

Good Afternoon:

I am contacting you to solicit your input on the revisions to the Information Collection Request (ICR) covering information collection activities pursuant to the Toxic Substances Control Act (TSCA) section 4 regulatory actions.

The existing ICR for TSCA section 4 expires on October 31, 2021 and is being revised to include TSCA section 4 program updates associated with TSCA, as amended by the Frank R. Lautenberg Chemical Safety for the 21st Century Act. Entitled, "TSCA Section 4 Test Rules, Test Orders, Enforceable Consent Agreements (ECAs), Voluntary Data Submissions, and Exemptions from Testing Requirement," it is identified by OMB Control No. 2070-0033. OMB requires federal agencies to consult with nine or fewer potential respondents prior to submitting the ICR revision to OMB for review and approval. This consultation requirement is in addition to providing the public with 60 days to comment on the proposed collection activity. The notice announcing the ICR revision and solicitation of comments was published in the Federal Register on June 1, 2020 (85 FR 33151). See <http://www.regulations.gov/>, docket ID EPA-HQ-OPPT-2015-0436, and the ICR supporting statement for this revision is located in that docket for additional information.

The Paperwork Reduction Act (PRA) requires that agencies receive Office of Management and Budget (OMB) clearance before requesting most types of information from the public. In order to receive OMB clearance, federal agencies prepare draft ICRs providing an overview of the information collection and estimates of the cost and time for the public to respond. The agencies consult with potential respondents and the public about the ICR and, where appropriate, incorporate comments received. The draft ICR is then sent to OMB for its review and approval. These ICRs are periodically renewed.

Under TSCA section 4, EPA has the authority to promulgate rules, issue orders, and enter into consent agreements requiring manufacturers and processors to develop information on chemical substances and mixtures related to human health and the environment, including hazard and exposure information, on chemical substances and mixtures. This information collection addresses the burden associated with industry activities involved in the reporting and recordkeeping pursuant to TSCA section 4. There is an overall increase in the total respondent burden that is currently approved by OMB for this ICR. This increase reflects changes in the number of actions, CBI substantiation requirements, and methodological updates. However, there is a reduction in annual cost estimates due to a change in the assumed battery of tests that may be required for this three-year period under potential testing actions. The assumption is based on statutory changes under the Lautenberg Act, such as the mandated tiered testing approach. Further details about these changes are included in this ICR supporting statement.

EPA solicits your input on the following questions.

1. INFORMATION COLLECTION

(a) Is the information that the Agency seeks under this ICR available from any public source, or already collected by another office at EPA or by another agency? If yes, where can the Agency find the data?

(b) Is it clear what is required for data submission? If not, are there any suggestions for clarifying instructions?

2. BURDEN COST ANALYSIS

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

(b) Are the Bureau of Labor Statistics (BLS) labor rates accurate? If you have any reason to consider the BLS labor rates inaccurate or inappropriate as used by EPA, please explain your rationale.

Please note that if you take this opportunity to provide input, your name, affiliation, phone number, and any information that you provide will be incorporated and attached to the ICR supporting statement, which will be a public document. In addition, you may be contacted by the OMB desk examiner reviewing this ICR reinstatement to verify the accuracy of any comments as reported in the ICR by EPA. To provide input on this ICR, please respond to this email by July 31, 2020 so we can consider those responses, along with other consultation responses and public comments resulting from the Federal Register notice, at the same time as we prepare a final document for OMB review.

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

Sincerely,

Diana Fahning

Environmental Protection Specialist
U.S. Environmental Protection Agency
Office of Pollution Prevention and Toxics
Chemical control Division
Phone: 202-564-8621