	1	1	1	0.33	0.33	0.02	0.03	\$19.54
Performance test report <sup>d</sup>	N/A							
Inspection and monitoring plan <sup>d</sup>	2	1	2	0.33	0.66	0.03	0.07	\$38.66
Annual report <sup>d</sup>	1	1	1	0.33	0.33	0.02	0.03	\$19.54
Annual excess emissions report <sup>d</sup>	2	1	2	0.33	0.66	0.03	0.07	\$38.66
Initial report on compliance approach <sup>d,e</sup>	2	1	2	0.33	0.66	0.03	0.07	\$38.66
<b>Reporting Subtotal</b>						<b>15.4</b>		<b>\$787.43</b>
4. Recordkeeping								
A. Familiarization with regulatory requirements	See 3A							
B. Plan activities	See 3E							
C. Implement activities	See 3E							
D. Develop record system	See 3E							
E. Time to enter information								
Records of annual inspections <sup>d</sup>	2	1	2	0.33	0.66	0.03	0.07	\$38.66
Records of inspections, defects, and repair delays <sup>d</sup>	2	1	2	0.33	0.66	0.03	0.07	\$38.66
F. Time to transmit or disclose information	N/A							
G. Time to train personnel	N/A							
H. Time for audits	N/A							
<b>Recordkeeping Subtotal</b>						<b>1.5</b>		<b>\$77.32</b>
<b>TOTAL LABOR BURDEN AND COSTS (rounded)<sup>f</sup></b>						<b>17</b>		<b>\$865</b>

<b>TOTAL CAPITAL AND O&amp;M COSTS (rounded)<sup>f</sup></b>								<b>\$0</b>
<b>GRAND TOTAL (rounded)<sup>f</sup></b>								<b>\$865</b>

CMS - Continuous Monitoring System

N/A - Not Applicable

<sup>a</sup> EPA estimates approximately 13 existing sources and one new/reconstructed source will be subject to the standard over the three-year period of this ICR.

<sup>b</sup> This ICR uses the following labor rates for publicly owned facilities: \$52.37 (technical), \$70.56 (managerial), and \$28.34 (clerical). 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 government employees.

<sup>c</sup> This burden represents the time existing respondents spend familiarizing themselves with the regulatory requirements.

<sup>d</sup> New sources must install covers and controls, or comply with the HAP fraction emitted standard. Assumes one new/reconstructed source will demonstrate compliance using the HAP fraction emitted standard over the next three years, utilizing a combination of pretreatment and wastewater treatment plant modifications to achieve this performance standard. This compliance option does not require performance testing or a CMS, but does require initial notifications, monitoring, recordkeeping and reporting.

<sup>e</sup> The NESHAP specifies that existing facilities are subject to the initial report; however, all existing facilities previously submitted the required information, so none will submit an initial report.

<sup>f</sup> Totals have been rounded to three significant digits. Figures may not add exactly due to rounding.

**Table 2: Average Annual EPA Burden and Cost – NESHAP for Publicly Owned Treatment Works  
(40 CFR Part 63, Subpart VVV) (Renewal)**

	A	B	C	D	E	F	G	H
<b>Burden item</b>	<b>EPA person-hours per occurrence</b>	<b>Annual occurrences per respondent</b>	<b>EPA person-hours per respondent per year (AxB)</b>	<b>Respondents per year <sup>a</sup></b>	<b>Technical hours per year (CxD)</b>	<b>Management hours per year (Ex0.05)</b>	<b>Clerical hours per year (Ex0.10)</b>	<b>Annual cost (\$) <sup>b</sup></b>
Performance test <sup>c</sup>	N/A							
Repeat performance test <sup>c</sup>	N/A							
Report review								
Initial notification	2	1	2	0.33	0.66	0.03	0.07	\$38.66
Notification of compliance status <sup>c</sup>	2	1	2	0.33	0.66	0.03	0.07	\$38.66
Request for extension of compliance	0.5	1	1	0.33	0.17	0.01	0.02	\$10.17
Notification of special compliance requirements <sup>c</sup>	2	1	2	0.33	0.66	0.03	0.07	\$38.66
Notification of performance test <sup>c</sup>	2	1	2	0	0	0	0	\$0
Additional notification requirements for sources with CMS <sup>c</sup>	2	1	2	0	0	0	0	\$0
Notification of adjustments to time periods <sup>c</sup>	2	1	2	0.33	0.66	0.03	0.07	\$38.66

Notification of changes to information provided	2	1	2	0.33	0.66	0.03	0.07	\$38.66
30-day notification of excess emissions	2	1	2	0.33	0.66	0.03	0.07	\$38.66
Performance test report <sup>c</sup>	2	1	2	0	0	0	0	\$0
Inspection and monitoring plan <sup>c</sup>	2	1	2	0.33	0.66	0.03	0.07	\$38.66
Annual report <sup>c</sup>	1	1	1	0.33	0.33	0.02	0.03	\$19.54
Annual excess emissions report <sup>c</sup>	1	1	1	0.33	0.33	0.02	0.03	\$19.54
Initial report on compliance approach <sup>c</sup>	2	1	2	0.33	0.66	0.03	0.07	\$38.66
<b>TOTAL <sup>d</sup></b>					<b>7</b>			<b>\$359</b>

CMS - Continuous Monitoring System

N/A - Not Applicable

<sup>a</sup> EPA estimates approximately 13 existing sources and one new/reconstructed source will be subject to the standard over the three-year period of this ICR.

<sup>b</sup> This ICR uses the following labor rates: \$52.37 (technical), \$70.56 (managerial), and \$28.34 (clerical). 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 government employees.

<sup>c</sup> Existing sources have no notification and reporting activities under this NESHAP and demonstrate compliance with the rule by operating treatment and control devices that meet all requirements specified in the appropriate industrial NESHAP(s). New sources are subject to rule emission limits, control requirements, and related performance testing, plan development, and reporting activities. There is one new source expected to be subject to these requirements over the three-year period of this ICR.

<sup>d</sup> Totals have been rounded to three significant digits. Figures may not add exactly due to rounding.

**Appendix A – Draft Electronic Reporting Template  
(see Docket ID Number EPA-HQ-OAR-2022-0020)**