

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

OMB Control No. 2060-0686 (Renewal), EPA ICR No. 2461.03

United States Environmental Protection Agency
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1. Identification of the Information Collection

1(a) Title of the Information Collection

Title: Diesel Emissions Reduction Act (DERA) Rebate Program

OMB Control Number: 2060-0686

EPA ICR Number: 2461.03

1(b) Short Characterization/Abstract

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

EPA uses approved procedures and forms to collect necessary information to operate a grant program, and has been providing grants under DERA since Fiscal Year 2008 and rebates since Fiscal Year 2012. EPA is requesting an extension to the existing approved ICR for forms needed to collect necessary information to operate a rebate program as authorized by Congress under the DERA program.

EPA will collect information from applicants who wish to apply for a rebate under the DERA Rebate Program. Information collected from applicants will ensure that they are eligible to receive funds under DERA, that funds are provided for eligible activities, and to calculate estimated and actual emissions benefits that result from activities funded with rebates as required in DERA's authorizing legislation.

2. Need for and Use of the Collection

2(a) Need/Authority for the Collection

This ICR is necessary to ensure that only eligible entities will receive funds under this program, and that funds are only provided for eligible activities per the DERA legislation (42 U.S.C. 16131 et seq.). The information requested on the Rebate Application and the Payment Request

form is also needed to ensure the activities are completed in accordance with program guidance. In addition, the information is necessary to ensure fiscal control and accountability for EPA funds and to deter waste, fraud, and abuse.

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

2(b) Practical Utility/Users of the Data

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

EPA will make random selections from the pool of eligible applicants but may give priority consideration to those applicants for projects located in areas of poor air quality. EPA may also ensure that each region or state is represented in the group of selectees. Upon notification from EPA, the selectee may purchase the vehicle or equipment specified in the rebate program guidance. After purchase and installation of the new vehicle or equipment, the selectee will request payment from EPA by submitting the Payment Request Form. The selectee will also submit a copy of all invoices for the purchase and installation of the new vehicle or equipment as well as written confirmation and photographs documenting that the replaced equipment was scrapped. This information is necessary to meet the statutory requirements to report to Congress the actual air quality and diesel fuel conservation benefits and cost-effectiveness of the funded rebate project. In addition, the information collected will ensure fiscal control and accountability for EPA funds and to deter waste, fraud, and abuse.

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

3(a) Non-duplication

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

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

In compliance with the 1995 Paperwork Reduction Act (PRA), any agency developing a non-rule-related ICR must solicit public comments for a 60-day period before submitting the ICR to OMB. These comments, which are used partly to determine realistic burden estimates for respondents, must be considered when completing the Supporting Statement that is submitted to OMB. EPA public noticed the draft ICR on September 11, 2018 (83 FR 45925). No comments were received.

3(c) Consultations

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

During the initial setup of the Rebate Program, EPA solicited information on rebate program structure, management, and information collection from other federal, state and local rebate programs, including:

- USDOT CARS Program (“Cash for Clunkers”)
Contact: Terry Anderson, National Highway Traffic Safety Administration
202-366-6030
- California Air Resources Board (CARB) Hybrid Truck and Bus Voucher Incentive Project
Contact: Joe Calavita, CARB
916-445-4586
- Pittsburgh Healthy School Bus Initiative
Contact: Brooke Suter, Clean Air Task Force
703-342-6402

Additionally, EPA consulted with representatives from industries potentially affected by a rebate program to determine availability of the information we are requesting on the rebate forms and the typical process and time required to procure a new vehicle or retrofit an existing vehicle.

For this renewal, EPA contacted five applicants that have received rebates from previous rebate funding opportunities and requested feedback about how long the rebate process took to complete. EPA requested that applicants provide estimates of how much time was required to review instructions, gather information about existing vehicles, fill out necessary forms, and to complete submission to EPA. The burden hours from responses are recorded in Table A8 in Appendix A. The first two applicants listed below, Fremont USD and Aransas County ISD, responded to this request, while the remaining three applicants did not:

- Fremont Unified School District
Contact: Charles Ott
510-657-1450 x 13106
cott@fremont.k12.ca.us
- Aransas County Independent School District
Contact: Kathy Henderson
361-790-2212 x 8008
khenderson@acid.org
- Pymatuning Valley Local School
Contact: Tom Brockway
440-293-6488
tom.brockway@pvschools.org
- Lind-Ritzville Transportation Co-Op
Contact: Lynn Sackmann
509-650-7272
lsackmann@lrschools.org
- Huntington Coach Corporation
Contact: Brendan Clifford
516-790-2140
bclifford@Huntingtoncoach.net

3(d) Effects of Less Frequent Collection

EPA recognizes the importance of balancing the need for data collection efforts against respondent burden and costs. The information needed for EPA to assess whether a rebate applicant is eligible to receive a rebate is expected to be submitted one time for each rebate funding opportunity. Individual applicants may apply for multiple rebates at one time (the maximum number will be announced by EPA at the start of a new rebate funding opportunity). The Rebate Application and the Payment Request Form can accommodate information related to several vehicles and/or retrofit technologies. EPA needs current information about the vehicle(s) to be replaced or retrofitted and the proposed replacement vehicle(s) or retrofit technology(s) to

properly evaluate rebate eligibility and to calculate the emissions reductions that will be achieved through the rebate. The burden described in this ICR identifies the burden that EPA has determined as necessary. EPA strives to minimize burden. EPA has determined that the information currently required is the minimum that is necessary to adequately evaluate applicant eligibility and to calculate the emissions reductions that will be achieved through the rebate.

3(e) General Guidelines

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

3(f) Confidentiality

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

3(g) Sensitive Questions

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

4. The Respondents and the Information Requested

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

The primary recipients of EPA rebates are State and local governments, Indian Tribes, educational institutions, and certain private organizations. The information requested is used to determine rebate eligibility, pay recipients, and collect information on how Federal funds are being spent.

Standard Industrial Classification Codes for respondents include:

- 1629 – Heavy Construction, Not Elsewhere Classified
- 4011 – Railroads, Line-Haul Operating
- 4013 – Railroad Switching and Terminal Establishments
- 4111 – Local and Suburban Transit
- 4212 – Local Trucking Without Storage
- 4213 – Trucking, Except Local
- 4151 – School Buses

4449	– Water Transportation of Freight, Not Elsewhere Classified
4489	– Water Transportation of Passengers, Not Elsewhere Classified
4491	– Marine Cargo Handling
4492	– Towing and Tugboat Services
8211	– Elementary and Secondary Schools
8221	– Colleges, Universities, and Professional Schools
8399	– Social Services, Not Elsewhere Classified
9199	– General Government, Not Elsewhere Classified

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

23	– Construction
482	– Rail Transportation
483	– Water Transportation
484	– Truck Transportation
485	– Transit and Ground Passenger Transportation
4854	– School and Employee Bus Transportation
48831	– Port and Harbor Operations
61111	– Elementary and Secondary Schools
61131	– Colleges, Universities, and Professional Schools
9211	– Executive, Legislative, and Other Government Support
9221	– Justice, Public Order, and Safety Activities

4(b) Information Requested

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

4(b)(i) Data Items

For this ICR renewal EPA is making minor changes to the data items collected in the Rebate Application and will have a negligible effect on the time required for applicant responses.

On the Rebate Application, these changes include:

- Adding Street Address, City, and Zip Code fields so that private fleets serving public entities can identify the location of those public entities more precisely.
- Adding Name, Title, Email, and Phone number fields so that applicants can list a second point of contact.

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

- Applicant name, address, and other identifying information, such as Employer Identification Number, Dun and Bradstreet Number, and whether the applicant identifies as a federally recognized tribe
- Primary and alternate applicant contact information, such as name, title, phone number, and email address
- If a private applicant, name and address of the eligible entity for which the applicant operates under a contract, license, or lease, per requirements in the DERA authorization language
- Fleet size – total number of vehicles or equipment in regular operation
- If the applicant’s vehicles operate under an idle reduction policy
- Information on the original vehicle(s) for which the rebate(s) is requested, including:
 - Vehicle identification number (VIN)
 - Engine manufacturer, model year, tier level and family name
 - Gross vehicle weight rating
 - Average annual miles driven (or usage rate for non-road equipment)
 - Annual fuel consumption
 - Annual hours idling
 - Horsepower (for non-road equipment)
 - Emissions control strategy (retrofit/replacement)
- Information on the replacement vehicle(s) or retrofit technology(ies), to ensure that DERA program objectives will be met, including:
 - For vehicle/equipment replacement rebates:
 - VIN
 - New engine manufacturer, model year, tier level and family name
 - Gross vehicle weight rating
 - New vehicle fuel type
 - New vehicle cost
 - For retrofit rebates:
 - Retrofit technology type¹, manufacturer, and model
 - Retrofit technology cost
 - Installation cost
 - For engine repower rebates:
 - New engine manufacturer, model year, tier level and family name
 - Engine serial number
 - Horsepower (for nonroad engines)
 - New engine fuel type
 - Repower cost (engine and installation)

4(b)(ii) Respondent Activities

DERA Rebate Program applicants must perform the following:

¹ The retrofit technology type is selected from a drop-down menu. Possible entries on the menu are: Diesel Oxidation Catalyst, Diesel Oxidation Catalyst + Closed Crankcase Ventilation, Fuel Operated Heater, Diesel Particulate Filter, and Diesel Particulate Filter + Closed Crankcase Ventilation. Options may be restricted to a subset of possible classes based on the target retrofit technology(ies) chosen for a particular rebate funding opportunity.

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

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

5(a) Agency Activities

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

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

- Review and determine eligibility of application submissions
- Identify selectees randomly from the eligible pool of applicants
- Notify selectees and non-selectees within 90 days of the closing date for the application submission period
- Create a wait-list of eligible applicants that were not selected in the initial random selection
- Reserve (obligate) funds for selectees
- Review of proof of purchase submitted by selectees
- Determine and notify the selectee, within 30 days of rebate request submission, whether submission is complete and rebate can be issued
- Issue rebate payment to selectees

5(b) Collection Methodology and Management

EPA will continue to collect data from applicants and selectees, such as identification information, vehicle specifications, and payment information. EPA will store the information in a database to manage the rebate program. Data supplied by rebate applicants and selectees on paper or electronic forms (via email) will be entered into the database by EPA or a contractor to

EPA. EPA will ensure the accuracy and completeness of collected information by reviewing applications and information entered in the database. EPA will use data collected on processed rebate requests to estimate the emission reductions and cost-effectiveness of the rebate program for its required biennial report to Congress.

5(c) Small Entity Flexibility

For many reasons, EPA believes the reporting requirements discussed in this ICR do not place an unreasonable burden on small businesses. The Rebate Application and the Payment Request Form collect minimal information needed to identify an applicant or selectee, verify eligibility, and evaluate the proposed action for rebate eligibility. The Rebate Application is submitted once for all eligible vehicles and equipment. If that applicant is selected to participate in the rebate program via random selection, a Payment Request Form is submitted after all program requirements have been met, to receive payment. The burden represented by the Rebate Application and the Payment Request Form cannot be further reduced for small businesses. EPA needs certain basic information to make decisions regarding rebate payments. This basic information is not dependent on an operator's size.

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

5(d) Collection Schedule

Applying for a rebate is a voluntary activity. Information collection will begin once EPA announces the availability of a funding opportunity and makes the program guidance available on the internet (www.epa.gov/cleandiesel). Applicants may apply for rebate funds during a designated open time window (e.g. within 30 days of the program announcement) by submitting a Rebate Application. At the end of the open time window, EPA will make random selections from the pool of eligible applicants. EPA may also ensure that each region is represented in the group of selectees. All eligible applicants not selected will be placed on a waitlist, in the event that additional funds become available. Selectees will then have a designated period of time, as specified in the program guidance, to submit evidence to EPA that an order has been placed for a new vehicle or retrofit (proof of purchase), such as a copy of a purchase order. Finally, selectees will have a designated period of time from proof of purchase submittal, as specified in the program guidance, to submit a Payment Request Form with required supporting documentation to obtain a rebate. The designated period of time for selectees to submit the proof of purchase and submit the Payment Request Form with supporting documentation will be dependent on the specific rebate funding opportunity, based on the target fleet and emissions control strategy applied.

6. Estimating the Burden and Cost of the Collection

6(a) Estimating Respondent Burden

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

6(b) Estimating Respondent Costs

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

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

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

6(b)(i) Estimating Labor Costs

To estimate the potential costs, EPA identified labor categories associated with performing each activity. Labor categories include managerial, technical, and clerical. Mean hourly wage data was obtained from the Bureau of Labor Statistics (BLS) news release, *Employer Costs for Employee Compensation* (March 2018). This dataset can be found at <http://www.bls.gov/news.release/ecec.t02.htm> and <https://www.bls.gov/news.release/ecec.t09.htm>. Table A1 in Appendix A shows the wage rates used to determine the cost of labor for various types of applicants.

The previously approved ICR renewal used wage rates from the Bureau of Labor Statistics (BLS) news release, *Employer Costs for Employee Compensation* (March 2015).

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

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

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

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

6(c) Estimating Agency Burden and Cost

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

EPA determined the hourly employment cost of federal employees using methodology established in previous ICRs. According to the U.S. Office of Personnel Management, 2018 General Schedule (2018-GS), the average annual salary of a government employee at the GS-13, Step 10 level is \$98,317. Step 10 is assumed to account for overhead costs. At 2,086 hours per year, the hourly wage, including overhead, is \$47.13

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

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

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

6(e) Bottom Line Burden Hours and Cost Tables

6(e)(i) Respondent Tally

The bottom line burden hours and costs for rebate applicants are the average annual hours and costs collectively incurred for all activities during the 6-year period covered by this ICR. Table 6.1 provides a summary of the average annual number of applicants, burden hours, and costs. A more detailed summary is provided in Tables A2 through A6 in Appendix A.

Table 6.1 Respondent tally

Respondents (number)	629
Responses (number)	707
Burden (hours)	2945
Costs (labor)	\$103,197.33
Costs (capital)	\$0
Costs (O&M)	\$0
Total costs	\$103,197.33
Average annual burden per respondent	\$164.07

6(e)(ii) The Agency Tally

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

Table 6.2 Agency tally

Responses (number)	707
Burden (hours)	746
Costs (labor)	\$35,158.98
Costs (capital)	\$0
Costs (O&M)	\$0
Total costs	\$35,158.98

6(f) Reasons for Change in Burden

There is an increase of 118 hours in the annual estimated respondent burden compared with the approved ICR. The revised burden of 2,945 hours reflects a 4.2% increase in burden compared to the previous 2015 estimate of 2,827 hours. This increase is due to a higher reported burden by the two responses to consultation outreach. The higher burden reported by these past respondents was weighted against previous estimates for the latest burden estimate.

6(g) Burden Statement

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 4.2 hours per response. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, or disclose or provide information to or for a federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR Part 9 and 48 CFR Chapter 15.

To comment on EPA's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including the use of automated collection techniques, the Agency has established a public docket for this ICR under Docket ID No. EPA-HQ-OAR-2012-0103, which is available for public viewing at the Air and Radiation Docket in the EPA Docket Center (EPA/DC), 1200 Pennsylvania Avenue NW, Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is 202-566-1744, and the telephone number for the Air Docket is 202-566-1742. An electronic version of the public docket is available through www.regulations.gov. Use www.regulations.gov to submit or view public comments, to access the index listing of the contents of the public docket, and to access documents in the public docket that are available electronically. Once in the system, key in the docket ID number identified above. You can also send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, DC 20503, Attention: Desk Office for EPA. Please include the EPA Docket ID No. EPA-HQ-OAR-2012-0103 and OMB Control No. 2060-0686 in any correspondence.