

From: [REDACTED]
To: [Barkas, Jessica](#)
Cc: [Smoot, Cameo](#); [Sleasman, Katherine](#)
Subject: RE: Consultation for the TSCA 8(b) renewal ICR
Date: Tuesday, May 28, 2024 4:42:38 PM
Attachments: [ICR Consultation Questions \(Responses 5-27-2024\).docx](#)

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Dear Jessica,

I hope you are well.

Attached please find the completed document.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

ChemReg Compliance Solutions LLC

[REDACTED]

[REDACTED]
[REDACTED]

[REDACTED] Barkas, Jessica <barkas.jessica@epa.gov>

Sent: [REDACTED]

[REDACTED]

Subject: Consultation for the TSCA 8(b) renewal ICR

Good Afternoon:

Dear Sir or Madam,

I am contacting you to solicit your input on the renewal of the Information Collection Request (ICR) to obtain information pursuant to the Toxic Substances Control Act (TSCA) section 8(b) reporting requirements for TSCA Inventory notifications (see attached questions).

The existing ICR for TSCA section 8(b) reporting requirements for TSCA inventory notifications expires on expires on January 31, 2025, and will need to be renewed. Titled, "TSCA Section 8(b) Reporting Requirements for TSCA Inventory Notifications," it is identified by OMB Control No. 2070-0201. 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 notice announcing the ICR renewal and solicitation of comments was published in the Federal Register on April 23, 2024 ([89 FR 30356](#)). See <http://www.regulations.gov/>, docket ID EPA-HQ-OPPT-

2020-0413, and the ICR supporting statement for this renewal located is in that docket for additional information.

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 addresses the reporting and recordkeeping requirements under TSCA section 8(b) that are associated with the TSCA Inventory, as codified in [40 CFR part 710](#). TSCA section 8(b) specifically requires that EPA compile and keep current a list of chemical substances manufactured or processed for commercial purposes in the United States. This ICR renewal's estimate reflects a decrease of 90 hours in the total estimated respondent burden compared with that identified in the ICR currently approved by OMB. This decrease reflects a reduction in the estimated number of chemicals reported in each submission, *i.e.*, from 18 to an average one chemical.

[REDACTED]

[REDACTED]

Jessica A. Barkas, Attorney-Advisor
Project Management and Operations Division
Office of Pollution Prevention and Toxics
U.S. Environmental Protection Agency
Phone: 202-250-8880

[REDACTED]

Consultation Questions for the Information Collection Request (ICR) for TSCA Section 8(b)
Reporting and Requirements for TSCA Inventory Notifications

(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? **Response: No**
- B. If yes, where can you find the data? **Response: N/A**
(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? **Response: Yes, it is very clear.** If not, what suggestions do you have to clarify the instructions? **Response: N/A**
- C. Do you understand that you are required to maintain records? **Response: Yes.**
- 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? **Response: No.**
- E. Are there forms associated with this process? **Response: Yes.** Do you use them? **Response: Yes.** Are they clear, logical, and easy to complete? **Response: Yes. Very much so.**

(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? **Response: Electronic alternatives would be preferable to paper-based records and data submissions.** Would you be interested in pursuing keeping records electronically? **Response: Yes.**
- B. Are you keeping your records electronically? **Response: Yes.** If yes, in what format? **Response: This varies, depending on the company.**

(4) Burden and Costs

- A. Are the labor rates accurate? **Response: Yes, if the companies do the reporting using their own personnel. The labor costs tend to be higher if companies use external law firms or consulting firms.**
- B. The Agency assumes there is no capital cost associated with this activity. Is that correct? **Response: Yes.**
- 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? **Response: The estimated hours are accurate, but the estimated costs could be higher if companies have to hire external law firms or consulting firms to help them with the reporting.** 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? **Response: The cost of hiring external law firms or consulting firms to help them with the reporting because companies do not have the appropriate personnel capable of submitting the required information.**