
Supporting Statement: Office of Energy Efficiency and Renewable Energy (EERE) Environmental Questionnaire (EQ)

Part A: Justification

*DOE F 540.30, Office of Energy Efficiency and Renewable Energy Environmental
Questionnaire*

OMB Control Number 1910-5175

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U.S. Department of Energy

Golden, CO 80401

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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 purpose of this collection is to obtain information from awardees of Department of Energy (DOE) financial assistance for renewable energy and energy efficiency research and development and demonstration projects, to conduct environmental reviews under the National Environmental Policy Act (NEPA). EERE published a 60-day Federal Register Notice, Vol. 85, No. 71 on Monday, April 17, 2023. The form used to collect this information is the Office of Energy Efficiency and Renewable Energy (EERE) Environmental Questionnaire (EQ).

This supporting statement provides additional information regarding the DOE revision of its currently approved EQ as well as its request for processing of the proposed information collection, EERE EQ. 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." Revisions to the EQ include the addition of award-specific, funding opportunity-specific and awardee contact information within Section 1, Project Summary, of the form as well as the addition of specific project location(s) information added to Question 2b within Section 3, Project Evaluation, of the form.

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.

DOE's EERE Program provides financial assistance to awardees in the form of cooperative agreements, grants, congressionally directed projects, and technology investment agreements to support energy efficiency and renewable energy projects. The awardees include institutions of higher education, non-profits, for-profits, and State, local and tribal governments. The National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. 4321 *et seq.*) requires that an environmental analysis be completed for all major federal actions significantly affecting the environment, including projects entirely, or partly, financed by Federal agencies. To effectively perform environmental analyses for their projects, DOE requires specific environmental information from Federal financial assistance awardees. EERE has developed an EQ to obtain the required information about a project from the awardees. The EQ will ensure decision-making processes are consistent with NEPA as it relates to renewable energy and energy efficiency research, development and demonstration projects.

EERE uses Funding Opportunity Announcements (FOAs) to solicit applications in specific program areas and selects projects based on a merit review process to the greatest extent practicable that includes industry and technology experts. Administrative and Legal Requirements Documents (ALRDs) are also used, but to solicit applications for formula projects specified in authorizing legislation or program regulations. Congressional directed projects are not solicited. Each FOA and ALRD has different requirements and restrictions, but all applications are submitted through an online portal: either EERE

Exchange or Performance and Accountability for Grants in Energy (PAGE), depending on the program area.

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.

The National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. 4321 et seq.) requires that an environmental analysis be completed for all major federal actions significantly affecting the environment, including projects entirely, or partly, financed by Federal agencies. Each year, EERE provides and/or administers Federal funds to support renewable energy and energy efficiency research, development, demonstration, education, and outreach projects. Prior to providing funding to an awardee, EERE is required to perform an environmental analysis of EERE's decision to fund a proposed project. Because EERE does not have access to project-specific environmental information, EERE must rely on the awardees to provide the necessary information to EERE using the EQ. The information in the EQ is used by EERE staff to conduct environmental analyses required by NEPA.

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 awardees will use an electronic system to complete the EQ online. The online system is the only method used for awardees to respond. EERE has designed the online EQ to be user-friendly and less burdensome to complete. One hundred percent of the information is reported electronically to the internal, password protected, EERE on-line database system, which is accessible via the Internet and modem. Reporting via internet and modem reduces the respondents' burden by allowing similar data to be entered with minimal changes on a computer form, instead of duplicating the majority of data on paper forms. The online form is located indicated herein but requires an user name and password in order to populate the EQ: <https://www.eere-pmc.energy.gov/NEPA.aspx>.

A.4. Efforts to Identify Duplication

Describe efforts to identify duplication.

The project specific environmental information required by DOE to perform NEPA reviews is not available through another source, such as another Federal agency, because the information required is unique to the project activities DOE is funding. It is unlikely that another agency would be funding and/or involved in the exact same activities for every project. Moreover, most Federal agencies have promulgated their own NEPA regulations and guidance that are tailored for the specific mission and activities of the agency. Therefore, there are no duplicative efforts associated with this collection.

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 and other small entities are typically eligible to apply under EERE funding opportunities. In order to minimize the burden on all applicants, including small businesses and other small entities, EERE will only request that applicants selected to negotiate for a financial assistance award complete the EQ once selections are made instead of at the application stage. This will reduce the number of collections by at least 50 percent, which will minimize the burden on all applicants including small businesses and other small entities.

The EQ also has a short-version form option for projects that are limited to certain types of activities, such as intellectual, academic, and analytical activities. For this option, the respondent would answer three questions and then skip to the end of the form and sign it. Since many applicants selected for award are small businesses or other small entities with projects that fall into these categories, their burden would be minimized because they would be able to complete the short version of the EQ.

Additionally, in limited circumstances, EERE has identified ways to eliminate the need for awardees to complete the EQ. For example, if all projects in a particular Funding Opportunity Announcement (FOA) fall within certain NEPA categories contained in 10 CFR 1021, the respondents with projects selected within this FOA would not have to complete the EQ. EERE would complete an environmental review of the projects at the time the FOA is issued and prepare a NEPA determination for the entire FOA. This will substantially reduce the burden to these awardees, including any small businesses and small entities that are selected under the FOA.

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.

If the collection is not conducted, EERE would not be able to meet its statutory and regulatory obligations under NEPA and the DOE NEPA implementing regulations, which require EERE to perform environmental impact analyses prior to making a decision to provide Federal funding in support of an awardee's proposed project. Hence, EERE would not be able to meet its mission to support renewable energy and energy efficiency research, development, demonstration, education and outreach projects including congressionally directed projects. Awardees will complete one EQ for each project receiving DOE funding at the time that they are awarded financial assistance.

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 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 or 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.

The collection is consistent with all 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.

EERE published a 60-day Federal Register Notice, Vol. 85, No. 71 on Monday, April 17, 2023. The notice: 1) indicated EERE intends to extend the information collection for three years; 2) described the collection; 3) indicated that EERE made minor changes to clarify certain questions; and 4) invited interested parties to submit comments or recommendations regarding the collection. No comments were received.

No efforts were made to consult with persons outside of DOE. DOE cannot consult with these entities until they actually apply for financial assistance because DOE does not know who they are.

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.

EERE does not provide payments or gifts to 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.

EERE does not request confidential information from respondents when completing the EQ.

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.

The EQ does not contain any questions of a sensitive 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.

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’.

The EQ was designed to cover a wide range of projects that EERE could potentially fund; therefore, it consists of many questions. The time it takes to complete the EQ will vary because respondents only have to complete questions that apply to their project.

The EQ has a limited response option for projects that are limited to certain types of activities, such as intellectual, academic, and analytical activities. For this option, the respondent would answer three questions and then skip to the end of the form and sign it. This option takes approximately .5 hours to complete. Approximately 15 percent of EERE projects fall into this category.

If the proposed project involves other types of activities, such as any physical experiments, prototypes, pilot-scale projects, demonstration projects, field tests, land-disturbing activities, construction or similar activities, the respondent must complete the entire questionnaire. However, all questions do not apply to all projects. The EQ for these projects may take the awardee 1 – 2 hours to complete depending on the nature of the project and the number of questions they have to answer. The remaining 85 percent of the projects fall into this category. In all cases, a minimum of five questions must be answered, and the other questions are answered only if applicable.

Thirty-five percent of the 85 percent take an average of 1 hour to complete and the other 65 percent take an average of 2 hours because respondents would have to answer questions that may involve information gathering for multiple project sites and more extensive documentation. The revisions made to the EQ are rather minimal and would go beyond the expected 1 – 2 hours to answer the additional award, funding, and contact information added into Section 1 (Project Summary) nor within Question 2b of Section 3 (Project Evaluation) where new fields have been added to collect location information. The typical respondent who would complete the EQ would be an environmental scientist or engineer with a

mean salary of \$66/hour (fully burdened) according to the Bureau of Labor Statistics.¹ Below are tables showing calculations of annual burden hours and costs.

Table A1. Estimated Respondent Hour Burden

Form Number/Title (and/or other Collection Instrument name)	Type of Submittal	Number of Respondents	Annual Number of Responses	Burden Hours Per Response	Annual Burden Hours	Annual Reporting Frequency
DOE F 540.30	Limited EQ Version	45	45	.5	23	1
DOE F 540.30	Full EQ Version	90	90	1	90	1
DOE F 540.30	Full EQ Version	165	165	2	330	1
TOTAL		300	300		443	

*Annual burden hours for the limited EQ version rounded up.

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

Table A2. Estimated Respondent Cost Burden

Type of Submittal	Total Annual Burden Hours	Hourly Wage Rate	Total Respondent Costs
Limited EQ Version	23	\$66.00	\$1,518
Full EQ Version- 1hr	90	\$66.00	\$5,940
Full EQ Version – 2hr	330	\$66.00	\$21,780
TOTAL	443		\$29,238

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 additional costs are estimated. Computers needed to complete the information collection would be part of customary and usual business of private practices.

A.14. Annual Cost to the Federal Government

Provide estimates of annualized cost to the Federal government.

All EERE costs will be associated with the review and use of the information provided in the EQ. The information is initially reviewed by an EERE Project Manager for accuracy and completeness as they are the experts on the project scope of work. The EERE Project Manager would typically be a GS-12 or 13 General Engineer or Physical Scientist with a fully burdened average salary of \$72/hour.² The average review time is approximately 30 minutes.

¹ This fully-burdened rate is based on BLS news release USDL-19-1649, September 17, 2019 which imply a 1.6 multiplier for government employees and 1.4 for private employees (see <http://www.bls.gov/news.release/ecec.nr0.htm>)

Once the EERE Project Manager has determined that the EQ is accurate and complete, a NEPA Specialist uses the information in the EQ to make a NEPA determination recommendation per the DOE implementing regulations contained in 10 CFR 1021. The average time the EQ information is used is approximately 90 minutes. The NEPA Specialist would typically be a GS-12 or 13 Physical Scientist with a fully burdened average salary of \$72/hour.³

The annual cost to the Federal Government is summarized below.

\$72 (Average General Engineer or Physical Scientist at EERE GS-12/13) x .5 hour x 300 = \$10,800

\$72 (Average Physical Scientist at EERE GS-12/13) x 1.5 hour x 300 = \$32,400

Total Annual Cost to Federal Government: \$43,200

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.

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	300	0	0	300
Total Time Burden (Hr)	443	0	0	443
Total Cost Burden	\$29,238	0	0	\$29,238

There are no changes to program changes or adjustments reported in Items 13 (or 14) of OMB Form 83-I

A.16. Collection, Tabulation, and Publication Plans

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

EERE does not intend to publish the information collected.

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.

EERE will display the expiration date for OMB approval of the information collection.

² Fully burdened rates are based on BLS news release USDL-23-0488, March 17, 2023, which imply a 1.6 multiplier for government employees and 1.4 for private employees (see <https://www.bls.gov/news.release/ecec.htm>)

³ Fully burdened rates are based on BLS news release USDL-23-0488, March 17, 2023, which imply a 1.6 multiplier for government employees and 1.4 for private employees (see <https://www.bls.gov/news.release/ecec.htm>)

A.18. Certification Statement

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

EERE has no exceptions to the certification statement identified in Item 19 of OMB Form 83-I.