

January 17, 2023

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Electronic OMB Submission:

https://www.reginfo.gov/public/do/PRA/icrPublicCommentRequest?ref_nbr=202212-2060-005

Attn: Docket ID No. EPA-HQ-OAR-2021-0643; ICR Reference 202212-2060-005

Subject: Phasedown of Hydrofluorocarbons: Restrictions on the Use of Certain Hydrofluorocarbons under Subsection (i) of the American Innovation and Manufacturing Act of 2020 (Proposed Rule); Reporting Section § 84.62

The Household & Commercial Products Association¹ (HCPA) appreciates the opportunity to submit comments regarding the Environmental Protection Agency's (EPA) reporting requirements found in the Proposed Rule² *Phasedown of Hydrofluorocarbons: Restrictions on the Use of Certain Hydrofluorocarbons Under Subsection (i) the American Innovation and Manufacturing Act of 2020*. The EPA has requested comments related to the collection of reporting be submitted for the U.S. Office of Management and Budget (OMB) review no later than January 17, 2023. As part of their proposed rule, EPA is proposing the collection of quarterly reporting and is seeking comments on whether another frequency would adequately provide the same level of information and enforcement potential. Thus, HCPA is providing this letter on the specific topic of reporting requirements and will submit a separate letter on other topics in the proposed rule to EPA by the January 30, 2023, deadline.

HCPA represents a wide range of products, from household cleaners and air fresheners to commercial disinfectant and pest control whose use of aerosol technology makes the aerosol industry an integral part of the household and commercial products industry. HCPA has

¹ The Household & Commercial Products Association (HCPA) is the premier trade association representing companies that manufacture and sell \$180 billion annually of trusted and familiar products used for cleaning, protecting, maintaining, and disinfecting homes and commercial environments. HCPA member companies employ 200,000 people in the U.S. whose work helps consumers and workers to create cleaner, healthier and more productive lives.

² 87 *Federal Register* 76738 (December 15, 2022)

represented the U.S. aerosol products industry since 1950 through its Aerosol Products Division, representing the interest of those that manufacture, formulate, supply and market a wide variety of products packaged in an aerosol form.

HCPA does not believe that domestic end-product manufacturers, such as aerosol product manufacturers, who do not currently report should be subject to the reporting requirement. EPA is already receiving reports on bulk HFCs, whether produced domestically or imported, thus the material used by domestic end-product manufacturers is already being accounted for and HCPA does not see the value in additional reporting for these entities.

For domestic end-product manufacturers that are subjected to reporting requirements under other rules, HCPA believes that the quarterly reporting requirements would be overburdensome and costly without providing appropriate value to the Agency. HCPA considers the existing e-GRRT Data Reporting System, which requires annual reporting, to be adequate and adjusting the frequency to a quarterly basis would require the Agency and industry to commit additional resources to collect and manage the reporting. From the recent³ OMB report for the Greenhouse Gas Reporting Program, the annual average respondent burden and cost assumptions are 2,624 hours at a cost of \$187,540. If we assume that quarterly reporting would quadruple the burden and cost, this will equal 10,496 hours and \$750,160. Quarterly reporting of all sectors would vastly increase the existing annual EPA estimates that it requires up to *“12 full time equivalents, or an estimated 24,960 hours annually to these activities”* with a total annual cost to the Agency of \$9,847,181, requiring an increase to their proposed rule estimate of \$27,107,658 in the first year. Additional increased adjustments would also be required to account for updated economic factors, including the lack of skilled labor inflating hourly rates and inflationary status. OMB also notes in the report that *“an annual collection frequency supports the critical linkage...between the GHGRP and its data sharing with the Inventory, an annual reporting requirement of the U.S. Government and led by EPA to the United Nations Framework Convention on Climate Change”*, and *“These collection frequencies are necessary to ensure adequate data quality and were designed to match the variability of activities conducted by the source category.”*

HCPA believes that importers of end-products which contain HFCs should be subject to annual reporting requirements. Unlike domestic end-product manufacturers, imported materials and products containing HFCs are not captured by reports received on bulk HFCs, and would thus inform the Agency on the amount of HFCs being imported in forms other than bulk.

HCPA also asks that the submission timeline follow the Greenhouse Gas Reporting Program timeline, which is 90 days rather than the proposed 45-day proposed submission timeline. The current e-GRRT annual reporting system has been proven to be adequate and there is no

³ Available at <https://omb.report/icr/201909-2060-005/doc/94990000>

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reason to believe that a 90-day submission would impact the Agency's ability to track HFC usage any differently than 45 days.

HCPA supports the EPA's proposal that reports be electronic and recommends utilization of the existing confidential e-GGRT system.

HCPA supports the phasedown of HFCs and appreciates the opportunity to provide these comments. If you have any questions about the feedback provided in this letter, please contact me at ngeorges@thehcpa.org.

Respectfully submitted,



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