

U.S. Environmental Protection Agency

Information Collection Request

Title: NESHAP for Site Remediation (40 CFR Part 63, Subpart GGGGG) (Renewal)

OMB Control Number: 2060-0534

EPA ICR Number: 2062.11

Abstract: The NESHAP for Site Remediation was proposed on July 30, 2002, promulgated on October 8, 2003, and most recently amended on July 10, 2020 and December 22, 2022. These regulations apply to site remediation activities that clean up materials containing organic hazardous air pollutants (HAP), where the site remediation is co-located at any facility with one or more stationary source that emit HAP, and where the facility is a major source of HAP. Major sources of HAP are sources that emit any single HAP at a rate of 10 tons or more per year or any combination of HAP at a rate of 25 tons or more per year. Site remediation activities may potentially occur at any facility where materials containing organic HAP currently are or have been stored, processed, treated, or otherwise managed at the facility. The types of businesses most likely to be subject to this rule include, but are not limited to, organic liquid storage terminals, petroleum refineries, chemical manufacturing facilities, and manufacturing facilities using organic materials. New facilities include those that commenced construction, modification, or reconstruction after the date of proposal. This information is being collected to assure compliance with 40 CFR Part 63, Subpart GGGGG.

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" includes owners and operators of facilities that conduct site remediation activities. The "burden" to the Affected Public may be found below in Table 1a: Annual Respondent Burden and Cost for Private Sector – NESHAP for Site Remediation (40 CFR Part 63, Subpart GGGGG) (Renewal) for

private sector facilities. The burden to facilities owned by the Federal government and subject to this subpart is attributed to work performed by government employees and may be found in Table 1b: Annual Respondent Burden and Cost for Federal Government – NESHAP for Site Remediation (40 CFR Part 63, Subpart GGGGG) (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 Site Remediation (40 CFR Part 63, Subpart GGGGG) (Renewal).

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

Over the next three years, approximately 104 respondents per year will be subject to the standard, and no additional respondents per year will become subject to the standard. Of these 104 respondents, it is estimated that 84 are in the private sector and 20 are owned and operated by the Federal government. We have further assumed that 62 out of 84 private sector facilities and 11 out of 20 Federal government facilities are subject to control, monitoring, and reporting requirements (73 facilities, total) while the remaining 22 private and 9 Federal government facilities (31 total) are exempt from reporting requirements.

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 3 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, HAP emissions from site remediation activities cause or contribute to air pollution that may reasonably be anticipated to endanger public health or welfare. Therefore, the NESHAP were promulgated for this source category at 40 CFR Part 63, Subpart GGGGG.

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. 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 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 required in 40 CFR 63.9(j), performance test and CMS performance evaluation reports, and semiannual compliance reports through the EPA's Central Data Exchange (CDX), using the Compliance and Emissions Data Reporting Interface (CEDRI). For semiannual reports, EPA has developed a template for the reporting form in CEDRI specifically for 40 CFR Part 63, Subpart GGGGG. For the notifications required in 40 CFR 63.9(b) and 63.9(j), owners and operators would be required to upload a PDF of the required notifications.

CEDRI includes the Electronic Reporting Tool (ERT) software, which is used by facilities to generate electronic reports of performance tests. EPA is also requiring that 40 CFR Part 63, Subpart GGGGG performance test and CMS performance evaluation reports 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.

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 July 10, 2020. Respondents are required to use the EPA's Electronic Reporting Tool (ERT) to develop performance test reports and CMS performance evaluation reports and submit them through the EPA's Compliance and Emissions Data Reporting Interface (CEDRI), which can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>). The ERT is an application rather than a form, and the requirement to use the ERT is applicable to numerous subparts. The splash screen of the ERT contains a link to the Paperwork Reduction Act (PRA) requirements, such as the OMB Control Number, expiration date, and burden estimate for this and other subparts. Respondents are also required to submit electronic copies of certain notifications through EPA's CEDRI. The notification is an upload of their currently required notification in portable document format (PDF) file. The semiannual reports are to be created using Form 5900-706, the electronic template included with this Supporting Statement. The template is an Excel spreadsheet which can be partially completed and saved for subsequent semiannual reports to limit some of the repetitive data entry. It reflects the reporting elements required by the rule and does

not impose additional reporting elements. The OMB Control Number is displayed on the Welcome page of the template, with a link to an online repository that contains the PRA requirements. The For purposes of this ICR, it is assumed that there is no additional burden associated with the requirement for respondents to submit the notifications and reports electronically. The supplemental files to this ICR renewal contain screenshots showing the CDX homepage for CEDRI login, the CEDRI PRA screen, the CEDRI interface for managing reports for various subparts, and the landing page of the ERT that shows the link to PRA information.

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

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

4. EFFORTS TO IDENTIFY DUPLICATION

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

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.

The rule places no requirement on any facility to initiate site remediation activities. The EPA anticipates that parties that undertake site remediation generally do so voluntarily and that the impact of this rule on those parties will not be significant. Further, because states and other parties decide whether to undertake site remediation activities, predicting how many, or what types of small entities will undertake such activities, is extremely difficult, if not impossible. Nonetheless, the rule is structured to avoid impacts on small businesses.

The rule specifically excludes from its scope remediation conducted at gasoline stations, farm sites, and residential sites. Moreover, the rule applies only to remediation sites located at a facility that is a major source under the CAA. Such sources tend to be large businesses. The rule also contains applicability emission thresholds that are likely to exclude site remediation conducted at many small businesses. For example, the rule exempts sources where the total annual quantity of HAP contained in all extracted remediation material at the facility is less than 1 megagram per year. For these reasons, the rule does not impose a significant burden on a substantial number of small entities.

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 104 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 the American Petroleum Institute (API) at 202-682-8000, and the American Chemistry Council at 202-249-6423. 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.*
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12a. Respondents/NAICS Codes

Unlike a specific industry sector or type of business, the respondents potentially affected by this ICR cannot be easily or definitively identified. Potentially, the site remediation NESHAP may be applicable to any type of business or facility at which a site remediation is conducted to clean up media contaminated with organic HAP, and the remediation activities performed and the magnitude of the cleanup meets the applicability criteria specified in the rule. A site remediation that is subject to this rule potentially may be conducted at any type of privately owned or government-owned facility at which contamination has occurred due to past events or current activities at the facility. For site remediation performed at sites where the facility has been abandoned and there is no owner, a government agency takes responsibility for the cleanup.

The regulated sources under this NESHAP (i.e., the site remediation activities) are not the predominant activity, process, operation, or service conducted at the facility. A comprehensive list of Standard Industrial Classification (SIC) codes and North American Industry Classification System (NAICS) codes cannot be compiled for the respondents who will potentially be regulated by this action due to the nature of activities regulated by the source category. The NAICS code indicates a primary product produced or service provided at the facility rather than the presence of a site remediation performed to support the predominant function of the facility. Some representative NAICS codes and their corresponding SIC codes for facilities where site remediation activities have been or are currently being conducted at some (but not all) facilities under a given code can be found in the table below. However, these codes are not necessarily comprehensive as to the types of facilities at which site remediation subject to the rule may be required in the future.

Standard (40 CFR Part 63,	SIC Codes	NAICS Codes
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Subpart GGGGG)		
Plastics Material and Resin Manufacturing	2821	325211
Cyclic Crude, Intermediate and Gum and Wood Chemical Manufacturing	2861, 2865, 2869	325194
Other Basic Inorganic Chemical Manufacturing	2812, 2816, 2819, 2869, 2895	325180
Petroleum Refineries	2911,	32411
General Warehousing and Storage	4225, 4226	49311
Other Warehousing and Storage	4226	49319
Pipeline Transportation of Crude Oil	4612	48611

Based on our research for this ICR, on average over the next three years, approximately 104 existing respondents will be subject to the standard. It is estimated that no additional respondents per year will become subject. 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 146.

12b. Information Requested

In this ICR, all the data that are recorded or reported is required by the NESHAP for Site Remediation (40 CFR Part 63, Subpart GGGGG).

A source must make the following reports:

Notifications	
Initial notification	§§63.7950(a), (c)
Notification of performance tests	§§63.7950(a), (d)
Notification of compliance status	§§63.7950(a), (e)
Notification of alternative standard selection (if applicable)	§§63.7950(f)
Notification of changes in information (reclassification to area source status or to revert to major source status) (electronic submission)	§§63.9(b), (j)

Reports	
Performance test results (electronic submission)	§§63.7951(a), (e)

Reports	
Semiannual compliance reports (electronic submission)	§§63.7951(a), (b)
Part 70 monitoring report	§63.7951(d)

A source must keep the following records:

Recordkeeping	
Copies of each notification and report submitted to comply with subpart as listed above	§63.7952(a)(1)
Records related to startups, shutdowns, and malfunctions	§63.7952(a)(2)
Records of performance tests	§63.7952(a)(3)
Records for pressure relief devices	§§63.7952(a)(4), (5), (6)
Records of control device operating parameter continuous monitoring system (CMS) deviations, calibrations, and maintenance	§63.7952(b)
Records to show continuous compliance with each emissions limitation, work practice standard, and operation and maintenance requirement	§§63.7952(c), (d)

12c. Respondent Activities

Respondent Activities
Familiarization with the regulatory requirements.
Install, calibrate, maintain, and operate CMS for opacity, or for pressure drop and liquid supply pressure for VOHAP.
Perform initial performance test 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.

Respondent Activities
Train personnel to be able to respond to a collection of information.
Transmit, or otherwise disclose the information.

12d. Respondent Burden Hours and Labor Costs

Tables 1a and 1b document the computation of individual burdens for the recordkeeping and reporting requirements applicable to facilities subject to 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 private sector and Federal government facilities over the next three years from these recordkeeping and reporting requirements is estimated to be 47,100 hours (Total Labor Hours from Table 1c). 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 for private sector facilities:

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.

This ICR uses the following labor rates for Federal government facilities:

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.

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 standard(s) 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 \$256,000. 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 \$256,000. 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:

- Review notifications and reports, including performance test reports, and excess emissions reports, required to be submitted by industry.
- Conduct initial compliance determination.
- 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. 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 burden and cost over next three years is estimated to be 1,340 labor hours at a cost of \$71,400. See Table 2: Average Annual EPA Burden and Cost – NESHAP for Site Remediation (40 CFR Part 63, Subpart GGGGG) (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 Site Remediation (40 CFR Part 63, Subpart GGGGG) (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.

There is an adjustment increase in the total estimated burden as currently identified in the OMB Inventory of Approved Burdens due to an increase in the number of respondents. The total estimated burden currently identified in the OMB Inventory of Approved Burdens is 19,724 hours as estimated in ICR number 2062.09. This ICR reflects the revised respondent counts estimated in ICR number 2062.10 (see Docket ID EPA-HQ-OAR-2002-0021-0176) for the December 2022 final rulemaking (87 FR 78545). The December 2022 rulemaking amended this subpart by removing an exemption from the applicability provisions for site remediation activities performed under the authority of the Comprehensive Environmental Response and Compensation Liability Act (CERCLA) and for site remediation activities performed under a Resource Conservation and Recovery Act (RCRA) corrective action or other required RCRA order. This resulted in an increase in the number of respondents and estimated burden. This ICR further adjusts the burden estimated in ICR 2069.10 based on the assumption that the initial requirements for new sources have already been met. There is also an increase in labor costs associated with using updated labor rates. This ICR uses labor rates from the most recent Bureau of Labor Statistics report (September 2022) and the Office of Personnel Management (OPM), 2023 General Schedule to calculate respondent burden costs. There is a decrease in capital costs based on the assumption that initial capital costs have already been incurred by facilities that became subject to the rule in December 2022. There is an increase in O&M costs due to the increased number of existing facilities that conduct O&M activities.

16) PUBLICATION OF DATA

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

Although this rule does not require electronic reporting, respondents could choose to submit notifications or reports electronically. All non-CBI data submitted electronically to the Agency through CEDRI are available to the public for review and printing and are accessible using WebFIRE. Electronically submitted emissions data from performance testing or performance evaluations using the Electronic Reporting Tool or templates attached to CEDRI, as well as data from reports from regulations with electronic templates, are tabulated; data submitted as portable document format (PDF) files attached to CEDRI are neither tabulated nor subject to complex analytical techniques. Electronically submitted emissions data used to develop emissions factors undergo complex analytical techniques and the draft emissions factors are available on the Clearinghouse for Inventories and Emission Factors listserv at <https://www.epa.gov/chief/chief-listserv> for public review and printing. Electronically submitted emissions data, as <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 1a: Annual Respondent Burden and Cost for Private Sector – NESHAP for Site Remediation (40 CFR Part 63, Subpart GGGGG) (Renewal)

Burden Item	(A) Person hours per occurrence	(B) Number of occurrences per year	(C) Person hrs per respondent per year (C=AxB)	(D) Respondents per year ^a	(E) Technical person hrs per year (E=CxD)	(F) Management person hrs per year (F=Ex0.05)	(G) Clerical person hrs per year (G=Ex0.1)	(H) Total Cost per year (\$) ^b
1. Applications	NA							
2. Surveys and Studies	NA							
3. Parametric Monitoring System ^c	40	1	40	0	0	0	0	\$0.00
4. Reporting Requirements								
A. Familiarize with regulatory requirements ^d	16	1	16	62	992	49.6	99.2	\$143,849.42
B. Conduct performance test ^c	136	1	136	0	0	0	0	\$0.00
C. Initial notification ^e	14	1	14	0	0	0	0	\$0
D. Performance test notification ^c	3	1	3	0	0	0	0	\$0.00
E. Initial compliance determination ^{c,e}	60	1	60	0	0	0	0	\$0
F. Performance test report ^c	108	1	108	0	0	0	0	\$0.00
G. Semiannual report ^f	56	2	112	62	6,944	347	694	\$1,006,945.97
H. SSM report ^g	10	0	0	0	0	0	0	\$0
Subtotal Reporting Requirements						9,126		\$1,150,795
5. Recordkeeping Requirements								
A. Familiarize with regulatory requirements	See 4A							
B. Plan compliance activities ^h	100	1	100	0	0	0	0	\$0
C. Prepare SSM plan ^g	112	1	112	0	0	0	0	\$0
D. Prepare documentation for exempted sources ⁱ	112	1	112	0	0	0	0	\$0
E. In-situ process vents parametric monitoring ^j	0.5	365	182.5	6	1,132	57	113	\$164,078.25
F. Ex-situ process vents	0.5	365	182.5	56	10,184	509	1,018	\$1,476,704.24

parametric monitoring ^k								
G. Inspect tank covers ^l	2	12	24	31	744	37	74	\$107,887.07
H. Inspect container covers ^l	0.5	12	6	31	186	9	19	\$26,971.77
I. Inspect surface impoundment covers ^m	2	12	24	6	149	7	15	\$21,577.41
J. Inspect separator covers ⁿ	2	12	24	6	149	7	15	\$21,577.41
K. Inspect transfer system covers ^l	0.5	12	6	31	186	9	19	\$26,971.77
L. Leak detection and repair program ^o	116	1	116	62	7,192	360	719	\$1,042,908.32
M. PRD release analysis and corrective action	20	0.3	6	62	372	19	37	\$53,943.53
N. Develop record system ^h	100	1	100	0	0	0	0	\$0
O. Enter information ^p	2	52	104	62	6,448	322	645	\$935,021.26
P. Personnel training ^q	20	1	20	0	0	0	0	\$0
Subtotal Recordkeeping Requirements						30,752		\$3,877,641
Total Labor Burden and Costs (rounded) ^r						39,900		\$5,030,000
Total Capital and O&M Cost (rounded) ^r								\$217,000
Grand Total (rounded) ^r								\$5,250,000

Assumptions:

^a We assume that there are approximately 104 respondents, with no additional new sources becoming subject to the rule over the three-year period of this ICR. Of these 104 respondents, 84 are from the private sector and 20 are from the Federal government.

^b This ICR uses the following labor rates for privately-owned sources: \$163.17 for managerial, \$130.28 for technical, and \$65.71 for clerical labor. These rates are from the United States Department of Labor, Bureau of Labor Statistics, September 2022, "Table 2. Civilian Workers, by occupational and industry group." The rates are from column 1, "Total compensation." The rates have been increased by 110 percent to account for varying industry wage rates and the additional overhead business costs of employing workers beyond their wages and benefits, including business expenses associated with hiring, training, and equipping their employees.

^c We have assumed there will be no respondents that will require a new parametric monitoring system or performance test.

^d We have assumed that each respondent subject to control, monitoring, and reporting requirements will have to familiarize with regulatory requirements

each year.

^e We have assumed there will be no additional facilities becoming subject to the rule over the next three years.

^f We assume that 62 out of the 84 private sector facilities will submit semiannual reports. We assume that the remaining private sector facilities are exempt from reporting requirements.

^g We assume no respondents will prepare an SSM report. A SSM plan is not required after January 6, 2021.

^h Only new sources will require time to plan compliance activities and develop a record system.

ⁱ The 32 respondents that are exempt from the reporting requirements are required under §63.7881(c) to prepare and maintain written documentation to support the determination of exemption. Existing sources have already completed this activity.

^j We assume that 10 percent of the respondents subject to control, monitoring, and reporting requirements will use an on-site in-situ treatment process. At each of these sites, it is assumed that a control device is required on the process vent. We assume that it will take 0.5 hours each day to keep records of parametric monitoring of in-situ process vents.

^k We assume that 90% of respondents subject to control, monitoring, and reporting requirements will use an on-site ex-situ treatment process. We assume that it will take 0.5 hours each day to keep records of parametric monitoring of ex-situ process vents.

^l We assume that 50 percent of the respondents subject to control, monitoring, and reporting requirements have tanks, containers, and transfer systems at their facilities. We assume that tank, container, and transfer system covers will be inspected once per month.

^m We assume that each respondent will take 2 hours once per month to inspect surface impoundment covers. It is assumed that 10% of facilities with onsite treatment will use a surface impoundment (6 sources in the private sector and 1 federal facility).

ⁿ We assume that each respondent will take 2 hours once per month to inspect separator covers. It is assumed that 10% of facilities with onsite treatment will have separators (6 sources in the private sector and 1 federal facility).

^o We assume that all respondents subject to control, monitoring, and reporting requirements will implement an LDAR program.

^p We assume that all respondents subject to control, monitoring, and reporting requirements will take 2 hours each week to enter the information required for semi-annual reports.

^q We have assumed that all new sources will train personnel to operate the control and monitoring system and record data.

^r Totals have been rounded to 3 significant figures. Figures may not add exactly due to rounding.

Table 1b: Annual Respondent Burden and Cost for Federal Government - NESHAP for Site Remediation (40 CFR Part 63, Subpart GGGGG) (Renewal)

Burden Item	(A) Person hours per occurrence	(B) Number of occurrences per year	(C) Person hrs per respondent per year (C=AxB)	(D) Respondents per year ^a	(E) Technical person hrs per year (E=CxD)	(F) Management person hrs per year (F=Ex0.05)	(G) Clerical person hrs per year (G=Ex0.1)	(H) Total Cost per year (\$) ^b
1. Applications	NA							
2. Surveys and Studies	NA							
3. Parametric Monitoring System ^c	40	1	40	0	0	0	0	\$0
4. Reporting Requirements								\$0
A. Familiarize with regulatory requirements ^d	16	1	16	11	176	8.8	17.6	\$10,759.41
B. Conduct performance test ^c	136	1	136	0	0	0	0	\$0
C. Initial notification ^e	14	1	14	0	0	0	0	\$0
D. Performance test notification ^c	3	1	3	0	0	0	0	\$0
E. Initial compliance determination ^{c,e}	60	1	60	0	0	0	0	\$0
F. Performance test report ^c	108	1	108	0	0	0	0	\$0
G. Semiannual report ^f	56	2	112	11	1,232	61.6	123.2	\$75,315.86
H. SSM report ^g	10	0	0	0	0	0	0	\$0
Subtotal Reporting Requirements						1,619		\$86,075
5. Recordkeeping Requirements								
A. Familiarize with regulatory requirements	See 4A							
B. Plan compliance activities ^h	100	1	100	0	0	0	0	\$0
C. Prepare SSM plan ^g	112	1	112	0	0	0	0	\$0
D. Prepare documentation for exempted sources ⁱ	112	1	112	0	0	0	0	\$0
E. In-situ process vents parametric monitoring ^j	0.5	365	182.5	1	201	10	20	\$12,272.45
F. Ex-situ process vents	0.5	365	182.5	10	1,807	90	181	\$110,452.05

parametric monitoring ^k								
G. Inspect tank covers ^l	2	12	24	6	132	7	13	\$8,069.56
H. Inspect container covers ^l	0.5	12	6	6	33	2	3	\$2,017.39
I. Inspect surface impoundment covers ^m	2	12	24	1	26	1	3	\$1,613.91
J. Inspect separator covers ⁿ	0.5	12	6	1	7	0	1	\$403.48
K. Inspect transfer system covers ^l	2	12	24	6	132	7	13	\$8,069.56
L. Leak detection and repair program ^o	116	1	116	11	1,276	64	128	\$78,005.71
M. PRD release analysis and corrective action	20	0.3	6	11	66	3	7	\$4,034.78
N. Develop record system ^h	100	1	100	0	0	0	0	\$0
O. Enter information ^p	2	52	104	11	1,144	57	114	\$69,936.15
P. Personnel training ^q	20	0	0	0	0	0	0	\$0
Subtotal Recordkeeping Requirements						5,547		\$294,875
Total Labor Burden and Costs (rounded) ^r						7,170		\$381,000
Total Capital and O&M Cost (rounded) ^r								\$38,600
Grand Total (rounded) ^r								\$420,000

Assumptions:

^aWe assume that there are approximately 104 respondents, with no additional new sources becoming subject to the rule over the three-year period of this ICR. Of these 104 respondents, 84 are from the private sector and 20 are from the Federal government.

^b This ICR uses the following labor rates: \$73.46 for managerial, \$54.51 for technical, and \$29.50 for clerical labor. 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.

^cWe have assumed there will be no respondents that will require a new parametric monitoring system or performance test.

^d We have assumed that each respondent subject to control, monitoring, and reporting requirements will have to familiarize with regulatory requirements each year.

^e We have assumed there will be no additional facilities becoming subject to the rule over the next three years.

^f We assume that 11 out of the 20 Federal government facilities will submit semiannual reports. We assume that the remaining Federal government facilities are exempt from reporting requirements.

^g We assume no respondents will prepare an SSM report. A SSM plan is not required after January 6, 2021.

^h Only new sources will require time to plan compliance activities and develop a record system.

ⁱ The respondents that are exempt from the reporting requirements are required under §63.7881(c) to prepare and maintain written documentation to support the determination of exemption. Existing sources have already completed this activity.

^j We assume that 10 percent of the respondents subject to control, monitoring, and reporting requirements will use an on-site in-situ treatment process. At each of these sites, it is assumed that a control device is required on the process vent. We assume that it will take 0.5 hours each day to keep records of parametric monitoring of in-situ process vents.

^k We assume that 90% of respondents subject to control, monitoring, and reporting requirements will use an on-site ex-situ treatment process. We assume that it will take 0.5 hours each day to keep records of parametric monitoring of ex-situ process vents.

^l We assume that 50 percent of the respondents subject to control, monitoring, and reporting requirements have tanks, containers, and transfer systems at their facilities. We assume that tank, container, and transfer system covers will be inspected once per month.

^m We assume that each respondent will take 2 hours once per month to inspect surface impoundment covers. It is assumed that 10% of facilities with onsite treatment will use a surface impoundment (6 sources in the private sector and 1 federal facility).

ⁿ We assume that each respondent will take 2 hours once per month to inspect separator covers. It is assumed that 10% of facilities with onsite treatment will have separators (6 sources in the private sector and 1 federal facility).

^o We assume that all respondents subject to control, monitoring, and reporting requirements will implement an LDAR program.

^p We assume that all respondents subject to control, monitoring, and reporting requirements will take 2 hours each week to enter the information required for semi-annual reports.

^q We have assumed that all new sources will train personnel to operate the control and monitoring system and record data.

^r Totals have been rounded to 3 significant figures. Figures may not add exactly due to rounding.

Table 1c: Summary of Average Annual Respondent Burden and Cost - NESHAP for Site Remediation (40 CFR Part 63, Subpart GGGGG) (Renewal)

Affected Sector	Number of Respondents ^a	Number of Responses	Reporting Hours	Recordkeeping Hours	Total Hours ^b	Labor Costs	Non-Labor (Capital/Startup and O&M) Costs	Total Costs ^b	Hours per Response
Private	62	124	9,126	30,752	39,900	\$5,030,000	\$217,000	\$5,250,000	
Public	11	22	1,619	5,547	7,170	\$381,000	\$38,600	\$420,000	
Total	73	146	10,746	36,299	47,100	\$5,410,000	\$256,000	\$5,670,000	323

^a We assume that there are approximately 104 respondents, with no additional new sources becoming subject to the rule over the three-year period of this ICR. Of these 104 respondents, 84 are from the private sector and 20 are from the Federal government. We have further assumed that 62 out of 84 private sector facilities and 11 out of 20 Federal government facilities are subject to control, monitoring, and reporting requirements (73 facilities, total) while the remaining 22 private and 9 Federal government facilities (31 total) are exempt from reporting requirements.

^b 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 Site Remediation (40 CFR Part 63, Subpart GGGGG) (Renewal)

Burden Item	(A) Person hours per occurrence	(B) Number of occurrences per year	(C) Person hrs per respondent per year (C=AxB)	(D) Respondent s per year ^a	(E) Technical person hrs per year (E=CxD)	(F) Management person hrs per year (F=Ex0.05)	(G) Clerical person hrs per year (G=Ex0.1)	(H) Cost per year (\$) ^b
Report Review								
a. Initial notification	4	0	0	0	0	0	0	\$0
b. Performance test notification	2	1	2	0	0	0	0	\$0
c. Initial compliance determination	24	0	0	0	0	0	0	\$0
d. Performance test reports	24	1	24	0	0	0	0	\$0
e. Semiannual report ^c	8	2	16	73	1,168	58	117	\$71,403.34
Total Annual Burden and Cost (rounded) ^d					1,340			\$71,400

Assumptions:

^a We assume that there are approximately 62 respondents, with no additional new sources becoming subject to the rule over the three-year period of this ICR. 32 of the 62 respondents have only recordkeeping requirements and are exempt from reporting requirements under §63.7881(c). 30 respondents have control, monitoring, reporting, and recordkeeping requirements under the rule. Of these 30 respondents, 29 are from the private sector and one is from the Federal government.

^b This ICR uses the following labor rates: \$73.46 for managerial, \$54.51 for technical, and \$29.50 for clerical labor. These rates are from the Office of Personnel Management (OPM), 2023 General Schedule, which excludes locality rates of pay. The rates have been increased by 60 percent to account for the benefit packages available to government employees.

^c We have assumed that it will take eight hours twice per year to review each respondent's semiannual report.

^d Totals have been rounded to 3 significant figures. Figures may not add exactly due to rounding.

Number of Respondents					
Year	(A) Number of New Respondents	(B) Number of Existing Respondents	(C) Number of Existing Respondents that Keep Records but Do Not Submit Reports	(D) Number of New Respondents that Will Keep Records but Not Submit Reports	(E) Number of Respondents (E=A+B+C-D) ¹
1	0	73	31	0	104
2	0	73	31	0	104
3	0	73	31	0	104
Average	0	73	31	0	104

¹The average Number of Respondents over the three year period of this ICR is 104. Of these 104 respondents, 84 are from the private sector and 20 are from the Federal government. We have further assumed that 62 out of 84 private sector facilities and 11 out of 20 Federal government facilities are subject to control, monitoring, and reporting requirements (73 facilities, total) while the remaining 22 private and 9 Federal government facilities (31 total) are exempt from reporting requirements.

Total Annual Responses				
(A)	(B)	(C)	(D)	(E)
Information Collection Activity	Average Number of Respondents	Average Annual Number of Respondents That Keep Records but Do Not Submit Reports	Number of Responses	Total (Average) Annual Responses E=((B-C)*D)
Initial notification	0	0	1	0
Performance test notification	0	0	1	0
Initial compliance determination	0	0	1	0
Performance test report	0	0	1	0
Semiannual reports	73	0	2	146
			Total	146

Capital/Startup vs. Operation and Maintenance (O&M) Costs						
(A)	(B)	(C)	(D)	(E)	(F)	(G)
Continuous Monitoring Device	Capital/Startup Cost for One Respondent	Number of New Respondents	Total Capital/Startup Cost, (B X C)	Annual O&M Costs for One Respondent	Number of Respondents with O&M	Total O&M, (E X F)
Parametric system	\$13,000	0	\$0	\$2,500	73	\$182,500
Leak detection	\$1,000	0	\$0	\$1,000	73	\$73,000
PRD Monitors	\$12,500	0	\$0	\$0	73	\$0
Total			\$0			\$256,000

Note: Totals have been rounded to 3 significant figures. Figures may not add exactly due to rounding.