

**SUPPORTING STATEMENT
ENVIRONMENTAL PROTECTION AGENCY**

**NESHAP for Off-Site Waste and Recovery Operations (40 CFR Part 63, Subpart DD)
(Renewal)**

1. Identification of the Information Collection

1(a) Title of the Information Collection

NESHAP for Off-Site Waste and Recovery Operations (40 CFR Part 63, Subpart DD) (Renewal), EPA ICR Number 1717.13, OMB Control Number 2060-0313.

1(b) Short Characterization/Abstract

The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Off-Site Waste and Recovery Operations (40 CFR Part 63, Subpart DD) were proposed on October 13, 1994; and promulgated on July 1, 1996. These regulations apply to both existing facilities and new facilities with organic hazardous air pollutant (HAP) emissions that are involved in waste management and recovery operations and that are not subject to Federal air standards under other subparts in Part 63. In addition, Subpart DD cross-references control requirements to be applied to specific types of affected sources: tanks level-1; containers; surface impoundments; individual drain systems; oil-water separators; organic water separators; and loading, transfer, and storage systems. 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 DD.

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 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” are owners or operators of off-site waste and recovery operations. 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 Off-Site Waste and Recovery Operations (40 CFR Part 63, Subpart DD) (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 Off-Site Waste and Recovery Operations (40 CFR Part 63, Subpart DD) (Renewal). There are approximately 50 off-site waste and recovery facilities, which are owned and operated by the off-site waste and recovery industry. None of the 50 facilities in the United States are owned by either state, local, or tribal entities or by the Federal government. They are all owned and operated by privately-owned, for-profit businesses. We assume that they will all respond to all EPA inquiries.

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 50 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 with the following “Terms of Clearance”:

“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 DD. 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 did not identify any changes to the number of respondents in the currently approved ICR. 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-pra-cedri-and-ert>.

2. Need for and Use of the Collection

2(a) Need/Authority for the Collection

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, HAP emissions from off-site waste and recovery operations 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 DD.

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 standard. 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, leaks are being detected and repaired, and the standard is being met. The performance test may also be observed.

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

Additionally, the EPA is requiring electronic reporting for certain notifications or reports. The EPA is requiring that owners or operators of affected sources would submit electronic copies of initial notifications required in 40 CFR 63.9(b), changes in information required in 40 CFR 63.9(j), and performance test reports through the EPA's Central Data Exchange (CDX), using the Compliance and Emissions Data Reporting Interface (CEDRI). 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 DD 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 DD.

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 50 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 Solid Waste Association of North America (SWANA), at (800) 467-9262, and Safety-Kleen, Inc., at (800) 323-5040.

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

3(f) Confidentiality

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

3(g) Sensitive Questions

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

4. The Respondents and the Information Requested

4(a) Respondents/SIC Codes

The respondents to the recordkeeping and reporting requirements are facilities with off-site waste and recovery operations. The United States Standard Industrial Classification (SIC) codes for the respondents affected by these standards and the corresponding North American Industry Classification System (NAICS) codes are listed in the table below:

Standard (40 CFR Part 63, Subpart DD)	SIC Codes	NAICS Codes
Crude Petroleum and Natural Gas Extraction	1311	211120
Water Supply and Irrigation Systems	4941	221310
Highway, Street, and Bridge Construction	1611	237310
Petroleum Refineries	2911	324110
Other Basic Inorganic Chemical Manufacturing	2812	325180
Cyclic Crude, Intermediate, and Gum and	2865	325194

Wood Chemical Manufacturing		
All Other Basic Organic Chemical Manufacturing	2869	325199
Plastics Material and Resin Manufacturing	2821	325211
Cement Manufacturing	3241	327310
Alumina Refining and Primary Aluminum Production	2819	331313
Photographic and Photocopying Equipment Manufacturing	3577	333316
Aircraft Manufacturing	3728	336411
Other Chemical and Allied Products Merchant Wholesalers	5169	424690
Office Administrative Services	8741	561110
Solid Waste Collection	4212	562111
Hazardous Waste Treatment and Disposal	4953	562211
Solid Waste Combustion and Incinerators	4953	562213
Other Nonhazardous Waste Treatment and Disposal	4953	562219
Materials Recovery Facilities	4953	562920
National Security ^a	9711	928110

^a One facility is operated by the U.S. Department of Defense. Small business size standards are not established for this sector.

4(b) Information Requested

(i) Data Items

In this ICR, all the data that are recorded or reported is required by the NESHAP for Off-Site Waste and Recovery Operations (40 CFR Part 63, Subpart DD).

A source must make the following reports:

Notifications	
Notification and application of construction/reconstruction	§63.5(d)
Notification of initial startup	§63.9(b)
Notification of initial performance test	§§63.7(b), 63.9(e)
Rescheduled initial performance test	§63.7(b)(2)

Notifications	
Demonstration of continuous monitoring system	§63.9(g)
Compliance status	§63.9(h)
Physical and operational change	§63.10
Notification of performance tests	§§63.7(b), 63.697(b)(1)
Performance test results (electronic submission)	§§63.8(e)(5), 63.697(b)(2), 63.697(a)(3)
Notification of tank floating roof inspection	§63.697(c)(2)
Notification to tank refill	§63.697(c)(3)
Notification of seal gap measurements	§63.697(c)(1)
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)

Reports	
Initial performance test results	§§63.10(d)(2), 63.697(b)(2)
Opacity or visible emissions	§63.10(d)(3)
Periodic malfunction reports (included with semiannual reports)	§§63.10(d)(5)(i), 63.697(b)(3)
Source status report	§63.10(e)(3)
Excess emission reports	§§63.10(e)(3), 63.695(e)(4)
Semiannual summary report	§§63.697(b)(4)-(6)
Initial pressure relief device description	§63.697(a)(1)

A source must keep the following records:

Recordkeeping	
Startup, shutdown, malfunctions, periods where the continuous monitoring system is inoperative.	§63.10(b)(2)
All reports and notifications.	§63.10(b)

Recordkeeping	
Record of applicability.	§§63.10(b)(3), 63.696(b)
Records of sources with continuous monitoring systems.	§63.10(c)
Records of malfunctions and pollution control system maintenance.	§63.696(g)-(h)
Documentation of extension of tank emptying schedule.	§63.695(b)(4)
Records of results of seal gap measurements and description of repairs.	§63.696(d)(4)
Record of sampling plan for determining volatile organic hazardous air pollutant (VOHAP) concentration at point of treatment	§63.694(b)
Record of sampling plan for determining maximum HAP vapor pressure in tanks.	§63.694(j)(2)(i)
Record of maximum HAP vapor pressure determinations for tanks	§63.694(j)
Records of tank floating roof design, inspections, defects and repairs	§63.696(d)
Records of tank fixed roof inspections, defects and repairs	§63.696(e)
Records of tank enclosure measurements and calculations	§63.696(f)
Records of anticipated and completed planned routine maintenance	§63.696(g)
Control device malfunction records	§63.696(h)
Records of releases from pressure relief devices	§63.696(i)
Records of control device bypasses	§63.696(j)
Records should be retained for 5 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 March 18, 2015. 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 notification is an upload of their currently required notification in portable document format (PDF) file. 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.
Install, calibrate, maintain, and operate CMS for opacity, or for pressure drop and liquid supply pressure for control device.
Perform initial performance test, Reference Method 1, 1A, 2, 2A, 2C, 2D, 2F, 2G, 3A, 3B, 18, 25A, or 301 test, and repeat performance tests if necessary.
Write the notifications and reports listed above.
Enter information required to be recorded above.
Submit the required reports developing, acquiring, installing, and utilizing technology and systems for collecting, validating, and verifying information.
Develop, acquire, install, and utilize technology and systems for processing and maintaining information.
Develop, acquire, install, and utilize technology and systems for disclosing and providing information.
Train personnel to be able to respond to a collection of information.
Transmit, or otherwise disclose the information.

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

5(a) Agency Activities

The EPA conducts the following activities in connection with the acquisition, analysis,

storage, and distribution of the required information:

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 both 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 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

Per the March 15, 2018 final rule (80 FR 14270), approximately 15% of the firms that own facilities in the OSWRO source category can be classified as small firms. The impact on small entities (i.e., small businesses) was taken into consideration during the development of the regulation. Based on the sales test screening methodology, these firms will experience minimal impact, or a cost-to-sales ratio of 1 percent or less. 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 – NESHAP for Off-Site Waste and Recovery Operations (40 CFR Part 63, Subpart DD) (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 47,800 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 these 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 to maintain the monitor(s) 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)
O&M ^a	\$0	0	\$0	\$1,878	50	\$93,900
LDAR	\$41,254	0	\$0	\$11,876	50	\$593,800
PRD Monitoring Equipment ^b	\$27,000	0	\$0	\$4,000	50	\$200,000
Storage Tanks Duct Work ^c	\$76,412	0	\$0	\$20,797	1	\$20,797
Total ^d			\$0			\$908,000

^a The 2014 proposal ICR (1717.10) states "Based on a previous ICR for the Pesticide Active Ingredient source category, which estimated the annual O&M costs to be \$1,450 per source in 2011 dollars, inflating this number from 2011 dollars to 2013 dollars gives \$1,505 per source." These are the ongoing costs to maintain the monitor and other costs such as photocopying and postage. These costs have been adjusted from 2013 dollars to 2021 dollars.

^b Reflects updated costs for PRD monitoring for stationary sources from the January 29, 2018 final rule (83 FR 3986). The annualized costs per facility (assuming a 15-year equipment life and a seven percent interest rate) are estimated to be approximately \$4,000. See memorandum from Carey, A., EPA, "Pressure Relief Device Control Options and Impacts for Off-Site Waste and Recovery Operations (OSWRO) June 26, 2017", Docket Id. No. EPA-HQ-OAR-2012-0360-0133.

^c Costs shown are the total costs for the estimated 21 additional tanks captured under the new 2015 threshold from the March 2015 final rule.

^d 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 \$908,000. This is the

total of column G.

The average annual cost for capital/startup and operation and maintenance costs to industry over the next three years of the ICR is estimated to be \$908,000. These are the recordkeeping costs.

6(c) Estimating Agency Burden and Cost

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

The average annual Agency cost during the three years of the ICR is estimated to be \$23,500.

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 Off-Site Waste and Recovery Operations (40 CFR Part 63, Subpart DD) (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 50 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 50 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	(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	50	0	0	50
2	0	50	0	0	50
3	0	50	0	0	50
Average	0	50	0	0	50

^a 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 50.

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
Initial notification (PRD)	0	1	0	0
Performance Test Notification	0	1	0	0
Compliance Status Notification	0	1	0	0
Performance Test Report	0	1	0	0
Semiannual Report	50	2	0	100
			Total	100

The number of Total Annual Responses is 100.

The total annual labor costs are \$5,740,000. Details regarding these estimates may be found at the end of this document in Table 1: Annual Respondent Burden and Cost – NESHAP for Off-Site Waste and Recovery Operations (40 CFR Part 63, Subpart DD) (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 47,800 hours. Details regarding these estimates may be found in Table 1: Annual Respondent Burden and Cost – NESHAP for Off-Site Waste and Recovery Operations (40 CFR Part 63, Subpart DD) (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 478 hours per response.

The total annual capital/startup and O&M costs to the regulated entity are \$908,000. The cost calculations are detailed in Section 6(b)(iii), Capital/Startup vs. Operation and Maintenance (O&M) Costs.

(ii) The Agency Tally

The average annual Agency burden and cost over next three years is estimated to be 460 labor hours at a cost of \$23,500; see below in Table 2: Average Annual EPA Burden and Cost – NESHAP for Off-Site Waste and Recovery Operations (40 CFR Part 63, Subpart DD) (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 no change in burden from the most-recently approved ICR as currently identified in the OMB Inventory of Approved Burdens. This is due to two considerations: 1) the regulations have not changed over the past three years and are not anticipated to change over the next three years; and 2) the growth rate for this industry is very low or non-existent, so there is no significant change in the overall burden. The burden for one-time activities found in the previous ICR renewal were removed, however the overall burden did not change. The capital vs.

O&M costs have increased. Previous O&M costs were based on 2013 dollars and have been inflated to 2021 dollars (most-recent annual CEPCI value). The burden for photocopying and postage was removed, since these costs are already included in the “O&M” line item, thus this cost is duplicative. There is 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 478 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-2022-0081. 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-2022-0081 and OMB Control Number 2060-0313 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 Off-Site Waste and Recovery Operations (40 CFR Part 63, Subpart DD) (Renewal)

Burden Items	(A) Person Hours per Occurrence	(B) No of occurrences per respondent per year	(C) Person hours per respondent per year (C=AxB)	(D) Respondents per year ^a	(E) Technical person hours per year (Cx D)	(F) Managerial person hours per year (Ex0.05)	(G) Clerical person hours per year (Ex0.1)	(H) Total costs per year \$ ^b
1. Applications	N/A							
2. Survey and Studies	N/A							
3. Reporting Requirements								
A. Familiarize with rule requirement ^c	4	1	4	50	200	10	20	\$27,615
B. Required Activities	See 4C							
C. Create Information	See 4C							
D. Gather Existing Information	See 4C							
E. Write Reports								
Initial Notification Report ^d	1	1	1	0	0	0	0	\$0
Performance Test Notification Report ^d	1	1	1	0	0	0	0	\$0
Compliance Status Notification ^d	2	1	2	0	0	0	0	\$0
Performance Test Reports ^d	8	1	8	0	0	0	0	\$0
Semiannual Summary Report ^e	8	2	16	50	800	40	80	\$110,458
Subtotal for Reporting Requirements					1,150			\$138,073
4. Recordkeeping Requirements								
A. Familiarize with rule requirements	See 3A							
B. Planned Activities	N/A							
C. Implementation of Activities								
a. VOHAP concentration determination								
Commercial Facilities ^f	2	260	520	25	13,000	650	1,300	\$1,794,943
Other Facilities ^g	2	12	24	25	600	30	60	\$82,844

b. Vapor Pressure Determination								
Commercial Facilities ^f	1	260	260	25	6,500	325	650	\$897,471
Other Facilities ^g	1	12	12	25	300	15	30	\$41,422
c. Control Equipment Visual Inspection								
Large Cover	0.25	10	2.5	50	125	6.25	12.5	\$17,259
Small Cover	0.05	1000	50	50	2500	125	250	\$345,181
Closed Vent System	0.5	5	2.5	50	125	6.25	12.5	\$17,259
d. Control Equipment Leak Monitoring								
Cover Vented to Control Device	1	5	5	50	250	12.5	25	\$34,518
Closed Vent System	1	5	5	50	250	12.5	25	\$34,518
e. Control Devices								
Continuous Monitoring System	8	5	40	50	2,000	100	200	\$276,145
f. LDAR Program								
Perform Monitoring/Repair	80	1	80	50	4,000	200	400	\$552,290
g. PRD monitoring								
Perform Monitoring/Repair	16	1	16	50	800	40	80	\$110,458
D. Develop Record System	N/A							
E. Time to Enter Information								
Control Equipment Inspections	1	1	1	50	50	2.5	5	\$6,904
Control Equipment Monitoring	1	1	1	50	50	2.5	5	\$6,904
Control Device CMS	1	52	52	50	2,600	130	260	\$358,989
LDAR Program	4	16	64	50	3,200	160	320	\$441,832
PRD Program	2	16	32	50	1,600	80	160	\$220,916
Off-site Material Determinations	1	52	52	50	2,600	130	260	\$358,989
F. Time to Train Personnel	N/A							
G. Time for Audits	N/A							
Subtotal for Recordkeeping Requirements						46,633		\$5,598,840
TOTAL ANNUAL BURDEN AND COSTS (rounded): ^h						47,800		\$5,740,000
TOTAL CAPITAL AND O&M COST: ^h								\$908,000

GRAND TOTAL: ^h									\$6,650,000
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Assumptions:

^a We have assumed that there are approximately 50 respondents, with no additional new or reconstructed sources becoming subject to the rule over the next three years.

^b This ICR uses the following labor rates: Managerial \$157.61 (\$75.05 + 110%); Technical \$123.94 (\$59.02 + 110%); and 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.

^c It is assumed that it will take 4 hours to read instructions.

^d It is assumed that there will be no new sources.

^e The burden of one annual summary report was included in the burden estimate for the semiannual report.

^f It is assumed that 50 percent of the facilities, the owner or operator manages, for a fee, off-site materials received from other generators.

^g It is assumed that 50 percent of the owners or operators accept the off-site material at another location and ship it to the facility for storage, treatment, or disposal.

^h 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 Off-Site Waste and Recovery Operations (40 CFR Part 63, Subpart DD) (Renewal)

Activity	(A) EPA Hours/ Occurrence	(B) Occurrences/ Plant/ Year	(C) EPA Hours/ Year (AxB)	(D) Plants/ Year ^a	(E) Technical Hours/ Year (Cx D)	(F) Managerial Hours/ Year (Ex0.05)	(G) Clerical Hours/ Year (Ex0.1)	(H) Costs, \$ ^b
Report Review								
New Plants ^{c, d}								
Initial notification (PRD)	2	1	2	0	0	0	0	\$0
Performance test notification	1	1	1	0	0	0	0	\$0
Compliance status notification	4	1	4	0	0	0	0	\$0
Performance test report ^e	16	1	16	0	0	0	0	\$0
Existing Plants								
Startup/shutdown report	N/A							
Semiannual summary report ^f	4	2	8	50	400	20	40	\$23,493
TOTAL ANNUAL BURDEN AND COST (rounded) ^g					460			\$23,500

Assumptions:

^a We have assumed that there are approximately 50 respondents, with no additional new or reconstructed sources becoming subject to the rule over the next three years.

^b 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%); and 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 government employees.

^c There will be no travel expenses associated with this ICR since we have assumed that no new sources will become subject to this rule over the three year period of this ICR.

^d It is assumed that there will be no new sources over the three year period of this ICR.

^e It is assumed that it will take 16 hours to review each performance test report.

^f It is assumed that each facility will take 4 hours twice a year to submit report.

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