

**Supporting Statement for an Information Collection Request (ICR)
Under the Paperwork Reduction Act (PRA)**

1. EXECUTIVE SUMMARY

1(a). Identification of the Information Collection – Title and Numbers

Title: Trichloroethylene (TCE); Regulation of Certain Uses under TSCA §6(a)
(Proposed Rule)

ICR Numbers: EPA ICR No.: 2541.01; OMB Control No.: 2070-NEW.

EPA Form Numbers: No required forms for ICR activities.

Docket ID Number: EPA-HQ-OPPT-2016-0163.

1(b). Docket Information

This information collection request (ICR) explains the information collection activities of a proposed rule and related burden and cost estimates, as well as other supporting documents related to the ICR, are available in the docket established for the rulemaking. The docket can be viewed online at <http://www.regulations.gov> or in person at the EPA Docket Center, West William Jefferson Clinton Bldg., Rm. 3334, 1301 Constitution Ave., NW., Washington, DC. The telephone number for the Docket Center is (202) 566-1744. For additional information about EPA's public docket, visit <http://www.epa.gov/dockets>.

1(c). ICR Status

This is a new ICR that addresses the information collection activities that are contained in a proposed rule (RIN 2070-AK03). Under the Paperwork Reduction Act (PRA), 44 U.S.C. 3501 et seq., an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information, unless it displays a currently valid control number issued by the Office of Management and Budget (OMB). The OMB control numbers are displayed either by publication in the Federal Register or by other appropriate means, such as on the related collection instrument or form, if applicable. The display of OMB control numbers for certain EPA regulations is consolidated in 40 CFR part 9.

Before submitting an ICR to OMB for review and approval under the PRA, an agency must solicit comments pursuant to PRA §3506(c)(2)(A) and [5 CFR 1320.8\(d\)\(1\)](#). After considering comments received on the draft ICR, the agency must submit the ICR to OMB for review and approval according to the procedures prescribed in [5 CFR 1320.12](#). In announcing the submission of the final ICR to OMB for review and approval, the agency must provide another opportunity for public review and comments on the revised ICR pursuant to 5 CFR 1320.12(c).

1(d). Abstract

The Environmental Protection Agency (EPA) is developing a proposed rule under section 6 of the Toxic Substances Control Act (TSCA) concerning the prohibition of trichloroethylene (TCE) for certain uses. The proposed rule requires each person who manufactures, processes, or distributes in commerce TCE for non-prohibited uses to notify companies to whom TCE was shipped of the prohibitions under the rule. The proposed rule also requires each person who manufactures, processes, or distributes in commerce any TCE to retain in one location at the

headquarters of the company documentation of information showing: (i) the name, address, contact, and telephone number of companies to whom TCE was shipped; and (ii) the amount of TCE shipped. This information must be retained for 2 years from the date of shipment.

EPA is proposing the rule under section 6(a) of TSCA in response to a finding that there is a reasonable basis to conclude that TCE in aerosol degreasers and spot cleaning in dry cleaning facilities presents an unreasonable risk of injury to health or the environment.

The portions of the proposed rule that trigger this Information Collection Request (ICR) consist of a downstream notification of the prohibitions in the rule and a recordkeeping requirement.

Legal authority: The Toxic Substances Control Act (TSCA), 15 U.S.C. 2605(a).

Respondents/affected entities: Entities potentially affected by this ICR include persons that manufacture, process, or distributes in commerce TCE for any use.

Respondent's obligation to respond: Respondents are not obligated to respond or report to EPA.

Confidentiality of responses: N/A.11

Estimated total number of potential respondents: 697.

Frequency of response: On occasion to third parties as needed.

Estimated total annual burden: 348.5 hours. Burden is defined at 5 CFR 1320.3(b).

Estimated total annual costs: \$16,848.

Changes in the estimates: N/A.

2. NECESSITY OF THE INFORMATION COLLECTION

2(a). Related Legal and/or Administrative Requirements

TSCA – Under section 6(a) of TSCA (15 U.S.C. § 2605(a)), if EPA determines after risk evaluation that a chemical substance presents an unreasonable risk of injury to health or the environment, without consideration of costs or other non-risk factors, including an unreasonable risk to a potentially exposed or susceptible subpopulation identified as relevant to the risk evaluation, under the conditions of use, EPA must by rule apply one or more requirements to the extent necessary so that the chemical substance or mixture no longer presents such risk. Section 6(a) authorizes EPA to:

- (1) Prohibit or restrict manufacture, processing, or distribution in commerce;
- (2) Prohibit or restrict the manufacture, processing, or distribution in commerce of the chemical substance above a specified concentration;
- (3) Require minimum warnings and instructions with respect to use, distribution, or disposal;

- (4) Require manufacturers or processors to make and retain records;
- (5) Prohibit or regulate any manner of commercial use;
- (6) Prohibit or regulate any manner of disposal; and/or
- (7) Require manufacturers or processors to give notice of the unreasonable risk of injury, and to recall products if required.

The proposed rule prohibits all persons from manufacturing, processing, and distributing in commerce, and from commercial use of, TCE in aerosol degreasers or for spot cleaning in dry cleaning facilities. As there is currently no prohibition under section 6 of TSCA regarding these certain uses, there is currently no requirement for downstream notification in the TCE supply chain related to such prohibition. Likewise, there is currently no requirement for the specific recordkeeping mandated under the proposed rule.

The downstream notification requirement under the proposed rule mandates that each person who manufactures, processes, or distributes in commerce TCE for any use must notify companies to whom TCE was shipped of the prohibitions under this rule of TCE in aerosol degreasers and spot cleaning in dry cleaning facilities.

The recordkeeping requirement under the proposed rule mandates that each person who manufactures, processes, or distributes in commerce any TCE must retain in one location at the headquarters of the company documentation of the information showing: the name, address, contact, and telephone number of companies to whom TCE was shipped and the amount of TCE shipped, and downstream notification. This information must be retained for 2 years from the date of shipment.

2(b). Necessity of the Information Collection

The information collection activities covered by this ICR are necessary in order to enhance the mitigation of unreasonable risks identified in certain uses of TCE. Due to EPA's finding that TCE in aerosol degreasers and spot cleaning in dry cleaning facilities presents an unreasonable health risk, EPA is proposing a rule that involves information collection activities that mitigate the unreasonable health risks and do not present unreasonable burdens to the regulated entities.

Without the downstream notification requirement, there is a greater likelihood that non-prohibited uses of TCE could be diverted to prohibited uses and that users would be buying materials that they do not realize contain TCE because they would not be aware of the prohibitions. This would result in inadequate protection from the risks EPA identified. Some companies may manufacture and process TCE for uses that are not prohibited by this proposed rule, or some companies may only be engaged in the distribution of TCE to customers for uses that are not regulated by the proposed rule. In order to ensure awareness of the prohibitions and improve the likelihood TCE and TCE-containing products are not used in applications where its use is prohibited under the proposed rule, the manufacturers, importers, processors, and distributors (not including consumer retailers) of products that contain TCE designed for uses that are not prohibited will be required to notify downstream purchasers about the uses that are prohibited. Downstream notification will also be necessary for effective enforcement of the rule as it provides a record of notification on use restrictions down the supply chain via Safety Data Sheet. Safety Data Sheets are already required by the

Occupational Safety and Health Administration (OSHA). Therefore, this additional information should not substantially increase the burden on these companies.

EPA also has authority under section 6 of TSCA to require recordkeeping related to the regulatory requirements imposed by EPA. This is important where, as here, such records and reports are necessary for effective enforcement of the section 6 rule and would apply to persons who are not covered by section 8(a) of TSCA, i.e., those who are not manufacturers or processors.

2(c). Uses, Users, and Purpose of the Information Collection

EPA. This information collection will provide EPA with information only upon inspection of such materials. There are no reporting requirements to submit information to EPA under the information collection activities.

Downstream Companies. Under the proposed rule manufacturers, processors, and distributors in commerce of TCE must notify companies downstream upon shipment of TCE about the prohibited uses under the proposed rule. Under the proposed rule, retailers are specifically excluded from the definition of *distribute in commerce*. The information submitted to downstream companies would provide knowledge and awareness of the prohibited uses to these companies.

The regulated entities will compile and retain records that are necessary as a reference for EPA or authorized entities. These records demonstrate that the entities throughout the TCE supply chain are aware of the prohibitions of certain uses of TCE and that companies upstream can show what entities they supply to and therefore what entities they would need to notify of the prohibitions. These recordkeeping requirements are also necessary to permit the EPA to conduct its enforcement activities and to ensure compliance within the regulated community.

3. NON-DUPLICATION, CONSULTATIONS, AND OTHER COLLECTION CRITERIA

3(a). Non-Duplication

The EPA's collection pursuant to the TSCA section 6(a) regulations do not duplicate any other collection. There is no other Federal program that requires the information collection activities related to the prohibitions under the proposed rule.

3(b). Public Notice Required Prior to ICR Submission to OMB

The notice of proposed rulemaking serves as the public notice for this ICR. Interested parties should submit comments referencing Docket ID No. EPA-HQ-OPPT-2016-0163 to the address listed at the end of this document. Responses will be taken into account in developing the final rulemaking.

3(c). Consultations

On July 29, 2014, EPA held a 2-day public workshop on TCE degreasing. The purpose of the workshop was to collect information from users, academics, and other stakeholders on the use of TCE as a degreaser in various applications, e.g., in degreasing metal parts, availability and

efficacy of safer alternatives, safer engineering practices and technologies to reduce exposure to TCE, and to discuss possible risk reduction approaches. The workshop included presentations by experts, breakout sessions with case studies, and public comment opportunities and informed EPA's assessment of the alternatives to TCE considered in this proposed rule. All documents from the public workshop are available in the EPA Docket Number EPA-HQ-OPPT-2014-0327.

EPA consulted with state and local officials early in the process of developing the proposed action to permit them to have meaningful and timely input into its development. EPA invited the following national organizations representing state and local elected officials to a meeting on May 13, 2015, in Washington DC: National Governors Association; National Conference of State Legislatures, Council of State Governments, National League of Cities, U.S. Conference of Mayors, National Association of Counties, International City/County Management Association, National Association of Towns and Townships, County Executives of America, and Environmental Council of States. A summary of the meeting with these organizations, including the views that they expressed, is available in the docket. Although EPA provided these organizations an opportunity to provide follow-up comments in writing, no written follow-up was received by the Agency.

EPA met with tribal officials in a national informational webinar held on May 12, 2015 concerning the prospective regulation of TCE under TSCA section 6, and in another teleconference with tribal officials on May 27, 2015. EPA also met with the National Tribal Toxics Council (NTTC) in Washington, D.C. and via teleconference on April 22, 2015. In those meetings, EPA provided background information on the proposed rule and a summary of issues being explored by the Agency. These officials expressed concern for TCE contamination on tribal lands and supported additional regulation of TCE.

On May 27, 2015, EPA held an Environmental Justice public consultation webinar to gather stakeholder input about reducing risks from use of TCE. The webinar shared information about the proposed TCE rulemaking and focused on discussing concerns of environmental justice communities.

3(d). Effects of Less Frequent Collection

Due to the nature of the triggering events that initiate information collection activities under the proposed rule, less frequent collection is not feasible. The proposed rule only includes reporting information to third parties and does not require reporting information to EPA.

3(e). Small Entity Flexibility

EPA believes that the downstream notification and recordkeeping requirements do not unduly burden small businesses. EPA concludes that the proposed rule has no significant impacts on any of the entities subject to downstream notification as firms subject to this requirement have a cost-revenue impact of less than 1 percent.

3(f). General PRA Related Guidelines

This ICR is consistent with OMB's general guidelines. Companies that ship TCE are required to maintain records for two years. Therefore, this ICR does not exceed the Paperwork Reduction Act guidelines at 5 CFR 1320.5.

3(g). Confidentiality

EPA will not be collecting any information. Therefore, confidential information will not be submitted to EPA.

3(h). Sensitive Questions

The information collection activities do not include questions of a sensitive nature.

4. AGENCY ACTIVITIES, COLLECTION METHODOLOGY, AND INFORMATION MANAGEMENT

4(a). Agency Activities

There will be no agency collection activities under the proposed rule. There will only be third party notification and recordkeeping requirements.

4(b). Estimated Agency Costs

This collection requires third party notification and recordkeeping. EPA will not receive or process any information as a result of the collection. Therefore, EPA estimates that it costs the EPA approximately \$0 to carry out the activities associated with the information collection activities covered by this ICR.

4(b)(i). Collection Schedule

There is no collection of information by EPA included under the proposed rule. Therefore, collections occur only by third parties and will occur as needed via Safety Data Sheet.

4(b)(ii). Use of Technology to Facilitate Collection Activities

There will be no information collection by EPA. Therefore, there is no need for any technology facilitation under the proposed rule related to information collection activities. The recordkeeping requirement does not specify a particular technology or method of retaining the required information. The collection of information by third parties will occur via Safety Data Sheet.

5. The RESPONDENTS AND INFORMATION COLLECTION (IC) ACTIVITIES

For each respondent category, this section of the ICR describes the respondents, the information collection activities and related estimates for burden and costs associated with those activities.

5(a). Methodology for Estimating Respondent Burden and Costs

The collection specifies third party notification and recordkeeping requirements on persons who manufacturer, process, or distribute TCE. The North American Industrial Classification System (NAICS) codes associated with industries most likely affected by the paperwork requirements are described below:

314999 All Other Miscellaneous Textile Product Mills
 324110 Petroleum Refineries
 324191 Petroleum Lubricating Oil and Grease Manufacturing
 325110 Petrochemical Manufacturing
 325120 Industrial Gas Manufacturing
 325180 Other Basic Inorganic Chemical Manufacturing
 325199 All Other Basic Organic Chemical Manufacturing
 325211 Plastics Material and Resin Manufacturing
 325212 Synthetic Rubber Manufacturing
 325510 Paint and Coating Manufacturing
 325520 Adhesive Manufacturing
 325611 Soap and Other Detergent Manufacturing
 325612 Polish and Other Sanitation Good Manufacturing
 325998 All Other Miscellaneous Chemical Product and Preparation Manufacturing
 326113 Unlaminated Plastics Film and Sheet (except Packaging) Manufacturing
 326199 All Other Plastics Product Manufacturing
 326220 Rubber and Plastics Hoses and Belting Manufacturing
 326299 All Other Rubber Product Manufacturing
 327310 Cement Manufacturing
 327992 Ground or Treated Mineral and Earth Manufacturing
 331210 Iron and Steel Pipe and Tube Manufacturing from Purchased Steel
 331222 Steel Wire Drawing
 331420 Copper Rolling, Drawing, Extruding, and Alloying
 331491 Nonferrous Metal (except Copper and Aluminum) Rolling, Drawing, and Extruding
 331523 Nonferrous Metal Die-Casting Foundries
 332117 Powder Metallurgy Part Manufacturing
 332119 Metal Crown, Closure, and Other Metal Stamping (except Automotive)
 332216 Saw Blade and Hand Tool Manufacturing
 332321 Metal Window and Door Manufacturing
 332410 Power Boiler and Heat Exchanger Manufacturing
 332618 Other Fabricated Wire Product Manufacturing
 332710 Machine Shops
 332721 Precision Turned Product Manufacturing
 332722 Bolt, Nut, Screw, Rivet, and Washer Manufacturing
 332811 Metal Heat Treating
 332812 Metal Coating, Engraving (except Jewelry and Silverware), and Allied Services to Manufacturers
 332813 Electroplating, Plating, Polishing, Anodizing, and Coloring
 333132 Oil and Gas Field Machinery and Equipment Manufacturing
 333515 Cutting Tool and Machine Tool Accessory Manufacturing
 332994 Small Arms, Ordnance, and Ordnance Accessories Manufacturing
 333996 Fluid Power Pump and Motor Manufacturing
 332999 All Other Miscellaneous Fabricated Metal Product Manufacturing
 333132 Oil and Gas Field Machinery and Equipment Manufacturing
 333413 Industrial and Commercial Fan and Blower and Air Purification Equipment Manufacturing
 333515 Cutting Tool and Machine Tool Accessory Manufacturing
 333911 Pump and Pumping Equipment Manufacturing

333996	Fluid Power Pump and Motor Manufacturing
334511	Search, Detection, Navigation, Guidance, Aeronautical, and Nautical System and Instrument Manufacturing
334512	Automatic Environmental Control Manufacturing for Residential, Commercial, and Appliance Use
335312	Motor and Generator Manufacturing
335912	Primary Battery Manufacturing
335991	Carbon and Graphite Product Manufacturing
336340	Motor Vehicle Brake System Manufacturing
336411	Aircraft Manufacturing
336413	Other Aircraft Parts and Auxiliary Equipment Manufacturing
336414	Guided Missile and Space Vehicle Manufacturing
336611	Ship Building and Repairing
339114	Dental Equipment and Supplies Manufacturing
424690	Other Chemical and Allied Products Merchant Wholesalers
424710	Petroleum Bulk Stations and Terminals
562211	Hazardous Waste Treatment and Disposal
562213	Solid Waste Combustors and Incinerators

The rule requires that each person who manufactures TCE for any use must notify companies to whom TCE is shipped of the following prohibitions: (1) All persons are prohibited from manufacturing, processing, and distributing in commerce TCE in aerosol degreasers or for spot cleaning in dry cleaning facilities and (2) All persons are prohibited from commercial use of TCE in aerosol degreasers or for spot cleaning in dry cleaning facilities. Additionally, each person who manufactures, processes, or distributes TCE for any use would be required to retain records for 2 years showing: (1) The name, address, contact, and telephone number of companies to whom TCE was shipped, and (2) the chemicals included in the shipment, and the amount of each chemical shipped and (3) downstream notification.

Number of Entities Affected

EPA developed estimates for number of manufacturers and processors of TCE and TCE-containing products based on EPA's (EPA 2014) Public 2012 Chemical Data Reporting (CDR) data. There are an estimated 9 sites manufacturing or importing TCE and 87 sites processing or using the chemical for a total of 96 manufacturers and processors.

To estimate the number of wholesaler firms distributing products containing TCE, the ratio of the number of Chemical and Allied Products Merchant Wholesaler firms (NAICS 4246) to Basic Chemical Manufacturing firms (NAICS 3251) is applied to the number of manufacturers and processors of TCE:

$$\text{Ratio} = \frac{8,846 \text{ Chemical \& Allied Products Merchant Wholesaler firms}}{1,412 \text{ Basic Chemical Manufacturing firms}} = 6.26$$

$$\text{Wholesaler Firms of Products Containing TCE} = 96 \text{ Manufacturers \& Processors of TCE} \times 6.26 \text{ Ratio} = 601$$

The number of Chemical and Allied Products Merchant Wholesaler firms and the number of Basic Chemical Manufacturing firms are from the 2012 Statistics of U.S. Businesses (SUSB) data series for employer firms (U.S. Census Bureau 2012a,b). Note that this estimate is

conservative in that it includes all wholesalers of products containing TCE. Wholesalers that only distribute drycleaning spot removal agents and aerosol degreasers would no longer be permitted to distribute products containing TCE, and thus would not have recordkeeping costs under the proposed rule.

The total number of entities affected by the recordkeeping and reporting requirements of the rule, therefore, is estimated to be 697 (96 manufacturers and processors and 601 distributors). EPA was unable to estimate the potential for either new firms to enter the market which could affect this estimate over the time period of the ICR.

Rule Familiarization Burden

EPA assumes that each manufacturer (including importers), processor, and distributor of products that contain TCE is assumed to spend a half an hour (.5 hours) becoming familiar with the requirements of the rule and developing an understanding of what actions are necessary to comply with the downstream notification and recordkeeping requirements. This is estimated as a one-time burden. The burden is estimated to occur during the first year of the ICR only. To develop an estimate of average annual burden across the time period of the ICR, EPA divided the burden per response equally across the three years. Therefore, average burden per respondent for each year is calculated as $.5 \text{ hour} / 3 \text{ years} = .167 \text{ hours/year}$.

Third-Party Downstream Notification Burden

Downstream notification is considered a third-party notification. EPA estimates that downstream notification is accomplished through an annotation to an already existing chemical SDSs that each manufacturer, distributor, or importer provides to downstream users under the Hazard Communication Standard (HCS) (29 CFR 1910.1200). EPA estimates that it will require 1 hour of technical labor for each affected manufacturer, importer, and processor of TCE and TCE-containing products to make the necessary annotations to the SDSs. Once an SDS is annotated, the action would not need to be repeated, therefore, EPA estimates this as a one-time burden. However, this is a continuing requirement of the rule. Therefore, should new manufacturers, processors, or distributors of TCE or TCE-containing products or new TCE-containing products enter the market, respondents may realize future burden. EPA has no information to estimate the potential for new TCE-containing products or new respondents subject to the rule to enter the market over the time period of the ICR so the estimate is limited to a one-time burden for manufacturers, importers, and processors.

The burden is estimated to occur during the first year of the ICR only. To develop an estimate of average annual burden across the time period of the ICR, EPA divided the burden per response equally across the three years. Therefore, average burden per respondent for each year is calculated as $1 \text{ hour} / 3 \text{ years} = .33 \text{ hours/year}$.

Recordkeeping Burden

Manufactures, importers, processors, and distributors (not including consumer retailers) of products that contain TCE designed for uses that are not prohibited will also be required to retain company documentation of information showing: (1) The name, address, contact, and telephone number of companies to whom TCE was shipped; and (2) The amount of TCE shipped; and (3) downstream notification. Entities shipping either TCE itself (i.e., TCE manufacturers) or entities that added TCE to a product that they manufactured are expected to already be retaining the required records. EPA expects that this information would already be

included in invoices that already are retained for tax purposes (IRS, 2016a, IRS, 2016b). However, distributors of TCE-containing products may not know how much TCE is in each product they ship and may incur some additional time burden associated with determining this. While only certain of these distributors are expected to have incremental recordkeeping costs under the proposed rule, EPA makes the simplifying assumption that each wholesaler firm will spend one hour researching and recording the TCE concentration of the products they distribute.

Once a wholesaler becomes familiar with the amount of TCE in each product shipped, the action would not need to be repeated, therefore, EPA estimates this as a one-time burden. However, this is a continuing requirement of the rule. Therefore, should new distributors of TCE-containing products or new TCE-containing products enter the market, respondents may realize future burden. EPA has no information to estimate the potential for new TCE-containing products or new respondents subject to the rule to enter the market over the time period of the ICR so the estimate is limited to a one-time burden for distributors.

The burden is estimated to occur during the first year of the ICR only. To develop an estimate of average annual burden across the time period of the ICR, EPA divided the burden per response equally across the three years. Therefore, average burden per respondent for each year is calculated as $1 \text{ hour} / 3 \text{ years} = .33 \text{ hours/year}$.

Costs

EPA assumes no direct costs are associated with this collection. Labor costs are based on fully loaded wage rates. The estimated wage for manufacturers and processors is \$72.22. The estimated wage for distributors is \$44.53. More detail on the calculation of wage rates is presented in Appendix 2.

5(b). Information Collections

IC #1: TCE manufacturer downstream notification and recordkeeping activities

Respondent NAICS codes associated with industries most likely affected by the paperwork requirements are listed in section 5(a).

Information Collection Activities

The proposed rule imposes downstream notification requirements and limited recordkeeping requirements on persons who manufacture any TCE. Each person who manufactures TCE for any use must notify companies to whom TCE is shipped of the following prohibitions: (1) All persons are prohibited from manufacturing, processing, and distributing in commerce TCE in aerosol degreasers or for spot cleaning in dry cleaning facilities and (2) All persons are prohibited from commercial use of TCE in aerosol degreasers or for spot cleaning in dry cleaning facilities. Additionally, each person who manufactures TCE for any use would be required to retain records for 2 years showing: (1) The name, address, contact, and telephone number of companies to whom TCE was shipped, and (2) the chemicals included in the shipment, and the amount of each chemical shipped, and (3) downstream notification. In addition to the requirements, EPA also expects that each manufacturer (including importers), processor, and distributor of products that contain TCE will incur burden becoming familiar with the requirements of the rule and developing an understanding of what actions are necessary to comply with the downstream notification and recordkeeping requirements. Details on the

burden estimate calculations per activity are presented in section 5(a). The table below presents the estimated average annual burden for each activity and each respondent type.

IC# 1. TCE Manufacturers, Processors, Distributors Downstream Notification and Recordkeeping activities¹						
Activity/Respondent	Number of Respondents	Responses per Respondent	Total Responses	Burden per Response (hours)	Total Burden (hours)	Cost
Rule Familiarization						
TCE manufacturers	9	1	9	.167	1.5	\$108
TCE processors	87	1	87	.167	14.5	\$1,047
TCE distributors	601	1	601	.167	100	\$4,453
Downstream Notification						
TCE manufacturers	9	1	9	.33	3	\$217
TCE processors	87	1	87	.33	29	\$2,094
Recordkeeping						
TCE distributors	601	1	601	.33	200.5	\$8,928
Total Burden for all Activities by Respondent						
TCE Manufacturers	9	1	9	.5	4.5	\$325
TCE Distributors	87	1	87	.5	43.5	\$3,142
TCE Processors	601	1	601	.5	300.5	\$8,928
Total	697		697		348.5	\$16,848

¹Values may not calculate exactly due to rounding.

6. PRA Burden Statement

Under the PRA, burden is defined at [5 CFR 1320.3\(b\)](#). This is new, rule-related information collection. The total burden requested for this ICR is 348.5 hours per year. The total annual cost burden requested for this ICR is \$16,848. You may submit comments regarding the accuracy of the provided burden estimates and any suggested methods for minimizing respondent burden, including the use of automated collection techniques. Comments, referencing Docket ID No. EPA-HQ-OPPT-2016-0163 and OMB Control No. 2070-NEW (EPA ICR No. 2541.01), may be submitted to EPA electronically through <http://www.regulations.gov> and to OMB, addressed to “OMB Desk Officer for EPA” and referencing OMB Control No. 2070-NEW (EPA ICR No. 2541.01), via email to oir_submission@omb.eop.gov.

References

U.S. Census Bureau (2012a). 2012 Statistics of U.S. Businesses- Number of Firms, Number of Establishments, Employment, Annual Payroll, and Estimated Receipts by Enterprise Employment Size for the United States, All Industries: 2012.

U.S. Census Bureau (2012b). Geographic Areas Series: U.S. Nonemployer Statistics 2012.

U.S. Environmental Protection Agency (EPA) (2014a). Downloadable of the Non-Confidential Chemical Data Reporting (CDR) Database. Office of Pollution Prevention and Toxics.

U.S. Internal Revenue Service (IRS) (2016a). <https://www.irs.gov/Businesses/Small-Businesses-&Self-Employed/What-kind-of-records-should-I-keep>, accessed April 22, 2016.

U.S. Internal Revenue service (IRS) (2015). Publication 583. Starting a Business and Keeping Records. January 2015.

7. ATTACHMENTS TO THE SUPPORTING STATEMENT

Attachments to the supporting statement are available in the public docket established for this ICR under docket identification number **EPA-HQ-OPPT-2016-0163**. These attachments are available for online viewing at www.regulations.gov or otherwise accessed as described in the following listing.

Attachment 1: Calculation of Wage Rates

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Calculation of Wage Rates

The calculation of the wage rate uses base wage data for each sector and labor type for an *Unloaded wage rate* (hourly wage rate) and calculates the *Loaded wage rate* (unloaded wage rate + benefits) and the *Fully loaded wage rate* (loaded wage rate + overhead+Fringe) based on that data. These calculations and the data sources are presented below.

Technical Wage for Downstream Notification- Manufacturers and Processors

Labor Category	Data Sources	Date	Wage ¹	Fringes as % Wage ¹	Over-head % wage ²	Fringe + Overhead Factor	Loaded Wages
Professional / Technical	Private Manufacturing industries, "Professional and related"	Dec-14	\$42.19	54%	17%	1.71	\$72.22

¹ Employer Costs for Employee Compensation Supplementary Tables: December 2006 – December 2014 (BLS 2015c).
² An overhead rate of 17% is used based on assumptions in Wage Rates for Economic Analysis of the Toxics Release Inventory Program (Rice 2002), and the Revised Economic Analysis for the Amended Inventory Update Rule: Final Report (EPA 2002).

Manager Rate for Recordkeeping - Wholesaler

Industry	Labor Type ¹	Wage ¹	Fringes as % Wage ²	Overhead % Wage ³	Fringe + Overhead Factor	Loaded Wages
		a	b	c	d = b + c + 1	a · d
Wholesaler	Manager	\$27.83	43%	17%	1.60	\$44.53

¹ OES: (43-1011), Chemical and Allied Products Merchant Wholesalers (Sector 425600): First-Line Supervisors of Office and Administrative Support Workers (BLS 2014).
² ECEC: Office and administrative support: wholesale trade industries (BLS 2015c).
³ An overhead rate of 17% is used based on assumptions in Wage Rates for Economic Analysis of the Toxics Release Inventory Program (Rice 2002) and the Revised Economic Analysis for the Amended Inventory Update Rule: Final Report (EPA 2001).

References

Bureau of Labor Statistics (BLS). (2014). "May 2014 National Industry-Specific Occupational Employment and Wage Estimates: NAICS 424600 - Chemical and Allied Products Merchant Wholesalers." Occupational Employment Statistics, 2016, from http://www.bls.gov/oes/current/naics4_424600.htm.

Rice, C. (2002). Wage Rates for Economic Analysis of the Toxics Release Inventory Program. Office of Environmental Information: U.S. Environmental Protection Agency.

U.S Environmental Protection Agency (EPA) (2002). Economic Analysis for the Amended Inventory Update Rule: Final Report. Washington, DC, Office of Pollution Prevention and Toxics, Economic and Policy Analysis Branch.