

U.S. Environmental Protection Agency

Information Collection Request

Title: DATA REPORTING REQUIREMENTS FOR STATE AND LOCAL VEHICLE EMISSION INSPECTION AND MAINTENANCE (I/M) PROGRAMS (Renewal)

OMB Control Number: 2060-0252

EPA ICR Number: 1613.08

Abstract

To provide general oversight and support to state and local vehicle emission inspection and maintenance (I/M) programs, the U.S. Environmental Protection Agency (EPA) requires that state or local program management for both Basic and Enhanced I/M programs compile and submit two different reports to their EPA Regional Office. The first reporting requirement is the submittal of an annual report providing general program operating data and summary statistics addressing the program's current design and coverage, a summary of testing data, enforcement program efforts, quality assurance and quality control efforts, as well as other miscellaneous information allowing for an assessment of the program's relative effectiveness. The second is a biennial report addressing any changes to the program over the two-year period prior to the biennial report's submission, including the impact of such changes, any weaknesses discovered during the reporting period, and the corrections made or planned.

General program effectiveness is determined by the degree to which the operating program compares to the program described in the state's approved state implementation plan (SIP), which, in turn, must meet or exceed the minimum requirements for mandatory I/M programs, as promulgated under 40 CFR Part 51, Subpart S in response to requirements established in section 182 of the Clean Air Act (CAA). The information provided by the annual and biennial I/M reports described above are used by the EPA Regional Office to determine whether a given I/M program is meeting its obligations under the approved SIP. The information may also be used by EPA Headquarters to assess national trends in the implementation of both Basic and Enhanced I/M programs, as well as to help determine when anomalous reporting results are due to national versus local causes.

Supporting Statement A

1. NEED AND AUTHORITY FOR THE COLLECTION

Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.

The collection of a variety of program operating and summary data is essential to the assessment of an I/M program's overall effectiveness and the degree to which it complies with requirements established in response to CAA sections 182(a)(2)(b)(ii); 182(b)(4); and 182(c)(3) under which EPA is authorized to impose these collection and recordkeeping requirements. The specific program data to be collected are listed under the "Data analysis and reporting" section of EPA's I/M rule (40 CFR Part 51 Subpart S,

section 51.366). A list of the required reporting elements is included in Question 12b. below.

2. PRACTICAL UTILITY/USERS OF DATA

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.

There are, in effect, three users of the information required by this collection – the primary user, represented by the state or local agency or department in charge of managing the I/M program itself (hereafter referred to as “the state” and/or “the respondent”); the secondary user, represented by the EPA Regional Office (henceforth referred to as “the Region”) to help determine the degree to which the program complies with its approved SIP; and finally, EPA Headquarters, to help identify national trends in the implementation of both Basic and Enhanced I/M programs, as well as to help determine when anomalous results being observed by a state or Region are due to national versus local causes.

The State

For the purpose of effectively managing its I/M program, the state must gather a wide range of program data, including data from the testing program, quality control and assurance efforts, and the enforcement program. For example, sufficient test data must be gathered to unambiguously link specific test results to a specific vehicle, I/M program registrant, test site, and inspector, to help determine whether or not the correct test parameters were observed for the specific vehicle in question. This programmatic need – which is distinct from any need and/or burden imposed by this ICR – is reflected in the fact that current testing equipment specifications include extensive data capture requirements to serve just this purpose. In turn, the state can analyze this data and compare it to the registration database (in programs enforced through registration denial, per the CAA) or otherwise use it to establish a vehicle’s compliance with program requirements. Owners of vehicles found to be out-of-compliance are not allowed to register said vehicle(s) (again, in programs enforced through registration denial) or must be otherwise prevented from operating the non-complying vehicle(s) in the program area. Penalties may also be assessed for non-compliance with program requirements.

Data collected as part of the testing program can also be used to target audits of inspection stations and inspectors, with irregularities such as unusually high pass or fail rates, mismatched vehicle information, etc. acting as red flags to possible fraud or other problems. In addition, the state must gather and analyze quality control data to ensure that motorists are given accurate and consistent measurements and/or results. In the interest of effectively managing its enforcement and quality assurance efforts, the program must keep records of such efforts, including the number of investigations conducted (including internal control reviews to detect weaknesses within the program itself, as well as investigations of testing sites and inspectors), the methodology used, and the results of investigations and other enforcement and quality assurance activities.

EPA Regional Office

To comply with this information collection, the state must summarize and report the above data to the EPA Regional Office with jurisdiction over the state in question. The state will have maximum flexibility to use pre-existing, internal reporting mechanisms to meet these summary data reporting requirements and may submit the required reports in whatever format is most convenient for the state, including electronically, via hardcopy, or by directing the EPA Regional Office to web resources which include the

required information. The Regional Office will use this information to assess specific state programs and their success or any weaknesses in complying with I/M requirements. This assessment may lead to follow-up conversations with the state to discuss possible program improvements or corrective action necessary to address anomalies.

EPA Headquarters

When anomalies are discovered in the reported summary information and cannot be resolved by the state and Region, EPA Headquarters may help determine whether a given anomaly is the result of local or unique conditions or is perhaps indicative of a larger, national trend. In such situations, EPA Headquarters will work with the state and the Region to identify and address the causes of the anomaly. Information regarding the resolution of such cases – to the extent it may be relevant outside the program in question – will be made available to other states, Regions, and the public in general through various communication methods, including monthly conference calls with the EPA Regions, and a bimonthly stakeholder call with the I/M states.

3. USE OF TECHNOLOGY

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.

Respondents have the option to supply their data in either hardcopy or electronically, and have flexibility on how to format results, while also clearly addressing the data elements listed in this ICR and the I/M rule.

4. EFFORTS TO IDENTIFY DUPLICATION

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.

EPA has made an effort to ensure that the data collection efforts associated with renewal of this ICR are not duplicated. EPA Headquarters has consulted with state and local environmental programs, and EPA's Regional Offices. To the best of EPA's knowledge, data currently required by this information collection are not available from any other source.

5. MINIMIZING BURDEN ON SMALL BUSINESSES AND SMALL ENTITIES

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

Not applicable. The respondents to the I/M ICR are not small business entities but state governments and their representatives.

6. CONSEQUENCES OF LESS FREQUENT COLLECTION

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 I/M Rule requires annual and biennial reporting by the I/M programs to ensure that states are achieving the emission reductions claimed by such programs in their approved SIPs. Collecting the required information less frequently would limit EPA's ability to determine a program's progress toward meeting requirements under 40 CFR Part 51, Subpart S and would delay its ability to identify and resolve programmatic deficiencies that may negatively impact a program's ability to achieve the needed emission reductions. More frequent reporting would be unduly burdensome. To supplement the current reporting cycle and thus ensure that major program deficiencies do not go undetected for an unreasonable period of time, EPA holds bimonthly conference calls with I/M states as a forum for raising, discussing, and resolving implementation issues as they arise. State participation in these calls is voluntary but has remained strong since the calls were initiated. EPA Regional Offices are also in regular communication with states to monitor and provide technical assistance on I/M issues as needed.

7. GENERAL GUIDELINES

Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.

This ICR adheres to the guidelines stated in the 1995 Paperwork Reduction Act, OMB's implementing regulations, and EPA's Information Collection Request Handbook. This ICR does not exceed any of the OMB guidelines found in 5 CFR 1320.5(d)(2).

8. PUBLIC COMMENT AND CONSULTATIONS

8a. Public Comment

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.

Prior to submittal to the Office of Management and Budget (OMB) and in compliance with the 1995 Amendments to the Paperwork Reduction Act (PRA), EPA published a notice seeking public comment on the renewal of this ICR in the *Federal Register* on March 18, 2024 (89 FR 19310) which included a 60-day comment period ending on May 17, 2024. Only one public comment was submitted to the docket during the comment period. This comment, submitted anonymously, is generally supportive of EPA's data collection efforts but is not substantive to the cost and burden estimates of this ICR.

A second, 30-day public comment period on the proposed renewal will be announced in the *Federal Register* coincident with the submission of the ICR renewal package to OMB for review, providing an opportunity for all respondents and any other members of the public interested in doing so to provide relevant information regarding this I/M ICR to EPA.

8b. Consultations

Describe efforts to consult with persons outside the Agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported. Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years - even if the collection of information activity is the same as in

prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

In addition to the public comment process discussed above, EPA also consulted with its Regional Offices with jurisdiction over the respondent states to see if there have been any material changes among those states since the previous ICR renewal that would impact the Agency's burden estimates. Such material changes would include but not be limited to whether a current respondent state was planning changes to their program that would increase or decrease their reporting burden or change their status as a respondent. Additionally, EPA included the ICR renewal on the agenda of a bimonthly stakeholders' call it holds with the I/M states and invited participants to volunteer any information that might be relevant to the current ICR burden calculations. As a result of these consultations, no such material changes were noted.

9. PAYMENTS OR GIFTS TO RESPONDENTS

Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.

No payments or gifts will be provided to respondents as a result of this ICR.

10. ASSURANCE OF CONFIDENTIALITY

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.

No confidential information will be collected as a result of this ICR.

11. JUSTIFICATION FOR SENSITIVE QUESTIONS

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 information of a sensitive nature will be collected as a result of this ICR.

12. RESPONDENT BURDEN HOURS & LABOR COSTS

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

- *Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Generally, estimates should not include burden hours for customary and usual business practices.*
 - *If this request for approval covers more than one form, provide separate hour burden estimates for each form and the aggregate hour burdens.*
 - *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*
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cost should be included as operations and maintenance (O&M) costs under non-labor costs covered under question 13.

12a. Respondents/NAICS Codes

The respondents to this information collection are the state government agencies or departments responsible for oversight and operation of the I/M programs (SIC# 91).

As of January 2024, twenty-five states plus the District of Columbia are required to implement I/M programs in compliance with the CAA and I/M rule. There are, therefore, 26 respondents to this collection. This category of respondent was selected because it represents those entities most comprehensively involved in gathering the information to be summarized for this collection (i.e., those parties responsible for establishing, maintaining, and analyzing the program's central database, or overseeing contractor personnel responsible for such activities). Although I/M programs can and do vary by type (i.e., Basic I/M programs versus Enhanced I/M programs), the data elements to be addressed by this information collection remain consistent across program types, and hence the burden does not vary by program type. It should also be noted that this ICR covers only I/M programs required by the CAA for light-duty vehicles; it does not include voluntary programs.

12b. Information Requested

Under current I/M program practice, various internal analyses and reports are routinely generated using the data collected on vehicle tests, as well as quality control, quality assurance, and enforcement efforts. The information requested in this ICR renewal is currently collected by state programs in compliance with the I/M rule. These reports are used primarily as management tools for internal monitoring and evaluation of the program. Summaries of the information provided in these reports are also currently being used by EPA (primarily the Agency's Regional Offices and, secondarily, EPA Headquarters) to fulfill the Agency's statutory obligation to provide oversight to mandatory I/M programs and to ensure that such programs are achieving the emission reductions claimed in their approved SIPs. The purpose of this current request is to renew a previously approved information collection (OMB Control Number 2060-0252; EPA ICR Number 1613.07) so that EPA can continue to meet its statutory obligation with regard to providing I/M program implementation guidance and oversight.

Data Items, including Record Keeping Requirements

In fulfilling the requirements of this information collection, respondents gather and maintain records on the following data items per vehicle inspected as part of the I/M program and as required under 40 CFR 51.365.

- 1) Test record number
- 2) Inspection station and inspector number
- 3) Test system number
- 4) Date of the test
- 5) Emission test start time and the time final emission scores are determined
- 6) Vehicle Identification Number (VIN)

- 7) License plate number
- 8) Test certificate number
- 9) Gross Vehicle Weight Rating (GVWR)
- 10) Vehicle model year, make, and type
- 11) Number of cylinders or displacement
- 12) Transmission type
- 13) Odometer reading
- 14) Type of test performed (i.e., initial test, first retest, or subsequent retest)
- 15) Fuel type of the vehicle (i.e., gas, diesel, or other fuel)
- 16) Type of vehicle preconditioning performed (if any)
- 17) Emission test sequence(s) used
- 18) Hydrocarbon emission scores and standards for each applicable test mode
- 19) Carbon monoxide (CO) emission scores and standards for each applicable test mode
- 20) Carbon dioxide (CO₂) emission scores (CO+CO₂) and standards for each applicable test mode
- 21) Nitrogen oxides emission scores and standards for each applicable test mode
- 22) Results (Pass/Fail/Not Applicable) of the applicable visual inspections for the catalytic converter, air system, gas cap, evaporative system, positive crankcase ventilation (PCV) valve, and fuel inlet restrictor
- 23) Results of the evaporative pressure test expressed as a pass or fail (where applicable)
- 24) Results of the evaporative system purge test expressed as a pass or fail along with the total purge flow in liters achieved during the test (where applicable)
- 25) Results of the on-board diagnostic check expressed as pass or fail along with the diagnostic trouble codes revealed (where applicable).

In addition, I/M programs must gather and maintain records on the results of all applicable quality control checks per 40 CFR 51.359, quality assurance checks per 40 CFR 51.363, and enforcement efforts per 40 CFR 51.361, 40 CFR 51.362, and 40 CFR 51.364. The data requirements reflected in these sections of the I/M rule were originally based upon data gathering and reporting best practices of I/M programs already in operation at the time the original information collection was developed.

The above data items represent information which a program needs to gather and maintain as part of the day-to-day administration and enforcement of the program. Many of these data items are also included in the data recording requirements of the programs' testing equipment specifications while

others are currently employed as management tools to facilitate the monitoring and evaluation of the program-by-program management. States should be gathering this information separate from any requirement to report the data to EPA. As such, gathering these data items does not constitute an additional burden triggered by this information collection or its renewal but instead reflect the minimum data needed to run an effective I/M program.

With regard to record keeping, the above data items should be retained for a minimum of two complete inspection cycles (i.e., two years in annual programs, and four years in biennial programs). This is because the comparison of a vehicle's information and test results from one inspection cycle to the next is essential for the program's own internal auditing as well as program enforcement (with changes in vehicle information from one test cycle to the next being one of the primary red flags used for fraud detection). Again, these record keeping requirements would exist separate from this information collection or its renewal.

Under the ICR, state I/M programs are required to submit annually summary statistics and effectiveness evaluations of the program's testing element, its quality assurance system, the quality control program, and the enforcement mechanisms. In addition, state I/M programs are required to submit biennially a report of any program deficiencies identified and the corrective actions taken by program management. The specific elements of each of these summary reports is described below under the appropriate heading.

Test Data Summary

I/M programs are required by 40 CFR 51.366(a) to submit to their EPA Regional Office by July of each year a report providing basic statistics on the testing program for January through December of the previous year, including:

- (1) The number of vehicles tested by model year and vehicle type;
- (2) By model year and vehicle type, the number and percentage of vehicles:
 - (i) Failing initially, per test type;
 - (ii) Failing the first retest per test type;
 - (iii) Passing the first retest per test type;
 - (iv) Initially failed vehicles passing the second or subsequent retest per test type;
 - (v) Initially failed vehicles receiving a waiver; and
 - (vi) Vehicles with no known final outcome (regardless of reason).
 - (vii)–(x) [Reserved]
 - (xi) Passing the on-board diagnostic check;
 - (xii) Failing the on-board diagnostic check;
 - (xiii) Failing the on-board diagnostic check and passing the tailpipe test (if applicable);
 - (xiv) Failing the on-board diagnostic check and failing the tailpipe test (if applicable);
 - (xv) Passing the on-board diagnostic check and failing the I/M gas cap evaporative system test (if applicable);
 - (xvi) Failing the on-board diagnostic check and passing the I/M gas cap evaporative system test (if applicable);
 - (xvii) Passing both the on-board diagnostic check and I/M gas cap evaporative system test (if applicable);
 - (xviii) Failing both the on-board diagnostic check and I/M gas cap evaporative system test (if applicable);
 - (xix) Malfunction Indicator Light (MIL) is commanded on and no codes are stored;

- (xx) MIL is not commanded on and codes are stored;
- (xxi) MIL is commanded on and codes are stored;
- (xxii) MIL is not commanded on and codes are not stored;
- (xxiii) Readiness status indicates that the evaluation is not complete for any module supported by on-board diagnostic systems;
- (3) The initial test volume by model year and test station;
- (4) The initial test failure rate by model year and test station; and
- (5) The average increase or decrease in tailpipe emission levels for hydrocarbons (HC), carbon monoxide (CO), and oxides of nitrogen (NO_x) (if applicable) after repairs by model year and vehicle type for vehicles receiving a mass emissions test.

It should be noted that as state programs phase-out tailpipe testing and continue to move toward the exclusive use of onboard diagnostic (OBD) based testing, an added benefit of doing such will be a significant reduction in the number of reporting elements that need to be gathered, summarized, and reported. For example, the by-pollutant reporting requirements will no longer apply, and neither will any of the reporting elements that presume dual testing of OBD-equipped vehicles. EPA is confident that the respondent burden estimates in this proposed information collection renewal can be characterized as conservative. Currently, 12 of the 26 respondent states covered by the I/M ICR are OBD-only states.

Quality Assurance Summary

I/M programs covered by this ICR are required by 40 CFR 51.366(b) to submit to their EPA Regional Office by July of each year a report providing basic statistics on the quality assurance program for January through December of the previous year, including:

- (1) The number of inspection stations and lanes:
 - (i) Operating throughout the year; and
 - (ii) Operating for only part of the year;
- (2) The number of inspection stations and lanes operating throughout the year:
 - (i) Receiving overt performance audits in the year;
 - (ii) Not receiving overt performance audits in the year;
 - (iii) Receiving covert performance audits in the year;
 - (iv) Not receiving covert performance audits in the year; and
 - (v) That have been shut down as a result of overt performance audits;
- (3) The number of covert audits:
 - (i) Conducted with the vehicle set to fail per test type;
 - (ii) Conducted with the vehicle set to fail any combination of two or more test types;
 - (iii) Resulting in a false pass per test type;
 - (iv) Resulting in a false pass for any combination of two or more test types;
 - (v)-(viii) [Reserved]
- (4) The number of inspectors and stations:
 - (i) That were suspended, fired, or otherwise prohibited from testing as a result of covert audits;
 - (ii) That were suspended, fired, or otherwise prohibited from testing for other causes; and
 - (iii) That received fines;
- (5) The number of inspectors licensed or certified to conduct testing;
- (6) The number of hearings;

- (i) Held to consider adverse actions against inspectors and stations; and
- (ii) Resulting in adverse actions against inspectors and stations;
- (7) The total amount collected in fines from inspectors and stations by type of violation;
- (8) The total number of covert vehicles available for undercover audits over the year; and
- (9) The number of covert auditors available for undercover audits.

Quality Control Summary

I/M programs covered by this ICR are required by 40 CFR 51.366(c) to submit to their EPA Regional Office by July of each year a report providing basic statistics on the quality control program for January through December of the previous year, including:

- (1) The number of emission testing sites and lanes in use in the program;
- (2) The number of equipment audits by station and lane;
- (3) The number and percentage of stations that have failed equipment audits; and
- (4) Number and percentage of stations and lanes shut down as a result of equipment audits.

As with the test summary report, the eventual transition from relying on a combination of tailpipe-based testing and OBD testing to relying exclusively upon OBD-based testing will reduce the reporting burden for the quality control summary. This is because OBD-based testing equipment does not need to be calibrated like tailpipe-based systems. Therefore, the need to perform and record calibration results as part of the overt equipment auditing process is likewise eliminated.

Enforcement Summary

I/M programs covered by this ICR are required by 40 CFR 51.366(d) to submit to their EPA Regional Office by July of each year a report providing basic statistics on the enforcement program for January through December of the previous year, including:

- (1) All varieties of enforcement programs shall, at a minimum, submit to their EPA Regional Office by July of each year a report providing basic statistics on the enforcement program for January through December of the previous year, including:
 - (i) An estimate of the number of vehicles subject to the inspection program, including the results of an analysis of the registration data base;
 - (ii) The percentage of motorist compliance based upon a comparison of the number of valid final tests with the number of subject vehicles;
 - (iii) The total number of compliance documents issued to inspection stations;
 - (iv) The number of missing compliance documents;
 - (v) The number of time extensions and other exemptions granted to motorists; and
 - (vi) The number of compliance surveys conducted, number of vehicles surveyed in each, and the compliance rates found.
- (2) Registration denial based enforcement programs shall provide the following additional information:
 - (i) A report of the program's efforts and actions to prevent motorists from falsely registering vehicles out of the program area or falsely changing fuel type or weight class on the vehicle registration, and the results of special studies to investigate the frequency of such activity; and

- (ii) The number of registration file audits, number of registrations reviewed, and compliance rates found in such audits.
- (3) Computer-matching based enforcement programs shall provide the following additional information:
 - (i) The number and percentage of subject vehicles that were tested by the initial deadline, and by other milestones in the cycle;
 - (ii) A report on the program's efforts to detect and enforce against motorists falsely changing vehicle classifications to circumvent program requirements, and the frequency of this type of activity; and
 - (iii) The number of enforcement system audits, and the error rate found during those audits.
- (4) Sticker-based enforcement systems shall provide the following additional information:
 - (i) A report on the program's efforts to prevent, detect, and enforce against sticker theft and counterfeiting, and the frequency of this type of activity;
 - (ii) A report on the program's efforts to detect and enforce against motorists falsely changing vehicle classifications to circumvent program requirements, and the frequency of this type of activity; and
 - (iii) The number of parking lot sticker audits conducted, the number of vehicles surveyed in each, and the noncompliance rate found during those audits.

Biennial Report

In addition to the annual reports identified above, I/M programs covered by this ICR are required by 40 CFR 51.366(e) to submit to their EPA Regional Office by July of every other year, biennial reports addressing:

- (1) Any changes made in program design, funding, personnel levels, procedures, regulations, and legal authority, with detailed discussion and evaluation of the impact on the program of all such changes; and
- (2) Any weaknesses or problems identified in the program within the two-year reporting period, what steps have already been taken to correct those problems, the results of those steps, and any future efforts planned.

12c. Respondent Activities

When responding programs were originally preparing to submit the first round of the above-listed summary data for this approved information collection, the respondents had to pursue the activities identified below. Several of these activities were essentially one-time efforts (such as pursuing legal authority and constructing testing sites) required to comply with the CAA's mandate that such programs be implemented, while others are activities that are currently conducted for the sake of ongoing program implementation, management, and enforcement, and would therefore be pursued regardless of this information collection. Such activities have been identified here as common business practice (CBP), even though the respondent entities are representatives of state government agencies or departments. Respondent activities have been separated for the annual and biennial reports, and separate burden estimates are provided for each in the following section (12d.) of this supporting statement.

Annual Report

- Read the I/M regulation (CBP)
- Review the regulatory provisions addressing the annual reporting requirement and assess respondent responsibility
- Secure necessary legal authority to establish program (CBP)
- Develop the regulatory basis for the program (CBP)
- Prepare a SIP and submit to EPA (CBP)
- Receive appropriate training relative to program operation (CBP)
- Begin program implementation (i.e., establish testing sites, begin testing, etc.) (CBP)
- Gather test and quality control information and review for accuracy (CBP)
- Analyze the test and quality control data (CBP)
- Based upon analysis of data, begin enforcement efforts against motorists, stations, and inspectors (CBP)
- Complete written or electronic “paperwork” associated with enforcement and program oversight efforts (CBP)
- Store, file, and maintain all relevant program records and information (CBP)
- Assemble existing reports in preparation for summarization
- Prepare annual summaries of program operating statistics for the enforcement mechanism, the quality assurance system, the quality control program, and the testing element based upon existing, internal reports
- Review summary information for accuracy
- Prepare and submit annual report to EPA (or otherwise provide EPA access to the required information)

Biennial Report

In addition to the above activities associated with the submittal of the annual information collection, I/M programs must also submit a biennial report that addresses program changes since the last reporting period, including any program weaknesses identified and improvements made. Again, many of these activities, given their importance in the areas of effective program management and helping to ensure that program resources are not wasted or abused, will need to be pursued internally regardless of this external reporting requirement. As such, many of these activities are designated as CBP.

- Track and record all changes made in program design, funding, personnel levels, procedures, regulations, and legal authority
- Conduct an evaluation of the impact on the program of all such changes (CBP)
- Conduct periodic internal investigations to discover and correct weaknesses (CBP)
- Track and record all such weaknesses or problems identified in the program within the two-year reporting period, and the steps taken to correct those problems
- Evaluate the results of those steps (CBP)
- Assemble and report the above required information, including any future efforts planned to the local EPA Regional Office

Collection Schedule

Under the original 1992 I/M rulemaking,¹ Basic I/M programs were required to begin reporting by July 1995, with the first biennial report coming due in July 1996. Enhanced I/M programs were required to begin reporting by July 1996, with the first biennial report coming due in July 1997. Currently – and for simplicity sake – the reporting schedule is as follows: all required I/M programs must submit their annual I/M summary data reports by July of each year. Basic I/M programs must submit the required biennial report in even numbered years and Enhanced I/M programs must submit the biennial report in odd numbered years. If, for administrative reasons, it is easier for a given program to combine its biennial report with its annual report and submit the combined report annually, EPA will accommodate the state's preference in this regard.

12d. Respondent Burden Hours and Labor Costs

Estimating Respondent Burden Hours

The burden estimates for both the recordkeeping and reporting requirements were made using professional judgment. Recordkeeping activities are assumed to be routine, automated, and conducted primarily for the effective management of the program. Nonetheless, an hour of burden has been assumed for this category. The estimate of the burden for information collection activities by clerical, technical, and managerial staff for both the annual and biennial reports is conservative based upon EPA's previous experience working with states as they respond to the I/M reporting requirements. See Tables 2 and 3 below (in the Respondent Tally section of this question) for the burden hours assigned for each information collection activity category.

Estimating Respondent Labor Costs

Given that the respondents to this ICR are state government employees, in managerial, technical, and clerical positions, the federal government's General Schedule (GS) was adopted as a benchmark for estimating hourly labor rates. To ensure that our estimates are conservative, only the higher ranges of these categories were used. For the clerical category, GS-8 was used, while GS-13 was selected to represent the technical position, and GS-15 was used as the basis for calculating management labor rates. For each GS category, EPA used the step 3 level, to reflect the assumption that state and local burden hours would be completed by experienced staff in each category.² EPA then multiplied these hourly rates by the standard government overhead factor of 1.6. This calculation results in a state and local cost of \$38.00, \$72.38, and \$100.62 per burden hour for clerical, technical, and managerial burden hours, respectively. Calendar year 2024 was chosen as the base year. The resulting labor rates are shown in Table 1 below:

¹ 40 CFR 51.366 (Data analysis and reporting) and 51.373 (Implementation deadlines).

² January 2024, U.S. Office of Personnel Management, Salary Table 2024-GS, https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2024/GS_h.pdf.

Table 1. Hourly Labor Rates, By Category, Adjusted for Overhead Factor

Hours Rates	Clerical (GS-8.3)	Technical (GS-13.3)	Managerial (GS-15.3)
2024 base year	\$23.75	\$45.24	\$62.89
Adjusted by the overhead factor 1.6	\$38.00	\$72.38	\$100.62

Estimating the Respondent Universe and Total Burden Hours and Costs

The respondent universe consists of the states required by the CAA to implement I/M programs because of their ozone or carbon monoxide nonattainment status, or because of their location within the Northeast Ozone Transport Region (OTR).³ Currently, the number of such states is 25, plus the District of Columbia, for a total respondent universe of 26. It does not include states with voluntary I/M programs. EPA estimated the total respondent burden hours and costs for this ICR using the following equation:

$$\text{Number of states implementing I/M} \times \text{Number of burden hours for each respondent (state)} \times \text{Cost per hour}$$

The resulting total burden hours and cost estimates are found in the Respondent Tally section below.

Respondent Tally

The burden for each respondent was estimated by tallying the appropriate staff hours for each information collection activity. Likewise, the cost per respondent was estimated by multiplying the appropriate hourly labor rates by the corresponding staff hours and summing for each collection activity. The Respondent Burden Hours and Cost are shown below in Table 2 for the Annual Report and Table 3 for the Biennial Report. Lastly, the Bottom-Line burden hours and cost totals for all respondents are summarized in Table 4 (Question 13c.).

³ For I/M program applicability criteria, see 40 CFR 51.350. For more information on I/M, see *Overview of Vehicle Inspection and Maintenance (I/M) Programs* [EPA-420-F-21-067, October 2021] available at <https://nepis.epa.gov/Exe/ZyPDF.cgi?Dockkey=P1013CC0.pdf>.

Table 2. Respondent Burden Hours & Cost for Annual Report

Collection Activity	Managerial Hours	Technical Hours	Clerical Hours	Burden Hours	Annual Cost/Response
1. Read regulatory provisions	1	1		2	\$173.00
2. Assess data requirements		8		8	\$579.04
3. Assemble reports and data		16		16	\$1,158.08
4. Review information for accuracy		8		8	\$579.04
5. Summarize information		4		4	\$289.52
6. Prepare and submit report		4	1	5	\$327.52
7. Record, store, and maintain files		1		1	\$72.38
Total	1	42	1	44	\$3,179

Table 3. Respondent Burden Hours & Cost for Biennial Report

Collection Activity	Managerial Hours	Technical Hours	Clerical Hours	Burden Hours	Annual Cost/Response
1. Track/record program change		16		16	\$1,158.08
2. Track/record weakness/correction		16		16	\$1,158.08
3. Assemble/report findings/future plans	16	32	4	52	\$4,078.08
Total	16	64	4	84	\$6,394

The corresponding total annual burden hours and costs were then calculated as follows:

Annual burden hours per respondent

$$= \text{Hours for annual report} + (\text{Hours for biennial report}/2)$$

$$= 44 + (84/2) = \mathbf{86}$$

Annual burden cost per respondent

$$= \$3,179 + (\$6,394/2) = \mathbf{\$6,376}$$

Annual total burden hours for all respondents:

$$= \text{annual burden hours per respondent} \times \text{total number of respondents}$$

$$= 86 \times 26 = \mathbf{2,236}$$

Annual total burden costs for all respondents

$$= \text{annual burden cost per respondent} \times \text{total number of respondents}$$

$$= \$6,376 \times 26$$

$$= \mathbf{\$165,776}$$

13. RESPONDENT CAPITAL AND O&M COSTS

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).

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 consider 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 period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling, and testing equipment; and record storage facilities.

If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collections services should be a part of this cost burden estimate.

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.

13a. Annualized Capital Costs

There are no annualized capital costs.

13b. Operations and Maintenance (O&M) Costs

The cost and labor associated with maintenance and other program operations previously identified as common business practice (CBP) have not been included in the current burden estimates. Some of the ongoing costs associated with running an I/M program include the cost of maintaining the test equipment and the training, licensing, and labor costs associated with the inspectors used to run the equipment. These costs are imposed by the CAA requirement that a given area adopt and operate an I/M program and would be incurred even without the reporting requirements covered by the ICR proposed for renewal.

13c. Respondent Annual Total Burden Hours and Cost Summary

Table 4. Bottom-Line Respondent Annual Burden Hours and Cost

ICR Reporting Element	Total	Comment
Number of respondents	26	25 states plus D.C.
Total annual respondents	26	One response per respondent
Hours per respondent	86	Tables 2 and 3
Cost per respondent	\$6,376	Tables 2 and 3
Total respondent hours	2,236	Hours per respondent x 26
Total respondent cost	\$165,776	Cost per respondent x 26

14. AGENCY COSTS

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.

14a. Agency Activities

In implementing the I/M information collection, EPA does the following:

- Answers respondent questions
- Reviews individual annual and biennial reports
- Meets with its Regional Offices to review and discuss collective findings and trends
- Through its Regional Offices, communicates the findings of individual reviews to individual responding states

The information received from I/M programs has been used by EPA Regional Offices to assess specific state programs and their success in complying with the I/M requirements as well as their approved SIPs. As part of this assessment, EPA's Regional Offices conduct follow-up conversations with their states to discuss possible program improvements or corrective actions necessary to address anomalies (if found). When an anomaly discovered in the reported summary information cannot be resolved by the state and/or EPA Regional Office, EPA Headquarters has helped to determine whether the anomaly is the result of local conditions or is perhaps indicative of a larger, national trend. In such situations, EPA Headquarters has worked with the Region to identify and address the causes of the anomaly. Information regarding the resolution of such cases – to the extent it may be relevant outside the program in question – are made available to other states, Regions, and the public in general through various communication vehicles, including new or updated guidance, monthly conference calls with the EPA Regions, and a bimonthly stakeholder call with the I/M states.

14b. Agency Burden Hours and Labor Costs

The estimates of each class of hours needed to handle the burdens associated with this ICR are based upon the experience EPA has had in handling similar tasks such as assembling and processing pre-audit information from individual states on an as-needed basis. The labor categories and hourly labor rates are the same as those used for the respondent burden estimates (see Question 12d. and Table 1 above) and are decidedly conservative. The collection activities covered by this estimate include time spent answering questions concerning the collection; reviewing the data submissions; recording the data submissions; analyzing and storing the data; summarizing the data; and drafting an internal report comparing the state submissions for red flags and/or best practices.

14c. Agency Non-Labor Costs

There are no agency non-labor costs.

14d. Agency Tally

The estimates for EPA's burden hours and costs are tallied and summarized in Table 5 below.

Table 5. EPA Annual Burden Hours & Cost

Collection Activity	Managerial Hours	Technical Hours	Clerical Hours	Burden Hours	Annual Cost
1. Answer questions	4	34		38	\$2,863.40
2. Review data submissions		34		34	\$2,460.92
3. Record data submission			34	34	\$1,292.00
4. Analyze data and store		4		4	\$289.52
5. Summarize data and report	8	68	8	84	\$6,030.80
Total	12	140	42	194	\$12,937

15. REASONS FOR CHANGE IN BURDEN

Explain the reasons for any program changes or adjustments reported in the burden or capital/O&M cost estimates.

There has been no change in the number of respondents or respondent burden hours since this ICR was renewed in 2021. The individual cost per respondent has risen, due to increases in the Office of Personnel Management’s hourly wage estimates for clerical, technical, and managerial positions used to estimate the cost of the respondent’s burden.

16. PUBLICATION OF DATA

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.

EPA does not publish the information collected at this time as this is not required by the CAA or I/M rule. In addition, states can be contacted directly to obtain copies of submitted reports. It is EPA’s understanding that some states post their I/M reports on their public websites.

17. DISPLAY OF EXPIRATION DATE

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 expiration date of this ICR renewal may be displayed.

18. CERTIFICATION STATEMENT

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

This information collection complies with all provisions of the Certification for Paperwork Reduction Act Submissions.