

Mattheisen, Mike

From: Mattheisen, Mike
Sent: Wednesday, March 16, 2016 4:48 PM
To: Scott_Jensen@americanchemistry.com; 'gainesj@socma.com'; 'Daniel.a.Turner@dupont.com'; 'wohlschlegele@api.org'; 'MSCANLAN@vermontlaw.edu'; 'stacy@aafa.org'; 'jproctor@lclark.edu'; 'ken@ewg.org'; 'eheyd@nrdc.org'
Subject: Request for Assistance; Public Comment on the Proposed Renewal of an Information Collection Request (ICR) Concerning Recording Keeping and Reporting for Allegations of Significant Adverse Reactions to the U.S. EPA under Section 8(c) of TSCA.

On March 10, 2016, the U.S. Environmental Protection Agency (EPA) published a notice in the Federal Register (81 FR 12730) announcing that EPA intends to submit an existing Information Collection Request (ICR) that is scheduled to expire in September 2016 to the Office of Management and Budget (OMB) for renewal, and requesting public comment. The ICR applies to section 8(c) of the Toxic Substances Control Act (TSCA), which requires manufacturers, processors, and distributors of chemical substances and mixtures: (a) To keep "records of significant adverse reactions to health or the environment, as determined by the Administrator by rule, alleged to have been caused by the substance or mixture." (b) To "permit inspection and submit copies of such records," upon request of any designated representative of the Administrator. TSCA section 8(c) is implemented by 40 CFR part 717, which describes the records to be kept and prescribes the conditions under which certain firms must submit or make the records available to a duly designated representative of the Administrator. (Agency Information Collection Activities; Proposed Collection; Comment Request, 81 FR 12730, March 10, 2016. See, <https://www.gpo.gov/fdsys/pkg/FR-2016-03-10/pdf/2016-05466.pdf>.)

In addition to the public comment requested by the notice in the Federal Register, OMB regulations at 5 CFR 1320.8(d)(1) require agencies to consult with potential respondents and data users about specific aspects of an ICR. As part of this required consultation, I am contacting you to solicit your input. Please 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 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?
2. Is the data submission requirement clear? If not, do you have any suggestions for how the data submission can be clarified?
3. Data is required to be submitted to the Document Control Office (DCO) at EPA Headquarters in Washington, D.C., by hand or by U.S. Postal Service. Is this a good method, or is there a better alternative?
4. Do you have any concerns about the submission of confidential business information (CBI)?
5. 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.

To access the Federal Register notice, the ICR supporting document (including the economic analysis), and any public comments received, go to www.regulations.gov and search using EPA-HQ-OPPT-2015-0688. Click on any of the documents listed within the docket to read the document.

If you have any comments in response to the above questions, or with respect to any other part of this ICR, please respond by return e-mail by COB on Monday, May 9, 2016. 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.

Mike Mattheisen
Assistant Branch Chief
Chemical Information and
Testing Branch/CCD/OPPT
202-564-3077