

From: [Pohl, Maxim](#)
Subject: U.S. EPA - - - Feedback Requested on the TSCA Title VI ICR Renewal and Supporting Statement
Date: Thursday, January 18, 2024 4:18:59 PM
Attachments: [2024 HCHO ICR Consultation Questions.docx](#)

Greetings – as you may be aware the U.S. EPA recently posted a *Federal Register* notice proposing to renew the existing Information Collection Request (ICR) for the Formaldehyde Emission Standards for Composite Wood Products Final Rule (i.e., TSCA Title VI regulation). The comment period for this proposed renewal opened on January 17, 2024, and will close on March 17, 2024. The Agency is seeking feedback from you (and the general public through the open comment period in the docket) on the proposed ICR renewal and supporting statement for TSCA Title VI regulation. EPA is posing the following direct questions; however, is also accepting comment on the entirety of the ICR renewal *Federal Register* notice and supporting statement. **In addition to the questions below, respondents should answer those listed in the attached word document titled 2024 HCHO ICR Consultation Questions.**

- Do you understand what information submittals the EPA requires under the TSCA Title VI regulation and how to report the information?
- Do you understand the recordkeeping requirements of the TSCA Title VI regulation and how to retain/supply the information upon an EPA request?
- Is the EPA's Central Data Exchange system (for use by Third-Party Certifiers and Accreditation Bodies) clear, logical, and easy to complete the various submittals required under the TSCA Title VI regulation? If no, do you have any suggestions on clarifying the process?
- Do you agree with EPA's ICR estimates of burden hours and costs? The ICR addresses only the burden hours and costs associated with the additional paperwork required to comply with the TSCA Title VI regulation, above and beyond the activities required under the California Air Resources Board (CARB) Air Toxics Control Measure (ATCM) to Reduce Formaldehyde Emissions from Composite Wood Products. EPA's estimates do not include burden hours and costs for usual and customary business practices. Please provide an explanation of how you arrived at your estimate of burden hours and cost if substantially different than EPA's estimates.
- Are the Bureau of Labor Statistics (BLS) labor rates used in the cost estimates accurate for your industry? If you have any reason to consider the BLS labor rates as used by EPA inaccurate or inappropriate, please explain your rationale.
- Do you understand the impending changes taking effect on March 22, 2024, when laminated product producers whose products are not exempted from the definition of hardwood plywood will be included as producers of hardwood plywood and will be required to test and certify their products to ensure they comply with the formaldehyde emission standard for hardwood plywood?

A link to the electronic docket containing the January 17, 2024 *Federal Register* notice and the

Supporting Statement for this ICR renewal can be found here: <https://www.regulations.gov/docket/EPA-HQ-OPPT-2019-0456>. To the extent that you have comments/feedback for the EPA on the information collection activities under the TSCA Title VI regulation or the supporting statement, please respond to this email and/or submit your comments directly to the docket in the hyperlink referenced above by March 17, 2024.

The existing ICR expires on September 30, 2024, for requirements pursuant to TSCA Title VI and titled, "Formaldehyde Standards for Composite Wood Products Act," it is identified by OMB Control No. 2070-0185. OMB requires federal agencies to consult with nine or fewer potential respondents prior to submitting the ICR renewal 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 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. This ICR renewal covers the recordkeeping and reporting requirements for all aspects of the TSCA Title VI implementing regulations and regulations relating to accreditation bodies (ABs) and third-party certifiers (TPCs) that wish to participate in this third-party certification program.

If you have any questions or concerns, feel free to contact me at this email address. Thanks in advance for your consideration.

Maxim Pohl
Environmental Protection Specialist
Existing Chemicals Risk Management Division
OCSP | OPPT | ECRMD | RMB3
U.S. Environmental Protection Agency

Consultation Questions for the Information Collection Request (ICR) for Formaldehyde Standards for Composite Wood Products Act

(1) Publicly Available Data

- A. Is the data that the Agency seeks available from any public source, or already collected by another office at EPA or by another agency?
- B. 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 do not meet our data needs very well?)

(2) Clarity of Instructions

The ICR covers the requirement under the PBT rule for respondents to maintain records.

- A. Based on the instructions (regulations, FR Notices, etc.), is it clear what you are required to do? If not, what suggestions do you have to clarify the instructions?
- B. Do you understand that you are required to maintain records?

(3) 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, unless there is a strong reason for not doing so. One such reason is that, at the present time, the Agency is unable to ensure the security of CBI that might be transmitted over the Internet.

- A. What do you think about electronic alternatives to paper-based records and data submissions? Would you be interested in pursuing keeping records electronically?

B. Are you keeping your records electronically? If yes, in what format?

(4) Burden and Costs

A. Are the labor rates accurate?

B. The Agency assumes there is no capital cost associated with this activity. Is that correct?

C. 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.

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