

ENVIRONMENTAL PROTECTION AGENCY

[FRL-5341-4]

Agency Information Collection Activities under OMB Review**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collection and its expected cost and burden; where appropriate, it includes the actual data collection instrument. Pursuant to new requirements under the Paperwork Reduction Act, a notice was published in the Federal Register on August 29, 1995 announcing the renewal of this ICR and requesting comment on the renewal.

DATES: Comments must be submitted on or before January 8, 1996.

FOR FURTHER INFORMATION OR A COPY CALL:

Sandy Farmer at EPA, (202) 260-2740, and refer to EPA ICR No. 1617.02.

SUPPLEMENTARY INFORMATION:

Title: Surviving of Motor Vehicle Air Conditioners.

OMB Control No: 2060-0247.

EPA ICER No: 1617.02.

This is a request for an extension of a currently approved collection. Within the next few months, EPA intends to propose and finalize an amendment to the regulations implementing section 609. This amendment will, pursuant to a statutory mandate, establish standards for the recycling of any refrigerant in a motor vehicle air conditioner that substitutes for a class I or class II (i.e., CFC or HCFC) refrigerant. This amendment will not affect the current recordkeeping or reporting requirements under section 609.

Abstract: In 1992, EPA developed regulations under Section 609 of the Clean Air Act Amendment of 1990 (Act) for the recycling of CFC's in motor vehicle air conditioners. These regulations were published in 57 FR 31240, and are codified at 40 CFR Subpart B (§ 82.30 *et seq.*). The reasons the information is being collected, the way the information is to be used, and whether the requirements are mandatory, voluntary, or required to obtain a benefit, are described below. The ICR renewal will not include any

burden for third-party or public disclosures not previously reviewed and approved by OMB.

Technician training and certification. According to Section 609(b)(4) of the Act, automotive technicians are required to be certified in the proper use of recycling equipment for servicing motor vehicle air conditioners. Certification programs must meet EPA standards. The Stratospheric Protection Division requires that certification programs send their training and testing materials to EPA for approval. The information requested is used by the Stratospheric Protection Division to guarantee a degree of uniformity in the testing programs for motor vehicle service technicians in addition to proper and valid certification.

Approved independent standards testing organizations. In addition, Section 609(b) (2)(A) of the Act requires independent laboratory testing of recycling equipment to be certified by EPA. The Stratospheric Protection Division requires independent laboratories to submit an application that proves their general capacity to certify equipment to meet the Society of Automotive Engineers (SAE) J standards for recycled refrigerant. The information requested is used by the Stratospheric Protection division to approve independent laboratories that can assure and industry accepted standard of quality in recycling and recovery equipment.

Substantially identical equipment. Section 609(b)(2)(B) of the Act allows equipment that was purchased before the proposal of the regulations to be approved by EPA if it is substantially identical to equipment that has been certified by an EPA approved independent laboratory. This measure is designed to incorporate or "grandfather" older equipment that has not been submitted to an independent laboratory for testing. The equipment manufacturer or owners may submit the following to the Stratospheric Protection Division: an application and supporting documents that includes process flow sheets, a list of equipment components and any other information that would indicate that the equipment is capable of recovering and/or cleaning the refrigerant to standards set forth in the appropriate appendix to the regulations. The information provided allows EPA to determine if the equipment is substantially identical to certified equipment.

Certification, reporting and recordkeeping. To facilitate enforcement under Section 609, EPA has developed several recordkeeping requirements. The information is used by the

Stratospheric Protection Division to verify compliance with Section 609 of the Act. First, an establishment that owns recover-only equipment must maintain records of the name and address of the facility that is reclaiming its refrigerant. Second, any person who owns approved refrigerant recovery or recycling equipment must retain records demonstrating that all persons authorized to operate the equipment are currently certified technicians. Last, any person who sells or distributes refrigerant that is in a container of less than 20 pounds must verify that the purchaser is a certified technician, unless the purchase of small containers is for resale only. In that case, the seller must obtain a written statement from the purchaser that the containers are for resale only and must indicate the purchaser's name and business address.

In addition, section 609(d)(3)-(4) of the Act requires that by January 1, 1992, all entities that service motor vehicle air containers for consideration must have acquired approved refrigerant recycling equipment. The establishment must have submitted to the Administrator on a one-time basis a certificate that provides the following information: the name of the equipment owner, the address of the service establishment where the equipment will be used, and the make, model, year, and serial number of the equipment. Note that this reporting requirement is contained in the statute itself and was not developed by EPA.

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. The Federal Register Notice with a 60-day comment period soliciting comments on this collection of information was published on August 29, 1995.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average .13 hours per response. This estimate 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