

EPA's Endocrine Disruptor Screening Program (Information Collection Request for List 2)

Background

Section 408(p)(5)(A) of the Federal Food, Drug and Cosmetic Act (FFDCA) directs EPA to assess pesticide chemicals and other chemicals for their potential to interact with the human endocrine system, and section 1457 of the Safe Drinking Water Act (SDWA) also authorizes EPA to screen certain chemicals in drinking water (SDWA chemicals) under section 408(p). In October 2009, the Office of Management and Budget (OMB) approved EPA's Information Collection Request for a list of 67 pesticide chemicals (original ICR) and EPA began issuing orders shortly thereafter. In November 2010, EPA proposed to amend the original ICR to accommodate an information collection for 134 SDWA chemicals (ICR addendum). Under the Paperwork Reduction Act (PRA), the Agency must estimate the burden (costs) associated with collecting information and provide evidence of the practical utility (benefits) of the collected information.

Update

On January 18, 2011, CPDA submitted comments on the draft ICR addendum that address EPA's failure to comply with certain PRA requirements and failure to meet either the letter or the intent of OMB's Terms of Clearance (ToC) for the original ICR. The comments also dispel EPA's assertion that it has an urgent statutory duty to expand the Endocrine Disruptor Screening Program, and demonstrate that the Agency has significantly underestimated the burden of the information collection and failed to demonstrate the practical utility of the information. Moreover, based on data that EPA provided to an international organization (OECD), but withheld from the U.S. public and OMB, it appears that the Agency knew the Tier 1 screening of the List 1 chemicals likely would cost over \$100 million, and the Agency's proposed expansion to include SDWA chemicals would cost, at a minimum, twice that amount. EPA continues to deny that actual assay costs are a component of burden despite the Agency's recognition that they are clearly included in the PRA definition of burden. This denial, combined with the Agency's knowing underestimation of Tier 1 screening costs, results in a significant underestimate of the burden of the EDSP. CPDA has urged EPA (1) to more accurately estimate the burden of collecting this information, based on all the information it has, before submitting the ICR addendum to OMB for approval; and (2) to fully comply with all of OMB's ToC for the original ICR and to make the record thereof available to the public.