

Request for a Non-Substantive Change to an Existing Approved Information Collection

(EPA ICR No. 1139.44; OMB Control No. 2070-0033)

I. Introduction

Why is EPA Requesting a Non-Substantive Change?

EPA solicited comments on guidance documents to assist submitters of Test Orders and to reduce time consuming interactions among stakeholders of submissions on November 2, 2022 (86 FR 60460). Approval of pre-issuance stakeholder outreach will help ensure that affected entities will be kept informed of upcoming Section 4 Test Orders and provide opportunities for such entities to engage with EPA prior to the issuance of a given Test Order. The ICR entitled “User Guide for submitting TSCA Section 4 Test Order Information,” and identified by EPA ICR No. 2697.01 and approved under OMB Control No. 2070-0215, which is scheduled to expire on April 30, 2022, incorporates the activities and burdens associated with the guidance documents. EPA will merge these guidance documents into a renewal ICR for “Generic Clearance for TSCA Section 4 Test Rules, Test Orders, Enforceable Consent Agreements (ECAs), Voluntary Data Submissions, and Exemptions from Testing Requirement” under OMB Control No. 2070-0033 because the activities are integrated components of the same information collection program.

II. Description of Non-Substantive Changes

What Information Collection Request (ICR) is EPA changing?

ICR Title: Generic Clearance for TSCA Section 4 Test Rules, Test Orders, Enforceable Consent Agreements (ECAs), Voluntary Data Submissions, and Exemptions from Testing Requirement

ICR Numbers: EPA ICR No. 1139.44; OMB Control No. 2070-0033

What is the current status of this ICR?

This ICR is currently approved through December 31, 2023.

What are the changes that EPA is making to this collection of information?

EPA developed the Questions and Answers document and User Guide to assist stakeholders with Section 4 Test Order requirements and the submission process. The documents discuss both information already required under the existing ICR, and information that the Agency would recommend as a voluntary matter in specified situations, which in the past has been submitted on a case-by-case basis, EPA believes these documents will help submitters meet the requirements of TSCA Section 4, and better understand the utility of submitting complete and accurate information. The documents will also clarify the testing requirements and notification process questions for individuals subject to TSCA Section 4 Test Orders. However, since publication of the guidance documents in the *Federal Register*, EPA revised the estimates for the number of

respondents for the Test Orders. This non-substantive change request reflects the change in the number of respondents who will review the guidance documents.

Will this change impact the annual ICR burden estimates?

Yes, there is an overall increase of 873 hours in the total respondent burden that is currently approved by OMB for this ICR for the three-year period. The increase reflects changes in the addition of reviewing guidance documents and pre-issuance outreach for Test Orders.