

Supporting Statement A

Health Resources and Services Administration

Environmental Information and Documentation (EID)

OMB #: 0915-0324

Extension

JUSTIFICATION

1. Circumstances of Information Collection

The Health Resources and Services Administration (HRSA) is requesting an extension of a currently approved data collection: OMB# 0915-0324, the Environmental Information and Documentation (EID) form. The revisions are not substantive and will only update some of the language in the text. For example, 45 C.F. R. Part 75 uses the term “award” – changed from “grant” and uses the term “award recipient” – changed from “grantee.” The EID language will align with the wording in the 45 C.F.R. Part 75.

In 2009, the EID was initially approved via emergency clearance procedures to ensure the timely availability of data to make award determinations for grants supporting construction and equipment under the American Recovery and Reinvestment Act (ARRA, P.L. 111-5). ARRA, signed into law February 17, 2009, provided \$1.5 billion in grants to support construction, renovation and equipment, and the acquisition of health information technology systems for health centers including health center controlled networks receiving operating grants under section 330 of the Public Health Service (PHS) Act, as amended (42 U.S.C. 254b). Section 1609 of ARRA created an additional requirement for HRSA to publically report on Agency review and compliance with the National Environmental Policy Act (NEPA) of 1969 (P.L. 91-190) for ARRA supported grant projects.

Additional and ongoing need for the form (as amended and approved in 2013 and extended in 2016) has been authorized by Section 330(e)(3) of the Public Health Service Act, 42 U.S.C. 254b(e)(3); Section 10503(b) of the Patient Protection and Affordable Care Act of 2010, P.L. 111-148; and Division G, Title II, p. 2466, Consolidated and Further Continuing Appropriations Act, 2015, P.L. 113-235. NEPA, the implementing regulations under 40 CFR parts 1500-1508, and the HHS General Administration Manual Part 30 Environmental Protection procedures, requires HRSA to consider the potential impacts of a proposed action on the human environment prior to committing the Agency to the action. The NEPA process incorporates consideration of other related federal environmental and historic preservation laws with which HRSA and applicants must also comply. HRSA uses the information collected to make a determination as to NEPA compliance, and the EID becomes part of the administrative record for grantees to meet their assurances requirements for receiving a grant.

HRSA is requesting an extension of the OMB approval of the current EID data collection (OMB# 0915-0324) form. HRSA applicants applying for Federal construction grants and cooperative agreements must use the currently approved Standard Form (SF) 424 cover page, and the SF 424C and SF 424D for construction projects. In addition, applicants applying for other Federal grants that allow the use of a portion of funds to be used for construction related activities must also use the currently approved Standard Form (SF) 424 cover page (only). This information must be submitted with the program application and budget information required on the SF 424 (OMB No. 4040-0004; 4040-0008; 4040-0009). However, in order to evaluate potential environmental and historic preservation impacts, information on the required EID must be available for applicants when applications for federal construction grants and cooperative agreements are made available.

A completed EID is required from all applicants requesting HRSA program funding that supports capital improvements that have the potential to significantly affect the human environment, such as construction/expansion or alteration/renovation activities as defined in the associated HRSA program guidance, or installation of fixed equipment. This form is designed to minimize hourly burden on grant applicants while still meeting the current minimum requirements for NEPA.

2. Purpose and Use of Information

HRSA uses the information collected to make a determination as to NEPA compliance. Applicants provide the information requested in the EID in order to qualify to receive benefits in the form of grants for purposes outlined in the applicable law.

The series of questions in the EID collects specific project and site related information not collected in other application forms. This information is needed to determine the level of review required under the National Environmental Policy Act (NEPA) and related laws. HRSA will use this information along with overall program applications to determine eligibility and the level of environmental review required under NEPA for construction related awards. For example, information submitted on the EID may show that the proposed project impact is minimal and therefore the project requires no further review under NEPA and other related laws. Alternatively, the results of the EID may also identify that the proposed project does require further review and evaluation such as: 1) the preparation and public notice of an Environmental Assessment under NEPA; 2) consultation under Section 106 of the National Historic Preservation Act (NHPA); 3) site testing for the presence of hazardous materials such as asbestos or lead; or 4) further consultation and coordination with other Federal Agencies on issues such as endangered species, floodplain management or wetland permits.

The questions provide information relevant to the following laws:

- 42 U.S.C. § 4321 et seq., National Environmental Policy Act
- Patient Protection and Affordable Care Act (111-148)
- Health Center Consolidation Act 1996, Section II, Subpart I, (e)(2) and (3)
- Department of Health and Human Services General Administration Manual Part 30, Environmental Protection

- 16 U.S.C. § 470, National Historic Preservation Act, Section 106, as amended
- Executive Order 12699 Seismic Safety of Federal and Federally Assisted or Regulated New Building Construction
- 45 CFR Part 15, Uniform relocation assistance and real property acquisition for Federal and federally assisted programs. Implements 42 U.S.C. 4601, et seq.
- 42 U.S.C. 4001 et seq., National Flood Insurance Act and National Flood Disaster Protection Act, as amended
- Executive Order 11990, Protection of Wetlands
- Executive Order 11988, Floodplain Management
- Executive Order 12898, Environmental Justice
- Executive Order 13287, Preserve America
- 16 U.S.C. § 1531 et seq., Endangered Species Act
- 16 U.S.C. § 3501 et seq., Coastal Barrier Resources Act
- 16 U.S.C. § 1451 et seq., Coastal Zone Management Act
- 33 U.S.C. § 1251 et seq., Federal Water Pollution Control Act, as amended. (Known as the Clean Water Act)
- 42 USC 7401, et seq., Clean Air Act
- 42 U.S.C. § 300f et seq., Safe Drinking Water Act, as amended
- 45 CFR § 74.16, 42 U.S.C. § 6901 et seq., Resource Conservation and Recovery Act (RCRA)
- 42 U.S.C. § 9601 et seq., Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended
- 16 U.S.C. §1271 et seq., Wild and Scenic Rivers Act

Standard Forms for Grant Applications

Applicants for federal construction grants also submit information through Grants.gov using Standard Forms (SF) from the set of the SF 424 family of forms. The development of these forms was an effort to reduce duplication of similar or identical forms and data sets across Federal agencies. The set of SF 424 forms also implemented the streamlining and simplification provisions of P.L. 106-107 and provides support for applicants of Federal grants to apply for grant funds online. A cross-agency work group developed the original set of forms.

These Standard Forms assist agencies in implementing the Office of Management and Budget (OMB) memorandum (M-04-05). OMB established Grants.gov as the Federal government's single, online portal for any person, business, or State, Local and Tribal government to find and apply for Federal grants. Funding opportunities related to construction/acquisition of health information technology utilize one or more of the 424 forms available on www.grants.gov.

3. Use of Improved Information Technology

Applications and supporting documentation can be submitted electronically through HRSA's

Electronic HandBook system (EHB). Information related to HRSA funding opportunities for construction projects, including acquisition of health information technology systems, can be found for various programs at <http://www.hrsa.gov/>.

4. Efforts to Identify Duplication

The information requested is specific to the requirements of NEPA and is not available elsewhere.

5. Involvement of Small Entities

This activity does not have a significant impact on small entities.

6. Consequences if Information Collected Less Frequently

Applicants requesting funds for construction must submit the EID to determine review and compliance requirements under NEPA and related laws in order for HRSA to administer funds responsibly. If such information is not submitted, HRSA will be unable to award funds as mandated under authorizing legislation.

7. Consistency with Guidelines in 5 CFR 1320.5(d) (2)

The data are collected in a manner consistent with guidelines contained in 5 CFR 1320.5(d)(2).

8. Consultation Outside the Agency

A 60-day Federal Register Notice of this current form was published in the *Federal Register*, 86 *Fed. Reg.* 69655, (December 8, 2021). There were no public comments.

In addition, several users of the form outside of the Agency were consulted on our decision to revise this form (the average of the projected burden did not change):

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9. Remuneration of Respondents

Respondents will not be remunerated.

10. Assurance of Confidentiality

This request does not involve the collection of individual level or personally identifiable information.

11. Questions of a Sensitive Nature

There are no questions of a sensitive nature.

12. Estimates of Annualized Hour Burden

HRSA estimates that approximately 1,500 grantees per year will apply for grants that are related to construction using the SF 424C form, requiring a burden of 1 hour per response to respond to the questions regarding compliance with NEPA.

The annual estimate of burden is as follows:

Form Name	Number of Respondents	Number of responses per respondent	Total Responses	Average Burden per Response (in hours)	Total Burden Hours	Total Wage Rate	Total Cost Burden Hours
EID Checklist	1,500	1	1,500	1	1,500	\$43.83*	\$65,745
Total	1,500		1,500		1,500	\$43.83*	\$65,745

* The wage rate shown are based upon the current Bureau of Labor Statistics data for the hourly mean wage rate of an Environmental Engineer at <http://www.bls.gov/oes/current/oes172081.htm>

13. Estimates of Annualized Cost Burden to Respondents

There is no capital or start up costs for this activity.

14. Estimated Cost to the Federal Government

HRSA's Grants Policy office has determined that the estimated annual cost to the federal government for this activity is approximately \$500,000 for review of applicant information regarding compliance with NEPA.

15. Changes in Burden

The current burden inventory is 1,500 hours. This current request is for 1,500 hours- an increase of 150 hours. This increase due to an estimated increase in the number of responses.

16. Time Schedule, Publication and Analysis Plans

There will be no statistical analysis done on the information received from the Environmental Information Documentation. In addition, there will be no publication of the information reported.

17. Exemption for Display of Expiration Date

The expiration date will be displayed.

18. Certifications

This project fully complies with 5 CFR 1320.9. The certifications are included in this package.