
Supporting Statement for Historic Preservation for Energy Efficiency Programs

Part A: Justification

OMB No. 1910-5155

Collection Instrument(s):

Historic Preservation Report

The U.S. Department of Energy's (DOE) Weatherization Assistance Program (WAP), State Energy Program (SEP), and Energy Efficiency and Conservation Block Grant (EECBG) recipients are required to submit through the Performance and Accountability for Grants in Energy (PAGE) an annual report of their historic preservation activities, in compliance with Section 106 of the National Historic Preservation Act.

In 2010, as the result of unprecedented funding and projects instituted under the American Recovery and Reinvestment Act, the DOE, Advisory Council on Historic Preservation, and National Conference of State Historic Preservation Officers, developed a first-of-its-kind Prototype Programmatic Agreement (Prototype PA). The intent of the Prototype PA was to provide DOE's WAP, SEP, and EECBG recipients with a streamlined method for complying with DOE's responsibilities under Section 106 of the National Historic Preservation Act. Using DOE's approved Prototype PA, as of September 30, 2019, 47 States and U.S. Territories have U.S. DOE-executed Historic Preservation PAs, which establish categories of exempt activities and processes for otherwise complying with Section 106 requirements.

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U.S. Department of Energy
Washington, DC 20585

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Introduction

Provide a brief introduction of the Information Collection Request. Include the purpose of this collection, note the publication of the 60-Day Federal Register Notice, and provide the list of forms within this collection.

The Department of Energy (DOE), pursuant to the Paperwork Reduction Act of 1995, intends to extend for three years an information collection request with the Office of Management and Budget (OMB). The information collection request, Historic Preservation for Energy Efficiency Programs, was initially approved on December 1, 2010 under OMB Control No. 1910-5155 and was reinstated on September 12, 2016. The current expiration date is September 30, 2019.

The extension of this currently approved information collection will allow DOE to continue data collection on the status of the Weatherization Assistance Program (WAP), the State Energy Program (SEP), and the Energy Efficiency and Conservation Block Grant (EECBG) program.

60-Day Federal Register Notice posted on November 13, 2018:

<https://www.federalregister.gov/documents/2018/11/13/2018-24695/extension-of-a-currently-approved-information-collection-for-the-weatherization-assistance-program>

30-Day Federal Register Notice posted on June 4, 2019:

<https://www.federalregister.gov/documents/2019/06/04/2019-11611/extension-of-a-currently-approved-information-collection-for-the-weatherization-and>

A.1. Legal Justification

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 information collection.

The Weatherization and Intergovernmental Programs Office (WIP) is part of the DOE Office of Energy Efficiency and Renewable Energy (EERE) and supports DOE's mission to create greater energy affordability, security, and resiliency. WIP's mission is to enable strategic investments in energy efficiency and renewable energy technologies through the use of innovative practices across the United States in partnership with a wide range of stakeholders, including state and local organizations and community-based non-profits.

WIP supports DOE's strategic objective to lower energy costs while expanding energy choices for all American communities. WIP's near-term activities produce almost immediate results, saving taxpayer dollars, making full use of domestic energy resources, boosting local economic development and job creation, cutting energy waste, improving energy independence and security, and furthering the development of energy infrastructure.

WIP comprises two programs focused on state and local governments, the Weatherization Assistance Program (WAP) and the State Energy Program (SEP). In addition, WIP managed the Energy Efficiency and Conservation Block Grant (EECBG) Program, a national program funded one-time under the Recovery Act. From 2009 to 2015, the EECBG Program provided grants and technical assistance to local governments, states, tribes and territories to support a wide variety of energy efficiency and renewable

energy activities. In 2016, EECBG recipients were allowed to establish Financing Programs revolving loan fund, loan loss reserve, interest-rate buy down and third party loan insurance, using Recovery Act funds. Currently there are 108 Financing Programs that are self-administered by EECBG recipients.

Prior to the expenditure of project funds to alter any historic structure or site, the Weatherization Assistance Program, State Energy Program, and Energy Efficiency and Conservation Block Grant 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 extend 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 WIP grantees that received funding as formula awards or have the possibility of affecting historic properties. All WIP grantees with such grants must report annually on their historic preservation activities as part of the Terms and Conditions of their awards. Additionally, the collection will remain for Recovery Act WIP grants which continue with Revolving Loan Funds (ROLs) and other funding mechanism 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.

A.2. Needs and Uses of Data

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 ARRA-grant recipients with on-going financial programs 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.

A.3. Use of Technology

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.

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 a 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 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.

Recovery Act grants with continuing financial programs will use the same Historic Preservation report format and will submit through PAGE.

A.4. Efforts to Identify Duplication

Describe efforts to identify duplication.

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.

A.5. Provisions for Reducing Burden on Small Businesses

If the collection of information impacts small businesses or other small entities, 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.

A.6. Consequences of Less-Frequent Reporting

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 units, 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 financial programs.

A.7. Compliance with 5 CFR 1320.5

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 product 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 stature 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.

A.8. Summary of Consultations Outside of the Agency

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 5CFR 320.8(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 in response to the comments. Specifically address comments received on cost and hour burden. Describe efforts to consult with persons outside DOE 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 report.

The Department published a 60-day Federal Register Notice and Request for Comments concerning this collection in the Federal Register on November 13, 2018, Vol. 83, No. 219, and page number 56313. The notice described the collection and invited interested parties to submit comments or recommendations regarding the collection. No comments were received.

Additionally, the Department published a 30-day Federal Register Notice and Request for Comments concerning this collection in the Federal Register on June 4, 2019, Vol. 84, No. 107, and page number 25795. The notice described the collection and invited interested parties to submit comments or recommendations regarding the collection. No comments were received.

DOE did not undertake efforts to otherwise consult with members of the public regarding this information collection pursuant to 5 CFR 1320.8(d)(1).

A.9. Payments or Gifts to Respondents

Explain any decision to provide any payment or gift to respondents, other than remuneration 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.

A.10. Provisions for Protection of Information

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.

A.11. Justification for Sensitive Questions

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 DOE 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.

A.12. Estimate of Respondent Burden Hours

Provide estimates of the hour burden of the collection of information. The statement should indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, DOE should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample fewer than 10 potential respondents is desirable.

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 three hours to prepare and complete their reports given the complexity of some of their historic preservation-related activities.

Total Number of Unduplicated Respondents = 221

Reports Filed per Person = 1

Total Annual Responses =221

Total Annual Burden Hours = 442 hours
Average Burden per Collection = 2.0 hr.
Average Burden per Applicant = 2.0 hr.

WAP recipients: 57 x 2 hour/report x 1 report/year = 114 hours annually
SEP recipients: 56 x 2 hour/report x 1 report/year = 112 hours annually
Active EECBG Financial programs: 108 x 2 hour/report x 1 report/year = 216 hours annually

Total Burden: 221 recipients x 1 report/year = 442 hours annually

Table A1. Estimated Respondent Burden

Collection Instrument	Annual Reporting Frequency	Number of Respondents	Annual Number of Responses	Burden Hours Per Response	Annual Burden Hours
Historic Preservation Report	1	221	221	2.00	442
			0		0
			0		0
			0		0
			0		0
			0		0
			0		0
			0		0
TOTAL		221	221		442

A.13. Annual Cost to Respondents

Provide an estimate for the total annual cost burden to respondents or recordkeepers resulting from the collection of information.

Financial personnel at the State level will fill out and submit the report. The average hourly wage rate found for this type of person is \$42.37.¹ By multiplying this by the total annual burden hours that respondents will incur in, we calculate that the total respondent's costs amounts to \$18,727.54. The previously approved collection incorrectly stated that the total cost for respondents was 0. DOE is adjusting these numbers to correct this information.

Table A2. Estimated Respondent Cost Burden

Type of Respondents	Total Annual Burden Hours	Hourly Wage Rate	Total Respondent Costs
Financial Personnel	442	\$42.37	\$18,727.54
TOTAL	442		\$18,727.54

¹ The Department of Labor's Bureau of Labor Statistics periodically updates the National Occupational Employment and Wage Estimates for the United States. Personnel Financial Advisors at the State/Territory level fill out and submit this report. See U.S. Bureau of Labor Statistics, U.S. Department of Labor National Occupational Employment and Wage Estimates, https://www.bls.gov/oes/current/oes_nat.htm#13-0000.

A.14. Annual Cost to the Federal Government

Provide estimates of annualized cost to the Federal government.

The estimated time required for DOE staff to review each annual report is 30 minutes.

Burden: 30 mins x \$116.45 hourly wage x 221 (reports/yr.) = \$25,735.45.

Table A3. Changes in Burden

Collection Instrument	Annual Reporting Frequency	Number of Respondents (Previously Approved)	Number of Respondents (Requested)	Annual Number of Responses (Previously Approved)	Annual Number of Responses (Requested)	Burden Hours Per Response (Previously Approved)	Burden Hours Per Response (Requested)	Annual Burden Hours (Previously Approved)	Annual Burden Hours (Requested)	Annual Number of Responses		
										Change Due to Agency Discretion	Change Due to Adjustment in Agency Estimate	Adjustment
Historic Preservation	1	275	221	275	221	2.4	2.0	662	442	-54	0	-54
				0	0			0	0	0		0
				0	0			0	0	0		0
				0	0			0	0	0		0
				0	0			0	0	0		0
				0	0			0	0	0		0
				0	0			0	0	0		0

A.15. Reasons for Changes in Burden

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

The number of burden hours for the Respondents decreased from 2.4 to 2.0 hours. This change is mainly due to the familiarity Respondents now have with this report, which they have been using for 10 years now. Moreover, there has been a decrease in the number of responses due to grant retirement and incorrect calculations of duplicated respondents in the previously approved collection.

Table A4. ICR Summary of Burden

	Requested	Program Change Due to Agency Discretion	Change Due to Adjustment in Agency Estimate	Previously Approved
Total Number of Responses	221	0	-54	275
Total Time Burden (Hr.)	442	0	-220	662

A.16. Collection, Tabulation, and Publication Plans

For collections whose results will be published, outline the plans for tabulation and publication.

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

A.17. OMB Number and Expiration Date

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

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

A.18. Certification Statement

Explain each exception to the certification statement identified in Item 19 of OMB Form 83-I.

There are no exceptions to the certification statement.