

From: [Weir, Harlan](#)
To: [\[Representative Respondent\]](#)
Cc: [Passe, Loraine](#); [Vendinello, Lynn](#); [Reese, Recie](#)
Subject: Toxic Substances Control Act (TSCA) Section 12(b) Export Notification Information Collection Request (ICR) Consultation (EPA ICR No. 0795.16, OMB Control No. 2070-0030)
Date: Thursday, March 12, 2020 4:43:00 PM

Good Afternoon:

I am contacting you to solicit your input on the renewal of the Information Collection Request (ICR) to obtain information pursuant to the Toxic Substances Control Act (TSCA) section 12(b) export notification requirements.

The existing ICR for the TSCA section 12(b) export notification expires on November 30, 2020 and will need to be renewed. Entitled, "Notification of Chemical Exports – TSCA Section 12(b)," it is identified by OMB Control No. 2070-0030. 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 March 12, 2020 (85 FR 14478). See <http://www.regulations.gov/>, docket ID EPA-HQ-OPPT-2015-0435-0016, and the ICR supporting statement for this renewal located in that docket for additional information.

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 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.

TSCA section 12(b) requires any person who exports or intends to export a chemical substance or mixture that is regulated under TSCA sections 4, 5, 6 and/or 7 to notify EPA of such export or intent to export. EPA uses the information obtained from the submitter via this collection to inform the government of the importing country of the export. This requirement is described in more detail in the Code of Federal Regulations (CFR) at [40 CFR part 707, subpart D](#). There is a decrease of 1,098 hours in the total estimated respondent burden compared with that identified in the ICR currently approved by OMB. This decrease reflects a net change with a large decrease in burden due to the anticipated use of e-reporting and a small increase in burden due to a greater number of submissions.

EPA solicits your input on the following 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. BURDEN COST ANALYSIS

(a) Do you agree with EPA's estimated burden and costs related to submitting information?

(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.

Please note that if you take this opportunity to provide input, your name, affiliation, phone number, and any information that you provide 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 reinstatement to verify the accuracy of any comments as reported in the ICR by EPA. To provide input on this ICR, please respond to this email by May 11, 2020 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.

Your timely response to the questions will be greatly appreciated. Thank you in advance for your assistance.

Sincerely,

Harlan Weir
Chemical Control Division
Office of Pollution Prevention and Toxics
Office of Chemical Safety and Pollution Prevention
Environmental Protection Agency
(202) 564-9885

Note: These comments were submitted to the public docket and are provided as Attachment 3 to the ICR.

From: [Weir, Harlan](#)
To: [Derek Swick](#)
Cc: [Passe, Loraine](#); [Vendinello, Lynn](#); [Reese, Recie](#)
Subject: RE: Toxic Substances Control Act (TSCA) Section 12(b) Export Notification Information Collection Request (ICR) Consultation (EPA ICR No. 0795.16, OMB Control No. 2070-0030)
Date: Friday, May 08, 2020 12:53:00 PM

Mr. Swick,

Thank you very much for the comments.

Best regards and health,

Harlan Weir
Chemical Control Division
Office of Pollution Prevention and Toxics
Office of Chemical Safety and Pollution Prevention
Environmental Protection Agency
(202) 564-9885

From: Derek Swick <swickd@api.org>
Sent: Friday, May 08, 2020 9:22 AM
To: Weir, Harlan <weir.harlan@epa.gov>
Cc: Passe, Loraine <Passe.Lorraine@epa.gov>; Vendinello, Lynn <Vendinello.Lynn@epa.gov>; Reese, Recie <Reese.Recie@epa.gov>; Derek Swick <swickd@api.org>
Subject: RE: Toxic Substances Control Act (TSCA) Section 12(b) Export Notification Information Collection Request (ICR) Consultation (EPA ICR No. 0795.16, OMB Control No. 2070-0030)

Dear Mr. Weir:

Greetings. Please see attached API comments on the TSCA 12(b) ICR. Please feel free to contact me with any questions.

Very best regards and health,

Derek Swick
API

Derek D. Swick, PHD

Manager | Downstream Policy
American Petroleum Institute | 200 Massachusetts Ave NW | Washington, DC 20001

202.682.8341

swickd@api.org

www.api.org