

**SUPPORTING STATEMENT
ENVIRONMENTAL PROTECTION AGENCY**

NSPS for Automobile and Light Duty Truck Surface Coating Operations (40 CFR Part 60, Subpart MM)

1. Identification of the Information Collection

1(a) Title of the Information Collection

NSPS for Automobile and Light Duty Truck Surface Coating Operations (40 CFR Part 60, Subpart MM), EPA ICR Number 1064.20, OMB Control Number 2060-0034.

1(b) Short Characterization/Abstract

The New Source Performance Standards (NSPS) for Automobile and Light Duty Truck Surface Coating Operations were proposed on October 5, 1979, promulgated on December 24, 1980, and amended on October 17, 2000. These regulations apply to the following automobile and light duty truck assembly plant operations: each prime coat operation, guide coat operation, and topcoat operation commencing construction, modification, or reconstruction after October 5, 1979, and before the Federal Register publication date for this proposed action. This information is being collected to assure compliance with the proposed amendments to 40 CFR Part 60, Subpart MM.

In general, all NSPS standards require initial notifications, performance tests, and periodic reports by the owners/operators of the affected facilities. They are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. These notifications, reports, and records are essential in determining compliance, and are required of all affected facilities subject to NSPS. This information request documents the additional reporting burden due to the proposed subpart MM requirements only, burden which facilities already incur due to subpart MM is not included. The proposed requirements include the electronic reporting of 1) control device performance test results and reports, and 2) quarterly reports for excess VOC emissions, low incinerator temperature, and continuous monitoring system malfunctions, and 3) semiannual reports for no exceedances. The proposed requirements for electronic reporting are intended to decrease the reporting burden associated with subpart MM requirements.

All reports required to be submitted electronically are submitted through the EPA's Central Data Exchange (CDX), using the Compliance and Emissions Data Reporting Interface (CEDRI), where the delegated state or local authority can review them. In the event that there is no such delegated authority, the EPA regional office can review them. All other reports are sent to the delegated state or local authority. In the event that there is no such delegated authority, the reports are sent directly to the EPA regional offices. The use of the term "Designated Administrator" throughout this document refers to the U.S. EPA or a

delegated authority such as a state agency. The term "Administrator" alone refers to the U.S. EPA Administrator.

This ICR presents the burden to respondents and the Designated Administrator (State or Federal Government) that will be imposed by the plans developed to implement the standards of performance for new automobile and light duty truck surface coating operations. Respondents are owners or operators of new or modified automobile and light duty truck surface coating operations.

The requirements described below are the minimum requirements established by the standards of performance for automobile and light duty truck surface coating operations. Although the Designated Administrator may choose to impose more stringent requirements, it is assumed for this burden estimate that the implemented requirements mirror the NSPS.

Potential respondents are owners or operators of new, reconstructed, or modified automobile and light duty truck surface coating operations. It is estimated that 44 modified, constructed, or reconstructed automobile and light duty truck surface coating facilities are currently subject to the regulation and that no additional facilities will be subject to subpart MM in the next three years. The cost of this Information Collection Request (ICR), based on these 44 facilities, will be \$138,000 (rounded).

The "Affected Public" are owners or operators of automobile and light duty truck surface coating operations. The "burden" to the Affected Public may be found below at the end of this document in Table 1: Annual Respondent Burden and Cost – NSPS for Automobile and Light Duty Truck Surface Coating Operations (40 CFR Part 60, Subpart MM). The Federal Government's "burden" is attributed entirely to work performed by either Federal employees or government contractors and may be found below at the end of this document in Table 2: Average Annual EPA Burden and Cost – NSPS for Automobile and Light Duty Truck Surface Coating Operations (40 CFR Part 60, Subpart MM). There are approximately 44 automobile and light duty truck surface coating facilities, all which are owned and operated by the automobile and light duty truck surface coating industry. None of the 44 facilities in the United States are owned by either state, local, tribal or the Federal government. They are all owned and operated by privately-owned, for-profit businesses. We assume they will all respond to EPA inquiries.

Based on our consultations with industry representatives, there is an average of one affected facility at each plant site and each plant site has only one respondent (i.e., the owner/operator of the plant site). Over the next three years, approximately 44 respondents per year will be subject to these standards.

2. Need for and Use of the Collection

2(a) Need/Authority for the Collection

The EPA is charged under Section 111 of the Clean Air Act (CAA), as amended, to establish standards of performance for new stationary sources that reflect:

. . . application of the best technological system of continuous emissions reduction which (taking into consideration the cost of achieving such emissions reduction, or any non-air quality health and environmental impact and energy requirements) the Administrator determines has been adequately demonstrated. Section 111(a)(1).

The Agency refers to this charge as selecting the best demonstrated technology (BDT). Section 111 also requires that the Administrator review and, if appropriate, revise such standards every eight years.

In addition, section 114(a) states that the Administrator may require any owner/operator subject to any requirement of this Act to:

(A) Establish and maintain such records; (B) make such reports; (C) install, use, and maintain such monitoring equipment, and use such audit procedures, or methods; (D) sample such emissions (in accordance with such procedures or methods, at such locations, at such intervals, during such periods, and in such manner as the Administrator shall prescribe); (E) keep records on control equipment parameters, production variables or other indirect data when direct monitoring of emissions is impractical; (F) submit compliance certifications in accordance with Section 114(a)(3); and (G) provide such other information as the Administrator may reasonably require.

In the Administrator's judgment, VOC emissions from automobile and light duty truck coating operations either cause or contribute to air pollution that may reasonably be anticipated to endanger public health and/or welfare. Therefore, the NSPS were promulgated for this source category at 40 CFR Part 60, Subpart MM. This ICR reflects the incremental burden associated with the electronic reporting requirements proposed for 40 CFR Part 60, subpart MM as a result of the CAA 111 review.

2(b) Practical Utility/Users of the Data

The reporting requirements in these standards ensure compliance with the applicable regulations which were promulgated in accordance with the Clean Air Act. The collected information is also used for targeting inspections and as evidence in legal proceedings.

Performance tests are required in order to determine an affected facility's initial and continuing capability to comply with the emission standards. During the performance test a record of the operating parameters under which compliance was achieved must be recorded and is used to ensure compliance with these standards at all times. The required quarterly and semiannual reports are used to determine periods of excess emissions, identify problems at the facility, verify operation/maintenance procedures, and for compliance determinations.

This information request reflects the proposed electronic reporting of these performance test data and reports required by subpart MM. The EPA is proposing that owners or operators of affected sources submit electronic copies of 1) initial and periodic performance test results and reports and 2) quarterly and semiannual compliance reports through the EPA's Central Data Exchange (CDX), using the Compliance and Emissions Data Reporting Interface (CEDRI). For quarterly and semiannual reports, EPA would develop a template for the reporting form in CEDRI specifically for 40 CFR Part 60, Subpart MM.

CEDRI includes the Electronic Reporting Tool (ERT) software, which is used by facilities to generate electronic reports of performance tests. EPA is proposing that 40 CFR Part 60, Subpart MM performance test reports be submitted through the EPA's ERT.

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

The requested reporting is required under 40 CFR Part 60, Subpart MM.

3(a) Non-duplication

For reports required to be submitted electronically, the information is sent through the EPA's CDX, using CEDRI, where the appropriate EPA regional office can review it, as well as state and local agencies that have been delegated authority. If a state or local agency has adopted under its own authority its own standards for reporting or data collection, adherence to those non-Federal requirements does not constitute duplication.

For all other reports, if the subject standards have not been delegated, the information is sent directly to the appropriate EPA regional office. Otherwise, the information is sent directly to the delegated state or local agency. If a state or local agency has adopted its own standards to implement the Federal standards, a copy of the report submitted to the state or local agency can be sent to the Administrator in lieu of the report required by the Federal standards. Therefore, duplication does not exist.

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

A public notice of this collection is provided in the Federal Register notice of the proposed rulemaking published for the Subpart MM.

3(c) Consultations

During development of these proposed revisions, EPA held meetings and conference calls with a coalition representing automobile and light duty truck surface coating facility owners and operators. We estimate that approximately 44 constructed, modified, or reconstructed automobile and light duty truck surface coating operations are currently subject to 40 CFR 60 subpart MM and will be subject to the electronic reporting requirements.

3(d) Effects of Less-Frequent Collection

Less-frequent information collection would decrease the margin of assurance that facilities are continuing to meet these standards. Requirements for information gathering and recordkeeping are useful techniques to ensure that good operation and maintenance practices are applied and emission limitations are met. If the information required by these standards was collected less frequently, the proper operation and maintenance of control equipment and the possibility of detecting violations would be less likely.

3(e) General Guidelines

These reporting or recordkeeping requirements do not violate any of the regulations promulgated by OMB under 5 CFR Part 1320, Section 1320.5.

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 owners and operators of facilities that conduct automobile and light duty truck surface coating operations. The United States Standard Industrial Classification (SIC) code for the respondents affected by the standard and the corresponding North American Industry Classification System (NAICS) codes are listed in the following table:

Standard (40 CFR Part 60, Subpart MM)	SIC Codes	NAICS Codes
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Automobile Manufacturing	3711	336111
Light Truck and Utility Vehicle Manufacturing		336112
Motor Vehicle Body Manufacturing		336211

4(b) Information Requested

(i) Data Items

In this ICR, all performance test data and reports must be electronically reported as required by the NSPS for Automobile and Light Duty Truck Surface Coating Operations (40 CFR Part 60, Subpart MM). Respondents are required to use the EPA's Electronic Reporting Tool (ERT) to develop performance test reports and submit them through the EPA's Compliance and Emissions Data Reporting Interface (CEDRI), which can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>). The ERT is an application rather than a form, and the requirement to use the ERT is applicable to numerous subparts. The splash screen of the ERT contains a link to the Paperwork Reduction Act (PRA) requirements, such as the OMB Control Number, expiration date, and burden estimate for this and other subparts.

Electronic copies of records may also be maintained in order to satisfy federal recordkeeping requirements. For additional information on the Paperwork Reduction Act requirements for CEDRI and ERT for this rule, see: <https://www.epa.gov/electronic-reporting-air-emissions/paperwork-reduction-act-pra-cedri-and-ert>.

The electronic reporting requirements proposed for 40 CFR Part 60, subpart MM do not apply to the notifications required by subpart MM. These include: notifications of construction/reconstruction required by §60.7(a)(1), notification of actual startup required by §60.7(a)(3), notification of the initial performance test required by §60.8(d) and notifications of physical or operational changes required by §60.7(a)(4). The electronic reporting requirements proposed for 40 CFR Part 60, subpart MM also do not affect the recordkeeping requirements in subpart MM.

A source must electronically submit the following reports and data:

Reports	
Initial compliance report using no incineration	§60.8(a), §60.395(a)(1)
Initial compliance report using incineration and performance data	§60.395(a)(2)
Subsequent performance test reports at which destruction efficiency is determined and performance data	§60.395(a)(2)
After the initial compliance test, every calendar quarter of each instance in which there is an exceedance of the emission limits	§60.395(b)

Semiannual report if no exceedances of the emission limits occurred during the quarter	§60.393(b)
Quarterly reports of excess VOC emissions, semiannual reports if no exceedances	§60.395(b)
Semiannual reports for low thermal oxidizer temperature or low catalytic incinerator temperature before or across the catalyst bed	§60.395(c)(2)

(ii) Respondent Activities

Respondent Activities
Familiarization with the regulatory requirements for electronic reporting.
Familiarization with CEDRI and CDX registration and template.
Electronically submit VOC emission reports.
Electronically submit incinerator temperature reports.

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

5(a) Agency Activities

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

Agency Activities
Development of regulatory requirements for electronic reporting.
Support CEDRI and CDX registration and template development.
Review and analysis of electronic submissions of VOC emission reports.
Review and analysis of electronic submissions of incinerator temperature reports.

5(b) Collection Methodology and Management

Following notification of startup, the reviewing authority could inspect the source to determine whether the pollution control devices are properly installed and operated.

Performance test reports are used by the Agency to discern a source's initial and continuing capability to comply with the emission standards and report the operating conditions under which compliance was achieved. Data and records maintained by the respondents are tabulated and published for use in compliance and enforcement programs. The semiannual reports are used for problem identification, as a check on source operation and maintenance, and for compliance determinations.

Information contained in the reports is reported by state and local governments in the ICIS Air database, which is operated and maintained by EPA's Office of Compliance. ICIS is EPA's database for the collection, maintenance, and retrieval of compliance data for industrial and government-owned facilities. EPA uses ICIS for tracking air pollution compliance and enforcement by local and state regulatory agencies, EPA regional offices and EPA headquarters. The EPA and its delegated Authorities can edit, store, retrieve and analyze the data.

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

5(c) Small Entity Flexibility

There are no small entities (i.e., small businesses) affected by this regulation. This estimate is based on the discussion on affected small entities during the development of the rule (see BID EPA-450/3-80-003a).

5(d) Collection Schedule

The specific frequency for each information collection activity within this request is shown below at the end of this document in Table 1: Annual Respondent Burden and Cost – NSPS for Automobile and Light Duty Truck Surface Coating Operations (40 CFR Part 60, Subpart MM).

6. Estimating the Burden and Cost of the Collection

Table 1 documents the computation of 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 average annual burden to industry over the next three years from these electronic reporting requirements is estimated to be 506 hours (Total Labor Hours from Table 1 below). These hours are based on Agency experience with the electronic reporting program.

6(b) Estimating Respondent Costs

(i) Estimating Labor Costs

This ICR uses the following labor rates:

Managerial	\$135.18 (\$64.37 + 110%)
Technical	\$92.59 (\$44.09 + 110%)
Clerical	\$54.71 (\$26.05 + 110%)

These rates are from the United States Department of Labor, Bureau of Labor Statistics, , “May 2020 National Industry-Specific Occupational Employment and Wage Estimates NAICS 336100 – Motor Vehicle Manufacturing.” The rates are from column 8, “Mean hourly wage.” The rates have been increased by 110 percent to account for varying industry wage rates and the additional overhead business costs of employing workers beyond their wages and benefits, including business expenses associated with hiring, training, and equipping their employees.

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

The type of industry costs associated with the information collection activities in the subject standards are labor costs only which are addressed elsewhere in this ICR. There are no capital/startup costs or annual operation and maintenance costs associated with this ICR.

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

Capital/Startup vs. Operation and Maintenance (O&M) Costs						
	(B) Capital/Startup Cost for One Respondent	(C) Number of New Respondents	(D) Total Capital/Startup Cost, (B X C)	(E) Annual O&M Costs for One Respondent	(F) Number of Respondents with O&M	(G) Total O&M, (E X F)
N/A						

6(c) Estimating Agency Burden and Cost

The only costs to the Agency are those costs associated with support of proposed electronic reporting requirements and review and analysis of the reports.

The average annual Agency cost during the three years of the ICR is estimated to be \$7,800.

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

Managerial	\$70.56 (GS-13, Step 5, \$44.10 + 60%)
Technical	\$52.37 (GS-12, Step 1, \$32.73 + 60%)
Clerical	\$28.34(GS-6, Step 3, \$17.17 + 60%)

These rates are from the Office of Personnel Management (OPM), 2022 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. Details upon which this estimate is based appear below at the end of this document in Table 2: Average Annual EPA Burden and Cost – NSPS for Automobile and Light Duty Truck Surface Coating Operations (40 CFR Part 60, Subpart MM).

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 44 existing respondents will be subject to these standards. It is estimated that no additional respondents will become subject to these same standards. The overall average number of respondents, as shown in the table below, is 44 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	0	44	0	0	44
2	0	44	0	0	44
3	0	44	0	0	44
Average	0	44	0	0	44

¹ No new respondents will be subject to subpart MM after proposal of new subpart MMa.

Column D is subtracted to avoid double-counting respondents. As shown above, the average Number of Respondents over the three-year period of this ICR is 44.

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

Total Annual Responses				
(A) Information Collection Activity	(B) Number of Respondents	(C) Number of Responses	(D) Number of Existing Respondents That Keep Records But Do Not Submit Reports ¹	(E) Total Annual Responses E=(BxC)+D
VOC emission reports	44	4	0	176
Temperature reports	44	2	0	88
			Total	264

¹Electronic reporting burden does not include recordkeeping.

The number of Total Annual Responses is 264 responses.

The total annual labor costs are \$46,000 (rounded). Details regarding these estimates may be found below at the end of this document in Table 1: Annual Respondent Burden and Cost – NSPS for Automobile and Light Duty Truck Surface Coating Operations (40 CFR Part 60, Subpart MM).

6(e) Bottom Line Burden Hours and Cost Tables

The detailed bottom line burden hours and cost calculations for the respondents and the Agency are shown below in Tables 1 and 2 at the end of this document, respectively, and summarized below.

(i) Respondent Tally

The total annual labor hours are 506 hours. Details regarding these estimates may be found below in Table 1: Annual Respondent Burden and Cost – NSPS for Automobile and Light Duty Truck Surface Coating Operations (40 CFR Part 60, Subpart MM).

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 annual public reporting and recordkeeping burden for this collection of information is estimated to average 12 hours per response.

There are no total annual capital/startup and O&M costs for the regulated entity associated with the proposed electronic reporting requirements for subpart MM.

(ii) The Agency Tally

The average annual Agency burden and cost over next three years is estimated to be 152 labor hours at a cost of \$7,800; see below in Table 2: Average Annual EPA Burden and Cost – NSPS for Automobile and Light Duty Truck Surface Coating Operations (40 CFR Part 60, Subpart MM).

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.

6(f) Reasons for Change in Burden

Since this is a proposed rule, there is no change in burden.

6(g) Burden Statement

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 12 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 the proposed regulatory requirements; review and complete the CEDRI and CDX registration; enter the required information into EPA generated templates specific to the standard; and submit 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-2021-0664. 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. 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-2021-0664 and OMB Control Number 2060-0034 in any correspondence.

Part B of the Supporting Statement

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