

# U.S. Environmental Protection Agency

## Information Collection Request

**Title:** Review of the New Source Performance Standards: Large Municipal Waste Combustors Voluntary Remand Response and 5-year Review (40 CFR Part 60, Subpart VVVV) (Final Rule)

**OMB Control Number:** 2060-0210

**EPA ICR Number:** 1506.16

**Abstract:** The New Source Performance Standards for Large Municipal Waste Combustors (40 CFR Part 60, Subparts Ea and Eb) were proposed on December 20, 1980 and September 20, 1994 (respectively); promulgated on February 11, 1991 and December 19, 1995 (respectively); and amended on both August 25, 1997, and May 10, 2006. The Agency received petitions on various aspects of the standards, however, and the 2006 rule was remanded in 2008. EPA is finalizing a rulemaking to address that remand, which includes a reevaluation of maximum achievable control technology (MACT) floors and the next iteration of the 5-year review of the standards as required by the CAA. The EPA proposed the revised requirements to existing subpart Eb (Standards of Performance for Large Municipal Waste Combustors for Which Construction is Commenced After September 20, 1994 or for Which Modification or Reconstruction is Commenced After June 19, 1996), and to reserve subpart Ea (NSPS limits for units constructed after December 20, 1989, and on or before September 20, 1994) on January 23, 2024. The EPA is finalizing the revised requirements in new subpart 40 CFR 60 Part 60, Subpart VVVV (Standards of Performance for Large Municipal Waste Combustors).<sup>1</sup> Subpart VVVV applies to facilities that construct, modify, or reconstruct a large MWC unit after January 23, 2024. In general, all NSPS 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 the NSPS. The final amendments reflect the results from the MACT floor reevaluation and the 5-year review; remove startup, shutdown and malfunction exclusions and exceptions; streamline regulatory language; revise recordkeeping and electronic reporting requirements; and clarify requirements for certain air curtain incinerators. Additionally, the amendments re-establish new source and existing source applicability dates. Large MWC units that are currently subject to the New Source Performance Standards (NSPS) of subparts Ea and Eb will become “existing” sources under the amended standards and would be required to meet the revised emission guidelines (EG) under subpart WWWW by the applicable compliance date for the revised guidelines. The burden estimate for these “existing” sources is included in OMB No. 2060-0390 (ICR No. 1807.11). Large MWCs constructed after January 23, 2024 or modified or reconstructed after 6 months from the date of promulgation of the final NSPS would be required to meet the revised requirements of NSPS Subpart VVVV. Currently, we do not anticipate any new units to commence

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<sup>1</sup> Following proposal of amendments to subpart Eb, the EPA determined that creating a new subpart would lessen confusion for affected sources and implementing agencies. Therefore, we have created new subpart VVVV, which will replace subpart Eb once effective.

construction or reconstruction during the time period reflected by this information collection request (ICR). Therefore, there is no incremental burden expected for the requirements of 40 CFR Part 60, subpart VVVV over the next three years. Burdens associated with the 2006 standards are addressed separately under EPA ICR Number 1506.14 and are not included in this ICR. This ICR applies only to the incremental burden incurred by new units due to the final revisions to these standards. This information is being collected to ensure compliance with the amendments to 40 CFR Part 60, Subpart VVVV.

The Office of Management and Budget (OMB) approved the currently-active EG ICR (1506.14) with the following "Terms of Clearance":

In accordance with 5 CFR 1320, the information collection is approved for three years. However, EPA should update the burden estimates following this renewal, once it has accounted for the burden for sources subject to subpart Ea that are also subject to subpart Cb, and for which the requirements of subpart Cb supersede subpart Ea, in OMB Control Number 2060-0390. In addition, EPA should update the supporting statement to avoid rounding burden hour estimates beyond the nearest whole number. Upon resubmission of this renewal, the agency must upgrade the supporting statement to align with the general 18 question supporting statement template that the federal government uses for supporting documentation for OMB reviews.

This ICR supporting statements reflects the change in burden associated with the final revisions to the NSPS and is drafted to demonstrate compliance with PRA requirements and other laws, and respond to these Terms of Clearance, as follows: The burden in the ICR is the incremental burden of the rule that applies to new MWCs that would become subject to 40 CFR part 60, Subpart VVVV following implementation of the final rules. The burden hour estimates are rounded to the nearest whole dollar. There is no incremental burden expected for the requirements of 40 CFR Part 60, subpart VVVV as there are no units to commence construction or reconstruction anticipated over the next three years. The relevant regulatory text is referenced in section 12(b) of this document. We have created a supplementary document including the regulatory text that describes the data elements being collected and the ICR requirements as identified in section 12(b) of this document as requested. All electronic collection in this information collection is submitted through EPA's CEDRI, as discussed in section 3 of this document. Additional Paperwork Reduction Act requirements for CEDRI, 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. A description of the EPA's consultation with respondents and how EPA responded to any concerns raised by respondents or other stakeholders is discussed in section 8 of this document. This supporting statement follows the standard 18-question format.

## **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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The EPA is required, under section 129 of the Act, to establish NSPS pursuant to sections 111 and 129 of the CAA for new and existing solid waste incineration units, including “incineration units with capacity greater than 250 tons per day combusting municipal waste.” This action amends the large MWC standards under such authority. In addition, CAA section 129(a)(5) specifically requires the EPA to review the standards at 5-year intervals and, if appropriate, revise the standards and the requirements for solid waste incineration units, including large MWC units. These standards and requirements reflect the maximum achievable control technology (MACT) for achieving continuous emission reductions:

Section 129(a)(1)(A) states:

The Administrator shall establish performance standards and other requirements pursuant to section 111 and this section for each category of solid waste incineration units. Such standards shall include emissions limitations and other requirements applicable to new units and guidelines (under section 111(d) and this section) and other requirements applicable to existing units.

Section 129(a)(2) states:

Standards applicable to solid waste incineration units promulgated under section 111 and this section shall reflect the maximum degree of reduction in emissions of air pollutants listed under section (a)(4) that the Administrator, taking into consideration the cost of achieving such emission reduction, and any non-air quality health and environmental impacts and energy requirements, determines is achievable for new or existing units in each category.

Section 129(b)(1) states:

Performance standards under this section and section 111 for solid waste incineration units shall include guidelines promulgated pursuant to section 111(d) and this section applicable to existing units. Such guidelines shall include, as provided in this section, each of the elements required by subsection (a) (emissions limitations, notwithstanding any restriction in section 111(d) regarding issuance of such limitations), subsection (c) (monitoring), subsection (d) (operator training), subsection (e) (permits), and subsection (h)(4) (residual risk).

As noted above, CAA section 129(a)(5) requires the EPA to conduct a review of the standards at 5-year intervals and, in accordance with CAA sections 129 and 111, if appropriate, revise the standards. In conducting 5-year reviews under CAA section 129(a)(5), the EPA assesses the performance of and variability associated with control measures affecting emissions performance at sources in the subject source category (including the installed emissions control equipment), along with recent developments in practices, processes, and control technologies, and determines whether it is appropriate to revise the NSPS. This approach is consistent with the requirement that standards under CAA section 129(a)(3) “shall be based on methods and technologies for removal or destruction of pollutants before, during or after combustion.” We do not interpret CAA section 129(a)(5), together with CAA section 111, as requiring the EPA to recalculate MACT floors in connection with this 5-year review. This general approach is similar to the approach taken by the EPA in periodically reviewing CAA section 111 standards, which, under CAA section 111(b)(1)(B), requires the EPA, except in specified circumstances,

to review NSPS promulgated under that section every eight years and to revise the standards if the EPA determines that it is appropriate to do so.

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.]

This ICR reflects the burden associated with the new requirements as a result of the reevaluation of the MACT floor for new units and 5-year review under CAA 129(a)(5), amendment of electronic reporting requirements, as well as the removal of startup, shutdown and malfunction exclusions and exceptions. The final amendments would apply to 40 CFR Part 60, Subpart VVVV.

## **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.*

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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 and ongoing capability to comply with the emission standards. Continuous emission monitors (CEMS) 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 must 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, and the standards are being met. The performance test may also be observed.

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

The EPA is finalizing electronic reporting for certain notifications or reports. The EPA is finalizing that owners or operators of affected sources would submit electronic copies of results of performance tests and CEMS data and initial and semiannual reports through the EPA's CDX, using CEDRI. For

semiannual and annual reports, EPA has developed a template for the reporting form in CEDRI specifically for 40 CFR Part 60, Subpart VVVV.

The Electronic Reporting Tool (ERT) software is used by facilities to generate electronic reports of performance tests. The EPA is also finalizing that 40 CFR Part 60, Subpart VVVV performance test reports be submitted to CEDRI in the format generated 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.*

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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 final rule includes electronic reporting provisions. Respondents are required to use the EPA's Electronic Reporting Tool (ERT) to develop performance test reports and performance evaluation 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 certain notifications through EPA's CEDRI. The notification is an upload of their currently required notification in portable document format (PDF) file. The annual and semiannual reports are to be created using Form 5900-645, the electronic template included with this Supporting Statement. The template is an Excel spreadsheet which can be partially completed and saved for subsequent annual and 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 will be no additional burden associated with the 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.

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>.

All reports required to be submitted electronically are submitted through the EPA's Central Data Exchange (CDX), using the Compliance and Emissions Data Reporting Interface (CEDRI), where the

delegated state or local authority can review them. If there is no such delegated authority, the EPA's regional offices can review them. All other reports are sent to the delegated state or local authority. If there is no such delegated authority, the reports are sent directly to the EPA's regional offices. The use of the term "Designated Administrator" throughout this document refers to the U.S. EPA or a delegated authority such as a state agency. The term "Administrator" alone refers to the U.S. EPA Administrator.

Information contained in these reports is reported by state and local governments in the ICIS Air database, which is operated and maintained by the EPA's Office of Compliance. The EPA uses ICIS for tracking air pollution compliance and enforcement by local and state regulatory agencies, EPA regional offices, and EPA headquarters. The EPA and its delegated authorities can edit, store, retrieve and analyze the data.

#### **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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For reports required to be submitted electronically, the information is sent through the EPA's CDX, using CEDRI, where the appropriate EPA regional office can review it, as well as state and local agencies that have been delegated authority. If a state or local agency has adopted under its own authority its own standards for reporting or data collection, adherence to those non-Federal requirements does not constitute duplication.

For all other reports, if the subject standards have not been delegated, the information is sent directly to the appropriate EPA regional office. Otherwise, the information is sent directly to the delegated state or local agency. If a state or local agency has adopted its own standards to implement the Federal standards, a copy of the report submitted to the state or local agency can be sent to the Administrator in lieu of the report required by the Federal standards. Therefore, duplication does not exist.

#### **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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A majority of the respondents are large entities (i.e., large businesses). However, the impact on small entities (i.e., small businesses) was taken into consideration during the development of the regulation. Due to technical considerations involving the process operations and the types of control equipment employed, the recordkeeping and reporting requirements are the same for both small and large entities. The Agency considers these to be the minimum requirements needed to ensure compliance and, therefore, cannot reduce them further for small entities. To the extent that larger businesses can use economies of scale to reduce their burden, the overall burden will be reduced.

#### **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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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.*

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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 the 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 the destruction or nonexistence of essential records.

## **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.*

A public notice and solicitation of public comment on this collection is provided in the Federal Register notice of the proposed rulemaking published for the Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Large Municipal Waste Combustors Voluntary Remand Response and 5-year Review (40 CFR 60, Subparts Eb and Cb) (89 FR 4243) published on January 23, 2024. No comments were received on the burden published in the Federal Register for this rulemaking.

### **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 public, including industry trade associations and other interested parties, were provided the opportunity to review and comment on the burden estimated in this Information Collection Request during the comment period for the proposed rulemaking, and the standard has been previously reviewed to determine the minimum information needed for compliance purposes. The Agency also

consulted industry experts and internal data sources to project the number of affected facilities and industry growth over the next three years in the development of the rulemaking. 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.

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.*

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No payments or gifts are made 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.*

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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 (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).

## **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 reporting or recordkeeping requirements in the standard do not include sensitive questions.

## **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*
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*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**

The respondents to the final recordkeeping and reporting requirements include the waste industry and solid waste management program administrators. The United States Standard Industrial Classification (SIC) codes for the respondents affected by the standards are SIC codes 4953 and 9511 which correspond to the North American Industry Classification System (NAICS) codes for the large municipal waste combustor industry are 562213 and 924110. This list of categories and NAICS codes is not intended to be exhaustive, but rather provides a guide for readers regarding the entities that this action is likely to affect.

The “Affected Public” includes large MWC units that are owned by the private sector, large MWC units that are owned by state and local governments, as well as by State Administrators. Currently, there are no known new large MWC units pending construction, and we do not anticipate any new units to commence construction or reconstruction during the time period reflected by this information collection request (ICR). Therefore, there are 0 MWC facilities (respondents) subject to subpart VVVV over the next three years.

Over the next three years, we anticipate 0 respondents will be subject to these standards, and no additional respondents per year will become subject to these same standards (i.e., no units that would be subject to the NSPS will be constructed or reconstructed). Large MWC units that are currently subject to the New Source Performance Standards (NSPS) of subparts Ea and Eb will become “existing” sources under the amended standards and will be required to meet the revised emission guidelines under subpart WWWW by the applicable compliance date for the revised guidelines. The burden estimate for these “existing” sources is included in OMB No. 2060-0390 (ICR No. 1807.11).

The number of respondents is calculated using the table Number of Respondents in Attachment 1 to this document that addresses the three years covered by this ICR.

The total number of annual responses per year is calculated using the table Summary of Total Annual Responses in Attachment 1 to this document. The number of Total Annual Responses is 0.

**12b. Information Requested**

In this ICR, all the data that are recorded or reported is required by the Standards of Performance for New Stationary Sources: Large Municipal Waste Combustors Voluntary Remand Response and 5-year Review (40 CFR 60, Subpart VVVV). Any owner/operator subject to the provisions of this part shall maintain a file of these measurements and retain the file for at least five years following the date of such measurements, maintenance reports, and records.

A source must make the following reports:

<b>Notifications</b>	
Electronic notification of exemption claims	§§60.5700(a), (b), (c), (d),

<b>Notifications</b>	
	(g), (h), and (i)

<b>Reports</b>	
Performance tests and CEMS performance evaluations (including relative accuracy test audit (RATA) reports (electronic submission)	§§60.6065(b)
Semiannual and annual reports, including electronic submission and addition of statement of exceedance during reporting period	§§60.6065(c) and (d), 60.6090, 60.6105

A source must keep the following records:

<b>Recordkeeping</b>	
CEMS data and operating parameters indicating data during warmup, startup, and shutdown	§§60.6045(a)(8) and (j) (4)
Record highest CEMS data and operating parameters during normal operations and during all operations for reporting year (for annual report)	§§60.6045(a), 60.6090(b)-(c)
Records in electronic format	§60.6025

### 12c. Respondent Activities

<b>Respondent Activities</b>
Familiarization with the regulatory requirements.
Familiarization with CEDRI.
Make modifications to CEMS data recording procedures to account for warmup, startup, shutdown and malfunction provisions, including all emission rates, computations, and tests.

<b>Respondent Activities</b>
Enter information into electronic template.
Submit the required reports developing, acquiring, installing, and utilizing technology and systems for collecting, validating, and verifying information.
Transmit, or otherwise disclose the information.

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

Tables 1 through 4 of Attachment 1 document the computation of individual burdens for the recordkeeping and reporting requirements applicable to the industry for the subpart included in this ICR. The individual burdens are expressed under standardized headings believed to be consistent with the concept of burden under the Paperwork Reduction Act. Where appropriate, specific tasks and major assumptions have been identified. Responses to this information collection are mandatory.

The average annual burden to industry over the next three years from these recordkeeping and reporting requirements is estimated to be 0 hours (Average Labor Hours from Table 4 in Attachment 1 of this document). These hours are based on Agency studies and background documents from the development of the regulation, Agency knowledge and experience with the NSPS program, the previously approved ICR, and any comments received.

This ICR uses the following labor rates:

Managerial	\$165.71
Technical	\$104.87
Clerical	\$40.57

These rates are from the United States Department of Labor, Bureau of Labor Statistics, May 2022, National Industry-Specific Occupational Employment and Wage Estimates for NAICS 562200 - Waste Treatment and Disposal. These rates have been adjusted using a Fringe Benefit Loading Rate of 1.5 and an Overhead and Profit Rate of 1.4 (Mean Hourly Rate \* Fringe Benefit Loading Rate \* Overhead and Profit Rate = Loaded Rate) 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.

#### **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.

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The only type of industry costs associated with the information collection activity in the regulations over the next 3 years are labor costs. There are no capital/startup or operation and maintenance 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.

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

The 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, annual, and semi-annual reports, required to be submitted by industry.

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. 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.

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

All reports are electronic versions of reports that are already being submitted via non-electronic methods, so no additional Agency burden is anticipated. The EPA's overall compliance and enforcement program includes such activities as the examination of records maintained by the respondents, periodic inspection of sources of emissions, and the publication and distribution of collected information. The average annual Agency burden and cost during the three years of the ICR is estimated to be 0 hours at a cost of \$0. See Table 8 in Attachment 1 of this document - Summary of Annual Agency Burden and Cost

of the New Source Performance Standards: Large Municipal Waste Combustors Voluntary Remand Response and 5-year Review (40 CFR Part 60, Subpart VVVV) (Final Rule). This cost is based on the average hourly labor rate as follows:

Managerial	\$73.46 (GS-13, Step 5, \$45.91 x 1.6)
Technical	\$54.51 (GS-12, Step 1, \$34.07 x 1.6)
Clerical	\$29.50 (GS-6, Step 3, \$18.44 x 1.6)

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 1.6 to account for the benefit packages available to government employees. Details upon which this estimate is based appear in Tables 5 through 8 of Attachment 1.

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

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

#### **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.*

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There is no change in burden from the most recently approved ICR (OMB No. 2060-0210, EPA ICR No. 1506.14) due to changes to the regulations to remove startup, shutdown and malfunction exclusions and exceptions; streamline regulatory language; revise recordkeeping and electronic reporting requirements; and clarify requirements for certain air curtain incinerators. The burden associated with these changes includes the time needed for respondents to familiarize themselves with the amended regulatory requirements, complete the CEMS demonstration report, familiarize themselves with CEDRI, complete the electronic data submittal, and maintain records of all emission rates, computations, and tests. However, these amendments re-establish the new source applicability dates for Large MWC units that are currently subject to the New Source Performance Standards (NSPS) of subparts Ea and Eb and reserves subpart Ea. Therefore, these amendments will not apply to current respondents under Ea and Eb until they become “existing” sources under the amended standards and are required to meet the revised emission guidelines (EG) under subpart WWWW by the applicable compliance date. Such sources will no longer meet the requirements of subparts Ea or Eb. The burden estimate for these “existing” sources following the final revisions is included in OMB No. 2060-0390 (ICR No. 1807.11).

Currently, we do not anticipate any new large MWC units (as defined under the revised standards under 40 CFR part 60, subpart VVVV) to commence construction or reconstruction during the time period reflected by this information collection request (ICR). Therefore, there is no incremental burden expected for 40 CFR Part 60, subpart VVVV over the next three years. Burdens associated with the 2006 standards are addressed separately under EPA ICR Number 1506.14 (NSPS – subparts Ea and Eb) and are not included in this ICR.

#### **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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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.*

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EPA 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."*

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

## **Attachment 1**

Refer to the Excel workbook that corresponds to this Supporting Statement for the following tables:

TABLES 1a, 1b, 2a, 2b, 3a, and 3b - Annual Respondent Burden and Cost of the New Source Performance Standards for New Sources: Large Municipal Waste Combustors Voluntary Remand Response and 5-year Review (40 CFR Part 60, Subpart VVVV) (Final Rule) – (a) Publicly Owned and (b) Privately Owned; Years 1-3

TABLE 4 - Summary of Annual Respondent Burden and Cost of the New Source Performance Standards for New Sources: Large Municipal Waste Combustors Voluntary Remand Response and 5-year Review (40 CFR Part 60, Subpart VVVV) (Final Rule)

TABLES 5, 6, and 7 - Annual Agency Burden and Cost of the New Source Performance Standards for New Sources: Large Municipal Waste Combustors Voluntary Remand Response and 5-year Review (40 CFR Part 60, Subpart VVVV) (Final Rule) – Years 1-3

TABLE 8 - Summary of Annual Agency Burden and Cost of the New Source Performance Standards for New Sources: Large Municipal Waste Combustors Voluntary Remand Response and 5-year Review (40 CFR Part 60, Subpart VVVV) (Final Rule)

TABLE: Number of Respondents

TABLE: Summary of Total Annual Responses