

U.S. Environmental Protection Agency

Information Collection Request

Title: NESHAP for Gold Mine Ore Processing (40 CFR Part 63, Subpart EEEEEEE) (Renewal)

OMB Control Number: 2060-0659

EPA ICR Number: 2383.06

Abstract: The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Gold Mine Ore Processing (40 CFR Part 63, Subpart EEEEEEE) were proposed on April 28, 2010; and promulgated on February 17, 2011. These regulations apply to both existing and new gold mine ore processing and production facilities that are area sources and use ore pretreatment, carbon processes with mercury retorts, carbon processes without mercury retorts, and non-carbon concentrate processes. The regulation sets mercury emission limits for each of the affected processes at both new and existing facilities. New facilities include those that either commenced construction or reconstruction after the date of proposal. This information is being collected to assure compliance with 40 CFR Part 63, Subpart EEEEEEE.

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.

Specifically, any owner/operator subject to the provisions of this part is required by the NESHAP regulations at 40 CFR Part 63, Subpart EEEEEEE to submit the information specific below, and to maintain a file containing required documents and retain the file for at least five years following the generation date of such maintenance reports and records. All reports are sent to the delegated state or local authority. If there is no such delegated authority, the reports are sent directly to the U.S. Environmental Protection Agency's (EPA) regional offices.

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.

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

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

In the Administrator's judgment, hazardous air pollutant emissions from gold mine ore processing and production facilities cause or contribute to air pollution that may reasonably be anticipated to endanger public health or welfare. Therefore, the NESHAP were promulgated for this source category at [40 CFR Part 63, Subpart EEEEEEE](#).

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.

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

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

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

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

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 performance test reports through the EPA's Central Data Exchange (CDX), using the Compliance and Emissions Data Reporting Interface (CEDRI).

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

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

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, as finalized on February 17, 2011, includes electronic reporting provisions. 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. 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. The supplemental files to this ICR renewal contain screenshots showing the CDX homepage for CEDRI login, the CEDRI PRA screen, the CEDRI interface for managing reports for various subparts, and the landing page of the ERT that shows the link to PRA information.

All electronic collection in this information collection is submitted through EPA's CEDRI or ERT.

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>.

We have created supplementary documents that include screenshots of the electronic portal where the reporting requirements are submitted online to EPA, including the OMB burden statement on the electronic portal.

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.

If the subject standards have not been delegated, the information is sent directly to the appropriate EPA regional office. Otherwise, the information is sent directly to the delegated state or local agency. If a state or local agency has adopted its own similar standards to implement the Federal standards, a copy of the report submitted to the state or local agency can be sent to the Administrator in lieu of the report required by the Federal standards. Therefore, no duplication exists.

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.

There are no small entities (i.e., small businesses) affected by this regulation. A small entity for this industry is defined as: (1) a small business whose parent company meets the Small Business Administration size standards for small businesses found at 13 CFR 121.201 (less than 500 employees for gold mine ore processing facilities); (2) a small, governmental jurisdiction that is a government of a city, county, town, school district, or special district with a population of less than 50,000; and (3) a small organization that is any not-for-profit enterprise that is independently-owned and -operated and is not dominant in its field.

Although these standards will not affect any small entities, EPA nonetheless has tried to reduce the impact of this final rule on all of the affected sources. These same standards include parametric monitoring requirements for mercury emission control devices that are common throughout the industry and in many cases are already required by State operating permits. These same standards also require only the essential monitoring, recordkeeping, and reporting needed to verify compliance.

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.

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

7. GENERAL GUIDELINES

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

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

8. PUBLIC COMMENT AND CONSULTATIONS

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.

An announcement of a public comment period for the renewal of this ICR was published in the *Federal Register* 88 FR 31748 published on May 18, 2023. No comments were received on the burden published in the Federal Register for this renewal.

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.

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 the standard, 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 21 respondents will be subject to the standard over the three-year period covered by this ICR.

Industry trade associations and other interested parties were provided an opportunity to comment on the burden associated with the standard as it was being developed and the standard has been previously reviewed to determine the minimum information needed for compliance purposes. In developing this ICR, we contacted both the National Mining Association, at (202) 463-2600, and the Nevada Mining Association, at (775) 829-2121. In this case, no comments were received.

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

9. PAYMENTS OR GIFTS TO RESPONDENTS

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

No payments or gifts are provided to respondents.

10. ASSURANCE OF CONFIDENTIALITY

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.

None of the information collection requirements of this ICR require the disclosure of confidential business information.

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.

Questions about sensitive issues that are normally considered private (e.g., religious beliefs, sexual attitudes, and behavior) will not be included in the information collections covered by this ICR.

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.*
-

12a. Respondents/NAICS Codes

The respondents to the recordkeeping and reporting requirements are gold mine ore processing and production facilities. The United States Standard Industrial Classification (SIC) code for the respondents affected by the standards is SIC 10412 which corresponds to the North American Industry Classification System (NAICS) 212221 for gold ore mining.

Based on our research for this ICR, on average over the next three years, approximately 21 existing respondents will be subject to the standard. It is estimated that no additional respondents per year will become subject. The overall average number of respondents, as shown in the table below, is 21 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

Number of Respondents					
Year	(A) Number of New Respondents ¹	(B) Number of Existing Respondents	(C) Number of Existing Respondents that keep records but do not submit reports	(D) Number of Existing Respondents That Are Also New Respondents	(E) Number of Respondents (E=A+B+C-D)
1	0	21	0	0	21
2	0	21	0	0	21
3	0	21	0	0	21
Average	0	21	0	0	21

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

Column D is subtracted to avoid double-counting respondents. As shown above, the average **Number of Respondents** over the three-year period of this ICR is **21**.

Number of respondents is calculated using the following table which addresses each of the three years covered by this ICR.

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 of applicability	0	1	0	0
Initial notification of compliance status	0	1	0	0
Notification of performance test	0	1	0	0
Test plan	0	1	0	0
QA plan for CEMS	0	1	0	0
Startup, shutdown, and malfunction (SSM) plan	0	1	0	0

Total Annual Responses				
Annual performance test for Hg emissions ¹	17	1	0	17
Semiannual reports of excess emissions ²	4.2	2	0	8.4
			Total (rounded)	25

¹ Method 29 stack sampling for mercury on 17 process units outside of Nevada. Facilities in Nevada already perform annual sampling and analysis for mercury; consequently, those facilities will not incur any additional stack testing burden under this rule.

² We assume 20% of the 21 facilities will have excess emissions reports.

The number of **Total Annual Responses** is 25.

12b. Information Requested

In this ICR, all the data that are recorded or reported is required by the NESHAP for Gold Mine Ore Processing (40 CFR Part 63, Subpart EEEEEEE).

A source must make the following reports:

Notifications	
Notification of applicability	§§63.9(b)(2), 63.11648(a)
Notification of construction/reconstruction	§63.9(b)(5)
Notification of special compliance requirements	§63.9(d)
Notification of performance test	§63.9(e)
Additional CMS notifications	§63.9(g)
Notification of compliance status	§§63.9(h), 63.11648(b)
Notification of changes in information	§63.9(j)

Reports	
Malfunction reports	§63.11648(d)
Performance test plan	§63.7(c)(2)
CMS quality control plan	§63.8(d)
CMS performance evaluation test plan/report	§63.8(e)
Compliance report if deviation occurs	§§63.11648(c), 63.10(e)(3)
Annual performance test for mercury emissions	§§63.11646(a-b),

Reports	
	63.7

A source must keep the following records:

Recordkeeping	
Records to support notifications	§63.11648(e)(1), §63.10(b)(2)
Records of monitoring data	§63.11648(e)(2)
Records of monthly ore and concentrate throughput, operating hour for each process unit	§63.11648(e)(3)
Records are required to be retained for five years	§63.10(b)(1), §63.11648(f)

12c. Respondent Activities

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 Gold Mine Ore Processing (40 CFR Part 63, Subpart EEEEEEE) (Renewal).

Respondent Activities
Familiarization with the regulatory requirements.
Install, calibrate, maintain, and operate CEMS for mercury concentration and for oxidation reduction potential, pH, inlet gas temperature, line pressure, pressure drop, and liquid flow rate for the scrubber.
Perform initial performance test, Reference Method 1 or 1A, 2, 2A, 2C, 2D, 2F, or 2G, 3, 3A, or 3B, 4, 29, ASTM D6784, 30B, and SW-846 Method 7471B 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.

12d. Respondent Burden Hours and Labor Costs

The average annual burden to industry over the next three years from these recordkeeping and reporting requirements is estimated to be 2,840 hours (Total Labor Hours from Table 1). These hours are based on Agency studies and background documents from the development of the regulation, Agency knowledge and experience with the NESHAP program, the previously approved ICR, and any comments received.

This ICR uses the following labor rates:

- Managerial \$163.17 (\$77.70 + 110%)
- Technical \$130.28 (\$62.04 + 110%)
- Clerical \$65.71 (\$31.29 + 110%)

These rates are from the United States Department of Labor, Bureau of Labor Statistics, September 2022, "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.

The **total annual labor hours are 2,840** (rounded). Details regarding these estimates may be found in Table 1. Annual Respondent Burden and Cost – NESHAP for Gold Mine Ore Processing (40 CFR Part 63, Subpart EEEEEEE) (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 **114 hours per response**.

The total annual labor costs are \$436,000. Details regarding these estimates may be found at the end of this document in Table 1: Annual Respondent Burden and Cost – NESHAP for Gold Mine Ore Processing (40 CFR Part 63, Subpart EEEEEEE) (Renewal).

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.

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

Capital/Startup vs. Operation and Maintenance (O&M) Costs						
(A)	(B)	(C)	(D)	(E)	(F)	(G)
Continuous Monitoring Device	Capital/Startup Cost for One Respondent	Number of New Respondents	Total Capital/Startup Cost, (B X C)	Annual O&M Costs for One Respondent	Number of Respondents with O&M	Total O&M, (E X F)
Monitoring equipment ¹	\$9,085	0	\$0	\$0	0	\$0
Method 29 Hg stack sampling ²	NA	NA	NA	\$9,420	17	\$160,140
Material and supply ³	NA	NA	NA	\$3,190	21	\$66,990
Total ⁴			\$0			\$227,000

¹ Annualized installed capital cost is \$190,790 per year for the source category, based on a capital recovery factor of 0.1424 (10-year life at 7%), and a total installed capital cost of \$1.34 million for monitoring equipment. We assume no new sources will become subject over the three-year period of this ICR.

² Annualized cost for Method 29 stack sampling for mercury on 17 process units outside of Nevada. Facilities in Nevada already perform annual sampling and analysis for mercury to comply with the Nevada Division of Environmental Protection. Consequently, those facilities will not incur any additional stack testing burden under this rule.

³ O&M costs are for materials and supplies (e.g., sorbent trap tubes, calibration standards) estimated as 5% of the installed capital cost (\$1.34 million).

⁴ Totals have been rounded to 3 significant digits. 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 \$227,000. 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 **\$227,000**. These are **recordkeeping costs**.

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.

14a. Agency Activities

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.

Following notification of startup, the reviewing authority could inspect the source to determine whether the pollution control devices are properly installed and operated. Performance test reports are used by the Agency to discern a source's initial capability to comply with the emission standards and note the operating conditions under which compliance was achieved. Data and records maintained by the respondents are tabulated and published for use in compliance and enforcement programs. The 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. ICIS is EPA's database for the collection, maintenance, and retrieval of compliance data for industrial and government-owned facilities. EPA uses ICIS for tracking air pollution compliance and enforcement by local and state regulatory agencies, EPA regional offices and EPA headquarters. EPA and its delegated Authorities can edit, store, retrieve and analyze the data.

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

14b. Agency Costs

The only costs to the Agency are those costs associated with analysis of the reported information. EPA's overall compliance and enforcement program includes activities such 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 **\$3,280**.

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

- Managerial \$73.46 (GS-13, Step 5, \$45.91 + 60%)
- Technical \$54.51 (GS-12, Step 1, \$34.07 + 60%)
- Clerical \$29.50 (GS-6, Step 3, \$18.44 + 60%)

These rates are from the Office of Personnel Management (OPM), 2023 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. 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 Gold Mine Ore Processing (40 CFR Part 63, Subpart EEEEEEE) (Renewal).

The average annual Agency burden and cost over next three years is estimated to be 48 labor hours at a cost of \$3,280. See Table 2: Average Annual EPA Burden and Cost – NESHAP for Gold Mine Ore Processing (40 CFR Part 63, Subpart EEEEEEE) (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.

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 from the most recently approved ICR as currently identified in the OMB Inventory of Approved Burdens. This is due to two considerations. First, the regulations have not changed over the past three years and are not anticipated to change over the next three years. Second, the growth rate for this industry is very low or non-existent, so there is no significant change in the overall burden. Since there are no changes in the regulatory requirements and there is no significant industry growth, there are also no changes in the capital/startup or operation and maintenance (O&M) costs. 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 2022) to calculate respondent burden costs.

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.

All non-CBI data submitted electronically to the Agency through CEDRI are available to the public for review and printing and are accessible using WebFIRE. Electronically submitted emissions data from performance testing or performance evaluations using the Electronic Reporting Tool or templates attached to CEDRI, as well as data from reports from regulations with electronic templates, are tabulated; data submitted as portable document format (PDF) files attached to CEDRI are neither tabulated nor subject to complex analytical techniques. Electronically submitted emissions data used to develop emissions factors undergo complex analytical techniques and the draft emissions factors are available on the Clearinghouse for Inventories and Emission Factors listserv at <https://www.epa.gov/chief/chief-listserv> for public review and printing. Electronically submitted emissions data, as well as other data, obtained from one-time or sporadic information collection requests often undergo complex analytical techniques; results of those activities are included in individual rulemaking dockets and are available at <https://www.regulations.gov/> for public review and printing.

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.

All instruments will display the expiration date for OMB approval of the information collection.

18) CERTIFICATION STATEMENT

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

EPA does not seek any exceptions to the topics for the certification statement identified in the “Certification for Paperwork Reduction Act Submissions.”

Table 1: Annual Respondent Burden and Cost – NESHAP for Gold Mine Ore Processing (40 CFR Part 63, Subpart EEEEEEE) (Renewal)

	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)
Burden item	Person hours per occurrence	No. of occurrences per respondent	Person-hours per respondent per year (C=AxB)	Respondents per year ^a	Technical person-hours per year (E=CxD)	Management person-hours per year (F=Ex0.05)	Clerical person-hours per year (G=Ex0.1)	Total Cost per year ^b , \$
1. Applications	N/A							
2. Surveys and Studies	N/A							
3. Acquisition, Installation, and Utilization of Technology and Systems	N/A							
4. Reporting Requirements								
A. Familiarize with regulatory requirements ^c	8	1	8	21	168	8.4	16.8	\$29,610.84
B. Required activities ^d	N/A							
Operating CEMS ^e	0.25	365	91.25	4	365	18.25	36.5	\$64,333.08
Weekly and monthly sampling	1	52	52	17	884	44.2	88.4	\$155,809.42
Annual Method 29	15	1	15	17	255	12.75	25.5	\$44,945.03

Performance Test ^f								
C. Create information	See 4B							
D. Gather existing information	See 4B							
E. Write report	See 4B							
Initial notification of applicability ^g	2	1	2	0	0	0	0	\$0
Notification of compliance status ^g	2	1	2	0	0	0	0	\$0
Request for compliance extension	N/A							
Site-specific test plan ^g	4	1	4	0	0	0	0	\$0
Quality assurance plan for CEMS ^e	8	1	8	0	0	0	0	\$0
Notification of performance test ^g	2	1	2	0	0	0	0	\$0
Startup, shutdown	4	1	4	0	0	0	0	\$0

n, malfunc tion plan g								
Annual perform ance test for Hg emission s ^f	8	1	8	17	136	6.8	13.6	\$23,970.6 8
Semian nual report of excess emission s ^h	8	2	16	4.2	67.2	3.36	6.72	\$11,844.3 4
Subtotal for Reporting Requiremen ts						2,156		\$330,513
5. Recordkeepi ng Requirement s								
A. Familiarize with regulatory requireme nts	See 4A							
B. Plan activities	See 4A							
C. Implement activities	See 4A							
D. Develop record system	4	1	4	0	0	0	0	\$0

E. Time to enter information	0.5	52	26	21	546	27.3	54.6	\$96,235.23
F. Time to transmit or disclose information	0.25	2	0.5	21	10.5	0.53	1.05	\$1,850.68
G. Time to adjust existing ways	2	1	2	21	42	2.1	4.2	\$7,402.71
H. Time to train personnel	4	1	4	0	0	0	0	\$0
I. Time for audits	N/A							
Subtotal for Recordkeeping Requirements						688		\$105,489
TOTAL LABOR BURDEN AND COST (rounded) ⁱ						2,840		\$436,000
TOTAL CAPITAL AND O&M COST (rounded) ⁱ								\$227,000
GRAND TOTAL (rounded) ⁱ								\$663,000

Assumptions:

^a We assume there are 21 existing facilities subject to the rule and no additional sources will become subject to the rule during the three-year period of this ICR.

^b This ICR uses the following labor rates: \$163.17 per hour for Executive, Administrative, and Managerial labor; \$130.28 per hour for Technical labor, and \$65.71 per hour for Clerical labor. These rates are from the United States Department of Labor, Bureau of Labor Statistics, September 2022, "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.

^cThis ICR assumes all existing sources will have to familiarize with the regulatory requirements each year.

^dRule will require operating CEMS, weekly sampling, and monthly sampling.

^eAssumes 4 roaster stacks will be equipped with mercury CEMS, and that QA plan has already been developed during initial rule compliance.

^fWe assume it will take 5 hours to test each stack and that each test will require 3 technicians to complete. 5 hours x 3 technicians = 15 hours/stack. This ICR only calculates burden for Method 29 testing for 17 process units located outside of Nevada. Facilities in Nevada already perform annual sampling and analysis for mercury to comply with the Nevada Division of Environmental Protection. Consequently, those facilities will not incur any additional stack testing burden under this rule.

^gThese requirements apply only to new sources.

^hAssumes 20% of existing facilities (21 x 20% = 4.2 facilities) will need to submit excess emissions reports.

ⁱTotals 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 Gold Mine Ore Processing (40 CFR Part 63, Subpart EEEEEEE) (Renewal)

	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)
Burden Item	EPA Person hours per occurrence	Occurrences per respondent	EPA Person-hours per plant (C=AxB)	Plants per year ^a	Technical hours/year (E=CxD)	Management hours/year (F=Ex0.05)	Clerical-hours/year (G=Ex0.1)	Total Cost per year ^b , \$
Observe performance test ^c	16	1	16	1	16	0.8	1.6	\$1,266.17
Report Review:								
Initial notification of applicability ^d	1	1	1	0	0	0	0	\$0
Notification of compliance status ^d	2	1	2	0	0	0	0	\$0
Notification of performance test ^d	2	1	2	0	0	0	0	\$0
Deviation reports	N/A							
Startup, shutdown, malfunction plan ^d	2	1	2	0	0	0	0	\$0
Semiannual excess emissions report ^e	1	2	2	4.2	8.4	0.42	0.84	\$664.74
Annual performance test report	1	1	1	17	17	0.85	1.7	\$1,345.30

for Hg emission ^f								
TOTAL COST (rounded) ^g					48			\$3,280

Assumptions:

^a We assume there are 21 existing facilities subject to the rule and no additional sources will become subject to the rule during the three-year period of this ICR.

^b This ICR uses the following labor rates: \$73.46 for managerial, \$54.51 for technical, and \$29.50 for clerical labor. These rates are from the Office of Personnel Management (OPM), 2023 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 Assumes Agency staff will observe the performance test of one affected plant per year.

^d These requirements apply only to new sources.

^e Assumes 20% of existing facilities (21 x 20% = 4.2 facilities) will need to submit excess emissions reports.

^f This ICR only calculates burden for Method 29 testing for 17 process units located outside of Nevada. Facilities in Nevada already perform annual sampling and analysis for mercury to comply with the Nevada Division of Environmental Protection. Consequently, those facilities will not incur any additional stack testing burden under this rule.

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