U.S. Environmental Protection Agency

Information Collection Request

**Title:** NESHAP for Rubber Tire Manufacturing (40 CFR Part 63, Subpart XXXX) (Final Rule)

**OMB Control Number:** 2060-0449

**EPA ICR Number:** 1982.07

**Abstract:** The National Emission Standards for Hazardous Air Pollutants (NESHAP) for the regulations published at 40 CFR Part 63, Subpart XXXX were proposed on October 18, 2000, promulgated on July 9, 2002, and most recently amended on July 24, 2020. Additional amendments to the NESHAP were proposed on November 10, 2023. These regulations apply to existing and new facilities that are involved in rubber processing, tire production, tire cord production, and puncture sealant application.

The amendments being finalized in this action will regulate emissions from rubber processing mixers.

New affected sources include those that commenced construction or reconstruction after the date of proposal of the applicable regulations. This information is being collected to assure compliance with 40 CFR Part 63, Subpart XXXX.

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

Any owner/operator subject to the provisions of this part shall maintain a file containing these documents and retain the file for at least five years following the generation date of such reports and records. All reports are sent to the delegated state or local authority. If there is no such delegated authority, then the reports are sent directly to the U.S. Environmental Protection Agency (EPA) regional office.

There are approximately 15 rubber tire manufacturing facilities, all which are owned and operated by the rubber tire manufacturing industry. None of the 15 facilities in the United States are owned by either state, local, tribal or the Federal government. They are all privately-owned, for-profit businesses. Of the 15 facilities, 12 of these have rubber mixers and would be affected by the final amendments for rubber processing.

The “burden” to the Affected Public may be found below in Tables 1-4: Annual Respondent Burden and Cost (New) – NESHAP for Rubber Tire Manufacturing (40 CFR Part 63, Subpart XXXX). The Federal Government’s “burden” is attributed entirely to work performed by either Federal employees or government contractors and may be found below in Tables 5-8: Average Annual EPA Burden and Cost (New) – NESHAP for Rubber Tire Manufacturing (40 CFR Part 63, Subpart XXXX). We assume that they will all respond.

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

Over the next three years, approximately 12 respondents per year will be subject to these standards, and no additional respondents per year will become subject to these same standards. This estimate includes the 12 major source tire manufacturing facilities that have rubber mixers and perform rubber processing.

This is a new information collection.

**Supporting Statement A**

# **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, HAP emissions from rubber tire manufacturing either cause or contribute to air pollution that may reasonably be anticipated to endanger public health and/or welfare. Therefore, the NESHAP were promulgated for this source category at 40 CFR Part 63, Subpart XXXX.

# **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 standard 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.

For this NESHAP, performance tests are required for metal HAP, or filterable particulate matter (fPM) as a surrogate for metal HAP, in order to determine an affected facility’s initial capability to comply with the emission standards for metal HAP or fPM. Continuous emission monitoring systems (CEMS) for total hydrocarbons (THC) are used to ensure compliance with the emission standards for THC (as a surrogate for organic HAP) at all times.

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

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

Additionally, the EPA is requiring electronic reporting for certain notifications or reports. The EPA is requiring that owners or operators of affected sources would submit electronic copies of initial notifications required in 40 CFR 63.9(b), notifications of compliance status required in 40 CFR 63.6016(e), and performance test reports required in 40 CFR 63.6017(h). For semiannual reports required in 40 CFR 63.6017(c), EPA has developed a template for the reporting form in CEDRI specifically for 40 CFR Part 63, Subpart XXXX. For the notifications required in 40 CFR 63.9(b) and 63.9(j), owners and operators would be required to upload a PDF of the required notifications.

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

# **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.*

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 standard 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.

# **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, duplication does not exist.

# **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.

# **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 these 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.

# **GENERAL GUIDELINES**

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

These reporting or recordkeeping requirements do not violate any of the regulations promulgated by OMB under 5 CFR Part 1320, Section 1320.5.

These standards require the respondents to maintain all records, including reports and notifications for at least five years. This is consistent with the General Provisions as applied to these standards. EPA believes that the five-year records retention requirement is consistent with the Part 70 permit program and the five-year statute of limitations on which the permit program is based. The retention of records for five years allows EPA to establish the compliance history of a source, any pattern of non-compliance and to determine the appropriate level of enforcement action. EPA has found that the most flagrant violators have violations extending beyond five years. In addition, EPA would be prevented from pursuing the violators due to either the destruction or nonexistence of essential records.

# **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.*

A public notice of this collection was provided in the Federal Register notice of the proposed rulemaking published for the proposed amendments to Subpart XXXX in the Federal Register on November 16, 2023 (88 FR 78692).

In response to public comments, the EPA has revised the proposed emission limits to remove separate limits for mixing silica-containing and non-silica rubber compounds and the final rule will have a single emission limit for mixing all types of rubber compounds. The use of a single emission limit will significantly reduce the recordkeeping and calculation burden because owners/operators will not need to track emissions and will not need to perform separate compliance calculations for the different types of rubber compounds being mixed.

Also, in response to public comments, the final rule will allow compliance with facility-wide emission limits for THC and fPM or metal HAP. The use of a facility-wide emission limit will facilitate compliance by allowing facilities to average among mixers. It will also simplify compliance because mixers may often share a common control device or stack, and with a facility-wide emission limit owners/operators will not have to apportion emissions to individual mixers. Instead, compliance will be based on total emissions divided by total production from all mixers to demonstrate compliance in grams of emissions per megagram of rubber processed.

In response to public comments, the EPA has reduced the monitoring requirements in the final rule. The EPA has removed the requirement to perform periodic THC compliance tests because the final rule already requires the use of a THC CEMS. The EPA has also removed the requirement to establish and monitor compliance with THC control device operating limits because the final rule already requires the use of a THC CEMS. Finally, the EPA has revised the monitoring cost estimate to account for the fact that the industry has 114 fabric filter baghouses instead of the original estimate of 97 fabric filter baghouses.

In response to other comments, the EPA reevaluated the cost estimates and proposed monitoring requirements but made no additional changes after confirming that the remaining cost estimates and proposed monitoring requirements were still valid.

**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.*

During development of these amendments, the Agency has consulted industry experts, specifically the U.S. Tire Manufacturers Association (USTMA) and internal EPA 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, was a survey of the industry and, in compliance with the recordkeeping and reporting provisions in these standards, was also 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 USTMA and the Agency’s internal industry experts. Approximately 12 respondents that perform rubber processing will be subject to these standards over the three-year period covered by this ICR.

The USTMA and other interested parties were provided an opportunity to comment on the burden associated with these standards as they were being developed and that these same standards have been reviewed previously to determine the minimum information needed for compliance purposes. In developing this ICR, we consulted with internal experts at EPA’s Office of Air Quality and Planning Standards (OAQPS). OAQPS had previously contacted the U.S. Tire Manufacturers Association in developing a source count inventory and the proposed and final amendments.

# **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 made to respondents.

# **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.*

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

# **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.*

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

# **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 rubber tire manufacturing facilities. The United States Standard Industrial Classification (SIC) code for the respondents affected by the standards is SIC 3011, which corresponds to the North American Industry Classification System (NAICS) 326211 for rubber tire manufacturing.

Based on our research for this ICR, on average over the next three years, approximately 12 existing respondents will be subject to these standards, which is the current number of major source facilities that have rubber processing mixers. It is estimated that no additional respondents per year will become subject to these same standards, and no respondents will cease to be subject to the standards. We have assumed that because some facilities will need to retrofit or purchase and install new add-on controls, and all will need to purchase and install monitoring systems, all facilities will not demonstrate compliance until year 3 after the rule is final.

The total number of annual responses per year is calculated using the Table 9 Total Annual Responses and shown in Table 9 below. The average number of Total Annual Responses per year for the first 3 years is 24.

**12b. Information Requested**

In this ICR, all the data that are recorded or reported is required by the NESHAP for Rubber Tire Manufacturing (40 CFR Part 63, Subpart XXXX).

A source must make the following reports:

| **Notifications** | |
| --- | --- |
| Initial notifications that a source is subject to the provisions in Subpart XXXX or intent to construct/reconstruct. | 63.9(a), 63.9(b), 63.6016(a), 63.6016(b), 63.6016(c) |
| Notification of performance test and test plan/QAPP. | 63.7(b)(1), 63.7(c), 63.9(e), 63.6016(e) |
| Notification of compliance status. | 63.9(h), 63.10(d), 63.6016(k) |
| Notification of alternative monitoring method. | 63.8(f) |

| **Reports** | |
| --- | --- |
| Site-specific monitoring plan (only units with control devices) | 63.6(e)(3), 63.5990(e) |
| Submit results of initial performance tests/compliance demonstrations (only units with control devices) | 63.6016(f) |
| Compliance status report, semiannual monitoring report, performance test reports, and THC emissions reporting. | 63.6017(c), (d), (e), (g), (h), (i), (j), and (k) |

A source must keep the following records under the proposed rubber processing amendments:

| **Recordkeeping** | |
| --- | --- |
| Records of all notifications and reports | 63.6018(a) |
| Records of performance tests (only units with control devices) | 63.10(b), 63.6018(a) |
| Maintain a log detailing the operation and maintenance of the process and emission control equipment (only units with control devices) | 63.5990(c) |
| The results for each inspection, calibration, and validation check of your CPMS, as specified in your site-specific monitoring plan. (only units with control devices) | 63.6001 |
| Records of operating parameter values for each operating parameter that applies to your facility (only units with control devices) | 63.5990(c) |
| Records for rubber processing | 63.6018(e) and Table 19 |

Some of the respondents will be using monitoring equipment that automatically records parameter data. Although personnel at the affected facility must still evaluate the data, internal automation has significantly reduced the burden associated with monitoring and recordkeeping at a plant site.

Electronic Reporting

The rule was amended to include electronic reporting provisions on July 24, 2020. Respondents are required to use the EPA’s Electronic Reporting Tool (ERT) to develop performance test reports and submit them through the EPA’s Compliance and Emissions Data Reporting Interface (CEDRI), which can be accessed through the EPA’s Central Data Exchange (CDX) (https://cdx.epa.gov/). The ERT is an application rather than a form, and the requirement to use the ERT is applicable to numerous subparts. The splash screen of the ERT contains a link to the Paperwork Reduction Act (PRA) requirements, such as the OMB Control Number, expiration date, and burden estimate for this and other subparts. Respondents are also required to submit electronic copies of notifications and certain reports through EPA’s CEDRI. The notification is an upload of their currently required notification in portable document format (PDF) file. The semiannual reports are to be created using Form 5900-569, the electronic template included with this Supporting Statement. The template is an Excel spreadsheet that can be partially completed and saved for subsequent semiannual reports to limit some of the repetitive data entry. It reflects the reporting elements required by the rule and does not impose additional reporting elements. The OMB Control Number is displayed on the Welcome page of the template, with a link to an online repository that contains the PRA requirements. For purposes of this ICR, it is assumed that there is no additional burden associated with the proposed requirement for respondents to submit the notifications and reports electronically. The supplemental files to this ICR 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.

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

**12c. Respondent Activities**

| **Respondent Activities** |
| --- |
| Familiarization with the regulatory requirements. |
| Install, calibrate, maintain, and operate CMS for parameters specified in your site-specific monitoring plan, including THC CEMS and bag leak detection systems. |
| Perform initial and repeat performance test for fPM or metal HAP using Methods 1, 1A, 2, 2A, 2C, 2D, 2F, 2G, 3, 3A, 3B, 4, and 5 (for fPM) or 29 (for metal HAP) and repeat performance tests if necessary. |
| Collect emissions and rubber processing data and calculate emissions as grams of emission per megagram of rubber processed. |
| 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. |

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 standard, 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.

**12d. Respondent Burden Hours and Labor Costs**

Tables 1 to 3 document the computation of individual burdens over the next three years for the recordkeeping and reporting requirements applicable to the industry for the subpart included in this ICR for the final rule amendments for rubber processing. The individual burdens are expressed under standardized headings believed to be consistent with the concept of burden under the Paperwork Reduction Act. Where appropriate, specific tasks and major assumptions have been identified. Responses to this information collection are mandatory.

The average annual burden to industry over the next three years from these recordkeeping and reporting requirements for the final rule amendments for rubber processing is estimated to be 2,934 hours (Total Labor Hours from Tables 1 through 3 below). 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 currently approved ICR for subpart XXXX, and any comments received.

This ICR uses the following labor rates:

Managerial $174.93 ($83.30 + 110%)

Technical $141.35 ($67.31 + 110%)

Clerical $69.55 ($33.12 + 110%)

These rates are from the United States Department of Labor, Bureau of Labor Statistics, March 2024, “Table 4. 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.

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.

# **RESPONDENT CAPITAL AND O&M COSTSS**

*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 and O&M costs are estimated for rubber processing sources to monitor THC emissions with a CEMS and for bag leak detection systems (BLDS) on fabric filter baghouses.

The total estimated capital cost (purchase and installation) of a THC CEMS instrument and installation is $145,000. The estimated annual cost (including annualized purchase and installation costs of $14,700 and operation and maintenance costs of $28,700) is $43,400 per year per CEMS, and one CEMS will be needed for each of the 97 rubber mixers located at major sources, for a total annual cost of about $4.2 million.

The cost to purchase and install a BLDS is $22,200. The estimated annual cost (including annualized purchase and installation costs of $5,600 and operation and maintenance costs of $9,300) is $14,900 per year per BLDS. The annual cost of the BLDS includes periodic PM performance testing. One BLDS will be needed for each of the 114 baghouses on the 97 rubber mixers located at major sources, for a total annual cost of about $1.7 million.

The combined annual capital/startup and O&M cost for the 97 THC CEMS and the 114 BLDS will be $5.9 million.

We assume that none of the mixers will be in compliance until the third year after the rule is final. Therefore, the capital and O&M costs for the THC and BLDS will first occur in the third year after the rule is final and there are no capital/startup and O&M costs in years 1 and 2.

The detailed bottom line burden hours and cost calculations for the respondents and the Agency for the proposed amendments are shown below in Tables 1 through 8 and summarized below.

The average annual capital/startup and O&M costs to the regulated entities in the first three years are $1.97 million.

# **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.

* 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 databases.

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 standard and to note the operating conditions under which compliance was achieved. Data and records maintained by the respondents are tabulated and published for use in compliance and enforcement programs. The 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 Labor Cost**

The only costs to the Agency are those costs associated with review and 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.

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

Managerial $76.91 (GS-13, Step 5, $48.07 + 60%)

Technical $57.07 (GS-12, Step 1, $35.67 + 60%)

Clerical $30.88 (GS-6, Step 3, $19.30 + 60%)

These rates are from the Office of Personnel Management (OPM), 2024 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 in Tables 5 to 8: Average Annual EPA Burden and Cost – NESHAP for Rubber Tire Manufacturing (40 CFR 63, Subpart XXXX).

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

There are no non-labor costs to the Agency associated with this information collection.

# **REASONS FOR CHANGE IN BURDEN**

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

This estimate is the burden for the final amendments to add new regulatory requirements to reduce emissions from rubber processing mixers. These amendments reflect a change in the current burden for the regulation of other emission subcategories in the rubber tire manufacturing industry under 40 CFR 63, Subpart XXXX. The number of sources presented in this ICR reflects current data obtained from industry and has not changed compared to the Proposal ICR. Labor hours have been added for the collection and analysis of data, to submit notifications and reports, and to keep records required to demonstrate compliance with the emission limitations for rubber processing. Capital O&M costs are slightly higher than the previously approved ICR due to the added requirements for monitoring of control devices, including BLDS and THC CEMS.

# **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. Data submitted to demonstrate compliance will not be submitted until Year 3 of the period covered by this ICR.

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. The time period of this ICR does not include any one-time information collection requests.

# **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.*

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

# **CERTIFICATION STATEMENT**

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

There are no exceptions to the topics of the certification statement.

**Table 9 – Total Annual Responses**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Total Annual Responses in Year 1** | | | | |
| (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 Notifications | 12 | 1 | 0 | 12 |
| Performance test notification | 0 | 1 | 0 | 0 |
| Compliance status notification | 0 | 1 | 0 | 0 |
| Notification of alternative monitoring method | 0 | 1 | 0 | 0 |
| Notification of reassessment of predominant use | 0 | 1 | 0 | 0 |
| Site-specific monitoring plan | 0 | 1 | 0 | 0 |
| Performance test reports | 0 | 1 | 0 | 0 |
| Semiannual compliance reports | 0 | 2 | 0 | 0 |
| Annual compliance reports | 0 | 1 | 0 | 0 |
|  |  |  | **Total** | **12** |
| **Total Annual Responses in Year 2** | | | | |
| (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 Notifications | 0 | 1 | 0 | 0 |
| Performance test notification | 0 | 1 | 0 | 0 |
| Compliance status notification | 0 | 1 | 0 | 0 |
| Notification of alternative monitoring method | 0 | 1 | 0 | 0 |
| Notification of reassessment of predominant use | 0 | 1 | 0 | 0 |
| Site-specific monitoring plan | 0 | 1 | 0 | 0 |
| Performance test reports | 0 | 1 | 0 | 0 |
| Semiannual compliance reports | 0 | 2 | 0 | 0 |
| Annual compliance reports | 0 | 1 | 0 | 0 |
|  |  |  | **Total** | **0** |
| **Total Annual Responses in Year 3** | | | | |
| (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 Notifications | 0 | 1 | 0 | 0 |
| Performance test notification | 12 | 1 | 0 | 12 |
| Compliance status notification | 12 | 1 | 0 | 12 |
| Notification of alternative monitoring method | 0 | 1 | 0 | 0 |
| Notification of reassessment of predominant use | 0 | 1 | 0 | 0 |
| Site-specific monitoring plan | 12 | 1 | 0 | 12 |
| Performance test reports | 12 | 1 | 0 | 12 |
| Semiannual compliance reports | 12 | 2 | 0 | 24 |
| Annual compliance reports | 0 | 1 | 0 | 0 |
|  |  |  | **Total** | **72** |