

ATTACHMENT Q

Stakeholder Responses

As required under 5 CFR 1320.8(d)(1), EPA staff contacted appropriate stakeholders and asked them for their assessment of the regulatory burden estimates expressed by the Agency in this ICR.

EPA contacted the following stakeholders, whose responses are included in full in this attachment:

- International Sanitary Supply Association (ISSA)
- American Cleaning Institute (ACI)
- Jelmar
- Household & Commercial Products Association (HCPA)

Responses from the ICR consultation with International Sanitary Supply Association (ISSA) are in full below:

Consultation Questions for the Information Collection Request (ICR) for Safer Choice

(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?

ISSA Response: The data that the Agency seeks is generally not available from public sources or through other offices 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

- A. The ICR is intended to require that respondents provide certain data so that the Agency can utilize them.

ISSA Response: The ICR's intention is clear in requiring respondents to provide certain data for the Agency's utilization

- B. 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?

ISSA Response: Based on the instructions, it is clear what is required and how to submit such data. Providing more detailed examples or step-by-step guidance is critical for ISSA Members. Attachments B and C provide clear details on how data are submitted using a cloud-based Salesforce system called the Safer Choice Community. It is important that this system is retained

- C. Do you understand that you are required to maintain records?

ISSA Response: Yes, it is understood that maintaining records is a requirement of the ICR process.

- D. Considering that there is no required submission format, is it difficult to submit information in ways that are clear, logical, and easy to complete?

ISSA Response: Without a required submission format, it could be challenging to submit information in ways that are clear, logical, and easy to complete. The standardized system referenced in 2.B above is critical for ensuring a streamlined submission process.

- E. Are there forms associated with this process? Do you use them? Are they clear, logical, and easy to complete?

ISSA Response: Based on our recent experience, I do feel the electronic submission forms in the Safer Choice Community appear to be clear, logical, and easy to complete.

(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?

ISSA Response: Electronic alternatives to paper-based records and data submissions are generally more efficient and easier to manage. Keeping records electronically in the Safer Choice Community is a beneficial practice and helps ISSA members who participate in the Safer Choice and DfE programs.

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

ISSA Response: ISSA does keep records electronically, often using common formats like PDF, Excel, or industry-specific systems.

(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?

ISSA is committed to the success of the Safer Choice program. We believe by working together on data collection strategies, electronic reporting options, and clear communication, we can minimize burdens on industry participants while maximizing the program's effectiveness. We look forward to continued collaboration with the EPA.

Responses from the ICR consultation with American Cleaning Institute (ACI) are in full below:

Consultation Questions for the Information Collection Request (ICR) for Safer Choice

(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?

ACI Response: In ACI's opinion, the data that the Safer Choice program requires is not, to our knowledge, collected by another agency or other office within EPA. If prior submission of data or information is submitted via the New Chemicals program, Safer Choice would not request the submitter to resubmit the following items because the information is already in house. Additionally, there is a small percentage of chemicals that have been recently reviewed in the new chemicals program that would then be used in the Safer Choice certified products.

The data that Safer Choice seeks is not available from any public source. This is what makes the Safer Choice program so unique and essential.

- 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

- A. The ICR is intended to require that respondents provide certain data so that the Agency can utilize them.
- B. 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?

ACI Response: In ACI's opinion, we believe the Safer Choice Program instructions are clear in describing to respondents how to submit data and other requirements that are expected during a product or ingredient submission. The reporting forms from the Safer Choice Program are clear and logical.

- C. Do you understand that you are required to maintain records?

ACI Response: Yes, ACI understands that we are required to maintain records associated with any Safer Choice Program submissions.

- D. Considering that there is no required submission format, is it difficult to submit information in ways that are clear, logical, and easy to complete?

ACI Response: In terms of the Safer Choice Ingredient Lists (SCIL) submissions, it is not difficult to submit the needed information and the submission portal is clear, logical and easy to complete.

- E. Are there forms associated with this process? Do you use them? Are they clear, logical, and easy to complete?

ACI Response: There is an online portal associated with this process that includes forms. These forms are completed to submit to the Agency and are clear, logical and easy to complete.

(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?

ACI Response: Currently, all of the submissions that ACI submits via the SCIL are electronic.

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

ACI Response: ACI keeps electronic documents in the form of PDF and Microsoft Word documents.

(4) Burden and Costs

- A. Are the labor rates accurate?

ACI Response: In ACI's opinion, the EPA's estimates of the burden of the proposed collection of information is reasonable and accurate given the task at hand. Furthermore, we believe the methodology and assumptions to be both valid and appropriate.

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

ACI Response: No, there is not a capital cost associated with the activity of this ICR.

- 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.

ACI Response: In ACI's opinion, the EPA's estimates of the burden of the proposed collection of information is reasonable and accurate given the task at hand. Furthermore, we believe the methodology and assumptions to be both valid and appropriate.

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

ACI Response: ACI is one of the few partners that submits cleaning product ingredients on behalf of our membership. There are differences between chemical submissions and product submissions, and the implications for both are complicated. There are a number of ways that the submissions can consist of variability. There can be variability in terms of the review timeline based on what information the Safer Choice program already has in house. The more data and information Safer Choice has, typically means that the review process may be able to be expedited. However if there is a chemical or ingredient that Safer Choice does not have, this may take more time for the agency to review. This may impacts the costs and time it takes for an ingredient to be accepted as a safer choice ingredient, but only takes longer due to the need to review the new information. Overall, the program is very beneficial to ACI and ACI members, and being able to add ingredients to SCIL only advances member companies ability to show that they support a healthier and safer environment for humans, plants and wildlife.

Responses from the ICR consultation with Jelmar are in full below:

(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?

Jelmar Response: Some data needed to secure EPA Safer Choice certification is available within public and private sources. For example, CleanGredients and HCPA Dictionary and SCIL. Using databases such as these is one way manufacturers can find safer ingredients to include in their products. Ingredient information can be found on those databases, but the specific ingredient amounts and combinations used to formulate the product is only available from the manufacturer.

Most of the data needed comes from the product manufacturer in the form of technical product information, performance, packaging and labeling.

- A. 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?)

Jelmar Response: Data on the individual ingredients can be found in CleanGredients, HCPA Dictionary, but how specific ingredients are put together to formulate the product is only available from the manufacturer.

(2) Clarity of Instructions

- A. The ICR is intended to require that respondents provide certain data so that the Agency can utilize them.

Jelmar Response: The EPA Safer Choice portal is easy to use and understand.

Before making a product submission data is collected and sent to a third party evaluator, such as NSF, who then makes sure all the information needed is available.

- A. 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?

Jelmar Response: The EPA Safer Choice team is very helpful and clear about what is needed for EPA Safer Choice certification.

- A. Do you understand that you are required to maintain records?

Jelmar Response: Yes. Records include production, marketing and product data.

- A. Considering that there is no required submission format, is it difficult to submit information in ways that are clear, logical, and easy to complete?

Jelmar Response: Required information and data is loaded into the EPA Safer Choice Portal.

- A. Are there forms associated with this process? Do you use them? Are they clear, logical, and easy to complete?

Jelmar Response: All data is entered into the EPA Safer Choice portal.

(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?

Jelmar Response: All our data is entered electronically.

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

Jelmar Response: Our records are stored in Word, Excel and PDF file format.

(4) Burden and Costs

- A. Are the labor rates accurate?

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

Jelmar Response: Yes.

- A. 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.

Jelmar Response: Do not have data available.

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

Jelmar Response: None.

Responses from the ICR consultation with Household & Commercial Products Association (HCPA) are full below:

July 8, 2024
Katherine Sleasman
Mission Support Division (7602M)
Office of Chemical Safety and Pollution Prevention
Environmental Protection Agency
1200 Pennsylvania Ave. NW, Washington, DC 20460-0001

Re: Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Safer Choice Program Product and Partner Recognition Activities (Consolidation)
(EPA-HQ-OPPT-2021-0245)

Dear Ms. Sleasman,

On behalf of the Household & Commercial Products Association¹ (HCPA) and its members, we are submitting comments on the Proposals, Submissions, and Approvals: Safer Choice Program Product and Partner Recognition Activities (Consolidation) (EPA-HQ-OPPT-2021-0245). HCPA and many of our member companies have a long history of supporting the Safer Choice program and work together as active partners. The collaboration between industry and Safer Choice has fostered essential partnerships that encourage the development of products meeting high safety and sustainability standards, while also satisfying performance requirements and market demands. The work of the Safer Choice program is critical for advancing green chemistry, empowering consumers to make informed decisions, and fostering a culture of safety and sustainability in the marketplace.

HCPA is an advocate for EPA funding and would like to express strong support for the budget request detailed in this Information Collection Request (ICR) for EPA's Safer Choice Program Product and Partner Recognition Activities. It is crucial to secure future funding for the Safer Choice program, ensuring that appropriate funds will be allocated to gather the additional information required for the success of these initiatives. HCPA appreciates the inclusion of a consumer survey, which was recommended in our previously submitted comments and will provide invaluable insights into consumer perception of the labeling scheme. Additionally, we would like to note that investing in expanding the Safer Choice Program to include new categories and fostering innovation, particularly in the area of green chemistry, should be a priority for future budgetary activities. The program's emphasis on green chemistry underscores its importance in shaping a more sustainable future for product development and consumer choice.

HCPA is a longstanding champion of the Safer Choice Program and has dedicated significant resources to increasing the engagement of HCPA members with Safer Choice. HCPA is honored to have received Safer Choice Partner of the Year Awards in the past and appreciates the opportunity to apply in the future. We are pleased to note that the burden estimates our experience in the application submission process. However, one area that *does not* appear to be accounted for is the costs associated with the Safer Choice Partner and Stakeholder Summit and the collection of additional information for this purpose.

The Safer Choice Partner and Stakeholder Summit provides a space for productive discussions and informational presentations that can help to shape the path forward in sustainable product development and consumer advocacy. We support the allocation of additional funds for the summit and associated information collection activities to ensure that it can continue to promote essential collaboration between the Agency and its

diverse stakeholders. A recently released summary of comments submitted to the Agency² underscores strong support for expanding the Safer Choice program, with about 99% of comments advocating for program expansion from a broad range of stakeholders representing cleaning product manufacturers, chemical producers, trade associations, state and local governments, and NGOs.

HCPA supports the continued efforts of the Safer Choice Program to add new product categories, identify additional safer chemicals for use in products, and update and strengthen its standards. We are delighted to see the Agency acting on its commitment to enhance the Safer Choice Standard and look forward to continuing to engage with the program as it grows. We have encouraged our members to share their experiences to the extent possible to provide the agency with a better appreciation for the associated burden. We thank you for this opportunity to share our input and look forward to working with the Agency and the Safer Choice program.

Sincerely,
Carrie Brown



Senior Manager, Regulatory Affairs

1 HCPA is the premier trade association representing the interests of companies engaged in the manufacture, formulation, distribution and sale of more than \$180 billion annually in the U.S. of familiar consumer products that help household and institutional customers create cleaner and healthier environments. HCPA member companies employ hundreds of thousands of people globally. HCPA represents products including disinfectants that kill germs in homes, hospitals and restaurants; air fresheners, room deodorizers, and candles that eliminate odors; pest management products for pets, home, lawn, and garden; cleaning products and polishes for use throughout the home and institutions; products used to protect and improve the performance and appearance of automobiles; aerosol products and a host of other products used every day.

2 Safer Choice and Design for the Environment (DfE) Programs' Potential Expansion into New Product Categories Summary of Comments Docket Number EPA-HQ-OPPT-2023-0311