

Supporting Statement for Paperwork Reduction Act Submissions

Manufactured Home Construction and Safety Standards Act Reporting Requirements

OMB Control Number 2502-0253

A. Justification

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

The National Manufactured Housing Construction and Safety Standards Act (the Act) [42 U.S.C. 5400 et. seq., Public Law 93-383], authorizes HUD to establish construction and safety standards for manufactured homes and to enforce these standards. Each such Federal manufactured housing standard shall be reasonable and shall meet the highest standard of protection [42 U.S.C. 5403]. The Secretary may by order, amend or revoke any Federal Manufactured Home Construction and Safety Standard established under Section 604 of the Act [42 U.S.C. 5403]. Section 623 of the Act permits any State to assume responsibility for the Federal program within the State, after approval of a State plan of enforcement by the Secretary. Section 614(f) of the Act [42 U.S.C. 5413(f)] requires each manufacturer, distributor, and dealer of manufactured housing to establish and maintain such records and provide such information as the Secretary may reasonably require determining whether the manufacturer is complying with the Standards.

To carry out its responsibilities under the Act, and by extension any participating HUD-approved State Agency Plan, HUD has issued the Federal Manufactured Home Construction and Safety Standards (the Standards), 24 CFR 3280. The Standards include requirements for formaldehyde emissions of certain products and for certain labels and notices to be posted. To enforce these standards, HUD has also issued the Manufactured Home Procedural and Enforcement Regulations (the Regulations), 24 CFR 3282 that require certain reports be made and certain data be maintained in accordance with Statutory authority. OMB Collection 2502-0253 covers the information collection and recordkeeping requirements for the Standards and Regulations that support the programs administered by HUD's Office of Manufactured Housing Programs (OMHP).

OMHP has prepared proposed revisions to the Standards and Regulations that include revisions to formaldehyde requirements as well as changes based upon the third set of recommendations made to HUD by the Manufactured Housing Consensus Committee (MHCC).

The Formaldehyde Emission Standards for Composite Wood Products Act of 2010

(FESCWPA) amended the Toxic Substances Control Act (TSCA) and established emission standards for formaldehyde from composite wood products. The FESCWPA directed the Environmental Protection Agency (EPA) to finalize a rule on implementing and enforcing a number of provisions covering composite wood products. Manufactured home manufacturers have been defined as panel producers within EPA's regulations. By requirements of the FESCWPA, HUD aligned its Standards and Regulations through a Final Rule that conforms to the TSCA VI requirements and included requirements for record keeping and testing/certification of applicable products.

The proposed revisions for future standards changes will eliminate the need for manufacturers to obtain special approvals from HUD for certain construction features and options, such as homes designs for site attached carports. OMHP provides a process for manufacturers to submit Alternate Construction (AC) requests for designs that do not technically conform to the Act's construction and safety standards, yet still serve the general purpose of the Act. OMHP's current revision seeks to reduce the regulatory burden on manufacturers by adopting prior nonconformities into the regulations, thereby eliminating the need for AC requests in those areas. Similarly, Design Approval Primary Inspection Agencies (DAPIAs) will subsequently experience a reduction in requests to review AC submissions and issue fewer concurrence correspondences to OMHP.

For this submission of a revised information collection, HUD makes several adjustments to align with the proposed revisions. Moreover, HUD is revising this information collection to include all information collection provisions currently utilized that may have been unnecessarily omitted or included in previous submissions. HUD is adjusting the information collection by:

- Updating all applicable information collection regulations under the Act,
- Updating the number of respondents, burden hours and annual costs based on current industry numbers and their appropriate citations in the regulations,
- Updating information collection items that have been determined to be industry standard practice and should not be included in the estimated annual cost,
- Clarifying items that fall below the ten annualized response minimum requirement, or do not qualify as an information collection pursuant to the "public hearing" exception (5 CFR § 1320.3(h)(8),
- Making changes necessary to implement a revision to requirements related to formaldehyde emissions record keeping,
- Eliminating a requirement for a health notice to be posted in each home,
- Adding a requirement that the home be labeled as TSCA Title VI compliant,
- Eliminating testing of panels that are treated after the initial formaldehyde emissions certification, and
- Revising AC design submissions and recordkeeping requirements to reduce the frequency of such requests.

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

Manufacturers must maintain records at the facility where the homes are produced. All records are subject to review by the Secretary, any HUD approved State Administrative Agency, and HUD’s agents as part of the procedural and enforcement provisions of the Manufactured Home Procedural and Enforcement Regulations (24 CFR 3282 *et seq*). The records are used to determine the level of conformance to the corresponding regulatory requirement and to assure protections to consumers of manufactured homes.

Additionally, monthly reports must be submitted to HUD, HUD-approved State Administrative Agencies (SAAs), and HUD’s agents as part of the procedural and enforcement provisions of the Manufactured Home Procedural and Enforcement Regulations. The reports are used to allocate payments to states and to determine the level of conformance to the various regulatory requirements and to assure protections to consumers of manufactured homes.

Labels, tags, and notices are placed on or within each home by the home manufacturer at the facility where the homes are produced. All such labels, notices and tags are subject to review by the Secretary, any HUD approved State Administrative Agency, and HUD’s agents as part of the procedural and enforcement provisions of the Manufactured Home Procedural and Enforcement Regulations. The labels, notices and tags are used to provide information and protections to consumers of manufactured homes.

A summary of the recordkeeping and reporting requirement by program participant follows:

N Manufacturer/Distributor/Retailer Recordkeeping Responsibilities

Authority by Section (24 CFR)
§3282.14 Alternative construction of manufactured homes
§3282.205 Certification requirements
§3282.208 Remedial actions—general description
§3282.209 Report requirements
§3282.403(a) and (c) Consumer complaint and information referral
§3282.404 Manufacturers’ determinations and related concurrences
§3282.405 Notification pursuant to manufacturer’s determination
§3282.406 Required manufacturers’ correction
§3282.408 Plan of notification required
§3282.409 Contents of plan
§3282.410 Implementation of plan
§3282.413 Implementation of Final Determination
§3282.417 Recordkeeping requirements
§3282.552 Manufacturer reports for joint monitoring fees

Section 614 of the Act requires manufacturers to submit reports for SAA monitoring fee

payments (§§ 3282.209 and 552) and documented determinations and any potential affected class of manufactured homes that contain non-conformities, defects and imminent safety hazards. These records are to be maintained in a form that will allow the Secretary or SAA to discern who made the determination, and the basis for the determination, to be kept no less than five years from the date the manufacturer received this information (§§ 3282.208, and 3282.401 through 3282.418). This requirement assists both HUD and the SAAs in locating homes with similar defects, which may have been produced by the manufacturer, which then would create the need for notification and/or correction by the manufacturer. This required remedial action for defects existing in a number of homes is for manufacturers to notify homeowners of the problem and its implications. More serious defects require the manufacturer to make corrections to the homes as well as provide notification to the homeowners. However, if manufacturers decide to voluntarily correct defects in a timely manner, formal notification may be waived.

Pursuant to § 3282.14, manufacturers can request approval from HUD for alternative construction (AC) designs that will allow certain features of the home to be completed at the home site rather than in the factory. In order to obtain this approval, manufacturers are required to submit certain information to HUD which must be reviewed and a letter of approval issued to the manufacturer by HUD, before construction of these site completed homes can commence. This includes a review of all data necessary to support the request and a letter from the manufacturer's Design Approval Primary Inspection Agency (DAPIA) and a list of all models for which the approval is being requested. Manufacturers must agree to abide by all terms of the letter including obtaining the agreement of the Production Inspection Primary Inspection Agency (PIPIA) to make the required site inspections in accordance with approved instructions; quality control and inspection checklists and quality assurance procedures; provision of a consumer notice to prospective purchasers; identifying the serial numbers of all affected homes with an AC designation, provision of inspection reports to HUD, PIPIA, and the homeowner; and, reporting to HUD the number of homes produced within 90 days of their date of manufacture.

The Standards also require specific labels, tags, and notices to be placed either in or on the outside of the manufactured home before it leaves the production facility. All such labels, notices and tags are subject to review by the Secretary, any HUD approved State Administrative Agency, and HUD's agents as part of the procedural and enforcement provisions of the Manufactured Home Procedural and Enforcement Regulations. The purpose for providing and posting the labels is to ensure that necessary information is readily available to the homeowner, dealer, contractor, and utility personnel. Manufacturers are also required to furnish a certification for each home constructed in accordance with the Standards (§ 3282.205). These records may then be used by manufactures when notification and correction activities are warranted.

(FESCWPA) amended the Toxic Substances Control Act (TSCA) and established emission standards for formaldehyde from composite wood products. By requirements of the FESCWPA, HUD aligned its Standards and Regulations to the TSCA VI requirements which includes requirements for record keeping and testing/certification of applicable products (3280.5 and 3280.309). HUD notes that previous information collection submission did not capture record keeping requirements related to testing for panels that are treated by home manufacturers after the initial formaldehyde emissions certification. Therefore, the burdens captured in this information collection are not affected by the elimination of this requirement.

Appliance/Utility Labels (24 CFR § 3280.5, 3280.11, 3280.306, 309, 3280.510, 3280.511, 3280.609, 3280.705, 3280.708, 3280.709, 3280.711, 3280.803, and 3280.804) - The Standards require specific labels, tags, and notices (including a Health Notice) to be placed either in or on the outside of the manufactured home before it leaves the production facility. The purpose for providing and posting the labels is to ensure that necessary information is readily available to the homeowner, dealer, contractor, and utility personnel.

If the labels and notices were not used as a means of providing this information, it would have been necessary to develop more restrictive standards to account for geographic design variations, certain safety concerns, and potentially unsafe utility connections. Furthermore, future home modifications would have been inhibited without the availability of the data to permit the addition of the certain appliances on-site.

Smoke Alarm Instructions (24 CFR 3280.208) – Home manufacturers must provide instructions to homeowners about the inspection, testing, operation, and testing of the smoke alarms installed at the factory. This item was added after a 2002 Standards change and has since been separately captured in the burden hour table.

Whole House Ventilation Instructions (24 CFR 3280.103) - Home manufacturers must provide instructions to homeowners about the operation and maintenance of the whole house ventilation system installed at the factory. This item was added after a 2005 Standards change and has since been separately captured in the burden hour table.

Whole House Ventilation Label (3280.3280.103) - Home manufacturers must provide a label on the whole house ventilation switch to indicate where the whole house ventilation system installed at the factory can be turned on and off. This item was added after a 2005 Standards change and has since been separately captured in the burden hour table.

Centerline Support Locations (3280.306) - Home manufacturers must provide identification of locations along the centerline of any multi section home to inform installers where structural supports are required for proper installation and support of the home. This item was added after a 2009 Standards change and has since been separately captured in the burden hour table.

Data Plate (3280.5) - Home manufacturers must provide a data plate within each home that identifies certain design characteristics of the manufactured home. This information is used to prepare, locate, and use the home in the manner intended. This item was modified after a 2005 Standards change and has since been separately captured in the burden hour table.

Health Notice on Formaldehyde Emissions (24 CFR 3280.309) - HUD is proposing to remove the requirement for a Health Notice to be posted in every home based on the formaldehyde emissions standards change. This will affect a decrease in this category of record keeping burden.

TSCA Records (24 CFR 3280.309) - Home manufacturers must maintain certain records to demonstrate compliance with TSCA Title VI, including labeling homes as TSCA compliant. Manufacturers must maintain bills of lading and/or invoices with a written statement from suppliers that the materials are TSCA compliant. These records must be maintained for a period of at least 3 years. The burdens associated with the record keeping requirements are not accounted for in this information collection because the implementing regulations are promulgated by EPA. Therefore associated burdens should be reflected in EPA’s information collection for implementation of the Formaldehyde Emission Standards for Composite Wood Products Act of 2010. However, this information collection accounts for labeling of each home as TSCA compliant.

SAA Reporting Requirements and State Plan Submission/Implementation

Authority by Section (24 CFR)
§3282.302 State plan
§3282.303 State plan - suggested provisions;
§3282.308 State participation in monitoring of primary inspection agencies
§3282.352 State exclusive IPIA functions
§3282.353 Submission format
§3282.403(b) Consumer complaint and information referral
§3282.404(c)(3) Manufacturers' determinations and related concurrences
§3282.412 Preliminary and final administrative determinations
§3282.413 Implementation of Final Determination
§3282.416(b) Oversight of notification and correction activities
§3282.554 SAA reports

HUD permits any State to assume specific responsibilities for the Federal program within the State after approval of a State plan of enforcement by the Secretary (§§ 3282.302 through 3282.303). State Plans must meet the requirements to provide satisfactory assurance to HUD that the State’s plan will adequately enforce the provisions of the Act, the Standards, and the Regulations. There are currently 33 SAAs participating in the program (down from previous filing) and HUD anticipates each state will update some aspect of its state plan each year.

Regulations require that each SAA, prior to the last day of each month, shall submit a report

to the Secretary covering SAA activities performed in the preceding month (§ 3282.554). This report is to include a description and status of all hearings and other administrative actions as well as a description of SAA activities regarding consumer complaints. These monthly reports are necessary to ensure fair and efficient enforcement of the Standards, enable HUD to coordinate enforcement with the States and prevent duplicate enforcement actions. The 24 CFR 3282 Subpart L monthly reports are necessary to ensure fair and efficient enforcement of the Standards. These reports enable the Department to coordinate enforcement with the States and prevent duplicate enforcement actions. There are currently 33 SAAs participating in the program (this is a decrease from that previously included).

A participating SAA may also conduct plant inspections (§ 3282.308), and must provide oversight of all notification and correction activities within its state (§ 3282.403(b), 404(c) (3), 412, 413, 416(b)). This not only covers complaints received from consumers who own manufactured homes within its state, but also out-of-state complaints for homes manufactured within its state.

Lastly, SAAs also have the option to provide exclusive IPIA services (see below) within its jurisdiction through an application submission (§ 3282.352-353).

IPIA Reporting Requirements and Services Provided

Authority by Section (24 CFR)
§3282.204 IPIA services
§3282.353 Submission format
§3282.356 Disqualification and requalification of primary inspection agencies
§3282.357 Background and experience
§3282.358 Personnel
§3282.359 Conflict of interest
§3282.362 Product Inspection Primary Inspection Agencies (IPIAs)
§3282.364 Inspection responsibilities and coordination
§3282.366 Notification and correction campaign responsibilities
§3282.404(b)(4) and (d) Manufacturers' determinations and related concurrences
§3282.416(a) Oversight of notification and correction activities
§3282.553 IPIA reports

A Production Inspection Primary Inspection Agency (IPIA) is a State or private agency that is responsible for assuring that the manufactured home manufacturer is capable of following the procedures set out in its quality assurance manual through continuous production line monitoring, and that manufactured homes are constructed in accordance with the approved design and in compliance with the Standards (§ 3282.204). There are currently 12 IPIAs actively participating in the program. Eight IPIAs monitor production in eight respective States, while the remaining four IPIAs each monitor production in all other states not served by an exclusive state IPIA. IPIAs may participate in the Program through an application submission (§§ 3282.353, 3282.357, 3282.358, and 3282.359). In the event HUD determines

an IPIA is not adequately performing one or more of its required functions, HUD may disqualify the IPIA; if disqualified the IPIA may apply for requalification (§ 3282.356).

A Production Inspection Primary Inspection Agency (IPIA) is a State or private agency that is responsible for assuring that the manufactured home manufacturer is capable of following the procedures set out in its quality assurance manual, and that manufactured homes are constructed in accordance with the approved design and in compliance with the Standards. The IPIA report, submitted to the SAA (to HUD, if no SAA), serves as a brief summation of IPIA oversight activities such as inspections (§ 3282.364), in the preceding month and assists both HUD and the SAAs in monitoring the IPIA v and tracking possible and discovered problems (§ 3282.553).

The IPIA report serves as a brief summation of the IPIA activities in the preceding month and assists both HUD and the SAAs in monitoring of IPIA activities and tracking possible and discovered problems. There are currently 12 IPIAs actively participating in the program (this is a decrease from that previously included). Eight IPIAs monitor production in eight respective States, while the remaining four IPIAs each monitor production, on an average, in about ten States.

Finally, IPIAs certify new production facilities and as needed update those certifications (§ 3282.362) and assist DAPIAs (see below) in carrying out notification and correction activities under Subpart I of the Regulations (§§ 3282.366, 404(b)(4) and 3282.416(a)).

DAPIA Reporting Requirements and Services Provided

Authority by Section (24 CFR)
§3282.203 DAPIA services
§3282.361 Design Approval Design Inspection Agency (DAPIA)

A Design Approval Primary Inspection Agency (DAPIA) is a private agency that is responsible for assuring that all manufactured home designs are constructed in accordance with the approved design and in compliance with the Standards. There are currently 6 DAPIAs actively participating in the program (§§ 3282.203 and 3282.361). DAPIAs also review and approve all Alternative Construction submissions.

Usual and Customary Industry Practices

Authority by Section (24 CFR)
§3282.207 Consumer Manuals
§3282.211 Purchaser Records
§3282.254 Alternation Records
§3282.255 Consumer Info Cards
§3282.256 Distributor or retailer complaint handling
§3282.361(b)(2) Design Approval Design Inspection Agency (DAPIA)
§3282.603 DAPIA On-Site Construction Approval

§3282.604 DAPIA Responsibilities
§3282.605 On-Site Construction Completion Requirements
§3282.606 Consumer Temporary Notice
§3282.607 IPIA Responsibilities
§3282.608 Manufacturer Responsibilities
§3282.609 DAPIA Approval Revocation

Industry Practice/Usual and Customary - Under the current regulations, manufacturers can request approval from HUD for alternative construction that will allow certain features of the home to be completed at the home site rather than in the factory. In order to obtain this approval, manufacturers are required to submit certain information to the Department, which must be reviewed and a letter of approval issued to the manufacturer by HUD, before construction of these site completed homes can commence. This includes a review of all data necessary to support the request and a letter from the manufacturer's Design Approval Primary Inspection Agency (DAPIA) and a list of all models for which the approval is being requested. Manufacturers must agree to abide by all terms of the letter including obtaining the agreement of the IPIA to make the required site inspections in accordance with approved instructions; quality control and inspection checklists and quality assurance procedures; provision of a consumer notice to prospective purchasers; identifying the serial numbers of all affected homes with an AC designation, provision of inspection reports to HUD, IPIA, and the homeowner; and, reporting to HUD the number of homes produced within 90 days of their date of manufacture.

Based on prior recommendations received from the Manufactured Housing Consensus Committee (MHCC), the current Regulations have been revised to add a streamlined procedure that manufacturers utilize, in certain circumstances, to complete construction of manufactured homes on-site. This allows new manufactured homes that are substantially completed at the factory to be completed at the installation site rather than at the plant, without obtaining advance approval from HUD, when the site completed work will bring the home into conformance with the Manufactured Home Construction and Safety Standards.

Under the Regulations, a manufacturer's request for DAPIA approval for on-site completion of construction must be made in writing and be accompanied by all supporting technical and other information required including the IPIA's written agreement to conduct all required on-site inspections, identification of all work to be completed on-site; instructions for completing the work on-site; a list of all models to be produced under the approval; a site inspection checklist; a quality control checklist to verify that all required materials, labels, instructions for site completion are provided in each home prior to shipment; a consumer information notice is provided by the manufacturer that explains the on-site process; and, a quality assurance manual for on-site completion. This information is identical to that currently required and being provided under the current regulations for alternative construction. The DAPIA is required to maintain copies of its approvals under these revised regulations for a period of at least five years.

In addition, the IPIA must review manufacturer final on-site inspection reports and prepare final site inspection reports and notify the manufacturer of its acceptance of the report similar to the process used under the existing regulations and maintain copies of those reports for a period of five years.

Manufacturers are responsible for satisfactory completion of all on-site construction and any required repairs needed. Manufacturers are also responsible for providing copies of the site inspection report and certifications of completion of the site construction work to the purchaser or lessor and to the IPIA and for providing quarterly cumulative production reports to HUD or its agent as required under the current AC process.

Consumer Manuals (24 CFR § 3282.207) The Statute and implementing Regulations authorize the Secretary to develop guidelines for a consumer manual to be provided to purchasers by the manufacturer, 42 U.S.C. 5416. These manuals explain the purchaser's responsibilities for the operation, maintenance, and repair of their manufactured homes.

Purchaser Records/ Consumer Information Cards (24 CFR § 3282.207/211) Federal regulations require a distributor or dealer who sells a manufactured home to fill out a consumer information card, which is then sent to the manufacturer, who produced the home. This requirement assists both HUD and the State Administrative Agencies (SAAs) in locating homes with similar defects, which may have been produced by the manufacturer, which then would create the need for notification and/or correction by the manufacturer. Approximately 100,000 manufactured homes are produced each year (this is an increase from that previously included).

Alteration Records (24 CFR § 3282.254) The regulations require manufacturers to maintain records of any alternations made to a manufactured home by a distributor or retailer that creates an imminent safety hazard or create a condition in the home that causes a failure to conform to the Standards. This requirement ensures that manufactures may monitor the corrections to be made to the home prior to sale to consumers.

On-Site Construction Documentation (24 CFR § 3282.603-609) Since 2016, the regulations have required manufacturers, IPIAs and DAPIAs to keep records of inspections of manufactured homes in situations where the construction of the home cannot be completed at the manufacturer's facility. In such a case, the manufacturer may only complete construction on the site where the consumer places the home. Based on prior recommendations received from the Manufactured Housing Consensus Committee (MHCC), the Regulations were revised to add a streamlined procedure that manufacturers utilize, in certain circumstances, to complete construction of manufactured homes on-site. This allows new manufactured homes that are substantially completed at the factory to be completed at the installation site rather than at the plant, without obtaining advance approval from HUD, when the site completed work will bring the home into conformance with the Standards.

Under the Regulations, a manufacturer's request for DAPIA approval for on-site completion of construction must be made in writing and be accompanied by all supporting technical and other information required including the IPIA's written agreement to conduct all required on-site inspections, identification of all work to be completed on-site; instructions for completing the work on-site; a list of all models to be produced under the approval; a site inspection checklist; a quality control checklist to verify that all required materials, labels, instructions for site completion are provided in each home prior to shipment; a consumer information notice is provided by the manufacturer that explains the on-site process; and, a quality assurance manual for on-site completion. This information is identical to that currently required and being provided under the current regulations for alternative construction. The DAPIA is required to maintain copies of its approvals under these revised regulations for a period of at least five years.

In addition, the IPIA must review manufacturer final on-site inspection reports and prepare final site inspection reports and notify the manufacturer of its acceptance of the report similar to the process used under the existing regulations and maintain copies of those reports for a period of five years.

Manufacturers are responsible for satisfactory completion of all on-site construction and any required repairs needed. Manufacturers are also responsible for providing copies of the site inspection report and certifications of completion of the site construction work to the purchaser or lessor and to the IPIA and for providing quarterly cumulative production reports to HUD or its agent as required under the current AC process.

Manufactures must also issue notices to consumers, final certifications of completion and generate a quality assurance manual that provides detailed instructions on the final construction procedure. These rules minimize damage during transport of certain items such as rooftops, furnaces and glass doors. It also ensures that the manufacturer remains accountable for the final construction of these items, rather than delegate the job to third party installers.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.

Technology is used to the extent possible. The reports required, and records kept are specified in terms of performance and results. HUD permits significant leeway in how database reports are generated and stored; respondents may choose the format they wish. Reports are submitted via e-mail to MHSreporting@hud.gov. OMHP estimates approximately 98% of the responses documented in this information collection are collected electronically.

The Standards require specific labels and notices to be physically placed either in or on the outside of the manufactured home before it leaves the production facility, so that necessary information is readily available to the homeowner, dealer, contractor, and utility personnel. There is no technological application for this activity in place at this time.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

A review of the requirements indicates there is no duplication within the program. Further, the communications and data required do not exist outside the program.

5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize burden.

When HUD promulgates its rules for the Standards and the Regulations, the Secretary has consistently found that, in accordance with U.S.C. 605, that impact on small business is insignificant.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

Currently, HUD requests the information only when a manufactured home is constructed. Without the labels, notices, and instructions, HUD and the State Agencies will not be able to locate manufactured homes with defects before. The burden imposed is minimal and cannot be reduced. Further there are benefits associated with home manufacturer participation in the federal program as the home design and construction process are subject to a nationwide building regulatory system rather than subjecting each home to disparate requirements set by state and local jurisdictions.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner: (PLEASE ANSWER EACH BULLET SEPARATELY)

** requiring respondents to report information to the agency more often than quarterly;*

In order to ensure conformance with design and construction standards and regulations and to ensure that the federal program is as effective as possible, home production and shipment information must be reported monthly. These reporting requirements were established through notice and comment rulemaking for federal regulations.

** requiring respondents to prepare a written response to a collection of information in fewer*

than 30 days after receipt of it;

No, does not apply.

** requiring respondents to submit more than an original and two copies of any document;*

No, does not apply.

** requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years;*

The special circumstance requiring respondents (home manufacturers) to retain records more than three years is requested because the Manufactured Records are retained for five years in the event of complaints by the manufacturer or the consumer that may be received after 3 years of homeownership. The Federal program allows for certain consumer protections if complaint issues are found to be failures to conform to HUD's standards that were introduced during the manufacturing process. These record keeping requirements were established through notice and comment rulemaking for federal regulations.

** in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;*

No, does not apply.

** requiring the use of a statistical data classification that has not been reviewed and approved by OMB;*

No, does not apply.

** that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or*

No, does not apply.

** requiring respondents to submit proprietary trade secrets, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.*

No, does not apply.

8. If applicable, provide a copy and identify the date and page number of publication in

the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden. Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported. Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years - even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

In accordance with 5 CFR 1320.8(d), the agency's notice for public comments regarding the prior information collection was announced in the Federal Register on January 31, 2020, Volume 85, Page 5589.

To prepare this current information collection revision, OMHP consulted with representatives from one Production Inspection Primary Inspection Agency (IPIA) / Design Approval Primary Inspection Agency (DAPIA) (NTA), one SAA (Alabama), and one Manufacturer (Cavco) to obtain their views on information collection activity documented in this collection. OMHP regularly communicates with the respondents during the course of a year. OMHP has considered the comments received and has made adjustments to the burden estimates to more accurately reflect anticipated activity during a calendar year, utilizing the following numbers to estimate the number of total respondents: 135 Manufacturers, 32 SAAs, 12 IPIAs, and 6 DAPIAs.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

There are no gifts to respondents, other than remuneration of contractors or grantees.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

Confidentiality for all respondents is afforded in compliance with the Privacy Act of 1974.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to

persons from whom the information is requested, and any steps to be taken to obtain their consent.

There are no questions of a sensitive nature.

12. Provide estimates of the hour burden of the collection of information. The statement should: Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.

* If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I.

* Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 13.

Information Collection / Type of Respondent	Number of Respondents	Frequency of Response	Responses per Year	Average Burden Hours Per Response	Annual Burden Hours	Hourly Cost Per Response (Hourly Wage Rate)	Total Annual Respondent Cost
Manufacturers Records	135						
Alternative Construction Submissions		0.75	101.25	2.5	253.125	\$34.28	\$8,677.13
Records Per Home: Serial Number Data Plates Appliance/Utility Labels Health Notice Smoke Alarm Whole House Vent Instructions TSCA Records Centerline Support Locations		750	101,250	1.63	165037.5	\$34.28	\$5,657,485.50
Notification and Correction Plans		10	1,350	10.0	13,500	\$34.28	\$462,780.00
Monthly Production Reports		12	1,620	0.5	810	\$34.28	\$27,766.80
Consumer Complaint Referral		560	75,600	0.5	37,800	\$34.28	\$1,295,784.00
SAA Records	32						
State Plans		1	32	40.0	1,280	\$34.28	\$43,878.40
State Exclusive IPIA Applications		1	32	4.0	128	\$34.28	\$4,387.84
Notification and Correction Plans		25	800	0.5	400	\$34.28	\$13,712.00
Monthly Reports		12	384	0.5	192	\$34.28	\$6,581.76
IPIA Records	12						
Alternative Construction Submission Concurrence Records and Reporting		14	168	2.0	336	\$34.28	\$11,518.08
Inspection Records and Reporting		40	480	1.0	480	\$34.28	\$16,454.40
IPIA Application Package		1	12	24.0	288	\$34.28	\$9,872.64
Certification Records and Reporting		12	144	8.0	1,152	\$34.28	\$39,490.56
Notifications and Correction Records and Reporting		1	12	1.0	12	\$34.28	\$411.36
Notification and Correction		112.5	1,350	0.5	675	\$34.28	\$23,139
Monthly Reports		12	144	0.5	72	\$34.28	\$2,468.16
DAPIA Records	6						
Design Review Records and Reporting		50	300	2.5	750	\$34.28	\$25,710.00
Notifications and Correction Records and Reporting		2	12	1.0	12	\$34.28	\$411.36
Alternative Construction Submission Concurrence Records and Reporting		28	168	1.0	168	\$34.28	\$5,759.04
TOTAL	185		183,959		223,346	\$34.28	\$7,656,288.03

Information Collection / Type of Respondent	Number of Respondents	Frequency of Response	Responses per Year	Average Burden Hours Per Response	Annual Burden Hours	Hourly Cost Per Response (Hourly Wage Rate)	Total Annual Respondent Cost
Industry Practice / Usual and Customary							
Consumer Manuals	135	750	101,250	0.5	50,625	NA	NA
Purchaser Records	135	750	101,250	0.2	20,250	NA	NA
Alteration Records	135	50	6,750	0.2	1,350	NA	NA
Consumer Info. Cards	135	750	101,250	0.2	20,250	NA	NA
DAPIA Design Submissions	135	20	2,700	3.0	8,100	NA	NA
DAPIA On-Site Construction Approval	25	3	75	8.0	600	NA	NA
DAPIA Responsibilities	6	8	48	8.0	384	NA	NA
On-Site Construction Completion Requirements	25	3	75	8.0	600	NA	NA
Consumer Temporary Notice	25	3	75	0.2	10	NA	NA
IPIA Responsibilities	12	4	48	4.0	192	NA	NA
Manufacturer Responsibilities	25	3	75	8.0	600	NA	NA
DAPIA Approval Revocation	25	1	25	0.5	13	NA	NA
Installation Instructions ¹	80	1	80	1	80	NA	NA
Request for DAPIA Approval	50	1	50	60	3,000	NA	NA
IPIA Written Agreement to Make Inspections	50	1	50	0.2 (12 minutes)	10	NA	NA
Work Completed On-site	50	1	50	1.0	50	NA	NA
Checklists	50	45	2,250	0.1 (6 minutes)	225	NA	NA
Model List	50	45	2,250	0.1 (6 minutes)	225	NA	NA
Quality Assurance Manual for On-Site Completion	50	45	2,250	0.5 (30 minutes)	1,125	NA	NA
Manufacturer Inspection Report	50	45	2,250	0.5 (30 minutes)	1,125	NA	NA
Site Completion Instructions	50	45	2,250	1.0	2,250	NA	NA
Consumer Notice	50	45	2,250	0.25 (15 minutes)	563	NA	NA
IPIA Inspection 'Reports	50	45	2,250	1.0	2,250	NA	NA
Copy Reports	50	45	2,250	0.5 (30 minutes)	1,125	NA	NA
Maintain Reports	50	45	2,250	0.25 (15 minutes)	563	NA	NA
Report Serial Numbers	50	45	2,250	0.5 (30 minutes)	1,125	NA	NA
Site Work Certification	50	84	4,200	0.2 (12 minutes)	840	NA	NA
Quarterly Production Reports	50	4	200	1.0	200	NA	NA
TOTAL	varies	2,887	340,751		117,734	NA	NA

The numbers of total respondents is based upon 135 Manufacturer Plants, 50 manufacturer corporations, 32 SAAs, 12 IPIAs, and 6 DAPIAs. Estimates are also based on total production and shipment of 101,250 homes per year.

According to the U.S. Department of Labor, Bureau of Labor Statistics website (www.bls.gov) the wage rate category for Construction Trades Workers is estimated to be \$34.28 per hour including the wage rate multiplier, therefore, the estimated burden hour cost to respondents (manufacturers, PIAs, and SAAs) is estimated to be \$7,656,288.03 annually.

¹Installation instructions are already required and the collection previously approved with the Model Installation Standards.

The following regulations have information collection requirements that fall below the 10 annualized response minimum requirement for public burden estimates:

Authority by Section (24 CFR)
§3282.13 Voluntary certifications
§3282.202 Primary inspection agency contracts
§3282.352 State exclusive IPIA functions
§3282.353 Submission format
§3282.357 Background and experience
§3282.358 Personnel
§3282.359 Conflict of interest

The following regulations have information collection requirements that fall below the 10 annualized response minimum requirement and also do not qualify as an information collection pursuant to the “public hearing” exception (5 CFR § 1320.3(h)(8)):

Authority by Section (24 CFR)
§3282.54 Public information
§3282.111 Petitions for reconsideration of final rules
§3282.152 Procedures to present views and evidence
§3282.153 Public participation in formal or informal presentation of views
§3282.154 Petitions for formal or informal presentations of views, and requests for extraordinary interim relief
§3282.156 Petitions for investigations
§3282.206 Disagreement with IPIA or DAPIA
§ 3282.309 Formal and informal presentations of views held by SAAs
§ 3282.356 Disqualification and requalification of primary inspection agencies
§ 3282.610 Failure to comply with the procedures of this subpart [on-site construction]

13. Provide an estimate for the total annual cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).

* The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life) and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.

* If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collections services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information

collection, as appropriate.

* Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.

There are no additional costs to the respondents or recordkeepers apart from that shown in the hour burden table.

14. Provide estimates of annualized costs to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies may also aggregate cost estimates from Items 12, 13, and 14 in a single table.

Annual Cost to the Federal Government

Item	Cost (\$)
Contract Costs: HUD administers a monitoring and inspection services contract that is used to monitoring compliance levels for all stakeholders (manufacturers, state partners, inspection agencies, and design review agencies. The annual costs include costs to the government to execute contracted services, including travel.	\$5,200,000.00
Staff Salaries* [12 of GS-13, step 1 employees spending approximately 40% of time annually to administer the oversight for federal standards and regulations applicable for this data collection] 12 (GS-13, Step 1) x \$102,663 = \$1,231,956 x 1.46 (wage rate multiplier) = \$1,798,656 (fully-loaded) x .40 (40% of time spent) = \$719,462]	\$719,462
Facilities [cost for renting, overhead, etc. for data collection activity]	\$0
Computer Hardware and Software [cost of equipment annual lifecycle]	\$0
Equipment Maintenance [cost of annual maintenance/service agreements for equipment]	\$0
Travel for HUD staff (40 trips annually at cost of approximately \$1,500 each)	\$60,000
Printing [number of data collection instruments annually]	\$0
Postage [annual number of data collection instruments x postage]	\$0
Other	\$0
Total	\$1,299,462.00

* Note: The "Salary Rate" includes a 1.46 multiplier to reflect a fully-loaded wage rate, as shown in the calculation.

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.

This is a revision of a currently approved collection.

For this submission of a revised information collection, HUD is making several adjustments to align with the final rule for addressing formaldehyde emissions requirements and regulations with HUD's Standards and Enforcement Regulations. This submission also includes reflecting proposed revisions to the Standards and Regulations based primarily on the recommendations adopted by the Manufactured Housing Consensus Committee (MHCC), a consensus committee responsible for providing HUD recommendation to adopt, revise and interpret the Construction and Safety Standards. The MHCC was first established when the Act was amended in 2000 by the Manufactured Housing Improvement Act of 2000 (Pub. L. 106-569, approved December 27, 2000).

Revisions include efforts to reduce regulatory burden by eliminating the need for manufacturers to obtain special approvals from HUD for certain construction design features and options such as two-story homes, carports, attached garages and CFM fan airflow efficiency.

Various standards are being revised to reflect current construction practices used by the manufacturing housing industry and the home construction industry in general. Other changes define requirements for stairways, landings, handrails, guards and stairway illumination that would free manufacturers from having to follow various state and local requirements that vary from jurisdiction to jurisdiction and bring uniformity to manufactured home construction nation-wide. The rule also incorporates five new reference standards that are already standards used in the design, listing, and evaluation of the respective materials or component.

Furthermore, under 24 CFR § 3282.14, manufacturers are required to engage in an Alternative Construction (AC) process to design and construct manufactured homes that incorporate innovations that have yet to be codified in HUD's Construction and Safety Standards. After review of an AC request, HUD establishes specific terms and condition for use of the design through an AC approval letter.

While the AC process serves a useful purpose, including encouraging the use of new technology in the construction of manufactured homes, the codification of certain design features can provide cost savings for manufacturers. Specifically, regulatory costs that are currently borne by the manufactured home manufacturer associated with preparing an AC request and maintaining the AC approvals include:

- Manufacturers' engineers' preparation of designs, calculations, and or tests for aspects that do not conform with outdated building standards for past innovations that have become more commonplace but have not yet been incorporated into the Construction and Safety Standards;
- Design Approval Primary Inspection Agency (DAPIA) review and approval of the designs, calculations, and or tests to be submitted on behalf of the manufacturers requesting HUD's approval;

- Preparation of a submission package for the AC request, including all designs, calculations, and tests to be sent to HUD for approval;
- Lost opportunity costs and actual manufacturer and DAPIA staff time to respond to HUD throughout the review and approval process, that depending on the specific AC request may take as few as 30 days or as much as 6 months;
- Time and travel associated with a third party's inspections at each affected home's site for every manufactured home built under an AC that requires a site inspection in order to verify conformance with specific terms and conditions of the AC approval including specific designs for completion; and
- Maintaining and providing copies of AC-specific production reports, inspection reports, and other administrative burdens required to maintain the AC approval.

The revised rule will expand the manufacturers' flexibility in their ability to pursue design options and, more importantly, result in industry-wide cost savings as the result of eliminating the need to obtain HUD approval through the Alternative Construction (AC) process (see 24 CFR § 3282.14).

For this submission of a revised information collection, HUD makes several adjustments to align with the proposed rule for addressing Alternative Construction design submission requirements and regulations with HUD's Standards and Enforcement Regulations. Moreover, HUD takes this opportunity to revise this information collection to include all information collection provisions currently utilized. Therefore, HUD is adjusting the information collection by:

- Updating all applicable information collection regulations under the Act,
- Updating the number of respondents based on current industry numbers,
 - The number of manufactured home plants has increased from 123 to 133 since the last approval, resulting in an overall increased burden hour and cost adjustment.
 - The number of SAAs and IPIAs has decreased.
- Updating information collection items that have been determined to be industry standard practice and should not be included in the estimated annual cost,
- Clarifying items that fall below the ten annualized response minimum requirement, or do not qualify as an information collection pursuant to the "public hearing" exception (5 CFR § 1320(h)(8)); and
- Revising AC design submissions and recordkeeping requirements to reduce the frequency of such requests.
- Making changes necessary to implement a revision to requirements related to formaldehyde emissions record keeping (this is noted within response to question as a net neutral change because the record keeping requirements are addressed within EPA's regulations, referenced by HUD).
- Eliminating a requirement for a health notice to be posted in each home (this is reflected in a reduction of .05 hours/3 minutes per home.
- Adding a requirement that the home be labeled as TSCA Title VI compliant, and

- Eliminating testing of panels that are treated after the initial formaldehyde emissions certification.

Further, previous submissions for this PRA previously did not include the cost to the Federal government in Item 14 of this form. This office is correcting this error of omission and is including the burden to the Federal government as a result of program execution, record keeping, and travel.

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

The results of the information collection will not be published.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

HUD will display the expiration date for OMB approval of this information collection.

18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-I.

HUD does not request an exception to the certification of this information collection.