

# **1 ICR SUPPORTING STATEMENT OUTLINE**

## **Part A of the Supporting Statement**

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### **National Refrigerant Recycling and Emissions Reduction Program**

#### **1. IDENTIFICATION OF THE INFORMATION COLLECTION**

##### **1(a) Title and Number of the Information Collection**

This ICR is entitled “National Refrigerant Recycling and Emissions Reduction Program”, EPA ICR Number: 1626.12, OMB Control Number: 2060-0256

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

The Environmental Protection Agency (EPA) has developed regulations under the Clean Air Act Amendments of 1990 (the Act) establishing standards and requirements regarding the use and disposal of class I and class II refrigerants during the service, maintenance, repair, or disposal of refrigeration and air-conditioning equipment. Section 608(c) of the Act states that effective July 1, 1992 it is unlawful for any person in the course of maintaining, servicing, repairing, or disposing of refrigeration or air-conditioning equipment to knowingly vent or otherwise knowingly release or dispose of any class I or class II substance used as a refrigerant in the equipment in a manner which permits the substance to enter the environment.

During 1993, EPA promulgated regulations under section 608 of the Act for the recycling of ozone-depleting refrigerants recovered during the servicing and disposal of air-conditioning and refrigeration equipment. These regulations were published on May 14, 1993 (58 FR 28660) and codified in 40 CFR part 80, subpart F (§ 82.150 *et seq.*).

The regulations require persons servicing refrigeration and air-conditioning equipment to observe certain service practices that reduce emissions of ozone depleting refrigerants. The regulations also establish certification programs for technicians, recovery/recycling equipment, and off-site refrigerant reclaimers. In addition, EPA requires that ozone-depleting refrigerants contained "in bulk" in appliances be removed prior to disposal of the appliances and that all refrigeration and air-conditioning equipment, except for small appliances and room air conditioners, be provided with a servicing aperture that facilitates recovery of the refrigerant. Moreover, the Agency requires that substantial refrigerant leaks in equipment be repaired when they are discovered. These regulations significantly reduce emissions of ozone-depleting refrigerants, and therefore aid U.S. and global efforts to minimize damage to the ozone layer and the environment as a whole.

To facilitate compliance with and enforcement of section 608 requirements, EPA requires reporting and recordkeeping requirements of technicians; technician certification programs; equipment testing organizations; refrigerant wholesalers and purchasers; refrigerant reclaimers; refrigeration and air-conditioning equipment owners; and other establishments that perform

refrigerant removal, service, or disposal. The recordkeeping requirements and periodic submission of reports to EPA's Office of Air and Radiation, Office of Atmospheric Programs occur on an annual, biannual, onetime, or occasional basis depending on the nature of the reporting entity and the length of time that the entity has been in service. Specific reporting and recordkeeping requirements were published in 58 FR 28660 and codified under 40 CFR subpart F (§82.166). Recordkeeping requirements for affected entities consist of the following:

- programs certifying technicians must maintain records on each technician certified through their programs;
- any distribution or, offer to sell or distribute any refrigerant must retain invoices that indicate the name of the purchaser, the date of sale, and the quantity;
- purchasers of refrigerants must maintain proof of technician certification;
- wholesalers of refrigerants must maintain refrigerant sales records;
- approved refrigerant recovery/recycling equipment testing organizations must maintain records of refrigerant recovery/recycling equipment testing and performance and refrigerant recovery/recycling equipment that meets EPA standards;
- approved equipment testing organizations shall submit to EPA within 30 days of the certification of a new model line of recycling or recovery equipment;
- refrigerant reclaimers must maintain records on their customers and the quantity of material sent to them for reclamation;
- disposers of refrigeration and air-conditioning equipment must maintain copies of signed statements attesting that the refrigerant has been removed prior to final disposal of each appliance;
- people servicing appliances normally containing 50 or more pounds of refrigerant must maintain service documents and provide service invoices to owner or operator;
- owners or operators of appliances normally containing 50 or more pounds who add their own refrigerant must keep records of the amounts of refrigerant purchased and added to their appliances; and
- owners of refrigerant recovery equipment must certify that they have acquired and will properly use such equipment.

Periodic reports include the following:

- approved technician certification programs must submit biannual reports on their pass/fail rates and the next year's testing schedule;
- approved refrigerant recovery/recycling equipment testing organizations must submit an annual list of refrigerant recovery/recycling equipment that meet EPA standards and must notify EPA whenever a model of refrigerant recovery/recycling equipment fails a three-year recertification test;
- refrigerant reclaimers must submit annual reports noting the mass of refrigerant reclaimed by refrigerant type and the mass of waste products produced;
- owners of industrial process refrigeration (IPR) equipment (i.e., appliances) whose appliances fail a verification test and owners of industrial process refrigeration appliances and federally-owned commercial and comfort cooling appliances who wish to receive an extension or exclusion under the leak repair amendment are subject to additional

reporting and recordkeeping requirements.

Copies of these reports are forwarded by the affected entities and stored at EPA headquarters.

The previously Office of Management and Budget (OMB)-approved ICR 1626.10 expires on November 30, 2014. EPA has not promulgated any regulation that changes the recordkeeping or reporting requirements since the previous ICR renewal. Prior to submission of this ICR for renewal, EPA updated and verified the estimates of the number of respondents based on Agency experience in reviewing submitted reports from respondents, enforcement data, and Agency review of respondent applications for approval. EPA will continue to update the estimate of wages, taking into account any guidance provided by EPA's Office of Environmental Information and OMB.

EPA has estimated that there are 883,680 annual respondents consisting of representatives from the air-conditioning and refrigeration community, including but not limited to service repair shops, refrigerant reclaimers, and refrigerant wholesalers. The annual cost of collection and maintenance of records, as well as reports to EPA, for the respondents is estimated to total \$14,202,991.

## **2. NEED FOR AND USE OF THE COLLECTION**

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

In order to facilitate compliance with and enforce the section 608 requirements of the Act, EPA requires reporting and recordkeeping requirements of technicians, technician certification programs, refrigerant recovery/recycling equipment testing organizations, refrigerant wholesalers and purchasers, refrigerant reclaimers, refrigeration and air-conditioning equipment owners, and other establishments that perform refrigerant removal, service, or disposal. Specific reporting and recordkeeping requirements were published in 58 FR 28660 and codified under 40 CFR subpart F (§82.166).

### **2(b) Practical Utility/Users of the Data**

The purpose and need of this renewed collection request is to facilitate compliance with and enforcement of section 608 of the Act by reducing emissions of class I and class II ozone-depleting refrigerants to the lowest achievable level during the service, maintenance, repair, and disposal of appliances. EPA has used and will continue to use these records and reports to ensure that refrigerant releases are minimized during the recovery, recycling, and reclamation processes.

This collection is a renewal of the previously OMB-approved Information Collection Request (ICR) Number 1626.11. The regulations implementing the above provisions were published in 58 FR 28660 and are codified at 40 CFR part 82, subpart F (§82.150 *et seq.*).

Collection of this information was approved through November 30, 2014.

EPA requires reporting and recordkeeping requirements of technicians, technician certification programs, refrigerant recovery/recycling equipment testing organizations, refrigerant wholesalers and purchasers, refrigerant reclaimers, refrigeration and air-conditioning equipment owners, and other establishments that perform refrigerant removal, service, or disposal. The recordkeeping requirements and periodic submission of reports are made directly to EPA's Office of Air and Radiation.

## **1. NON-DUPLICATION, CONSULTATIONS, AND OTHER COLLECTION CRITERIA**

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

The specific information requested is not currently collected by any other EPA office or any other government agency with the exception of some chlorofluorocarbons (CFCs) listed under the Resource Conservation and Recovery Act (RCRA). However, since RCRA concerns itself with disposal of wastes and the recycling rule specifically requires that refrigerants be recovered rather than disposed, any information currently collected under RCRA would not be considered a duplication of effort.

### **3(b) Public Notice Required Prior to ICR Submission to OMB**

A Federal Register notice announcing our intent to renew this ICR was published July 14, 2014. No comments were received.

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

EPA consulted two refrigerant reclaimers, a refrigerant wholesaler, and two technician certification programs, all of whom confirmed our burden calculations.

### **3(d) Effects of Less Frequent Collection**

The information requirements in the rule are either one-time, annual, semiannual, or occasional submissions depending on the nature of the reporting entity and the length of time that the entity has been in service.

One-time submissions cannot be submitted less frequently by definition. These include the following:

- Application for approval of refrigerant recovery/recycling equipment testing organizations;
- Testing organization notification of newly certified or decertified recovery devices;
- Application for approval of technician certification organizations;
- Recovery device acquisition certification (by service and disposal establishments);
- Refrigerant reclaimer certification;

- Owners of industrial process refrigeration equipment who need more than 30 days to complete repairs or more than one year to retrofit or replace equipment must submit documentation to EPA explaining their need for additional time.

The information that is required to be submitted annually is detailed below. Collecting this information less than annually would hinder EPA enforcement efforts.

- Testing organization notification of all previously certified recovery devices;
- Approved technician certification organizations must submit a biannual activity report that includes the pass/fail rate and testing schedule for the next six months; and
- Reclaimer reports on the quantities of used refrigerant received and processed.

### **3(e) General Guidelines**

Section 608(a)(3) of the Act requires maximization of the recapture and recycling of class I and class II ozone-depleting refrigerants. Enforcement of these provisions of the Act is insured by requiring annual reports of refrigerant recovery/recycling equipment test organizations and refrigerant reclaimers.

Biannual activity reports are required of programs certifying technicians. These activity reports allow EPA to determine the relative progress and success of these programs. This is imperative since each of these programs acts as a third party certifier on behalf of EPA. The reports also allow opportunities for feedback from the programs concerning test questions and question bank modifications.

There are instances under which EPA is requesting information within 30 days. Newly approved refrigerant recovery/recycling equipment testing organizations shall submit a list of all certified refrigerant recovery/recycling equipment to EPA within 30 days of the organization's approval by EPA. In order to ensure the maximization of recapture and recycling of class I and class II ozone-depleting refrigerants as mandated by section 608(a)(3)(B) of the Act, EPA established a 30-day reporting deadline for approved refrigerant recovery/recycling equipment testing organizations when a new model line of recycling/recovery equipment has been certified or when retests of refrigerant recovery/recycling equipment show that a previously certified model line fails to meet EPA requirements. A deadline of greater than 30 days, might allow refrigerant recovery/recycling equipment that is faulty or below standard into commerce. Once substandard refrigerant recovery/recycling equipment entered circulation, the chances of a recall are less likely and the opportunity for refrigerant venting from substandard equipment increases.

To reduce the emissions of class I and class II ozone-depleting refrigerants to the lowest achievable amount, EPA is requesting continued collection of information concerning the following leak repair reporting and recordkeeping requirements, in accordance with 40 CFR 82.156:

- Owners/operators of commercial and comfort cooling appliances and owners of IPR who decide to retrofit/retire appliances instead of repairing them must maintain a retrofit/retire

plan at their place of business.

- o Those taking the retrofit/retire option have three paths to choose from to determine the total time allowed to complete the retrofit/retirement of their equipment. The three paths are determined by: (1) If the appliance is custom built, the owners or operators may apply to EPA for an extension to the leak repair time frames due to a lack of parts availability (i.e., more than 30 weeks needed for parts to become available) or (2) other regulations require delays or a suitable replacement refrigerant with a lower ozone-depleting potential is not available or (3) more than two years are needed for the retrofit/retirement. For (1) and (2), the owner/operator must submit an extension request in the form of a report to EPA within six months after the end of the 30-day period initiated by the original determination that their appliance leaked above 35%. They must also maintain records adequate to determine that the appliance is custom built and that parts are not available. Owners/operators can seek further extensions by submitting an additional extension request within 30-days of discovering the need for more time. For (3), the owner/operator determines that an additional year is required in addition to the original year granted under (1), the owner/operator can submit a request in the form of a report for additional time to complete the retrofit/retirement.
- Owners/operators who take the leak repair option may seek an exemption to the 30-day repair option by submitting a report to EPA within 30 days of determination, but only if they site availability of parts as the reason for the request.
  - o Upon a failed follow-up verification test for IPR or under some circumstances owners/operators of federally owned comfort cooling and commercial appliances, the owner or operator is required to report to EPA that the verification test failed and develop a retrofit/retirement plan within 30-days. The plan is maintained onsite, and the original plan must be readily available to EPA upon request.
  - o Once retrofit/retirement is required as a result of failed verification, the owner/operator of IPR or under some circumstances owners/operators of federally owned comfort cooling and commercial appliances may seek relief from the retrofit/retirement plan by following one of two options for second repair efforts, in accordance with 40 CFR 82.156(i)(6), (i)(3)(ii), and (i)(3)(iii).
    1. Report to EPA within 30 days of successful verification that second repair attempts held. This report results from the repairs of the same leaks subject to the first repair efforts within 30 days of the original failed follow-up verification test.
    2. Report to EPA within 30 days that the obligation to retrofit/replace is relieved. This report results from an inclusion in the original notification to EPA of the parameters used to establish that a leak rate is less than

35%. Such notification allows the owner/operator 180 days from the original failed verification to determine the leak rate using the approved parameters.

The requirements of this collection do not exceed any other guidelines.

**3(f) Confidentiality**

The information collected under this ICR renewal is used to facilitate compliance with and enforcement of section 608 of the Clean Air Act. The recordkeeping requirements and periodic submission of reports are not shared with parties outside of the Federal government. The handling and confidentiality of the reporting requirements for assuring computer data security; preventing disclosure, proper storage, and proper disposal follow EPA's confidentiality regulations (40 CFR 2.201 et seq.)

**3(g) Sensitive Questions**

This ICR renewal does not ask questions of a sensitive nature. The required recordkeeping and reporting requirements do not ask any questions concerning sexuality, religious beliefs, or other matters, usually considered private.

**4. THE RESPONDENTS AND THE INFORMATION REQUESTED**

**4(a) Respondents / North American Industry Classification System (NAICS) Codes**

The following is a list of NAICS codes potentially affected by the manifest information requirements covered under this ICR:

<b>NAICS</b>	<b>Category</b>
81131	Commercial Industrial Machinery and Equipment (not Automotive and Electronic) Repair and Maintenance
811412	Appliance Repair and Maintenance
42193	Recyclable Material Wholesalers (Metal scrap and waste)
541380	Environmental Test Laboratories /Services
443111	Household Appliance Stores
23511	Plumbing, Heating, Air Conditioning Contractors
42111	

	Automobile and Other Motor Vehicle Wholesalers
42112	Motor Vehicle Suppliers and New Parts Wholesalers
44131	Automotive Parts and Accessories Stores
311, 445120, 237990, 236220, 31212, 31211, 312113, 3118, 324110, 3254, 325	Owners/operators of industrial process refrigeration equipment
493210, 311, 452910, 445110, 447110, 493120, 811310, 49312, 49313	Owners/operators of commercial refrigeration equipment
45, 48, 53, 55, 72, 622, 531312	Owners/operators of comfort cooling air-conditioning equipment

This listing is not all inclusive, but is consistent with the types of organizations potentially impacted by this Information Collection Request.

**4(b) Information Requested**

*(i) Data items - including recordkeeping and reporting requirements*

All records pursuant to this ICR must be kept onsite at the respondents' place of business for a minimum of three years. Records are required in accordance with 40 CFR §82.166. Reports are submitted from the respondents to EPA headquarters in a written or electronic media format.

Recordkeeping

1. Certified technicians must maintain a copy of their certification.



2. Programs certifying technicians must display at their place of business a copy of a letter stating EPA approval as required in 40 CFR 82, subpart F, appendix D section (g).
3. Programs certifying technicians must maintain records, which include the names and addresses of all individuals taking the test, the scores of all certifications tests administered and the dates and locations of all testing administered as detailed in 40 CFR 82, subpart F, appendix D, section (g).
4. Persons who sell or distribute any class I or class II substance for use as a refrigerant must retain invoices that indicate the name of the purchaser, the date of sale, and the quantity of refrigerant purchased.
5. Refrigerant wholesalers are required to keep on file evidence that at least one technician of the purchaser is properly certified, and may only sell refrigerant to the purchaser or his authorized representative.
6. Purchasers of any class I or class II ozone-depleting refrigerants who employ certified technicians must provide written proof of the certification to the wholesaler who sells them refrigerant.
7. Approved refrigerant recovery/recycling equipment testing organizations must maintain records of refrigerant recovery/recycling equipment testing and performance and a list of refrigerant recovery/recycling equipment that meets EPA requirements.
8. Reclaimers must maintain records on a transactional basis of the names and addresses of persons sending them material for reclamation and the quantity of the material (the combined mass of refrigerant and contaminants) sent to them for reclamation.
9. Reclaimers must maintain records of the quantity of material sent to them for reclamation, the mass of refrigerant reclaimed by refrigerant type, and the mass of waste products.
10. Persons disposing of small appliances, motor vehicle air conditioners (MVACs), and MVAC-like appliances must maintain copies of signed statements on-site at their place of business verifying that the refrigerant has been previously evacuated from the appliance or shipment of appliances.
11. Persons servicing appliances normally containing 50 or more pounds of refrigerant must provide the owner/operator of such appliances with an invoice or other documentation, which indicates the amount of refrigerant added to the appliance.
12. The owners/operators of appliances containing 50 or more pounds of refrigerant must keep servicing records documenting the date and type of service, as well as the quantity of refrigerant added.
13. The owners/operators of appliances containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances in cases where owners add their own refrigerant.

### Reporting

1. Approved refrigerant recovery/recycling equipment testing organizations shall submit a list of all certified refrigerant recovery/recycling equipment to EPA within 30 days of the organization's approval by EPA and annually at the end of each calendar year thereafter.
2. Approved refrigerant recovery/recycling equipment testing organizations shall submit to EPA within 30 days of the certification of a new model line of refrigerant recovery/recycling

equipment the name of the manufacturer and the name and/or serial number of the model line.

3. Approved refrigerant recovery/recycling equipment testing organizations shall notify EPA if retests of refrigerant recovery/recycling equipment or inspections of manufacturing facilities conducted pursuant to §82.158(j) show that a previously certified model line fails to meet EPA requirements. Such notification must be received within thirty days of the retest or inspection.

4. Reclaimers must submit an application seeking approval as an EPA-certified refrigerant reclaimer. Certification is required prior to reclamation of any refrigerant consisting in part of a used class I or class II ozone-depleting substance that intended for resale to a new owner.

5. Reclaimers must report the quantity of material sent to them for reclamation, the mass of refrigerant reclaimed by refrigerant type, and the mass of waste products. Reclaimers must report this information to EPA annually within 30 days of the end of the calendar year.

6. Certifying programs for technicians must submit an application seeking EPA approval. Agency approval is required prior to the organizations' issuance of Section 608 certification credentials

7. EPA must receive an activity report from all approved certifying programs by every January 30 and June 30 which includes the pass/fail rates and testing schedules as detailed in 40 CFR 82 subpart F, appendix D, section (g).

8. 40 CFR §82.166 (n) requires that persons requesting extensions or exclusions from the leak repair requirements must submit in writing the reasons for the request.

#### *(ii) Respondent Activities*

Refrigerant Recovery/Recycling Equipment Certification - Independent testing of refrigerant recovery/recycling equipment is required to ensure that the refrigerant recovery/recycling equipment is capable of meeting the standards described in 40 CFR §82.158 and appendices B and C of the regulations. To ensure reliability and objectivity of the refrigerant recovery/recycling equipment certification programs are required to submit an application to EPA.

Applications for refrigerant recovery/recycling equipment testing approval must include written information verifying the following: (1) the list of refrigerant recovery/recycling equipment present at the organization that will be used for testing refrigerant recovery/recycling equipment; (2) expertise in refrigerant recovery/recycling equipment testing and the technical experience of the organization's personnel; (3) thorough knowledge of the standards as they appear in 40 CFR §82.158 and appendices B and C of the regulation; and (4) a program for verifying the performance of certified refrigerant recovery/recycling equipment over the long term.

The refrigerant recovery/recycling equipment testing organization must certify that it has no conflict of interest, and that it receives no direct or indirect financial benefit from the outcome of certification testing. The organization must agree to allow the Administrator access to records and personnel to verify the information contained in the application.

Organizations testing refrigerant recovery/recycling equipment must notify EPA of newly certified refrigerant recovery/recycling equipment, or if equipment previously certified fails the periodic re-test required by the regulation. Each such organization must also send an annual report to EPA naming all refrigerant recovery/recycling equipment that it has certified to date.

Reclaimers - Reclaimers are required to submit to EPA a statement containing the following (in accordance with 40 CFR §82.164): (1) the name and address of the reclaimer; (2) the list of equipment that will be used to reprocess and to analyze reclaimed refrigerant; (3) a certification that the refrigerant will be returned to at least the standard of purity set forth in (Air-Conditioning, Heating & Refrigeration Institute)'s ARI Standard 700, "Specifications for Fluorocarbon Refrigerants"; (4) a certification that the purity of the refrigerant will be verified using the methods set forth in ARI Standard 700; (5) a certification that no more than 1.5 percent of the refrigerant will be released during the reclamation process; (6) a certification that the wastes from the reclamation process will be disposed of in accordance with applicable laws and regulations; and (7) a certification that the information provided is true and correct. A responsible officer of the reclamation company must sign the statement.

Reclaimers must also submit to EPA annual reports detailing the total amount of used refrigerant sent for reclamation and the total amount of refrigerant by refrigerant type and waste products recovered (40 CFR §82.166(h)).

Service and Disposal Establishments - Persons maintaining, servicing, repairing, or disposing of air-conditioning or refrigeration equipment must submit to EPA a statement which includes the following (40 CFR §82.162(a)): (1) a certification that such person has acquired certified refrigerant recovery/recycling equipment and is complying with the requirements of the rule; (2) the name and address of the purchaser of the refrigerant recovery/recycling equipment; (3) the number of trucks operated by the establishment; (4) the name and address of the establishment where the refrigerant recovery/recycling equipment is or will be located; and (5) the manufacturer's name, the date of manufacture, and the model and serial number of the refrigerant recovery/recycling equipment. The owner of the refrigerant recovery/recycling equipment or another responsible officer must sign the statement certifying that the information given is true and correct.

Disposers are also required to maintain a copy of a signed statement (reference OMB form #2060-0256, *The United States Environmental Protection Agency Refrigerant Recovery or Recycling Device Acquisition Certification Form*) for each piece of disposed equipment, thus demonstrating that all of the remaining refrigerant was recovered from the equipment before final disposal (40 CFR sections 82.156(f)(2) and 82.166(i)).

Technician Certification Programs - Persons seeking approval of technician certification programs are required to submit verification of the following (40 CFR §82.161(c) and appendix D): (1) ability to produce multiple versions of examinations for each test site; (2) sufficient internal capacity to process the scoring and the accompanying documentation; and (3) ability to ensure the confidentiality and security of test questions and answers. Testing organizations have

to be able to provide proctors for examinations and have to verify the identity of technicians by examining photo identification. Technician certification programs are required to submit reports to EPA every six months that include information on the pass/fail rate and testing schedules.

Submissions for approval of technician certification programs that have already tested and certified technicians are required to include (1) verification that the program meets all of the standards set forth in the rule, or (2) verification that the program meets all of the standards set forth in the rule except for a few, in which case the program must submit verification that appropriate supplementary materials will be provided upon EPA's approval to all persons previously certified under the program (40 CFR 82.161(g)).

Technicians - Technicians are required to pass a certification test and to keep a wallet sized certification card (40 CFR 82.166(1)).

Owners of Industrial Process Refrigeration - Section 82.166(n) requires that the following information listed in (1) - (8) must be submitted by persons requesting extensions or exclusions from leak repair. These requirements (40 CFR 82.156) are only applicable in instances where owners/operators of appliances leaking above the specified trigger leak rates for the specific type of appliance that they own (e.g., federally owned commercial refrigeration appliance).

- (1) identification of the facility;
- (1) the leak rate;
- (2) the method used to determine the leak rate and full charge;
- (3) the date a leak rate of greater than the allowable annual leak rate was discovered;
- (4) the location of leaks(s) to the extent determined to date;
- (5) any repair work that has been completed thus far and the date that work was completed;
- (6) the reasons why more than 30 days are needed to complete the work;
- (7) an estimate of when repair work will be completed;
- (8) a plan to fix other outstanding leaks for which repairs are planned but not yet completed to achieve a rate below the applicable allowable leak rate; and
- (9) identification of the facility and date the original information regarding additional time beyond the initial 30 was filed, and notification of the determination that the leak rate no longer exceeds the allowable annual leak rate.

For instances where the owners or operators intend to establish that the appliance's annual leak rate does not exceed the applicable allowable annual leak rate in accordance with 82.156(i)(3)(v), the owner or operator is required to include item (9). Item (10) must be included within 30 days of determining that the leak rate does exceed the applicable allowable annual leak rate. In those cases, items (9) and (10) may replace items (7) and (8).

The same records that are required to be submitted (above) by those requesting extension of compliance deadlines for leak repair, must also be maintained on-site

Where the owners or operators intend to establish that the appliance's annual leak rate

does not exceed the applicable allowable annual leak rate in accordance with §82.156(i)(3)(v), the owner or operator is required to include item (9). Item (10) must be included within 30 days of determining that the leak rate does exceed the applicable allowable annual leak rate. In those cases, items (9) and (10) may replace items (7) and (8) above.

The dates and types of verification tests performed and test results must be submitted to EPA within 30 days of conducting each test.

§82.166(o) requires that the following items are required for those persons wishing an extension of the retrofit/retirement requirements:

- (1) the identification of the industrial process facility;
- (2) the leak rate;
- (3) the method used to determine the leak rate and full charge;
- (4) the date a leak rate of 35 percent or greater was discovered;
- (5) the location of leaks(s) to the extent determined to date;
- (6) any repair work that has been completed thus far and the date that work was completed;
- (7) a plan to complete the retrofit or replacement of the system;
- (8) the reasons why more than one year is necessary to retrofit or replace the system;
- (9) the date of notification to EPA;
- (10) an estimate of when retrofit or replacement work will be completed;
- (11) if time changes for original estimates result in moving the date of completion forward, documentation of the reason for these changes;
- (12) and the date of notification to EPA regarding a change in the estimate of when the work will be completed.

Items (11) and (12) are required to be submitted only when such changes result in moving the date of completion forward, and will be submitted within 30 days of occurring.

The same records that are required to be submitted, above, by those requesting extension of compliance deadlines for retrofitting, must also be maintained on-site. Items (11) and (12) are required to be submitted only when such changes result in moving the date of completion forward, and will be submitted within 30 days of occurring.

40 CFR 82.166(p)(1) permits persons who wish to exclude purged refrigerants that are destroyed from annual leak rate calculations; however, the persons must maintain records on-site to support the amount of refrigerant claimed as sent for destruction. Records shall be based on a monitoring strategy that provides reliable data to demonstrate that the amount of refrigerant sent for destruction corresponds with the amount of refrigerant purged. Records shall include:

- (1) flow rate;
- (2) quantity or concentration of the refrigerant in the vent stream; and
- (3) periods of purge flow.

40 CFR 82.166(q) permits persons to calculate the full charge of an affected appliance by establishing a range based on the best available data and the normal operating characteristics and conditions for the appliance. The mid-point of the range will serve as the full charge, and where records are maintained they shall include:

- (1) the identification of the owner or operator of the appliance;
- (2) the location of the appliance;
- (3) the original range for the full charge of the appliance, its midpoint, and how the range was determined;
- (4) any and all revisions of the full charge range and how they were determined; and
- (5) the dates such revisions occurred.

## **5. THE INFORMATION COLLECTED -- AGENCY ACTIVITIES, COLLECTION METHODOLOGY, AND INFORMATION MANAGEMENT**

### **5(a) Agency Activities**

Agency activities associated with the review of the reports and recordkeeping requirements for the National Recycling Program consist of reviewing the following:

- Applications from independent refrigerant recovery/recycling equipment testing labs that wish to certify recovery/recycling equipment;
- Lists of certified refrigerant recovery/recycling equipment submitted annually by testing organizations;
- Notices of new refrigerant recovery/recycling equipment certification and of decertification of previously certified refrigerant recovery/recycling equipment;
- Applications for service establishment certification;
- Applications for disposer certification;
- Applications for reclaimer certification;
- Annual reports from reclaimers on their activities;
- Applications for approval to conduct technician certification programs;
- Reports submitted by approved technician certification programs; and
- Submissions from owners of industrial process refrigeration equipment.

### **5(b) Collection Methodology and Management**

EPA has not developed required reporting forms or applications, although it has developed a sample form intended to facilitate certification by owners of recovery/recycling equipment (reference the enclosed OMB form #2060-0256, *The United States Environmental Protection Agency Refrigerant Recovery or Recycling Device Acquisition Certification Form*). Entities are encouraged to submit the required information in a format compatible with their existing recordkeeping practices. The information submitted by each member of the regulated community will be stored at EPA headquarters for review and reference.

EPA has determined that periodic on-site inspection is the most effective method to ensure compliance with section 608. The records should be kept at the location where service or disposal of equipment involving refrigerant is performed or refrigerant is sold, distributed, or reclaimed.

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

The regulations permit technicians who work on small appliances to become certified through passage of a take-home test rather than a proctored test. This provision was implemented in recognition of the facts that (1) entities servicing small appliances are often small businesses, (2) many of these entities only rarely perform service on the refrigerant circuit of small appliances, and (3) the quantity of refrigerant in small appliances is less than five pounds. For similar reasons, individuals who recover refrigerant from small appliances and motor vehicle air conditioners (MVACs) when they are disposed of are not required to be certified at all and are not required to use certified refrigerant recovery/recycling equipment.

Several of the recordkeeping and reporting requirements of the rule are intended to permit entities greater flexibility in complying with the regulation. Final persons in the disposal process for small appliances and MVACs may elect not to perform refrigerant recovery themselves so long as they obtain a signed statement from persons upstream in the disposal process that the refrigerant has been removed already. Thus, the signed statement permits the final disposer to delegate responsibility for refrigerant removal. Owners of appliances that leak above a certain level may elect to retrofit or replace their appliances rather than repair them so long as they develop a retrofit or retirement plan. Thus, the plan permits the owner greater flexibility in reducing refrigerant emissions. Owners of industrial process refrigeration equipment may take longer than 30 days to complete repairs or longer than one year to retrofit or replace equipment so long as they submit documentation to EPA explaining their need for additional time. Again, the reporting permits the owner greater flexibility in compliance.

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

EPA requires maintenance of the following records for a minimum of three (3) years.

- Organizations operating refrigerant recovery/recycling equipment certification programs must complete a onetime application for approval from EPA. The approved refrigerant recovery/recycling equipment testing organizations must report when new equipment passes the certification test, when previously certified equipment fails retesting or inspection, and provide an annual report of the equipment that the organization has certified.
- Service establishments must complete a one-time certification requirement to EPA.
- Establishments that recover refrigerant from appliances, machines, or other goods at disposal must complete a onetime registration requirement.
- Reclaimers must complete a onetime certification and approved reclaimers must report

- annually on their reclamation activities.
- Organizations seeking approval to conduct technician certification programs must complete a onetime application for approval from EPA to do so, and after approval are required to submit a semiannual report to EPA.
- Owners of industrial process refrigeration equipment must submit a onetime request if they wish to obtain an extension or exclusion described above. It is collected so that EPA may determine whether an extension or exclusion should be granted.

## **6. ESTIMATING THE BURDEN AND COST OF THE COLLECTION**

This section provides burden tables that provide the numerical basis for the annual burden and cost of this ICR renewal by detailing the following:

- EPA's rationale in preparing respondent burden and cost tables;
- estimating respondent and Agency burden (hours to complete required activities);
- estimating respondent and Agency labor costs and costs of capital associated with the those activities;
- developing universe estimates; and
- calculating burden and cost totals.

The collection activities defined in Sections 4 and 5 are referenced to develop the aforementioned estimates. The activities for which EPA has estimated burden and cost correspond directly with the activities listed in Sections 4 and 5.

### **6(a) Estimating Respondent Burden**

Estimates of respondent burden and cost for the rule are presented below. All hour estimates are based on EPA's experience implementing this program and on EPA's best professional judgment. The overall reporting and recordkeeping burden for the rule has dropped significantly since the original ICR was developed because much of the burden calculated in the original ICR was associated with the start-up of the program, which is now complete. Thus, all burden hours and costs presented here are annual. None of the reporting or recordkeeping requirements is expected to have associated capital costs.

### **6(b) Estimating Respondent Costs**

Based upon the burden hours, EPA has estimated the labor cost per respondent and the capital costs required to complete each activity. The total cost for each respondent activity is comprised of the following:

- Labor Cost (for legal, managerial, technical, clerical, and other employees);
- Capital/Start-up Cost (for equipment, machinery, and construction); and



- Operating and Maintenance (O&M) Cost (for labor and equipment needed over time as well as for the purchase of services).

### **(i) Estimating Labor Costs**

EPA has consulted the original ICR to obtain the appropriate baseline labor rates for each labor category. The labor rates reflect the total cost to employ an individual and include estimates of salaries and overhead costs.

EPA estimates the average annual respondent hourly cost (labor plus overhead) for all affected entities below. In deriving these costs, EPA used the median hourly earnings of \$21.10 for heating, air-conditioning, and refrigeration mechanics and installers from the Bureau of Labor Statistics.<sup>1</sup> EPA then multiplied this number by 110% for overhead ( $\$21.10 \times 1.10 = \$23.21$ ). The resulting cost of \$44.31 ( $\$21.10 + \$23.21$ ) is the average hourly administrative cost of labor plus overhead for a private firm.

### **(ii) Estimating Capital and Operations and Maintenance Costs**

According to the 1995 PRA, *burden* is 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." Any activity that is not usual and customary is considered a burden. This ICR renewal includes the time needed to review instructions, maintaining records, completing paperwork, gathering information, and reporting information. The Agency has also included costs associated with the information collection activities, such as capital costs and operations and maintenance (O&M) costs.

As part of the submission to OMB, EPA has estimated all costs for respondents to comply with required Agency activities that are not incurred by persons in their normal course of activities. Capital used for the routine and usual functioning of a company, or for a technical requirement for which there is no reporting or keeping of information, have not been included as an ICR capital or O&M cost.

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

There are two types of non-labor related costs -- capital/start-up costs and operating and maintenance (O&M) costs. One-time capital/start-up costs usually include any produced physical good needed to provide the necessary information. Start-up capital must be purchased for the specific purpose of satisfying EPA's reporting or recordkeeping requirements. Capital goods include computers, machinery, or equipment. Start-up capital costs are usually incurred at the beginning of an information collection period and are usually incurred only once. In addition to the actual acquisition of start-up capital, one-time activities associated with the production of capital have also been evaluated. The Agency has considered capital/start-up costs and O&M costs in determining that there are no non-labor related costs associated with this ICR renewal.

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<sup>1</sup> Bureau of Labor Statistics, U.S. Department of Labor, *Occupational Employment and Wages, May 2013, Heating, Air Conditioning, and Refrigeration Mechanics and Installers*, on the Internet at <http://www.bls.gov/oes/current/oes499021.htm> (visited June 20, 2014).

O&M costs are those costs associated with a paperwork requirement incurred continuously over the life of the ICR. They are defined by the PRA as "the recurring dollar amount of cost associated with O&M or purchasing services." The reporting costs associated with this ICR renewal have been included, and include costs for file storage, photocopying, and postage.

**(iv) Annualizing Capital Costs**

Annualized costs represent the amount of an annuity that would have to be paid over a specific period of time that makes an individual indifferent between paying either the stream of payments or the up-front costs in one lump-sum. This renewal ICR does not include capital costs, since there were none associated with the original ICR. There has not been any rulemaking associated with this ICR renewal that would have an associated capital cost.

**1. Refrigerant Recovery/Recycling Equipment Testing Organizations**

**Annual Respondent Burden**

Collection Activities	Burden Hours	Annual Labor Costs
Submit to EPA an annual list of all refrigerant recovery/recycling equipment previously certified	4.0	\$ 177.24
Maintain records of equipment tested and its performance	0.125	\$ 5.54

Each of the two refrigerant recovery/recycling equipment testing and certifying organizations approved by EPA are estimated to spend four hours each year preparing and submitting a list of all refrigerant recovery/recycling equipment previously certified, equipment that has failed retests or inspections, and new models that are tested and meet the certification requirements. EPA estimates that 1/8 hr is required to maintain records of the tests as these would be maintained as a part of normal business practices. The \$44.31 per hour estimate of cost is the average hourly administrative labor cost, including direct labor and overhead, for a private firm.

Based on EPA's experience over past years, it is not anticipated that additional entities will apply to become approved refrigerant recovery/recycling equipment testing organizations.

**2. Certification by Service Establishments that Change Ownership or Enter the Market**

**Annual Respondent Burden**

Collection Activities	Burden Hours	Annual Labor Costs
Compile information, complete certification	1.0	\$44.31

Collection Activities	Burden Hours	Annual Labor Costs
requirements		

The estimated burden of one hour is for each service establishment to collect information, certify to EPA that it is capable of and will follow requirements of the rule, and maintain adequate documentation of employee certification. EPA assumes that it takes each service establishment one hour to complete the certification form and submit it to the appropriate EPA regional office for the state in which they reside. The \$44.31 per hour estimate of cost is the average hourly administrative labor cost, including direct labor and overhead, of a private firm.

### 3. Certification by Disposal Establishments that Change Ownership or Enter the Market

#### Annual Respondent Burden

Collection Activities	Burden Hours	Annual Labor Costs
Compile information, complete certification requirements	1.0	\$44.31

The estimated burden of one hour is for each disposal establishment to collect information and certify to EPA that it is capable of and will follow requirements of the Recycling Rule. The \$44.31 per hour estimate of cost is the average hourly administrative labor cost, including direct labor and overhead, of a private firm.

### 4. Maintenance of Copies of Signed Statements by Disposal Establishments

#### Annual Respondent Burden

Collection Activities	Burden Hours	Annual Labor Costs
Maintain copies of signed statements verifying evacuation of refrigerant	13	\$576.03

The industry burden is the costs for collecting and maintaining copies of signed statements verifying that refrigerant has been removed from appliances before they are accepted for disposal. An estimated three minutes (0.05 hrs) per business day is spent filing the statements. The estimated annual amount of statements verified per disposal facility is 260, assuming these are verified on a daily basis. The \$44.31 per hour estimate of cost is the average hourly administrative labor cost, including direct labor and overhead, for a private firm.

### 5. Certification by Refrigerant Reclaimers that Change Ownership or Enter the Market

Collection Activities	Burden Hours	Annual Labor Costs
Completing certification and submitting it to EPA Headquarters	5.0	\$221.55

**Annual Respondent Burden**

EPA assumes that it takes an average of five hours for each of these organizations to prepare their certification packages. The \$44.31 per hour estimate of cost is the average hourly administrative labor cost, including direct labor and overhead, for a private firm.

**6. Reclaimer Reporting and Record Keeping**

**Annual Respondent Burden**

Collection Activities	Burden Hours	Annual Labor Costs
Submit annual reports to EPA Headquarters	5.0	\$221.55
Maintain copies of transactional records	6.25	\$276.94

Reclaimers must maintain records on quantity of refrigerant received, quantity reclaimed, and mass of waste products generated, and report yearly totals to EPA. Compiling this information, preparing it for EPA, and submitting it to EPA is estimated to take five hours per year. Reclaimers must also maintain records of refrigerant sales transactions; it is assumed that each reclaimer will spend 0.125 hours. The amount of recordkeeping actions per reclaimer is estimated to be 50. Therefore, each reclaimer will spend 6.25 hours maintaining such records on an annual basis. The \$44.31 per hour estimate of cost is the average hourly administrative labor cost, including direct labor and overhead, for a private firm.

## 7. Refrigerant Wholesalers

### Annual Respondent Burden

Collection Activities	Burden Hours	Annual Labor Costs
Retain invoices indicating purchaser, date of sale, and quantity of refrigerant purchased.	0.83	\$36.78
Maintain technician certification credentials of purchaser's employee		

EPA assumes that each refrigerant wholesaler must spend on average approximately two minutes maintaining transactional records indicating the name of the purchaser, date of sale, and the quantity of refrigerant purchased, as well as a copy of the certification card for an employee of the purchaser. EPA estimates that each refrigerant wholesaler performs 25 recordkeeping actions per year. Therefore the estimated annual burden time in hours is 0.83. The \$44.31 per hour estimate of cost is the average hourly administrative labor cost, including direct labor and overhead, for a private firm.

## 8. Technician Certification Programs Applying for Approval and Recordkeeping

### Annual Respondent Burden

Collection Activities	Burden Hours	Annual Labor Costs
Compiling information to become approved and submitting it to EPA Headquarters	5.0	\$221.55

The EPA estimates that it will take five hours to compile the necessary information to apply for the certification program approval. The \$44.31 per hour estimate of cost is the average hourly administrative labor cost, including direct labor and overhead, for a private firm.

## 9. Recordkeeping and Biannual Reporting by Existing Technician Certification Programs

### Annual Respondent Burden

Collection Activities	Burden Hours	Annual Labor Costs
Submit biannual reports to EPA	2.0	\$88.62
Maintain records of the applicants' name, address, and scoring results	5.0	\$221.55

Ninety-One testing organizations are estimated to spend two hours each year per firm submitting statistical information on their tests (1 hour for each six-month report). The biannual

reports summarize information on the numbers of previously certified individuals, individuals taking the tests, scores of all certification tests as well as the dates and locations of all tests administered. EPA estimates that 5 hours per year are spent on maintaining records of the individuals certified. The \$44.31 per hour estimate of labor cost is the average hourly administrative labor cost, including direct labor and overhead, for a private firm.

#### 10. Technicians Applying for Certification and Maintaining Certification Cards

##### Annual Respondent Burden

Collection Activities	Burden Hours	Annual Labor Costs
Acquire initial certification	0.0167	\$0.74
Maintain certification card	0.0167	\$0.74

It is estimated that approximately 10 percent of the estimated 300,000 technician labor force turns over each year, necessitating certification. EPA estimates that each technician will spend one minute maintaining a copy of the certification card.

#### 11. Owners of Refrigeration and Air-Conditioning Equipment

##### Annual Respondent Burden

Collection Activities	Burden Hours	Annual Labor Costs
Keep service records for appliances containing more than 50 lbs of refrigerant stating the date and type of service, the quantity of refrigerant added, and quantities of refrigerant purchased	0.025	\$1.11

EPA assumes that owners/operators of industrial process refrigeration, comfort cooling, and commercial refrigeration equipment (i.e., appliances) with charge sizes greater than 50 lbs will maintain service records indicating what was done to their equipment, whether performed by in-house service personnel or contracted out, will be maintained as a part of normal operating procedures. Approximately two additional minutes may be needed to maintain purchase and service orders. The \$44.31 per hour estimate of labor cost is the average hourly administrative labor cost, including direct labor and overhead, for a private firm.

#### 12. Persons Servicing Refrigeration and Air-Conditioning Equipment

##### Annual Respondent Burden

Collection Activities	Burden Hours	Annual Labor Costs
Provide service records to owners/operators of appliances with refrigerant charges greater than 50 lbs	0.025	\$1.11

Collection Activities	Burden Hours	Annual Labor Costs
with an invoice stating the amount of refrigerant added to the appliance		

EPA assumes that owners/operators of industrial process refrigeration, comfort cooling, and commercial refrigeration equipment (i.e., appliances) with charge sizes greater than 50 lbs will maintain service records indicating what was done to their equipment, whether performed by in-house service personnel or contracted out, will be maintained as a part of normal operating procedures. Approximately two additional minutes may be needed to maintain purchase and service orders. The \$44.31 per hour estimate of labor cost is the average hourly administrative labor cost, including direct labor and overhead, for a private firm.

### 13. Leak Repair Requirements for Owners of Industrial Process Refrigeration

#### Annual Respondent Burden

Collection Activities	Burden Hours	Annual Labor Costs
Submit requests for 30-day extensions <i>(IPR and in limited instances federally owned equipment)</i>	0.5	\$22.16
Submit requests for retrofit extensions <i>(IPR and in limited instances federally owned equipment)</i>	0.5	\$22.16
Maintain information on purged and destroyed refrigerant	0.025	\$1.11
Maintain information on the calculation of the full charge using a range	0.025	\$1.11
Maintain reports on the results of verification tests <i>(IPR and in limited instances federally owned equipment)</i>	0.025	\$1.11
Prepare and maintain plan to retire, replace, or retrofit equipment	8.0	\$354.48

The basis of the analysis is the identification of the steps involved in seeking an extension to or exclusion from the leak repair provisions. These costs have been estimated by identifying the number of times the step will be undertaken, the number of hours required to complete each step, and the total dollar costs. Each hour of industry time is valued at \$44.31. This value represents an average hourly rate of pay for a private firm and is based on anecdotal information gleaned through the operation of the allowance tracking system during the past years.

Industrial Process Refrigeration, Comfort Cooling, and Commercial Refrigeration appliances have the option, and in limited cases are mandated, to create and maintain plans to retire/retrofit their equipment under the leak repair requirements of 40 CFR 82.156. The estimated burden of 8 hours is for equipment owners who decide not to repair leaks and subsequently must develop and maintain a plan showing that the equipment will be retired, replaced, or retrofitted. It is further assumed that five percent of all equipment owners will elect to proceed with such a plan rather than repair leaks. The \$44.06 per hour estimate of cost is the average hourly administrative labor cost, including direct labor and overhead, for a private firm.

### **6(c) Estimating Agency Burden and Cost**

The hourly rate for EPA staff at the GS-9 Step 1 level is \$20.11 per hour. This hourly basic rate is from the GS salary schedule listed in the Federal Wage Page of the Office of Personnel Management website <http://www.opm.gov/oca>. EPA then multiplied the hourly rate by the standard government benefits and overhead multiplication factor of 1.6. The resulting rate that was used in estimating annual Agency burden and cost is \$32.18 (\$20.11 x 1.6).

EPA has used past experience and reporting data in addition to estimates from the affected community in determining the number of respondents for which the Agency would assume the burden of review or response. The following paragraphs describe the amount and degree of burden endured by EPA review of required respondents' reports.

- Each year, EPA will review annual reports submitted by the two testing organizations for completeness and to make sure that EPA's list of certified refrigerant recovery/recycling equipment is complete. Each evaluation will require one-half hour, for a total of one hour per year.
- EPA assumes, based on previous data, that there are 22,000 to 45,000 service establishments in the United States. However due to the continuing phase out of ozone depleting refrigerants, EPA assumes that the number of establishments entering the workplace that are servicing equipment containing ozone-depleting refrigerants is declining and those establishments that leave the workplace is increasing. EPA estimates that five percent of 45,000 establishments (2,250) are assumed to enter or change ownership annually, necessitating certification. EPA personnel are assumed to spend 15 minutes reviewing each certification from service establishments. Thus requiring 562.5 hours per year for review.
- EPA estimates that there are 7,500 disposal establishments that are considered new companies or change ownership during the year. EPA assumes that the number of establishments entering the workplace remains constant with the numbers that leave the workplace. Most of these have already fulfilled this one-time certification requirement, but five percent of these (375) are assumed to change ownership annually, necessitating recertification. EPA Regional personnel are assumed to spend 15 minutes reviewing each certification from 375 disposal establishments. Thus requiring 93.75 hours per year for review.
- EPA currently has 60 certified refrigerant reclaimers who must submit annual activity reports. Based on EPA's experience, it is assumed that four new refrigerant reclaimers per year will submit one-time applications to EPA to be certified. EPA is assumed to spend one hour reviewing and approving each certification for a total of four hours per year. In addition, EPA will spend one hour reviewing each of the annual reports submitted by the 60 reclaimers, for a total of 60 hours per year.



- EPA currently has 91 certified technician certifying programs. Each program is required to submit biannual activity reports to EPA. EPA will spend one hour each reviewing biannual activity reports submitted by the 91 technician testing organizations, for a total of 182 hours per year. Based on EPA's experience, the Agency expects to certify five new organizations per year. EPA expects to spend two hours reviewing and approving each application, for a total of 10 hours per year.
- EPA estimates that it takes one-half hour to review and make a determination on each of the anticipated 15 requests from owner/operators of industrial process refrigeration equipment for an extension to the 30-day repair requirement for mandatory leak repair, for a total of 7.5 hours per year.
- EPA estimates one hour to review and make a determination on five anticipated request from the owner/operator of IPR equipment for an extension to the one-year retrofit requirement under the leak repair requirements, for a total of five hours a year.

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

The respondent universe as well as the frequency of reporting is defined in 40 CFR subpart F, and includes the number of respondents for established refrigerant recovery/recycling equipment testing organizations; averages for the number of service establishments, disposers, and refrigerant reclaimers that enter the market or change ownership; refrigerant wholesalers; technician certification programs; technicians acquiring certification and maintaining certification cards; owners of refrigeration and air-conditioning equipment; and owners of industrial process refrigeration equipment.

EPA has used past experience and reporting data in addition to estimates from the affected community in determining the number of respondents (or the respondent universe). The estimates are based upon EPA's experience in implementing the rule since 1993. A listing of these entities follows:

- Testing organizations for refrigerant recovery/recycling equipment have remained at two organizations since inception of the regulations during May 1993.
- The preamble to the Recycling Rule notes that there are 22,000 to 45,000 service establishments in the United States. The continuing phase out of ozone depleting refrigerants has resulted in a five percent net loss of service establishments for a total number of 42,750. Most service establishments have already fulfilled these one-time requirements, but roughly five percent of 42,750 establishments (~2,250) are assumed to change ownership annually, thus necessitating recertification.
- EPA estimates the existence of 7,500 disposal establishments. Most of these have already fulfilled this one-time requirement, but five percent of these (375) are assumed to change ownership annually, necessitating recertification.
- EPA currently has 60 certified refrigerant reclaimers who must submit annual activity reports. Based on EPA's experience, it is assumed that four (4) reclaimers per year will submit one-time applications to EPA to be certified.
- EPA believes that the number of establishments that sell refrigerant has remain over the past few years, mainly due to the availability of refrigerant. This ICR renewal assumes

that the number of wholesalers has remained 200,000.

- EPA currently has 91 certified technician certifying programs. Each program is required to submit biannual activity reports to EPA. Based on EPA's experience, five new organizations per year are estimated to take 5 hours each to assemble and submit materials to EPA requesting that they be authorized to test and certify technicians.
- Statements from certifying organizations have actually claimed that the number of certified technicians entering the workplace is decreasing. Therefore, EPA assumes that there is no longer a 10% annual increase in the number of new technicians entering the workplace. EPA assumes that the number of technicians entering the workplace has remained constant with those that who have left the workforce. Thus this ICR renewal assumes that the number of technicians has remained constant at 300,000.
- Under limited circumstances, EPA allows owners/operators of industrial process refrigeration equipment with a charge size greater than 50 lbs of an ozone-depleting refrigerant to submit a written request for an extension to leak repair requirements. The number of occurrences of each of the activities is based on the estimated number of requests for extension and/or exclusion by an estimated number of entities that will likely choose to make such a request. Based on the volume of requests submitted to EPA, the Agency estimates that approximately 20 owners/operators of appliances will take advantage of the extensions and exclusion each year. EPA estimates the breakdown to be for 15 owners/operators seeking extensions to the 30-day leak repair requirement, and 5 owners/operators seeking extensions to the one-year retrofit requirement.
- Based on actual submissions to EPA, the Agency estimates that two owners/operators of comfort cooling, commercial refrigeration, and industrial process refrigeration equipment with charge sizes greater than 50 lbs of an ozone-depleting refrigerant will choose to exclude the amount of purged and destroyed refrigerant from their leak rate calculations. Therefore only two owners/operators are estimated to maintain information substantiating the amount of refrigerant purged or destroyed.
- EPA estimates that 200,000 owners/operators will maintain records showing how they calculated the full charge of their equipment using a range.
- EPA estimates that 5,000 owners/operators will spend 8 hours developing a retrofit/retirement plan for their appliances, and maintain the required retire/retrofit report on-site at their place of business.
- Owners/operators of refrigeration and air-conditioning equipment with a charge greater than 50 lbs of an ozone-depleting refrigerant are required to maintain service records documenting the date and type of service, as well as the quantity of refrigerant added, in accordance with 40 CFR 82.166(k). EPA assumes that these records are maintained as a part of normal business procedures. EPA also assumes that the number of owners/operators entering the field remains constant (at approximately 20,500) with the number of owners/operators whose organizations go out of business.
- Persons servicing refrigeration and air-conditioning equipment with a charge greater than 50 lbs of an ozone-depleting refrigerant are required to provide their customers with an invoice indicating the amount of refrigerant added to the appliance. EPA assumes that these records are submitted as a part of normal business procedures to an

estimated 20,500 owners/operators who would require service, and in fact are required between the two parties in order to initiate payment for services rendered. EPA estimates that no more than additional minutes would be needed to meet this requirement.

**6(e) Bottom Line Burden Hours and Cost Tables**

The bottom line burden hours and cost tables for respondents and the Agency are summarized below for all activities.

*(i) Respondent Tally*

**ANNUAL RESPONDENT BURDEN AND COST**

Activity	Number of Respondents	Number of Responses per Respondent	Burden Hours (Time) per Response	Total Hours per Year for all Respondents	Total Labor Costs
<b>REPORTING</b>					
Refrigerant Recovery/ Recycling Equipment Testing Organizations - Submit reports on approved equipment (including new model lines and failed retests/inspections)	2	1	4	8	\$354.48
Certification by Owners of Refrigerant Recovery/ Recycling Equipment (or Service Established) that Change Ownership or Enter the Market Compile information, complete certification requirements	2,250	1	1	2,250	\$99,697.50
Certification by Disposal Establishments that change Ownership or Enter the Market	375	1	1	375	\$16,616.25
Certification by Refrigerant Reclaimers that Change Ownership or Enter the Market	4	1	5	20	\$886.20
Reclaimer Annual Activity Report	60	1	5	300	\$13,293.00
Technician Certification Programs Applying for Approval	5	1	5	25	\$1,107.75
Biannual Reporting by Existing Technician Certification Programs	91	2	1	182	\$8,064.42
Owners/operators of appliances w/charge sizes >50 lbs prepare & submit requests for extensions to 30-day repair timeline	15	1	0.5	7.5	\$332.33
Owners/operators of appliances	5	1	0.5	2.5	\$110.78

Activity	Number of Respondents	Number of Responses per Respondent	Burden Hours (Time) per Response	Total Hours per Year for all Respondents	Total Labor Costs
w/charge sizes >50 lbs prepare & submit requests for extensions to 1 yr retrofit/retire timeline					
<b>SUBTOTAL</b>	<b>2,807</b>	<b>varies</b>	<b>varies</b>	<b>3,170</b>	<b>\$140,462.70</b>
<b>RECORDKEEPING</b>					
Refrigerant Recovery/ Recycling Equipment Testing Organizations - Maintain records of refrigerant recovery/recycling equipment tested and its performance	2	1	0.125	0.25	\$11.08
Maintenance of copies of signed statements of previous refrigerant recovery by disposal establishments	7,500	260	0.05	97,500	\$4,320,225.00
Reclaimer recordkeeping	60	50	0.125	375	\$16,616.25
Refrigerant wholesalers recordkeeping for refrigerant sales, including maintenance of technician certification cards from purchasers employing at least one certified technician	200,000	25	0.033	165,000	\$7,311,150.00
Record keeping by Existing Technician Certification Programs	91	1	5	455	\$20,161.05
Technicians Acquiring Certification Cards	30,000	1	0.0167	501	\$22,199.31
Technicians Maintaining Certification Cards	300,000	1	0.0167	5,010	\$221,993.10
Persons servicing appliances w/charge sizes >50 lbs provide invoices to appliance owners/operators	20,500	1	0.025	512.5	\$22,708.88
Owners/operators of appliances w/charge sizes >50 lbs maintain purchase and service records	20,500	1	0.025	512.5	\$22,708.88
Owners/operators of appliances w/charge sizes >50 lbs - Maintain information on purged/destroyed refrigerant	2	1	0.025	0.05	\$2.22
Owners/operators of appliances w/charge sizes >50 lbs - Develop/Maintain plan to retire/replace or retrofit equipment,	5,000	1	8	40,000	\$1,772,400.00

Activity	Number of Respondents	Number of Responses per Respondent	Burden Hours (Time) per Response	Total Hours per Year for all Respondents	Total Labor Costs
as applicable					
Owners/operators of appliances w/charge sizes >50 lbs - Maintain information on the calculation of the full charge using a range, as applicable	200,000	1	0.025	5,000	\$221,550.00
Owners/operators of appliances w/charge sizes >50 lbs - Maintain reports on the results of verification tests ( <i>IPR and in limited instances federally owned equipment</i> )	100,025	1	0.025	2,500.625	\$110,802.69
<b>SUBTOTAL</b>	<b>883,680</b>	<b>varies</b>	<b>varies</b>	<b>317,367</b>	<b>\$14,062,528.45</b>

**Total Number of Respondents = 883,680**  
**Total Number of Annual Responses = 7,632,018**  
**Annual Hour Burden = 320,537**  
**Total Labor Costs = \$14,202,991**

(ii) *The Agency Tally*

#### ANNUAL AGENCY BURDEN AND COST

Activity	Number of Respondents	Number of Responses per Respondent	Agency Burden Hours (Time) to Review each Response	Total Agency Hours per Year for all Respondents	Total Agency Labor Costs
<b>REVIEWING &amp; RESPONDING</b>					
Refrigerant Recovery/ Recycling Equipment Testing Organizations - Submit reports on approved equipment (including new model lines and failed retests/inspections)	2	1	0.5	1	\$32.18
Certification by Owners of Refrigerant Recovery/ Recycling Equipment (or Service Established) that Change Ownership or Enter the Market Compile information, complete certification requirements	2,250	1	0.25	562.5	\$18,099.00

Activity	Number of Respondents	Number of Responses per Respondent	Agency Burden Hours (Time) to Review each Response	Total Agency Hours per Year for all Respondents	Total Agency Labor Costs
Certification by Disposal Establishments that change Ownership or Enter the Market	375	1	0.25	93.75	\$3,016.50
Certification by Refrigerant Reclaimers that Change Ownership or Enter the Market	4	1	1	4	\$128.70
Reclaimer Annual Activity Report	60	1	1	60	\$1,930.56
Technician Certification Programs Applying for Approval	5	1	2	10	\$321.76
Biannual Reporting by Existing Technician Certification Programs	91	2	1	182	\$5,856.03
Owners/operators of appliances w/charge sizes >50 lbs prepare & submit requests for extensions to 30-day repair timeline	15	1	0.5	7.5	\$241.32
Owners/operators of appliances w/charge sizes >50 lbs prepare & submit requests for extensions to 1 yr retrofit/retire timeline	5	1	1	5	\$160.88
<b>SUBTOTAL</b>	<b>2,807</b>	<b>0</b>	<b>7.5</b>	<b>925.75</b>	<b>\$29,786.93</b>

**Annual Agency Hour Burden = 925.75 hours**  
**Total Agency Labor Costs = \$29,787**

(iii) *Variations in the Annual Bottom Line*

EPA does not anticipate a significant variation (>25%) in the annual respondent reporting /recordkeeping burden or cost over the course of the clearance period. Likewise, the government burdens and costs are not anticipated to vary significantly.

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

There have been no regulatory changes associated with this program since the previous renewal of the ICR. EPA estimates that there will be a slight increase in the time required to submit reports and maintain records due to the inclusion of the time necessary for technicians to acquire certification cards in this updated ICR. EPA has also adjusted costs based on updated labor rates.

In the previous ICR, EPA reported the number of responses and burden hours for some activities in aggregate. In this renewal, EPA has disaggregated this information to represent the expected number of responses through the year for a given activity; this disaggregation provides greater clarity about the number of responses and the time required from the respondent.

The two categories that were disaggregated are “maintenance of copies of signed statements of previous refrigerant recovery by disposal establishments” and “refrigerant wholesalers recordkeeping for refrigerant sales, including maintenance of technician certification cards from purchasers employing at least one certified technician.” The following example illustrates the type of disaggregation that was performed. In the previous ICR, the number of responses and time required for maintaining copies of signed statements of previous refrigerant recovery was reported as a single response of 13 hours. In the current ICR, EPA determined that it was more accurate to disaggregate this activity because copies are likely to be filed on a daily basis, rather than once per year. Therefore, in the current ICR, the same activity is reported as requiring 260 responses (i.e., one response per day) and 0.05 hours per response. The disaggregation of the number of responses for this category increases the number of responses by approximately 1.9 million but does not impact the total burden hours or cost. The current ICR also includes the number of responses and time required for technicians to acquire certification cards, which was not previously included.

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

The annual public reporting and recordkeeping burden for this collection of information is estimated to range from 1 minute to 8 hours per year for each respondent. This estimate includes time for preparing and submitting reports and maintaining records on-site at the respondents’ places of business.

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.

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 No. EPA-HQ-OAR-2010-1016, which is available for online viewing at [www.regulations.gov](http://www.regulations.gov), or in person viewing at the Air and Radiation Docket and Information Center in the EPA Docket Center (EPA/DC), EPA 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. The telephone number for the Reading Room is (202) 566-1744, and the telephone number for the OAR Docket is (202) 566-1742. An electronic version of the public docket is available at [www.regulations.gov](http://www.regulations.gov). This site can be used to submit or view public comments, access the index listing of the contents of the public 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 above. 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 Office for EPA. Please include the EPA Docket ID No. EPA-HQ-OAR-2010-1016 and OMB control number 2060-0256 in any correspondence.