

BASF Response to EPA ICR No. 0161.11, Consultation Questions

Attn: Docket ID No.: EPA-HQ-OPP-2008-0255

Sept. 12, 2008

(1) **Publicly Available Data**

- (1) Is the data that the Agency seeks available from any public source, or already collected by another office at EPA or by another agency?

No

- (2) If yes, where can you find the data? (Does your answer indicate a true duplication, or does the input indicate that certain data elements are available, but that they don't meet our data needs very well?)

(2) **Frequency of Collection**

Can the Agency collect the information less frequently and still produce the same outcome?

It may be less burdensome to report twice – [in March, because that's the current reporting time] first with an annual projection report, estimated from information from orders received to date, and previous years' exports plus current orders so far for the calendar year; and then, a second subsequent report would be submitted with the actual information/data. If a new product is introduced for export sometime between March and December, this would be reported during the year.

(3) **Clarity of Instructions**

- (1) The ICR is intended to require that respondents provide certain data so that the Agency can utilize them.

- (1) Based on the instructions (regulations, PR Notices, etc.), is it clear what you are required to do and how to submit such data?

Yes

- (2) If not, what suggestions do you have to clarify the instructions?

- (2) Do you understand that you are required to maintain records?

Yes

- (3) Considering that there is no required submission format, is it

difficult to submit information in ways that are clear, logical and easy to complete?

It is not difficult to submit the information without a required format; in fact, the company's preference is to maintain the current flexibility.

- (4) Regarding the any [specific program] forms, do you use them? Are they clear, logical, and easy to complete?

(4) Electronic Reporting and Record keeping

The Government Paperwork Elimination Act requires agencies make available to the public electronic reporting alternatives to paper-based submissions by 2003, unless there is a strong reason for not doing so. One such reason is that, at the present time, the Agency is unable to ensure the security of CBI that might be transmitted over the Internet.

- (1) What do you think about electronic alternatives to paper-based records and data submissions? Current electronic reporting alternatives include the use of "web forms"/XML based submissions via the Agency's Internet site and magnetic media-based submissions, e.g., diskette, CD-ROM, etc. Would you be interested in pursuing electronic reporting?

Company would be very interested in submitting information to EPA electronically, via e-mail. It would be possible for the company to obtain the foreign purchaser's signature via fax; convert that document to a PDF document and then transmit to EPA as an attachment.

Are you keeping your records electronically?

Yes, but hard copies kept as well because of the requirement to submit paper copies of PAS and supporting documents in hard copy.

If yes, in what format?

MS Word, Excel, Documentum

- (2) Although the Agency does not offer an electronic reporting option because of CBI-related security concerns at this time

(1) would you be more inclined to submit CBI on diskette than on paper?

(2) what benefits would electronic submission bring you in terms of burden reduction or greater efficiency in compiling the information?

Electronic submission could reduce time spent in

submitting each PAS to EPA, as well as reporting and record keeping, in half. Would also save paper and hard copy file space.

CBI is only a concern for substances that are under development, not those that are usually subject to this FPAS reporting requirement.

(5) Burden and Costs

(1) Are the labor rates accurate?

Close enough

(2) The Agency assumes there are no capital costs associated with this activity. Is that correct?

Yes

(3) Bearing in mind that the burden and cost estimates include only burden hours and costs associated with the paperwork involved with this ICR, e.g., the ICR does not include estimated burden hours and costs for conducting studies, are the estimated burden hours and labor rates accurate?

If you provide burden and cost estimates that are substantially different from EPA's, please provide an explanation of how you arrived at your estimates.

The company's estimates are based on working knowledge.

(4) Are there other costs that should be accounted for that may have been missed?

Separate requirement, related to the export of registered products: The entire section 3 label (up to 40 pages long) is required for each pallet; we have exported up to 100 pallets of product at a time, thus requiring 100 copies of a 40 page section 3 label. Multiple copies are usually discarded by importing country.