

1), as modified in its 50th ITC Report (Ref. 2) and 51st ITC Report (Ref. 3), by adding benzenamine, 3-chloro-2,6-dinitro-N,N-dipropyl-4-(trifluoromethyl)- (CAS No. 29091-20-1) to the PAIR rule. This document also addresses the request of the 50th ITC Report by adding stannane, dimethylbis[(1-oxoneodecyl)oxy]- (CAS No. 68928-76-7); benzene, 1,3,5-tribromo-2-(2-propenyloxy)- (CAS No. 3278-89-5); and 1-triazene, 1,3-diphenyl- (CAS No. 136-35-6) to the PAIR rule. Finally, this document addresses the request of the 51st ITC Report by adding 43 vanadium compounds which are listed in the amendment to § 712.30(e) of this document.

D. Who Must Report Under this PAIR Rule?

All persons who manufactured (defined by statute to include import) the chemicals identified in the regulatory text of this document during their latest complete corporate fiscal year must submit a PAIR Form (EPA Form No. 7710-35) for each site at which they manufactured or imported a named substance. A separate form must be completed for each substance and submitted to the Agency as specified in § 712.28 no later than September 9, 2003. Persons who have previously and voluntarily submitted a PAIR Form to the ITC or EPA may be able to submit a copy of the original report to EPA or to notify EPA by letter of their desire to have this voluntary submission accepted in lieu of a current data submission. See § 712.30(a)(3).

Details of the PAIR reporting requirements, including the basis for exemptions, are provided in 40 CFR part 712. Copies of the PAIR Form are available from the Environmental Assistance Division at the address listed under **FOR FURTHER INFORMATION CONTACT**. Copies of the PAIR Form are also available electronically from the Chemical Testing and Information Branch Home Page on the Internet at <http://www.epa.gov/opptintr/chemtest/pairform.pdf>.

E. How is a Chemical Substance Removed From the PAIR Rule?

Any person who believes that section 8(a) reporting required by this rule is not warranted, should promptly submit to EPA on or before June 25, 2003, detailed reasons for that belief. EPA, in its discretion, may remove the substance from this rule (see § 712.30(c)). When withdrawing a chemical from the PAIR rule, EPA will publish a final rule amending the PAIR rule in the **Federal Register**.

F. References

The following documents constitute the public record for this rule under docket ID number OPPT-2002-0061.

1. ITC. 2001. Forty-Eighth Report of the ITC. **Federal Register** (66 FR 51276, October 5, 2001) (FRL-6786-7). Available online at <http://www.epa.gov/fedrgstr/>.

2. ITC. 2002. Fiftieth Report of the ITC. **Federal Register** (67 FR 49530, July 30, 2002) (FRL-7183-7). Available online at <http://www.epa.gov/fedrgstr/>.

3. ITC. 2003. Fifty-first Report of the ITC. **Federal Register** (68 FR 8976, February 26, 2003) (FRL-7183-7). Available online at <http://www.epa.gov/fedrgstr/>.

4. EPA. 2003. Economic Analysis for the Addition of 47 Chemical Abstract Service (CAS)-numbered Chemicals Requested to be added to EPA's Preliminary Assessment Information Reporting (PAIR) Rule in the 48th, 50th, and 51st Reports of the TSCA Interagency Testing Committee. April 18, 2003.

G. Why is this Action Being Issued as a Final Rule?

EPA is publishing this action as a final rule without prior notice and an opportunity to comment because the Agency believes that providing notice and an opportunity to comment is unnecessary. As discussed in Unit III., whenever EPA announces the receipt of an ITC report, EPA may, at the same time and without providing notice and opportunity for public comment, amend the model information-gathering rule by adding the recommended (or designated) chemicals. EPA finds, therefore, that there is "good cause" under section 553(b)(3)(B) of the Administrative Procedure Act (APA) (5 U.S.C. 553 (b)(3)(B)) to make these amendments without prior notice and comment.

H. Economic Analysis

The economic analysis for the addition of the 47 chemicals to the TSCA section 8(a) PAIR rule is entitled, "Economic Analysis for the Addition of 47 Chemical Abstract Service (CAS)-numbered Chemicals Requested to be added to EPA's Preliminary Assessment Information Reporting (PAIR) Rule in the 48th, 50th, and 51st Reports of the TSCA Interagency Testing Committee" (Ref. 4). Seven of the 47 chemicals were located in EPA's 1998 Chemical Update System (CUS) utilizing the ITC-supplied CAS numbers, yielding 6 companies producing these chemicals at 7 sites. Because the threshold for reporting to CUS under the Inventory Update Rule is

10,000 lbs., and the threshold for PAIR reporting is 500 kg (1,100 lbs.), and because there is no requirement that inorganic chemicals be reported to CUS (the majority of the vanadium compounds are inorganic), EPA assumed that one manufacturer exists per chemical to account for the possibility that there may be manufacturers producing PAIR-reportable amounts that weren't captured by CUS. But EPA has no way of ascertaining this, a fact which highlights the need for PAIR reporting on these chemicals. Given the assumptions in this unit, the costs and burden associated with this rule are estimated in the Economic Analysis (Ref. 4) to be the following:

Reporting Costs (dollars)

47 reports estimated at [cost] per report = \$1465.88

Total Cost = \$61537.12

Mean cost per site/firm = \$61537.12/47 sites = \$1465.88

Reporting Burden (hours)

Rule familiarization: 7 hours/site x 47 sites = 329 hours

Reporting: 1001.3 hours

Total burden hours = 1330.3 hours

Average burden per site/firm = 1330.3 hours/37 sites = 28.3 hours/site

EPA Costs (dollars)

It is estimated that the annual cost to the Federal Government will be \$10,226.11 (47 reports x \$217.58), plus 0.0176 Full Time Equivalent Employees (FTEs). At an estimated \$91,873.60 per FTE, the total of 0.1186 FTEs will cost EPA \$10,898.95 in salaries, bringing the total costs to the Federal Government to \$21,125.06 (i.e., \$10,226.11 + \$10,898.95) (Ref. 4).

III. Statutory and Executive Order Reviews

A. Executive Order 12866: Regulatory Planning and Review

The Office of Management and Budget (OMB) has exempted actions under TSCA section 8(a) related to the PAIR rule from the requirements of Executive Order 12866, entitled *Regulatory Planning and Review* (58 FR 51735, October 4, 1993).

B. Paperwork Reduction Act

Pursuant to the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 *et seq.*), an Agency may not conduct or sponsor, and a person is not required to respond to, a collection of information that is subject to approval under the PRA unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations, after appearing in the preamble of the final rule, are listed in 40 CFR part 9, and