February 7, 2022

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

Collection of Information for TSCA Mercury Inventory Reporting

EPA ICR No.: 2567.04

OMB Control No.: 2070-0207

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Abstract

As directed in the June 2016 Frank R. Lautenberg Chemical Safety for the 21st Century Act amendments to the Toxic Substances Control Act (TSCA), the U.S. Environmental Protection Agency (EPA) is required to assist in the preparation and publication in the Federal Register of an "inventory of mercury supply, use, and trade in the United States."[1] Based on the inventory of information collected through this ICR, the Agency is directed to "identify any manufacturing processes or products that intentionally add mercury" and "recommend actions, including proposed revisions of Federal law or regulations, to achieve further reductions in mercury use."[2]

EPA was mandated to publish an initial mercury inventory not later than April 1, 2017, and publish updates every 3 years thereafter.[3] The Agency published its initial inventory report, "Mercury – U.S. Inventory Report: Supply, Use, and Trade," on March 29, 2017.[4]

TSCA section 8(b)(10)(A) states "notwithstanding [TSCA] section 3(2)(B), the term 'mercury' means . . .elemental mercury; and . . . a mercury compound."[5] As such, the definition for mercury at TSCA section 8(b)(10)(A) supersedes the exclusions for "chemical substances" described in TSCA section 3(2)(B) that would otherwise apply to mercury, mercury-added products, or intentional uses of mercury in manufacturing processes. In particular, this interpretation would not exclude any "drug, cosmetic, or device" as described in TSCA section 3(2)(B)(vi), should such items contain mercury. Hereinafter, the use of the term "mercury" will refer to both elemental mercury and mercury compounds.

Reporting is required from any person who manufactures (including imports) mercury or mercury-added products, as well as any person who otherwise intentionally uses mercury in a manufacturing process.[6] The Agency promulgated the reporting requirements under 40 CFR 713.

[1] 15 U.S.C. § 2607(b)(10)(B) and (D).
[2] 15 U.S.C. § 2607(b)(10)(C).
[3] 15 U.S.C. § 2607(b)(10)(B).
[4] EPA. Mercury; Initial Inventory Report of Supply, Use, and Trade. (82 FR 15522; March 29, 2017).
[5] 15 U.S.C. § 2607(b)(10)(A).
[6] 15 U.S.C. § 2607(b)(10)(D)(i).

In order to avoid duplication, EPA coordinated the reporting with the Interstate Mercury Education and Reduction Clearinghouse (IMERC).[7]

Prior to developing its initial inventory report, EPA reviewed federal and state reports and databases, among other sources, in order to assemble a collection of available information on mercury, mercury-added products, and manufacturing processes involving mercury.[8] Those sources include three databases applicable to mercury: the Chemical Data Reporting (CDR) rule, Toxics Release Inventory (TRI) program, and the U.S. International Trade Commission Interactive Trade (USITC) DataWeb. In reviewing data obtained, the Agency found that its baseline of data lacked the specificity and level of detail required to develop a mercury inventory responsive to TSCA section 8(b)(10)(D) or to be useful to recommend mercury use reduction efforts for both the public and private sectors.[9] The Agency considers the national mercury inventory mandated by Congress to be an instrumental means to establish the requisite body of information to achieve those goals. As such, EPA is committed to further addressing such data gaps and to reduce the use of mercury in mercury-added products and manufacturing processes, as directed by TSCA section 8(b)(10)(C).

EPA is particularly interested in the amount of mercury in mercury-added products, as well as identifying various categories and subcategories of products. That amount would include quantities of mercury used to manufacture (other than import) mercury-added products in the United States, as well as quantities contained in imported and exported mercury-added products. Additionally, EPA determined that mercury used in manufacturing processes may not be reflected in amounts of mercury reported in other data collection systems. The inventory will help to close such data gaps by requiring periodic reporting from "any person who manufactures mercury or mercury-added products or otherwise intentionally uses mercury in a manufacturing process."

EPA plans to use the collected information to fulfill statutory requirements to "every 3 years [after April 1, 2017], the Administrator shall carry out and publish in the Federal Register an inventory of mercury supply, use, and trade in the United States" and "identify any manufacturing processes or products that intentionally add mercury; and . . . recommend actions, including proposed revisions of Federal law or regulations, to achieve further reductions in mercury use."[10] The Agency may also use such information to prioritize where and how measures are applied in order to help prevent potential risks of mercury exposure to human health and the environment. EPA continues to pursue measures to reduce the use of mercury in various media, including mercury-added products and manufacturing processes. As such, EPA intends to use information collected through this ICR to continue to reduce the use of mercury in products and processes and to facilitate reporting on implementation of the Minamata

[7] 15 U.S.C. § 2607(b)(10)(D)(ii).
[8] EPA. Mercury—U.S. Inventory Report: Supply, Use, and Trade. 2017.
[9] Ibid.
[10] 15 U.S.C. §§ 2607(b)(10)(B) and (C).

Convention on Mercury (Minamata Convention), to which the United States is a Party.[11] The Minamata Convention is an international environmental agreement that has as its objective the protection of human health and the environment from anthropogenic emissions and releases of elemental mercury and mercury compounds.

Summary Total Burden and Costs Respondents and Agency

Year	Number of Respondents	Responses per Respondent	Average Burden per Response	Total Number of Responses	Total Burden Hours	Total Costs (2020$)
1	756	1	68.8	756	52,045	$4,154,996
2	0	0	0	0	0	$0
3	0	0	0	0	0	$0
Total	**756**	**1**	**68.8**	**756**	**52,045**	**$4,154,996**
Average per Year	**252**	**0.33**	**22.95**	**252.00**	**17,348**	**$1,384,999**

Activity	Staff	Total Burden per Activity	Total Cost per Activity (2016$)	Total Number of Units	Total Burden (Hours)	Total Cost (2016$)
Industry/Public Assistance	EPA Employee (GS 13 Step 5)	1.25	$111.50	756	945	$84,294
Data Processing and System Support Personnel		3.13	$279.20	756	2366.28	$211,072
Review of CBI Claim Substantiations		0.5	$44.60	756	378	$33,718
Review of CBI Claim Substantiations	EPA Employee (GS 14 Step 5)	1.5	$158.11	756	1,134	$119,533
				Total Burden and Cost	**4,823**	**$448,616**

SUPPORTING STATEMENT

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

[11] UNEP. Minamata Convention on Mercury. Available at http://www.mercuryconvention.org.

TSCA section 8(b)(10) requires reporting to assist in the preparation of "an inventory of mercury supply, use, and trade in the United States," where "mercury" is defined as "elemental mercury" and "a mercury compound." As per 40 CFR 713, reporting is required from any person who manufactures (including imports) mercury or mercury-added products, or otherwise intentionally uses mercury in a manufacturing process (Attachment 1). EPA published its initial inventory report in the Federal Register on March 29, 2017, which noted data gaps and limitations encountered by the Agency in its historic reliance on publicly available data on mercury supply, use, and trade in the United States. As stated in the initial inventory report, "[f]uture triennial inventories of mercury supply, use, and trade are expected to include data collected directly from persons who manufacture (including import) mercury or mercury-added products or otherwise intentionally use mercury in a manufacturing process." These reporting requirements will help the Agency to prepare subsequent, triennial publications of the inventory, as well as execute the mandate to "identify any manufacturing processes or products that intentionally add mercury; and recommend actions, including proposed revisions of Federal law or regulations, to achieve further reductions in mercury use" (15 U.S.C. 2607(b)(10)(C)).

Pursuant to TSCA section 8(b)(10)(B), EPA interprets the scope of the mercury inventory to include sectors of the mercury market that fall under "supply, use, and trade of mercury in the United States." This includes activities implicit to the statutory description of persons who must report as stated in TSCA section 8(b)(10)(D)(i): manufacture, import, and intentional use in a manufacturing process. EPA determined that additional activities are necessary to provide for a comprehensive inventory of mercury supply, use, and trade in the United States. For this reason, persons required to report to the mercury inventory must report information for the following activities: distribution in commerce, storage, and export. In sum, EPA intends that the mercury inventory will be a complete accounting of the amount of mercury in commerce.

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the Agency has made of the information received from the current collection

EPA will use the collected information to develop and publish an inventory of mercury supply, use, and trade in the United States.[12] In addition, the Agency will use such information to fill gaps in existing data which will enable EPA to "identify any manufacturing processes or products that intentionally add mercury; and recommend actions, including proposed revisions of Federal law or regulations, to achieve further reductions in mercury use."[13] The information also could facilitate reporting on implementation of the Minamata Convention by the United States, as well as use by the general public.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses,

[12] 15 U.S.C. § 2607(b)(10)(B).
[13] 15 U.S.C. § 2607(b)(10)(C).

and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.

In order to streamline reporting processes, the data required to develop a comprehensive national mercury inventory will be collected electronically. In an effort to minimize burden to respondents and limit costs to the Agency, EPA is establishing a reporting application and database with the Central Data Exchange (CDX). The required use of CDX for submission of required data is consistent with the Government Paperwork Elimination Act (GPEA, Pub. L. 105-277), which requires that, when practicable, federal organizations use electronic forms, electronic filings, and electronic signatures to conduct official business with the public.

Respondents will be required to establish an account in the CDX portal unless they already have done so (e.g., CDR and TRI reporters). Respondents new to CDX will need to create an account profile. To register in CDX, the CDX registrant (also referred to as "Electronic Signature Holder" or "Public/Private Key Holder") downloads two forms: the Electronic Signature Agreement and the Verification of Company Authorizing Official form. Registration enables CDX to perform two important functions: authentication of identity and verification of authorization. Within the "Electronic Signature Agreement" form, the Authorized Official (AO) agrees to certain CDX security conditions. On the "Verification of Company Authorizing Official" form, the AO designates himself/herself as the AO and attests to the completeness and accuracy of the submitted information. When these forms are received, EPA activates the submitter's registration in CDX and sends him or her an e-mail notification. Companies that already have CDX accounts will simply need to log-in and select the mercury inventory application from a menu of options to add the reporting tool to the company CDX profile (Attachment 2).

EPA believes the adoption of electronic communications may reduce the reporting burden on industry by reducing both the cost and the time required to review, edit and transmit data to the Agency. All information sent via CDX is transmitted securely to protect CBI. Furthermore, if any information in the submission has been claimed CBI, a sanitized copy of the notice must be provided by the submitter. With electronic reporting, this can be done automatically during the submission process, eliminating the need for the submitter to do this manually. Electronic reporting also allows submitters to share a draft notice within their company and save a copy of the final file for future use.

The Agency also benefits from receiving electronic submissions. Respondents directly enter data into the mercury inventory application online rather than send data to the Agency, which would then be responsible for manually entering data into a system on behalf of the respondents. Electronic reporting reduces potential for data entry errors and reduces the overall cost to the Agency as it limits the need for human resources and provides a more efficient collection of data as well as expedites and simplifies data analysis for the triennial inventory publication.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

TSCA section 8(b)(10)(D)(ii) directs the Agency to "coordinate the reporting . . . with the Interstate Mercury Education and Reduction Clearinghouse" (IMERC) to avoid duplication.[14] Furthermore, TSCA section 8(a)(5)(a) states "[i]n carrying out [TSCA section 8], the Administrator shall, to the extent feasible . . . not require reporting which is unnecessary or duplicative."[15] The Agency seeks to avoid collecting data on mercury that would duplicate data already reported to existing state and Federal programs, and to coordinate with and complement those reporting programs as much as possible.

After reviewing such reporting programs, EPA has designed the reporting requirements per 40 CFR 713 to reduce the burden for reporters already familiar with CDR, TRI, IMERC, and USITC DataWeb protocol. To do so, the Agency incorporated comparable reporting concepts and tools from each program and avoided requiring data that would be considered duplicative reporting, in an attempt to increase the efficacy of the reporting process while decreasing the burden of reporting to a national mercury inventory.

5. If the collection of information impacts small businesses or other small entities, describe the methods used to minimize burden.

Approximately 40 percent of the respondents will be small entities. However, small businesses are not exempt from reporting requirements because unlike the exemption for small manufacturers and processors provided under TSCA 8(a)(1)(A) and (B), reporting and recordkeeping requirements associated with TSCA section 8(b) are applicable to all affected entities. EPA is striving to minimize the burden on all respondents, including small entities, as much as possible by developing the reporting application to be user-friendly and dynamic, consisting of straightforward questions that are to include fill-in-the-blank (numbers) fields, check boxes, and drop-down menus. In addition, the Agency is developing support materials tailored to small entities affected by the rule.

EPA conducted outreach and webinars for small businesses to introduce the reporting database, explain requirements, and offers Q&A and other support. Under TSCA section 26(d), EPA also provides specialized assistance to respondents, particularly to small entities, including technical and other non-financial assistance to manufacturers (including importers) and processors of chemical substances. EPA's TSCA Hotline assists small businesses complying with TSCA rules and provides various materials such as copies of **Federal Register** notices, advisories, and other information upon request.

[14] 15 U.S.C. 2607(b)(10)(D)(ii).
[15] 15 U.S.C. 2607(a)(5)(a).

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

EPA determined that the reporting and recordkeeping requirements of the ICR should be the minimum amount necessary in order to limit burden to industry while also supporting the mandatory triennial publication of the mercury inventory. Reporters are required to report once every three years and retain records for three years, commensurate with the three-year publication cycle set forth in the statute. If the Agency were to require less frequent reporting (i.e., more than three years between reporting cycles), then the information collected would not be timely given the triennial publication deadline.

7. Explain any special circumstances that require the collection to be conducted in a manner:

a) requiring respondents to report information to the agency more often than quarterly;

b) requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;

c) requiring respondents to submit more than an original and two copies of any document;

d) requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years;

e) in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;

f) requiring the use of a statistical data classification that has not been reviewed and approved by OMB;

g) that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or

h) requiring respondents to submit proprietary trade secrets, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

Not applicable.

8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public

comments received in response to that notice and describe actions taken in response to the comments. Specifically address comments received on cost and hour burden.

Describe efforts to consult with persons outside EPA to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years - even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

Additionally, under 5 CFR 1320.8(d)(1), OMB requires agencies to consult with potential ICR respondents and data users about specific aspects of ICRs before submitting an ICR to OMB for review and approval (86 FR 15661). In accordance with this regulation, EPA submitted questions to several interested parties via email Attachment 3. The individual entities contacted were:

- National Electrical Manufacturers Association
- National Association of Manufacturers
- North American Metals Council
- Alliance for Automotive Innovation
- International Sign Association
- Semiconductor Industry Association
- Chemical Users Coalition
- Association of Lighting and Mercury Recyclers
- Information Technology Industry Council

A copy of EPA's consultation to the above potential respondents and the response received are in Attachment 3 and are available in the docket.

EPA received one comment in response to the previously provided 60-day public review opportunity (86 FR 15661, March 24, 2021) (FRL-10018-36).

During the triennial, administrative review process, the Agency received one comment (Natural Resources Defense Council (NRDC)). In general, the commenter supports the ICR renewal as it will continue to enhance data collection for the EPA mercury inventory via its reporting rule (the commenter and EPA have both publicly acknowledged that the vacatur of an exemption in the 2018 rule ordered by the United States Court of Appeals for the Second Circuit (Second Circuit) will expand the scope of reporting requirements). The commenter also urged EPA to make publicly available non-CBI data submitted by companies required to report.

Specifically, the commenter cited section 5(d) of the President's Memorandum of January 27, 2021, and asserted that EPA is required to expand open and secure access to Federal data routinely collected in the normal course of administering its programs, making the data available

by "default." The commenter also argued: (1) EPA's failure to make the reporting forms available for the first reporting round adversely affected the quality of the information obtained; (2) the decision to make the reporting forms publicly unavailable was never subject to public comment and such lack of public access is contrary to EPA's other databases on which it relies to support the inventory; and (3) there is no significant policy basis for not making the forms publicly available and no legal authority prohibiting it.

The Agency appreciates the general support for the ICR renewal. As to the request to make publicly available non-CBI data submitted by companies, the Agency believes this applies to the ongoing implementation of the mercury inventory reporting rule (40 CFR 713) and, therefore, exceeds the scope of this ICR renewal. .

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

Not applicable.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy. If the collection requires a systems of records notice (SORN) or privacy impact assessment (PIA), those should be cited and described here.

Regulated entities may claim some of the information given to EPA as CBI. Reporting requirements will contain information for respondents on how to make a claim to EPA that all or part of their submitted information is CBI. EPA handles claims of confidentiality pursuant to established CBI procedures, as found at Section 14 of TSCA, 40 CFR Part 2, and the Agency's TSCA CBI Manual. CBI is also protected under the Freedom of Information Act (5 USC Section 525).

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

No information of a sensitive or private nature is requested in conjunction with these information collection activities.

12. Provide estimates of the hour burden of the collection of information. The statement should:

a) Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential

respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.

b) If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens.

c) Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included under 'Annual Cost to Federal Government'.

EPA interprets TSCA section 8(b)(10)(D) to identify three general categories of persons who must report under this ICR:

- Persons who manufacture (including import) mercury;
- Persons who manufacture (including import) mercury-added products; and
- Persons who otherwise intentionally use mercury in a manufacturing process.

This analysis presents the burden and cost estimates for all affected entities over the next three years is a result of the reporting requirements for manufacturers (including importers) of mercury and mercury-added products and those who otherwise intentionally use mercury in a manufacturing process (i.e. processors) under the authority of Section 8(b) of TSCA. All costs are presented in year 2020 dollars. The information collection assumes reporting at the company level. EPA estimates that a total of 756 manufacturers (including importers) or processors will respond to this information collection, based on numbers of reporters of mercury data to the IMERC Database, as well as the EPA's TRI program and the CDR rule.

Burden and cost calculations are based on the assumption that each respondent submits one report: Reporting is only required every three years, so there will be one report submitted per respondent during this ICR period. The average burden per respondent per reporting period is estimated to be approximately 69 hours, or 23 hours annually over the three-year period.

Estimating Respondent Burden

40 CFR 713 requires manufacturers, importers, and processors of mercury and mercury-added products to incur costs associated with compliance determination, rule familiarization, preparation of reports, and recordkeeping.

40 CFR 713 requires any person who manufactures (including imports) mercury or mercury-added products or otherwise intentionally uses mercury in a manufacturing process to electronically report certain information to EPA, including: volume of mercury manufactured/imported/used, type of mercury-added products manufactured/imported, type of

manufacturing processes and function of mercury. The required reporting information may also include the location where mercury is stored and industries into which mercury and mercury-added products are distributed in commerce.

Four procedural tasks are considered in the estimation of respondent burden. The four respondent activities include: compliance determination; rule familiarization (includes read final rule and reporting requirements/instructions); preparation of reports (includes form completion/submission and CBI claim substantiation); and recordkeeping (includes prepare/submit report and maintain records (partial report) and prepare/submit report and maintain records (full report)). Rule familiarization requires that reporting entities learn the TSCA section 8(b) rule and its various requirements. Entities must then complete an electronic form providing the information listed above. If the submitter claims certain data elements as CBI, they must substantiate the claim by proving certain information supporting the need to keep the information confidential. The fourth task requires reporting businesses to submit information electronically to EPA via CDX, EPA's electronic system for environmental data exchange. Lastly, entities must maintain records of the reported information. Table 1 provides a detailed description of the related Information Collection that corresponds to each activity.

Table 1: Description of Industry Response Activities

Activity	Description
Compliance Determination	Site staff must determine whether the entity is subject to the rule, based on the identity of chemicals handled at their site and the applicability of certain reporting exemptions. This entails reading the applicability criteria of the rule. Includes: Read and Understand Applicability Criteria to Determine Whether the Respondent is Subject to the Rule
Rule Familiarization	Site staff must familiarize themselves with the requirements of the rule. This entails reading the rule, understanding the various reporting and administrative requirements, and determining the manner in which the reporting requirements will be met. Includes: Read Final Rule and Reporting Requirements/Instructions
Preparation of Reports	Site staff must collect all required information regarding mercury production, storage, and/or distribution, including information to substantiate any claims of data confidentiality. Sites are required to submit one form each. The information must be collected and reviewed internally before submission. Includes: Form Completion/Submission and CBI Claim Substantiation
Recordkeeping	Respondents must keep records supporting their submissions. Includes: Prepare/Submit Report and Maintain Records (Partial Report) and Prepare/Submit Report and Maintain Records (Full Report)

Table 2 provides a summary of typical respondent burden for compliance determination, rule familiarization, preparation of reports, and recordkeeping. Certain aspects of electronic reporting

are one-time, first-year costs only. Because this ICR covers only one reporting period (information is required every three years), all costs considered are first-year costs.

Burden to complete the reporting form depends on the type of mercury handled and the company's reporting status to other rules (a reporter is not required to provide certain data if the company already submits that particular information to another reporting program). EPA calculated burden estimates for each element of the collection form based on EPA's *Supporting Statement for a Request for OMB Review under the Paperwork Reduction Act: Final Rule Addendum to Partial Update of the TSCA Section 8(b) TSCA Inventory Data Base, Production and Site Reports* (EPA ICR No.: 1884.06, OMB Control No 2070-0162) (EPA, 2012), and on EPA's *Economic Analysis of the Final Significant New Use Rule for Long-Chain Perfluoroalkyl Carboxylate Chemical Substances and Perfluoroalkyl Sulfonate Chemical Substances* (EPA-HQ-OPPT-2013-0225) (EPA, 2014). Table 3 shows the industry burden per response for manufacturers (including importers) or processors of both elemental mercury and mercury compounds. Based on the total burdens Table 3 for the various types of respondents, the reporting burden to complete one form ranges from a low of 44.7 hours for manufacturers (including importers) or processors of elemental mercury who report to CDR, to a high of 111 hours for manufacturers (including importers) or processors of both elemental mercury and mercury compounds who do not report to either CDR or IMERC.

Table 2: Industry Burden per Activity[16]

Activity	Clerical Burden (hours)	Technical Burden (hours)	Managerial Burden (hours)	Attorney Burden (hours)	Total Burden (hours)
Compliance Determination	0	2.5	0	0	2.5
Rule Familiarization[1]	0	1.9	0.9	0	2.8
Preparation of Reports (CBI Claim Substantiation)	0	0	3	3	6
Preparation of Reports (Electronic Reporting)	0	0.97	0.49	0	1.46
Recordkeeping	0.5	0.5	0	0	1

[1] As noted in the economic analysis (EPA 2018), rule familiarization costs are generally only incurred in the first year of the rule, which was covered under the previous ICR. However, due to employee turnover, new employees will also need to become familiar with the rule in order to comply with its requirements. It is assumed that each reporting year, 10 percent of reporters will be replaced by new employees. Therefore, consistent with EPA 2018, the rule familiarization costs shown here are 10 percent of what was presented in the previous ICR supporting statement.

[16] More detailed information on the derivation of these estimates is found in the *Economic Analysis for the Reporting Requirements for the TSCA Mercury Inventory* (EPA, 2018).

Table 3. Industry Burden for Form Completion: Manufacturers/Processors of Elemental Mercury and Mercury Compounds[1]

Reporting Element	Technical Labor Burden (hours)	Managerial Labor Burden (hours)	Total Labor Burden (hours)
TOTAL BURDEN per Response, CDR reporters	77.0	11.7	88.6
TOTAL BURDEN per Response, IMERC reporters	96.8	12.0	108.8
TOTAL BURDEN per Response, other	98.7	12.7	111.4

[1] Changes in values in this table from those presented in the previous ICR supporting statement reflect the "subsequent years" burden estimates presented in the economic analysis (EPA 2018); decrease is due to prohibition of export of certain mercury compounds and subsequent reduction in burden associated with questions related to export of mercury compounds.

To estimate costs, EPA multiplies burden estimates by standard wage rates for attorney, managerial, technical, and clerical levels developed from information published by the Bureau of Labor Statistics (BLS) and a method outlined in the document *Wage Rates for Economic Analyses of the Toxics Release Inventory Program* (EPA, 2002b). Wage data for managerial, technical, and clerical staff was gathered for manufacturing industries from *Employer Costs for Employee Compensation Supplementary Tables: June 2020* (BLS, 2020a). Additionally, wage rates for attorney level were gathered from the *BLS Occupational Employment Statistics (OES) May 2019 National Industry-Specific Occupational Employment and Wage Estimates* (BLS, 2020b).

The cost of fringe benefits, such as health insurance and vacation, is taken for each labor category from the same ECEC series. Following the outlined methodology (EPA, 2002b), fringe benefits are calculated as a percentage of total wages for each category. Since the fringe benefits for attorney were not available from the BLS report, EPA applied the managerial fringe benefit to wage ratio to this wage as well. EPA added 17 percent to the wages in each category to account for overhead, based on information provided by the chemical industry and chemical industry trade associations in the *Revised Economic Analysis for the Amended Inventory Update Rule: Final Report* (EPA, 2002a) and *Wage Rates for Economic Analyses of the Toxics Release Inventory Program* (2002b). The wages for each of the three categories were then multiplied by benefits and overhead factors to estimate loaded, annual salaries in year 2020 dollars. Table 4 contains the loaded wage rates for the managerial, technical and clerical occupation categories.

Table 4: Derivation of Loaded Wage Rates for the Private Manufacturing Sector in 2020$

Labor Category	Wage	Fringe Benefits	Fringes as % of Wage	Overhead % of Wage[3]	Fringe + Overhead Factor	Loaded Wages
	(a)	(b)	(c) = (b)/(a)	(d)	(e)=(1)+(c)+(d)	(f) = (a) x (e)
Attorney[1]	$69.86	--	44.24%	17%	1.61	$112.64
Managerial[2]	$51.65	$22.85	44.24%	17%	1.61	$83.28
Technical[2]	$46.65	$23.20	49.73%	17%	1.67	$77.78
Clerical[2]	$20.54	$9.54	46.45%	17%	1.63	$33.57

Sources:

[1] BLS Occupational Employment Statistics (OES) May 2019 National Industry-Specific Occupational Employment and Wage Estimates (BLS, 2020b)

[2]Employer Costs for Employee Compensation Supplementary Tables: June 2020, US Bureau of Labor Statistics (BLS, 2020a)

[3]An overhead rate of 17 percent was estimated based on industry data gathered for the *Revised Economic Analysis for the Amended Inventory Update Rule: Final Report* (EPA, 2002a) and *Wage Rates for Economic Analyses of the Toxics Release Inventory Program*. (EPA, 2002b)

Table 5 contains the cost per activity of completing a form for one respondent, for each respondent type. To obtain these costs, burden hours presented in Tables 2 through 5 were multiplied by the corresponding loaded wage rate in Table 6. EPA estimates that the total cost for reviewing the rule and completing and submitting one report with recordkeeping ranges between approximately $4,630 and $9,910, depending on the kind of mercury and reporting status. Because the data collection will occur only once during the ICR time period, there are no costs associated with Years 2 and 3.

Table 5: Industry Cost per Activity (2020$)

Submitter Type	Clerical Burden (at $33.57/hour)	Technical Burden (at $77.78/ hour)	Managerial Burden (at $83.28/ hour)	Attorney Burden (at $112.64/ hour)	Total Cost
	(a)	(b)	(c)	(d)	(e) =(a)+(b)+ (c)+(d)
COMPLIANCE DETERMINATION					
All	$0	$194.45	$0	$0	$194
RULE FAMILIARIZATION					
All	$0	$148	$75	$0	$223
PREPARATION OF REPORTS (FORM COMPLETION)					
Manufacturers/Processors of Elemental Mercury, CDR reporters	$0	$3,026	$483	$0	$3,509
Manufacturers/Processors of Elemental Mercury, IMERC	$0	$3,135	$508	$0	$3,643

Submitter Type	Clerical Burden (at $33.57/hour)	Technical Burden (at $77.78/ hour)	Managerial Burden (at $83.28/ hour)	Attorney Burden (at $112.64/ hour)	Total Cost
	(a)	(b)	(c)	(d)	(e) =(a)+(b)+ (c)+(d)
reporters					
Manufacturers/Processors of Elemental Mercury, other	$0	$3,181	$525	$0	$3,706
Manufacturers/Processors of Mercury Compounds, CDR reporters	$0	$2,963	$491	$0	$3,455
Manufacturers/Processors of Mercury Compounds, IMERC reporters	$0	$4,402	$491	$0	$4,894
Manufacturers/Processors of Mercury Compounds, other	$0	$4,496	$533	$0	$5,029
Manufacturers/Processors of Both Elemental Mercury and Mercury Compounds, CDR reporters	$0	$5,989	$974	$0	$6,963
Manufacturers/Processors of Both Elemental Mercury and Mercury Compounds, IMERC reporters	$0	$7,529	$999	$0	$8,529
Manufacturers/Processors of Both Elemental Mercury and Mercury Compounds, other	$0	$7,677	$1,058	$0	$8,735
PREPARATION OF REPORTS (CBI CLAIM SUBSTANTIATION)					
All	$0	$0	$250	$338	$587.77
PREPARATION OF REPORTS (ELECTRONIC REPORTING)					
All	$0	$75	$41	$0	$116
RECORDKEEPING					
All	$16.79	$38.89	$0	$0	$55.68
TOTAL BURDEN PER REPORT					
Manufacturers/Processors of Elemental Mercury, CDR reporters	$16.79	$3,482	$849	$338	$4,686
Manufacturers/Processors of Elemental Mercury, IMERC reporters	$16.79	$3,591	$874	$338	$4,819
Manufacturers/Processors of Elemental Mercury, other	$16.79	$3,638	$890	$338	$4,883
Manufacturers/Processors of Mercury Compounds, CDR reporters	$16.79	$3,420	$857	$338	$4,632
Manufacturers/Processors of	$16.79	$4,859	$857	$338	$6,071

Submitter Type	Clerical Burden (at $33.57/hour)	Technical Burden (at $77.78/ hour)	Managerial Burden (at $83.28/ hour)	Attorney Burden (at $112.64/ hour)	Total Cost
	(a)	(b)	(c)	(d)	(e) =(a)+(b)+ (c)+(d)
Mercury Compounds, IMERC reporters					
Manufacturers/Processors of Mercury Compounds, other	$16.79	$4,952	$899	$338	$6,206
Manufacturers/Processors of Both Elemental Mercury and Mercury Compounds, CDR reporters	$16.79	$6,446	$1,340	$338	$8,140
Manufacturers/Processors of Both Elemental Mercury and Mercury Compounds, IMERC reporters	$16.79	$7,986	$1,365	$338	$9,705
Manufacturers/Processors of Both Elemental Mercury and Mercury Compounds, other	$16.79	$8,134	$1,423	$338	$9,911

To identify the universe of sites potentially subject to the rule, EPA used three sources: the IMERC database, EPA CDR data, and EPA TRI data.

EPA accessed the IMERC database online (NEWMOA, 2020) and obtained a list of all of the submitter companies within the database. For this analysis, EPA used only the companies contained in the database that provided a submission to IMERC in 2016 (the most recent reporting year at the time this analysis was performed). Among the 2016 submissions, companies that indicated that all of their uses of mercury are now phased out were not included. Therefore, the IMERC database yielded a list of companies with mercury-added products that were not phased out as of 2016. To the extent that some of the companies may have since discontinued the manufacture of mercury-added products, this may be an overestimation of the number of regulated entities. The IMERC database identified 257 relevant companies (considered sites for the purposes of this analysis[17]). The data does not distinguish between elemental mercury-added and mercury compound-added products. EPA assumes that all of the IMERC reports are associated with elemental mercury rather than mercury compounds.

The most recent reporting year for which CDR information was publicly available at the time this analysis was performed was 2016. The non-confidential 2016 CDR data revealed only five sites manufacturing elemental mercury); two of these sites also reported the manufacture of mercury compounds (mercury chloride and thimerosal).

[17] The IMERC database contains individual submissions for site locations of the same parent company.

The most recent reporting year for which TRI information was publicly available at the time this analysis was performed was 2019. For the purpose of this analysis, EPA included TRI reporters of mercury and mercury compounds in the assumed universe of reporters, regardless of their responses as to how the chemical is manufactured, processed, or otherwise used, unless it was indicated that the mercury was manufactured or processed only as an impurity.[18] EPA further excluded reporters not generally known to manufacture mercury or mercury-added products or otherwise intentionally use mercury in a manufacturing process.[19] To the extent that any other reporters may not "intentionally" use mercury, this may be an overestimation of the number of regulated entities. Thus, TRI data for 2019 yielded a total of 160 reports for mercury, and 348 reports for mercury compounds.

Using the combined list of sites reporting to IMERC, CDR, and/or TRI, EPA identified any duplicate site listings by identifying 1) sites with identical TRI Facility ID numbers and 2) sites reporting to both TRI and IMERC or CDR with matching facility names and addresses (there were no sites that reported to both IMERC and CDR). Duplicate sites were excluded. This results in a total of 756 unique sites that are potentially regulated under the rule. The sites were categorized as to whether they handle elemental mercury, mercury compounds or both; and their current reporting status. These results are shown in Table 6.

[18] Mercury or a mercury-containing byproduct manufactured for commercial purposes are subject to the reporting requirements. Mercury generated as an impurity or a byproduct not used for commercial purposes is not subject to the rule.

[19] EPA excluded TRI reporters classified under the following NAICS codes: 2211 (electric power generation, transmission, and distribution), 311 (Food Manufacturing), 312 (Beverage and Tobacco Product Manufacturing), 324110 (Petroleum Refineries), 324191 (Petroleum Lubricating Oil and Grease Manufacturing), 324199 (All Other Petroleum and Coal Products Manufacturing), 325110 (Petrochemical Manufacturing), 3273 (cement and concrete manufacturing), 327410 (Lime Manufacturing), 327420 (Gypsum Product Manufacturing), 3279 (nonmetallic mineral product manufacturing) , 424710 (Petroleum Bulk Stations and Terminals), and 486910 (Pipeline Transportation of Refined Petroleum Products).

Table 6: Summary of Regulated Sites

Data Source	Number of Sites
Reporters with only Elemental Mercury	
CDR (unique sites report only to CDR)	3
IMERC (unique sites report only to IMERC)	255
TRI (unique sites report to neither CDR nor IMERC)	149
Reporters with only Mercury Compounds	
CDR (unique sites report only to CDR)	0
IMERC (unique sites report only to IMERC)	0
TRI (unique sites report to neither CDR nor IMERC)	343
Reporters with Both Elemental Mercury and Mercury Compounds	
CDR (unique sites report only to CDR)	2
IMERC (unique sites report only to IMERC)	0
TRI (unique sites report to neither CDR nor IMERC)	4
TOTAL	**756**
Sources: CDR – 2016 Chemical Data Reporting data (EPA, 2020a. Accessed November 2020) IMERC – 2016 IMERC submissions (NEWMOA, 2020. Accessed December 2020) TRI – 2019 Toxics Release Inventory data (EPA, 2020b. Accessed December 2020)	

To identify the universe of firms potentially subject to the rule, EPA used three sources: the IMERC database, EPA CDR data, and EPA TRI data. EPA estimated the number of sites in each of the nine categories of reporters (see Table 7), for a total of 756 that would be subject to the rule. Each site is expected to submit one response during each reporting period; there is one reporting period during this ICR period. Table 8 shows the number of responses for the various activities during the first reporting period.

Table 7: Number of Responses per Activity

Activity	Total Number of Companies	Number of Responses/ Respondent	Total Number of Responses
Compliance Determination	756	1	756
Rule Familiarization	756	1	756
Preparation of Reports (Form Completion)			
Manufacturers/Processors of Elemental Mercury, CDR reporters	3	1	3
Manufacturers/Processors of Elemental Mercury, IMERC reporters	255	1	255
Manufacturers/Processors of Elemental Mercury, other	149	1	149
Manufacturers/Processors of Mercury Compounds, CDR reporters	0	1	0
Manufacturers/Processors of Mercury Compounds, IMERC reporters	0	1	0

Manufacturers/Processors of Mercury Compounds, other	343	1	343
Manufacturers/Processors of Both Elemental Mercury and Mercury Compounds, CDR reporters	2	1	2
Manufacturers/Processors of Both Elemental Mercury and Mercury Compounds, IMERC reporters	0	1	0
Manufacturers/Processors of Both Elemental Mercury and Mercury Compounds, other	4	1	4
Preparation of Reports (CBI Substantiation)	756	1	756
Preparation of Reports (Electronic Submission)	756	1	756
Recordkeeping	756	1	756

Table 8 presents the total estimated respondent burden and costs for mercury manufacturers (including importers) or processors. As presented in Table 10, EPA estimates the total industry burden for a total of 756 mercury manufacturers (including importers) or processors of mercury or mercury-added products to be approximately 52,000 hours and the total cost to be approximately $4.15 million.

Table 8: Total Estimated Respondent Burden and Cost Associated with this ICR Addendum

Respondent Type	Number of Sites	Reports per Site	Burden per Firm	Cost per Firm (2020$)	Total Industry Burden	Total Industry Cost (2020$)
Manufacturers/Processors of Elemental Mercury, CDR reporters	3	1	58.46	$4,686	175	$14,057
Manufacturers/Processors of Elemental Mercury, IMERC reporters	255	1	60.16	$4,819	15,341	$1,228,960
Manufacturers/Processors of Elemental Mercury, other	149	1	60.96	$4,883	9,083	$727,534
Manufacturers/Processors of Mercury Compounds, CDR reporters	0	1	58.56	$4,632	0	$0
Manufacturers/Processors of Mercury Compounds, IMERC reporters	0	1	76.26	$6,071	0	$0
Manufacturers/Processors of Mercury Compounds, other	343	1	77.96	$6,206	26,740	$2,128,519

Manufacturers/Processors of Both Elemental Mercury and Mercury Compounds, CDR reporters	2	1	102.36	$8,140	205	$16,281
Manufacturers/Processors of Both Elemental Mercury and Mercury Compounds, IMERC reporters	0	1	122.56	$9,705	0	$0
Manufacturers/Processors of Both Elemental Mercury and Mercury Compounds, other	4	1	125.16	$9,911	501	$39,646
TOTAL	**756**				**52,045**	**$4,154,996**

13. Provide an estimate for the total annual cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected on the burden worksheet).

a) The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life) and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.

b) If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collections services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.

c) Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.

There are no operational or maintenance costs associated with this ICR.

14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of

hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies may also aggregate cost estimates from Items 12, 13, and 14 in a single table.

EPA resources will be devoted to reviewing and analyzing data submissions, maintaining files of submitted data, responding to public inquiries, and drafting and publishing the triennial mercury inventory. Specific Agency actions include:

- Requesting responses to the reporting requirements established by this ICR (83 Fed. Reg. 30054; June 27, 2018);
- Conducting outreach and providing materials to assist in understanding rule requirements and reporting data accordingly;
- Reviewing and performing quality assurance of submitted data; and
- Following up with respondents if clarifications are needed.

Based on the information collected, EPA plans to develop guidance and recommendations of actions to achieve further reductions in mercury use.

EPA is responsible for the following activities associated with administering the rule:

- Industry and public assistance;
- Data processing and systems support; and
- Report preparation, release, and maintenance.

Costs related to EPA activities that involve using the data are not included. EPA has estimated the Agency burden resulting from the new requirements in TSCA for substantiation of CBI claims made as a result of the rule. EPA will further refine these estimates when it revises the cost and estimates for the ICR for 40 CFR part 2 based on the new CBI substantiation requirements.

Agency personnel are responsible for all tasks associated with the rule, and none of the work is estimated to be completed by contractor staff. EPA labor costs are based on annual federal wage rates published by the Office of Personnel Management for the Washington-Baltimore-Northern Virginia, DC-MD-PA-VA-WV Locality Pay Area for 2020 (OPM, 2016). Wages are presented in terms of GS-level and step. Employees at the federal GS-13, Step 5 level will conduct the collection and administrative activities under the rule. A federal GS-14, Step 5 will assist with the review of the CBI claim substantiations. Unloaded wage rates for 2020 for both of these employees are presented in Table 9. Following the methodology outlined in *Instructions for Preparing Information Collection Requests (ICRs)* (EPA, 1992), EPA added 60 percent to the wage rate to account for fringe benefits and overhead costs. Table 8 derives the loaded wage rates for Agency staff at the GS-13 Step 5 level.

Table 9: Derivation of Loaded Agency Wage Rates (2020$)

Labor Category	Pay Grade	Wage Rate	Overhead and Fringe Benefits (% of wages)	Overhead and Fringe Benefit Cost	Total
Technical Labor	**GS 13 Step 5**	$55.75	60%	$33.45	**$89.20**
Attorney Labor	**GS 14 Step 5**	$65.88	60%	$39.53	**$105.41**

Source: The unloaded Federal salary for 2020 is from the Office of Personnel Management salary table for Washington-Baltimore-Northern Virginia (OPM, 2020).

Table 10 contains the burden and cost per report for all EPA staff activities. All activities performed by EPA staff are dependent on the number of reports submitted to EPA. The burden for industry and public assistance is approximately 1.25 hours per report and the total cost per-report is approximately $112. The burden for data processing and systems support is approximately 3.13 hours and the cost per report is approximately $279. The total burden for review of CBI claim substantiations is approximately 2 hours and the cost per report is approximately $203.[20]

Table 10: EPA Staff Burden and Cost of Processing One Report

EPA Activity	Technical Labor (at $89.20/hour)		Attorney Labor (at $105.41/hour)		Total Labor Cost	
	Burden (Hours)	Cost (2020$)	Burden (Hours)	Cost (2020$)	Burden	Cost (2020$)
Industry/Public Assistance	1.25	$112	0	$0	1.25	$112
Data Processing and Systems Support Personnel	3.13	$279	0	$0	3.13	$279
Review of CBI claim substantiations	0.5	$45	1.5	$158	2	$203
Total, per report	**4.88**	**$435**	**1.5**	**$158**	**6.38**	**$593**

Note: Some burden estimate subtotals may not calculate due to rounding of unit burden estimates.

15. Explain the reasons for any program changes or adjustments reported in hour or cost burden.

The annual public burden for this collection of information, which is approved under OMB Control No. 2070-0207, is estimated about 23 hours per respondent. This request represents a decrease of 9 hours per respondent, or a total decrease of 20,522 hours (from 72,567 to 52,045 hours) and an average decrease of 6,841 per year from what is currently in the OMB inventory, as shown in Table 11. This decrease is due to:

[20] The burden and cost of processing each form is derived in the final rule's Economic Analysis (EPA, 2018).

- Decrease in rule familiarization burden;
- Decrease in form completion burden due to mercury export prohibitions; and
- Changes in the number of estimated respondents.

As noted in the Federal Register notice that announced the amendments to the mercury inventory reporting rule ("Response to Vacatur of Certain Provisions of the Mercury Inventory Reporting Rule" (86 FR 61708)), the economic analysis of the potential impacts associated with the rulemaking estimates and evaluates the total costs and benefits for additional reporters to the mercury inventory reporting rule (i.e., those that import products that contain a component that is a mercury-added product). EPA is considering an estimate of 756 as the number of sites potentially subject to the amended rule, which, under the revised requirements, is now applicable to imports of products that contain a component that is a mercury-added product (this increase is reflected in Table 11). EPA estimates that as many as 657 sites will submit reports due to the revised requirements. This is the incremental difference between the number of actual reporters to the mercury inventory reporting rule during the 2019 submission period, and the expected number of total reporters based on the number of entities that report to IMERC, CDR, or TRI.

The economic analysis further explains: "Using the combined list of sites reporting to IMERC, CDR, and/or TRI, EPA identified any duplicate site listings by identifying 1) sites with identical TRI Facility ID numbers and 2) sites reporting to both TRI and IMERC or CDR with matching facility names and addresses (there were no sites that reported to both IMERC and CDR). Duplicate sites were excluded. This results in a total of 756 unique sites that are potentially regulated under the rule. This number is significantly higher than the number of actual reporters in 2018 (99 sites). This may be due to a number of reasons, including that products have been phased out since reporting to IMERC or CDR in 2016. Furthermore, as noted above, IMERC reporting requirements apply to imports of products that contain a component that is a mercury-added product; the mercury inventory reporting rule in 2018 did not. Therefore, to be conservative, EPA is considering an estimate of 756 as the total number of sites potentially subject to the mercury inventory reporting rule, which, under the revised requirements is now applicable to imports of products that contain a component that is a mercury-added product."[21]

[21] EPA. Economic Analysis for the Final Rule on Revisions to the Reporting Requirements for the TSCA Mercury Inventory. August 17, 2021.

Table 13: Changes in Burden Since Last ICR Approval

Type of Estimate		Previous ICR		Changes		ICR Renewal	
		Burden (hours)	Respon-dents	Burden (hours)	Respon-dents	Burden (hours)	Respon-dents
Compliance Determination (all submitters)		2.5	750	0.00	6.00	2.5	756
Rule Familiarization (all submitters)		28	750	(25.20)	6.00	2.8	756
Preparation of Reports (Form Completion)							
	Manufacturers/Processors of Elemental Mercury, CDR reporters	44.7	0	0.00	3.00	44.7	3
	Manufacturers/Processors of Elemental Mercury, IMERC reporters	46.4	318	0.00	(63.00)	46.4	255
	Manufacturers/Processors of Elemental Mercury, other	47.2	137	0.00	12.00	47.2	149
	Manufacturers/Processors of Mercury Compounds, CDR reporters	48.4	1	(3.60)	(1.00)	44.8	0
	Manufacturers/Processors of Mercury Compounds, IMERC reporters	71	0	(8.50)	0.00	62.5	0
	Manufacturers/Processors of Mercury Compounds, other	72.7	278	(8.50)	65.00	64.2	343
	Manufacturers/Processors of Both Elemental Mercury and Mercury Compounds, CDR reporters	93.4	2	(4.80)	0.00	88.6	2
	Manufacturers/Processors of Both Elemental Mercury and Mercury Compounds, IMERC reporters	117.3	0	(8.50)	0.00	108.8	0
	Manufacturers/Processors of Both Elemental Mercury and Mercury Compounds, other	119.9	14	(8.50)	(10.00)	111.4	4
Preparation of Reports (CBI Claim Substantiation) (all submitters)		6	750	0.00	6.00	6	756
Preparation of Reports (Electronic Reporting) (all submitters)		1.46	750	0.00	6.00	1.46	756
Recordkeeping (all submitters)		1	750	0.00	6.00	1	756
AVERAGE SUBMITTER		**97**		**(28.16)**		**69**	
AVERAGE SUBMITTER OVER THREE YEARS		**32**		**(9)**		**23**	
TOTAL BURDEN **AVERAGE PER YEAR**		**72,567** **24,189**		**(20,522)** **(6,841)**		**52,045** **17,348**	

16. For collections whose results will be published, outline the plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

Not applicable.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.

Not applicable.

18. Explain each exception to the certification statement identified in "Certification for Paperwork Reduction Act Submissions."

EPA does not request an exception to the certification of this information collection.

SUPPLEMENTAL INFORMATION

The annual public burden for this collection of information is estimated to average approximately 23 hours annually per respondent over the three-year period. 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 the time needed to review and understand instructions; prepare and submit reports (including searching data sources); complete and review the collection of information; transmit the information; and keep records.

To comment on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including the use of automated collection techniques, EPA has established a public docket for this ICR under Docket ID Number EPA-HQ-OPPT-2020-0617, which is available at http://www.regulations.gov. This site can be used to submit or view public comments, access the index listing of the contents of the public docket, and to access those documents in the public docket that are available electronically. When in the system, select "search," then key in the Docket ID Number identified above.

You can also provide comments to the Office of Information and Regulatory Affairs, Office of Management and Budget via http://www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

All comments received by EPA will be included in the docket without change, including any personal information provided, unless the comment includes profanity, threats, information claimed to be Confidential Business Information (CBI), or other information whose disclosure is restricted by statute. Do not submit electronically any information you consider to be CBI or other information whose disclosure is restricted by statute.

Notice: Due to public health concerns related to COVID-19, the EPA Docket Center and Reading Room are open to the public *by appointment only*. Read more about the operating status http://www.regulations.gov.

LIST OF ATTACHMENTS

The attachments listed below can be found in the docket for this ICR or by using the hyperlink that is provided in the list below. The docket for this ICR is accessible electronically through http://www.regulations.gov using Docket ID Number: EPA-HQ-OPPT-2020-0617.

Ref.	Title
1.	Implementing regulations
2.	Mercury CDX User Guide
3.	Consultation Responses

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