

## **PART A OF THE SUPPORTING STATEMENT**

### **1. Identification of the Information Collection**

*(a) Title and Number of Information Collection.*

"National Volatile Organic Compound Emission Standards for Architectural Coatings." The Environmental Protection Agency (EPA) tracking number for this information collection request (ICR) is 1750. 08. This is a renewal of a continuing ICR, OMB No. 2060-0393, which is due to expire April 30, 2018.

*(b) Short Characterization.*

The National Volatile Organic Compound Emission Standards for Architectural Coatings regulation requires that manufacturers and importers of architectural coatings adhere to volatile organic compound (VOC) content limits in the regulation. Information collection requirements for manufacturers and importers complying with the VOC content limits consist of product labeling; an initial notification report, which includes an explanation of any date code used; and subsequent explanations of any date codes revised after submittal of the initial report. The regulation does not contain any additional reporting or recordkeeping requirements unless a manufacturer or importer chooses to comply through one of the optional provisions in lieu of meeting the VOC content limits (i.e., the tonnage exemption, exceedance fee, or recycled coating credit provisions). All records required under the rule must be retained for three years.

The rule contains an optional tonnage exemption that allows each manufacturer and importer to exempt a specified total mass of VOC in architectural coatings. The tonnage exemption would be used for products that do not comply with the VOC content limits and for which no exceedance fee is paid. Additional information collection requirements for the tonnage exemption include records of VOC calculations and volumes of coating manufactured or imported and an annual report.

The rule includes an exceedance fee alternative compliance option to provide additional compliance flexibility. This is an economic incentive approach whereby manufacturers and importers may choose to comply with the VOC requirements in the rule by paying a fee in lieu of meeting the VOC content limits. The per product exceedance fee is calculated based on both the volume of product manufactured or imported and the amount of VOC

above the VOC content limit for that product. Additional information collection requirements for the exceedance fee option include records of fee calculations and inputs and an annual report.

Manufacturers and importers of recycled coatings have the option to take credit for the post-consumer coating content when determining the VOC content of the coating, which results in a less stringent control requirement. Additional information collection requirements for the recycled coating option include records of VOC calculations, additional labeling, and an annual report.

The rule requires that the labels or lids of all subject architectural coatings display the date of manufacture, the manufacturer's recommended thinning, and the VOC content of the coating. Many manufacturers and importers already include this information on their coating labels as a part of normal and usual practice. For additional flexibility, the date of manufacture can be expressed as a code and can be located either on the label, lid, or bottom of the container. The rule also requires that the labels or lids of all subject industrial maintenance coatings display a statement indicating that industrial maintenance coatings are primarily intended for industrial and professional use. In addition, each manufacturer and importer using the adjusted VOC content for a recycled coating is required to include a statement indicating the post-consumer coating content on the coating container label or lid.

*(c) Terms of OMB Clearance.*

The Office of Management and Budget (OMB) approved the previous on April 30, 2015, without change and with no Terms of Clearance.

## **2. Need for and Use of the Collection**

*(a) Need/Authority for the Collection.*

1 Section 183(e) of the Clean Air Act (CAA) requires EPA to regulate categories of consumer and commercial products that account for at least 80 percent of the VOC emissions, on a reactivity-adjusted basis, in areas that violate the National Ambient Air Quality Standards for ozone. The EPA determined that the architectural coating category is one of the largest VOC emission sources among the consumer and commercial products categories, in many States represents a significant source of unregulated VOC emissions, and that VOC emissions from the use of architectural coatings contribute to ground-level ozone formation in ozone nonattainment areas.

Therefore, EPA published standards regulating VOC emissions from architectural coatings under section 183(e) of the CAA on September 11, 1998 (40 CFR part 59, subpart D).

The reporting, labeling, and recordkeeping activities required under the architectural coatings rule enable EPA to determine if coatings manufactured or imported for sale or distribution in the United States are in compliance with the requirements in the rule. Reports and records are used to determine whether exceedance fees (if applicable) are paid for coatings for which the manufacturer or importer has chosen the exceedance fee option. For the tonnage exemption, the reports and records are used to ensure that the allowed exemption levels are not exceeded. Reports, records, and product labels associated with the recycled coatings provision are used to ensure that the adjusted VOC content is calculated properly.

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

The data collected under this ICR are essential to ensure compliance with the rule and to evaluate its effectiveness. Specifically, Agency enforcement personnel use the information collected to: (1) identify manufacturers and importers subject to the rule; (2) ensure that architectural coatings comply with VOC content standards, including accounting for recycled coating content; (3) verify that exceedance fees are calculated properly and paid in the correct amounts; (4) determine the volume of coating manufactured or imported for which fees are paid; (5) determine the total revenues paid in exceedance fees; and (6) verify that the VOC content of the coatings is calculated properly for the tonnage exemption and that the exemption levels are not exceeded. The reported information assists EPA in deciding which architectural coating manufacturers or importers should be inspected. The requirement for date of manufacture (or date code) to be placed on coating containers is useful to EPA for comparison to manufacturers' records and reports to determine compliance with VOC content limits, and with the exceedance fee and tonnage exemption requirements.

### **3. Nonduplication, Consultations, and Other Collection Criteria**

*(a) Nonduplication*

1 The information collected pursuant to the regulation consists primarily of the VOC content information for architectural coating products, the calculation of exceedance fees due, the calculation of total VOC emissions from particular products claimed under the tonnage exemption, and the

calculation of the post-consumer coating content of recycled coatings. This information is not collected by any other Federal agency.

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

On October 16, 2017 EPA published a notice in the *Federal Register* (82 FR 48076) entitled, *Agency Information Collection Activities: Proposed Collection; Comment Request; National Volatile Organic Compound Emission Standards for Architectural Coatings*. The purpose of the notice was to announce that EPA was planning to submit this continuing ICR to OMB for review and approval, and to solicit comments on the proposed continued collection. EPA received no comments during the comment period.

*(c) Consultations*

Significant input and information was received from the affected industry, State and local governments, and environmental groups during development of the rule. In addition, in preparing to submit this ICR to OMB for renewal, EPA contacted parties within the affected industry to obtain information on the universe of affected sources and feedback on accuracy of the burden estimates. We received no feedback from the industry representatives on the universe of affected sources or accuracy of the burden except to say they didn't think anything had changed since the previous renewal.

**TABLE 1**

**CONSULTATIONS**

David Darling	National Paint and Coatings
Association	
Jennifer McArdle	PPG
Barry Cupp	Sherwin Williams

*(d) Effects of Less Frequent Collection.*

1 This ICR includes a one-time initial notification report for all manufacturers and importers. For those reporting VOC content adjusted for post-consumer coating content, an annual report is required. For those using the tonnage exemption option, an annual report is required. For those using the exceedance fee option, an annual report is required. Less frequent reporting would not allow for effective or timely compliance determination. The EPA believes annual reporting is frequent enough to provide the

information needed for compliance tracking without being too burdensome on the industry or the Agency.

*(e) General Guidelines.*

This ICR adheres to the guidelines for Federal data requesters, as provided at 5 CFR 1320.6. The regulation requires that records be maintained for 3 years. This period of record retention is consistent with other ongoing similar programs and allows enough record history for inspectors to adequately monitor compliance.

*(f) Confidentiality.*

*(i) Confidentiality.*

All information submitted to the Agency for which a claim of confidentiality is made will be safeguarded according to the Agency policies set forth in Title 40, Chapter 1, Part 2, Subpart B--Confidentiality of Business Information (see 40 CFR 2; 41 FR 36092, September 1, 1976; amended by 43 FR 39999, September 8, 1978; 43 FR 42251, September 28, 1978; 44 FR 17674, March 23, 1979).

*(ii) Sensitive Questions.*

This section is not applicable because this ICR does not involve matters of a sensitive nature.

#### **4. The Respondents and the Information Requested**

*(a) Respondents/SIC and NAICS Codes.*

1 Respondents to this information collection are manufacturers and importers of architectural coatings. Manufacturers of architectural coatings fall within North American Industry Classification System (NAICS) 325510, "Paint and Coating Manufacturers," and Standard Industrial Classification (SIC) 2851, "Paints, Varnishes, Lacquers, Enamels, and Allied Products." Importers of architectural coatings fall within NAICS 424950, "Paint, Varnish and Supplies Merchant Wholesalers," and SIC 5198, "Wholesale Trade: Paints, Varnishes, and Supplies."

*(b) Information Requested.*

*1(i) Data items, including recordkeeping requirements.*

Attachment 1, Source Data and Information Requirements, summarizes the labeling, recordkeeping, and reporting requirements. All records required under the rule must be retained for 3 years.

*(ii) Respondent activities.*

Table 2 presents the labeling, recordkeeping and reporting activities, and burdens for the rule. The respondent activities required by the standards are listed in the first column of Table 2.

Several states regulate architectural coatings and require certain labeling, recordkeeping, and reporting activities. The regulation includes similar requirements, to the extent practical, to minimize the cumulative burden to the industry. 1

**TABLE 2. AVERAGE ANNUAL INDUSTRY BURDEN AND COST OF REPORTING AND RECORDKEEPING OVER THE 3-YEAR PERIOD BEGINNING JANUARY 1, 2018, FOR MANUFACTURERS AND IMPORTERS COMPLYING WITH THE STANDARDS FOR ARCHITECTURAL COATINGS**

Burden Item	(A) Person Hours Per Occurrence (hrs/manufacturer)	(B) Number of Occurrences Per Respondent Per Year	(C) Person Hours Per Respondent Per Year (a) (C=AxB)	Dollars Per Hour	(D) Respondents per Year	(E) Total Hours Per Year (E=CxD)	(F) Total Cost Per Yearb
<b>1. Applications</b>	<b>Not applicable</b>						
<b>2. Surveys and Studies</b>	<b>Not applicable</b>						
<b>3. Reporting Requirements</b>							
<b>A. Read Instructions</b>	2	1	2	\$99	5c	10	\$990
<b>B. Gathering Existing Information</b>	<b>Included in 3. C</b>						
<b>C. Write Report</b>							
<b>Initial Report</b>	2	1	2	\$99	5c	10	990
<b>Date Code Explanation</b>	1	1	1	\$99	5c	5	495
<b>Update Date Codes</b>	2	1	2	\$99	50d	100	9,900
<b>Recycled Coatings Report - Mass Balance</b>	6	1	6	\$99	12. 5e	75	7,425
<b>Recycled Coatings Report - Formulation</b>	4	1	4	\$99	12. 5e	50	4,950
<b>Exceedance Fee Annual Report</b>	8	1	8	\$99	45f	360	35,640
<b>Tonnage Exemption Annual Report</b>	8	1	8	\$99	75g	600	59,400

	Burden Item	(A) Person Hours Per Occurrence (hrs/manufacturer)	(B) Number of Occurrences Per Respondent Per Year	(C)	Dollars Per Houra	(D) Respondents per Year	(E) Total Hours Per Year (E=CxD)	(F) Total Cost Per Yearb
				Person Hours Per Respondent Per Year (a) (C=AxB)				
4.	<b>Recordkeeping Requirements</b>							
A.	Read Instructions	Included in 3. A						
B.	Plan Activities	8	1	8	\$115 <sup>a</sup>	5c	40	4,600
C.	<b>Implement Activities</b>							
	Calculate VOC content for Each Product	42h	1	42	\$99	5c	210	20,790
	Calculate Adjusted VOC for Recycled Coatings	20	1	20	\$99	25i	500	49,500
	Exceedance Fee - Calculations	64	1	64	\$99	45f	2,880	285,120
	Tonnage Exemption Calculations	16	1	16	\$99	75g	1,200	120,780
D.	<b>Record Data</b>							
	Recycling Volumes	8	12	96	\$99	25i	2,400	237,600
	Exceedance Fee	8	1	8	\$99	45f	360	35,640
	Tonnage Exemption	4	1	4	\$99	75g	300	29,700
E.	Time to Train Personnel	Not applicable						
5.	Labeling	67j	1	67	\$99	83k	5,561	550,539
<b>Total</b>							<b>14,661</b>	<b>\$1,454,059</b>





## Key for Table 2

- a All tasks are assumed to be performed by a technical person (\$99/hr) unless otherwise noted. Activities planning is assumed to be performed by a manager (\$115/hr).
- b Costs were calculated by multiplying the total number of hours by the hourly wages.
- c Total number of manufacturers and importers is estimated to be 500; 1 percent or 5 new respondents per year are assumed.
- d Assumed that 10 percent of manufacturers and importers update some data codes each year.  $(500 \text{ manufacturers}) (0.10) = 50 \text{ manufacturers}$ .
- e Assumed that 5 percent of manufacturers and importers recycle coatings  $(500 \text{ manufacturers}) (0.05) = 25 \text{ manufacturers}$ . Of the 25 manufacturers, assumed half of the recycle coating manufacturers and importers would demonstrate compliance using mass balance and the other half using formulations.
- f Based on exceedance fee reports received in 2009 (52) and 2010 (39), it is estimated that 45 exceedance fee reports will be submitted per year.
- g Assumed that 75 manufacturers and importers will use the tonnage exemption option.
- h Based on a time estimate of 1 hour per coating product.  $(1 \text{ hour/product}) (42 \text{ products/manufacturer}) = 42 \text{ hours/manufacturer}$ .
- i Assumed that 5 percent of manufacturers and importers recycle coatings.  $(500 \text{ manufacturers}) (0.05) = 25 \text{ manufacturers}$ .
- j Based on an industry estimate of 320 hours needed to modify labels for a company with 200 paint products, or 1.6 hours per product.  $(1.6 \text{ hours/product}) (42 \text{ products/manufacturer}) = 67 \text{ hours/manufacturer}$ .
- k Assumed that half of the manufacturers and importers would have to modify their labels over 3 years.  $(500 \text{ manufacturers}) (0.5)/(3 \text{ years}) = 83 \text{ manufacturers and importers per year}$ .

## **5. The Information Collected--Agency Activities, Collection Methodology, and Information Management.**

### *(a) Agency Activities.*

A list of activities required of the EPA is provided in Table 3.

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

The information collected under this rule will be maintained in a computerized database. As noted in section 2(b) of this ICR, the information collected is a necessary part of compliance determination.

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

Although the rule does not contain any specific small entity provisions, the rule contains two provisions that may reduce the burden of this rule on small entities. These provisions are the exceedance fee provision and the tonnage exemption.

### *(d) Collection Schedule.*

1 The rule requires all manufacturers and importers of subject coatings to submit an initial notification report no later than September 13, 1999 (March 13, 2000 for products registered under the Federal Insecticide, Fungicide, and Rodenticide Act), or within 180 days after becoming subject to the rule, whichever is later. All manufacturers and importers of subject coatings must submit an explanation of any new date code no later than 30 days after the new date code is first used.

Manufacturers and importers choosing the recycled coating provision must submit an annual report by March 1 following the year in which the recycled coating provision is used. Manufacturers and importers choosing the exceedance fee provision must submit an annual report by March 1 following the calendar year in which the coatings for which the fee provision is used are manufactured or imported. Manufacturers and importers choosing the tonnage exemption must submit an annual report by March 1 of the year following the calendar year in which the exemption was claimed.

TABLE 3. AGENCY BURDEN FOR THE ARCHITECTURAL COATINGS RULE

Reports	A EPA Technical Hours Per Occurrence	B Occurrences Per Year	C Person Hours Per Year (Technical) C = A x B	D Person Hours Per Year (Management) D = C x 0.05	E Person Hours Per Year (Clerical) E = C x 0.1	F Total Cost Per Year <sup>a</sup>
Initial Report <sup>b</sup>	1.0	5	5	0.3	0.5	535
Annual Report: Manufacture of Recycled Coatings - Mass Balance <sup>c</sup>	1.0	12.5	12.5	0.6	1.3	1324
Annual Report: Manufacture of Recycled Coatings - Formulation <sup>c</sup>	0.5	12.5	6.3	0.3	0.6	664
Date Code Reports <sup>b</sup>	0.5	5	2.5	0.1	0.3	265
Date Code Updates <sup>d</sup>	0.5	50	25	1.3	2.5	2653
Annual Report: Exceedance Fee <sup>e</sup>	4.0	45	180	9	18	19062
Annual Report: Tonnage Exemption <sup>f</sup>	2.0	75	150	7.5	15	15885
Maintenance of implementation database	60	1	60	3	6	6357
Totals			441	22	44	\$46,745

a Total cost per year = (column C)(\$95/hr) + (column D)(\$110/hr) + (column E)(\$54/hr).

b Total number of manufacturers and importers is estimated to be 500; 1 percent or 5 new respondents per year are assumed.

c Assumed 25 recycled coating manufacturers; assumed half use mass balance option and half use formulation option.

d Assumed 10 percent of all manufacturers and importers update some date codes each year. (500 manufacturers) (0.10) = 50 manufacturers.

e Assumed 45 manufacturers and importers will pay fees on some coatings (see footnote f in Table 2).

f Assumed 75 manufacturers and importers will use tonnage exemption option.

## **6. Estimating the Burden and Cost of the Collection**

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

The average annual burden estimates for reporting, recordkeeping, and labeling requirements are presented in Table 2 for all affected sources. These numbers were derived from estimates based on EPA's experience with other standards and from information obtained from the industry representatives listed in Table 1. Because this is a renewal of an existing ICR, these estimates represent the average annual burden that will be incurred by the affected industry in the 3-year period beginning January 1, 2018. The hours shown in column A of Table 2 are the burden estimate per manufacturer.

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

Table 2 also presents estimated costs for the required recordkeeping and reporting activities. Industry labor rates are based on an average of occupational wage rates for the affected NAICS groupings 3256 and 3259 (from the United States Department of Labor, Bureau of Labor Statistics, May 2016, <https://data.bls.gov/oes/#/home>). Management wages were based on industrial production managers, technical wages were based on health and safety engineers, and clerical rates were based on production, planning, and expediting clerks. The resultant average wage rates were: management (\$51); technical (\$44); and clerical (\$26). To estimate the actual labor costs to be used in Table 3, an overhead of 125 percent was added to the raw labor rates resulting in the following loaded labor rates: management (\$115); technical (\$99); and clerical (\$59). There are no capital or O&M costs associated with the ICR.

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

Because the information collection requirements were estimated as an incidental part of the standard development, no costs can be attributed to the development of the information collection requirements. Because reporting and recordkeeping requirements on the part of respondents are required under section 183(e) of the Act, no operational costs will be incurred by the Federal government. Examination of records to be maintained by the respondents will occur incidentally as a part of the periodic inspection of sources that is part of the EPA's overall compliance and enforcement program and is not attributable to this ICR. The only costs that the Federal government will incur are costs associated with the review of reported information, as presented in Table 3.

1 Labor rates and associated costs are based on the average hourly rates from the 2018 Office of Personnel Management General Schedule (GS) salary table [https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2018/GS\\_h.pdf](https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2018/GS_h.pdf). Management wages were based on GS-14 pay grade, technical wages were based on GS-13 pay grade, and clerical rates were based on GS-9 pay grade. The resultant average wage rates were: management (\$49); technical (\$42); and clerical (\$24). To estimate the actual labor costs to be used in Table 3, an overhead of 125 percent was added to the raw labor rates resulting in the following loaded labor rates:

management (\$110); technical (\$95); and clerical (\$54). The number of management hours is assumed to equal 5 percent of the number of technical hours; the number of clerical hours is assumed to equal 10 percent of the number of technical hours (see Table 3).

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

1 The respondent universe consists of 500 architectural coating manufacturers. Of these, 75 are considered large manufacturers and importers and 425 are considered small. Due to importers' small market presence (less than 1 percent of total coating sales volume in 1990) and the lack of detailed product data on imported coatings, importers have not been included in this burden estimate.

The annual respondent burden will vary depending on the actual compliance choices that are made by the manufacturer or importer. Specifically, the burden will vary depending on whether the recycled coating, exceedance fee, or tonnage exemption provisions are chosen.

To estimate the industry burden, assumptions were made about the number of manufacturers and importers that would choose each of the optional provisions (see appropriate footnotes in Table 2). Other assumptions were that the number of new respondents submitting the one-time Initial Notification Report and date code explanations will be 1 percent of the total respondent universe of 500, or about 5 per year.

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

*(i) Respondent Tally*

1The bottom line industry burden hours and costs, presented in Table 2, are calculated by summing the total hours per year column (column E) and by summing the total cost per year column (column F). The annual burden and cost to the industry averaged over the 3-year period beginning January 1, 2018, is 14,661 hours and \$1,454,059.

The average annual base reporting, recordkeeping, and labeling burden per manufacturer or importer for this ICR is 29 hours (14,436 hours/500 manufacturers and importers = 29 hours per manufacturer). The actual burden for each manufacturer or importer will vary depending on the compliance choices that they make. Manufacturers and importers that meet all the mandatory requirements and do not select any of the optional requirements will have an annual reporting, recordkeeping, and labeling burden of approximately 12 hours (5,936 hours/500 manufacturers and importers = 12 hours per manufacturer).

Manufacturers and importers that choose the recycled coating provision will have an annual reporting, recordkeeping, and labeling burden of approximately 133 hours (3,025 hours/25 manufacturers and importers = 121 hours per manufacturer or importer; 12 hours + 121 hours = 133 hours per manufacturer). Manufacturers and importers that choose the exceedance fee provision will have an annual reporting, recordkeeping, and labeling burden of approximately 100 hours (5,280 hours/60 manufacturers and importers = 88 hours per manufacturer or importer; 88 hours + 12 hours = 100 hours per manufacturer or importer). Manufacturers and importers that choose the tonnage exemption will have an annual reporting, recordkeeping, and labeling burden of approximately 44 hours (2,400 hours/75 manufacturers and importers = 32 hours per manufacturer or importer; 32 hours + 12 hours = 44 hours per manufacturer or importer).

The total per manufacturer or importer reporting, recordkeeping, and labeling burden is the lowest for manufacturers and importers that meet the VOC content limits, and would be higher for those that choose the optional tonnage exemption, exceedance fee provision, or recycled coating provision.

*(ii) Agency Tally*

The bottom line Agency burden and cost, presented in Table 3 is calculated in the same manner as the industry burden and cost. The estimated annual burden and cost averaged over the 3-year period beginning January 1, 2018, are 441 hours and \$46,745.

*(iii) Variations in the annual bottom line.*

No significant variations in the annual respondent burden or cost are expected over the 3-year period beginning on January 1, 2018.

*(f) Reasons for Change in Burden.*

No significant change in burden is expected compared to the ICR renewal previously approved by OMB.

*(g) Burden Statement*

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 29 hours per respondent. The total reporting and recordkeeping burden for an individual respondent will vary depending on the compliance option(s) chosen. Respondents meeting the VOC content limits will have the lowest reporting and recordkeeping burden. Manufacturers and importers that choose the option of calculating an adjusted VOC content for recycled coatings, paying an exceedance fee, or exercising the tonnage exemption will have a higher reporting and recordkeeping burden. The final rule requires an initial one-time notification from each respondent.

Respondents whose coating products have a VOC content that is less than or equal to the VOC content limits have no periodic requirements. Respondents using the recycled coatings provision must keep records and submit annual reports. Respondents taking advantage of the tonnage exemption must file an annual report and must maintain records for the coatings being claimed under the exemption. Respondents paying an exceedance fee must keep records for each coating product on which fees are paid and submit an annual report.

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 docket for this ICR under Docket ID No. EPA-HQ-OAR-2011-0371, which is available for online viewing at [www.regulations.gov](http://www.regulations.gov), or in person viewing at the Air and Radiation docket in the EPA Docket Center (EPA/DC), Room 3334, EPA WJC West Building, 1301 Constitution Avenue NW, Washington, DC 20460. The EPA/DC Public Reading Room is open from 8:30 a. m. to 4:30 p. m. Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is 202-566-1744, and the telephone number for the Air and Radiation Docket Center 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 Number EPA-HQ-OAR-2011-0371 and OMB Control Number 2060-0393 in any correspondence.

**1Attachment 1**  
**Source Data and Information Requirements**

Requirement	Regulation Reference
LABELING	
<input type="checkbox"/> Date of Manufacture	59. 405(a)(1)
<input type="checkbox"/> Recommendation for thinning	59. 405(a)(2)



Requirement	Regulation Reference
☐ VOC content	59. 405(a)(3)
In addition, for each industrial maintenance coating:	
<p>☐ One of the following statements of use</p> <p>For industrial use only.</p> <p>For professional use only.</p> <p>Not for residential use. or Not intended for residential use. or,</p> <p>This coating is intended for use under the following condition(s): (Include each condition that applies to the coating. )</p> <p>Immersion in water, wastewater, or chemical solutions (aqueous and nonaqueous solutions), or chronic exposure of interior surfaces to moisture condensation;</p> <p>Acute or chronic exposure to corrosive, caustic, or acidic agents, or to chemicals, chemical fumes, or chemical mixtures or solutions;</p> <p>Repeated exposure to temperatures above 120 degrees Celsius (250 degrees Fahrenheit);</p> <p>Repeated (frequent) heavy abrasion, including mechanical wear and repeated (frequent) scrubbing with industrial solvents, cleansers, or scouring agents; or,</p>	59. 405(b)
Exterior exposure of metal structures and structural components	
In addition, for each coating using the optional recycled coating credit:	
☐ The statement "Contains not less than X percent by volume post-consumer coating. " Where "X" is replaced with the percent, by volume, of post-consumer coating	59. 405(c)
RECORDKEEPING	
For each coating for which the optional recycled coating credit is applied:	
☐ Minimum volume percent post-consumer coating content	59. 407(a)(1)
☐ Volume of post-consumer coating received for recycling	59. 407(a)(2)
☐ Volume of post-consumer coating received that was unusable	59. 407(a)(3)
☐ Volume of virgin materials	59. 407(a)(4)
☐ Volume of final recycled coating	59. 407(a)(5)

Requirement	Regulation Reference
<input type="checkbox"/> Calculation of adjusted VOC content	59. 407(a)(6)
For each manufacturer and importer using the optional exceedance fee provision:	
<input type="checkbox"/> A list of the coatings and the associated coating categories in Table 1 of the regulation for which the exceedance fee is used	59. 407(b)(1)
<input type="checkbox"/> Calculation of the annual fee for each coating and the total annual fee for all coatings	59. 407(b)(2)
<input type="checkbox"/> The VOC content of each coating	59. 407(b)(3)
<input type="checkbox"/> The excess VOC content of each coating	59. 407(b)(4)
<input type="checkbox"/> The total volume manufactured or imported per period for each coating	59. 407(b)(5)
<input type="checkbox"/> The annual fee for each coating	59. 407(b)(6)
<input type="checkbox"/> The total annual fee for all coatings	59. 407(b)(7)
For each manufacturer or importer using the optional tonnage exemption:	
<input type="checkbox"/> A list of all coatings and the associated coating categories in Table 1 of the regulation for which the tonnage exemption is claimed	59. 407(c)(1)
<input type="checkbox"/> The VOC content of each coating for which the exemption is claimed	59. 407(c)(2)
<input type="checkbox"/> The annual sales for each coating for which the exemption is claimed	59. 407(c)(3)
<input type="checkbox"/> The megagrams of VOC contained in each coating for which the exemption is claimed, and for all coatings combined for which the exemption is claimed, for the time period the exemption is claimed	59. 407(c)(4)
<b>REPORTS</b>	
Initial report for all manufacturers and importers:	
<input type="checkbox"/> Name and mailing address of the manufacturer or importer	59. 408(b)(1)
<input type="checkbox"/> The street address of each one of the manufacturer's or importer's facilities in the U. S. producing, packaging, or repackaging any architectural coating subject to this subpart.	59. 408(b)(2)
<input type="checkbox"/> List of categories of coatings in Table 1 of the regulation for which the manufacturer's or importer's coatings meet the definition	59. 408(b)(3)
<input type="checkbox"/> Explanation of date code, if applicable	59. 408(b)(4)
Annual report for coatings for which the optional recycled coating credit is applied:	

Requirement	Regulation Reference
<input type="checkbox"/> Minimum post-consumer content of coatings	59. 408(c)(1)
<input type="checkbox"/> Volume of post-consumer coating received for recycling	59. 408(c)(2)
<input type="checkbox"/> Volume of post-consumer coating received that was unusable	59. 408(c)(3)
<input type="checkbox"/> Volume of virgin materials used	59. 408(c)(4)
<input type="checkbox"/> Volume of recycled coating manufactured or imported	59. 408(c)(5)
Annual report for manufacturers and importers using the optional exceedance fee:	
<input type="checkbox"/> Name and address	59. 408(d)(1)
<input type="checkbox"/> A list of all coatings and the associated coating categories for which the exceedance fee is being used	59. 408(d)(2)
<input type="checkbox"/> VOC content of each coating that exceeds the applicable VOC content limit in Table 1 of the regulation	59. 408(d)(3)
<input type="checkbox"/> Excess VOC content of each coating product for which a fee is paid	59. 408(d)(4)
<input type="checkbox"/> Total annual volume of all coatings for which a fee is paid	59. 408(d)(5)
<input type="checkbox"/> The annual fee for each coating	59. 408(d)(6)
<input type="checkbox"/> The total annual fee for all coatings	59. 408(d)(7)
Annual report for manufacturers and importers using the optional tonnage exemption:	
<input type="checkbox"/> A list of all coatings and the associated coating categories in Table 1 of the regulation for which the tonnage exemption was claimed	59. 408(e)(1)
<input type="checkbox"/> The VOC content of each coating for which the exemption was claimed	59. 408(e)(2)
<input type="checkbox"/> The actual sales for each coating for which the exemption was claimed	59. 408(e)(3)
<input type="checkbox"/> The total megagrams of VOC contained in all the coatings for which the exemption was claimed	59. 408(e)(4)