

**SUPPORTING STATEMENT  
ENVIRONMENTAL PROTECTION AGENCY**

**NESHAP for NESHAP for Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities; and Gasoline Dispensing Facilities (40 CFR part 63, subparts BBBBBB and CCCCCC (Renewal))**

**1. Identification of the Information Collection**

**1(a) Title of the Information Collection**

NESHAP for Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities; and Gasoline Dispensing Facilities (40 CFR part 63, subparts BBBBBB and CCCCCC (Renewal), EPA ICR number 2237.03, OMB Control Number 2060-0620.

**1(b) Short Characterization/Abstract**

The National Emission Standards for Hazardous Air Pollutants (NESHAP), for Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities; and Gasoline Dispensing Facilities (40 CFR part 63, subparts BBBBBB and CCCCCC) were proposed on January 10, 2008 (73FR1916), and amended on January 24, 2011 (76 FR 4156). These regulations apply to existing and new gasoline distribution facilities that are area sources of hazardous air pollutants (HAP). New facilities include those that commenced construction or reconstruction after the date of the proposal. This information is being collected to ensure compliance with 40 CFR part 63 subparts BBBBBB and CCCCCC.

In general, all NESHAP standards require initial notifications, performance tests, and periodic reports. In addition to the initial notification and notification of compliance status required by the General Provisions to 40 CFR part 63, subpart A, respondents are required to submit one-time reports of start of construction, anticipated and actual startup dates, and physical or operational changes to existing facilities. Reports of initial performance tests on control devices at gasoline distribution storage tanks, loading racks, and vapor balance systems are also required and are necessary to show that the installed control devices are meeting the emission limitations required by the NESHAP. Annual reports of storage tank inspections at all affected facilities are required. In addition, respondents must submit semiannual compliance and continuous monitoring system performance reports, and semiannual reports of equipment leaks not repaired within 15 days or loadings of cargo tanks for which vapor tightness documentation is not available. These notifications, reports, and records of such measurements are essential in determining compliance and are required of all sources subject to NESHAP standards.

Any owner or operator subject to the provisions of this part will 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 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 United States Environmental Protection Agency regional office.

Approximately 350,000 sources are currently subject to these standards, with the gasoline dispensing facility segment alone accounting for about 340,000 of these facilities. However, a large percentage of these facilities are already complying with this rule as a result of their compliance with applicable State and local rules. We have minimized or eliminated the reporting and recordkeeping requirements under this rule for most of those sources. Therefore, the total estimated number of affected sources expected to incur reporting and recordkeeping costs under this rule is about 19,120. Also, there are no new or reconstructed facilities expected within the larger, bulk segment of the industry and new gasoline dispensing facilities are expected to be subject to State and local rules. Thus, we have estimated that no additional sources will become subject to the regulation and therefore, we expect that only existing sources will be subject to the reporting and recordkeeping requirements of the rule. We have, however, included a description of the notifications that would be required if new affected sources are constructed.

None of the 350,000 facilities in the United States are owned by state, local, tribal or the Federal government. They are owned and operated by privately owned for-profit businesses. You can find the different burdens to the “Affected Public” listed below, respectively, in Table 1a: One-Time Annual Respondent Burden and Cost - NESHAP for Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities; and Gasoline Dispensing Facilities (40 CFR part 63, subparts BBBBBB and CCCCCC) (Renewal) and Table 1b: Recurrent Annual Respondent Burden and Cost - NESHAP for Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities; and Gasoline Dispensing Facilities (40 CFR part 63, subparts BBBBBB and CCCCCC) (Renewal). The Federal government burden does not include work performed by Federal employees. This particular burden refers only to work performed for the Federal government by contractors, which can be found listed below in Table 2: Average Annual EPA Burden - NESHAP for Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities; and Gasoline Dispensing Facilities (40 CFR part 63, subparts BBBBBB and CCCCCC) (Renewal).

In the development of the ICR, we addressed the Office of Management and Budget (OMB) “Terms of Clearance (TOC)” on the active ICR. The TOC are as follows:

When this ICR is renewed, EPA should review the respondent burden, universe, labor rates, and capital costs, and ensure these estimates have been updated.

EPA has addressed each item of concern in the TOC. The respondent burden, universe, labor rates, and capital cost, have been thoroughly checked and all estimates updated.

## **2. Need for and Use of the Collection**

### **2(a) Need/Authority for 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 (HAP). These standards are applicable to new or existing sources of HAP and shall require the maximum degree of emission reduction. In addition, section 114(a) states that the Administrator may require any owner or 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 compounds found in the gasoline stored, transferred, and distributed at these facilities cause or contribute to air pollution that may reasonably be anticipated to endanger public health or welfare. Therefore, the NESHAP was promulgated for this area source category at 40 CFR part 63, subparts BBBBBB and CCCCCC. In total, this NESHAP will regulate 9 HAP compounds normally found in gasoline, including: benzene, ethylbenzene, hexane, toluene, xylenes, isooctane, naphthalene, cumene, and methyl tert-butyl ether.

## **2(b) Practical Utility/Users of the Data**

The recordkeeping and reporting requirements in the standard 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 standard. Continuous emission monitors are used to ensure compliance with the standard at all times. During the performance tests, 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 standard 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 ensure that the pollution control devices are properly installed and operated, that leaks are being detected and repaired, and that the standards are being met. The performance test may also be observed.

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 the control equipment in compliance with the regulation.

### **3. Non-duplication, Consultations, and Other Collection Criteria**

The requested recordkeeping and reporting are required under 40 CFR part 63, subparts BBBBBB and CCCCCC.

#### **3(a) Non-duplication**

Some of the facilities subject to this NESHAP will also be subject to requirements under 40 CFR part 60 new source performance standards (NSPS), subparts K, Ka, Kb, and XX. Some operations also occupy the same plant site as facilities complying with other NESHAP such as 40 CFR part 63, subpart CC (the Refinery NESHAP). The burden requested for this NESHAP does not duplicate any of the burden accounted for under the mentioned NSPS or NESHAP subparts.

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 their own similar 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, no duplication exists.

#### **3(b) Public Notice Required Prior to ICR Submission to OMB**

An announcement of a public comment period for the renewal of this ICR was published in the Federal Register (76 FR 26900) on May 9, 2011. No comments were received on the burden published in the Federal Register.

#### **3(c) Consultations**

The Agency's industry experts have been consulted, and the Agency's internal data sources and projections of industry growth over the next three years have been considered. The primary source of information as reported by industry, in compliance with the recordkeeping and reporting provisions in the standard, is the Online Tracking Information System (OTIS) which is operated and maintained by the EPA Office of Compliance. OTIS is the EPA database for the collection, maintenance, and retrieval of all compliance data. The growth rate for the industry is based on our consultations with the Agency's internal industry experts.

The Gasoline Distribution - Area Sources NESHAP was developed with the help of industry stakeholders. Industry stakeholders were informed of the project's progress in two stakeholder meetings conducted in Research Triangle Park, North Carolina. Table 1 contains the names, affiliations, and phone numbers of stakeholders involved in the rulemaking effort. These stakeholders were consulted during all phases of this NESHAP development.



**Table 1. List of People Consulted in Gasoline Distribution NESHAP Development**

Name	Organization	Position	Telephone
Charles Bennett	Marathon Petroleum Co.	Corporate Environment, Safety & Security	606-921-3636
Judy Bigon	ExxonMobil		281-848-3506
Rob Ferry	TGB Partnership	Consultant	919-644-8250
Clay R. Freeberg	Chevron	Policy, Government & Public Affairs	925-842-3451
Joseph Green	SIGMA and NACS		202-342-8451
Moraima Grinnell	ExxonMobil		
Kimber Hamilton	Marathon Petroleum Co.	Corporate Environment, Safety & Security	419-421-2891
Terri Holloman	Magellan Pipeline		
Tom Kelly	Colonial Pipeline		
Jan L. Laughlin	ConocoPhillips	Regulatory Issues Coordinator	281-293-1142
Tim L. Laughlin	North Carolina Petroleum Marketers Association	Technical Director	919-782-4411
Usha Mehra	ILTA/GATX Terminals Corporation	Environmental, Health and Safety Manager-Gulf Region	713-450-0400
Jack McClure	Shell		
Matthew A. Todd	API	Regulatory Analysis and Scientific Affairs	202-682-8319
Doug Vopat	BP		216-271-8189
Peter Weaver	ILTA		

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.

### **3(d) Effects of Less Frequent Collection**

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.

### **3(e) General Guidelines**

None of these reporting or recordkeeping requirements violate any of the regulations established by OMB at 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 the five years. In addition, EPA would be prevented from pursuing the violators due to the destruction or nonexistence of essential records.

### **3(f) Confidentiality**

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).

### **3(g) Sensitive Questions**

None of the reporting or recordkeeping requirements contain sensitive questions.

## **4. The Respondents and the Information Requested**

### **4(a) Respondents/SIC Codes**

The respondents are owners or operators of gasoline distribution facilities subject to the recordkeeping and reporting requirements of the NESHAP for Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities; and Gasoline Dispensing Facilities. The United States Standard Industrial Classification (SIC) codes for the respondents affected by the standards, which corresponds to The North American Industry Classification System (NAICS) codes, are listed below for source category description.

<b>Standards (40 CFR subparts BBBBBB and CCCCC)</b>	<b>NAICS Codes</b>	<b>SIC Codes</b>
Pipeline transportation of refined petroleum products	486910	4613
Bulk gasoline terminals and bulk plants	424710	5171
Gasoline stations with convenience stores	447110	5411

Gasoline stations without convenience stores	447190	5541
Hazardous materials trucking - local	484220	4214
Hazardous materials trucking – long distance	484230	4213

#### 4(b) Information Requested

None of these reporting or recordkeeping requirements violate any of the regulations established by OMB at 5 CFR part 1320, section 1320.5.

##### (i) Data Items

In this ICR, all the data recorded or reported is required by NESHAP for Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities; and Gasoline Dispensing Facilities (40 CFR part 63, subparts BBBBBB and CCCCCC).

A source must make the following reports:

<b>Notification Reports</b>	
Initial notifications, reports of startups, shutdowns, malfunctions, anticipated construction/reconstruction, and modification	63.5, 63.9(b)(2-5), 63.10(d)(5), 63.867(a)
Notification and report of performance test and results	63.7(a-b), 63.9(e), 63.10(d)(2)
Notification of initial continuous monitoring system (CMS)/ continuous opacity monitoring system (COMS) demonstration	63.9(g), 63.867(a)
Notification and report of compliance status	63.9(h), 63.9(b)(2), 63.11095(b).
Notification of installation of a new control device or reconstruction of an existing one	63.5(b)(6) and §63.5(d)(1)
Reporting results of CMS/COMS demonstration	63.10(e)(2), 63.867(a)
Semiannual compliance reports	63.10(e)(3), 63.867(c), 63.11095(b)

A source must keep the following records:

<b>Recordkeeping</b>	
Five years retention of records	63.10(b)(1), 63.11094(a)
Startup, shutdown, and malfunction plan	63.6(e)(3), 63.866(a)
Records of startup, shutdown, and malfunction	63.6(e)(3)(iii)-(iv), 63.10(b)(2)(i)-(v)

<b>Recordkeeping</b>	
Records of performance tests	63.10(b)(2)(viii)
Documentation supporting initial notifications and notification of compliance status	63.10(b)(2)(xiv), 63.11094(b)
Records of annual inspections	63.11094(a) and (e)
Record of operating parameter monitoring data, as well as specific records to ensure that the monitoring activities will provide an indication of the facility's compliance, are to be kept pursuant to	63.11094(b) and (f).

### Electronic Reporting

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

Also, regulatory agencies in cooperation with the respondents continue to create reporting systems to transmit data electronically. However, electronic reporting systems are still not widely used. At this time, it is estimated that approximately 10 percent of the respondents use electronic reporting.

### **(ii) Respondent Activities**

<b>Respondent Activities</b>
Read instructions.
Install, calibrate, maintain, and operate CMS for opacity, or for pressure drop and liquid supply pressure for wet scrubber.
Perform initial performance test, Reference Method 18, Method 25A, and Method 271, 1A, as applicable, and repeat performance tests if necessary.
Write the notification and reports listed above.
Enter information required to be recorded above.
Submit the required reports developing, acquiring, installing, and utilizing technology and systems for the purpose of collecting, validating, and verifying information.
Develop, acquire, install, and utilize technology and systems for the purpose of processing and maintaining information.
Develop, acquire, install, and utilize technology and systems for the purpose of 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.
Transmit, or otherwise disclose the information.

Currently, sources are using monitoring equipment that provides parameter data in an automated way e.g., continuous parameter monitoring system. Although personnel at the source still need to evaluate the data, this type of monitoring equipment has significantly reduced the burden associated with monitoring and recordkeeping.

## **5. The Information Collected: Agency Activities, Collection Methodology, and Information Management**

### **5(a) Agency Activities**

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

<b>Agency Activities</b>
Observe initial performance tests and repeat performance tests if necessary.
Review notifications and reports, including performance test reports, excess emissions reports, required to be submitted by industry.
Audit facility records.
Input, analyze, and maintain data in the Online Tracking Information System (OTIS).

### **5(b) Collection Methodology and Management**

Following notification of startup, the reviewing authority might inspect the source to determine whether the pollution control devices are properly installed and operational. 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.

Information contained in the reports is entered into OTIS which is operated and maintained by the EPA Office of Compliance. OTIS is the EPA database for the collection, maintenance, and retrieval of compliance data for approximately 8,000 industrial and government-owned facilities. EPA uses OTIS for tracking air pollution compliance and enforcement by local and state regulatory agencies, EPA regional offices, and EPA headquarters. EPA delegated Authorities can edit, store, retrieve and analyze the data.

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

### **5(c) Small Entity Flexibility**

Since these regulations address area sources of HAP emissions (i.e., a source that emits less than 10 tons per year of any individual hazardous air pollutant (HAP) or less than 25 tons per year of any combination of HAP), the a majority of the respondents (i.e., owners or

operators of gasoline dispensing facilities, bulk plants, bulk terminals, pipeline breakout stations, and pipeline pumping stations) are typically small facilities and many of them meet the definition of a small business entity (i.e., small business). Therefore, the impact on small entities was taken into consideration during the development of these regulations. 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. Construction, modification, and reconstruction reports take very little time to complete and are filed only once. Equipment leak monitoring and storage tank inspection records are brief, and cargo tank vapor tightness documentation will be supplied primarily by independent cargo tank operators and kept at the gasoline distribution facility for each cargo tank and railcar that is to be loaded at the facility. To the extent that larger businesses can use economies of scale to reduce their burden, the overall burden will be reduced.

#### **5(d) Collection Schedule**

The specific frequency for each information collection activity within this request is shown below in both Table 1: Annual Respondent Burden and Cost - NESHAP for Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities; and Gasoline Dispensing Facilities (40 CFR part 63, subparts BBBBBB and CCCCCC (Renewal).

### **6. Estimating the Burden and Cost of the Collection**

Table 1 documents the computation of individual burdens for the recordkeeping and reporting requirements applicable to the industry for the subpart included in this ICR. The individual burdens are expressed under standardized headings believed to be consistent with the concept of burden under the Paperwork Reduction Act. Wherever appropriate, specific tasks and major assumptions have been identified. Responses to this information collection are mandatory.

The 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.

#### **6(a) Estimating Respondent Burden**

The average annual burden to industry over the next three years from these recordkeeping and reporting requirements is estimated to be 60,517 person-hours (Total Labor Hours summarized from Tables 1 (1.1 through 1.5). 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.

#### **6(b) Estimating Respondent Costs**

This ICR uses the following labor rates:

Managerial     \$118.92 (\$56.63 + 110%)

Technical	\$97.78 (\$46.56 + 110%)
Clerical	\$48.76 (\$23.22 + 110%)

These rates are from the United States Department of Labor, Bureau of Labor Statistics, December 2010, "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 the benefit packages available to those employed by private industry.

### (ii) Estimating Capital/Startup and Operation and Maintenance Costs

The type of industry costs associated with the information collection activities in the subject standard 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 and other costs such as photocopying and postage.

<b>(iii) Capital/Startup vs. Operation and Maintenance (O&amp;M) Costs</b>						
(A) Activity	(B) Capital/Startup Cost for One Respondent	(C) Number of New Respondents	(D) Total Capital/Startup Cost, (B X C)	(E) Annual O&M Costs for One Respondent	(F) Number of Respondents with O&M	(G) Total O&M, (E X F)
CPMS for vapor processors *	\$0	0	\$0	\$1,000	110	\$110,000
<b>TOTAL</b>			\$0	\$1,000		\$110,000

\* Assumed that there are no new respondents that would be required to install operating parameter monitoring systems for vapor processors as a result of these regulations and would have associated O&M costs. The O&M costs for initial compliance have already occurred in order to comply with the existing rule.

The total capital/startup costs for this ICR is \$0. This is the total of column D in the table above. There were no capital costs included in the estimated monitoring, reporting, and recordkeeping costs because the types of monitors that are required by the rule (operating parameter monitors or CPMS for vapor processors) are typically included as a standard component of the control device itself.

The total operation and maintenance (O&M) cost is \$110,000 for CPMS, photocopying, and postage. This is the total of column G.

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 \$110,000.

### 6(c) Estimating Agency Burden and Cost

The only costs to the Agency are those costs associated with analysis of the reported

information. The EPA 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 \$1,652,634.

This cost is based on the average hourly labor rate as follows:

Managerial	\$62.27 (GS-13, Step 5, \$38.92 + 60%)
Technical	\$46.21 (GS-12, Step 1, \$28.88 + 60%)
Clerical	\$25.01 (GS-6, Step 3, \$15.63 + 60%)

These rates are from the Office of Personnel Management (OPM) “2011 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 below in Table 2: Average Annual EPA Burden NESHAP for Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities; and Gasoline Dispensing Facilities (40 CFR part 63, subparts BBBBBB and CCCCCC (Renewal)).

#### **6(d) Estimating the Respondent Universe and Total Burden and Costs**

We estimate that the number of potentially affected sources under this rule may be as high as 350,000. However, the gasoline dispensing facility segment alone accounts for about 340,000 of these facilities. In addition, a large percentage of the total facilities in the gasoline distribution industry are already regulated by State and local rules that are as at least as stringent as this NESHAP. As a result of these facts, we have included provisions in the rule to allow those facilities that are complying with the requirements of State and local rules to minimize the burden of this NESHAP. For example, gasoline dispensing facilities that are located in States with submerged fill requirements will have no reporting or recordkeeping requirements under the NESHAP. Also, other types of facilities that are complying with the NESHAP by virtue of their compliance with State or local rules will be allowed to utilize performance tests and monitoring results performed as a condition of their State or local permit to satisfy the requirements of the NESHAP. Within the primary industry segments in the source category, it is estimated that the following numbers of affected area source facilities will incur a reporting or recordkeeping burden as a result of the NESHAP: 1,100 bulk terminals, 460 pipeline breakout stations, 1,800 pipeline pumping stations, 5,900 bulk plants, 9,860 gasoline dispensing facilities for a total of 19,120 facilities, as described in the table below. Therefore, we estimate that on average over the next three years, approximately 19,120 existing respondents will be subject to the standard. It is estimated that no additional new sources will become subject to the rule. The overall average number of respondents, as shown in the table below is 19,120 per year.

#### **6(e) Bottom Line Burden Hours Burden Hours and Cost Tables**

On an individual basis, the detailed bottom line burden hours and cost calculations for the respondents and the Agency are shown in Tables 1a, 1b, and 2, respectively, and summarized

below.

### **(i) Respondent Tally**

The total annual labor costs are \$6,068,409. Details regarding these estimates may be found below in both Table 1: Annual Respondent Burden and Cost: NESHAP for Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities; and Gasoline Dispensing Facilities (40 CFR part 63, subparts BBBBBB and CCCCCC (Renewal).

The total annual capital/startup and operation and maintenance (O&M) costs to the regulated entity are \$110,000.

### **(ii) The Agency Tally**

The average annual Agency burden and cost over next three years is estimated to be 20,870 labor hours at a cost of \$1,652,634. See below Table 2: Average Annual EPA Burden and Cost - NESHAP for Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities; and Gasoline Dispensing Facilities (40 CFR part 63, subparts BBBBBB and CCCCCC (Renewal).

### **6(f) Reasons for Change in Burden**

The adjusted decrease in burden from the most recently approved ICR is due to the assumption that existing sources would have already complied with the initial requirements of the rules, including testing and initial notifications. In addition, we expect that there would be no new facilities constructed or reconstructed over the next three years of this ICR that would need to conduct this initial testing. The total cost per year for labor decreased as a result of the revised changes even when we updated labor rates.

Because there are no new sources with reporting requirements, no capital/startup costs are incurred. The only cost that is incurred is for the operation and maintenance (O&M) of the parameter monitoring equipment for vapor processors

### **6(g) Burden Statement**

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 8 hours per response. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

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

To comment on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including the use of automated collection techniques, EPA has established a public docket for this ICR under Docket ID Number EPA-HQ-OAR-2011-0230. An electronic version of the public docket is available at <http://www.regulations.gov/> which may be used to obtain a copy of the draft collection of information, submit or view public comments, access the index listing of the content of the docket, and to access those documents in the public docket that are available electronically. When in the system, select "search" than key in the docket ID number identified in this document. The documents are also available for public viewing at the Enforcement and Compliance Docket and Information Center in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Avenue, N.W., Washington, D.C. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is (202) 566-1744, and the telephone number for the Enforcement and Compliance Docket and Information Center Docket is (202) 566-1752. Also, you can send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, N.W., Washington, D.C. 20503, Attention: Desk Officer for EPA. Please include the EPA Docket ID Number EPA-HQ-OAR-2011-0230 and OMB Control Number 2060-0620 in any correspondence.

### **Part B of the Supporting Statement**

This part is not applicable because no statistical methods were used in collecting this information.



**Table 1(1.1 through 1.5): Annual Respondent Burden and Cost: NESHAP for Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities; and Gasoline Dispensing Facilities (40 CFR part 63, subparts BBBBBB and CCCCCC (Renewal))**

Burden Item	(A) Technical Hrs per Occurrence	(B) Number of Occurrences per Respondent per Year	(C) Technical Hours per Respondent (C=AxB)	(D) Number of Respondents per Year*	(E) Persons-Hours per year (C*D)	Technical Persons-Hours per year (E*\$97.78)	Management Hours per Year (E*0.05*\$118.9 2/hr)	Clerical hours per Year (E*0.1*\$48.76/ h)	Labor Cost per Year (\$)
<i>1.1 Bulk Terminals</i>									
(a) Read and understand rule requirements	6	1	6	0	0	0	0	0	0
(b) Prepare Initial Notification	4	0	4	0	0	0	0	0	0
(c) Perform Initial Performance Test	175	0	175	0	0	0	0	0	0
(d) Prepare Notification of Compliance Status	4	0	4	0	0	0	0	0	0
(e) Perform annual storage tank inspection	12	1	12	550	6600	645,348.00	39,243.60	32,181.6	716,773.20
(f) Perform equipment leak inspections	2	12	24	0	0	0	0	0	0
(g) Keep records of performance tests, storage tank and equipment leak inspections, and cargo tank vapor tightness documentation	0.75	12	9	733	6597	1,290,402.66	39,225.76	32,166.97	1,361,795.39
(h) Submit semiannual compliance report	4	2	8	733	5864	1,863,784.58	34,867.34	28,592.86	1,927,244.78
Subtotal					19,061	2,437,166.50	113,336.70	92,941.434	2,643,444.63

**Assumptions for Table 1.1:**

- We expect no new affected sources the next 3 years of this ICR. Therefore, the estimated number of respondents remains unchanged as 1,100 existing bulk terminals.
- Assumed that all bulk terminal loading racks with >250,000 gallons per day throughput (threshold for vapor processor control requirement) already have vapor processors and that all have been tested.
- Assumed that 10 % of bulk terminals (110) must install operating parameter monitoring systems.
- Assumed that 50 % of bulk terminals (550) must begin performing annual storage tank inspections and that all are currently performing equipment leak inspections at least once per month.

**Table 1.2**

Burden Item	(A) Technical Hrs per Occurrence	(B) Number of Occurrences per Respondent per Year	(C) Technical Hours per Respondent (C=AxB)	(D) Number of Respondents per Year*	(E) Persons-Hours per year (C*D)	Technical Persons-Hours per year (E*\$97.78)	Management Hours per Year @ (E*0.05*\$118.9 2/hr)	Clerical hours per Year (E*0.1*\$48.7 6/h)	Labor Cost per Year (\$)
<i>1.2 Pipeline Breakout Stations</i>									
(a) Read and understand rule requirements	6	1	6	0	0	0	0	0	0
(b) Prepare Initial Notification	8	1	8	0	0	0	0	0	0
(c) Prepare Notification of Compliance Status	8	1	8	0	0	0	0	0	0
(d) Perform annual storage tank inspection	12	1	12	230	2,760	269,872.8	16,410.96	13,457.76	299,741.52
(e) Perform equipment leak inspections	2	4	8	0	0	0	0	0	0
(f) Keep records of storage tank and equipment leak inspections	16	1	16	306	1,836	179,524.08	10,916.86	8,952.34	199,3993.28
(g) Submit semiannual compliance report	4	2	8	306	2,448	239,365.44	14,555.81	11,936.45	265,857.70
Subtotal					7,044	688,762.32	41,883.62	34,346.55	764,992.5

**Assumptions for Table 1.2:**

- a) We expect no new affected sources the next 3 years of this ICR. Therefore, the estimated number of respondents remains unchanged as 460 pipeline breakout stations.
- b) Assumed that 50 % of pipeline breakout stations (230) must begin performing annual storage tank inspections and that all are currently performing equipment leak inspections at least once per month.

**Table 1.3**

Burden Item	(A) Technical Hrs per Occurrence	(B) Number of Occurrences per Respondent per Year	(C) Technical Hours per Respondent (C=AxB)	(D) Number of Respondents per Year*	(E) Persons-Hours per year (C*D)	Technical Persons-Hours per year (E*\$97.78)	Management Hours per Year (E*0.05*\$118.9 2/hr)	Clerical hours per Year (E*0.1*\$48.7 6/h)	Labor Cost per Year (\$)
<i>1.3 Pipeline Pumping Stations</i>									
(a) Read and understand rule requirements	4	1	4	0	0	0	0	0	0
(b) Prepare Initial Notification	1	1	4	0	0	0	0	0	0
(c) Prepare Notification of Compliance Status	1	1	4	0	0	0	0	0	0
(d) Perform equipment leak inspections	1	12	12	0	0	0	0	0	0
(e) Keep records of equipment leak inspections	0.1	12	1.2	1,200	1,440	140,803.20	190.90	7,021.44	148,015.54
(f) Submit semiannual compliance report	0.25	2	1	1,200	600	58,668.00	148.90	2,925.6	61,742.5
Subtotal					2,040	199,471.20	339.8	9,947.04	209,758.04

**Assumptions for Table 1.3:**

- a) We expect no new affected sources the next 3 years of this ICR. Therefore, the estimated number of respondents remains unchanged as 1,800 pipeline pumping stations.
- b) Assumed that all facilities currently inspect for leaks at least once per month.
- c) Assumed that, on an annual average basis, 2 percent of facilities (36) will be required to submit a semiannual compliance report because of delays in repairing equipment leaks.

**Table 1.4**

Burden Item	(A) Technical Hrs per Occurrence	(B) Number of Occurrences per Respondent per Year	(C) Technical Hours per Respondent (C=AxB)	(D) Number of Respondents per Year*	(E) Persons-Hours per year (C*D)	Technical Persons-Hours per year (E*\$97.78)	Management Hours per Year (E*05*\$118.92/ hr)	Clerical hours per Year (E*0.1*\$48.7 6/h)	Labor Cost per Year (\$)
<i>1.4 Bulk Plants</i>									
(a) Read and understand rule requirements	4	1	4	0	0	0	0	0	0
(b) Read and understand rule requirements	2	1	2	0	0	0	0	0	0
(c) Prepare Initial Notification	2	1	2	0	0	0	0	0	0
(d) Prepare Notification of Compliance Status	1	1	1	0	0	0	0	0	0
(e) Perform equipment leak inspections	0.25	12	3	0	0	0	0	0	0
(f) Keep records of equipment leak inspections	0.10	12	1.2	3,933	4,719.60	461,482.49	28,062.74	22,984.45	512,529.68
(g) Submit semiannual compliance report	1	2	2	118	236	23,076	1,403,26	1,149.32	25,628.58
Subtotal					4,955.6				538,158.26

**Assumptions for Table 1.4:**

- We expect no new affected sources the next 3 years of this ICR. Therefore, the estimated number of respondents remains unchanged from previous ICR at 5,900 bulk plants.
- Assumed that all facilities currently inspect for equipment leaks at least once per month.
- Assumed that, on an annual average basis, 2 percent of facilities (118) will be required to submit a semiannual compliance report because of delays in repairing equipment leaks.

**Table 1.5**

Burden Item	(A) Technical Hrs per Occurrence	(B) Number of Occurrences per Respondent per Year	(C) Technical Hours per Respondent (C=AxB)	(D) Number of Respondents per Year*	(E) Persons-Hours per year (C*D)	Technical Persons-Hours per year (E*\$97.78)	Management Hours per Year (E*05*\$118.92/ hr)	Clerical hours per Year (E*0.1*\$48.7 6/h)	Labor Cost per Year (\$)
<i>1.5 Gasoline Dispensing Facilities</i>									
(a) Read and understand rule requirements (facilities >100k already in compliance)	0.5	1	0.5	0	0	0	0	0	0
(b) Read and understand rule requirements (facilities <100k already in compliance)	0.25	0.33	0.25	0	0	0	0	0	0
(c) initial vapor balance system testing	6	1	6	0	0	0	0	0	0
(d) Prepare Initial Notification	1	1	1	0	0	0	0	0	0
(d) Prepare Notification of Compliance Status	1	1	1	0	0	0	0	0	0
(e) vapor balance system testing	6	0.3	1.98	9,860	19,523	1,908,958.94	1,095.07	2,001.06	1,912,055.07
Subtotal					19,523				1,912,055.07

**Assumptions for Table 1.5:**

- We expect no new affected sources the next 3 years of this ICR. Of the total 340,000 facilities, 243,587 facilities with throughputs of <100,000 gpm that are complying with a SLT submerged fill requirement, and for the 85,340 facilities with throughputs of >100,000 gpm that are complying with a state (SLT) vapor balancing requirement, there are no other reporting or recordkeeping requirements associated with this rule for this ICR. Therefore, the estimated number of respondents with recordkeeping and reporting requirements remains unchanged from the previous ICR as 11,073 gasoline dispensing facilities, of which 9,860 install vapor balance system and 1,213 must add submerged filled s a result of this rulemaking.
- Assume that all existing sources are in compliance with initial requirements.
- Assume vapor balance pressure retesting require every three years. There are 9,860 gasoline dispensing facilities would have to retest.

**Summary (Tables 1.1 through 1.5): Total Annual Respondent Burden and Cost – NESHAP for Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities; and Gasoline Dispensing Facilities (40 CFR part 63, subparts BBBBBB and CCCCCC (Renewal))**

<b>Average Number of Respondents per year</b>	<b>Average Number of Activities per Respondent</b>	<b>Total Annual Hours</b>	<b>Average Hours per Facility per Year<sup>b</sup></b>	<b>Total Labor Cost per Year<sup>c</sup></b>
19,120	5	60,517.14	3.1	\$ 6,068,409

**Assumptions for Table 1:**

- a) Estimated by summing the annual technical (52,623.6), managerial (2,631.1), and clerical (5,262.36 )hours for all facility types and activities.
- b) Obtained by dividing total annual hours by the number of respondents.
- c) Includes technical, managerial, and clerical labor costs for affected sources as calculated in the tables for bulk terminals, pipelines breakout stations, pipeline pumping stations, bulk plants and gasoline dispensing facilities.

.

.

**Table 2: Average Annual EPA Burden and Cost - NESHAP for Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities; and Gasoline Dispensing Facilities (40 CFR part 63, subparts BBBBBB and CCCCCC (Renewal**

<b>Burden Item</b>	<b>(A) Number of Activities per Year</b>	<b>(B) EPA Hours per Activity</b>	<b>(C) Total EPA Technical Hours for Item</b>	<b>Technical Hours per Year (C*\$46.21 )</b>	<b>Management Hours per Year (C*0.05*\$62.27/hr)</b>	<b>Clerical Hours per Year (C*0.1*\$25.01/hr)</b>	<b>EPA Cost per Year (\$/yr)</b>
Review of storage tank inspection reports	780	4	3,120	144,175.2	194282.4	78031.2	416488.8
Review semiannual compliance reports	4714	2	9,428	435,667.88	29,354.08	23,579.43	488,601.39
Review of other, non-routine reports	1400	4	5600	258776	348712	140056	747544
<b>TOTAL</b>	<b>6,894</b>		<b>18,148</b>				<b>1,652,634.19</b>

**Assumptions for Table 2:**

- This cost is based on the average hourly labor rate from the Office of Personnel Management (OPM) "2011 General Schedule" which excludes locality rates of pay.
- Number of activities per year is the sum of the number of applicable respondents from Tables 1.1 through 1.5.
- Assumed that 10 percent of affected facilities industry-wide will submit non-routine reports each year.

**Table 2b:**

Number of Industry Respondents	Number of Agency Activities	Average Annual Hours <sup>a</sup>	Average Hours per Industry Respondent	Total Annual Labor Cost <sup>b</sup>
19,120	6,894	20,870	1.09	\$1,652,634

**Assumptions for Table 2b:**

a) The average annual hours is the total hours for technical, managerial and clerical.

a)