

**SUPPORTING STATEMENT**  
**ENVIRONMENTAL PROTECTION AGENCY**

**NSPS for Commercial and Industrial Solid Waste Incineration (CISWI) Units (40 CFR Part 60, Subpart CCCC) (Renewal)**

**1. Identification of the Information Collection**

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

NSPS for Commercial and Industrial Solid Waste Incineration (CISWI) Units (40 CFR Part 60, Subpart CCCC) (Renewal), EPA ICR Number 2384.06, OMB Control Number 2060-0662

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

The New Source Performance Standards (NSPS) for Commercial and Industrial Solid Waste Incineration (CISWI) Units (40 CFR Part 60, Subpart CCCC) were proposed on November 30, 1999, and promulgated on December 01, 2000; and most-recently amended on: February 7, 2013; June 23, 2016; and April 16, 2019. The 2013 amendment re-established emission limits and expanded the rule to cover these CISWI subcategories: energy recovery units; waste burning kilns; incinerators; and small, remote incinerators. The 2016 amendment finalized reconsiderations to certain aspects to the 2013 amendment and finalized actions on the following four topics: the definition of “continuous emission monitoring system (CEMS) data during startup and shutdown periods;” the particulate matter (PM) limit for the waste-burning kiln subcategory; the fuel variability factor (FVF) for coal-burning energy recovery units (ERUs); and the definition of “kiln.” The 2019 amendments further clarified implementation of the 2016 standards, including certain testing and monitoring issues and inconsistencies, and editorial corrections and errors within the rules that required clarification or correction.<sup>1</sup> These regulations apply to Commercial and Industrial Solid Waste Incineration (CISWI) units that either commenced construction after June 4, 2010, or commenced reconstruction or modification after August 7, 2013. This information is being collected to assure compliance with 40 CFR Part 60, Subpart CCCC.

The burden and cost estimates provided in this ICR are associated with CISWI units subject to the standards of 2013, 2016, and 2019. Due to the delay in promulgating an updated Federal Plan for Existing Commercial and Industrial Solid Waste Incineration Units (40 CFR 60, Subpart DDDD), burden estimates for existing sources that are subject to the 2000 standards are addressed separately under EPA ICR Number 1926.08. When an updated Federal Plan is finalized, the CISWI units currently complying with the 2000 Subpart CCCC standards will be required to comply with the Emission Guidelines for Existing Commercial and Industrial Solid Waste Incineration Units (40 CFR Part 60, Subpart DDDD), at which time the burden associated with Subpart DDDD (EPA ICR Number 2385.07, OMB Control No. 2060-0664) will supersede

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<sup>1</sup> The 2019 final CISWI rules did not pose an additional information collection burden, because the changes resulted in no changes to the information collection requirements of the 2016 CISWI rule, so that the information collection estimate of project cost and hour burden from the 2016 CISWI Rule were not revised. See 84 FR 15852.

the burden estimates in EPA ICR Number 1926.08 (OMB Control No. 2060-0450).

In general, all NSPS 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 NSPS.

Any owner/operator subject to the provisions of this part shall maintain a file of these measurements and retain the file for at least five years following the date of such measurements, maintenance reports, and records. All reports required to be submitted electronically are submitted through the EPA's Central Data Exchange (CDX), using the Compliance and Emissions Data Reporting Interface (CEDRI), where the delegated state or local authority can review them. If there is no such delegated authority, the EPA's regional offices can review them. All other reports are sent to either the delegated state or local authority. If there is no such delegated authority, the reports are sent directly to the EPA's regional offices. The use of the term "Designated Administrator" throughout this document refers to either the U.S. EPA or a delegated authority, such as a state agency. The term "Administrator" alone refers to the U.S. EPA Administrator.

The "Affected Public" are owners and operators of new CISWI units. The "burden" to the Affected Public may be found at the end of this document in Table 1: Annual Respondent Burden and Cost – NSPS for Commercial and Industrial Solid Waste Incineration (CISWI) Units (40 CFR Part 60, Subpart CCCC) (Renewal). The Federal Government's 'burden' is attributed entirely to work performed by either Federal employees or government contractors and may be found at the end of this document in Table 2: Average Annual EPA Burden and Cost – NSPS for Commercial and Industrial Solid Waste Incineration (CISWI) Units (40 CFR Part 60, Subpart CCCC) (Renewal).

The population of CISWI units has been declining for several years. Previously observed trends would indicate that very few to no new CISWI units in general are being constructed, even in the absence of regulations, because other waste disposal alternatives, such as landfilling, are usually more economical. However, for the small remote incinerator subcategory, we realize that other waste disposal alternatives may be unavailable, and therefore some new units may be constructed, or older units replaced as their useful life expires.

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

Over the next three years, approximately 15 respondents per year will be subject to these standards, and one additional respondent per year will become subject to these same standards.

This situation is based on the assumption that one new small, remote incinerator is being constructed per year since these regulations were proposed.

The Office of Management and Budget (OMB) approved the currently-active ICR with the following “Terms of Clearance”:

“Upon renewal of this collection, OMB requests that EPA submit the following as supplemental documents: the regulatory text that includes the ICR; the regulatory text that includes the submission instructions; and screen shots of the electronic portal where the reporting requirements will be submitted online to EPA. Please also update the submission format to the standard 18 question SS-A format upon renewal.”

At the time of this renewal, the standard 18 question format template is not yet available. The Agency will update this ICR to the standard 18 question format once the template is available and upon the next renewal cycle. Respondents that are subject to this subpart submit semiannual reports and maintain records. The relevant regulatory text for these activities is referenced in section 4(b) of this document. We have created a supplementary document including the regulatory text that describes the ICR requirements as identified in section 4(b)(i) of this document as requested.

All electronic collection in this information collection is submitted through EPA's CEDRI or ERT, as discussed in section 4(b)(i) of this document. Additional Paperwork Reduction Act requirements for CEDRI and ERT, including the burden statement and OMB control number, are available at: <https://www.epa.gov/electronic-reporting-air-emissions/paperwork-reduction-act-pra-cedri-and-ert>.

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

### **2(a) Need/Authority for the Collection**

The EPA is charged under Section 111 of the Clean Air Act (CAA), as amended, to establish standards of performance for new stationary sources that reflect:

. . . application of the best technological system of continuous emissions reduction which (taking into consideration the cost of achieving such emissions reduction, or any non-air quality health and environmental impact and energy requirements) the Administrator determines has been adequately demonstrated.  
Section 111(a)(1).

The Agency refers to this charge as selecting the best demonstrated technology (BDT). Section 111 also requires that the Administrator review and, if appropriate, revise such standards

every eight years. 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, particulate matter (PM), dioxins/furans, hydrogen chloride (HCl), cadmium (Cd), lead (Pb), mercury (Hg), carbon monoxide (CO), nitrogen oxides (NO<sub>x</sub>) and sulfur dioxide (SO<sub>2</sub>) emissions from CISWI units either cause or contribute to air pollution that may reasonably be anticipated to endanger public health and/or welfare. Therefore, the NSPS were promulgated for this source category at 40 CFR Part 60, Subpart CCCC.

## **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 same 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 its 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 that these standards are being met. The performance test may also be observed.

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

Additionally, the EPA is requiring electronic reporting for certain notifications or reports. The EPA is requiring that owners or operators of affected sources would submit electronic copies of performance test reports and performance evaluations, through the EPA's Central Data Exchange (CDX), using the Compliance and Emissions Data Reporting Interface (CEDRI).

CEDRI includes the Electronic Reporting Tool (ERT) software, which is used by facilities to generate electronic reports of performance tests. The EPA is also requiring that 40 CFR Part 60, Subpart CCCC performance test reports be submitted through the EPA's ERT.

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

The requested recordkeeping and reporting are required under 40 CFR Part 60, Subpart CCCC.

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

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 for 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 either 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.

#### **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* (87 FR 43843) on July 22, 2022. No comments were received on the burden published in the *Federal Register* for this renewal.

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

The Agency has consulted industry experts and internal data sources to project the number of affected facilities and industry growth over the next three years. The primary source of information as reported by industry, in compliance with the recordkeeping and reporting provisions in these standards, is the Integrated Compliance Information System (ICIS). ICIS is the EPA's database for the collection, maintenance, and retrieval of compliance data for industrial and government-owned facilities. The growth rate for the industry is based on our

consultations with the Agency's internal industry experts. Approximately 16 respondents will be subject to these same standards over the three-year period covered by this ICR.

Industry trade association(s) and other interested parties were provided an opportunity to comment on the burden associated with these standards as they were being developed and these same standards have been reviewed previously to determine the minimum information needed for compliance purposes. In developing this ICR, we contacted both the Alaska Oil & Gas Association, at (907) 272-1481, and the National Waste & Recycling Association, at (202) 244-4700.

It is our policy to respond after a thorough review of comments received since the last ICR renewal, as well as for 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 these standards. Requirements for information gathering and recordkeeping are useful techniques to ensure that good operation and maintenance practices are applied and that the 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**

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 these standards. The EPA believes that the five-year records retention requirement is consistent with both 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. The EPA has found that the most flagrant violators have violations extending beyond five years. In addition, EPA would be prevented from pursuing the violators due to the destruction or nonexistence of essential records.

### **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 these standards 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 owners and operators of CISWI units. The United States Standard Industrial Classification (SIC) codes for the respondents affected by these standards and the corresponding North American Industry Classification System (NAICS) codes are listed in the table below:

Standard (40 CFR Part 60, Subpart CCCC)	SIC Codes	NAICS Codes
Oil and Gas Exploration	1311, 1321, 2819	211
Mining	1221, 1222, 1231, 1011, 1041, 1044, 1021, 1031, 1061, 1094, 1061, 1099, 1411, 1422, 1423, 1429, 1442, 1446, 1455, 1459, 1474, 1475, 1479, 1499, 3295	212
Pipeline Operators	4612, 4922, 4923, 4613, 4619	486
Utility Providers	4911, 4931, 4932, 4939, 4941, 4952, 4961, 4971,	221
Manufacturers of Wood Products	2429, 2441, 2448, 2449	321
Manufacturers of Pulp, Paper, and Paperboard	2611, 2621, 2631, 2652, 2653, 2655, 2656, 2657, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 3497, 3842,	322
Manufacturers of Furniture and Related Products	2426, 2434, 2499, 2511, 2512, 2514, 2515, 2519, 2521, 2522, 2531, 2541,	337

	2542, 2591, 2599, 3089, 3429, 3499, 3821, 3841, 3952, 3999, 5712	
Manufacturers of Chemicals and Allied Products	2865, 2869, 2813, 2879, 2851, 2899, 2891, 2844, 2893, 2892	325
Manufacturers of Plastics and Rubber Products	2671, 2673, 3011, 3052, 3061, 3069, 3081, 3082, 3083, 3084, 3085, 3086, 3088, 3089, 3996, 3999, 7534	326
Manufacturers of Cement, Nonmetallic Mineral Product Manufacturing	3211, 3221, 3229, 3231, 3241, 3251, 3253, 3255, 3259, 3261, 3262, 3263, 3264, 3269, 3271, 3272, 3273, 3274, 3275, 3281, 3291, 3292, 3295, 3296, 3297, 3299	327
Manufacturers of Machinery	2499, 2599, 3429, 3433, 3443, 3444, 3496, 3511, 3519, 3523, 3524, 3531, 3532, 3533, 3534, 3535, 3536, 3537, 3541, 3542, 3544, 3545, 3546, 3547, 3548, 3549, 3552, 3553, 3554, 3555, 3556, 3559, 3561, 3563, 3564, 3565, 3566, 3567, 3568, 3569, 3577, 3578, 3579, 3581, 3582, 3585, 3586, 3589, 3593, 3594, 3596, 3599, 3634, 3639, 3699, 3743, 3799, 3821, 3827, 3841, 3861, 3999	333
Manufacturers of Transportation Equipment	2396, 2399, 2531, 3069, 3089, 3292, 3429, 3465, 3499, 3519, 3531, 3585, 3592, 3599, 3647, 3694, 3711, 3713, 3714, 3715, 3716, 3721, 3724, 3728, 3731, 3732, 3743, 3751, 3761, 3764, 3769, 3792,	336

	3795, 3799, 3944, 3999	
Merchant Wholesalers, Durable Goods	5012, 5013, 5014, 5015, 5021, 5023, 5031, 5032, 5033, 5039, 5043, 5044, 5045, 5046, 5047, 5048, 5049, 5051, 5052, 5063, 5064, 5065, 5072, 5074, 5075, 5078, 5082, 5083, 5084, 5085, 5087, 5088, 5091, 5092, 5093, 5094, 5099, 7822	423
Retail Trade	5013, 5014, 5015, 5021, 5023, 5031, 5032, 5033, 5039, 5045, 5047, 5063, 5064, 5065, 5072, 5074, 5083, 5087, 5094, 5099, 5122, 5136, 5137, 5139, 5141, 5143, 5144, 5145, 5146, 5147, 5148, 5149, 5153, 5159, 5181, 5182, 5191, 5193, 5211, 5231, 5251, 5261, 5411, 5421, 5431, 5441, 5461, 5499, 5511, 5521, 5531, 5541, 5551, 5561, 5571, 5599, 5999	44

**4(b) Information Requested**

**(i) Data Items**

In this ICR, all the data that are recorded or reported is required by the NSPS for Commercial and Industrial Solid Waste Incineration (CISWI) Units (40 CFR Part 60, Subpart CCCC).

A source must make the following reports:

<b>Notifications</b>	
Notification of preconstruction	§§60.2190(a)-(e), §60.2260(a)(1)
Notification of actual startup	§§60.2195(a)-(e),

<b>Notifications</b>	
	§60.2260(a)(2)
Qualified operator deviation notification	§60.2225(a)(1)
Qualified operator deviation notification of resumed operation	§60.2225(b)
Notification of waste-to-fuel switch	§§60.2230(a)-(b)

<b>Reports</b>	
Initial performance test report, site-specific operating limits, and documentation of bag leak detection system (if applicable)	§§60.2200(a)-(c), §60.2260(e)
Annual report	§60.2205, §§60.2210(a)-(k), (m)-(o), §60.2260(e)
Emission limitation or operating limit deviation report	§60.2210(l), §§60.2215(a)-(b), §§60.2220(a)-(d)
Qualified operator deviation status report	§60.2225(a)(2)
Performance test reports (electronic submission)	§§60.2235(b)(1)-(b)(2)

A source must keep the following records:

<b>Recordkeeping</b>	
Calendar date of each record	§60.2175(a)
Records of operating parameters	§§60.2175(b), (p)
Records of malfunction(s) of the unit and corrective action(s) taken	§§60.2175(s), (u)
Records of exceedances of the operating parameters	§60.2175(e)
Records of initial and annual stack tests	§60.2175(f), §60.2260(b)
Records of siting analysis	§60.2175(g)
Records of operating procedures and persons who have reviewed the operating procedures	§§60.2175(h), (m)
Records of persons who have completed operator training	§60.2175(i)

<b>Recordkeeping</b>	
Records of contact information for persons who meet operator qualification criteria	§60.2175(j)
Records of monitoring device calibrations	§60.2175(k)
Records of equipment vendor specifications and related operation and maintenance requirements for the incinerator, emission controls, and monitoring equipment.	§60.2175(l)
Records of daily log of quantity and types of wastes burned.	§60.2175(n)
Records of the annual air pollution control device inspections	§60.2175(o)
Records of bypass stack use	§60.2175(q)
Records for documenting requirements to perform stack testing less than annually	§60.2175(r)
Records of maintenance performed on air pollution control and monitoring equipment	§60.2175(t)
Records for operating units that combust non-hazardous secondary materials documenting how the secondary material meets each of the legitimacy criteria under §241.3(d)(1)	§60.2175(v)
Records of the criteria used to establish that the unit qualifies as a small power production facility	§60.2175(w)
Records of the criteria used to establish that the unit qualifies as a cogeneration facility	§60.2175(x)

### 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.

The rule was amended to include electronic reporting provisions on June 23, 2016. Respondents are required to use the EPA's Electronic Reporting Tool (ERT) to develop performance test reports and performance evaluations and submit them through the EPA's Compliance and Emissions Data Reporting Interface (CEDRI), which can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>). The ERT is an application rather than a form, and the requirement to use the ERT is applicable to numerous subparts. The splash screen of the ERT contains a link to the Paperwork Reduction Act (PRA) requirements, such as the OMB Control Number, expiration date, and burden estimate for this and other subparts.

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

**(ii) Respondent Activities**

<b>Respondent Activities</b>
Familiarization with the regulatory requirements.
Install, calibrate, maintain, and operate CMS for Hg, Pb, Cd, HCl, PM, CO, dioxins/furans, NOx and SO <sub>2</sub> .
Perform initial performance test, Reference Method 1, 3A or 3B, 5 or 5I, 6 or 6C, 7 or 7E, 9, 10, 19, 22, 23, 26 or 26A, 29, 30B, and 321 test, and repeat performance tests if necessary.
Write the notifications and reports listed above.
Enter information required to be recorded above.
Submit the required reports developing, acquiring, installing, and utilizing technology and systems for collecting, validating, and verifying information.
Develop, acquire, install, and utilize technology and systems for processing and maintaining information.
Develop, acquire, install, and utilize technology and systems for disclosing and providing information.
Train personnel to be able to respond to a collection of information.
Transmit, or otherwise disclose the information.

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

**5(a) Agency Activities**

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

<b>Agency Activities</b>
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Review notifications and reports, including performance test reports, and excess emissions reports, required to be submitted by industry.
Audit facility records.
Input, analyze, and maintain data in the Enforcement and Compliance History Online (ECHO) and ICIS.

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

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

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

There are no small entities (i.e., small businesses) affected by this regulation. We expect the NSPS will only affect units in the small remote incinerator subcategory, which will consist primarily of large oil exploration and development entities.

The NSPS does not contain any provision reserved exclusively for the benefit of small entities. However, the NSPS does contain provisions that reduce the impact on all regulated entities, which would include any small entities (in the unlikely event that any new CISWI units are built). The owner or operator is allowed to skip two annual performance tests for a pollutant if all performance tests over the previous three years show compliance. Deviation reports are required only if there is a deviation, otherwise reporting is annual.

Due to technical considerations involving the process operations and the types of control equipment employed, the recordkeeping and reporting requirements are the same for both small

and large entities. The Agency considers these to be the minimum requirements needed to ensure compliance and, therefore, cannot reduce them further for small entities. To the extent that larger businesses can use economies of scale to reduce their burden, the overall burden will be reduced.

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

The specific frequency for each information collection activity within this request is shown at the end of this document in Table 1: Annual Respondent Burden and Cost – NSPS for Commercial and Industrial Solid Waste Incineration (CISWI) Units (40 CFR Part 60, Subpart CCCC) (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 2,230 (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 NSPS 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	\$157.61 (\$75.05 + 110%)
Technical	\$123.94 (\$59.02 + 110%)
Clerical	\$62.52 (\$29.77 + 110%)

These rates are from the United States Department of Labor, Bureau of Labor Statistics, September 2021, “Table 2. Civilian Workers, by occupational and industry group.” The rates are from column 1, “Total compensation.” The rates have been increased by 110 percent to account

for varying industry wage rates and the additional overhead business costs of employing workers beyond their wages and benefits, including business expenses associated with hiring, training, and equipping their employees.

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

The type of industry costs associated with the information collection activities in the subject standard(s) are both labor costs, which are addressed elsewhere in this ICR, and the costs associated with continuous monitoring. The capital/startup costs are one-time costs when a facility becomes subject to these regulations. The annual operation and maintenance costs are the ongoing costs to maintain the monitor(s) and other costs such as photocopying and postage.

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

<b>Capital/Startup vs. Operation and Maintenance (O&amp;M) Costs</b>						
(A) Continuous Monitoring Device	(B) Capital/Startup Cost for One Respondent <sup>a</sup>	(C) Number of New Respondents	(D) Total Capital/Startup Cost, (B X C)	(E) Annual O&M Costs for One Respondent <sup>a</sup>	(F) Number of Respondents with O&M	(G) Total O&M, (E X F)
Bag Leak Detectors	\$3,788	1	\$3,788	\$10,500	15	\$157,493
CO CEMS	\$13,639	1	\$13,639	\$44,812	15	\$672,186
ACI Monitors	\$0	1	\$0	\$4,546	15	\$68,193
Stack Tests	\$59,533	1	\$59,533	\$15,731	15	\$235,963
Postage for Performance Tests	\$8.12	1	\$8	\$8.12	15	\$122
Postage for Semiannual Reports	\$0	0	\$0	\$16.24	1	\$16
<b>Totals (rounded) <sup>b</sup></b>			<b>\$77,000</b>			<b>\$1,130,000</b>

<sup>a</sup> Costs were adjusted from 2010\$ to 2020\$ using the Chemical Engineering Plant Cost Index (CEPCI).

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

The total capital/startup costs for this ICR are \$77,000. This is the total of column D in the above table.

The total operation and maintenance (O&M) costs for this ICR are \$1,130,000. 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 \$1,210,000. These are the recordkeeping costs.

**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's overall compliance and enforcement program includes such activities 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 \$27,500.

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

Managerial	\$70.56 (GS-13, Step 5, \$44.10 + 60%)
Technical	\$52.37 (GS-12, Step 1, \$32.73 + 60%)
Clerical	\$28.34 (GS-6, Step 3, \$17.71 + 60%)

These rates are from the Office of Personnel Management (OPM), 2022 General Schedule, which excludes locality rates of pay. The rates have been increased by 60 percent to account for the benefit packages available to government employees. Details upon which this estimate is based appear at the end of this document in Table 2: Average Annual EPA Burden and Cost – NSPS for Commercial and Industrial Solid Waste Incineration (CISWI) Units (40 CFR Part 60, Subpart CCCC) (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 15 existing respondents will be subject to these standard. It is estimated that an additional one respondent per year will become subject to these same standards. The overall average number of respondents, as shown in the table below, is 16 per year.

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

<b>Number of Respondents</b>			
	Respondents That Submit Reports		Respondents That Do Not Submit Any Reports
Year	(A) Number of New	(B) Number of	I Number of Existing

<b>Number of Respondents</b>			
	Respondents <sup>a</sup>	Existing Respondents	Respondents that keep records but do not submit reports

(D)

Number of Existing Respondents That Are Also New Respondent(E) Number of Respondents (E=A+B+C-D)					
1	1	14	0	0	15
2	1	15	0	0	16
3	1	16	0	0	17
Average	1	15	0	0	<b>16</b>

<sup>a</sup> 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 16.

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

<b>Total Annual Responses</b>				
(A) Information Collection Activity	(B) Number of Respondts	(C) Number of Responses	(D) Number of Existing Respondents That Keep Records But Do Not Submit Iorts	(E) Total Annual Responses E=(BxC)+D
Report prior to construction (includes siting analysis)	1	1	0	1
Report prior to initial start-up	1	1	0	1
Notification of initial performance test	1	1	0	1
Notification of initial CMS Demonstration	1	1	0	1
Report of initial performance test	1	1	0	1
Report established values for site-specific operating parameters	1	1	0	1
Waste management plan	1	1	0	1

<b>Total Annual Responses</b>				
Annual Report <sup>a</sup>	15	1	0	15
Notification for qualified operators that are off-site for more than 2 weeks <sup>b</sup>	1.5	2	0	3
Status report for qualified operators that are off-site for more than 2 weeks <sup>b</sup>	1.5	2	0	3
Semiannual report of deviations: emissions/parameter exceedances <sup>c</sup>	1.6	2	0	3.2
			<b>Total</b>	<b>31</b>

<sup>a</sup> We assume existing respondents submit annual reports and the one new respondent submits initial reports.

<sup>b</sup> We assume that these activities will apply to 10 percent of existing facilities.

<sup>c</sup> We assume that 10 percent of all facilities (both new and existing) would have a malfunction or an exceedance during the year.

The number of Total Annual Responses is 31.

The total annual labor costs are \$267,000. Details regarding these estimates may be found at the end of this document in Table 1: Annual Respondent Burden and Cost – NSPS for Commercial and Industrial Solid Waste Incineration (CISWI) Units (40 CFR Part 60, Subpart CCCC) (Iewal).

### **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 at the end of this document, respectively, and summarized below.

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

The total annual labor hours are 2,230 hours. Details regarding these estimates may be found below in Table 1: Annual Respondent Burden and Cost – NSPS for Commercial and Industrial Solid Waste Incineration (CISWI) Units (40 CFR Part 60, Subpart CCCC) (Renewal).

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

Furthermore, the annual public reporting and recordkeeping burden for this collection of

information is estimated to average 71 hours per response.

The total annual capital/startup and O&M costs to the regulated entity are \$1,210,000. 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 538 labor hours at a cost of \$27,500; see below in Table 2: Average Annual EPA Burden and Cost – NSPS for Commercial and Industrial Solid Waste Incineration (CISWI) Units (40 CFR Part 60, Subpart CCCC) (Renewal).

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

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

The increase in burden from the most-recently approved ICR is due to an adjustment(s). The adjustment increase in burden from the most-recently approved ICR is due to an increase in the number of new or modified sources, rather than any program changes. A more accurate count of sources was gathered from the Enforcement and Compliance History Online (ECHO) database, which more accurately represents the current industry landscape. Additionally, capital/startup and O&M costs will also increase due to the increase in number of sources. The Capital/startup and O&M costs have been adjusted from 2010\$ to 2020\$ using the Chemical Engineering Plant Cost Index (CEPCI). There is an increase in costs, which is due to the use of updated labor rates. This ICR uses labor rates from the most-recent Bureau of Labor Statistics report (September 2021) to calculate respondent burden costs.

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

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 71 hours per response. ‘Burden’ means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information either 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 neither conduct nor 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-OAR-2022-0045. 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. Due to COVID-19 precautions, entry to the Reading Room is available by appointment only. Please contact personnel in the Reading Room to schedule an appointment. 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-OAR-2022-0045 and OMB Control Number 2060-0662 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 – NSPS for Commercial and Industrial Solid Waste Incineration (CISWI) Units (40 CFR Part 60, Subpart CCCC) (Renewal)**

Burden Item	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)
	Respondent Hours per Occurrence	Number of Occurrences Per Respondent Per Year	Hours Per Respondent Per Year (C=AxB)	Number of Respondents Per Year <sup>a</sup>	Technical Hours Per Year (E=CxD)	Management Hours Per Year (F=E $\times$ 0.05)	Clerical Hours Per Year (G=E $\times$ 0.1)	Total Labor Costs Per Year <sup>b</sup>
1. Applications	N/A							
2. Surveys and Studies	N/A							
3. Reporting Requirements								
A. Familiarize with regulatory requirements <sup>c</sup>	1	1	1	16	16	0.8	1.6	\$2,209.16
B. Required Activities								
1) Initial stack test and report (PM, dioxins/furans, opacity, HCl, Cd, Pb, Hg, CO, NO <sub>x</sub> , and SO <sub>2</sub> )	See Capital/ Startup Costs			1				
2) Annual stack test and test report (PM, HCl, Opacity, and Fugitive Ash)	See O&M Costs			15				
3) Operator training and qualification								
a) Establish and teach operator qualification course <sup>d</sup>	64	1	64	1	64	3.2	6.4	\$8,836.64
b) Obtain operator qualification <sup>d</sup>	72	1	72	1	72	3.6	7.2	\$9,941.22
c) Annual refresher course	12	1	12	15	180	9	18	\$24,853.05
d) Initial review of site-specific information	See 3A							

e) Annual review of site-specific information	8	1	8	15	120	6	12	\$16,568.70
4) Establish operating parameters (maximum and minimum) <sup>d</sup>	40	1	40	1	40	2	4	\$5,522.90
5) Continuous parameter monitoring (including CEMS)								
a) Initial monitoring	17	1	17	1	17	0.85	1.7	\$2,347.23
b) Annual monitoring	17	1	17	15	255	12.75	25.5	\$35,208.49
C. Create Information	See 3B							
D. Gather Information	See 3E							
E. Report Preparation								
1) Notification of initial performance test <sup>d</sup>								
a) Pollutants, fugitive ash emissions	2	1	2	1	2	0.1	0.2	\$276.15
b) Fugitive Ash Emissions	1	1	1	1	1	0.05	0.1	\$138.07
2) Notification of initial CMS Demonstration <sup>d</sup>	2	1	2	1	2	0.1	0.2	\$276.15
3) Report of initial performance test <sup>d</sup>								
a) Pollutants, fugitive ash emissions	8	1	8	1	8	0.4	0.8	\$1,104.58
b) Fugitive Ash Emissions	2	1	2	1	2	0.1	0.2	\$276.15
4) Report of initial CMS demonstration	See Capital/Startup Costs							
5) Report prior to construction (includes siting analysis) <sup>d</sup>	160	1	160	1	160	8	16	\$22,091.60
6) Report prior to initial start-up <sup>d, e</sup>								
a) Without site specific parameter petition	6	1	6	0.67	4	0.2	0.4	\$552.29

b) With site specific parameter petition	14	1	14	0.33	4.7	0.23	0.47	\$644.34
7) Report of initial stack test	See 3B(1)							
8) Report established values for site-specific operating parameters	See 3B(4)							
9) Waste management plan <sup>d</sup>	160	1	160	1	160	8	16	\$22,091.60
10) Annual Report: Results of performance tests conducted during the year	40	1	40	15	600	30	60	\$82,843.50
11) Notification for qualified operators that are off-site for more than 2 weeks <sup>f</sup>	8	2	16	1.5	24	1.2	2.4	\$3,313.74
12) Status report for qualified operators that are off-site for more than 2 weeks <sup>f</sup>	8	2	16	1.5	24	1.2	2.4	\$3,313.74
13) Semiannual report of emissions/parameter exceedances <sup>g</sup>	24	2	48	1.6	76.8	3.84	7.68	\$10,603.97
<b>Subtotal for Reporting Requirements</b>						<b>2,107</b>		<b>\$253,013</b>
4. Recordkeeping Requirements								
A. Familiarize with regulatory requirements	See 3A							
B. Plan Activities	See 3B							
C. Implement Activities	See 3B							
D. Develop Record System	N/A							
E. Record Information								
1) Records of operating parameters	See 3B(5b)							
2) Records of periods for which minimum amount of data on operating parameters were not obtained <sup>g</sup>	0.5	52	26	1.6	41.6	2.08	4.16	\$5,743.82
3) Records of malfunction of the	1.5	1	1.5	1.6	2.4	0.12	0.24	\$331.37

unit <sup>g</sup>								
4) Records of exceedances of the operating parameters <sup>g</sup>	1.5	2	3	1.6	4.8	0.24	0.48	\$662.75
5) Records of stack tests	See 3E							
6) Records of siting analysis	See 3E							
7) Records of persons who have reviewed operating procedures	1	1	1	16	16	0.8	1.6	\$2,209.16
8) Records of persons who have completed operator training	1	1	1	16	16	0.8	1.6	\$2,209.16
9) Records of persons who meet operator qualification criteria	1	1	1	16	16	0.8	1.6	\$2,209.16
10) Records of monitoring device calibration	See 3B							
11) Records of site-specific documentation <sup>e</sup>	24	1	24	0.33	8	0.4	0.8	\$1,104.58
F. Personnel Training	See 3B							
G. Time for Audits	N/A							
<b>Subtotal for Recordkeeping Requirements</b>						<b>121</b>		<b>\$14,470</b>
<b>Total Labor Burden and Costs (rounded) <sup>h</sup></b>						<b>2,230</b>		<b>\$267,000</b>
<b>Total Capital and O&amp;M Cost (rounded) <sup>h</sup></b>								<b>\$1,210,000</b>
<b>Grand Total (rounded) <sup>h</sup></b>								<b>\$1,480,000</b>

**Assumptions:**

<sup>a</sup> We assume there are 15 existing sources subject to the rule and 1 additional new source per year (one new respondent) will become subject to the rule during the three-year period of this ICR.

<sup>b</sup> This ICR uses the following labor rates for privately-owned sources: \$157.61 (\$75.05 + 110%) for managerial, \$123.94 (\$59.02 + 110%) for technical, and \$62.52 (\$29.77 + 110%) for clerical labor. These rates are from the United States Department of Labor, Bureau of Labor Statistics, September 2021, “Table 2. Civilian Workers, by occupational and industry group.” The rates are from column 1, “Total compensation.” The rates have been increased by 110 percent to account for varying industry wage rates and the additional overhead business costs of employing workers beyond their wages and benefits, including business

expenses associated with hiring, training, and equipping their employees.

<sup>c</sup> We assume that all sources will have to familiarize with the regulatory requirements each year.

<sup>d</sup> These are one-time only costs associated with the startup of a new source. We assume there will be 1 new respondent per year.

<sup>e</sup> We assume that one-third of the facilities will petition for site-specific parameters.

<sup>f</sup> We assume that 10 percent of the existing facilities would not have a qualified operator available for more than two weeks at least once a year (Note: each deviation requires 2 notifications, 1 for when the deviation occurs and 1 for when operation resumes). We also assume that each deviation will require only two status reports.

<sup>g</sup> We assume that 10 percent of all facilities (both new and existing) would have a malfunction or an exceedance during the year.

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

**Table 2: Average Annual EPA Burden and Cost – NSPS for Commercial and Industrial Solid Waste Incineration (CISWI) Units (40 CFR Part 60, Subpart CCCC) (Renewal)**

Burden Item	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)
	EPA Hours per Occurrence	Number of Occurrences Per Respondent Per Year	EPA Hours Per Respondent Per Year (C=AxB)	Number of Respondents Per Year <sup>a</sup>	Technical Hours Per Year (E=CXD)	Management Hours Per Year (F=Ex0.05)	Clerical Hours Per Year (G=Ex0.1)	Total Costs, \$ <sup>b</sup>
1. Applications	N/A							
2. Familiarize with regulatory requirements	16	1	16	0	0	0	0	\$0
3. Required Activities								
A. Observe initial stack tests (PM, dioxins/furans, opacity, HCl, Cd, Pb, Hg, CO, NOx, and SO2) <sup>c</sup>	48	1	48	0.2	9.6	0.48	0.96	\$564
B. Excess emissions -- Enforcement Activities <sup>d</sup>	24	1	24	1.6	38.4	1.92	3.84	\$2,255
C. Create Information	N/A							
D. Gather Information	N/A							
E. Report Reviews								
1) Review waste management plan and siting analysis <sup>e</sup>	8	1	8	1	8	0.4	0.8	\$470
2) Review report submitted prior to initial startup <sup>e</sup>	2	1	2	1	2	0.1	0.2	\$117

3) Review initial stack test report <sup>e</sup>	40	1	40	1	40	2	4	\$2,349
4) Review annual compliance report	8	1	8	15	120	6	12	\$7,048
5) Review semi-annual excess emission and parameter exceedance report <sup>d</sup>	16	1	16	1.6	25.6	1.28	2.56	\$1,504
6) Review notifications and status reports for qualified operators off-site <sup>f</sup>	4	4	16	1.5	24	1.2	2.4	\$1,410
F. Prepare annual summary report <sup>g</sup>	4	1	4	50	200	10	20	\$11,746
<b>TOTAL (rounded) <sup>h</sup></b>						<b>538</b>		<b>\$27,500</b>

**Assumptions:**

<sup>a</sup> We assume there are 15 existing sources subject to the rule and 1 additional new source per year (one new respondent) will become subject to the rule during the three-year period of this ICR.

<sup>b</sup> This ICR uses the following labor rates: \$70.56 (GS-13, Step 5, \$44.10 + 60%) for managerial, \$52.37 (GS-12, Step 1, \$32.73 + 60%) for technical, and \$28.34 (GS-6, Step 3, \$17.71 + 60%) for clerical labor. These rates are from the Office of Personnel Management (OPM), 2022 General Schedule, which excludes locality rates of pay. The rates have been increased by 60 percent to account for the benefit packages available to government employees.

<sup>c</sup> Assumes EPA personnel attend 20 percent of the stack tests. We estimate initial stack test observations will take 48 hours per plant.

<sup>d</sup> Assume that 10 percent of all facilities (both existing and new) have an exceedance during the year.

<sup>e</sup> These are one-time only costs associated with the startup of a new source. We assume there will be 1 new respondent per year.

<sup>f</sup> We assume that 10 percent of the existing facilities would not have a qualified operator available for more than two weeks at least once a year (Note: each deviation requires 2 notifications, 1 for when the deviation occurs and 1 for when operation resumes). We also assume that each deviation will require only two status reports.

<sup>g</sup> We assume that each state (i.e., 50 respondents) will take 4 hours to prepare an annual summary of progress for implementing state plans.

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

