

U.S. Environmental Protection Agency

Information Collection Request

Title: NESHAP for Gasoline Distribution Area Sources (40 CFR Part 63, Subpart BBBBBB) (Final Amendments) August 2023

OMB Control Number: 2060-0620

EPA ICR Number: 2237.08

Abstract: The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Gasoline Distribution Area Sources (40 CFR Part 63, Subpart BBBBBB) were first promulgated on January 10, 2008, and last amended on January 24, 2011. These regulations apply to gasoline distribution bulk terminals, bulk plants, and pipeline facilities that are an area source of hazardous air pollutants (HAP) emissions. This information is being collected to assure compliance with 40 CFR Part 63, Subpart BBBBBB.

In general, all NESHAP 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 deviation, 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 containing these documents and retain the file for at least five years following the generation date of such maintenance reports and records unless otherwise specified in the rule. 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 final amendments to the NESHAP for Gasoline Distribution Area Sources include the following:

- Lowering the emission limit for loading racks at large bulk gasoline terminals
- Requiring vapor balancing at bulk gasoline plants
- Increasing vapor tightness standards for gasoline cargo tanks
- Requiring fitting controls for external floating roof tanks
- Including lower explosive limit (LEL) monitoring for internal floating roof tanks
- Performing annual instrument monitoring for equipment leaks
- Updating definitions
- Adding electronic submittal of notifications, semiannual reports, and performance tests and performance evaluations.

The remaining portions of the area source NESHAP remain unchanged.

There are approximately 9,263 gasoline distribution area source facilities subject to the standard, consisting of 1,090 bulk gasoline terminals, 5,913 bulk gasoline plants, 1,800 pipeline pumping stations, and 460 pipeline breakout stations. The affected facility for the NESHAP for Gasoline

Distribution Area Sources is each bulk gasoline terminal, bulk gasoline plant, pipeline pumping station, or pipeline breakout station. As such, there is only one respondent per site (i.e., the owner/operator of the site), either a bulk gasoline terminal, bulk gasoline plant, pipeline pumping station, or pipeline breakout station. Over the next three years, approximately 4,632 respondents per year will be subject to revised requirements. No new area source gasoline distribution facilities are expected to be built in the next three years; therefore, no additional respondents per year will become subject to these standards.

All of the gasoline distribution facilities in the United States are owned and operated by the gasoline distribution industry (the "Affected Public") and are all privately-owned, for-profit businesses. None of the facilities in the United States are owned by either state, local, tribal or the Federal government. The burden to the Affected Public may be found below in the following table: Table 1: Annual Respondent Burden and Cost – NESHAP for Gasoline Distribution Area Sources (40 CFR Part 63, Subpart BBBB) (Final Amendments). The Federal Government's burden is attributed to work performed by either Federal employees or government contractors and may be found below in Table 2: Average Annual EPA Burden and Cost – NESHAP for Gasoline Distribution Area Sources (40 CFR Part 63, Subpart BBBB) (Final Amendments).

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.

Section 112(d)(5) of the Clean Air Act (CAA) directs the EPA to develop generally available control technology (GACT) standards to control HAP emissions from area sources. The term "area source" means any stationary source or group of stationary sources located within a contiguous area and under common control that is not a major source, which emits or has the potential to emit considering controls, in the aggregate, 10 tons per year or more of any HAP or 25 tons per year or more of any combination of HAPs. In the Administrator's judgment, HAP emissions from Gasoline Distribution area source categories cause or contribute to air pollution that may reasonably be anticipated to endanger public health or welfare. Therefore, the NESHAP for the Gasoline Distribution Area Sources were promulgated at 40 CFR Part 63, Subpart BBBB in 2008.

Section 112(d)(6) of the CAA requires the EPA to review the technology-based standards and revise them "as necessary (taking into account developments in practices, processes, and control technologies)" no less frequently than every 8 years. The final amendments to the NESHAP for Gasoline Distribution Area Sources are a result of this requirement.

Certain records and reports are necessary for the Administrator to confirm the compliance status of sources subject to NESHAP, identify any new or reconstructed sources subject to the standards, and confirm that the standards are being achieved on a continuous basis. These recordkeeping and reporting requirements are specifically authorized by section 114 of the CAA (42 U.S.C. 7414) and set out in the 40 CFR Part 63, NESHAP General Provisions (40 CFR Part 63, Subpart A). CAA 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.

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 control of emissions of HAP from gasoline distribution facilities requires not only the installation of properly designed equipment, but also the operation and maintenance of that equipment. Emissions of HAP from these sources are the result of operation of the affected sources. The standards are achieved by the reduction of pollutant emissions using process changes and control technology.

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.

Performance tests and performance evaluations are required in order to determine an affected facility's initial and ongoing capability to comply with the emission standards. During the performance test, a record of the operating parameters under which compliance was achieved may be recorded and used to determine ongoing compliance. Continuous monitoring systems are used to ensure compliance with the standards at all times. The required semiannual reports are used to determine periods of deviations, identify problems at the facility, verify operation/maintenance procedures, and for compliance determinations.

The information generated by the monitoring, recordkeeping, and reporting requirements described in this ICR is used by the Agency to ensure that facilities affected by the NESHAP continue to operate their control equipment and achieve continuous compliance with the regulation. Adequate monitoring, recordkeeping, and reporting are necessary to ensure compliance with these standards, as required by the CAA. The information collected from recordkeeping and reporting requirements is also used for targeting inspections and is of sufficient quality to be used as evidence in court.

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.

Currently, many area source gasoline distribution facilities are using monitoring equipment that provides automated parameter data (e.g., control device parameter monitoring). Although personnel at the facilities still need to evaluate the data, this type of monitoring equipment has significantly reduced the burden associated with monitoring and recordkeeping. In addition, regulatory agencies are setting up electronic reporting systems to allow sources to report electronically, which is reducing the reporting burden. As part of the final amendments to the NESHAP, respondents are required to use the EPA's Electronic Reporting Tool (ERT) to develop performance test and performance evaluation reports and submit them through the EPA's CEDRI. 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 notification of compliance status and semiannual compliance reports through the 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 5900-579, 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. For purposes of this ICR, it is assumed that there will be no additional burden associated with the requirement for respondents to submit the notifications and reports electronically.

4. EFFORTS TO IDENTIFY DUPLICATION

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

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

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

5. MINIMIZING BURDEN ON SMALL BUSINESSES AND SMALL ENTITIES

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

A small entity for this industry is defined by the Small Business Administration for NAICS code 424710 as a firm having no more than 200 employees and for NAICS code 486910 as a firm having no

more than 1,500 employees. Approximately 111 of the 9,263-area source gasoline distribution facilities are small entities. 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.

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 these 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 and the final amendments was collected less-frequently, the proper operation and maintenance of control equipment and the possibility of detecting violations would be less likely.

7. GENERAL GUIDELINES

Explain any special circumstances that require the collection to be conducted in a manner inconsistent with PRA Guidelines at 5 CFR 1320.5(d)(2).

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 5-year records retention requirement is consistent with the Part 70 permit program and the 5-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 either the destruction or nonexistence of essential records in the absence of the 5-year maintenance requirement.

Otherwise, these reporting or recordkeeping requirements and the final amendments do not violate any of the regulations promulgated by OMB under 5 CFR Part 1320, Section 1320.5.

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.

No substantive comments were received on the ICR provisions of the Proposed Rule.

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 to better understand the gasoline distribution industry. Stakeholder outreach occurred with industry groups, including the American Petroleum Institute, International Fuel Terminal Operators Association, International Liquid Terminals Association, and Energy Marketers of America, and member companies of these organizations. Further stakeholder and public input was obtained through public comment following publication of the proposed amendments to 40 CFR Part 63, Subpart BBBB in the *Federal Register* and follow-up meetings with interested stakeholders.

9. PAYMENTS OR GIFTS TO RESPONDENTS

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

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

10. 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 (CBI) (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.

None of the reporting or recordkeeping requirements in these standards, including the final amendments, contain sensitive questions.

12. RESPONDENT BURDEN HOURS & LABOR COSTS

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

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

12a. Respondents/NAICS Codes

The respondents to the recordkeeping and reporting requirements in the NESHAP for Gasoline Distribution Area Sources (40 CFR Part 63, Subpart BBBB) are bulk gasoline terminals, bulk gasoline plants, pipeline pumping stations and pipeline breakout stations. The United States Standard Industrial Classification (SIC) codes and corresponding North American Industry Classification System (NAICS) codes for respondents affected by the standard are listed in the following table:

Standard (40 CFR Part 63, Subpart BBBB)	SIC Codes	NAICS Codes
Other Warehousing and Storage	4226	493190
Pipeline transportation of Refined Petroleum Products	4613	486910
Petroleum Bulk Stations and Terminals	5171	424710

Based on our research for this ICR, on average, over the next three years, approximately 9,263 existing respondents will be subject to these standards. It is estimated that no additional respondents per year will become subject to these same standards. Because three years are provided to comply with the final revisions, the overall average number of respondents over the 3-year period of this ICR, as shown in the table below, is 4,632 per year. The average number of respondents includes 545 bulk gasoline terminals, 2,957 bulk gasoline plants, 900 pipeline pumping stations, and 230 pipeline breakout stations.

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

Number of Respondents					
	Respondents That Submit Reports		Respondents That Do Not Submit Any Reports		
Year	(A) 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 Existing Respondents That Are Also New	(E) Number of Respondents ^a (E=A+B+C-D)

Number of Respondents					
				Respondents	
1	0	0	0	0	0
2	0	4,632	0	0	4,632
3	0	9,263	0	0	9,263
Average	0	4,632			4,632

^a Column D is subtracted to avoid double-counting respondents.

The total number of annual responses per year is calculated using the following table:

Total Annual Responses				
(A) Information Collection Activity	(B) Number of Respondents	(C) Number of Responses	(D) Number of Existing Respondents That Keep Records But Do Not Submit Reports	(E) Total Annual Responses $E=(B \times C)+D$
Notification of compliance status	3,073	1	0	3,073
Semiannual compliance reports	0	2	0	0
Notification of performance test	85	0.2	0	17
Notification of performance evaluation	27	1	0	27
Performance test	85	0.2	0	17
Performance evaluation	27	1	0	27
			Total	3,161

The number of Total Annual Responses is 3,161.

The total annual labor costs are \$5,001,981. Details regarding these estimates may be found below in Table 1: Annual Respondent Burden and Cost – NESHAP for Gasoline Distribution Area Sources (40 CFR Part 63, Subpart BBBBBB) (Final Amendments).

12b. Information Requested

All data in this ICR that are recorded and/or reported are required by the NESHAP for Gasoline Distribution Area Sources (40 CFR Part 63, Subpart BBBBBB). The NESHAP for Gasoline Distribution Area Sources references 40 CFR Part 63, Subpart A, for several general reporting and recordkeeping requirements that apply for all NESHAP.

A source must make the following notifications and reports:

Requirement	Regulation Reference (40 CFR Part 63)
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Notifications	
Initial notifications	§63.9(b)
Notification of compliance status	§63.11093(b)
Notification of performance testing	§63.9(e)
Notification of performance evaluation	§63.9(g)
Reports	
Performance test report	§63.11095(a)
Performance evaluation report	§63.11095(b)
Semiannual compliance report	§63.11095(d) and (e)
Recordkeeping	
Cargo tank documentation	§63.11094(b) and (c)
Continuous monitoring data	§63.11094(e)(1)
Compliance status	§63.11094(e)(2)
Performance evaluation test plan	§63.11094(h)
Storage tank inspections	§63.11094 (a)
All equipment in gasoline service	§63.11094(d)
Equipment leak inspection	§63.11094(d)
Failures to meet an emissions limitation	§63.11094(g)

12c. Respondent Activities

- Review the regulatory requirements.
- Perform initial and ongoing performance tests or performance evaluations.
- Monitor equipment and report leaks.
- Perform LEL monitoring (for internal floating roof tanks).
- Complete semiannual compliance reports.
- Plan and implement required activities.
- Develop record system and enter information.
- Train personnel to be able to respond to a collection of information.
- Transmit, or otherwise disclose the information.

The specific frequency for each information collection activity within this request is shown below in: Table 1: Annual Respondent Burden and Cost – NESHAP for Gasoline Distribution Area Sources (40 CFR Part 63, Subpart BBBBBB) (Final Amendments).

12d. Respondent Burden Hours and Labor Costs

The average annual burden to industry over the next three years from these recordkeeping and reporting requirements is estimated to be 83,882 hours (Total Labor Hours from Table 1 below). These hours are based on Agency studies and background documents from the development of the regulation and amendments, Agency knowledge and experience with the NESHAP program, the previously approved ICR, and any comments received.

This ICR uses the following labor rates:

Industry Worker Category ^a	Labor Rates, \$/hr ^a	110% Overhead	Total, \$/hr
Managerial (11-0000)	\$55.84	\$61.42	\$117.26
Technical (20% 17-2000; 80% 49-9000)	\$27.75	\$30.53	\$58.28
Clerical (43-0000)	\$21.11	\$23.22	\$44.33

^a Rates are mean hourly rates for May 2021 and are specific for the merchant wholesales, nondurable goods segment NAICS 4240A3 as provided at https://www.bls.gov/oes/2021/may/naics4_4240A3.htm. Numbers in parentheses are the specific BLS occupation codes used to estimate the hourly rates.

Labor rates and associated costs are based on the Bureau of Labor Statistics (BLS) data. Technical, management, and clerical average hourly rates for private industry workers were taken from the May 2021 National Industry-Specific Occupational Employment and Wage Estimates: NAICS 4240A3 (Merchant Wholesales, Nondurable Goods). These BLS rates represent base salaries and do not include the cost of fringe benefits and other overhead costs. The rates have been increased by 110 percent to account for the benefit packages available to those employed by private industry.

The total annual labor hours are 83,882. Details regarding these estimates may be found below in Table 1. Annual Respondent Burden and Cost – Annual Respondent Burden and Cost – NESHAP for Gasoline Distribution Area Sources (40 CFR Part 63, Subpart BBBB) (Final Amendments).

We assume that burdens for managerial tasks take 5% of the time required for technical tasks because the typical tasks for managers are to review and approve reports. Clerical burdens are assumed to take 10% of the time required for technical tasks because the typical duties of clerical staff are to proofread the reports, make copies, and maintain records.

Furthermore, the annual public reporting and recordkeeping burden for this collection of information is estimated to average 26.5 hours per response.

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

14. AGENCY COSTS

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

14a. Agency Activities

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

- Observe initial and ongoing performance tests and performance evaluations if necessary.
- Review notifications and reports, including performance test and performance evaluation reports, required to be submitted by industry.
- Audit facility records.
- Input, analyze, and maintain data in the Enforcement and Compliance History Online (ECHO) and Integrated Compliance Information System (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 and performance evaluation reports are used by the Agency to discern a source's capability to comply with the emission standard and note the operating conditions under which compliance was achieved. Data and records maintained by the respondents are tabulated and published for use in compliance and enforcement programs. The semiannual reports are used for problem identification, as a check on source operation and maintenance, and for compliance determinations.

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

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

14b. Agency Labor Cost

The only costs to the Agency are those costs associated with analysis of the reported information. EPA's overall compliance and enforcement program includes activities such as the examination of records maintained by the respondents, periodic inspection of sources of emissions, and the publication and distribution of collected information.

The average annual Agency cost during the three years of the ICR is estimated to be \$362,782. This cost is based on the average hourly labor rate as follows:

Agency Worker Categories^a	Labor Rates, \$/hr^a	60% Overhead	Total, \$/hr
Managerial (GS-13, step 5)	\$43.15	\$25.89	\$69.04
Technical (GS-12, step 1)	\$32.02	\$19.21	\$51.23
Clerical (GS-6, step 3)	\$17.33	\$10.40	\$27.73

^a https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2021/GS_h.pdf

These rates are from the Office of Personnel Management (OPM), 2021 General Schedule (incorporating the 1% general schedule increase; effective January 2021), 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 below in Table 2: Average Annual EPA Burden and Cost – NESHAP for Gasoline Distribution Area Sources (40 CFR Part 63, Subpart BBBBBB) (Final Amendments).

The average annual Agency burden and cost over next three years is estimated to be 7,261 labor hours at a cost of \$362,782; see below in Table 2: Average Annual EPA Burden and Cost – NESHAP for Gasoline Distribution Area Sources (40 CFR Part 63, Subpart BBBBBB) (Final Amendments).

We assume that burdens for managerial tasks take 5% of the time required for technical tasks, because the typical tasks for managers are to review and approve reports. Clerical burdens are assumed to take 10% of the time required for technical tasks because the typical duties of clerical staff are to proofread the reports, make copies, and maintain records.

14c. Agency Non-Labor Costs

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

14d. Agency Total Costs

The average annual Agency burden and cost over next three years is estimated to be 7,261 labor hours at a cost of \$362,782; see below in Table 2: Average Annual EPA Burden and Cost – NESHAP for Gasoline Distribution Area Sources (40 CFR Part 63, Subpart BBBBBB) (Final Amendments).

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.

This ICR is prepared for final amendments to the NESHAP for Gasoline Distribution Area Sources (40 CFR Part 63, Subpart BBBBBB). These final amendments:

- (1) Adjust references to the Part 63 General Provisions (40 CFR, Part 63, Subpart A)
- (2) Add electronic submittal of notifications, semiannual reports, and performance test and performance evaluation reports
- (3) Make technical and editorial changes including the following: lowering the emission limit for loading at large bulk gasoline terminals, revising testing and monitoring requirements for gasoline loading vapor processing systems, requiring vapor balancing at bulk gasoline plants, increasing vapor tightness standards for cargo tanks, requiring fitting controls for external floating roof tanks, including lower explosive limit (LEL) monitoring for internal floating roof tanks, performing annual instrument monitoring for equipment leaks, and updating definitions.

Where applicable, adjustments for these final amendments are reflected in Tables 1 and 2 of this ICR.

This ICR reflects only the additional burden associated with the final rule revisions. Additional burden was added to review the amendments, review new electronic reporting forms, adjust recordkeeping processes to ensure data needed to complete the reporting forms are collected in the proper format, and to monitor equipment according to the final amendments. Burden estimates were also revised to account for additions and changes to the semiannual reporting requirements.

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.

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 and performance evaluation reports are used by the Agency to discern a source's capability to comply with the emission standard and note the operating conditions under which compliance was achieved. Data and records maintained by the respondents are tabulated and published for use in compliance and enforcement programs. The semiannual reports are used for problem identification, as a check on source operation and maintenance, and for compliance determinations.

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

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

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.

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

18. CERTIFICATION STATEMENT

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

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

BURDEN STATEMENT

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 26.5 hours per response. “Burden” means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations in 40 CFR are listed in 40 CFR part 9. When this ICR is approved by OMB, the Agency will publish a technical amendment to 40 CFR part 9 in the *Federal Register* to display the OMB control number for the approved information collection requirements contained in this final rule.

Table 1: Annual Respondent Burden and Cost – NESHAP for Gasoline Distribution Area Sources (40 CFR Part 63, Subpart BBBBBB) (Final Amendments)

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 ^a	(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 ^b
1. Applications	N/A							
2. Surveys and Studies	N/A							
3. Reporting Requirements								
A. Familiarization with Regulatory Requirements ^c								
i. Bulk gasoline terminals	8	1	8	116	928	46.4	92.8	\$63,639
ii. Bulk gasoline plants, pipeline pumping stations, and pipeline breakout stations	4	1	4	4,516	18,064	903.2	1,806.4	\$1,238,757
B. Required activities ^d								
i. Equipment leaks monitoring ^e	0	1	0	4,632	0	0	0	\$0
ii. Performance test ^f	8	1	8	85	680	34	68	\$46,632
iii. Performance evaluation ^g	8	0.2	1.6	27	43.2	2.16	4.32	\$2,962
iv. CEMS daily calibration checks ^g	0.2	365	73	27	1,971	98.55	197.1	\$135,163
v. Flare sampling								
Sample collection	0.5	14	7	4	28	1.4	2.8	\$1,920
Analysis and reporting	8	1	8	4	32	1.6	3.2	\$2,194
vi. VCU sampling								
Sample collection	0.5	14	7	68	476	23.8	47.6	\$32,642
Analysis and reporting	8	1	8	68	544	27.2	54.4	\$37,305
vii. LEL monitoring	0.75	1	0.75	2,642	1,981.5	99.075	198.15	\$135,883
C. Write Report								

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) Respon dents per year ^a	(E) Technical person- hours per year (E=CxD)	(F) Managem ent person hours per year (Ex0.05)	(G) Clerical person hours per year (Ex0.1)	(H) Total Cost per year ^b
i. Notification of compliance status	1	1	1	3,073	3,073	153.65	307.3	\$210,734
ii. Semiannual compliance reports for large bulk gasoline terminals ^h	5	2	10	0	0	0	0	\$0
iii. Semiannual compliance reports for small bulk gasoline terminals, bulk gasoline plants, pipeline pumping stations, and pipeline breakout stations ^h	2.5	2	5	0	0	0	0	\$0
iv. Notification of performance test	1	0.2	0.2	85	17	0.85	1.7	\$1,166
v. Report of performance test	8	0.2	1.6	85	136	6.8	13.6	\$9,326
vi. Notification of performance evaluation	1	1	1	27	27	1.35	2.7	\$1,852
vii. Report of performance evaluation	8	1	8	27	216	10.8	21.6	\$14,812
viii. Continuous Emissions Monitoring System (CEMS) QA plan	40	0.33	13.33	54	720	36	72	\$49,375
Subtotal for Reporting Requirements					28,937	1,447	2,894	\$1,984,363
4. Recordkeeping Requirements								
A. Familiarize with regulatory requirements	See 3A							
B. Plan activities	1	1	1	4,632	4,632	231.6	463.2	\$317,644
C. Implement activities	2	1	2	4,632	9,264	463.2	926.4	\$635,288
D. Develop record system	1	1	1	4,632	4,632	231.6	463.2	\$317,644
E. Time to enter information	0.5	2	1	4,632	4,632	231.6	463.2	\$317,644

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) Respon dents per year ^a	(E) Technical person- hours per year (E=CxD)	(F) Managem ent person hours per year (Ex0.05)	(G) Clerical person hours per year (Ex0.1)	(H) Total Cost per year ^b
								4
F. Time to train personnel	2	1	2	4,632	9,264	463.2	926.4	\$635,288
G. Time to adjust existing ways to comply with previously applicable requirements	2	1	2	4,632	9,264	463.2	926.4	\$635,288
H. Time to transit information	0.25	2	0.5	4,632	2,316	115.8	231.6	\$158,822
Subtotal for Recordkeeping Requirements					44,004	2,200	4,400	\$3,017,618
TOTAL LABOR BURDEN AND COST					83,882			\$5,001,981
TOTAL CAPITAL AND O&M COST								\$0
GRAND TOTAL								\$5,001,981
Assumptions:								
^a The average number of respondents per year over the first three years of this ICR. We assumed no facilities would report the first year, half the facilities would report the second year, and all facilities report the third year.								
^b This ICR uses the following labor rates from the United States Department of Labor, Bureau of Labor Statistics, May 2021, mean labor rates for Merchant Wholesales, Nondurable Goods (NAICS 4240A3) for Management Occupations (11-0000), Engineers (17-2000) and Office and Administrative Support (43-0000) . The rates have been increased by 110 percent to account for the benefit packages available to those employed by private industry. Fully burdened hourly rates are: \$117.26 for management; \$58.28 for technical; and \$44.33 for clerical.								
^c We have assumed that all respondents will have to familiarize with regulatory requirements each year.								
^d We have assumed that existing respondents are in compliance with the initial rule requirements.								
^e Equipment leaks monitoring was assumed to be performed by an external contractor and these costs were included in the costs of equipment leak monitoring programs.								
^f Performance tests only required for vapor combustors.								
^g Performance evaluations and CEMS calibrations only required for vapor recovery systems.								
^h Respondents are already subject to semiannual compliance reporting.								

Table 2: Average Annual EPA Burden and Cost – NESHAP for Gasoline Distribution Area Sources (40 CFR Part 63, Subpart BBBBBB) (Final

Amendments)

Activity	(A) EPA person- hours per occurrence	(B) No. of occurrence s per plant per year	(C) EPA person hours per plant per year (AxB)	(D) Plants per year ^a	(E) Technical person- hours per year (CxD)	(F) Managemen t person- hours per year (Ex0.05)	(G) Clerical person- hours per year (Ex0.1)	(H) Cost, \$ ^b
Report Review:								
Notification of applicability ^c	2	1	2	0	0	0	0	\$0
Notification of performance test ^d	1	0.2	0.2	85	17	1	2	\$977
Notification of performance evaluations ^e	1	1	1	27	27	1	3	\$1,551
CEMS QA plan ^c	2	0.33	0.67	54	36	2	4	\$2,068
Notification of compliance status ^c	4	1	2	3,073	6,146	307	615	\$353,129
Performance test report ^d	2	0.2	0.4	85	34	2	3	\$1,954
Performance evaluation report ^e	2	1	2	27	54	3	5	\$3,103
Semiannual compliance report ^f	2	2	4	0	0	0	0	\$00
TOTAL ANNUAL BURDEN AND COST					7,261			\$362,782

Assumptions:

^a We have assumed that the average number of respondents that will be subject to this rule will be 4,632. There will be no new facilities projected during the next three years of this ICR.

^b This cost is based on the following 2021 labor rates which incorporates a 1.6 benefits multiplication factor to account for government overhead expenses: \$69.04 Managerial rate (GS-13, Step 5), \$51.23 Technical rate (GS-12, Step 1), and \$27.73 Clerical rate (GS-6, Step 3). These rates are calculated from the hourly rates included in the Office of Personnel Management (OPM) 2021 General Schedule which excludes locality rates of pay; the rates have been increased by 60 percent to account for benefit packages available to government employees.

^c We have assumed that existing respondents are in compliance with the initial rule requirements. New respondents would have to comply with the initial rule requirements including notification and performance test and performance evaluation for add-on control devices.

^d Performance tests only required for vapor combustors.

^e Performance evaluations only required for vapor recovery systems.

^f Respondents are already subject to semiannual compliance reporting.