

EPA ICR No. 1188.13; OMB Control No. 2070-0038

ATTACHMENT 6

Copy of Consultations Message Sent by EPA to Potential Respondents

From: Taylor, Jeffrey

Sent: Wednesday, September 30, 2015 4:18 PM

To: 'mike_walls@americanchemistry.com'; 'fordj@api.org'; 'bklein@cspa.org'; 'john@novozymes.com'; 'lfuller@ipaa.org'; 'ssides@paint.org'; 'jcooper@npra.org'; 'wcarteaux@plasticsindustry.org'; 'allmondb@socma.org'

Cc: Loraine Passe (Passe.Loraine@epa.gov)

Subject: Information Collection Request (ICR) Consultation

The Office of Management and Budget (OMB) regulations that implement the Paperwork Reduction Act require federal agencies developing any new (non-rule) information collection request (ICR), or proposing to renew an ICR, to announce the ICR activity in the Federal Register and to provide the public with 60 days to comment on the proposed collection activity. In addition to the notice and comment requirement, agencies are also required under 5 CFR 1320.8(d)(1) to consult with potential respondents and data users about specific aspects of an ICR before submitting it to OMB for review and approval, regardless 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 comments on the renewal ICR for TSCA Section 5(a)(2) Significant New Use Rules for Existing Chemicals (OMB Control No. 2070-0038). The meaningful and timely comments the Agency receives from you will help us during the development of this renewal ICR. The notice for the ICR renewal and solicitation of comments was published in the Federal Register on September 2, 2015 (80 FR 53151). See <http://www.regulations.gov/#!docketDetail;D=EPA-HQ-OPPT-2015-0217>.

Please 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 and attached to the ICR supporting statement which will be a public document. In addition, you may be contacted by the OMB Desk Examiner for the ICR to verify the accuracy of any comments as reported in the ICR by EPA.

Your response to the questions below will be greatly appreciated. We hope to receive your responses back by November 2, 2015, so that we can consider those responses, as well as any public comments resulting from the Federal Register notice, at the same time. Thank you for your assistance.

Regards,

Jeffrey Taylor
U.S. EPA
Existing Chemicals Branch
Phone: (202) 564-8828

OVERVIEW

The information collection request addresses the Toxic Substances Control Act (TSCA) section 5 reporting and recordkeeping requirements associated with TSCA section 5(a)(2) Significant New Use Rules (SNURs) for existing chemicals.

Section 5 of the Toxic Substances Control Act (TSCA) provides EPA with a regulatory mechanism to monitor and, if necessary, control significant new uses of chemical substances. Section 5 authorizes EPA to determine by rule (i.e., a significant new use rule or SNUR), after considering all relevant factors, that a use of a chemical substance represents a significant new use. If EPA determines that a use of a chemical substance is a significant new use, section 5 requires persons to submit a significant new use notice (SNUN) to EPA at least 90 days before they manufacture, import, or process the substance for that use.

The relevant factors considered by EPA under TSCA section 5(a)(2) in determining a significant new use are:

- 1) The projected volume of manufacturing and processing of a chemical substance;
- 2) The extent to which a use changes the type or form of exposure of human beings or the environment to a chemical substance;
- 3) The extent to which a use increases the magnitude and duration of exposure of human beings or the environment to a chemical substance; and
- 4) The reasonably anticipated manner and methods of manufacturing, processing, distribution in commerce, and disposal of a chemical substance.

EPA uses the information obtained through this collection to evaluate the health and environmental effects of the significant new use. EPA may take regulatory actions under TSCA section 5, 6, or 7 to control the activities for which it has received a SNUN. These actions include orders to limit or prohibit the manufacture, importation, processing, distribution in commerce, use, or disposal of chemical substances.

The existing chemical SNUN notice must be submitted electronically, via the Central Data Exchange (CDX), using the Agency's electronic-Premanufacture Notification (PMN) software. The SNUN is submitted using the PMN form (see <http://epa.gov/oppt/newchems/pubs/pmnforms.htm>).

QUESTIONS

1. Information Collection

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?

Do you understand that you are required to submit or maintain records of certain data elements?

Is the format of the reporting forms clear, logical, and easy to complete?

2. Electronic SNUN Reporting

What, if any, benefits are you experiencing from using the e-PMN software and submitting your SNUN notices via CDX (e.g., burden reduction, greater efficiency in compiling the information, etc.)?

Are the online instruction manuals and guidance documents for using the software and submitting SNUN notices electronically accurate and understandable?

3. Burden Cost Analysis

Do you agree with EPA's estimated burden and costs?

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.