1Information Collection Request Supporting Statement

PART A OF THE SUPPORTING STATEMENT

PRODUCTION, IMPORT, EXPORT, RECYCLING, DESTRUCTION, TRANSHIPMENT, AND FEEDSTOCK USE OF OZONE-DEPLETING SUBSTANCES (Renewal)

1. Identification of the Information Collection

(a) Title: Production, Import, Export, Recycling, Destruction, Transhipment, and Feedstock Use of Ozone-Depleting Substances

OMB Number: 2060-0170
EPA ICR Number: 1432.38

(b) Short Characterization

This information collection request (ICR) covers provisions under the 1*Montreal Protocol on Substances that Deplete the Ozone Layer* (Montreal Protocol) and Title VI of the Clean Air Act (CAA) that establish limits on total U.S. production, import, and export of class I and class II ozone-depleting substances (ODS) (or controlled substances). Production and import of class I controlled substances (chlorofluorocarbons and others) was phased out in the United States. The phaseout includes exemptions for essential uses, critical uses of methyl bromide, quarantine and pre-shipment uses of methyl bromide, previously used material, and material that will be transformed or destroyed. There are also use restrictions and reduction schedules leading to the eventual phaseout of class II controlled substances, with exemptions for previously used material and material that will be transformed or destroyed.

To implement the CAA and meet commitments under the Montreal Protocol, the ODS phaseout regulations establish control measures for individual companies. EPA monitors compliance through the recordkeeping and reporting requirements established in the regulations at 40 CFR part 82, Subpart A.

The Government Paperwork Elimination Act (GPEA, Pub. L. 105-277) requires that, when practicable, federal organizations use electronic forms, electronic filings, and electronic signatures to conduct official business with the public. EPA's Cross-Media Electronic Reporting Regulation (CROMERR) (See 70 FR 59848, October 13, 2005) provides that any requirement in Title 40 of the Code of Federal Regulations to submit a report directly to EPA can be satisfied with an electronic submission that meets certain conditions once the Agency publishes a notice that electronic document submission is available for that requirement.

In light of GPEA and CROMERR, all manufacturers, importers, and processors of class I and class II ODS must use submit information electronically through EPA's Central Data Exchange (CDX), to submit ODS reports to the Agency.

Following submission of reports, the data are electronically imported into the ODS Tracking System (ODSTS). The ODSTS is a secure database that maintains the data submitted to EPA and

helps the Agency: (1) maintain oversight over total production and consumption of controlled substances; (2) monitor compliance with limits and restrictions on production, imports, and trades and specific exemptions from the phaseout for individual U.S. companies; (3) enforce against illegal imports; and (4) assess and report on compliance with the U.S. phasedown caps established under the Montreal Protocol.

This ICR covers reporting and recordkeeping requirements related to the production, import, export, transformation, destruction, transshipment, and exempted uses of all ODS. For the three years covered by this ICR, the total respondent burden associated with this information collection will average 3,022 hours per year and the respondent cost will average $375,086 per year. This includes $8,250 per year for capital investment and operation and maintenance and $366,836 per year for labor. Over the same time period, the total estimated cost for EPA of the information collection will average $185,607 per year. The total estimated cost for all respondents and EPA will average $560,693 per year.

2. Need For, and Use Of, the Collection

(a) Authority for the Collection

This information collection is required by regulations at 40 CFR part 82, subpart A and is authorized under the CAA. CAA Section 603(b) mandates that each person who produces, imports, or exports a controlled substance file a report stating the amount of the substance that was produced, imported, and exported by that person during the preceding reporting period. CAA Section 606(b) authorizes the import for petition process. Additionally, collection of information for methyl bromide critical uses is authorized under CAA Section 604(d)(6), added by Section 764 of the 1999 Omnibus Consolidated and Emergency Supplemental Appropriations Act (Public Law No. 105-277; October 21, 1998). CAA Section 114 authorizes EPA Administrator to require recordkeeping and reporting in carrying out any provision of the CAA (with certain exceptions that do not apply here).

The United States has ratified the amendments to the Montreal Protocol related to ODS. Article 7 of the Montreal Protocol, titled “Reporting of data,” specifies the specific data on production (including for use as a feedstock), imports, exports, and destruction of each controlled substance that the United States supplies annually. Article 7 also includes limited reporting on emissions.

For methyl bromide**,** EPA’s Office of Pesticide Programs collaborates in the exemption application process. The regulation of pesticides is conducted under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended by the Food Quality Protection Act (FQPA).

For electronic reporting, the Paperwork Reduction Act (PRA) requires Federal agencies to manage information resources to reduce information collection burdens on the public; increase program efficiency and effectiveness; and improve the integrity, quality, and utility of information to all users within and outside the Agency, including capabilities for ensuring dissemination of public information, public access to government information, and protections for privacy and security (44 USC 3506).

(b) Practical Utility/Users of the Data

The reporting and recordkeeping requirements for class I and class II ODS enables EPA to:

1. Ensure compliance with the restrictions on production, import, and export of controlled substances;
2. Allow exempted production, import, and export for certain uses and the consequent tracking of that production, import and export;
3. Allow EPA to monitor and approve transfers of class II production and consumption allowances among producers and importers;
4. Allow the import of used ODS through a petition/certification process that is designed to reduce fraudulent imports;
5. Fulfill statutory obligations under CAA Section 603(b) for reporting and monitoring;
6. Provide information to report to the U.S. Congress on the production, use, and consumption of class I and class II controlled substances as required in CAA Section 603(d); and
7. Satisfy the United States' commitment to report data under Article 7 of the Montreal Protocol.

Furthermore, applications for methyl bromide critical use exemptions enables EPA to:

1. Evaluate the technical and economic feasibility of methyl bromide alternatives in the circumstance of the specific use, as presented in an application for a critical use exemption;
2. Ensure that critical use exemptions comply with CAA Section 604(d)(6); and
3. Support critical use nominations to the Parties to the Montreal Protocol, in accordance with paragraph 2 of Decision IX/6 of the Montreal Protocol.

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

(a) Non-duplication

All information requested from respondents under this ICR is required by statute (CAA Sections 114, 603(b), and 604(d)(6)), and is unavailable from other sources because it is proprietary.

Anyone subject to the regulations at 40 CFR part 82, subpart A can report to EPA using CDX. Users who have previously registered with CDX can add the ODS Program Service to their existing account. A single authorized company official (or designee) does not need to complete the CDX registration process multiple times and a given individual need not complete multiple electronic signature agreements.

(b) Public Notice Required Prior to ICR submission to OMB

In compliance with the Paperwork Reduction Act of 1995, EPA issued a public notice in the Federal Register on October 24, 2022 (87 FR 51976).

(c) Consultations

The burden calculations for this renewal were developed based on information from EPA's consultations for the previous ICR. In addition, as part of the current data collection process, EPA routinely corresponds with stakeholders to answer questions and provide reporting support.

(d) Effects of Less Frequent Collection

Less frequent collection of data would compromise EPA's ability to meet statutory requirements under CAA Section 603 to monitor production, import, and export of ODS and hinder EPA's ability to identify violations of the existing regulations. The quarterly reporting requirements at 40 CFR part 82, subpart A, provide EPA the ability to resolve in a timely manner discrepancies in the data reported to EPA.

Less frequent collection of data could potentially place the United States in a non-compliance status under the Montreal Protocol. Quarterly reporting provides EPA with the necessary time to take action if an individual reporter or the United States were to exceed the Montreal Protocol's production, import, or export limits or the limits established in CAA Sections 604 and 605.

EPA's timing for information collection for methyl bromide critical uses is consistent with the timeline under the Montreal Protocol and coincides with the critical use nomination process established by the Parties to the Montreal Protocol. Any deviation from that timeline would result in a forfeiture from inclusion in a potential U.S. nomination package and subsequent consideration by the Parties.

Finally, the U.S. government is required to report data to the Ozone Secretariat under Article 7 of the Montreal Protocol on an annual basis no later than September 30th.

(e) General Guidelines

The reporting and recordkeeping requirements do not exceed any of the OMB guidelines found at 5 CFR 1320.5(d)(2).

(f) Confidentiality

EPA informs the respondents that they may assert claims of business confidentiality for any of the information they submit. Information claimed as confidential will be treated in accordance with the procedures for handling information claimed as confidential under 40 CFR part 2, Subpart B, and will be disclosed to the extent, and by means of procedures, set forth in Subpart B. If no claim of confidentiality is asserted when the information is received by EPA, it may be made available to the public without further notice to the respondents (40 CFR 2.203).

All information sent by the submitter via CDX is transmitted securely to protect CBI. The reporting tool guides the user through the process of submitting CBI. Documents containing

information claimed as CBI must be submitted in an electronic format, in accordance with the recordkeeping requirements.

(g) Sensitive Questions

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

4. The Respondents and the Information Request

(a) Respondents' NAICS Codes

The appropriate North American Industry Classification System (NAICS) for potentially affected entities are listed below in Table I.

Table I. NAICS Classification of Regulated Entities

Category	NAICS code	Example of Regulated Entities
Chemical Producers, Importers, and Exporters	3251	Basic Chemical Manufacturing
	325120	Fluorocarbon Gas Manufacturing
	325320	Pesticide and Other Agricultural Chemical Manufacturing
Research and Development Laboratories	541712	Research and Development in the Physical, Engineering, and Life Sciences
Methyl Bromide Distributors and Applicators	115112	Soil Preparation, Planting, and Cultivating
	424910	Farm Supplies and Merchant Wholesalers
Agricultural production (methyl bromide)	1112	Vegetable and Melon farming
	1113	Fruit and Nut Tree Farming
	1114	Greenhouse, Nursery, and Floriculture Production
	1119	Other Crop Farming
Commodity Storage (methyl bromide)	115114	Postharvest Crop activities (except Cotton Ginning)
	311211	Flour Milling
	311212	Rice Milling
	493110	General Warehousing and Storage
	493130	Farm Product Warehousing and Storage
Waste Collection	562211	Hazardous Waste Treatment and Disposal, Incinerator, Hazardous Waste
	327310	Hazardous Waste Treatment and Disposal, Cement Manufacturing, Clinker
Heating and Air-Conditioning Equipment Distributors	423730	Warm Air Heating and Air-Conditioning Equipment and Supplies Merchant Wholesalers
Recovery and Reclamation	562920	Materials Recovery Facilities

(b) Information Requested

(i) Data items

All producers, importers, exporters, distributors, applicators, and others identified in 40 CFR 82.13 and 82.24 (as well as others identified in §82.16, §82.18, §82.20, §82.23) must record and/or report the following either on a quarterly or annual basis, as applicable. One-time and transactional reports are noted where applicable.

1**Producers reporting and recordkeeping requirements:**
The following information must be reported using the Class I Producer Quarterly Report (EPA Form 5900-151) or Class II Producer Quarterly Report (EPA Form 5900-202):

- The gross quantity of each controlled substance produced.
- The quantity of production of each controlled substance under the exemptions for global laboratory and other essential uses;
- The quantity of production of each controlled substance used in processes resulting in their transformation by the producer and the quantity intended for transformation by a second party;
- The quantity of production of each controlled substance used in processes resulting in their destruction by the producer and the quantity intended for destruction by a second party;
- The quantity of controlled substance sold or transferred to a person other than the producer for use in processes resulting in its transformation or eventual destruction and the name(s) of the recipient(s);
- For controlled substances provided to another entity for transformation, a copy of an IRS certification or intent to transform the same controlled substance for a particular transformer;
- For controlled substances provided to another entity for destruction, a copy of a destruction verification from that entity;
- A list of the essential use allowance holders, distributors of laboratory supplies, and laboratory customers from whom orders were placed and the quantity of specific essential use controlled substance ordered;
- Certifications from essential use recipients stating that the controlled substances were purchased solely for specified essential uses and will not be resold or used in any other manufacturing process;
- In the case of laboratory essential uses, certification from distributors of laboratory supplies that controlled substances were purchased for sale to laboratory customers who certify that the substances will only be used for essential laboratory and analytical uses, and will not be resold or used in manufacturing; or, if sales are made directly to laboratories that the controlled substances will only be used for essential laboratory and analytical uses and will not be resold or used in manufacturing.

In the case of methyl bromide, the reporting form Methyl Bromide Producer Quarterly Report (EPA Form 5900-141) must be used to report the following:

- The quantity of methyl bromide produced for quarantine and preshipment applications and critical uses;
- The amount produced and then exported by the producer or by other U.S. companies for critical uses;

- The quantity of methyl bromide produced under the exemptions for global laboratory and emergency use;
- The quantity of production of methyl bromide used in processes resulting in its transformation by the producer and the quantity intended for transformation by a second party;
- The quantity of production of methyl bromide used in processes resulting in its destruction by the producer and the quantity intended for destruction by a second party;
- The quantity of methyl bromide sold or transferred to a person other than the producer for use in processes resulting in its transformation or eventual destruction and the name(s) of the recipient(s);
- The quantity of methyl bromide sold or transferred to a person other than the producer for quarantine and preshipment applications and the name(s) of the recipient(s);
- One copy of a certification from each recipient that the material will be used only for quarantine and preshipment applications;
- The total amount and type of critical use methyl bromide held in inventory for themselves or on behalf of a third party; and
- Information that the Administrator may reasonably require in carrying out the critical use exemption program under CAA Section 604(d)(6) including management and composition of pre-phaseout inventory, price of methyl bromide and its alternatives, and fumigant emissions reductions practices.

<u>The following are recordkeeping requirements for producers of controlled substances:</u>

- Dated records of the quantity of each controlled substance produced at each facility;
- Dated records of the quantity of controlled substances produced for use in processes that result in their transformation or for use in processes that result in their destruction and quantity sold for use in processes that result in their transformation or for use in processes that result in their destruction;
- Copies of invoices or receipts documenting sale of controlled substance for use in processes resulting in their transformation or for use in processes resulting in destruction;
- Dated records of the quantity of each controlled substance used at each facility as feedstocks or destroyed in the manufacture of a controlled substance or in the manufacture of any other substance, and any controlled substance introduced into the production process of the same controlled substance at each facility;
- Dated records identifying the quantity of each chemical not a controlled substance produced within each facility also producing one or more controlled substances;
- Dated records of the quantity of raw materials and feedstock chemicals used at each facility for the production of controlled substances;
- Dated records of the shipments of each controlled substance produced at each plant;
- The quantity of controlled substances, the date received, and names and addresses of the source of used materials containing controlled substances which are recycled or reclaimed at each plant;
- Records of the date, the controlled substance, and the estimated quantity of any spill or release of a controlled substance that equals or exceeds 100 pounds;
- Internal Revenue Service Certificates in the case of transformation, or the destruction verification in the case of destruction showing that the purchaser or recipient of a controlled substance, in the United States or in another country that is a Party, certifies

the intent to either transform or destroy the controlled substance, or sell the controlled substance for transformation or destruction in cases when production and consumption allowances were not expended;

- Written certifications that quantities of controlled substances, meeting the purity criteria in appendix G of this subpart, were purchased by distributors of laboratory supplies or by laboratory customers to be used only in essential laboratory and analytical uses as defined by appendix G, and not to be resold or used in manufacturing;
- Transformation verification in the case of transformation, or destruction verification, in the case of destruction, in the U.S. or in another country that is a Party, certifies the intent to either transform or destroy the controlled substance, or sell the controlled substance for transformation or destruction in cases when allowances were not expended; and

Importers reporting and recordkeeping requirements:

The following information must be reported using the Class I Importer Quarterly Report (EPA Form 5900-150) or Class II Importer Quarterly Report (EPA Form 5900-200):

- The quantity of each controlled substance imported alone and the quantity imported of each mixture that consists of a controlled substance;
- The quantity of controlled substances imported for global laboratory and other essential uses, and the servicing of halon aircraft bottles;
- The quantity of each controlled substance imported for use in processes that result in their transformation or destruction by the importer and the quantity intended for transformation or destruction by a second party;
- The quantity of each controlled substance sold for use in processes that result in their destruction or transformation and the name(s) of the recipient(s);
- For each import transaction: the date on which the controlled substance was imported; the port through which it passed; the country from which it was imported; the commodity code of the shipment; the importer number for the shipment; and the Customs Entry Summary Number;
- For each quantity of a used controlled substance imported for destruction: the date of the acknowledgement letter confirming the receipt of a certification for the intent to import the material for destruction;
- For each quantity of a used controlled substance imported for reuse: the date of the non-objection notice to import the material for reuse;
- Transformation verifications or destruction verifications showing that the purchaser or recipient of imported controlled substances intends to transform or destroy the controlled substances;
- A list of the essential uses, distributors of laboratory supplies, and laboratory customers from whom orders were placed, and the quantity of each controlled substance ordered;
- Certifications from essential use recipients stating that the controlled substances were purchased solely for specified essential uses and will not be resold or used in manufacturing;
- Certifications from distributors of laboratory supplies that the controlled substances were purchased solely for eventual sale to laboratories that certify the controlled substances are for essential laboratory and analytical uses, or if sales are made directly to laboratories, verifications from laboratories that the controlled substances will only be used for essential laboratory and analytical uses and will not be resold or used in manufacturing;

- For imports of used controlled substances, a copy of the petition submitted, EPA non-objection notice and the bill of lading for the import; and
- For imported containers with a heel: the amount brought into the United States with a certification that the residual amount in each shipment is less than 10 percent of the volume of the container; the fate of the container; and a report indicating the final disposition of each shipment.

In the case of methyl bromide, the reporting form Methyl Bromide Importer Quarterly Report (EPA Form 5900-144) must be used to report the following:

- For each import transaction: the date on which the controlled substance was imported; the port through which it passed; the country from which it was imported; the importer number of the shipment; and the International Trade Data System entry number;
- The quantities of methyl bromide imported for global laboratory, quarantine and preshipment applications, critical use, and emergency uses;
- The quantity of methyl bromide imported for use in processes that result in their transformation or destruction by the importer and the quantity intended for transformation or destruction by a second party;
- The quantity of methyl bromide sold for use in processes that result in their destruction or transformation and the name(s) of the recipient(s);
- The quantity of methyl bromide sold or transferred to a person other than the importer for quarantine and preshipment applications;
- One copy of a certification from each recipient that the material will be used only for quarantine and preshipment applications;
- A list of the distributors of laboratory supplies and laboratory customers from whom orders were placed, and the quantity of methyl bromide ordered;
- Certifications from essential use recipients stating that the methyl bromide was purchased solely for specified essential uses and will not be resold or used in any other manufacturing process;
- In the case of laboratory essential uses, certification from distributors of laboratory supplies that the methyl bromide was purchased for sale to laboratory customers who certify that the substances will only be used for essential laboratory and analytical uses, and will not be resold or used in manufacturing; or, if sales are made directly to laboratories that the methyl bromide will only be used for essential laboratory and analytical uses and will not be resold or used in manufacturing;
- The total amount and type of critical use methyl bromide held in inventory for themselves or on behalf of a third party;
- Information that the Administrator may reasonably require in carrying out the critical use exemption program under CAA Section 604(d)(6) including management and composition of pre-phaseout inventory, price of methyl bromide and its alternatives, and fumigant emissions reductions practices; and
- For imported containers with a heel: the amount brought into the United States with a certification that the residual amount in each shipment is less than 10 percent of the volume of the container; the fate of the container; and a report indicating the final disposition of each shipment.

<u>The following are recordkeeping requirements for importers of controlled substances:</u>

- The quantity of each controlled substance imported, either alone or in mixtures, including the percentage of each mixture which consists of a controlled substance;
- The quantity of those controlled substances imported that are used (including recycled or reclaimed) and, where applicable, the information provided with the petition;
- The quantity of controlled substances other than transhipments or used, recycled or reclaimed substances imported for use in processes resulting in their transformation or destruction and quantity sold for use in processes that result in their destruction or transformation;
- For the quantity of the controlled substance imported: The date on which the controlled substances were imported; The port of entry through which the controlled substances passed; The country from which the imported controlled substances were imported; The commodity code for the controlled substances shipped, which must be one of those listed in Appendix K to this subpart; The importer number for the shipment; A copy of the bill of lading for the import; The invoice for the import; The quantity of imports of used, recycled or reclaimed class I controlled substances and class II controlled substances; The U.S. Customs entry form;
- Dated records documenting the sale or transfer of controlled substances for use in processes resulting in transformation or destruction;
- Copies of IRS certifications that the controlled substance will be transformed or destruction verifications that it will be destroyed;
- Copies of certifications that imported controlled substances are being purchased for essential laboratory and analytical uses or being purchased for eventual sale to laboratories that certify that controlled substances are for essential laboratory and analytical uses; and
- For transhipments, records of where the controlled substance shipment originated in a foreign country, is destined for another foreign country, and will not enter interstate commerce within the United States.

Importers of used controlled substance reporting and recordkeeping:
The following information must be submitted as a petition for EPA's approval prior to importing used controlled substances (EPA Form 5900-472):

- The name, quantity in kilograms, and commodity code of the used controlled substance to be imported;
- Contact information for the importer, name, address of the importer, the importer ID number, the contact person, and the phone number;
- Contact information of all previous source facilities from which the used controlled substance was recovered including: name, address, contact person, email address, and phone number;
- Contact information of the exporter and of all persons to whom the material was transferred or sold after it was recovered from the source facility including: name, address, contact person, email address, and phone number or a certification from a government or private institution with a bank of class I controlled substances;
- A detailed description of the previous use of the controlled substance at each source facility and a best estimate of when the specific controlled substance was put into the equipment at each source facility, and, when possible, documents indicating the date the

material was put into the equipment or for class I substances, a certification from a government;

- A list of the name, make and model number of the equipment from which the material was recovered at each source facility;
- If from a halon bank, a letter from the appropriate foreign national government overseeing or authorizing the bank;
- If someone at the source facility recovered the controlled substance from the equipment, the name, phone, and email address of that person;
- The U.S. port of entry for the import, the expected date of shipment, and the vessel transporting the chemical. If at the time of submitting a petition the importer does not know the U.S. port of entry, the expected date of shipment or the vessel transporting the chemical, and the importer receives a non-objection notice for the individual shipment in the petition, the importer is required to notify the Administrator of this information prior to the actual U.S. Customs entry of the individual shipment;
- A description of the intended of the used controlled substance, and, when possible, the name, address, contact person, and phone number of the ultimate purchaser in the United States;
- The name, address, contact person, email address, phone number and email address of the U.S. reclamation facility, where applicable.
- If the imported controlled substance was reclaimed in a foreign country, the name, address, contact person, email address, and phone of any or all foreign reclamation facility(ies) responsible for reclaiming the shipment;
- An export license (or application for an export license or official letter) from the appropriate government agency in the country of export and, if recovered in a country other than the country of export, the export license, application for an export license, or official letter from the appropriate government agency in that country; and
- An English translation of the export license, application for an export license; or official letter from the appropriate government agency in the country of export.

The following information may be requested by EPA following receipt of a petition to import used controlled substances for additional clarification and to verify the substance is used:

- A photo of each unit that contained the used ODS, with serial numbers visible;
- Photos of a representative sample of the cylinders, with serial numbers visible;
- A description of the facility from which the used ODS originates, which includes what is produced at the facility, the location of the facility, and how long the facility has been in the location;
- A description of each unit from which the used ODS originates; links to websites showing brochures, photographs, and/or descriptions of each different unit from which the used ODS originates;
- Copies of the original, signed work orders authorizing collecting of the used ODS;
- Copies of the paperwork showing that the company completed the work;
- Copies of payment to the company that collected the used ODS for their services, with redactions for confidential or sensitive information such as bank account numbers;
- Copies of business licenses from the government authorizing collection companies to do this type of work;

- Information on how transport will occur within the exporting country and to the United States;
- A screenshot of the European Commission export license; the name and contact information for the European Commission official who signed the Export License; and copies of all paperwork required for movement within the European Union, such as the "Notification document for transboundary movement/shipments of waste."
- Purity samples for bulk cylinders;
- A description of the government-authorized halon bank or government owned halon bank;
- A description of stockpiles of class I controlled substances; and
- A description of feedstock processes for countries with feedstock production of class I controlled substances.

A person receiving a non-objection notice must maintain the following records:

- A copy of the petition, EPA non-objection notice, copy of the bill of lading for the import, and U.S. Customs entry documents for the import that must include one of the commodity codes Appendix K to this subpart.

Importers of controlled substances for destruction reporting and recordkeeping:
The following information must be submitted to EPA for certification of imports of controlled substances intended for destruction in the United States (EPA Form 5900-473). This requirement applies to each individual shipment of a controlled substances and must be submitted to EPA at least 30 working days before the shipment is to arrive at the U.S. port of entry:

- Name and quantity in kilograms of each controlled substance to be imported,
- The commodity code for each controlled substance to be imported, which must be one of those listed in Appendix K of this subpart;
- An export license (or application for an export license or official letter) from the appropriate government agency in the country of export and, if recovered in a country other than the country of export, the export license or application for an export license or official letter from the appropriate government agency in that country and quantity in kilograms authorized on the license(s);
- English translation of the export license, application for an export license, or letter from the appropriate government agency in that country;
- The U.S. port of entry for the import, the expected date of shipment and the vessel transporting the material. If at the time of submitting the certification of intent to import for destruction the importer does not know the U.S. port of entry, the expected date of shipment and the vessel transporting the material, and the importer receives a non-objection notice for the individual shipment in the petition, the importer is required to notify the Administrator of this information prior to the entry of the individual shipment into the United States;
- Name, address, contact person, phone, and email address of the importer, and the importer ID;
- Name, address, contact person, phone, and email address of the person who will receive and destroy the controlled substance(s). This person must be the same person identified on the destruction verification;

- Name, address, contact person, phone, and email address of the person who aggregates a controlled substance(s) before it is sent to the destruction facility; and
- Copy of the destruction verification indicating that the person will "completely destroy" the imported controlled substance(s) submitted through CDX within 30 days of destruction.

The following are recordkeeping requirements for persons that import controlled substances for destruction:

- A copy of the certificate of intent to import for destruction;
- A copy of the non-objection notice;
- A copy of the export license, export license application, or official communication from the appropriate government Agency;
- Customs and Border Protection (CBP) entry documents for the import that must include the commodity codes;
- Records of that date, amount, and type of controlled substance sent for destruction per shipment;
- An invoice from the destruction facility verifying shipment was received; and
- A copy of the destruction verification.

Aggregators recordkeeping requirements:

The following are recordkeeping requirements for persons that aggregate controlled substances to be sent for destruction:

- Transactional records that include the name and address of the entity from whom they received the ODS and to whom they sent the ODS;
- Records that include the date and quantity of controlled substances received and sent for destruction; and
- A copy of the destruction verification if they are the final aggregator.

Exporters reporting requirements:

The following information must be reported using the Class I Exporter Annual Report (EPA Form 5900-149), Class II Exporter Quarterly Report (5900-199), or Methyl Bromide Exporter Quarterly Report (EPA 5900-140):

- The exporter's Employer Identification Number;
- For each export: the type, quantity, and commodity code of each controlled substance exported and if the controlled substance is used, recycled or reclaimed; the date on which, and the port from which, the controlled substances were exported from the United States or its territories; the country to which the controlled substances were exported; the quantity exported to each Article 5 country; and the recipient company name, contact person, phone number and address;
- Persons who export used controlled substances (including recycled or reclaimed) must label their bill of lading or invoice indicating that the controlled substance is used, recycled, or reclaimed.
- For persons reporting exports for transformation or destruction, the invoice or sales agreement containing language similar to the transformation or destruction verifications that the purchaser or recipient of the controlled substance intends to transform or destroy those substances; and

- For exports of methyl bromide for quarantine and preshipment applications, the certification that the purchaser or recipient and the eventual applicator will only use the material for quarantine and preshipment applications.

Reporting and recordkeeping requirements for destruction and transformation:

Reporting for persons that destroy controlled substances reporting requirements:

- A one-time report that can be submitted either electronically or by paper stating: the destruction unit's efficiency; the methods used to record the volume destroyed and those used to determine destruction efficiency; and the name of other relevant federal or state regulations that may apply to the destruction process.
- The names and quantities of the controlled substances destroyed annually must be reported using the Second-Party Destruction Annual Report (EPA Form 5900-148).

Reporting for persons that purchase controlled substances that were originally produced without expending allowances for the purposes of destruction (Second party destruction):

- A destruction verification (to the producer or importer) containing the following:
  - The identity and address of the person intending to destroy the controlled substances;
  - Information about whether those controlled substances will be completely destroyed, or less than completely destroyed, in which case the destruction efficiency at which such substances will be destroyed must be included;
  - The time over which the person intends to destroy controlled substances;
  - The signature of the verifying person.

Reporting for persons that transform controlled substances:

- The name and quantities of the controlled substances transformed annually must be reported using the electronic reporting form Second-Party Transformation Annual Report (EPA Form 5900- 147).

Reporting for persons that purchase controlled substances that were originally produced without expending allowances for the purposes of transformation:

- For class I controlled substances, the person who transforms the substances is to provide the producer or importer with an IRS certification that the controlled substances are to be used in processes resulting in their transformation.
- For class II controlled substances, the person who transforms the substances is to provide the producer or importer with a transformation verification that includes the following:
  - Identity and address of the person intending to transform the class II controlled substances;
  - The quantity of class II controlled substances intended for transformation;
  - Identity of shipments by purchase order number(s), purchaser account number(s), by location(s), or other means of identification;
  - Period of time over which the person intends to transform the class II controlled substances; and
  - The signature of the verifying person.

The following are recordkeeping requirements for transformers and destroyers:

- Copies of the invoices or receipts documenting the sale or transfer of the controlled substances to the person;
- Records identifying the producer or importer of the controlled substances received by the person;
- Dated records of inventories of controlled substances at each plant on the first day of each quarter;
- Dated records of the quantity (in kilograms) of each controlled substance transformed or destroyed;
- In the case where controlled substances were purchased or transferred for transformation purposes, a copy of the person's transformation verification;
- Dated records of the names, commercial use, and quantities (in kilograms) of the resulting chemical(s) when the controlled substances are transformed; and
- Dated records of shipments to purchasers of the resulting chemical(s) when the controlled substances are transformed;
- For persons reporting exports for transformation or destruction, the invoice or sales agreement containing language similar to the transformation or destruction verifications that the purchaser or recipient of the controlled substance intends to transform or destroy those substances; and
- In the case where controlled substances were purchased or transferred for destruction purposes, a copy of the person's destruction verification.

Reporting for persons allocated essential use allowances and persons distributing class I controlled substances under the laboratory essential use exemption:
The following information must be reported using the Class I Laboratory Supplier Quarterly Report (EPA Form 5900-153),

- Type and quantities of each controlled substance received from each producer and/or each importer during that quarter and the address of the source company; and
- Type and quantities of each controlled substance supplied to laboratories as well as the name and address of each laboratory company;
- A list of the distributors of laboratory supplies and laboratory customers from whom orders were placed;
- Certifications from essential use recipients stating that the essential uses and that they will not be resold or used in any other manufacturing process; and
- In the case of laboratory essential uses, certification from distributors of laboratory supplies that the substance was purchased for sale to laboratory customers who certify that the substances will only be used for essential laboratory and analytical uses and will not be resold or used in manufacturing; or, if sales are made directly to laboratories that the substance will only be used for essential laboratory and analytical uses and will not be resold or used in manufacturing.

Reporting for persons purchasing class I controlled substances under the laboratory essential use exemption:

- Must provide the producer, importer, or distributor with a one-time-per-year certification for each controlled substance that the substance will only be used for essential laboratory and analytical uses (EPA Form 5900-152).

Reporting and recordkeeping requirements for distributors and end users of methyl bromide:

Reporting for persons distributing quarantine and preshipment (QPS) methyl bromide:

- Certifications provided to the producer, importer, or distributor from whom they purchased the controlled substance that quantities received that were produced or imported solely for QPS applications will be sold only for quarantine applications or preshipment applications;
- Certifications from applicators, prior to delivery of the quantity, that the quantity of methyl bromide ordered will be used solely for QPS applications;
- The total quantity delivered to applicators in which certifications were received that state the methyl bromide would be used solely for QPS applications as well as the name(s) of the producer(s) or importer(s) to whom a certification was provided must be submitted using the Distributor of QPS Methyl Bromide Quarterly Report (EPA Form 5900-155).

Reporting for persons applying quarantine and preshipment methyl bromide:

- A document from the commodity owner, shipper, or their agent requesting the use of methyl bromide and citing the requirement that justifies its use; and
- A copy of the certification of order (EPA Form 5900-154) provided to the distributor before a shipment that the quantity of controlled substances will be used only for QPS applications.

Recordkeeping for QPS commodity owners, shippers, or their agents:

- Records for each request certifying knowledge of the requirements associated with the exemption for QPS applications. The record must include the certifying language from the regulation.

Reporting for persons submitting applications for critical use exemptions of methyl bromide for pre-plant and post-harvest (EPA Forms 5900-136 and 5900-137):

- Identity of contact person;
- A description of the proposed use (crop/pest combination), the amount of methyl bromide to be used, the location of use, the method of application, and any other use information requested by the Administrator;
- A description of past use (crop/pest combination), acreage, the amount of methyl bromide used, the method of application, and other historical use data requested by the Administrator;
- An explanation of, and data relating to, the technical feasibility of currently available alternatives for their proposed use and any other information required by the Administrator to determine whether technically feasible alternatives are available for the proposed use;
- A description of steps that have been, and will be, taken to find and implement alternatives;
- Information on historical revenue and available economic measures, such as operating costs and any other information required by the Administrator to determine whether economically feasible alternatives are available for the proposed use; and

- Additional information required of applicants may include, but is not limited to, agricultural statistics, fumigation conditions and timeline, research proposals and funding levels, and transition plans.

Reporting for distributors or applicators of critical use methyl bromide

- The total quantity and type of methyl bromide purchased; sold directly to critical uses; and held in inventory for themselves or on behalf of a third party;
- The total quantity of methyl bromide that was produced/imported prior to January 1, 2005, that is held in inventory for themselves or on behalf of a third party;
- Certification for each sale that indicates the buyer will only sell or use methyl bromide for approved critical uses (EPA Form 5900-139) and order forms and invoices; and
- Information that the Administrator may reasonably require in carrying out the critical use exemption program under CAA Section 604(d)(6) including management and composition of pre-phaseout inventory, price of methyl bromide and its alternatives, and fumigant emissions reductions practices may be submitted using the Sales of Critical Use of Methyl Bromide to End Users Annual Report (EPA Form 5900-138).

Reporting requirements for persons transferring methyl bromide allowances:
Persons may submit the following information for *inter-company* transfers using the Methyl Bromide Trades Report (EPA Form 5900-146):

- The identities and addresses of the transferor;
- The name and telephone numbers of contact persons for the transferor;
- The type of allowances being transferred, including the name of the controlled substance for which allowances are to be transferred;
- The quantity of allowances being transferred;
- The control period(s) for which the allowances are being transferred; and
- The quantity of expended allowances for the control period being transferred.

The following are recordkeeping requirements for methyl bromide:

- Producers, importers, and exporters
    - Self-certification form for each sale that indicates the buyer will only sell or use methyl bromide for approved critical uses; and
    - Order forms and invoices for methyl bromide.
    - For exports of critical use methyl bromide, certification for each sale that indicates the buyer will only sell or use methyl bromide for approved critical uses and order forms and invoices.
- Distributors and Applicators
    - Self-certification form for each sale that indicates the buyer will only sell/use the methyl bromide for approved critical uses; and
    - Order forms and invoices for methyl bromide.

Reporting requirements for persons requesting additional class II consumption allowances
The following information must be included in a request for additional allowances using the Class II Request for Additional Consumption Allowances (EPA Form 5900-201):

- The identities and addresses of the exporter and the recipient of the exports;
- The exporter's Employer Identification Number;

- The names and telephone numbers of contact persons for the exporter and the recipient;
- The quantity and type of class II controlled substances reported;
- The source of the class II controlled substances and the date purchased;
- The date on which, and the port from which, the class II controlled substances were exported from the U.S. or its territories;
- The country to which the class II controlled substances were exported;
- A copy of the bill of lading and the invoice indicating the net quantity shipped and documenting the sale;
- The commodity codes of the class II controlled substances reported; and
- A written statement from the producer that the class II controlled substances were produced with expended allowances.

Reporting requirements for trades of class II consumption allowances

Reporting for persons requesting a trade *from a Party to the Montreal Protocol* must provide a signed document from that nation's embassy in the U.S. stating that the nation will establish or revise production limits to reflect the trade.

Reporting for persons must submit the following information for *inter-company* and *inter-pollutant* transfers using the Class II Trades Report (EPA Form 5900-205):

- The identity and address of the transferee;
- The name and telephone number of a contact person for the transferee;
- The type of allowances being converted, including the names of the class II controlled substances for which allowances are to be converted;
- The quantity and type of allowances to be converted;
- The control period(s) for which the allowances are being converted; and
- The quantity of expended allowances of the type and for the control period being converted will be automatically generated though the electronic form.

In addition, all entities may be required to provide other such information that the Administrator may reasonably require to respond to requests from the Ozone Secretariat seeking information required by decisions taken by the Parties to the Montreal Protocol. EPA may also use the information gathering authority under CAA Section 114 to ensure compliance with existing stratospheric protection regulations.

In addition to these data items, respondents are required to register with CDX and complete the electronic signature agreement.

(ii) Respondent Activities

A summary of respondent activities by respondent type is provided in Table II below.

Table II. Respondent Activities by Respondent Type

Activity	Reporting Frequency
Producers	
Submit class I quarterly report	Quarterly
Submit class II quarterly report	Quarterly
Submit MeBr quarterly report	Quarterly
Maintain records	N/A
Importers	
Submit class I quarterly report	Quarterly
Submit class II quarterly report	Quarterly
Submit MeBr quarterly report	Quarterly
Maintain records	N/A
Submit import petitions	As Needed
Submit import certifications	As Needed
Exporters	
Submit class I annual report	Annually
Submit class II quarterly report	Quarterly
Submit MeBr quarterly report	Quarterly
Maintain records	N/A
Submit request for additional consumption allowances	As Needed
Transformers	
Submit annual second party report	Annually
Maintain records	N/A
Submit transformation verification to third party	Annually
Destroyers	
Submit one-time report	One-Time
Submit annual second party report	Annually
Maintain records	N/A
Submit destruction verification to third party	Annually
Aggregators	
Maintain records	N/A
Transfers	
Submit domestic transfer request	As Needed
Submit international transfer request	As Needed
Maintain records	N/A
Laboratory Suppliers	
Submit quarterly report	Quarterly
Laboratories	
Submit annual certification to third party	Annually
Methyl Bromide Distributors and End-Users	
Submit critical use application	Annually
Submit annual critical use sales report	Annually
Submit annual pre-2005 stocks report	Annually
Submit quarterly QPS distribution report	Quarterly
Submit QPS distributor certification to third party	Annually
Submit QPS applicator certification to third party	Annually
Submit critical use end user certification to third party	Annually
Maintain records	N/A

Reports and records associated with the activities listed above must be kept for three years. All amounts must be reported in kilograms. The recordkeeping requirements pertain to original

documents that are held by companies in the normal course of conducting business, accounts of daily production runs, sales invoices, and bills of lading. Information from these recordkeeping documents is summarized in reports. Recordkeeping requirements are designed to aid EPA in compliance monitoring, site inspection, and enforcement actions.

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

(a) Agency Activities

(i) Reported Data

- Review data for completeness and accuracy, potentially through follow-up with the reporting entity;
- Maintain and manage information submitted from companies in the ODSTS;
- Respond to companies submitting tracking/monitored information to confirm transactions and provide allowance balances;
- Notify producers/importers/exporters of baseline allowances;
- Respond to companies submitting tracked/monitored information, such as trade requests;
- Review and respond to petitions requesting import of used controlled substances;
- Review Certification of Intent to Import for Destruction;
- Review data on actual use of critical use methyl bromide and amounts in inventory to adjust future nomination and allocation amounts;
- Review information and conduct compliance monitoring activities related to restrictions on production, import, export, transformation, and destruction of controlled substances for individual companies by comparing data with other sources of information;
- Review information in the ODSTS to ensure that the United States is not exceeding its commitments under the Montreal Protocol which limits production and consumption of controlled ODS;
- Review information in the ODSTS to ensure exempted production and imports do not exceed limits statutorily set in CAA Sections 604 and 605;
- Compile reports mandated by United States commitments under the Montreal Protocol and the CAA and in response to decisions taken by the Parties, including reports to Congress and the Ozone Secretariat.

(ii) Methyl Bromide Critical Use Applications

Submitted critical use exemption applications are received by the Stratospheric Protection Division of the Office of Atmospheric Programs. The Biological and Economic Assessment Division (BEAD) of the Office of Pesticide Programs conducts a technical review of the applications. Both a biologist and an economist review each application, and the applications are grouped according to agricultural sector. The review determines whether there is sufficient information to support the contention that “no technically or economically feasible alternatives exist” for the requested methyl bromide use. The review also determines if a lack of methyl bromide availability would cause a significant market disruption. These requirements for critical use exemptions were agreed to by the Parties to the Montreal Protocol in Decision IX/6, as well

as CAA Section 604(d). This review may require additional consultation with the applicants if further clarification is needed.

EPA, in consultation with the U.S. Department of Agriculture and the Department of State, compiles a nomination package containing all the critical uses to be nominated by the United States. This package is submitted to the Montreal Protocol's Ozone Secretariat, reviewed by technical bodies, and later consider by the Parties for authorization at the annual Meeting of the Parties. Typically, EPA must respond to one or two rounds of questions from the technical bodies as they review any submitted U.S. Nomination.

(b) Collection Methods

EPA requires the use of reporting forms for regulated participants to report the required information. Reporting forms for controlled substances and instructions are available on EPA's website at https://www.epa.gov/ods-phaseout/ozone-depleting-substances-ods-recordkeeping-and-reporting.

EPA stores this data in the ODSTS. The ODSTS was modernized in 2018 to allow for the electronic submission of all reports, which allows for increased efficiency and a reduction in potential errors in interpreting and transcribing written reports. The ODSTS is a secure database that maintains all of the data that is submitted to EPA under 40 CFR part 82, subpart A, and allows the Agency to: (1) track total production and consumption of controlled substances to satisfy conditions of the CAA and fulfill the United States' commitments under the Montreal Protocol; (2) monitor compliance with limits and restrictions on production, imports, exports, and specific exemptions from the phaseout for individual U.S. companies; (3) enforce against illegal imports; and (4) assess and report on compliance with the U.S. phasedown caps established under the Montreal Protocol.

(c) Small Entity Flexibility

Much of this information collection is required by statute. Any additional information required is collected in response to Congressional requests for reports and U.S. reporting obligations under the Montreal Protocol. The information collection is required to 1) ensure essential-use material is available to stakeholders, 2) develop these nationally and internationally mandated reports, and 3) maintain compliance with CAA Sections 603, 604, 605, and 606.

The burden on small entities has been reduced to every extent possible. Small entities include laboratories and end users of critical use methyl bromide. Laboratories are required to certify purchases of exempted class I controlled substances once per year, indicating that they will only be used for laboratory or analytical purposes and not be resold, and identifying the specific use to which the substances will be put. The critical use exemption program requires end users to sign a short form (1 page in length) certifying that they are buying the exempted material for an allowable use and will use it accordingly. The form is kept by the supplier, not the end user. Participation in this exemption program is voluntary and constitutes a benefit.

The Agency has established standards and requirements for the use of EPA's electronic CDX system. Electronic reporting reduces the burden of submissions for industry, including small businesses.

(d) Collection Schedule

- Producers, importers, and exporters report to EPA quarterly (45 days after the end of each quarter);
- Persons who destroy or transform controlled substances report to EPA annually (45 days after the end of each quarter);
- Persons that import used controlled substances for destruction in the United States submit to EPA on a transactional basis, a certification to import used ODS for destruction;
- Persons that import used controlled substances for reuse in the United States submit a petition to EPA on a transactional basis;
- Persons requesting critical use methyl bromide submit their applications annually (due September 15, three years prior to the year in which the material is to be used);
- Persons transferring consumption allowances to another company or to another chemical; requesting additional consumption allowances; requesting international transfer of allowances; requesting a trade from or to a Party to increase or decrease production allowances; or importing used controlled substances (via petition) must submit reports to EPA on a transactional basis;
- All entities may be required to provide other such information that the Administrator may reasonably require. On average, the Agency anticipates this to occur less than annually per prospective respondent.
- There will also be generally infrequent requests from EPA to implement the program or address compliance issues.

(e) Changes to the Information Collection Request

EPA is not proposing any changes to the reporting and recordkeeping requirements as part of this ICR renewal.

6. Estimating the Burden and Cost of Collection

This section presents EPA's estimates of the burden and costs to respondents associated with the activities described in Section 4 of this document, as well as the federal burden hours and costs associated with the activities described in Section 5 of this document.

(a) Estimating Respondent Burden

EPA identified 34 information collection activities that are mandated by EPA's regulations. EPA estimated the number of respondents per activity and the amount of time associated with each activity based on EPA's prior experience collecting this information. This analysis assumes that all respondent burden hours are incurred by technical and clerical staff at companies that submit reports and/or maintain records. Table III below summarizes the number of burden hours incurred by each respondent for each information collection activity.

(b) Estimating Respondent Costs

To determine respondent costs, an average hourly wage rate of $60.54 for technical staff, the hourly wage rate for professional and related persons, was derived from the Bureau of Labor Statistics (BLS) Employer Cost and Employee Compensation, Table 2. ("civilian workers, by

occupational and industry group"), June 2022. An average hourly wage rate of $47.73 for clerical staff, the hourly wage rate for administrative services and facilities managers, was derived from the BLS Occupational Outlook Handbook, April 2022. A 110 percent increase was added to reflect the estimated additional costs for overhead and fringe, which increased the wage rates to $127.13 and $100.23 per hour for technical staff and clerical staff, respectively. Burden hours were multiplied by the labor rate to determine respondent costs.

In addition, operations and maintenance (O&M) costs associated with recordkeeping requirements were designated at $50 per year, which will cover the cost of whatever method companies use to store their records, such as a flash drive, paper file, or cloud storage.

Table V below summarizes annual labor and O&M costs for each respondent by information collection activity. Costs are calculated by multiplying burden hours per response by the number of responses per year by the assumed hourly wage rate of technical and clerical staff. The number of responses per year are based on the reporting frequency of each activity (as outlined in Table II) and EPA's experience implementing the ODS allowance system.

(c) Estimating Agency Burden and Costs

EPA identified 11 activities incurred by the federal government associated with this data collection request. Burden associated with each activity is based on EPA's experience with reporting and data collection of ODS. The number of occurrences of each activity is based on the estimated number of responses per year for each year of this ICR (as discussed in section (d)).

Costs are subdivided into Agency and contractor costs. The average hourly rates for EPA technical and managerial staff of $51.18 and $71.15, respectively, are derived from the 2022 annual base pay table, which was retrieved from the Office of Personnel Management website. The rate for technical staff is based on a GS-13 step 1 salary and the rate for managerial staff is based on a GS-15 step 1 salary. These rates were then multiplied by the standard government benefits multiplication factor of 1.6 to get hourly rates of $81.89 for technical staff and $113.84 for managerial staff. The cost of contractor time is valued at $130.52 per hour on average, including overhead and fringe. This rate reflects a weighted average of managerial and technical staff hours, based on rates for Senior Technical Analyst III and Consultant I approved under EPA Contract No. 68HERH19D0029. Table IV summarizes agency burden and costs by activity.

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

The respondent universe for this ICR is based on historical data submitted to EPA over the past two years. In total, EPA estimates 1,174 unique respondents are subject to the information collection requirements outlined in this ICR. This estimate takes into account that the respondent types specified in Table II are not mutually exclusive, meaning a given respondent may be subject to more than one information collection activity.

Table VI summarizes the total number of respondents per activity per year as well as total burden hours and costs per year. The number of respondents per activity per year are expected to remain constant across the three years covered by this ICR. Total respondent burden hours and costs are derived by multiplying the number of respondents per activity by total hours and total costs per respondent per year (see Table III).

Table III. Hours and Costs per Respondent Activity

Respondent Type	Activity	Responses per Respondent per Year	Technical Hours per Response	Clerical Hours per Response	Total Hours per Respondent per Year	Labor Cost per Respondent per Year	O&M Costs per Respondent per Year
Producers	Submit class I quarterly report	4	2.0	0.0	8.0	$1,017	$0
	Submit class II quarterly report	4	2.0	0.0	8.0	$1,017	$0
	Submit MeBr quarterly report	4	1.0	0.0	4.0	$509	$0
	Maintain records	1	0.0	4.0	4.0	$401	$50
Importers	Submit class I quarterly report	4	4.0	0.0	16.0	$2,034	$0
	Submit class II quarterly report	4	4.0	0.0	16.0	$2,034	$0
	Submit MeBr quarterly report	4	2.0	0.0	8.0	$1,017	$0
	Maintain records	1	0.0	4.0	4.0	$401	$50
	Submit import petitions	6	4.0	0.0	24.0	$3,051	$0
	Submit import certifications	6	1.0	0.0	6.0	$763	$0
Exporters	Submit class I annual report	1	4.0	0.0	4.0	$509	$0
	Submit class II quarterly report	4	4.0	0.0	16.0	$2,034	$0
	Submit MeBr quarterly report	4	2.0	0.0	8.0	$1,017	$0
	Submit request for additional consumption allowances	2	4.0	0.0	8.0	$1,017	$0
Destroyers	Submit one-time report	1	4.0	0.0	4.0	$509	$0
	Submit annual second party report	1	2.0	0.0	2.0	$254	$0
	Maintain records	1	0.0	4.0	4.0	$401	$50
	Submit destruction verification to third party	1	2.0	0.0	2.0	$254	$0
Aggregators	Maintain records	1	0.0	1.0	1.0	$100	$50
Transformers	Submit annual second party report	1	2.0	0.0	2.0	$254	$0

Respondent Type	Activity	Responses per Respondent per Year	Technical Hours per Response	Clerical Hours per Response	Total Hours per Respondent per Year	Labor Cost per Respondent per Year	O&M Costs per Respondent per Year
	Maintain records	1	0.0	4.0	4.0	$401	$50
	Submit transformation verification to third party	1	2.0	0.0	2.0	$254	$0
Transfers	Submit domestic transfer request	1	4.0	0.0	4.0	$509	$0
	Submit international transfer request	1	4.0	0.0	4.0	$509	$0
Laboratory Suppliers	Submit quarterly report	4	4.0	0.0	16.0	$2,034	$0
Laboratories	Submit annual certification to third party	1	1.0	0.0	1.0	$127	$0
Methyl Bromide Distributors and End-Users	Submit critical use application	1	38.0	0.0	38.0	$4,831	$0
	Submit annual critical use sales report	1	2.0	0.0	2.0	$254	$0
	Submit annual pre-2005 stocks report	1	1.0	0.0	1.0	$127	$0
	Submit quarterly QPS distribution report	4	2.0	0.0	8.0	$1,017	$0
	Submit QPS distributor certification to third party	4	1.0	0.0	4.0	$509	$0
	Submit QPS applicator certification to third party	6	1.0	0.0	6.0	$763	$0
	Submit critical use end user certification to third party	1	0.25	0.0	0.25	$32	$0
	Maintain records	1	0.0	4.0	4.0	$401	$50

Table IV. Agency Burden and Cost Table

Activity	Manager	Technic	Clerical	Contrac	Number	Total	Total

	ial Hours per Activity	al Hours per Activity	Hours per Activity	tor Hours per Activity	of Activities	Hours	Cost
Collect and Process MeBr Applications	1.0	2.0	0.0	0.0	0	0.0	$0
Notify Submitters of Baseline Allowances	0.5	1.0	0.0	1.0	8	20.0	$2,155
Review Data for Reporting Compliance	0.2	1.0	0.0	1.0	376	827.0	$88,427
Process Trade Reports	0.2	1.0	0.0	0.0	2	2.0	$209
Review Petitions to Import Used ODS	2.0	4.0	0.0	0.0	24	144.0	$13,326
Provide Reporting Guidance	0.0	0.5	0.0	0.5	40	40.0	$4,248
Maintain the ODS Tracking System	30.0	175.0	0.0	300.0	1	505.0	$56,902
Ensure Non-Exceedance of Montreal Protocol Caps	2.0	8.0	0.0	40.0	1	50.0	$6,104
Ensure Non-Exceedance of CAA Limits	2.0	8.0	0.0	40.0	1	50.0	$6,104
Report to the Ozone Secretariat	4.0	30.0	0.0	40.0	1	74.0	$8,133
Seek Information on MeBr CUE Program and Fumigation Industry	0.25	0.25	0.0	0.0	0	0.0	$0

Table V. Respondent Burden and Cost Table

Respondent Type	Activity	Respondents per Activity	Total Hours per Year	Total Cost per Year
Producers	Submit class I quarterly report	10	80	$10,170
	Submit class II quarterly report	6	48	$6,102
	Submit MeBr quarterly report	2	8	$1,017
	Maintain records	18	72	$8,117
Importers	Submit class I quarterly report	12	192	$24,409
	Submit class II quarterly report	9	144	$18,307
	Submit MeBr quarterly report	5	40	$5,085
	Maintain records	20	80	$9,018
	Submit import petitions	4	96	$12,204
	Submit import certifications	2	12	$1,526
Exporters	Submit class I annual report	15	60	$7,628
	Submit class II quarterly report	4	64	$8,136
	Submit MeBr quarterly report	6	48	$6,102
	Submit request for additional consumption allowances	1	8	$1,017
Destroyers	Submit one-time report	1	4	$509
	Submit annual second party report	11	22	$2,797
	Maintain records	11	44	$4,960
	Submit destruction verification to third party	11	22	$2,797
Intermediaries	Maintain records	5	5	$751
Transformers	Submit annual second party report	22	44	$5,594
	Maintain records	22	88	$9,920
	Submit transformation verification to third party	22	44	$5,594
Transfers	Submit domestic transfer request	2	8	$1,017
	Submit international transfer request	0	0	$0
Laboratory Suppliers	Submit quarterly report	12	192	$24,409
Laboratories	Submit annual certification to third party	1,000	1,000	$127,130
Methyl Bromide Distributors and End-Users	Submit critical use application	0	0	$0
	Submit annual critical use sales report	0	0	$0
	Submit annual pre-2005 stocks report	1	1	$127
	Submit quarterly QPS distribution report	12	96	$12,204
	Submit QPS distributor certification to third party	12	48	$6,102

Respondent Type	Activity	Respondents per Activity	Total Hours per Year	Total Cost per Year
	Submit QPS applicator certification to third party	16	96	$12,204
	Submit critical use end user certification to third party	0	0	$0
	Maintain records	89	356	$40,132

(e) Bottom Line Burden Hours and Cost Tables

(i) Respondent Tally

As shown in Table VI, EPA estimates the total annual hour and cost burden to all respondents to equal 3,022 hours and $375,086.

Table VI**. Respondent Burden Summary Table**

Year	Total Responses	Total Hours Per Year	Total Labor Cost Per Year	Total O&M Cost per Year	Total Cost Per Year
This ICR	1,744	3,022	$366,836	$8,250	$375,086
Previous ICR	1,903	2,939	$354,822	$7,400	$362,222
Difference	(159)	83	$12,014	$850	$12,864

(ii) The Agency Tally

As shown in Table VII, EPA estimates the total annual hour and cost burden to the Agency to equal 1,713 hours and $185,607.

Table VII**. Agency Burden Summary Table**

Year	Total Hours Per Year	Total Labor Cost Per Year	Total O&M Cost per Year	Total Cost Per Year
This ICR	1,713	$185,607	$0	$185,607
Previous ICR	1,752	$162,690	$57,353	$220,043
Difference	(39)	$22,917	($57,353)	($34,436)

(f) Reasons for Change in Burden

Respondent burden estimates were updated based on recent reporting activity (i.e., reports submitted for the 2020 and 2021 reporting years). This resulted in an overall decrease in the total number of responses compared with the prior ICR, driven by the ODS phaseout. At the same time, total burden hours incurred by respondents increased marginally due to updated assumptions associated with recordkeeping requirements that are more consistent with other ICRs that cover similar recordkeeping activities (e.g., the HFC Phasedown Rule ICR). Finally, costs associated with the transition to electronic reporting were removed from the burden

estimates as all stakeholders now submit all reports electronically.

(g) Burden Statement

The public reporting burden for this collection of information is estimated to average 1.7 hours per response. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR Part 9 and 48 CFR Chapter 15.