

## Consultation Questions for the Information Collection Request (ICR) for Toxic Chemical Release Reporting

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### (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?

No. The equivalent data are not available elsewhere at EPA or from another agency. In particular, there are multiple data elements specific to TRI that are unique and for which there is not even a potential overlap with other data available elsewhere, including:

- The data in section 6.2 Transfers to Other Off-Site Locations. These data are specific to the toxic chemical and the quantity of the toxic chemical rather than to the waste-stream containing the toxic chemical. Elsewhere what is reported is the waste-stream and the quantity of the waste-stream containing the toxic chemical. Information at the waste-stream level cannot be used for risk assessment.
- Section 6.2 also provides information on the off-site location the toxic chemical is being sent to and how the toxic chemical will be managed as waste. This is important for looking at the movement of these chemicals being transported through a community. One use is in assessing risks from distribution in commerce.
- Section 7A provides information on the waste-stream containing the toxic chemical, how the waste-stream is treated and whether this destroys the toxic chemical.
- Section 8 data takes the multi-media data reported elsewhere on Form R and provides a breakdown between production-related waste and non-production related waste. This has multiple uses, including identifying potential future increases in production of the toxic chemical.
- Section 8.8 provides a public picture of the catastrophic or other one-time events that is not available elsewhere and is particularly important for chemicals, such as vinyl chloride, that have significant impacts on fence-line communities.

Further, while some data, e.g., air releases, may be, in part, available elsewhere for a subset of toxic chemicals, no other data set provides a wholistic picture that TRI does on releases and other waste management of the toxic chemical. Further no other data set covers the number of chemicals that TRI does and the range of facilities.

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?)

N/A

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**(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?

Yes. The reporting requirements are clear. In using the TRI data as part of exposure assessments, for mapping and providing comments on proposed regulations, it is important that we understand the parameters of how the toxic chemicals, including PBTs, are reported. We find the instructions (FR preamble, regulations, reporting instructions, guidance) clear and helpful.

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

N/A

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**(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?

N/A

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

N/A

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**(4) Burden and Costs**

- A. Are the labor rates accurate?

We do not have the expertise to address this question.

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

Given the nature of the regulatory requirement, there should be no capital cost associated with compliance.

- 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.

We do not have the expertise to address this question.

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

We do not have the expertise to address this question.

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