

# U.S. Environmental Protection Agency

## Information Collection Request

**Title:** NESHAP for Primary Lead Smelting (40 CFR Part 63, Subpart TTT) (Renewal)

**OMB Control Number:** 2060-0414

**EPA ICR Number:** 1856.13

**Abstract:** The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Primary Lead Smelting (40 CFR Part 63, Subpart TTT) were proposed on April 17, 1998; promulgated on June 4, 1999; and amended on both November 15, 2011, and November 19, 2020. These regulations apply to existing and new facilities engaged in producing lead metal from ore concentrates. The category includes, but is not limited to, the following smelting processes: sintering, reduction, preliminary treatment, refining and casting operations, process fugitive sources, and fugitive dust sources. New facilities include those that commenced either construction or reconstruction after the date of proposal. This information is being collected to assure compliance with 40 CFR Part 63, Subpart TTT.

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 facilities engaged in the smelting of lead from ores (primary lead smelters). The "burden" to the "Affected Public" may be found in Table 1: Annual Respondent Burden and Cost – NESHAP for Primary Lead Smelting (40 CFR Part 63, Subpart TTT) (Renewal). The "burden" to the Federal Government is attributed entirely to work performed by either Federal employees or government contractors and may be found in Table 2: Average Annual EPA Burden and Cost – NESHAP for Primary Lead Smelting (40 CFR Part 63, Subpart TTT) (Renewal).

Over the next three years, no existing respondents are expected to be subject to the rule. Currently, there are no primary lead smelters operating in the U.S. (either owned by privately owned/held

businesses or by either state, local, or tribal entities or the Federal government) and no new facilities are being planned. However, this ICR presents the burden for implementation of the rule, which is still effective, based on the assumption of one existing respondent. If a new primary lead smelter is built in the future, we expect it would meet NESHAP Subpart TTT applicability and become subject to this rule.

The 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 12(b) of this document. We have created a supplementary document including the regulatory text that describes the ICR requirements as identified in section 12(b) of this document as requested. All electronic collection in this information collection is submitted through EPA's CEDRI, as discussed in section 12(b) of this document. Additional Paperwork Reduction Act requirements for CEDRI, including the burden statement and OMB control number, are available at: <https://www.epa.gov/electronic-reporting-air-emissions/paperwork-reduction-act-pra-cedri-and-ert>. We have created supplementary documents that include screenshots of the electronic portal where the reporting requirements are submitted online to EPA, including the OMB burden statement on the electronic portal. The EPA conducted consultations with stakeholders as described in Section 8 below. 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.*

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

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

In the Administrator's judgment, hazardous air pollutant (HAP) emissions from facilities engaged in primary lead smelting 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 TTT.

## **2. PRACTICAL UTILITY/USERS OF THE DATA**

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

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

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

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

The required quarterly and 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), and changes in information already provided required in 40 CFR 63.9(j) 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. 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.

### **3. USE OF TECHNOLOGY**

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

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There are no existing primary lead smelters in the U.S. and therefore, there are currently no respondents. If a primary lead smelter is constructed, the respondents are expected to use monitoring equipment that automatically records parameter data. Although personnel at the affected facility would still evaluate the data, internal automation significantly reduces 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>.

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

### **4. EFFORTS TO IDENTIFY DUPLICATION**

*Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.*

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

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

### **5. MINIMIZING BURDEN ON SMALL BUSINESSES AND SMALL ENTITIES**

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

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There are no small entities (i.e., small businesses) affected by this regulation. However, the impact on small entities (i.e., small businesses) was taken into consideration during the development of the regulation. Due to technical considerations involving the process operations and the types of control equipment employed, the recordkeeping and reporting requirements are the same for both small and large entities. The Agency considers these to be the minimum requirements needed to ensure compliance and, therefore, cannot reduce them further for small entities. To the extent that larger businesses can use economies of scale to reduce their burden, the overall burden will be reduced.

## **6. CONSEQUENCES OF LESS FREQUENT COLLECTION**

*Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.*

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

## **7. GENERAL GUIDELINES**

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

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These 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**

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### **8a. Public Comment**

*If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the Agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the Agency in response to these comments. Specifically address comments received on cost and hour burden.*

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. EPA's internal Agency experts, EPA's Enforcement and Compliance History Online (ECHO database, and consultations confirmed there are not currently any sources subject to this NESHAP that are operating or expected to become operational. While there are not currently any primary lead smelters operating in the U.S. and no new facilities are being planned, this ICR assumes an average of one respondent for the purpose of estimating burden.

Industry trade associations and other interested parties were provided an opportunity to comment on the burden associated with the standard as it was being developed and the standard has been previously reviewed to determine the minimum information needed for compliance purposes. In developing this ICR, we contacted both The Doe Run Company at (314) 453-7100, and the Missouri Department of Natural Resources at (573) 522-1188. The Doe Run Company confirmed there are no existing facilities subject to 40 CFR Part 63, Subpart TTT, and no new facilities are anticipated in the next three years. No other 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.*

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No payments or gifts are made to respondents.

### **10. ASSURANCE OF CONFIDENTIALITY**

*Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or Agency policy. If the collection requires a systems of records notice (SORN) or privacy impact assessment (PIA), those should be cited and described here.*

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

## **11. JUSTIFICATION FOR SENSITIVE QUESTIONS**

*Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the Agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.*

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

## **12. RESPONDENT BURDEN HOURS & LABOR COSTS**

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

- *Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Generally, estimates should not include burden hours for customary and usual business practices.*
  - *If this request for approval covers more than one form, provide separate hour burden estimates for each form and the aggregate the hour burdens.*
  - *Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included as O&M costs under non-labor costs covered under question 13.*
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### **12a. Respondents/NAICS Codes**

The respondents to the recordkeeping and reporting requirements are facilities engaged in primary lead processing. The United States Standard Industrial Classification (SIC) code for the respondents affected by the standards is SIC 3339, which corresponds to the North American Industry Classification System (NAICS) 331410 for Primary Nonferrous Metals, Smelting and Refining.

While no respondents are expected, this ICR assumes that, on average over the next three years, approximately one existing respondent will be subject to these standards for the purpose of estimating burden. It is estimated that no additional respondents per year will become subject to these same standards. The overall average number of respondents, as shown below in the table Number of Respondents, is one per year. The number of respondents is calculated using the table Number of Respondents that addresses the three years covered by this ICR.

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 6.

### **12b. Information Requested**

In this ICR, all the data that are recorded or reported is required by the NESHAP for Primary Lead Smelting (40 CFR Part 63, Subpart TTT).

A source must make the following reports:

<b>Notifications</b>	
Notification of performance test	§63.7(b)(1), §63.9(e), §63.1548(a)
Rescheduled of performance test	§63.7(b)(2), §63.1548(a)
Initial notification requirements	§63.9(b)(1), §63.1548(a)
Request for an extension of compliance with relevant standard	§63.9(c), §63.1548(a)
Additional notification requirements for sources with continuous monitoring systems	§63.9(g), §63.1548(a)
Notification of compliance status when a source becomes subject to the standard	§63.9(h), §63.1548(a)
Change in information already provided (electronic submission)	§63.9(j), §63.1548(a)
Electronic submission of notifications or reports	§63.9(k), §63.1548(a)
Notification of changes in information (reclassification to area source status or to revert to major source status) (electronic submission)	§63.9(b), §63.9(j)

<b>Reports</b>	
Application for approval of the construction or reconstruction of a new major affected source, or reconstruction of a major affected source	§63.5(d)
Progress reports for compliance extension (if applicable)	§63.6(i), §63.10(d)(4), §63.1549(d)
Performance test results	§63.10(d)(2), §63.1549(d)
Standard Operating Procedures Manual for baghouses and fugitive dust control	§63.1547(b), §63.1548(b)
Additional reporting requirements for sources with continuous monitoring systems	§63.10(e), §63.1549(d)
Report of quarterly compliance tests	§63.10(d)(2), §63.1546(a)
Semiannual reports	§63.1549(e)

A source must keep the following records:



<b>Recordkeeping</b>	
Maintain all reports and notifications for five years	§63.10(b)(1), §63.1549(b)
Any applicability determination that demonstrates why owner or operator believes source(s) is/are unaffected	§63.10(b)(3)
Records of maintenance of air pollution control equipment	§63.10(b)(2)(iii)
Records of flow monitoring system performance evaluations, malfunctions, calibrations, and adjustments	§§63.10(b)(2)(vi)-(xi)
Documentation required for waiver of recordkeeping or reporting requirements (if applicable)	§63.10(b)(2)(xii)
Documentation of initial notifications	§63.10(b)(2)(xiv)
Additional recordkeeping requirements for sources with continuous monitoring systems	§§63.10(c)(1)-(9), §§63.10(c)(12)-(14)
Production records of the weight and lead content of unrefined lead, copper matte, and copper speiss	§63.1549(b)(1)
Records of bag leak detection system output	§63.1549(b)(2)
Records of bag leak detection system alarms and corrective actions	§63.1549(b)(3)
Records of fugitive dust control activities and baghouse inspections and maintenance	§63.1549(b)(4)
Records of doorway in-draft checks	§63.1549(b)(5)
Records of flow monitoring system output (if applicable)	§63.1549(b)(6)
Records of damper position checks (if applicable)	§63.1549(b)(7)
Records of the occurrence and duration of each malfunction of operation (i.e., process equipment) or the air pollution control equipment and monitoring equipment	§63.1549(b)(8)
Records of actions taken during periods of malfunction to minimize emissions	§63.1549(b)(9)

### 12c. Respondent Activities

<b>Respondent Activities</b>
Familiarization with the regulatory requirements.
Install, calibrate, maintain, and operate CMS for lead, opacity, or for pressure drop and liquid supply pressure for baghouse or equivalent control device.

<b>Respondent Activities</b>
Perform initial performance test, Reference Method 1; 2, 2F, 2G; 3, 3A, 3B; 4; 12 or 29 tests, and repeat performance tests if necessary.
Write the notifications and reports listed above.
Enter information required to be recorded above.
Submit the required reports developing, acquiring, installing, and utilizing technology and systems for collecting, validating, and verifying information.
Develop, acquire, install, and utilize technology and systems for processing and maintaining information.
Develop, acquire, install, and utilize technology and systems for disclosing and providing information.
Train personnel to be able to respond to a collection of information.
Transmit, or otherwise disclose the information.

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

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 6,270 hours (Total Labor Hours from Table 1). These hours are based on Agency studies and background documents from the development of the regulation, Agency knowledge and experience with the NESHAP program, the previously approved ICR, and any comments received.

This ICR uses the following labor rates:

Managerial	\$163.17 (\$77.70 + 110%)
Technical	\$130.28 (\$62.04 + 110%)

Clerical \$65.71 (\$31.29 + 110%)

These rates are from the United States Department of Labor, Bureau of Labor Statistics, September 2022, "Table 2. Civilian workers by occupational and industry group." The rates are from column 1, "Total compensation." The rates have been increased by 110 percent to account for varying industry wage rates and the additional overhead business costs of employing workers beyond their wages and benefits, including business expenses associated with hiring, training, and equipping their employees.

### 13. RESPONDENT CAPITAL AND O&M COSTS

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

*The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life) and (b) a total operation and maintenance and purchase of services component. The estimates should consider costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling, and testing equipment; and record storage facilities. If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collections services should be a part of this cost burden estimate.*

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

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The 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 these regulations. The annual operation and maintenance costs are the ongoing costs to maintain the monitors 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 \$235,000. This is the total of column G shown 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 \$235,000. 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*

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*as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information.*

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

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

- Review notifications and reports, including performance test reports, 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.

#### **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 burden and cost during the three years of the ICR is estimated to be 60 labor hours at a cost of \$3,180; see below in Table 2: Average Annual EPA Burden and Cost – NESHAP for Primary Lead Smelting (40 CFR Part 63, Subpart TTT) (Renewal).

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 Primary Lead Smelting (40 CFR Part 63, Subpart TTT) (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.*

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There is no change in burden from the most recently approved ICR as currently identified in the OMB Inventory of Approved Burdens. This is due to two considerations. First, the regulations have not

changed over the past three years and are not anticipated to change over the next three years. Second, the growth rate for this industry is very low or non-existent, so there is no significant change in the overall burden. There is also an increase in capital and O&M costs due to an adjustment to increase costs from 2011 \$ to 2022 \$ using the CEPCI CE Index.

#### **16) PUBLICATION OF DATA**

*For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.*

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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 EXPIRATION DATE**

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

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

#### **18) CERTIFICATION STATEMENT**

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

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

**Table 1: Annual Respondent Burden and Cost – NESHAP for Primary Lead Smelting (40 CFR Part 63, Subpart TTT) (Renewal)**

Burden item	(A) Person hours per occurrence	(B) No. of occurrences per respondent per year	(C) Person hours per respondent per year (C=AxB)	(D) Respondents per year <sup>a</sup>	(E) Technical person- hours per year (E=CxD)	(F) Management person hours per year (Ex0.05)	(G) Clerical person hours per year (Ex0.1)	(H) Total Cost per year <sup>b</sup>
1. Applications	N/A							
2. Survey and Studies	N/A							
3. Acquisition, Installation, and Utilization of Technology and Systems	N/A							
4. Reporting Requirements								
A. Familiarization with Regulatory Requirements	2	1	2	1	2	0.1	0.2	\$290.02
B. Required activities:								
i. Initial Performance tests: <sup>c</sup>	8	1	8	0	0	0	0	\$0
ii. Monitoring of operations and equipment: <sup>d</sup>								
- Implement baghouses SOP	13.4	365	4,891	1	4,891	245	489	\$709,241.46
- Quarterly compliance stack tests for lead compounds								
Main stack	8	4	32	1	32	1.6	3.2	\$4,640.30
Furnace area stack	8	4	32	1	32	1.6	3.2	\$4,640.30
Refining building stack	8	4	32	1	32	1.6	3.2	\$4,640.30
D. Gather Existing Information	See 4B and 5E							
E. Write report <sup>c</sup>								
i. Notification of compliance status <sup>c</sup>	2	1	2	0	0	0	0	\$0
ii. Notification of actual	2	1	2	0	0	0	0	\$0

startup <sup>c</sup>								
iii. Notification of construction/reconstruction <sup>c</sup>	2	1	2	0	0	0	0	\$0
iv. Notification of Performance Test <sup>c</sup>	2	1	2	0	0	0	0	\$0
v. Notification of actual startup <sup>c</sup>	2	1	2	0	0	0	0	\$0
vi. Reports of performance test results	4	1	4	0	0	0	0	\$0
vii. Operation and maintenance reports	10	1	10	0	0	0	0	\$0
viii. Semi-annual reports <sup>e</sup>	16	2	32	1	32	1.6	3.2	\$4,640.30
ix. Notification of physical/operational changes <sup>f</sup>	2	1	2	0	0	0	0	\$0
x. Submit quarterly reports	16	4	64	1	64	3.2	6.4	\$9,280.61
<b>Subtotal for Reporting Requirements</b>						<b>5,848</b>		<b>\$737,373</b>
5. Recordkeeping Requirements								
A. Familiarize with Regulatory Requirements	See 4A							
B. Plan activities	See 4B							
C. Implement activities	See 4B							
D. Develop record system	N/A							
E. Time to enter and transmit information:	1	365	365	1	365	18.3	36.5	\$52,928.47
- Records of operating parameters								
- Records of compliance inspections								
- Records of performance tests								
F. Time to train personnel	N/A							
G. Time for audits	N/A							

<b>Subtotal for Recordkeeping Requirements</b>								<b>420</b>	<b>\$52,928</b>
<b>Total Labor Burden and Costs (rounded) <sup>g</sup></b>								<b>6,270</b>	<b>\$790,000</b>
<b>Total Capital and O&amp;M Cost (rounded) <sup>g</sup></b>									<b>\$235,000</b>
<b>GRAND TOTAL (rounded) <sup>g</sup></b>									<b>\$1,030,000</b>

**Assumptions:**

<sup>a</sup> While no sources are currently subject to the standard, for the purposes of this ICR, we have assumed that there is an estimated average one existing respondent which is subject to NESHAP Subpart TTT since it is still in effect. We have assumed that there will be no new net growth for this industry over the three-year period of this ICR.

<sup>b</sup> This ICR uses the following labor rates: Managerial \$163.17 (\$77.70+ 110%); Technical \$130.28 (\$62.04 + 110%); and 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.

<sup>c</sup> Since there are no new sources, the initial rule requirements do not apply (e.g. initial performance test using Method 12 for lead emissions and initial sinter building in-draft compliance demonstration).

<sup>d</sup> Monitoring of operations includes: 1) implementation of Standard Operating Procedures (SOP) for operation and maintenance of baghouses on a daily basis such that its bag leak detection system does not alarm more than five percent of the time in any 6-month period, which we have assumed takes about 13.4 labor hours per 24 hour day to implement the monitoring and recordkeeping requirements; 2) a quarterly compliance tests for lead compounds; 3) and the monitoring of sinter building in-draft for which the operators are given three options to comply including: daily checks for in-draft at all doorway openings using an anemometer or equivalent device; establish and maintain the ventilation exhaust rate and damper positions at settings that result in an in-draft at each open doorway; or an alternative monitoring method.

<sup>e</sup> We have assumed that sources will continue to submit semiannual reports.

<sup>f</sup> We are assuming that sources will not be changing operating parameters even when sources may purchase new equipment.

<sup>g</sup> 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 Primary Lead Smelting (40 CFR Part 63, Subpart TTT) (Renewal)**

Activity	(A) EPA person- hours per occurrence	(B) No. of occurrences per plant per year	(C) EPA person hours per plant per year (AxB)	(D) Plants per year <sup>a</sup>	(E) Technical person- hours per year (Cx D)	(F) Management person-hours per year (Ex0.05)	(G) Clerical person- hours per year (Ex0.1)	(H) Cost, \$ <sup>b</sup>
Initial notification <sup>c</sup>	2	1	2	0	0	0	0	\$0
Notification of performance test <sup>c</sup>	0.5	4	2	0	0	0	0	\$0
Notification of physical or Operational changes <sup>c</sup>	4	1	4	0	0	0	0	\$0
Semi-annual reports	10	2	20	1	20	1	2	\$1,222.66
Review quarterly test results	8	4	32	1	32	1.6	3.2	\$1,956.26
<b>TOTAL (rounded)<sup>d</sup>:</b>						<b>60</b>		<b>\$3,180</b>

**Assumptions:**

<sup>a</sup> While no sources are currently subject to the standard, for the purposes of this ICR, we have assumed that there is an average of one existing respondent currently operating in the United States since the NESHAP Subpart TTT rule is still in effect. It is estimated that no additional respondents will become subject to the regulation in the next three years based on information available on the sector.

<sup>b</sup> 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%); and Clerical \$29.50 (GS-6, Step 3, \$18.44 + 60%). This ICR assumes that Managerial hours are 5 percent of Technical hours, and Clerical hours are 10 percent of Technical hours. 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.

<sup>c</sup> While no sources are currently subject to the standard, for the purposes of this ICR burden, we have not included an estimate for any of the initial rule requirements.

<sup>d</sup> Totals have been rounded to 3 significant figures. Figures may not add exactly due to rounding.

<b>Number of Respondents</b>					
	Respondents That Submit Reports		Respondents That Do Not Submit Any Reports		
	(A)	(B)	(C)	(D)	(E)
Year	Number of New Respondents <sup>a</sup>	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 <sup>b</sup>	Number of Respondents (E=A+B+C-D)
1	0	1	0	0	1
2	0	1	0	0	1
3	0	1	0	0	1
Average	0	1	0	0	1

<sup>a</sup> New respondents include sources with constructed, reconstructed and modified affected facilities.

<sup>b</sup> 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 1.

<b>Total Annual Responses</b>				
(A)	(B)	(C)	(D)	(E)
Information Collection Activity	Number of Respondents	Number of Responses	Number of Existing Respondents That Keep Records But Do Not Submit Reports	Total Annual Responses E=(BxC)+D
Quarterly Reports	1	4	0	4
Semiannual Reports	1	2	0	2
			<b>Total</b>	<b>6</b>



<b>Capital/Startup vs. Operation and Maintenance (O&amp;M) Costs</b>						
(A)	(B)	(C)	(D)	(E)	(F)	(G)
Continuous Monitoring Device	Capital/ Startup Cost for One Respondent <sup>c</sup>	Number of New Respondents	Total Capital/ Startup Cost, (B X C)	Annual O&M Costs for One Respondent <sup>c</sup>	Number of Respondents with O&M	Total O&M, (E X F)
Bag Leak detection system - continuous particulate matter sensor <sup>a</sup>	\$14,629	0	\$0	\$9,056	1	\$9,056
Flow monitors with high/low alarms <sup>a</sup>	\$9,056	0	\$0	\$9,056	1	\$9,056
Method 12 Performance Tests <sup>b</sup>	N/A		N/A	\$217,340	1	\$217,340
<b>TOTAL <sup>d</sup></b>			<b>\$0</b>			<b>\$235,000</b>

<sup>a</sup> Assumption: \$500 per year per monitoring system per baghouse in 2011 \$; we assume the respondent has 13 baghouses.

<sup>b</sup> Assumption: \$13,000 per test per stack in 2011 \$, 12 tests per year across 3 stacks.

<sup>c</sup> Costs have been adjusted from 2011 \$ to 2022 \$ using the CEPCI CE Index.

<sup>d</sup> Totals have been rounded to 3 significant figures. Figures may not add exactly due to rounding.