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E 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2022-0150; FRL-13225-01-OCSPP]

Agency Information Collection Activities; Proposed Renewal Collection and Request for Comment; Soil and Non-Soil Fumigant Risk Mitigation

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA), this document announces the availability of and solicits public comment on the following Information Collection Request (ICR) that EPA is planning to submit to the Office of Management and Budget (OMB): Soil and Non-Soil Fumigant Risk Mitigation (EPA ICR No. 2451.04 and OMB Control No. 2070-0197). This ICR represents a renewal of an existing ICR that is currently approved through April 30, 2027. Before submitting the ICR to OMB for review and approval under the PRA, EPA is soliciting comments on specific aspects of the 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 Docket ID No. EPA-HQ-OPP-2022-0150, online at *https://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. Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at *https://www.epa.gov/dockets*.

FOR FURTHER INFORMATION CONTACT: Carolyn Siu, Office of Mission Critical Operations (Mail Code 7602M), Office of Chemical Safety and Pollution Prevention,

Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (202) 566-1205; email address: *Siu.Carolyn@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: Soil and Non-Soil Fumigant Risk Mitigation

EPA ICR No.: 2451.04

OMB Control No.: 2070-0197

ICR Status: This ICR is currently approved through April 30, 2027. Under the PRA, 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 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: Pursuant to section 4(g) and section 3(g) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) the Environmental Protection Agency (EPA) determined that several soil and non-soil fumigants are eligible for continuing registration only if specific risk mitigation measures, are adopted and adequately implemented. The information collected under this Information Collection Request (ICR) documents the Paperwork Reduction Act (PRA) activities that users, registrants, and participating states must conduct to implement fumigant risk mitigation measures for the chemicals identified in this document.The information collection activities discussed in this ICR include registrant activities to develop and implement training for fumigators in charge of fumigations, develop and disseminate safety information for handlers, develop and implement community outreach and education programs, and develop and implement first responder training; and labeling activities for fumigant products; including user posting requirements concerning fumigant applications around the use site, providing notice of soil fumigant applications to applicable states, preparing a Fumigant Management Plan ("FMP") and Post-Application Summary ("PAS") as needed, participating in an EPA-approved fumigant training program, and disseminating fumigant safe handling information to handlers.

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:

Form numbers: None.

Respondents/affected entities: Entities potentially affected by this ICR include soil and non-soil fumigant users, specifically certified applicators and agriculture pesticide handlers. North American Industrial Classification System (NAICS) codes are identified in question 12 of the

ICR.

Respondent's obligation to respond: Mandatory. FIFRA sections 3(c)(2)(B) and 3(c)(5)

Estimated number of potential respondents: 146,054.

Frequency of response: On occasion.

Total estimated average number of responses for each respondent: 1.8.

Total estimated burden: 1,175,458 hours (per year). Burden is defined at 5 CFR 1320.3(b).

Total estimated costs: $66,065,591 (per year), includes $4,865,009 annualized capital investment or maintenance and operational costs.

III. Are there changes in the estimates from the last approval?

There is an increase of 333,720 hours in the total estimated respondent burden compared with that identified in the ICR currently approved by OMB. The change in burden hours for soil fumigants is a result of an adjustment due to the changes in the estimated number of fumigant management plans and in the number of certified applicators and handler training. The change in burden hours for non-soil fumigants and capital and/or maintenance costs is due to an increase in the number of non-soil certified applicators and handlers, and the addition of Ethylene Oxide-using facilities (e.g., commercial sterilization, healthcare, labs, veterinary clinics, etc). This is a result of a program change.

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 person listed under **FOR FURTHER INFORMATION CONTACT**.

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

Dated: September 3, 2026.

Douglas M. Troutman,

Assistant Administrator, Office of Chemical Safety and Pollution Prevention

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