

**SUPPORTING STATEMENT
ENVIRONMENTAL PROTECTION AGENCY**

**National Volatile Organic Compound Emission Standards for Aerosol Coatings
(40 CFR Part 59, Subpart E) (Renewal)**

1. Identification of the Information Collection

1(a) Title of the Information Collection

National Volatile Organic Compound Emission Standards for Aerosol Coatings (40 CFR Part 59, Subpart E) (Renewal), EPA ICR Number 2289.05, OMB Control Number 2060-0617.

1(b) Short Characterization/Abstract

The National Volatile Organic Compound Emission Standards for Aerosol Coatings (40 CFR Part 59, Subpart E) were proposed on July 16, 2007; promulgated on March 24, 2008; and amended on: November 7, 2008; December 24, 2008; June 23, 2009; and March 9, 2012. These regulations apply to both existing and new manufacturers or importers of an aerosol coating product and a distributor of an aerosol coating product if it is either named on the label or if it specifies the formulation of the product. This information is being collected to assure compliance with 40 CFR Part 59, Subpart E.

The final rule requires regulated entities to submit an Initial Notification to the U.S. Environmental Protection Agency (EPA) at least 90 days before the compliance date. The initial notification requests basic information about regulated entities, including contact information of the certifying official. Other required information includes: (1) a product date code system used to label products and the category code system, if the facility is not using the default category codes included in Table 1 of the rule; and (2) a revised notification if there is a change in the information in the Initial Notification, with the exception of changes to product formulations. The regulated entity is not required to submit a revised notification if the volatile organic compounds (VOC) formulations submitted in its Initial Notification change; also: (3) a revised notification if the manufacturer, for example, adds a new coating category, changes the product date code system or batch definition, or begins to use a VOC that is not listed in the rule; and (4) maintain compliance calculations for each of its aerosol coatings formulations, records of the date(s) the batch was manufactured, the volume of the batch, and the VOC formula for the formulation. Records of these calculations must be maintained for 5 years after the product is manufactured, processed, distributed for wholesale, or imported for sale or distribution in interstate commerce in the United States, and the regulated entity must supply this information to the EPA within 60 days of a written request. Beginning in 2011, each regulated entity was required to submit a triennial report. The triennial report provides updated VOC formulation data and, for each VOC formulation, the total mass of each individual VOC or mixture used as ingredients in the aerosol coatings manufactured, imported, or distributed that year. This information must be provided only for the second year of the triennial reporting cycle, depending upon the date the regulated entity became subject to the rule. Subsequent reports are required at 3-year intervals.

New and existing regulated entities will have to submit an initial notification report. Regulated entities will also be required to submit notifications of changes in the products, or company information, and to maintain records. In addition, regulated entities will be required to submit triennial reports of formulation data and VOC usage. All reports are sent to the delegated state or local authority. If there is no such delegated authority, the reports are sent directly to the U.S. Environmental Protection Agency's (EPA) regional offices.

The "Affected Public" are manufacturers, importers, and distributors of aerosol coating products. The 'burden' to the Affected Public may be found below in the following tables: Table 1: Annual Respondent Burden and Cost (Year 1) – National Volatile Organic Compound Emission Standards for Aerosol Coatings (40 CFR Part 59, Subpart E) (Renewal); Table 2: Annual Respondent Burden and Cost (Year 2) – National Volatile Organic Compound Emission Standards for Aerosol Coatings (40 CFR Part 59, Subpart E) (Renewal); and Table 3: Annual Respondent Burden and Cost (Year 3) – National Volatile Organic Compound Emission Standards for Aerosol Coatings (40 CFR Part 59, Subpart E) (Renewal). The 'burden' to the Federal Government is attributed entirely to work performed by either Federal employees or government contractors and may be found below in the following tables: Table 4: Annual EPA Burden and Cost (Year 1) - National Volatile Organic Compound Emission Standards for Aerosol Coatings (40 CFR Part 59, Subpart E) (Renewal); Table 5: Annual EPA Burden and Cost (Year 2) - National Volatile Organic Compound Emission Standards for Aerosol Coatings (40 CFR Part 59, Subpart E) (Renewal); and Table 6: Annual EPA Burden and Cost (Year 3) - National Volatile Organic Compound Emission Standards for Aerosol Coatings (40 CFR Part 59, Subpart E) (Renewal).

There are approximately 67 manufacturers, importers, and distributors of aerosol coating products subject to this rule. None of the 67 regulated entities in the United States are owned by either state, local, or tribal entities or by the Federal government. They are all owned and operated by privately-owned, for-profit businesses. We assume that they will all respond to EPA inquiries.

Over the next three years, approximately 66 existing respondents per year will be subject to these standards, and one additional respondent per year will become subject to these same standards.

The Office of Management and Budget (OMB) approved the currently active ICR without any "Terms of Clearance."

2. Need for and Use of the Collection

2(a) Need/Authority for the Collection

The EPA is charged under section 183 (e) of the Clean Air Act (CAA), as amended, to establish emission standards for aerosol coatings. Section 183(e) of the CAA requires the EPA to regulate consumer or 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 CAA also directs the EPA to divide either the consumer or commercial products into four groups, and establish priorities for regulation until all four groups are regulated. Of the 22 source categories identified and divided into four groups, the aerosol coatings source category is in Group III.

The information collection requirements are based on recordkeeping and reporting requirements. These recordkeeping and reporting requirements are specifically authorized by CAA section 114 (42 U.S.C. 7414). Initial notifications and reports, as described in this information collection request, are necessary to enable the Administrator to determine if the standards are being achieved. The emission standards require an initial notification report from all regulated entities to the EPA 90 days before the compliance date. The regulated entity is required to maintain compliance calculations for each of its aerosol coatings formulations. Records of these calculations must be maintained 5 years after the product is manufactured, processed, distributed for wholesale, or imported for sale or distribution in interstate commerce in the United States. The retention of records for 5 years would allow the EPA to establish the compliance history of a regulated entity and any pattern of compliance for purposes of determining the appropriate level of enforcement action. Historically, the EPA has found that the most flagrant violators frequently have violations extending beyond the 5 years. The EPA would be prevented from pursuing the worst violators due to either the destruction or nonexistence of records, if records were retained for less than 5 years.

Respondents seeking a variance are required to submit an application which includes the grounds upon which the variance is being sought, the proposed date for coming into compliance, and a plan for achieving compliance. Similarly, some respondents may qualify for, and seek, either a small quantity manufacturer exemption or a compliance extension. The estimates for completing these reports are included in the estimates for the Initial Notification.

2(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. Agency enforcement personnel will use the information collected to: (1) identify manufacturers and importers subject to the rule; and (2) ensure that consumer products comply with the VOC content standards; and (3) to better assess the efficacy of the reactivity-based approach, including the manner in which the program's requirements are being achieved. These activities are essential to compliance assurance.

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

The requested recordkeeping and reporting are required under 40 CFR Part 59, Subpart E.

3(a) Non-duplication

The subject emission standards are delegated to the EPA and information is sent directly to the appropriate EPA Regional office. The EPA has not duplicated the recordkeeping and

reporting requirements for regulated entities that may be subject to the rule covered under this ICR.

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

An announcement of a public comment period for the renewal of this ICR was published in the *Federal Register* (86 FR 19256) on April 13, 2021. One written comment was received from a private citizen, Heather Gonzales, who wrote in support of renewing the rule. The commenter referred to a 2009 paper by Wanyu R. Chan that disputed EPA's estimate of emissions reductions due to the rule. However, the commenter supported the overall reduction of VOC and noted that many states were building upon EPA's regulations to make the air cleaner. The comments provided were unrelated to the 'burden' associated with the rule or the renewal of the ICR, therefore, we have made no adjustments to the burden estimates based on the comment.

3(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, the EPA contacted parties within the affected industry to obtain information on the universe of affected sources and feedback on accuracy of the burden estimates. In developing this ICR, we contacted both the American Coatings Association, at (202) 719-3680, and Sherwin Williams, at (216) 566-2000.

It is our policy to respond after a thorough review of comments received since the last ICR renewal, as well as for those submitted in response to the first *Federal Register* notice. The comments received and our responses may be found in Section 3(b) above and the docket for this ICR at <https://www.regulations.gov>.

3(d) Effects of Less-Frequent Collection

This ICR rule includes the minimum requirements needed to demonstrate compliance with the rule. The proposed rule requested comment on the feasibility and need for a requirement for regulated entities to submit to the agency their VOC formulations for each product or product formulation in the initial report and on a periodic basis thereafter. Numerous commenters provided input on the need, or lack of need, for additional reporting requirements, in general, and the annual reporting of formulation data in particular. Some commenters, mostly aerosol industry representatives, contended that no additional periodic reporting was warranted. Other regulatory agencies and environmental groups stated their belief that the rule is not enforceable without additional reporting. Based on this input and the EPA's own review, the EPA has determined that initial reporting of formulation data and ongoing reporting on a triennial basis are needed. The initial reporting is needed to ensure that the rule is implementable as a practical matter. The triennial reporting will enable the EPA to better assess the efficacy of the reactivity-based approach, including the manner in which the programs requirements are being achieved.

3(e) General Guidelines

This ICR adheres to the guidelines for Federal data requesters, as provided at 5 CFR 1320.6. Initial notifications and reports, as described in this ICR, are necessary to enable the Administrator to determine if these standards are being achieved. The emission standards require an initial notification report from all regulated entities to the EPA 90 days before the compliance date. The regulated entity is required to maintain compliance calculations for each of its aerosol coatings formulations. Records of these calculations must be maintained 5 years after the product is manufactured, processed, distributed for wholesale, or imported for sale or distribution in interstate commerce in the United States. The retention of records for 5 years would allow the EPA to establish the compliance history of a regulated entity and any pattern of compliance for purposes of determining the appropriate level of enforcement action. Historically, the EPA has found that the most flagrant violators frequently have violations extending beyond 5 years. The EPA would be prevented from pursuing the worst violators due to either the destruction or nonexistence of records, if records were retained for less than 5 years. Triennial reports of formulation and usage data are also required.

3(f) Confidentiality

Any 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 (CBI) (see 40 CFR 2; 41 FR 36902, September 1, 1976; amended by 43 FR 40000, September 8, 1978; 43 FR 42251, September 20, 1978; 44 FR 17674, March 23, 1979).

3(g) Sensitive Questions

The reporting or recordkeeping requirements in these standards do not include sensitive questions.

4. The Respondents and the Information Requested

4(a) Respondents/SIC Codes

The respondents to the recordkeeping and reporting requirements are manufacturers, distributors and importers of aerosol coatings. The United States Standard Industrial Classification (SIC) code for the respondents affected by the standards and their corresponding North American Industry Classification System (NAICS) codes are listed below:

Standard (40 CFR Part 59, Subpart E)	SIC Codes	NAICS Codes
Paint and Coating Manufacturing	2851, 2899	325510
All Other Miscellaneous Chemical Production and Preparation Manufacturing	2869	325998

4(b) Information Requested

(i) Data Items

In this ICR, all the data that are recorded or reported is required by the National Volatile Organic Compound Emission Standards for Aerosol Coatings (40 CFR Part 59, Subpart E). Regulated entities are required to maintain records of the following notifications, reports, and records at the location specified in 40 CFR 59.511 (a)(4) for each product subject to the product-weighted reactivity limits.

A source must make the following notifications and reports:

Notifications and Reports	
Application for a variance	§§59.509(a)-(f)
Initial notification	§59.511(a), §59.511(b)
Notification of change in information (supplemental reports)	§59.511(c)
Report of product information to EPA upon request	§59.511(d)
Claim of exemption for small quantity manufacturer	§59.511(e)
Claim of exemption for entity that manufactures or processes aerosol coatings outside of the United States	§59.511(f)
Certification of maintaining records for a regulated entity	§59.511(g)
Revocation of the written certification in §59.511(g)	§59.511(h)
Triennial report of formulation and usage data	§59.511(i)

A source must keep the following records:

Recordkeeping	
Maintain product records	§59.510(a)
Maintain records of product category, all product calculations, the product-weighted reactivity (PWR), and the weight fraction of all ingredients	§59.510(a)(2)
Maintain a copy of each notification and report that you submit to comply with this subpart, and the documentation supporting each notification	§59.510(a)(3)
Maintain a copy of the label for each product	§59.510(a)(3)
Maintain a copy of the initial report and each annual report that you submit to EPA, and the documentation supporting such report, for	§59.510(a)(4)

Recordkeeping	
any exemption claimed	
Maintain records for a minimum of five years	§59.510(a)(5)

Electronic Reporting

Some of the respondents are using monitoring equipment that automatically records parameter data. Although personnel at the affected facility must still evaluate the data, internal automation has significantly reduced the burden associated with monitoring and recordkeeping at a plant site.

(ii) Respondent Activities

The respondent activities required for all manufacturers, importers, and distributors of regulated aerosol coating products are listed below in the following tables: Table 1: Annual Respondent Burden and Cost (Year 1) – National Volatile Organic Compound Emission Standards for Aerosol Coatings (40 CFR Part 59, Subpart E) (Renewal); Table 2: Annual Respondent Burden and Cost (Year 2) – National Volatile Organic Compound Emission Standards for Aerosol Coatings (40 CFR Part 59, Subpart E) (Renewal); and Table 3: Annual Respondent Burden and Cost (Year 3) – National Volatile Organic Compound Emission Standards for Aerosol Coatings (40 CFR Part 59, Subpart E) (Renewal). Both new and existing sources must read the rule and understand the rule requirements. Respondents must also submit notifications and supplemental reports according to the requirements specified in the rule. Respondents must submit triennial reports of formulation and usage data. Each source must maintain all applicable records for 5 years.

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

5(a) Agency Activities

The EPA conducts the following activities in connection with the acquisition, analysis, storage, and distribution of the required information:

Agency Activities
Review initial notifications, initial reports, supplemental (change of notice) reports, variance requests, compliance extension requests, exemption requests, and other EPA requests for data, required to be submitted by industry.
Review product record data submitted with triennial report, including identification information, product category, product calculations, the product-weighted reactivity, the weight fraction of all ingredients, product usage, product label.
Audit facility records.

5(b) Collection Methodology and Management

Data and records maintained by the respondents are tabulated and published for use in compliance and enforcement programs. The initial reports, supplemental reports, responses to the EPA requests for data, and the triennial reports are used for problem identification and for compliance determinations.

The records required by this regulation must be retained by the owner/operator for five years.

5(c) Small Entity Flexibility

The 1EPA has included a small quantity manufacturer exemption. This exemption is targeted to particularly small entities that would otherwise bear particularly high costs for compliance relative to the small amount of products they produce and, therefore, the small amount of total VOC emissions from such products. In addition, there are provisions that allow facilities additional time to develop compliant products if they have not previously developed products to meet the limits of the California Air Resource Board aerosol coating rule, which contains identical limits to the EPA's final rule. The EPA maintains that the majority of facilities that would qualify for this extended compliance time would likely be small entities. Finally, companies subject to the rule can apply for variances in cases where the company, because of extraordinary reasons beyond reasonable control, cannot comply with the rule. While all variance applications will receive scrutiny, the EPA will give full consideration to the special needs of small manufacturers and importers.

5(d) Collection Schedule

The specific frequency for each information collection activity within this request is shown at the end of this document in the following tables: Table 1: Annual Respondent Burden and Cost (Year 1) – National Volatile Organic Compound Emission Standards for Aerosol Coatings (40 CFR Part 59, Subpart E) (Renewal); Table 2: Annual Respondent Burden and Cost (Year 2) – National Volatile Organic Compound Emission Standards for Aerosol Coatings (40 CFR Part 59, Subpart E) (Renewal); and Table 3: Annual Respondent Burden and Cost (Year 3) – National Volatile Organic Compound Emission Standards for Aerosol Coatings (40 CFR Part 59, Subpart E) (Renewal).

6. Estimating the Burden and Cost of the Collection

Tables 1, 2, and 3 below document the computation of yearly individual burdens for the recordkeeping and reporting requirements applicable to the industry for the subpart included in this ICR. The individual burdens are expressed under standardized headings believed to be consistent with the concept of 'Burden' under the Paperwork Reduction Act. Where appropriate, specific tasks and major assumptions have been identified. Responses to this information collection are mandatory.

The Agency may neither conduct nor sponsor, and a person is not required to respond to,

a collection of information unless it displays a currently valid OMB Control Number.

6(a) Estimating Respondent Burden

The annual burden estimates for each of the three years of this ICR renewal reporting, recordkeeping, and labeling requirements are presented below in Tables 1, 2, and 3 for all manufacturers, importers and distributors. These numbers were derived from the following: estimates based on the EPA's experience with other standards; consultations with affected industry, state and local governments, and environmental groups during development of the rule; information obtained from the industry representatives listed under "Consultations" in Section 3(c) of this ICR; the previously-approved ICRs; and any comments received.

6(b) Estimating Respondent Costs

(i) Estimating Labor Costs

This ICR uses the following labor rates:

Managerial	\$126.95 (\$60.45 + 110%)
Technical	\$71.38 (\$33.99 + 110%)
Clerical	\$45.23 (\$21.54 + 110%)

These rates are from the United States Department of Labor, Bureau of Labor Statistics, May 2020 National Occupational Employment and Wage Estimates, for occupational groups 11-1021 (managerial), 51-8090 (technical), and 43-6010 (clerical), available at: https://www.bls.gov/oes/current/oes_nat.htm. The rates are from column 8, "Mean hourly wage", and have been increased by 110 percent to account for the benefit packages available to those employed by private industry.

(ii) Estimating Capital/Startup and Operation and Maintenance Costs

The only costs to the regulated industry resulting from information collection activities required by the subject standard are labor costs. There are no capital/startup and/or operation and maintenance costs.

(iii) Capital/Startup vs. Operation and Maintenance (O&M) Costs

The only type of industry costs associated with the information collection activity in the regulations are labor costs. There are no capital/startup and/or operation and maintenance costs.

6(c) Estimating Agency Burden and Cost

The only costs to the Agency are those costs associated with analysis of the reported

information. The EPA's overall compliance and enforcement program includes such activities as the examination of records maintained by the respondents, periodic inspection of sources of emissions, and the publication and distribution of collected information.

The annual Agency cost during the three years of the ICR is estimated to be \$38,700 in Year 1; \$38,900 in Year 2; and \$138,000 in Year 3; for an average of \$71,900 per year.

This cost is based on the average hourly labor rate as follows:

Managerial	\$69.04 (GS-13, Step 5, \$43.15 + 60%)
Technical	\$51.23 (GS-12, Step 1, \$32.02 + 60%)
Clerical	\$27.73 (GS-6, Step 3, \$17.33 + 60%)

These rates are from the Office of Personnel Management (OPM), 2021 General Schedule, which excludes locality rates of pay. The rates have been increased by 60 percent to account for the benefit packages available to Federal government employees. Details upon which this estimate is based appear at the end of this document in the following tables: Table 4: Annual EPA Burden and Cost (Year 1) - National Volatile Organic Compound Emission Standards for Aerosol Coatings (40 CFR Part 59, Subpart E) (Renewal); Table 5: Annual EPA Burden and Cost (Year 2) - National Volatile Organic Compound Emission Standards for Aerosol Coatings (40 CFR Part 59, Subpart E) (Renewal); and Table 6: Annual EPA Burden and Cost (Year 3) - National Volatile Organic Compound Emission Standards for Aerosol Coatings (40 CFR Part 59, Subpart E) (Renewal).

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

Based on our research for this ICR, on average over the next three years, approximately 66 existing respondents will be subject to these standards. It is estimated that one additional respondent per year will become subject to these same standards. The overall average number of respondents, as shown in the table below, is 67 per year.

The number of respondents is calculated using the following table that addresses the three years covered by this ICR:

Number of Respondents					
	Respondents That Submit Reports		Respondents That Do Not Submit Any Reports		
Year	(A) Number of New Respondents ¹	(B) Number of Existing Respondents	(C) Number of Existing Respondents that keep records but do not submit reports	(D) Number of Existing Respondents That Are Also New Respondents	(E) Number of Respondents (E=A+B+C-D)
1	1	65	0	0	66

Number of Respondents					
2	1	66	0	0	67
3	1	67	0	0	68
Average	1	66	0	0	67

¹ New respondents include sources with constructed, reconstructed and modified affected facilities.

The total number of annual responses per year is calculated using the following table:

Total Annual Responses				
(A)	(B)	(C)	(D)	(E)
Information Collection Activity	Number of Respondents	Number of Responses	Number of Existing Respondents That Keep Records But Do Not Submit Reports	Total Annual Responses E=(BxC)+D
Year 1				
Initial report	1	1	0	1
Supplemental report	66	1	0	66
Variance or compliance extension application	0.1	1	0	0.1
Respond to the EPA request for data	10	1	0	10
Year 2				
Initial report	1	1	0	1
Supplemental report	67	1	0	67
Variance or compliance extension application	0.1	1	0	0.1
Respond to the EPA request for data	10	1	0	10
Year 3				
Initial report	1	1	0	1
Supplemental report	68	1	0	68
Variance or compliance extension application	0.1	1	0	0.1
Respond to the EPA request for data	10	1	0	10
Establish account for NEI	68	1	0	68
Enter general information into database	68	1	0	68
Enter product formulations into database	68	1	0	68
Enter company-wide volumes of coating constituents into database	68	1	0	68
			Total	506
		3-Year Average		169

The number of Total Annual Responses is $506 / 3 = 169$

The total annual labor costs for respondents are: \$750,000 in Year 1; \$760,000 in Year 2;

and \$1,410,000 in Year 3; for an average of \$973,000 per year. Details regarding these estimates may be found at the end of this document in Table 1: Annual Respondent Burden and Cost (Year 1) – National Volatile Organic Compound Emission Standards for Aerosol Coatings (40 CFR Part 59, Subpart E) (Renewal), Table 2: Annual Respondent Burden and Cost (Year 2) – National Volatile Organic Compound Emission Standards for Aerosol Coatings (40 CFR Part 59, Subpart E) (Renewal), and Table 3: Annual Respondent Burden and Cost (Year 3) – National Volatile Organic Compound Emission Standards for Aerosol Coatings (40 CFR Part 59, Subpart E) (Renewal).

6(e) Bottom Line Burden Hours and Cost Tables

The detailed bottom line burden hours and cost calculations for the respondents are shown in Tables 1, 2, and 3 at the end of this document, and summarized in Section 6(e)(i) below. The detailed bottom line burden hours and cost calculations for the Agency are shown in Tables 4, 5, and 6 at the end of this document, and summarized in Section 6(e)(ii) below.

(i) Respondent Tally

The total annual labor hours for respondents are: 10,500 hours in Year 1; 10,600 hours in Year 2; and 19,700 hours in Year 3; for an average of 13,600 hours per year. Details regarding these estimates may be found in: Table 1: Annual Respondent Burden and Cost (Year 1) – National Volatile Organic Compound Emission Standards for Aerosol Coatings (40 CFR Part 59, Subpart E) (Renewal); Table 2: Annual Respondent Burden and Cost (Year 2) – National Volatile Organic Compound Emission Standards for Aerosol Coatings (40 CFR Part 59, Subpart E) (Renewal); and Table 3: Annual Respondent Burden and Cost (Year 3) – National Volatile Organic Compound Emission Standards for Aerosol Coatings (40 CFR Part 59, Subpart E) (Renewal).

We assume that burdens for managerial tasks take 5% of the time required for technical tasks because the typical tasks for managers are to review and approve reports. Clerical burdens are assumed to take 10% of the time required for technical tasks because the typical duties of clerical staff are to proofread the reports, make copies and maintain records.

Furthermore, the average annual public reporting and recordkeeping burden for this collection of information is estimated to average 80.6 hours per response.

The total annual capital/startup and O&M costs to the regulated entity are \$0. The cost calculations are detailed in Section 6(b)(iii), Capital/Startup vs. Operation and Maintenance (O&M) Costs.

(ii) The Agency Tally

The annual Agency labor burden over next three years is estimated to be: 755 hours in Year 1; 779 hours in Year 2; and 2,760 hours in Year three; for an average of 1,129 hours per year. The annual Agency cost over next three years is estimated to be: \$38,700 in Year 1;

\$38,900 in Year 2; and \$138,000 in Year 3; for an average of \$71,900 per year, see: Table 4: Annual EPA Burden and Cost (Year 1) - National Volatile Organic Compound Emission Standards for Aerosol Coatings (40 CFR Part 59, Subpart E) (Renewal); Table 5: Annual EPA Burden and Cost (Year 2) - National Volatile Organic Compound Emission Standards for Aerosol Coatings (40 CFR Part 59, Subpart E) (Renewal).; and Table 6: Annual EPA Burden and Cost (Year 3) - National Volatile Organic Compound Emission Standards for Aerosol Coatings (40 CFR Part 59, Subpart E) (Renewal) for details regarding these estimates.

We assume that burdens for managerial tasks take 5% of the time required for technical tasks because the typical tasks for managers are to review and approve reports. Clerical burdens are assumed to take 10% of the time required for technical tasks because the typical duties of clerical staff are to proofread the reports, make copies and maintain records.

(iii) Variations to the Annual Bottom Line

The EPA anticipates that the annual burden after Year 3 will be equal to the burden in Year 2 for 2 of every 3 years and equal to Year 3 for 1 of every 3 years.

6(f) Reasons for Change in Burden

There is a small increase in burden from the most-recently approved ICR as currently identified in the OMB Inventory of Approved Burdens. This situation is due to two considerations: 1) the regulations have not changed over the past three years. The estimated growth rate for this industry is one new respondent per year, leading to a slow increase in burden. There are no changes in the capital/startup and/or operation and maintenance (O&M) costs, which remain at \$0. We have added 1 hour of burden for existing sources to re-familiarize themselves with the rule each year. We have also adjusted the respondent burden to account for managerial hours as 5% of technical hours and clerical hours as 10% of technical hours for industry respondents. The previous ICR assigned direct managerial and technical hours and only calculated clerical as a percentage of technical hours. These changes reflect the EPA's standard estimates of 'burden' by labor category. And (2) there is a slight increase in labor costs due to the use of updated labor rates. This ICR uses labor rates from the most-recent Bureau of Labor Statistics report (May 2020) to calculate respondent burden costs.

6(g) Burden Statement

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 80.6 hours per response. 'Burden' means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information either 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 neither conduct nor sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB Control Number. The OMB Control Numbers for EPA regulations are listed at 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 public docket for this ICR under Docket ID Number EPA-HQ-OAR-2006-0971. An electronic version of the public docket is available at <http://www.regulations.gov/>, which may be used to obtain a copy of the draft collection of information, submit or view public comments, access the index listing of the contents of the 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 in this document. The documents are also available for public viewing at the Enforcement and Compliance Docket and Information Center in the EPA Docket Center (EPA/DC), WJC West, Room 3334, 1301 Constitution Ave., 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. Due to COVID-19 precautions, entry to the Reading Room is available by appointment only. Please contact personnel in the Reading Room to schedule an appointment. The telephone number for the Reading Room is (202) 566-1744, and the telephone number for the docket center is (202) 566-1752. 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 Officer for EPA. Please include the EPA Docket ID Number EPA-HQ-OAR-2006-0971 and OMB Control Number 2060-0617 in any correspondence.

Part B of the Supporting Statement

This part is not applicable because no statistical methods were used in collecting this information.

Table 1: Annual Respondent Burden and Cost (Year 1) – National Volatile Organic Compound Emission Standards for Aerosol Coatings (40 CFR Part 59, Subpart E) (Renewal)

Burden item	(A) Person hours per occurrence	(B) No. of occurrence s per respondent per year	(C) Person hours per respondent per year (C = A x B)	(D) Respondent s per year ^a	(E) Technical person- hours per year (E = C x D)	(F) Management person hours per year (E x 0.05)	(G) Clerical person hours per year (E x 0.1)	(H) Total Cost Per year ^b
1. Applications	N/A							
2. Survey and Studies	N/A							
3. Reporting requirements								
A. Familiarization with rule requirements								
New sources	4	1	4	1	4	0.2	0.4	\$329.00
Existing sources ^c	1	1	1	65	65	3.3	6.5	\$5,346.23
B. Gather information	4	1	4	1	4	0.2	0.4	\$329.00
C. Write Report								
Initial report (including small quantity manufacturers) ^d	25.3	1	25.3	1	25.3	1.26	2.53	\$2,076.80
Supplemental report ^e	4	1	4	66	264	13.2	26.4	\$21,713.91
Variance or compliance extension application ^f	24	1	24	0.1	2.4	0.12	0.24	\$197.40
Respond to the EPA request for data ^g	60	1	60	10	600	30	60	\$49,349.79
Subtotal for Reporting Requirements					1,109			\$79,342
4. Recordkeeping requirements								
A. Familiarization with rule requirements	See 3A							
B. Plan activities	16	1	16	1	16	1	2	\$1,315.99
C. Calculation of reactivity ^{h, i, j}	0.5	37	18.5	11	204	10	20	\$16,737.80
D. Maintenance of batch information ^k	0.25	481	120	66	7,937	397	794	\$652,774.3 5
Subtotal for Recordkeeping Requirements					9,379			\$670,828

Total Labor Burden and Costs (rounded) ^k		10,500	\$750,000
Total Capital and O&M Cost (rounded) ^k			\$0
GRAND TOTAL (rounded) ^k			\$750,000

Assumptions:

^a We have assumed 65 existing respondents in year 1 and one additional new aerosol coating manufacturer each year.

^b This ICR uses the following labor rates: \$126.95 (managerial), \$71.38 (technical), and \$45.23 (clerical). These rates are from the United States Department of Labor, Bureau of Labor Statistics, May 2020 National Occupational Employment and Wage Estimates, for occupational groups 11-1021 (managerial), 51-8090 (technical), and 43-6010 (clerical). The rates represent the mean hourly wage, and have been increased by 110 percent to account for the benefit packages available to those employed by private industry.

^c We have assumed that each existing source will re-familiarize with the requirements each year.

^d New sources file initial reports in their first year.

^e We assume each new and existing respondent will have one incident per year that will require supplemental reporting (also referred to as a “notice of change” report).

^f We assume that 10 percent of new respondents will request a variance or extension on their compliance application.

^g We assume that 15 percent of new and existing sources per year will be required to respond to enforcement questions or other agency requests for information.

^h We assume that the time required (0.5 hours) for the calculation of reactivity for formulations for new coating categories is the same for new sources and existing sources.

ⁱ We assume each respondent will maintain records on 37 formulations (average for industry).

^j The number of respondents includes one new and 10 existing respondents. We have assumed that 10 existing manufacturers add new coating categories each year.

^k We have assumed that it takes the same amount of time (0.25 hours) for new and existing sources to maintain batch information.

^l Totals have been rounded to 3 significant figures. Figures may not add exactly due to rounding.

Table 2: Annual Respondent Burden and Cost (Year 2) – National Volatile Organic Compound Emission Standards for Aerosol Coatings (40 CFR Part 59, Subpart E) (Renewal)

Burden item	(A) Person hours per occurrence	(B) No. of occurrences per respondent per year	(C) Person hours per respondent per year (C = A x B)	(D) Respondent s per year ^a	(E) Technical person- hours per year (E = C x D)	(F) Managemen t person hours per year (E x 0.05)	(G) Clerical person hours per year (E x 0.1)	(H) Total Cost Per year ^b
1. Applications	N/A							
2. Survey and Studies	N/A							
3. Reporting requirements								
A. Familiarization with rule requirements								
New sources	4	1	4	1	4	0.2	0.4	\$329.00
Existing sources ^c	1	1	1	66	66	3.3	6.6	\$5,428.48
B. Gather information	4	1	4	1	4	0.2	0.4	\$329.00
C. Write Report								
Initial report (including small quantity manufacturers) ^d	25.3	1	25.3	1	25.3	1.26	2.53	\$2,076.80
Supplemental report ^e	4	1	4	67	268	13.4	26.8	\$22,042.91
Variance or compliance extension application ^f	24	1	24	0.1	2.4	0.12	0.24	\$197.40
Respond to the EPA request for data ^g	60	1	60	10	600	30	60	\$49,349.79
Subtotal for Reporting Requirements						1,115		\$79,753
4. Recordkeeping requirements								
A. Familiarization with rule requirements	See 3A							
B. Plan activities	16	1	16	1	16	1	2	\$1,315.99
C. Calculation of reactivity ^{h, i, j}	0.5	37	18.5	11	204	10	20	\$16,737.80
D. Maintenance of batch information ^k	0.25	481	120	67	8,057	403	806	\$662,664.87
Subtotal for Recordkeeping Requirements						9,518		\$680,719

Total Labor Burden and Costs (rounded) ^k		10,600	\$760,000
Total Capital and O&M Cost (rounded) ^k			\$0
GRAND TOTAL (rounded) ^k			\$760,000

Assumptions:

^a We have assumed 66 existing respondents in year 2 and one additional new aerosol coating manufacturer each year.

^b This ICR uses the following labor rates: \$126.95 (managerial), \$71.38 (technical), and \$45.23 (clerical). These rates are from the United States Department of Labor, Bureau of Labor Statistics, May 2020 National Occupational Employment and Wage Estimates, for occupational groups 11-1021 (managerial), 51-8090 (technical), and 43-6010 (clerical). The rates represent the mean hourly wage, and have been increased by 110 percent to account for the benefit packages available to those employed by private industry.

^c We have assumed that each existing source will re-familiarize with the requirements each year.

^d New sources file initial reports in their first year.

^e We assume each new and existing respondent will have one incident per year that will require supplemental reporting (also referred to as a “notice of change” report).

^f We assume that 10 percent of new respondents will request a variance or extension on their compliance application.

^g We assume that 15 percent of new and existing sources per year will be required to respond to enforcement questions or other agency requests for information.

^h We assume that the time required (0.5 hours) for the calculation of reactivity for formulations for new coating categories is the same for new sources and existing sources.

ⁱ We assume each respondent will maintain records on 37 formulations (average for industry).

^j The number of respondents includes one new and 10 existing respondents. We have assumed that 10 existing manufacturers add new coating categories each year.

^k We have assumed that it takes the same amount of time (0.25 hours) for new and existing sources to maintain batch information.

^l Totals have been rounded to 3 significant figures. Figures may not add exactly due to rounding.

Table 3: Annual Respondent Burden and Cost (Year 3) – National Volatile Organic Compound Emission Standards for Aerosol Coatings (40 CFR Part 59, Subpart E) (Renewal)

Burden item	(A) Person hours per occurrence	(B) No. of occurrences per respondent per year	(C) Person hours per respondent per year (C = A x B)	(D) Respondents per year ^a	(E) Technical person- hours per year (E = C x D)	(F) Managemen t person hours per year (E x 0.05)	(G) Clerical person hours per year (E x 0.1)	(H) Total Cost Per year ^b
1. Applications	N/A							
2. Survey and Studies	N/A							
3. Reporting requirements								
A. Familiarization with rule requirements								
New sources	4	1	4	1	4	0.2	0.4	\$329.00
Existing sources ^c	1	1	1	67	67	3.4	6.7	\$5,510.73
B. Gather information	4	1	4	1	4	0.2	0.4	\$329.00
C. Write Report								
Initial report (including small quantity manufacturers) ^d	25.3	1	25.3	1	25.3	1.26	2.53	\$2,076.80
Supplemental report ^e	4	1	4	68	272	13.6	27.2	\$22,371.90
Variance or compliance extension application ^f	24	1	24	0.1	2.4	0.12	0.24	\$197.40
Respond to the EPA request for data ^g	60	1	60	10	600	30	60	\$49,349.79
D. Write Triennial Report ^h								
Establish account for NEI	2	1	2	68	136	6.8	13.6	\$11,185.95
Enter general information into database	0.5	1	0.5	68	34	1.7	3.4	\$2,796.49
Enter product formulations into database	0.25	37	9.25	68	629	31.45	62.9	\$51,735.03
Enter company-wide volumes of coating constituents into database	2	1	2	68	136	6.8	13.6	\$11,185.95
Subtotal for Reporting Requirements						2,196		\$157,068

4. Recordkeeping requirements								
A. Familiarization with rule requirements	See 3A							
B. Plan activities	16	1	16	1	16	1	2	\$1,315.99
C. Calculation of reactivity ^{i, j, k}	0.5	37	18.5	11	204	10	20	\$16,737.80
D. Maintenance of batch information ^l	0.25	481	120	68	8,177	409	818	\$672,555.39
E. Triennial Report								
Calculate company-wide volume usage of coating constituents ^m	56	1	56	68	3,808	190	381	\$313,206.67
QA/QC and review ⁿ	40	1	40	68	2,720	136	272	\$223,719.05
Read instructions/take training for reporting	4	1	4	68	272	14	27	\$22,371.90
Subtotal for Recordkeeping Requirements					17,476			\$1,249,907
Total Labor Burden and Costs (rounded) ^o					19,700			\$1,410,000
Total Capital and O&M Cost (rounded) ^o								\$0
GRAND TOTAL (rounded) ^o								\$1,410,000

Assumptions:

^a We have assumed 67 existing respondents in year 3 and one additional new aerosol coating manufacturer each year.

^b This ICR uses the following labor rates: \$126.95 (managerial), \$71.38 (technical), and \$45.23 (clerical). These rates are from the United States Department of Labor, Bureau of Labor Statistics, May 2020 National Occupational Employment and Wage Estimates, for occupational groups 11-1021 (managerial), 51-8090 (technical), and 43-6010 (clerical). The rates represent the mean hourly wage, and have been increased by 110 percent to account for the benefit packages available to those employed by private industry.

^c We have assumed that each existing source will re-familiarize with the requirements each year.

^d New sources file initial reports in their first year.

^e We assume each new and existing respondent will have one incident per year that will require supplemental reporting (also referred to as a “notice of change” report).

^f We assume that 10 percent of new respondents will request a variance or extension on their compliance application.

^g We assume that 15 percent of new and existing sources per year will be required to respond to enforcement questions or other agency requests for information.

^h We assume each respondent will submit a triennial report of formulations and VOC usage.

ⁱ We assume that the time required (0.5 hours) for the calculation of reactivity for formulations for new coating categories is the same for new sources and existing sources.

^j We assume each respondent will maintain records on 37 formulations (average for industry).

^k The number of respondents includes one new and 10 existing respondents. We have assumed that 10 existing manufacturers add new coating categories each year.

^l We have assumed that it takes the same amount of time (0.25 hours) for new and existing sources to maintain batch information.

^m We have assumed that it takes 16 hours to gather information and an additional 40 hours to perform calculations. We have assumed that an average of 20 different constituents are used by each facility and that it takes 2 hours to sum the information for each constituent. $(16 + (20 \times 2) = 56)$

ⁿ We have assumed that the Triennial report undergoes QA/QC and review prior to submittal to EPA.

^o Totals have been rounded to 3 significant figures. Figures may not add exactly due to rounding.

Table 4: Annual EPA Burden and Cost (Year 1) - National Volatile Organic Compound Emission Standards for Aerosol Coatings (40 CFR Part 59, Subpart E) (Renewal)

Activity	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)
	EPA person-hours per occurrence	No. of occurrences per plant per year	EPA person-hours per plant per year (C=AxB)	Number of occurrences per respondent per year ^a	Technical person-hours per year (E=CxD)	Management person-hours per year (Ex0.05)	Clerical person-hours per year (Ex0.1)	Cost, \$ ^b
1. Initial report ^c	8	1	8	1	8	0.4	0.8	\$459.64
2. Supplemental report ^d	4	1	4	66	264	13.2	26.4	\$15,168.12
3. Variance application ^e	16	1	16	0.1	1.6	0.08	0.16	\$91.93
4. Supplemental data request ^f	40	1	40	10	400	20	40	\$22,982.00
TOTAL (rounded)^g						775		\$38,700

Assumptions:

^a We have assumed 65 existing respondents in year 1 and one additional new aerosol coating manufacturer each year.

^b This ICR uses the following labor rates: \$69.04 (managerial), \$51.23 (technical), and \$27.73 (clerical). These rates are from the Office of Personnel Management (OPM), 2021 General Schedule, which excludes locality rates of pay. The rates have been increased by 60 percent to account for the benefit packages available to government employees.

^c We have assumed that it will take eight hours for the Agency to review the initial report filed by new sources.

^d We have assumed that it will take four hours for the Agency to review to review the supplemental reports.

^e We have assumed that it will take sixteen hours for the Agency to review requests for variances or extensions filed by new sources on their compliance application.

^f We assume that EPA will request additional data from 15 percent of new and existing sources regarding enforcement questions or other agency requests for information, and that it will take 40 hours to review this data.

^g Totals have been rounded to 3 significant figures. Figures may not add exactly due to rounding.

Table 5: Annual EPA Burden and Cost (Year 2) - National Volatile Organic Compound Emission Standards for Aerosol Coatings (40 CFR Part 59, Subpart E) (Renewal)

Activity	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)
	EPA person-hours per occurrence	No. of occurrences per plant per year	EPA person-hours per plant per year (C=AxB)	Number of occurrences per respondent per year ^a	Technical person-hours per year (E=CxD)	Management person-hours per year (Ex0.05)	Clerical person-hours per year (Ex0.1)	Cost, \$ ^b
1. Initial report ^c	8	1	8	1	8	0.4	0.8	\$459.64
2. Supplemental report ^d	4	1	4	67	268	13.4	26.8	\$15,397.94
3. Variance application ^e	16	1	16	0.1	1.6	0.08	0.16	\$91.93
4. Supplemental data request ^f	40	1	40	10	400	20	40	\$22,982.00
TOTAL (rounded)^g						779		\$38,900

Assumptions:

^a We have assumed 66 existing respondents in year 2 and one additional new aerosol coating manufacturer each year.

^b This ICR uses the following labor rates: \$69.04 (managerial), \$51.23 (technical), and \$27.73 (clerical). These rates are from the Office of Personnel Management (OPM), 2021 General Schedule, which excludes locality rates of pay. The rates have been increased by 60 percent to account for the benefit packages available to government employees.

^c We have assumed that it will take eight hours for the Agency to review the initial report filed by new sources.

^d We have assumed that it will take four hours for the Agency to review to review the supplemental reports.

^e We have assumed that it will take sixteen hours for the Agency to review requests for variances or extensions filed by new sources on their compliance application.

^f We assume that EPA will request additional data from 15 percent of new and existing sources regarding enforcement questions or other agency requests for information, and that it will take 40 hours to review this data.

^g Totals have been rounded to 3 significant figures. Figures may not add exactly due to rounding.

Table 6: Annual EPA Burden and Cost (Year 3) - National Volatile Organic Compound Emission Standards for Aerosol Coatings (40 CFR Part 59, Subpart E) (Renewal)

Activity	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)
	EPA person-hours per occurrence	No. of occurrences per plant per year	EPA person-hours per plant per year (C=AxB)	Number of occurrences per respondent per year ^a	Technical person-hours per year (E=CxD)	Management person-hours per year (Ex0.05)	Clerical person-hours per year (Ex0.1)	Cost, \$ ^b
1. Initial report ^c	8	1	8	1	8	0.4	0.8	\$459.64
2. Supplemental report ^d	4	1	4	68	272	13.6	27.2	\$15,627.76
3. Variance application ^e	16	1	16	0.1	1.6	0.08	0.16	\$91.93
4. Supplemental data request ^f	40	1	40	10	400	20	40	\$22,982.00
5. Triennial Report ^g								
A. Develop Database and Report Forms	300	1	300	1	300	15	30	\$17,236.50
B. Populate Database	12	1	12	68	816	41	82	\$46,883.28
C. QA/Review Data	600	1	600	1	600	30	60	\$34,473.00
TOTAL (rounded)^h						2,760		\$138,000

Assumptions:

^a We have assumed 67 existing respondents in year 3 and one additional new aerosol coating manufacturer each year.

^b This ICR uses the following labor rates: \$69.04 (managerial), \$51.23 (technical), and \$27.73 (clerical). These rates are from the Office of Personnel Management (OPM), 2021 General Schedule, which excludes locality rates of pay. The rates have been increased by 60 percent to account for the benefit packages available to government employees.

^c We have assumed that it will take eight hours for the Agency to review the initial report filed by new sources.

^d We have assumed that it will take four hours for the Agency to review to review the supplemental reports.

^e We have assumed that it will take sixteen hours for the Agency to review requests for variances or extensions filed by new sources on their compliance application.

^f We assume that EPA will request additional data from 15 percent of new and existing sources regarding enforcement questions or other agency requests for information, and that it will take 40 hours to review this data.

^g Each respondent is required to submit a report of formulations and VOC usage once every three years. We assume EPA will develop/update the database and reporting forms, collect the data submissions from all respondents, populate the database, and then perform a QA and review of the data in year 3.

^h Totals have been rounded to 3 significant figures. Figures may not add exactly due to rounding.