U.S. Environmental Protection Agency
Information Collection Request

Title: NESHAP for the Secondary Lead Smelter Industry (40 CFR Part 63, Subpart X) (Renewal)

OMB Control Number: 2060-0296

EPA ICR Number: 1686.13

Abstract: The National Emission Standards for Hazardous Air Pollutants (NESHAP) for the Secondary Lead Smelter Industry (40 CFR Part 63, Subpart X) were proposed on June 9, 1994; promulgated on June 13, 1997; and amended on: June 13, 1997, January 5, 2012, January 3, 2014, and November 19, 2020 . These regulations apply to both existing facilities and new facilities that operate furnaces to reduce scrap lead metal and lead compounds to elemental lead. Specifically, the rule applies to secondary lead smelters that use blast, reverberatory, rotary, or electric smelting furnaces to recover lead metal from scrap lead, primarily from used lead-acid automotive-type batteries. New facilities include those that either commenced construction or reconstruction after the date of proposal. This information is being collected to assure compliance with 40 CFR Part 63, Subpart X.

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 those facilities engaged in operating secondary lead smelter facilities. The ‘burden’ to the Affected Public may be found in Table 1: Annual Respondent Burden and Cost – NESHAP for the Secondary Lead Smelter Industry (40 CFR Part 63, Subpart X) (Renewal). The burden to the “Federal Government” is attributed entirely to work performed by federal employees or government contractors and may be found in Table 2: Average Annual EPA Burden and Cost – NESHAP for the Secondary Lead Smelter Industry (40 CFR Part 63, Subpart X) (Renewal). There are approximately 11 secondary lead smelter facilities, which are owned and operated by the secondary lead smelter industry.

None of the 11 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.

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 11 respondents per year will be subject to the standard, and no additional respondents per year will become subject to the standard.

The active (previous) ICR had the following Terms of Clearance (TOC):

"In accordance with 5 CFR 1320, the information collection is approved for three years. As terms of clearance, upon renewal of this collection, EPA is required to include the following in its supporting statement for this and other NESHAP ICRs: (1) a description of the regulatory text applicable to the ICR including submission specifications; (2) a clear description of the data elements being collected under the ICR; (3) screen shots of the electronic portal where the reporting requirements are submitted to EPA (with the control number and burden statement); (4) a detailed discussion of how information is submitted and the extent to which electronic reporting is available; (5) evidence of consultation with respondents (by actively reaching out to stakeholders as permitted by the PRA) to ensure the supporting statement's accuracy on availability of data, frequency of collection, clarity of instructions, accuracy of burden estimate, relevance of data elements, and similar PRA matters; and (6) discussion of how EPA addressed substantive concerns raised by respondents and other stakeholders during consultation and in response to comments received on FR notices. In addition, please convert the supporting statement to the standard 18 question SS-A format upon renewal."

The relevant regulatory text is referenced in section 12b of this document. We have created a supplementary document including the regulatory text that describes the ICR requirements, which includes a description of the data elements being collected under the ICR, as identified in section 12b of this document. All electronic collection in this information collection is submitted through EPA's ERT, as discussed in section 12b of this document. Additional Paperwork Reduction Act requirements for CEDRI and ERT, including the burden statement and OMB control number, are available at: https://www.epa.gov/electronic-reporting-air-emissions/paperwork-reduction-act-pra-cedri-and-ert. We have created supplementary documents that include screenshots of the electronic portal where the reporting requirements are submitted online to EPA, including the OMB burden statement on the electronic portal. 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. Per the Terms of Clearance on the previous ICR, 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.

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, lead metal, lead metal compound, and organic hazardous air pollutant (HAP) emissions (i.e., total hydrocarbons (THC) and dioxins and furans emissions) from secondary lead smelting processes either cause or contribute to air pollution that may reasonably be anticipated to endanger public health and/or welfare. Therefore, the NESHAP were promulgated for this source category at 40 CFR Part 63, Subpart X.

2. PRACTICAL UTILITY/USERS OF THE DATA

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

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

Performance tests are required in order to determine an affected facility’s initial capability to comply with the emission standards. Continuous emission monitors are used to ensure compliance with the standards at all times.

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

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

Additionally, the EPA is requiring electronic reporting for certain notifications or reports. The EPA is requiring that owners or operators of affected sources would submit electronic copies of initial notifications required in 40 CFR 63.9(b), notifications of changes in information already provided required in 40 CFR 63.9(j), performance test reports in 40 CFR 63.550(e)(14)(i), and Relative Accuracy Test Audit (RATA) Data in 40 CFR 63.550(e)(14)(ii) through the EPA's Central Data Exchange (CDX), using

the Compliance and Emissions Data Reporting Interface (CEDRI). For the notifications required in 40 CFR 63.9(b) and 63.9(j), owners and operators would be required to upload a PDF of the required notifications.

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

3. USE OF TECHNOLOGY

Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.

Following notification of startup, the reviewing authority could inspect the source to determine whether the pollution control devices are properly installed and operated. Performance test reports are used by the Agency to discern a source's initial capability to comply with the emission standard and note the operating conditions under which compliance was achieved. Data and records maintained by the respondents are tabulated and published for use in compliance and enforcement programs. The semiannual reports are used for problem identification, as a check on source operation and maintenance, and for compliance determinations.

Information contained in the reports is reported by state and local governments in the ICIS Air database, which is operated and maintained by EPA's Office of Compliance. ICIS is EPA's database for the collection, maintenance, and retrieval of compliance data for industrial and government-owned facilities. EPA uses ICIS for tracking air pollution compliance and enforcement by local and state regulatory agencies, EPA regional offices and EPA headquarters. EPA and its delegated Authorities can edit, store, retrieve and analyze the data.

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

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 BUSINESSES AND SMALL ENTITIES

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

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.

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.

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

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 Exide Technologies at (676) 566-9000 and the RSR Corporation at (214) 631-6070. In this case no comments were received.

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

9. PAYMENTS OR GIFTS TO RESPONDENTS

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

No payments or gifts are 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.

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 & LABOR COSTS

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

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

12a. Respondents/NAICS Codes

The respondents to the recordkeeping and reporting requirements are source category description. The United States Standard Industrial Classification (SIC) code for the respondents affected by the standards is SIC 3341 (Secondary Smelting and Refining of Nonferrous Metals), which corresponds to the North American Industry Classification System (NAICS) 331492 for Secondary Smelting and Refining of Nonferrous Metals.

Based on our research for this ICR, on average over the next three years, approximately 11 existing respondents will be subject to the standard. It is estimated that no additional respondents per year will become subject. The overall average number of respondents, as shown in the table below, is 11 per year.

The total number of annual responses per year is calculated using the table Total Annual Responses shown below. The number of Total Annual Responses is 78.

12b. Information Requested

In this ICR, all the data that are recorded or reported is required by the NESHAP for the Secondary Lead Smelter Industry (40 CFR Part 63, Subpart X).

A source must make the following reports:

Notifications	
Application for approval of construction/reconstruction	§63.5(d) and (f)
Notification of applicability	§63.549(a), §63.9(b)(2)
Notification of intention to construct/reconstruct	§63.549(a), §63.9(b)(4)(i), §63.9(b)(5)(i)
Notification of actual startup date	§63.549(a), §63.9(b)(4)(v), §63.9(b)(5)(ii)
Notification that source is subject to special compliance requirements	§63.549(a), §63.9(d)
Notification of performance test	§63.7(b), §63.9(e), §63.549(a)
Notification of opacity and visible emission observations	§63.549(a), §63.9(f)
Demonstration of continuous monitoring system	§63.549(a), §63.9(g)
Notification of compliance status	§63.549(a), §63.9(h)
Standard operating procedures manuals for fugitive dust controls and baghouses	§63.549(b)
Notification of reclassification to area source status or to revert back to major source status (electronic submission)	§§63.9(b), 63.9(j)

Reports	
Performance test results, including opacity CMS data (electronic submission)	§63.550(a), §63.550(d), §63.550(e), §63.10(d)(2), §63.10(e)(4)
Opacity or visible emission observations results	§63.550(a), §63.550(d), §63.550(e), §63.10(d)(3)
CMS performance evaluation results (electronic submission)	§63.550(a), §63.550(d), §63.550(e), §63.10(e)(2)
Excess emissions and CMS performance and summary reports	§63.550(a), §63.550(d), §63.550(e), §63.10(e)(3)

A source must keep the following records:

Recordkeeping	
Records of all reports and notifications	§63.10(b)(1)

Recordkeeping	
Records of applicability determinations	§63.10(b)(3)
Records for sources with CMS	§§63.10(c)(1)-(9) §§63.10(c)(12)-(14)
Records retention for five years (most recent two years must be kept on-site)	§§63.550(a) and (c)
Records of standard operating procedures manuals for fugitive dust controls and baghouses	§63.550(b)
Records of bag leak detection system outputs and alarms, including baghouse inspection, maintenance, and corrective actions	§§63.550(c)(1)-(3)
Records of parametric monitoring data, including system inspection, maintenance, and calibration	§§63.550(c)(4)-(10)
Records of startups, shutdowns, malfunctions, or periods where the CMS is inoperative	§§63.550(c)(11)-(13), §63.10(b)(2)(iii), §§63.10(b)(2)(vi)-(b)(2)(xiv)

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

The rule was amended to include electronic reporting provisions on January 5, 2012. Respondents are required to use the EPA's Electronic Reporting Tool (ERT) to develop performance test reports and submit them through the EPA's Compliance and Emissions Data Reporting Interface (CEDRI), which can be accessed through the EPA's Central Data Exchange (CDX) (https://cdx.epa.gov/). The ERT is an application rather than a form, and the requirement to use the ERT is applicable to numerous subparts. The splash screen of the ERT contains a link to the Paperwork Reduction Act (PRA) requirements, such as the OMB Control Number, expiration date, and burden estimate for this and other subparts. For purposes of this ICR, it is assumed that there is no additional burden associated with the proposed requirement for respondents to submit the notifications and reports electronically. The supplemental files to this ICR renewal contain screenshots showing the CDX homepage for CEDRI login, the CEDRI PRA screen, the CEDRI interface for managing reports for various subparts, and the landing page of the ERT that shows the link to PRA information.

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

12c. Respondent Activities

Respondent Activities
Familiarization with the regulatory requirements.
Install, operate, and maintain baghouses according to the standard operating procedures manual, and consistent with the manufacturer's instructions.
Monitor and record pressure drop and liquid supply pressure at the wet scrubber at least once every hour when using this control device for controlling particulate matter and metal HAP emissions from a process fugitive source.
Install, calibrate, maintain, and operate CMS for temperature monitoring of the afterburner or the combined blast furnace and reverberatory furnace exhaust streams when complying with the total hydrocarbon emission standard.
Install, calibrate, maintain, and operate a total hydrocarbon CMS for measuring emissions when complying with the total hydrocarbon emission standard.
Equip pressurized drying bleaching seals with an alarm to determine seal malfunctions.
Perform initial performance tests and repeat performance tests if necessary.
Use referenced test methods in Appendix A, Part 60, to determine compliance with the emission standards for: lead-bearing materials (e.g. method 1311); lead compounds (e.g., methods 1, 2 or 5D, 3, 3A, or 3B, 4, 12, and 29); total hydrocarbons (e.g., methods 1, 3A or 3B, 4, and 25A); and dioxins and furans (e.g., methods 1, 2 or 5D, 3A or 3B, 4, and 23).
Write the notifications and reports listed above.
Enter information required to be recorded above.
Submit the required reports developing, acquiring, installing, and utilizing technology and systems for collecting, validating, and verifying information.
Develop, acquire, install, and utilize technology and systems for processing and maintaining information.
Develop, acquire, install, and utilize technology and systems for disclosing and providing information.
Train personnel to be able to respond to a collection of information.
Transmit, or otherwise disclose the information.

Following notification of startup, the reviewing authority could inspect the source to determine whether the pollution control devices are properly installed and operated. Performance test reports are used by the Agency to discern a source's initial capability to comply with the emission standard and note the operating conditions under which compliance was achieved. Data and records maintained by the respondents are tabulated and published for use in compliance and enforcement programs. The semiannual reports are used for problem identification, as a check on source operation and maintenance, and for compliance determinations.

Information contained in the reports is reported by state and local governments in the ICIS Air database, which is operated and maintained by EPA's Office of Compliance. ICIS is EPA's database for the collection, maintenance, and retrieval of compliance data for industrial and government-owned

facilities. EPA uses ICIS for tracking air pollution compliance and enforcement by local and state regulatory agencies, EPA regional offices and EPA headquarters. EPA and its delegated Authorities can edit, store, retrieve and analyze the data.

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

12d. Respondent Burden Hours and Labor Costs

Table 1 documents 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 19,900 (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.

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.

13. RESPONDENT CAPITAL AND O&M COSTS

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

The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life) and (b) a total operation and maintenance and purchase of services component. The estimates should consider costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the period over which costs will be incurred. Capital and start-up

costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling, and testing equipment; and record storage facilities. If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collections services should be a part of this cost burden estimate.

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

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

The total capital/startup costs for this ICR are $0. This is the total of column D shown below in the table Capital/Startup vs. Operation and Maintenance (O&M) Costs.

The total operation and maintenance (O&M) costs for this ICR are $238,000. This is the total of column G shown below in the table Capital/Startup vs. Operation and Maintenance (O&M) Costs.

The average annual cost for capital/startup and operation and maintenance costs to industry over the next three years of the ICR is estimated to be $238,000. These are recordkeeping costs.

14. AGENCY COSTS

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

14a. Agency Activities

The EPA conducts the following activities in connection with the acquisition, analysis, storage, and distribution of the required information.

- Observe annual performance tests, if necessary.
- 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 standard and note the operating conditions under which compliance was achieved. Data and records maintained by the respondents are tabulated and published for use in compliance and enforcement programs. The

semiannual reports are used for problem identification, as a check on source operation and maintenance, and for compliance determinations.

Information contained in the reports is reported by state and local governments in the ICIS Air database, which is operated and maintained by EPA's Office of Compliance. ICIS is EPA's database for the collection, maintenance, and retrieval of compliance data for industrial and government-owned facilities. EPA uses ICIS for tracking air pollution compliance and enforcement by local and state regulatory agencies, EPA regional offices and EPA headquarters. EPA and its delegated Authorities can edit, store, retrieve and analyze the data.

14b. Agency 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 $51,200.

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 the Secondary Lead Smelter Industry (40 CFR Part 63, Subpart X) (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 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.

The adjustment decrease in burden from the most recently approved ICR is due to a decrease in the number of sources from twelve to eleven compared to the previously approved ICR. The decrease in burden also resulted in a decrease in labor costs, which was offset slightly be 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. The decrease in sources also resulted in a decrease in the Capital and O&M 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.

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.

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."

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

Table 1: Annual Respondent Burden and Cost – NESHAP for the Secondary Lead Smelter Industry (40 CFR Part 63, Subpart X) (Renewal)

Burden item	(A) Person-hours per occurrence	(B) Annual occurrences per respondent	(C) Person-hours per respondent per year (A x B)	(D) Respondents per year [a]	(E) Technical hours per year (C x D)	(F) Management hours per year (E x 0.05)	(G) Clerical hours per year (E x 0.10)	(H) Annual cost ($) [b]
1. Applications	N/A							
2. Surveys and studies	N/A							
3. Reporting requirements								
A. Familiarization with the regulatory requirements [a]	1	1	1	11	11	0.55	1.1	$1,595.10
B. Required activities[c]								
Annual performance test	330	1	330	11	3,630	181.5	363	$526,384.49
THC testing	10	1	10	11	110	5.5	11	$15,951.05
Dioxin/furan testing	10	1	10	2	20	1	2	$2,900.19
Lead testing	10	0.5	5	6	30	1.5	3	$4,350.29
Continuous particulate monitor	1	52	52	11	572	28.6	57.2	$82,945.43
Differential pressure monitor	2	1	2	22	44	2.2	4.4	$6,380.42
Inspect capture	8	12	96	11	1,056	52.8	105.6	$153,130.03

hoods								
Inspect and repair enclosures	20	12	240	11	2,640	132	264	$382,825.08
Inspect battery storage areas	8	52	416	11	4,576	228.8	457.6	$663,563.47
Revise SOP manual [d]	20	1	20	1	20	1	2	$2,900.19
C. Create information	See 3B							
D. Gather information	See 3E							
E. Report preparation								
Notification of performance test [e]	2	2	4	11	44	2.2	4.4	$6,380.42
Semiannual compliance report	16	2	32	11	352	17.6	35.2	$51,043.34
Annual (performance test) report [e]	10	2	20	11	220	11	22	$31,902.09
Differential pressure monitoring report [f]	10	1	10	11	110	5.5	11	$15,951.05
Reporting Subtotal					***15,450***			***$1,948,203***
1. Recordkeeping requirements								

A. Familiarization with the regulatory requirements	See 3A							
B. Implement activities	N/A							
C. Develop record system	N/A							
D. Record information								
Fugitives	1	12	12	11	132	6.6	13.2	$19,141.25
Flow weighted averages for lead	1	1	1	11	11	0.55	1.1	$1,595.10
Continuous particulate monitor	1	52	52	11	572	28.6	57.2	$82,945.43
Differential pressure monitors	1	12	12	22	264	13.2	26.4	$38,282.51
Power outages	1	12	12	11	132	6.6	13.2	$19,141.25
Facility enclosure inspections	1	12	12	11	132	6.6	13.2	$19,141.25
Startup and shutdown periods	1	12	12	11	132	6.6	13.2	$19,141.25
Malfunctions	2	6	12	11	132	6.6	13.2	$19,141.25
Actions taken during malfunctions	1	6	6	11	66	3.3	6.6	$9,570.63
Bag Leak	1	12	12	11	132	6.6	13.2	$19,141.25

Detection System								
Furnace inspections	1	12	12	11	132	6.6	13.2	$19,141.25
Plastic battery casing material recovery	1	6	6	11	66	3.3	6.6	$9,570.63
Monitoring parameters, performance tests, and periodic inspections	3.5	52	182	11	2,002	100.1	200.2	$290,309.02
E. Personnel training	8	1	8	0	0	0	0	$0
F. Time for audits	N/A							
Recordkeeping Subtotal					***4,491***			***$566,262***
Total Labor Burden and Costs (rounded) [g]					**19,900**			**$2,510,000**
Total Capital and O&M Cost (rounded) [g]								**$238,000**
GRAND TOTAL (rounded) [g]								**$2,750,000**

Assumptions:

[a] EPA estimates an average of 11 existing facilities and no new or modified facilities per year will be subject to the NESHAP over the next 3 years. In addition to the 11 active facilities there is one inactive facility that has been idled since 2013. We assume that each source subject to the standard will have to familiarize with the regulatory requirements each year. Since there are no new or modified/reconstructed facilities expected the notifications for startup, intention to construct/reconstruct, notification of applicability and notification of initial compliance will not occur during this three-year ICR period.

[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] Testing frequency was assumed as follows, based on rule requirements and experience with the affected source actual testing schedule. THC testing is conducted annually. Dioxin/Furan tests are required every 6 years, and this ICR assumes 2 of the 11 sources conduct dioxin/furan tests each year. Lead testing is required annually but many sources requests extensions for this test and the tests occur every two years. This ICR assumes 6 of the 11 sources conduct lead tests each year. The ICR estimates that all sources have continuous particulate monitors and that two differential pressure monitors exist per source. Since all sources have continuous particulate monitors, the visible emission observation requirement in the rule is not accounted for in the burden estimate. In addition, each facility must conduct monthly inspections of capture hoods and enclosures, and weekly inspections of battery storage areas that are not in enclosures.

[d] EPA assumes one facility will make one major adjustment per year. In each instance, the SOP must be revised.

[e] Performance test data and performance evaluation data must be developed using EPA's Electronic Reporting Tool (ERT) and submitted through the EPA's Compliance and Emissions Data Reporting Interface (CEDRI). EPA assumes one notification and one test report for each test conducted will be submitted. There are 20 tests for the 12 sources, 20/11 = 1.82, or 2 responses per respondent for each of these activities.

[f] EPA assumes that one report will be submitted for all differential pressure monitors at the facility.

[g] 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 the Secondary Lead Smelter Industry (40 CFR Part 63, Subpart X) (Renewal)

Burden item	(A) EPA person-hours per occurrence	(B) Annual occurrences per respondent	(C) EPA person-hours per respondent per year (A x B)	(D) Respondents per year [a]	(E) Technical hours per year (C x D)	(F) Management hours per year (E x 0.05)	(G) Clerical hours per year (E x 0.10)	(H) Annual cost ($) [b]
1. Applications	N/A							
2. Required activities								
A. Observe stack tests [c]	48	1	48	4	192	9.6	19.2	$11,276.54
B. Excess emissions - enforcement activities [d]	24	1	24	1	96	4.8	9.6	$5,638.27
C. Create information	N/A							
D. Gather information	N/A							
E. Report reviews								
Notification of performance test	3	2	6	11	66	3.3	6.6	$3,876.31
Semiannual report	10	2	20	11	220	11	22	$12,921.04
Annual report	10	2	20	11	220	11	22	$12,921.04
Differential pressure monitoring report	3	1	3	11	33	1.65	3.3	$1,938.16
F. Prepare annual summary report [e]	4	11	44	1	44	2.2	4.4	$2,584.21
TOTAL (rounded) [f]					**1,000**			**$51,200**

Assumptions:

[a] EPA estimates an average of 11 existing facilities and no new facilities per year will be subject to the NESHAP over the next 3 years.

[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] EPA assumes Agency personnel will attend 20% of facility stack tests (0.2 x 20 tests on average across the 11 facilities = 4, after rounding).

[d] EPA assumes 10% of facilities will have excess emissions (0.1 x 11 = 1, after rounding).

[e] EPA assumes state and EPA personnel will require 4 technical hours per respondent when preparing the annual summary report (11 x 4 = 44).

[f] Totals have been rounded to 3 significant figures. Figures may not add exactly due to rounding.

Number of Respondents					
	Respondents That Submit Reports		Respondents That Do Not Submit Any Reports		
Year	(A) Number of New Respondents [1]	(B) Number of Existing Respondents	(C) Number of Existing Respondents that keep records but do not submit reports	(D) Number of Existing Respondents That Are Also New Respondents	(E) Number of Respondents (E=A+B+C-D) [2]
1	0	11	0	0	11
2	0	11	0	0	11
3	0	11	0	0	11
Average	0	11	0	0	11

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

[2] 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 11.

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
Notification of Performance Test	11	2	0	22
Semiannual compliance report	11	2	0	22
Annual (performance test) report [a]	11	2	0	22
Differential pressure monitoring report	11	1	0	11
Revised Standard Operating Procedures Manual	1	1	0	1
			Total	**78**

Capital/Startup vs. Operation and Maintenance (O&M) Costs						
(A) Continuous Monitoring Device	(B) Capital/ Startup Cost for One Respondent	(C) Number of New Respondents	(D) Total Capital/ Startup Cost, (B X C)	(E) Annual O&M Costs for One Respondent	(F) Number of Respondents with O&M	(G) Total O&M, (E X F)
THC testing	$0	0	$0	$4,700	11	$51,700
Dioxin/furan testing [a]	$0	0	$0	$19,300	2	$38,600
Lead testing [b]	$0	0	$0	$10,000	6	$60,000
Continuous particulate monitor [c]	$0	0	$0	$7,500	11	$82,500
Differential pressure monitor [d]	$2,300	0	$0	$230	22	$5,060
HEPA filter monitor	$32,759	0	$0	$4,665	0	$0
Total [e]			**$0**			**$238,000**

[a] Dioxin/Furan testing occurs every 6 years, or 11 facilities/6 years = 2 facilities per year after rounding.

[b] Lead testing is required annually, but there are provisions by which facilities can apply for an extension. This ICR assumes all facilities will apply for an extension to test once every 24 months. 11 facilities/2 years = approximately 6 facilities per year conducting lead testing.

[c] EPA has assumed that all facilities will have CPMs.

[d] EPA has assumed that each facility will have two differential pressure monitors.

[e] Totals have been rounded to 3 significant figures. Figures may not add exactly due to rounding.