

# Recordkeeping and Reporting of the Management of Certain Hydrofluorocarbons and Substitutes under Subsection (h) of the American Innovation and Manufacturing Act of 2020

## PART A OF THE SUPPORTING STATEMENT

### **Title: Recordkeeping and Reporting of the Management of Certain Hydrofluorocarbons and Substitutes under Subsection (h) of the American Innovation and Manufacturing Act of 2020**

OMB Number: 2060-NEW; EPA ICR Number: 2778.02

#### **Short Characterization**

The American Innovation and Manufacturing (AIM) Act of 2020 authorizes EPA to address hydrofluorocarbons (HFCs)<sup>1</sup> in three main ways: phasing down HFC production and consumption through an allowance allocation program; promulgating certain regulations for HFCs and their substitutes for purposes of maximizing reclamation and minimizing releases of HFCs from equipment and ensuring the safety of technicians and consumers; and facilitating the transition to next-generation technologies by restricting use of these HFCs in the sector or subsectors in which they are used.

This ICR covers provisions under subsection (h) of the AIM Act that establishes a program for the management of HFCs, including requirements for leak repair and use of automatic leak detection (ALD) systems for certain refrigerant-containing appliances containing HFCs and certain substitutes; use of reclaimed HFCs for the servicing and/or repair of refrigerant-containing equipment in certain refrigeration, air conditioning, and heat pumps (RACHP) subsectors; the servicing, repair, disposal, or installation of fire suppression equipment that contains HFCs, including the use of recycled HFCs for the initial installation and the servicing and/or repair of fire suppression equipment, as well as requirements related to technician training in the fire suppression sector; and removal of HFCs from disposable cylinders. In accordance with the subsection (h) final rulemaking “Phasedown of Hydrofluorocarbons: Management of Certain Hydrofluorocarbons and Substitutes under Subsection (h) of the American Innovation and Manufacturing Act of 2020, owners/operators, technicians, reclaimers, and recyclers are required to electronically report data to EPA. Additionally, the rulemaking finalizes alternative Resource Conservation and Recovery Act (RCRA) standards for certain spent ignitable refrigerants being recycled for reuse.

For the three years covered by this ICR, the total respondent burden associated with this information collection will average 222,268 hours per year and the respondent cost will average \$17,069,893 per year. This includes an average of \$3,647,230 per year for reporting, \$9,018,098 per year for recordkeeping, and \$2,131,844 avoided per year for reclamation reporting and recordkeeping. Over the same time period, the total estimated cost for EPA of the information collection will average \$332,296 per year. The total estimated cost for all respondents and EPA will average \$17,402,188 per year. These totals reflect the avoided burden and costs for reclaimers associated with the requirements for use of reclaimed HFCs.

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<sup>1</sup> The AIM Act refers to the HFCs that are regulated under its provisions as regulated substances. EPA uses the terms “regulated substance” and “HFC” interchangeably in this document.

## **Actions to Comply with Terms of Clearance**

This is a new ICR and, in accordance with 5 CFR 1320, the information collection will be approved for three years. As terms of clearance, however, the agency is required to closely track the frequency with which this collection is used and (1) submit a request for revision if the actual burden exceeds the expected level approved in this ICR; and (2) ensure that the burden reflected in the renewal is accurate.

### 1. Necessity for the Information Collection

This information collection is authorized under the AIM Act (Section 103 in Division S, Innovation for the Environment, of the Consolidated Appropriations Act, 2021 (Pub. L. 116-260), codified at 42 U.S.C. § 7675). In subsection (k)(1)(A), the AIM Act provides EPA with the authority to promulgate such regulations as are necessary to carry out EPA's functions under the Act. Also, Subsection (k)(1)(C) of the AIM Act states that section 114 of the CAA applies to the AIM Act and rules promulgated under it as if the AIM Act were included in title VI of the CAA. Thus, section 114 of the Clean Air Act, which provides authority to EPA Administrator to require recordkeeping and reporting in carrying out provisions of the CAA, also applies to and supports this rulemaking.

Consistent with the AIM Act's provision in subsection (h) that "for the purposes of maximizing reclaiming and minimizing the release of a regulated substance from equipment and ensuring the safety of technicians and consumers, the Administrator shall promulgate regulations to control, where appropriate, any practice, process, or activity regarding the servicing, repair, disposal, or installation of equipment." The provisions in the final rule apply to equipment owners/operators, technicians, reclaimers, fire suppressant recyclers, final processors, wholesalers, and/or distributors, as applicable. The provisions apply to those entities, as applicable, that are performing leak repair of appliances containing at least 15 pounds of a refrigerant containing HFC(s) or a substitute for an HFC with a global warming potential (GWP) greater than 53, with specific exceptions; installing and using automatic leak detection systems for certain refrigerant-containing appliances containing 1,500 pounds or more of a refrigerant that contains an HFC or a substitute for an HFC with a GWP greater than 53 for both new and certain existing appliances; using reclaimed HFCs in certain RACHP subsectors for the servicing and/or repair of refrigerant-containing equipment starting January 1, 2029; labeling of containers of reclaimed HFC refrigerants to certify the limit on virgin HFCs for reclaimed HFC refrigerants is not exceeded; and adhering to requirements regarding the servicing, repair, disposal, or installation of fire suppression equipment that contains HFCs, with the purpose of minimizing the release of HFCs from that equipment, as well as requirements related to technician training in the fire suppression sector. Such entities are required to submit to the Administrator reports, maintain records, and implement labeling requirements on cylinders that contain reclaimed HFCs, as applicable.

EPA is requiring reporting and recordkeeping to facilitate compliance with and enforcement of the requirements under subsection (h). The labels for cylinders will indicate the substance being sold, information regarding when and by whom the material was reclaimed, and a unique serial number associated with the container.

The Paperwork Reduction Act (PRA) requires Federal agencies to manage information resources to reduce information collection burdens on the public; increase program efficiency and effectiveness; and improve the integrity, quality, and utility of information to all users within and outside the

Agency, including capabilities for ensuring dissemination of public information, public access to government information, and protections for privacy and security (44 USC 3506).

## 2. Practical Utility/Users of the Data

The reporting, recordkeeping, and labeling requirements under subsection (h) enable EPA to ensure compliance with the requirements for:

- leak repair of refrigerant-containing appliances with 15 pounds or more of a refrigerant that contains HFC(s) or a substitute for an HFC with a GWP greater than 53. The leak repair requirements exempt refrigerant-containing equipment in the residential and light commercial air conditioning and heat pumps subsector;
- installation and use of automatic leak detection systems for commercial refrigeration or industrial process refrigeration appliances containing 1,500 pounds or more of a refrigerant that contains an HFC or a substitute for an HFC with a GWP greater than 53 for both new and certain existing appliances;
- a reclamation standard limiting the amount of virgin HFCs that can be contained in reclaimed HFC refrigerants;
- use of reclaimed HFCs in certain sectors or subsectors for the servicing and/or repair of refrigerant-containing equipment in certain RACHP subsectors starting January 1, 2029;
- use of recycled HFCs for initial installation and servicing and/or repair of fire suppression equipment starting January 1, 2030, and January 1, 2026, respectively;
- the servicing, repair, disposal, or installation of fire suppression equipment that contains HFCs, with the purpose of minimizing the release of HFCs from that equipment, as well as requirements related to technician training in the fire suppression sector;
- labeling cylinders of reclaimed HFCs to certify the contents meet the limit on virgin HFCs; and
- the alternate compliance method for evacuation of the heel of a disposable cylinder to a specified level of vacuum before discarding the cylinder.

## 3. Consideration Given to Information Technology

EPA will leverage existing electronic reporting and data tracking systems used in prior AIM Act rules and the Greenhouse Gas Reporting Program (GHGRP)<sup>2</sup> to collect, track, and store information required under this ICR. The systems are designed to collect and store CBI in compliance with U.S. government security standards.

## 4. Non-duplication

EPA intends to collect many reports required by this ICR electronically through existing web-based systems used to collect data under the GHGRP and prior AIM Act rulemakings, which will help minimize duplicative reporting.

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<sup>2</sup> The GHGRP requires reporting of greenhouse gas (GHG) data and other relevant information from large GHG emission sources, fuel and industrial gas suppliers, and carbon dioxide (CO<sub>2</sub>) injection sites in the United States. The program generally requires reporting when emissions from covered sources are greater than 25,000 metric tons of CO<sub>2</sub>e per year. Publicly available information includes facility names, addresses, and latitude/longitude information.

Under the Allocation Framework Rule, EPA requires quarterly activity and annual inventory reporting by fire suppressant recyclers. Under this ICR, entities that perform first fill of equipment, service (e.g., recharge) equipment, and/or recycle HFCs in the fire suppression sector are required to report on activity annually and are not required to report on annual inventory. EPA collected comments on the proposed reporting requirements and whether compliance with one set of requirements would satisfy both obligations. EPA intends to limit to the extent practicable duplicative burden between part 84 subparts A and C by using the same reporting systems. If there are any duplicative requirements, entities would only report once.

## 5. Effects on Small Entities

The burden on small entities has been reduced to every extent possible including collecting reports from entities as far “upstream” as possible (e.g., equipment owner or operator) and using existing reporting infrastructure and data elements from prior AIM Act rules and Section 608 of the Clean Air Act.

## 6. Consequences of Not Conducting Collection

Fire suppressant recycling reports are required on an annual basis, and chronic leak reports are submitted once a year (as applicable). Reporting on sale and distribution of reclaimed HFC refrigerants intended for the servicing and/or repair of refrigerant-containing equipment in certain RACHP subsectors is a two-time reporting requirement – once on February 14, 2027, and once on February 14, 2028. The remaining information collection requirements are occasional submissions. Occasional submissions, such as requests for extensions to repair, retrofit, or retirement timelines, are designed to allow entities flexibility in meeting regulatory requirements.

## 7. Special Circumstances

This collection of information has a three-year requirement for record and report retention, which is consistent with the three-year requirement for record retention specified in the general information collection guidelines in 5 CFR 1320.5(f) of the OMB regulations implementing the Paperwork Reduction Act and with all other OMB guidelines at 5 CFR 1320.5(d)(2).

## 8. Consultations with Persons Outside the Agency

### **(a) Public Notice Required Prior to ICR submission to OMB**

The proposed rulemaking “Phasedown of Hydrofluorocarbons: Management of Certain Hydrofluorocarbons and Substitutes under Subsection (h) of the American Innovation and Manufacturing Act of 2020” served as the public notice for this ICR. EPA requested comment on this ICR in that proposed rulemaking, which was published on October 19, 2023 (see 88 FR 72216, 72296).

EPA received a number of public comments on the proposed recordkeeping and reporting requirements, including comments expressing:

- General support for proposed recordkeeping and reporting requirements

- Suggestions for additional reporting options/data elements, such as for reclamation, disposable cylinders
- Request for implementation and compliance to align with existing infrastructures
- Sufficient recordkeeping and reporting to ensure compliance, guard against fraudulent practices, or double counting (e.g., virgin vs. reclaimed refrigerants)
- Some concerns with EPA’s proposed conclusion that certain data elements would not be entitled to confidential treatment
- Some concern with certain proposed recordkeeping and reporting requirements, including:
  - Underestimates of the number of cylinders that would be subject to the proposed cylinder management and tracking requirements
  - Suggestion that proposed recordkeeping and reporting requirements should not apply to residences, families, or landlords unless a certain threshold is passed
  - Concerns with the cost and hour burden as noted below

Comments on cost and hour burden related to recordkeeping and reporting address topics including:

- Inclusion of refrigerant-containing appliances with charge sizes of 15-pounds or more
  - Comments mentioned that the scope of covered appliances would be greater than what is covered under 40 CFR Part 82, Subpart F, which are regulatory provisions implementing section 608 of the Clean Air Act
- Coverage included for fire suppression sector
  - A couple commenters stated that the proposed recordkeeping and reporting for fire suppression would be burdensome and unnecessary, noting that they are reporting voluntarily under the fire suppression industry’s HFC Emissions Estimating Program (HEEP)
- Estimates in EPA’s cost/benefit analysis for entering records
  - A commenter stated their view that the costs for entering records are underestimated and that 10 minutes would be more accurate

EPA responded to these cost and hours burden comments, as well as comments on the proposed recordkeeping and reporting requirements, in the final rulemaking. However, in this final rule, EPA is not finalizing certain provisions that were included in the proposal, such as the container tracking requirements, and thus EPA is not responding to comments on those aspects of the proposal in the final rule. For more details, see the final rule, “Phasedown of Hydrofluorocarbons: Management of Certain Hydrofluorocarbons and Substitutes under Subsection (h) of the American Innovation and Manufacturing Act of 2020.”

**(b) Consultations**

The burden calculations were developed based on EPA’s experience implementing reporting and recordkeeping requirements on ozone-depleting substances (ODS) and HFCs.

EPA also collected comments on the proposed rulemaking “Phasedown of Hydrofluorocarbons: Management of Certain Hydrofluorocarbons and Substitutes under Subsection (h) of the American Innovation and Manufacturing Act of 2020” and adjusted this ICR based on the comments received.

9. Payments or Gifts to Respondents

No payments or gifts will be made to respondents.

## 10. Confidentiality

For all data elements that EPA has determined to be confidential or for which EPA will provide provisional confidential treatment if claimed by reporters as CBI, EPA will release aggregated data if there are three or more reporting entities.

## 11. Sensitive Questions

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

## 12. Estimating Burden and Cost of Collection

### **(a) Information Requested**

#### i) Data items

All persons that own, operate, or service/repair refrigerant-containing appliances with a charge size of 15 pounds or more of a refrigerant containing an HFC or a substitute for an HFC with a GWP greater than 53; owners or operators of commercial refrigeration or industrial process refrigeration appliances that contain 1,500 pounds or more of a refrigerant that contains an HFC or a substitute for an HFC with a GWP greater than 53 who are required to use an ALD system; all persons that perform first fill of equipment, service (e.g., recharge) equipment, and/or recycle HFCs in the fire suppression sector; reclaimers of HFC refrigerants; those who sell or distribute or offer for sale or distribution reclaimed HFCs; technicians who evacuate disposable cylinders to a specified level of vacuum prior to discarding the cylinder; or final processors who accept evacuated disposable cylinders must record and/or report the following information either on an annual or as-needed basis.

### **Owners and Operators of HFC Refrigerant-Containing Appliances**

#### Request for Leak Repair Extension Requirements:

- Identification and address of the facility;
- The name of the owner or operator of the refrigerant-containing appliance;
- The leak rate;
- The method used to determine the leak rate and full charge;
- The date the refrigerant-containing appliance exceeded the applicable leak rate;
- The location of leak(s) to the extent determined to date;
- Any repair work that has been performed thus far, including the date that work was completed;
- The reasons why more than 30 days (or 120 days if an industrial process shutdown is required) are needed to complete the repair;
- An estimate of when the work will be completed;
- If the estimated completion date is to be extended, a new estimated date of completion and documentation of the reason for that change; and
- A signature from an authorized company official.

Request to Cease Retrofit/Retirement Plan Requirements:

- The date that the requirement to develop a retrofit or retirement plan was triggered;
- The leak rate;
- The method used to determine the leak rate and full charge;
- The location of the leak(s) identified in the leak inspection;
- A description of repair work that has been completed;
- A description of repair work that has not been completed;
- A description of why the repair was not conducted within the time frames required; and
- A statement signed by an authorized company official that all identified leaks will be repaired and an estimate of when those repairs will be completed (not to exceed one year from date of the plan).

Request for Retrofit/Retirement Plan Extension Requirements (for industrial process refrigeration equipment only):

- The identification of the refrigerant-containing appliance;
- The name of the owner or operator;
- The leak rate;
- The method used to determine the leak rate and full charge;
- The date the refrigerant-containing appliance exceeded the applicable leak rate;
- The location of leak(s) to the extent determined to date;
- Any repairs that has been finished thus far, including the date that repairs were finished;
- A plan to finish the retrofit or retirement of the refrigerant-containing appliance;
- The reasons why more than one year is necessary to retrofit or retire the refrigerant-containing appliance;
- The date of notification to EPA;
- A signature from an authorized company official;
- An estimate of when retrofit or retirement work will be finished; and
- If the estimated completion date is to be revised, a new estimated date of completion and documentation of the reason for that change.

Chronic Leak Reporting Requirements:

- Appliance owner name;
- Facility name and address where appliance is located;
- Appliance ID or description;
- Appliance type;
- Refrigerant type;
- Full charge of appliance (in pounds);
- Annual percent refrigerant loss;
- Dates of refrigerant addition;
- Amounts of refrigerant added;
- Date of last successful follow-up verification test;
- Explanation of cause of refrigerant losses;
- Description of repair actions taken;
- Whether a retrofit or retirement plan has been developed for the refrigerant-containing appliance and, if so, the anticipated date of retrofit or retirement; and
- A signed statement from an authorized company official.

## Notification of Exclusion of Destroyed Purged Refrigerants from Leak Rate Calculation

### Requirements:

- The identification of the facility and a contact person, including the address and telephone number;
- A description of the refrigerant-containing appliance, focusing on aspects relevant to the purging of refrigerant and subsequent destruction;
- A description of the methods used to determine the quantity of refrigerant sent for destruction and type of records that are being kept by the owners or operators where the appliance is located;
- The frequency of monitoring and data-recording;
- A description of the control device, and its destruction efficiency; and
- A signature from an authorized company official.

### Recordkeeping Requirements:

- Upon installation of covered equipment, maintain the following information:
  - The identification of the owner or operator of the refrigerant-containing appliance;
  - The address where the appliance is located;
  - The full charge of the refrigerant-containing appliance and the method for how the full charge was determined;
  - If using method 4 (using an established range) for determining full charge, records must include the range for the full charge of the refrigerant-containing appliance, its midpoint, and how the range was determined;
  - Any revisions of the full charge, how they were determined, and the dates such revisions occurred; and
  - The date of installation.
- Maintain a record including the following information for each time a refrigerant-containing appliance with a full charge of 15 or more pounds is installed, serviced, repaired, or disposed of, when applicable:
  - The identity and location of the refrigerant-containing appliance;
  - The date of the installation, service, repair, or disposal performed;
  - The part(s) of the refrigerant-containing appliance being serviced, repaired, or disposed;
  - The type of service, repair, or disposal performed for each part;
  - The name of the person performing the installation, service, repair, or disposal;
  - The amount and type of refrigerant added to, or in the case of disposal removed from, the appliance;
  - The full charge of the refrigerant-containing appliance; and
  - The leak rate and the method used to determine the leak rate (not applicable when disposing of the appliance, following a retrofit, installing a new appliance, or if the refrigerant addition qualifies as a seasonal variance).
- Maintain a record of changes to the leak rate calculation method after a change in ownership or acquisition including the following information:
  - Basic identification information (i.e., owner or operator, facility name, facility address where appliance is located, and appliance ID or description);
  - The date an operating facility was purchased or otherwise acquired;
  - The leak rates for all refrigerant-containing appliances at any operating facility for which the leak rate calculation methodology would change, listing the

- results of each leak rate calculation methods (the annualizing method and the rolling average method) separately;
  - The date the new leak rate calculation method is adopted; and
  - The leak rate calculation method the owner or operator is using after the change.
- Maintain records of leak inspections that include:
  - The date of inspection;
  - The method(s) used to conduct the leak inspection;
  - A list of the location of each leak that was identified; and
  - A certification that all visible and accessible parts of the refrigerant-containing appliance were inspected.
- If using an automatic leak detection (ALD) system, maintain the following records:
  - Records regarding the installation and the annual audit and calibration of the system;
  - A record of each date the monitoring system identified a leak; and
  - The location of the leak.
- Maintain records of all initial and follow-up verification tests that include:
  - The location of the refrigerant-containing appliance;
  - The date(s) of the verification tests;
  - The location(s) of all repaired leaks that were tested;
  - The type(s) of verification test(s) used; and
  - The results of those tests.
- Maintain retrofit or retirement plans.
- Maintain retrofit and/or extension requests submitted to EPA.
- Maintain records documenting when a refrigerant-containing appliance was mothballed and when additional refrigerant was added to the appliance (or isolated component).
- If excluding purged refrigerants that are destroyed from annual leak rate calculations, maintain the following records to support the amount of refrigerant claimed as sent for destruction:
  - The identification of the facility and a contact person, including the address and telephone number;
  - A description of the refrigerant-containing appliance, focusing on aspects relevant to the purging of refrigerant and subsequent destruction;
  - A description of the methods used to determine the quantity of refrigerant sent for destruction and type of records that are being kept by the owners or operators where the appliance is located;
  - The frequency of monitoring and data-recording; and
  - A description of the control device, and its destruction efficiency.
- If excluding additions of refrigerant due to seasonal variance from the leak rate calculation, maintain records stating that the seasonal variance flexibility is being used and documenting the amount added and removed.
- Maintain copies of reports submitted to EPA and any responses from EPA.

### **Technicians for HFC Refrigerant-containing Appliances**

#### Third-Party Reporting Requirements (provided to appliance owner or operator):

- For installation, service, repair, or disposal of an appliance, provide the following documentation:
  - The identity and location of the refrigerant-containing appliance;

- The date of the installation, service, repair, or disposal performed;
- The part(s) of the appliance being serviced, repaired, or disposed;
- The type of service, repair, or disposal performed for each part;
- The name of the person performing the installation, service, repair, or disposal;
- The amount and type of refrigerant added to, or in the case of disposal removed from, the appliance;
- The full charge of the refrigerant-containing appliance; and
- The leak rate and the method used to determine the leak rate (not applicable when disposing of the appliance, following a retrofit, installing a new appliance, or if the refrigerant addition qualifies as a seasonal variance).
- For leak inspections, provide the following documentation:
  - The date of inspection;
  - The method(s) used to conduct the leak inspection;
  - A list of the location of each leak that was identified; and
  - A certification that all visible and accessible parts of the refrigerant-containing appliance were inspected.
- For initial and follow-up verification tests, provide the following documentation:
  - The location of the refrigerant-containing appliance;
  - The date(s) of the verification tests;
  - The location(s) of all repaired leaks that were tested;
  - The type(s) of verification test(s) used; and
  - The results of those tests.

## **Fire Suppression Equipment Fillers, Servicers, and Agent Recyclers**

### Annual Reporting Requirements:

- Identification information (owner name, facility name, facility address where equipment is located)

By regulated substance,

- The quantity of material (the combined mass of regulated substance and contaminants) sold for the purpose of installation of new fire suppression equipment and servicing and/or repair of fire suppression equipment;
- The quantity of material (the combined mass of regulated substance and contaminants) in inventory onsite for the purpose of installation of new fire suppression equipment and servicing and/or repair of fire suppression equipment broken out by recovered, recycled, and virgin;
- The total mass of each regulated substance sold for the purpose of installation of new fire suppression equipment and servicing and/or repair of existing fire suppression equipment;
- The total mass of each regulated substance in inventory onsite for the purpose of installation of new fire suppression equipment and servicing and/or repair of existing fire suppression equipment broken out by recovered, recycled, and virgin; and
- The total mass of waste products the reporting entity sent for disposal, along with information about the disposal facility if waste is not processed by the reporting entity.

### Recordkeeping Requirements (to be maintained for three years):

- By regulated substance,

- The quantity of material (the combined mass of regulated substance and contaminants) sold for the purpose of installation of new fire suppression equipment and servicing and/or repair of fire suppression equipment;
- The quantity of material (the combined mass of regulated substance and contaminants) in inventory onsite for the purpose of installation of new equipment and servicing and/or repair of fire suppression equipment broken out by recovered, recycled, and virgin;
- The total mass of each regulated substance sold for the purpose of installation of new fire suppression equipment and servicing and/or repair of existing fire suppression equipment;
- The total mass of each regulated substance in inventory onsite for the purpose of installation of new fire suppression equipment and servicing and/or repair of existing fire suppression equipment broken out by recovered, recycled, and virgin; and
- The total mass of waste products the reporting entity sent for disposal, along with information about the disposal facility if waste is not processed by the reporting entity.
- Document fire suppression training of personnel;
- Maintain an electronic copy or paper copy of the fire suppression technician training; and
- Maintain records documenting that regulated substances are recovered from the fire suppression equipment before it is sent for disposal as specified in § 84.110(e).

## **Reclaimers**

### Container Labeling Requirements:

- Reclaimers certified under 40 CFR 82.164 must affix a label to any container they fill that is being sold or distributed or offered for sale or distribution and that contains reclaimed regulated substances to certify that the contents do not exceed 15 percent, by weight, of virgin regulated substances; and
- The label must state “The contents of this container do not exceed the limit of 15 percent, by weight, on virgin regulated substance per *40 CFR 84.112(a)*.”

### Two-time Reporting Requirements:

See following section on **Persons who Sell or Distribute or Offer for Sale or Distribution Reclaimed HFCs**

### Recordkeeping Requirements (to be maintained for three years):

- The name, address, contact person, email address, and phone number of the reclaimer certified under 40 CFR 82.164 who is making the certification;
- The date the container was filled with reclaimed regulated substance(s);
- The amount and name of the regulated substance(s) in the container(s);
- Certification that the contents of the container are from a batch where the amount of virgin regulated substance(s) does not exceed 15 percent, by weight, of the total regulated substance(s);
- The unique serial number associated with the container(s) filled from the batch;
- Identification of the batch of reclaimed regulated substance(s) used to fill the container(s); and
- The percent, by weight, of virgin regulated substance(s) in the batch used to fill the container(s).

## **Persons who Sell or Distribute or Offer for Sale or Distribution Reclaimed HFCs**

### Two-time Reporting Requirements:

- Reclaimers, distributors, and wholesalers of reclaimed refrigerants that contain regulated substances that are sold for the intended purpose of servicing and/or repair of refrigerant-containing equipment in the subsectors listed in 84.112 (e) must submit two annual reports to EPA electronically, using the Agency’s applicable reporting platform, containing the following information:
  - Name and address of the company;
  - Contact person, email address, and phone number of the responsible party;
  - The quantity of reclaimed refrigerant containing regulated substances by the name and volume of reclaimed refrigerant(s); and
  - Indication of the specific subsector(s) where the reclaimed refrigerant(s) containing regulated substance(s) are sold.

## **Technicians Removing HFC Heels from Disposable Cylinders**

### Third-Party Reporting Requirement (provided to final processor):

- Certification statement signed by a certified technician that a disposable cylinder has been evacuated to a level of 15 in-Hg containing the name and address of the certified technician who evacuated the cylinder(s) and the date the cylinder(s) was/were evacuated.

## **Final Processors Receiving Evacuated Disposable Cylinders**

### Recordkeeping Requirements (to be maintained for three years):

- Maintain record of the signed certification statement provided by a certified technician that a disposable cylinder has been evacuated to a level of 15 in-Hg.

#### ii) Respondent Activities

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

**Table I. Respondent Activities by Respondent Type**

<b>Activity</b>	<b>Reporting Frequency</b>
<b>Owners and Operators of HFC Refrigerant-containing Appliances</b>	
Submit request for relief from retrofit/retirement plan requirements	As Needed
Submit request for retrofit/retirement plan extension	As Needed
Submit chronic leak report	Annual
Submit notification that destroyed purged refrigerant was excluded from the leak rate calculation	As Needed
Maintain records	N/A
Submit leak repair extension request	As Needed
<b>Technicians for HFC Refrigerant-containing Appliances</b>	
Provide documentation to owners/operators of appliances	As Needed
<b>Fire Suppression System Fillers, Servicers, and Agent Recyclers</b>	
Submit annual report	Annual
Maintain records	N/A
<b>Reclaimers</b>	
Label cylinders	As Needed
Maintain records	N/A
Submit annual report on supply of reclaimed HFCs	Annual*
<b>Distributors of HFCs</b>	
Submit annual report on supply of reclaimed HFCs	Annual*
<b>Technicians Handling Recovered HFCs</b>	
Provide documentation to disposal facility	As Needed
<b>Final Processors</b>	
Maintain records	N/A

\*This is a two-time annual report that must be submitted by February 14, 2027, and February 14, 2028.

All records and reports must comply with requirements for regulated substances in accordance with the final rule “Phasedown of Hydrofluorocarbons: Management of Certain Hydrofluorocarbons and Substitutes under Subsection (h) of the American Innovation and Manufacturing Act of 2020.” Reports and records associated with the reports listed above must be kept for three years.

These recordkeeping requirements pertain to original documents that are held by companies in the normal course of conducting business, accounts of leak inspections, repairs, and retrofits, requests for extensions, and invoices. Information from these recordkeeping documents is summarized in reports. Recordkeeping requirements are designed to aid EPA in compliance monitoring, site inspection, and enforcement actions.

**(b) Collection Schedule**

The following information is required on a specific collection schedule:

- Fire suppression agent reports are submitted to EPA annually (by February 14);
- Chronic leak reports, when required, are submitted to EPA by March 1 following the calendar year of the  $\geq 125$  percent leak; and
- Reports on reclaimed HFC refrigerants sold or distributed for the intended purpose of servicing and/or repair of refrigerant-containing equipment in certain RACHP subsectors must be submitted by February 14, 2027, and February 14, 2028.

The remaining reports are submitted to EPA on an as-needed basis.

### **(c) Estimating Respondent Burden**

EPA identified 26 information collection activities that are mandated by EPA's rulemaking. EPA estimated the amount of time associated with each activity based on EPA's experience collecting similar activity data on HFCs under 40 CFR part 84 and ODS under 40 CFR part 82. This analysis assumes that all respondent burden hours are incurred by owners, operators, managers, technicians, marketing staff, and graphic design staff at companies or facilities that submit reports and use applicable equipment. Detailed Respondent Burden Hours and Cost Tables

**Table II** below summarizes the number of burden hours incurred by each respondent for each information collection activity.

### **(d) Estimating Respondent Costs**

To determine respondent costs, an average hourly wage rate of \$27.55 for refrigeration and air conditioning equipment technicians, the median hourly wage rate for heating, air-conditioning, and refrigeration mechanics and installers, was derived from the Bureau of Labor Statistics (BLS) Occupational Employment and Wages Statistics, May 2023. An average hourly wage rate of \$49.85 for owners/operators, the median hourly wage rate for health and safety engineers, was derived from the BLS Occupational Employment and Wage Statistics, May 2023. A 110 percent increase was added to reflect the estimated additional costs for overhead, which increased the wage rates to \$57.86 and \$104.69 per hour for technical staff and owners/operators, respectively. Burden hours were multiplied by the labor rate to determine respondent costs.

In addition, an average hourly wage rate of \$38.48 for reclaimer technicians, the median hourly wage rate for chemical plant and system operators, was derived from the BLS Occupational Employment and Wages Statistics, May 2023. An average hourly wage rate of \$56.19 for managers, the median hourly wage rate for management occupations, was derived from the BLS Occupational Employment and Wage Statistics, May 2023. An average hourly wage rate of \$19.46 for clerical staff, the median hourly wage rate for general office clerks, was derived from the BLS Occupational Employment and Wages Statistics, May 2023. An average hourly wage rate of \$70.08 for lawyers, the median hourly wage rate for lawyers, was derived from the BLS Occupational Employment and Wage Statistics, May 2023. An average hourly wage rate of \$31.56 for distributors and wholesalers, the median hourly wage rate for sales representatives, wholesale, was derived from the BLS Occupational Employment and Wage Statistics, May 2023. An average hourly wage rate of \$51.19 for disposal establishments, the median hourly wage rate for administrative services managers, was derived from the BLS Occupational Employment and Wage Statistics, May 2023. A 110 percent increase was added to reflect the estimated additional costs for overhead, which increased the wage rates to \$80.81, \$118.00, \$40.87, \$147.17, \$66.28, and \$107.50 per hour for reclaimer technicians, managers, clerical staff, lawyers, wholesalers, and disposal establishments, respectively. Avoided burden hours were multiplied by the labor rate to determine the reduction in respondent costs associated with this rulemaking provision.

Finally, an average hourly wage rate of \$75.78 for marketing staff, the median hourly wage rate for marketing managers, was derived from the BLS Occupational Employment and Wages Statistics, May 2023. An average hourly wage rate of \$28.32 for graphic design staff, the median hourly wage rate for graphic designers, was derived from the BLS Occupational Employment and Wage Statistics, May 2023. A 110 percent increase was added to reflect the estimated additional costs for overhead, and a 31.1 percent increase was added to reflect the estimated additional fringe costs, which increased the wage rates to \$208.63 and \$77.97 per hour for marketing staff and graphic

design staff, respectively. Burden hours were multiplied by the labor rate to determine respondent costs.

Table II below summarizes annual labor and recordkeeping and reporting costs for each respondent by information collection activity, and Table III summarizes total annual costs. Costs are calculated by multiplying burden hours per response by the number of responses per year by the assumed hourly wage rates of staff. The number of responses per year are based on the reporting frequency of each activity (as outlined in Table I), market research on the affected industries, and EPA's experience collecting data under 40 CFR part 84 and 40 CFR part 82.

**(e) Estimating the Respondent Universe and Total Burden and Costs**

The respondent universe for this ICR is based on a review of data collected under Section 608 of the Clean Air Act, equipment modeled in EPA's Vintaging Model, and market research on the affected industries. In total, EPA estimates 781,563 unique respondents are subject to the information collection requirements outlined in this ICR. This estimate takes into account the fact that the respondent types specified in Table II are not mutually exclusive, meaning a given respondent may be subject to more than one information collection activity.

Table III summarizes the total number of respondents per activity per year as well as total burden hours and costs per year. The number of respondents per activity per year varies across the three years covered by this ICR due to the variable leak repair requirements. Total respondent burden hours and costs are derived by multiplying the number of respondents per activity by total hours and total costs per respondent per year (see Table II).

13. Estimating the Capital/Start-up and Operation/Maintenance Costs of the Collection

Respondents are not assumed to incur operations and maintenance (O&M) costs associated with the reporting and recordkeeping requirements covered by this ICR.

**(a) Detailed Respondent Burden Hours and Cost Tables**

**Table II. Hours and Costs per Respondent Activity**

<b>Respondent Type</b>	<b>Activity</b>	<b>Affected Equipment</b>	<b>Responses per Respondent per Year</b>	<b>Labor Hours per Respondent per Year</b>	<b>Labor Cost per Respondent per Year</b>
Refrigeration and Air Conditioning Equipment Owners & Operators	Prepare and submit leak repair extension requests	15-50 pounds	1	0.5	\$52.34
		>50 pounds	1	0.5	\$52.34
	Prepare and submit retrofit/retirement extension requests	15-50 pounds	1	0.5	\$52.34
		>50 pounds	1	0.5	\$52.34
	Prepare and submit requests for relief from retrofit/retirement requirements	15-50 pounds	1	0.5	\$52.34
		>50 pounds	1	0.5	\$52.34
	Prepare and submit chronic leak reports	15-50 pounds	1	1.0	\$104.69
		>50 pounds	1	1.0	\$104.69
	Prepare and submit notifications if excluding purged refrigerants that are destroyed from annual leak rate calculations	15-50 pounds	1	0.03	\$2.62
		>50 pounds	1	0.03	\$2.62
	Maintain purchase and service records	15-50 pounds	3	0.025	\$2.62
		>50 pounds	3	0.025	\$2.62
	Maintain equipment installation records	15-50 pounds	1	0.025	\$2.62
		>50 pounds	1	0.025	\$2.62
	Maintain records of leak rate calculation method from ownership change	15-50 pounds	1	0.025	\$2.62
		>50 pounds	1	0.025	\$2.62
	Maintain retrofit and/or retirement plans	15-50 pounds	1	8.0	\$837.48
		>50 pounds	1	8.0	\$837.48
	Maintain records documenting when the system was mothballed and when it was brought back on-line (i.e., when refrigerant was added back into the appliance or isolated component of the appliance)	15-50 pounds	1	0.025	\$2.62
		>50 pounds	1	0.025	\$2.62
Maintain records of purged and destroyed refrigerant if excluding such refrigerant from the leak rate	15-50 pounds	1	0.025	\$2.62	
	>50 pounds	1	0.025	\$2.62	

	Maintain reports on the results of verification tests any time leak rate threshold is exceeded	15-50 pounds	1	0.025	\$2.62
		>50 pounds	1	0.025	\$2.62
	Maintain quarterly leak inspection records	IPR and CR <sup>a</sup> >500 pounds	4	0.017	\$1.74
	Maintain annual leak inspection records	15-50 pounds	1	0.017	\$1.74
		IPR and CR >50 pounds	1	0.017	\$1.74
	Maintain copies of any reports submitted to EPA under the reporting requirements in this action	15-50 pounds	1	0.017	\$1.74
		>50 pounds	1	0.017	\$1.74
	Maintain ALD system records	>1500 pounds with direct ALD	1	0.017	\$1.74
Refrigeration and Air Conditioning Equipment Technicians	Provide leak inspection records to owners/operators	15-50 pounds	0.67	0.017	\$0.96
		>50 pounds	0.51	0.017	\$0.96
	Provide reports on the results of verification tests any time leak rate threshold is exceeded to owners/operators	15-50 pounds	0.67	0.017	\$0.96
		>50 pounds	0.51	0.017	\$0.96
	Provide invoices to appliance owners/operators	15-50 pounds	2.52	0.033	\$1.93
		>50 pounds	1.96	0.033	\$1.93
Fire Suppression System Fillers, Servicers, and Agent Recyclers	Prepare and submit annual report	Fire Suppression Equipment	1	9.4	\$984.04
	Maintain records	Fire Suppression Equipment	1	40.0	\$4,187.40
HFC Reclaimers	One-time label redesign	Cylinders	1	9.0	\$1,159.03
	Maintain records		1	40.0	\$1,634.64
			1	8.0	\$646.46
Reclaim Distributors	Two-time report on reclaim use	NA	1	8.0	\$530.21
Refrigerant Technicians	Provide certification statement for cylinder evacuation	Cylinders	1	0.5	\$28.93
Final Processors	Maintain record of cylinder evacuation certification statement	Cylinders	209	0.017	\$1.79

<sup>a</sup> IPR = industrial process refrigeration; CR = commercial refrigeration

**Table III. Respondent Burden and Cost Table**

Respondent Type	Activity	Affected Equipment	Respondents per Activity per Year			Total Hours per Year			Total Cost per Year		
			Y1	Y2	Y3	Y1	Y2	Y3	Y1	Y2	Y3
Refrigeration and Air Conditioning Equipment Owners & Operators	Prepare and submit leak repair extension requests	15-50 pounds	215	214	212	107.7	107.1	106.0	\$11,271	\$11,216	\$11,092
		>50 pounds	215	217	218	107.7	108.4	108.9	\$11,271	\$11,344	\$11,396
	Prepare and submit retrofit/retirement extension requests	15-50 pounds	43	43	42	21.5	21.4	21.2	\$2,254	\$2,243	\$2,218
		>50 pounds	43	43	44	21.5	21.7	21.8	\$2,254	\$2,269	\$2,279
	Prepare and submit requests for relief from retrofit/retirement requirements	15-50 pounds	100	100	99	50.1	49.8	49.3	\$5,241	\$5,215	\$5,157
		>50 pounds	77	78	78	38.6	38.9	39.1	\$4,043	\$4,069	\$4,088
	Prepare and submit chronic leak reports	15-50 pounds	219	218	216	219	218	216	\$22,926	\$22,812	\$22,560
		>50 pounds	169	170	171	169	170	171	\$17,688	\$17,802	\$17,883
	Prepare and submit notifications if excluding purged refrigerants that are destroyed from annual leak rate calculations	15-50 pounds	4	4	4	0.09	0.09	0.09	\$10	\$10	\$10
		>50 pounds	4	4	4	0.09	0.09	0.09	\$10	\$10	\$10
	Maintain purchase and service records	15-50 pounds	266,374	265,052	262,124	18,927	18,833	18,625	\$1,981,325	\$1,971,496	\$1,949,714
		>50 pounds	206,611	207,943	208,893	14,680	14,775	14,842	\$1,536,802	\$1,546,708	\$1,553,779
	Maintain equipment installation records	15-50 pounds	24,850	24,727	24,454	621	618	611	\$65,036	\$64,713	\$63,998
		>50 pounds	13,735	13,823	13,886	343	346	347	\$35,945	\$36,177	\$36,342
	Maintain records of leak rate calculation method from ownership change	15-50 pounds	2,664	2,651	2,621	67	66	66	\$6,971	\$6,937	\$6,860
		>50 pounds	2,066	2,079	2,089	52	52	52	\$5,407	\$5,442	\$5,467
	Maintain retrofit and/or retirement plans	15-50 pounds	2,003	1,993	1,971	16,020	15,941	15,764	\$1,677,059	\$1,668,739	\$1,650,302
>50 pounds		1,545	1,555	1,562	12,360	12,439	12,496	\$1,293,875	\$1,302,215	\$1,308,169	
Maintain records documenting when the system was mothballed and	15-50 pounds	40	40	39	1.00	1.00	0.99	\$105	\$104	\$103	

	when it was brought back on-line (i.e., when refrigerant was added back into the appliance or isolated component of the appliance)	>50 pounds	31	31	31	0.77	0.78	0.78	\$81	\$81	\$82
	Maintain records of purged and destroyed refrigerant if excluding such refrigerant from the leak rate	15-50 pounds	4	4	4	0.09	0.09	0.09	\$10	\$10	\$10
		>50 pounds	4	4	4	0.09	0.09	0.09	\$10	\$10	\$10
	Maintain reports on the results of verification tests any time leak rate threshold is exceeded	15-50 pounds	200,251	199,257	197,056	5,006	4,981	4,926	\$524,081	\$521,481	\$515,720
		>50 pounds	154,496	155,492	156,203	3,862	3,887	3,905	\$404,336	\$406,942	\$408,803
	Maintain quarterly leak inspection records	IPR and CR >500 pounds	76,935	77,431	77,785	5,129	5,162	5,186	\$536,930	\$540,391	\$542,862
	Maintain annual leak inspection records	15-50 pounds	200,251	199,257	197,056	3,338	3,321	3,284	\$349,387	\$347,654	\$343,813
		IPR and CR >50 pounds	135,262	136,134	136,757	2,254	2,269	2,279	\$235,999	\$237,520	\$238,606
	Maintain copies of any reports submitted to EPA under the reporting requirements in this action	15-50 pounds	581	578	572	9.7	9.6	9.5	\$1,014	\$1,009	\$998
		>50 pounds	508	512	514	8.5	8.5	8.6	\$887	\$893	\$897
	Maintain ALD system records	IPR and CR >1500 pounds with direct ALD	147	11,049	67	2	184	1	\$257	\$19,277	\$116
Refrigeration and Air Conditioning Equipment Technicians	Provide leak inspection records to owners/operators	15-50 pounds	300,000	298,512	295,214	3,338	3,321	3,284	\$193,092	\$192,134	\$190,011
		>50 pounds	300,000	301,934	303,314	2,575	2,592	2,603	\$148,973	\$149,933	\$150,619
	Provide reports on the results of verification tests any time leak rate threshold is exceeded to owners/operators	15-50 pounds	300,000	298,512	295,214	3,338	3,321	3,284	\$193,092	\$192,134	\$190,011
		>50 pounds	300,000	301,934	303,314	2,575	2,592	2,603	\$148,973	\$149,933	\$150,619
	Provide invoices to appliance owners/operators	15-50 pounds	300,000	298,512	295,214	25,235	25,110	24,833	\$1,459,993	\$1,452,751	\$1,436,700
		>50 pounds	300,000	301,934	303,314	19,574	19,700	19,790	\$1,132,434	\$1,139,734	\$1,144,945
Fire Suppression System Fillers, Servicers, and Agent Recyclers	Prepare and submit annual report	HFC Fire Suppression	20	20	20	188	188	188	\$19,681	\$19,681	\$19,681
	Maintain records	HFC Fire Suppression	20	20	20	800	800	800	\$83,748	\$83,748	\$83,748

HFC Reclaimers	One-time label redesign	Cylinders	37	-	-	333	-	-	\$42,884	\$0	\$0
	Maintain records		-	37	37	-	1,480	1,480	\$0	\$119,596	\$119,596
Reclaim Distributors	Two-time report on reclaim use	NA	-	37	37	-	296	296	\$0	\$23,919	\$23,919
			-	10,000	10,000	-	80,000	80,000	\$0	\$5,302,080	\$5,302,080
Refrigerant Technicians	Provide certification statement for cylinder evacuation	Cylinders	-	-	300,000	-	-	168,529	\$0	\$0	\$9,750,261
Final Processors	Maintain record of cylinder evacuation certification statement		-	-	1,611	-	-	5,618	\$0	\$0	\$603,891

## (b) Bottom Line Respondent Burden Hours and Cost Tables

As shown in Table IV, EPA estimates the total annual hour and cost burden to all respondents to equal 222,268 hours and \$17,069,893.

**Table IV. Respondent Burden Summary Table**

Year	Total Responses	Total Hours	Total Labor Costs
Year 1	4,445,381	141,372	\$12,155,355
Year 2	4,810,033	223,029	\$17,580,430
Year 3	5,115,220	396,447	\$27,869,424
<b>Annual Average</b>	<b>4,790,212</b>	<b>253,616</b>	<b>\$19,201,737</b>
Average Annual Avoided Reclaimer Burden and Costs	-15,345	-31,348	-\$2,131,844
<b>Incremental ICR Burden and Costs</b>	<b>4,774,867</b>	<b>222,268</b>	<b>\$17,069,893</b>

### 14. Estimating Agency Costs

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

The average hourly rates for EPA clerical, technical, and managerial staff of \$39.66, \$56.52, and \$78.56, respectively, are derived from the 2024 annual base pay table, which was retrieved from the Office of Personnel Management website. The rate for clerical staff is based on a GS-11 step 1 salary, the rate for technical staff is based on a GS-13 step 1 salary, and the rate for managerial staff is based on a GS-15 step 1 salary. These rates were then multiplied by the standard government benefits multiplication factor of 1.6<sup>3</sup> to get hourly rates of \$63.46 for clerical staff, \$90.43 for technical staff, and \$125.70 for managerial staff.

The cost of contractor time is valued at \$137.13 per hour on average, including overhead and fringe. This rate takes into account a weighted average of managerial and technical staff hours, based on rates for Senior Technical Analyst III and Consultant I approved under EPA Contract #68HERH19D0029.

Table V summarizes total agency burden and costs by activity.

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<sup>3</sup> U.S. EPA (2009). “ICR Handbook: EPA’s Guide to Writing Information Collection Requests Under the Paperwork Reduction Act of 1995.” Revised 10/2009. Office of Environmental Information. <https://www.regulations.gov/document/EPA-HQ-OPPT-2016-0426-0090>. In Docket for “TSCA Inventory Notification (Active/Inactive) Requirements”; Docket ID: EPA-HQ-OPPT-2016-0426. Agency: Environmental Protection Agency (EPA); <https://www.regulations.gov/docket/EPA-HQ-OPPT-2016-0426>. Final rule 8/11/2017.

(a) Detailed Agency Burden Hours and Cost Tables

Table V. Agency Burden and Cost Table

Activity	Agency Hours per Activity	Number of Activities			Total Hours			Total Cost		
		Y1	Y2	Y3	Y1	Y2	Y3	Y1	Y2	Y3
Review leak repair extension requests	0.25	431	431	430	108	108	107	\$9,737	\$9,744	\$9,713
Review retrofit/retirement extension requests	1.0	86	86	86	86	86	86	\$7,789	\$7,795	\$7,770
Review requests for relief from retrofit/retirement requirements	0.08	177	177	177	15	15	15	\$1,337	\$1,337	\$1,331
Review chronic leak reports	0.5	388	388	386	194	194	193	\$17,542	\$17,542	\$17,468
Review notifications if excluding purged refrigerants that are destroyed from annual leak rate calculations	0.5	7	8	7	4	4	4	\$339	\$339	\$338
Review annual fire suppression reports	0.5	20	20	20	10	10	10	\$904	\$904	\$904
Review two-time report on reclaimed HFCs sold for use in servicing/repair in covered subsectors.	0.5	-	10,037	10,037	-	5,019	5,019	\$0	\$453,833	\$453,833

**(b) Bottom Line Agency Burden Hours and Costs Tables**

As shown in Table VI, EPA estimates the average annual hour and cost burden to the Agency to average 3,664 hours and \$332,296.

**Table VI. Agency Burden Summary Table**

<b>Year</b>	<b>Total Hours</b>	<b>Total Costs</b>
Year 1	416	\$37,648
Year 2	5,435	\$491,494
Year 3	5,433	\$491,358
<b>Annual Average</b>	<b>3,762</b>	<b>\$340,167</b>
Average Annual Avoided Reclaimer Burden and Costs	-98	-\$7,871
<b>Annual Average with Avoided Burden and Costs</b>	<b>3,664</b>	<b>\$332,296</b>

15. Change in Burden

This is a new information collection request.

16. Publication of Collected Information

EPA does not intend to publish data reported under this ICR.

17. Approval to Omit OMB Expiration Date

Omission of the expiration date is not requested.

18. Exceptions to Certification for Paperwork Reduction Act Submissions

There are no exceptions for the Paperwork Reduction Act submissions.