

U.S. Environmental Protection Agency

Information Collection Request

TITLE: NESHAP for Benzene Emissions from Benzene Storage Vessels and Coke Oven By-Product Recovery Plants (40 CFR Part 61, Subparts L and Y) (Renewal)

OMB CONTROL NUMBER: 2060-0185

EPA ICR NUMBER: 1080.17

ABSTRACT:

The NESHAP for Coke Oven By-Product Recovery Plants (40 CFR Part 61, Subpart L) were promulgated on September 14, 1989 (54 FR 38073) and amended on February 12, 1999 (64 FR 7458). These regulations apply to each of the following benzene emission sources at furnace and foundry coke by-product recovery plants: tar decanters, tar storage tanks, tar-intercepting sumps, flushing-liquor circulation tanks, light-oil sumps, light-oil condensers, light-oil decanters, wash-oil decanters, wash-oil circulation tanks, naphthalene processing, final coolers, final-cooler cooling towers, and equipment intended to operate in benzene service, including: pumps, valves, exhausters, pressure relief devices, sampling connection systems, open-ended valves or lines, flanges or other connectors, and other control devices or systems. The provisions of this subpart also apply to benzene storage tanks, BTX (benzene-toluene-xylene) storage tanks, light-oil storage tanks, and excess ammonia-liquor storage tanks at furnace coke by-product recovery plants. This information is being collected to assure compliance with 40 CFR Part 61, Subpart L.

The NESHAP for Benzene Emissions from Benzene Storage Vessels (40 CFR Part 61, Subpart Y) were promulgated on September 14, 1989 (54 FR 38077) and amended on December 14, 2000 (65 FR 78268). These standards apply to each benzene storage vessel with a design storage capacity greater than or equal to 38 cubic meters (10,000 gallons). This subpart does not apply to: 1) storage vessels used for storing benzene at coke by-product facilities; 2) vessels permanently attached to motor vehicles --such as trucks, rail cars, barges or ships; and 3) pressure vessels designed to operate in excess of 204.9 kPa (29.72 psia) and without emissions to the atmosphere. This information is being collected to assure compliance with 40 CFR Part 61, Subpart Y.

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

Any owner/operator subject to the provisions of this part shall maintain a file of these measurements and retain the file for at least five years following the date of such measurements, maintenance reports, and records. All reports required to be submitted electronically are submitted through the EPA's Central Data Exchange (CDX), using the Compliance and Emissions Data Reporting Interface (CEDRI), where the delegated state or local authority can review them. In the event that there is no such delegated

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

The "Affected Public" are owners or operators of benzene storage vessels and coke by-product recovery plants. The "burden" to the Affected Public may be found at the end of this document in Table 1: Annual Respondent Burden and Cost - NESHAP for Benzene Emissions from Benzene Storage Vessels and Coke Oven By-Product Recovery Plants (40 CFR Part 61, Subparts L and Y) (Renewal). The "burden" to the Federal Government is attributed entirely to work performed by either Federal employees or government contractors and may be found at the end of this document in Table 2: Average Annual Estimated EPA Burden and Cost - NESHAP for Benzene Emissions from Benzene Storage Vessels and Coke Oven By-Product Recovery Plants (40 CFR Part 61, Subparts L and Y) (Renewal). There are approximately six respondents per year which will be subject to Subpart L, and an average of one respondent per year which will be subject to Subpart Y. None of the facilities in the United States are owned by state, local, tribal, or the Federal government. They are all owned and operated by privately-owned, for-profit businesses. We assume that they will all respond to EPA inquiries.

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

Over the next three years, approximately six respondents per year will be subject to Subpart L. The number of respondents subject to Subpart L has been adjusted downwards from the prior ICR, based on consultations with industry trade groups that indicate consolidation within the industry. No additional respondents per year will become subject for the purpose of this ICR. Over the next three years, no existing respondents are expected to be subject to Subpart Y. However, this ICR presents the burden for implementation of the rule, which is still effective, based on the assumption of one existing respondent. New or reconstructed sources under NESHAP Subpart Y are subject to similar monitoring, reporting, and record-keeping requirements under the New Source Performance Standards (NSPS) for storage vessels at 40 CFR Part 60, Subpart Kb. To avoid double-counting, the burden associated with these new sources are not presented in this ICR.

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, benzene emissions from storage vessels and coke by-product recovery plants 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 61, Subparts L and Y.

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 these emission standards. Continuous emission monitors are used to ensure compliance with these same standards at all times. During the performance test a record of the operating parameters under which compliance was achieved may be recorded and used to determine compliance in place of a continuous emission monitor.

The notifications required in these standards are used to inform either the Agency or its 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 that the standards are being met. The performance test may also be observed.

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

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.

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>.

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.

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 ENTITIES:

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

The 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. EFFECTS 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 PRA Guidelines at 5 CFR 1320.5(d)(2).

With the following exception, 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 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:

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 six respondents per year will be subject to Subpart L, and an average of one respondent per year will be subject to Subpart Y over the three-year period covered by this ICR. The number of respondents subject to Subpart L have been adjusted downwards from the prior ICR, based on consultations with industry trade groups that indicate consolidation within the industry.

Industry trade association(s) 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 American Coke and Coal Chemicals Institute at (724) 772-1167 and the Association for Iron and Steel Technology at (724) 814-3000. The American Coke and Coal Chemicals Institute indicated that as of January 2024, there are only six by-product recovery coke plants operating in the United States, all of which are subject to Subpart L and none of which are subject to Subpart Y. Based on this response, the number of respondents subject to Subpart L and Subpart Y have been adjusted downwards from the prior ICR. While there are no facilities expected to be subject to Subpart Y, this ICR assumes an average of one respondent for the purpose of estimating burden.

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.

The Agency does not intend to provide payments or gifts to respondents as part of this collection.

10. PROVISIONS FOR PROTECTION OF INFORMATION:

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 (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.

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

12. RESPONDENT BURDEN HOURS AND 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.
- 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 benzene storage vessels and coke by-product recovery plants. The United States Standard Industrial Classification (SIC) codes and the corresponding North American Industry Classification System (NAICS) codes for the respondents affected by the standards are provided in the following table:

40 CFR Part 61	SIC Codes	NAICS Codes
Subpart L		
Steel Works, Blast Furnaces (Including Coke Ovens), and Rolling Mills	3312	331110, 324199
Subpart Y		
Petroleum Refining	2911	324110

Based on our research for this ICR, on average over the next three years, approximately six existing respondents will be subject to Subpart L and one existing respondent will be subject to Subpart Y. It is estimated that no additional respondents per year will become subject to these regulations. The overall average number of respondents, as shown in the table below, is six per year for Subpart L and one per year for Subpart Y.

The number of respondents is calculated using the following table that addresses the three years covered by this ICR:

Number of Respondents					
	Respondents That Submit Reports		Respondents That Do Not Submit Any Reports		
Year	(A)	(B)	(C)	(D)	(E) Number of

Number of Respondents					
	Number of New Respondents ¹	Number of Existing Respondents	Number of Existing Respondents that keep records but do not submit reports	Number of Existing Respondents That Are Also New Respondents	Respondents (E=A+B+C-D)
Subpart L					
1	0	6	0	0	6
2	0	6	0	0	6
3	0	6	0	0	6
Average	0	6	0	0	6
Subpart Y²					
1	0	1	0	0	1
2	0	1	0	0	1
3	0	1	0	0	1
Average	0	1	0	0	1

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

2 The burden for new sources subject to Subpart Y is included in the NSPS for storage vessels at 40 CFR Part 60, Subpart Kb.

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 six for Subpart L and one for Subpart Y.

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
Subpart L				
Semiannual emissions report	6	2	0	12
Subtotal for Subpart L				12

Total Annual Responses				
Subpart Y				
Annual inspection report	1	1	0	1
Supplemental delay report	0.02	1	0	0.02
Subtotal for Subpart Y (rounded)				1
			Total	13

The number of Total Annual Responses is 13.

12b. INFORMATION REQUESTED

In this ICR, all the data that are recorded or reported is required by the NESHAP for Benzene Emissions from Benzene Storage Vessels and Coke Oven By-Product Recovery Plants (40 CFR Part 61, Subparts L and Y).

A source must make the following reports:

Notifications	
Subpart L	
Notification and application of construction, reconstruction, or modification	§§61.05(a), 61.07, and 61.138(i)
Notification of anticipated date of initial startup	§61.09(a)(1)
Notification of actual date of initial startup	§61.09(a)(2)
Notification of physical or operational change which may increase the emission rate	§61.10(c)
Notification of performance test	§§61.13(c) and 61.14(c)
Notification that the requirements of 40 CFR Part 61, Subpart L and 40 CFR Part 61, Subpart V have been met	§§61.138(e) and §61.138(g)
Notification of intent to elect to comply with the requirements at 40 CFR section §61.243 at least 90 days before implementation	§61.138(h)
Subpart Y¹	
Notification of benzene storage vessel filling/refilling	§§61.272(a)(3)(i), 61.272(b)(6)(ii), and 61.275(c)
Notification of gap measurements required by §61.272(b)(1)	§61.272(b)(5)

Notifications	

¹ The burden for new sources subject to Subpart Y is included in the NSPS for storage vessels at 40 CFR Part 60, Subpart Kb.

Reports	
Subpart L	
Performance test reports	§§61.13(f) and 61.14(c)
Semiannual general and maintenance inspection reports	§61.138(f)
Semiannual reports of excess emission (alternative control options)	§61.139(j)(2)
Reporting requirements for owners or operators of any piece of equipment subject to NESHAP Subpart V	§61.247
Subpart Y¹	
Periodic inspection reports, repair extension requests, and supplemental periodic inspection reports for delayed repairs	§§61.272(a)(2), 61.272(b)(4)(iii), 61.275(a), 61.275(b), 61.275(d), and 61.275(d)(2)
Closed vent system and control device operating plan	§61.272(c)(1)
Quarterly excess emission reports for vessels equipped with closed vent systems with control devices	§61.275(e)

¹ The burden for new sources subject to Subpart Y is included in the NSPS for storage vessels at 40 CFR Part 60, Subpart Kb.

A source must keep the following records:

Recordkeeping	
Subparts L and Y²	
Maintain records of performance test results and other data needed to determine emissions. Records shall be retained for at least two years.	§61.13(g)
Maintain records of monitoring data, monitoring system calibration checks, and the occurrence and duration of periods where the monitoring system is malfunctioning or inoperative. Records shall be retained for at least two years.	§61.14(f)
Subpart L	
Maintain records of the design of control equipment installed, including detailed schematics, design specifications, piping and instrumentation diagrams, and dates and descriptions of any changes in the design specifications.	§61.138(a)

Maintain records of semiannual inspections, annual maintenance inspections, and where applicable, quarterly leak detection inspections.	§61.138(b)
Maintain records of leak detection and repair logs for at least two years.	§§61.138(c) and 61.246(c)
Maintain records of the design requirements of closed-vent system and control devices.	§§61.138(c) and 61.246(d)
Maintain records of applicable equipment and valve information.	§§61.138(c) and 61.246(e-j)
Maintain records of control device design, operations plan, corrective actions, compliance tests, reference values of monitored parameters, monitoring results, and exceedances (alternative control options).	§§61.139(i)(1-7)
Maintain records of annual furnace and foundry coke production for furnace coke by-product recovery plants for at least two years.	§61.138(d)
Recordkeeping requirements for owners or operators of any piece of equipment subject to NESHAP Subpart V.	§61.246
Subpart Y²	
Maintain records of all required reports, for at least two years.	§61.276(a)
Maintain records of dimensions and capacities of each benzene storage vessel, for the life of the vessel.	§61.276(b)
Maintain a record of the operating plan, for the life of the closed vent system and control device.	§61.276(c)(1)
Maintain records of monitoring parameters.	§61.276(c)(2)
Maintain records of any maintenance performed in accordance with the operating plan.	§61.276(c)(3)

² The burden for new sources subject to Subpart Y is included in the NSPS for storage vessels at 40 CFR Part 60, Subpart Kb.

12c. RESPONDENT ACTIVITIES

- Familiarization with the regulatory requirements.
- Install, calibrate, maintain, and operate Continuous Monitoring Systems (CMS) for opacity, or for pressure drop and liquid supply pressure for closed systems, barrier fluid degassing systems, closed-vent systems to a control device, closed-purge systems to a control device, and seal systems, by monitoring equipment to repair. (40 CFR Part 61, Subpart L only).
- Perform initial performance test, Reference Method 21 test, and repeat performance tests if necessary. (40 CFR Part 61, Subpart L only).
- 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.

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 Benzene Emissions from Benzene Storage Vessels and Coke Oven By-Product Recovery Plants (40 CFR Part 61, Subparts L and Y) (Renewal).

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 1,130 (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 1,130. Details regarding these estimates may be found in Table 1: Annual Respondent Burden and Cost – NESHAP for Benzene Emissions from Benzene Storage Vessels and Coke Oven By-Product Recovery Plants (40 CFR Part 61, Subparts L and Y) (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 87 hours per response.

Summary of Respondent Burden and Costs (Rounded)

Standard	Reporting (hr)	Recordkeeping (hr)	Total Labor Hours (hr)	Total Labor Costs
----------	----------------	--------------------	------------------------	-------------------

Subpart L	176	938	1,110	\$141,000
Subpart Y	13	2	15	\$1,890
Total			1,130	\$143,000

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.

There are no annual capital/startup or operation and maintenance costs to the regulated entity. The only costs to the regulated industry resulting from information collection activities required by the subject standard(s) are labor 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.

- 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 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.

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 Burden and Labor Cost

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 \$3,050.

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 Benzene Emissions from Benzene Storage Vessels and Coke Oven By-Product Recovery Plants (40 CFR Part 61, Subparts L and Y) (Renewal).

The average annual Agency burden and cost over next three years is estimated to be 57 labor hours at a cost of \$3,050. See Table 2: Average Annual EPA Burden and Cost – NESHAP for Benzene Emissions from Benzene Storage Vessels and Coke Oven By-Product Recovery Plants (40 CFR Part 61, Subparts L and Y) (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.

14c. Agency Non-Labor Costs

There are no anticipated non-labor costs for the Agency.

14d. Agency Total Costs

As listed above in 14(b), the average annual Agency burden and cost over next three years is estimated to be 57 labor hours at a cost of \$3,050. See Table 2: Average Annual EPA Burden and Cost – NESHAP for Benzene Emissions from Benzene Storage Vessels and Coke Oven By-Product Recovery Plants (40 CFR Part 61, Subparts L and Y) (Renewal).

15. CHANGE IN BURDEN:

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

There is a decrease in burden from the most recently approved ICR as currently identified in the OMB Inventory of Approved Burdens. The decrease is due to an adjustment decrease in the number of respondents subject to 40 CFR Part 61, Subparts L and Y based on our consultation with industry. There is a corresponding decrease in labor costs, which is offset somewhat by 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.

Although this rule does not require electronic reporting, respondents could choose to submit notifications or reports electronically. 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 OMB CONTROL NUMBER AND EXPIRATION DATE ON INSTRUMENTS:

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

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

18. CERTIFICATION STATEMENT:

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

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

BURDEN STATEMENT

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 87 hours per response. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB Control Number. The OMB Control Numbers for EPA regulations are listed at 40 CFR Part 9 and 48 CFR Chapter 15.

To comment on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including the use of automated collection techniques, EPA has established a public docket for this ICR under Docket ID Number EPA-HQ-OAR-2023-0117. An electronic version of the public docket is available at <http://www.regulations.gov/> which may be used to obtain a copy of the draft collection of information, submit or view public comments, access the index listing of the contents of the docket, and to access those documents in the public docket that are available electronically. When in the system, select "search," then key in the docket ID number identified in this document. The documents are also available for public viewing at the Enforcement and Compliance Docket and Information Center in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Ave., NW, Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is (202) 566-1744, and the telephone number for the docket center is (202) 566-1927. Also, you can send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, DC 20503, Attention: Desk Officer for EPA. Please include the EPA Docket ID Number EPA-HQ-OAR-2023-0117 and OMB Control Number 2060-0185 in any correspondence.

ADDITIONAL TABLES AND APPENDICES

Table 1: Annual Respondent Burden and Cost – NESHAP for Benzene Emissions from Benzene Storage Vessels and Coke Oven By-Product Recovery Plants (40 CFR Part 61, Subparts L and Y) (Renewal)

Burden Item	A	B	C	D	E	F	G	H
	Technical person-hours per occurrence	No. of occurrences per respondent per year	Technical person-hours per respondent per year (AxB)	Respondents per year ^a	Technical hours per year (Cx D)	Management hours per year (Ex0.05)	Clerical hours per year (Ex0.10)	Total cost per year ^b
Subpart L								
1. Applications	N/A							
2. Survey and Studies	N/A							
3. Reporting requirements								
A. Familiarize with regulation requirements	1	1	1	6	6.0	0.30	0.60	\$870.06
B. Required activities								
Initial performance test	32	1	32	0	0	0	0	\$0.00
Repeat performance test	32	0.2	6.4	0	0	0	0	\$0.00
Annual maintenance inspection ^c	0.5	1	0.5	6	3.0	0.15	0.30	\$435.03
C. Create information	See 3B							
D. Gather existing information	See 3E							
E. Write Report								
Notification of construction/reconstruction	2	1	2	0	0	0	0	\$0.00
Notification of anticipated/actual startup	2	1	2	0	0	0	0	\$0.00
Notification of initial performance test	2	1	2	0	0	0	0	\$0.00
Notification of physical/operational changes	8	1	8	0	0	0	0	\$0.00

Semiannual emissions report ^d	12	2	24	6	144	7.2	14.4	\$20,881.37
Subtotal for Reporting Requirements					176			\$22,186.45
4. Recordkeeping requirements								
A. Familiarize with regulation requirements	See 3A							
B. Plan activities								
Maintenance plan	See 3A							
C. Implement activities	See 3B							
File and maintain records ^e	33	4	132	6	792	39.6	79.2	\$114,847.52
Performance evaluation for Method 21 ^f	2	2	4	6	24	1.2	2.4	\$3,480.23
D. Develop record system	N/A							
E. Time to enter information	N/A							
F. Time to train personnel	N/A							
G. Time for audits	N/A							
Subtotal for Recordkeeping Requirements					938			\$118,327.75
ANNUAL BURDEN AND COST (SUBPART L) (ROUNDED)					1,110			\$141,000
Subpart Y								
1. Applications	N/A							
2. Survey and Studies	N/A							
3. Reporting requirements								
A. Familiarize with regulation requirements	1	1	1.0	1	1.0	0.05	0.10	\$145.01
B. Required activities	N/A							
C. Create information								
Existing sources								
Annual IFR internal inspections and EFR seal gap measurements ^g	8	1	8	1	8	0.4	0.8	\$1,160.08
D. Gather existing information	See 3C							

E. Write Report								
New sources								
Notification of construction/reconstruction	See NSPS Kb							
Notification of anticipated/actual startup	See NSPS Kb							
Notification of performance test	N/A							
Report of performance test	N/A							
Notification of control installation and refill at 1st IFR degassing ^{g,h}	2	1	2	0	0	0	0	\$0.00
Existing sources								
Annual inspection reports	2	1	2	1	2	0.1	0.2	\$290.02
Supplemental delay report ⁱ	2	1	2	0.02	0.04	0.00	0.00	\$5.21
Quarterly emissions report ^j	N/A							
Subtotal for Reporting Requirements						13		\$1,600.32
4. Recordkeeping requirements								
A. Familiarize with regulation requirements	See 3A							
B. Plan activities	See 4C							
C. Implement activities								
File and maintain records	2	1	2	1	2	0.1	0.2	\$290.02
D. Develop record system	See 4C							
E. Time to enter information	See 4C							
F. Time to train personnel	N/A							
G. Time for audits	N/A							
Subtotal for Recordkeeping Requirements						2		\$290.02
ANNUAL BURDEN AND COST (SUBPART Y) (ROUNDED)						15		\$1,890
TOTAL ANNUAL BURDEN AND COST (SUBPARTS L and Y) (ROUNDED)						1,130		\$143,000

Capital and O&M Costs (see Section 6(b) (iii))								\$0
TOTAL (ROUNDED)^k						1,130		\$143,000

Assumptions:

- a. We have assumed that an average of 6 respondents per year will be subject to 40 CFR Subpart L and an average of 1 respondent per year will be subject to 40 CFR Subpart Y. No new sources will become subject to the rule over the three-year ICR period. Note that the burden for any new sources subject to Subpart Y is included in the NSPS for storage vessels at 40 CFR Part 60, Subpart Kb.
- b. This ICR uses the following labor rates: \$163.17 (\$77.70 + 110%) per hour for Executive, Administrative, and Managerial labor; \$130.28 (\$62.04 + 110%) per hour for Technical labor, and \$65.71 (\$31.29 + 110%) 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.
- c. We have assumed that each respondent will take 0.5 hours to complete the annual maintenance inspection.
- d. We have assumed that each respondent will take twelve hours twice per year to write semiannual emissions reports.
- e. We have assumed that each respondent will take thirty-three hours four times per year to file and maintain records.
- f. We have assumed that each respondent will take two hours twice per year to complete the performance evaluation for Method 21.
- g. EFR - External Floating Roof. IFR - Internal Floating Roof.
- h. We believe that all vessels have been degassed and that all controls have been installed, as they were to be installed within ten years of promulgation.
- i. We have assumed that two percent of existing sources will request a delay of repair in the annual report.
- j. We have assumed that no sources will select the option for a fixed roof vented to a control device, and thus have no quarterly reports of excess emissions.
- k. Totals have been rounded to 3 significant figures. Figures may not add exactly due to rounding.

Table 2: Average Annual EPA Burden and Cost - NESHAP for Benzene Emissions from Benzene Storage Vessels and Coke Oven By-Product Recovery Plants (40 CFR Part 61, Subparts L and Y) (Renewal)

	A	B	C	D	E	F	G	H
Burden Item	Technical person-hours per occurrence	No. of occurrences per respondent per year	Technical person-hours per respondent per year (AxB)	Respondents per year ^a	Technical hours per year (CxD)	Management hours per year (Ex0.05)	Clerical hours per year (Ex0.10)	Total cost per year ^b

Subpart L								
Initial performance test								
New plant	40	1	40	0	0	0	0	\$0
Report review								
Notification of construction	2	1	2	0	0	0	0	\$0
Notification of anticipated startup	2	1	2	0	0	0	0	\$0
Notification of actual startup	2	1	2	0	0	0	0	\$0
Notification of performance test	2	1	2	0	0	0	0	\$0
Report of performance test	8	1	8	0	0	0	0	\$0
Review semiannual excess emissions and exemption reports ^c	4	2	8	6	48	2.4	4.8	\$2,934
ANNUAL BURDEN AND COST (SUBPART L, ROUNDED)					55			\$2,930
Subpart Y								
Report review								
New sources								
Notification of construction/reconstruction	See NSPS Kb							
Notification of anticipated/actual startup	See NSPS Kb							
Notification of performance test	N/A							
Report of performance test	N/A							
Notification of control installation	2	1	2	0	0	0	0	\$0

and refill at 1st IFR degassing ^{d,e}								
Existing sources								
Annual inspection report	2	1	2	1	2	0.1	0.2	\$122
Supplemental delay report ^f	2	1	2	0.02	0.04	0.00	0.00	\$2
Quarterly emissions report ^g	N/A							
ANNUAL BURDEN AND COST (SUBPART Y) (ROUNDED)						2		\$124
TOTAL (ROUNDED)^h						57		\$3,050

Assumptions:

- a. We have assumed that an average of 6 respondents per year will be subject to 40 CFR Subpart L and an average of 1 respondent per year will be subject to 40 CFR Subpart Y. No new sources will become subject to the rule over the three-year ICR period. Note that the burden for any new sources subject to Subpart Y is included in the NSPS for storage vessels at 40 CFR Part 60, Subpart Kb.
- b The cost is based on the following labor rate which incorporates a 1.6 benefits multiplication factor to account for government overhead expenses. Managerial rates of \$73.46 (GS-13, Step 5, \$45.91 + 60%), Technical rate of \$54.51 (GS-12, Step 1, \$34.07 + 60%), and Clerical rate of \$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.
- c. We have assumed it will take the Agency four hours per respondent to review excess emissions and exemption reports twice per year.
- d. IFR - Internal Floating Roof
- e. We believe that all vessels have been degassed and that all controls have been installed, as they were to be installed within ten years of promulgation.
- f. We have assumed that two percent of existing sources will request a delay of repair in the annual report.
- g. We have assumed that no sources will select the option for a fixed roof vented to a control device, and thus have no quarterly reports of excess emissions.
- h. Totals have been rounded to 3 significant figures. Figures may not add exactly due to rounding.