

and when electronic reporting would occur, EPA would change its guidance document and its ICR to indicate a change in burden hours. EPA will use the information to ensure that the U.S. maintains compliance with the Protocol requirements and to report annually to United Nations Environment Programme the U.S. activity in CBM. EPA will store the submitted information in a computer system designed to track production, import, and export balances and transfer activities. EPA estimates that the information collection will involve approximately 133 respondents: 2 producers, 2 exporters, 8 importers, 100 laboratory certifiers, 8 transformers and destroyers, 6 essential use allowance holders, 2 laboratory suppliers, and 5 laboratory suppliers (reference standards). The total annual industry burden and cost are estimated at 2,580 hours and \$201,350, of which \$3,000 are annual operating and maintenance (O&M) costs.

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. Comments were requested 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. No comments were received.

C. Regulatory Flexibility Act

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 (NAICS) code, in the Table below; (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. The size standards described in this section apply to all Small Business Administration (SBA) programs unless otherwise specified. The size standards themselves are expressed either in number of employees or annual receipts in millions of dollars, unless otherwise specified. The number of employees or annual receipts indicates the maximum allowed for a concern and its affiliates to be considered small.

Category	SIC code	NAICS code	SIC small business size standard (in number of employees or millions of dollars)
1. Industrial organic chemicals, NEC	2869	325199	1,000
2. Pharmaceutical preparations	2834	325412	750
3. Pesticides and agricultural chemicals, NEC	2879	32532	500
4. Chemicals and allied products, NEC	5169	42269	100
5. Testing laboratories, except veterinary testing labs	8734	54138	\$5.0
6. Medical and diagnostic laboratories	8071	6215	\$5.0
7. Research and development in the physical, engineering and life sciences	8731 and 8733	54171	\$5.0

After considering the economic impacts of today's final rule on small entities, EPA has concluded that this action will not have a significant economic impact on a substantial number of small entities. The only small entities that will be impacted by the recordkeeping and reporting requirements of this rule are laboratories. We have determined that about 100 laboratories (only a portion of which are owned by small entities) will experience an annual estimated impact of \$7,688 due to the reporting and recordkeeping requirements described in 40 CFR part 82, subpart A (§ 82.13).

In addition to the recordkeeping and reporting requirements, today's action bans the production and import of CBM.

There are only 2 known producers of CBM in the United States. These are large, multinational corporations and not small entities. In addition, informal discussions with these producers indicate that virtually all of their CBM production is for customers who transform CBM; this production is not subject to the CBM phaseout implemented by today's action.

Regarding import, EPA records indicate that during the years 1995–1999 (the years for which data were available), 22 companies had imported CBM during one or more years. Of these, 16 had imported CBM in only one of the 5 years of record. Informal discussions with the primary importer (responsible for 77% of the imported CBM) indicate

that 80–85% of their imports are for transformation. Thus, the impacts of today's action on CBM importers will also be limited (providing that import is from countries that are Parties to or in compliance with the Beijing Amendments).

Although this final rule will not have a significant economic impact on a substantial number of small entities, EPA nonetheless has tried to reduce the impact of this rule on small entities. Laboratories will only be required to certify purchases of CBM one time per year, in which they must indicate their use of CBM will only be used for laboratory or analytical purposes and identify the specific use to which the substance will be put. This requirement