

**SF-83 SUPPORTING STATEMENT
ENVIRONMENTAL PROTECTION AGENCY
STANDARDS OF PERFORMANCE
NESHAP Subpart FF**

Benzene Emissions for Benzene Waste Operations

1. Identification of the Information Collection

1(a) Title of the Information Collection

NESHAP SUBPART FF- Benzene Waste Operations

1(b) Short Characterization/Abstract

The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Benzene Waste Operations were proposed on September 14, 1989 and promulgated on March 7, 1990. These standards apply to owners and operators of chemical manufacturing plants, coke by-product recovery plants, and petroleum refineries as well as owners and operators of hazardous waste treatment, storage, and disposal facilities that treat, store, or dispose of hazardous waste generated from the above facilities. Affected Facilities are those which generate wastes that contain benzene by facilities such as chemical manufacturing plants, coke by-product recovery plants, petroleum refineries and those owners and operators of hazardous waste treatment, storage, and disposal facilities (TSDF) which receive wastes from the above facilities. This information is being collected to assure compliance with 40 CFR Part 61 Subpart FF.

Owners or operators of the affected facilities described must make one-time-only notifications. Owners or operators 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. Monitoring requirements specific to

Benzene Waste Operations provide information on the operation of the vapor control device and compliance with the standard. Quarterly reports of excess emissions are required. These notifications, reports, and records are essential in determining compliance; and are required, in general, of all sources subject to the NESHAPs.

Any owner or operator subject to the provisions of this part shall maintain a file of these measurements, and retain the file for at least 2 years following the date of such records. For this subpart, there is a tiered threshold for burden. Facilities managing waste containing less than 1 megagram of benzene must simply certify to that affect and maintain documentation to support their finding. Facilities managing more than 1 megagram and less than 10 megagrams of benzene-containing waste must prepare an initial certification, test annually to verify that their waste stream still falls within this range and maintain documentation to support these findings. Finally, facilities managing more than 10 megagrams of waste must submit quarterly and annual reports documenting the results of continuous monitoring. Approximately 240 sources are currently subject to the standard, and 120 of those are estimated to have more than 10 Mg/yr of benzene in the waste. It is estimated that no additional sources will become subject to the standard in the next three years. The cost of this ICR will be 405,266 dollars.

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 EPA Regional Office.

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 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 or methods (in accordance with such methods at such locations, at such intervals, and in such manner as the Administrator shall prescribe), and (D) sample such emissions, (E) Keep records on control equipment parameters, production variables or other indirect data when direct monitoring of emissions is impractical, (F) submit compliance certifications, and (G) provide such other information as he may reasonably require.

In the Administrator's judgment, benzene emissions from benzene waste operations cause or contribute to air pollution that may reasonably be anticipated to endanger public health or welfare. Therefore, the NESHAPs were promulgated for this source category at 40 CFR Part 61 Subpart FF .

2(b) PRACTICAL UTILITY/USERS OF THE DATA

The control of emissions of benzene from benzene waste operations requires not only the installation of properly designed equipment, but also the operation and maintenance of that equipment. Emissions of benzene from benzene waste operations are the result of operation of those facilities which generate wastes that contain benzene such as chemical manufacturing plants, coke by-product recovery plants, petroleum refineries and those owners and operators of hazardous waste treatment, storage, and disposal facilities (TSDF) which receive wastes from the

above facilities. These standards rely on the reduction of benzene emissions by treatment process units. The required notifications are used to inform the Agency or delegated authority when a source becomes subject to the standard. The reviewing authority may then inspect the source to check if the pollution control devices are properly installed and operated and the standard is being met. Performance test reports are needed as these are the Agency's record of a source's initial capability to comply with the emission standard, and serve as a record of the operating conditions under which compliance was achieved. The semiannual reports are used for problem identification, as a check on source operation and maintenance, and for compliance determinations.

3. Nonduplication, Consultations, and Other Collection Criteria

3(a) Nonduplication

The recordkeeping and reporting requested is required under 40 CFR Part 61 Subpart FF. If the standard has not been delegated the information is sent 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 regulation to implement the Federal Regulation, 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 Standard. 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 on June 4, 1999.

3(c) Consultations

No comments were received on the burden published in the Federal Register.

3(d) Effects of Less Frequent Collection

Less frequent information collection would decrease the margin of assurance that facilities are continuing to meet the required 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 likelihood of detecting poor operation and maintenance of control equipment and noncompliance would decrease.

3(e) General Guidelines

None of the reporting or recordkeeping requirements contained in 40 CFR Part 61 Subpart FF or otherwise pertinent to this request violate any of the regulations established by OMB in 5 CFR 1320.6.

3(f) Confidentiality

The required information consists of emissions data and other information that have been determined not to be private. However, any information submitted to the Agency for which a claim of confidentiality is made will be safeguarded according to the Agency policies set forth in Title 40, Chapter 1, Part 2, Subpart B - Confidentiality of Business Information (see 40 CFR 2; 41 FR 36902, September 1, 1976; amended by 43 FR 40000, September 8, 1978; 43 FR 42251, September 20, 1978; 44 FR 17674, March 23, 1979).

3(g) Sensitive Questions

None of the reporting or recordkeeping requirements contained in 40 CFR Part 61 Subpart FF or otherwise pertinent to this request contain sensitive questions.

4. The Respondents and the Information Requested

4(a) Respondents/SIC Codes

The respondents of the recordkeeping and reporting requirements are SIC codes for the respondents include 2800 (chemical products), 2911 (petroleum refineries), 3312 (blast furnaces and steel mills), 4959 (sanitary services), and 9511 (air, water, solid waste management).

4(b) INFORMATION REQUESTED

(I) Data Items

All data in this ICR that is recorded and/or reported is required by 40 CFR Part 61 Subpart FF- Benzene Waste Operations.

A source must make the following reports

Provide notification of:

- construction or modification application (61.07)
- anticipated startup 61.09(a)(1)
- actual startup 61.09(a)(2)
- source reporting and request for waiver of compliance 61.10
- emission test and waiver of emission tests for flares and some waste incinerators 61.13
- initial performance test 61.13 (C)
- demonstration of continuous monitoring system 61.354(C)
- physical or operational change 61.15

Reporting:

- Report that summarizes the regulatory status of each waste stream that contain benzene 61.357 (a)
- Initial certification of necessary equipment and inspection tests 61.357 (d)(1)
- Annual certification of benzene waste streams, benzene concentration and benzene quantity determination 61.357 (b)(c)(d)(2)
- Notification of election to comply with alternative requirements and certification of benzene waste streams, benzene concentration and benzene quantity determination 61.357 (d)(4)(5)
- Quarterly reports certifying required inspections 61.357 (d)(6)
- Quarterly report when monitored parameters are exceeded 61.357 (d)(7)
- Initial and quarterly reports for inspections during which detectable emissions or a problem is identified 61.357 (d)(8)
- Notification of election to comply with standard 61.357 (e)
- Initial and quarterly identifying all seal gap measurements that are outside limits 61.357 (g)

Recordkeeping:

- Two year retention of records 61.356 (a)
- emission test results and other data needed to determine emissions 61.13(g)
- startups, shutdowns, malfunctions, periods where the continuous monitoring system is inoperative 61.356
- Measurements and determinations of annual waste quantity, water content and benzene concentration 61.356 (b)

- Records of offsite shipment of waste 61.356 (c)
- Record of control equipment engineering design 61.356 (d)
- Records of engineering calculations, operating conditions and performance tests
61.356 (e)
- Records of detectable emissions from closed vent systems and control devices
61.356 (f)
- Records of location, date, and corrective actions for problems found during
visual inspections 61.356 (g)(l)
- Records for each test of no detectable emissions 61.356 (h)
- Operational records for each control device, treatment process and wastewater
treatment system 61.356 (I)(j)

Monitoring:

- Monitoring requirements 61.14
- Monitoring of operation of treatment process or wastewater treatment 61.354
(a)(b)
- Monitoring of alternative operational or process parameters 61.354 (e)
- Monitoring of affected facilities 61.343-349

Records are required to be retained for 2 Years and they must be kept onsite.

b. Respondent Activities

- Read instructions
- perform initial performance test, and repeat performance tests
- 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 the purpose of collecting, validating, and verifying information;
- developing, acquiring, installing, and utilizing technology and systems for the purpose of processing and maintaining information;
- developing, acquiring, installing, and utilizing technology and systems for the purpose of disclosing and providing information;
- adjusting the existing ways to comply with any previously applicable instructions and requirements;
- training personnel to be able to respond to a collection of information;
- transmitting, or otherwise disclosing the information

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 information required under 40 CFR Subpart FF:

- Observes initial performance tests and repeat performance tests if necessary
- Reviews notifications and reports, including performance test reports, and excess emissions reports, required to be submitted by industry
- Audits facility records
- Inputs, analyzes and maintains data in the Aerometric Information Retrieval System(AIRS) database

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 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 AIRS which is operated and maintained by EPA's Office of Air Quality Planning and Standards. AIRS is EPA's database for the collection, maintenance, and retrieval of compliance and annual emission inventory data for over 100,000 industrial and government-owned facilities. EPA uses AIRS for tracking air pollution compliance and enforcement by Local and State regulatory agencies, and EPA Regional Offices and 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 or operator for two years.

5(c) Small Entity Flexibility

There are no small businesses affected by this standard.

5(d) Collection Schedule

The specific frequency for each information collection activity within this request is shown on Table 2.

6. Estimating the Burden and Cost of the Collection

Table 2 documents the computation of individual burdens for each of the recordkeeping and reporting requirements applicable to the industry. 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 at 17,028 person-hours. These hours are based on Agency studies and background documents from the development of the standards or test methods, 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 labor rates of \$23.80 from the United States Department of Commerce Bureau of Labor Statistics, March 1998, Table 2: Employment Costs for Civilian Workers by Occupational and Industry Group. The rates are from column 1: Total compensation.

(ii) Estimating Capital and Operations and Maintenance Costs

The only type of industry costs associated with the information collection activity in the standards are labor costs. There are no capital or operations and maintenance costs. The capital start up costs are one time costs when a facility becomes subject to the standard.

(iii) Capital/Start-up vs. Operating and Maintenance (O&M) Costs

This section is not applicable because there is no continuous monitoring.

6(c) Estimating Agency Burden and Cost

The only Federal costs are user costs associated with analysis of the reported information. Publication and distribution of the information are part of the AIRS program. Examination of records to be maintained by the respondents will occur as part of the periodic inspection of sources, which is part of EPA's overall compliance and enforcement program.

The average annual Federal Government cost during the 3 years of the ICR is estimated to be \$25,585 (from table 1). This cost is based on an average wage of a GS10 step 1 employee rate, or if previous ICR has specific breakdowns use them and travel associated with compliance activities. Details upon which this estimate is based appear in Table 1: Agency Burden.

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

The number of existing sources subject to benzene waste operation, subpart FF is 240. The number of new sources subject to benzene waste operation, subpart FF is 0. The total annual labor costs are \$405,266 and there is no total annual capital and O&M costs. Details upon which this estimate is based appear in Table 2: Industry Burden.

6(e) Bottom Line Burden Hours And Cost Tables

See attached tables

6(f) Reasons for Change in Burden

The decrease in burden from the most recently approved ICR is due to an adjustment in labor rates.

6(g) Burden Statement

Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR Part 9 and 48 CFR Chapter 15.

Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, OP, Regulatory Information Division, U.S. Environmental Protection Agency (2137), 401 M St., S.W., Washington, D.C. 20460; and 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. Include the EPA ICR number and OMB control number in any correspondence.

Part B of the Supporting Statement

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