

**SUPPORTING STATEMENT FOR AN  
INFORMATION COLLECTION REQUEST (ICR)**

**1. IDENTIFICATION OF THE INFORMATION COLLECTION**

**1(a) Title of the Information Collection:**

Pesticide Registration Fee Waivers

OMB Control No.: 2070-0167

EPA ICR No.: 2147.03

**1(b) Short Characterization/Abstract**

This information collection will allow the Environmental Protection Agency (EPA) to process requests for waivers of fees under the Pesticide Registration Improvement Act of 2003 (PRIA). The ICR covers the collection activities associated with requesting a fee waiver and involves requesters submitting a waiver request, information to demonstrate eligibility for the waiver, and certification of eligibility. Waivers are available for small businesses, for minor uses, and for actions solely associated with the Inter-Regional Research Project Number 4 (IR-4). State and federal agencies are exempt from the payment of fees. This ICR provides burden hour and labor cost estimates for both applicants for fee waivers and EPA employees who process and approve or deny waiver requests.

**2. NEED FOR AND USE OF THE COLLECTION**

**2(a) Need/Authority for the Collection**

Under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), EPA must evaluate pesticides thoroughly, before they can be marketed and used in the United States, to ensure that they will not pose unreasonable adverse effects to human health and the environment. Pesticides that meet this test are granted a license or "registration" which permits their distribution, sale and use according to requirements set by EPA to protect human health and the environment.

The PRIA amended FIFRA to provide for the collection of fees in order to enhance the review of covered pesticide products (see Attachment A). Fees collected under this program will help to reduce time frames for registration decisions; provide greater predictability and more accountability for those decisions; ensure that Food Quality Protection Act (FQPA) deadlines are met; and result in more predictable and augmented funding for the pesticide program. The program provides stability in funding for EPA's Office of Pesticide Programs (OPP) over five years. The program's fee schedule under PRIA will be phased out beginning on October 1, 2008, and ending on September 30, 2010. As indicated above, the PRIA also established provisions that allow these fees to be reduced or waived entirely.

A registration applicant may seek a waiver as a small business, defined by the PRIA as a business with fewer than 500 employees and on average, annual global gross revenue from pesticides of no more than \$60 million over the most recent three-year maintenance fee billing cycle. For a business entity with one or more affiliates, the gross revenue limit includes total global revenues from pesticides for the entity and all of its affiliates, including parent and subsidiary entities.

A registration applicant qualifying as a small business under the PRIA will be entitled to a waiver of fifty percent (50%) of its fees. In addition, all fees will be waived for small businesses with, on average, annual gross global revenues from pesticides over the most recent three-year maintenance fee billing cycle, including affiliates, of no more than \$10 million. Small business applicants requesting waivers must provide EPA with appropriate documentation demonstrating that they meet these criteria.

A registration applicant may also request a minor use waiver or fee reduction if the applicant can demonstrate that anticipated revenues from the uses described in the registration application would be insufficient to justify the imposition of the full application fee. The Agency may grant a full waiver or a partial reduction in the fee based upon its consideration of the supporting documentation provided.

In addition, the statute states that the Agency shall waive the registration service fee for an application if the Administrator determines that two criteria are met: that the application is solely associated with IR-4 tolerance petition and that the waiver is in the public interest. The Agency anticipates that most applications submitted by the IR-4 program would qualify for a waiver. Finally, the statute exempts agencies of the Federal Government or a State from fees.

The program is expected to generate in excess of \$10 million in new registration service fees annually over five years and allows applicants for pesticide registrations submitted prior to the effective date of the Act to pay a portion of the fee voluntarily.

## **2(b) Practical Utility/Users of the Data**

EPA is the sole intended user of the information collected. This collection of information is critical for the proper performance of Agency functions because the information collected will allow EPA to properly review a request for a waiver of fees under the PRIA without delay. The actual usefulness of the information to the Agency is that the information collected will be used to determine if the applicant qualifies for a fee waiver or fee reduction. Statutorily, in instances where the applicant requests a fee waiver or fee reduction, the decision review time period does not begin until either the Agency grants the waiver or until the registrant has paid the appropriate registration service fee (or, in the case of a partial waiver or fee reduction, the balance of the appropriate registration service fee). Processing of the application, therefore, will be delayed until the Agency can render a decision on the fee waiver or fee reduction request. With the submission of this data by the registrant, the Agency will be able to meet its statutory obligation to grant or deny the waiver request within 60 days and, potentially, earlier than the maximum 60 day period.

**3. NON DUPLICATION, CONSULTATIONS, AND OTHER COLLECTION CRITERIA**

**3(a) Non duplication**

No other federal agency or EPA program is collecting fees for the processing of applications for pesticide registration or, therefore, information for the waiver of such fees. As such, this information collection activity does not duplicate any other collection of information by the federal government.

**3(b) Public Notice Required Prior to ICR Submission to OMB**

In preparing to renew this ICR, EPA published a notice in the Federal Register which provided a 60-day public notice and comment period on the draft ICR (see 71 FR 62431; October 25, 2006). EPA did not receive comment in response to this notice.

**3(c) Consultations**

Prior to passage in 2004, the PRIA had been developed over a multi-year period based upon input from the pesticide industry, industry trade associations, public interest groups, and the Agency. The legislation that was introduced into Congress was based upon a consensus reached by stakeholders, informed with technical support provided by the Agency. These stakeholders included CropLife America, the Consumer Specialty Products Association, the Chemical Producers and Distributors Association, the American Chemistry Council, the Natural Resources Defense Council, and Consumers Union, among other parties.

Consultation and/or dialogue between respondents and the Agency on the PRIA waivers process, content, definitions, format, and timing is frequent and on-going. In addition to phone conversations, e-mails, and letters, Agency personnel participate in meetings with individual registrants as well as gatherings of large groups of registrants from time to time. These communications permit an exchange of issues, problems, and solutions on many issues.

On March 1, 2006, the Agency published the second annual report providing an update on "Implementing the Pesticide Registration Improvement Act -- Fiscal Year 2005." The report, available at [http://www.epa.gov/pesticides/regulating/fees/pria\\_annual\\_report\\_2005.htm](http://www.epa.gov/pesticides/regulating/fees/pria_annual_report_2005.htm) (see also Attachment B), discusses in detail the processes that have been streamlined and the stakeholder involvement during the first two years of this new program.

During the preparation of this ICR renewal, EPA staff contacted the following representatives of pesticide registrants by phone or e-mail and asked them for their assessment of the burden estimates in the ICR:

Jim Kunstman; PBI/Gordon; [jkunstman@pbigordon.com](mailto:jkunstman@pbigordon.com)

Jim Messina; Exponent, Agent for SePro and Ajay North America; [jmessina@exponent.com](mailto:jmessina@exponent.com)

Terry Pizzarello; Falcon Labs; [tjpizza@optonline.net](mailto:tjpizza@optonline.net)

Judith Thompson; Hacco Inc.; 920-326-5141, ext. 2461

All four of the above respondent representatives provided feedback to a questionnaire about the collection process and the burden and labor rate estimates used by EPA (see Attachment C). As is the case with pesticide registrant companies, the above respondents vary widely in company size and structure. This variability among companies included in this consultation resulted in variable responses, particularly with respect to estimated labor rates. Two representatives felt that one or more of the labor rate categories should be higher, one did not comment, and the other suggested that the labor rates should be lower for the technical and clerical categories. Although Mr. Messina stated that labor rates should be higher, he suggested that this was due to use of a consulting company by the respondent. The Agency expects that where respondents elect to employ consulting firms, labor rates will typically be higher. However, EPA does not have data on how many respondents use the services of consulting firms, or on typical labor rates for such firms. EPA's default assumption is that companies respond to the information collection using in-house employees. Overall, it appears that the labor rate estimates used by EPA are reasonable, and these consultations did not provide sufficient basis to amend them.

With respect to respondent burden, the four respondent representatives indicated that EPA's burden estimates are either similar to, or in some cases higher than, the burden they actually incur. Again, these consultations indicated that actual burden varies widely among respondents, as does the distribution of burden among labor categories, as well as the difference between burden for the first waiver request in a billing cycle and that for subsequent requests. In general, it appears that the Agency's burden estimates used for each of the three types of waiver requests are equal to or higher than those actually incurred, and have not been revised.

### **3(d) Effects of Less Frequent Collection**

There is no set collection schedule, per se. Rather, the registration service fee is collected each time a registrant submits a registration application. The applicant must either pay a fee or request and be granted a waiver for each registration application submitted. Therefore, the frequency of collection depends entirely on the frequency with which an applicant submits registration applications for which they are eligible for a fee waiver. EPA cannot grant a waiver when one has not been requested and documented. Therefore, less frequent collection is not an option.

### **3(e) General Guidelines**

This collection activity complies with the guidelines for information collections under the Paperwork Reduction Act (PRA). There is no record keeping requirement for information submitted under this information collection.

A registration applicant eligible for a fee waiver must submit their signed request for the waiver, certification of eligibility, and required documentation demonstrating eligibility. The industry has developed a form for the fee waiver request. Many requesters use this form, although the Agency does not require it. Most waivers are granted based on the small business status of the applicant, and Confidential Business Information is included in their submission (e.g., gross global revenues, business structures and employment levels). Although EPA would accept waiver requests sent in Adobe PDF format on CD-ROM, the Agency's expectation based

on experience is that the majority of registrants want to send their requests in writing with ink signatures. In the future, if it appears that electronic submission of waiver requests by e-mail is beneficial and feasible for respondents and EPA, we will seek to facilitate such submissions.

**3(f) Confidentiality**

The information requested to document fee waiver requests may contain confidential business information (CBI). However, data and/or information submitted to the Agency in conjunction with service fee waiver requests may be claimed as trade secret or commercial or financial information and will be protected from disclosure under FIFRA section 10 and the associated regulation as contained in 40 CFR Part 2, Subpart B. Information claimed as CBI is protected from public disclosure unless the Administrator determines that disclosure is in the public interest. OPP routinely handles CBI data, and personnel are familiar with security procedures in accordance with provisions of the FIFRA Confidential Business Security Manual to ensure confidentiality. If any information is submitted that applicants claim as confidential, the Agency will employ the established procedures for handling such material.

**3(g) Sensitive Questions**

No information of a sensitive or private nature is requested in conjunction with this collection activity. Further, this information collection activity complies with the provisions of the Privacy Act of 1974 and OMB circular A-108.

**4. THE RESPONDENTS AND THE INFORMATION REQUESTED**

**4(a) Respondents/NAICS Codes**

The North American Industrial Classification System (NAICS) codes assigned to the parties responding to this information collection are as follows:

<u>NAICS Code</u>	<u>Category</u>	<u>Description</u>
32532	Pesticide and other agricultural chemical manufacturing	individuals or entities engaged in activities related to the registration of a pesticide product
32518	Other Basic Inorganic Chemical Manufacturing	manufacturers of inorganic chemicals used as inert ingredients in pesticide products
32519	Other Basic Organic Chemical Manufacturing	manufacturers of organic chemicals used as inert ingredients in pesticide products.

**4(b) Information Requested**

**4(b)(i) Data items, including record keeping requirements**

A registration applicant who seeks a small business waiver must submit a waiver request with appropriate documentation demonstrating that he meets the criteria established in the PRIA, i.e., that he has fewer than 500 employees and has no more than \$60 million in annual global gross revenue from pesticides, averaged over the most recent three maintenance fee billing cycles, including any such revenue from affiliates. For this purpose, the applicant may be required to submit documentation regarding numbers of employees and, on behalf of itself and its affiliates, gross revenue figures, and information on revenue from pesticides over a three-year period.

A registration applicant who seeks a minor use waiver must provide supporting documentation that anticipated revenues from the uses that are the subject of the application would be insufficient to justify imposition of the full registration fee.

A registration applicant seeking an IR-4 waiver must merely request the waiver on Form 8570-1 (*Application for Pesticide Registration*, approved under OMB Control #2070-0060) and submit the application at the same time that the IR-4 tolerance petition is submitted. The Agency will, in turn, determine whether the application is solely associated with a tolerance petition submitted by IR-4 and that the waiver is in the public interest.

Although there is no record keeping requirement, PRIA provides that an application shall be subject to a registration service fee if, at any time, EPA determines that (i) the documentation supporting the waiver request is not accurate or (ii) based on the documentation or any other information, the waiver or reduction should not have been granted. Therefore, it is anticipated that applicants will retain copies of their submissions as well as documents demonstrating that the applicant is eligible for the waiver or reduction.

There are currently no EPA forms associated with this information collection activity. However, an industry workgroup comprised of representatives of registrant companies and trade associations designed a form for assisting pesticide registrants when they submit small business waiver requests under PRIA. The form is available electronically through the Consumer Specialty Products Association's web site ([http://www.cspa.org/public/news/fees\\_document.pdf](http://www.cspa.org/public/news/fees_document.pdf)). EPA does not sponsor this form and its use is strictly voluntary. The Agency will accept information that is submitted via the industry form as well as any other format that meets the requirements of the statute.

**4(b)(ii) Respondent Activities**

Guidance on the content and submission of fee waiver requests is available on EPA's website at <http://www.epa.gov/pesticides/fees/questions/waivers.htm> (also, see Attachment D). If a registration applicant wishes to request a fee waiver, at a minimum, it must undertake the following activities:

- Generate and submit the necessary materials to support the request.

- Indicate that a waiver is requested and that the appropriate documentation supporting the request is enclosed or has been otherwise submitted to the Agency.

5. **THE INFORMATION COLLECTED - AGENCY ACTIVITIES, COLLECTION METHODOLOGY, AND INFORMATION MANAGEMENT**

**5(a) Agency Activities**

The Agency is expected to engage in the following activities:

- **Review and evaluate fee waiver requests.** Notify applicant of decision.
- **Verify payments.** Cross check payment information from Financial Management Division.
- **Store the data.** Image all forms, listings, telephone conversations, etc., for archiving.

**5(b) Collection Methodology and Management**

Fee payments are sent to the Financial Management Division in Pittsburgh, Pennsylvania and entered in to the Agency's Integrated Financial Management System (IFMS). Payment information is extracted from IFMS and loaded into OPP's tracking system (OPPIN). All invoices are generated electronically and tracked in OPPIN. Incoming letters, fee waiver applications, mail receipts, petitions, and other types of correspondence from registrants will be retained in hard copy for a period of time and then imaged for long term electronic storage.

Procedures for evaluating fee waiver requests will not change. Information and materials submitted to justify a fee waiver are screened for completeness by the receiving division. Economic data are sent to OPP's Biological and Economic Analysis Division for analysis. The Agency will keep applicants informed of the status of the waiver application throughout the process by telephone and by mail.

**5(c) Small Entity Flexibility**

Small businesses may request a waiver of the registration service fee. A waiver applicant must demonstrate that it meets the criteria as outlined in the PRIA. The information that needs to be compiled in order to make this determination is information that companies routinely collect and maintain in the normal course of business.

**5(d) Collection Schedule**

There is no set collection schedule, per se. Rather, the registration service fee is collected each time a registrant submits a registration application. The applicant must either pay a fee or request and be granted a waiver for each registration application submitted if the application is within the scope of one of the 90 fee categories.

## 6. ESTIMATING THE BURDEN AND COST OF THE COLLECTION

### 6(a) Estimating Respondent Burden

In calculating the potential respondent burden, the Agency estimated 389 responses per year for requesting fee waivers or reductions, based on the numbers of fee waiver applications during the maintenance fee cycle for the year of 2005.

IR-4 waiver requests are not accounted for in this burden estimation. To be eligible for the IR-4 waiver under PRIA, the application must be solely associated with a tolerance petition submitted by the IR-4 program and the waiver must be in the public interest. To facilitate this request, the applicant may simply include the statement "This application is being submitted with a tolerance petition submitted in connection with IR-4. I request EPA to waive the registration service fee for this application under the IR-4 waiver provisions of FIFRA Section 33(b)(7)(E)." on Form 8570-1 (Application for Pesticide Registration). Burden hours associated with completing this form are already covered by the ICR entitled "Application for New or Amended Registration" (approved under OMB Control Number 2070-0060). EPA is not requiring that registrants submit additional information. The Agency will determine whether the application is solely associated with a tolerance petition submitted by IR-4 and whether the waiver is in the public interest.

There are three types of applications. The first type, Type A, is a first-time applicant requesting fee waiver or reduction. The second type, Type B, is an application requesting another fee waiver or reduction within the same maintenance fee billing cycle. The third type, Type C, is from an applicant who has applied for a fee waiver in a prior maintenance fee billing cycle but not in the current cycle. EPA assumes that the respondent burden and cost for the Type B application is the lowest because Type B applicants will only need to certify that there have been no changes to the information previously submitted or, in the alternative, only provide documentation with respect to those elements that have changed. Type C applications, on the other hand, will need to submit all the documentation supporting the waiver request, providing updated financial and employee information. EPA assumes, however, that the cost and burden on most Type C applicants will be less than first time applicants because applicants will already be familiar with the waiver requirements and, in many cases, should have a portion of the supporting financial and business affiliation documentation readily available. The cost and burden on the Type A applicants will be the same as those for the first-year applicants. EPA assumes that every new applicant seeking a waiver of the registration service fee will want to familiarize him/herself with the criteria from the outset, thus this burden is considered a one-time burden that will occur the first time the applicant submits a registration application under the PRIA.

Based on the number of waiver requests EPA actually received during the first full year of PRIA, the maintenance billing cycle for 2005, EPA estimates that 1,577 requests for registration actions will be received per year, of which 389 will request fee waivers or reductions. Of the 389 responses EPA estimates that 31% (121 out of 389) will be the first-time applicants (Type A), 57% (223 out of 389) will be the Type B applications, and 12% (45 out of 389) will be Type C applications each year, (also observed values from 2005). EPA estimates of respondent burden hours per response, for each of the three response types, were corroborated by



representative respondents in consultations (see section 3(c) of this supporting statement) and have not been revised for this ICR renewal. The burden per response, number of responses, and total burden for each of the three response types are presented in Tables 1, 2, 3, and 5, below.

### **6(b) Estimating Respondent Costs**

For a period of some years, when estimating labor rates for most OPP program ICR renewals, the Agency adjusted the ICR renewal labor rates by using methods such as the NASA Gross Domestic Product (GDP) Deflator Inflation Calculator to index the labor cost for a particular year. However, in July 2006, Agency economists completely re-estimated wages, benefits, and overhead for all labor categories for the pesticide industry, state government and Agency employees. The Agency analysis uses currently available information on labor rates and other benefits from publicly available websites. The methodology used to re-estimate the labor rates, including formulas used to derive the fully loaded rates and overhead costs, is in Attachment E.

To derive the labor rates for this ICR, Agency economists estimated the wages for the management, technical, and clerical labor categories using the methodology cited above. The respondent costs for this renewal for managerial, technical and clerical rates are estimated at \$100.86, \$64.80, and \$33.05 per hour, respectively. These labor rates are fully loaded and include benefits and overhead costs.

EPA expects that applicants will incur minor expenses that are not directly related to paperwork activities, such as the costs of producing photocopies and postage costs. EPA estimates that these costs will average about \$10 per applicant and has factored these costs into the estimated total cost figures. Annual respondent burden and costs could vary with such factors as business structure of waiver applicants and types of information submitted. Therefore, the actual respondent burden and costs to a respondent could be higher or lower than the estimated respondent burden and costs reflected in tables 1, 2, and 3.<sup>1</sup>

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<sup>1</sup> All table totals have been rounded to the nearest dollar or hour after all computations were made; in 2006 dollars.

**Table 1: Annual Respondent Burden and Cost Estimates (Type A)**

COLLECTION ACTIVITY	Burden Hours (per year)			Total	
	Mgmt. \$100.86/hr	Tech. \$64.80/hr	Cler. \$33.05/hr	Hours	Costs (\$)
Read regulation and plan activities	7	0	0	7	706
Generate materials for waiver request for submission to EPA	0	24	0	24	1,555
Store/maintain/submit and produce information	0	0	6	6	198
<b>Totals</b>	<b>7</b>	<b>24</b>	<b>6</b>	<b>37</b>	<b>2,460</b>

**PAPERWORK BURDEN AND COST:**

37 hours/response x 121 responses = 4,477 total hours

\$2,460/response x 121 responses = \$297,602

**NON-PAPERWORK COSTS:**

\$10 (postage and paper copies) x 121 responses = \$1,210

**TOTAL ANNUAL RESPONDENT COST (TYPE A):**

\$297,602 (paperwork) + \$1,210 (non-paperwork) = \$298,812

**Table 2: Annual Respondent Burden and Cost Estimates (Type B)**

COLLECTION ACTIVITY	Burden Hours (per year)			Total	
	Mgmt. \$100.86/hr	Tech. \$64.80/hr	Cler. \$33.05/hr	Hours	Costs (\$)
Read regulation and plan activities	2	0	0	2	202
Generate materials for waiver request for submission to EPA	0	4	0	4	259
Store/maintain/submit and produce information	0	0	6	6	198
<b>Totals</b>	<b>2</b>	<b>4</b>	<b>6</b>	<b>12</b>	<b>659</b>

**PAPERWORK BURDEN AND COST:**

12 hours/response x 223 responses = 2,676 total hours

\$659/response x 223 responses = \$147,006

**NON-PAPERWORK COSTS:**

\$10 (postage and paper copies) x 223 responses = \$2,230

**TOTAL ANNUAL RESPONDENT COST (TYPE B):**

\$147,006 (paperwork) + \$2,230 (non-paperwork) = \$149,239

**Table 3: Annual Respondent Burden and Cost Estimates (Type C)**

COLLECTION ACTIVITY	Burden Hours (per year)			Total	
	Mgmt. \$100.86/hr	Tech. \$64.80/hr	Cler. \$33.05/hr	Hours	Costs (\$)
Read regulation and plan activities	2	0	0	2	202
Generate materials for waiver request for submission to EPA	0	19	0	19	1231
Store/maintain/submit and produce information	0	0	6	6	198
<b>Totals</b>	<b>2</b>	<b>19</b>	<b>6</b>	<b>27</b>	<b>1631</b>

**PAPERWORK BURDEN AND COST:**

27 hours/response x 45 responses = 1,215 total hours

\$1631/response x 45 responses = \$73,405

**NON-PAPERWORK COSTS:**

\$10 (postage and paper copies) x 45 responses = \$450

**TOTAL ANNUAL RESPONDENT COST (TYPE C):**

\$73,405(paperwork) + \$450 (non-paperwork) = \$73,855

**6(c) Estimating Agency Burden and Cost**

The Agency’s burden consists of reviewing, evaluating, and notifying applicants of the Agency’s decision to grant or deny fee waiver requests; entering data into tracking systems; verifying fee payment; and storing/maintaining this information. Table 4 estimates EPA’s burden for performing these activities.<sup>2</sup>

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2 All table totals have been rounded to the nearest dollar or hour after all computations were made; in 2006 dollars.

**Table 4: Annual Agency Burden and Cost Estimates**

COLLECTION ACTIVITY	Burden Hours (per year)			Total	
	Mgmt. \$93.07/hr	Tech. \$66.34/hr	Cler. \$47.17/hr	Hours	Costs (\$)
Review submitted waiver request and notify requestor of decision	1	20	2	23	1,1514
Enter data into tracking systems	0	0	0.5	0.5	24
Verify payment	0	0	0.5	0.5	24
Store/maintain/submit information	0	0	1	1	48
Totals	1	20	4	25	1,610

ANNUAL BURDEN: 25 hours/response x 389 responses = 9,725 Hours

ANNUAL COSTS: \$1610/response x 389 responses = \$626,290

#### 6(d) Bottom Line Burden Hour and Cost Tables

**Table 5: Total Annual Burden and Cost Estimates**

	TOTAL ESTIMATES	
	Hours	Costs
Applicant -Annual (Type A + Type B + Type C)	8,368	\$521,903
Type A	4,477	\$298,812
Type B	2,676	\$149,236
Type C	1,215	\$73,855
Agency - Annual	9,725	\$626,290

#### 6(e) Reasons For Changes In Burden

The total estimated annual respondent burden for this ICR has decreased by 2,302 hours, from 10,670 hours in the existing ICR, to 8,368 hours for this renewal. The average estimated burden per response for each of the three types of applications has not changed: 37 hours for Type A, 12 hours for Type B, and 27 hours for Type C. These estimates of burden per response were corroborated by consultations with respondents (see section 3(c) of this supporting statement). However, the total number of responses per year increased slightly from 360 to 389,

and the percentage of the total received for each type changed significantly. Both the total number of waiver requests received, and the number (or percentage) of each of the three types of responses, were based on EPA estimates in the current ICR, as the program was still very new and a year's worth of observations were not available. However in this renewal request, the annual number and distribution of responses among the three types are based on actual responses received. The major shift in the distribution of responses to the least-burdensome type (Type B), resulted in the lower total estimated burden, more than offsetting the effects of the slight increase in the total number of responses per year.

#### **6(f) Burden Statement**

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 37, 12, and 27 hours per response, for the three different types of applications. According to the PRIA, "burden" means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. For this collection it includes the time needed to read the new regulation, review instructions, plan activities, assemble pertinent materials, and transmit or otherwise disclose the information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information that is subject to the PRIA unless the Agency displays a currently valid OMB control number. The OMB control numbers for EPA's regulations in title 40 of the CFR, after initial display in the final rule, are listed in 40 CFR part 9. Since the collection activities in this ICR are contained in the PRIA and not a current regulation, the OMB control number for this collection activity appears in this ICR.

The Agency has established a public docket for this ICR under Docket ID No. EPA-HQ-OPP-2006-0636, which is available for online viewing at [www.regulations.gov](http://www.regulations.gov), or in person viewing at the OPP Regulatory Public Docket in Rm. S-4400, One Potomac Yard (South Building), 2777 S. Crystal Drive, Arlington, VA. This docket facility is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The docket telephone number is (703) 305-5805. You may submit comments regarding the Agency's need for this information, the accuracy of the provided burden estimates and any suggested methods for minimizing respondent burden, including the use of automated collection techniques.

Submit your comments, referencing Docket ID No. EPA-HQ-OPP-2006-0636 to (1) EPA online using [www.regulations.gov](http://www.regulations.gov) (our preferred method), or by mail to: Public Information and Records Integrity Branch (PIRIB), Mail Code: 7502P, Office of Pesticide Programs (OPP), Environmental Protection Agency, 1200 Pennsylvania Ave., NW, Washington, DC 20460, and (2) OMB by mail to: Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Attention: Desk Officer for EPA, 725 17th Street, NW, Washington, DC 20503. Include docket ID No. EPA-HQ-OPP-2006-0636 and OMB control number 2070-0167 in any correspondence but do not submit fee waiver requests to these addresses.

**ATTACHMENTS TO THE SUPPORTING STATEMENT:**

- Attachment A**      **Pesticide Registration Improvement Act of 2003** – Available electronically at <http://www.epa.gov/pesticides/regulating/fees/index.htm> and in the docket for this information collection activity
- Attachment B**      **Implementing the Pesticide Registration Improvement Act – Fiscal Year 2005**. Available electronically at [http://www.epa.gov/pesticides/regulating/fees/pria\\_annual\\_report\\_2005.htm](http://www.epa.gov/pesticides/regulating/fees/pria_annual_report_2005.htm) and in the docket for this information collection activity.
- Attachment C**      **Record of Consultations Between the U.S. Environmental Protection Agency and Respondents to the Information Collection Request: “Pesticide Registration Fee Waivers”** Available in the docket for this information collection activity.
- Attachment D**      **Guidance on How to Request Fee Waivers and Fee Reductions**. Available electronically at <http://www.epa.gov/pesticides/fees/questions/waivers.htm> and in the docket for this information collection activity.
- Attachment E**      **Methodology for Estimating OPP ICR Wage Rates for Industry, State and EPA Labor Costs**; Memo From Richard Keigwin, Director Biological and Economic Analysis Division, to Bill Diamond, Arnold Layne, Lois Rossi and Elizabeth Leovey July 25, 2006. Available in the docket for this information collection activity.