

SUPPORTING STATEMENT FOR THE RENEWAL OF

EPA INFORMATION COLLECTION REQUEST NUMBER 1613.05

**DATA REPORTING REQUIREMENTS FOR STATE AND LOCAL VEHICLE
EMISSION INSPECTION AND MAINTENANCE (I/M) PROGRAMS**

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1. Identification

1(a) Title

Data Reporting Requirements for State and Local Vehicle Emission Inspection and Maintenance (I/M) Programs (Renewal). EPA ICR Number 1613.05; Office of Management and Budget (OMB) Control Number 2060-0252.

1(b) Short Characterization/Abstract

To provide general oversight and support to state and local I/M programs, the U. S. Environmental Protection Agency (EPA) requires that state or local program management for both basic and enhanced I/M programs compile and submit two different reports to their Regional EPA office. The first reporting requirement is the submittal of an annual report providing general program operating data and summary statistics, addressing the program's current design and coverage, a summary of testing data, enforcement program efforts, quality assurance and quality control efforts, as well as other miscellaneous information allowing for an assessment of the program's relative effectiveness; the second is a biennial report addressing any changes to the program over the two-year period prior to the biennial report's submission, including the impact of such changes, any weaknesses discovered during the reporting period, and the corrections made or planned.

General program effectiveness is determined by the degree to which the operating program compares to the program described in the state's approved State Implementation Plan (SIP), which, in turn, must meet or exceed the minimum requirements for mandatory I/M programs, as promulgated under 40 CFR, Part 51, Subpart S in response to requirements established in section 182 of the Clean Air Act (CAA). The information provided by the annual and biennial I/M reports described above are used by the EPA Regional office to determine whether a given I/M program is meeting its obligations under the approved SIP. The information may also be used by EPA Headquarters to assess national trends in the implementation of both basic and enhanced I/M programs, as well as to help determine when anomalous reporting results are due to national versus local causes.

2. Need for and Use of the Collection

2(a) Need/Authority for the Collection

The collection of a variety of program operating and summary data is essential to the assessment of an I/M program's overall effectiveness and the degree to which it complies with requirements established in response to sections 182(a)(2)(b)(ii); 182(b)(4); and 182(c)(3) of the Act, under which EPA is authorized to impose these collection and recordkeeping requirements. The specific program data to be collected are listed under the "Data analysis and reporting" section of EPA's I/M rule (40 CFR Part 51, subpart S, section 51.366). A list of the required reporting elements is included in section 4(b)(i) of this ICR renewal.

2(b) Practical Utility/ Users of the Data

There are, in effect, three users of the information required by this collection – the primary user, represented by the state or local agency or department in charge of managing the I/M program itself (hereafter referred to as "the state" and/or "the respondent"), the secondary user, represented by the EPA Regional office (henceforth referred to as "the Region") to help determine the degree to which the program complies with its approved SIP, and finally, EPA Headquarters, to help identify national trends in the implementation of both basic and enhanced I/M programs, as well as to help determine when anomalous results being observed by a State or Region are due to national versus local causes.

The State

For the purpose of effectively managing its I/M program, the State must gather a wide range of program data, including data from the testing program, quality control and assurance efforts, and the enforcement program. For example, sufficient test data must be gathered to unambiguously link specific test results to a specific vehicle, I/M program registrant, test site, and inspector, to help determine whether or not the correct test parameters were observed for the specific vehicle in question. This programmatic need – which is distinct from any need and/or burden imposed by this ICR – is reflected in the fact that current testing equipment specifications include extensive data capture requirements to serve just this purpose. In turn, the State can analyze this data and compare it to the registration database (in programs enforced through registration denial, per the CAA) or otherwise use it to establish a vehicle's compliance with program requirements. Owners of vehicles found to be out-of-compliance are not allowed to register said vehicle(s) (again, in programs enforced through registration denial) or must be otherwise prevented from operating the non-complying vehicle(s) in the program area. Penalties may also be assessed for non-compliance with program requirements.

Data collected as part of the testing program can also be used to target audits of inspection stations and inspectors, with irregularities such as unusually high pass or fail rates, mismatched vehicle information, etc. acting as red flags to possible fraud or other problems. In addition, the State must gather and analyze quality control data to ensure that motorists are given accurate and

consistent measurements and/or results. In the interest of effectively managing its enforcement and quality assurance efforts, the program must keep records of such efforts, including the number of investigations conducted (including internal control reviews to detect weaknesses within the program itself, as well as investigations of testing sites and inspectors), the methodology used, and the results of investigations and other enforcement and quality assurance activities.

EPA Regional Office

To comply with this information collection, the state must summarize and report the above data to the EPA Regional Office with jurisdiction over the state in question. The state will have maximum flexibility to use pre-existing, internal reporting mechanisms to meet these summary data reporting requirements, and may submit the required reports in whatever format is most convenient for the state, including electronically, via hardcopy, or by directing the EPA Regional Office to web resources which include the required information. The Regional Office will use this information to assess specific state programs and their success or any weaknesses in complying with I/M requirements. This assessment may lead to follow-up conversations with the State to discuss possible program improvements or corrective action necessary to address anomalies, and in some instances may lead to site visits and audits of the programs in question.

EPA Headquarters

When anomalies are discovered in the reported summary information and cannot be resolved by the State and Region, EPA Headquarters may be called in to help determine whether a given anomaly is the result of local or unique conditions or is perhaps indicative of a larger, national trend. In such situations, EPA Headquarters will work with the State and the Region to identify and address the causes of the anomaly. Information regarding the resolution of such cases – to the extent it may be relevant outside the program in question – will be made available to other states, Regions, and the public in general through various communication methods, including biweekly conference calls with the EPA Regions, a bimonthly stakeholder call with the I/M states, and the I/M Clearinghouse web site (<http://obdclearinghouse.com/>) currently managed by Weber State University under a grant from EPA.

3. Non-Duplication, Consultations, & Other Collection Criteria

3(a) Non-Duplication

EPA has made an effort to ensure that the data collection efforts associated with renewal of this ICR are not duplicated. EPA Headquarters has consulted with state and local environmental programs, and EPA's Regional Offices. To the best of EPA's knowledge, data currently required by this information collection are not available from any other source.

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

Prior to submittal to OMB and in compliance with the 1995 Amendments to the Paperwork Reduction Act (PRA), EPA published a notice seeking public comment on the renewal of this ICR in the *Federal Register* on May 15, 2015 (80 FR 27949) which included a 60-day comment period ending on July 14, 2015. No public comments were submitted to the docket during the comment period.

3(c) Consultations

In an effort to address state concerns regarding a wide-range of environmental reporting requirements, EPA and the Environmental Council of the States (ECOS) launched the Burden Reduction Initiative (BRI) in October 2006. As part of this initiative, EPA invited states to identify their top five reporting requirements with potential for streamlining or elimination. A total of 39 states responded to this invitation, identifying more than 200 reporting requirements as candidates for possible burden reduction or elimination.

Although 33 states plus the District of Columbia were running I/M programs at the time of the BRI, only 5 of the 39 states responding to the BRI – Illinois, Massachusetts, Maryland, New Hampshire, and Virginia – identified some aspect of the I/M reporting requirements as potential candidates for burden reduction. It should be noted, however, that there was no consensus among the 5 states regarding what sort of relief was needed. EPA met with ECOS representatives concerning the 5 states commenting on I/M reporting requirements as well as the need for additional program evaluation guidance. EPA's clarification with regard to the existing reporting requirements satisfied the ECOS workgroup.

More recently, during the 2012 renewal of this ICR, EPA solicited public input and received only two sets of comments with both commenters maintaining that EPA required states to report on too many program elements and underestimated the burden involved in collecting and reporting the information required. In its response, EPA pointed out how the information required is first and foremost essential for the successful implementation and management of the program itself, particularly with regard to enforcement efforts. Regarding the amount of information that must be supplied, EPA demonstrated how this was determined largely by a State's own program design decisions. For example, centralized networks will tend to have a substantially lower reporting burden than decentralized programs by virtue of the fact that there are fewer test stations that must be tracked, as opposed to hundreds or thousands of stations in a typical decentralized program. Lastly, regarding the differences between EPA's burden estimates and those suggested by the commenters, the Agency maintained that the latter reflected a misunderstanding of how burden estimates are derived under the Paperwork Reduction Act. EPA's I/M burden estimate does not include the burden necessary to run and enforce a CAA-mandated I/M program but focuses instead on the burden created by the need to summarize the data generated by the program and then submitting that summary data to the local EPA Regional Office.

3(d) Effects of Less Frequent Collection

The I/M Rule requires annual and biennial reporting by the I/M programs to ensure that states are achieving the emission reductions claimed by such programs in their approved SIPs. EPA has considered a range of alternatives for data reporting requirement frequency. It is EPA's judgment that collecting the required information less frequently would limit its ability to determine a program's progress toward meeting requirements under 40 CFR Part 51, Subpart S and would delay its ability to identify and resolve programmatic deficiencies that may negatively impact a program's ability to achieve the needed emission reductions, thus magnifying any potential impact. In setting the current reporting frequency, EPA has attempted to strike a reasonable balance and believes that more frequent reporting would be unduly burdensome. To supplement the current reporting cycle and thus ensure that major program deficiencies do not go undetected for an unreasonable period of time, EPA holds bimonthly conference calls with I/M states as a forum for raising, discussing, and resolving implementation issues as they arise. State participation in these calls is voluntary but has remained strong since the calls were initiated.

3(e) General Guidelines

This ICR was prepared in accordance with the October 2009 version of *EPA's Guide to Writing Information Collection Requests Under the Paperwork Reduction Act (PRA) of 1995* (or "ICR Handbook") prepared by EPA's Office of Environmental Information, Office of Information Collection, Collection Strategies Division. The ICR Handbook provides the most current instructions for ICR preparation to ensure compliance with the 1995 PRA amendments and OMB's implementing guidelines.

3(f) Confidentiality

No confidential information will be collected as a result of this ICR.

3(g) Sensitive Questions

No information of a sensitive nature will be collected as a result of this ICR.

4. Respondents and the Information Requested

4(a) Respondents/SIC Codes

The respondents to this information collection are the state government agencies or

departments responsible for oversight and operation of the I/M programs (SIC# 91). As of January 2015, twenty-seven states plus the District of Columbia are required to implement I/M programs in compliance with the CAA and I/M rule. There are, therefore, 28 respondents to this collection. This category of respondent was selected because it represents those entities most comprehensively involved in gathering the information to be summarized for this collection (i.e., those parties responsible for establishing, maintaining, and analyzing the program's central database, or overseeing contractor personnel responsible for such activities). Although I/M programs can and do vary by type (i.e., basic I/M programs versus enhanced I/M programs), the data elements to be addressed by this information collection remain consistent across program types, and hence the burden does not vary by program type.

4(b) Information Requested

Under current I/M program practice, various internal analyses and reports are routinely generated using the data collected on vehicle tests, as well as quality control, quality assurance, and enforcement efforts. The information requested in this ICR renewal is currently collected by state programs in compliance with the I/M rule. These reports are used primarily as management tools for internal monitoring and evaluation of the program. Summaries of the information provided in these reports are also currently being used by EPA (primarily the Agency's Regional Offices and, secondarily, EPA Headquarters) to fulfill the Agency's statutory obligation to provide oversight to mandatory I/M programs and to ensure that such programs are achieving the emission reductions claimed in their approved SIPs. The purpose of this current request is to renew a previously approved information collection (OMB Control Number 2060-0252; EPA ICR Number 1613.04) so that EPA can continue to meet its statutory obligation with regard to providing I/M program implementation guidance and oversight.

(i) Data items, including record keeping requirements

In fulfilling the requirements of this information collection, respondents gather and maintain records on the following data items per vehicle inspected as part of the I/M program and as required under 40 CFR 51.365.

- 1) Test record number
- 2) Inspection station and inspector number
- 3) Test system number
- 4) Date of the test
- 5) Emission test start time and the time final emission scores are determined
- 6) Vehicle Identification Number (VIN)
- 7) License plate number
- 8) Test certificate number
- 9) Gross Vehicle Weight Rating (GVWR)
- 10) Vehicle model year, make, and type

- 11) Number of cylinders or displacement
- 12) Transmission type
- 13) Odometer reading
- 14) Type of test performed (i.e., initial test, first retest, or subsequent retest)
- 15) Fuel type of the vehicle (i.e., gas, diesel, or other fuel)
- 16) Type of vehicle preconditioning performed (if any)
- 17) Emission test sequence(s) used
- 18) Hydrocarbon emission scores and standards for each applicable test mode
- 19) Carbon monoxide emission scores and standards for each applicable test mode
- 20) Carbon dioxide emission scores (CO+CO₂) and standards for each applicable test mode
- 21) Nitrogen oxides emission scores and standards for each applicable test mode
- 22) Results (Pass/Fail/Not Applicable) of the applicable visual inspections for the catalytic converter, air system, gas cap, evaporative system, positive crankcase ventilation (PCV) valve, and fuel inlet restrictor
- 23) Results of the evaporative pressure test expressed as a pass or fail (where applicable)
- 24) Results of the evaporative system purge test expressed as a pass or fail along with the total purge flow in liters achieved during the test (where applicable)
- 25) Results of the on-board diagnostic check expressed as pass or fail along with the diagnostic trouble codes revealed (where applicable).

In addition, I/M programs must gather and maintain records on the results of all applicable quality control checks per 40 CFR 51.359, quality assurance checks per 40 CFR 51.363, and enforcement efforts per 40 CFR 51.361, 40 CFR 51.362, and 40 CFR 51.364. The data requirements reflected in these sections of the I/M rule were originally based upon data gathering and reporting best practices of I/M programs already in operation at the time the original information collection was developed.

The above data items represent information which a program needs to gather and maintain as part of the day-to-day administration and enforcement of the program. Many of these data items are also included in the data recording requirements of the programs' testing equipment specifications while others are currently employed as management tools to facilitate the monitoring and evaluation of the program by program management. States should be gathering this information separate from any requirement to report the data to EPA. As such, gathering these data items does not constitute an additional burden triggered by this information collection or its renewal but instead reflect the minimum data needed to run an effective I/M program.

With regard to record keeping, the above data items should be retained for a minimum of two complete inspection cycles (i.e., two years in annual programs, and four years in biennial programs). This is because the comparison of a vehicle's information and test results from one inspection cycle to the next is essential for the program's own internal auditing as well as program enforcement (with changes in vehicle information from one test cycle to the next being one of the

primary red flags used for fraud detection). Again, these record keeping requirements would exist separate from this information collection or its renewal.

Under the ICR, state I/M programs are required to submit annually summary statistics and effectiveness evaluations of the program's testing element, its quality assurance system, the quality control program, and the enforcement mechanisms. In addition, state I/M programs are required to submit biennially a report of any program deficiencies identified and the corrective actions taken by program management. The specific elements of each of these summary reports is described below under the appropriate heading.

Test Data Summary

I/M programs are required by 40 CFR 51.366(a) to submit to their EPA Regional Office by July of each year a report providing basic statistics on the testing program for January through December of the previous year, including:

- (1) The number of vehicles tested by model year and vehicle type;
- (2) By model year and vehicle type, the number and percentage of vehicles:
 - (i) Failing initially, per test type;
 - (ii) Failing the first retest per test type;
 - (iii) Passing the first retest per test type;
 - (iv) Initially failed vehicles passing the second or subsequent retest per test type;
 - (v) Initially failed vehicles receiving a waiver; and
 - (vi) Vehicles with no known final outcome (regardless of reason).
 - (vii)–(x) [Reserved]
 - (xi) Passing the on-board diagnostic check;
 - (xii) Failing the on-board diagnostic check;
 - (xiii) Failing the on-board diagnostic check and passing the tailpipe test (if applicable);
 - (xiv) Failing the on-board diagnostic check and failing the tailpipe test (if applicable);
 - (xv) Passing the on-board diagnostic check and failing the I/M gas cap evaporative system test (if applicable);
 - (xvi) Failing the on-board diagnostic check and passing the I/M gas cap evaporative system test (if applicable);
 - (xvii) Passing both the on-board diagnostic check and I/M gas cap evaporative system test (if applicable);
 - (xviii) Failing both the on-board diagnostic check and I/M gas cap evaporative system test (if applicable);
 - (xix) Malfunction Indicator Light (MIL) is commanded on and no codes are stored;
 - (xx) MIL is not commanded on and codes are stored;
 - (xxi) MIL is commanded on and codes are stored;
 - (xxii) MIL is not commanded on and codes are not stored;

- (xxiii) Readiness status indicates that the evaluation is not complete for any module supported by on-board diagnostic systems;
- (3) The initial test volume by model year and test station;
- (4) The initial test failure rate by model year and test station; and
- (5) The average increase or decrease in tailpipe emission levels for HC, CO, and NO_x (if applicable) after repairs by model year and vehicle type for vehicles receiving a mass emissions test.

It should be noted that as state programs gradually phase-out tailpipe testing and begin to move toward the exclusive use of onboard diagnostic (OBD) based testing, an added benefit of doing such will be a significant reduction in the number of reporting elements that need to be gathered, summarized, and reported. For example, the by-pollutant reporting requirements will no longer apply, and neither will any of the reporting elements that presume dual testing of OBD-equipped vehicles. Although EPA notes this eventuality, the Agency has not attempted to quantify the impact on respondent burden because individual respondent programs will vary greatly with regard to when such a change to OBD-only testing may be possible and/or desirable. Because most programs will eventually reach the stage described above (varying only with regard to when) EPA is confident that the respondent burden estimates in this proposed information collection renewal can be characterized as conservative. Currently, 8 of the 28 respondent states covered by the I/M ICR are OBD-only states.

Quality Assurance Summary

I/M programs are required by 40 CFR 51.366(b) to submit to their EPA Regional Office by July of each year a report providing basic statistics on the quality assurance program for January through December of the previous year, including:

- (1) The number of inspection stations and lanes:
 - (i) Operating throughout the year; and
 - (ii) Operating for only part of the year;
- (2) The number of inspection stations and lanes operating throughout the year:
 - (i) Receiving overt performance audits in the year;
 - (ii) Not receiving overt performance audits in the year;
 - (iii) Receiving covert performance audits in the year;
 - (iv) Not receiving covert performance audits in the year; and
 - (v) That have been shut down as a result of overt performance audits;
- (3) The number of covert audits:
 - (i) Conducted with the vehicle set to fail per test type;
 - (ii) Conducted with the vehicle set to fail any combination of two or more test types;
 - (iii) Resulting in a false pass per test type;
 - (iv) Resulting in a false pass for any combination of two or more test types;
 - (v)–(viii) [Reserved]

- (4) The number of inspectors and stations:
 - (i) That were suspended, fired, or otherwise prohibited from testing as a result of covert audits;
 - (ii) That were suspended, fired, or otherwise prohibited from testing for other causes; and
 - (iii) That received fines;
- (5) The number of inspectors licensed or certified to conduct testing;
- (6) The number of hearings:
 - (i) Held to consider adverse actions against inspectors and stations; and
 - (ii) Resulting in adverse actions against inspectors and stations;
- (7) The total amount collected in fines from inspectors and stations by type of violation;
- (8) The total number of covert vehicles available for undercover audits over the year; and
- (9) The number of covert auditors available for undercover audits.

Quality Control Summary

I/M programs are required by 40 CFR 51.366(c) to submit to their EPA Regional Office by July of each year a report providing basic statistics on the quality assurance program for January through December of the previous year, including:

- (1) The number of emission testing sites and lanes in use in the program;
- (2) The number of equipment audits by station and lane;
- (3) The number and percentage of stations that have failed equipment audits; and
- (4) Number and percentage of stations and lanes shut down as a result of equipment audits.

As with the test summary report, the eventual transition from relying on a combination of tailpipe-based testing and OBD testing to relying exclusively upon OBD-based testing will reduce the reporting burden for the quality control summary. This is because OBD-based testing equipment does not need to be calibrated like tailpipe-based systems. Therefore, the need to perform and record calibration results as part of the overt equipment auditing process is likewise eliminated.

Enforcement Summary

I/M programs are required by 40 CFR 51.366(d) to submit to their EPA Regional Office by July of each year a report providing basic statistics on the quality assurance program for January through December of the previous year, including:

- (1) All varieties of enforcement programs shall, at a minimum, submit to their EPA Regional Office by July of each year a report providing basic statistics on the enforcement program for January through December of the previous year, including:

- (i) An estimate of the number of vehicles subject to the inspection program, including the results of an analysis of the registration data base;
- (ii) The percentage of motorist compliance based upon a comparison of the number of valid final tests with the number of subject vehicles;
- (iii) The total number of compliance documents issued to inspection stations;
- (iv) The number of missing compliance documents;
- (v) The number of time extensions and other exemptions granted to motorists; and
- (vi) The number of compliance surveys conducted, number of vehicles surveyed in each, and the compliance rates found.

(2) Registration denial based enforcement programs shall provide the following additional information:

- (i) A report of the program's efforts and actions to prevent motorists from falsely registering vehicles out of the program area or falsely changing fuel type or weight class on the vehicle registration, and the results of special studies to investigate the frequency of such activity; and
- (ii) The number of registration file audits, number of registrations reviewed, and compliance rates found in such audits.

(3) Computer-matching based enforcement programs shall provide the following additional information:

- (i) The number and percentage of subject vehicles that were tested by the initial deadline, and by other milestones in the cycle;
- (ii) A report on the program's efforts to detect and enforce against motorists falsely changing vehicle classifications to circumvent program requirements, and the frequency of this type of activity; and
- (iii) The number of enforcement system audits, and the error rate found during those audits.

(4) Sticker-based enforcement systems shall provide the following additional information:

- (i) A report on the program's efforts to prevent, detect, and enforce against sticker theft and counterfeiting, and the frequency of this type of activity;
- (ii) A report on the program's efforts to detect and enforce against motorists falsely changing vehicle classifications to circumvent program requirements, and the frequency of this type of activity; and
- (iii) The number of parking lot sticker audits conducted, the number of vehicles surveyed in each, and the noncompliance rate found during those audits.

Biennial Report

In addition to the annual reports identified above, programs are required by 40 CFR 51.366(e) to submit to their EPA Regional Office by July of every other year, biennial reports addressing:

- (1) Any changes made in program design, funding, personnel levels, procedures, regulations, and legal authority, with detailed discussion and evaluation of the impact on the program of all such changes; and
- (2) Any weaknesses or problems identified in the program within the two-year reporting period, what steps have already been taken to correct those problems, the results of those steps, and any future efforts planned.

(ii) Respondent Activities

When responding programs were originally preparing to submit the first round of the above-listed summary data for this approved information collection, the respondents had to pursue the activities identified below. Several of these activities were essentially one-time efforts (such as pursuing legal authority and constructing testing sites) required to comply with the Act's mandate that such programs be implemented in the first place, while others are activities that are currently conducted for the sake of ongoing program implementation, management, and enforcement, and would therefore be pursued regardless of this information collection. Such activities have been identified here as common business practice (CBP), even though, properly speaking, the respondent entities are representatives of state government agencies or departments. Respondent activities have been separated for the annual and biennial reports, and separate burden estimates are provided for each in section 6 of this submittal.

Annual Report

- Read the I/M regulation (CBP)
- Review the regulatory provisions addressing the annual reporting requirement and assess respondent responsibility
- Secure necessary legal authority to establish program (CBP)
- Develop the regulatory basis for the program (CBP)
- Prepare a SIP and submit to EPA (CBP)
- Receive appropriate training relative to program operation (CBP)
- Begin program implementation (i.e., establish testing sites, begin testing, etc.) (CBP)
- Gather test and quality control information and review for accuracy (CBP)
- Analyze the test and quality control data (CBP)
- Based upon analysis of data, begin enforcement efforts against motorists, stations, and inspectors (CBP)
- Complete written or electronic “paperwork” associated with enforcement and program oversight efforts (CBP)
- Store, file, and maintain all relevant program records and information (CBP)
- Assemble existing reports in preparation for summarization
- Prepare annual summaries of program operating statistics for the enforcement mechanism, the quality assurance system, the quality control program, and the testing element based upon existing, internal reports
- Review summary information for accuracy

- Prepare and submit annual report to EPA (or otherwise provide EPA access to the required information)

Biennial Report

In addition to the above activities associated with the submittal of the annual information collection, I/M programs must also submit a biennial report that addresses program changes since the last reporting period, including any program weaknesses identified and improvements made. Again, many of these activities, given their importance in the areas of effective program management and helping to ensure that program resources are not wasted or abused, will need to be pursued internally regardless of this external reporting requirement. As such, many of these activities are designated as CBP.

- Track and record all changes made in program design, funding, personnel levels, procedures, regulations, and legal authority
- Conduct an evaluation of the impact on the program of all such changes (CBP)
- Conduct periodic internal investigations to discover and correct weaknesses (CBP)
- Track and record all such weaknesses or problems identified in the program within the two-year reporting period, and the steps taken to correct those problems
- Evaluate the results of those steps (CBP)
- Assemble and report the above required information, including any future efforts planned to the local EPA Regional Office

5. Agency Activities, Methods, and Information Management

5(a) Agency Activities

In implementing the I/M information collection, EPA does the following:

- Answers respondent questions
- Reviews individual annual and biennial reports
- Meets with its Regional Offices to review and discuss collective findings, trends
- Through its Regional Offices, communicates the findings of individual reviews to individual responding states

5(b) Collection Methodology and Management

Respondents have the option to supply their data in either hardcopy or electronically, and are free to adopt whatever reporting format results in the least burden for the respondent, while also addressing the data elements listed in this ICR. EPA is aware of at least one Regional Office which has been granted limited, online access to a state's I/M database so the Region itself may generate the required data summary reports when they are due.

The information received from I/M programs has been used by EPA Regional Offices to assess specific state programs and their success in complying with the I/M requirements as well as their approved SIPs. As part of this assessment, EPA's Regional Offices conduct follow-up conversations with their states to discuss possible program improvements or corrective actions necessary to address anomalies (if found). When an anomaly discovered in the reported summary information cannot be resolved by the State and/or Region, EPA Headquarters has helped to determine whether the anomaly is the result of local conditions or is perhaps indicative of a larger, national trend. In such situations, EPA Headquarters has worked with the State and the Region to identify and address the causes of the anomaly. Information regarding the resolution of such cases – to the extent it may be relevant outside the program in question – are made available to other states, Regions, and the public in general through various communication vehicles, including monthly conference calls with the EPA Regions, a bimonthly stakeholder call with the I/M states, and the I/M Clearinghouse web site, currently managed by Weber State University under a grant from EPA. The last of these may be accessed at the following:
<http://www.obdclearinghouse.com/>

5(c) Small Entity Flexibility

This section is not applicable. The respondents to the I/M ICR are not small business entities but state governments and their representatives.

5(d) Collection Schedule

Under the original 1992 I/M rulemaking, basic I/M programs were required to begin reporting by July 1995, with the first biennial report coming due in July 1996. Enhanced I/M programs were required to begin reporting by July 1996, with the first biennial report coming due in July 1997. Currently – and for simplicity sake – the reporting schedule is as follows: all required I/M programs must submit their annual I/M summary data reports by July of each year. Basic I/M programs must submit the required biennial report in even numbered years, and enhanced I/M programs must submit the biennial report in odd numbered years. If, for administrative reasons, it is easier for a given program to combine its biennial report with its annual report and submit the combined report annually, EPA will accommodate the state's preference in this regard.

6. Estimating Burden and Cost

6(a) Estimating Respondent Burden

The burden estimates for both the recordkeeping and annual reporting requirements were made using professional judgment. Recordkeeping activities are assumed to be routine, automated, and conducted primarily for the effective management of the program. Nonetheless, an hour of burden has been assumed for this category. The estimate of the burden for information gathering by technical staff for the annual report is conservative based upon EPA's previous

experience working with states as they respond to the I/M reporting requirements. See 6(e)(i) Respondent Tally below.

6(b) Estimating Respondent Costs

(i) Estimating Labor Costs

Given that the respondents to this ICR are state government employees, in managerial, technical, and clerical positions, the federal government's General Schedule was adopted as a yardstick for estimating hourly labor rates. To ensure that our estimates are conservative, only the higher ranges of these categories were used. For the clerical category, GS-8 was used, while GS-13 was selected to represent the technical position, and GS-15 was used as the basis for calculating management labor rates. For each GS category, EPA used the step 3 level, to reflect the assumption that state and local burden hours would be completed by experienced staff in each category.¹ EPA then multiplied these hourly rates by the standard government overhead factor of 1.6.² This calculation results in a state and local cost of \$31.39, \$59.79, and \$83.10 per burden hour for clerical, technical, and managerial burden hours, respectively. Calendar year 2015 was chosen as the base year. The resulting labor rates are shown in the table below:

Table 1. Hourly Labor Rates, By Category, Adjusted for Overhead Factor

Hours Rates	Clerical (GS-8.3)	Technical (GS-13.3)	Managerial (GS-15.3)
2015 base year	<u>19.62</u>	<u>37.37</u>	<u>51.94</u>
Adjusted by the overhead factor 1.6	<u>31.39</u>	<u>59.79</u>	<u>83.10</u>

(ii) Estimating Capital and Operations and Maintenance Costs

The cost and labor associated with this ICR have not been included in the current burden estimates. Some of the ongoing costs associated with running an I/M program include the cost of calibrating and maintaining the test equipment and the training, licensing, and labor costs associated with the inspectors used to run the equipment. These costs are imposed by the CAA

¹ January 2015, U.S. Office of Personnel Management, Salary Table 2015-GS, http://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2015/GS_h.pdf

² U.S. Department of Labor Department, www.dol.gov.

requirement that a given area adopt and operate an I/M program and would be incurred even without the reporting requirements covered by the ICR proposed for renewal.

(iii) Annualizing Capital Costs

There are no annualized capital costs.

6(c) Estimating Agency Burden and Cost

The estimates of each class of hours needed to handle the burdens associated with this ICR are based upon the experience EPA has had in handling similar tasks such as assembling and processing pre-audit information from individual states on an as-needed basis. The labor categories and hourly labor rates are the same as those used for the respondent burden estimates, and are decidedly conservative. The collection activities covered by this estimate include time spent answering questions concerning the collection; reviewing the data submissions; recording the data submissions; analyzing and storing the data; summarizing the data; and drafting an internal report comparing the state submissions for red flags and/or best practices. See 6(e)(ii) The Agency Tally below.

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

The respondent universe consists of the states required by the CAA to implement I/M programs either because of their nonattainment status for ozone, or because of their location within the Northeast Ozone Transport Region (OTR). Currently, the number of such states is 27, plus the District of Columbia, for a total respondent universe of 28. It does not include states with voluntary I/M programs approved as either SIP-strengthening measures or as part of a maintenance plan. EPA estimated the total respondent burden and costs for this ICR using the following equation:

$$\text{Number of states implementing I/M} \times \text{Number of burden hours for each state} \times \text{Cost per hour}$$

6(e) Bottom Line Burden Hours and Cost Tables

Table 2. Bottom Line Annual Burden and Cost

Number of respondents	28	27 states plus D.C.
Total annual respondents	28	One response per respondent
Hours per respondent	86	Tables 3 and 4

Cost per respondent	\$5,267	Tables 3 and 4
Total respondent hours	2,408	Hours per resp. x 28
Total respondent cost	\$147,476	Cost per resp. x 28
Total Agency hours	194	Table 5
Total Agency cost	\$10,687	Table 5

(i) Respondent Tally

Table 3. Respondent Burden Hours & Cost for Annual Report

<u>Collection Activity</u>	<u>Managerial Hours</u>	<u>Technical Hours</u>	<u>Clerical Hours</u>	<u>Burden Hours</u>	<u>Annual Costs</u>
1. Read regulatory provisions	1	1		2	\$142.89
2. Assess data requirements		8		8	\$478.32
3. Assemble reports & data		16		16	\$956.64
4. Review information for accuracy		8		8	\$478.32
5. Summarize information		4		4	\$239.16
6. Prepare and submit report		4	1	5	\$270.55

7. Record, store, & maintain files		1		1	\$59.79
Total	1	42	1	44	\$2,626

Table 4. Respondent Burden Hours & Cost for Biennial Report

<u>Collection Activity</u>	<u>Managerial Hours</u>	<u>Technical Hours</u>	<u>Clerical Hours</u>	<u>Burden Hours</u>	<u>Annual Costs</u>
1. Track/record program change		16		16	\$956.64
2. Track/record weakness/correction		16		16	\$956.64
3. Assemble/report findings/future plans	16	32	4	52	\$3,368.44
Total	16	64	4	84	\$5,282

Annual burden hours

per respondent

$$\begin{aligned}
 &= (\text{Hr. of annual report}) + (\text{Hr of biennial report})/2 \\
 &= 44 + 84/2 \\
 &= 86
 \end{aligned}$$

Annual burden cost

per respondent

$$\begin{aligned}
 &= \$2,626 + (\$5,282) / 2 \\
 &= \$5,267
 \end{aligned}$$

Annual total burden hours for all respondents:

$$\begin{aligned}
 &= (\text{annual burden hours per respondent}) \times (\text{total number of respondents}) \\
 &= 86 \times 28 \\
 &= 2,408
 \end{aligned}$$

Annual total burden costs for all respondents

$$\begin{aligned}
 &= (\text{annual burden cost per respondent}) \times (\text{total number of respondent}) \\
 &= \$5,267 \times 28 \\
 &= \$147,476
 \end{aligned}$$

(ii) The Agency Tally

Table 5. EPA Burden Hours & Cost per Annual & Biennial Report

<u>Collection Activity</u>	<u>Managerial Hours</u>	<u>Technical Hours</u>	<u>Clerical Hours</u>	<u>Burden Hours</u>	<u>Annual Costs</u>
1. Answer questions	4	34		38	\$2,365.26
2. Review data submissions		34		34	\$2,032.86
3. Record data submission			34	34	\$1,067.26
4. Analyze data and store		4		4	\$239.44
5. Summarize data & report	8	68	8	84	\$4,981.64
Total	12	140	42	194	\$10,687

(iii) Variations in the Annual Bottom Line

The bottom line burden hours and costs appear in Table 2. Total annual respondent burden associated with this ICR is estimated to be approximately 2,408 burden hours. The corresponding total annual respondent costs are estimated to be \$147,476. Total national burden, including respondent burden and EPA burden, is estimated to be 2,652 hours annually. The total national cost, for respondents and EPA, is estimated to be \$158,163 annually. EPA does not anticipate a significant variation (>25%) in the annual respondent reporting/recordkeeping burden or cost over the course of the clearance period it has requested.

6(f) Reasons for Change in Burden

There has been no change in the number of respondents or respondent burden hours since this ICR was last renewed in 2012. The individual cost per respondent has risen, due to increases in the Office of Personnel Management's hourly wage estimates for clerical, technical, and

managerial positions used to estimate the cost of the respondent's burden. Total agency burden and cost have gone down because this renewal has been updated to remove the one-time start-up costs associated with the original ICR and rulemaking which were decades old and no longer relevant to the current renewal period. As a result, the total number of burden hours has come down from 2012 to reflect the updating of the Agency burden calculation. The total burden cost is only marginally higher than in 2012 because the change in Agency costs only partially offset the increase in labor costs.

6(g) Burden Statement

The public reporting burden for the collections included in this ICR is detailed above. The annual burden per response is estimated to be 86 hours. These estimates include time for summarizing data as well as reporting summaries. According to the Paperwork Reduction Act of 1995, "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.

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-2008-0707, which is available for 1online viewing at www.regulations.gov, 1or in person viewing at the Air Docket in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Ave., NW, Washington, DC. The EPA/DC Public Reading Room 1is 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 at 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, D.C. 20503, Attention: Desk Officer for EPA. Please include the EPA Docket ID Number Docket ID No. EPA-HQ-OAR-2008-0707 and OMB Control Number 2060-0252 in any correspondence.