

OMB Control Number 2070-0075; EPA ICR Number 1250.08

ICR Attachment D

Record of Consultations between the U.S. Environmental Protection Agency and Respondents to the Information Collection Request: "Request for Contractor Access to TSCA Confidential Business Information"

Copy of EPA Consultation Request to Potential Respondents

Date: January 25, 2007
From: Pamela Moseley/DC/USEPA/US
To: [Addressees]
Subject: Request for Assistance; Renewal of "Request for Contractor Access to TSCA CBI" ICR

On November 9, 2006, EPA published a Notice in the Federal Register (71 FR 65809) titled Agency Information Collection Activities; Proposed Collection; Comment Request; Request for Contractor Access to TSCA CBI; EPA ICR No. 1250.08, OMB Control No. 2070-0075. (See <http://www.epa.gov/fedrgstr/EPA-TOX/2006/November/Day-09/t19014.htm>) This Notice refers to EPA's intention to request renewed Office of Management and Budget (OMB) clearance of an information collection related to information that contractor employees must provide to EPA in order to obtain TSCA CBI clearance necessary in the performance of their duties.

In addition to public notice and comment requirement that the above Notice initiates, OMB regulations at 5 CFR 1320.8(d)(1)) require agencies to consult with potential respondents and data users about specific aspects of an information collection request (ICR) before submitting it to OMB for review and approval, regardless, in the case of ICR renewals, of whether changes have or have not been made to the collection activity.

As part of this required consultation, I am contacting you to solicit your input. I will also note that, if you take this opportunity to provide input, your name, affiliation, e-mail address, phone number and any information you provide (e.g., copies of e-mails) will be incorporated and attached to the ICR supporting statement, which will be a public document. In addition, the OMB Desk Examiner for the ICR in question may contact you to verify the accuracy of any comments EPA identifies in the ICR.

EPA solicits your input on the following questions:

- (1) Are the data EPA seeks under this ICR available from any public source, or already collected by another EPA office or by another agency? If so, where can the data be found?
- (2) Is it clear what is required for data submission? If not, are there any suggestions for clarifying instructions?

(3) Would you be interested in an electronic/data submission option? What type of alternative would you be most likely to utilize - web form, diskette, CD-ROM?

(4) For electronic submission, how should signature requirements be handled - Private Key Infrastructure, PINS and passwords, signed paper cover sheet? How does TSCA CBI affect your choice or use of an electronic medium? Would you be more inclined to submit TSCA CBI on diskette than on paper and what benefits would you realize (e.g., burden reduction, greater efficiency in compiling information, etc).

(5) Do you agree with EPA's estimated burden and costs (the ICR addresses only the costs associated with paperwork)? Are the Bureau of Labor Statistics (BLS) labor rates accurate? If you have any reason to consider the BLS labor rates inaccurate or inappropriate as used by EPA, explain your rationale.

You can access the Federal Register Notice, the ICR supporting document, and any public comments received to date at: <http://www.regulations.gov/fdmspublic/component/main>

- select Advanced Search link at the top of the page
- select Docket from drop-down menu
- select EPA in the Agency drop-down menu
- enter EPA-HQ-OPPT-2006-0807 in the Docket ID field
- scroll down to Submit
- then click on the Docket ID in the search results for a listing of the documents within the docket

Your timely response will be greatly appreciated. If you have any comments in response to the above questions, or with respect to any other part of the information collection, please respond by return e-mail to me by February 9, 2007. EPA will consider those responses, as well as any public comment received in response to the Federal Register Notice identified above, in preparing a final document for OMB review.

Thank you for your assistance.

Sincerely yours,

Pamela M. Moseley
TSCA CBI Access Coordinator
Information Management Division
Office of Pollution Prevention and Toxics
Office of Prevention Pesticides and Toxic Substances
Environmental Protection Agency
Washington, DC 20460
202-564-8956

Copies of Responses from Potential Respondents

Date: February 6, 2007
To: Pamela Moseley/DC/USEPA/US
From: Karen Smalarz, DCO
CAS
2540 Olentangy River Road
Columbus, Ohio 43210
Subject: Request for Assistance; Renewal of "Request for Contractor Access to TSCA CBI" ICR

In response to your request, please find my input incorporated in the text of your questions.

EPA solicits your input on the following questions:

(1) Are the data EPA seeks under this ICR available from any public source, or already collected by another EPA office or by another agency? >>**Response: No**

If so, where can the data be found? >>**Response: Not applicable**

(2) Is it clear what is required for data submission? >>**Response: Yes**

If not, are there any suggestions for clarifying instructions? >>**Response: Not applicable**

(3) Would you be interested in an electronic/data submission option? >>**Response: No**

What type of alternative would you be most likely to utilize – web form, diskette, CD-ROM?
>>**Response: Not applicable**

(4) For electronic submission, how should signature requirements be handled – Private Key Infrastructure, PINS and passwords, signed paper cover sheet? How does TSCA CBI affect your choice or use of an electronic medium? Would you be more inclined to submit TSCA CBI on diskette than on paper and what benefits would you realize (e.g., burden reduction, greater efficiency in compiling information, etc). >>**Response: Not applicable/No comment**

(5) Do you agree with EPA's estimated burden and costs (the ICR addresses only the costs associated with paperwork)? Are the Bureau of Labor Statistics (BLS) labor rates accurate? If you have any reason to consider the BLS labor rates inaccurate or inappropriate as used by EPA, explain your rationale. >>**Response: No comment**

Sincerely yours,

Karen Smalarz, DCO
CAS
2540 Olentangy River Road
Columbus, Ohio 43210

01/30/2007 06:38 AM

From: "Brown, Vincent J" <brownv@BATTELLE.ORG>
To: Pamela Moseley/DC/USEPA/US@EPA
Subject: Renewal of Access to TSCA CBI ICR

Dear Ms. Moseley:

In response to your request of January 26, 2007, here are my replies as the Contractor DCO for Battelle (Columbus, Ohio):

Q(1) Are the data EPA seeks under this ICR available from any public source, or already collected by another EPA office or by another agency? If so, where can the data be found?

ANSWER: I am not aware of any other source for the CBI access renewal information.

Q(2) Is it clear what is required for data submission? If not, are there any suggestions for clarifying instructions?

ANSWER: The data submission requirements are clear, and we have no suggestions.

Q(3) Would you be interested in an electronic/data submission option? What type of alternative would you be most likely to utilize - web form, diskette, CD-ROM?

ANSWER: We would be interested in an electronic submission option for our annual renewals, because they tend to contain the same information from year to year and we expect that electronic submission would save us some time. A secure web form would be our preferred format.

Q(4) For electronic submission, how should signature requirements be handled - Private Key Infrastructure, PINS and passwords, signed paper cover sheet? How does TSCA CBI affect your choice or use of an electronic medium? Would you be more inclined to submit TSCA CBI on diskette than on paper and what benefits would you realize (e.g., burden reduction, greater efficiency in compiling information, etc).

ANSWER: The PIN seems like a reasonable approach to authentication for web applications and submissions. We rarely transfer the CBI itself, but only the annual access renewal forms for our staff. These forms are not themselves CBI, so our situation is not as sensitive.

Q(5) Do you agree with EPA's estimated burden and costs (the ICR addresses only the costs associated with paperwork)? Are the Bureau of Labor Statistics (BLS) labor rates accurate? If you have any reason to consider the BLS labor rates inaccurate or inappropriate as used by EPA, explain your rationale.

ANSWER: The estimated burden appears reasonably in line with what we spend in preparing and submitting the annual renewal paperwork.

We appreciate having had the opportunity to comment.

Vincent J. Brown
Contractor DCO
Battelle
505 King Avenue
Columbus, Ohio 43201-2693
phone 614-424-5928

Kristina Watts <Kristina_Watts@abtassoc.com>

01/30/2007 06:53 AM

To: Pamela Moseley/DC/USEPA/US@EPA
cc: Penny Schafer Penny_Schafer@abtassoc.com
Subject: RE: Renewal of Access to TSCA CBI ICR

Pamela,

Thanks for sharing this. Abt Associates does not have any comments.

Kristina Watts
Senior Analyst, Environment & Resources Division
Abt Associates Inc.
4800 Montgomery Lane, Suite 600
Bethesda, MD 20814-5341
Phone: (301) 347-5529
Fax: (301) 828-9705

Date: January 25, 2007
From: Pamela Moseley/DC/USEPA/US
To: Laura Morlacci, DCO
Syracuse Research Corporation
2451 Crystal Drive, Suite 804
Arlington, VA 22202
Subject: Request for Assistance; Renewal of "Request for Contractor Access to TSCA CBI" ICR

On November 9, 2006, EPA published a Notice in the Federal Register (71 FR 65809) titled Agency Information Collection Activities; Proposed Collection; Comment Request; Request for Contractor Access to TSCA CBI; EPA ICR No. 1250.08, OMB Control No. 2070-0075. (See <http://www.epa.gov/fedrgstr/EPA-TOX/2006/November/Day-09/t19014.htm>) This Notice refers to EPA's intention to request renewed Office of Management and Budget (OMB) clearance of an information collection related to information that contractor employees must provide to EPA in order to obtain TSCA CBI clearance necessary in the performance of their duties.

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As part of this required consultation, I am contacting you to solicit your input. I will also note that, if you take this opportunity to provide input, your name, affiliation, e-mail address, phone number and any information you provide (e.g., copies of e-mails) will be incorporated and attached to the ICR supporting statement, which will be a public document. In addition, the OMB Desk Examiner for the ICR in question may contact you to verify the accuracy of any comments EPA identifies in the ICR.

EPA solicits your input on the following questions:

- (1) Are the data EPA seeks under this ICR available from any public source, or already collected by another EPA office or by another agency? If so, where can the data be found? **The exporters mail their CBI Export Notification notices to the C.B.I.C. and they provide us with a photocopy of the notices. All CBI notification letters generated by the Export Specialist are mailed to the foreign government by the CBIC. We also return the photocopies to the CBIC.**
- (2) Is it clear what is required for data submission? If not, are there any suggestions for clarifying instructions? **Yes, the data submission instructions are clear and are codified in 40 CFR 707.60 through 707.75.**
- (3) Would you be interested in an electronic/data submission option? What type of alternative would you be most likely to utilize – web form, diskette, CD-ROM? **Yes, we would be**

interested in an electronic/data submission option. It would be much easier for the Export Specialist to have everything stored on a couple of CD-ROMs, instead of transporting a large stack of notices.

(4) For electronic submission, how should signature requirements be handled – Private Key Infrastructure, PINS and passwords, signed paper cover sheet? How does TSCA CBI affect your choice or use of an electronic medium? Would you be more inclined to submit TSCA CBI on diskette than on paper and what benefits would you realize (e.g., burden reduction, greater efficiency in compiling information, etc). **N/A**

(5) Do you agree with EPA's estimated burden and costs (the ICR addresses only the costs associated with paperwork)? Are the Bureau of Labor Statistics (BLS) labor rates accurate? If you have any reason to consider the BLS labor rates inaccurate or inappropriate as used by EPA, explain your rationale. **Yes**

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Your timely response will be greatly appreciated. If you have any comments in response to the above questions, or with respect to any other part of the information collection, please respond by return e-mail to me by February 9, 2007. EPA will consider those responses, as well as any public comment received in response to the Federal Register Notice identified above, in preparing a final document for OMB review.

Thank you for your assistance.

Sincerely yours,

Pamela M. Moseley
TSCA CBI Access Coordinator
Information Management Division
Office of Pollution Prevention and Toxics
Office of Prevention Pesticides and Toxic Substances
Environmental Protection Agency
Washington, DC 20460
202-564-8956

Deena Vann/DC/USEPA/US

02/08/2007 07:22 AM

To: Pamela Moseley/DC/USEPA/US@EPA
Subject: Corrected Memo WIth DCO Name and Address

Responses below in [blue](#).

Deena W. Vann
TSCA CBIC Program Manager
(202) 564-8932

Contractor to EPA
ASRC Aerospace Corporation

Date: January 25, 2007

From: Pamela Moseley/DC/USEPA/US

To: Deena Vann, DCO
ASRC Aerospace Corporation
CBIC Center, EPA East Rm 6428
1200 Pennsylvania Ave,NW
Washington, DC 20460

Subject: Request for Assistance; Renewal of "Request for Contractor Access to TSCA CBI" ICR

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EPA solicits your input on the following questions:

- (1) Are the data EPA seeks under this ICR available from any public source, or already collected by another EPA office or by another agency? **No.** If so, where can the data be found?
- (2) Is it clear what is required for data submission? **Yes.** If not, are there any suggestions for clarifying instructions?
- (3) Would you be interested in an electronic/data submission option? What type of alternative would you be most likely to utilize – web form, diskette, CD-ROM?
- (4) For electronic submission, how should signature requirements be handled – Private Key Infrastructure, PINS and passwords, signed paper cover sheet? **PINS/passwords** How does TSCA CBI affect your choice or use of an electronic medium? Would you be more inclined to submit TSCA CBI on diskette than on paper and what benefits would you realize (e.g., burden reduction, greater efficiency in compiling information, etc). **I would be more inclined to submit on paper. The biggest benefit to us in receiving CBI electronically would be reduced processing time, however, we would have to put more procedures in place to ensure the security of the information once it is received.**
- (5) Do you agree with EPA's estimated burden and costs (the ICR addresses only the costs associated with paperwork)? **Yes.** Are the Bureau of Labor Statistics (BLS) labor rates accurate? **Yes.** If you have any reason to consider the BLS labor rates inaccurate or inappropriate as used by EPA, explain your rationale.

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