

U.S. Environmental Protection Agency

Information Collection Request

Title: Emergency Planning and Community Right-to-Know Act (EPCRA) Hazardous Chemical Inventory Reporting

OMB Control Number: 2050-0072

EPA ICR Number: EPA ICR Number 1352.19

Abstract: This information collection request (ICR) is for the reporting requirements of sections 311 and 312 of the Emergency Planning and Community Right-to-Know Act (EPCRA) of 1986 [[42 U.S.C 11011 and § 11012](#)], as codified in [40 CFR part 370](#). The EPCRA Statute was authorized by Title III of the Superfund Amendments and Reauthorization Act (SARA Title III) [[42 U.S.C 11042](#)] to help communities plan for chemical emergencies. The information collected affiliated with this ICR is submitted by each facility to its State Emergency Response Commission (SERC), Local Emergency Planning Committee (LEPC), and the fire department with jurisdiction; the EPA does not receive, collect, or maintain a collection of this information. Note that Tribal Emergency Response Commissions (TERCs) are a form of SERC, and any Tribal Emergency Planning Committees (TEPCs) are a form of a LEPC. This ICR renews ICR 1352.16, which is currently approved under OMB Control No. 2050-0072 through August 31, 2026.

These sections of EPCRA require that facilities, which are subject to the Occupational Safety and Health Administration (OSHA) Hazard Communication Standard (HCS), submit reports notifying their state and local implementing agencies of the presence of hazardous chemicals used or stored on-site at or above the thresholds specified in [40 CFR 370.10](#). Exemptions to the OSHA HCS are at [29 CFR 1910.1200\(b\)\(6\)](#). Further, EPCRA provides exemptions to its definitions of a hazardous chemical in section 311(e) [[42 U.S.C. 11001\(e\)](#)] as codified at [40 CFR 370.13](#). See Appendix A for the list of exemptions provided under the OSHA HCS and EPCRA.

Section 311 [[42 U.S.C. 11001](#)] as codified at [40 CFR 370.30 – 370.33](#) requires facilities to submit Safety Data Sheets (SDSs) or a list of their chemicals present on-site. The EPCRA section 311 reporting is a one-time report, with updates required if significant new information is discovered, new hazardous chemicals are present on sites above the reporting thresholds, or the LEPC makes a request of the facility. The deadline for initial submittal was October 17, 1987, new facilities that become subject to the regulation or existing facilities with new information have three months to comply with the reporting requirements. Facilities do not submit section 311 information to the EPA.

Section 312 [[42 U.S.C. 11002](#)] as codified at [40 CFR 370.40 – 370.45](#) requires facilities, that are subject to section 311, submit an annual hazardous chemical inventory form. The EPA is required to publish two emergency and hazardous chemical inventory forms (i.e., Tier I Form and Tier II Form). The Tier I Form provides the minimum amount of information necessary to

comply with the section and the Tier II Form provides chemical specific information. No state accepts the Tier I Form. All states require the use of the Tier II form, or a state equivalent form. These forms provide state and local emergency planners and first responders and the communities with information regarding the chemical hazards at these facilities. The deadline for initial submission was March 1, 1988, with annual submissions required by March 1 of each year for the prior calendar year's chemical inventory. Facilities do not submit section 312 information to the EPA.

Supporting Statement A

1. NEED AND AUTHORITY FOR THE COLLECTION

Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.

The authority for these requirements is EPCRA sections 311 and 312 [[42 U.S.C 11011 and § 11012](#)]. EPCRA sections 311 and 312 require covered facilities to submit an inventory of hazardous chemicals stored on-site at or above reporting thresholds established in the regulations at [40 CFR 370.10](#).

Currently, some states require facilities to submit the federal Tier II inventory form. Other states developed their own reporting form or format. None of the states accept the Tier I inventory form.

2. PRACTICAL UTILITY/USERS OF THE DATA

Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

The reports required under sections 311 and 312 are submitted to the state and local officials who use the information to develop or modify emergency response plans for their community. The information also will be accessible to the public. EPA does not collect either Tier I or Tier II forms, nor maintain a national database of facility or chemical inventory information facilities included on the Tier II form.

3. USE OF TECHNOLOGY

Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.

The states are responsible for collecting Tier II data. According to state provided information on the EPA website [www.epa.gov/epcra] for the primary means of submission and receipt, 16 states require the use of the Tier2 Submit software for facilities to complete their Tier II forms,

23 states use commercial software, and 14 use privately developed state software. Many states use multiple software options. Five states allow paper submissions.

4. EFFORTS TO IDENTIFY DUPLICATION

Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

Many states have laws that require information submittals similar to EPCRA sections 311 and 312. EPA considers state programs that meet EPCRA's minimum reporting requirements to comply with EPCRA. The burden estimate in this ICR also includes burden imposed on facilities that comply with state requirements.

States have the flexibility to implement the EPCRA program, as appropriate, for their state to meet EPCRA's goals to prepare for and respond to releases of EHSs and to provide the public with information on potential chemical risks in their communities. Many states have used the flexibilities to require reporting of additional chemicals, set lower reporting thresholds and create a reporting form or format, (including electronic reporting formats and certification) which requires more information compared to EPA. Other states use the EPA-developed inventory reporting form or electronic reporting software, Tier2 Submit.

5. MINIMIZING BURDEN ON SMALL BUSINESSES AND SMALL ENTITIES

If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

EPCRA sections 311 and 312 do not include any specific small entity flexibilities. EPA considers the relative burden for small facilities to be similar to that for large facilities because of the reduced number of chemicals on-site at smaller facilities.

6. CONSEQUENCES OF LESS FREQUENT COLLECTION

Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

The reporting deadlines for sections 311 and 312 are set by statute. EPA has no authority to allow less frequent collection.

7. GENERAL GUIDELINES

Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.

8. The proposed collection does not create special circumstances requiring justification under 5 CFR 1320.5.
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8a. Public Comment

If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the Agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the Agency in response to these comments. Specifically address comments received on cost and hour burden.

The EPA notified the public of this ICR renewal through the *Federal Register* notice [[91 FR 17966](#)] published on April 9, 2026, as required by the Paperwork Reduction Act [[44 U.S.C. 3501 et seq.](#)]. The Agency received two comments during the 60-day open comment period both of which supported the extension of this ICR.

8b. Consultations

Describe efforts to consult with persons outside the Agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported. Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years - even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

For the previous ICR renewal [EPA ICR Number 1352.16, Expiration date: August 31, 2026], EPA contacted eight (8) facilities in the following manufacturing industries: basic chemical manufacturing; pesticide, fertilizer and agricultural chemical manufacturing; paper products manufacturing; durable goods merchant wholesale; and, the marine services industry. Facilities were contacted to obtain estimates on how much time they spent gathering information on hazardous chemicals they have on-site and submitting the form electronically. Facilities of different sizes were selected. All the facilities that were contacted report electronically. Because most states accept on-line reporting of the Tier II form, this reduces the burden for facilities that submit on-line using Tier2 Submit or state-developed or commercial software, which states require facilities to use.

In that prior round of consultations, two small facilities informed the Agency that they spend between two to four hours to conduct inventory and complete the Tier II form for between two to four chemicals (e.g., between 35 minutes to 80 minutes (1.3 hours) per chemical). Three medium-size facilities that spend between two and 40 hours on Tier II reporting for between 25 to 30 chemicals (e.g., between 5 minutes to 80 minutes (1.3 hours) per chemical). Three large facilities that report more than 80 chemicals reported spending between 15 to 80 hours on their reporting (e.g., between 15 minutes to 3 hours per chemical).

Based on these consultations, the previous ICR renewal made the following burden assumptions for facilities: An average of 14.25 hours for small manufacturers and 10.25 hours for small non-manufacturers; an average of 80.25 burden hours for medium-sized manufacturers and 40.25 burden hours for non-manufacturers; and, an average of 120.25 hours for large manufacturers and 40.25 hours for non-manufacturers.

For this ICR renewal, EPA contacted the same eight (8) facilities to obtain updated burden estimates. Three facilities indicated that EPA's current burden estimates are reasonable, however, no other responses were obtained. For this ICR renewal, EPA is therefore maintain the burden estimates from the previous ICR renewal, as described above.

EPA consulted with the following facilities:

Large Facilities

W. R. Grace, Curtis Bay Works, Baltimore MD
Shintech Freeport Plant, Freeport, TX
Neenah Paper Michigan Inc., Munising, MI

Medium Facilities

Genesee Polymers Corporation, Burton, MI
Nutrien Ag Solutions, Wall Lake, IA
American Pacific, Cedar City, UT

Small Facilities

Billings Diesel & Marine Service, Stonington, ME
Gerdau Wilton Steel Mill, Wilton, IA

9. PAYMENTS OR GIFTS TO RESPONDENTS

Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.

The Agency does not intend to provide payments or gifts to respondents as part of this collection.

10. ASSURANCE OF CONFIDENTIALITY

Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or Agency policy. If the collection requires a systems of records notice (SORN) or privacy impact assessment (PIA), those should be cited and described here.

The respondent may claim specific chemical identities as a trade secret under EPCRA sections 322 and 323 [[40 CFR part 350](#)] in reports submitted under section 312 and in the list of chemicals and SDS's submitted under section 311.

All information submitted under an EPCRA trade secret claim is handled and stored in restricted access areas according to procedures set out in the *Manual for Physical Handling, Security, and Protection of Files containing Trade Secret Claims Submitted under Sections 303, 311, and 312 of EPCRA, December 2014*. Handling and review of documents containing EPCRA trade secret information is permitted only by persons who have obtained formal clearance to access the information based on a work-related need to engage in these activities. EPA attaches a cover

sheet to each trade secret document and otherwise marks the document to clearly identify the document as confidential.

11. JUSTIFICATION FOR SENSITIVE QUESTIONS

Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the Agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

The information gathering activities under this ICR do not involve any sensitive questions.

12. RESPONDENT BURDEN HOURS & LABOR COSTS

Provide estimates of the hour burden of the collection of information. The statement should:

- Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Generally, estimates should not include burden hours for customary and usual business practices.*
 - If this request for approval covers more than one form, provide separate hour burden estimates for each form and the aggregate the hour burdens.*
 - Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included as O&M costs under non-labor costs covered under question 13.*
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12a. Respondents/NAICS Codes

Sections 311 and 312 are applicable to all facilities that are required to prepare or have available an SDS for a hazardous chemical as required under OSHA and its implementing regulations.

In the previous ICR renewal, EPA estimated that 462,640 facilities may be subject to the requirements covered by this ICR, and that 138,792 facilities (30 percent) are manufacturers and 323,848 (70 percent) are non-manufacturers. EPA Headquarters obtained Tier II form numbers from nine states via the EPA Regions for 2017, 2018, and 2019. Appendix B shows the nine states and the numbers of facilities those states reported are subject to Tier II reporting, in addition to national totals calculated based on the nine state figures. EPA calculated an annual average for each state, summed those averages, and then divided the total by nine, to obtain an annual state average for the set of nine states (13,196 facilities per state). We then multiplied that average by 50, to obtain an estimated national total of 659,800 facilities. While the numbers were higher than the current estimate of 462,640 facilities, EPA has decided to keep the estimates from the previous ICR renewal. Three of the states for which EPA obtained data (i.e., Texas, New Jersey, and Arizona) require reporting for additional chemicals beyond the federal reporting requirements and have lower reporting thresholds. In addition, EPA did

not obtain any information for American Samoa, District of Columbia, Guam, Northern Mariana Islands, Puerto Rico, or U.S. Virgin Islands, and they are not included in the 50-state national total extrapolated from the nine states. Because EPA does not collect the Tier II data and does not maintain a national database of the data, we are unable to develop a more complete national estimate. In fact, EPA believes that there is no better representative set of states because the states vary widely in the numbers of Tier II subject facilities, the stringency of their state regulations and their lists of additional chemicals.

EPA is maintaining the assumption that 30 percent of facilities (138,792) are manufacturers and 70 percent (323,848 facilities) are non-manufacturers, and that there will be approximately 140 new facilities annually covered by the requirements under sections 311 and 312.

Exhibits 2 and 5 present information collection activities, unit burden and annual burden and costs for facilities. The total annual respondent burden for 462,640 facilities is 6,825,633 hours, for a total annual cost of \$515,415,560. Including O&M costs, the total is \$517,399,894.

EPA also estimates that the 3,000 LEPCs and 52 SERCs that will implement the regulation will remain constant under the final rule, with unit and annual burdens and costs presented in Exhibits 3 and 4.

12b. Information Requested

Facilities that have chemicals subject to section 311 are required to submit either SDSs or a list of regulated chemicals grouped by their hazards. Refer to the list of hazard categories on the Tier I Form or within the Federal Register Notice in the docket with this ICR.

Annually on or before March 1, facilities that have reportable chemicals must submit a Tier I Form; however, EPA is unaware of any states that utilize the Tier I Form. Currently, all states require facilities to submit the federal Tier II form or the state equivalent, including electronic formats, annually by March 1, to the SERC, LEPC, or fire department. See Appendix A for the list of mandatory and optional data elements on the Tier II Form, or within the regulations at 40 CFR 370.42.

12c. Respondent Activities

Facilities determine whether they are subject to section 311 by reviewing inventory records for all chemicals on-site that are required to have an SDS under the OSHA HCS. The facility also must review the EHS list to determine whether any of its chemicals are subject to a lower reporting threshold and obtain the address of the SERC, LEPC, and local fire department. A facility may submit copies of the SDSs for these chemicals or provide a list of the subject chemicals grouped by hazard type.

All states require facilities to submit the federal Tier II or the state-developed inventory reporting format, including electronic submission. To complete the Tier II form, the facility must monitor its inventory records for the chemical, sum the quantities for chemicals with the same hazards, and determine the correct code for the total quantity. A site map may be a convenient

way to show locations of hazardous chemicals, or the facility may choose to provide the general location.

12d. Respondent Burden Hours and Labor Costs

EPA estimated the respondent burden hours and costs associated with all reporting requirements of EPCRA sections 311 and 312. This ICR modification accounts for reporting updates required under section 311, annual reporting and recordkeeping activities under section 312 which apply to all currently regulated facilities, as well as all initial reporting burdens for new facilities that are expected to become subject to the reporting requirements during the three-year ICR renewal period. The estimated burden to complete each reporting and recordkeeping activity is outlined below.

EPA estimates costs to respondents by multiplying the respondent burden estimates for each labor category by the corresponding labor rate for that category. EPA updated labor rates from the previous ICR using the most recent data available for employer costs for employee compensation tables from the Bureau of Labor Statistics (BLS), December 2025. EPA then multiplied unit costs for each respondent or activity by the number of respondents or activities performed on an annual basis to yield a total cost for each information collection activity.

Hourly respondent labor costs for manufacturing facility respondents are \$87.90 for managerial staff, \$74.94 for technical staff, and \$38.52 for clerical staff, including wages and benefits. Hourly respondent labor costs for non-manufacturing facility respondents are \$86.80 for managerial staff, \$72.10 for technical staff, and \$35.68 for clerical staff.¹

EPA then calculated the weighted average labor rates for each labor category. Manufacturing facilities comprise 30 percent of all facilities and non-manufacturing facilities comprise 70 percent of all facilities. Therefore, the weighted average wage rate for managerial labor is calculated as $(\$87.90 * 0.30) + (\$86.80 * 0.70) = \$87.13$. Using the same weights for technical and clerical labor in manufacturing and non-manufacturing facilities results in a technical labor weighted average wage rate of \$72.95 and a clerical labor weighted average wage rate of \$36.53. Hourly labor rates, including wages and benefits, for SERCs and LEPCs are \$77.94 for managerial staff, \$75.63 for technical staff, and \$46.08 for clerical staff.² Hourly labor rates are presented in Exhibit 1.

The unit burden and cost estimates associated with this collection for facilities are presented in Exhibit 2 For state and local agencies, the unit burden and cost estimates per government agency are presented in Exhibit 3.

Read and Understand Regulations

¹ Bureau of Labor Statistics. Economic News Release, December 2025. Table 4. Private industry workers by occupational and industry group. https://www.bls.gov/news.release/archives/eci_01292021.htm.

² Bureau of Labor Statistics. Economic News Release, December 2025, Table 3. State and local government workers by occupational and industry group. https://www.bls.gov/news.release/archives/eci_01292021.htm.

EPA assumes that the initial reporting activity of reading and understanding regulations for currently covered facilities under EPCRA sections 311 and 312 has occurred and that the amendments to the regulations do not require refamiliarization, and therefore, is not included in this ICR. EPA does not receive the information under sections 311 and 312 directly but is maintaining the conservative assumption from the previous ICR renewal [EPA ICR Number 1352.16, Expiration date: August 31, 2026] that 140 newly regulated manufacturing facilities will need to read and understand the regulations [40 CFR Part 370] annually. SERCs and LEPCs are assumed to have completed the rule familiarization activities. Consistent with the prior ICR renewal, EPA assumes that new facilities spend an average of 10 hours to read and understand the regulations in 40 CFR Part 370, allocated between management (2.5 hours) and technical staff (7.5 hours) labor. See Exhibit 2.

Section 311: SDS Reporting for Facilities [40 CFR 370.30]

EPA assumes that the initial reporting activity of section 311 submission(s) for currently covered facilities under EPCRA sections 311 and 312 has occurred and therefore, is not included in this ICR renewal. EPA estimates that 140 newly regulated manufacturing facilities will need to determine which chemicals exceed the threshold limits. Of this universe, EPA estimates that 30 percent (42 facilities) will submit SDSs to LEPCs, SERCs, and local fire departments. Facilities may submit a list of hazardous chemicals grouped by hazard category or a list of the chemical or common names of each hazardous chemical in lieu of submitting an SDS. EPA estimates that 70 percent (98 facilities) will submit such lists. See Exhibit 5.

In addition, EPA estimates that 23,132 facilities (five percent of the 462,640 facilities reporting under section 312) will need to submit a revised SDS(s) and that the same number of facilities will need to submit a new SDS(s) in accordance with 40 CFR 370.31. This activity represents the incremental burden for a facility that has acquired a new chemical or has otherwise changed its inventory. Because little information is required from facilities after the initial submittal, EPA also estimates that only one percent of the total universe (4,626 facilities) may be requested to submit an SDS to an LEPC in accordance with 40 CFR 370.32(b). Facility unit burden for each activity under section 311 is in Exhibit 2.

Section 312: Inventory Reporting for Facilities [40 CFR 370.40 to 370.42]

The inventory reporting burden applies to new and currently covered facilities. Although EPA publishes two inventory forms (i.e., Tier I Form and Tier II Form) all 50 states accept only the Tier II Form, or a similar form developed by the state. All 50 states accept inventory forms electronically, using either Tier2 Submit, the state-developed electronic reporting format, or commercial software. Five states accept hard copy submissions of Tier II forms; however, that does not necessarily mean that many facilities submit paper forms. Because EPA is not aware of any states that accept the Tier I form, this ICR includes no burden for completing that form.

EPA assumes small facilities report between one to 15 chemicals, medium facilities report up to 80 chemicals, and large facilities report more than 80 chemicals. Most non-manufacturing

sector facilities store few chemicals in amounts that exceed reporting thresholds compared to manufacturing facilities. Therefore, the corresponding burden estimates for completing Tier II inventory forms are lower for non-manufacturing facilities. Based on consultations with the facilities that EPA contacted, EPA is maintaining the burden assumptions for these facilities from the previous ICR renewal. For this ICR renewal, EPA assumes an average of 14.25 hours for small manufacturers and 10.25 hours for small non-manufacturers. For medium-sized facilities, EPA assumes 80.25 burden hours for medium manufacturers and 40.25 burden hours for non-manufacturers. For large facilities, EPA assumes 120.25 hours for manufacturers and 40.25 hours for non-manufacturers.

Most states require facilities to submit electronically by using state-developed software, commercial software, or Tier2 Submit. The burden for electronic submission is lower than the burden for submitting in paper form. Five states accept paper submissions of the Tier II form. EPA assumes that facilities submitting electronically will maintain an electronic copy of their form, which can be revised easily. Most of the information may be unchanged from the previous year and is imported to the new reporting year. Although the burden incurred may be lower for those submitting electronically via software vs PDF, EPA applied the same unit burden for both electronic submitters and paper submitters. These unit burden estimates are presented in Exhibit 2.

Information Requests for SERCs and LEPCs [40 CFR 370.30]

SERCs and LEPCs incur a burden from information requests in 40 CFR 370.61. These agencies are required to provide public access to the SDSs and Tier II forms submitted by facilities. EPA estimates that the SERCs and LEPCs will receive requests to provide SDSs to the public for one percent of the total universe of facilities annually (4,626 facilities). SERCs and LEPCs provide Tier II information on an estimated one percent of the same universe of facilities (4,626 facilities) resulting from requests from the public for such information. See Exhibit 4.

Data Management for SERCs and LEPCs

SERCs and LEPCs receive annual inventory forms from facilities and must make the forms available to the public on request. The burden hours to manage these forms vary depending on both the number of forms received and how the SERCs and LEPCs use the data. Smaller LEPCs receive few forms each year; SERCs and LEPCs in industrialized areas or areas that cover several counties, may receive many forms. The degree to which the information is used depends on whether the SERCs and LEPCs have the resources to actively handle the data. Based on earlier discussions with LEPCs, EPA maintains the previous ICR renewal assumptions that small LEPCs spend on average 5.8 hours handling the forms; and, large LEPCs may spend as much as three months processing the forms. SERCs supported by fees are also likely to spend considerable time on the data. As in the previous ICR renewal, EPA developed a weighted average of 37.6 hours each year, based on the assumption that 120 LEPCs and 27 SERCs devote considerable effort to organizing and checking the data. In addition, a limited number of SERCs and LEPCs have developed databases and input the section 312 data into their CAMEO software systems.

Based on previous discussions with LEPCs that have databases, EPA estimates that this effort requires two months or 370 hours. See Exhibit 3.

13. RESPONDENT CAPITAL AND O&M COSTS

Provide an estimate for the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected on the burden worksheet).

The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life) and (b) a total operation and maintenance and purchase of services component. The estimates should consider costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling, and testing equipment; and record storage facilities.

If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collections services should be a part of this cost burden estimate.

Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.

All 50 states allow facilities to submit the Tier II inventory reports electronically using Tier2 Submit, state-developed, or commercial software. Currently, five states allow facilities to submit Tier II forms in hard copy; however, this does not mean that facilities actually submit paper forms vs. use electronic submission methods.

O&M costs consist of mailing costs. Facilities are assumed to incur postage costs for mailing new and revised SDSs to SERCs, LEPCs, and fire departments; lists of hazardous chemicals, and the annual inventory reports. For this ICR renewal, EPA updated the prior estimate of \$10 for postage costs for facilities and state and local governments for a certified package to 2025 dollars, resulting an updated unit cost of \$11.71³. EPA's updated estimate for annual facility mailing costs is \$1,984,333. State and local governments are assumed to incur postage costs to provide SDSs upon request to the public and to provide Tier II information upon written request. Updated to 2025 dollars from the previous ICR renewal, the annual estimated mailing cost for these entities is \$23,379.

³ U.S. Bureau of Economic Analysis. 2026. Table 1.1.9. Implicit Price Deflators for Gross Domestic Product; Last Revised on March 13, 2026.

The estimated annual burden for facilities is 6,825,633 hours at a cost of \$517,399,894. Exhibits 6, 7, and 8 present summaries of the bottom-line burden and cost estimates for the ICR for facilities and state and local governments, including labor and O&M costs.

There are no relevant capital/start-up costs associated with this collection.

14. AGENCY COSTS

Provide estimates of annualized costs to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information.

14a. Agency Activities

The information provided under sections 311 and 312 is submitted to state and local agencies. EPA does not receive any information and incurs no collection burden under this ICR. The EPA provides the inventory forms and the Tier2 Submit software which assists in electronic submission of the form data. The EPA customizes the software for states annual as requested by each state.

14b. Agency Labor Cost

EPA incurs no annual Agency labor burden associated with this ICR. Only state and local government entities incur burden and cost to manage information submitted by facilities.

14c. Agency Non-Labor Costs

EPA updates the Tier2 Submit electronic reporting software annually and accommodates state requests by including state-required fields. EPA estimates it spends an average of approximately \$82,000 per year to update and maintain Tier2 Submit software, including changes requested by states. This is an increase from the previous ICR renewal estimate of \$70,000 due to updating the estimate to 2025 dollars.

15) REASONS FOR CHANGE IN BURDEN

Explain the reasons for any program changes or adjustments reported in the burden or capital/O&M cost estimates.

This ICR renewal estimates a total respondent burden of 6,963,271 hours annually, which is unchanged compared to the previous ICR renewal. EPA estimates an increase in the annual respondent labor cost of \$205,291,540 compared to the previous ICR. This includes an increase of \$203,794,731 for facilities and \$1,496,809 for state and local governments. The increase in labor cost compared to the previous ICR is due to updates to the associated labor rates to 2025 values. Similarly, this ICR renewal results in an increase in estimated O&M costs of \$292,618 (\$289,239 for facilities and \$3,379 for state and local governments) due to updating the previous estimates to 2025 dollars.

16) PUBLICATION OF DATA

For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

The Agency does not intend to publish information gathered through this information collection.

17) DISPLAY OF EXPIRATION DATE

If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

The Agency plans to display the expiration date for OMB approval of the information collection on all instruments.

18) CERTIFICATION STATEMENT

Explain each exception to the topics of the certification statement identified in "Certification for Paperwork Reduction Act Submissions."

This information collection complies with all provisions of the Certification for Paperwork Reduction Act Submissions.

Exhibit 1: Labor Rates Applied to Unit Burden Estimates

Entity Type	Entity and Labor Category	Labor Rate per Hour
Manufacturing Facilities	Manager	\$87.90
Manufacturing Facilities	Technical	\$74.94
Manufacturing Facilities	Clerical	\$38.52
Non-Manufacturing Facilities	Manager	\$86.80
Non-Manufacturing Facilities	Technical	\$72.10
Non-Manufacturing Facilities	Clerical	\$35.68
Facilities, Weighted Average	Manager	\$87.13
Facilities, Weighted Average	Technical	\$72.95
Facilities, Weighted Average	Clerical	\$36.53
SERCs and LEPCs	Manager	\$77.94
SERCs and LEPCs	Technical	\$75.63
SERCs and LEPCs	Clerical	\$46.08

Exhibit 2: Section 311 and 312 Reporting and Recordkeeping Requirements
Estimated Unit Burden and Labor Costs -- Facilities

Information Collection Activity	Activity Detail	Management Hours	Technical Hours	Clerical Hours	Total Hours	Annual Unit Cost
Rule Familiarization	Read and understand regulations	2.50	7.50	0.00	10.00	\$764.97
SDS Basic Reporting	Determine which chemicals meet/exceed the thresholds (new facilities)	1.00	3.00	0.00	4.00	\$305.99
SDS Basic Reporting	Submit SDSs to SERCs, LEPCs, and fire dept. (new facilities only)	0.25	1.00	0.50	1.75	\$113.00
SDS Alternative Reporting	Submit list of hazardous chemicals grouped by hazard category (new facilities)	0.00	1.00	0.25	1.25	\$82.09
SDS Alternative Reporting	Submit revised SDSs (new and current facilities)	0.25	0.50	0.25	1.00	\$67.39
SDS Alternative Reporting	Submit new SDSs	0.25	0.50	0.25	1.00	\$67.39
SDS Additional Reporting	Submit SDS upon request (new and current facilities)	0.25	0.50	0.25	1.00	\$67.39
Information Collection Activity	Entity Type	Management Hours	Technical Hours	Clerical Hours	Total Hours	Annual Unit Cost
Inventory Reporting	Manufacturers, Small	4.00	10.25	0.00	14.25	\$1,096.28
Inventory Reporting	Manufacturers, Medium	4.00	76.25	0.00	80.25	\$5,911.11
Inventory Reporting	Manufacturers, Large	8.00	112.25	0.00	120.25	\$8,885.90
Inventory Reporting	Non-Manufacturers, Small	2.00	8.25	0.00	10.25	\$776.11
Inventory Reporting	Non-Manufacturers, Medium	4.00	36.25	0.00	40.25	\$2,993.03
Inventory Reporting	Non-Manufacturers, Large	6.00	34.25	0.00	40.25	\$3,021.39

**Exhibit 3: Sections 311 and 312 Reporting and Recordkeeping Requirements
Estimated Unit Burden and Labor Costs - State and Local Governments**

Information Collection Activity	Activity Detail	Management Hours	Technical Hours	Clerical Hours	Total Hours	Annual Unit Cost
Information Requests	File and maintain annual inventory forms and data	0	5.8	31.8	37.6	\$1,903
Information Requests	Input data and maintain database of 312 data	0	46.3	323.8	370.1	\$18,422
Information Requests	Provide SDSs upon written request	0	0.6	0.6	1.2	\$70
Information Requests	Provide Tier II information upon written request	0	0.6	0.6	1.2	\$70
Total		0	53.2	356.8	410.0	\$20,466

**Exhibit 4: Sections 311 and 312 Reporting and Recordkeeping Requirements
Estimated Annual Burden and Labor Costs - State and Local Governments**

Information Collection Activity	Activity Detail	Number of Respondents	Management Hours	Technical Hours	Clerical Hours	Total Annual Hours	Total Annual Cost
Information Requests	File and maintain annual inventory forms and data	3,052	0	17,650	97,073	114,723	\$5,807,992
Information Requests	Input data and maintain database of 312 data	43	0	1,989	13,925	15,915	\$792,140
Information Requests	LEPCs provide SDS on written request	3,000	0	1,735	1,735	3,470	\$211,155
Information Requests	SERCs and LEPCs provide Tier II information upon written request	3,052	0	1,765	1,765	3,530	\$214,815
Total	Total	0	0	23,139	114,499	137,638	\$7,026,101

**Exhibit 5: Section 311 and 312 Reporting and Recordkeeping Requirement
Estimated Annual Burden and Labor Costs - Facilities**

Information Collection Activity	Activity Detail	Number of Respondents	Management Hours	Technical Hours	Clerical Hours	Total Burden Hours	Total Annual Cost
Rule Familiarization	Read and understand regulations	140	350	1050	0	1,400	\$107,095
SDS Basic Reporting	Determine which chemicals meet/exceed the thresholds (new facilities)	140	140	420	0	560	\$42,838
SDS Basic Reporting	Submit SDSs to SERCs, LEPCs, and fire dept.	42	10.5	42	21	74	\$4,746
SDS Alternative Reporting	Submit list of hazardous chemicals grouped by hazard category (new facilities)	98	0	98	24.5	123	\$8,044
SDS Alternative Reporting	Submit revised SDSs	23,132	5,783	11,566	5,783	23,132	\$1,558,900
SDS Alternative Reporting	Submit new SDSs	23,132	5,783	11,566	5,783	23,132	\$1,558,900
SDS Additional Reporting	Submit SDS upon request	4,626	1,157	2,313	1,157	4,626	\$311,780
Subtotal						53,046	\$3,592,304
Information Collection Activity	Entity Type	Number of Respondents	Management Hours	Technical Hours	Clerical Hours	Total Burden Hours	Total Annual Cost
Inventory Reporting	Manufacturers, Small	124,219	496,875	1,273,243	0	1,770,118	\$136,178,381
Inventory Reporting	Manufacturers, Medium	10,409	41,638	793,717	0	835,354	\$61,531,108
Inventory Reporting	Manufacturers, Large	4,164	33,310	467,382	0	500,692	\$36,998,763
Inventory Reporting	Non-Manufacturers, Small	312,282	624,564	2,576,327	0	3,200,891	\$242,366,432
Inventory Reporting	Non-Manufacturers, Medium	6,940	27,758	251,561	0	279,319	\$20,770,431
Inventory Reporting	Non-Manufacturers, Large	4,626	27,758	158,454	0	186,213	\$13,978,140
Subtotal		462,640	1,251,904	5,520,683	0	6,772,587	\$511,823,25

							7
Total						6,825,633	\$515,415,560

Exhibit 6: Summary of Total Burden and Cost Estimates - Facilities

Time Period	Total Burden Hours	Labor Cost	Capital Cost	O&M Cost	Total Cost
Annual	6,825,633	\$515,415,560	\$0	\$1,984,333	\$517,399,894
Three-Year	20,476,900	\$1,546,246,681	\$0	\$5,953,000	\$1,552,199,681

Exhibit 7: Summary of Total Burden and Cost Estimates – SERCs and LEPCs

Time Period	Total Burden Hours	Labor Cost	Capital Cost	O&M Cost	Total Cost
Annual	137,638	\$7,026,101	\$0	\$23,379	\$7,049,481
Three-Year	412,913	\$21,078,304	\$0	\$70,137	\$21,148,442

Exhibit 8: Total Public Burden

Entity Type	Total Burden Hours	Labor Cost	Capital Cost	O&M Cost	Total Cost
Facilities	6,825,633	\$515,415,560	\$0	\$1,984,333	\$517,399,894
SERCs and LEPCs	137,638	\$7,026,101	\$0	\$23,379	\$7,049,481
Annual Total	6,963,271	\$522,441,662	\$0	\$2,007,713	\$524,449,374
Three-Year Total	20,889,813	\$1,567,324,986	\$0	\$6,023,138	\$1,573,348,123

Appendix A: Information Included on Tier II Forms and Exemptions

The Tier II form includes the following information as required by statute:

- Certification by the owner or operator or the officially designated representative of the owner or operator.
- The calendar year of the reporting period.
- An indication whether the information being reported on each page of the form is identical to that submitted the previous year.
- The complete name and address of the location of the facility (include the full street address or state road, city, county, state, and zip code), latitude, and longitude.
- An indication if the location of the facility is manned or unmanned.
- An estimate of the maximum number of occupants present at any one time.
- The phone number of the facility (Optional data).
- The North American Industry Classification System (NAICS) code for the facility.
- The Dun & Bradstreet number of the facility.
- Facility identification numbers assigned under the Toxic Release Inventory (TRI) and Risk Management Program.
- An indication if the facility is subject to the emergency planning notification requirement under section 302 of EPCRA, codified in 40 CFR part 355.
- An indication whether the facility is subject to the chemical accident prevention requirements under section 112(r) of the Clean Air Act (CAA), codified in 40 CFR part 68, Chemical Accident Prevention Provisions, also known as the Risk Management Program.
- The name, mailing address, phone number, and email address of the owner or operator of the facility.
- The name, mailing address, phone number, Dun & Bradstreet number, and email address of the facility's parent company. (Optional data)
- The name, title, phone number, 24-hour phone number, and email address of the facility emergency coordinator, if applicable.
- The name, title, phone number, and email address of the person to contact regarding information contained in the Tier II form.
- The name, title, phone number and email address of at least one local individual who can act as a referral if emergency responders need assistance in responding to a chemical accident at the facility. You must also provide an emergency phone number that will be available 24 hours a day, every day.
- An indication whether the information being reported on page two of the form is identical to that submitted last year.
- For each hazardous chemical at the facility:
 - The chemical name as provided on the SDS and provide the Chemical Abstract Service (CAS) registry number of the chemical provided on the SDS.

- o Indicate whether the chemical is a solid, liquid, or gas; and whether the chemical is an EHS.
- o If the substance is a mixture, the mixture name, product name or trade name, CAS registry number as provided on the SDS, and the name of each EHS in the mixture.
- o Indicate which hazard categories apply to the chemical or mixture, as found in section of the SDSs.
- o Provide an estimate (in ranges) of the maximum amount of the hazardous chemical present at the facility on any single day during the preceding calendar year.
- o Provide an estimate (in ranges) of the average daily amount of the hazardous chemical present at the facility during the preceding calendar year.
- o Provide the maximum number of days that the hazardous chemical or mixture was present at the facility during the preceding calendar year.
- o Provide the type of storage for the hazardous chemical or the mixture containing the hazardous chemical at the facility.
- o Provide the storage conditions for the hazardous chemical or mixture containing the hazardous chemical at the facility.
- o Brief description of the precise location(s) of the chemicals at the facility.
- o An indication of whether there are attachments. (optional)

Section 1910.1200 of the OSHA regulations provides exemptions from the definition of hazardous chemical. In addition, EPCRA section 311(e) excludes the following substances:

- Any food, food additive, color additive, drug, or cosmetic regulated by the Food and Drug Administration;
- Any substance present as a solid in any manufactured item to the extent exposure to the substance does not occur under normal conditions of use;
- Any substance, to the extent it is used:
- For personal, family, or household purposes, or is present in the same form and concentration as a product packaged for distribution and use by the public;
- In a research laboratory, hospital, or other medical facility under the direct supervision of a technically qualified individual; and,
- In routine agricultural operations or is a fertilizer held for sale by a retailer to the ultimate customer.

Appendix B: Tier II Facility Data for Nine States

In the previous ICR renewal, the EPA obtained the numbers of facilities in nine states via a request to the EPA Regions, for 2017, 2018 and 2019 (plus 2020 for Iowa). The nine states are Maine, New Jersey, Maryland, Florida, Michigan, Texas, Iowa, Utah, and Arizona. The data are presented below.

EPA calculated an annual average for each state, summed those averages, and then divided the total by nine, to obtain an annual state average for the set of nine states (13,196 facilities per state). We then multiplied that average by 50, to obtain an estimated national total of 659,800 facilities.

Exhibit 9: Tier II Facility Counts by State and Year

Year	Maine	New Jersey	Maryland	Florida	Michigan	Texas	Iowa	Utah	Arizona
2017	2,333	6,074	2,476	12,369	6,325	76,093	4,134	3,712	4,526
2018	2,536	6,114	2,489	12,642	6,585	73,354	4,580	3,414	4,607
2019	2,848	6,027	2,436	12,777	6,979	78,391	4,678	3,532	4,233
2020	-	-	-	-	-	-	4,517	-	-