

**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: Regulation of Persistent, Bioaccumulative, and Toxic Chemicals under TSCA Section 6(h) (Final Rule; RINs 2070-AK34, 2070-AK58, 2070-AK59, 2070-AK60, and 2070-AK61)

ICR Numbers: EPA ICR No.: 2599.02; OMB Control No.: 2070-0213.

EPA Form Numbers: No required forms for ICR activities

Docket ID Number: EPA-HQ-OPPT-2019-0080.

1(b). Docket Information

The information collection request (ICR) that explains the information collection activities 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 five final rulemakings. 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(a). Abstract

The Environmental Protection Agency (EPA) is finalizing five rules under section 6(h) of the Toxic Substances Control Act (TSCA) concerning prohibitions and restrictions on four chemical substances. These chemical substances are decabromodiphenyl ether (decaBDE) (Chemical

Abstract Services Number (CASRN) 1163-19-5), phenol, isopropylated phosphate (3:1) (PIP (3:1)) (CASRN 68937-41-7), 2,4,6-tris(tert-butyl)phenol (2,4,6-TTBP) (CASRN 732-26-3), pentachlorothiophenol (PCTP) (CASRN 133-49-3), and hexachlorobutadiene (HCBD) (CASRN 87-68-3). Because the PBT requirements were proposed as one rule, for full transparency EPA has developed this ICR that includes the total PRA burden for all five chemicals.

The final rule for decaBDE prohibits the manufacture (including import) and processing of decaBDE, and products and articles to which decaBDE has been added, effective 60 days after publication of the rule, and distribution in commerce of decaBDE and products and articles to which decaBDE has been added, one year after the effective date of the rule.

Different compliance dates or exclusions from this prohibition include:

- Eighteen months for any manufacture, processing and distribution in commerce of decaBDE for use in curtains in the hospitality industry, and the curtains to which decaBDE has been added.
- Two years for any processing and distribution in commerce of decaBDE for use in wire and cable insulation in nuclear power generation facilities, and the decaBDE-containing wire and cable insulation.
- Three years for manufacture, processing and distribution in commerce of decaBDE for use in parts installed in and sold as part of new aerospace vehicles, and the parts to which decaBDE has been added for such vehicles. After the end of their service life for import, processing, and distribution in commerce of aerospace vehicles manufactured by 3 years after the date of publication of the rule that contain decaBDE in any part. After the end of their service life for manufacture, processing, and distribution in commerce of decaBDE for use in replacement parts for aerospace vehicles, and the replacement parts to which decaBDE has been added for such vehicles.
- After the end of their service life, or 2036, whichever is earlier, for manufacture, processing, and distribution in commerce of decaBDE for use in replacement parts for motor vehicles, and the replacement parts to which decaBDE has been added for such vehicles.
- After the end of their service life, for processing and distribution in commerce for plastic shipping pallets manufactured prior to the publication date of the rule that contain decaBDE.

Exclusions to the prohibition are:

- Processing and distribution in commerce for recycling of decaBDE-containing plastic products and articles (*i.e.*, the plastic to be recycled is from articles and products that were originally made with decaBDE), and for decaBDE-containing products or articles made from such recycled plastic, where no new decaBDE is added during the recycling or production process.

Each person who manufactures, processes, or distributes in commerce decaBDE, or decaBDE-containing products or articles, must maintain for three years from the date the record is generated, ordinary business records related to compliance the rule that include the name and purchaser and list the products or articles. This recordkeeping requirement does not apply to the processing and distribution in commerce for recycling of plastic that contains decaBDE, and processing and distribution of those products and articles containing decaBDE from recycled plastic, and plastic shipping pallets, that are excluded from the rule. These

records must include a statement that the decaBDE, or the decaBDE containing products and articles, are in compliance with 40 CFR section 751.405(a) and be made available to EPA within 30 calendar days upon request.

The final rule for PIP (3:1) prohibits processing and distribution in commerce of PIP (3:1), including in PIP (3:1)-containing products or articles except for the following:

- Processing and distribution in commerce for use in hydraulic fluids either for the aviation industry or to meet military specifications for safety and performance where no alternative chemical is available that meets U.S. Department of Defense specification requirements;
- Processing and distribution in commerce for use in lubricants and greases;
- Processing and distribution in commerce for use in new and replacement parts for the automotive and aerospace industry, and the distribution in commerce of the parts to which PIP (3:1) has been added;
- Processing and distribution in commerce for use as an intermediate in a closed system to produce cyanoacrylate adhesives;
- Processing and distribution in commerce for use as an adhesive and sealant until four years after the publication of this final rule;
- Processing and distribution in commerce for use in specialized engine filters for locomotive and marine applications;
- Processing for recycling and distribution in commerce for the recycling of PIP (3:1) containing plastic that has no new PIP (3:1) added during the recycling process;
- Processing and distribution in commerce of articles and products made from recycled PIP (3:1) containing plastic that has no new PIP (3:1) added during the recycling process or to the articles and products made from the recycled plastic.
- Processing and distribution in commerce for use in PIP (3:1)-containing photographic printing articles after January 1, 2022

This final rule also prohibits releases to water for the ongoing processing, distribution in commerce, and commercial uses that are permitted to occur, as outlined in the preceding bullets.

Persons manufacturing, processing, and distributing in commerce PIP (3:1) or PIP (3:1)-containing products for any use must, prior to or concurrent with the shipment, notify their companies to whom PIP (3:1) is shipped, in writing, of these prohibitions on processing and distribution, and the prohibition on releases to water. This notification must occur by inserting specific text, as provided in the rule, in the Safety Data Sheet (SDS) or labeling.

Furthermore, persons who manufacture, process, or distribute in commerce PIP (3:1), or PIP (3:1)-containing products or articles (except as excluded from the rule requirements) must maintain ordinary business records, such as invoices and bills-of-lading, related to compliance with the prohibitions, restrictions, and other provisions of this section. These records must be maintained for a period of three years from the date the record is generated, and must include a statement that the PIP (3:1), or the PIP (3:1)-containing products or articles, are in compliance with 40 CFR section 751.407(a). These records must be made available to EPA within 30 calendar days upon request. This recordkeeping requirement does not apply to the

processing and distribution in commerce for recycling of plastic that contains PIP (3:1), and processing and distribution of those products and articles containing PIP (3:1) from recycled plastic, that are excluded from the rule.

The final rule for 2,4,6-TTBP prohibits the distribution in commerce of 2,4,6-TTBP and products containing 2,4,6-TTBP at concentrations above 0.3% in any container with a volume of less than 35 gallons for any use. In addition, the processing and distribution in commerce of 2,4,6-TTBP, and products containing 2,4,6-TTBP, at any concentration above 0.3% by weight, for use as an oil or lubricant additive is prohibited regardless of container size. These prohibitions on processing and distribution in commerce will take effect five years after the publication date of the final rule. Distributors of 2,4,6-TTBP are required to keep for three years ordinary business records, such as invoices and bills-of-lading, that are related to compliance with the prohibitions, restrictions, and other provisions of the rule.

The final rule for PCTP prohibits all manufacturing (including import) and processing of PCTP and PCTP-containing products or articles, unless PCTP concentrations are at or below 1% by weight, 60 days after publication in the Federal Register. One year after publication in the Federal Register, all persons are prohibited from all distribution in commerce of PCTP or PCTP-containing products or articles, unless PCTP concentrations are at or below 1% by weight. In addition, 60 days after the date of the publication of the rule, manufacturers, processors, and distributors of PCTP and PCTP-containing products or articles must maintain ordinary business records related to compliance with the prohibitions, restrictions, and other provisions of the rule, such as invoices and bills-of lading. These records must be maintained for a period of three years from the date the record is generated.

The final rule for HCBP prohibits all manufacturing (including import), processing, and distribution in commerce of HCBP and HCBP-containing products or articles, except for the unintentional production of HCBP as a byproduct in the production of chlorinated solvents, and the processing and distribution in commerce of HCBP for burning as a waste fuel. Manufacturers, processors, and distributors of HCBP are required to keep for three years ordinary business records, such as invoices and bills-of-lading, that are related to compliance with the prohibitions, restrictions, and other provisions of the rule.

EPA is finalizing these rules under section 6(h) of TSCA, which requires expedited action under TSCA section 6(a) for PBT chemicals that meet certain statutory criteria and human and environmental exposure to which is likely. The statute requires EPA to issue a proposed rule by June 22, 2019, and a final rule no later than 18 months after the proposal.

The portions of the final rules that trigger this Information Collection Request (ICR) consist of a downstream notification of the prohibitions in the rule for PIP (3:1) and a recordkeeping requirement for all five PBT chemicals to be regulated.

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

Respondents/affected entities: Entities potentially affected by this ICR include persons that manufacture, process, or distribute in commerce decaBDE, PIP (3:1), 2,4,6-TTBP, PCTP, HCBD, or products or articles containing these chemicals.

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

Confidentiality of responses: Not applicable. No information is submitted to EPA.11

Estimated total number of potential respondents: 102

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

Estimated total annual burden: 88 hours. Burden is defined at 5 CFR 1320.3(b).

Estimated total annual labor costs: \$6,920

Changes in the estimates: Not applicable. This is a request for a new OMB Control Number.

2. NECESSITY OF THE INFORMATION COLLECTION

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

TSCA – Section 6(h) of TSCA (15 U.S.C. § 2605(h)) directs EPA to take action under section 6(a) on certain PBT chemical substances. Under section 6(h), EPA must address risks and reduce exposure to these PBT chemicals to the extent practicable. Section 6(a) authorizes EPA to:

- (1) Prohibit or limit manufacture, processing, or distribution in commerce;
- (2) Prohibit or limit 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 final rules' provisions are described in the previous section.

2(b). Necessity of the Information Collection

The information collection activities covered by this ICR are necessary in order to enhance the exposure reductions that are directed by section 6(h).

Without the downstream notification requirement for PIP (3:1), there is a greater likelihood that non-prohibited uses of PIP (3:1) could be diverted to the prohibited use and that users would be buying materials that they do not realize contain PIP (3:1) because they would not be aware of the prohibitions. This could result in inadequate exposure reductions. In order to ensure awareness of the prohibitions and improve the likelihood PIP (3:1) and products or articles containing PIP (3:1) are not used in applications where its use is prohibited under the final rule, the manufacturers, importers, processors, and distributors of products or articles that contain PIP (3:1) 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 rules.

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 final rule for PIP (3:1), manufacturers, processors, and distributors of PIP (3:1) must notify companies downstream upon shipment of PIP (3:1) about the prohibited use under the final rule. The information submitted to downstream companies would provide knowledge and awareness of the prohibited use to these companies.

The regulated entities must also compile and retain records that are necessary as a reference for EPA or authorized entities. These records demonstrate that the entities throughout the PIP (3:1) supply chain are aware of the prohibitions and that companies upstream can show what entities they supply to and therefore what entities they need to notify of the prohibitions. The records compiled and maintained by the regulated entities must also relate to compliance with the use restrictions and distribution requirements for all five of the chemical substances subject to the rules. These recordkeeping requirements are 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

EPA's collection pursuant to the 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 final rules.

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

EPA developed the proposed Regulation of Persistent, Bioaccumulative, and Toxic Chemicals and published it in the Federal Register for public comment (84 FR 36728, July 29, 2019). The proposed rulemaking served as the public notice for this ICR amendment, which is available in the public docket. Interested parties were directed to submit comments referencing Docket ID No. EPA-HQ-OPPT-2019-0080. The final rule, Economic Analysis, and ICR were developed with consideration of comments received from the public in response to the notice of proposed rulemaking. EPA has developed a Response to Comments document that summarizes the comments received and EPA's responses that were not included and responded to in the preamble. This document is available in the docket for the rulemaking (EPA-HQ-OPPT-2019-0080). There were no comments directly related to the ICR or ICR burden estimations. A summary of the comments received related to the recordkeeping and downstream notification requirements, and EPA's responses, are provided below.

Recordkeeping (General)

Several commenters requested that the recordkeeping retention period be extended to five years to align with the general statute of limitations, with one noting that this would be consistent with some other EPA regulations. Other commenters supported the proposed three-year retention period. EPA disagrees with those commenters who thought the record retention period should be extended to five years. EPA believes that three years of records is sufficient for EPA to be able to monitor compliance and is consistent with other EPA regulations such as the Formaldehyde Emission Standards for Composite Wood Products rule (40 CFR part 770). Under the Paperwork Reduction Act (44 U.S.C. 3501, et seq.), OMB will generally not approve a collection of information requiring respondents to retain records (other than health, medical, government contract, grant-in-aid, or tax records) for more than three years unless the agency is able to demonstrate, in its submission for OMB clearance, that such characteristic of the collection of information is necessary to satisfy statutory requirements or other substantial need (5 CFR 1320.5(d)(2)(iv)). EPA does not believe that reference to the general five-year statute of limitations for civil penalty enforcement actions (28 U.S.C. 2842) is sufficient to demonstrate a substantial need for an additional two years of recordkeeping for these specific regulations.

Several commenters asked EPA to clarify what records would have to be kept to demonstrate compliance with the regulations. Several commenters noted that ordinary business records such as invoices and bills-of-lading may not contain information that would identify an article as containing decaBDE, PIP (3:1), or PCTP. Another commenter recommended that EPA let regulated entities adjust their compliance demonstrations depending on their industry and supply chains. The commenter noted that ordinary business records may not truly demonstrate compliance, and a bill of lading stating the absence or presence of a PBT may be burdensome for some complex supply chains. In general, these TSCA section 6(h) final rules require the retention of ordinary business records related to compliance with the applicable prohibitions and restrictions. There are a variety of methods of demonstrating compliance, including obtaining a statement from a supplier that the goods being furnished do not contain the PBT chemical, e.g., decaBDE in articles, or in other cases, that the good contains permissible content of the PBT chemical, e.g., no greater than 1% PCTP in products or articles. With such a statement in hand, individual records per shipment would not necessarily have to contain a

statement of compliance. It is EPA's intention that regulated entities figure out what works best for their business and their supply chain. With respect to records relating to compliance with the release to water prohibition, the priority is that records demonstrate an entity has notified its downstream supply chain of the restriction on releases to water. To the extent that regulated entities have relevant records that they are keeping for other programs, such as programs under the Clean Water Act or RCRA, these records may be related to compliance with the TSCA section 6(h) regulations.

One commenter stated that they believed if an industry was exempt from a particular use for one of the PBTs, the reporting and recordkeeping would not apply. As explained in the Response to Comments document, only the recycling and disposal industries are excluded from the recordkeeping requirements, as well as those entities which are excluded from the rule as a whole. Other industries with specific exclusions, such as exclusions for replacement parts for automobiles, must keep records to ensure compliance with any relevant conditions applicable. EPA believes that these records will assist EPA in monitoring compliance with the specific exclusion.

Recordkeeping (DecaBDE)

Several commenters supported the exemption from the recordkeeping requirement for recycling and recycled products, as long as no new decaBDE was added. One commenter stated that EPA failed to explain why it proposed recycling to be exempt from the recordkeeping requirement, when annual reports or other business records could provide the public with exposure information due to recycling. In EPA's view, the recordkeeping requirement is meant to ensure compliance with the prohibition. EPA believes it would be overly burdensome and not practicable to impose restrictions on the recycling of plastics that may contain decaBDE, or on the use of recycled plastic in plastic articles, because the decaBDE is typically present in such articles at low levels, and with this final action prohibiting decaBDE except for a few uses concentrations of decaBDE are expected to decline.

One commenter requested EPA extend that provision for disposal activities. EPA clarifies that disposal of any chemical substance, or products and articles that contain the chemical substance, including importation, processing and distribution-in-commerce for purposes of disposal are excluded from the PBT rules, as detailed in 40 CFR § 751.401.

One commenter requested EPA clarify how the regulation would affect existing shipping pallets that contained decaBDE not from recycled plastic manufactured prior to the effective date of the final rule, and if those articles were also exempt from the recordkeeping requirement. EPA is allowing the existing pallets made with decaBDE not from recycled plastic to be distributed in commerce through their service lives and be exempted from the recordkeeping requirement.

EPA requested comment on whether it should impose recordkeeping requirements like a minimum statement for articles that do not contain decaBDE. Two commenters did not support this proposal because declarations of negative tracking would be extremely burdensome for distributors who would not know if their articles contained decaBDE, or for complex supply chains with billions of parts. EPA did consider this alternative, but did not finalize that option.

Recordkeeping (PIP (3:1))

One commenter noted that recordkeeping requirements for products or articles to which PIP (3:1) has been added would impose unnecessary and burdensome requirements on the aerospace industry. As recordkeeping would consist of ordinary business records retained for three years beginning 60 days after publication of the final rule, EPA disagrees with the commenter and believes that it is not burdensome to require them given that these are ordinary business records.

One commenter suggested that EPA should revise the recordkeeping requirements to reflect that importers typically do not generate records demonstrating the absence of the regulated chemicals in products or articles in the ordinary course of business. EPA disagrees with commenter. The retailer must make and retain records for PIP (3:1) and PIP (3:1)-containing products or articles that they may sell when PIP (3:1) is present in the product or article, except for those articles made from recycled plastics where no new PIP (3:1) has been added.

Downstream Notification (PIP (3:1))

One commenter observed that EPA proposed a downstream notification requirement only for PIP (3:1), even though uses of the other PBTs would continue. The commenter recommended that EPA require downstream notification for the ongoing uses of the other four PBTs EPA disagrees with the commenter and is requiring downstream notification only for PIP (3:1). A primary purpose of the downstream notification requirement for PIP (3:1) is to communicate the prohibition on releases to water, a prohibition specific to PIP (3:1) for the reasons described in the Response to Comments document.

One commenter suggested that the regulatory language be revised to indicate that the downstream notification requirement applies only when PIP (3:1) is known to be in the product (which would be the case if the upstream supplier has provided the required notification). Another recommended the requirement be modified to only the original manufacturer or importer. As stated in the Response to Comments document, EPA acknowledges that distributors typically do not author SDS. Safety data sheets (SDS) must be provided by the manufacturer, formulator or the distributor of PIP (3:1) and PIP (3:1)-containing products to the next downstream customer. Any business which manufactures (including imports), processes, or distributes PIP (3:1) or PIP (3:1)-containing products must have SDS available for PIP (3:1) and PIP (3:1)-containing products, and those SDS must accompany downstream sales.

Additionally, in response to comments requesting flexibility in the method of downstream notification, the final rule identifies labeling which may be used as an alternative method of compliance with the downstream notification requirement.

Numerous commenters requested clarification on various aspects of downstream notification. In the final rule, EPA clarifies the downstream notification requirement applies only to PIP (3:1) and PIP (3:1)-containing products which would normally be accompanied by an SDS, and manufacturers, processors, and distributors of those products may choose labeling as an alternate method of compliance. Additionally, SDS must be provided by the manufacturer,

processor or the distributor for each PIP (3:1) and PIP (3:1)-containing product provided to the next downstream customer.

Two commenters suggested that 60 days is not enough time for documentation on PIP (3:1) uses to be circulated in the supply chain. At least 180 days is needed. To allow time for this change to make its way through the supply chain, in the final rule EPA delays the implementation of the downstream notification requirement for processors and distributors to 180 days from the publication of the final rule.

3(c). Consultations

In September 2017, EPA held a public meeting via webinar on TSCA section 6(h) and the five chemical substances that EPA had preliminarily determined met the statutory criteria (with the exception of the exposure criterion). In November 2017, EPA participated in a roundtable discussion with small businesses hosted by the Small Business Administration.

EPA also met with state and local officials early in the process of developing the action. In October 2017, EPA made a presentation on TSCA section 6(h) and the five chemical substances to state and local government officials participating in a regularly-scheduled quarterly conference call on TSCA topics.

EPA also consulted with tribal officials during the development of this action. EPA consulted with representatives of Tribes via teleconference on August 31, 2018, and September 6, 2018, concerning the prospective regulation of the five identified PBT chemicals under TSCA section 6(h). Tribal members were encouraged to provide additional comments after the conference, and EPA received two comments. EPA also met with the National Tribal Toxics Council (NTTC) in Washington, DC and via teleconference. During the NTTC meeting, EPA provided background information on the available regulatory options under 6(a) and a summary of the information gathered on the five PBT chemicals. Officials from NTTC expressed support for EPA regulations to reduce exposures to the general population and susceptible subpopulations. Information pertaining to the tribal consultations can be found in the public docket (Docket EPA-HQ-OPPT-2019-0080).

3(d). Effects of Less Frequent Collection

Due to the nature of the triggering events that initiate information collection activities under the final rules, less frequent collection is not feasible. The final rules only include 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 final rules have 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. Records that would be required by these final rules would have to be maintained for three 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 final rules. 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 Agency 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 final rules. 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 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

This ICR specifies 5 chemical specific information collections (ICs) for the paperwork requirements on persons who manufacturer, process, or distribute the five chemicals subject to the final rules. 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. The general activities and methodology for estimating the burden and cost of the paperwork requirements for final rules is as follows, as does a

chemical-specific IC discussion which specifies the instances in which the paperwork requirements apply and presents chemical-specific burden and labor cost estimates.

Rule Familiarization Burden

EPA assumes that each manufacturer (including importers), processor, and distributor of products or articles that contain the regulated chemicals will spend a half an hour (0.5 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. EPA conservatively assumes that this is an annually recurring cost, to account for staff turnover and other changes at the company which may require a regularly updated understanding of rule requirements.

Downstream Notification Burden

Downstream notification is considered a third-party notification. EPA estimates that downstream notification is accomplished through an annotation to already existing chemical SDSs that each manufacturer, distributor, or importer provides to downstream users under the Hazard Communication Standard (HCS) (29 CFR 1910.1200). The activity only needs to be performed one time, and is estimated require 1 hour of technical labor in the 1st year of the requested 3-year ICR approval period. EPA annualizes this per-respondent burden estimate for the sake of distributing the one-time event over the course of the requested 3-year ICR approval period.

Recordkeeping Burden

Under the final rules, manufacturers (including importers), processors, and distributors of the chemicals subject to the rule must maintain, for a period of three years from the date the record is generated, ordinary business records, such as bills of lading, invoices, or comparable documents related to compliance with this rule.

Firms are likely to keep these records as part of their customary business practices. For example, the Internal Revenue Service recommends that firms keep invoices in order to document their assets, expenses, gross receipts, and purchases (U.S. Internal Revenue Service 2015). This provision is intended to be general in nature and not impose additional recordkeeping obligations on subject companies that exceed the needs of normal business operations.

For decaBDE and PIP (3:1), the final rules also require that records must include a statement that the decaBDE- or PIP (3:1)-containing products or articles are in compliance with the relevant rule requirements, and that these records must be made available to EPA within 30 calendar days upon request. EPA assumes that it will take approximately 1 hour of technical time for each affected company to develop the language for the statement, and to insert this statement into the record development and keeping process that is currently in place (for example, to reformat documents). EPA assumes this process will only be incurred once per company, during the first year of the rule analysis period. EPA annualizes this per-respondent

burden estimate for the sake of distributing the one-time event over the course of the requested 3-year ICR approval period.

Costs

EPA assumes no direct costs are associated with this collection. Labor costs are based on fully loaded wage rates. The estimated professional wage rate for manufacturers (including importers), processors and distributors is \$78.63, which was estimated as shown in Table 5-1.

Labor Category	Data Sources	Date	Wage1	Fringes as % Wage ¹	Over-head % wage ²	Fringe + Overhead Factor	Loaded Wages
Professional / Technical	BLS ECEC, Private Manufacturing industries, "Professional and related"	18-Sept	\$46.60	52%	17%	1.69	\$78.63

Source(s):
¹ Employer Costs for Employee Compensation Supplementary Tables: Sept 2018 (BLS 2018)
Note(s):
² An overhead rate of 17% is used based on assumptions in Wage Rates for Economic Analysis of the Toxics Release Inventory Program (Rice, C. 2002)
 Values in table may not sum due to rounding

5(a). Information Collection (IC) for Decabromodiphenyl ether (DecaBDE) (CASRN 1163-19-5)

5(a)(i). Respondents

NAICS Codes

The North American Industrial Classification System (NAICS) codes associated with industries most likely affected by the paperwork requirements under the final rule for decaBDE are:

- Nuclear Electric Power Generation (NAICS Code 221113);
- Power and Communication Line and Related Structures Construction (NAICS Code 237130);
- Nonwoven Fabric Mills (NAICS Code 313230);
- Fabric Coating Mills (NAICS Code 313320);
- All Other Basic Organic Chemical Manufacturing (NAICS Code 325199);
- Paint and Coating Manufacturing (NAICS Code 325510);
- Custom Compounding of Purchased Resins (NAICS Code 325991);
- All Other Miscellaneous Chemical Product and Preparation Manufacturing (NAICS Code 325998);
- Unlaminated Plastics Film and Sheet (except Packaging) Manufacturing (NAICS Code 326113);
- Laminated Plastics Plate, Sheet (except Packaging), and Shape Manufacturing (NAICS Code 326130);
- Urethane and Other Foam Product (except Polystyrene) Manufacturing (NAICS Code 326150);

- All Other Plastics Product Manufacturing (NAICS Code 326199);
- Copper Rolling, Drawing, Extruding, and Alloying (NAICS Code 331420);
- Computer and Peripheral Equipment Manufacturing (NAICS Code 3341);
- Radio and Television Broadcasting and Wireless Communications Equipment Manufacturing (NAICS Code 334220);
- Other Communications Equipment Manufacturing (NAICS Code 334290);
- Audio and Video Equipment Manufacturing (NAICS Code 334310);
- Other Communication and Energy Wire Manufacturing (NAICS Code 335929);
- Current-Carrying Wiring Device Manufacturing (NAICS Code 335931);
- Motor Vehicle Manufacturing (NAICS Code 3361), e.g., automobile, aircraft, ship, and boat manufacturers and motor vehicle parts manufacturers;
- Other Motor Vehicle Parts Manufacturing (NAICS Code 336390);
- Aircraft Manufacturing (NAICS Code 336411);
- Guided Missile and Space Vehicle Manufacturing (NAICS Code 336414);
- Surgical Appliance and Supplies Manufacturing (NAICS Code 339113);
- Doll, Toy, and Game Manufacturing (NAICS Code 33993);
- Automobile and Other Motor Vehicle Merchant Wholesalers (NAICS Code 423110);
- Motor Vehicle Supplies and New Parts Merchant Wholesalers (NAICS Code 423120);
- Hotel Equipment and Supplies (except Furniture) Merchant Wholesalers (NAICS Code 423440);
- Household Appliances, Electric Housewares, and Consumer Electronics Merchant Wholesalers (NAICS Code 423620);
- Sporting and Recreational Goods and Supplies Merchant Wholesalers (NAICS Code 423910);
- Toy and Hobby Goods and Supplies Merchant Wholesalers (NAICS Code 423920);
- Other Chemical and Allied Products Merchant Wholesalers (NAICS Code 424690);
- New Car Dealers (NAICS Code 441110);
- Boat Dealers (NAICS Code 441222);
- Automotive Parts and Accessories Stores (NAICS Code 441310);
- Furniture Stores (NAICS Code 442110);
- Household Appliance Stores (NAICS Code 443141);
- Electronics Stores (NAICS Code 443142);
- All Other Home Furnishing Stores (NAICS Code 442299);
- Children's and Infant's Clothing Stores (NAICS Code 448130);
- Hobby, Toy, and Game Stores (NAICS Code 451120)
- General Merchandise Stores (NAICS Code 452);
- Electronic Shopping and Mail-Order Houses (NAICS Code 454110);
- Aircraft Maintenance and Repair Services (NAICS Code 488190);
- Traveler Accommodations (NAICS Code 7211);
- General Automotive Repair (NAICS Code 811111).

Estimated Number of Potential Respondents

EPA developed estimates for number of affected manufacturers (including importers), processors, and distributors, based on EPA's Public 2016 Chemical Data Reporting (CDR) data (EPA 2017) and EPA's 2017 Toxics Release Inventory Program dataset (EPA 2018). EPA estimates that 46 respondents will be subject to the paperwork requirements of the final

rule for decaBDE. Details about this estimation can be found in the economic analysis for the final rule (Docket ID No. EPA-HQ-OPPT-2019-0080).

5(a)(ii). Information Collection Activities

Activities and Data Items

- Rule Familiarization

Each manufacturer (including importers), processor, and distributor of decaBDE and decaBDE-containing products or articles will read the final rule to become familiar with the new requirements and developing an understanding of what actions are necessary to comply with the downstream notification and recordkeeping requirements.

- Recordkeeping

The final rule requires that manufacturers (including importers), processors and distributors of decaBDE and decaBDE-containing products or articles not excepted by the rule will maintain, for a period of three years from the date the record is generated, ordinary business records, such as bills of lading, invoices, or comparable documents related to compliance with this rule. These records must include a statement that the decaBDE-containing products or articles are in compliance with 40 CFR § 751.405(a), and these records must be made available to EPA within 30 calendar days upon request.

Firms are likely to keep these records as part of their customary business practices. For example, the Internal Revenue Service recommends that firms keep invoices in order to document their assets, expenses, gross receipts, and purchases (U.S. Internal Revenue Service 2015). The required statement need not be included on every business record, such as every invoice or bill of lading, although regulated entities may choose to reformat their documents to include the statement. Importers of replacement automobile parts that contain decaBDE who, for example, import from the same suppliers over and over, need only have a single statement for each part or each supplier. EPA assumes that it will take approximately 1 hour of technical time for each affected company to develop the language for the statement, and to insert this statement into the record development and keeping process that is currently in place (for example, to reformat documents). EPA assumes this process will only be incurred once per company, during the first year of the rule analysis period. 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 $1 \text{ hour} / 3 \text{ years} = .33 \text{ hours/year}$.

Estimated Annual IC Burden and Cost

EPA estimates that paperwork burden associated with rule requirements for decaBDE is about 39 hours per year, as shown in Table 5-2.

Table 5-2: IC Estimates for DecaBDE		
IC Calculation:	EPA's Estimates:^a	
1. Responses:		
Total Number of Respondents	46	
Number of Responses (chemicals) per Respondent	1.0	
Time Period for Each Response	On occasion	
Annual Frequency (times per year, per respondent)	1.0	
Annual Number of Responses^b	46	
2. Burden Hours:		
Activities	Hour per Response	Annual Hour Burden
Reporting (proxy for rule familiarization)	0.500	23.000
Recordkeeping	0.333	15.333
Third-party Disclosure	0.000	0.000
Total Burden Hours:	0.833	38.333
3. Capital and O&M Costs (this does NOT include labor costs):		
Activities	Cost per Response	Annual Cost
Reporting	\$0.00	\$0.00
Recordkeeping	\$0.00	\$0.00
Third-party Disclosure	\$0.00	\$0.00
Total Capital and O&M Costs:	\$0.00	\$0.00
4. Annual Responses and Burdens:		
Annual Totals	Total Requested	
Annual Responses	46	
Annual Hour Burden (rounded to nearest hour)	39	
Annual Cost (Non-Labor)	\$0.00	
^a Based on details provided in the Tables presented earlier in this section.		
^b This number is used as a multiplier to calculate the Annual Burden hours and costs.		

5(b). Information Collection (IC) for Phenol, isopropylated phosphate (3:1) (PIP (3:1)) (CASRN 68937-41-7)

5(b)(i). Respondents

NAICS Codes

The North American Industrial Classification System (NAICS) codes associated with industries most likely affected by the paperwork requirements under the final rule for PIP (3:1) are:

- Petroleum Refineries (NAICS Code 324110);
- Petroleum Lubricating Oil and Grease Manufacturing (NAICS Code 324191);
- Paint and Coating Manufacturing (NAICS Code 32510)
- All Other Basic Organic Chemical Manufacturing (NAICS Code 325199);
- Plastics Material and Resin Manufacturing (NAICS Code 325211);
- Adhesive Manufacturing (NAICS Code 325520);
- Polish and Other Sanitation Good Manufacturing (NAICS Code 325612);
- Photographic Film, Paper, Plate, and Chemical Manufacturing (NAICS Code 325992);
- All Other Miscellaneous Chemical Product and Preparation Manufacturing (NAICS Code 325998);
- Air-Conditioning and Warm Air Heating Equipment and Commercial and Industrial Refrigeration Equipment Manufacturing (NAICS Code 333415);

- Other Communications Equipment Manufacturing (NAICS Code 334290);
- Automobile Manufacturing (NAICS Code 336111);
- Other Motor Vehicle Parts Manufacturing (NAICS Code 336390);
- Automobile and Other Motor Vehicle Merchant Wholesalers (NAICS Code 423110);
- Other Chemical and Allied Products Merchant Wholesalers (NAICS Code 424690);
- Other Chemical and Allied Products Merchant Wholesalers (NAICS Code 424690);
- New Car Dealers (NAICS Code 441110);
- Research and Development in the Physical, Engineering, and Life Sciences (NAICS Code 541710);

Estimated Number of Potential Respondents

EPA developed estimates for number of affected manufacturers (including importers), processors, and distributors, based on EPA's Public 2016 Chemical Data Reporting (CDR) data (EPA 2017) and EPA's 2017 Toxics Release Inventory Program dataset (EPA 2018). EPA estimates that 32 respondents will be subject to any of the paperwork requirements of the final rule for PIP (3:1); 28 of these respondents will be subject to the recordkeeping requirements. Details about this estimation can be found in the economic analysis for the final rule (Docket ID No. EPA-HQ-OPPT-2019-0080).

5(b)(ii). Information Collection Activities

Activities and Data Items

- Rule Familiarization

Each manufacturer (including importers), processor, and distributor of PIP (3:1) and PIP (3:1)-containing products or articles will read the final rule to become familiar with the new requirements and developing an understanding of what actions are necessary to comply with the downstream notification and recordkeeping requirements.

- Downstream Notification

Each manufacturer (including importers), processor, and distributor of PIP (3:1) and PIP (3:1)-containing products will be required to notify their customers of prohibitions on processing, and distribution, and the prohibition on releases. EPA anticipates that downstream notification will be accomplished through an annotation to already existing chemical SDSs that each manufacturer, distributor, or importer provides to downstream users under the Hazard Communication Standard (HCS) (29 CFR 1910.1200). Therefore, the amendment of the SDS is expected to be a one-time activity, and the paperwork burden is estimated as such. That is, once an SDS is annotated, the action would not need to be repeated.

EPA estimates that it will require 1 hour of technical labor for each affected manufacturer, importer, and processor of PIP (3:1) and products that contain PIP (3:1) to make the necessary annotations to the SDSs. This burden is 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 $1 \text{ hour}/3 \text{ years} = .33 \text{ hours/year}$.

EPA was unable to estimate the potential for new products containing PIP (3:1) to enter the market which might require annotation of additional SDSs over the time period of the ICR, but will consider the extent to which such products may have entered the market in the future as EPA seeks to extend OMB's approval for the this ICR.

- Recordkeeping

The final rule requires that manufacturers (including importers), processors and distributors of PIP (3:1) and PIP (3:1)-containing products or articles maintain, for a period of three years from the date the record is generated, ordinary business records, such as bills of lading, invoices, or comparable documents related to compliance with this rule. These records must include a statement that the PIP (3:1)-containing products or articles are in compliance with 40 CFR § 751.407(a), and these records must be made available to EPA within 30 calendar days upon request.

The recordkeeping requirements will apply only to those manufacturers, importers, processors, and distributors that continue to handle PIP (3:1) or PIP (3:1)-containing products or articles after the rule goes into effect; that is those companies associated with the uses that have been excluded from prohibitions. A total of 28 companies are associated with these uses.

Firms are likely to keep these records as part of their customary business practices. For example, the Internal Revenue Service recommends that firms keep invoices in order to document their assets, expenses, gross receipts, and purchases (U.S. Internal Revenue Service 2015). The required statement need not be included on every business record, such as every invoice or bill of lading, although regulated entities may choose to reformat their documents to include the statement. Importers of replacement automobile parts that contain PIP (3:1) who, for example, import from the same suppliers over and over, need only have a single statement for each part or each supplier. EPA assumes that it will take approximately 1 hour of technical time for each affected company to develop the language for the statement, and to insert this statement into the record development and keeping process that is currently in place (for example, to reformat documents). EPA assumes this process will only be incurred once per company, during the first year of the rule analysis period. 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 $1 \text{ hour}/3 \text{ years} = .33 \text{ hours/year}$.

Estimated Annual IC Burden and Cost

EPA estimates that paperwork burden associated with rule requirements for PIP (3:1) is about 36 hours per year, as shown in Table 5-3.

Table 5-3: IC Estimates for PIP (3:1)		
IC Calculation:	EPA's Estimates:^a	
1. Responses:		
Total Number of Respondents (rule familiarization and downstream notification)	32	
Total Number of Respondents (recordkeeping)	28	
Number of Responses (chemicals) per Respondent	1.0	
Time Period for Each Response	On occasion	
Annual Frequency (times per year, per respondent)	32	
Annual Number of Responses^b	32	
2. Burden Hours:		
Activities	Hour per Response	Annual Hour Burden
Reporting (proxy for rule familiarization)	0.500	16.000
Recordkeeping	0.333	9.324
Third-party Disclosure (downstream notification)	0.333	10.67
Total Burden Hours:	1.166	35.980
3. Capital and O&M Costs (this does NOT include labor costs):		
Activities	Cost per Response	Annual Cost
Reporting	\$0.00	\$0.00
Recordkeeping	\$0.00	\$0.00
Third-party Disclosure	\$0.00	\$0.00
Total Capital and O&M Costs:	\$0.00	\$0.00
4. Annual Responses and Burdens:		
Annual Totals	Total Requested	
Annual Responses	32	
Annual Hour Burden (rounded to nearest hour)	36	
Annual Cost (Non-Labor)	\$0.00	
^a Based on details provided in the Tables presented earlier in this section.		
^b This number is used as a multiplier to calculate the Annual Burden hours and costs.		

5(c). Information Collection (IC) for 2,4,6-tris(tert-butyl)phenol (2,4,6-TTBP) (CASRN 732-26-3)

5(c)(i). Respondents

NAICS Codes

The North American Industrial Classification System (NAICS) codes associated with industries most likely affected by the paperwork requirements under the final rule for 2,4,6-TTBP are:

- Petroleum Refineries (NAICS Code: 324110);
- Petrochemical manufacturing (NAICS Code: 325110);
- All Other Basic Organic Chemical Manufacturing (NAICS Code: 325199);
- Polish and Other Sanitation Good Manufacturing (NAICS Code: 325612);
- All Other Miscellaneous Chemical Product and Preparation Manufacturing (NAICS Code: 325998);
- Lawn and Garden Tractor and Home Lawn and Garden Equipment Manufacturing (NAICS Code: 333112);
- Aircraft Manufacturing (NAICS Code: 336411);
- Motor Vehicle Supplies and New Parts Merchant Wholesalers (NAICS Code: 423120);

- Petroleum and Petroleum Products Merchant Wholesalers (except Bulk Stations and Terminals) (NAICS Code: 424720);
- Farm Supplies Merchant Wholesalers (NAICS Code: 424910);
- Boat Dealers (NAICS Code: 441222);
- Automotive Parts and Accessories Stores (NAICS Code: 441310);
- Gasoline Stations with Convenience Stores (NAICS Code: 447110);
- Other Gasoline Stations (NAICS Code: 447190);
- General Merchandise Stores (NAICS Code: 452);
- Aircraft maintenance and repair services (NAICS Code: 488190);
- Marinas (NAICS Code: 713930); and
- General Automotive Repair (NAICS Code: 811111).

Estimated Number of Potential Respondents

EPA developed estimates for number of affected manufacturers (including importers), processors, and distributors, based on EPA's Public 2016 Chemical Data Reporting (CDR) data (EPA 2017) and EPA's 2017 Toxics Release Inventory Program dataset (EPA 2018). EPA estimates that 10 respondents will be subject to the paperwork requirements of the final rule for 2,4,6-TTBP. Details about this estimation can be found in the economic analysis for the final rule (Docket ID No. EPA-HQ-OPPT-2019-0080).

5(c)(ii). Information Collection Activities

Activities and Data Items

- Rule Familiarization

Each manufacturer (including importers), processor, and distributor of 2,4,6-TTBP and 2,4,6-TTBP-containing products will read the final rule to become familiar with the new requirements and developing an understanding of what actions are necessary to comply with the downstream notification and recordkeeping requirements.

- Recordkeeping

The final rule requires that distributors of 2,4,6-TTBP and 2,4,6-TTBP-containing products obtain and retain, for a period of three years from the date the record is generated, ordinary business records, such as bills of lading, invoices, or comparable documents related to compliance with this rule.

Firms are likely to keep these records as part of their customary business practices. For example, the Internal Revenue Service recommends that firms keep invoices in order to document their assets, expenses, gross receipts, and purchases (U.S. Internal Revenue Service 2015) .

Estimated Annual IC Burden and Cost

EPA estimates that paperwork burden associated with rule requirements for 2,4,6-TTBP is about 5 hours per year, as shown in Table 5-4.

Table 5-4: IC Estimates for 2,4,6-TTBP		
IC Calculation:	EPA's Estimates:^a	
1. Responses:		
Total Number of Respondents	10	
Number of Responses (chemicals) per Respondent	1.0	
Time Period for Each Response	On occasion	
Annual Frequency (times per year, per respondent)	1.0	
Annual Number of Responses^b	10	
2. Burden Hours:		
Activities	Hour per Response	Annual Hour Burden
Reporting (proxy for rule familiarization)	0.500	5.000
Recordkeeping	0.000	0.000
Third-party Disclosure	0.000	0.000
Total Burden Hours:	0.500	5.000
3. Capital and O&M Costs (this does NOT include labor costs):		
Activities	Cost per Response	Annual Cost
Reporting	\$0.00	\$0.00
Recordkeeping	\$0.00	\$0.00
Third-party Disclosure	\$0.00	\$0.00
Total Capital and O&M Costs:	\$0.00	\$0.00
4. Annual Responses and Burdens:		
Annual Totals	Total Requested	
Annual Responses	10	
Annual Hour Burden (rounded to nearest hour)	5	
Annual Cost (Non-Labor)	\$0.00	
^a Based on details provided in the Tables presented earlier in this section.		
^b This number is used as a multiplier to calculate the Annual Burden hours and costs.		

5(d). Information Collection (IC) for Pentachlorothiophenol (PCTP) (CASRN 133-49-3)

5(d)(i). Respondents

NAICS Codes

The North American Industrial Classification System (NAICS) codes associated with industries most likely affected by the paperwork requirements under the final rule for PCTP are:

- Sporting and Athletic Goods Manufacturing (NAICS Code 339920);
- Sporting and Recreational Goods and Supplies Merchant Wholesale (NAICS Code 423910);
- Sporting Goods Stores (NAICS Code 451110);
- All Other Rubber Product Manufacturing (NAICS Code 326299).

Estimated Number of Potential Respondents

EPA developed estimates for number of affected manufacturers (including importers), processors, and distributors, based on EPA's Public 2016 Chemical Data Reporting (CDR) data (EPA 2017) and EPA's 2017 Toxics Release Inventory Program dataset (EPA 2018). EPA estimates that 5 respondents will be subject to the paperwork requirements of the final rule for PCTP. Details about this estimation can be found in the economic analysis for the final rule (Docket ID No. EPA-HQ-OPPT-2019-0080).

5(d)(ii). Information Collection Activities

Activities and Data Items

- Rule Familiarization

Each manufacturer (including importers), processor, and distributor of PCTP and PCTP-containing products or articles will read the final rule to become familiar with the new requirements and developing an understanding of what actions are necessary to comply with the downstream notification and recordkeeping requirements.

- Recordkeeping

The final rule requires that manufacturers (including importers), processors and distributors of PCTP and PCTP-containing products or articles not excepted by the rule must maintain, for a period of three years from the date the record is generated, ordinary business records, such as bills of lading, invoices, or comparable documents related to compliance with this rule.

Firms are likely to keep these records as part of their customary business practices. For example, the Internal Revenue Service recommends that firms keep invoices in order to document their assets, expenses, gross receipts, and purchases (U.S. Internal Revenue Service 2015) .

Estimated Annual IC Burden and Cost

EPA estimates that paperwork burden associated with rule requirements for PCTP is about 3 hours per year, as shown in Table 5-5.

Table 5-5: IC Estimates for PCTP		
IC Calculation:	EPA's Estimates:^a	
1. Responses:		
Total Number of Respondents	5	
Number of Responses (chemicals) per Respondent	1.0	
Time Period for Each Response	On occasion	
Annual Frequency (times per year, per respondent)	1.0	
Annual Number of Responses^b	5	
2. Burden Hours:		
Activities	Hour per Response	Annual Hour Burden
Reporting (proxy for rule familiarization)	0.500	2.500
Recordkeeping	0.000	0.000
Third-party Disclosure	0.000	0.000
Total Burden Hours:	0.500	2.500
3. Capital and O&M Costs (this does NOT include labor costs):		
Activities	Cost per Response	Annual Cost
Reporting	\$0.00	\$0.00
Recordkeeping	\$0.00	\$0.00
Third-party Disclosure	\$0.00	\$0.00
Total Capital and O&M Costs:	\$0.00	\$0.00
4. Annual Responses and Burdens:		
Annual Totals	Total Requested	
Annual Responses	5	
Annual Hour Burden (rounded to nearest hour)	3	
Annual Cost (Non-Labor)	\$0.00	
^a Based on details provided in the Tables presented earlier in this section.		
^b This number is used as a multiplier to calculate the Annual Burden hours and costs.		

5(e). Information Collection (IC) for Hexachlorobutadiene (HCBd) (CASRN 87-68-3)

5(e)(i). Respondents

NAICS Codes

The North American Industrial Classification System (NAICS) codes associated with industries most likely affected by the paperwork requirements under the final rule for HCBd are:

- Petroleum Lubricating Oil and Grease Manufacturing (NAICS Code 324191);
- Other Basic Inorganic Chemical Manufacturing (NAICS Code 325180);
- All Other Basic Organic Chemical Manufacturing (NAICS Code 325199);
- Plastics Material and Resin Manufacturing (NAICS Code 325211);
- All Other Miscellaneous Chemical Product and Preparation Manufacturing (NAICS Code 325998);
- All Other Plastics Product Manufacturing (NAICS Code 326199);
- All Other Rubber Product Manufacturing (NAICS Code 326299);
- Cement Manufacturing (NAICS Code 327310);
- Hazardous Waste Treatment and Disposal (NAICS Code 562211);
- Hazardous Waste Collection (562112);
- Solid Waste Combustors and Incinerators (NAICS Code 562213);
- Other Chemical and Allied Products Merchant Wholesalers (NAICS Code 424690);

- Crude Petroleum Extraction (NAICS Code 211120);
- Facilities Support Services (NAICS Code 561210);
- All Other Miscellaneous Chemical Product and Preparation Manufacturing (NAICS Code 325998).

Estimated Number of Potential Respondents

EPA developed estimates for number of affected manufacturers (including importers), processors, and distributors, based on EPA's Public 2016 Chemical Data Reporting (CDR) data (EPA 2017) and EPA's 2017 Toxics Release Inventory Program dataset (EPA 2018). EPA estimates that 9 respondents will be subject to the paperwork requirements of the final rule for HCBP. Details about this estimation can be found in the economic analysis for the final rule (Docket ID No. EPA-HQ-OPPT-2019-0080).

5(e)(ii). Information Collection Activities

Activities and Data Items

- Rule Familiarization

Each manufacturer (including importers), processor, and distributor of HCBP and HCBP-containing products or articles will read the final rule to become familiar with the new requirements and developing an understanding of what actions are necessary to comply with the downstream notification and recordkeeping requirements.

- Recordkeeping

The final rule requires that manufacturers (including importers), processors and distributors of HCBP and HCBP-containing products or articles not excepted by the rule will maintain, for a period of three years from the date the record is generated, ordinary business records, such as bills of lading, invoices, or comparable documents related to compliance with this rule.

Firms are likely to keep these records as part of their customary business practices. For example, the Internal Revenue Service recommends that firms keep invoices in order to document their assets, expenses, gross receipts, and purchases (U.S. Internal Revenue Service 2015) .

Estimated Annual IC Burden and Cost

EPA estimates that paperwork burden associated with rule requirements for HCBP is about 5 hours per year, as shown in Table 5-6.

Table 5-6: IC Estimates for HCBD		
IC Calculation:	EPA's Estimates:^a	
1. Responses:		
Total Number of Respondents	9	
Number of Responses (chemicals) per Respondent	1.0	
Time Period for Each Response	On occasion	
Annual Frequency (times per year, per respondent)	1.0	
Annual Number of Responses^b	9	
2. Burden Hours:		
Activities	Hour per Response	Annual Hour Burden
Reporting (proxy for rule familiarization)	0.500	4.500
Recordkeeping	0.000	0.000
Third-party Disclosure	0.000	0.000
Total Burden Hours:	0.500	4.500
3. Capital and O&M Costs (this does NOT include labor costs):		
Activities	Cost per Response	Annual Cost
Reporting	\$0.00	\$0.00
Recordkeeping	\$0.00	\$0.00
Third-party Disclosure	\$0.00	\$0.00
Total Capital and O&M Costs:	\$0.00	\$0.00
4. Annual Responses and Burdens:		
Annual Totals	Total Requested	
Annual Responses	9	
Annual Hour Burden (rounded to nearest hour)	5	
Annual Cost (Non-Labor)	\$0.00	
^a Based on details provided in the Tables presented earlier in this section.		
^b This number is used as a multiplier to calculate the Annual Burden hours and costs.		

6. PRA Burden Statement

Under the PRA, burden is defined at [5 CFR 1320.3\(b\)](#).

This is a new, rule-related information collection. Under the final rules for PBT chemicals, the estimated annual burden for this ICR is 88 hours per year (39 hours for decaBDE, 36 hours for PIP (3:1), 5 hours for 2,4,6-TTBP, 3 hours for PCTP, and 5 hours for HCBD). According to the Paperwork Reduction Act, “burden” means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. For this collection it includes such activities as annual familiarization with requirements, recordkeeping, and notification requirements. 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 OMB control number. The OMB control numbers for EPA’s regulations in title 40 of the CFR, after appearing in the Federal Register, are listed in 40 CFR part 9 and included on the related collection instrument or form, if applicable.

The Agency has established a docket for this rulemaking, which includes this rule-related ICR, under Docket ID No. EPA-HQ-OPPT-2019-0080, which is available for online viewing at <http://www.regulations.gov>, or in-person viewing at the EPA Docket Center (EPA/DC), EPA William Jefferson Clinton West, Room 3334, 1301 Constitution Ave., NW, Washington, DC.

The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is (202) 566-1744, and the telephone number for the Pollution Prevention and Toxics Docket is (202) 566-0280.

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-2019-0080 and OMB Control No. 2070-0213 (EPA ICR No. 2599.02), may be submitted to the OPPT Docket, Environmental Protection Agency Docket Center (EPA/DC), Mail code: 28221T, 1200 Pennsylvania Ave., NW, Washington, DC 20460 and to OMB, addressed to “OMB Desk Officer for EPA” and referencing OMB Control No. 2070-0213 (EPA ICR No. 2599.02), via email to aira_submission@omb.eop.gov.

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