

## **Supporting Statement for Information Collection Request**

### **EXECUTIVE SUMMARY**

**Title:** Greenhouse Gas Emissions Standards for Heavy-Duty Engines and Vehicles – Phase 3 (Proposed Rule)

**EPA ICR No.:** 2734.01

**OMB Control No.:** 2060-NEW

**Docket ID No.:** EPA-HQ-OAR-2022-0985

**Abstract:** This ICR covers the information collection activities associated with EPA’s proposed rule to revise greenhouse gas (GHG) standards for model year (MY) 2027 and promulgate new GHG standards for heavy-duty vehicles starting in MYs 2028 through 2032 (the Heavy-Duty GHG Phase 3 proposal). This proposed rule also includes updates to the advanced technology incentive program for electric vehicles (EVs), to eliminate the last MY of this program (2027) for certain types of electric heavy-duty vehicles. The Agency is also proposing additional revisions and clarifying and editorial amendments to certain highway heavy-duty vehicle provisions of 40 CFR part 1037 and certain test procedures for heavy-duty engines in 40 CFR part 1065. Finally, EPA is proposing to revise its regulations addressing preemption of state regulation of new locomotives and new engines used in locomotives at 40 CFR 1074.

The proposed new standards would apply to manufacturers beginning with MY 2028. Data would be submitted annually, consistent with EPA’s existing certification program requirements.

Information activities associated with the proposed rule are largely covered by existing emission certification and reporting requirements for EPA’s heavy-duty engine (HDE) and heavy-duty vehicle (HDV) emission control program. This information collection statement covers only the additional burden associated with the proposal: reviewing the proposed regulations, for all manufacturers, and complying with new battery health monitor and warranty provisions for electric vehicle manufacturers. Concerning other aspects of the proposal, manufacturers already submit the data that would be required for certification to the revised standards to EPA’s certification system (under programmatic ICRs); there would be a change only to the specific data, not to its reporting. The existing “programmatic” information collection request is:

- EPA ICR Number 0783.65, OMB Control Number 2060-0104, *Motor Vehicle Emission Certification and Fuel Economy Compliance, 40 CFR Parts 86 and 600*

To avoid duplication, this collection request covers only the incremental burden associated with the heavy-duty GHG Phase 3 proposed rule.

**Burden Statement:** The public reporting and recordkeeping burden for this collection is estimated to average about 96 hours per respondent. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, 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.

## **SUPPORTING STATEMENT**

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

EPA's emission programs are statutorily mandated; the Agency does not have discretion to cease these functions. The data required are necessary to comply with Title II of the Clean Air Act (42 U.S.C. 7521 et seq.; "CAA" or "the Act"), as amended. The Act charges EPA with developing standards for dangerous air pollutants, and issuing certificates of conformity for those engines and motor vehicle designs that comply with those standards. Such a certificate must be issued before engines and vehicles may be legally introduced into commerce. Section 206(a) of the CAA (42 USC 7521) states:

"The Administrator shall test, or require to be tested in such manner as he deems appropriate, any new motor vehicle or new motor vehicle engine submitted by a manufacturer to determine whether such vehicle or engine conforms with the regulations prescribed under §202 of this Act. If such vehicle or engine conforms to such regulations, the Administrator shall issue a certificate of conformity upon such terms, and for such period (not in excess of one year) as he may prescribe."

Section 206(b)(1) of the Act authorizes EPA to inspect and require testing of new vehicles and engines to: (1) verify that the manufacturer's final product complies with EPA standards; (2) assure that the correct parts are installed correctly in each engine; and (3) audit the manufacturer's testing process to ensure testing is being done correctly. The Production Line Testing (PLT) and Selective Enforcement Audits (SEA) Programs fulfill these requirements by inspecting and testing engines taken directly from the assembly line and/or existing fleets, and by auditing the engine manufacturer's testing procedures and facilities. Section 207(b) of the CAA mandates the establishment of methods and

testing procedures to ascertain whether certified engines in use actually comply with applicable emission standards throughout their useful lives. The In-Use Testing and similar programs are implemented in response to that mandate.

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

EPA will use the information requested under this collection to verify and support the three-stage compliance assurance system envisioned in the CAA.

- First, certification information, including test data, is needed to verify that the proper prototype engines have been selected to represent each engine/vehicle family (group of engines/vehicles expected to have similar emission characteristics), and that the necessary testing has been performed. Based on this information, EPA issues a certificate of conformity.
- Second, data collected under the PLT and SEA Programs are used to verify that manufacturers have successfully translated their prototypes into mass-produced engines. This is necessary because prototypes are often hand-built and not typical of assembly line engines.
- Lastly, in-use testing is intended to determine if engines and vehicles maintained in accordance with the manufacturer's instructions continue to emit at acceptable levels after a prescribed number of years of actual use. If a family of engines or vehicles is found in noncompliance, manufacturers are required to recall the family.

The information described in this ICR will be collected by EPA's Compliance Division (CD) within the Office of Transportation and Air Quality (OTAQ), Office of Air and Radiation (OAR). It will be used by CD and various divisions within OTAQ that implement CAA mobile source requirements. In instances of noncompliance, the information may be used by EPA's enforcement office and the Department of Justice.

Non-confidential portions of the information submitted to CD are available to and used by trade associations, importers, environmental groups, members of the public, and state and local government organizations.

The information is collected electronically and stored in CD's databases.

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

The information is collected electronically and stored in CD's databases. Specifically, the data required by the proposed rule would be collected electronically in the same manner as it is now, through the EPA's Engines and Vehicles Compliance Information System (EV-CIS), formerly known as VERIFY. More information on the existing certification process and data requirements can be found at <https://www.epa.gov/vehicle-and-engine-certification/certification-heavy-duty-hd-commercial-trucks-and-buses-and-onroad>.

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

Duplication: This collection request covers only the incremental information collection requirements associated with the HD GHG Phase 3 proposed rule that would supersede the current certification reporting requirements.

Availability of similar information: In general, the information necessary for certification to EPA's engine and vehicle standards is specific to the model years of engines and vehicles to be certified. The information to be collected is not available from any other sources, both because of its specialized nature and because most of it must be submitted to EPA before HD engines and vehicles can be sold. Furthermore, some of the data requested, such as sales volumes or certain engine designs, may be proprietary, and thus claimed as confidential business information (CBI) by manufacturers. Therefore, EPA can timely obtain the information only from the owners of that data: the engine and vehicle manufacturers.

**5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.**

EPA's HD GHG emission control program includes small business flexibilities; these provisions will continue to apply.

The information being requested is the minimum needed to effectively conduct and maintain the integrity of the required certification and enforcement programs. Further measures to simplify reporting for small businesses are not prudent or necessary.

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

The CAA states that emission certification must be done yearly (CAA 206(a)(1)), coinciding with the industry's 'model year.' EPA cannot issue Certificates of Conformity without obtaining the required information. Without a Certificate of Conformity, no engine or vehicle may be sold or entered into commerce in the United States.

**7. Explain any special circumstances that would cause an information collection to be conducted in a manner:**

- a) requiring respondents to report information to the agency more often than quarterly;**
- b) requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
- c) requiring respondents to submit more than an original and two copies of any document;**
- d) requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years;**
- e) in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;**
- f) requiring the use of a statistical data classification that has not been reviewed and approved by OMB;**
- g) that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**
- h) requiring respondents to submit proprietary trade secrets, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

**Responses:**

- (a) Information related to engine and vehicle certification is required to be reported annually. The CAA states that emission certification must be done yearly (CAA 206(a)(1)), coinciding with the industry's 'model year.' Therefore, information must be collected and cannot be collected less frequently. However, it should be noted that when an engine or vehicle design is "carried over" to a subsequent model year, the amount of new information required to be submitted to EPA is substantially reduced. Major product changes typically occur at the start of a model year. For these reasons, the collection frequency for most certification requirements corresponds to one collection per engine family for each model year.
- (b) Information related to engine and vehicle certification is required to be submitted prior to entering engines or vehicles into commerce; the manufacturer is not subject to a 30-day response period.
- (c) Manufacturers submit their data electronically and so are not required to submit originals and/or copies of any documents.
- (d) Manufacturers are required to retain some information for more than three years. Under 40 CFR parts 1036.250 and 1037.250, copies of documents sent to EPA must be kept and maintained by the manufacturer for eight years after a certificate of conformity is issued. These include pre-model reports; certification applications; ABT reports; emissions test data; and end-of-the-year reports. These records may be stored in any format and on any media if they are organized and can be sent promptly

to EPA upon request. These recordkeeping requirements stem, in part, from the statutory requirement to warrant some emissions components and systems for long periods. However, data related to routine testing, such as test cell temperatures and relative humidity readings, must only be kept for one year after a certificate of conformity is issued.

- (e) The data is not being collected in connection with a statistical survey.
- (f) The data is not being collected in connection with a statistical survey.
- (g) The responses do not include a pledge of confidentiality.
- (h) Manufacturers are required to submit information such as sales projections and certain sensitive technical descriptions that may be entitled to confidential treatment. Manufacturers may assert a claim of confidentiality over information provided to EPA. Confidentiality is provided in accordance with the Freedom of Information Act and EPA regulations at 40 CFR Part 2. We will release this information only as permitted or required under the Freedom of Information Act (FOIA) and EPA regulations at 40 CFR part 2. EPA recently amended regulations at 40 CFR 1068.11 to identify several categories of information that are not entitled to confidential treatment.

**8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.**

**Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.**

**Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years – even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.**

EPA will solicit comments on this Information Collection Request as part of the public process for this proposal. A copy of this Supporting Statement will be included in the docket for the proposal.

EPA used data gathered in consultations with the regulated industry during the development of burden estimates for the current program (the programmatic ICR) and its own experience implementing the programs that this proposal seeks to amend.

EPA also seeks input from affected entities as part of the periodic 3-year renewal of the relevant programmatic Information Collection Request.

EPA has ongoing outreach efforts with stakeholders as part of our rule development and our implementation activities.

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

There are no payments or gifts to respondents; there is no remuneration of contractors or grantees for this engine and vehicle certification program.

**10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy. If the collection requires a systems of records notice (SORN) or privacy impact assessment (PIA), those should be cited and described here.**

Manufacturers may assert a claim of confidentiality over information provided to EPA. Confidentiality is provided in accordance with the Freedom of Information Act and EPA regulations at 40 CFR Part 2.

We will release this information only as permitted or required under the Freedom of Information Act (FOIA) and EPA regulations at 40 CFR part 2.

This information collection does not require SORN or PIA.

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

No sensitive questions are asked in this information collection. This collection complies with the Privacy Act and OMB Circular A-108.

**12. Provide estimates of the hour burden of the collection of information. The statement should:**

- (a) Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of**

**estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.**

- (b) If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens.**
- (c) Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included under ‘Annual Cost to Federal Government’.**

The total labor burden to respondents or record keepers resulting from the collection of information, as set out in Table 2, is about 7,411 hours.

EPA is proposing to revise GHG standards for model year (MY) 2027 and promulgate new GHG standards for heavy-duty vehicles starting in MYs 2028 through 2032. However, EPA is not changing engine standards, engine test procedures, Greenhouse gas Emission Model (GEM), GEM input test procedures, deeming Battery Electric Vehicles (BEVs) and Fuel Cell Electric Vehicles (FCEV) carbon dioxide (CO<sub>2</sub>) emissions as zero CO<sub>2</sub> emissions, or regulatory subcategories. The requirements are fleet-based: each manufacturer must supply vehicles to the market that meet the standard on average. The program is technology neutral and will not require technology changes to internal combustion (ICE) engines. Instead, the program will require greater penetration of electric vehicles (EVs). As a result, the proposed rule does not include requirements for most manufacturers to provide information in addition to that already provided to the Agency as part of the existing heavy-duty engine and vehicle certification program. The information collection burden is limited to reviewing the new regulations and making general systems changes to reporting processes, for all manufacturers. EV manufacturers will have to comply with a new regulation to provide customer-facing battery state-of-health monitors for plug-in hybrid and battery electric vehicles, and make associated changes to vehicle owners manuals. In addition, EPA is proposing that EV manufacturers would be subject to the warranty requirement at 40 CFR 1037.120. Because EV manufacturers already provide vehicle warranties and thus have the systems in place to implement the warranty requirements in their pricing, compliance would be limited to reporting their warranty periods on their certification application and updating owners manuals. The requirements to update owners manuals are treated as one-time costs because the edits across all owner manuals for each vehicle model are expected to be identical. These provisions will apply to all EVs, including those made by manufacturers that have traditionally made only vehicles powered by internal combustion (ICE) engines. There are no additional reporting requirements for the revisions, clarification, and editorial amendments to existing heavy-duty regulations, small spark-ignition (SI) engines, or for the proposed regulations addressing preemption of state regulation of new locomotives and new engines used in locomotives.



To estimate labor costs, EPA used the Bureau of Labor Statistics' (BLS) 2016 National Industry-specific Occupational Wage Estimates for the Engine, Turbine and Power Transmission Equipment Manufacturing Industry (NAICS 333600, available at [https://www.bls.gov/oes/2016/may/naics4\\_333600.htm](https://www.bls.gov/oes/2016/may/naics4_333600.htm)). EPA used mean hourly rates increased by a factor of 2.1 to account for benefits and overhead. The labor costs used are set out in Table 1.

The total estimated labor burden is set out in Table 2.

For the number of respondents by manufacture category, see SUPPLEMENTAL MATERIAL, Section 4, below.

*Table 1 - Labor Cost Estimates*

<b>Occupation</b>	<b>SOC Code Number</b>	<b>Mean Hourly Rate</b>	<b>Adjusted Mean Hourly Rate (Including Benefits and Overhead)</b>
Mechanical Engineers	17-2141	\$45.17	\$94.86
Engineering Managers	11-9041	\$72.53	\$152.31
Lawyers	23-1011	\$85.75	\$180.08
Mechanical Engineering Technicians	17-3027	\$31.81	\$66.80
Computer and Information Analysts	15-1210	\$43.78	\$91.94
Secretaries, Except Legal, Medical and Executives	43-6014	\$21.84	\$45.86
Mechanical Engineering Technicians	17-3027	\$31.81	\$66.80

Table 2 - Estimated Burden and Cost to Respondents - Hours

Information Collection Activity	Burden and Cost Per Application										Total Burden and Cost			
	Engineer hourly rate	Manager hourly rate	Legal hourly rate	Mechanical Engineer Technical hourly rate	IT Analysts hourly rate	Clerical hourly rate	Total Labor Hours	Total Labor Costs	Capital Startup Costs	O&M Cost	Frequency <sup>1</sup> (Estimated Responses per Respondent)	Number of Respondents	Total Hours	Total Costs
	\$94.86	\$152.31	\$180.08	\$66.80	\$91.94	\$45.86								
HD engine manufacturers: review of new regulations, general reporting system changes	20	10	5	5	0	0	40	\$ 4,655	\$0	\$ 200	1.0	77	3,080	\$ 373,808
EV vehicle battery health monitor and owners man. update	20	3	0	20	0	15	58	\$ 4,378	\$0	\$15,100	1.0	61	3,538	\$1,188,162
EV manufacturers only - report warranty periods pursuant to new regulatory requirement and update owners manual to show regulatory warranty periods	1	1	1	5	0	5	13	\$ 991	\$0	\$ -	1.0	61	793	\$ 60,425
Total							111	\$10,023	\$0	\$15,300		77	7,411	\$1,622,394

<sup>1</sup>Estimated Responses per Respondent refers to the number of times a respondent performs each task per year. Generally, this refers to the number of applications in each category, which is often the number of engine families. In this case, there are no reporting burdens apart from reviewing the regulations, which is a one-time activity for each manufacturer.

**13. Provide an estimate for the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected on the burden worksheet).**

- (a) The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life) and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.**
- (b) If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collections services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.**
- (c) Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.**

The total cost burden to respondents or record keepers resulting from the collection of information, as set out Table 2, is about \$1.622 million. In addition to labor costs, the Agency estimates a cost of up to \$200 per manufacturer for Operation and Maintenance costs, to develop new compliance reporting templates that incorporate the new MY standards and changes to the BEV and Plug-in Hybrid Electric Vehicle (PHEV) advanced technology credit multipliers. There is an additional \$15,100 O&M cost for each manufacturer producing EVs related to the battery health monitor and owners manual update. There are no O&M costs associated with complying with the warranty provisions as the manufacturers already provide information about warranties to consumers. These are all one-time costs. There are no capital start-up costs as manufacturers have been complying with EPA's emission control program for many years.

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

EPA has had a certification process in place for heavy-duty engines and vehicles for many years. The incremental burden for the Agency associated with this proposed rule is expected to be limited to updates to the ABT reporting process to reflect credit multiplier changes and the new MY standards, and changes to EV-CIS data system to reflect new standards. This work will be performed by EPA’s contractor as part of an existing contract for the mobile source certification database. As such, there is no hourly burden. There is only a one-time \$350,000 cost, which is an estimate for the share of the total annual EV-CIS contracting cost for the Phase 3 module. The Agency burden is set out in Table 3.

*Table 3 - EPA Burden*

<b>Collection Activity</b>	<b>Total EPA Burden - Hours</b>	<b>Total EPA – Costs</b>
Changes to EV-CIS to reflect new standards <b>(one-time cost)</b>	N/A <sup>1</sup>	\$350,000
<b>Total</b>		<b>\$350,000</b>
<sup>1</sup> Work to be performed by EPA’s contractors as part of an existing contract for the mobile source certification database		

**15. Explain the reasons for any program changes or adjustments reported on the burden worksheet (in hour or cost burden.)**

This is a new information collection request for a proposed rulemaking. There are no program changes or adjustments reported on the burden worksheet.

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

The information sought pertains to the certification of heavy-duty engines and vehicles. The information will be collected and made public using EPA’s currently existing processes and public databases.

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

The information sought pertains to the certification of heavy-duty engines and vehicles. The expiration date of the information collection approval will be publicly available on OMB's website. EPA will combine with information collection with the programmatic renewal in the future.

**18. Explain each exception to the topics of the certification statement identified in "Certification for Paperwork Reduction Act Submissions."**

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

## SUPPLEMENTAL INFORMATION

### 1. Statutory Authorities

The sections of the CAA that provide statutory authority for the requirements contained in this proposed rule are 202, 203, 206, 207, 208, 213, 216, and 301 (42 U.S.C. 7521, 7522, 7525, 7541, 7542, 7547, 7550, and 7601).

### 2. Affected CFR Regulations

The provisions in the Code of Federal Regulations (CFR) regulations affected by the proposed rule are set out in Table 4:

*Table 4 - Regulations Amended by the Heavy-Duty GHG Phase 3 Proposed Rule*

Industry	40 CFR <sup>[1]</sup> Part
Requirements for HD Engines & Vehicles	1036, 1037
Control of Emissions from New, Small Nonroad Spark-Ignition Engines and Equipment	1054
Engine Testing Procedures	1065
Vehicle Testing Procedures	1066
Preemption of State Standards and Procedures for Waiver of Federal Preemption for Nonroad Engines and Nonroad Vehicles	1074

### 3. Industries affected

Respondents are manufacturers that sell or import into the United States new heavy-duty highway engines and vehicles. Respondents affected by the proposal are classified in the North American Industry Classification System codes (NAICS) listed in Table 5.

*Table 5 - Respondents North American Industry Classification Codes<sup>1</sup>*

NAICS Codes	NAICS Title
333618	Other Engine Equipment Manufacturing
336110	Automobile and Light Duty Motor Vehicle Manufacturing

<sup>[1]</sup> Code of Federal Regulations, <https://www.ecfr.gov/>. EPA emissions regulations are found in Title 40.

<sup>1</sup> North American Industry Classification System, United States, 2022. Executive Office of the President, Office of Management and Budget. Downloaded 2/10/23. The official OMB publication is available at [https://www.census.gov/naics/reference\\_files\\_tools/2022\\_NAICS\\_Manual.pdf](https://www.census.gov/naics/reference_files_tools/2022_NAICS_Manual.pdf).

NAICS Codes	NAICS Title
336120	Heavy-Duty Truck Manufacturer, Conventional or Electric
336211	Secondary manufacturer: Motor Vehicle Body Manufacturing
336213	Secondary manufacturer: Motor home manufacturing
811198	All Other Automotive Repair and Maintenance (alternative fuel engine converters)
-	State and local governments*
*The proposed regulations do not impose any requirements that state and local governments must meet, but rather implement the Clean Air Act preemption provisions for locomotives	

#### 4. Number of Respondents

The number of respondents affected by this Information Collection Request is set out in Table 6, by category of company. Respondent totals were obtained from past response levels. EPA does not expect new HD companies to enter the market by 2027 or a significant number of new engine/vehicle families as these numbers tend to remain stable after the first few years of a new certification program.

*Table 6 - Number of Respondents per Category*

Industry	Number of Respondents
Highway HDE	16
Highway HDV	35
EV manufacturers	26
Totals:	77

#### 5. Respondent Activities

Respondent activities are unchanged from those already indicated in the programmatic ICR (ICR 1684.20). Those activities are:

- Review the regulations and guidance documents
- Prepare and submit pre-model year reports or related production data for certification applications
- Develop engine or vehicle “test” or “family” groups

- Test engines and vehicles for compliance with emission and fuel consumption standards
- Gather and analyze test results
- Collect inputs and run Greenhouse gas Emissions Model (GEM), as needed
- Submit the Application for Certification
- Label certified vehicles
- Prepare and submit carryover applications
- Prepare GHG compliance plan and reports, as needed
- Prepare and submit annual production reports and ABT reports
- Store, file and maintain records

## 6. Agency Activities

Agency activities are unchanged from those already indicated in the programmatic ICR (ICR 1684.20). Those activities are:

- Review and interpret regulations, provide guidance
- Review pre-model reports, evaluate test plans, and credit projections
- Meet with respondents as requested
- Review certification applications for completeness and accuracy
- Verify that the correct engines and vehicles have been selected and tested
- Evaluate test and related technical documents
- Determining if the use of carry-over/across data is appropriate
- Issue appropriate certificates of conformity
- Collect and review the various reports described in this ICR
- Determine compliance with all regulatory programs and provisions
- Review credit balances under ABT
- Conduct confirmatory testing and in-use testing
- Investigate potential violations and refer findings to the appropriate enforcement office
- Store, file and maintain data
- Answer questions from manufacturers, other government agencies, Congress, and the public
- Periodically perform maintenance or enhance certification and compliance databases as needed
- Make data available to the public and maintain public websites
- Answer FOIA requests, including analyzing and managing requests for confidentiality
- Collaborate with each other, including sharing data and providing access to databases



## **LIST OF ATTACHMENTS**

[No attachments]