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# Supporting Statement for Weatherization Assistance Program Formula and Infrastructure Investment and Jobs Act Awards

## **Part A: Justification**

**OMB No. 1910-5127**

**Collection Instrument(s):**

DOE Forms 540.2, 540.3, 540.4, 540.5

March 2023

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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) requires collection of information for the Weatherization Assistance Program (WAP) as included in Funding Opportunity Announcement DE-FOA-0000051, the Energy Independence and Security Act of 2007 (EISA) and the OMB requirements for grant and financial administration.

DOE provides Federal financial assistance and technical support to States, territories, Indian tribes, and local governments under the EISA. Information gathered provides the current status of grants required to respond to OMB, congressional and consumer requests, and budget preparation.

The WAP allocates annually over \$300 million. In order to adequately monitor, report, and ensure transparency and accountability, WAP requires quarterly reporting for this program.

The United States Department of Energy (DOE) requires the revision of a previously approved collection of information for the Weatherization Assistance Program (WAP), authorized in the Energy Independence and Security Act of 2007, Public Law 110-140 and in the Weatherization Assistance for Low-Income Persons, 42 U.S.C. §§ 6861-6873, to continue collecting information required to respond to OMB, congressional and consumer requests, budget preparation, and grant and financial administration. DOE provides Federal financial assistance and technical support to states and local governments under the EISA. Reports are used to monitor and ensure that Grantees are following statutory requirements as stated in 42 U.S.C. §§ 6861-6873, as well as regulations set forth in 10 CFR 440.<sup>1</sup> In addition to annual appropriations, the Infrastructure Investment and Jobs Act (IIJA), also referred to as Bipartisan Infrastructure Law (BIL), appropriated \$3.5 billion to WAP. This Information Collection Request will be used for reporting all WAP activities, including IIJA funds (Weatherization Program Notice (WPN) BIL 22-2: All grant awards made under this program shall comply with applicable law and regulations including the WAP Regulations contained in 10 CFR Part 440).<sup>2</sup>

The purpose of this ICR is to collect information on the status of grantee activities related to WAP Annual Appropriations/Weatherization Readiness Fund, IIJA, and the Multi-Family Buildings weatherization activities expansion – including but not limited to weatherized units, total people assisted with grant funds; expenditures; and results, to ensure that program funds are being used appropriately, effectively, and expeditiously.

The WAP forms that make up this collection are:

- 1) WAP Combined Annual Training, Technical Assistance, Monitoring, and Leveraging Report (DOE F 540.4)
- 2) WAP Subgrantee Information Worksheet (DOE F 540.5)

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<sup>1</sup> See Weatherization Rules and Regulations, <https://www.energy.gov/eere/wap/weatherization-assistance-program-updates/weatherization-rules-and-regulations-resources>.

<sup>2</sup> [Weatherization Program Notice BIL 22-1 and 22-2 | Department of Energy](#)

- 3) WAP Annual File Worksheet (DOE F 540.2)
- 4) WAP Quarterly Program Report (DOE F 540.3)

The 60-day Notice was published on August 26, 2022 and completed on October 25, 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 United States Department of Energy (DOE) requires the revision of a previously approved collection of information for the Weatherization Assistance Program (WAP). DOE provides Federal financial assistance and technical support to states and local governments under the EISA.

Based on Congressional appropriations, DOE allocates funding annually to WAP Grantees including the 50 States, the District of Columbia, 5 U.S. Territories and 1 Native American Tribe. In order to adequately monitor, report, and ensure transparency and accountability of federal funds, WAP requires quarterly and annual reporting for this program.

*WAP Annual Appropriations and Weatherization Readiness Fund:* On March 15, 2022, the President signed the Consolidated Appropriations Act of 2022, which appropriated \$334 million to the WAP including \$15 million to be made available to establish a Weatherization Readiness Fund (WRF). Weatherization Program Notice (WPN) 22-2 indicates the \$283.04 million set aside for WAP and \$15 million in Readiness funding to WAP Grantees.<sup>3</sup> As noted in WPN 22-6, WAP Grantees will be required to report metrics related to the expenditure of WRF.<sup>4</sup>

*Infrastructure Investments and Jobs Act (IIJA):* In addition to the reporting documents for the WAP's annual appropriations, this collection will be used for reporting 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.

*Multifamily Buildings:* The Consolidated Appropriations Act of 2021 amended Section 421 of the Energy Conservation and Production Act by inserting: "the number of multifamily buildings in which individual dwelling units were weatherized during the previous year, the number of individual dwelling units in multifamily buildings weatherized during the previous year," after "the average size of the dwellings being weatherized." This collection includes a new reporting metric for multifamily buildings.

The WAP forms that make up this collection are:

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<sup>3</sup> [Weatherization Program Notice 22-2: Program Year 2022 Grantee Allocations | Department of Energy](#)

<sup>4</sup> [Weatherization Program Notice 22-6: Weatherization Assistance Program Weatherization Readiness Fund Guidelines | Department of Energy](#)

- WAP Combined Annual Training, Technical Assistance, Monitoring, and Leveraging Report (DOE F 540.4)
- WAP Subgrantee Information Worksheet (DOE F 540.5)
- WAP Annual File Worksheet (DOE F 540.2)
- WAP Quarterly Program Report (DOE F 540.3)

## 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.

All WAP information is used by DOE to determine program production and answer congressional, budget, and public inquiries. Program staff utilize the information collected to track the recipients' activities, their progress in achieving scheduled milestones, and funds expended (including expenditure rates). It is also used to determine program compliance and set program goals and objectives as required in 10 CFR 440. Below is DOE's list of forms that the agency plans to use under this collection.

- **WAP Annual File Worksheet (DOE F 540.2):** The Annual File Worksheet provides a format designed to gather specific detail related to the grant recipients' plans for how they will fulfill obligations related to the WAP formula grant and WAP IIJA grant, such as Subgrantees, WAP Production Schedule, Average Unit Costs, including Re-weatherization, Energy Savings, DOE-Funded Leveraging Activities, and State Plan Hearings. The Annual File Worksheet is a portion of the Grantees plan that typically changes from year to year based on funding.
- **WAP Quarterly Program Report (DOE F 540.3):** The WAP Quarterly Program Report (QPR) is designed to gather production and expenditure data to provide metrics showing how the grant recipient is fulfilling their weatherization related responsibilities. This report also collects data regarding the types of units served by the WAP grant, including demographic information for the affected households to ensure statutory and regulatory compliance of the WAP. This information is used to justify the program and for responding to congressional, consumer requests, budget preparation, and other inquiries regarding weatherization activities.
- **WAP Combined Annual Training, Technical Assistance, Monitoring, and Leveraging Report (DOE F 540.4):** This report provides a description of activities performed by the grantee during the program year for each of the mentioned topics. This information is used to ensure statutory requirements and regulations set forth in 42 U.S.C. §§ 6861-6873 and 10 CFR 440<sup>5</sup> respectively are being met by the grant recipient.
- **WAP Subgrantee Information Worksheet (DOE F 540.5):** The WAP Subgrantee Information Worksheet is part of the grant recipients' plans that provides required details for each Subgrantee that will be performing weatherization activities for the grant recipient. The information collected provides supporting details for the Subgrantees that are identified on the Annual File Worksheet (such as contact information, tentative allocation, planned units, type of organization, sources of labor, and Subgrantee county and Congressional district location).

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<sup>5</sup> See Weatherization Rules and Regulations, <https://www.energy.gov/eere/wap/weatherization-assistance-program-updates/weatherization-rules-and-regulations-resources>.

### **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 DOE and WAP developed a web-based system called Performance and Accountability for Grants in Energy (PAGE), which allows DOE to administer the WAP grants online and provide all network users access to current program records. PAGE reduces data redundancy and paperwork and provides a single access point for providing all requested reporting data including DOE forms 540.2, 540.3, 540.4 and 540.5. All Grantees have PAGE access and can enter annual applications and reports directly into the system, and sign and submit them electronically to the DOE. All records entered or updated are forwarded to a national database at DOE Headquarters.

The Grantee has two options for estimating the energy savings for the weatherization projects. One option is to use the WAP standard algorithm, which uses an average 'savings multiplier' that was developed by a working group with input from Grantees. With this method, the number of units weatherized is multiplied by the savings multiplier to arrive at the total energy savings. Instructions for using this estimation method are contained in the WAP application instructions. The second option is for the Grantee to use their own calculation method, which is provided and approved as part of their annual plan.

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.

### **A.4. Efforts to Identify Duplication**

**Describe efforts to identify duplication.**

The WAP is the only Federal program that reduces energy costs for low-income households by increasing the energy efficiency of their homes, while ensuring their health and safety. The forms in PAGE were designed to provide a consistent format for the collection of program information. This information will then be retrieved in to answer programmatic questions and inquiries. The information collected is unique to the DOE, therefore this collection is 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.**

Neither Small Businesses nor other small entities are impacted.

### **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.**

The Quarterly Performance Report (QPR) and Combined Annual Training, Technical Assistance, Monitoring, and Leveraging Report allows DOE to adequately monitor, report, and ensure transparency and accountability.

The requirement of submitting a Grantee Plan once a year by each Grantee is listed in 10 CFR 440. If this information is not provided by the Grantees to DOE, there would be no source of information to respond to congressional, budget, and general public inquiries of the program.

DOE requires the reporting of the activities for WAP: (i) quarterly for the Program Report and (ii) annually for the Monitoring, Technical Assistance and Leveraging reports.

The WAP requires quarterly reporting to effectively monitor performance of the grant. Annual reporting would not allow Project Officers to effectively determine if the grants' funds are being used in a timely, appropriate manner, and would prevent WAP leadership from effectively updating budgetary performance and future budgetary requirements to Congress and the Office of Management and Budget (OMB). The quarterly report form has been simplified and reduced to capture specific WAP information according to 10 CFR 440, and to minimize the burden to award recipients.

The Monitoring, Leveraging and Technical Assistance reports were consolidated into one report in 2004. The reports will be submitted by the states that are WAP formula grant recipients on an annual basis.

The Subgrantee Information Worksheet was created to collect the Subgrantee information from every Grantee. Grantees are required by 10 CFR 440 to provide information on the number of Subgrantees they are contracting with and their Dun and Bradstreet (DUNS) number which has been phased out by the Federal Government and replaced with a sam.gov Unique Entity Identifier (UEI).

## **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 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; or**

**(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.**

The information collection is not being conducted in a manner inconsistent 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 National Community Action Partnership (NCAP) and the National Association for Community Services Programs (NASPCSP) hosted webinars for weatherization stakeholders from across the country in May 2022. Stakeholder feedback provided during the sessions helped to inform the Quarterly Performance Report and Annual Report designs and burden hour determinations. NCAP is a national nonprofit membership organization that provides technical assistance, training, and other resources to Community Action Agencies and nonprofit organizations serving as WAP Subgrantees. NASPCSP is a national nonprofit association for WAP Grantees, providing training and technical assistance to enhance the leadership role of States in the administration of the WAP.

60-day Federal Register Notice (Published on 08/26/2022 on page 52546): [Federal Register :: Extension of a Currently Approved Information Collection for the Weatherization Assistance Program](#)

30-day Federal Register Notice (Published on 10/26/2022 on page 64782-64783): [Federal Register :: Extension of a Currently Approved Information Collection for the Weatherization Assistance Program](#)

30-day Federal Register Notice - Correction (Published on 03/06/2023 on page 13810-13811): [Federal Register :: Extension of a Currently Approved Information Collection for the Weatherization Assistance Program; Correction](#)

## **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.**

No payment or gift is being provided to the respondents.



## 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.

There is no identifiable confidential information being requested. The information is collected at the state level, and individual identifiable information is not 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.

There is no collection in this package that involves questions of a sensitive, personal or private nature.

## A.12A. 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.

### Total number of respondents:

-57 Grantees (financial personnel) for both WAP Formula and WAP IIJA Grants

### Annual Number of Responses:

-F 540.2, F 540.4, F 540.5 – 57 respondents x 2 (once annually for each form, multiplied by two because of the two different funding sources - WAP and IIJA - that will require one form for each)

-F 540.3 – (57 respondents x 4) X 2 (one for each of the four quarters, multiplied by two because of the two different funding sources – WAP and IIJA - that will require one form for each)

### Burden Hours Per Response:

-The estimated burden is 2 hours for F 540.5 and the Annual File Worksheet

-Based on feedback from the Grantees during stakeholder engagement sessions and due to the need for an update in hours to a more realistic number, the hours were increased to 16 per response for F 540.4 and 12 per response for the Quarterly Performance Report.

### Reporting Frequency

-Each document is filled out once annually, except for the Quarterly Performance Report which is filled out once per quarter (four times per year).

**Table A1. Estimated Respondent Hour Burden**

| Form Number/Title (and/or other Collection Instrument name)                                     | Number of Respondents | Number of funding sources | Annual Number of Responses | Burden Hours Per Response | Annual Burden Hours | Annual Reporting Frequency |
|---|-----------------------|---------------------------|----------------------------|---------------------------|---------------------|----------------------------|
| Combined Annual Training, Technical Assistance, Monitoring, and Leveraging Report (DOE F 540.4) | 57                    | 2                         | 114                        | 16                        | 1,824               | 1                          |
| Subgrantee Worksheet (DOE F 540.5)  | 57                    | 2                         | 114                        | 2                         | 228                 | 1                          |
| Quarterly Performance Report (DOE F 540.3)  | 57                    | 2                         | 456                        | 12                        | 5,472               | 4                          |
| Annual File Worksheet (DOE F 540.2)   | 57                    | 2                         | 114                        | 2                         | 228                 | 1                          |
| <b>TOTAL</b>  |                       |                           | <b>798</b>                 |                           | <b>7,752</b>        |                            |

**A.12B. Estimate of Annual Cost to Respondent for Burden Hours**

Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included under ‘Annual Cost to Federal Government’.

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.<sup>6</sup>

**Table A2. Estimated Respondent Cost Burden**

| Type of Respondents | Total Annual Burden Hours | Hourly Wage Rate | Total Respondent Costs |
|---------------------|---------------------------|------------------|------------------------|
| States              | 7,752                     | \$55.47          | \$430,003              |
| <b>TOTAL</b>        | <b>7,752</b>              |                  | <b>\$430,003</b>       |

<sup>6</sup> [Table 3. State and local government workers by occupational and industry group - 2022 Q02 Results \(bls.gov\)](#)

### A.13. Other Estimated Annual Cost to Respondents

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

No other additional costs to respondents.

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

Provide estimates of annualized cost to the Federal government.

Estimates of hours-per-report were determined based on feedback from US Department of Energy, Weatherization Assistance Program Project Officers

- Annual File: (2 hours per report x 57 reports) x 2 = 228 hours
- Quarterly Performance Report: (1 hour per report x 228 reports) x 2 = 456 hours
- Annual Report: (3 hours per report x 57 reports) x 2 = 342 hours
- Subgrantee Worksheet: (1 hour per report x 57 reports) x 2 = 114 hours

-Total = 1,140 hours

Estimated Annual Cost in Dollars to the Federal Government (fully burdened rate): 1,140 hours x \$51.18 hourly wage rate<sup>7</sup> = \$58,345.20

### 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 changes to this collection from the previous version are due to the increase in funding from IIJA and the implementation of new funding for Weatherization Readiness and Multi-Family Building activities.

**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 | 798       |   | 399   | 399                 |
| Total Time Burden (Hr)    | 7,752     |   | 6,498                                       | 1,254               |
| Total Cost Burden         | \$430,003 |   | \$376,871                                   | \$53,132            |

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

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

There are no plans for publication.

<sup>7</sup> [SALARY TABLE 2022-DCB \(opm.gov\)](https://www.opm.gov/policy-data-oversight/salary/)

The annual file worksheet and Subgrantee information is used to ensure that Grantees' plans and procedures meet statutory and regulatory requirements before grant awards are made.

The QPR and the Combined Annual Training, Technical Assistance, Monitoring, and Leveraging Report are used to ensure that the Grantees performance is in line with their plan, and that they are meeting statutory and regulatory requirements.

Information from all forms is used to justify the program and for responding to Congressional, and other inquiries regarding the WAP.

### **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.**

The Department is not seeking approval to not display the expiration date for OMB approval of the information collections contained in this package.

### **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 identified in item 19, "Certification for Paperwork Reduction Act submissions" of OMB form 83-I.