

**FY 2014 EXTERNAL COMMENTS AND RESPONSE TO COMMENTS SUMMARY TEMPLATE
OEI**

Comment from State, Tribe, or Other Stakeholder	Commenter(s)	Location in Draft Guidance	NPM Response	Action Taken in Final Guidance
<i>Office of Environmental Information</i>				
<i>ECOS recommends all NPM guidance documents include a statement regarding both potential state and federal resource limitations and that explicitly allows for exploration of flexibility in state-region negotiations to fit local priorities in recognition of these limited resources.</i>	<i>ECOS</i>	<i>General comment</i>	<i>The activities proposed for implementation, as outlined in the OEI FY 2014 NPM Guidance, support the FY 2014 President's Budget.</i>	<i>No edits made.</i>
<i>Not enough funding has been provided for the first area of focus under the Exchange Network. Numerous tribes do not have an exchange network established yet and now priority for funding is shifting. Needs to be more funding available for implementation of the first area of focus; especially for Tribes.</i>	<i>Washoe Tribe of NV and CA, Environmental Protection Department</i>	<i>Exchange Network, Pages 9-10</i>	<i>Thank you for the comment. In these challenging times, our work on the Exchange Network is needed to leverage technology to meet our mission. EPA intends to have available cloud-based virtual nodes to assist Tribes in more easily establishing a presence on the Network. Grant funding is available for integration and configuration of these nodes developed by EPA.</i>	<i>No edits made.</i>
<i>Focus should not be on shifting to virtual nodes. This is not</i>	<i>Washoe Tribe of NV and CA,</i>	<i>Exchange Network,</i>	<i>The focus of Exchange Network funding is shifting to leveraging</i>	<i>No edits made.</i>

Comment from State, Tribe, or Other Stakeholder	Commenter(s)	Location in Draft Guidance	NPM Response	Action Taken in Final Guidance
<p><i>accessible to many Tribes. Funding should be available for traditional nodes for Tribes that still need to complete implementation as well as for Tribes who are just completing implementation and working to add additional exchanges.</i></p>	<p><i>Environmental Protection Department</i></p>	<p><i>Page 10</i></p>	<p><i>virtual nodes to reduce development and maintenance. EPA intends to have available cloud-based virtual nodes to assist Tribes in more easily establishing a presence on the Network. Grant funding is available for integration and configuration of these nodes developed by EPA.</i></p>	
<p><i>Concerned that GIS data and other data provided to EPA for reporting purposes could become publicly shared as EPA moves to share all data with public. Ensure that data shared by the Tribe is not publicly shared.</i></p>	<p><i>Washoe Tribe of NV and CA, Environmental Protection Department</i></p>	<p><i>Section A. Expanding the Conversation on Environmentalism, Pages 3-4</i></p>	<p><i>With respect to tribal data reported to EPA, the Agency understands that the some of these data may be sensitive, and tribes may prefer that they not be made available to the public. At the same time, EPA strongly encourages tribes to share their data with the Agency, allowing EPA to improve its understanding of environmental conditions in Indian Country and providing critical information that EPA and tribes can use to collaborate to address contamination and other concerns. EPA commits to work with the tribes to develop approaches to strike this balance by determining ways the tribes can report all their data to EPA but indicate which data they would like</i></p>	<p><i>Clarifying text added to document,; page 3</i></p>

Comment from State, Tribe, or Other Stakeholder	Commenter(s)	Location in Draft Guidance	NPM Response	Action Taken in Final Guidance
			<i>to the Agency to use for internal purposes only.</i>	
<i>Will the Geospatial Platform be compatible with other agency's, Tribe's, etc software and programs?</i>	<i>Washoe Tribe of NV and CA, Environmental Protection Department</i>	<i>Section D. Information Security, Pages 7-8</i>	<i>All publicly available data services within the GeoPlatform will support Open Geospatial Consortium (OGC) standards and will be compatible with multiple GIS software products.</i>	<i>No edits made.</i>
<i>What are the benefits of switching to the new One EPA Web system instead of the previous website?</i>	<i>Washoe Tribe of NV and CA, Environmental Protection Department</i>	<i>One EPA Web, Pages 16-17</i>	<i>One EPA Web rebuilds www.epa.gov to improve the delivery of priority messages and information to the public, and ensure people are able to find the right information to accomplish their tasks online.</i>	<i>Clarifying text added to document; page 17</i>
<i>Recommend that regulatory improvements be considered to allow for and to promote new technologies.</i>	<i>Division of Solid Waste Management (DSWM) Tennessee Department of Environment & Conservation (TDEC)</i>	<i>e-Enterprise page 11</i>	<i>Program will consider regulatory improvements for future implementation, as necessary.</i>	<i>No edits made.</i>
<i>Recommend ways be looked at to reduce the regulatory burden on the public, and to simplify and improve compliance, by using improved technology and information sharing.</i>	<i>Division of Solid Waste Management (DSWM) Tennessee Department of Environment & Conservation</i>	<i>e-Enterprise page 11</i>	<i>Program will consider improvements for future implementation, as appropriate.</i>	<i>No edits made.</i>

Comment from State, Tribe, or Other Stakeholder	Commenter(s)	Location in Draft Guidance	NPM Response	Action Taken in Final Guidance
	<i>(TDEC)</i>			
<i>APHL and OEI have begun discussions regarding the management of drinking water and other environmental data. OEI should consider continuing this relationship with APHL as a means of strengthening the relationships between OEI and state and local government environmental laboratories</i>	<i>Assoc. of Public Health Laboratories</i>	<i>p. 4 et seq.</i>	<i>Thank you for your comment. Program will consider this suggestion.</i>	<i>No edits made.</i>
<i>OEI should consider increased use of state and local government laboratories in gathering and disseminating environmental data. As owners of the environmental data sought by OEI, state and local government laboratories can be a significant information resource for EPA.</i>	<i>Assoc. of Public Health Laboratories</i>	<i>p. 9 et seq.</i>	<i>Program will consider increased use of state and local government laboratories in gathering and disseminating environmental data for future implementation.</i>	<i>No edits made.</i>
<i>For Example the Exchange Network currently provides significant benefits toEPA...as well</i>	<i>Frank Harjo, Muscogee Creek Nation</i>	<i>Page 4, under Description heading</i>	<i>Added “tribes” to the existing language.</i>	<i>Clarifying text added to document; page 4</i>

Comment from State, Tribe, or Other Stakeholder	Commenter(s)	Location in Draft Guidance	NPM Response	Action Taken in Final Guidance
<p><i>as making state/EPA data exchanges more efficient. Statement seems to leave off tribal participation in the Exchange Network and tribes are exchanging data via the EN.</i></p>		<p><i>Implementing the OEI Tribal</i></p>		
<p><i>Increase the number of tribes...and increase the number of existing partners that are replacing local nodes with virtual node services from 6 to 10. Does this statement refer to local nodes only and not include node clients because there are only 11 Local Nodes and 13 Node Client users according to EN website. That would mean 10 of 11 Tribes would abandon their Local Nodes to use virtual nodes by 2014. Also, the virtual services will only handle the priority data flows and not other flows tribes use such as Open Dumps, etc.</i></p>	<p><i>Frank Harjo, Muscogee Creek Nation</i></p>	<p><i>Page 10, 5th Bullet from top</i></p>	<p><i>The term “local” was intended to mean all existing Network partners. Virtual node services can be used for any environmental data exchange.</i></p>	<p><i>Clarifying text added to document; page 10</i></p>
<p><i>Cochairing Integrated Project Teams...EEnterprise and outreach (IPT) To this date, tribes have not been involved with EEnterprise initiatives. Tribes don’t seem to</i></p>	<p><i>Frank Harjo, Muscogee Creek Nation</i></p>	<p><i>Page 12, 2nd Bullet from top</i></p>	<p><i>The role of tribes in E-Enterprise is currently under discussion among program offices and tribal coordinators at EPA.</i></p>	<p><i>No edits made.</i></p>

Comment from State, Tribe, or Other Stakeholder	Commenter(s)	Location in Draft Guidance	NPM Response	Action Taken in Final Guidance
<i>have a role in EEnterprise.</i>				
<i>Implementing the OEI Tribal Strategy. .seems like a broad statement and there are several goals within the strategy..Are there milestones or timelines to implementation that would provide tribes as to when these would occur.</i>	<i>Frank Harjo, Muscogee Creek Nation</i>	<i>Page 5, under Activities</i>	<i>While the OEI Tribal Strategy outlines goals and objectives, it is intended to cover several years and progress made will be detailed in the annual Tribal Accomplishments Report.</i>	<i>No edits made.</i>
CROMERR Applications. <i>On page 10 under "Exchange Network, Activities," the draft document states, "In FY 2014, OEI will: ... Approve CROMERR applications from authorized programs that propose to use virtual CROMERR services." OEI's mention of approval of applications regarding use of virtual Cross-Media Electronic Reporting Regulation (CROMERR) services is the only mention of a specific activity related to CROMERR. In February in advance of the 2013 ECOS Spring Meeting, EPA prepared a CROMERR update document for states. In this document, while EPA notes it has approved 40 applications, EPA also notes that "(c)urrently there are 33 outstanding applications, 22 of which are incomplete and 11</i>	<i>ECOS</i>	<i>Page 10, Exchange Network Activities</i>	<i>OEI is working with its state co-regulators to assist them in meeting the requirements of the Cross-Media Electronic Reporting Rule (CROMERR). OEI is committed to providing tools, services and a streamlined review and approval process. EPA believes the recent changes identified below will improve states' ability to meet the CROMERR requirements and EPA's review and approval process.</i> <i>1. Automating EPA Internal Review Processes</i> <i>EPA developed an automated workflow system to expedite the CROMERR application review process for all new EPA and co-regulator e-reporting data systems that are required to meet the</i>	<i>Clarifying text added to document; page 10</i>

Comment from State, Tribe, or Other Stakeholder	Commenter(s)	Location in Draft Guidance	NPM Response	Action Taken in Final Guidance
<p><i>of which are still under review. Most of the outstanding applications are at least three years old."</i></p> <p><i>ECOS recommends that OEI add language to the draft FY14 NPM document to include explicit mention of EPA's commitment to resolve the current CROMERR application backlog and commitment to work with states on this matter in a timely manner.</i></p>			<p><i>CROMERR performance standards (e.g., electronic signature, non-repudiation).</i></p> <p><i>2. Providing Technology Support Services</i></p> <p><i>EPA built a generic suite of reusable services offered through the Central Data Exchange (CDX) that EPA and its co-regulators (states, tribes, and territories) can use as they develop e-reporting systems to meet EPA's CROMERR performance standards (e.g., electronic signature, non-repudiation) for reporting under Title 40 of the CFR. These services will promote efficiency in the use of federal, tribal, and state funds by providing CROMERR services in a centralized way. Rather than creating or maintaining their own, each program may elect to use the generic services.</i></p> <p><i>EPA developed specifications and documentation for states, tribes, and territories to adopt and implement the generic suite of reusable services offered through CDX that meet CROMERR performance standards. This will</i></p>	

Comment from State, Tribe, or Other Stakeholder	Commenter(s)	Location in Draft Guidance	NPM Response	Action Taken in Final Guidance
			<p><i>also enable third party software developers to offer solutions to the regulated community if desired. Further, it would enable states and tribes without existing electronic reporting programs to more easily develop completely electronic reporting processes and may provide efficiency to others that currently have a system in place and choose to use these services as well.</i></p> <p><i>3. Extending Outreach Among co-Regulators</i></p> <p><i>EPA is aggressively reaching out to states and tribes to support them in the CROMERR application approval process and continues to provide assistance in addressing outstanding issues.</i></p>	
<p><i>OEI's draft FY14 NPM guidance document, in section I. EPA Quality Program, Activities states that "[i]n FY 2014, OEI will: ... (footnote) "4 Final Draft Quality Standard for Environmental Data Collection, Production and Use by non-EPA Organizations, CIO 2106-S-02), [OEI plans to issue the standard in April 2013</i></p>	<p><i>ECOS</i></p>	<p><i>Section I. EPA Quality Program, Activities, page 13</i></p>	<p><i>OEI plans to issue the standard in FY 2014 and will consider input received, as appropriate.</i></p>	<p><i>Clarifying text to change issue dates added to document; page 14</i></p>

Comment from State, Tribe, or Other Stakeholder	Commenter(s)	Location in Draft Guidance	NPM Response	Action Taken in Final Guidance
<p><i>(emphasis added)]," pg. 13. EPA closed its comment period on this draft standard on March 29. OCFO published the draft FY14 NPM guidance on April 11. ECOS, along with a number of states, submitted comments on the draft standard. Given the breadth of comments received, the April 2013 timeline to issue the standard that OEI includes should be extended to allow for consideration of comments and any possible revision of the standard based on input. ECOS requests that OEI thoughtfully consider input received on the draft quality standard and consider dialogue with states prior to finalizing the quality standard, CIO 2106.</i></p>				