

EPA ICR No. 1884.08; OMB Control No. 2070-0162

1ATTACHMENT 5

Copy of Consultations Message Sent by EPA to Potential Respondents

From: Passe, Loraine
Sent: Thursday, June 05, 2014 2:17 PM
To: 'mike_walls@americanchemistry.com'; 'swickd@api.org'; jlr@cpma.com;
'bwatzman@nma.org'; 'bklein@cspa.org'; 'dtroutman@cleaninginstitute.org';
'wcarteaux@plasticsindustry.org'; 'allmondb@socma.com'
Cc: Hoffman, Karen
Subject: Information Collection Request (ICR) Consultation

The Paperwork Reduction Act (PRA) requires that agencies receive Office of Management and Budget (OMB) clearance before requesting most types of information from the public. In order to receive OMB clearance, federal agencies prepare draft Information Collection Requests (ICRs) providing an overview of the information collection and estimates of the cost and time for the public to respond. The agencies consult with potential respondents and the public about the ICR and, where appropriate, incorporate comments received. The draft ICR is then sent to OMB for its review and approval. These ICRs are periodically renewed. EPA is contacting you to solicit your comments on the renewal of the ICR for the collection of chemical manufacturing, processing, and use data under the Environmental Protection Agency's (EPA) Chemical Data Reporting (CDR) Rule.

The existing ICR is entitled, "Partial Update of the TSCA Section 8(b) Inventory Data Base, Production and Site Reports" and is identified as Control No. 2070-0162. OMB requires federal agencies to consult with nine or fewer potential respondents prior to submitting the ICR renewal to OMB for review and approval. This consultation requirement is in addition to providing the public with 60 days to comment on the proposed collection activity. The notice announcing the ICR renewal and solicitation of comments was published in the Federal Register on May 22, 2014 (79 FR 29442). See <http://www.regulations.gov/>

The CDR ICR renewal addresses the TSCA Section 8(a) reporting and recordkeeping requirements associated with the CDR rule, which is administered by the EPA under the Toxic Substances Control Act (TSCA) (40 CFR part 711). Under the CDR, companies that manufacture (including import) chemicals that are on the TSCA Chemical Substances Inventory (TSCA Inventory) may be required to report manufacturing, processing, and use information about the chemicals to EPA. EPA uses the data gathered from CDR to support many human health and environmental protection activities related to chemical manufacturing. Processing and use information will help EPA, other agencies, and the general public to readily screen and prioritize chemicals for the purpose of identifying potential human health and environmental effects.

QUESTIONS

1. INFORMATION COLLECTION

(a) Is the information that the Agency seeks under this ICR available from any public source, or already collected by another office at EPA or by another agency? If yes, where can the Agency find the data?

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

2. ELECTRONIC REPORTING AND RECORDKEEPING

(a) The 2011 CDR collection was the first time that the electronic reporting was mandatory. How would you rate your overall experience using the electronic tool? Specifically, how would you describe your experience with the following?

- The xml schema
- The use of validating signatures in CDR
- The ease of using the e-CDR reporting tool
- Submitting data through the Central Data Exchange (CDX)

(b) If you encountered difficulties, what suggestions for improvement would you suggest?

3. BURDEN COST ANALYSIS

(a) Do you agree with EPA's estimated burden and costs related to submitting information to the CDR database? EPA is particularly interested in your input on the burden hours related to reporting processing and use data in Part III of the Form U as described in the ICR renewal.

(b) 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.

4. REPORTING PRODUCTION VOLUME FOR EACH YEAR OF FOUR YEARS

(a) For the 2016 submission period, manufacturers (including importers) of reportable chemical substances will be required to report the production volume of those chemical substances at each site for each of the years (2012, 2013, 2014, and 2015) since the last principal reporting year (2011).

How will your company track annual production volumes for each of the four years since the last principal reporting year in order to report in 2016?

Please note that, if you take this opportunity to provide input, your name, affiliation, phone number, and any information you provide (e.g., copies of emails) will be incorporated and attached to the ICR supporting statement, which will be a public document. In addition, you may be contacted by the OMB desk examiner reviewing this ICR renewal to verify the accuracy of any comments as reported in the ICR by EPA.

Your timely response to the questions will be greatly appreciated. We hope to receive your responses by June 30, 2014, so we can consider those responses, along with other consultation responses and public comments resulting from the Federal Register notice, at the same time as we prepare a final document for OMB review. Thank you for your assistance.

Sincerely,

Lorraine Passe, Acting Chief
Existing Chemicals Branch
Phone (202) 564-9064