

Request for a Non-Substantive Change to Existing Approved Information Collections

Class I and Class II Controlled Substances including Methyl bromide

I. Introduction

What Information Collection Request (ICR) is EPA changing?

ICR Title: Recordkeeping and Periodic Reporting of the Production, Import, Recycling, Destruction, Transshipment, and Feedstock Use of Ozone-Depleting Substances

ICR Numbers: EPA ICR No. 1432.32; OMB Control No. 2060-0170

ICR Title: Reporting and Recordkeeping Requirements of the HCFC Allowance System

ICR Numbers: EPA ICR No. 2014.07; OMB Control No. 2060-0498

ICR Title: Protection of Stratospheric Ozone: Critical Use Exemption from the Phaseout of Methyl Bromide

ICR Numbers: EPA ICR No 2031.08; OMB Control No. 2060-0482

What is the Current Status of this ICR?

The Protection of Stratospheric Ozone: Critical Use Exemption from the Phaseout of Methyl bromide ICR is currently approved through August 2018, the Recordkeeping and Periodic Reporting of the Production, Import, Recycling, Destruction, Transshipment, and Feedstock Use of Ozone-Depleting Substances ICR is currently approved through October 2018, and the Reporting and Recordkeeping Requirements of the HCFC Allowance System ICR is currently approved through May 2019.

Why is EPA Requesting a Non-Substantive Change?

EPA is updating its reporting forms for class I ozone-depleting substances (ODS), including methyl bromide, and class II ODS to accommodate the transition to an enhanced electronic reporting system. This request for a non-substantive change identifies changes to the existing, approved ICRs related to EPA's further implementation of an electronic reporting option under the Government Paperwork Elimination Act for ozone-depleting substances. The changes include the form and format of the collection. EPA is not adding any new requirements to the electronic reporting forms or to the import petition process. EPA is only amending the electronic forms to be consistent with regulations and the paper reporting forms.

II. Overview

The ODS Tracking System (ODSTS) is a database system that serves as the primary vehicle for tracking the production and consumption of class I and class II controlled substances in the United States. The ODSTS currently allows producers, importers, and exporters of class I (excluding methyl bromide) and class II substances and class I laboratory suppliers to submit quarterly and annual reports electronically; all other reports required under 40 CFR Part 82.13, 82.20, and 82.24 must be submitted to EPA in hardcopy.

EPA is updating the electronic reporting option for those who submit required data under the current approved ICRs to provide the option of electronic reporting of all forms and the import petition process through the Agency's Central Data Exchange (CDX). CDX is EPA's electronic system for environmental data exchange to the Agency. CDX also provides the capability for submitters to access their data through the use of web services. CDX enables EPA to work with stakeholders, including governments, regulated industries, and the public to enable streamlined, electronic submission of data via the Internet. For more information about CDX, go to <http://epa.gov/cdx>

Does this change require a rulemaking?

No, a rulemaking is not needed for these changes. The current regulations and ICRs cover all reporting elements included in these modified forms.

III. Description of Non-Substantive Changes

Where are the changes that EPA is making to this ICR?

EPA is making two distinct changes to the ICRs. First, EPA will be consolidating and/or retiring select reporting forms. Specifically, 22 hardcopy forms and eight electronic forms are being consolidated into 18 electronic forms; 4 hardcopy forms are being retired. The consolidation and movement away from hardcopy only forms will decrease burden on the regulated community. EPA will be making a number of adjustments to specific forms to ease use, and finally adding the option of electric reporting through CDX for the import petition process.

Which Forms will EPA be Updating?

EPA will be consolidating the existing forms into the following electronic forms:

- Class I Producer Quarterly Report (EPA Form 5900-151) (OMB Control No. 2060-0170),
- Class I Importer Quarterly Report (EPA Form 5900-150) (OMB Control No. 2060-0170),
- Class I Exporter Annual Report (EPA Form 5900-149) (OMB Control No. 2060-0170),
- Second-Party Transformation Annual Report (EPA Form 5900-147) (OMB Control No. 2060-0170),
- Second-Party Destruction Annual Report (EPA Form 5900-148) (OMB Control No. 2060-0170),
- Class II Producer Quarterly Report (EPA Form 5900-202) (OMB Control No. 2060-0498),
- Class II Importer Quarterly Report (EPA Form 5900-200) (OMB Control No. 2060-0498),
- Class II Exporter Quarterly Report (EPA Form 5900-199) (OMB Control No. 2060-0498),
- Class I Lab Supplier Quarterly Report (EPA Form 5900-153) (OMB Control No. 2060-0170),
- Class II Trades (EPA Form 5900-205) (OMB Control No. 2060-0498),
- Class II Request for Additional Consumption Allowances (EPA Form 5900-201) (OMB Control No. 2060-0498),
- Methyl Bromide Producer Quarterly Report (EPA Form 5900-141) (OMB Control No. 2060-0482),
- Methyl Bromide Importer Quarterly Report (EPA Form 5900-144) (OMB Control No. 2060-0482),
- Methyl Bromide Exporter Quarterly Report (EPA Form 5900-140) (OMB Control No. 2060-0482),
- Methyl Bromide Distributor of QPS Quarterly Report (EPA Form 5900-155) (OMB Control No. 2060-0170), and
- Methyl Bromide Pre-2005 Stocks Annual Report (EPA Form 5900-142) (OMB Control No. 2060-0482).

What Changes will EPA be Making?

EPA is using this ICR as an opportunity to clarify language, eliminate unnecessary reporting items, consolidate the number of forms, and add validation to the forms to reduce user error. All changes are consistent with the regulatory requirements at 40 CFR 82.13 and 82.24 and the existing ICRs. Below are the changes we are making:

- Removing data fields related to essential use allowances that are no longer available from the Essential Use Allowance Holders & Laboratory Supplier Quarterly Report and Essential Use Allowance Holder Annual Report
- Harmonizing treatment of several data fields to ensure comprehensive reporting in the newly consolidated electronic forms:
 - Shipment and sales data for select intended uses in the Producer and Importer forms.
 - Shipment importer number in all Importer forms.
 - Shipment Employer Identification Number (EIN) in all exporter forms.
 - Commodity code in the Request for Additional Consumption Allowances, Exporter and Importer forms.
- Replacing the fields related to the current allowance balance with auto-populated fields on the quantity of allowances expended in the Trade forms and methyl bromide and class II Producer and Importer forms.
- Auto-populating the import summary in all Importer forms.
- Auto-populating the export summary in all Exporter forms.
- Auto-populating the number of allowances subtracted from the transferors allowance balance and the number of allowances being received in the Trades forms.
- Removing the field for HCFC-141b exemptions in the class II Producer and Importer forms since the exemptions are no longer available.
- Removing the port of exit from source country data field from the Methyl Bromide Importer Quarterly Report.
- Removing the data field for contact person fax number from all forms.
- Consolidating the three Second Party Transformation and Second Party Destruction forms into one Second Party Transformation and Second Party Destruction form for all chemical classes.

What is Changing in the Import Petition Process?

EPA established a petition process to provide information for controlling the import of ozone-depleting materials. Under 40 CFR 82.13(g)(2) and 82.24(c)(3), companies wanting to import used, recycled, or reclaimed controlled substances must provide detailed information in a petition about the previous and future intended use of the substance.

- EPA is using this ICR Change Request as an opportunity to create optional electronic reporting through CDX for the import petition process for used class I and II controlled substances as per 40 CFR 82.13(g) and 82.24(c)(3). Currently, information is provided via email or mail. To reduce errors and the need for resubmission of missing or inaccurate information, EPA will collect the same information currently covered in the existing ICRs and regulations using fillable fields in CDX.

IV. Bottom Line Burden Changes

The changes to the forms outlined above are not expected to have a significant, if any, impact on the respondent burden. The new ability to submit reports electronically may even reduce the respondent burden per activity by up to 0.5 hours. In total, annual savings associated with moving to electronic reporting could be as high as \$25,000 per year. When EPA submits these three ICRs for renewal later in

2018, it will fully capture the expected change in burden associated with greater use of electronic reporting. EPA is not adding any additional requirements.