

**SUPPORTING STATEMENT
ENVIRONMENTAL PROTECTION AGENCY**

NESHAP for Group I Polymers and Resins (40 CFR Part 63, Subpart U) (Renewal)

1. Identification of the Information Collection

1(a) Title of the Information Collection

NESHAP for Group I Polymers and Resins (40 CFR Part 63, Subpart U) (Renewal),
EPA ICR Number 2410.03, OMB Control Number 2060-0665.

1(b) Short Characterization/Abstract

The National Emission Standards for Hazardous Air Pollutants (NESHAP) for the Group I Polymers and Resins were promulgated on September 5, 1996, and amended on: June 19, 2000; July 16, 2001; April 20, 2006; and April 21, 2011. These regulations apply to existing and new facilities that are major sources of hazardous air pollutants (HAPs) in nine source categories: Butyl Rubber Production, Epichlorohydrin Elastomers Production, Ethylene Propylene Rubber Production, Hypalon Production, Neoprene Production, Nitrile Butadiene Rubber (NBR) Production, Polybutadiene Rubber Production, Polysulfide Rubber Production, and Styrene Butadiene Rubber and Latex Production. The 2011 final rule established emission standards for hydrochloric acid (HCl) from front-end process vents in the Butyl Rubber Production and Ethylene Propylene Rubber Production source categories, and for organic HAP from back-end process operations in the Butyl Rubber Production, Epichlorohydrin Elastomers Production, and the Neoprene Rubber Production categories. The rule also eliminated startup, shutdown, and malfunction (SSM) exemption, removed SSM plan requirement, added provisions to provide an affirmative defense against civil penalties for exceedances of emission standards caused by malfunction, and added requirement for electronic submittal of performance test data. This ICR covers the burden associated with the 2011 final rulemaking. This information is being collected to assure compliance with 40 CFR part 63, subpart U.

In general, all NESHAP standards require initial notifications, performance tests, and periodic reports by the owners/operators of the affected facilities. They are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. These notifications, reports, and records are essential in determining compliance, and are required of all affected facilities subject to NESHAP.

Any owner/operator subject to the provisions of this part shall maintain a file of these measurements, and retain the file for at least five years following the date of such measurements, maintenance reports, and records. All reports 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 U. S. Environmental Protection Agency (EPA) regional office.

Over the next three years, we estimate that an average of 5 respondents per year will be

subject to the emission standards established in the 2011 final rule, and that no additional respondents per year will become subject to these standards. In addition, all 19 existing respondents in the nine source categories subject to the NESHAP may use the affirmative defense provisions.

The Office of Management and Budget (OMB) approved the currently active ICR without any “Terms of Clearance.”

The “Affected Public” are facilities with elastomer product process units (EPPU) and associated equipment that are major sources of HAP. This ICR only covers the burden imposed by the 2011 final rule. The “burden” to the Affected Public may be found below in Table 1: Annual Respondent Burden and Cost – NESHAP for Group I Polymers and Resins (40 CFR Part 63, Subpart U) (Renewal). The Federal Government’s “burden” is attributed entirely 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 Group I Polymers and Resins (40 CFR Part 63, Subpart U) (Renewal).

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. These standards are applicable to new or existing sources of hazardous air pollutants and shall require the maximum degree of emission reduction. In addition, section 114(a) states that the Administrator may require any owner/operator subject to any requirement of this Act to:

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

In the Administrator's judgment, HAP emissions from Group I Polymers and Resins manufacturing facilities cause or contribute to air pollution that may reasonably be anticipated to endanger public health or welfare. Therefore, the NESHAP were promulgated for this source category at 40 CFR part 63, subpart U.

2(b) Practical Utility/Users of the Data

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

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

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

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

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

The requested recordkeeping and reporting are required under 40 CFR part 63, subpart U.

3(a) Non-duplication

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 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, duplication does not exist.

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 (78 FR 35023) on June 11, 2013. 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 EPA's Office of Compliance. OTIS is EPA's 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.

Industry trade associations and other interested parties were provided an opportunity to comment on the burden associated with these standards as they were being developed and the standards have been reviewed previously to determine the minimum information needed for compliance purposes. In developing this ICR, we contacted: 1) the International Institute of Synthetic Rubber Producers, Inc. (IISRP), at (713) 783-7511; and 2) Dow Chemical at (800) 258-2436. IISRP provided comment indicating that EPA's initial estimate of 30 hours significantly underestimated the time and effort required for affirmative defense. IISRP stated that a single affirmative defense event required approximately 128 technical labor hours, 8 management labor hours, 8 lawyer hours, and 1 administrative labor hour based on past experience. We have revised the respondent burden for affirmative defense to incorporate the comment received.

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

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, then the proper operation and maintenance of control equipment and the possibility of detecting violations would be less likely.

3(e) General Guidelines

These reporting or recordkeeping requirements do not violate any of the regulations promulgated by OMB under 5 CFR part 1320, section 1320.5.

These standards require the respondents to maintain all records, including reports and notifications for at least five years. This is consistent with the General Provisions as applied to the standards. EPA believes that the five-year records retention requirement is consistent the Part 70 permit program and the five-year statute of limitations on which the permit program is based. The retention of records for five years allows EPA to establish the compliance history of a source, any pattern of non-compliance and to determine the appropriate level of enforcement action. EPA has found that the most flagrant violators have violations extending beyond five years. In addition, EPA would be prevented from pursuing the violators due to the destruction or

non-existence 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

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

4. The Respondents and the Information Requested

4(a) Respondents/SIC Codes

The respondents to the recordkeeping and reporting requirements are Group I Polymers and Resins manufacturing facilities. The United States Standard Industrial Classification (SIC) code for the respondents affected by the standards is SIC 2822, which corresponds to the North American Industry Classification System (NAICS) code 325212 for synthetic rubber manufacturing.

4(b) Information Requested

(i) Data Items

In this ICR, all the data that is recorded or reported is required by the NESHAP for Group I Polymers and Resins (40 CFR Part 63, Subpart U).

A source must make the following reports:

| Notifications | |
|---|----------------------------|
| Notification of front-end process vents limit | 63.485(q) |
| Notification of back-end process vents limit | 63.499(f)(1) |
| Reports | |
| Back-end process vents records in periodic reports | 63.499(f), 63.506(e)(6) |
| Front-end process vents records in periodic reports | 63.506(d), |

| Reports | |
|--|--------------|
| | 63.506(e)(6) |
| Reports of malfunctions that result in an exceedances of the standard for the purpose of affirmative defense | 63.480(j)(4) |

A source must keep the following records:

| Recordkeeping | |
|--|--|
| Records of notifications | 63.506(e) |
| Records that demonstrate continuous compliance | 63.498(a)(4), 63.498(e), 63.506(d) |

Electronic Reporting

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

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 none of the five respondents use electronic reporting.

The 2011 final rule requires electronic submittal of performance test data to increase the ease and efficiency of data submittal and to improve data accessibility. Specifically, owners and operators of Group I Polymers and Resins facilities are required to submit electronic copies of applicable performance tests to EPA's WebFIRE database using the Electronic Reporting Tool (ERT).

(ii) Respondent Activities

| Respondent Activities | |
|---|--|
| Read instructions. | |
| Perform initial performance test, Reference Method 1, 1A, 18, 25A, 26, or 26A tests, and repeat performance tests if necessary. | |
| Write the notifications and reports listed above. | |

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

Currently sources are using monitoring and reporting equipment that provide 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.

| Agency Activities |
|---|
| Review notifications and reports, including performance test reports, and excess emissions reports, required to be submitted by industry. |
| Audit facility records. |
| Input, analyze, and maintain data in the Online Tracking Information System (OTIS). |

5(b) Collection Methodology and Management

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

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

Information contained in the reports is entered into OTIS which is operated and maintained by EPA's Office of Compliance. OTIS is EPA's database for the collection, maintenance, and retrieval of compliance data for approximately 125,000 industrial and government-owned facilities. EPA uses the OTIS 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.

5(c) Small Entity Flexibility

The Small Business Administration defines a small entity as one that meets the Small Business Administration size standards for small businesses found at 13 CFR 121.201 (less than 1000 employees for NAICS 325212). We estimate that none of the facilities affected by the new requirements are small entities. Accordingly, the rule does not impose significant economic impact on a substantial number of small businesses, and small business considerations do not apply.

5(d) Collection Schedule

The specific frequency for each information collection activity within this request is shown below in Table 1: Annual Respondent Burden and Cost – NESHAP for Group I Polymers and Resins (40 CFR Part 63, Subpart U) (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. Where 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 315 hours (Total Labor Hours from Table 1).

These hours are based on Agency studies and background documents from the development of the regulation, Agency knowledge and experience with the NESHAP program, the previously approved ICR, and any comments received.

6(b) Estimating Respondent Costs

(i) Estimating Labor Costs

This ICR uses the following labor rates:

| | |
|------------|---------------------------|
| Managerial | \$68.29 (\$32.52+ 110%) |
| Technical | \$52.16 (\$24.84 + 110%) |
| Clerical | \$35.81 (\$17.05 + 110%) |
| Law | \$133.46 (\$63.55 + 110%) |

These rates are from the U. S. Department of Labor, Bureau of Labor Statistics for NAICS 325200, May 2012, available at http://www.bls.gov/oes/current/naics4_325200.htm. Wages for technical labor are based on "Production occupations: Chemical Equipment Operators & Tenders". Wages for management labor are taken from "Production occupations: First-line supervisors/managers of production and operating workers". Wages for clerical labor are based on "Office and administrative support occupations: Office clerks general". Wages for law personnel are taken from "lawyers". 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 only costs to the regulated industry resulting from information collection activities required by the subject standard are labor costs. There are no capital/startup or operation and maintenance costs because the final standards do not impose requirements for monitoring or other equipment.

(iii) Capital/Startup vs. Operation and Maintenance (O&M) Costs

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

(iv) Affirmative Defense, Root Cause Analysis, and Malfunction Costs

EPA's estimate for an affirmative defense and root cause analysis is based on IISRP's past experience with a single affirmative defense event. In general, the burden involves the time and effort required of a source to review relevant data, interview plant employees, and reconstruct the events prior to a malfunction in order to determine primary and contributing causes. The level of effort also includes time to produce and retain the report in document form so that the source will have it available should EPA or state enforcement agencies ever request to review it.

6(c) Estimating Agency Burden and 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 \$0.

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), 2013 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 and Cost – NESHAP for Group I Polymers and Resins (40 CFR Part 63, Subpart U) (Renewal).

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

Based on our research for this ICR, on average over the next three years, approximately 5 existing respondents will be subject to the new provisions of the Group I Polymers and Resins NESHAP. It is estimated that no additional respondents per year will become subject. The overall average number of respondents, as shown in the table below, is 5 per year. While all 19 existing respondents could make use of the new affirmative defense provisions added to the rule, EPA estimates only two total instances of the use of these provisions from all 19 facilities over the three-year ICR period.

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

| Number of Respondents | | | | | |
|-----------------------|---|---|--|--|--|
| Year | (A) Number of New Respondents ¹ | (B) Number of Existing Respondents | (C) Number of Existing Respondents that keep records but do not submit reports | (D) Number of Existing Respondents That Are Also New Respondents | (E) Number of Respondents (E=A+B+C- D) |
| | | | | | |

| Number of Respondents | | | | | |
|------------------------------|---|---|---|---|---|
| 1 | 0 | 5 | 0 | 0 | 5 |
| 2 | 0 | 5 | 0 | 0 | 5 |
| 3 | 0 | 5 | 0 | 0 | 5 |
| Average | 0 | 5 | 0 | 0 | 5 |

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

Column D is subtracted to avoid double-counting respondents. As shown above, the average Number of Respondents over the three year period of this ICR is 5.

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=(BxC)+D |
| Notification of the back-end process limit ¹ | 0 | 1 | N/A | 0 |
| Notification of performance test for front-end process limit ² | 0 | 1 | N/A | 0 |
| Affirmative defense reports ³ | 0.7 | 1 | N/A | 0.7 |
| Semiannual reports ⁴ | 0 | 1 | N/A | 0 |
| | | | Total | 0.7 |

¹ We assume that the five facilities required to submit a one-time notification of the back-end process limit have already submitted these reports during the initial compliance period.

² We assume that the two facilities required to submit a one-time notification of performance tests and test reports for compliance with the front-end process limit have already submitted these reports during the initial compliance period.

³ We estimate 2 instances of affirmative defense over the 3-year period of this ICR.

⁴ All facilities already submit semiannual reports as part of the existing rule; therefore, no additional burden is presented here for the new provisions.

The number of Total Annual Responses is 1 (rounded).

The total annual labor costs are \$16,791. Details regarding these estimates may be found below in Table 1: Annual Respondent Burden and Cost – NESHAP for Group I Polymers and Resins (40 CFR Part 63, Subpart U) (Renewal).

6(e) Bottom Line Burden Hours and Cost Tables

The detailed bottom line burden hours and cost calculations for the respondents and the Agency are shown in Tables 1 and 2, respectively, and summarized below.

(i) Respondent Tally

The total annual labor hours are 315 hours at a cost of \$16,791. Details regarding these estimates may be found below in Table 1: Annual Respondent Burden and Cost – NESHAP for Group I Polymers and Resins (40 CFR Part 63, Subpart U) (Renewal).

Furthermore, the annual public reporting and recordkeeping burden for this collection of information is estimated to average 315 hours per response.

There are no annual capital/startup and O&M costs to the regulated entity. The cost calculations are detailed in Section 6(b)(iii), Capital/Startup vs. Operation and Maintenance (O&M) Costs.

(ii) The Agency Tally

The average annual Agency burden and cost over next three years is estimated to be zero labor hours at a cost of \$0. See below in Table 2: Average Annual EPA Burden and Cost – NESHAP for Group I Polymers and Resins (40 CFR Part 63, Subpart U) (Renewal).

6(f) Reasons for Change in Burden

There is an adjustment increase in the respondent burden and a decrease in Agency burden since the last ICR. This is not due to any program changes. The respondent burden increased because this ICR revised the hours associated with affirmative defense, using latest estimates provided by industry during consultation. However, the other burdens, including burden to the Agency decreased because this ICR assumes that existing facilities have already met initial requirements, and only covers the burden associated with on-going compliance. The previous ICR covers the burden associated with initial compliance of the final standard, including one-time notification of performance tests and notifications of the back-end process limits.

6(g) Burden Statement

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 315 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 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-OECA-2013-0356. 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 contents of the docket, and to access those documents in the public docket that are available electronically. When in the system, select "search," then 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), WJC West, Room 3334, 1301 Constitution Ave., NW, Washington, DC. 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 docket center 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, NW, Washington, DC 20503, Attention: Desk Officer for EPA. Please include the EPA Docket ID Number EPA-HQ-OECA-2013-0356 and OMB Control Number 2060-0665 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: Annual Respondent Burden and Cost – NESHAP for Group I Polymers and Resins (40 CFR Part 63, Subpart U) (Renewal)

| Burden item | (A) Person-hours per occurrence | (B) No. of occurrences per respondent per year | (C) Person-hours per respondent per year (C=AxB) | (D) Respondents per year | (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) Cost (\$) (c) |
|---|------------------------------------|---|---|-----------------------------|--|--|---|----------------------|
| 1. Applications | N/A | | | | | | | |
| 2. Survey and Studies | N/A | | | | | | | |
| 3. Acquisition, Installation, and Utilization of Tech. and Systems | See 5F | | | | | | | |
| 4. Reporting requirements | | | | | | | | |
| A. Read instructions (d) | 3.2 | 20 | 64 | 0 | 0 | 0 | 0 | 0 |
| B. Required activities | | | | | | | | |
| C. Create Information | See 4B | | | | | | | |
| D. Gather existing information | See 4B | | | | | | | |
| E. Write report | | | | | | | | |
| Semiannual compliance reports | 40 | 2 | 80 | 0 | 0 | 0 | 0 | 0 |
| Leak detection and repair reports | 24 | 2 | 48 | 0 | 0 | 0 | 0 | 0 |
| Front-end limit notification (a) | 4 | 1 | 4 | 0 | 0 | 0 | 0 | \$0 |
| Back-end limit notification (b) | 4 | 1 | 4 | 0 | 0 | 0 | 0 | \$0 |
| Performance test notification | 2 | 1 | 2 | 0 | 0 | 0 | 0 | 0 |
| Performance test report (e) | 8 | 1 | 8 | 0 | 0 | 0 | 0 | 0 |
| Affirmative defense (f) | 145 | 1 | 145 | 0.67 | 96.67 | | | \$5,550.86 |
| Other reports (i.e. quarterly periodic reports where a respondent did not qualify for semiannual reporting) | 8 | 1 | 8 | 0 | 0 | 0 | 0 | 0 |
| Subtotal for Reporting Requirements | | | | | 96.67 | | | \$5,550.86 |
| 5. Recordkeeping requirements | | | | | | | | |
| A. Read instructions (d) | See 4A | | | | | | | |

| 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) Respondent s per year | (E) Technica l person- hours per year (E=CxD) | (F) Managem ent person- hours per year (Ex0.05) | (G) Clerical person- hours per year (Ex0.1) | (H) Cost (\$) (c) |
|--|---|---|--|---------------------------------|--|--|---|----------------------|
| B. Plan activities | See 5E | | | | | | | |
| C. Implement activities | See 5E | | | | | | | |
| D. Develop record system | See 5E | | | | | | | |
| E. Time to enter information | | | | | | | | |
| Plan activities | 2 | 20 | 40 | 0 | 0 | 0 | 0 | 0 |
| Create, test, research, develop (d) | 18 | 80 | 1440 | 0 | 0 | 0 | 0 | 0 |
| Gather information, monitor, inspect | 1 | 12 | 12 | 5 | 60 | 3 | 6 | \$3,549.55 |
| Process, compile, review | 1 | 12 | 12 | 5 | 60 | 3 | 6 | \$3,549.55 |
| F. Train personnel (d) | 3 | 10 | 30 | 0 | 0 | 0 | 0 | 0 |
| G. Adjust existing ways to comply with prev. appl. reg. | N/A | | | | | | | |
| H. Record and disclose information | 1 | 2 | 2 | 5 | 10 | 0.5 | 1 | \$591.59 |
| Store, file and maintain records | 1 | 12 | 12 | 5 | 60 | 3 | 6 | \$3,549.55 |
| I. Audits | N/A | | | | | | | |
| Subtotal for Recordkeeping | | | | | | 218.5 | | \$11,240.23 |
| TOTAL ANNUAL BURDEN AND COST (rounded) | | | | | | 315 | | \$16,791 |

Assumptions:

- (a) There are 3 notifications of front-end limits expected for the industry (3 notifications/ 3 years = 1 response). Assume notifications have been submitted during the initial compliance period (previous ICR).
- (b) There are 5 notifications of back-end limits expected for the industry (5 notifications/ 3 years - 1.7 responses). Assume notifications have been submitted during the initial compliance period (previous ICR).

- (c) Costs are based on the following hourly rates: technical \$52.16, managerial \$68.29, and clerical \$35.81.
- (d) One-time occurrences, assumed to have already occurred for existing sources. No new sources are expected during the 3-yr ICR period.
- (e) Assume initial performance test and test report have already been submitted during the initial compliance period.
- (f) Assumes 2 affirmative defense reports for the entire industry during the 3-yr ICR period (2 reports/ 3 years = 0.7 responses).

Table 2: Average Annual EPA Burden and Cost – NESHAP for Group I Polymers and Resins (40 CFR Part 63, Subpart U) (Renewal)

| Activity | (A) EPA person- hours per occurrence | (B) No. of occurrences per plant per year | (C) EPA person- hours per plant per year (C=AxB) | (D) Plants per year | (E) Technical person- hours per year (E=CxD) | (F) Management person-hours per year (Ex0.05) | (G) Clerical person- hours per year | (H) Cost (\$) (c) |
|--|---|--|--|---------------------------|--|---|---|----------------------|
| Performance Test: Initial | 40 | 1 | 40 | 0 | 0 | 0 | 0 | 0 |
| Performance Test: Repeat | 40 | 1 | 40 | 0 | 0 | 0 | 0 | 0 |
| Litigation (e) | 2,080 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Reports Review | | | | | | | | |
| Compliance status (d) | 40 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Review equipment leak monitoring | 7 | 2 | 14 | 0 | 0 | 0 | 0 | 0 |
| Front-end limit notification (a) | 3 | 1 | 3 | 0 | 0 | 0 | 0 | 0 |
| Back-end limit notification (b) | 3 | 1 | 3 | 0 | 0 | 0 | 0 | 0 |
| Construction/Reconstruction notification (d) | 6 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Anticipated startup notification (d) | 6 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Actual startup notification (d) | 6 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Performance Test notification (d) | 6 | 1 | 6 | 0 | 0 | 0 | 0 | 0 |
| Review of test results (d) | 24 | 1 | 24 | 0 | 0 | 0 | 0 | 0 |
| Review periodic reports | 3 | 2 | 6 | 0 | 0 | 0 | 0 | 0 |
| Review other reports | 6 | 1 | 6 | 0 | 0 | 0 | 0 | 0 |
| Total Burden and Cost | | | | | | 0 | | \$0 |

Assumptions:

(a) Assume the 3 notifications of front-end limits have been submitted during the initial compliance period (previous ICR).

(b) Assume the 5 notifications of back-end limits

have been submitted during the initial compliance period (previous ICR).

(C) Costs are based on the following hourly rates: technical \$46.21, managerial \$62.27, and clerical \$25.01.

(d) One-time occurrences, assumed to have already occurred for existing sources. No new sources are expected during the 3-yr ICR period.

(e) Represents the cost of litigating and average of 1 case per year. It is assumed that there will be no more litigation.

TABLE 3. Single Affirmative Defense Burden Estimate

| Personnel | Total Time Requirement (hr) | Hourly Rate (\$/hr) | Total |
|----------------------|------------------------------------|----------------------------|-------------------|
| Technical Personnel | 128 | 52.16 | \$6,676.48 |
| Managerial Personnel | 8 | 68.29 | \$546.32 |
| Law | 8 | 133.46 | \$1,067.68 |
| Clerical Personnel | 1 | 35.81 | \$35.81 |
| Total | 145 | | \$8,326.29 |