

U.S. Environmental Protection Agency

Information Collection Request

TITLE: Recordkeeping and Reporting for Renewable Fuel Standard (RFS) Program

OMB CONTROL NUMBER: 2060-0725

EPA ICR NUMBER: 2546.04

ABSTRACT:

This Information Collection Request (ICR) is a proposed extension. The collection is currently approved through November 30, 2025. This ICR is applicable to the Renewable Fuel Standard (RFS) regulations.

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.

Sections 114 and 208 of the Clean Air Act (CAA), 42 U.S.C. §§ 7414 and 7542, authorize EPA to require recordkeeping and reporting regarding enforcement of the provisions of Title II of the CAA. The recordkeeping and reporting requirements of this regulation will allow EPA to monitor compliance under the Renewable Fuel Standard (RFS) program. The relevant regulations are in 40 CFR parts 80 and 1090.

2. PRACTICAL UTILITY/USERS OF THE 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.

This ICR is for general recordkeeping and reporting under the Renewable Fuel Standard (RFS) program, required by Clean Air Act. RFS is a program that relies upon marketable credits (RINs) to function, which necessitates recordkeeping and reporting to establish type and number of RINs generated, sold, retired, etc. EPA provides the secure trading platform in which RIN transactions occur (EMTS), which removes a burden from industry. EPA uses the information to monitor compliance with RFS and to ensure the integrity of the RIN market

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.

Reports are submitted electronically in a simple, standard format. Parties who submit reports register with the OTAQ program to receive company and facility registration information, and access to CDX and reporting platforms, such as EMTS. EPA issues specific for instructions to ensure that parties do not have to fill out unnecessary fields. Reporting is tied to the activity a respondent engages in, as identified in registration. We continue to improve upon system services to remove unnecessary steps from registration or reporting.

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.

Efforts have been made to eliminate duplication in this information collection and EPA is only requesting information necessary to implement a working RFS program. We are not seeking to collect information available to us in any other manner. The information requested is often claimed as confidential business information (CBI) by the submitter and, as such, is not readily or publicly available.

5. MINIMIZING BURDEN ON SMALL ENTITIES:

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

This collection would not adversely affect small entities and may benefit small entities who are renewable fuel producers.

6. EFFECTS 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.

Registration is as needed; certain updates are required periodically, including engineering reviews, as discussed below. Compliance reporting is typically quarterly or annual. Reporting of transactions within EMTS are done on-occasion and as needed, when a respondent engages in a RIN transaction. The EMTS system is provided by EPA for registered respondents to use as a reliable method of engaging in transactions. Initial registration and setting up initial system access typically are a one-time event; however, parties are responsible for updating their registrations on-occasion/as needed (e.g., if they change their address or the activities they engage in under the program). Engineering reviews are initially required and must be updated every three years. Less frequent collection of data would make it impossible to carry out the provisions of the Clean Air Act.

7. GENERAL GUIDELINES:

Explain any special circumstances that require the collection to be conducted in a manner inconsistent with PRA Guidelines at 5 CFR 1320.5(d)(2).

1. Reporting of transactions within EMTS are done on-occasion and as needed, when a respondent engages in a RIN transaction. The frequency is driven by the respondent. Some may engage in daily RIN transactions, while others may engage in very few transactions during the year. Because RINs are basically a market, respondents must be able to engage in transactions whenever necessary. The EMTS system is provided by EPA for all registered respondents to use as a reliable method of engaging in transactions.
2. The record retention schedule for the RFS regulation is five years. This is consistent with the statute of limitations under the Clean Air Act.
3. Respondents may claim information contained in their recordkeeping and reporting as confidential business information (CBI). Our registration and reporting methods and EMTS are designed in a manner to be able to handle CBI. Where practicable, we provide respondents with a clear method of asserting a CBI claim.

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.

Federal Register 90 FR 17920, published April 30, 2025. It contained the notice entitled, “[EPA-HQ-OAR-2025-0097; FRL - 12673-01-OAR] Agency Information Collection Activities; Proposed Information Collection Request; Comment Request; Renewable Fuel Standard (RFS) Program, EPA ICR No. 2546.04, OMB Control Number 2060-0725.” Two public comments were received. One from an anonymous submitter suggesting that EPA focus on enforcing standards for cleaning air and water. The second commentor suggested that EPA simplify processes and reporting procedures. Both comments were noted as suggestions for system and process improvements, but specific information impacting cost and hour burden data and calculations used in this collection renewal was not provided.

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.

Consultation requests were sent to representatives of Poet Bioprocessing and Weaver. Both Poet Bioprocessing (a renewable fuel producer) and Weaver (a company that specifically provides several services directly related to recordkeeping and reporting) provided comments that resulted in upward adjustments of estimates related to respectively, time needed to completing reporting forms by RIN generators and performance of services related to recordkeeping and reporting for RIN Generators, Obligated Parties, RIN Owners, Exporters and QAP Providers. Suggestions for

changes to hourly burden and frequency based on their experience completing reporting and recordkeeping activities were incorporated into our calculations.

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 to the respondents were made.

10. PROVISIONS FOR PROTECTION OF INFORMATION:

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.

We inform respondents that they may assert claims of CBI for information they submit. Most form instructions contain a field to assert a claim. However, respondents may submit other information or attachments. Any information claimed as confidential by the submitter will be treated in accordance with 40 CFR part 2 and established EPA procedures. Information that is received without a clear claim of confidentiality may be made available to the public without further notice to the submitter under 40 CFR 2.203, although it is our normal practice to contact any respondent who has not indicated confidentiality prior to release of their information, to see if they wish to claim confidentiality. We do not collect privacy data under this program.

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.

There are no sensitive questions.

12. RESPONDENT BURDEN HOURS AND 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.*
 - If this request for approval covers more than one form, provide separate hour burden estimates for each form and the aggregate the 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 cost should be included as O&M costs under non-labor costs covered under question 13.*
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12a. RESPONDENTS/NAICS CODES

Respondents to this information collection include:

Industry Category	NAICS ¹ code
Petroleum refineries.	324110
Ethyl alcohol manufacturing.	325193
Other basic organic chemical manufacturing.	325199
Chemical and allied products merchant wholesalers.	424690
Petroleum bulk stations and terminals.	424710
Petroleum and petroleum products merchant wholesalers.	424720
Manufactured gas production and distribution.	221210
Other fuel dealers.	454319

¹ North American Industry Classification system (NAICS).

We have assumed the following classes of party, which are covered by this supporting statement.

- RIN Generators – specifically, renewable fuel producers who use biointermediates
- Obligated Parties – Producers/Importers of gasoline/diesel fuel in the program area
- RIN Owners – any party that owns RINs
- Exporters – exporters of renewable fuels
- QAP Providers – parties registered to provide Quality Assurance Program services
- Parties Submitting Petitions for Aggregated Compliance
- Third parties, including third party engineers, attest auditors, QAP providers, and independent parties who provide purchased professional services to the parties listed above.

12b. INFORMATION REQUESTED

The information requested is listed in detail in Appendix A and may be summarized, by respondent, as follows:

RIN Generators (Table 1), Obligated Parties (Table 2), RIN Owners (Table 3), Exporters (Table 4), and QAP Providers (Table 5):

1. Reporting requirements including registration and periodic compliance reports. These parties must engage the services of independent third parties to provide engineering reviews (a part of registration that describes the process or making the biointermediate and related aspects of the facility in which is produced), QAP (a process of independent verification of feedstocks and renewable fuels), and attest engagements (an independent auditing requirement). All forms are listed with regulatory citations in Appendix A, Tables 1, 2, 3, 4 and 5, for these parties.
2. Recordkeeping requirements that include keeping copies of all records that support compliance reports and the use and retention of product transfer documents (PTDs).

QAP Providers (Table 5), Parties Petitioning for Aggregated Compliance (Table 6), and Third Parties (Table 7):

1. Reporting requirements include annual verification and audit results. All forms are listed with regulatory citations in Appendix A, Tables 1, 2, 3, 4 and 5, for these parties.
2. Recordkeeping requirements that include keeping copies of audit records, information on site visits, and calculations used for verifications.

12c. RESPONDENT ACTIVITIES AND FREQUENCY

The activities and frequency are listed in detail in Appendix A and may be summarized, by respondent, as follows:

RIN Generators (Table 1), Obligated Parties (Table 2), RIN Owners (Table 3), Exporters (Table 4), and QAP Providers (Table 5):

1. Reporting requirements including registration and periodic quarterly compliance reports. These parties have periodic compliance reporting requirements based on their production and transactional activities. All forms are listed with regulatory citations in Appendix A, Tables 1, 2, 3, and 4 for these parties.
2. Recordkeeping requirements that include keeping copies of all records that support compliance reports and the use and retention of product transfer documents (PTDs). These parties must engage the services of an independent third party to perform compliance certification.

QAP Providers (Table 5), Parties Petitioning for Aggregated Compliance (Table 6), and Third Parties (Table 7):

1. Reporting requirements including registration and annual reports. These parties have periodic compliance reporting requirements based on audits performed for QAP Providers and Third Parties and on number of petitions submitted. All forms are listed with regulatory citations in Appendix A, Tables 5, 6, and 7 for these parties
2. Recordkeeping requirements that include keeping copies of audit records, information on site visits, and calculations used for verifications.

12d. RESPONDENT BURDEN HOURS AND LABOR COSTS

To show the calculations, we have provided an Excel Spreadsheet containing extremely detailed program estimates. The spreadsheet was placed in the public docket to assist commenters in understanding this collection and the assumptions used to develop it. We sought and received comments and feedback from industry consultations.

Consultation requests were sent to representatives of Poet Bioprocessing and Weaver. Both Poet Bioprocessing (a renewable fuel producer) and Weaver (a company that specifically provides several services directly related to recordkeeping and reporting) provided comments that resulted in upward adjustments of estimates related to respectively, time needed to completing reporting forms by RIN generators and performance of services related to recordkeeping and reporting for RIN Generators, Obligated Parties, RIN Owners, Exporters and QAP Providers. Suggestions for changes to hourly burden and frequency based on their experience completing reporting and recordkeeping activities were incorporated into our calculations.

Two public comments were received. One from an anonymous submitter suggesting that EPA focus on enforcing standards for cleaning air and water. The second commentor suggested that EPA simplify processes and reporting procedures. Both comments were noted as suggestions for system and process improvements, but specific information impacting cost and hour burden data and calculations used in this collection renewal was not provided.

The revised total estimated respondents (by type), responses, hours, and total cost including both labor and non-labor costs is as follows:

Summary			
<i>Type of Respondent</i>	<i>Total Responses per Year</i>	<i>Total Hours per Year</i>	<i>Total Cost per Year (Labor and Non-Labor)</i>
RIN Generators	749,875	231,924	\$30,335,858
Obligated Parties	1,449,401	189,714	\$20,727,623
RIN Owners	1,890,089	292,100	\$31,862,995
Exporters	330,807	52,374	\$5,797,675
QAP Providers	6,088	1,040	\$161,916

Petition for Agg. Compl.	2	200	\$19,600
Third Parties*	100	0	\$0
GRAND TOTAL	4,426,362	767,352	\$88,905,667

Third parties who have their own recordkeeping and reporting requirements are QAP providers. All other third parties do work for RIN generators as purchased services and the cost is attributed to the party that hires them. Such third parties would include contract engineers to do engineering reviews or independent accountants who perform attest engagements.

The total number of respondents and the non-labor costs (those used in the OMB Inventory for the collection) are as follows:

TOTAL NUMBER of Respondents:	
	28,804
Non-Labor Costs* Only - Used for OMB Inventory:	
	\$22,724,608

All non-labor costs are purchased services. There are no capital and O&M costs.

The individual forms with their estimated hourly burden are as follows:

RFS0107 (5900-631) (Q)	4 hours
RFS0304 (5900-492) (A)	6 hours
RFS0500 (5900-493) (A)	4 hours
RFS0602 (5900-290) (Q)	2 hours
RFS0702 (5900-289) (Q)	4 hours
RFS0801 (5900-293) (Q)	16 hours
RFS0902 (5900-278) (Q)	1 hour
RFS1000 (5900-335) (Q)	8 hours
RFS1200 (5900-337) (Q)	8 hours
RFS1300 (5900-262) (Q)	8 hours
RFS1400 (5900-354) (Q)	4 hours
RFS1500 (5900-355) (Q)	4 hours
RFS1600 (5900-356) (Q)	4 hours
RFS1701 (5900-632) (Q)	1 hour
RFS2001 (5900-633) (A)	16 hours
RFS2101 (5900-634) (A)	16 hours
RFS2201 (5900-635) (A)	16 hours
RFS2301 (5900-636) (A)	16 hours
RFS2400 (5900-361) (A)	16 hours
RFS2500 (5900-374) (Q)	12 hours
RFS2700 (5900-373) (X)	20 hours

This collection contains recordkeeping and reporting by methods other than forms. The overall annual burden to respondents for this collection is 767,352 hours.

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.

Of the total, non-labor cost burden of \$22,724,608, the full amount is purchased services and \$0 is capital/O&M.

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

EPA must generate company and facility registration number(s) for new registrants and notify them of these numbers, which must appear on reports. Reporting systems must be maintained and available to registered users. Reports are processed by EPA and must be reviewed for compliance purposes. Reporting parties must be contacted if there is a problem with their submission.

14b. Agency Burden and Labor Cost

EPA estimates that we require the FTE equivalents of seven (7) professional employees and 1.25 managers to implement the RFS program. Annual IT system, contract, and related costs are based on 2024 figures.

These estimates are derived from "OPM Salary Table 2025-DCB," effective January 1, 2025. See <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/25Tables/html/DCB.aspx> (accessed March 12, 2025). We used the DC area locality pay table and assumed step 5. This was multiplied by 1.6 (which is a common factor utilized in ICRs to account for overhead costs for this purpose). We rounded the resulting dollar value to the nearest whole number. For "managers" estimate we used GS-15 step 5 and multiplied the value by 1.6, using the same method as above.

Seven professional employees (FTE equivalent) \$ 1,530,570

1.25 managers (FTE equiv.) \$ 379,900

14c. Agency Non-Labor Costs

Since we are using CDX, some costs incurred by the EPA will be tied to the number of registrants who send us reports. As with other costs, the subscription cost is accounted for in this general collection for RFS.

This annual cost is based upon 2024 and includes ICR-related costs related to fuels registration and

reporting, such as system hosting, O&M, security, programming, and help desk functions in support of respondents to this ICR.

Annual IT system, contract and related costs \$ 3,137,500

14d. Agency Total Costs

Adding the above cost values results in an annual estimated Agency burden as follows:

TOTAL AGENCY COST = \$ 5,047,970

The impact of renewal of this ICR on Agency Burden represents an increase of \$562,143 over the previous renewal primarily due to increased costs for IT services and contracts.

15. CHANGE IN BURDEN:

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

There is a decrease of 93,617 hours in the total estimated respondent burden compared with the ICR currently approved by OMB. This decrease is due to several factors. First, some of the burden in the existing ICR was for one-time burdens, such as initially programming codes, which existing parties will have already performed. Second, some of the burden in the existing ICR has been reduced through improvements in reporting methods initiated by EPA. For example, EPA has greatly improved the URF used for data entry in a manner that provides feedback to respondents and reduces errors, resubmissions, etc. Third, EPA has reduced complexity by removing reporting steps and certain standalone forms.

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.

Not applicable.

17. DISPLAY OF OMB CONTROL NUMBER AND EXPIRATION DATE ON INSTRUMENTS:

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

Not applicable.

18. CERTIFICATION STATEMENT:

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

There are no exceptions.

BURDEN STATEMENT

The annual public reporting and recordkeeping burden for this collection of information is estimated to average one hour 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.

ATTACHMENTS

Appendix A referenced in this document refers to the accompanying file "2nd FR Notice_Detailed BurdenEstimates 2546_appendixA_04_2025renewal.xlsx"