

U.S. Environmental Protection Agency

Information Collection Request

TITLE: Renewable Fuel Standard (RFS) Program: Standards for 2023-2025 (Renewal)

OMB CONTROL NUMBER: 2060-0749

EPA ICR NUMBER: 2722.03

ABSTRACT:

This information collection request (ICR) renewal is for RFS program reporting and recordkeeping requirements originally established by the RFS Set 1 Rule for 2023-2025.

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.

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.

The EPA rulemaking action “Renewable Fuel Standard (RFS) Program: Standards for 2023–2025 and Other Changes” or “RFS Set 1 rule” (Published July 7, 2023) established regulations in three primary areas:

1. It established the applicable volumes and percentage standards for 2023 through 2025 for cellulosic biofuel, biomass- based diesel, advanced biofuel, and total renewable fuel.
2. It also established the second supplemental standard addressing the judicial remand of the 2016 standard-setting rulemaking.
3. Finally, it made several regulatory changes to the RFS program, including changes related to the treatment of biogas and other modifications to improve the program’s implementation.

This information collection request (ICR) is based on the final group of requirements, particularly with respect to:

- Biogas-derived renewable fuel requirements to ensure that biogas is produced from renewable biomass and used as a transportation fuel and to allow for the use of biogas as a biointermediate (“biogas regulatory reform”).

- Requirements for third-party pertaining to engineering reviews, the RFS quality assurance program, and annual attest engagements.
- Recordkeeping requirements for waste feedstocks, including separated food waste (SFW)

EPA uses the information to monitor compliance with the RFS and to ensure the integrity of the RIN market.

This ICR is for certain provisions of the RFS program which is required by the Clean Air Act and implementing regulations in 40 CFR parts 80 and 1090. The following provisions established in the RFS Standards for 2023-2025 and Other Changes final rule are most relevant to this information collection:

- Biogas-derived renewable fuel requirements to ensure that biogas is produced from renewable biomass and used as a transportation fuel and to allow for the use of biogas as a biointermediate (“biogas regulatory reform”)
- Requirements for third parties pertaining to engineering reviews, the RFS quality assurance program, and annual attest engagements
- Recordkeeping requirements for waste feedstocks, including separated food waste (SFW)

The RFS program relies upon marketable credits (Renewable Identification Numbers or RINs) to function, which necessitates registration, recordkeeping and reporting requirements for the type and number of RINs generated, sold, retired, etc. EPA provides the secure systems that respondents use to register, submit compliance reports, and transact RINs, which removes a burden from industry. EPA uses the information to monitor compliance with the 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 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.

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 the rule. 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.

Existing flexibilities available to small entities under the RFS program include being able to comply through RIN trading rather than renewable fuel blending, 20 percent RIN rollover allowance (up to 20 percent of an obligated party's renewable volume obligation (RVO) can be met using previous-year RINs), deficit carry-forward (the ability to carry-over a deficit from a given year into the following year, provided that the deficit is satisfied together with the next year's RVO), and to petition for a small refinery exemption.

6. EFFECTS OF LESS FREQUENT COLLECTION:

Describe the consequences of 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.

We have designed the reporting schedule to coincide, to the extent possible, with existing RFS reporting deadlines applicable to all parties regulated under the RFS program. Compliance reporting is typically monthly, quarterly, or annual. Reporting transactions within EMTS are done on occasion/as needed to correspond to reportable activity (e.g., generation of RINs, Renewable Identification Numbers, which represent a volume of renewable fuel), but are typically assumed to occur monthly. Initial registration and setting up initial system- access typically is 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 generally must be updated every three years. Less frequent collection of data would make it impossible to carry out the provisions of the CAA.

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).

This information collection requires respondents to keep certain records for longer than three years. Specifically, parties would be required to keep product transfer documents (PTDs) and records related to their participation in the RFS program for five years, and parties would be required to keep their compliance records (e.g., copies of periodic reports) for five years. Five years is the applicable statute of limitations for other EPA fuel programs. See 28 U.S.C. 2462.

Many records such as PTDs (e.g., bills of lading, invoices, etc.) and fuel production records should be kept by parties under normal business practice. Therefore, the recordkeeping requirements under the requirements of this rule should impose little additional burden on most parties beyond initial programming of any statement on PTDs, or other changes required to participate in the RFS program. Otherwise, the proposed collection does not create special circumstances requiring justification under 5 CFR 1320.5.

8. PUBLIC COMMENT AND CONSULTATIONS:

8a. Public Comment

If applicable, provide a copy and identify the date and page number of publications 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.

Public comments were previously requested via the Federal Register on June 26, 2026 (91 FR 39095) during a 60-day comment period. The comments received did not substantively address components of the proposed information collection.

8b. Consultations

Describe efforts to consult with people 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.

Requests for feedback were also sent to three organizations asked about 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. No responses were received. However, these three organizations are also Quality Assurance Providers that we meet monthly to discuss existing concerns with a large segment of registrants.

9. PAYMENTS OR GIFTS TO RESPONDENTS:

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

The Agency does not intend to provide payments or gifts to respondents as part of this collection.

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 system 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 private 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 people from whom the information is requested, and any steps to be taken to obtain their consent.

This information collection does not require submission of any sensitive or personal information (e.g., social security numbers, dates of birth, etc.).

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 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

The respondents to this information collection may fall into the following general industry categories:

221210	Distribution of renewable natural gas (RNG)
324110	Petroleum refiners
325120	Biogases, industrial (i.e., compressed, liquefied, solid), manufacturing
325193	Ethyl Alcohol manufacturing

325199	Other basic organic chemical manufacturing
424690	Chemical and Allied Products Merchant Wholesalers
424710	Petroleum bulk stations and terminals
424720	Petroleum and petroleum products merchant wholesalers
221210	Manufactured gas production and distribution
454319	Other fuel dealers
562212	Landfills

We have assumed the following classes of respondents, which are covered by this supporting statement:

- Biogas Producers- Tab I of Appendix A; these parties own, operate, lease, control, or supervise a biogas production facility where biogas is produced from renewable biomass under an approved pathway.
- RNG Producers -Tab II of Appendix A: these parties own, operate, lease, control, or supervise an RNG production facility where biogas is upgraded to renewable natural gas (RNG) under an approved pathway.
- RNG Importers- Tab III of Appendix A; these parties import RNG into the covered location and generate RINs for the RNG as specified in the regulations.
- SFW- Tab IV of Appendix A; this Tab is for parties who use alternative municipal recordkeeping for separated yard waste, separated food waste (SFW), separated municipal solid waste (MSW), or biogenic oils/fats/greases. Feedstock aggregators are addressed on this Tab.
- Biogas Closed Distribution System RIN Generators – Tab V of Appendix A; these are parties who generate RINs for renewable compressed natural gas (CNG)/liquefied natural gas (LNG) in a biogas closed distribution system. A biogas closed distribution system refers to the infrastructure between when biogas is produced and when biogas or treated biogas is used to produce biogas-derived renewable fuel within a discrete location or series of locations does not include placement of biogas, treated biogas, or RNG on a natural gas commercial pipeline.
- QAP Providers- Tab VI of Appendix A; these parties provide auditing and other services related to quality assurance plans (QAPs). Because they register and incur a direct reporting burden (versus just submitting reports for others), they are kept separate from the other Third Parties on Tab VIII.
- RNG RIN separators – Tab VII of Appendix A; these parties register to separate RINs for RNG.
- Third Parties- Tab VIII of Appendix; these parties provide purchase services to other parties; although they register with EPA and submit reports, they do so on behalf of other parties. This includes attest auditors and third-party engineers. Because they have no direct reporting burden, they are kept separate from the QAP Providers on Tab VI.
- Producers of Renewable Fuel from Biogas are used as a biointermediate or RNG used as feedstock- Tab IX of Appendix A; these parties are a subset of renewable fuel producers.

12b. INFORMATION REQUESTED

The specific information requested is listed in detail for each party listed above on their respective Tabs in Appendix A. Forms that accompany this ICR have been transmitted to OMB and are listed with each associate respondent in Appendix A. Reporting occurs within system provided by EPA, which are grouped under the umbrella system name of TeRRA and includes OTAQREG (registration), DCFUEL (compliance reporting), and EPA Moderated Transaction System – EMTS (transactional reporting) modules. EPA utilizes the Central Data Exchange (CDX), which is a secure portal, for many submissions. Information to be collected may be summarized, generally, as follows:

Reporting:

- All respondents must register with EPA or update their registration (if already registered) as appropriate. Registration may involve association with third parties who submit information on their behalf (e.g., attest auditors). This occurs within OTAQREG.
- Respondents must enter transactions in the EPA Moderated Transaction System (EMTS) and submit compliance reports to EPA via DCFUEL. Certain respondents will assign batch numbers to EMTS.
- Some respondents must arrange for certain third-party reporting on their behalf – for example, attest engagements and/or engineering reviews. The third parties register and associate with the parties for whom they report in OTAQREG and then submit the reports via DCFUEL.

Recordkeeping:

- Respondents must generally keep copies of records that demonstrate with the RFS program, including records that relate to registration and compliance reports submitted to EPA. Nearly all companies have electronic records systems; in addition, companies are also able to access records of their registration/reporting submissions to EPA via their secure accounts with us.
- Respondents must generate/use/keep Product Transfer Documents (PTDs).
- Respondents must keep records of measurements/testing, if applicable.
- Respondents must keep certain records if they elect to use alternative recordkeeping provisions (e.g., for separate food waste).

12c. RESPONDENT ACTIVITIES AND FREQUENCY

We drew upon experience implementing similar regulations among the same entities to develop estimates of the burden associated with this collection. Detailed burden estimates for each party are in Appendix A. To assign the costs to the parties who bear them, and to avoid double counting, this ICR assigns the responses, hours, and costs in Tables I-VII and IX to the respondents who must purchase the services of third parties to submit information on their behalf. However, to properly count all respondents, Table VIII includes the third parties in the

total number of respondents. Please refer to Appendix A for the detailed estimates and explanations.

12d. RESPONDENT BURDEN HOURS AND LABOR COSTS

Detailed burden estimates are provided in Appendix A. For these estimates, four labor categories are used: managerial, technical, clerical, and legal. Please refer to the Labor Costs Tab in Appendix A for more detail. The source of the estimates is U.S. Bureau of Labor Statistics. “May 2024 National Industry-Specific Occupational Employment and Wage Estimates for NAICS 324000-Petroleum and Coal Products Manufacturing” [See: https://www.bls.gov/oes/current/naics3_324000.htm (accessed April 20, 2026).]

Labor Costs

<i>Labor Type</i>	<i>Labor Cost/hour</i>	<i>Labor+ Overhead/hours^a</i>	<i>Portion attributed/hour</i>	<i>Employer Cost/hour</i>
Managerial (CEO – 11-1011)	236.00	472.00	0.05	23.6
Professional/Technical (Refinery Operators- 51-8093)	47.00	93.00	0.7	65.80
Clerical (Secretaries and Administrative Assistants 43-6010)	33.00	67.00	0.2	13.20
Legal (Lawyer 23-1011)	122.00	245.00	0.05	12.20
Total Employer Cost/hour				115.00
Purchased Services ^b				287.50

^a Overhead is calculated to be equal to the cost of labor, i.e., 2 x labor cost, rounded up.

^b The cost of purchased services (for example, cost of attest auditors) is calculated at 2.5 times the Total Employer Cost. Increased from 2 times (because of recent industry consultation/comment on related RFS ICR, under OMB control number 2060-0725).

This collection contains recordkeeping and reporting by methods other than forms. The overall annual burden to respondents for this collection is 152,679 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 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 costs, \$10,697,690 is for purchased services while \$25,000 is for operations and maintenance costs incurred by RNG producers.

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 expenses that would not have been incurred without this collection of information.

14a. AGENCY ACTIVITIES AND FREQUENCY

EPA will generate company and facility registration number(s) for new registrants and notify them of these numbers which would appear in reports. EPA will also process and examine registration materials, such as engineering reviews and QAP plans, and compliance reports.

14b. AGENCY BURDEN AND LABOR COST

This supporting statement considers EPA costs associated with accepting new and updated registrants and new reports associated with the rule. Using the RFS-related ICRs as a guide in developing these initial estimates, we anticipate that the rule will require the equivalent labor of the equivalent of 1.5 full-time GS-13 technical employee at \$348,057 labor cost and one-quarter of a GS-15 management employee at \$74,025 labor cost.³

Adding the following values results in an annual estimated EPA burden associated with this information collection, as follows:

1.5 GS-13 Technical employees (full-time) =	\$348,057
One GS-15 manager (1/4 time) =	\$74,025
TOTAL =	\$422,082

14c. AGENCY NON-LABOR COSTS

There are no anticipated non-labor costs for the Agency. Note that related system costs and contractor support costs are addressed in the following RFS-related ICRs: 2060-0725, 2060-0740, and in the fuels regulatory streamlining ICR: 2060-0731.

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 an increase of 69,286 hours in the total estimated respondent burden compared with the ICR currently approved by OMB. This increase is due primarily to increases in participating respondents and their responses.

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.

The Agency does not intend to publish information gathered through this information collection.

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.

The Agency plans to display the expiration date for OMB approval of the information collection on all instruments.

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.

ATTACHMENTS

See Appendix A – Detailed Burden Estimates