

U.S. Environmental Protection Agency  
Information Collection Request

**Title:** Information Requirements for Boilers and Industrial Furnaces (Renewal)

**OMB Control Number:** 2050-0073

**EPA ICR Number:** 1361.19

**Abstract:** EPA promulgated regulations at 40 CFR Parts 260, 261, 264, 265, 266, and 270 covering boilers and industrial furnaces (BIFs) that burn hazardous waste. Specifically, 40 CFR Part 266, Subpart H establishes standards for the burning of hazardous waste in BIFs. Owners and operators of BIF facilities must comply with these regulations in addition to those regulations applicable to all hazardous waste facilities.

**Supporting Statement A**

**1. NEED AND AUTHORITY FOR THE COLLECTION**

*Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.*

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Regulations covering BIFs and general hazardous waste facilities are promulgated under authority of Sections 1006, 2002, 3001 through 3007, 3010, and 7004 of RCRA, as amended. And codified in 40 CFR Parts 261, 264, 266, and 270 as described in the table below.

<b>CFR citation (40 CFR Part)</b>	<b>Brief Description of Requirements</b>
261.38	Allows owners and operators to claim the comparable fuel exclusion by submitting a one-time notice.
264.12-17	Requires the owner or operator of a treatment facility to obtain a detailed chemical and physical analysis of a representative sample of the waste that will be received and develop and follow a written waste analysis plan that describes the procedures to be used in obtaining a detailed chemical and physical analysis of the waste. Also requires the owner or operator of a facility to record inspections in an inspection log or summary and maintain copies of personnel training documents and records at the facility.
264.51-56	Requires owners and operators of hazardous waste facilities to prepare and maintain contingency plans, and to notify State and local authorities and prepare emergency reports whenever an imminent or actual emergency situation occurs.
264.73-74	Requires owners or operators of TSDFs to maintain a written operating record at the facility.
264.113	Allows owners and operators to prepare demonstrations in support of certain extensions and allowances during the closure period.
264.142-150	Requires owners and operators of TSDFs to maintain a detailed

	written estimate of the cost of facility closure care until closure of the facility.
266.100-112	Allows owners and operators of certain BIF units to apply for an exemption from BIF regulations.
270.22	Establishes Part B application information requirements for BIFs burning hazardous waste.
270.66	Establishes permit requirements for BIFs. Owners and operators of BIF facilities must comply with these regulations in addition to those regulations applicable to all hazardous waste facilities.
270.14	Allows owners and operators to petition EPA for relief from submission of information prescribed in Part B on a case-by-case basis by demonstrating that such information cannot be provided to the extent required.

## 2. PRACTICAL UTILITY/USERS OF THE DATA

*Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.*

### **Waste Analysis, Waste Analysis Plan, Inspection Schedule, and Documentation of Compliance**

The waste analysis and waste analysis plan, as well as the inspection schedule and documentation of compliance for ignitable or incompatible wastes, are primarily designed to ensure that a facility is complying with the BIF regulations and can adequately handle incoming waste as demonstrated during the trial burn or compliance testing. Information associated with these requirements is also used to ensure that the incoming waste is really what the generator claims it to be, and to prevent unauthorized releases of pollutants during burning of hazardous waste on-site. Much of the information in the waste analysis plan will also be used to provide a quality assurance check on both the generator and the owners' and operators' facilities.

### **Personnel Training**

Both EPA and owners and operators use information in the personnel training records to ensure that personnel acquire the necessary expertise to perform their jobs. During inspections, EPA reviews job descriptions and training documents to determine whether each person is receiving a level of training that is commensurate with the person's duties and responsibilities as well as the ability to respond to any emergency situations at the facility.

### **Recordkeeping Requirements**

The facility owner or operator uses information included in the operating record and waste disposal location and quantity records to prevent the facility from receiving or placing in proximity wastes that are incompatible or that are likely to ignite or explode. If an unanticipated release of hazardous waste occurs, the owner or operator may review information in the operating record to determine the composition of the waste. Reviewing information in the operating record facilitates the owner's or operator's selection of an appropriate corrective action and cleanup measure. By providing

facility-specific data, the operating record also enables EPA compliance officials to determine whether operating requirements can be better tailored to the needs of a particular site.

### **Contingency Plan and Emergency Procedures**

Local emergency response teams, certain hazardous waste generators, treatment, storage, and disposal facility owners or operators, and EPA use information included in the contingency plan to assure an appropriate response to any unplanned release of hazardous waste or hazardous waste constituents. EPA reviews information in the contingency plan and emergency report to determine whether additional site-specific emergency provisions are necessary.

### **Closure Requirements**

EPA uses information contained in closure plans to determine whether an owner or operator's planned closure activities will comply with environmental regulations. EPA officials use information contained in closure certifications to ensure that the owner or operator closed his/her facility according to the specifications outlined in the approved closure plan. EPA uses information contained in demonstrations to ensure that any activities taking place during the closure period are protective of human health and the environment.

### **Financial Requirements**

The closure care and liability coverage financial instruments submitted by the owner or operator are reviewed by EPA to determine compliance with the applicable Subpart H regulations. This review involves determinations of the validity of the instrument, acceptability of the financial assurance provider, adequacy of the instrument amount, and fulfillment of the other regulatory requirements. The information is also used to direct funds for closure care and liability coverage in the event of default or bankruptcy of a facility owner or operator.

### **Conditions Applicable to All Permits**

EPA uses data collected from permitted facilities to evaluate compliance with the terms of the permit and to decide whether cause exists for modifying, revoking and reissuing, or terminating the permit. By collecting this information, EPA ensures that permitted facilities are operating in a manner protective of human health and the environment.

### **Exemptions from the BIF Regulations**

EPA uses information collected under 40 CFR Parts 266.100 and 266.108 to determine whether a facility complies with the conditions that allow an exemption from BIF regulations.

### **Permit Standards**

EPA uses monitoring and inspection information to ensure that a facility is complying with all the terms of its permit and all applicable standards and conditions, including standards covering the control of organic emissions (40 CFR Part 266.104), particulate matter (40 CFR Part 266.105), metals emissions (40 CFR Part 266.106), HCl and Cl<sub>2</sub> gas emissions (40 CFR Part 266.107).

### **Standards to Control Organic Emissions**

EPA uses information submitted in support of an alternative POHC designation to evaluate whether the proposed POHC can serve as an effective indicator of combustion efficiency.

### **Standards to Control Metals Emissions**

EPA uses information submitted in support of an alternative implementation approach to evaluate whether the proposed approach can be used effectively and safely.

### **Direct Transfer Requirements**

EPA uses information concerning the direct transfer of waste to evaluate the equipment used and to ensure that waste is being transferred in a manner that minimizes the likelihood of a release.

### **Regulation of Residues**

EPA uses information submitted in support of an exclusion of residue from being classified as a hazardous waste to evaluate whether such an exclusion is warranted. EPA uses information submitted in support of the use of an alternative statistical approach and an approach for the handling of non-detect data points to ensure that the approaches used are supported by valid data and assumptions.

### **General Part B Information Requirements for BIFs**

EPA uses the information requirements in 40 CFR Parts 264 and 270 for owners and operators submitting Part B applications to evaluate compliance with various elements of the regulations. For example, the general facility standards informational requirements provide EPA with information demonstrating compliance with standards regarding the facility's contingency plan, the inspection schedule, and security procedures. EPA uses the financial assurance information requirements to evaluate the facility owner's financial ability to close the facility, to maintain the facility after closure, and to respond to any contingencies. Owners and operators use schedules of compliance to develop a list of activities needed to come into compliance with the applicable regulations. EPA uses performance test plans and documentation of compliance to ensure that design and operating procedures are in accordance with air emissions standards.

### **Specific Part B Information Requirements for BIFs**

#### **Fugitive Emissions**

EPA uses information submitted in support of an alternative means of fugitive emissions control to ensure that the proposed method will perform effectively.

#### **Pre-Trial Burn, Trial Burn, and Post-Trial Burn Periods**

EPA uses information relating to the various permit operating periods to evaluate whether the BIF unit can meet the standards set forth in 40 CFR Part 266, Subpart H. EPA uses information submitted in the trial burn plan to evaluate whether a facility's plans are adequate. EPA uses trial burn results to determine whether a facility can meet applicable standards and to set permit conditions. These requirements contribute to EPA's goal of ensuring that facilities can meet the standards set forth in 40 CFR Part 266, Subpart H.

#### **Waivers of the Trial Burn**

EPA uses information submitted in support of a waiver of a trial burn to evaluate whether the proposed waiver should be granted, based on human health and environmental considerations.

#### **Alternative HC Limit for Industrial Furnaces with Organic Matter in Raw Materials**

EPA uses information submitted in support of an alternative HC limit to evaluate whether the limit will be protective of human health and the environment.

#### **Alternative Metals Implementation Approach**

EPA uses information submitted in support of an alternative implementation approach, as described at 40 CFR Parts 266.103(b), 266.106(f), and appendix IX, section 10, to evaluate whether the proposed approach will work effectively and safely.

#### **Automatic Hazardous Waste Feed Cutoff System**

EPA uses information on the automatic hazardous waste feed cutoff system to evaluate whether the system has been installed and is being operated correctly.

#### **Direct Transfer Requirements**

EPA uses information collected on direct transfer equipment to evaluate and ensure that the integrity of the equipment and its maintenance and operation minimizes the likelihood of a release.

#### **Regulation of Residues**

EPA uses information submitted in support of an exclusion of residue from classification as a hazardous waste to evaluate whether the residue meets the required conditions for exclusion. EPA needs to collect this information to ensure that residue generated during the combustion of hazardous waste in BIFs is managed in a manner protective of human health and the environment.

### **Permit Modifications for BIFs**

#### **Permit Modifications**

EPA uses permit information to evaluate the initial permit applications and any subsequent requests for modifications. The public may also use draft EPA permit and permit modification determinations which incorporate data submitted by facilities to assess hazardous waste management facilities being developed in their communities.

#### **Expiration and Continuation of Permits**

EPA uses permit renewal applications to ensure that the terms of the facility permit remain protective of human health and the environment.

### **3. USE OF TECHNOLOGY**

*Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for*

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*adopting this means of collection. Also describe any consideration of using information technology to reduce burden.*

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The information collected, as described above, can be kept in an electronic format and reports can be submitted to the State and/or Region electronically.

#### **4. EFFORTS TO IDENTIFY DUPLICATION**

*Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.*

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The information collections covered in this ICR are not available from sources other than the respondents. EPA's Office of Solid Waste is the only office within the Agency collecting this information, and no other Federal agency or department collects this information. In addition, the Office of Resource Conservation and Recovery has systematically reorganized its ICR structure to eliminate gaps or duplication.

#### **5. MINIMIZING BURDEN ON SMALL BUSINESSES AND SMALL ENTITIES**

*If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.*

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In response to concerns regarding the burden placed on facilities that burn small quantities of hazardous waste, EPA has provided for an exemption under Section 3004(q)(2)(B) of RCRA. The Agency has carefully evaluated the risks posed by small quantity burning and concluded that a conditional exemption for small quantity burners should be allowed where hazardous waste combustion poses an insignificant risk. This small quantity burner exemption would therefore reduce the burden placed on small entities.

In addition, EPA expects that in certain cases, respondents of small organizations will be able to complete recordkeeping, reporting, and application requirements in less time than large organizations because the permits will not be as detailed, or they will not be required to conduct as many monitoring activities or submit as many reports, because they have fewer activities requiring monitoring and reporting. However, a parallel does not always exist between the size of an organization and the amount of time needed to maintain records or submit reports. EPA has taken steps to minimize the burdens for all facilities, regardless of the size of the business.

#### **6. CONSEQUENCES OF LESS FREQUENT COLLECTION**

*Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.*

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EPA has carefully considered the burden imposed upon the regulated community by the specific unit and special waste processes and types of regulations. Consequently, EPA is confident that those activities required of respondents are necessary, and to the extent possible, minimize the burden imposed. EPA believes strongly that if the minimum requirements specified under the regulations are not met, EPA will be unable to fulfill its Congressional mandate to protect public health and the environment.

## **7. GENERAL GUIDELINES**

*Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.*

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The information collection is consistent with the guidelines set forth in 5 CFR 1320(d)(2) of the Paperwork Reduction Act.

## **8. PUBLIC COMMENT AND CONSULTATIONS**

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### **8a. Public Comment**

*If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the Agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the Agency in response to these comments. Specifically address comments received on cost and hour burden.*

In compliance with the Paperwork Reduction Act of 1995, EPA issued a public notice in the *Federal Register* on May 13, 2024 (89 FR 41432). The notice indicated that EPA was planning to submit an ICR, "Information Requirements for Boilers and Industrial Furnaces (Renewal)" (EPA ICR No. 1361.19, OMB Control No. 2050-0073), to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act. The notice also requested comments on the information collection and burden estimates covered in the ICR. The public comment period extended through July 12, 2024. EPA received no comments on this ICR in response to the *Federal Register* notice.

### **8b. Consultations**

*Describe efforts to consult with persons outside the Agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported. Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years - even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.*

In compliance with the PRA of 1995, EPA consulted with the following companies: Union Carbide, Dow Chemical, Rohm and Haas, and Angus Chemical. As a result of these consultations, the burden estimates were deemed to be acceptable. There have been no changes to the program that would cause these estimates to change.

## **9. PAYMENTS OR GIFTS TO RESPONDENTS**

*Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.*

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There are no payments or gifts associated with this collection of information.

## **10. ASSURANCE OF CONFIDENTIALITY**

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*Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or Agency policy. If the collection requires a systems of records notice (SORN) or privacy impact assessment (PIA), those should be cited and described here.*

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EPA does not intend to collect any information related to trade secrets of the stakeholders. Section 3007(b) of RCRA and 40 CFR Part 2, Subpart B define EPA's general policy on the public disclosure of information and contain provisions for confidentiality of business information. EPA protects from public disclosure all Confidential Business Information (CBI) obtained under RCRA and has provided businesses with procedures to claim confidentiality for such CBI. EPA makes extra efforts to protect the confidentiality of this CBI.

#### **11. JUSTIFICATION FOR SENSITIVE QUESTIONS**

*Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the Agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.*

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The information collection activities covered by this ICR will not include questions about sensitive issues (e.g., religious beliefs, sexual attitudes and behavior).

#### **12. RESPONDENT BURDEN HOURS & LABOR COSTS**

*Provide estimates of the hour burden of the collection of information. The statement should:*

- *Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Generally, estimates should not include burden hours for customary and usual business practices.*
  - *If this request for approval covers more than one form, provide separate hour burden estimates for each form and the aggregate the hour burdens.*
  - *Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included as O&M costs under non-labor costs covered under question 13.*
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##### **12a. Respondents/NAICS Codes**

Based on data compiled from the EPA Regions, EPA estimated that, over the three-year period covered by ICR 1361.19, there will be, on average, 36 BIF facilities in operation or in the process of closing.

The following is a list of NAICS Codes associated with this ICR:



Industry Sector	NAICS Code(s)
Mining: Nonmetallic Minerals, Except Fuels: Miscellaneous Nonmetallic Minerals, not elsewhere classified	212399
Commercial Printing, Lithographic	323110
All Other Miscellaneous Chemical Product and Preparation Manufacturing	325998
Plastics Material and Resin Manufacturing	325211
Paints and Allied Products	
All Other Basic Organic Chemical Manufacturing	325199
Petroleum Refineries	32411
Manufacturing: Stone, Clay and Glass Products: Cement, Hydraulic	32731
Manufacturing: Stone, Clay and Glass Products: Concrete Block and Brick	327331
Manufacturing: Stone, Clay and Glass Products: Ready-Mixed Concrete	32732
Manufacturing: Stone, Clay and Glass Products: Minerals, Ground or Treated	21232, 21239
Manufacturing: Stone, Clay and Glass Products: Non-metallic Mineral Products, not elsewhere classified	327999
Plating and Polishing	332813
Industrial Machinery	333999
Electronic Components	334419
Motor Vehicle Parts and Accessories	3363
Local Trucking Without Storage	48411, 56211
Electric Systems	2211
Sewerage Systems	22132
Waste Treatment and Disposal	5622
Petroleum Bulk Stations and Terminals	42271
New and Used Car Dealers	4411
Gasoline Service Stations	4471
General Automotive Repair Shops	811111

## 12b. Information Requested

- Section 264.12(a) requires owners or operators that have arranged to receive hazardous wastes from foreign sources to notify the Regional Administrator in writing at least four weeks prior to the expected date of arrival of the shipments at the facility.
- Section 264.12(b) requires the owner or operator of a facility that receives off-site waste to inform the generator in writing that he or she has the appropriate permits, and will accept, the waste the generator is shipping. This notice must be sent to the generator before receiving the first shipment of waste. The owner or operator must retain a copy of the notice at the facility.
- Section 264.12(c) requires owners or operators transferring ownership of a facility during its operating life to notify the new owner or operator in writing of the requirements of 40 CFR Part 264 and Part 270. This notice must be submitted before the transfer in ownership.
- Waste analysis is required for all facilities with permitted BIFs. Regulations covering waste analysis have been promulgated as general hazardous waste facility requirements at section 264.13 and as specific unit requirements for BIFs at §266.102(b) and (e), §266.103(b) and (c), and appendix IX of Part 266. Section 264.13(a)(1) requires an owner or operator to obtain a detailed chemical and physical analysis of any hazardous waste he or she intends to treat, store, or dispose. Section

264.13(a)(2) states that the analysis may include data, either existing or published, developed under 40 CFR Part 261, as well as existing data on the hazardous waste or hazardous waste generated from similar processes. For facilities with permitted BIF units, this analysis must include a quantification of the concentration of any hazardous constituents identified in appendix VIII of 40 CFR Part 261 that are reasonably expected to be in the waste, as required by section 266.102(b). Appendix VIII constituents excluded from this analysis must be identified and the basis for their exclusion explained.

- Section 264.13(b)-(c) states that an owner or operator of a hazardous waste facility must develop and follow a written waste analysis plan that describes the procedures to be used in obtaining a detailed chemical and physical analysis of the waste. The owner or operator is required to keep the waste analysis plan at the facility.
- Section 264.15(b)(1) requires owners and operators to develop and follow a written schedule for monitoring equipment, safety and emergency equipment, security devices, and operating and structural equipment that is important in preventing, detecting, or responding to environmental or human health hazards. At a minimum, the inspection schedule must identify the types of problems that are to be investigated during the inspection.
- Section 264.15(d) states that an owner or operator must record inspections conducted according to the written schedule developed pursuant to §264.15(b)(1) in an inspection log or summary that is to be maintained at the facility for at least three years from the date of inspection.
- Section 264.16(d) requires an owner or operator to maintain copies of personnel training documents and records at the facility.
- Section 264.17(c) states that the owner or operator of a hazardous waste facility must take precautions to prevent accidental ignition or reaction of ignitable or reactive waste. The owner or operator of a permitted facility must document compliance with the requirements outlined in §264.17(a) and (b). The documentation may be based on references to published scientific or engineering literature, data from trial tests (e.g., bench scale or pilot scale tests), waste analyses (as specified in §264.13), or the results of the treatment of similar wastes by similar treatment processes and under similar operating conditions.
- Section 264.51 requires owners or operators to have a contingency plan for their facilities and section 264.53(a) requires the owner or operator to maintain a copy of an updated contingency plan at the facility.
- Section 264.56(a)(2) requires owners and operators to immediately notify State and local authorities with designated response roles of an imminent or actual emergency situation. Section 264.56(d)(1) requires owners and operators to notify local authorities if his or her assessment of a release, fire, or explosion indicates that evacuation of local areas may be advisable.

- Section 264.56(d)(2) requires the facility emergency coordinator to notify the on-scene coordinator or the National Response Center of any release, fire, or explosion that could threaten human health or the environment outside the facility.
- Section 264.56(i) states that the owner or operator must notify the Regional Administrator and appropriate State and local authorities that their facility is in compliance with §264.56(h) before resuming operations in the affected area(s) of the facility.
- Section 264.112(a) states that an owner or operator must have a written closure plan.
- Section 266.100(d) provides owners and operators of metal recovery furnaces (smelting, melting and refining furnaces, but not cement kilns, aggregate kilns, or HAFs) that process hazardous waste solely for metal recovery, with the opportunity to be conditionally exempt from the requirements of sections 266.102 through 266.111.
- Section 266.100(g) allows owners and operators of smelting, melting, and refining furnaces (including pyrometallurgical devices) that process hazardous waste for recovery of economically significant amounts of the precious metals: gold, silver, platinum, palladium, or ruthenium to be conditionally exempt from the requirements of §§266.101 through 266.111.
- As required by section 266.100(h), lead recovery furnaces processing hazardous waste for the recovery of lead are subject to regulation under the Secondary Lead Smelting NESHAP. Such facilities are conditionally exempt from regulation under section 266, except for section 266.101. Facilities desiring this exemption must provide a one-time notice to EPA identifying each hazardous waste burned and specify that the lead recovery furnace claims the exemption. The notice must also demonstrate that the waste burned has a total concentration of organic compounds listed in 40 CFR Part 261, Appendix VIII of less than 500 ppm by weight, as fired and as provided in 40 CFR 266.100(d)(2)(i), or is listed in 40 CFR Part 266, Appendix XI.
- Under section 266.103(d) owners or operators of boilers or industrial furnaces must submit to the Director a recertification of compliance under the provisions of section 266.103(c) within three years from submitting the previous certification or recertification. If the owner or operator seeks to recertify compliance under new operating conditions, he or she must comply with the requirements of section 266.103(c)(8).
- During the compliance test and upon submittal of a certification of compliance, a BIF must be operated with a functioning system that automatically cuts off the hazardous waste feed when operating conditions deviate from those established in the certification of compliance, as specified in §266.103(g). Section 266.103(g)(2) requires owners and operators to keep a record of the operating parameters during the cutoff.

- Section 266.103(h) allows owners or operators to prepare a demonstration to obtain an exemption from the requirement that fugitive emissions be controlled by either keeping the combustion zone totally sealed against fugitive emissions or maintaining the combustion zone pressure lower than atmospheric pressure.
- Section 266.104 requires a boiler or industrial furnace burning hazardous waste to achieve a destruction and removal efficiency (DRE) of 99.99 percent for all organic hazardous constituents in the waste feed. Principal organic hazardous constituents (POHCs) are those compounds for which compliance with the DRE requirements of section 266.104 shall be demonstrated in a trial burn in conformance with the procedures prescribed in section 270.66. POHCs are most likely to be selected from among those compounds listed in 40 CFR Part 261, appendix VIII, that are also present in the normal waste feed. However, section 266.104(a)(2) allows owners or operators to submit a demonstration for an alternative POHC.
- Under section 270.14(b) (1)-(14), owners and operators of hazardous waste management facilities must submit in their Part B permit applications information on compliance with general facility standards.
- Section 266.102(e)(7) stipulates that owners and operators must control fugitive emissions by keeping the combustion zone totally sealed against fugitive emissions and maintaining the combustion zone pressure lower than atmospheric pressure. Owners and operators may apply for an alternative means of control by submitting a demonstration with the Part B application that an alternate means of control can provide equivalent emission control.
- Section 270.22(a)(2)(i) requires owners or operators of a boiler to submit documentation that the boiler operates under the special operating requirements as specified in section 266.110 when seeking a waiver for the DRE trial burn.
- Section 270.66(a)(6) provides owners or operators with the opportunity to seek an exemption from the trial burn requirements to demonstrate conformance with sections 266.104 through 266.107, and 270.66. To seek the exemption, owners or operators can provide the information required by section 270.66 from previous compliance testing of the device in conformance with section 266.103, or from compliance testing or trial or operational burns of similar boilers or industrial furnaces burning similar hazardous waste under similar conditions. If data from a similar device is used to support the trial burn waiver, the design and operating information required by section 270.66 must be provided for both the similar device and the device to which the data is to be applied, and a comparison of the design and operating information must be provided.
- Section 270.22(d) requires owners and operators to submit information describing the automatic hazardous waste feed cutoff system, including any pre-alarm systems that may be used.

- Under section 270.22(e) owners and operators that use direct transfer operations to feed hazardous waste from transport vehicles directly to the boiler or industrial furnace must submit information supporting conformance with the standards for direct transfer provided by section 266.111.

## **12c. Respondent Activities**

### **General Facility Operating Requirements**

The reporting requirements outlined in the regulations will vary according to individual facility circumstances (e.g., when receiving hazardous waste from a foreign source).

### **Recordkeeping Requirements**

Since the operating record is maintained at the facility, discussion of a collection schedule is not applicable. Copies of records of waste disposal are submitted to EPA upon closure of the facility.

### **Contingency Plan and Emergency Procedures**

The contingency plan is collected when the permittee submits the Part B permit application. A discussion of the contingency plan collection schedule for permitted facilities is included in the permit application and permit modification portion of this ICR.

The owner or operator must submit a written report of any incident that requires implementation of the contingency plan within 15 days after the incident occurs. The emergency coordinator must immediately notify the appropriate authorities of an imminent or actual emergency situation.

### **Closure Requirements**

Permitted facilities submit their closure plans to EPA when submitting a Part B permit application. A discussion addressing collection schedules for permitted facilities is included in the permit application and permit modification portion of this ICR.

### **Financial Requirements**

For closure cost estimates, owners or operators must prepare initial cost estimates for activities identified in the closure plans. Thereafter, owners or operators must provide annual adjustments of these cost estimates to account for inflation. Also, owners or operators may be required to prepare new cost estimates if changes in the closure plan increase closure costs. This burden will vary from facility to facility.

For closure care financial instruments, owners or operators must initially establish a financial instrument(s) assuring the cost of closure care. Thereafter, owners or operators must annually check the amount covered by the instrument(s) to make sure it equals the adjusted cost estimate, and change the amount assured accordingly.

For liability coverage requirements, owners or operators of facilities identified in section 264.147 must initially demonstrate liability coverage for sudden and non-sudden accidents during the facilities' active life. Some of the financial instruments for liability coverage require additional reporting

on an annual basis; for example, owners or operators must annually submit documentation to EPA supporting the use of the financial test or guarantee. Furthermore, owners or operators may also have to provide information due to varying circumstances; for example, whenever a claim for bodily injury or property damages caused by a hazardous waste treatment, storage, or disposal facility is made.

### **Conditions Applicable to All Permits**

EPA collects information from permitted facilities at intervals specified in the permit. EPA may also collect other information if the Agency determines that it needs information to determine whether a permit should be terminated, revoked and reissued, or modified. EPA may collect additional information from permitted facilities if noncompliance with permit conditions occurs.

### ***SPECIFIC UNIT REQUIREMENTS FOR BIFS***

#### **Exemptions from the BIF Regulations**

Section 266.100 exempts from BIF regulations certain furnaces engaged in metal or lead recovery, smelting, melting, and refining, and BIFs that burn small quantities of hazardous waste on site. As the submittal of such a demonstration is optional, there is no specified time frame for submitting these demonstrations.

#### **Permit Standards**

##### **Monitoring and Inspections**

Appendix IX, section 2 specifies testing and reporting procedures that must be followed to ensure that continuous emissions monitoring systems are installed and operated properly. The results of these tests must be reported to EPA prior to burning, and at times specified in the regulations and the facility's permit. There is no specified schedule for demonstrations submitted under Appendix IX, section 2.

Appendix IX, section 3 specifies monitoring and recording procedures that must be followed during burning of hazardous waste. With the exception of audit samples, which must be submitted with the results of compliance samples in relevant reports, this information is not submitted to EPA, but may be reviewed by the Agency during facility inspections. There is no specified schedule for demonstrations submitted under Appendix IX, section 3. There is no specified schedule for submittal of demonstrations performed under section 266.103(e)(8).

##### **Recordkeeping**

Section 266.102(e)(10) requires owners and operators of BIFs to maintain all information and data collected under this section until closure of the facility. While this data is not submitted to EPA, the Agency may review records during facility inspections.

#### **Standards to Control Organic Emissions**

Section 266.104(a)(2) requires owners and operators that wish to use as a POHC a compound that is not listed in Appendix VIII to submit a demonstration and receive approval before using such a compound. There is no specified submission schedule.

#### **Standards to Control Metal Emissions**

Section 266.106(f) requires owners and operators that wish to use an alternative implementation approach for metals to submit a demonstration. There is no specified submission schedule.

### **Regulation of Residues**

Section 266.112 allows owners and operators to obtain a hazardous waste exemption for residue derived from burning or processing hazardous waste by submitting a demonstration and receiving approval. There is no specified submission schedule.

## **PART B PERMIT APPLICATION AND PERMIT MODIFICATION REQUIREMENTS FOR BIFs**

### **General Part B Information Requirements for BIFs**

Owners and operators of existing facilities may be required to submit a Part B application for their BIF unit(s) at any time during the period covered by this ICR. Owners and operators also may voluntarily submit their Part B application at any time. Owners and operators of new BIF units must submit their Part B application at least 180 days before physical construction is expected to commence.

This ICR assumes that all information required under section 270.10 (Contents of the Permit Application), section 270.14(a) (General Requirements), section 270.14(b)(1)-(14) (General Facility Standards), section 270.14(b)(15)-(16) (Financial Assurance), section 270.14(b)(19) (Topographical Map), and section 270.33 (Schedules of Compliance) is submitted with the Part B application, with the exception of the following financial assurance requirements:

- Cost estimates for closure (§270.14(b)(15) and §264.142). Cost estimates and documentation of financial instruments for closure care must be submitted to EPA at least 60 days prior to the initial receipt of hazardous waste for treatment, storage, or disposal. Insurance documentation must be submitted within the same time frame. Respondents must also submit any requested information and permit modifications to EPA within a reasonable time, if EPA decides that an adjustment is necessary.
- Coverage by a State Financial Mechanism (§270.14(b)(15) and §264.147(b)(18)). Owners and operators of new facilities must submit proof of coverage by a State financial mechanism to EPA at least 60 days before the date on which hazardous waste is first received for treatment, storage, or disposal. If a State assumes legal responsibility for a facility's compliance with the closure care or liability requirements, the owner or operator must submit evidence of this to EPA within a reasonable time.

### **Specific Part B Information Requirements For BIFs**

#### **Fugitive Emissions and Part B Information Requirements for the Pre-Trial Burn, Trial Burn, and Post-Trial Burn Periods**

Sections 270.66, 270.22, 266.102, and 266.104 - .107 specify information that must be submitted in the Part B permit application. EPA expects that all Part B applications will be called in and submitted during the period covered by this ICR.

### **Waivers of the Trial Burn**

Owners and operators wishing to obtain a waiver for certain trial burn requirements under section 270.22(a) must submit information to the Agency in the Part B permit application.

### **Alternative HC Limit for Industrial Furnaces With Organic Matter in Raw Materials**

Owners and operators wishing to establish an alternative HC limit must submit information with the Part B permit application.

### **Alternative Metals Implementation Approach**

Owners and operators wishing to establish an alternative metals implementation approach must submit information with the Part B permit application.

### **Automatic Hazardous Waste Feed Cutoff System**

Owners and operators must submit information concerning the automatic waste feed cutoff system with the Part B permit application.

### **Direct Transfer Requirements**

Owners and operator of BIFs are not required to submit any information to EPA relating to their direct transfer operations. EPA may review information on a facility's direct transfer system during facility inspections.

### **Regulation of Residues**

Owners and operators wishing to obtain a hazardous waste exemption for residue derived from burning or processing hazardous waste may submit a demonstration with the Part B permit application.

## **Permit Modifications for BIFs**

### **Transfer of Permits**

Upon a change of ownership or operational control of a facility, the new owner or operator must submit a revised permit application to EPA no later than 90 days prior to the scheduled change. When a transfer of ownership or operational control occurs, the old owner or operator will comply with the requirements of 40 CFR Part 264, Subpart H until the new owner or operator has demonstrated that he or she is complying with the requirements of that Subpart. The new owner or operator must demonstrate compliance with Subpart H requirements within six months of the date of the change of ownership or operational control of the facility.

### **Permit Modification at the Request of the Agency**

Permit modifications made at the request of the Agency are submitted according to the time frame discussed below for permit modifications made at the request of the permittee.



## Permit Modification at the Request of the Permittee

### (1) Class 1 Modifications

The permittee must notify EPA concerning the Class 1 modification by certified mail or other means that establishes proof of delivery within seven calendar days after the change is put into effect. The permittee must also send a notice of the modification to all persons on the facility mailing list within 90 calendar days after the change. For Class 1 modifications that require prior EPA approval, the notification must be made within 90 calendar days after EPA approves the request.

### (2) Class 2 and 3 Modifications

The permittee must send a notice of the Class 2 or 3 modification request to all persons on the facility mailing list and publish the notice in a major newspaper of general circulation within seven days before or after the date of submission of the modification request.

### (3) Requests for Classification of a Permit Modification

For permit modifications that are not specifically listed in Appendix I of section 270.42, a permittee may submit information in support of a request for a Class 1 or Class 2 permit modification. The permittee must submit this information and receive the Agency's determination before making the modification.

## Temporary Authorizations

The permittee must send a notice regarding the temporary authorization request to all persons on the facility mailing list. This notification must be made within seven days of the submission of the authorization request.

## 12d. Respondent Burden Hours and Labor Costs

For purposes of this analysis, EPA estimates an average hourly respondent labor cost of \$164.90 for legal staff, \$97.45 for managerial staff, \$72.61 for technical staff, and \$43.67 for clerical staff. These wage rates are based on salaries, overhead and fringe benefits for the industries listed the table above titled "Respondent NAICS Codes", according to the Bureau of Labor Statistics labor rates for 2023.

EPA estimates respondent burden hours associated with all of the information collection requirements covered in this ICR in Exhibits 1 through 4 in the attached Excel sheets. These exhibits show the average number of hours required to conduct the information collection activity and the average cost associated with each requirement. Table 2 below summarizes the total respondent burden and costs and provides annual bottom-line burden and costs associated with all information collection requirements applicable to facilities with BIF units.

**Table 1 - Total Annual Respondent Burden Hours and Cost**

	Labor Cost/Year	Capital Cost/Year	O&M Cost/Year	Total Annual Hours	Total Annual Cost
<b>Exhibit 1</b>					

(A) General Facility Operating Requirements	\$417,439.95	\$0.00	\$224,596.00	5,870.75	\$642,035.95
(B) Recordkeeping Requirements	\$259,870.12	\$0.00	\$240.00	4,536.00	\$260,110.12
(C) Contingency Plan and Emergency Procedures	\$13,759.96	\$0.00	\$84.80	218.00	\$13,844.76
(D) Closure Requirements	\$9,596.16	\$0.00	\$0.00	126.00	\$9,596.16
(E) Financial Requirements	\$44,397.96	\$0.00	\$268.40	655.00	\$44,666.36
(F) Conditions Applicable to All Permits	\$30,499.69	\$0.00	\$325.60	422.50	\$30,825.29
<b>Exhibit 2</b>					
Specific Unit Requirements for BIFs	\$1,838,978.02	\$0.00	\$2,212,086.88	26,129.66	\$4,051,064.90
<b>Exhibit 3</b>					
(A) General Part B Information Requirements	\$0.00	\$0.00	\$0.00	0.00	\$0.00
(B) Specific Part B Information Requirements	\$9,157.56	\$0.00	\$14,800.00	126.00	\$23,957.56
(C) Part B Modification Requirements	\$131,666.07	\$0.00	\$369,938.80	1,673.85	\$501,604.87
<b>Exhibit 4</b>					
Operating and Maintenance Costs for Maintaining All Records	\$0.00	\$0.00	\$780.12	0.00	\$780.12
<b>TOTAL</b>	<b>\$2,755,365.49</b>	<b>\$0.00</b>	<b>\$2,823,120.60</b>	<b>39,757.76</b>	<b>\$5,578,486.09</b>

### 13. RESPONDENT CAPITAL AND O&M COSTS

Provide an estimate for the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected on the burden worksheet).

The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life) and (b) a total operation and maintenance and purchase of services component. The estimates should consider costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling, and testing equipment; and record storage facilities. If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collections services should be a part of this cost burden estimate.

Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.

Capital costs usually include any produced physical good needed to provide the needed information, such as machinery, computers, and other equipment. Capital costs incurred by respondents in this ICR include the cost to buy a monitor, sampling system, and data acquisition system for respondents required to conduct monitoring and inspections of hazardous waste.

Operation and maintenance (O&M) costs are those costs associated with a paperwork requirement incurred continually over the life of the ICR. They are defined by the PRA as “the recurring dollar amount of costs associated with O&M or purchasing services.” O&M costs covered in this ICR include the following:

- Mailing or long-distance phone call (estimated at \$4.40 per response);
- Photocopying and document storage overhead (estimated at \$.15 per page); and
- Laboratory analysis (varies).

**The total annualized capital/start-up cost is \$0 and the O&M is \$2,823,121.** For additional information please see the excel sheet for calculations and a detailed breakdown.

#### **14. AGENCY COSTS**

*Provide estimates of annualized costs to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information.*

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##### **14a. Agency Activities**

##### **General Facility Operating Requirements**

The requirements for the foreign shipment import report state that owners or operators must notify the Regional Administrator of the anticipated collection of hazardous waste. In turn, the Agency must review the information included in the notification. EPA also performs on-site review of facility inspection records.

##### **Recordkeeping Requirements**

Only one Agency activity is associated with the operating record requirements: on-site review of the record.

##### **Contingency Plan and Emergency Procedures**

###### **Contingency Plan**

One Agency activity is associated with the development and amendment of the contingency plan: reviewing the contingency plan during on-site inspections.

###### **Emergency Reporting Requirements**

Agency activities associated with emergency reporting requirements include reviewing documents in the owners' or operators' and emergency coordinators' emergency reports.

## **Closure Requirements**

Agency activities associated with the regulations promulgated in 40 CFR, Parts 264 and 265, Subpart G, include reviewing the following data items:

- Closure plans;
- Closure plan amendment notifications;
- Partial/final closure notifications;
- Demonstrations for closure extensions and allowances; and
- Closure certifications.

## **Financial Requirements**

EPA uses the cost estimates and financial assurance mechanisms to ensure compliance with Subpart H. In the event that an owner or operator is unable or unwilling to perform closure activities or to pay third-party damages, EPA will draw upon the mechanisms. The cost estimates are normally retained by the owner or operator during interim status; they are submitted to the Region or authorized State as part of the permit process.

The financial assurance instruments for closure care and liability coverage, with standard wording, are submitted by the owner or operator (or the third-party financial entity) to the Region or authorized State that serves the area where the facility is located. These submissions must be made by the effective date of the regulations for existing facilities -- July 6, 1982 (Assurance) and July 15, 1982 (Liability) -- and sixty days before the initial receipt of hazardous wastes at new facilities. There was a phase-in period for non-sudden coverage for existing facilities. January 16, 1985, was the final phase-in date.

When financial assurance information is submitted, EPA conducts a review for completeness, then enters the information into the RCRAInfo database. The EPA Regional or State offices establish a file for each applicant that contains the submissions. The financial instruments are maintained in a secure area.

Submissions are tabulated in the EPA Regional Offices and Headquarters and are used by Agency management to oversee implementation of the RCRA financial responsibility requirements. The information is also shared with States to assist them in implementing their hazardous waste management programs. There are no plans to publish information obtained under the Subpart H financial requirements.

## **Conditions Applicable to All Permits**

EPA reviews all information submitted at intervals specified in the permit. This information includes monitoring reports and reports on compliance or noncompliance with compliance schedules. EPA also reviews information that may be submitted on occasion by facilities, if necessary. Such information includes notices of planned physical alterations or additions; notices of planned changes or activities; letters certifying compliance; information concerning releases, fires, or explosions; reports of other noncompliance; and corrected or new information.

## **SPECIFIC UNIT REQUIREMENTS FOR BIFs**

### **Exemptions from the BIF Regulations**

#### **Exemptions for Metal Recovery Furnaces**

Agency activities associated with demonstrations for exemptions from the boiler and industrial furnace regulations for metal recovery furnaces include reviewing and evaluating both the one-time notice submitted under section 266.100(c)(1)(i) and the one-time notice required by section 266.100(c)(3) submitted for a lead or nickel-chromium recovery furnace, or a metal recovery furnace that burns baghouse bags used to capture metallic dusts emitted by steel manufacturing. In addition, the Agency must enter this information into a database.

#### **Exemptions For Lead Recovery Furnaces**

Agency activities associated with demonstrations from the boiler and industrial furnace regulations for lead recovery furnaces include reviewing the one-time notice required by section 266.100(h). In addition, the Agency must enter this information into a database.

#### **Exemptions For Smelting, Melting, and Refining Furnaces**

Agency activities associated with demonstrations for exemptions from the boiler and industrial furnace regulations for smelting, melting, and refining furnaces include reviewing and evaluating the one-time notice submitted under section 266.100(f) and entering this information into a database.

#### **Small Quantity On-Site Burner Exemption**

Agency activities associated with demonstrations for exemptions from the boiler and industrial furnace regulations for small quantity on-site burners include reviewing and evaluating the notification of qualification for the exemption provided by section 266.108(d) and entering the information into a database.

### **Permit Standards**

#### **Monitoring and Inspections**

Agency activities associated with monitoring and inspections requirements for permitted burners, as specified in section 266.102(e)(8) and Appendix IX, sections 2 and 3, include reviewing data and results of tests and methods, reviewing requests for an alternative relative accuracy procedure, and evaluating the demonstration that weekly inspections of the hazardous waste feed cutoff system will unduly restrict or upset operations. In addition, EPA must enter this information into a database. While other information collected as part of monitoring and inspections is not submitted to EPA, EPA may review such records during facility inspections.

## **Interim Status Standards**

### **Purpose, Scope, and Applicability**

Agency activities associated with the requirements specified in section 266.103(a) for interim status burners include reviewing and evaluating the documentation supporting an allowance for burning hazardous waste that has a heating value of less than 5,000 Btu/lb. In addition, the Agency must enter this information into a database.

### **Certification of Pre-compliance**

Agency activities associated with the requirements for a certification of pre-compliance for interim status burners, as specified in section 266.103(b) and Appendix IX, section 9.4, include reviewing a record of all assumptions and calculations necessary to justify the air pollution control system removal efficiency used, and reviewing and evaluating the information associated with the certification of pre-compliance. The Agency must also review and evaluate the limits and certification on operating conditions, the evidence of submittal of the public notice, the revised certification of pre-compliance, and the certification of pre-compliance statement. In addition, the Agency must enter this information into a database.

### **Certification of Compliance**

Agency activities associated with the requirements for a certification of compliance as specified in section 266.103(c) include reviewing and evaluating the limits on operating conditions, the notice of compliance testing, the information required in the certification of compliance, and the notification that the facility is operating under restricted interim status. The Agency must also review and evaluate information supporting the use of compliance test data from a similar unit in lieu of performing compliance testing, demonstrations that the owner or operator made a good faith effort to operate a heated monitoring system, requests for a case-by-case extension, and revised certifications of compliance. In addition, the Agency must enter this information into a database.

### **Periodic Recertifications**

Agency activities associated with the periodic recertification for interim status burners as specified in section 266.103(d) include reviewing and evaluating the periodic recertification and entering this information into a database.

### **Fugitive Emissions**

Agency activities associated with the fugitive emissions requirements for interim status burners as specified in section 266.103(h) include reviewing and evaluating demonstrations for an alternate means of fugitive emissions control and entering this information into a database.

### **Monitoring and Inspections**

Agency activities associated with the monitoring and inspection requirements for interim status burners, as specified in section 266.103(j) and Appendix IX, sections 2 and 3, include reviewing data and results of tests and methods, reviewing requests for an alternative relative accuracy procedure, and reviewing and evaluating demonstrations that weekly inspections of the hazardous waste feed cutoff system will unduly restrict or upset operations. In addition, this information must be entered into a

database. While other information collected as part of monitoring and inspections is not submitted to EPA, EPA may review such records during facility inspections.

### **Standards to Control Organic Emissions**

Agency activities associated with the standards to control organic emissions as specified in section 266.104 include reviewing and evaluating demonstrations for an alternate POHC designation and entering this information into a database.

### **Standards to Control Metal Emissions**

Agency activities associated with the standards to control metal emissions include reviewing and evaluating information submitted in support of an alternative implementation approach, as provided by section 266.106(f). In addition, the Agency must enter this information into a database.

### **Direct Transfer Requirements**

Owners and operator of BIFs are not required to submit any information to EPA relating to their direct transfer operations. EPA may review information on a facility's direct transfer system during facility inspections.

### **Regulation of Residues**

Agency activities associated with the regulation of residues as specified in section 266.112 include reviewing, evaluating, and entering into a database, demonstrations that hazardous waste does not significantly affect the residue.

## ***PART B PERMIT APPLICATION AND PERMIT MODIFICATION REQUIREMENTS FOR BIFs***

### **General Part B Information Requirements for BIFs**

#### **General Requirements**

Agency activities associated with demonstrations by owners and operators to obtain allowance from Regional Administrators to submit information prescribed in Part B on a case-by-case basis include reviewing and approving demonstration and entering the information into a database.

#### **General Facility Standards**

Agency activities associated with the requirement that owners and operators of hazardous waste management facilities submit in their Part B permit applications information on compliance with general facility standards include reviewing the required information and entering it into a database.

#### **Financial Assurance**

##### **(1) Cost Estimates for Closure Care**

Agency activities associated with cost estimates for closure care include reviewing written cost estimates and entering the information into a database.

##### **(2) Financial Assurance for Closure Care**

Agency activities associated with the requirements for financial assurance for closure care include reviewing the documentation of financial assurance submitted by the respondent and entering the information into a database.

**(3) Use of a Financial Mechanism for Multiple Facilities**

The information required under this section will be submitted with the information provided by the owner or operator to establish financial assurance mechanisms. Therefore, this ICR assumes that any Agency activities related to the requirements of this section are already covered under the previous sections.

**(4) Liability Requirements**

**(a) Coverage for Sudden or Non-sudden Accidental Occurrences**

Agency activities associated with the establishment of liability coverage for sudden or non-sudden accidental occurrences include reviewing the information submitted and entering information into a database.

**(b) Request for Variance**

Agency activities associated with allowing owners and operators to obtain a variance from EPA include reviewing requests for variance, including any technical or engineering information required by EPA.

**(c) Adjustments by the Regional Administrator**

Agency activities associated with allowing the Agency to adjust the level of financial responsibility required under section 264.147 to protect human health and the environment include reviewing any information requested by the Agency and, if the Agency decides to adjust the level or type of coverage, permit modifications. The Agency burden associated with permit modifications is discussed below under the section entitled "Permit Modifications."

**(5) Coverage by a State Financial Mechanism**

Agency activities associated with establishing coverage by State financial mechanisms include reviewing letters from owners and operators, written evidence of the establishment of State-required financial assurance mechanisms, or letters from the State describing the State's assumption of responsibility and including the information specified above, and any additional information requested by EPA.

**Topographical Map**

Agency activities associated with the requirement that owners and operators must provide a topographical map include reviewing the topographical map and entering the information into a database.

**Schedules of Compliance**

Agency activities associated with the requirement that owners and operators specify in permits a schedule of compliance leading to compliance with the Act and regulations, where appropriate,



include reviewing the following information: schedules of compliance, alternative schedules of compliance under section 270.33(b)(2), applications for two schedules of compliance, and evidence of firm public commitment to cease conducting regulated activities. The Agency will also enter the information into a database.

## **Specific Part B Information Requirements for BIFs**

### **Fugitive Emissions**

Agency activities associated with fugitive emissions demonstrations include reviewing and evaluating information supporting a demonstration for an alternate means of fugitive emissions control and entering this information into a database.

### **Part B Information Requirements for the Pre-Trial Burn, Trial Burn, and Post-Trial Burn Periods**

Agency activities associated with the specific Part B information requirements for boilers and industrial furnaces burning hazardous waste requests for an extension of the 720-hour operational period, and statements suggesting the conditions necessary to operate in compliance with sections 266.104 through 266.107 during the pre-trial and post-trial burn periods. In addition, the Agency must review and evaluate trial burn plans, the data collected during trial burns, the certifications of submissions, and the determinations based on the trial burn. The Agency must also review and evaluate certifications that the trial burn has been carried out in accordance with the approved plan and submit the results of its determinations. The Agency must enter all of this information into a database.

### **Waivers of the Trial Burn**

#### **(1) Waiver of the Trial Burn for Boilers Operating Under Special Operating Requirements**

Agency activities associated with the waiver of the trial burn for boilers operating under special operating requirements include reviewing and evaluating the documentation that the boiler operates under the special operating requirements provided by section 266.110 and entering this information into a database.

#### **(2) Waiver of the Trial Burn For Boilers and Industrial Furnaces Burning Low-Risk Waste**

Agency activities associated with the waiver of the trial burn for boilers and industrial furnaces burning low-risk waste as specified in sections 266.109(a)(2) and 270.22(a)(2)(ii) include reviewing and evaluating information in support of a waiver of the DRE trial burn and entering this information into a database.

#### **(3) Waiver of the Trial Burn for Metals**

Agency activities associated with the waiver of the trial burn for metals as specified in sections 270.22(a)(3) and 266.106 include reviewing and evaluating the information supporting the waiver and entering this information into a database.

#### **(4) Waiver of the Trial Burn for Particulate Matter**

Agency activities associated with the waiver of the trial burn for particulate matter as specified in sections 270.22(a)(4) and 266.105 include reviewing and evaluating the information supporting the waiver and entering the information into a database.

**(5) Waiver of the Trial Burn for HCl and Cl Emissions**

Agency activities associated with the waiver of the trial burn for HCl and Cl emissions as specified in sections 270.22(a)(5) and 266.107 include reviewing and evaluating the information supporting the waiver and entering this information into a database.

**(6) Data in Lieu of a Trial Burn**

Agency activities associated with the submission of data in lieu of a trial burn as specified in sections 270.22(a)(6), 270.66, and 266.103(c)(3) include reviewing and evaluating information supporting the use of compliance test data, or trial burn data from a similar unit, in lieu of conducting a trial burn, and entering this information into a database. In addition, the Agency must review, evaluate, and enter into a database the data from the similar unit that is operating under similar conditions.

**Alternative HC Limit for Industrial Furnaces With Organic Matter in Raw Materials**

Agency activities associated with the alternative HC limit for industrial furnaces with organic matter in raw materials include reviewing and evaluating information supporting an alternative HC limit, as provided in sections 270.22(b) and 266.104(f), and entering this information into a database.

**Alternative Metals Implementation Approach**

Agency activities associated with the alternative metals implementation approach include reviewing and evaluating information supporting the approach as provided by sections 270.22(c) and 266.106(f) and entering this information into a database.

**Automatic Hazardous Waste Feed Cutoff System**

Agency activities associated with the automatic hazardous waste feed cutoff system as specified in sections 270.22(d) include reviewing and evaluating the information describing the system and entering this information into a database.

**Direct Transfer Requirements**

Owners and operator of BIFs are not required to submit any information to EPA relating to their direct transfer operations. EPA may review information on a facility's direct transfer system during facility inspections.

**Regulation of Residues**

Owners and operator of BIFs are not required to submit any information in their Part B Permit Applications relating to their claim of exemption for their residues from classification as hazardous waste. EPA may review this information, however, during facility inspections.

## **Permit Modifications for BIFs**

### **Transfer of Permits**

Agency activities associated with the transfer of permits include reviewing written agreements and entering the information into a database.

### **Permit Modification at the Request of the Agency**

Agency activities associated with Agency-initiated permit modifications include reviewing the modification request and entering the information into a database.

### **Permit Modification at the Request of the Permittee**

#### **(1) Class 1 Modifications**

Agency activities associated with applications for Class 1 permit modifications include reviewing notifications required under section 270.42(a)(i), and applicable information required by sections 270.13 through 270.21, 270.62, and 270.63, and entering the information into a database.

#### **(2) Class 2 and 3 Modifications**

Agency activities associated with applications for Class 2 or 3 permit modifications include reviewing modifications requests and written notifications and entering the information into a database.

#### **(3) Request for Classification of a Permit Modification**

Agency activities associated with requests for classification of a permit modification include reviewing the information submitted in support of a request, making a determination on the request, and entering the information into a database.

### **Temporary Authorizations**

Agency activities associated with applications for temporary authorization include reviewing temporary authorization requests and entering the information into a database.

### **Expiration and Continuation of Permits**

Agency activities associated with renewing existing permits include conducting the same activities as they would for initial permit applications.

## **14b. Agency Labor Cost**

EPA estimates an average hourly Agency labor cost of \$94.34 for legal staff, \$67.86 for managerial staff, \$47.62 for technical staff, and \$28.96 for clerical staff. EPA used the 2024 Federal Pay Schedule salary figures, adjusted by 1.6 for overhead, to estimate annual compensation of Regional legal, managerial, technical, and clerical staff. For purposes of this ICR, EPA assigned Regional staff the following government service levels:

Legal staff	GS-15, Step 1
Managerial staff	GS-13, Step 1
Technical staff	GS-11, Step 1
Clerical staff	GS-06, Step 1

In the attached Excel file, exhibits 5 - 7 provide a detailed breakdown of the Agency burden hours and cost associated with all of the information collections requirements covered this ICR. Table 3 below is a summary table of the bottom-line Agency burden and cost.

**Table 2 - Total Annual Agency Burden Hours and Cost**

	Labor Cost/Year	Capital Cost/Year	O&M Cost/Year	Total Annual Hours	Total Annual Cost
<b>Exhibit 5</b>					
(A) General Facility Operating Requirements	\$11,905.00	varies	varies	250	\$11,905.00
(B) Recordkeeping Requirements	\$2,952.44	varies	varies	62	\$2,952.44
(C) Contingency Plan and Emergency Procedures	\$857.16	\$0.00	\$0.00	18	\$857.16
(D) Closure Requirements	\$0.00	\$0.00	\$0.00	0	\$0.00
(E) Financial Requirements	\$8,071.59	\$0.00	\$0.00	170	\$8,071.59
(F) Conditions Applicable to All Permits	\$11,110.16	\$0.00	\$0.00	234	\$11,110.16
<b>Exhibit 6</b>					
Specific Unit Requirements for BIFs	\$52,798.43	\$0.00	\$0.00	1,076	\$52,798.43
<b>Exhibit 7</b>					
(A) General Part B Information Requirements	\$0.00	\$0.00	\$0.00	0	\$0.00
(B) Specific Part B Information Requirements	\$1,824.24	\$0.00	\$0.00	37	\$1,824.24
(C) Part B Modification Requirements	\$64,214.10	\$0.00	\$0.00	1,026	\$64,214.10
<b>TOTAL</b>	<b>\$153,733.12</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>2,872</b>	<b>\$153,733.12</b>

**14c. Agency Non-Labor Costs**

There are no Agency non-labor costs associated with this ICR.

**15) REASONS FOR CHANGE IN BURDEN**

*Explain the reasons for any program changes or adjustments reported in the burden or capital/O&M cost estimates.*

There is no change in burden hours or capital/O&M cost.

**16) PUBLICATION OF DATA**

*For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.*

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Results from this ICR are not published formally. They are used to calculate agency-level accomplishments and site-specific impacts on publicly available EPA websites.

**17) DISPLAY OF EXPIRATION DATE**

*If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.*

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The agency plans to display the expiration date for OMB approval of the information collection on all instruments.

**18) CERTIFICATION STATEMENT**

*Explain each exception to the topics of the certification statement identified in "Certification for Paperwork Reduction Act Submissions."*

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This information collection complies with all provisions of the Certification for Paperwork Reduction Act Submissions.