
**Justification Statement
for Information Request for Reducing the State Reporting Burden and
Streamlining Measures
EPA ICR # 2244.01**

Purpose

The U.S. Environmental Protection Agency (EPA) is committed to strengthening EPA/state relations and engaging the states more fully in the Agency's planning and budgeting process. States have consistently expressed concerns about continued increases in reporting requirements, including measures, especially at a time when grant funds are declining. The purpose of this information collection request (ICR) is to assist EPA in identifying opportunities for streamlining or eliminating specific state reporting requirements and associated measures and communicating the results across the states, regions and EPA headquarters. We expect this review to complement the Office of the Chief Financial Officer's (OCFO) existing systematic review of program performance measures identified in EPA's National Program Manager Guidance documents and housed in the Agency's Annual Commitment System (ACS). EPA seeks to collect the information through the attached transmittal memo and forms (Attachment 1 and accompanying Attachments 1(A), 1(B) and 1(C) which will be sent electronically to the State Environmental Commissioners of the 50 states and 3 territories in the United States.

Determination for an Emergency ICR and Justification

In order to further the Agency's mission of protecting human health and the environment, it is critical for EPA to work closely with its state partners to ensure that statutory and regulatory environmental mandates are carried out. EPA's efforts in this area are twofold. As a part of this relationship with the states, EPA is seeking to gather feedback on the most burdensome state reporting requirements and to identify areas of potential burden reduction. Additionally, EPA is seeking to identify opportunities to streamline a subset of performance measures which involve specific state activities to support the strategic goals and targets of EPA's national programs, as identified in National Program Manager (NPM) Guidance documents. EPA plans to use this information to influence development of FY08 NPM Guidance, Performance Partnership Agreements, Performance Partnership Grants and other state-EPA agreements. The time required for the normal approval/clearance process would prevent EPA from engaging the states and obtaining this information in a timely manner so as to influence FY08 joint state/EPA decision-making. Therefore, the Agency is requesting an emergency information collection request to: (1) be responsive to our state partners in implementing opportunities for reduce reporting burdens in FY08; and (2) expeditiously gather information to allow EPA to determine the breadth and extent of the above-referenced reporting burden.

Background

Officers of the Environmental Council of States (ECOS) participated in a meeting with senior Agency officials to communicate the states' priorities for the FY08 budget. ECOS

expressed concerns over the continued increases in measures and reporting requirements placed on states while federal support for core state grants is declining. Reporting burden has been an ongoing issue for the states and EPA as state environmental program management capacity increases. There has been a corresponding increase in demand for state program reporting and measures of environmental results. Over the last 15 years, EPA and ECOS have examined several facets of the issue either jointly or separately.

During this recent budget discussion, ECOS provided examples of reporting burdens.

- States noted that certain reporting requirements for air program grants could be reduced or eliminated. While some are mandatory, many are reports on such activities as attending meetings or participating in workshops
- States expressed concern over reporting on performance activity measures (PAMS) that are included in NPM Guidance documents. While these measures are mostly related to core programs delegated to states, there are concerns about baselines, targets and how success is measured for many of the PAMS.

ECOS recommended that non-essential “bean counting” be eliminated. ECOS also requested a firm commitment from EPA leadership to eliminate non-essential reporting requirements. In addition, states have informed ECOS that changes in reporting requirements can be just as burdensome and that EPA should limit the number of changes, particularly when funding is being reduced. Overall, ECOS noted that the ever-changing landscape of reporting requirements makes it difficult to extract relevant information from state programs that will give an accurate measure of successful environmental outcomes rather than simply measuring output.

As a result of these discussions, OCFO instructed the Office of Congressional and Intergovernmental Relations (OCIR) to work with the regions, states and NPMs to identify opportunities for streamlining or eliminating specific state reporting requirements. OCFO is also working with states, regions and NPMs to streamline performance measures identified in NPM guidance documents and used in EPA’s annual commitment process.

Approach

While fully streamlining reporting requirements and measures involving states will take a sustained effort over a longer period of time, we will undertake the following steps:

- Solicit suggestions from states for their top 5 high-burden and low-value reporting requirements, and recommendations for how they can be streamlined, eliminated or otherwise improved.
- Solicit suggestions from states regarding which NPM guidance performance measures would benefit from streamlining, with supporting rationale.
- Work collaboratively with the states to evaluate and determine what, if any, changes in reporting and measures can be implemented.
- Elevate and resolve any disagreements through a process that involves the state as well as the affected EPA offices; and
- Implement agreed-to reporting changes in measures and reporting requirements and identify next steps.

**Attachment 1
Transmittal Memo**

DRAFT

MEMORANDUM

SUBJECT: State Reporting Burden and Measures Streamlining Initiatives

FROM: Marcus Peacock
Deputy Administrator

TO: State Environmental Commissioners
Regional Administrators

The availability of meaningful performance data is central to the Agency's and states' collective efforts to effectively protect human health and the environment. This past year there has been a growing interest within EPA and among our state partners to streamline the number of reporting requirements and measures that the Agency uses to manage and assess environmental progress. During EPA's preliminary FY 2008 budget discussions, the Environmental Council of the States (ECOS) expressed legitimate concerns about continued increases in reporting requirements while funding for state categorical grants (STAG) is declining.

To address these concerns, this memo initiates two efforts: 1) a *State Reporting Burden Reduction Initiative* to document the most burdensome and lowest value reporting requirements that are imposed by EPA, and 2) a *Measures Review and Streamlining Initiative* to identify potential reductions in measures listed in the FY 2007 National Program Manager (NPM) guidance documents. These two efforts represent an important opportunity for states and EPA to assess and adjust reporting requirements and measures. The results of these complementary initiatives will be used to inform development of FY 2008 NPM guidance and measures, grant work plan negotiations, and discussions of priorities for the future.

For the *State Reporting Burden Reduction Initiative*, we are asking you to use Attachment A to identify up to five reporting requirements that pose the highest burden and provide the lowest value. For the *Measures Review and Streamlining Initiative*, please use Attachment B to identify potential candidates for reduction or modification.

The Agency's expects both initiatives to follow a common schedule, including due dates and more detailed milestones which are outlined in Attachment C. Please submit both forms to EPA by November 8, 2006. For questions regarding the *State Reporting Burden Initiative*, please contact Pamela Luttner in OCIR at 202-564-3107 or by email at luttner.pamela@epa.gov. For questions regarding the *Measures Review and Streamlining Initiative*, please contact Kathy O'Brien in OCFO at 202-564-1167 or by email at obrien.kathy@epa.gov.

Thank you for your leadership and commitment in supporting these initiatives. These two efforts represent an important opportunity for states and EPA to assess and improve reporting requirements and measures. I intend to carefully consider all proposals that would enable us to more effectively and efficiently accomplish our collective program goals.

Attachments

cc: Assistant Administrators
Associate Administrators
General Counsel
Inspector General
Chief Financial Officer
Deputy Regional Administrators
ECOS-EPA Partnership and Performance Work Group

**Attachment 1(A)
 State Reporting Burden Review (Instructions Attached)**

Due Date: November 8, 2006

STATE: CONTACT PERSON: Name _____ ; Tel. _____ ; e-mail _____ DATE:	
Reporting Requirement (please specify): _____	
Purpose (Please describe the intended purpose and use of the reporting requirement)	
Type	<input type="checkbox"/> Report <input type="checkbox"/> Initiative <input type="checkbox"/> Data <input type="checkbox"/> Other (please specify) <input type="checkbox"/> Measure
Source of Reporting Requirement	<input type="checkbox"/> Guidance (Regional) <input type="checkbox"/> Grants <input type="checkbox"/> Guidance (HQ) <input type="checkbox"/> Regulation <input type="checkbox"/> Statute (please reference) <input type="checkbox"/> Other (please specify)
Transmission	<input type="checkbox"/> Electronic (identify data base) <input type="checkbox"/> Verbal <input type="checkbox"/> Manual
Frequency (How often do you report this information?)	
Nature of Burden (Please explain why this requirement is a burden to your state)	<input type="checkbox"/> Administrative <input type="checkbox"/> Data Collection <input type="checkbox"/> Other (please specify)
Recommendation and rationale (Please explain)	

The public reporting and recordkeeping burden for this collection of information is estimated to average 10 hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.

Attachment 1(A)
Instructions for Completing the State Reporting Burden Review Form

Worksheet: To assist EPA in identifying specific reporting burdens, please list your state's top 5 high-burden, low-value reporting requirements using the attached form. Each state should complete one form per reporting requirement for a total of five forms/state. There are 9 fields that must be filled out. Staff with the most expertise should complete the forms and provided to EPA by the State Environmental Commissioners.

State/Contact/Date: A point-of-contact is necessary in the event that EPA has questions or requires additional information.

Reporting Requirement: Identify the specific reporting requirement in the space provided.

Purpose: Describe the state's understanding of the intended purpose of the requirement and indicate why you believe it is a requirement. Describe your understanding of how this data is used once it is reported.

Type: Identify whether the requirement is a report, measure, data, or initiative; if none applies, please explain what it is in the space provided.

Source: Indicate if the requirement is required by regional or EPA headquarters guidance, statute (include citation), regulation (include citation), grant workplan requirement, or other (including informal staff-level requests from the regions or headquarters). Specify or elaborate as necessary.

Transmission: Indicate mode of transmission for the requirement (whether electronically – in which case identify relevant data base, verbally, or manually).

Frequency: Indicate how often you have to report – yearly, monthly, biannually, or other.

Nature of Burden: Indicate whether the burden is the result of administrative, data collection, or other requirements. If other, please specify in the space provided. Also, briefly explain what is burdensome about this reporting requirement to your state.

Recommendation and Rationale: Indicate whether you recommend modifying or eliminating this requirement and provide appropriate rationale. Also, if you recommend modifying, please explain how you would change the requirement to decrease the reporting burden.

EPA Contact: By November 8, 2006, please forward the State Reporting Burden Review Form to Pam Luttner via e-mail at luttner.pamela@epa.gov or by fax at 202-564-1545 and submit a copy to your EPA Regional Administrator.

Attachment 1(B)
Instructions for Measures Review and Streamlining Form

Worksheet: To assist EPA in identifying potential reductions in measures listed in the FY07 National Program Manager (NPM) guidance documents, EPA has made available a crosswalk of these measures on a password-protected website, Commitments QuickPlace. This crosswalk contains measures relating to state performance contributions which are included in the NPM guidance documents (issued in April 2006 and available at <http://www.epa.gov/ocfo/npmguidance/index.htm>).

Please list the measures you deem appropriate in the attached form which contains three headings and expands as necessary to accommodate your information. The form should be filled out by staff with the most expertise and provided to EPA by the State Environmental Commissioners.

State Contact Person: A point-of-contact is necessary in the event that EPA has questions or requires additional information.

Access to Website: You will be provided access to the measures via a password-protected URL by your EPA regional contact. Once you gain access to the QuickPlace, please review the FY07 crosswalk.

Filling out the Form: After your review, in the appropriate columns: (1) identify the measure (by ACS Code listed on the crosswalk); (2) note whether you recommend deleting or modifying it (and if modify, provide suggested language); and (3) provide a short explanation for your recommendation.

EPA contact: By November 8, 2006, please forward the form to Kathy O'Brien via email at obrien.kathy@epa.gov or by fax at 202-564-1433 and submit a copy to your EPA Regional Administrator.

Attachment 1(C)
State Burden Reduction and Measures Streamlining Initiatives
Key Milestones

Lead	Burden Reduction	Measures Review	Due Date
Deputy Administrator	kick-off memo to Regional Administrators (RAs) and State Environmental Commissioners		Oct 10, 2006
State Commissioners	recommendations on top 5 issues to RAs and OCIR (Attachment A)	recommendations to reduce/change measures to OCFO (Attachment B)	Nov 8, 2006
RAs	memo to OCIR assessing state recommendations in Attachment A	recommendations to reduce/change measures to OCFO (Attachment B)	Nov 21, 2006
OCIR/OCFO	initial synthesis of state/regional responses to states and EPA HQ and the regions	initial synthesis of state/regional responses to states and EPA HQ and the regions	Dec 1, 2006
HQ Program Offices (OAR, OECA, OPPTS, OSWER, OW, OEI, etc.)	recommendations to OCIR, based on review of state/RA input	preliminary list of FY08 measures, identifying those recommended for elimination/modification to OCFO	Dec 8, 2006
OCIR/OCFO	discussion with Agency senior management on initial results and recommendations		mid-Dec 2006
OCIR/OCFO	briefing for Deputy Administrator on initial results and recommendations		mid-Dec 2006
Deputy Administrator	review of draft FY08 NPM guidance, including draft measures and changes to reporting requirements;		Jan 2007
Deputy Administrator	communication from the DA on reporting burden reduction results		Feb 2007
NPMs	issue draft FY 2008 NPM guidance, which includes improvements to measures and reporting requirements		Feb 2007
States, Regions Tribes, others	formal review and comments to NPMs on draft NPM guidance, including proposed improvements to measures and reporting requirements		Feb-Mar 2007
NPMs	issue final FY08 NPM guidance with final measures and changes to requirements		Apr 2007

Attachment 2

Estimating the Burden and Cost of the Collection

Burden to Respondent

The respondents for this information collection request are the 50 states and 3 territories in the United States. This ICR is a one-time data request and to respond to this ICR, we estimate that each affected respondent will incur a labor burden of approximately 10 hours to complete the form listed in Attachment 1(A) and 3 hours to complete the form listed in Attachment 1(B). This estimate is based upon best professional judgment because the labor burden will be depend on the ease of collecting this information which makes it difficult to accurately project the labor burden. Accordingly, our best estimate for the hour burden for this ICR is approximately 689 hours (13 hours x 53 respondents).

For this ICR, the labor rate used for management, professional and related employees is \$45.07 per hour which includes benefits. This labor rate is derived from data shown on U.S. Department of Labor, Bureau of Labor Statistics website at <http://stats.bls.gov/news.release/ecec.t03.htm> ("Table 3. State and local government by major and occupational industry group"). Based on the time burden and the enumerated hourly labor rate, we estimate that the respondents' total dollar burden to be approximately \$31,053 (689 x \$45.07).

Burden to EPA

We estimate that EPA employees will incur a labor burden of approximately 5 hours per respondent to analyze/synthesize the information collected in Attachment 1(A) of this ICR and approximately 2 hours per respondent to analyze/synthesize the information collection in Attachment 1(B) of this ICR. Our best estimate for EPA's hour burden is approximately 371 hours (7 hours x 53 respondents).

For this ICR, the labor rate used for professional employees is \$57.20 per hour which includes benefits. This labor rate is derived from data shown on the U.S. Office of Personnel Management website at <http://www.opm.gov/oca/06tables/indexGS.asp> ("2006 General Schedule (Base) Hourly Rate Pay Table). Based on the time burden and the enumerated hourly labor rate, we estimate that EPA's total dollar burden for this ICR to be approximately \$21,221 (371 hours x \$57.20).