

EPA ICR No. 1139.08; OMB Control No. 2070-0033

ATTACHMENT 5

Copy of Consultations Message Sent by EPA to Potential Respondents

[By –email]

To: [Recipients - See Section 3(c) above]

Subject: Proposed Collection; Comment Request: TSCA Section 4 Test Rules, Consent Orders, Test Rule Exemptions, and Voluntary Data Submission; EPA ICR No. 1139.08, OMB Control No. 2070-0033

On November 14, 2007, EPA published a notice in the *Federal Register* concerning the renewal under the Paperwork Reduction Act (44 USC 3501 et seq.) of an existing information data request (ICR) for test rules, consent orders, voluntary data submissions, and test rule exemptions issued under section 4 of the Toxic Substances Control Act (15 USC 2601 et seq.). **72 FR 64075, Agency Information Collection Activities; Proposed Collection; Comment Request: TSCA Section 4 Test Rules, Consent Orders, Test Rule Exemptions, and Voluntary Data Submission; EPA ICR No. 1139.08, OMB Control No. 2070-0033 (Nov. 14, 2007)**. No changes were proposed to the existing ICR. The notice, nonetheless, provided a 60-day public comment period ending on January 14, 2008. (A copy of the notice is attached below.)

In addition, however, agencies are also required under Office of Management and Budget regulations (5 **CFR 1320.8(d)(1)**) to consult with potential respondents and data users about specific aspects of the ICR before submitting it to OMB for review and approval, regardless of whether changes are being made to the ICR.

As part of this required consultation, I am contacting you to solicit your input. I also must note that, if you take this opportunity to provide input, your name, affiliation, and phone number and any information you provide (e.g., copies of emails) will be incorporated into, and attached to, the supporting statement for this ICR, which will be made a public document. You may also be contacted by the OMB Desk Examiner for this ICR to verify the accuracy of any of your comments as reported in the ICR by EPA.

EPA solicits your input on the following questions:

Are the data that are required to be submitted under this ICR available from any other public source that you are aware of, or are they data already collected by another EPA office or by another agency? If so, where is the data publicly available?

Is the data submission requirement clear? If not, do you have any suggestions for how the data submission can be clarified?

Would an electronic/data submission option be useful? What type of alternative would be most useful – web form, diskette, or CD-ROM?

For electronic submission, how should signature requirements be handled – private key infrastructure (PKI), personal identification numbers (PINs) and passwords, or a signed paper coversheet? How does confidential business information (CBI) affect your choice or use of an electronic medium? Would you be more inclined to submit CBI on diskette than on paper and what benefits would you realize (burden reduction, greater efficiency in compiling information, etc.)?

Do you agree with EPA's estimated burden and costs (ICRs address only 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, please explain your rationale.

Your timely response, if any, would be greatly appreciated! We hope to get your responses back by January 14, 2008, so we can consider your responses along with any public comments resulting from the FR notice at the same time. Thank you for your assistance!

[copy of Federal Register Notice attached]

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