

**Information Collection Request for
Diesel Emissions Reduction Act (DERA) Rebate Program**

OMB Control No. 2060-NEW, EPA ICR No. 2461.01

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1. Identification of the Information Collection

1(a) Title of the Information Collection

Title: Diesel Emissions Reduction Act (DERA) Rebate Program

OMB Control Number: 2060-NEW

EPA ICR Number: 2461.01

1(b) Short Characterization/Abstract

This is a new Information Collection Request (ICR) for the Diesel Emission Reduction Act program (DERA) authorized by Title VII, Subtitle G (Sections 791 to 797) of the Energy Policy Act of 2005 (Public Law 109-58), as amended by the Diesel Emissions Reduction Act of 2010 (Public Law 111-364), codified at 42 U.S.C. 16131 et seq. DERA provides the Environmental Protection Agency (EPA) with the authority to award grants, rebates or low-cost revolving loans on a competitive basis to eligible entities for funding towards the cost of strategies that significantly reduce diesel emissions, specifically fine particulate matter (PM_{2.5}) and nitrogen oxides (NO_x), from mobile sources through implementation of a certified engine configuration, verified technology, or emerging technology. Eligible mobile sources include buses (including school buses), medium heavy-duty or heavy heavy-duty diesel trucks, marine engines, locomotives, or nonroad engines or diesel vehicles or equipment used in construction, handling of cargo (including at port or airport), agriculture, mining, or energy production. In addition, eligible entities may also use funds awarded for programs or projects to reduce long-duration idling using verified technology involving a vehicle or equipment described above. The objective of the assistance under this program is to achieve significant reductions in diesel emissions in terms of tons of pollution produced and reductions in diesel emissions exposure, particularly from fleets operating in areas designated by the Administrator as poor air quality areas.

The initial pilot round of rebate funding will provide financial assistance to public and private fleet owners toward the replacement of older school buses with new, cleaner school buses. Depending on the bus type, EPA will provide \$20,000 - \$30,000 per bus in this initial round of funding. Additional details and requirements for the pilot round of funding will be communicated to applicants through a guidance document that will be available on EPA's website. EPA anticipates offering additional rebate opportunities in future years to retrofit, repower or replace other types of diesel engines in various sectors.

EPA uses approved procedures and forms to collect necessary information to operate a grant program, and has been providing grants under DERA since Fiscal Year 2008. EPA is requesting approval through this ICR for forms needed to collect necessary information to operate a rebate program as authorized by Congress under the DERA program. The rebate forms will be used for both the pilot round of rebate funding and future rebate opportunities.

EPA will collect information from applicants who wish to apply for a rebate under the DERA rebate program. Information collected from applicants will ensure that they are eligible to receive funds under DERA, that funds are provided for eligible activities, and to calculate

estimated and actual emissions reductions that result from activities funded with rebates as required in DERA's authorizing legislation.

2. Need For and Use of the Collection

2(a) Need/Authority for the Collection

This ICR is necessary to ensure that only eligible entities will receive funds under this program, and that funds are only provided for eligible activities per the DERA legislation (42 U.S.C. 16131 et seq.). The information requested on the Application to Reserve Funds and the Application for Payment Request is also needed to ensure the activities are completed in accordance with program guidance. In addition, the information is necessary to ensure fiscal control and accountability for EPA funds and to deter waste, fraud, and abuse.

Congress requires EPA to calculate and report on the estimated and actual air quality and diesel fuel conservation benefits resulting from DERA funding, as well as cost-effectiveness and cost-benefits of the grant, rebate and loan programs. In order to accurately provide this required information to Congress, EPA must collect specific information about the vehicles and technologies funded through the DERA program.

2(b) Practical Utility/Users of the Data

The rebate process requires applicants to submit up to two forms. All applicants will fill out an Application to Reserve Funds that asks for information about the applicant including DUNS number, address, and number of vehicles to be retrofitted or replaced. This information is required to ensure the applicant is eligible, and to have contact information on file. All applicants will also provide information on the current vehicle to be replaced or retrofitted. Information requested includes the fleet type, vehicle identification number, engine model year, vehicle class, engine manufacturer, engine family name, engine tier, and average annual vehicle miles traveled or usage rate, annual fuel consumption, annual idling hours, horsepower (for nonroad engines only), county/state where the vehicle(s) operates, and rebate amount requested. This information is collected to ensure the vehicle or equipment being replaced is eligible under the DERA rebate program. In addition, the information will be used to calculate the estimated emissions reductions that will be achieved through the rebate, and to meet the statutory requirements to report to Congress the estimated air quality and diesel fuel conservation benefits, cost-effectiveness, and cost-benefits of that activity prior to the activity occurring.

EPA will hold a lottery to identify selectees from the pool of eligible applicants. EPA will send a letter to the selectee that details the specific Terms and Conditions required to receive the rebate payment. After purchase and installation of the new vehicle or equipment, the selectee will submit an Application for Payment Request to EPA. The selectee will also submit a copy of all invoices for the purchase and installation of the new vehicle or equipment. EPA will input this information into an emissions calculator that incorporates certain variables and assumptions that are subject to change, in order to meet the program's statutory requirement to report to Congress the results of DERA-funded activities. In addition, the information collected will ensure fiscal control and accountability for EPA funds and to deter waste, fraud, and abuse. EPA will review

all submitted material and confirm that the selectee has met the required Terms and Conditions of the rebate program. If all requirements are met, EPA will issue the funds to the selectee.

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

3(a) Non-duplication

Information requested from respondents under this ICR is not available from other sources. There are no existing rebate programs at EPA where this information may have been previously collected. Some rebate applicants may have applied for and received grants from EPA; however, information currently held in EPA's Integrated Grants Management System that could pertain to the rebate program would likely only consist of applicant names, addresses, and other identifying information that would not be burdensome for a rebate applicant to reproduce. Other information related to the specific vehicle(s) applying for rebates would not be readily available from other sources.

3(b) Public Notice Required Prior to ICR Submissions to OMB

In compliance with the 1995 Paperwork Reduction Act (PRA), any agency developing a non-rule-related ICR must solicit public comments for a 60-day period before submitting the ICR to OMB. These comments, which are used partly to determine realistic burden estimates for respondents, must be considered when completing the Supporting Statement that is submitted to OMB.

EPA public noticed the draft ICR on February 29, 2012 (77 FR 12284). The Agency received one set of comments on that draft and has modified the ICR in consideration of those comments. A copy of all comments is available on the www.regulations.gov website at Docket ID: EPA-HQ-OAR-2012-0103. See Appendix B for EPA's responses to those comments.

3(c) Consultations

EPA headquarters and regional staff responsible for DERA program oversight and implementation were contacted to provide information, data, and review for this ICR.

EPA solicited information on rebate program structure, management, and information collection from other Federal, state and local rebate programs, including:

- USDOT CARS Program ("Cash for Clunkers")
Contact: Terry Anderson, National Highway Traffic Safety Administration
202-366-6030
- California Air Resources Board (CARB) Hybrid Truck and Bus Voucher Incentive Project
Contact: Joe Calavita, CARB

916-445-4586

- Pittsburgh Healthy School Bus Initiative
Contact: Brooke Suter, Clean Air Task Force
703-342-6402

Additionally, EPA consulted with representatives from industries potentially affected by a rebate program to determine availability of the information we are requesting on the rebate forms and the typical process and time required to procure a new vehicle or retrofit an existing vehicle. As EPA anticipates initially conducting a pilot program offering rebates for the replacement of school buses, we consulted with the following representatives of public and private school bus fleets:

- Shenendahowa Central School District, Clifton Park, NY
Contact: David Christopher
518-463-4937
- National Association for Pupil Transportation
Contact: Alexandra Robinson, President
619-846-5888
- Stafford County Public Schools, Fredericksburg, VA
Contact: Barry Sudduth
540-374-8587
- Farmington Public Schools, Farmington, MI
Contact: William Tousley
248-489-3366
- Adams 12 Five Star Schools, Broomfield, CO
Contact: David Anderson
720-972-4301
- Midland School District, Midland, TX
Contact: Willie Tarleton
432-689-1762

All of the representatives contacted generally supported the idea of offering rebates to incentivize the replacement of older, more polluting school buses with new, cleaner or alternative fuel models.

3(d) Effects of Less Frequent Collection

EPA recognizes the importance of balancing the need for data collection efforts against respondent burden and costs. The information needed for EPA to assess whether a rebate applicant is eligible to receive a rebate is expected to be submitted one time for each rebate

requested. Individual applicants may apply for multiple rebates at one time (the maximum number will be announced by EPA at the start of a new round of rebate funding). The Application to Reserve Funds and the Application for Payment Request are able to accommodate information related to several vehicles and/or retrofit technologies. EPA needs current information about the vehicle(s) to be replaced or retrofitted and the proposed replacement vehicle(s) or retrofit technology(s) to properly evaluate rebate eligibility and to calculate the emissions reductions that will be achieved through the rebate. The burden described in this ICR identifies the burden that EPA has determined as necessary. EPA strives to minimize burden. EPA has determined that the information currently required is the minimum that is necessary to adequately evaluate applicant eligibility and to calculate the emissions reductions, as required by statute for this rebate program.

3(e) General Guidelines

This information collection is consistent with OMB guidelines contained in 5 CFR 1320.5(d)(2). Requests for supplemental information for the purposes of emergency response or enforcement activities are exempt from the Paperwork Reduction Act requirements.

3(f) Confidentiality

Applicants will not be required to submit confidential business information. If an applicant feels that any information requested would be confidential business information, the applicant may request that such information be treated as confidential. All confidential data will be handled in accordance with 40 CFR 122.7, 40 CFR Part 2, and EPA's *Security Manual* Part III, Chapter 9, dated August 9, 1976. Any claim of confidentiality must be asserted at the time of submission.

3(g) Sensitive Questions

Sensitive questions are defined in EPA's ICR Handbook, *Guide to Writing Information Collection Requests Under the Paperwork Reduction Act of 1995* as "questions concerning sexual behavior or attitudes, religious beliefs, or other matters usually considered private." The requirements addressed in this ICR do not include sensitive questions.

4. The Respondents and the Information Requested

4(a) Respondents/Standard Industrial Classification (SIC) Codes

The primary recipients of EPA rebates are State and local governments, Indian Tribes, educational institutions, not-for-profit institutions, and certain private organizations. The information requested is used to determine rebate eligibility, pay recipients, and collect information on how Federal funds are being spent.

Standard Industrial Classification Codes for respondents include:

4151	– School Buses
8211	– Elementary and Secondary Schools
8221	– Colleges, Universities, and Professional Schools
8399	– Social Services, Not Elsewhere Classified
9199	– General Government, Not Elsewhere Classified

The corresponding North American Industry Classification System (NAICS) Codes for respondents include:

48541	– School and Employee Bus Transportation
61111	– Elementary and Secondary Schools
61131	– Colleges, Universities, and Professional Schools
813212	– Voluntary Health Organizations
813219	– Other Grantmaking and Giving Services
813312	– Environment, Conservation, and Wildlife Organizations
813910	– Business Associations
813920	– Professional Organizations
9211	– Executive, Legislative, and Other Government Support
9221	– Justice, Public Order, and Safety Activities

4(b) Information Requested

This section presents the data items, including recordkeeping requirements, and required respondent activities involved in preparing and submitting those data items.

4(b)(i) Data Items

The following data items are expected to be collected as part of a rebate application and request for payment process:

- Applicant name, address, and other identifying information, such as Employer Identification Number and Dun and Bradstreet Number
- If a private applicant, name of the eligible entity for which the applicant operates under a contract, license, or lease, per requirements in the DERA authorization language
- Information on the original vehicle(s) for which the rebate(s) is requested, including:
 - Vehicle identification number (VIN)
 - Engine manufacturer, model year, tier level and family name
 - Vehicle class¹
 - Average annual miles driven (or usage rate for non road equipment)

¹ The vehicle class is selected from a drop-down menu. Possible entries on the menu are: Class 2b, Class 3, Class 4, Class 5, Class 6, Class 7, Class 8a, and Class 8b. Options may be restricted to a subset of possible classes based on the target fleet chosen for a particular round of rebate funding.

- o Annual fuel consumption
- o Annual hours idling
- o Horsepower (for nonroad equipment)
- o Primary location where the vehicle operates
- o Requested rebate amount
- Information on the replacement vehicle(s) or retrofit technology(ies), to ensure that DERA program objectives will be met, including:
 - o For vehicle/equipment replacement rebates:
 - VIN
 - New engine manufacturer, model year, tier level and family name
 - New vehicle class¹
 - New vehicle cost
 - Requested rebate amount
 - o For retrofit rebates:
 - Retrofit technology type², manufacturer, and model
 - Retrofit technology cost
 - Installation cost
 - Requested rebate amount
 - o For engine repower rebates:
 - New engine manufacturer, model year, tier level and family name
 - Engine serial number
 - Horsepower (for nonroad engines)
 - Repower cost (engine and installation)
 - Requested rebate amount

4(b)(ii) Respondent Activities

DERA Rebate Program applicants must perform the following:

- Submit a completed Application to Reserve Funds signed by an Authorized Representative, within the open application period
- Subject to selection by lottery from the pool of eligible applicants to participate, selectee will submit proof of purchase (such as a copy of a Purchase Order or other equivalent documentation) showing that a new vehicle or retrofit technology has been ordered, within a designated period of times specified in the program guidance,
- Selectee will submit an Application for Payment Request signed by an Authorized Representative along with evidence of completion of the rebate-eligible activity (e.g., vehicle replacement and scrapping of old vehicle or retrofit of existing vehicle) to obtain a rebate payment, within a designated period of time specified in the program guidance,
- Retain all records related to the rebate application and payment for a period of 3 years.

² The retrofit technology type is selected from a drop-down menu. Possible entries on the menu are: Diesel Oxidation Catalyst, Diesel Oxidation Catalyst + Closed Crankcase Ventilation, Diesel Particulate Filter, and Diesel Particulate Filter + Closed Crankcase Ventilation. Options may be restricted to a subset of possible classes based on the target retrofit technology(ies) chosen for a particular round of rebate funding.

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

5(a) Agency Activities

This ICR includes all of the application and reimbursement forms related to EPA's Diesel Emissions Reduction Act Rebate Program. EPA will accept, evaluate, and identify selectees from the pool of eligible applicants for eligible rebate activities. EPA will subsequently review each selectee's payment request form and associated invoices to determine if payment is warranted. EPA will enter information on all eligible applicants, selectees, vehicles, and rebate payments into a database to manage the rebate program.

Agency activities associated with the review and approval of a rebate consist of the following:

- Review and determine eligibility of application submissions
- Hold a lottery to identify selectees from the eligible pool of applicants
- Notify selectees and non-selectees within 30 days of the closing date for the application submission period
- Create a wait-list of eligible applicants that were not selected in the initial lottery
- Reserve (obligate) funds for selectees
- Review of proof of purchase submitted by selectees
- Determine and notify the selectee, within 30 days of rebate request submission, whether submission is complete and rebate can be issued
- Issue rebate payment to selectees

5(b) Collection Methodology and Management

EPA will collect data from applicants and selectees, such as identification information, vehicle specifications, and payment information. EPA will store the information in a database to manage the rebate program. Data supplied by rebate applicants and selectees on paper or electronic forms (via email) will be entered into the database by EPA. EPA will ensure the accuracy and completeness of collected information by reviewing each submittal. EPA will use data collected on processed rebate requests to estimate the emission reductions and cost-effectiveness of the rebate program for its required biennial report to Congress.

5(c) Small Entity Flexibility

EPA believes the reporting requirements discussed in this ICR do not place an unreasonable burden on small businesses. The Application to Reserve Funds and the Application for payment Request ask for minimal information that is needed to identify an applicant or selectee, verify eligibility, and evaluate the proposed action for rebate eligibility. The Application to Reserve Funds is submitted once for each eligible vehicle or piece of equipment. If that applicant is selected to participate in the rebate program via lottery, an Application for Payment Request is submitted after all program requirements have been met, in order to receive payment. EPA needs certain basic information to make decisions regarding rebate payments regardless of an operator's size.

Minimizing the burden on small entities also comes in the form of guidance materials. For example, to assist applicants of all sizes, but potentially most useful for small entities, EPA will develop guidance on applying for a rebate.

5(d) Collection Schedule

Applying for a rebate is a voluntary activity. Information collection will begin once EPA announces the availability of rebate funds and makes the program guidance available on the internet (www.epa.gov/cleandiesel). Applicants may submit an Application to Reserve Funds to apply for rebate funds during a designated open time window (e.g. within 30 days of the program announcement). At the end of the open time window, EPA will hold a lottery to identify selectees from the pool of eligible applicants. All eligible applicants not selected will be placed on a waitlist, until additional funds become available. Selectees will then have a designated period of time, as specified in the program guidance, to submit evidence to EPA that an order has been placed for a new vehicle or retrofit (proof of purchase), such as a copy of a purchase order. Finally, selectees will have a designated period of time from proof of purchase submittal, as specified in the program guidance, to submit an Application for Payment Request with required supporting documentation to obtain a rebate. The designated period of time for selectees to submit the proof of purchase and submit the Application Payment Request with supporting documentation will be dependent on the specific rebate program being offered, based on what is appropriate and reasonable for that specific rebate program.

6. Estimating the Burden and Cost of the Collection

6(a) Estimating Respondent Burden

This section presents the estimated respondent burden for each information request. Data are tabulated in the "Respondents and Agency Activities Table" provided as Appendix A. That table presents all assumptions, calculations, and results discussed in this ICR. The breakdown of cost and burden by labor category is provided in Section 6(b).

6(b) Estimating Respondent Costs

With burden hour estimates in place from Section 6(a), the next step is to estimate the labor cost per respondent and the capital costs required to complete each activity. The total cost for each respondent activity is composed of the following:

- Labor Cost;
- Operating and Maintenance (O&M) Cost; and
- Capital/Start-up Cost.

The results of the respondents' costs analysis are presented in the Respondents and Agency Activities Table in Appendix A. Note that there are no O&M or capital costs associated with the DERA Rebate Program.

6(b)(i) Estimating Labor Costs

To estimate the potential costs, EPA identified labor categories associated with performing each activity. Labor categories include managerial, technical, and clerical. Mean hourly wage data was obtained from the Bureau of Labor Statistics (BLS) publication, *National Compensation Survey: Occupational Earnings in the United States, 2010* (May 2011). Estimates of benefits as a percentage of mean hourly wage were obtained from the BLS news release, *Employer Costs for Employee Compensation - September 2011*. Table A1 in Appendix A shows the assumptions made by EPA when determining the cost of labor for various types of applicants.

6(b)(ii) Operating and Maintenance (O&M) Costs

This ICR accounts for labor costs only. The DERA rebate program does not require respondents to perform activities outside the normal operation practices.

6(b)(iii) Capital/Start-up Costs

This ICR accounts for labor costs only. The DERA rebate program does not require respondents to perform activities outside the normal operation practices.

6(c) Estimating Agency Burden and Cost

EPA's estimate of its burden and costs are from the activities described in Section 5(a). When calculating the Agency cost, EPA makes the following assumption:

EPA determined the hourly employment cost of federal employees using methodology established in previous ICRs. According to the U.S. Office of Personnel Management, 2009 General Schedule (2009-GS), the average annual salary of a government employee at the GS-9, Step 10 level is \$53,234. At 2,080 hours per year, the hourly wage is \$25.59. Assuming overhead costs of 60 percent, or \$15.36 per hour, the fully loaded cost of employment for a federal employee is \$41.57.

Burden and costs incurred by EPA are presented in Table A7 in Appendix A.

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

Detailed information describing the universe and basis for burden and costs is provided in Section 6(a). Results are presented in Tables A2 through A6 in Appendix A. Those tables provide the respondent universe and the source of information for all respondent categories used throughout this ICR.

6(e) Bottom Line Burden Hours and Cost Tables

6(e)(i) Respondent Tally

The bottom line burden hours and costs for rebate applicants are the average annual hours and costs collectively incurred for all activities during the 3-year period covered by this ICR. Table 6.1 provides a summary of the average annual number of applicants, burden hours, and costs. A more detailed summary is provided in Tables A2 through A6 in Appendix A.

Table 6.1 Respondent tally

Respondents (number)	120
Responses (number)	220
Burden (hours)	894
Costs (labor)	\$44,548
Costs (capital)	\$0
Costs (O&M)	\$0
Total costs	\$44,548
Average annual burden per respondent	\$371

6(e)(ii) The Agency Tally

The bottom line burden hours and costs for the Agency are the total annual hours and costs collectively incurred for all activities during the period covered by this ICR. Table 6.2 provides a summary of the average annual Agency burden hours and costs. A more detailed summary is provided in Table A7 in Appendix A.

Table 6.2 Agency tally

Responses (number)	220
Burden (hours)	270
Costs (labor)	\$11,224
Costs (capital)	\$0
Costs (O&M)	\$0
Total costs	\$11,224

6(f) Burden Statement

The calculations made for this ICR cover the burden and costs for EPA and eligible applicants to the DERA Rebate Program. This ICR estimates an annual burden of 894 hours for 120 applicants at a labor cost of \$44,548. The annual respondent reporting and recordkeeping burden for this collection of information is estimated to average 4 hours per response.

Burden means the total time, effort, or financial resources expended by persons to generate, maintain, 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 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.

To comment on EPA'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, the Agency has established a public docket for this ICR under Docket ID No. EPA-HQ-OAR-2012-0103, which is available for public viewing at the Air and Radiation Docket in the EPA Docket Center (EPA/DC), 1200 Pennsylvania Avenue 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 Air Docket is 202-566-1742. An electronic version of the public docket is available through www.regulations.gov. Use www.regulations.gov to submit or view public comments, to access the index listing of the contents of the public docket, and to access documents in the public docket that are available electronically. Once in the system, key in the docket ID number identified above. You can also send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, DC 20503, Attention: Desk Office for EPA. Please include the EPA Docket ID No. EPA-HQ-OAR-2012-0103 and OMB Control No. 2060-NEW in any correspondence.