



BILLING CODE 6560-50-P

**ENVIRONMENTAL PROTECTION AGENCY**

**[EPA-HQ-OPPT-2015-0435; FRL-10004-99]**

**Agency Information Collection Activities; Proposed Renewal of an Existing Collection**

**(EPA ICR No. 0795.16 and OMB Control No. 2070-0030); Comment Request**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (PRA), this document announces that EPA is planning to submit an Information Collection Request (ICR) to the Office of Management and Budget (OMB). The ICR, entitled: “Notification of Chemical Exports - TSCA Section 12(b)” and identified by EPA ICR No. 0795.16 and OMB Control No. 2070-0030, represents the renewal of an existing ICR that is scheduled to expire on November 30, 2020. Before submitting the ICR to OMB for review and approval, EPA is soliciting comments on specific aspects of the proposed information collection that is summarized in this document. The ICR and accompanying material are available in the docket for public review and comment.

**DATES:** Comments must be received on or before [INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA-EPA-HQ-OPPT-2015-0435, by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

• *Mail*: Document Control Office (7407M), Office of Pollution Prevention and Toxics (OPPT), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001.

• *Hand Delivery*: To make special arrangements for hand delivery or delivery of boxed information, please follow the instructions at <http://www.epa.gov/dockets/contacts.html>.

Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at <http://www.epa.gov/dockets>.

**FOR FURTHER INFORMATION CONTACT:** *For technical information contact:* Harlan Weir, Chemical Control Division, Mail Code 7405M, Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (202) 564-9885; email address: [weir.harlan@epa.gov](mailto:weir.harlan@epa.gov).

*For general information contact:* The TSCA-Hotline, ABVI-Goodwill, 422 South Clinton Ave., Rochester, NY 14620; telephone number: (202) 554-1404; email address: [TSCA-Hotline@epa.gov](mailto:TSCA-Hotline@epa.gov).

## **SUPPLEMENTARY INFORMATION:**

### **I. What Information is EPA Particularly Interested in?**

Pursuant to PRA section 3506(c)(2)(A) (44 U.S.C. 3506(c)(2)(A)), EPA specifically solicits comments and information to enable it to:

1. Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility.

2. Evaluate the accuracy of the Agency's estimates of the burden of the proposed collection of information, including the validity of the methodology and assumptions used.

3. Enhance the quality, utility, and clarity of the information to be collected.
4. Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses. In particular, EPA is requesting comments from very small businesses (those that employ less than 25) on examples of specific additional efforts that EPA could make to reduce the paperwork burden for very small businesses affected by this collection.

## **II. What Information Collection Activity or ICR Does this Action Apply to?**

*Title:* “Notification of Chemical Exports - TSCA Section 12(b)”.

*EPA ICR number:* EPA ICR No. 0795.16.

*OMB control number:* OMB Control No. 2070-0030.

*ICR status:* This ICR is currently scheduled to expire on November 30, 2020. An Agency may not conduct or sponsor, and a person is not required to respond to, a collection of information, unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations in title 40 of the Code of Federal Regulations (CFR), after appearing in the *Federal Register* when approved, are listed in 40 CFR part 9, are displayed either by publication in the *Federal Register* or by other appropriate means, such as on the related collection instrument or form, if applicable. The display of OMB control numbers for certain EPA regulations is consolidated in 40 CFR part 9.

*Abstract:* Section 12(b) of the Toxic Substances Control Act (TSCA) requires any person who exports or intends to export a chemical substance or mixture that is regulated under TSCA sections 4, 5, 6 and/or 7 to notify EPA of such export or intent to export. This requirement is described in more detail in the Code of Federal Regulations (CFR) at 40 CFR part 707, subpart

D. Upon receipt of notification, EPA advises the government of the importing country of the U.S. regulatory action that required the notification with respect to that substance. EPA uses the information obtained from the submitter via this collection to advise the government of the importing country. This information collection addresses the burden associated with industry reporting of export notifications. The respondent may claim all or part of a notice confidential. EPA will disclose information that is covered by a claim of confidentiality only to the extent permitted by, and in accordance with, the procedures in TSCA and 40 CFR Part 2.

*Burden statement:* The annual public reporting and recordkeeping burden for this collection of information is estimated to average 0.62 hours per response. Burden is defined in 5 CFR 1320.3(b).

The ICR, which is available in the docket along with other related materials, provides a detailed explanation of the collection activities and the burden estimate that is only briefly summarized here:

*Respondents/Affected Entities:* Entities potentially affected by this ICR are exporters of chemical substances or mixtures from the United States to foreign countries, which are mostly chemical companies classified under NAICS Codes 325 and 324.

*Estimated total number of potential respondents:* 198.

*Frequency of response:* On occasion.

*Estimated total average number of responses for each respondent:* 24.

*Estimated total annual burden hours:* 2,934 hours.

*Estimated total annual costs:* \$ 230,198, includes no annualized capital investment or maintenance and operational costs.

### **III. Are There Changes in the Estimates from the Last Approval?**

There is a decrease of 1,098 hours in the total estimated respondent burden compared with that identified in the ICR currently approved by OMB. This decrease reflects a net change with a large decrease in burden due to the anticipated use of e-reporting and a small increase in burden due to a greater number of submissions (decrease in number of firms responding, but increase in number of reports per firm), CBI substantiation, and an administrative adjustment (+7 hours). Based on 63 percent of exporters reporting electronically, there is a decrease in burden of approximately 811 hours relative to the case in which all submissions were paper-based.

#### **IV. What is the Next Step in the Process for this ICR?**

EPA will consider the comments received and amend the ICR as appropriate. The final ICR package will then be submitted to OMB for review and approval pursuant to 5 CFR 1320.12. EPA will issue another *Federal Register* document pursuant to 5 CFR 1320.5(a)(1)(iv) to announce the submission of the ICR to OMB and the opportunity to submit additional comments to OMB. If you have any questions about this ICR or the approval process, please contact the technical person listed under **FOR FURTHER INFORMATION CONTACT**.

**Authority:** 44 U.S.C. 3501 *et seq.*

Dated: March 8, 2020.

**Alexandra Dapolito Dunn,**

*Assistant Administrator, Office of Chemical Safety and Pollution Prevention.*

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