

Alternatively, if all program costs are allocated to CO, the cost-effectiveness is \$113 per ton of CO reduced. If the costs of the program are equally split between HC and CO, the cost-effectiveness is \$140 per ton of HC reduced and \$57 per ton of CO reduced. These cost-effectiveness numbers are significantly lower than costs per ton of other available control strategies. The cost-effectiveness estimates, underlying quantitative methodology, and comparisons to other available control strategies are explained further in the RSD.

In summary, the cost-effectiveness of the rule is favorable relative to the cost-effectiveness of several other control measures required under the Clean Air Act. To the extent that cost-effective nationwide controls are applied to small SI engines, the need to apply more expensive additional controls to other mobile and stationary sources of air pollution may be reduced in the future.

## VII. Administrative Requirements

### A. Administrative Designation and Regulatory Analysis

Under Executive Order 12866,<sup>20</sup> the Agency must determine whether the regulatory action is "significant" and therefore subject to OMB review and the requirements of the Executive Order. The order defines "significant regulatory action" as one that is likely to result in a rule that may:

(1) Have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities;

(2) Create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(3) Materially alter the budgetary impact of entitlement, grants, user fees, or loan programs or the rights and obligations of recipients thereof;

(4) Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order.

Pursuant to the terms of Executive Order 12866, it has been determined that this rule is a "significant regulatory action" because this rulemaking adversely affects in a material way a sector of the economy, namely manufacturers of small SI engines, particularly the manufacturers who specialize in the production of small handheld engines. Further, EPA

believes that an RIA is important for this rule because small SI engines have not previously been regulated. As such, this action was submitted to OMB for review. Changes made in response to OMB suggestions or recommendations are documented in the public record.

### B. Paperwork Reduction Act

The information collection requirements in this rule have been submitted for approval to the Office of Management and Budget (OMB) under the Paperwork Reduction Act, 44 U.S.C. 3501 et seq. Copies of the ICR document may be obtained from Sandy Farmer, Information Policy Branch, EPA, 401 M Street, SW (PM-223Y), Washington, DC 20460 or by calling (202) 260-2740.

Table 3 provides a listing of this rulemaking's information collection requirements along with the appropriate information collection request (ICR) numbers. The cost of this burden has been incorporated into the cost estimate for this rule.

The Agency has estimated that the public reporting burden for the collection of information required under this rule would average approximately 5,800 hours annually for a typical engine manufacturer.<sup>21</sup> The hours spent by a manufacturer on information collection activities in any given year would be highly dependent upon manufacturer specific variables, such as the number of engine families, production changes, emission defects, etc.

TABLE 3.—PUBLIC REPORTING BURDEN

EPA ICR No.	Type of information	OMB control no.
1695.02	Certification .....	2060-0338
0282.06	Emission Defect Information.	2060-0048
1673.01	Importation of Non-conforming Engines.	2060-0294
1674.01	Selective Enforcement Auditing.	2060-0295
0012.07	Engine Exclusion Determination.	2060-0124
0095.03	Pre-certification and Testing Exemption.	2060-0007
1675.01	In-use Testing (proposed; not finalized).	2060-0292

Send comments regarding the burden estimate or any other aspect of this

<sup>21</sup> This estimate is based on the assumption that manufacturers of engines used in snowthrowers and ice augers will opt to certify those engines to meet the applicable HC standards. To the extent that this does occur, the Agency does not estimate the average reporting burden will change.

collection of information, including suggestions for reducing this burden to Chief, Information Policy Branch, EPA, 401 M Street, SW. (PM-223Y), Washington, DC 20460; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503, marked "Attention: Desk Officer for EPA."

### C. Unfunded Mandates Act

Section 202 of the Unfunded Mandates Reform Act of 1995 ("Unfunded Mandates Act") (signed into law on March 22, 1995) requires that the Agency prepare a budgetary impact statement before promulgating a rule that includes a Federal mandate that may result in expenditure by State, local, and tribal governments, in aggregate, or by the private sector, of \$100 million or more in any one year. Section 203 requires the Agency to establish a plan for obtaining input from and informing, educating, and advising any small governments that may be significantly or uniquely affected by the rule.

Under section 205 of the Unfunded Mandates Act, the Agency must identify and consider a reasonable number of regulatory alternatives before promulgating a rule for which a budgetary impact statement must be prepared. The Agency must select from those alternatives the least costly, most cost-effective, or least burdensome alternative that achieves the objectives of the rule, unless the Agency explains why this alternative is not selected or the selection of this alternative is inconsistent with law.

Because this final rule is estimated to result in the expenditure by State, local, and tribal governments or the private sector of less than \$100 million in any one year, the Agency has not prepared a budgetary impact statement or specifically addressed the selection of the least costly, most cost-effective or least burdensome alternative. Because small governments will not be significantly or uniquely affected by this rule, the Agency is not required to develop a plan with regard to small governments.

### D. Regulatory Flexibility Act

The Regulatory Flexibility Act (5 U.S.C. 601, et seq.) requires EPA to consider potential impacts of proposed regulations on small business "entities." If a preliminary analysis indicates that a proposed regulation would have a significant economic impact on 20 percent or more of small entities, then a regulatory flexibility analysis must be prepared.

<sup>20</sup> 58 FR 51735 (October 4, 1993).