

**Subject:** ICR for Recordkeeping and Reporting Under Section 8 of TSCA

Hello All:

On March 8, 2022, the U.S. Environmental Protection Agency (EPA) published a notice in the [Federal Register 87 FR 12954](#) announcing that EPA intends to submit an Information Collection Request (ICR) to Office of Management and Budget (OMB). In compliance with the Paperwork Reduction Act (PRA), this document announces the availability of and solicits public comment on the ICR entitled “Recordkeeping and Reporting Under Section 8 of the Toxic Substances Control Act (TSCA)” and identified by EPA ICR No. 2703.01 and OMB Control No. 2070-NEW. This is a new ICR that consolidates the information collection activities currently covered by several ICRs previously approved by OMB under the separate OMB control numbers. Those ICRs all involved reporting and recordkeeping activities established under TSCA section 8 for chemical substances and Subpart B of 40 CFR part 766 which was previously consolidated within the OMB-approved ICR for the TSCA Section 8(a) Preliminary Assessment Information Rule (PAIR). Although imposed for a specific chemical substance, the activities are already established and only vary based on the specific authority under TSCA section 8 and 40 CFR 766 and the need for the information for that chemical. EPA is consolidating these ICRs to streamline the presentation of the paperwork burden estimates for these various activities, which will in turn facilitate and reduce the administrative burden for both

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the public reviewers and the Agency in terms of reviewing and updating the ICR every three (3) years as required by the PRA, 44 U.S.C. 3501 *et seq.*, as well as allow for a better assessment of the paperwork burden and costs associated with reporting and recordkeeping activities established under TSCA section 8 for specific chemical substances. This ICR addresses the following four (4) types of information collections (ICs) required by TSCA section 8 and identifies the persons required to keep records and report such information, which include: TSCA Section 8(a) Preliminary Assessment Information Rule (PAIR), Chemical-Specific Rules, TSCA Section 8(a), Recordkeeping and Reporting Requirements for Allegations of Significant Adverse Reactions to Human Health or the Environment, and Health and Safety Data Reporting, Submission of Lists and Copies of Health and Safety Studies.

In addition to the public comment requested by the notice in the Federal Register, OMB regulations at 5 CFR 1320.8(d)(1) require agencies to consult with potential respondents and data users about specific aspects of an ICR. As part of this required consultation, I am contacting you to solicit your input through the attached questionnaire.

If you have any comments in response to the above questions, or with respect to any other part of this ICR, please respond by return e-mail by COB on May 9, 2022 or submit your comment to the docket EPA-HQ-OPPT-20121-0728 via [www.regulations.gov](http://www.regulations.gov). EPA will consider those responses, as well as any public comment received in response to the Federal Register notice identified above, in preparing a final document for OMB review.

Thank you,

## Consultation Questions for ICR Renewals

### EPA Questions asked in Consultation

#### (1) Publicly Available Data

- \$ Is the data that the Agency seeks available from any public source, or already collected by another office at EPA or by another agency?
- \$ If yes, where can you find the data? (Does your answer indicate a true duplication, or does the input indicate that certain data elements are available, but that they don't meet our data needs very well?)

#### (2) Frequency of Collection

- \$ Can the Agency collect the information less frequently and still produce the same outcome?

#### (3) Clarity of Instructions

- \$ The ICR is intended to require that respondents provide certain data so that the Agency can utilize them.
- \$ Based on the instructions (regulations, PR Notices, etc.), is it clear what you are required to do and how to submit such data? If not, what suggestions do you have to clarify the instructions?
- \$ Do you understand that you are required to maintain records?
- \$ Considering that there is no required submission format, is it difficult to submit information in ways that are clear, logical and easy to complete?
- \$ Are there forms associated with this process? Do you use them? Are they clear, logical, and easy to complete?

#### (4) Electronic Reporting and Record keeping

The Government Paperwork Elimination Act requires agencies make available to the public electronic reporting alternatives to paper-based submissions by 2003.

- \$ Are you keeping your records electronically? If yes, in what format?

#### (5) Burden and Costs

- \$ Are the labor rates accurate?
- \$ The Agency assumes there is no capital cost associated with this activity. Is that correct?
- \$ Bearing in mind that the burden and cost estimates include only burden hours and costs associated with the paperwork involved with this ICR, e.g., the ICR does not

include estimated burden hours and costs for conducting studies, are the estimated burden hours and labor rates accurate? If you provide burden and cost estimates that are substantially different from EPA's, please provide an explanation of how you arrived at your estimates.

§ Are there other costs that should be accounted for that may have been missed?