

**United States Department of Energy
Historic Preservation for Energy Efficiency Programs**

**Supporting Statement
OMB Number 1910-5155**

This supporting statement provides additional information regarding the Department of Energy (DOE or Department) request for processing of the proposed information collection, on behalf of the Office of Weatherization and Intergovernmental Programs (OWIP).

The numbered questions correspond to the order shown on the Office of Management and Budget (OMB) Form 83-I, "Instructions for Completing OMB Form 83-I."

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

Under the American Reinvestment and Recovery Act, (P.L. 111-5) (Recovery Act), OWIP is deploying billions of dollars and piloting numerous program structures and business models for delivering retrofits to existing buildings. These activities include:

- \$5 billion for the Weatherization Assistance Program (WAP) to retrofit low income homes distributed via 58 states and territories to 984 community action agencies;
- \$3.2 billion in Energy Efficiency and Conservation Block Grants (EECBG) distributed via over 2,350 state and local governments to implement energy efficiency and renewable energy projects including residential and commercial retrofit projects;
- \$3.1 billion distributed to 56 State Energy Program (SEP) recipients to implement energy efficiency and renewable energy projects including residential and commercial retrofit projects

Prior to the expenditure of project funds to alter any historic structure or site, WAP, SEP, and EECBG recipients are required to ensure that it is compliant with Section 106 of the National Historic Preservation Act (NHPA), consistent with DOE's 2009 letter of delegation of authority regarding the NHPA. Section 106 applies to historic properties that are listed in or eligible for listing in the National Register of Historic Places.

The recipient (or subrecipient) is required to retain sufficient documentation to demonstrate that the recipient (or subrecipient) has received required reviews and/or approval(s) from the State Historic Preservation Officer (SHPO) or Tribal Historic Preservation Officer for the Project. Recipients or subrecipients shall avoid taking any action that results in an adverse effect to historic properties pending compliance with Section 106. The recipient or subrecipient shall deem compliance with Section 106 of the NHPA only after it has received this documentation. The recipient or subrecipient shall make this documentation available to DOE at DOE's request (for example, during a post-award audit). Recipients will be required to report annually on

September 1 the disposition of all historic preservation consultations by category. This reporting requirement on NHPA compliance is the basis for this information collection request.

DOE is seeking to reinstate their Historic Preservation for Energy Efficiency Programs collection because the Department requires historic preservation data reporting as part of the grant closeout process for all OWIP grantees that received funding under the Recovery Act. All OWIP grantees must report annually on their historic preservation activities as part of the Terms and Conditions of their awards. Additionally, the collection will still be needed when Recovery Act funding expires because many OWIP grantees developed Revolving Loan Funds (ROLs) and other funding mechanisms streams using Recovery Act funds. Pursuant to federal law, any future awards made through these ROLs and/or funding mechanisms will be subject to Historic Preservation reporting requirements because they are tied to Recovery Act funding, and thus, Recovery Act requirements.

The authority for the data collections are provided by the following provisions:

Title IV, Energy Conservation and Production Act, as amended, authorizes the DOE to administer the WAP. All grant awards made under this Program shall comply with applicable law including regulations contained in 10 C.F.R. Part 440 (issued February 1, 2002), the Energy Policy Act of 2005, the Energy Independence and Security Act of 2007, the American Recovery and Reinvestment Act of 2009 and other procedures as DOE may, from time-to-time, prescribe for the administration of financial assistance.

DOE is authorized to administer the SEP under the Energy Policy and Conservation Act of 1975, the State Energy Efficiency Programs Improvement Act of 1990, and American Recovery and Reinvestment Act of 2009 and other procedures as DOE may, from time-to-time, prescribe for the administration of financial assistance.

DOE is authorized to administer the EECBG under the Energy Independence and Securities Act of 2007, the American Recovery and Reinvestment Act of 2009 and other procedures as DOE may, from time-to-time, prescribe for the administration of financial assistance.

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

This information will be used by DOE to verify that WAP, SEP, and EECBG recipients are compliant with Section 106 of the National Historic Preservation Act. DOE is also required pursuant to the terms of a Prototype Programmatic Agreement on Historic Preservation under the processes of 36 C.F.R. Part 800 to submit summaries of the information collected from its recipients to the Advisory Council on Historic Preservation and the National Conference of State Historic Preservation Officers.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.

The collection of the information has been standardized to provide database collection and retrieval of program information through Performance and Accountability for Grants in Energy (PAGE). PAGE is an EECBG program specific system that interfaces with DOE financial systems, the EERE Project Management Center, DOE Headquarters and state and local grantees. It is cost effective for our Program to collect and capture the grantee information in PAGE through a combined collection effort as PAGE is the same database collection program that EECBG, WAP and SEP use to capture their other reporting data and requirements. Grantees and DOE Project Officers are familiar with utilizing the system to submit required information and review reporting requirements, respectively. Electronic submission of reports will result in greater efficiency, timely reporting and a reduced paperwork burden for grantees and DOE program staff.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

The required information described above is unique to DOE, and similar information is not available to meet the needs of this proposed collection. Therefore, efforts to collect this information are not duplicative.

5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize burden.

Small businesses are not impacted by these requirements. Small local governments and tribal entities are subject to the reporting requirements. While the web-based system should not pose a problem for the local governments, certain tribal entities may have technical difficulties. DOE will provide technical assistance to these tribal entities and work closely with their tribal councils and the Bureau of Indian Affairs to ensure that they can comply and will not be penalized for delays due to any technical difficulties they experience.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

Compliance with Section 106 of the NHPA is a prerequisite of the retrofit of historic structures or sites. Inability to collect information verifying this compliance on at least an annual basis will slow and likely stop retrofit of relevant structures and potentially all structures retrofit under WAP, SEP, and EECBG.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines. (a) requiring respondents to report information to the agency more often than quarterly; (b) requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it; (c) requiring respondents to submit more than an original and two copies of any document; (d) requiring respondents to retain records, other than health, medical government contract, grant-in-aid, or tax records, for more than three years; (e) in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study; (f) requiring the use of statistical data classification that has not been reviewed and approved by OMB; (g) that includes a pledge of confidentiality that is not supported by authority established in statute of regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; (h) requiring respondents to submit proprietary trade secrets, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

There are none. The package is consistent with OMB guidelines.

8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden. Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported. Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years - even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

On March 6, 2012, DOE's 60-day notice and request for comments for reinstating their information collection on Historic Preservation was published in the Federal Register at 77 Fed.Reg. 13313. The Department did not receive any comments.

9. Explain any decision to provide any payment or gift to respondents, other than reenumeration of contractors or grantees.

There is no remuneration given for submission of any of the information other than the fact that the expense of responding is treated as an allowable cost.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

No identifiable confidential information is being requested.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

No questions of a sensitive, personal or private nature are being asked.

12. Provide estimates of the hour burden of the collection of information.

Recipient burden

Recipients will be required to report annually on NHPA compliance. The report will consist of a one-page checklist completed in PAGE. It is estimated that WAP and EECBG recipients will spend an hour preparing and completing each report. SEP recipients anticipate spending four hours to prepare and complete their reports given the complexity of some their historic preservation-related activities.

WAP recipients:	58 x 2 hour/report x 1 report/year = 116 hours annually
SEP recipients:	56 x 4 hour/report x 1 report/year = 224 hours annually
<u>EECBG recipients:</u>	<u>2359 x 2 hour/report x 1 report/year = 4718 hours annually</u>
Total respondents:	2473 x hours/report x 1 report/year = 5058 hours annually

Total Burden: 2473 recipients x 1 report/year = 5058 hours annually

13. Provide an estimate for the total annual cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).

There is no additional cost burden associated with this collection.

14. Provide estimates of annualized costs to the Federal government.

The estimated time required for DOE Project Management Center (FMC) staff to review each annual report is five minutes.

Burden: 47 Project Officers X 5 mins X \$45 (hourly wage) X 2473 = \$627,647.40

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.

As indicated above, there is no additional cost burden associated with collection with respect to respondents or recordkeepers resulting from the collection of information. The information is collected and recorded in the DOE's Performance Accountability for Grants in Energy (PAGE) system, which provides DOE and grantees, including state and local governments, and tribal organizations, with the ability to electronically submit and manage grant performance and financial information.

After completing our first collection, we now know that the estimated annualized costs to the federal government are \$627,647.40 based on the number of project officers that review each report before it is approved in the PAGE system. In our prior collection request, the burden hour estimate was inadvertently reflected as 2473. In fact, the total number of respondents is 2473 and the burden hour estimate for respondents is 5058.

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

The information collected is not intended to be published at this time. No complex analytical techniques will be employed.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

DOE is not seeking approval to not display the expiration date for OMB approval of this information collection.

18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-I.

There are no exceptions to the certification statement.