

Office of Management and Budget (OMB) under the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.* An Information Collection Request (ICR) document has been prepared by EPA (ICR No. 2014.01) and a copy may be obtained from Sandy Farmer, Collection Strategies Division; U.S. Environmental Protection Agency (2822); 1200 Pennsylvania Ave., NW., Washington, DC 20460 or by calling (202) 260-2740. The information requirements are not effective until OMB approves them.

The recordkeeping and reporting requirements in this rule are similar to those used in the class I allowance system that has been in place for several years. The information collected will be utilized to monitor business compliance with the class II allowance system. The information will also be used to comply with the reporting requirements agreed to by the Parties to the *Montreal Protocol on Substances that Deplete the Ozone Layer*. The information is intended to ensure that the U.S. meets its obligations to control and administer the phaseouts of HCFCs under the Protocol and the CAA Amendments of 1990.

Reporting requirements mandated in Section 603 of the CAA relative to HCFCs are currently in place in 40 CFR 82.13(n) and (o). This rule contains new recordkeeping requirements and expanded reporting requirements to ensure accurate expenditures of allowances and trades of allowances. Responses to the collection of information are mandatory pursuant to Section 114 of the CAA.

Information collected from businesses may be claimed as confidential by clearly identifying the material as confidential. Such information will be treated in accordance with EPA's procedures for handling information claimed as confidential under 40 CFR Part 2, Subpart B and will only be disclosed by the means set forth in that subpart.

It is estimated that the annual reporting burden for producers is 1,132 hours and for importers it is 1,800 hours. This includes maintaining records, preparing and submitting quarterly reports on production, import, exports, and claims for transfers of allowances and offsets. The average burden hours per response is estimated to be between 283 and 450 hours. The proposed frequency of response is four times per year and the likely number of respondents will be 7 producers and 14 importers, although some of the producers and some of the importers also function as exporters. The only industry requirements for the start-up phase are an evaluation of the impact of

the allowance system and the development of a plan of action. The start-up burden is estimated to be 910 hours for producers and 1,820 hours for importers.

Start-up costs are estimated to amount to \$219,108, after which annual industry cost is estimated to be \$253,089 to maintain records of production, import, and export; submit quarterly reports to EPA on production, import and export; provide additional information requested by EPA; prepare transfer claims; and submit petitions to import used HCFCs. The latter two functions are not periodical tasks but are initiated by the person based on business decisions.

In order to receive the benefit of HCFC-141b exemption allowances, HCFC-141b formulators and U.S. agencies, departments or instrumentalities, or related entities involved in space vehicle endeavors are being asked to petition the Agency annually for exemption to produce or import HCFC-141b beyond the January 1, 2003 phaseout date. The approximate number of petitioners is likely to be 15-20 entities. EPA is requiring that the entities supply technical descriptions of the processes in which HCFC-141b is being used, the areas where the product will be applied, and why alternatives and substitutes are not sufficient to eliminate the use of HCFC-141b. EPA is also requiring that entities supply a detailed analysis showing why stockpiled, recovered, or recycled quantities are not technically feasible for use and a detailed description of continuing investigations into and progress on possible alternatives and substitutes by the applicants.

Entities granted HCFC-141b exemption allowances for the production of HCFC-141b products will be required to report semiannually to EPA on the total quantity of HCFC-141b received to date and the name of the supplier. The supplier of HCFC-141b (the "producer" or "importer" under the regulations) will report quarterly along with their other quarterly reporting to EPA the amount of HCFC-141b supplied to a petitioner granted HCFC-141b exemption allowances and submit copies of the requests. It is estimated that the annual reporting burden for the recipient of the allowances is about 20 hours at a cost of about \$864 and the burden for the manufacturer is about 20 hours at a cost of about \$1,538.

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.

*1. Regulatory Flexibility Act (RFA), as amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA), 5 U.S.C. 601 et. seq.*

EPA has determined that it is not necessary to prepare a regulatory flexibility analysis in connection with this final rule. EPA has also determined that this rule will not have a significant economic impact on a substantial number of small entities.

For purposes of assessing the impact of today's rule on small entities, small entities are defined as: (1) A small business that is identified by the North American Industry Classification System code (NAICS) in the Table below.

Type of Enterprise	NAICS Code	Size Standard (number of employees)
Organic Chemical Wholesaling .....	422690	100

(2) a small governmental jurisdiction that is a government of a city, county, town, school district or special district with a population of less than 50,000; and (3) a small organization that is any not-for-profit enterprise which is independently owned and operated and is not dominant in its field.

After considering the economic impacts of today's proposed rule on small entities, EPA has concluded that this action will not have a significant economic impact on a substantial number of small entities.

We have determined that approximately 13 small businesses that are eligible for allowances under this rule, would receive allowances, for which recordkeeping and reporting to