
Supporting Statement for Historic Preservation for Energy Efficiency Programs

Part A: Justification

Table of Contents

Part A: Justification.....	i
Introduction.....	2
A.1. Legal Justification.....	2
A.2. Needs and Uses of Data.....	5
A.3. Use of Technology.....	6
A.4. Efforts to Identify Duplication.....	6
A.5. Provisions for Reducing Burden on Small Businesses.....	6
A.6. Consequences of Less-Frequent Reporting.....	7

Collection Instrument(s):

Historic Preservation Report - Form 540.6

February 2023

U.S. Department of Energy
Washington, DC 20585

A.7. Compliance with 5 CFR 1320.5.....7

A.8. Summary of Consultations Outside of the Agency.....7

A.9. Payments or Gifts to Respondents.....8

A.10. Provisions for Protection of Information.....8

A.11. Justification for Sensitive Questions.....8

A.12. Estimate of Respondent Burden Hours.....8

A.13. Annual Cost to Respondents.....9

A.14. Annual Cost to the Federal Government.....9

A.15. Reasons for Changes in Burden.....10

A.16. Collection, Tabulation, and Publication Plans.....10

A.17. OMB Number and Expiration Date.....10

A.18. Certification Statement.....10

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 was previously approved on February 24, 2020, under OMB Control No. 1910-5155 and its current expiration date is February 28, 2023.

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

The 60-day Notice was published on August 30, 2022 and completed on October 31, 2022: [Federal Register :: Extension of a Currently Approved Information Collection for the Weatherization Assistance Program](#)

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 U.S. Department of Energy's (DOE) Weatherization Assistance Program (WAP), State Energy Program (SEP), and Energy Efficiency and Conservation Block Grant (EECBG) Program 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). A Program Comment was issued by the Advisory Council on Historic Preservation (ACHP) on March 11, 2013, pursuant to 36 CFR 800.14(e), published in the Federal Register on March 14, 2013, and extends the duration of the existing Programmatic Agreements—and any future agreements that may be executed under the prototype PA—until Dec. 31, 2020.

In 2020, DOE in cooperation with the ACHP and the National Conference of State Historic Preservation Officers (NCSHPO), developed an amendment to extend the expiration date of the executed subsequent PAs. All grantees elected to extend their agreement with DOE. Most amendments extend the agreements until Dec. 31, 2030, while some states opted to extend their agreements until Dec. 31, 2025.

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 using 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 three programs focused on state and local governments: the Weatherization Assistance Program (WAP), the State Energy Program (SEP), and the Energy Efficiency and Conservation Block Grant Program (EECBG).

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 Program 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 is provided by the following provisions:

Weatherization Assistance Program (WAP)

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, The Infrastructure Investment and Jobs Act (IIJA), and other procedures as DOE may, from time-to-time, prescribe for the administration of financial assistance. On March 15, 2022, the President signed the Consolidated Appropriations Act of 2021, which appropriated \$334,000,000 to the WAP. These funds are available for WAP formula activities along with WAP competitive grant recipients, all of which will be required to complete annual Historic Preservation Reports. In addition to the reporting documents for the WAP's annual appropriations, this collection will be used for Historic Preservation Reporting on the \$3.5 billion appropriated to WAP by the IIJA, of which \$3.168 billion was allocated to the Grantees. IIJA was passed by Congress on November 6, 2021 "to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes." The Weatherization Assistance Program is listed as an IIJA recipient under the Subtitle E - Miscellaneous section within Title V: Energy Efficiency and Building Infrastructure.

State Energy Program (SEP)

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. This ICR will include Historic Preservation reporting for SEP Annual Appropriations, Infrastructure Investment and Jobs Act (IIJA) appropriations for SEP, and two new sub-programs of SEP established by IIJA—the Energy Efficiency Revolving Loan Program and the Energy Auditor Training Grant Program. *SEP Annual Appropriations:* On March 15, 2022, the President signed the Consolidated Appropriations Act of 2021, which appropriated \$63,000,000 to SEP. As noted in SEP Program Notice 10-008E and 10-008F, SEP Grantees are required to complete Annual Historic Preservation Reports. *SEP IIJA Appropriations:* On November 15, 2021, the President signed the Infrastructure Investment and Jobs Act (IIJA), which appropriated \$500,000,000 for SEP to provide Formula Grants to its Grantees (State Energy Offices). Grantees will use Formula Grants for similar activities as their Annual Appropriations grants, and Grantees will similarly be required to submit Annual Historic Preservation Reports for these IIJA grants. *Energy Efficiency Revolving Loan Fund Capitalization Grant Program:* The IIJA appropriated \$250,000,000 to SEP to establish the Energy Efficiency Revolving Loan Fund Capitalization Grant Program, through which SEP will provide Capitalization Grants to SEP Grantees to establish revolving loan fund financing programs for energy efficiency projects in residential and commercial buildings. The grants will be allocated in part according to SEP's existing allocation formula, and development and implementation of financing programs are already a subset of activities for which Grantees can and have used Annual Appropriations grants. *Energy Auditor Training Grant Program:* The IIJA appropriated \$40,000,000 to SEP to establish the Energy Auditor Training Grant Program, through which SEP will provide grants to certain SEP Grantees to train individuals to conduct energy audits or surveys of commercial and residential buildings.

Energy Efficiency Conservation Block Grant (EECBG)

This ICR will also include Historic Preservation reporting for the financing programs funded by the EECBG Program under the American Recovery and Reinvestment Act (ARRA) that grantees are required to report on into perpetuity. Through section 40552(b) of IIJA, Congress appropriated "\$550,000,000

for fiscal year 2022, to remain available until expended.” EECBG provides Federal grants to states, units of local government, and Indian tribes to assist eligible entities in implementing strategies to reduce fossil fuel emissions, to reduce total energy use, and to improve energy efficiency as outlined by the Program’s authorizing legislation, Title V, Subtitle E of the Energy Independence, and Security Act of 2007 (EISA). 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. EECBG Program grantees will be required to submit Annual Historic Preservation Reports. EECBG does not receive annual appropriations but was previously funded by ARRA in 2009. A portion of ARRA EECBG Program grantees that chose to fund and administer financing programs continue to report annually on Historic Preservation and are included in this ICR. Under the IIJA legal statute framework, the language states, “There is authorized to be appropriated to the Secretary for the Energy Efficiency and Conservation Block Grant Program established under section 542(a) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17152(a)) \$550,000,000 for fiscal year 2022, to remain available until expended.” Separate from the latest funds to revive EECBG through IIJA, there will also continue to be the 108 EECBG AARA recipients authorized under the Energy Independence and Security Act of 2007.

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 EECBG Program 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 annually.

Historic Preservation Report Form Specifics --

Historic Preservation Reporting Period and Grant Number: Assists DOE in ensuring that the Grantee is submitting this report for the correct Grant.

1a and 1b: Assists DOE in confirming that all information is up to date and correlated with the information in the correlating Grant period.

1c and 1d: Assists DOE in confirming whether or not the Grantee has a Programmatic Agreement in place and allows the Grantee to remind themselves if they have one or not. And for non-PA Grantees, 1d allows them to confirm with DOE that they have followed the requirements for non-PA Grantees.

1e – 3a. Allows DOE to monitor how effective and efficient the Historic Preservation process is in each Grantee, and how each Grantee is utilizing it.

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, SEP, and EECBG Program 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.

All reporting from the Grantee to DOE is recorded 100% electronically through PAGE, and most information collection at the local level is done electronically as well, but exact numbers are unavailable.

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 requisite 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 Program 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 60-day FRN was published on 08/30/2022 on page 52946-52947, Vol. 87 and concluded on 10/31/2022. No comments were received: [Federal Register :: Extension of a Currently Approved Information Collection for the Weatherization Assistance Program](#)

Informal consultation: We are always gathering informal feedback from Grantees and Subgrantees at conferences and trainings, and Historic Preservation has been discussed. Technical Assistance is also provided to grantees through monitoring which is another avenue in which we are engaging in conversation.

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 historic preservation compliance. The report will consist of a one-page report to be completed in PAGE. It is estimated that WAP Formula, WAP Competitive, SEP Annual, SEP EATR, and EECBG Program recipients will spend two hours preparing and completing each report. WAP IIJA, SEP IIJA, and SEP EERL recipients anticipate spending four hours to prepare and complete their reports given the additional funding and activity load associated of some of their historic preservation-related activities.

WAP IIJA recipients:	57 respondents x 4 hrs/report x 1 report/year = 228 hrs
SEP IIJA recipients:	56 respondents x 4 hrs/report x 1 report/year = 224 hrs
SEP Energy Efficiency Revolving Loan:	56 respondents x 4 hrs/report x 1 report/year = 224 hrs
WAP Formula recipients:	57 respondents x 2 hrs/report x 1 report/year = 114 hrs
WAP Competitive Awards recipients:	33 respondents x 2 hrs/report x 1 report/year = 66 hrs
SEP Annual recipients:	56 respondents x 2 hrs/report x 1 report/year = 112 hrs
SEP Energy Audit Training Program:	40 respondents x 2 hrs/report x 1 report/year = 80 hrs
EECBG ARRA recipients:	108 respondents x 2 hrs/report x 1 report/year = 216 hrs
EECBG Program recipients:	2,642 respondents x 2 hrs/report x 1 report/year = 5,284 hrs

Total Respondent Burden: 2,863 recipients (unduplicated); 3,105 responses; 1 report/year; 2 to 4 hours/report; 6,548 hours annually

Table A1. Estimated Respondent Hour Burden

Form Number/Title (and/or other Collection Instrument name)	Type of Respondents	Number of Respondents	Annual Number of Responses	Burden Hours Per Response	Annual Burden Hours
WAP IJJA, SEP IJJA, SEP EERL	Financial Personnel	113	169	4	676
WAP Annual, WAP Competitive, SEP Annual, SEP EATP, EECBG AARA, EECBG Program	Financial Personnel	2863	2936	2	5872
TOTAL			3105		6548

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 fully loaded average hourly wage rate found for this type of person is \$55.47.¹

Table A2. Estimated Respondent Cost Burden

Type of Respondents	Total Annual Burden Hours	Hourly Wage Rate	Total Respondent Costs
Financial Personnel	6,548	\$55.47	\$363,218
TOTAL	6,548		\$363,218

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 1 hour.
 Burden hours: 3,105 [FY1] reports (responses) per year x 1 hour = 3,105 burden hours
 Cost burden: 3,105 hours x \$51.18 hourly wage² = \$158,914.

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.

¹ [Table 3. State and local government workers by occupational and industry group - 2022 Q02 Results \(bls.gov\)](#)

² SALARY TABLE 2022-DCB INCORPORATING THE 2.2% GENERAL SCHEDULE INCREASE AND A LOCALITY PAYMENT OF 31.53% FOR THE LOCALITY PAY AREA OF WASHINGTON-BALTIMORE-ARLINGTON, DC-MD-VA-WV-PA - [SALARY TABLE 2022-DCB \(opm.gov\)](#)

Due to the increase in funding and activity from the Bipartisan Infrastructure Law AKA Infrastructure Investment and Jobs Act, the projected burden hours for reporting are higher than previously projected measurements.

Table A3. ICR Summary of Burden

	Requested	Program Change Due to Agency Discretion	Change Due to Adjustment in Agency Estimate	Previously Approved
Total Number of Responses	3,105		2,884	221
Total Time Burden (Hr)	6,548		6,106	442
Total Cost Burden	\$363,218		\$344,490	\$18,728

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