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Subject: ICR Renewal Questions for Contractor Access to CBI
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[CBI Access ICR Consultation Questionnaire .doc](#)

To: Contractor DCOs

Re: ICR renewal questions (attached) for contractor access to CBI

On January 24, 2022, the U.S. Environmental Protection Agency (EPA) published a notice in the Federal Register ([87 FR 3533](#)) announcing that EPA intends to submit an existing Information Collection Request (ICR) that is scheduled to expire in October 2022. In compliance with the Paperwork Reduction Act (PRA), this document announces the availability of and solicits public comment on the ICR entitled ““Request for Contractor Access to TSCA Confidential Business Information (CBI),” identified by EPA ICR No. 1250.12 and OMB Control No. 2070-0075 that EPA is planning to submit to the Office of Management and Budget (OMB). EPA procures contract support to facilitate the performance of certain duties that may require contractors to handle TSCA CBI. Each contractor employee who will use TSCA CBI in the performance of his or her duties must be authorized for access to TSCA CBI through a multi-step process. The TSCA CBI Protection Manual provides Federal and contractor employees with guidelines and operating procedures for handling TSCA CBI while performing their official duties, as well as the procedures to obtain authorization for access to TSCA CBI.

In addition to the public comment requested by the notice in the Federal Register, OMB regulations at 5 CFR 1320.8(d)(1) require agencies to consult with potential respondents and data users about specific aspects of an ICR. As part of this required consultation, I am contacting you to solicit your input. EPA solicits your input on the attached questionnaire.

If you have any comments in response to the above questions, or with respect to any other part of this ICR, please respond by return e-mail by COB on 02/17/2022 or submit your comment to the docket EPA-HQ-OPPT-2017-0318 via [www.regulations.gov](#). EPA will consider those responses, as well as any public comment received in response to the Federal Register notice identified above, in preparing a final document for OMB review.

Thank you for your attention to this.

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Link to TSCA CBI Substantiation Templates and Information:
<https://www.epa.gov/tsca-cbi/what-include-cbi-substantiations>

Consultation Questions for ICR Renewals

EPA Questions asked in Consultation

(1) Publicly Available Data

1. Is the data that the Agency seeks available from any public source, or already collected by another office at EPA or by another agency?
2. 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 don't meet our data needs very well?)

(2) Frequency of Collection

1. Can the Agency collect the information less frequently and still produce the same outcome?

(3) Clarity of Instructions

1. The ICR is intended to require that respondents provide certain data so that the Agency can utilize them.
2. 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?
3. Do you understand that you are required to maintain records?
4. Considering that there is no required submission format, is it difficult to submit information in ways that are clear, logical and easy to complete?
5. Are there forms associated with this process? Do you use them? Are they clear, logical, and easy to complete?
6. In what format are you keeping your electronic records?

(D) Burden and Costs

1. Are the labor rates accurate?
2. The Agency assumes there is no capital cost associated with this activity. Is that correct?
 - 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.
3. Are there other costs that should be accounted for that may have been missed?