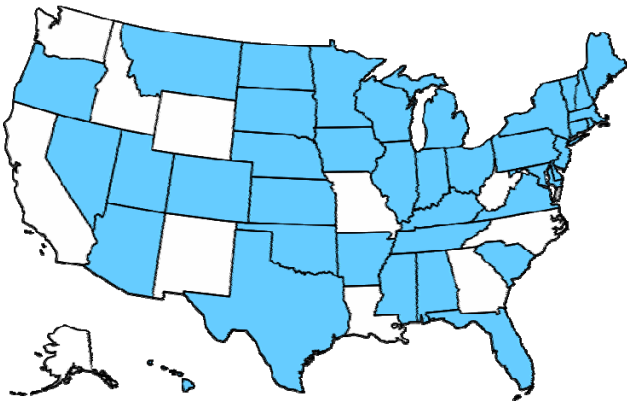

State Reporting Burden Reduction Initiative

Progress Report

September 2008

U.S. Environmental Protection Agency
Document No. EPA-230-K-08-001

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Executive Summary

The U.S. Environmental Protection Agency (EPA) strives to maintain a clear line of sight between Agency goals and day-to-day activities while fulfilling its mission of protecting human health and the environment. At the same time, EPA strives to use resources as efficiently as possible and work with the states so they are able to do the same. While eliminating low-value reporting burden may not sound like a glamorous job, it is vital to improving federal and state effectiveness and hence environmental protection.

In an effort to address state concerns over escalating reporting requirements, EPA and the Environmental Council of the States (ECOS) launched a joint Burden Reduction Initiative (hereinafter, Initiative) in October 2006. This Initiative aims to reduce states' low-value, high-burden reporting requirements, thus conserving both states' and EPA's valuable resources while maintaining a commitment to environmental protection.

EPA has been steadily working to address the states' recommendations since the Initiative began. In summer 2008, EPA focused on:

1. Addressing 16 priority areas (encompassing 45 unique recommendations; roughly 130 recommendations if duplicates are counted) identified by the states in summer 2007,
2. Increasing the Initiative's transparency and clarity, and
3. Creating tools for incorporating burden reduction into EPA's standard operating procedures.

While some state recommendations have already been fully implemented, EPA continues to work on others. EPA has addressed the recommendations in three of the 16 priority areas, and partially addressed each of the remaining thirteen areas. The three completed priority areas pertain to:

1. **Regional reporting requirements related to stationary sources permitting** – Region 4 agreed to eliminate a report on Prevention of Significant Deterioration/ New Source Review (PSD/NSR) determinations that result in "non-applicable" determinations. Region 4 also agreed to eliminate a report that documents when a state has made no Clean Air Act Section 112(g) determinations in a given year. See Priority Area 2 for more details.
2. **The Enforcement and Compliance History Online (ECHO) Web site** – EPA improved the ease with which states and other ECHO users can correct errors on the site. The new "report error" link found on most pages of the site reduces the time states must spend verifying data. See Priority Area 8 for more details.
3. **Disadvantaged Business Enterprise (DBE) utilization reporting for some grants and assistance agreements** – Some grants included a requirement to report on DBE utilization quarterly. EPA reduced the requirement to a semi-annual reporting frequency, at most. See Priority Area 11 for more details.

Nineteen of 45 priority recommendations have been "started but not finished." The majority of these recommendations continue to be addressed through four initiatives:

1. **New grant reporting policy** - Five grants-related burden reduction recommendations are classified as "started but not finished." They will be addressed through an EPA-wide standardized grant reporting policy. Among other things, the policy will require progress reports no more frequently than twice per year, except for poor performers or where Regions and states have otherwise agreed. In some cases, reports will be required only once per year. EPA anticipates that the policy will be finalized and circulated in fall 2008.

2. **National Pollutant Discharge Elimination System (NPDES) reporting updates** - Six burden reduction recommendations relate to reporting under the NPDES program. EPA has developed a more robust data system called the Integrated Compliance Information System for NPDES (ICIS-NPDES). Currently, EPA is drafting a new rule to identify essential information EPA needs to receive from NPDES-authorized states and tribes via ICIS-NPDES to effectively manage the program. Depending on the information required under the rule, current reports like the NPDES Annual Noncompliance Report may be eliminated by the rule. Currently, the Agency plans to complete the rule in the last quarter of calendar year 2009.

3. **Safe Drinking Water Information System (SDWIS) improvements** - Four recommendations associated with SDWIS have been and will continue to be addressed by a number of state-EPA work groups (SDWIS Data Sharing Committee, SDWIS Data Management Steering Committee, Association of State Drinking Water Administrators work group, etc.). Since 2006, these work groups have made significant improvements to SDWIS, which has streamlined data calculation, data queries, and other data extraction. States help define future improvements and set priorities for further modernization efforts.

4. **Clean Water Act Section 303(d)/305(b) reporting revisions** - Only one recommendation concerns Section 303(d)/305(b) integrated reporting (i.e., reduce the frequency and detail of reporting), but twenty-two states submitted this recommendation. EPA maintains a state-federal work group - in collaboration with the Association of State and Interstate Water Pollution Control Administrators (ASIWPCA) – that focuses on integrated reporting. The group is working to reduce reporting burden and increase flexibility, among other things. EPA has developed a new guidance memo for the 2010 reporting cycle in response to the recommendations submitted by this work group. It will introduce more flexibility into the reporting process. This memo will be finalized and circulated in the last quarter of calendar year 2008.

This progress report portrays the complexity of the work EPA and the states are undertaking. In the coming years, EPA will continue to work with states in a variety of forums to make burden reduction a part of "business as usual."

EPA and ECOS have already formed a Burden Reduction work group. This group has helped to shape the Initiative and this report. It will continue to guide the Initiative in coming years. In addition, EPA has formed a new Burden Reduction Task Force that is composed of several EPA national and Regional offices with reporting responsibilities. Approximately 100 of the 230 recommendations submitted in 2006 are not addressed in this report. That is because this report focuses on the roughly 130 recommendations that fall within the 16 priority areas. One of the first jobs for the Task Force will be to work with ECOS to determine how the remaining recommendations should be managed. (All recommendations, including those that are not part of a priority area, are listed in the Appendix to allow easy access to a full list of state recommendations.) EPA has launched a new Burden Reduction Web site that will provide easily accessible updates about these recommendations and other aspects of the Initiative.

1.0 Introduction

1.1 Background and Purpose

In an effort to address state concerns over escalating reporting requirements accompanied by decreases in federal funding, the U.S. Environmental Protection Agency (EPA) and the Environmental Council of the States (ECOS) launched the Burden Reduction Initiative in October 2006. This Initiative aims to reduce states' low-value, high-burden reporting requirements, thus conserving both states' and EPA's valuable resources while maintaining a commitment to protecting human health and the environment.

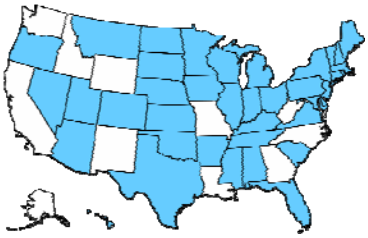
Each of the 50 states was asked to identify their top five reporting requirements for potential streamlining or elimination. Thirty-nine states responded, recommending more than 200 ways to reduce reporting frequency and level of detail, increase electronic data entry, and to the extent possible, standardize regional differences in reporting requirements.

EPA has been steadily working to address the states' recommendations since the Initiative began. The Agency previously provided updates in summer 2007 and spring 2008. In summer 2008, EPA focused on:

1. Addressing 16 priority areas identified by the states in summer 2007,
2. Increasing the Initiative's transparency and clarity, and
3. Creating tools for incorporating burden reduction into EPA's standard operating procedures.

This introductory section addresses each of these three efforts. It also provides an overview of EPA's progress and explains how to use this report. EPA will report on the progress of each priority area listed herein at the ECOS Annual Meeting in September 2008.

State recommendations from…



- Alabama
- Arizona
- Arkansas
- Colorado
- Connecticut
- Delaware
- Florida
- Hawaii
- Iowa
- Illinois
- Indiana
- Kansas
- Kentucky
- Maine
- Maryland
- Massachusetts
- Michigan
- Minnesota
- Mississippi
- Montana
- Nebraska
- Nevada
- New Hampshire
- New Jersey
- New York
- North Dakota
- Ohio
- Oklahoma
- Oregon
- Pennsylvania
- Rhode Island
- South Carolina
- South Dakota
- Tennessee
- Texas
- Utah
- Vermont
- Virginia
- Wisconsin

1.2 16 Priority Areas

In summer 2007, the states identified 16 priority areas on which to focus. These 16 priority areas encompass 45 unique recommendations (approximately 130 recommendations when duplicates are counted).

The priority areas bundle together similar recommendations. For example, Priority Area 2 groups two recommendations that pertain to stationary sources of air pollution.

The table that follows illustrates which recommendations fall under each priority area.

16 Priority Areas & State Recommendations Related to Each

Priority Area		Related Recommendations	
1.	Regional Clean Air Act (CAA) Section 105 Grant Reporting	A2.	Reduce Reporting Frequency for CAA Section 105 Grant Reporting
2.	CAA Prevention of Significant Deterioration/ New Source Review (PSD/NSR) and Section 112(g) Reporting	A6.	Eliminate Report on "No Determinations" Under CAA Section 112(g)
		A7.	Eliminate Report on PSD/NSR Non-Applicability Determinations
3.	Clean Water Act (CWA) Section 303(d) and 305(b) Integrated Reports	W16.	Keep CWA Sections 303(d) and 305(b) Reports Separate
		W30.	Reduce Frequency of 303(d) and 305(b) Integrated Reports
4.	CWA Non-Point Source Report	W22.	Streamline Non-Point Source Report
		W24.	Harmonize Water Reports with Different Reporting Periods and Frequencies
5.	Compliance Reporting Under the National Pollutant Discharge Elimination System (NPDES)	E4.	Eliminate NPDES Annual Noncompliance Report (ANCR)
		E12.	Eliminate NPDES Semi-Annual Statistical Summary
		E26.	Reduce Frequency of NPDES Quarterly Non-Compliance Report (QNCR)
		W4.	Eliminate Quarterly Electronic Permit Issuing Forecasting Tool (E-PIFT) Report
		W23.	Reduce Reporting on Draft Major and Minor NPDES Permits
6.	Integrated Compliance Information System/ Permit Compliance System (ICIS/PCS) Requirements	E1.	Reduce ICIS Data Requirements
		E2.	Reduce Data Elements in ICIS' Required Integrated Compliance Information System Data Elements (RIDE)
		E3.	Streamline Data Requirements in NetDMR for NPDES Discharge Monitoring Reports (DMR)
7.	Duplicate Enforcement Reporting	E5.	Eliminate Reporting Enforcement and Compliance Assurance Priorities (RECAP) Report
		E6.	Eliminate or Reduce Frequency of CAA, CWA, and Resource Conservation and Recovery Act (RCRA) Quarterly Watch Lists
		E14.	Eliminate Annual Monitoring Report under CAA Section 105
		E16.	Eliminate Requirement to Submit NPDES Enforcement Documents
		E17.	Eliminate Significant Industrial User (SIU) Semi-Annual and Annual Reports
		E24.	Use Performance Partnership Agreement (PPA) for Enforcement Reporting
		E27.	Eliminate the Annual Public Water System (PWS) Compliance Report
		E29.	Consider State Notices of Violation (NOVs) to be Formal Actions
8.	Enforcement and Compliance History Online (ECHO) Web Interface	E7.	Improve Data Management in ECHO
		E10.	Eliminate Reports that can be Retrieved from PCS or ECHO
9.	Performance Partnership Grant (PPG)/ PPA Categorical Grant Reporting	G5.	Eliminate Reporting on State-Based or Other Programs Not Federally Funded
		G6.	Reduce PPA/PPG Reporting Frequency
		G9.	Streamline PPA/PPG Reporting Requirements

10.	CWA Section 319 Grant Reporting	W15. W18. W36.	Eliminate Annual Summary of CWA Sections 106 and 319 Quarterly Reports Modify CWA Section 319 Grant Reporting and Tracking System (GRTS) Reduce Frequency of CWA Section 319 Reporting
11.	Disadvantaged Business Enterprise (DBE) Utilization Reporting	G7.	Reduce Reporting Frequency on Disadvantaged Business Enterprise (DBE) Utilization
12.	Underground Injection Control (UIC) Reports	W17. W26.	Streamline UIC Reports Provide Funds or Reduce Requirements for Class V UIC Program
13.	CAA National Emissions Inventory (NEI) reporting	A1. A12.	Eliminate duplicative NEI reporting Streamline NEI reporting
14.	CAA Inspection & Maintenance (I/M) Program Reporting	A10. A21.	Reduce Reporting Frequency of the I/M Semi-Annual Report Reduce Data Elements Required in I/M Reporting
15.	Safe Drinking Water Information System (SDWIS)	W1. W3. W27. W31. W33. W34.	Streamline Reporting In or Related to SDWIS Streamline Significant Noncompliance Reporting in SDWIS Improve Data Sharing with SDWIS Use SDWIS for All Water-Related Reporting Use SDWIS to Collect Sanitary Survey Plans Data Use SDWIS for Operator Certification Program Reporting
16.	Quarterly Grant Reports	G8.	Reduce Reporting Frequency for Smaller Grants and Programs

1.3 Improving Transparency and Clarity

Earlier this year, the states asked that EPA increase the Burden Reduction Initiative's transparency. The Agency responded with a number of steps:

- EPA created a Burden Reduction Web site that serves as an analog to this report. Once fully populated, it will offer a number of interactive features not available in this report. Users will be able to:
  - Sort recommendations by 1) the environmental media they pertain to, 2) the states that made the recommendations, and 3) the priority areas.
  - Access the original state submissions.
  - Where available, read documentation of the steps EPA has taken to address the 16 priority areas.

- ECOS and EPA formed a Burden Reduction Subgroup (Subgroup) to discuss the issues addressed in this report, as well as how the information is presented. The Subgroup will continue to meet after this report is released in order to determine next steps.

- This progress report has changed from previous progress reports in two ways, each of which is intended to increase transparency. The report:
  - Provides timelines for the steps EPA has taken and will take to address each recommendation.
  - Summarizes each state's recommendations in more detail to provide clarity (see the Appendix). In many cases, the states' original words are provided. (The Appendix summarizes the states' comments if they are quite lengthy, but the Web site provides the full text of original submissions.)

In addition to improving transparency, the Agency has tried to clarify EPA's progress. This past spring, states told EPA that the number of categories used to describe progress (i.e., status categories) needed to be expanded because, in previous progress reports, a number of recommendations were classified as "Implemented" when in fact there were differences in their progress. For example, one "Implemented" recommendation may have fully met a state's recommendation while another "Implemented" recommendation may have only partly met the states' suggestions. The states recommended that EPA use different status categories in such instances. Thus, with input from the Subgroup, seven status categories were defined for this report (e.g., "Implemented," "Implemented In Part," "Started But Not Finished"). Each category is defined in Section 1.6 below.

1.4 Tools for Making Burden Reduction Part of EPA's Standard Business

An important part of EPA's efforts this summer has been looking toward the future and determining how burden reduction can be more integrated into EPA's standard operating procedures. EPA strives to maintain a clear line of sight between agency goals and day-to-day activities while fulfilling its mission of protecting human health and the environment. At the same time, EPA strives to use resources as efficiently as possible and work with the states so they are able to efficiently use their resources. While eliminating low-value reporting burden may not sound like a glamorous job, it is vital to improving federal and state effectiveness and hence environmental protection.

EPA has taken two steps to institutionalize reporting burden:

1. **EPA Burden Reduction Task Force** – In August 2008, the EPA Burden Reduction Task Force held its first meeting. The Task Force is charged with determining the scope of the continuing Burden Reduction Initiative and identifying, prioritizing, and addressing opportunities for burden reduction. It is composed of members from several EPA offices with reporting responsibilities:
    - Office of Congressional and Intergovernmental Relations;
    - Office of Enforcement and Compliance Assurance;
    - Office of Environmental Information;
    - Office of Grants and Debarment;
    - Office of Policy, Economics, and Innovation;
    - Office of the Chief Financial Officer; and
    - Regional representatives.

    The Task Force will work with the ECOS-EPA Burden Reduction Subgroup to ensure state input into future efforts. One of the first jobs for the Task Force and Subgroup will be to determine how the remaining recommendations – those that do not fall within a priority area and therefore are not addressed in this report – will be managed in the future. (All recommendations, including those that are not part of a priority area, are listed in the Appendix.)

2. **Web-Based Burden Reduction Nominations** – In the near future, EPA's Burden Reduction Web site will include a mechanism for nominating opportunities for burden reduction. Details about how to nominate an idea and the process the Agency will use to assess ideas will be decided by the Task Force.

1.5 Overview of Progress

EPA has addressed three of the 16 priority areas, and many individual recommendations under other priority areas. The three completed areas are:

1. **Regional reporting requirements related to stationary sources permitting** – Region 4 agreed to eliminate a report on Prevention of Significant Deterioration/ New Source Review (PSD/NSR) determinations that result in "non-applicable" determinations. Region 4 also agreed to eliminate a report that documents when a state has made no Clean Air Act Section 112(g) determinations in a given year. See Priority Area 2 for more details.
2. **The Enforcement and Compliance History Online (ECHO) Web site** – EPA improved the ease with which states and other ECHO users can correct errors on the site. The new "report error" link found on most pages of the site reduces the time states must spend verifying data. See Priority Area 8 for more details.
3. **Disadvantaged Business Enterprise (DBE) utilization reporting for some grants and assistance agreements** – Some grants included a requirement to report on DBE utilization quarterly. EPA reduced the requirement to a semi-annual reporting frequency, at most. See Priority Area 11 for more details.

The following tables provide an overview of progress on each recommendation. The second table focuses on just those recommendations that are classified as "Started But Not Finished." (See Section 1.6 for definitions of status categories, such as "Implemented" and "Implemented In Part.") It demonstrates that many of the recommendations with this status category are being met by Agency-wide initiatives.

Status	#of Recommendations
Implemented	9
Implemented In Part	7
Started But Not Finished	19
Will Not Be Implemented	7
Withdrawn	3

How EPA Will Address the Recommendations That Are "Started But Not Finished"

Recommendation Codes	# of Recommendations	Will Be Addressed By
E1, E2, E3, E4, E12, W23	6	ICIS-NPDES rulemaking
A2, G6, G8, W18, W36	5	EPA-wide grants policy
W1, W3, W27, W34	4	SDWIS
W30	1	303(d)/305(b) work group
W17	1	New UIC database
A12	1	Emissions Inventory System
E17	1	Region

As shown in the tables, four Agency-wide initiatives are meeting 16 of the 19 recommendations for which EPA has started work but not finished it. The initiatives are:

1. **New grant reporting policy** - Five grants-related burden reduction recommendations are classified as "started but not finished." They will be addressed through an EPA-wide standardized grant reporting policy. Among other things, the policy will require progress reports no more frequently than twice per year, except for poor performers or where Regions and states have otherwise agreed. In

many cases, reports will be required only once per year. EPA anticipates that the policy will be finalized and circulated in fall 2008.

2. **National Pollutant Discharge Elimination System (NPDES) reporting updates** - Six burden reduction recommendations relate to reporting under the NPDES program. EPA has developed a more robust data system called the Integrated Compliance Information System for NPDES (ICIS-NPDES). Currently, EPA is drafting a new rule to identify essential information EPA needs to receive from NPDES-authorized states and tribes via ICIS-NPDES to effectively manage the program. Depending on the information required under the rule, current reports like the NPDES Annual Noncompliance Report may be eliminated by the rule. Currently, the Agency plans to complete the rule in the last quarter of calendar year 2009.

3. **Safe Drinking Water Information System (SDWIS) improvements** - Four recommendations associated with SDWIS have been and will continue to be addressed by a number of state-EPA work groups (SDWIS Data Sharing Committee, SDWIS Data Management Steering Committee, Association of State Drinking Water Administrators work group, etc.). Since 2006, these work groups have made significant improvements to SDWIS, which has streamlined data calculation, data queries, and other data extraction. States help define future improvements and set priorities for further modernization efforts.

4. **Clean Water Act Section 303(d)/305(b) reporting revisions** - Only one recommendation concerns Section 303(d)/305(b) integrated reporting (i.e., reduce the frequency and detail of reporting), but twenty-two states submitted this recommendation. EPA maintains a state-federal work group - in collaboration with the Association of State and Interstate Water Pollution Control Administrators (ASIWPCA) – that focuses on integrated reporting. The group is working to reduce reporting burden and increase flexibility, among other things. EPA has developed a new guidance memo for the 2010 reporting cycle in response to the recommendations submitted by this work group. It will introduce more flexibility into the reporting process. This memo will be finalized and circulated in the last quarter of calendar year 2008.

Approximately 100 of the 230 recommendations submitted in 2006 are not addressed in this report. That is because this report focuses on the roughly 130 recommendations that fall within the 16 priority areas. The remaining 100 recommendations will be referred to the EPA Burden Reduction Task Force. One of the first jobs for the Task Force will be to work with the Subgroup to determine how the remaining recommendations should be managed in the future. (All recommendations, including those that are not part of a priority area, are listed in the Appendix.)

1.6 How To Use This Report

This report provides information on each of the 16 priority areas as well as each of the underlying recommendations. Descriptions of the priority areas can be found in Section 2. Most readers will likely want to focus their attention on Section 2 since it gives a good overview of each state recommendation and EPA's response. For each of the 16 priority areas, the following information is provided:

- A summary discussion of the issue;
- The recommendations that underlie the priority area;
- How EPA has addressed these recommendations;
- Which states submitted the recommendations;
- The current status of each recommendation (described below);
- The type of resolution associated with the recommendation(s) (described below); and
- The timelines and documentation associated with the resolution.

Both internal and external hyperlinks are provided throughout the report, as evidenced in this section. The internal hyperlinks allow the reader to jump between a priority area and the recommendations that fall under that priority. Hyperlinks appear as blue, underlined text. Those who are reading a hard copy of the report

should interpret the blue, underlined text as cues to where they can find more information. The table of contents can guide hard-copy readers.

Readers will find details on the 45 recommendations that fall under the priority areas in the Appendix. Also in the Appendix are those recommendations that did not fall within a priority area. These "non-prioritized" recommendations are not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007. But, each one is listed in the Appendix to ensure easy access to the full list of states' submissions.

For each recommendation that falls under a priority area, the Appendix includes:

- The related priority area;
- The current status category (described below);
- The applicable trends (described below);
- The states' original input from October 2006; and
- EPA's response(s) to the recommendation.

Also, the Appendix lists some recommendations that were in previous progress reports but have been deleted from this report, and some recommendations that were not in previous progress reports but have been added to this report. A note is provided explaining each deletion and addition.

Each recommendation is listed in order of the codes applied to the recommendations in early 2008 during development of the spring 2008 progress report. First, those recommendations related to the Office of Air and Radiation (recommendations coded A#) are listed. Then, those related to enforcement programs (recommendations with codes E#), followed by those related to grants or other cross-cutting programs (coded G#) and those related to pollution prevention programs (coded P#). Recommendations related to solid waste and emergency response programs (coded SW#) come next, and finally those related to water programs (coded W#) are listed.

Throughout Section 2 and the Appendix, status, resolution, and trend categories are listed. The rest of this sub-section provides definitions of each.

Status

Recommendations have been assigned status categories that describe their position in the resolution process. These categories were developed with input from the ECOS-EPA Burden Reduction Subgroup after the states recommended that EPA provide more clarity when reporting on Agency progress. The categories are defined in the following table. They have been assigned a color code that is used throughout the report. Please note that some of these categories were not needed for this report:

Status Category	Color Code	Definition
Implemented		EPA met the states' recommendation.
Implemented In Part		EPA has concluded its work on the recommendation and has partly met the states' recommendation.
Started But Not Finished		EPA has begun to address the recommendation but has not completed its work.
Not Started But Will Be Implemented		EPA intends to address the recommendation in some fashion but has not begun working on it. (This category was not applied to any of the recommendations in this report.)
Will Not Be Implemented		EPA has determined that this recommendation will not be implemented.
Withdrawn		After further discussion with the state that made the recommendation, the state decided to withdraw it.
More Information Needed		Before EPA can determine how the recommendation will be addressed, more information is needed. (This category was not applied to any of the recommendations in this report.)

Type of Resolution

The "Types of Resolution" categories indicate the ways in which the recommendations must be addressed. The three possible types of resolution are:

- Policy – EPA must change a policy to achieve the resolution.
- Regulatory – EPA must change a regulation to achieve the resolution.
- Statutory – EPA must recommend to Congress a statutory amendment or new statute to achieve the resolution.

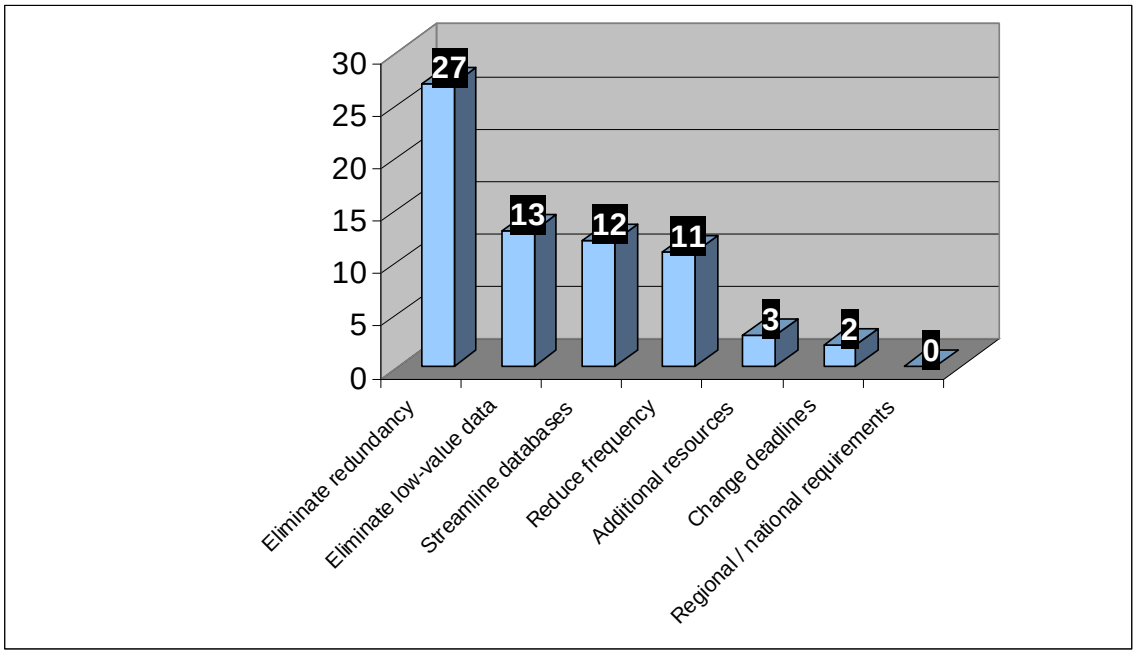
Trends

Upon examination of the recommendations, several common trends emerged. These trends are:

- Reduce reporting frequency
- Change reporting deadlines
- Align Regional reporting requirements with national requirements
- Eliminate redundant reporting
- Streamline databases
- Eliminate low-value data requirements
- Additional resources are needed for additional reporting requirements

After reviewing each of the recommendations that fall under a priority area, EPA found that the trends appeared with the following frequencies:

Number of Times a Trend Related to a Recommendation in a Priority Area



The newly formed EPA Burden Reduction Task Force will review these trends as they deliberate on methods for institutionalizing burden reduction in EPA's business practices.

2.0 Priority Areas

Priority Area 1 >> Regional Clean Air Act (CAA) Section 105 Grant Reporting

Clean Air Act (CAA) Section 105 continuing environmental program grants are awarded to state, tribal, and local air pollution control agencies. These grants are used to develop and implement programs for the prevention and control of air pollution, or for the implementation of national primary and secondary ambient air quality standards. Three states – Alabama, Kentucky, and South Carolina – made several recommendations related to Section 105 grant reporting. All three states are within EPA's Region 4; therefore, Region 4 responded to the states' recommendations.

State recommendations from…

- Alabama
- Kentucky
- South Carolina

Further details on Region 4's response are under Recommendation A2. In general, Region 4 eliminated certain Section 105 grant reports but did not agree to reduce all reporting to an annual frequency, as requested by Alabama. Instead, Region 4 offered to discuss eliminating specific quarterly reports required in Alabama's assistance agreement on a case-by-case basis.

On a national scale, EPA's Office of Grants and Debarment (OGD) is developing a standardized grant reporting policy. This policy will apply to Section 105 grants, as well as all other EPA grants. Among other things, the policy will set a standard grant reporting frequency of no greater than twice per year, except for poor performers or where Regions and states have otherwise agreed. The draft policy has been circulated for review by members of the Environmental Council of the States' State Grants Workgroup. A final version is expected in fall 2008. The draft policy recommends reducing Section 105 reporting to an annual frequency as requested by Alabama. See Priority Area 16 for more information.

Region 4 has "Implemented" each of the recommendations made by Alabama, Kentucky, and South Carolina, except for Alabama's request to reduce all quarterly reports to an annual frequency. At a minimum, this reporting frequency will be reduced by the soon-to-be-released grant reporting policy. Thus, this priority area is classified as "Started But Not Finished" because OGD's grant reporting policy is not complete.

Timeline / Documentation

- 07/17/2007 – 07/18/2007 – At a meeting of the Partnership and Performance Workgroup of the Environmental Council of the States (ECOS), states recommended that grant progress reports should be required no more frequently than semi-annually unless there is documented need for more frequent reporting.
- FY2007 – Region 4 confirmed that grant reports need to be submitted only once and to EPA program personnel.
- FY2007 – Region 4 confirmed that annual narrative summaries are required only when grant commitments are unmet or significantly delayed.
- FY2007 – Region 4's mobile sources quarterly reporting requirement was removed from all state and local Section 105 assistance agreements.

EPA Responses

Nationwide Resolution		
A2		***Status*** **Started But Not Finished (grant reporting policy)**
Regional Resolution(s)		
A2		***Status*** **Implemented In Part**

Type of Resolution: Policy

- 07/29/2008 - OGD distributed the draft grant reporting policy to the co-chairs of the State Grants Workgroup, a subgroup of the ECOS Partnership and Performance Workgroup.

- Fall 2008 – OGD plans to distribute and implement the final grant reporting policy.

- 09/30/2009 – OGD expects to confirm implementation by reviewing a random sample of grant awards to ensure the reporting terms and conditions adhere to the policy's maximum of semiannual reporting (except in the case of poor performers or where otherwise agreed).

Priority Area 2 >> Clean Air Act (CAA) Prevention of Significant Deterioration/ New Source Review (PSD/NSR) and Section 112(g) Reporting

Under the Clean Air Act (CAA) Amendments of 1990, EPA is required to regulate large, or "major," industrial facilities that emit one or more of 188 listed hazardous air pollutants (air toxics). Air toxics are those pollutants that are known or suspected of causing cancer or other serious health effects, such as developmental effects or birth defects.

Two states – Kentucky and South Carolina – recommended two changes pertaining to CAA requirements for stationary sources:

1. Eliminate the requirement to submit a report to EPA if no Section 112(g) determinations are made in a given year. It is redundant since states are required to enter data into the 112(g) clearinghouse.
2. Eliminate the requirement to report Prevention of Significant Deterioration/ New Source Review (PSD/NSR) determinations that result in a non-applicability determination.

State recommendations from…

- Kentucky
- South Carolina

The CAA Section 112(g) provision is designed to ensure that emissions of toxic air pollutants do not increase if a facility is constructed or reconstructed before EPA issues a nationally applicable maximum achievable control technology (MACT) standard for a particular category of sources or facilities. Specifically, section 112(g) requires that sources obtain a case-by-case MACT standard that shall not be less stringent that the emission control which is achieved in practice by the best controlled similar source. In effect, the section 112(g) provision is a transitional measure, as it ensures that facilities that construct or reconstruct prior to EPA's issuance of a national MACT emission standard must control their hazardous air pollutant emissions.

Prevention of Significant Deterioration (PSD) applies to new major sources or major modifications at existing sources. It requires facilities to install Best Available Control Technology (BACT); conduct an air quality analysis; conduct an additional impacts analysis; and ensure that the public is involved in any decision to permit increased air pollution.

Both Kentucky and South Carolina are within EPA's Region 4; therefore, Region 4 responded to the states' recommendations. Region 4 agreed to both of the states' recommendations. You may read the details on Region 4's response under Recommendations A6 and A7.

Timeline / Documentation

- 08/24/2007 – Region 4 eliminated "no determinations" reporting under 112(g). It was eliminated for all state and local air agencies in the Region, and all twenty-four agencies were notified.
- FY2007 – Region 4 has not required South Carolina to report PSD/NSR non-applicability for a number of years.
- 04/02/2008 – Region 4 and Kentucky agreed via email to eliminate the PSD/NSR non-applicability. Instead, Kentucky will follow South Carolina's process of announcing non-applicability in their public notices.

EPA Responses

Regional Resolution(s)		
A6		***Status*** **Implemented**
A7		**Implemented**

Type of Resolution: Policy

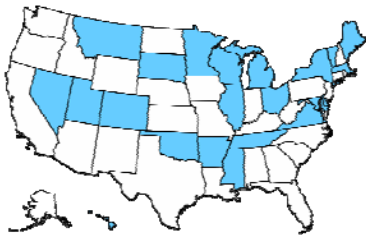
Priority Area 3 >> Clean Water Act (CWA) Section 303(d) and 305(b) Integrated Reports

Sections 305(b) and 314 of the Clean Water Act (CWA) require states, territories, and authorized tribes to provide biennial reports to EPA on the condition of waters within their boundaries. EPA regulations at 40 CFR 130.7 require states to provide biennial submissions of impaired waters lists. EPA provides guidance on these reports in a way that supports the Agency's strategy for achieving a broad-scale, national inventory of water quality conditions. The guidance is from EPA to states, territories, authorized tribes, and interstate commissions ("jurisdictions") to help states prepare and submit Section 305(b) reports to EPA. Use of the integrated report (IR) format provides jurisdictions a recommended reporting format and suggested content to be used in developing a single document that integrates the reporting requirements of Sections 303(d), 305(b), and 314. This format allows jurisdictions to report on the water quality standards attained for all waters, document the availability of data and information for each segment, identify certain trends in water quality conditions, and set priorities for protecting and restoring the health of the nation's aquatic resources.

Twenty-two states recommended burden reduction relief associated with preparing biennial integrated reports of their water quality status. In particular, the requests focused on changing the frequency of integrated reporting. Most states recommended reporting every four or five years as opposed to the current two years.

While EPA will not reduce reporting frequency, as recommended, the Agency is working with the states to streamline the reporting process. Thanks to a collaborative effort in 2007 and 2008, revised reporting requirements will provide states with the flexibility that they seek, without jeopardizing the quality, timeliness, and accuracy of the required water quality information. More information about these efforts is available under Recommendation W30. These revised requirements will be communicated in an integrated reporting memorandum, which the Office of Water expects to finalize in the last quarter of calendar year 2008.

State recommendations from…



- Arkansas
- Colorado
- Delaware
- Hawaii
- Illinois
- Maine
- Maryland
- Massachusetts
- Michigan
- Minnesota
- Mississippi
- Montana
- Nevada
- New York
- Ohio
- Oklahoma
- South Dakota
- Tennessee
- Utah
- Vermont
- Virginia
- Wisconsin

EPA will not completely eliminate two-year reporting cycles, as the states requested, for several reasons. The 305(b) and 303(d) data reported by the states is an essential part of EPA's Clean Water Act responsibilities, and is reflected in the Agency's Program Assessment Rating Tool (PART) and Strategic Plan measures. This data is key to informing a wide range of stakeholders about the status and progress of protecting and restoring the health of the nation's waters, and for identifying where management actions and total maximum daily load (TMDL) calculations need to be developed and implemented. The impact of lengthening this cycle, as the states recommended, and thus forgoing data reporting in most years, would present significant challenges to demonstrating progress in protecting water quality, informing the public, and justifying the use of state and federal resources.

Timeline / Documentation

- 8/12/2005: Federal Register notice announcing the availability of the 2006 Integrated Report Guidance.
- 10/12/2006: Memorandum to release the 2008 Integrated Report Guidance.
- 03/2007– Mid-year Association of State and Interstate Water Pollution Control Administrators (ASIWPCA) Meeting: EPA and states discussed the integrated report issue.
- 04/2007 – A workgroup was chartered.
- 06/2007 – Issue white paper drafted.
- 08/26/2007 – 08/28/2007 – Annual ASIWPCA meeting, Sturgeon Bay, WI. Discussion of white paper.
  - The workgroup solicited comments on the most viable options from state and EPA regional reviewers.
- 03/02/2008 – 03/04/2008 – Mid-year ASIWPCA Meeting, Arlington, VA. Further discussion.
- 03/25/2008 – ASIWPCA completed a project to evaluate several burden reduction options for 303(d) and 305(b) reporting, and shared their conclusions and recommendations in a letter from Harry Stewart (President of ASIWPCA) to EPA's Assistant Administrator for the Office of Water, Ben Grumbles. To access Mr. Stewart's letter, please see http://www.asiwpca.org/TaskForces/MSATF.htm and open "ASIWPCA on Integrated Reporting" from the "Latest Documents of Interest" drop-down menu.
- Summer 2008 – Development of 2010 Integrated Report Memorandum
  - As the Office of Water's (OW) Assessment and Watershed Protection Division (AWPD) develops the 2010 Integrated Reporting Memorandum, which provides clarification to states on specific listing and reporting issues, a number of these recommendations are being considered.
  - OW will review the results of the pilot studies tested during the 2008 IR/303(d)/305(b) cycle and incorporate results in OW's clarification memo for the 2010 reporting cycle.
- 08/18/2008 – 08/20/2008 – Annual ASIWPCA meeting, Providence, RI.
- Fall 2008 – Draft of 2010 IR Memorandum anticipated to be sent for stakeholder review.
- Last Quarter of Calendar Year 2008 – Completion of the 2010 IR Memorandum expected.

EPA Responses

Nationwide Resolution		
W30		***Status*** **Started But Not Finished**
Regional Resolution(s)		
W16		***Status*** **Withdrawn**

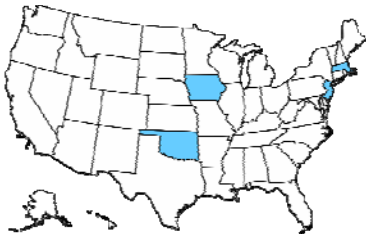
Type of Resolution: Policy

Priority Area 4 >> CWA Nonpoint Source Report

Congress amended the Clean Water Act (CWA) in 1987 to establish the Section 319 Nonpoint Source Management Program. Under Section 319, state, territories, and tribes receive grants to support a wide variety of activities including technical assistance, financial assistance, education, training, technology transfer, demonstration projects, and monitoring to assess the success of specific nonpoint source implementation projects. More information on the allocation of these grants is available on EPA's Nonpoint Source Pollution Web site. Section 319 grant funds are eligible for inclusion in state Performance Partnership Grants (PPG).

Iowa, Massachusetts, New Jersey, and Oklahoma expressed concerns about various elements of CWA Section 319 grant reporting, including report length, reporting period, report duplication, and varying report deadlines.

State recommendations from…



- Iowa
- Massachusetts
- New Jersey
- Oklahoma

As stated in EPA's recent FY2009 National Program Guidance for the Office of Water, EPA and the states need to continue to effectively implement and better integrate programs established under the CWA to protect, improve, and restore water quality on a watershed basis. Regions have the flexibility to emphasize various parts of core national programs and modify targets to meet EPA Region and state needs and conditions. Among the key tasks identified in the Program Guidance is the goal to implement practices to reduce pollution from all nonpoint sources. Many of the details of report frequency, length, and deadline are established at a Regional level.

Region 6 worked with Oklahoma to streamline and shorten its annual report. Region 7 and Iowa negotiated new terms for the FY2008-2009 PPG for more uniformity in reporting timelines. Region 1 clarified that nonpoint source data has been requested more frequently in the past but now is only required on an annual basis. Similar to Region 7, Region 2 worked with the State of New Jersey to find opportunities to streamline reporting requirements and deadlines. More detail on these regional responses can be viewed in further detail at Recommendation W22 and Recommendation W24. Additional information on Section 319 grant reporting is available in Priority Area 10.

Timeline / Documentation

- 04/24/2006 – FY 2007 National Water Program Guidance was released.
- FY 2007 – Region 6 clarified for its states that only a single report on CWA 319 program activities, due at the end of each January, is required.
- FY 2007 – Region 1 modified reporting frequency for nonpoint source data to occur only on an annual basis.
- 03/29/2007 – 03/30/2007 – Region 7 met with its states at the State Water Directors Meeting. Discussions held on possibility for negotiating PPG workplans to align reporting deadlines and reduce Region 7-specific reports.
- 04/2007 – FY 2008 National Water Program Guidance was released.
- 04/2008 – FY 2009 National Water Program Guidance was released.

EPA Responses

Regional Resolution(s)		
W22		***Status*** **Implemented**
W24		**Implemented In Part**

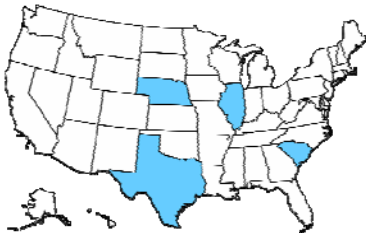
Type of Resolution: Policy

- 04/01/2008 – Region 2 approved New Jersey's SFY 2008-2010 Performance Partnership Agreement (PPA), which included streamlined CWA reporting requirements.
- 04/28/2008 – New Jersey's Commissioner of the Department of Environmental Protection approved New Jersey's SFY 2008-2010 Performance Partnership Agreement (PPA).
- Last Quarter of Calendar Year 2008 - Region 2 will meet with New Jersey as part of the PPA approval process. Although the Region believes most of streamlining concerns have been addressed in the PPA, Region 2 will continue to work with NJ to identify opportunities to streamline reporting requirements.

Priority Area 5 >> Compliance Reporting Under the National Pollutant Discharge Elimination System (NPDES)

Water pollution degrades surface waters making them unsafe for drinking, fishing, swimming, and other activities. As authorized by the Clean Water Act, the National Pollutant Discharge Elimination System (NPDES) permit program controls water pollution by regulating point sources that discharge pollutants into waters of the United States.

State recommendations from…



- Illinois
- Nebraska
- South Carolina
- Texas

Four states – Illinois, Nebraska, South Carolina, and Texas – requested that NPDES reporting requirements be altered. Three NPDES reports are currently required under NPDES regulations (40CFR 123.45). They are:

1. The Quarterly Noncompliance Report (QNCR) – A report on major NPDES permittees ("major" refers to the size of a facility) in noncompliance.
2. The Semi-Annual Statistical Summary – A report on the number of major permittees with two or more violations of the same monthly average permit limitation in a six-month period.
3. The Annual Noncompliance Report (ANCR) – A report on the total number of "nonmajor" permittees that have been reviewed, the number of noncomplying nonmajor permittees, the number of enforcement actions, and the number of permit modifications extending compliance deadlines.

The states recommended that EPA reduce the reporting frequency for the QNCR and eliminate the Semi-Annual Statistical Summary and ANCR. EPA's Office of Enforcement and Compliance Assurance (OECA) is responding to these recommendations by preparing a proposed rule – called the NPDES Program Management Information Rule -- that would identify the minimum NPDES data that EPA needs from NPDES agencies (authorized states and EPA Regions) to manage the national program. The rulemaking process would provide another opportunity for states to comment on EPA's data needs and NPDES agency reporting.

EPA cannot now predict the data that would be identified in the proposed rule because the rulemaking development process is still underway, but OECA expects that the rulemaking would enable EPA to collect the necessary data to eliminate the Semi-Annual Statistical Summary and the ANCR requirements. The ANCR could be eliminated to the extent that the replacement rule enabled EPA to effectively collect minor permittee discharge monitoring report data using the new data system. QNCR requirements will not be changed. (ICIS-NPDES is a database for collecting NPDES data. See Priority 6 for more information on the database.) Currently, OECA projects the final rule will be issued in the last quarter of calendar year 2009. Until a replacement rule becomes effective, the QNCR, Semi-Annual Statistical Summary, and ANCR remain as regulatory requirements.

Aside from the major NPDES reports discussed above, two other reporting burdens related to NPDES fall under this priority area.

- Minnesota, Mississippi, and South Carolina recommended that EPA streamline another database called the Electronic Permit Issuing Forecasting Tool (E-PIFT) so that it is no longer redundant with PCS. EPA has since eliminated E-PIFT. See Recommendation W4 for more information.
- Alabama and Kansas recommended that Regions eliminate the requirement to submit all draft major and minor NPDES permits, including applications. Region 7 has already agreed to eliminate the requirement to submit draft or final minor non-stormwater/ non- concentrated animal feeding operations (CAFO) permits. Discussions between Alabama and Region 4 have not begun. See Recommendation W23 for more information.

Timeline / Documentation

- FY2002 – OECA began an effort to modernize PCS by creating ICIS-NPDES.
- 2006 – An ICIS-NPDES Expanded Steering Committee (ESC) was launched with involvement from the Environmental Council of the States (ECOS), Association of State and Interstate Water Pollution Control Administrators (ASIWPCA), and other state representatives. The ESC held three face-to-face meetings and many conference calls in 2006 to discuss the architecture and data requirements for ICIS-NPDES.
- 04/30/2007 – A draft ICIS-NPDES Policy Statement was sent to the states for review. The Policy Statement identified the minimum data reporting that EPA needed to manage the national NPDES program.
- 09/12/2007 – In a letter to ECOS, OECA conveyed that EPA had decided to proceed with a rulemaking rather than a final ICIS-NPDES Policy Statement in order to collect more formalized comments on the design of the database.
- 04/22/2008 – EPA's Regulatory Policy Officer approved commencement of the ICIS-NPDES rulemaking.
- As of May 2008 - 22 states, 2 tribes and 9 territories are successfully using ICIS-NPDES.
- 08/30/2008 – Region 6 expects to send a letter to all of the Region 6 states confirming to each that the RECAP report is not required.
- Fall/Winter 2008 – OECA expects to conduct stakeholder outreach – including outreach to the states – to aid in writing the NPDES Program Management Information Rule to collect data in ICIS-NPDES.
- Spring 2009 – EPA expects to publish the proposed NPDES Program Management Information Rule (to collect data in ICIS-NPDES) and open a formal comment period.
- Last Quarter of Calendar Year 2009 – EPA expects to publish the final NPDES Program Management Information Rule.

EPA Responses

Nationwide Resolution		
E4		***Status*** **Started But Not Finished**
E12		**Started But Not Finished**
E26		**Will Not Be Implemented**
W4		**Implemented In Part**
Regional Resolution(s)		
W23		***Status*** **Started But Not Finished**

Type of Resolution: Regulatory

Priority Area 6 >> Integrated Compliance Information System/ Permit Compliance System (ICIS/PCS) Requirements

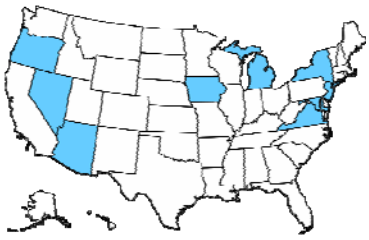
Water pollution degrades surface waters making them unsafe for drinking, fishing, swimming, and other activities. As authorized by the Clean Water Act, the National Pollutant Discharge Elimination System (NPDES) permit program controls water pollution by regulating point sources that discharge pollutants into waters of the United States.

EPA collects information on implementation of the NPDES program in a database. Since 1974, the information has been collected in the Permit Compliance System (PCS). Since 2002, EPA has been working to modernize PCS by creating a new data system called the Integrated Compliance Information System for NPDES (ICIS-NPDES). The modernization from PCS to ICIS-NPDES addresses outdated technology and new program requirements.

Nine states recommended that EPA reduce the proposed reporting requirements for ICIS-NPDES. The approach EPA's Office of Enforcement and Compliance Assurance (OECA) is taking to address the recommendations is twofold:

1. Issue a new rule – called the NPDES Program Management Information Rule -- that will define the minimum NPDES reporting that EPA needs to manage the national NPDES program. States will have the opportunity to comment on EPA's proposal.
2. Streamline the ICIS-NPDES database so that data submission is easier. OECA is developing a "batch" data transfer process (i.e., a process of moving data en masse rather than piecemeal) and conducting an Alternative Analysis to understand if other database architectures could improve ICIS-NPDES.

State recommendations from…



- Arizona
- Iowa
- Maryland
- Michigan
- Nevada
- New Jersey
- New York
- Oregon
- Virginia

As of July 2008, 22 states, two tribes, and nine territories are successfully using ICIS-NPDES. Once final, the new NPDES Program Management Information Rule would identify necessary data for reporting by NPDES agencies and when those agencies (including authorized states) would be required begin reporting pursuant to the rule. Currently, OECA projects the final rule will be issued in the last quarter of calendar year 2009. Consult the "Timeline/Documentation" section that follows for further information about the rule, batch transfers, and the Alternative Analysis.

Timeline / Documentation

- FY2002 – OECA began an effort to modernize PCS by creating ICIS-NPDES.
- 2006 – An ICIS-NPDES Expanded Steering Committee (ESC) was formed that includes representatives from the Environmental Council of the States (ECOS) and Association of State and Interstate Water Pollution Control Administrators (ASIWPCA). The ESC held three

EPA Responses

Nationwide Resolution		
E1		*Status* Started But Not Finished
E2		Started But Not Finished
E3		Started But Not Finished

Type of Resolution: Regulatory

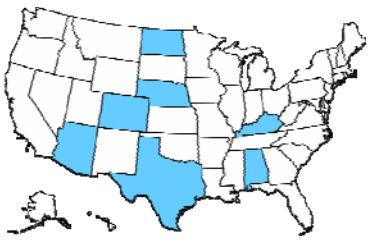
face-to-face meetings in 2006 to discuss the architecture and data requirements for ICIS-NPDES.

- 10/2006 – OECA initiated the ICIS-NPDES Batch Integrated Project Team (IPT) to allow batch data transfer into ICIS-NPDES. Participants include staff and managers from 26 states, 6 regions, OECA, and EPA's Office of Environmental Information (OEI). IPT supported the development and testing of batch data transfer for the NPDES Discharge Monitoring Report (DMR). (This group conducts monthly conference calls.)
- 04/30/2007 – A draft ICIS-NPDES Policy Statement was sent to states and other stakeholders for review. The Policy Statement outlined how OECA was planning to develop and implement ICIS-NPDES.
- 09/12/2007 – In a letter to ECOS, OECA conveyed that EPA had decided to proceed with a rulemaking rather than a final ICIS-NPDES Policy Statement in order to collect more formalized comments on the design of the database.
- 04/22/2008 – EPA's Regulatory Policy Officer approved commencement of the NPDES Program Management Information Rule.
- As of May 2008 - 22 states, 2 tribes and 9 territories are successfully using ICIS-NPDES.
- Fall/Winter 2008 – OECA expects to conduct stakeholder outreach – including outreach to the states – to aid in writing the NPDES Program Management Information Rule to collect data in ICIS-NPDES.
- Spring 2009 – EPA expects to publish the proposed NPDES Program Management Information Rule (to collect data in ICIS-NPDES) and open a formal comment period.
- Last Quarter of Calendar Year 2009 – EPA expects to publish the final NPDES Program Management Information Rule.

Priority Area 7 >> Duplicate Enforcement Reporting

A number of states recommended changes to enforcement and compliance reporting requirements. These requirements do not necessarily relate to one another, but they were grouped under Priority Area 7 because they share two common characteristics: 1) they are related to enforcement/ compliance and 2) the states have expressed concerns that they have to submit the same information more than once.

State recommendations from…



- Alabama
- Arizona
- Colorado
- Kentucky
- Nebraska
- North Dakota
- Texas

The state recommendations under this priority area and EPA's responses are as follows:

- **E5 – Reporting Enforcement and Compliance Assurance Priorities (RECAP)** – Texas recommended that EPA eliminate this report. Region 6 agreed.
- **E6 – Quarterly Watch Lists** – Nebraska and Texas recommended eliminating the Quarterly Watch Lists for the Clean Air Act (CAA), National Pollutant Discharge Elimination System (NPDES), and Resource Conservation and Recovery Act (RCRA). After senior management discussion, EPA has decided to not implement this recommendation. The Watch Lists are generated by EPA to reduce burden on the states as much as possible, and are a critical tool for tracking facilities that are in violation of the CAA, CWA, and RCRA.
- **E14 – CAA Section 105 Annual Monitoring Report** – Nebraska recommended eliminating this report because it is already entered into EPA's Air Quality System (AQS). Region 7 agreed.
- **E16 – National Pollutant Discharge Elimination System (NPDES) enforcement and inspection documents** – Colorado recommended that Region 8 eliminate its requirement to submit NPDES enforcement documents and associated correspondence as well as NPDES inspection reports. Region 8 agreed to reduce the requirement to a subset of inspection reports (reports for majors, concentrated animal feeding operations (CAFOs), and storm water inspection reports which have been completed by contractors).
- **E17 – Significant Industrial User (SIU) Semi-annual and Annual Reports** - Nebraska recommended that Region 7 eliminate its requirement that the state submit SIU reports because Region 7 can generate them from the Integrated Compliance Information System (ICIS). Region 7 has committed to try to generate these reports itself from ICIS.
- **E24 – Performance Partnership Agreement (PPA) Reporting** – Colorado recommended that EPA streamline its enforcement reporting by utilizing a state's PPA as its only reporting tool. Region 8 has attempted to incorporate enforcement and compliance reporting into Colorado's PPA, but the Region cannot fully meet Colorado's recommendation. The Region has pledged to seek opportunities for streamlined reporting on an ongoing basis.
- **E27 – Annual Public Water System (PWS) Report –** Kentucky and North Dakota recommended that EPA eliminate the PWS Report because the same information is available in other formats. After senior management discussion, EPA has decided to not accept this recommendation. Eliminating the PWS Report altogether would make it more difficult for the public to learn about the quality of their drinking water. The Safe Drinking Water Act requires that states submit this report, moreover, and EPA has no authority to remove a statutory requirement. EPA has taken a number of steps to reduce states' PWS reporting burden while still meeting statutory requirements.
- **E29 – Notices of Violation** – Alabama recommended that EPA consider state Notices of Violation (NOVs) as formal actions given these actions can be appealed. Alabama explained that doing so would eliminate the need to prepare reports on why the state has taken no formal action against a violator. After senior management discussion, EPA has decided to not accept this recommendation.

EPA does not consider NOVs as formal enforcement actions because most state NOVs under most state statutes are not enforceable or legally binding.

Timeline / Documentation

- Summer 2007 – Region 7 eliminated the hard-copy CAA Section 105 Annual Monitoring Report, as Nebraska requested, through the FY 2008-2009 Air Section 105 work plan negotiation process.
- Summer 2007 – Region 8 agreed to reduce Colorado's NPDES reporting requirement for FY2008 to a subset of inspection reports (reports for majors, CAFOs, and storm water inspection reports which have been completed by contractors).
- FY2007 – Region 6 informed Texas that the Reporting Enforcement and Compliance Assurance Priorities (RECAP) report is no longer required.
- 05/2008 - Region 8 and Colorado agreed to the same subset of inspection reports (reports for majors, CAFOs, and storm water inspection reports which have been completed by contractors) in their FY2009 Performance Partnership Agreement (PPA).
- 07/15/2008 – EPA decides to retain the Quarterly Watch Lists and Annual PWS Report and also decided that state NOVs would continue to not be recognized as formal actions.
- 07/15/2008 – Region 7 committed to attempting to try to generate the SIU reports from ICIS.
- 08/29/2008 – Region 6 sent notified all of its states that the RECAP report is not required. (Applies to E5.)

EPA Responses

Nationwide Resolution		
E6		***Status*** **Will Not Be Implemented**
E27		**Will Not Be Implemented**
E29		**Will Not Be Implemented**
Regional Resolution(s)		
E5		***Status*** **Implemented**
E14		**Implemented**
E16		**Implemented In Part**
E17		**Started But Not Finished**
E24		**Implemented In Part**

Type of Resolution: Varies by recommendation. All of the recommendations require a policy resolution, except for E27 which would require a statutory change.

Priority Area 8 >> Enforcement and Compliance History Online (ECHO) Web Interface

The Enforcement and Compliance History Online (ECHO) Web site provides the public with information that focuses on facility compliance and EPA/state enforcement of environmental regulations. ECHO provides integrated compliance and enforcement information for approximately 800,000 regulated facilities nationwide. It includes facilities regulated as Clean Air Act (CAA) stationary sources, as Clean Water Act (CWA) permitted dischargers (under the National Pollutant Discharge Elimination System (NPDES)), and Resource Conservation and Recovery Act (RCRA) hazardous waste sites.

State recommendations from…

- Maryland

Though the data presented on ECHO were previously in the public domain through Freedom of Information Act requests and mainframe computer subscription, the information was not available in a searchable Web format until ECHO was launched in 2002. ECHO makes it much easier for the public to obtain these data records on the Internet.

Maryland recommended two changes to the Enforcement ECHO database:

1. EPA should improve data handling. States should not be expected to check EPA databases such as ECHO and find the things that need correcting.
2. Eliminate requirements to submit hard-copy enforcement and compliance reports that EPA can generate from ECHO or the Permit Compliance System (PCS).

In response to the first recommendation, EPA's Office of Enforcement and Compliance Assurance (OECA) has ensured that a "Report Error" hyperlink is available at the top of every ECHO facility report. All users of the ECHO data – the facilities, the states, and the public – may report errors using this error-reporting feature. EPA and state data experts receive the reports so they can correct data in their databases. To further ensure data quality, OECA updates ECHO on a monthly basis, performs random audits of the data, and receives suggestions for further improvements at echo@epa.gov. You may read more about the steps OECA has taken to under Recommendation E7.

Region 3 addressed Maryland's second recommendation – eliminating redundant hard-copy reports – by discussing the issue on a September 2007 conference call. During that call, Maryland confirmed that this recommendation was no longer a concern for them and withdrew the recommendation. Learn more under Recommendation E10.

Timeline / Documentation

- 06/2000 – The Joint EPA-state Enforcement and Compliance Public Access Workgroup (developed in partnership with The Environmental Council of the states (ECOS)) developed the template for the type, sources, and amount of data to be included within ECHO.
- 11/20/2002 – ECHO was launched as a pilot site open for public comment.
- 03/31/2003 – Public comment on the ECHO pilot was closed, and ECHO was launched as a fully operational site as OECA responded to the many comments submitted. EPA's Response to Comments are available online.

EPA Responses

Nationwide Resolution		
E7		*Status* **Implemented**
E10		**Withdrawn**

Type of Resolution: Policy

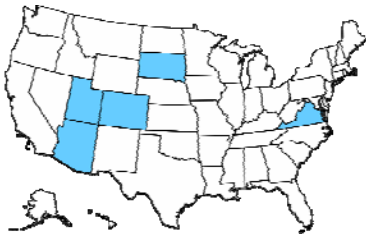
- 03/31/2003 – ECHO's "Report Error" feature is included in its launch.
- 09/2007 – Region 3 spoke with Maryland and confirmed that this recommendation was no longer a concern for the state. Maryland withdrew the recommendation. (Applies to E10.)

Priority Area 9 >> Performance Partnership Grant (PPG)/ Performance Partnership Agreement (PPA) Categorical Grant Reporting

Many states develop Performance Partnership Agreements (PPAs) with EPA Regions. EPA and state officials discuss environmental conditions and program needs; agree on goals and priorities; devise strategies to address these needs; define responsibilities; and develop measures. States can choose to combine some or all of their environmental program grants in Performance Partnership Grants (PPGs).

Under traditional environmental program grants (sometimes called "categorical" grants), states receive funds to implement various water, air, waste, pesticides, and toxic substances programs. Environmental program grant funds can only be spent on activities that fall within the statutory and regulatory boundaries of that program. However, states can choose to combine two or more environmental program grants into a single PPG, which allows states to support multi-media approaches and initiatives that were difficult to fund under traditional categorical grants.

State recommendations from…



- Arizona
- Colorado
- South Dakota
- Utah
- Virginia

Five states – Arizona, Colorado, South Dakota, Utah, and Virginia – recommended three improvements to their PPAs/PPGs:

1. Target the PPG work plan on EPA's National Performance Measures. Eliminate PPG work plan requirements that are related to state-based or other non-federal programs.
2. Reduce reporting frequency.
3. Streamline reporting so that the application and reporting requirements for the PPA/PPG meet the needs of all grants contained therein.

Because every PPA and PPG is a negotiated agreement between an EPA Region and a state, they vary greatly from one to another. Thus, the first and third recommendations were addressed at the Regional level. Read details about these resolutions under Recommendations G5 and G9.

EPA's Office of Grants and Debarment (OGD) is developing a standardized grant reporting policy that addresses the second recommendation - reporting frequency. Among other things, the policy will set a standard reporting frequency of no greater than twice per year, except in instances of poor performers or where Regions and states have otherwise agreed. Many grants and assistance agreements will require a reporting frequency of no greater than annually.

The policy applies to PPGs. If a PPG encompasses only those grants/agreements with annual reporting requirements, then a progress report will be due annually. If the PPG encompasses some grants/agreements with a semi-annual frequency and some with an annual frequency, then the state will have the option to either a) report semi-annually on the entire PPG or b) report semi-annually on only those portions of the PPG that require twice yearly reporting. The draft policy has been circulated for review by members of the Environmental Council of the States' State Grants Workgroup. A final version is expected in fall 2008. See Priority Area 16 for more information.

Timeline / Documentation

- 07/17/2007 – 07/18/2007 – At a meeting of the Partnership and Performance Workgroup of the Environmental Council of the States (ECOS), states recommended that grant progress reports should be required no more frequently than semi-annually unless there is documented need for more frequent reporting.
- FY2007 – Region 8 pledged to South Dakota that it will work with the state to control unnecessary requests each year from the various Region 8 programs and coordinate requests.
- FY2008 – Starting with this fiscal year's grant award, Region 3 requires a semi-annual "exceptions-only" report and an annual progress report for the PPGs of Region 3 states.
- Summer/ Fall 2008 – Region 8 and Utah are negotiating the state's draft FY2009 PPA now. Utah's recommendations plan to be addressed in this negotiation.
- 07/29/2008 - OGD distributed the draft grant reporting policy to the co-chairs of the State Grants Workgroup, a subgroup of the ECOS Partnership and Performance Workgroup.
- Fall 2008 – OGD plans to distribute and implement final grant reporting policy.
- 09/30/2009 – OGD expects to confirm implementation by reviewing a random sample of grant awards to ensure the reporting terms and conditions adhere to the policy's maximum of semiannual reporting (except in the case of poor performers or where otherwise agreed).

EPA Responses

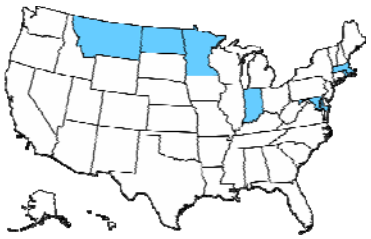
Nationwide Resolution		
G6		***Status*** **Started But Not Finished**
Regional Resolution(s)		
G5		***Status*** **Implemented**
G9		**Implemented In Part**

Type of Resolution: Policy

Priority Area 10 >> Clean Water Act (CWA) Section 319 Grant Reporting

Congress amended the Clean Water Act (CWA) in 1987 to establish the Section 319 Nonpoint Source Management Program. Under the Program, state, territories, and Tribes receive grant money to support a wide variety of activities including technical assistance, financial assistance, education, training, technology transfer, demonstration projects, and monitoring to assess the success of specific nonpoint source implementation projects. More information on the allocation of these grants is available online.

State recommendations from…



- Indiana
- Maryland
- Massachusetts
- Minnesota
- Montana
- North Dakota
- Rhode Island

Several states made recommendations to modify Section 319 reporting requirements. EPA's response to these recommendations is twofold. At the national level, EPA's Office of Grants and Debarment (OGD) is developing an Agency-wide grant reporting policy that will apply to CWA Section 319 reporting, as well as all other EPA grants and assistance agreements. Among other things, this policy will:

1. Reduce quarterly grant progress reports to a frequency of no greater than semi-annually, except in instances of poor performers or where Regions and states have otherwise agreed. In many cases, reporting frequency will be reduced to a frequency of no greater than annually, and OGD anticipates that an annual frequency will apply in the case of Section 319 reporting. Since the policy is not yet final, however, it is premature to definitively say how the policy will impact Section 319 reporting.
2. Reduce financial status reporting requirements to no more than annually.

Furthermore, the grant reporting policy addresses reporting requirements within a state's Performance Partnership Grant (PPG), which sometimes includes Section 319 grants. If a state uses a PPG and the PPG encompasses only those grants/agreements with annual reporting requirements, then a progress report will be due annually. If the PPG encompasses some grants/agreements with a semi-annual frequency and some with an annual frequency, then the state will have the option to either a) report semi-annually on the entire PPG or b) report semi-annually on only those portions of the PPG that require twice yearly reporting. The draft policy has been circulated for review by members of the Environmental Council of the States' State Grants Workgroup. A final version is expected in fall 2008. See Priority Area 16 for more information.

In addition to this national response, EPA's Regions responded to the recommendations of their respective states:

- **W15 - Annual summary of quarterly Section 106 and 319 reports** – Maryland recommended eliminating annual summaries of the Section 106 and 319 quarterly reports. Region 3 clarified that Section 106 annual summaries are no longer needed and Section 319 annual summaries were never required.
- **W18 – Reporting in the Section 319 Grant Reporting and Tracking System** - EPA's Grant Report Tracking System (GRTS) provides EPA with an electronic means of accessing information on the use of Section 319(h) funds by state agencies. The information extracted from GRTS is used to respond to Congressional and OMB inquiries; support the Agency's nonpoint source budget request; and provide a feedback loop on states' compliance with Agency guidance and policy. Four states – Maryland, Massachusetts, Montana, and North Dakota – requested that EPA make it easier to submit information into GRTS, require Section 319 implementation project reports at an annual frequency, and provide guidance for Section 319 financial status reports (FSRs).
- **W36 – Reduce Section 319 reporting frequency** – Three states – Indiana, Minnesota, and Rhode Island – recommended that EPA reduce Section 319 reporting frequency from quarterly to annually. As mentioned above, OGD's national grant reporting policy is striving to do just that.

Timeline / Documentation

- Summer 2007 – In the FY2008 Section 319 work plan negotiation process, Region 3 clarified that states no longer need to provide an annual summary of Section 106 quarterly reports; plus, a Section 319 annual summary was never required. (Applies to W15.)
- 07/07/2008 – An XML upload process was released for GRTS. This process allows states to assemble GRTS data without being logged on. States can then log on and upload files to GRTS directly. This process cuts down on wait time and slow server issues which can occur if entering data one field at a time. In addition, GRTS recently migrated to an Oracle-based database which streamlines data entry and minimizes server issues. (Applies to W18.)
- 07/17/2007 – 07/18/2007 – At a meeting of the Partnership and Performance Workgroup of the Environmental Council of the States (ECOS), states recommended that grant progress reports should be required no more frequently than semi-annually unless there is documented need for more frequent reporting.
- 03/2008 – Region 1 confirmed with Massachusetts that the Section 319 implementation projects report is only required annually; the due date is February 15th for all states in the Region. (Applies to W18.)
- Winter 2007/2008 – Region 5 and Minnesota worked together to reduce Section 319 reporting requirements. (Applies to W36.)
- 07/29/2008 - OGD distributed the draft grant reporting policy to the co-chairs of the State Grants Workgroup, a subgroup of the ECOS Partnership and Performance Workgroup.
- Fall 2008 – OGD plans to distribute and implement final grant reporting policy.
- 09/30/2009 – OGD expects to confirm implementation by reviewing a random sample of grant awards to ensure the reporting terms and conditions adhere to the policy's maximum of semiannual reporting (except in the case of poor performers or where otherwise agreed).

EPA Responses

Nationwide Resolution		
all		***Status*** **Started But Not Finished (grant reporting policy)**
Regional Resolution(s)		
W15		***Status*** **Implemented**
W18		**Started But Not Finished**
W36		**Started But Not Finished**

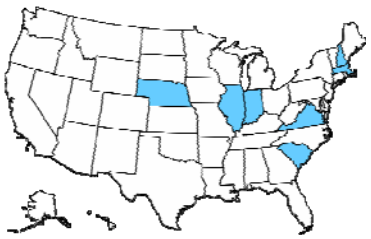
Type of Resolution: Policy

Priority Area 11 >> Disadvantaged Business Enterprise (DBE) Utilization Reporting

States asked EPA to change Minority Business Enterprise/Women Business Enterprise (MBE/WBE) reporting requirements by reducing the frequency of reporting from quarterly to annual. EPA's Office of Small Business Programs (OSBP) responded with a new rule that reduced quarterly reporting requirements to a semi-annual frequency.

For each grant and cooperative agreement awarded by EPA, the recipient must describe how they are using their funds to benefit minority- and/or women-owned enterprises. This is known as MBE/WBE utilization. Some grants/agreements require MBE/WBE utilization reporting every quarter; others require annual reporting. A new Disadvantaged Business Enterprises (DBE) Rule took effect on May 27, 2008. Among other changes, the rule instituted a requirement for semi-annual reporting for any grant or cooperative agreement that previously required quarterly reporting.

State recommendations from…



- Illinois
- Indiana
- Massachusetts
- Nebraska
- New Hampshire
- South Carolina
- Virginia

Typically, grant types that had previously reported quarterly are of a short duration. Moving to annual reporting for these grants would eliminate OSBP's opportunity to monitor compliance with the program. By the time OSBP received the annual report, the grant term would be over and efforts to ensure compliance would come too late. Grants that report annually have project periods that are longer than one year. Thus, the opportunity for program monitoring on an annual basis is sufficient. In an effort to strike a balance, lessen the reporting burden, and allow for effective program monitoring and compliance, the requirement for quarterly reporting was changed to semi-annual.

The MBE/WBE Reporting Fact Sheet lists which grants/agreements have a semi-annual reporting frequency and which have an annual frequency. Or, you may reference Section III, Part 5 of the preamble to the regulation at 73 FR 15904.

Timeline / Documentation

- 10/30/2007 – 11/01/2007 – Office of Small and Disadvantaged Business Utilization (OSDBU) national training conference was held to introduce new program requirements to EPA grantees, small businesses, and Agency personnel.
- 03/25/2008 – Email to all grantees announced the Federal Register publication date of the new regulation.
- 03/26/2008 – The final rule was published in the Federal Register at 73 FR 15904 (http://edocket.access.gpo.gov/2008/pdf/E8-6003.pdf)
- 04/23/2008 – EPA's Office of Small Business Programs (OSBP, formerly OSDBU) participated in a Region 6 state grantee teleconference to discuss program changes.
- 04/29/2008 – OSBP delivered a presentation at the State/EPA State Review Framework (SRF) Work Group Meeting on how the new Disadvantaged Business Enterprises (DBE) Rule affects the SRF Program.

EPA Responses

Nationwide Resolution		
G7		*Status* Implemented In Part

Type of Resolution: Regulatory

- 05/2008 – The DBE page of OSBP's Web site (http://www.epa.gov/osdbu/grants.htm) was launched, including program fact sheets and other resources. An online training module is forthcoming.
- 05/20/2008 – OSBP presented live training on the DBE Rule to EPA Region 5 state grantees at a joint meeting held in St. Paul, Minnesota.
- 05/27/2008 – Effective date of the DBE Rule. All grants issued after this date include detailed information on the DBE program changes, including the change to a semi-annual reporting frequency.
- 06/11/2008 – OSBP presented training to the State of Wisconsin at a meeting held in Madison.
- 10/2008 – OSBP will provide training on the DBE Rule at the State/EPA Workgroup meeting in Kansas City.
- OSBP is in the process of identifying other established state grantee meetings where participation would be most effective. Information about those meetings will be conveyed through the regional program coordinators.

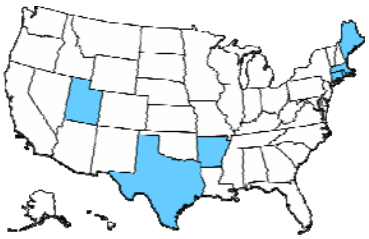
Priority Area 12 >> Underground Injection Control (UIC) Reports

The Underground Injection Control (UIC) Program is responsible for regulating the construction, operation, permitting, and closure of injection wells that place fluids underground for storage or disposal. EPA is required by the Safe Drinking Water Act (SDWA) to develop minimum federal requirements that protect public health by preventing injection wells from contaminating underground sources of drinking water.

Under the parameters of SDWA and UIC federal regulations, EPA instructs states regulators and regions, as well as owners and operators of injection wells, on how to safely operate injection wells to prevent contamination of underground drinking water resources. EPA offers extensive guidance on the UIC program, as well as grants allocated to state, territorial, and tribal UIC programs to help them enforce the minimum federal UIC requirements.

States asked to eliminate duplicative UIC reporting, reduce the frequency of reporting, and reduce the data elements requested. Additional concerns were that the UIC program is chronically under-funded, and is a relatively small grant included in the state Performance Partnership Grants (PPGs).

State recommendations from…



- Arkansas
- Connecticut
- Massachusetts
- Maine
- Rhode Island
- Texas
- Utah

EPA has responded to the states' recommendations by creating a new central UIC database, which was launched in December 2007. Testing and implementation of the new UIC database is underway, in collaboration with an integrated project team (IPT) composed of five states and seven Regional Direct Implementation (DI) programs. The IPT is collecting necessary information in order to eliminate current versions of paper and electronic reports and streamlining data elements. Additionally, a joint State-EPA Data Management Steering Committee is overseeing implementation to assure data quality and completeness. While testing is underway, early participants are still required to submit official reports in the traditional format.

EPA believes it is critical to build its capacity to access UIC well-specific information that is efficient, accurate, and usable. Once fully populated, the database will be used to respond to information requests from EPA management, Congress, and other governmental leaders and the public. Additionally, with the UIC program beginning its critical efforts to develop a national regulation for geological sequestration, EPA will need information that can be centrally housed in the database to oversee sequestration activities. For more on the proposal on federal requirements for carbon dioxide (CO_2) geologic sequestration wells, please see the July 25, 2008 Federal Register notice.

At the time of this report, EPA's goal is to have all UIC primacy programs joined to the new UIC database by 2012.

Timeline / Documentation

- 09/2005 – 12/2005 – EPA completed a state-by-state assessment of the data available from the 40 State UIC Primacy Programs. From this assessment, EPA determined data needs based on primacy data collection, existing regulations, and UIC owner/operator requirements.
- FY2007 – First round testing for pilot data system and quality of submitted data. Participants include eleven UIC programs: four states and seven EPA Regional Direct Implementation (DI) programs. Focus on Quality Assurance/Quality Control (QA/QC).
- 04/24/2007 – 04/26/2007 – EPA presented and participated in the annual EPA Exchange Network Forum, hosted by ECOS to exchange data transfer techniques and opportunities with all the state environmental agencies.
- 11/2007 – With the Ground Water Protection Council (GWPC) representing all State UIC Primacy Programs, a joint State/EPA Data Management Steering Committee (DMSC) was established and has met 4 times since and will continue to meet quarterly henceforth.
- 12/2007 – Launch of UIC Database. Since that time, data has been submitted quarterly from the initial four states and seven EPA regions based on an FY 2008 data submission schedule.
- 12/2007 – EPA's Office of Ground Water and Drinking Water (OGWDW) announced the launch of the National Underground Injection Control (UIC) Database.
- FY2008 – Second round testing year for efficacy of new data system and quality of submitted data. Participation expanded to include 16-22 additional UIC programs.
- 04/29/2008 – 05/01/2008 – EPA continues to present and participate in the annual EPA Exchange Network Forum, hosted by ECOS, to exchange data transfer techniques and opportunities with all the state environmental agencies.
- 05/2008 – EPA trained all the Regions at a special "Train-the-Trainers" meeting in order for Regions to train each primacy state to use the UIC Database.
- 09/2008 – Ground Water Protection Council Annual Forum, Cincinnati, OH. EPA Headquarters and Regions will meet for the third time in three years with all the primacy states at the national meeting of the Ground Water Protection Council (GWPC) to outline the advantages for participating in the database.
- 10/2008 – 12/2008 – Based on the training provided to the Regions in May 2008, EPA Regions will meet with every primacy state to further train the states in how to structure state databases and flow data to the EPA UIC database.
- 2008 – 2012 – With the five primacy states and seven regions that run state programs, EPA is continuing to work within an Integrated Project Team (IPT) to support the implementation of the new UIC database as models for all other primacy states and EPA regions. By the end of 2008, EPA anticipates reaching agreement with twenty-two additional UIC primacy programs on how and when to flow data into the new UIC database. Fifteen additional states (including the Navajo nation) have received EPA Exchange Network Grants through FY-08 to flow UIC data through the Exchange Network into the new UIC database. Thirty-five other UIC primacy programs will be addressed after 2008.
- More information about the agency's UIC program and specific information on UIC data under the Exchange Network framework is available online

EPA Responses

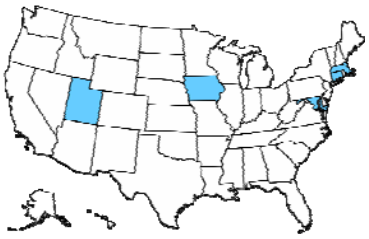
Nationwide Resolution		
W17		***Status*** **Started But Not Finished**
W26		**Will Not Be Implemented**

Type of Resolution: Policy

Priority Area 13 >> Clean Air Act (CAA) National Emissions Inventory (NEI) Reporting

Five states – Connecticut, Iowa, Maryland, Massachusetts, and Utah – recommended ways to streamline National Emissions Inventory (NEI) reporting. EPA's Office of Air Quality Planning and Standards (OAQPS), within the Office of Air and Radiation (OAR), is developing a new reporting database that will meet the states' recommendations. This database is called the Emissions Inventory System (EIS) and will be available via the Internet so that EIS stakeholders (i.e., states, local government, and Tribes) can enter and access data online. Eventually, the public will be able to view NEI data using EIS also.

State recommendations from…



- Connecticut
- Iowa
- Maryland
- Massachusetts
- Utah

There are four components to EIS:

- The EIS Gateway.
- Submission access through EPA's Central Data Exchange (CDX). CDX is the point of entry for environmental data exchanges to EPA. CDX enables EPA to work with stakeholders - including state, tribal, and local governments and regulated industries - to enable streamlined, electronic submission of data via the Internet.
- Public access to data.
- Tools and resources.

The EIS Gateway, which is a secure Web site for EIS stakeholders, is the first component under development. Parts of OAR, EPA Regions, and EIS stakeholders will be able to use the EIS Gateway. From the Gateway, stakeholders will be able to:

- Add, view, and edit facility inventory data.
- Gain access to all EIS data.
- Access emissions inventory resources (e.g., reporting instructions, reporting format, reporting code tables).

OAQPS expects to launch the EIS Gateway in October and distribute user guides at the same time. OAQPS is planning to launch the second component of EIS – submission access through CDX – in time for the 2008 inventory cycle. In other words, OAQPS plans to launch EIS by June 2009, and states will have a year to enter data for the 2008 report, which is due in June 2010. This second component also includes populating EIS with historic inventory data.

States serve on ongoing work groups to define EIS requirements and enhancements. Interested individuals may learn more at the EIS Web site. Further details about how EPA met each state's recommendations are available under the recommendations related to this priority area. Go to A1 for details about Maryland's recommendation, and go to A12 for details about the other states' recommendations.

Timeline / Documentation

- Summer 2007 - Region 3 clarified with Maryland that Region 3 grantees only need to enter their data into NEI once and by a specific due date (this process encompasses both Area Source and Mobile Source Inventories). The final negotiated FY2008 work plan commitment reflects a single due date for submission. (Applies to A1.)
- 10/2008 – Launch the EIS Gateway and provide states with user guides.
- 01/2009 – Populate EIS with historic emissions inventory data.
- 07/2009 – Allow states to submit NEI data into EIS via CDX.

EPA Responses

Nationwide Resolution		
A12		***Status*** **Started But Not Finished**
Regional Resolution(s)		
A1		***Status*** **Implemented**

Type of Resolution: Policy

Priority Area 14 >> Clean Air Act (CAA) Inspection & Maintenance Program Reporting

Vehicle inspection and maintenance (I/M) programs help improve air quality by identifying high-emitting vehicles in need of repair (through visual inspection, emissions testing, and/or downloading fault codes from a vehicle's onboard computer) and requiring repair as a prerequisite to vehicle registration within a given non-attainment area. The 1990 Amendments to the Clean Air Act made I/M mandatory for several areas across the country, based upon various criteria, such as air quality classification, population, and/or geographic location. Approximately 34 states now operate I/M programs.

Five states – Illinois, Maryland, Massachusetts, New Hampshire, and Virginia – requested changes to EPA's I/M reporting and/or program evaluation requirements. In general, the states' recommendations centered on reducing the amount and specificity of data required in the I/M regulations at 40 CFR 51.366 as well as the frequency of the required reports. Details about each state's recommendations can be found under Recommendations A10 and A21.

State recommendations from…

- Illinois
- Maryland
- Massachusetts
- New Hampshire
- Virginia

EPA is working with states to introduce more flexibility in I/M reporting. In 2007, for example, EPA's Office of Air and Radiation (OAR) provided states with a checklist enumerating the data needed for I/M reports. This checklist also provided states with an opportunity to direct EPA staff to existing sources of the data, such as Web sites or state databases. As long as EPA staff can collect necessary data from these existing sources, states need not submit to EPA a reformatted I/M report on the same data. Also, for the past two years, OAR has hosted a workshop with its Regional I/M contacts to review I/M reports received from the states and discuss program improvements based on states' submissions.

An EPA-run stakeholder group meets approximately monthly to address I/M implementation issues raised by states. EPA also co-chairs a Federal Advisory Committee workgroup, formed in 2006, which meets regularly to discuss opportunities for innovation presented by vehicle's onboard diagnostics (OBD). Starting with model year 1996, vehicles are able to store emission control status information in their onboard computers, while also alerting the driver when repairs are needed. As the percentage of the existing vehicle fleet with OBD capabilities increases over time, state I/M programs will become more standardized. The state-EPA advisory workgroup is discussing how to use OBD to reduce the implementation burden and customer inconvenience associated with I/M programs. For example, beginning in 2008 and continuing through 2009, EPA will be developing guidance to assist states with implementing and evaluating their OBD-centered programs. Furthermore, in recognition of OBD's potential to reduce the implementation burden associated with I/M programs while also increasing their cost-effectiveness, EPA amended the I/M regulations in 2001 to allow states to replace traditional tailpipe testing with OBD-based programs.

OAR welcomes further discussions with states on how to make the I/M program more effective and flexible. All states are welcome to join the monthly EPA-run stakeholder group and raise concerns and questions they may have with their I/M programs. At this time, however, EPA will not reduce reporting frequency or detail of the I/M reporting requirements. There are two reasons for maintaining the I/M reporting requirements' level of detail and frequency.

First and foremost, the program is important for controlling air pollution. Pollution from mobile sources contributes to two of our worst urban air pollution problems – smog and carbon monoxide (CO). On-road mobile source emissions account for approximately 51 percent of the CO, 29 percent of the hydrocarbons (HC), and 34 percent of the nitrogen oxides (NOx) in our nation's air (based on 1999 data, see EPA's mobile

source emissions Web page). For on-road mobile sources like cars and light-duty trucks, the I/M program is a principal method used to address mobile source pollution in severely polluted major urban areas. Detailed reports allow EPA to ensure that I/M programs are being implemented in compliance with approved State Implementation Plans. They also help EPA (and the states) identify recurring problems with specific vehicle makes or models, or with specific diagnostic equipment and can also help identify other implementation challenges that may prevent states from meeting their emission reduction goals.

The second reason EPA will not reduce reporting frequency or details right now is because the Agency has committed to a number of corrective actions for the I/M program with EPA's Office of the Inspector General (OIG). In October 2006, the OIG issued a report entitled *EPA's Oversight of the Vehicle Inspection and Maintenance Program Needs Improvement*. It found that EPA needs to improve its ability to determine whether I/M programs are achieving the emission reductions claimed by making sure that states comply with existing I/M reporting requirements. EPA's ability to reduce the reporting burden at this time is therefore limited by both the Clean Air Act's statutory requirements (in the case of mandatory program evaluation requirements) and the Agency's commitment to improve reporting compliance made in response to the IG's report. Please note, however, that part of the Agency's corrective action commitments is to comply with Office of Management and Budget recommendations for reducing state burden. The steps described above illustrate EPA's commitment to reduce reporting burden, and OAR hopes to continue working with the states to further improve the program.

Timeline / Documentation

- April 2001 – EPA publishes amendments to the I/M reporting requirements to reduce the reporting burden for states moving to onboard computer based testing.
- May 2006 – In collaboration with the National Association of Clean Air Agencies (NACAA), EPA meets with I/M states to discuss how EPA can better serve the states' needs, including EPA's commitment to use I/M test data reported by the states to identify and resolve testing issues for various makes and models of vehicles.
- September 2006 – EPA convenes an EPA-state workgroup to address innovative ways to implement I/M programs based upon OBD-based testing.
- October 2006 – OIG issues report entitled *EPA's Oversight of the Vehicle Inspection and Maintenance Program Needs Improvement*, concluding, among other things, that EPA needs to increase enforcement of the I/M reporting requirements.
- January 2007 – EPA responds to I/M audit report with a proposed Corrective Action Plan that notes, among other things, EPA's intention "To ensure that states are allowed maximum possible flexibility to provide the required information in whatever format is most convenient, in compliance with OMB recommendations for reducing the respondent burden associated with mandatory data collections."
- Winter 2007 – EPA (Region 3) clarifies with Maryland that there are no semi-annual I/M reporting requirements. (Applies to A10.)
- May 2007 – EPA develops and distributes a checklist of I/M reporting requirements to serve as a reminder to states as well as to provide states the opportunity to reduce their reporting burden by directing EPA to pre-existing reports or other sources of the required information, thereby eliminating the need to reformat the information specifically for EPA.

EPA Responses

Nationwide Resolution		
A21		***Status*** **Started But Not Finished**
Regional Resolution(s)		
A10		***Status*** **Withdrawn**

Type of Resolution:

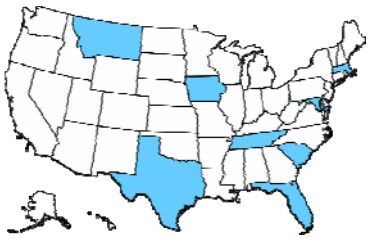
- A10: Policy
- A21: Regulatory & Statutory

Priority Area 15 >> Safe Drinking Water Information System (SDWIS)

The Safe Drinking Water Information System (SDWIS) federal and state databases contain information submitted by states, EPA regions, and public water systems in conformance with reporting requirements established by the Safe Drinking Water Act (SDWA) and related regulations and guidance. These statutes and accompanying regulations establish maximum contaminant levels, treatment techniques, and monitoring and reporting requirements to ensure that water provided to customers is safe for human consumption. The Safe Drinking Water Query within SDWIS allows users to locate their drinking water supplier and view its violations and enforcement history for the last ten years. In this manner, data management plays a critical role in helping states and EPA protect public health.

EPA's Office of Water (OW) collaborates with states on a number of groups (SDWIS Data Sharing Committee, SDWIS Data Management Steering Committee, Association of State Drinking Water Administrators, etc.) to recommend and make improvements to SDWIS and the collection of drinking water information. In addition to participation on two different data committees, there is an annual conference and monthly calls where states may raise their concerns to EPA. States had a number of recommendations related to streamlining reporting elements and eliminating duplicate reporting.

State recommendations from…



- Florida
- Iowa
- Maryland
- Massachusetts
- Montana
- South Carolina
- Tennessee
- Texas

While many of the recommendations in this priority area directly relate to changes that have been or could potentially be made to the SDWIS databases, others relate to enforcement or region-specific reports. A brief description of each is outlined as follows:

- **W1 – Streamlining SDWIS** – Massachusetts, Montana, and Texas all reported a variety of reporting that: duplicated data submitted elsewhere, required state staff to verify data, or required states to perform time-consuming queries to build a report. EPA made significant modifications to SDWIS-Fed in 2006, which has streamlined data calculation, data queries, and other data extraction. The Office of Ground Water Drinking Water (OGWDW) confirmed that data verification is necessary to ensure data quality, and is typically done biennially via national surveys.

- **W3 – Significant noncompliance reporting** – Iowa, Massachusetts, and Texas requested revisions to EPA's significant noncompliance (SNC) determinations, reporting, or verification. The modifications made to SDWIS-Fed in 2006 have corrected errors to the Public Water System (PWS) quarterly noncompliance reports and streamlined SDWIS further to generate lists of new systems in SNC. However, the new SNC calculation tool is still under development.

- **W27 – Data sharing** – Massachusetts, Maryland, Montana, and South Carolina all requested streamlining of SDWIS to contain related information and to extract the data in a more efficient manner. With the exception of Underground Injection Control (UIC) data, which is outlined in Priority Area 12, many ground water systems have already been added or will be added to SDWIS. Additionally, SDWIS has been updated for queries on public water system information.

- **W31 – Ground Water reporting** – Florida requested that the SNC report used for capacity development be eliminated. While the calculation formula for SNC that forms the basis of the capacity development report is under development (see Recommendation W3), EPA's Office of Ground Water and Drinking Water will still require that states provide reasons for systems in historical SNC or new systems in SNC. Meanwhile, Tennessee requested that SDWIS accept only changed or modified data elements. EPA

believes that the modernized SDWIS-Fed has made the electronic data exchange more efficient for updating entire data files.

- **W33 – Sanitary surveys** – Both Florida and Massachusetts made recommendations for changes to EPA's sanitary survey collection requirements. In response to Florida, EPA Region 4 has agreed that the state does not have to submit an annual list of completed sanitary surveys. Region 4 will extract this information from SDWIS-Fed, if that is what the state prefers. Massachusetts' request was to not duplicate sanitary survey data collection in both SDWIS and the Integrated Compliance Information System (ICIS). EPA confirmed that state sanitary survey information is only collected in SDWIS, and not in ICIS.

- **W34 – Operator certification** – Massachusetts asked to eliminate the annual narrative report of the operator certification program and to instead be allowed to enter the information into SDWIS. EPA plans to discuss this with its Data Sharing Committee.

Timeline / Documentation

Ongoing

States are integrally involved in making data and policy changes related to drinking water information systems. Among the ongoing activities occurring are the following:

- The SDWIS Data Sharing Committee, comprised of states and EPA, reviews and recommends changes and additions related to SDWIS. This Committee is comprised of at least 7 states and 3 EPA employees and meets monthly by conference calls. In addition, several states participate informally in this Committee.
- The SDWIS Data Management Steering Committee, comprised of states and EPA, evaluates all information system-related policy issues. This group consists of at least 7 states and 3 EPA employees and also meets monthly.
- EPA conducts monthly SDWIS primacy agency calls, which are open to all drinking water data users including states, territories, EPA Regions, and contractors to discuss anything related to drinking water data management – reporting issues, training, implementation questions, etc. Typically between 20 and 30 states participate in monthly teleconferences.
- The Association of State Drinking Water Administrators (ASDWA) and EPA jointly conduct an annual Data Management Users Conference (DMUC).
- EPA also relies on input from states in numerous ASDWA/EPA workgroups, most recently the SDWIS Requirements Session at the annual DMUC in May 2008. Visit the SDWIS Meeting and Announcements Web page to learn more about these ongoing activities.

Additional Timeline of SDWIS deliverables:

- 01/2006 – Update made to modernize SDWIS-Fed. SDWIS-Fed extracts data from SDWIS-State on a quarterly basis. This change shifted the data of record from production data, which could change at any time, to quarterly frozen data.
- 11/2007 – A Long-Term 2 (LT2) module was built into SDWIS-State.
- 2008 – SDWIS-Fed updated for entry of sanitary survey data.
- 05/06/2008 – 05/08/2008 – Nashville, TN. Annual ASDWA/EPA Data Management Users Conference.

EPA Responses

Nationwide Resolution		
W1		***Status*** **Started But Not Finished**
W3		**Started But Not Finished**
W27		**Started But Not Finished**
W31		**Will Not Be Implemented**
W33		**Implemented**
W34		**Started But Not Finished**

Type of Resolution: Policy

- 10/20/2008 – 10/22/2008 – Colorado Springs, CO. Annual ASDWA conference.
- 2008 – Data Sharing Committee will discuss whether to add data element for outstanding performers on a 5-year sanitary survey cycle.
- 2008 – Source Water Protection (SWP) element will be added to SDWIS State and Fed. See EPA's Drinking Water Data and Databases for more information.
- 2008 – Data Sharing Committee will discuss whether to evaluate options that would allow states to report reasons systems are on Significant Noncompliance (SNC) lists (as required through the capacity development reports) through SDWIS.
- 2008 – Data Sharing Committee will discuss whether to include operator certification reporting in SDWIS.
- 2008-2009 – Joint pilot testing of system-based electronic data verification tool, or SNC desktop calculator, with the Association of State Drinking Water Administrators and EPA.

Priority Area 16 >> Quarterly Grant Reports

Three states – Maryland, Michigan, and Wisconsin – recommended that grant reports be required no more than annually. EPA's Office of Grants and Debarment (OGD) is developing a standardized grant reporting policy that addresses these recommendations in three ways:

State recommendations from…

- Maryland
- Michigan
- Wisconsin

1. **Progress reports** - The policy will reduce quarterly grant progress reports to a frequency of no greater than semi-annually, except in instances of poor performers or where Regions and states have otherwise agreed. In many cases, reporting frequency will be reduced to a frequency of no greater than annually. If a state uses a Performance Partnership Grant (PPG) and the PPG encompasses only those grants/agreements with annual reporting requirements, then a progress report will be due annually. If the PPG encompasses some grants/agreements with a semi-annual frequency and some with an annual frequency, then the state will have the option to either a) report semi-annually on the entire PPG or b) report semi-annually on only those portions of the PPG that require twice yearly reporting.
2. **Financial Status Reports (FSRs)** - The policy will reduce reporting frequency for FSRs to no more than annually.
3. **Federal Cash Transaction Reports (FCTRs)** - OGD anticipates that the policy will limit FCTRs to a frequency of no more than semi-annually; however, the Office of Management and Budget and the Department of Treasury have to approve this reduced frequency before EPA can insert it in the policy.

The draft policy has been circulated for review by members of the Environmental Council of the States' State Grants Workgroup. A final version is expected in fall 2008.

Timeline / Documentation

- 07/17/2007 – 07/18/2007 – At a meeting of the Partnership and Performance Workgroup of the Environmental Council of the States (ECOS), states recommended that grant progress reports should be required no more frequently than semi-annually unless there is documented need for more frequent reporting.
- 07/29/2008 - OGD distributed the draft grant reporting policy to the co-chairs of the State Grants Workgroup, a subgroup of the ECOS Partnership and Performance Workgroup.
- Fall 2008 – OGD plans to distribute and implement final grant reporting policy.
- 09/30/2009 – OGD expects to confirm implementation by reviewing a random sample of grant awards to ensure the reporting terms and conditions adhere to the policy's maximum of semiannual reporting (except in the case of poor performers or where otherwise agreed).

EPA Responses

Nationwide Resolution		
G8		*Status* **Started But Not Finished**

Type of Resolution: Policy

Appendix:
Recommendations

Recommendations Related to the Office of Air & Radiation (OAR)

A1: Eliminate Duplicative National Emissions Inventory (NEI) Reporting

Priority Area: This recommendation falls under Priority Area 13. Click on the hyperlink to learn more about this priority area.

Status: Implemented

Trends:

- Eliminate redundant reporting
- Streamline databases

States' Original Input
• Reduce duplicative reporting/ multiple submissions in National Emissions Inventory. (MD)
EPA Response
• Region 3 grantees only need to enter their data into NEI once and by a specific due date (this process encompasses both Area Source and Mobile Source Inventories). Region 3 clarified this issue with the state through the grant work plan negotiation process. The final negotiated FY2008 work plan commitment reflects a single due date for submission.

A2: Reduce Reporting Frequency for Clean Air Act (CAA) Section 105 Grant Reporting

Priority Area: This recommendation falls under Priority Area 1. Click on the hyperlink to learn more about this priority area.

Status: Implemented In Part

Trends:

- Reduce reporting frequency
- Eliminate low-value data requirements

States' Original Input
• Change Section 105 grant work plan quarterly reports to an annual report. (AL)
• End requirement for Section 105 quarterly reports to be submitted to EPA grant personnel. Require grants personnel at the Regional level to work with program personnel in order to pull information already submitted to EPA. (KY)
• Eliminate requirement for annual narrative summary report comparing actual accomplishments to work plan's anticipated outputs/outcomes. Require only if grant requirements and commitments are not met. (KY)

- Eliminate required narrative summary of mobile source outreach and voluntary program activities in progress. (KY)
- Eliminate required narrative summary of mobile source outreach and voluntary program activities. Most, if not all, of this information may be found in the Early Action Compact progress reports. (SC)

EPA Response

- At a national level, EPA is developing a standardized grant reporting policy that will pertain to Section 105 grants, as well as a number of other grants and assistance agreements. See Priority Area 1 for more information.
- EPA Region 4 also addressed the states' recommendations:
  - **Section 105 quarterly grant reports** –
    - Alabama recommended changing from a quarterly to an annual reporting frequency. The determination of whether any one quarterly progress report currently required can be deleted from Alabama's Section 105 grant agreement needs to be made on a case-by-case basis with EPA. Alabama should discuss specific quarterly reporting items with Region 4. Alternatively, Alabama may wish to wait until the EPA-wide grant reporting policy (described in Priority Area 1) is instituted later this year. It covers Section 105 grant reporting as well as all other grant reporting.
    - Kentucky recommended that grant reports should be submitted only once – to EPA program personnel – and not a second time to EPA grant personnel. Region 4 agrees. Section 105 grant reports need to be submitted only once; all reports should be submitted to the administrative project officer.
  - **Section 105 annual narrative summary** - Kentucky recommended that the annual narrative summary be required only if grant requirements and commitments are not met. Region 4 expects grantees to provide an explanation for why commitments in their Section 105 grant work plan were not met or significantly delayed. Thus, Kentucky's position and EPA's position on this matter are essentially the same: states needs to report annually on only those grant commitments which were not met or were significantly delayed and the reasons why.
  - **Narrative summary of mobile source outreach and voluntary program activities** – Kentucky and South Carolina recommended that Region 4 eliminate the mobile sources report under Section 105 grant reporting. Region 4 agreed.

A3: Eliminate Evaluation Report on Ambient Air Monitors and Auxiliary Equipment

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by the Environmental Council of the States (ECOS) in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input

- Eliminate report on evaluation of ambient air monitors and auxiliary support equipment; eliminate certification that state completed evaluation. (SC)

A4: Eliminate Report on Technical Training

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• Eliminate annual report describing training funded with Performance Partnership Grant (PPG) funds. Successful completion of other PPG activities is evidence that staff is adequately trained. (IA) • Eliminate annual report on the technical training supported with Sec. 105 funds. (SC)

A5: Eliminate List of Metropolitan Statistical Areas for Which Air Quality Index Is Reported

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• Eliminate list of metropolitan statistical areas for which air quality index is reported to the general public. Already reported to EPA's AIRNOW Web site. (SC)

A6: Eliminate Report on "No Determinations" Under Clean Air Act (CAA) Section 112(g)

Priority: This recommendation falls under Priority Area 2. Click on the hyperlink to learn more about this priority area.

Status: Implemented

Trends: Eliminate redundant reporting

States' Original Input
• Eliminate requirement to submit a notice if no Sec. 112(g) determinations are made in a given year. It is redundant since states are required to enter determinations into the 112(g) clearinghouse. (KY) • Eliminate requirement to submit a notice if no Sec. 112(g) determinations are made. All determinations are submitted via 112(g) Clearinghouse. (SC)
EPA Response
• Region 4 removed this requirement for FY2008 for all state and local air agencies in the Region, including Kentucky and South Carolina. The twenty-four state and local agencies were notified on August 24, 2007.

A7: Eliminate Report on Prevention of Significant Deterioration/ New Source Review (PSD/NSR) Non-Applicability Determinations

Priority Area: This recommendation falls under Priority Area 2. Click on the hyperlink to learn more about this priority area.

Status: Implemented

Trends: Eliminate low-value data requirements

States' Original Input
• Eliminate requirement to report Prevention of Significant Deterioration/ New Source Review (PSD/NSR) applicability determinations resulting in non-applicability. The value of the report is unclear. The list must be prepared manually because no state or federal database requires the information but instead only requires applicability data. (KY) • Eliminate list of PSD/NSR applicability determinations resulting in non-applicability. (SC)
EPA Response
• Region 4 has met South Carolina's request. Region 4 has not required reporting on non-applicability for a number of years because South Carolina now explains why PSD/NSR does not apply in public notices for their permits. • On April 2, 2008, Region 4 and Kentucky made the same arrangement: Kentucky will note non-applicability in their public notices and thus will not be required to submit a PSD/NSR non-applicability report.

A8: Eliminate List of Maximum Achievable Control Technology (MACT) Categories for Which State Has Received Delegation

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007. But, we wanted to list it here to ensure that a full list of all states' submission is provided.

States' Original Input
• Eliminate required list of Maximum Achievable Control Technology (MACT) categories for which state has received delegation. All MACT standards already incorporated by reference and compliance status already available from EPA AIRS Facility Subsystem (AFS) database. (MT)

A9: [Recommendation deleted – same as E14]

In March 2008, EPA released a draft progress report on the Burden Reduction Initiative. The March report is the first time codes such as "A9" and "E14" were introduced. The same codes are used herein. Because this report's primary audiences – state and EPA personnel working on the Initiative – are familiar with the March report, it is important to offer an explanation when a recommendation that was in the previous report does not appear here. In the case of A9, it was deleted because it was identical to the recommendation in E14.

A10: Reduce Reporting Frequency of the Inspection and Maintenance (I/M) Semi-Annual Report

Priority Area: This recommendation falls under Priority Area 14. Click on the hyperlink to learn more about this priority area.

Status: Withdrawn

Trends: Reduce reporting frequency

States' Original Input
• Eliminate the Inspection and Maintenance semi-annual report. Change to annual reports. (MD)
EPA Response
• A staff person in Maryland was under the impression that there are semi-annual I/M reporting requirements, but this is not the case. There are no twice yearly I/M reporting requirements. Region 3 has clarified this with Maryland.

A11: Eliminate Quarterly Report on Conformity Consultations

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• Eliminate quarterly report on conformity consultations. EPA already has this information. (MD)

A12: Streamline National Emissions Inventory (NEI) Reporting

Priority Area: This recommendation falls under Priority Area 13. Click on the hyperlink to learn more about this priority area.

Status: Started But Not Finished

Trends:
- Eliminate redundant reporting
- Streamline databases

States' Original Input
• Eliminate multiple submissions required under the National Emissions Inventory (NEI), Area Source Inventory, and Mobile Source Inventory. (CT)

- State is required to report two types of emissions data for NEI: 1) data from large point sources (on an annual cycle) and 2) data from all point, nonpoint, and mobile sources (on a three-year cycle). State must transfer data from State's Oracle database to EPA's Access database. Specific coding requirements called NEI Input Format (NIF) make entry into Access database highly burdensome. Loosen NIF coding requirements. (IA)
- Facility and emission point location information is required in both latitude/longitude (lat/long) and universal transverse mercator (UTM). Eliminate use of UTM systems and rely solely on lat/long. Modify requirements for non-major sources so they need only report the lat/long for the facility as the location of the emission release point. (MA)
- Modify data required for emission release points for non-major sources. Require detailed emission release point information for major sources only. Specifically, non-major sources should not be required to complete, or the state submit, the following data elements: emission release point height measure, emission release fugitive width, emission release point fugitive release angle, emissions release point stack fence line distance measure, emissions release point stack diameter, emission release point exit gas velocity measure, emissions release point exit gas flow rate measure, and emissions release point exit gas temperature. (MA)
- EPA has replaced, added, or augmented Utah's NEI data with other data, such as TRI, acid rain, etc. Once EPA has made modifications to data, responsibility for the data should fall to EPA. Manipulated data should be identified for the public. (UT)

EPA Response

- EPA's Office of Air Quality Planning and Standards (OAQPS), within the Office of Air and Radiation (OAR), is developing a new reporting database that will meet the states' recommendations. It is called the Emissions Inventory System (EIS). Go to Priority Area 13 for a general overview of OAQPS' activities.
- Specifically, here's how EIS will address each state's concerns:
  - **Connecticut** – EIS will create one submission process. States will have an opportunity to review data before it is finalized, but the review is voluntary.
  - **Iowa** – EIS will make data submission more efficient. It will allow batch XML export from a state database into EIS via EPA's Central Data Exchange (CDX). In other words, states will be able to transfer data *en masse*, and XML will help translate data from one type of database to another. "XML" stands for Extensible Markup Language. Its primary purpose is to help information systems share structured data, particularly via the Internet.
  - **Massachusetts** – EIS will use only lat/long facility and emission point location information. In EIS a single facility lat/long will be required. States will also have the option of submitting a lat/long for each of their emission release points. If states do not submit lat/long for an emission release point, the facility location will be used. EIS will give states an informational warning message alerting them to this fact.

    As for Massachusetts' second request – to modify data required for non-major sources – the EIS state-EPA work groups are addressing the required data elements. The September 2006 *Draft Report: Development of a New Business Process for EPA's Emissions Inventory System* (found on the EIS Web site) explains anticipated data requirements as follows:

    > "The content of the EPA emissions inventory developed through this reengineered business process does not differ significantly from the historical emissions inventories for the 2002 and earlier cycles. However, the categories of emissions inventory data and how these data are processed have undergone streamlining and automation. Many procedures are reduced in complexity and no longer require intensive augmentation of data from other sources. Instead, they rely more on reported data from submitters and better quality assurance processes to screen out incorrect or erroneous data from being incorporated into the inventory.

"Additional new tools, quality checks, and new processes assist submitters, reviewers, and data consumers with extensive data analysis and information dissemination presentation materials. Most of this information is made available to the State, Local, Tribal and EPA agency users through the incorporation of the EIS web portal and through a public data website." (See pg. 23.)

Interested individuals may learn how to join the state-EPA work groups at the EIS Web site.

- **Utah** – OAQPS does indeed incorporate additional data into the NEI beyond what the states have submitted. EIS will be able to capture multiple emission numbers and will clearly indicate the source of each number.

A13: Eliminate Requirement to Report on Every Air Program Variance Request

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input

- State must submit a form to EPA for each variance request received by the air program. Eliminate requirement. Instead, accept list of variance requests in semi-annual report. (NE)

A14: Reduce Frequency of Certifying Air Quality System (AQS) Data

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input

- Return to a 6-month deadline for certifying Air Quality System (AQS) data, rather than the recently instituted 4-month deadline. Eliminate requests for information that is already submitted to AQS. Make data in AQS available through the Exchange Network. Better train EPA Regional staff so they can better query their own database. (OR)
- Provide resources to meet expanding AIRNOW requirements, such as met, SO2, and NOx data. Provide resources for forecasting ozone and PM levels. EPA should make it a priority to move the AIRNOW system to the Exchange Network (which is now being piloted in NJ) and make AIRNOW reporting more consistent with the AQS data system. (OR)

A15: [Recommendation deleted – incorporated into Recommendation A2]

In March 2008, EPA released a draft progress report on the Burden Reduction Initiative. The March report is the first time codes such as "A15" and "A2" were introduced. The same codes are used herein. Because this report's primary audiences – state and EPA personnel working on the Initiative – are familiar with the March report, it is important to offer an explanation when a recommendation that was in the previous report

does not appear here. In the case of A15, it was deleted because the recommendations in A15 were identical to two of the recommendations under A2.

A16: Modify PM_{10} Reporting in Aerometric Information Retrieval System (AIRS)

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• Regulation requires PM_{10} data to be reported in Aerometric Information Retrieval System (AIRS) using standard conditions rather than local conditions. Revise regulation so it requires reporting using local conditions, as required by $PM_{2.5}$ regulations. (NY)

A17: Eliminate Annual Progress Reports for Clean Air Act (CAA) Sections 111(d) and 129

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• Eliminate annual reports on progress of Sections 111(d) and 129 Plans. (SC)

A18: Eliminate Semi-Annual Summary of Actions Taken on Clean Air Act (CAA) Title V Permit Application

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• Eliminate semi-annual summary of actions taken on Title V permit applications. State already submits data to Region on each action taken. (MA)

A19: Streamline State Implementation Plan (SIP) Rulemaking Process

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• Draft State Implementation Plan (SIP) revisions have been sent to EPA for comments prior to

beginning the rulemaking process. After those comments were addressed and the process initiated, different EPA staff reviewed the submittal and provided more comments. EPA should provide all its comments during the draft phase. EPA has reviewed information and agreed to support the submittal and then withdrew their support during the process. EPA should not put the state in the awkward position of having to withdraw a proposal that it said it would support. (AL)

- SIP development begins with a very burdensome EPA rulemaking process. States cannot participate in the rule development and then are given only a short time to evaluate the proposed rule and comment. Final rules typically come out with no implementation guidance. Guidance that is promised is late, making it difficult to meet SIP deadlines. The process is so slow that it is almost impossible to prepare and submit a SIP before there are significant program, guidance, or personnel changes that negate the process. (NV)

A20: Improve the Federal Air Program Rulemaking Process

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input

- Federal rulemaking process does not allow for enough state participation. States cannot participate in the rule development and then are given only a short time to evaluate the proposed rule and comment. Final rules typically come out with no implementation guidance. Guidance that is promised is late, making it difficult to implement within regulatory time frames. Verbal guidance is inconsistent between Regions and Headquarters. We do not have adequate resources to review rules as they are proposed, adopt new state rules consistent with the federal rules, or update related agreements. (NV)

A21: Reduce Data Elements Required in Inspection & Maintenance (I/M) Reporting

Priority Area: This recommendation falls under Priority Area 14. Click on the hyperlink to learn more about this priority area.

Status: Started But Not Finished

Trends:
- Reduce reporting frequency
- Eliminate low-value data requirements
- Streamline databases

States' Original Input

- Review and update Inspection/ Maintenance (I/M) reporting and program evaluation requirements to reduce burden and require only data that is of value. State does not receive feedback from EPA as result of submitting the required reports and therefore cannot determine value of such high-burden reporting. The efficacy of detailed I/M data reports is questionable; in cases where EPA provides technical evaluation and assistance, states submit the required test data apart from the detailed I/M reports. (IL)
- Eliminate biennial report. Add data elements in the biennial report that are not presently in the annual

report to the annual report. Then, require only the annual report. (MA)

- Streamline annual inspection/ maintenance data reports. Eliminate specific data elements required under 40 CFR 51.366 and replace with more general requirements for overall program statistics. Manipulating data into the format specified by the regulation requires considerable effort. (NH)
- 40 CFR 51.366 Annual I/M data reporting – Summary statistics of I/M program – This reporting requirements is a significant expense in terms of staff time. Additionally, the program is a biennial program. If reports are needed, then the reporting frequency should be every 2 years, at a minimum, to capture a picture of the entire program. There is no evidence that the Regional Office looks at these reports. EPA should compile and make the reports available. Only data useful in evaluating programs should be maintained. Since it is a biennial program, the reporting frequency should be changed to biennially, at a minimum. (VA)
- 40 CFR Section 51.353(c) Biennial Program Evaluations – Summary statistics of I/M program – Since OBD test results do not provide quantitative emissions reductions, it is extremely expensive to gather the data necessary to prepare this report. This requirement should be dropped or redefined with specific, cost-effective procedures. (VA)

EPA Response

- EPA senior leadership will meet in fall 2008 to discuss if and how these recommendations will be implemented. Further discussion is needed for two reasons:
  - The I/M program provides important environmental protection from excessive pollution from on-road mobile sources. Further, some of the recommendations may require statutory change. The biennial I/M program effectiveness evaluation requirement is a Clean Air Act requirement under Section 182(c)(3)(C) and the annual reporting requirements are regulatory (40 CFR 51.366). These requirements are necessary tools to address mobile source pollution in the more severely polluted major urban areas
  - Meeting the states' requests may contradict earlier commitments for corrective actions negotiated with EPA's Office of the Inspector General. An audit report by EPA's Inspector General (IG), conducted in October 2006, found that many states were not complying with existing I/M reporting requirements. (See *EPA's Oversight of the Vehicle Inspection and Maintenance Program Needs Improvement*).

A22: Streamline Public Notice Requirements for State Implementation Plan (SIP) Permits

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input

- Eliminate requirement to submit all public notices for all permits, which would allow state to revise its regulation to issue public notices on all permits. (NE)

A23: Streamline Reporting on Ethanol Permit Applications and Prevention of Significant Deterioration (PSD) Applications

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• Eliminate requirement to submit all information regarding ethanol permit applications and Prevention of Significant Deterioration (PSD) applications. Provide only PSD public notice. If EPA comments, follow up with responsiveness summary. (NE)

A24: Eliminate Annual Monitoring Equipment Purchase Form under Clean Air Act (CAA) Section 105

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• Eliminate annual form documenting monitoring equipment purchased. Equipment purchase plans are documented in grant application. (SC)

A25: Eliminate Duplicative Inventory Reporting [newly added]

In August 2007, EPA released its first progress report on this Burden Reduction Initiative. In March 2008, EPA released a second progress report in draft form only. EPA has tried to maintain consistency between this progress report and the earlier ones because the primary audiences for this report – state and EPA personnel working on the Initiative – are familiar with the previous reports. In some instances, however, it was necessary to deviate from the previous reports. A25 is one of those instances.

A25 was added to this report after not appearing in a previous progress report because the original state submission did not fit under any of the existing recommendations. But, A25 is not addressed in this progress report because of the focus on the 16 priority areas. Still, it is listed here to ensure that a full list of all states' submission is provided.

States' Original Input
• The Iowa Department of Natural Resources (DNR) is required by the Consolidated Emissions Reporting Rule (CERR-40 CFR Part 51) and Air Emissions Reporting Rule (AERR) to report emissions data annually to EPA. The AERR is currently just a proposed rule. There are also annual emissions inventory requirements in the Clean Air Interstate Rule (CAIR), starting with the 2008 emission year. EPA should eliminate duplicative inventory reporting requirements by modifying these rules as appropriate. (IA)

Recommendations Related to the Office of Enforcement & Compliance Assurance (OECA)

E1: Reduce Data Requirements for Integrated Compliance Information System (ICIS)

Priority Area: This recommendation falls under Priority Area 6. Click on the hyperlink to learn more about this priority area.

Status: Started But Not Finished

Trends:

- Eliminate redundant reporting
- Streamline databases
- Eliminate low-value data requirements

States' Original Input
• Reexamine current proposed reporting requirements for the Integrated Compliance Information System (ICIS) and negotiate with states a more reasonable data set. New proposed reporting requirements for ICIS will require additional information for the National Pollutant Discharge Elimination System (NPDES) minor facilities (more than Permit Compliance System (PCS)), as well as substantial information on concentrated animal feeding operations (CAFOs), Sanitary Sewer Overflow (SSO), biosolids, pretreatment, and stormwater programs. Collecting the required data will impose an enormous burden. (AZ) • EPA is pursuing adopting new Water Enforcement National Database (WENDB) data elements that include fields that cover compliance monitoring and evaluation data at CAFOs. EPA wants this data added into ICIS. (IA) • New requirements being implemented by ICIS are extremely burdensome. Current state databases do not capture all of the new elements proposed for ICIS. ICIS requirements should be more in line with current PCS requirements. (MI) • NPDES permitted facilities and compliance issues are maintained on a state database that meets tracking and reporting needs. ICIS provides no value to state and requires over 100 additional data elements not used by state. State will no longer input data to ICIS and will provide NPDES data through Exchange Network instead. (NV) • Consider alternative suggested by the Association of State and Interstate Water Pollution Control Administrators/Environmental Council of the States (ASIWPCA/ECOS) position paper. Consider ways to minimize the expansion of state reporting burden via ICIS. (NY)
EPA Response
• EPA is pursuing a consolidated response for Recommendation E1, E2, and E3. Please read the summary of this response in the Priority Area 6 overview.

E2: Reduce Data Elements in ICIS' Required Integrated Compliance Information System Data Elements (RIDE)

Priority Area: This recommendation falls under Priority Area 6. Click on the hyperlink to learn more about this priority area.

Status: Started But Not Finished

Trends:
- Streamline databases
- Eliminate low-value data requirements

States' Original Input
• Due to the complexity of the transactional reporting approach for Integrated Compliance Information System (ICIS) and compounded by the number of data elements in the Required Integrated Compliance Information System Data Elements (RIDE), providing data into ICIS requires inordinate resources from the state. RIDE does not take into account such processes as general permits and does not differentiate between oversight by EPA and the day-to-day management by the state. As the states noted in the "States' White Paper: Alternative Approaches for States to Provide EPA with National Pollutant Discharge Elimination System (NPDES) Information," we propose that summary data would address EPA's needs at a reduced burden to the state. (NJ)
• Expanding what is required in Permit Compliance System (PCS) under ICIS-RIDE is burdensome. Require only that which is already required by PCS. (VA)
EPA Response
• EPA is pursuing a consolidated response for Recommendation E1, E2, and E3. Please read the summary of this response in the Priority Area 6 overview.

E3: Streamline Data Requirements in NetDMR for NPDES Discharge Monitoring Reports (DMR)

Priority Area: This recommendation falls under Priority Area 6. Click on the hyperlink to learn more about this priority area.

Status: Started But Not Finished

Trends:
- Eliminate low-value data requirements
- Additional resources needed for additional requirements

States' Original Input
• The Integrated Compliance Information System's (ICIS) required data changes amount to an unfunded mandate. If EPA changes the data system codes or fields, it should also fund the states' efforts to implement the changes. (MD)
• The National Pollutant Discharge Elimination System (NPDES) data required of state will expand substantially. The increase includes both the kinds of data and the number of facilities that will need to submit data. Allow the requirements to be phased in over time and allocate resources to states for

this work. (OR)

EPA Response

- EPA is pursuing a consolidated response for Recommendation E1, E2, and E3. Please read the summary of this response in the Priority Area 6 overview.

E4: Eliminate NPDES Annual Noncompliance Report (ANCR)

Priority Area: This recommendation falls under Priority Area 5. Click on the hyperlink to learn more about this priority area.

Status: Started But Not Finished

Trends: Eliminate redundant reporting

States' Original Input

- Eliminate the National Pollutant Discharge Elimination System (NPDES) Annual Noncompliance Report (ANCR) under 40 CFR Part 123.45. Data retrieval from EPA is incorrect so report is not valid. Unable to determine what it is used for. (NE)
- Eliminate ANCR. Non-major discharger data is now entered in the Permit Compliance System (PCS). More meaningful reports can provide the same information from PCS. (SC)
- 1) At a minimum, change the reporting cycle for the ANCR to the federal fiscal year so that enforcement data that is required can also be used for the State Review Framework (SRF).
  2) Consider suspending the ANCR until all states are required to enter enforcement data in federal database.
  3) Alternatively, eliminate ANCR and used SRF process for EPA to oversee state enforcement activity for NPDES minors. (TX)

EPA Response

- EPA's Office of Enforcement and Compliance Assurance (OECA) is in the process of developing a new regulation – called the NPDES Program Management Information Rule -- that will address a number of NPDES data reporting issues. As part of this new rule, OECA plans to propose eliminating or modifying the requirement that states submit the ANCR. OECA's plans are contingent on the final rule requiring that reporting entities input discharge monitoring report data for "minor dischargers" into the Integrated Compliance Information System (ICIS). (ICIS is replacing the Permit Compliance System (PCS).) As long as the ICIS data requirements defined by the rule include data on "minor dischargers," then the information that comprised the ANCR can be retrieved from ICIS rather than being manually submitted by states.
- Currently, OECA projects the final rule will be published by October 2009. Until the rule becomes effective, the ANCR remains as a regulatory requirement.

E5: Eliminate Reporting Enforcement and Compliance Assurance Priorities (RECAP) Report

Priority Area: This recommendation falls under Priority Area 7. Click on the hyperlink to learn more about this priority area.

Status: Implemented

Trends: Eliminate redundant reporting

States' Original Input
• The Reporting Enforcement and Compliance Assurance Priorities (RECAP) report consists of a set of retrievals from the Permit Compliance System (PCS) database. The Region should run this report from PCS rather than requiring the state to do it. (TX)
EPA Response
• The RECAP report has not been required nationally for several years. Region 6 had been requiring this report but now agrees that the report can be generated internally. In order to aid discussions about compliance activities, however, Region 6 recommends that states retrieve data from PCS or the Integrated Compliance Information System (ICIS) on the same date as Region 6 to ensure that the state and EPA are reviewing the same data. This will help EPA and the states identify and resolve discrepancies. Region 6 sent a letter to all Region 6 states on 08/29/2008 notifying them that the RECAP report is not required.

E6: Eliminate or Reduce Frequency of Clean Air Act (CAA), Clean Water Act (CWA), and Resource Conservation and Recovery Act (RCRA) Quarterly Watch Lists

Priority Area: This recommendation falls under Priority Area 7. Click on the hyperlink to learn more about this priority area.

Status: Will Not Be Implemented

Trends:
- Reduce reporting frequency
- Eliminate redundant reporting

States' Original Input
• Eliminate the Watch Lists. EPA creates Watch Lists from 6-month-old data. Most facilities on the lists are due to poor Permit Compliance System (PCS) data. (NE)
• Preparing Watch Lists for the Clean Air Act, Clean Water Act, and Resource Conservation and Recovery Act has been an unfunded mandate from EPA. It is tremendously time-consuming to compile the information for the Watch Lists. Individual enforcement resources have to be researched in the state and Federal databases and summary information sent in a specific format to EPA. Eliminate the Watch Lists. Several mechanisms already allow for oversight, such as Performance Partnership Grant (PPG) reporting. If the Watch Lists are retained, have the Region prepare the lists instead of the state. Another option would be to focus the Watch Lists on specific cases. Finally, if

the lists are not eliminated, reduce the frequency from quarterly to semi-annually or annually. (TX)

EPA Response

- EPA will not implement the states' recommendations. The Watch List is a tool for EPA and the states to identify and improve management of those facilities that appear to have long standing and unaddressed significant non-compliance problems. The Watch List is created by EPA from existing data that the states enter into three national EPA systems that track compliance under the National Pollutant Discharge Elimination System (NPDES), Resource Conservation and Recovery Act (RCRA), and Clean Air Act (CAA) stationary source program. EPA provides states with an easy-to-use tool in the Online Tracking Information System (OTIS). It allows each state to generate their Watch List for NPDES, RCRA, and CAA with the click of a button. The respective quality of the state's data will be reflected by the list.
- The method Texas has chosen to provide information on the CAA Watch List makes it more burdensome for them, as well as for the Region. For example:
  - The April 2008 CAA Watch List pulled from OTIS contained 70 facilities plus five EPA lead facilities; the list Texas generated for the CAA had 314 facilities plus 23 EPA lead facilities.
  - For the CWA Watch List, Region 6 currently sends the Watch Lists to Texas because the state does not put enough information into the Permit Compliance System (PCS) to enable Region 6 to respond to the Watch List for their facilities. This is particularly true for pending and planned enforcement actions.
- The two examples above demonstrate the need to continue using the Watch Lists. They help to ensure that states and Regions are talking about the same universe of significant non-compliers, and they help ensure that the appropriate quality of data is maintained.

E7: Improve Data Management in Enforcement and Compliance History Online (ECHO) and Resource Conservation and Recovery Act Information Database (RCRAInfo)

Priority Area: This recommendation falls under Priority Area 8. Click on the hyperlink to learn more about this priority area.

Status: Implemented

Trends: Streamline databases

States' Original Input

- Improve EPA handling of data submitted by states and then used in databases such as the Enforcement and Compliance History Online (ECHO) system. The Watch List for air, water, and waste is an EPA enforcement tool. Since data originated in the states, state agencies receive criticism over incorrect information in ECHO. States should not be expected to check these EPA databases and find the things that need correcting. (MD)

EPA Response

- EPA's Office of Enforcement and Compliance Assurance (OECA) manages the ECHO Web site and the underlying Integrated Data for Enforcement Analysis system (IDEA) (which is a database that compiles facility information from a number of disparate EPA databases and feeds it into ECHO). OECA has already taken many steps to reduce the formerly lengthy process for corrections to data from states:

- The top of each ECHO facility Web report has a "Report Error" link so the facilities, states, and public have easy access to the error correction process. Error notifications are routed to EPA and state data contacts so they are aware of possible errors and can make corrections in program databases.
- Data in ECHO is updated on a monthly basis. Data is normally updated around the third week of each month. Each facility report generated is date stamped. EPA National databases (containing state and federal data) used in ECHO include the:
  - Air Facility System (AFS) – collects Clean Air Act data
  - Permit Compliance System (PCS) – collects National Pollutant Discharge Elimination System (NPDES) data
  - Integrated Compliance Information System - National Pollutant Discharge Elimination System (ICIS-NPDES) – Is replacing PCS at the NPDES data system
  - Resource Conservation and Recovery Act Information System (RCRAInfo) – collects Resource Conservation and Recovery Act data
- Federal-only databases used in ECHO include the:
  - Integrated Compliance Information System (ICIS) – collects multi-statute enforcement data from Regions
  - National Compliance Database (NCDB) - contains records about the Emergency Planning and Community Right-to-Know Act; the Federal Insecticide, Fungicide, and Rodenticide Act; and the Toxic Substances Control Act
- OECA has conducted random audits of ECHO to ensure a high level of data quality. You may review these audits online.
- EPA continues to accept comments on improving ECHO at echo@epa.gov.
- EPA provides extensive metadata and background on ECHO to help the public understand the data and know its limitations.

E8: [Recommendation deleted – same as W39]

In March 2008, EPA released a draft progress report on the Burden Reduction Initiative. The March report is the first time codes such as “E8” and “W39” were introduced. The same codes are used herein. Because this report’s primary audiences – state and EPA personnel working on the Initiative – are familiar with the March report, it is important to offer an explanation when a recommendation that was in the previous report does not appear here. In the case of E8, it was deleted because the recommendations in E8 were identical to the recommendations under W39.

E9: Eliminate Water Program Chronic Non-Compliers Report

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by the Environmental Council of the States (ECOS) in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states’ submissions is provided.

States’ Original Input
• Eliminate the chronic non-compliers report for water program, which has no prescribed format or required level of detail. State is unclear of the purpose or necessity of report. Instead, discuss chronic

non-compliers in annual or quarterly program reviews. (KS)

E10: Eliminate Reports That Can Be Retrieved From the Permit Compliance System (PCS) or Enforcement and Compliance History Online (ECHO)

Priority Area: This recommendation falls under Priority Area 8. Click on the hyperlink to learn more about this priority area.

Status: Withdrawn

Trends: Eliminate redundant reporting

States' Original Input
• Data reporting from the Permit Compliance System (PCS) and the Enforcement and Compliance History Online (ECHO) is burdensome. It would be more efficient for EPA to pull out the information directly from the database; instead, states have to report it to the Region in hard copy. (MD)
EPA Response
• Region 3 and Maryland are in agreement that no further action is necessary at this time. It was resolved on a September 2007 conference call during which Maryland indicated that it was not a concern at present. • Maryland's recommendation refers to the electronic transmission of data through PCS, which is then displayed on the ECHO Web site. Once Maryland's data system (TEMPO) is technologically capable of interfacing with EPA's Integrated Compliance Information System (ICIS), which is replacing PCS, this request may be revisited to ensure that burden has been reduced.

E11: Improve the Wet Weather Initiative

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• Provide additional resources for state to implement the Wet Weather Initiative or allow states to pursue wet weather sources as they see fit. (VA)

E12: Eliminate NPDES Semi-Annual Statistical Summary

Priority Area: This recommendation falls under Priority Area 5. Click on the hyperlink to learn more about this priority area.

Status: Started But Not Finished

Trends: Eliminate redundant reporting

States' Original Input
• Eliminate the double violation semi-annual reports. The quarterly non-compliance report can catch this. (NE) • Eliminate duplicative semi-annual statistical summary report. Same information can be found in quarterly non-compliance report and in a more meaningful format. (SC)
EPA Response
• EPA's Office of Enforcement and Compliance Assurance (OECA) is in the process of developing a new regulation that will address a number of National Pollutant Discharge Elimination System (NPDES) enforcement reporting issues. As part of this new rule, OECA plans to propose to eliminate the requirement that states submit the Semi-Annual Statistical Summary. Currently, OECA projects the final rule will be published by October 2009. Until the rule becomes effective, the Semi-Annual Statistical Summary remains as a regulatory requirement.

E13: Eliminate Asbestos Data Report

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• Eliminate asbestos data report (Asbestos Contractor Tracking System (ACTS)/National Asbestos Registry System (NARS)). EPA does not provide adequate funding for asbestos program. (SC)

E14: Eliminate Annual Monitoring Report under Clean Air Act (CAA) Section 105

Priority Area: This recommendation falls under Priority Area 7. Click on the hyperlink to learn more about this priority area.

Status: Implemented

Trends: Eliminate redundant reporting

States' Original Input
• Eliminate annual monitoring report. Same information is submitted via EPA's database. For the

annual report, state extracts data from EPA database and submits same information via hard-copy report. (NE)

EPA Response

- Region 7 and Nebraska Department of Environmental Quality (NDEQ) reached agreement through the FY 2008-2009 Air Section 105 grant negotiation process to reduce the hard copy enforcement action documents that are required to be submitted to Region 7. Commitment 1.15 from NDEQ's Section 105 work plan says:

  "NDEQ will provide EPA with correspondence and information related to NOVs at Class I and Class II synthetic minor facilities. EPA will provide NDEQ with the same type of information and correspondence regarding any federal enforcement action at any air facility in the State of Nebraska, including those under the jurisdiction of the local agencies. It is acceptable to provide this information either electronically or via hard-copy. "
- The commitment requests that NDEQ provide notice of violations. It does not specify how. EPA is happy to receive them by mail or electronically. This is left up to NDEQ on how they will meet the commitment. To clarify, this commitment does not require a report, but rather a list of notices of violation issued by NDEQ.
- If the Section 105 project officer has not seen a copy of a notice of violation, he or she may request a copy during monthly conference calls. If the project officer does indeed ask for a copy of a notice of violation, he or she receives it electronically. Such requests are made only as needed for discussion purposes with NDEQ on high priority violations.

E15: Streamline AIRS Facility Subsystem (AFS), Air Quality System (AQS), and Aerometric Information Retrieval System (AIRS)

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input

- Eliminate following AIRS Facility Subsystem (AFS) reporting requirements: 1) stack test review reporting, 2) Title V annual certification review reporting, and 3) reporting of HPV criteria code, violating pollutant, and method of violation discovery.#1 and #2 are already reported to EPA. The value of #3 is unclear and EPA personnel have been unable to explain the value to the state. (IL)
- AFS requires an 8-digit identification code for each air emission or regulated facility. The code is comprised of a state code, a county code, and a 5-digit facility ID number. Currently, the state uses an Air Quality Control District code (AQCR) in place of the county code. The AQCR has been used since the late 1970s and some state air quality regulations are AQCR bases. On the other hand, counties in the state are meaningless and some have been abolished. Therefore, the AQCR has more meaning than the county. State proposes to delay renumbering of air facilities using county code until such time as EPA's data system can allow inclusion of both the county code and AQCR. Expedite the AFS modernization project (currently scheduled to begin in 2008) or allow state to continue use of AQCR in place of county code until the AFS modernization is complete. (MA)
- Air Quality System (AQS)/AFS AIRS is antiquated. Difficult to enter and retrieve information. Many data elements not used by the state. State maintains its own database for tracking and reporting. (NV)
- Modify the AFS. Use the exact same field names throughout the system. Provide more explanation of error codes. Streamline the batch file upload process. Change to an XML submittal of AFS batch files

through the Exchange Network as soon as possible. Improve readability of QA output files. Complete AFS modernization earlier than 2011. Implement an enterprise architecture approach. Create a version of the Universal Interface that runs as EPA Headquarters. (OR)

E16: Eliminate Requirement to Submit National Pollutant Discharge Elimination System (NPDES) Enforcement Documents

Priority Area: This recommendation falls under Priority Area 7. Click on the hyperlink to learn more about this priority area.

Status: Implemented In Part

Trends: Eliminate low-value data requirements

States' Original Input

- Eliminate requirement to submit National Pollutant Discharge Elimination System (NPDES) enforcement documents and associated correspondence as well as NPDES inspection reports. Provide a provision in the Performance Partnership Agreement (PPA) that state will provide e-copies of documents for specific cases upon request from Region. (CO)

EPA Response

- Current PPAs and original delegations with Region 8 states require Colorado to submit at least part of their universe of NPDES enforcement documents, correspondence, and inspection reports. But in FY2008, the Region agreed to reduce reporting by Colorado. Specifically, Colorado will provide a subset of inspection reports to EPA (reports for majors, concentrated animal feeding operations (CAFOs), and storm water inspection reports which have been completed by contractors). Other reports will not be submitted, but will be available for EPA review at the state offices.
- Region 8 reviewed reporting requirements in light of the revised National State Review Framework (SRF) process. Changes to the SRF can be tracked online. Region 8 has issued specific Regional guidance which reflects the changes.
- In May 2008, the Region issued revised PPA guidance to the states for FY 2009. The inspection reports the Region is requesting through the PPA is dependent on the quality of reports reviewed through the SRF and end of year reviews for each state. In FY 2009, the Region and Colorado have agreed to the same subset of inspection reports as in FY2008.

E17: Eliminate Significant Industrial User (SIU) Semi-Annual and Annual Reports

Priority Area: This recommendation falls under Priority Area 7. Click on the hyperlink to learn more about this priority area.

Status: Started But Not Finished

Trends: Eliminate redundant reporting

States' Original Input
• Eliminate significant industrial user (SIU) semi-annual and annual reports. EPA can generate these reports from the Integrated Compliance Information System (ICIS). There is no Headquarters requirement for the report; only a Performance Partnership Grant (PPG) requirement. (NE)
EPA Response
• The Nebraska Department of Environmental Quality provided Region 7 with a list of National Pretreatment Program (NPP) facilities. Subsequently, the Region changed ICIS so that these facilities are now distinguishable from NPDES permit holders. As of July 2008, the Region has committed to attempting to run the reports using ICIS as the source.

E18: Eliminate Quarterly Narrative Summary of Compliance Assistance for Non-Title V Sources

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• Eliminate quarterly narrative summary of compliance assistance activities for "conditioned" non-Title V and synthetic minor sources. (SC)

E19: Reduce Data Required for Resource Conservation and Recovery Act (RCRA) Enforcement Reporting

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• Reduce the level of reporting by state to be consistent with other states within the Region as well as nationally. Currently, state must provide copies of all (100%) enforcement and compliance documents to Region, including inspection reports, enforcement actions, penalty calculations, related correspondence, sampling data, and settlement documents. (UT)

E20: Eliminate Civil Dockets Reports

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• Eliminate requirement to provide EPA Regional enforcement staff with updates on litigation and enforcement cases. The report is generated by another entity (the State Attorney General's Office)

and it taxes their already stressed workload. EPA staff are provided more current information, on a case-by-case basis, through other channels (e.g., meetings, telephone calls, correspondence). (VA)

E21: Improve Process for Implementing Innovative Programs

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input

- When a state proposes to implement an innovative strategy, EPA requires the state to develop a baseline even if a similar strategy has been implemented in another state. We understand EPA's need to measure outcomes, but when such baselines are not required for traditional approaches we feel that innovative approaches are at a significant disadvantage due to extra reporting and recordkeeping burdens. (CO)
- EPA and states need to create easy, predictable formula for trading resources from traditional to innovative programs. Creating the "currency" is imperative in order to prevent the application process from becoming arbitrary and overly burdensome. The formula needs to take into account both the "environmental footprint" of the sources as well as their environmental performance. Also, EPA and states needs to clearly articulate end-of-year reporting requirements on the innovation. The requirements should not be additive and should replace existing requirements to the extent they are duplicative. (MA)

E22: Improve Award Process for Asbestos Compliance Monitoring Grants

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input

- Asbestos grants – EPA continues to have a competitive grant process for states with an excellent track record, which have received such grants for over a decade. States do not think they should still compete for these grants. (MD)
- The Region should allocate asbestos grant funds to the state without making the state compete for each grant. These programs should be treated as core state programs. Grant allocations should be determined and then the work plan should be negotiated as part of the Performance Partnership Agreement (PPA). Results should be reported in the PPA End-of-Year Report. Budget reporting should be part of Performance Partnership Grant (PPG) reporting. (UT)

E23: [Recommendation deleted – same as W28]

In March 2008, EPA released a draft progress report on the Burden Reduction Initiative. The March report is the first time codes such as "E23" and "W28" were introduced. The same codes are used herein. Because this report's primary audiences – state and EPA personnel working on the Initiative – are familiar with the March report, it is important to offer an explanation when a recommendation that was in the previous report does not appear here. In the case of E23, it was deleted because it was identical to W28.

E24: Use Performance Partnership Agreements (PPA) for Enforcement Reporting

Priority Area: This recommendation falls under Priority Area 7. Click on the hyperlink to learn more about this priority area.

Status: Implemented In Part

Trends: Eliminate redundant reporting

States' Original Input
• Issues related to enforcement include negotiating multiple agreements, a Performance Partnership Agreement (PPA), and an inspection agreement. We would ask that EPA attempt to have a single definitive document if a state has opted to use a PPA. We do appreciate the Office of Enforcement and Compliance Assurance's (OECA's) willingness to allow the State Review Framework (SRF) assessments to occur every three years instead of annually for adequate programs. We ask that Regions not be allowed to request any additional information on compliance programs beyond the SRF. States are not always comfortable refusing Regions requested information or data. (CO)
EPA Response
• Region 8 has tried to meet Colorado's recommendation but cannot fully implement it. The PPA contains most compliance and enforcement requirements to implement the National Pollutant Discharge Elimination System (NPDES) program. The Inspection Plan (which contains most of the inspection program information for NPDES enforcement) was included in the PPA in FY2007. Since then, the Region has been required to have a Compliance Monitoring Strategy (CMS) -- including an Inspection Plan -- for each state and provide a copy to EPA Headquarters. This requirement makes it impractical to incorporate the CMS into the PPA. • On an ongoing basis, the Region will continue to look for opportunities to incorporate compliance and enforcement requirements into the PPA. Additional information on compliance programs beyond the SRF is required in order for EPA to fulfill its ongoing annual oversight responsibilities as required by regulation at 40 CFR 35.115 and EPA Headquarters national program guidance. The SRF Guidance itself states that "Regions will continue to conduct mid-year reviews, end-of-year reviews, management discussions, grant oversight and oversight inspections which are all part of the existing and ongoing process of oversight."

E25: Reduce Data Required in Used Oil Handler Compliance/ Enforcement

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• EPA should defer to the state in the administration of the used oil program. Used oil recycling program activities are beyond the scope of the hazardous waste program. Used oil, when properly stored, collected, and recycled, is not legally defined as a hazardous waste – yet EPA considers it to be so in terms of reporting and oversight. It is unclear why this level of reporting is required. (UT)

E26: Reduce Frequency of NPDES Quarterly Non-Compliance Report (QNCR)

Priority Area: This recommendation falls under Priority Area 5. Click on the hyperlink to learn more about this priority area.

Status: Will Not Be Implemented

Trends: Eliminate redundant reporting

States' Original Input
• Reporting frequency for the NPDES Quarterly Non-compliance Report (QNCR) should be reduced to annual. Since this data is stored in ICIS, EPA staff can review it at any frequency determined necessary. (IL)
EPA Response
• The QNCR, required by 40 CFR 123.45, lists major facilities that are not complying with their NPDES permits. These reports are used by EPA and the states to track progress and assess the effectiveness of NPDES compliance monitoring and enforcement activities. EPA has coded both PCS and ICIS-NPDES to automatically generate the QNCR each quarter, provided the appropriate information is entered into the system by the states. This reduces the burden on states in generating the QNCR. EPA will not eliminate the report, however.

E27: Eliminate the Annual Public Water System (PWS) Compliance Report

Priority Area: This recommendation falls under Priority Area 7. Click on the hyperlink to learn more about this priority area.

Status: Will Not Be Implemented

Trends: Eliminate redundant reporting

States' Original Input
• Eliminate the Annual Public Water System Compliance Report, a summary and detailed list of all violations received by any water system. This report can be generated at the EPA Regional level from data already provided. (KY) • Eliminate requirement Annual Compliance Report. The public receives the same information from the public water system when they do the consumer confidence reports. The state receives only one or two requests for a copy of this report per year. (ND)
EPA Response
• EPA will not implement Kentucky and North Dakota's recommendations. • Section 1414(c)(3)(A)(i) of the Safe Drinking Water Act (SDWA) requires that states submit to EPA, and states make available to the public, an annual report on violations of national primary drinking water regulations by public water systems. Moreover, SDWA Section 1414(c)(3)(A)(ii) requires states to publish and distribute summaries of this report. Congress's intent was to ensure that states

provide their residents readily available information about the quality of the water they are drinking.

- EPA's Office of Enforcement and Compliance Assurance (OECA) summarizes the information from the state reports and publishes the National Public Water Systems Compliance Report. This report is also submitted to Congress.
- A brief Internet search found that many states post their individual PWS reports on their state Web sites, as well (e.g., CT, IA, KS, OH, OK, PA, NM, MT, VA). Eliminating these easily accessible reports would make it more difficult for residents to access information about their drinking water quality.
- While the Agency is not implementing the particular recommendations made by Kentucky and North Dakota, EPA has already taken considerable steps to reduce states' burden associated with meeting this statutory obligation:
  - Originally, states provided this report in hard-copy, but EPA has been accepting the reports electronically for a number of years.
  - Every year EPA's Office of Ground Water and Drinking Water provides the states with a computer query that extracts for each state the precise compliance data it needs to prepare its report.
  - Also, OECA has provided guidance on how to prepare an effective Annual Report. (The guidance was distributed to the states with the assistance of the Association of State Drinking Water Administrators (ASDWA) before the first report was due in October of 1997.)
- Ultimately, EPA would like to be able to create the PWS report directly from the Safe Drinking Water Information System (SDWIS). However, state reporting to SDWIS is not of sufficient quality to allow that at this time.

E28: [Recommendation deleted – incorporated into E12]

In March 2008, EPA released a draft progress report on the Burden Reduction Initiative. The March report is the first time codes such as "E28" and "E12" were introduced. The same codes are used herein. Because this report's primary audiences – state and EPA personnel working on the Initiative – are familiar with the March report, it is important to offer an explanation when a recommendation that was in the previous report does not appear here. In the case of E28, it was incorporated into E12 because the South Carolina recommendation that was originally coded as E28 refers to the same report (the National Pollutant Discharge Elimination System (NPDES) Semi-Annual Statistical Summary) as the Nebraska recommendation in E12.

E29: Consider State Notices of Violation (NOVs) to be Formal Actions

Priority Area: This recommendation falls under Priority Area 7. Click on the hyperlink to learn more about this priority area.

Status: Will Not Be Implemented

Trends: Eliminate redundant reporting

States' Original Input

- Within fifteen days of the generation of EPA's Quarterly Watch List, state is required to provide an explanation of why no formal action has been or will be taken, unless an explanation is already provided on the Quarterly Noncompliance Report (QNCR). EPA should consider state Notices of Violation (NOVs) as formal actions, given these actions can be appealed. Do not require an additional report beyond that annotated on the quarterly non-compliance report. (AL)

EPA Response
• EPA does not consider NOVs as formal enforcement actions because most state NOVs under most state statutes are not enforceable or legally binding. Therefore, explanation of a recognized formal action is required either as part of the QNCR or in a separate report.

E30: Improve Data Sharing Between State and Federal Enforcement Databases

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• There are many differences between state and EPA data management systems. State's system is a facility master file, with all compliance assurance reporting for all programs going into one database. EPA's system is a "stove pipe" with separate systems for each program. Also, state and EPA systems have different data elements and definitions. These differences create reconciliation problems. EPA needs to minimize changes to reporting requirements, have a regular schedule for proposing all changes simultaneously and coordinate state comment process, provide resources for states to changes their data systems when EPA changes requirements, define a schedule for reconciling the facilities and their classifications in each database, and consider allowing states to populate the legacy systems through Enforcement and Compliance History Online (ECHO) rather than the other way around. (MA)

E31: Reduce Frequency of Safe Drinking Water Act (SDWA) Quarterly Non-Compliance Report [newly added]

In August 2007, EPA released its first progress report on the Burden Reduction Initiative. In March 2008, EPA released a second progress report in draft form only. EPA has tried to maintain consistency between this progress report and the earlier ones because the primary audiences for this report – state and EPA personnel working on the Initiative – are familiar with the previous reports. In some instances, however, it was necessary to deviate from the previous reports. E31 is one of those instances.

E31 was added to this report by separating it from Recommendation E26 - Reduce frequency of National Pollutant Discharge Elimination System (NPDES) Quarterly Non-compliance Report (QNCR). That is because Illinois' original state submission recommended that quarterly reporting under NPDES and the Safe Drinking Water Act (SDWA) should be reduced. Since two separate parts of EPA address NPDES and SDWA reporting, the original state submission was separated into two recommendations.

E31 is not addressed in this progress report because the report focuses on the 16 priority areas. Still, it is listed here to ensure that the Agency provides a full list of all states' submissions.

States' Original Input
• Reporting frequency for the quarterly non-compliance report for SDWA should be reduced to annual. Since this data is stored in SDWIS, EPA staff can review it at any frequency determined necessary. (IL)

Recommendations Related to the Office of Grants & Debarment (OGD) or Other Cross-Cutting Offices

G1: Reduce Frequency Quality Management Plan (QMP) Revisions

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by the Environmental Council of the States (ECOS) in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• Reduce Quality Management Plan (QMP) revisions to once every five years. Use written policy and Quality Assurance Project Plan (QAPP) to revise day-to-day operations. (IN)

G2: Standardize Records Retention Requirement

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• Standardize records retention requirement to three years. Currently, some grants require three years and some require five. (MD)

G3: Consolidate Small Grants with Larger Grants

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• Consolidate Toxic Substances Control Act (TSCA) grant into other, larger grants. State's award for FFY07 totaled $54,000. It would be administratively efficient to roll the grant into a larger one. This rationale could be applied to many EPA grants that are small dollar amounts, such as the Resource Conservation Challenge. (KY)

G4: Streamline Review of Program Guidance, Commitments, and Measures

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• At different points in time, comments are sought from the states on the National Strategic Plan, the National Program Manager (NPM) Guidance, Regional Work Commitments, and commitment measures. State recommends (like MA) that EPA identify which goals, commitments, measures,

and/or strategies for each of these documents are new, revised, or existing from previous years. Additionally, make all state comments and EPA responses readily transparent. (CT)

- At different points in time, comments are sought from the states on the National Strategic Plan, the NPM Guidance, Regional Work Commitments, and commitment measures. State recommends that EPA identify which goals, commitments, measures, and/or strategies for each of these documents are new, revised, or existing from previous years. Additionally, make all state comments and EPA responses readily transparent. (MA)

G5: Eliminate Reporting on State-Based or Other Programs Not Federally Funded

Priority Area: This recommendation falls under Priority Area 9. Click on the hyperlink to learn more about this priority area.

Status: Implemented

Trends: Eliminate low-value data requirements

States' Original Input

- The Performance Partnership Grant (PPG) work plan quarterly report is too detailed and extensive. Eliminate PPG work plan requirements that are related to state-based or other programs not largely funded by Federal funds. Target the PPG work plan directly on EPA National Performance Measures. (AZ)

EPA Response

- EPA is responding to reporting frequency at a national level. EPA's Office of Grants and Debarment (OGD) is drafting a grant reporting policy that will apply to all grants and assistance agreements. The policy limits EPA to a reporting frequency no greater than semi-annual, except in cases of poor performers, or where Regions and States have otherwise agreed. See Priority Area 9 for more information about this policy.
- Furthermore, Region 9 responded to Arizona's specific request in FY2008. Information from state-based programs that are not federally funded are not part of the PPG work plan any longer. This information will be reported as needed by an informal exchange between the state and EPA water programs.

G6: Reduce PPA/PPG Reporting Frequency

Priority Area: This recommendation falls under Priority Area 9. Click on the hyperlink to learn more about this priority area.

Status: Started But Not Finished

Trends: Reduce reporting frequency

States' Original Input

- Return to true multi-year Performance Partnership Agreement (PPA) and eliminate extensive annual

updates that are now required. (SD)

- Combine all reporting for PPA/Performance Partnership Grant (PPG) into one annual progress report (PPG is required quarterly). (VA)

EPA Response

- EPA is crafting a national policy to address grant reporting frequency, among other things. See Priority Area 9 for more information about this policy.

G7: Reduce Reporting Frequency on Disadvantaged Business Enterprise (DBE) Utilization

Priority Area: This recommendation falls under Priority Area 11. Click on the hyperlink to learn more about this priority area.

Status: Implemented In Part

Trends: Reduce reporting frequency

States' Original Input

- Minority Business Enterprise/Women Business Enterprise (MBE/WBE) reports for SRF and Superfund Grants should be annual rather than quarterly. Annual reports are required for all other grants and there appears to be little use of the quarterly data. (IL)
- Reduce quarterly MBE/WBE report to annual reporting frequency. (IN)
- Reduce quarterly MBE/WBE report to annual reporting frequency. (MA)
- Reduce reporting frequency to annually or when grant ends for MBE/WBE quarterly reports. Other entities (educational institutions) are required to file annually. (NE)
- Quarterly MBE/WBE reporting is a burden. This is especially so since most EPA funds present no real opportunity to procure goods and services from women-owned or minority-owned businesses. Annual reporting should be sufficient. (NH)
- Quarterly MBE/WBE reports must be filed for each grant received from EPA. Eliminate this requirement. It is not required by other Federal grantors such as DOE or DOD. (SC)
- EPA grants require the submission of annual or quarterly Minority Business Enterprise/ Women Business Enterprise (MBE/WBE) utilization reports. Because the majority of EPA funding is used for personnel costs, many of these reports capture very little useful data. (VA)

EPA Response

- States asked EPA to change Minority Business Enterprise/Women Business Enterprise (MBE/WBE) reporting requirements by reducing the frequency of reporting from quarterly to annual. EPA's Office of Small Business Programs (OSBP) responded with a new rule that, among other changes, reduced quarterly reporting frequency.
- The new Disadvantaged Business Enterprises (DBE) Rule took effect on May 27, 2008. The rule instituted a requirement for semi-annual reporting for any grant or cooperative agreement that previously required quarterly reporting.
- More detailed information about the DBE rulemaking is available in the Priority Area 11 description. Additionally, you may access the MBE/WBE Reporting Fact Sheet online. It lists which grants/agreements have a semi-annual reporting frequency and which have an annual frequency.

Or, you may reference Section III, Part 5 of the preamble to the regulation at 73 FR 15904.

G8: Reducing Reporting Frequency for Smaller Grants and Programs

Priority Area: This recommendation falls under Priority Area 16. Click on the hyperlink to learn more about this priority area.

Status: Started But Not Finished

Trends: Reduce reporting frequency

States' Original Input

- Stop requiring quarterly reporting for smaller grants and programs (e.g., Underground Injection Control (UIC), pesticides, PCBs, lead, asbestos). (MD)
- All reporting for EPA grants should be no greater than annual. For small grants less than $100,000, reporting should only be required when the grant is completed. (MI)
- All EPA water grant reports should have a nationwide requirement of annual reporting or less frequent reporting. All grants of $100,000 or less should have a single reporting requirement of a final report prior to grant closeout. This would save states and EPA significant staff time in preparing and reviewing reports, since most grants require quarterly or semi-annual reporting. (WI)

EPA Response

- EPA's Office of Grants and Debarment (OGD) is responding by creating an Agency-wide grant reporting policy. Among other things, this policy will reduce quarterly grant progress reports to a frequency of no greater than semi-annually, except in instances of poor performers or where Regions and states have otherwise agreed. Read more about the national grant reporting policy in the Priority Area 16 overview.

G9: Streamline Performance Partnership Agreement/ Performance Partnership Grant (PPA/PPG) Reporting Requirements

Priority Area: This recommendation falls under Priority Area 9. Click on the hyperlink to learn more about this priority area.

Status: Implemented In Part

Trends:
- Eliminate redundant reporting
- Additional resources are needed for additional requirements

States' Original Input

- If a discretionary grant (e.g., Pollution Prevention Grant [P2 Grant]) is included in a Performance Partnership Grant (PPG), we ask EPA find a way to merge the application and reporting processes. Having to annually implement separate grant processes is not worth either EPA or the states' time and resources. (CO)

- For every new or updated performance measure that must be reported in the Performance Partnership Agreement (PPA) End-of-Year Report, EPA should be required to reduce a performance measure unless EPA is providing additional resources. (SD)
- State's annual PPA End-of-Year Annual Report should be the only reporting mechanism used to document the results received for the work plans. All additional quarterly and semi-annual reports requested by EPA should cease. (UT)
- End progress reporting on individual grants that are contained within the PPA/PPG. (VA)

EPA Response

- EPA is responding to reporting frequency at a national level. EPA's Office of Grants and Debarment (OGD) is drafting a grant reporting policy that will apply to all grants and assistance agreements. The policy limits EPA to a reporting frequency no greater than semi-annual, except in cases of poor performers or where Regions and states have otherwise agreed. See Priority Area 9 for more information about this policy.
- Further recommendations submitted by the four states were addressed at the Regional level because every PPA/PPG negotiation between a Region and a state is different. Region 3 responded to Virginia's recommendation: Starting with the FY2008 grant award, Region 3 requires a semi-annual "exceptions-only" report and an annual progress report for the PPGs. This was communicated as part of the grant award process.
- Region 8 responded to the recommendations from Colorado, South Dakota, and Utah. Utah's recommendations will be addressed in the context of the FY 2009 Draft PPA submitted for negotiation during summer/fall 2008. The magnitude of the new or additional items requested by EPA in the annual updates comes from both the National Program Manager (NPM) and Region 8 programs. In addition to these negotiations, when completed, the national grant reporting policy will reduce any of Utah's quarterly reporting to a semi-annual frequency at most.
- On an ongoing basis, Region 8 will continue to look for opportunities to include reporting requirements in Colorado's PPG.
- Furthermore, Region 8 has pledged to South Dakota that it will take steps to control unnecessary requests each year from the various Region 8 programs and will work to coordinate requests.

G10: Reduce Reporting Frequency for Financial Status Reports (FSRs)

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input

- Change quarterly reporting schedule for Financial Status Reports (FSRs) to annual updates. (IN)
- Stop requiring interim FSRs. Not all Federal agencies require them. (MD)

G11: Streamline Cost Estimation Requirements in Grant Applications

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• Water grants (including Sections 106, 319, 104(b)(3), 104(g), wetlands, etc.) require detailed explanations for travel, supplies, and other categories in EPA grant applications. Eliminate these requirements. We should be accountable for spending grant funds properly, but not be detailing travel, supplies, and the like in grant applications when we can only estimate our needs. (WI)

G12: Streamline Certification and Assurance Requirements for Grant Applications

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• Reinstitute annual submission of Grant Consolidated Certification and Assurance Program, rather than requiring these forms grant-by-grant during application process. (MD) • Each grant application requires certifications (1. Debarment, Suspension, and other Responsibility Matters, 2. Drug-Free Workplace Act of 1988, 3. Lobbying, 4. Procurement System (Superfund only), and 5. SF 424B Assurances) and a report (EPA Form 4700-4 Annual Pre-Award Compliance Review Report. Allow state to batch the certifications and report for each grant into a single annual certification. (TX) • Each EPA grant application requires "Certification Regarding Lobbying" and "Assurances – Non Construction Programs" statements. This is an unnecessary duplication of paper. Documentation could be equally well-served by an annual blanket assurance from the state to EPA. (VA)

G13: Eliminate Federal Cast Transaction Reports

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• Stop requiring annual submission of SF272, the Federal Cast Transaction Reports. Info is already available in EPA Automated Standard Application for Payments (ASAP) database. (MD)

G14: Extend Superfund/Brownfield Reporting Deadlines

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• For Superfund, allow 60 days to report after the quarter rather than 30. (MD) • Quarterly reports for Superfund and Brownfields Cooperative Agreements and Grants are due within 30 days after the end of the quarter. Fiscal/budget information, which makes up part of the report, is often not available within the 30-day period resulting in incomplete reports or late reports. Move this deadline from 30 days after the end of the quarter to 60 days. (MA)

G15: Streamline Reporting on Financial Draw Requests

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• When state enter financial "draw requests" into ASAP database, ask for less information. Stop requiring tracking by individual sites or other such specific categories. Only require draw requests at the grant number or higher. (MD)

G16: Reduce Data Elements and Eliminate Redundancy in Quality Assurance Project Plans (QAPPs)

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• The state submits numerous Quality Assurance Project Plans (QAPPs) for each project. There is a large amount of overlap among each QAPP. Many individual projects could be covered under one "umbrella" QAPP. Then, any special items could be covered as an addendum to the "umbrella." Furthermore, EPA should develop a QAPP template for each project after a work plan is approved. This would help this states know exactly what EPA expects in the QAPPs and decrease the 12- to 24-month review and approval time frame. Finally, allow the state to reference the work plan whenever a QAPP requires redundant information rather than having to cut and paste the information in the QAPP. (AR) • Revisit increasing and expanding quality assurance requirements in programs in addition to the water program. (MD) • The purpose of Secondary Data QAPPs is to document the quality of second generation data which can/will be used to make decisions. (OK)

G17: Reduce Data Elements Required in Federal Databases to Make Data Synchronization Easier

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• Implement EPA's data warehouse strategy, holding only high-level data needed for Headquarters program analyses. Collect only summary data in Federal systems (systems include Permit Compliance System (PCS), AIRS Facility Subsystem (AFS), and RCRAInfo) and allow states to "publish" the supporting detail—accessed on demand by EPA, but not stored in EPA systems. This will eliminate all issues related to synchronizing the data sets. (OR)

G18: Share Grant Award Information among Databases [newly added]

In August 2007, EPA released its first progress report on this Burden Reduction Initiative. In March 2008, EPA released a second progress report in draft form only. The Agency has tried to maintain consistency between this progress report and the earlier ones because the primary audiences for this report – state and EPA personnel working on the Initiative – are familiar with the previous reports. In some instances, however, it was necessary to deviate from the previous reports. G18 is one of those instances.

G18 was added to this report after not appearing in a previous progress report. That is because the original state submission did not fit under any of the existing recommendations. G18 is not addressed in this progress report because the report focuses on the 16 priority areas. Still, it is listed here to ensure that the Agency provides a full list of all states' submissions.

States' Original Input
• Improve information sharing about grant awards so that the ASAP system is automatically informed about awards and amendments, rather than requiring the grantees (i.e., states) to tell ASAP staff. (MD)

G19: Determine Indirect Rates More Promptly [newly added]

In August 2007, EPA released its first progress report on this Burden Reduction Initiative. In March 2008, EPA released a second progress report in draft form only. The Agency has tried to maintain consistency between this progress report and the earlier ones because the primary audiences for this report – state and EPA personnel working on the Initiative – are familiar with the previous reports. In some instances, however, it was necessary to deviate from the previous reports. G19 is one of those instances.

G19 was added to this report after not appearing in a previous progress report. That is because the original state submission did not fit under any of the existing recommendations. G19 is not addressed in this progress report because the report focuses on the 16 priority areas. Still, it is listed here to ensure that the Agency provides a full list of all states' submissions.

States' Original Input
• Find ways to establish indirect rates more promptly. The indirect rate is often late being determined which makes us late reporting, because we can't figure our personnel costs accurately without the indirect rate. (MD)

Recommendations Related to the Office of Prevention, Pesticides, & Toxic Substances (OPPTS)

P1: Improve Award Process for Pollution Prevention Grants

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by the Environmental Council of the States (ECOS) in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• Pollution prevention (P2) grants – EPA continues to have a competitive grant process for states with an excellent track record, which have received such grants for over a decade. States do not think they should still compete for these grants. (MD) • The Region should allocate P2 grant funds to the state without making the state compete for each grant. These programs should be treated as core state programs. Grant allocations should be determined and then the work plan should be negotiated as part of the Performance Partnership Agreement (PPA). Results should be reported in the PPA End-of-Year Report. Budget reporting should be part of Performance Partnership Grant (PPG) reporting. (UT)

P2: Reduce Reporting Frequency of Pollution Prevention Semi-Annual Reports

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• Pollution prevention semi-annual reports are designed to document project activities and expenditures during each half of the grant period. The frequency of reporting seems unnecessary at times because the nature of the projects being completed typically requires several months and often there are periods in which little or no measurable activities occur (e.g., waiting for contractual sub-agreement development and execution). Reduce reporting frequency to an end-of-grant report. (FL) • State recommends a progress/ status report at the end of the first year of the grant, rather than semi-annually. By then partnerships have been established, baseline measurement has been documented, publications are drafted or published, and strategies are implemented. (NH)

P3: Improve Award Process for Lead Program Grants

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• Lead grants – EPA continues to have a competitive grant process for states with an excellent track record, which have received such grants for over a decade. States do not think they should still compete for these grants. (MD) • The Region should allocate lead grant funds to the state without making the state compete for each grant. These programs should be treated as core state programs. Grant allocations should be determined and then the work plan should be negotiated as part of the Performance Partnership Agreement (PPA). Results should be reported in the PPA End-of-Year Report. Budget reporting should be part of Performance Partnership Grant (PPG) reporting. (UT)

Recommendations Related to the Office of Solid Waste & Emergency Response (OSWER)

SW1: Reduce Frequency of Superfund Reporting

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by the Environmental Council of the States (ECOS) in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input

- Reduce quarterly reporting of National Priorities List (NPL) oversight activities to annual reporting. (AL)
- Reduce frequency of quarterly Superfund Site Assessment reports to semi-annual reporting. The frequency of reporting seems unnecessary at times because the nature of the projects being completed typically requires several months and often there are periods in which little or no measurable activities occur (i.e., waiting for analytical data, site access delays, and issuing work plans and/or reports for high public interest sites where multiple parties are involved). (FL)
- Change frequency of the Comprehensive Environmental Response, Compensation, and Liability Act (CERLA) Preliminary Assessment/ Site Inspection (PA/SI) grant reporting from quarterly to semi-annually. The sites in this program tend to be much longer-term sites and, as such, little or no result can be demonstrated in a quarter. (KY)

SW2: Streamline Hazardous Waste Year-End Report

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input

- The need to summarize accomplishments and document accountability will never, and should never go away. The means of doing so may be streamlined by going from a printed Hazardous Waste Year-End Report to a totally electronic format. In addition, because EPA also conducts an assessment regarding the state's activities, one streamlining option would be for EPA and the state to prepare a joint year-end report. (SD)

SW3: Eliminate Requirement to Report Jobs Created Under Brownfield Response Program

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• Brownfields: Modify burdensome requirement to determine how many new jobs will be created as a result of a project. We have to rely on facilities for this information and can't reliably verify their accuracy. (MD) • Quarterly Property Profile Forms for the Brownfield Response Program should be modified to eliminate performance measures that are difficult to obtain (e.g., average jobs created). Find more useful performance measures that are more easily obtained. (VT)

SW4: Streamline Hazardous Waste Program Authorization Updates

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• Once a state has updated its hazardous waste rules, it is obligated to compile an authorization revision package that reflects the rule changes. Preparation of this package is a huge resource drain for hazardous waste staff and the Office of the Attorney General (OAG). Gathering the documents, preparing updates, and submitting the documents for review and analysis by the OAG takes a minimum of six months. For states who adopt the Federal hazardous waste rules by reference, the current authorization process seems an effort that in the end is a moot point. A streamlined authorization approval process should be implemented for those states that adopt the Federal regulations by reference. (SD)

SW5: Improve Data Sharing Between State Databases and RCRAInfo

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• Changes in data transfer software around January 2006 by the EPA National Computer Center now prohibits the State's Waste Data System (WDS) to be uploaded into RCRAInfo. In spite of state and Region's best efforts, the EPA National Computer Center has been unwilling to correct this problem. Consequently, key milestone event dates (Government Performance and Results Act (GPRA) required) must be keypunched twice (once into WDS and again into RCRAInfo) in order to enable EPA Headquarters to make timely, accurate reports to Congress. The EPA National Computer Center should apply their unique resources and expertise to correct the data uploading problem. (MI) • The RCRAInfo corrective action/permitting module is a burden because of the time it takes to enter data. RCRAInfo has a very poor user interface and data entry requires the use of EPA codes which are confusing to the state and often require direct communication with our EPA contact to help identify the correct code to use. 1) Improve the user interface. 2) Reduce the number of corrective action codes or have EPA staff enter this data. 3) Minimize the investment of time needed to test and modify translators in the compliance module. (OR) • Eliminate requests to provide reports that can be generated from data available in RCRAInfo. (SC)

SW6: Streamline Underground Storage Tank (UST) Reporting

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• The State Underground Storage Tank (UST) Data Form is required as a Leaking Underground Storage Tank (LUST) grant condition. This form is so complex that it takes two months to complete. Simplify the form and greatly reduce the data requested. Furthermore, it is redundant with state financial reports. Suggest that reporting be limited to monthly cash balance once a quarter (vs. dated annual report) with the option to request more detailed report when cash balance shows significant decreasing trend. (ME)

SW7: Streamline Underground Storage Tank (UST) Reporting Quality Assurance Project Plans (QAPPs)

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• One Quality Assurance Project Plan (QAPP) is required for each Leaking Underground Storage Tank (LUST) Trust funded site (currently 34 in the state) and for each Brownfield/Underground Storage Tank (UST)-field funded project. Allow an umbrella QAPP plan for UST release sites with a minimal amount of site-specific information added as needed. Allow states to take advantage of procedures already developed and proven (e.g., Standard Operating Procedures (SOP), Quality Management Plan). Work with the state to think through how to implement each QAPP requirement prior to placing the requirement in a work plan with deadlines and consequences. (SC)

SW8: Eliminate the End-of-Year Clean Air Act (CAA) Section 112(r) Report

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• Eliminate the end-of-year 112(r) report and work plan. Limited funding provided for the 112(r) program. (SC)

SW9: Streamline Hazardous Waste Reporting on large Quantity Generators and Treatment, Storage, or Disposal (TSD) Facilities

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• Biennial Reports are required from all Large Quantity Generators and Treatment, Storage, or Disposal (TSD) facilities. The reports show the quantities, and description of hazardous waste generated in the reporting cycle. The reports are not very useful. By the time EPA loads the Biennial Reports into RCRAInfo, the data is old and often data cleanup is necessary to accurately reflect the facilities' generator status. Some other method needs to be developed to streamline the input of data (e.g., facilities could directly input their data into EPA's system). Or, replace the Biennial Report collection process altogether perhaps with an e-manifest system where facilities report their hazardous waste data directly into an EPA e-manifest system. (NE)

SW10: Reduce Data Elements Required for the Resource Conservation and Recovery Act (RCRA) State Hazardous Waste Management Grant and the State Underground Storage Tank Trust Fund Grant Reporting

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• The main objectives of the Resource Conservation and Recovery Act (RCRA) State Hazardous Waste Management Grant and the State Underground Storage Tank Trust Fund Grant programs are embodied in the Government Performance & Results Act (GPRA) goals of controlling human exposures and controlling groundwater releases. All other bean counting should be eliminated because it adds little or no value to the mission. (KY)

SW11: Consolidate Hazardous Waste Program Reporting

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• In the Hazardous Waste Program, there are five major reporting burdens: Biennial Report, Mid-Year Resource Conservation and Recovery Act (RCRA) C Grant Report, End-of-Year RCRA C Grant Report, RCRAInfo, and Monthly Permit Summary. While important, these required reports are time-consuming to prepare. EPA should consider how to consolidate reports. (MD)

SW12: Reduce Reporting Frequency for Underground Storage Tanks (UST) and Leaking Underground Storage Tanks (LUST)

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input

- Change reporting frequency for Underground Storage Tank (UST) and Leaking Underground Storage Tanks (LUST) grants from semi-annual to annual. (DE)
- Draft "Grant Guidelines to States for Implementing the Public Record Provision of the Energy Policy Act of 2005" are redundant with existing (and more effective) state procedures to inform public of local UST discharges. Compliance and other data requested already provided to EPA every six months as part of other reporting requirements for the Leaking Underground Storage Tank (LUST) trust grants. EPA should use existing data to create national Web site to meet Energy Policy Act. (ME)
- EPA has imposed several initiatives and projects on the Oil Control Program, in addition to other existing deliverables, that are time-consuming, resource-intensive, and without additional funding. They should be reconsidered. They are: 1) report level of compliance on all active USTs, 2) report items that fail inspection, 3) report source of releases into groundwater, and 4) report status on all government tanks. (MD)

SW13: Increase Reporting Flexibility for Hazardous Waste Small Business Compliance Assistance Program [newly added]

In August 2007, EPA released its first progress report on this Burden Reduction Initiative. In March 2008, EPA released a second progress report in draft form only. The Agency has tried to maintain consistency between this progress report and the earlier ones because the primary audiences for this report – state and EPA personnel working on the Initiative – are familiar with the previous reports. In some instances, however, it was necessary to deviate from the previous reports. SW13 is one of those instances.

SW13 was added to this report by separating it from Recommendation G9 - Streamline Performance Partnership Agreement / Performance Partnership Grant (PPA/PPG) reporting requirements. That is because the original state submission below is a separate recommendation from the others found in G9.

SW13 is not addressed in this progress report because the report focuses on the 16 priority areas. Still, it is listed here to ensure that the Agency provides a full list of all states' submissions.

States' Original Input

- EPA expects all facilities, regardless of size, to conform to identical requirements without consideration of the comparative risks and available resources. EPA should allow more reasonable flexibility to the state in the administration of the small business compliance assistance program. State should not have to manage small businesses in the same manner as large quantity hazardous waste generators. (UT)

Recommendations Related to the Office of Water (OW)

W1: Streamline Reporting In or Related To Safe Drinking Water Information System (SDWIS)

Priority Area: This recommendation falls under Priority Area 15. Click on the hyperlink to learn more about this priority area.

Status: Started But Not Finished

Trends:
- Eliminate redundant reporting
- Streamline databases

States' Original Input
• Strategic plan measures and target data is already reported in the Safe Drinking Water Information System (SDWIS) by states. EPA should use the data in SDWIS to evaluate against strategic plan measures and target data (MA). • States should not be required to re-verify data in SDWIS. Since SDWIS is the official reporting database, data in it should be recognized as up-to-date and reliable and the primary source of data. Verification is a duplication of effort and is unnecessary (MA). • Modify SDWIS Fed to extract from SDWIS State. The quarterly SDWIS State uploads contain the most current data available to the state and requiring states to duplicate the effort is burdensome (MT). • FY07 Grants Linked to Performance, Public Water Annual Compliance Report, and Strategic Performance Measures: This report, requiring a query of SDWIS State, resulted in a number of days of staff time. Finally we had to hire a consultant to perform the query for us. SDWIS Fed should be modified to extract this data so that states don't have to spend time and precious funds procuring data that should be available to EPA. If this is found to be necessary in the future, why not at least provide states with a ready-made SDWIS query? (MT) • Use SDWIS State to track electronically: inventory data, technical assistance/customer service, TCR data, source water assessment and protection data, and completed reports/letters. Monthly deliverables from each team presented in hard copies are burdensome and time consuming (TX).
EPA Response
• **Using SDWIS to evaluate strategic plan measures and target data** - All but two Public Water System Supervision (PWSS)-related strategic plan measures are calculated using data in SDWIS-Fed. The exceptions include: o SP-4, which measures the percent of the population served by Community Water Systems where risk to public health is minimized by source water protection. EPA is in the process of adding a data element into SDWIS-State and SDWIS-Fed which will enable this measure to be calculated by EPA. It will be available in 2008. o SP-5 measures the number of homes on tribal lands lacking access to safe drinking water. Since EPA and other Federal agencies run this program, it is not a state burden reduction issue. o States also used to have to report whether they completed their sanitary survey requirements, for National Water Program Guidance measures SDW1a and b. Starting in 2008, sanitary surveys are required to be reported in SDWIS-Fed, and EPA will calculate them. However, states are still required to account for outstanding performers on a longer 5-year cycle. EPA will raise this as an action to be considered by the SDWIS Data Sharing Committee made up of states and EPA,

whether to add this data element to SDWIS-State and SDWIS-Fed. More information on strategic plan measures can be found in the FY-09 National Water Program Guidance and related appendices.

- **Using SDWIS to verify data input** - Occasionally, verifications are necessary to ensure data quality. OW infrequently asks states to verify inventory data, primarily information for national surveys such as the Drinking Water Needs Survey, approximately every 4 years. Additionally, states are also asked to verify data in the Clean Watershed Needs Survey at the same frequency as previous survey, but offset by approximately 2 years on a separate schedule.
- **Extract from SDWIS State** - SDWIS-Fed currently extracts data from SDWIS-State on a quarterly basis. In the modernized SDWIS-Fed, which was implemented in January 2006, the data of record shifted from production data, which can change at any time, to quarterly frozen data. This lowers burden and increases data quality.
- **Annual Compliance Report from SDWIS Query** - EPA has modified the query function and created a standard report that generates data necessary to prepare the Annual Compliance Report.
- **Using SDWIS to extract a variety of data electronically** – Texas requested that SDWIS-State be used to track the following data electronically: inventory data, technical assistance/customer service, TCR data, source water assessment and protection data, and completed reports/letters. This will be completed in 2008. SDWIS-State currently tracks each of these things except source water elements. EPA is planning to add a source water assessment data field in SDWIS-State and SDWIS-Fed, which will be ready in 2008.

W2: Eliminate Requirement to Report New Systems in Significant Noncompliance

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by the Environmental Council of the States (ECOS) in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input

- States are required to develop a list of new systems within the past three years and identify if those systems have any Significant Non-Compliers (SNCs) for the capacity annual report. EPA should generate the capacity report instead of requiring states to develop it. (MA)

W3: Streamline Significant Noncompliance Reporting in Safe Drinking Water Information System (SDWIS)

Priority Area: This recommendation falls under Priority Area 15. Click on the hyperlink to learn more about this priority area.

Status: Started But Not Finished

Trends:

- Eliminate redundant reporting
- Streamline databases

States' Original Input

- EPA sends us the Public Water System (PWS) quarterly non-compliance report printed from the Safe Drinking Water Information System (SDWIS) and we have to correct it for them and mail it back. EPA should fix the database so the data we put in it is the correct data (IA).
- EPA should develop an electronic reporting mechanism to report those reasons for non-compliance within SDWIS-State and SDWIS-Fed. This would also increase automation of the majority of the capacity development reporting (MA).
- Provide SNC determinations through SDWIS State software module in order for state to perform quality control on data on a continuing basis, before the region asks for Capacity Development significant non-compliance (SNC) Report (TX).

EPA Response

- **Correcting PWS quarterly non-compliance reports** – EPA believes that the 2006 updates made to SDWIS-Fed have significantly corrected errors in the Public Water System (PWS) quarterly noncompliance reports. The Performance Partnership Grant (PPG) between Region 7 and Iowa currently asks the state to submit data using SDWIS-State 8.0 on a quarterly basis for violations, enforcement actions, and milestones.
- **Electronic reporting mechanism** – Relative to the capacity development reports, EPA now generates the historical significant non-complier (HSNC) list every three years (as required) for states. EPA also generates the list of new systems in significant non-compliance (SNC), but requires states to tell EPA why each system is on the list. EPA plans to discuss with the Data Sharing Committee whether SDWIS is an appropriate repository for SNC lists.
- **Provide SNC determinations through SDWIS-State** - EPA is currently moving from a rule-based significant noncompliance (SNC) determination to one that is system-based. This electronic data verification tool, or SNC desktop calculator, will allow states to make compliance determinations. The SNC desktop calculator is in pilot phase and will continue to be tested with a joint EPA-Association of State Drinking Water Administrators (ASDWA) workgroup through FY-09. After the pilot phase has ended, EPA will revisit whether to implement a state version of the tool in SDWIS-State. More information on the pilot is available online.

W4: Eliminate Quarterly Electronic Permit Issuing Forecasting Tool (E-PIFT) Report

Priority Area: This recommendation falls under Priority Area 5. Click on the hyperlink to learn more about this priority area.

Status: Implemented In Part

Trends: Eliminate redundant reporting

States' Original Input

- Eliminate the Electronic Permit Issuing Forecasting Tool (E-PIFT) record permit backlog quarterly report. Duplication of information currently available in Permit Compliance System (PCS). (MN)
- Quarterly submission of E-PIFT report should be eliminated because Region already checks PCS and performs a monthly update of the backlogged National Pollutant Discharge Elimination System (NPDES) permits. State could continue to inform Region when new general permits are issued and provide number of coverage under general permits on some reduced frequency (twice/year). (MS)

- Eliminate permit counts, backlog, and permit forecast statistics report. Information uploaded weekly in PCS should be adequate, or else change the expectations for what should be in PCS. (SC)

EPA Response

- The Electronic Permit Issuing Forecasting Tool (E-PIFT) has been replaced by the Permits Management Oversight System (PMOS). PMOS ensures that data is not duplicative with the Permit Compliance System (PCS). If a state provides accurate and complete information in either PCS or the Integrated Compliance Information System for NPDES (ICIS-NPDES), no reporting in PMOS is needed. Facilities covered under general permits generally are not entered in PCS, however. PMOS captures that information.
- Individuals can search for their individual states' Clean Water Act data information. This information is displayed in the Enforcement and Compliance History Online (ECHO) system and is fed from either PCS or from ICIS-NPDES. Please note that ICIS-NPDES is gradually replacing PCS.

W5: Reduce Frequency for Wetlands Pilot Demonstration (WPD) Grant Reporting

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input

- Funds under the 104(b)(3) Wetlands Pilot Demonstration (WPD) grant are received through the state's Performance Partnership Grant (PPG), therefore regular updates are already provided as part of the Performance Partnership Agreement (PPA). Yet, EPA requires three levels of reporting: PPA status report, quarterly reports WPD reports, and an annual WPD report. Requirements are duplicative and confusing. Require one annual report in a standard format. (ME)
- Reduce quarterly reporting for the Wetlands 104(b)(3) grant to annual reporting. It would be more efficient to incorporate this reporting as part of the PPA annual report. (RI)

W6: Eliminate Storm Sewer Overflow (SSO) Reporting

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input

- Region requires state to continue to implement Storm Sewer Overflow (SSO) strategy and report annually on its status. State is unclear as to the strategy's purpose since SSO strategies are not required by Federal law or regulation. State has developed an internal strategy and continues to work with National Pollutant Discharge Elimination system (NPDES) permittees. EPA appears to be trying to direct state efforts by requiring detailed reporting. Eliminate this requirement. It far exceeds reporting necessary to comply with National Program Manager (NPM) measures. (KS)

W7: Improve Web-Based Research Indexing Tool for Watershed Assessment, Tracking and Environmental Results (WebRIT)

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• Upgrade Web-Based Research Indexing Tool for Watershed Assessment, Tracking and Environmental Results (WebRIT) to a common program (e.g., ArcView) to allow data transfers in a more efficient and effective manner. (DE)

W8: Change Deadline for Clean Water State Revolving Fund (SRF) Annual Report

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• The due date for the Clean Water State Revolving Fund NIMS annual report should be revised to the end of the calendar year to compensate for adjusting and closing accounting entries completed at the end of the state fiscal year. This will eliminate time intensive revisions once accurate data is available. (UT)

W9: Eliminate the Permitting for Environmental Results (PERs) Report

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• The Permitting for Environmental Results (PERs) report duplicates the Performance Partnership Agreement (PPA). Eliminate. (MN) • Eliminate PERs and associated reporting. The report lists the permits that have been issued from the PERs list. EPA requires quarterly reports but calls for updates all the time and before the report is due. State has an effective permit priority system and PERs is duplicative. (NE)

W10: Modify Reporting Requirements on Publicly Owned Treatment Works (POTWs) Reusing Biosolids

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• State required to provide the percentage of mechanical Publically Owned Treatment Works (POTWs) that are beneficially reusing all or a part of their biosolids and, where data exists, the percentage of biosolids generated that are beneficially used annually. Modify this requirement to only require the percent of biosolids beneficially reused *if* those data are utilized in a valuable manner. If it is not, drop reporting altogether. (KS)

W11: Reduce Requirements under the Water Quality Monitoring Plan and Restoration Schedule

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• State is required to develop a statewide monitoring plan that now has a water quality restoration schedule associated with that monitoring plan. State developed this monitoring plan, as required. Now, an additional requirement has been established to achieve water quality restoration results within a ten-year timeline while reporting progress. Do not require achievement of water quality restoration results within the established schedule. (MA)

W12: Reduce Frequency for Arsenic Compliance Reporting

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• Reporting frequency for the quarterly arsenic rule compliance report should be reduced to annual. Since this data is stored in the Safe Drinking Water Information System (SDWIS), EPA staff can review it at any frequency determined necessary. (IL)

W13: Streamline Total Maximum Daily Load (TMDL) Reports

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• Eliminate Regional requirement for state Total Maximum Daily Load (TMDL) program to copy and

mail contract work orders every six months. Information is already provided to EPA through two summary documents that identify where the 106 funds are going. After review of the summaries, EPA could review detailed information of projects when it conducts semi-annual audits of the TMDL program. (TX)

W14: Eliminate Total Maximum Daily Load (TMDL) Quality Assurance Project Plan (QAPP) Summary Report

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input

- Region requires state to take information already in the EPA-funded project Quality Assurance Project Plans (QAPPs) and prepare a summary report of funding source information. The summary provides a running list of funding sources for every impaired segment in the state that has an approved EPA QAPP. Conversations with Regional staff seem to confirm that the summary is not used. Eliminate the duplication. (TX)

W15: Eliminate Annual Summary of Clean Water Act (CWA) Section 106 and 319 Quarterly Reports

Priority Area: This recommendation falls under Priority Area 10. Click on the hyperlink to learn more about this priority area.

Status: Implemented

Trends: Eliminate redundant reporting

States' Original Input

- For the National Pollutant Discharge Elimination System (NPDES)/106 and 319, program report activities quarterly, yet states are also required to do an annual report that summarizes quarterly reports. This duplication should be reconsidered. (MD)

EPA Response

- EPA's response to Maryland's recommendations is twofold. At the national level, EPA's Office of Grants and Debarment (OGD) is responding by creating an Agency-wide grant reporting policy. Among other things, this policy will reduce quarterly grant progress reports to a frequency of no greater than semi-annually, except in instances of poor performers or where Regions and states have otherwise agreed. In the case of Section 319, OGD expects that the policy will reduce reporting to an annual frequency. Read more about the national grant reporting policy in the Priority Area 10 overview
- In addition to this national grant reporting policy, Region 3 responded to Maryland's recommendation. Region 3 clarified in the FY2008 grant work plan negotiation process that states no longer need to provide an annual summary of NPDES 106 quarterly reports. Furthermore, the Section 319 program does not require an annual summary of quarterly reports

W16: Keep CWA Sections 303(d) and 305(b) Reports Separate

Priority Area: This recommendation falls under Priority Area 3. Click on the hyperlink to learn more about this priority area.

Status: Withdrawn

Trends: Change reporting deadlines

States' Original Input
• Allow states to keep 303(d) and 305(b) reports separate if it makes compliance easier. (MS)
EPA Response
• Sections 303(d), 305(b), and 314 of the Clean Water Act (CWA) require states, territories, and authorized tribes to provide biennial reports to EPA on the condition of waters within their boundaries. EPA provides guidance on integrated these reports in a way that supports the agency's strategy for achieving a broad-scale, national inventory of water quality conditions. The guidance is from EPA for states, territories, authorized tribes, and interstate commissions ("jurisdictions") that help states prepare and submit Section 305(b) reports to EPA. Use of the integrated report (IR) format provides jurisdictions a recommended reporting format and suggested content to be used in developing a single document that integrates the reporting requirements of Sections 303(d), 305(b), and 314. Use of the IR format allows jurisdictions to report the water quality standards attainment status of all waters, document the availability of data and information for each segment, identify certain trends in the water quality conditions, and provide information to managers in setting priorities for future actions to protect and restore the health of our nation's aquatic resources. • At a March 2007 meeting between EPA Region 4 and AL, FL, GA, KY, MS, NC, SC, and TN, Region 4 informed MS and other Region 4 states that states are not required by statute or regulation to submit the single, integrated report. However, EPA strongly encourages states to adopt an IR format to facilitate data compilation and comparisons. MS indicated that despite concerns, it intends to use the IR format.

W17: Streamline Underground Injection Control (UIC) Reports

Priority Area: This recommendation falls under Priority Area 12. Click on the hyperlink to learn more about this priority area.

Status: Started But Not Finished

Trends:
- Eliminate redundant reporting
- Reduce reporting frequency
- Streamline databases
- Eliminate low-value data requirements

States' Original Input

- The purpose of the Program Activity Measures (PAMs) is to allow EPA to focus Underground Injection Control (UIC) program priorities on SWP areas to address potential vulnerabilities. The problem is that this reporting is duplicating the reporting requirements of the UIC program 7520 forms (AR).
- Reduce UIC reporting frequency from semi-annual to annual. This is a relatively small grant included in the Performance Partnership Grant (PPG) that has a reporting frequency that is disproportionate to the purpose of the grant and nature of the environmental problem it is intended to address. It is not clear that EPA relies on these reports to manage their programs. If the purpose of the reporting is to ensure progress and accountability on behalf of states, then an annual report should be sufficient (CT).
- Within the UIC program, states provide information on specific well types (motor vehicle waste disposal wells) as well as a pending future requirement to make the state's inventory available to EPA. The state's data system does not easily allow for such specified information to be easily extracted. This information must be manually researched and reported, which results in a significant burden to the state. This reporting requirement should be eliminated (MA).
- UIC Measures Report Form and Quarterly 7520 forms: This relatively small grant is included in the PPG, but must report separately in addition. It is not apparent that the information used in the quarterly reports is used for any program or grant management purpose. The reporting could wait until the FY end to submit final numbers, as part of the Performance Partnership Agreement (PPA) process. Since ME is only 80% funded by EPA and program costs are offset with oversight of additional programs, staff time spent responding to additional reporting requirements takes a disproportionately large share of grant resources (ME).
- Switch from quarterly to annual reporting for the UIC Program – it would be more efficient to incorporate this reporting as part of the PPA annual report the state provides to EPA (RI).
- Reporting burdens should be limited to those provided in the UIC regulations (40 CFR 144.8). A significant part of the overall UIC reporting burden comes from having a confusing number of reporting systems and timeframes in addition to the Section 144.8 requirements. A single reporting system and timeframe would greatly help to achieve burden reduction. Any forms for reporting should be designed to facilitate reporting of data required under 144.8, rather than imposing additional requirements beyond those of Section 144.8 (TX).
- Follow federal regulations at 40 CFR 144.8. Discontinue requirement of well inventories as a separate report to EPA; the regulations indicate that an updated well inventory is part of the annual report due by the 60th day after the end of the calendar year (TX).
- Redesign form 7520 with data fields and submittal schedule to facilitate quarterly and annual reports as required by 40 CFR 144.8. Given that the UIC program is chronically under-funded, the requirement is burdensome because it is not specified in a federal regulation and requires significant resources to compile the data and submit to EPA (TX).
- Base Program Activity Measures (PAMs) and other reporting requirements in 40 CFR 144.8, and develop a single reporting system and schedule to facilitate compliance with the reporting requirements. Activities measured by PAMs must be regulation based and within the capability of the program under present resource/funding levels (TX).

EPA Response

- The Office of Water's (OW) Ground Water and Drinking Water office (OGWDW) agrees that the information in the Program Activity Measure (PAM) reporting duplicates in part the 7520 reporting forms on Underground Injection Control (UIC) programs. The agency's solution is the creation of a new central UIC database, which was launched in December 2007.

  EPA believes it is critical to build its capacity to access UIC well-specific information that is efficient, accurate and usable. Once fully populated, the database will be used to respond to information

requests from EPA management, Congress, and other governmental leaders and the public. Additionally, with the UIC program beginning its critical efforts to develop a national regulation for geological sequestration, EPA will need information that can be centrally housed in the database to oversee sequestration activities.

- Testing and implementation of the new UIC database is currently underway.

W18: Modify CWA Section 319 Grant Reporting and Tracking System (GRTS)

Priority Area: This recommendation falls under Priority Area 10. Click on the hyperlink to learn more about this priority area.

Status: Started But Not Finished

Trends:
- Reduce reporting frequency
- Eliminate redundant reporting
- Eliminate low-value data requirements

States' Original Input

- Section 319 Grant Reporting and Tracking System (GRTS) – Modify GRTS so that data can be uploaded from a spreadsheet, database or text file in addition to being entered manually. Should also provide for a file structure that can accommodate images in the appended text files so that figures and photos don't need to be stripped out of reports. (MD)
- The new mid-year GRTS report for 319 implementation projects should remain on an annual frequency at most. (MA)
- EPA should provide guidance on the Annual Financial Status Reports (FSR) on 319 grants. Guidance should explain level of detail needed. There seems to be significant differences in the level of reporting needed to satisfy different EPA staff persons. (MT)
- After 10+ years of development, the quantity, quality, and utility of the data in GRTS needs to be evaluated. Simplify data entry, minimize data input requirements, and eliminate unnecessary/ redundant data. (Note: North Dakota submitted very detailed comments to accompany this recommendation.) (ND)

EPA Response

- EPA's response to the states' recommendations is threefold.
  - At the national level, EPA's Office of Grants and Debarment (OGD) is responding by creating an Agency-wide grant reporting policy. Among other things, this policy will:
    1. Reduce quarterly grant progress reports to a frequency of no greater than semi-annually, except in instances of poor performers or where Regions and states have otherwise agreed. In the case of Section 319, OGD expects that the policy will reduce reporting to an annual frequency.
    2. Reduce financial status reporting requirements to no more than annually.
  - A XML upload process was released July 7, 2008, which addresses Maryland's recommendation. This upload process allows states to assemble GRTS data without being logged on. States can then log on and upload files to GRTS directly. This process cuts down on wait time and slow server issues which can occur if entering data one field at a time. In addition, GRTS recently migrated to an Oracle-based database which streamlines data entry and minimizes server issues.

- Because EPA Regions play such an active role in Section 319 grant awards and reporting, Regions also responded to some of the states' recommendations. Region 1 responded to Massachusetts' request to reduce Section 319 implementation projects reporting to annually. Region 1 confirmed that the implementation projects report is only required annually; the due date is February 15th for all states in the Region. Finally, Region 8 is working with Montana and North Dakota to reduce GRTS reporting burden.

W19: Eliminate Report on Permits Issued Per Watershed

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• State is required to list number of permits per watershed. State's permitting priority system does not categorize by watershed. Report should be dropped. (NE)

W20: Streamline Report on Permits Provided for Trading

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• State must report on permits provided for trading. EPA should reuse the same "zero trades" unit until a trade happens. Then, the state should be required to report. (NE)

W21: Streamline Clean Water Act (CWA) Sections 106 and 604(b) Work Plans and Status Reports

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• Clean Water Act (CWA) Sections 106 and 604(b) work plans require a narrative description of tasks that will be undertaken. Status reports require the compilation of work completed by state and often the work of contract staff. Utilize the spreadsheet format currently employed for the status reports as the base document for the work plans. (PA)

W22: Streamline Nonpoint Source (NPS) Report

Priority Area: This recommendation falls under Priority Area 4. Click on the hyperlink to learn more about this priority area.

Status: Implemented

Trends: Eliminate low-value data requirements

States' Original Input
• Nonpoint Source Annual Report under Clean water Act (CWA) Section 319: Streamline preparation of report and eliminate the requirement of a "glossy" report. It is not widely used by the state and the "glossy" report is expensive to print. (OK)
EPA Response
• After EPA received this submission from the State of Oklahoma in 2006, Region 6 clarified that its states are asked to provide a single report on CWA 319 program activities, which is due at the end of each January. These reports have been streamlined in recent years from 150-250 pages to 20-40 pages and a glossy report is not required. Region 6 will continue to work with OK on CWA 319 program reporting to ensure it meets all statutory and regulatory requirements without being overly burdensome. Oklahoma has since indicated that it has implemented this streamlining measure without further concerns about report length. Based on recent annual report submittals to Region 6, it is clear that other states are following suit and preparing shorter, more concise reports. In addition, Region 6 responds to each state annual report submittal to provide programmatic feedback and direction.

W23: Reduce Reporting on Draft Major and Minor National Pollutant Discharge Elimination System (NPDES) Permits

Priority Area: This recommendation falls under Priority Area 5. Click on the hyperlink to learn more about this priority area.

Status: Started But Not Finished

Trends: Eliminate low-value data requirements

States' Original Input
• Eliminate requirement to notify EPA of all National Pollutant Discharge Elimination System (NPDES) permits that state intends to issues, reissue, or modify within next 12 months on 303(d)-listed waters. Already contained in the Permit Compliance System (PCS). Practically obsolete upon submission. (AL) • Eliminate required list of Concentrated Animal Feeding Operation (CAFO) facilities with permits. Information is in PCS. (AL) • Region 7 requires Kansas to provide material needed to review all draft major and minor National Pollutant Discharge Elimination System (NPDES) permits, including applications. Modify this requirement to a select number of permits – maybe 10 per year – for quality control/oversight

purposes. The current requirement far exceeds the requirements in the National Program Managers guidance. (KS)

EPA Response

- CWA regulations require submittal of all major NPDES permits to EPA. However, reporting on minor NPDES permits is a Regional requirement.
- During a meeting on Feb. 12, 2008, Region 7 discussed this subject with Kansas Department of Health and Environment (KDHE). On March 13, 2008, Region 7 sent a letter to KDHE stating that KDHE is no longer required to submit draft or final minor non-stormwater /non-CAFO permits to EPA. Kansas and Region 7 have entered further discussion about minor NPDES permits during work plan negotiations for the upcoming calendar year work plan. Region 7 and Kansas are also addressing these concerns in an upcoming Memorandum of Agreement (MOA).
- Region 4 has not yet been notified of Alabama's recommendations because the recommendations were mistakenly assigned to the national Office of Enforcement and Compliance Assurance (OECA) when in fact they are best addressed by Region 4. Alabama's request – and the resolution Kansas and Region 7 achieved – will be transmitted to Region 4 in October 2008.

W24: Harmonize Water Reports with Different Reporting Periods and Frequencies

Priority Area: This recommendation falls under Priority Area 4. Click on the hyperlink to learn more about this priority area.

Status:
- Implemented: Iowa
- Implemented In Part: Massachusetts, New Jersey

Trends:
- Eliminate redundant reporting
- Change reporting deadlines

States' Original Input

- Reports that cover different reporting periods for no good reason. Some require Federal fiscal year, some state fiscal year, and others are calendar year. (IA)
- Nonpoint source program item #11 (WQ 16) – It is not clear if this information (number of waterbodies identified by states as being primarily nonpoint source (NPS)-impaired that are partially or fully restored) is expected to be provided by the states in a new report. Currently, this information is provided within reports submitted to EPA. Information can be culled from those reports by EPA and cross-referenced with the 2000 list. If an additional report is expected to be submitted by the states, then this will result in duplicate data submission and is a reporting burden. (MA)
- State must adhere to EPA reporting requirements in the Performance Partnership Agreement (PPA), the Strategic Plan Subobjectives, the Program Activity Measures (PAMS), and in the state Nonpoint Source (NPS) Annual Report. It would help if EPA would ask information once in one format, perhaps annually or twice a year, but not in multiple formats with multiple deadlines. (NJ)

EPA Response

- **Reporting periods** – Iowa recommended making reporting periods more uniform. During the FY08-09 Performance Partnership Grant (PPG) work plan negotiations, Region 7 provided IA and all

Region 7 states with a list of required reports for the water programs. Region 7 and IA discussed the requirements for the reports (statutory, regulatory, regional, grants, etc.), and to the extent possible, eliminated region-only reports or aligned the mandatory reporting requirements with the grant reporting schedule. As a result, Iowa's PPG reports for all programs now have the same reporting periods and reporting deadlines set to a semiannual schedule. IA agreed that this recommendation has been fulfilled. Additionally, Iowa and Region 7 have agreed under the framework of Iowa's FY 08-09 PPG workplan the following:

> In accordance with 40 CFR Part 35 regulations, IA Environmental Services Division will provide progress reports on a semi-annual basis and a final grant report after the conclusion of the grant period. The intent of the progress reports is to provide the status of activities described in the grant work plan, measure progress and performance, and highlight actual and anticipated changes which impacted or could affect work plan performance. The final report provides an analysis of work plan commitments versus work completed, analysis of the cumulative effectiveness of work plans, discussion of potential or existing problem areas, and suggestions for improvement.

The IA-Region 7 PPG workplan then outlines a detailed semiannual reporting schedule.

- **Duplicate reporting** –
  - Massachusetts' concern is related to the FY-07 National Water Program Guidance. WQ-16, under the Strategic Plan subobjective, 2.2.1, "Protect and Improve Water Quality on a Watershed Basis," was a Program Activity Measure (PAM) that was selected at the national level as a water quality measurement tool. There is still national attention on the success of the NPS grant reporting measure, both on the part of the Office of Management and Budget (OMB) in their Program Assessment Rating Tool (PART) and at EPA's headquarters Office of Water (OW), who released as both a FY-08 and FY-09 Program Activity Measure WQ-10 (formerly WQ-16), "Number of water bodies identified by states as being primarily NPS-impaired that are partially or fully restored" (see http://www.epa.gov/cfo/npmguidance/owater/2008/final_a_measures_appendix.pdf and http://epa.gov/cfo/npmguidance/owater/2009/final_ow_2009_guidance.pdf). Region 1 currently requests annual reports from its states on the 319 program through their Performance Partnership Agreement (PPA) annual report. However, Region 1 explained that at one point in the past, EPA had asked for more frequent nonpoint source information updates as a source of information update for Regional Progress video conferences with EPA management. Since that time, frequency has been scaled back to annually.
  - New Jersey expressed concern about multiple water program reports with various deadlines. Region 2 worked with NJ to identify opportunities for streamlining Clean Water Act (CWA) reporting requirements. Region 2 and New Jersey negotiated and finalized a new NJ PPA work plan for State Fiscal Year (SFY) 2008–2010. As part of the PPA approval process, Region 2 will meet again with NJ in the last quarter of calendar year 2008. Although the Region believes most of the streamlining concerns have been addressed in the PPA, future discussions will allow opportunity to discuss or clarify any remaining issues. Region 2 will continue to work with NJ to identify opportunities to streamline reporting requirements.

W25: Reduce Reporting Requirements on Concentrated Animal Feeding Operations (CAFOs) Inspections

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• State is required to inspect 50% of the National Pollutant Discharge Elimination System (NPDES) Concentrated Animal Feeding Operations (CAFOs) on an annual basis. EPA should modify this requirement to treat CAFOs like any other NPDES permittee. To increase the inspection/ reporting burden for CAFOs to accommodate the new Federal CAFO regulations is not needed. The requirement far exceeds reporting necessary to comply with the National Program Managers measures. (KS)

W26: Provide Funds or Reduce Requirements for Class V Underground Injection Control (UIC) Well Reports

Priority Area: This recommendation falls under Priority Area 12. Click on the hyperlink to learn more about this priority area.

Status: Will Not Be Implemented

Trends: Additional resources needed for additional requirements

States' Original Input
• Collection of Class V inventory data either through processing of Underground Injection Control (UIC) Inventory Information Forms or through targeted onsite inspections as is the case of high priority Class V wells, is a time-consuming process requiring more than one FTE per state. Development of a suitable database system within which this data can be stored and processed is also a costly and time-consuming endeavor, one that must be contracted out. EPA must provide more funds to states with only one FTE dedicated to the entire 1422 UIC Program (UT).
EPA Response
• UIC primacy state-to-EPA reporting is currently being replaced by a national database which is expected to reduce overall reporting burden. When UIC primacy programs begin using this national database, they will no longer be required to file separate inventory, Program Activity Measure (PAM) or OMB Form 7520 reports. Because the UIC program has not received an increase in funding in 19 years, EPA is not able to provide more funding to the states without its own increase in the funding. More information about Class V wells can be found online.

W27: Improve Data Sharing with Safe Drinking Water Information System (SDWIS)

Priority Area: This recommendation falls under Priority Area 15. Click on the hyperlink to learn more about this priority area.

Status: Started But Not Finished

Trends:
- Eliminate redundant reporting
- Streamline databases

States' Original Input
• Reporting of data should occur in one database, Safe Drinking Water Information System (SDWIS). Additional databases such as Long-Term 2 (LT2)/Stage 2, Underground Injection Control (UIC), and Source Water Protection data information are problematic and will lead to duplicative data. These databases should be incorporated into SDWIS (MA). • Eliminate duplicative reporting: EPA asks states for additional manual reports, which contain data already entered in SDWIS. (MD) • Either modify SDWIS Fed so that it extracts the necessary information from SDWIS State or send ready-made queries to the state for data extraction related to incidental requests for information related to non-state related incidents, e.g. lead and copper in Washington, DC schools (MT). • Information for drinking water enforcement (warning letters, NOVs, orders, penalties assessed and collected) should be in SDWIS data system. Recommend eliminating this reporting requirement (SC).
EPA Response
• **Combining all drinking water databases into SDWIS** – In the past, EPA has built separate data systems to flow data to EPA from different programs, and has built a drinking water data warehouse, in part, to integrate drinking water data wherever possible. The warehouse currently houses SDWIS-Fed, National Contaminant Occurrence Database (NCOD) and Unregulated Contaminant Monitoring rule (UCMR) data. A Long-Term 2 (LT2) module was built into SDWIS-State in November 2007. The LT2 data will be integrated into SDWIS-State and will flow into SDWIS-Fed, and EPA will archive the LT2 database in the warehouse after data are no longer reported into it, in 2012. EPA is also planning to incorporate Source Water Protection (SWP) reporting into SDWIS in 2008. • The UIC database is separate because it is based on a different set of regulatory requirements. Data collection for UIC would not fit into the relatively more complex SDWIS data model. See Priority Area 12 for more information on the UIC National Database. • **Ready-made queries for incidental requests** - Wherever possible, EPA builds queries that states using SDWIS-State can use to meet EPA information requests. Some requests for information are simply outside the scope of the Public Water System Supervision (PWSS) regulations or outside SDWIS reporting capabilities. For example, EPA recently needed to track lead levels in DC schools but since schools are not community water systems, SDWIS-Fed did not have information on them. EPA infrequently requests information outside of SDWIS and does not consider these requests particularly burdensome. • **Duplicate and enforcement drinking water reporting** - EPA routinely evaluates state programs by conducting data verification audits, which evaluate state compliance decisions and reporting to SDWIS-Fed. States manage their own processes and databases differently to document public water system capabilities and their program management decisions concerning violations (or noncompliance), and to record corrective actions undertaken. State data indicate that violations occur infrequently at most public water systems (PWS). Violation data that states report to EPA (SDWIS-

Fed) reflect only those major and minor noncompliance results that may lead to adverse public health outcomes. Violations represent a small fraction of all the determinations states make which demonstrates the safety of the nation's water supply. More information on data verification audits can be found online.

W28: Eliminate Data Elements Required in Performance Partnership Agreements (PPAs) that Are Already in Databases

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input

- Any and all data entered into Federal databases should be eliminated from the Performance Partnership Agreements (PPAs) (e.g., National Pollutant Discharge Elimination System (NPDES) program data in Permit Compliance System/Integrated Compliance Information System (PCS/ICIS). EPA receives this data on an ongoing basis. Retrieval is at EPA's discretion. Eliminate requirements for this same data in PPAs. (MT)

W29: Reduce Reporting Required for National Estuary Program (NEP) Grants

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input

- Reduce paperwork provided to EPA regarding the Galveston Bay Estuary Program activities funded by the Clean Water Act Sec. 320 categorical grant. Currently state provides an annual progress report, two semi-annual progress reports, an annual report for the Government Performance and Results Act (GPRA), and an annual report for the Program Assessment Rating Tool (PART) review. Consolidate requirements into one report. (TX)

W30: Reduce Frequency of Clean Water Act (CWA) Section 303(d) and 305(b) Reports

Priority Area: This recommendation falls under Priority Area 3. Click on the hyperlink to learn more about this priority area.

Status: Started But Not Finished

Trends: Reduce reporting frequency

States' Original Input

- The purpose of the 305(b)/303(d) report is to keep a current inventory of streams within each state that have been identified as "impaired." The report is required too frequently. It would make more sense to prepare the report every 5 years. (AR)
- Allow reporting every four years for 303(d) and 305(b) reports. (CO)
- The Integrated Assessment (305(b) Report and 303(d) List) should be submitted every 5 years. Measurement any more frequently does not make sense because water quality does not change very quickly. Those states with unassessed waters could use randomized designs to monitor those waters, using a watershed approach, over a 5-year period. (DE)
- Hawaii would like to add its name to the twenty-one states asking to reduce the reporting frequency of the Integrated Report (five-year cycle). (HI)
- The biennial assessment of condition of waters and listing of impaired waters is too frequent. Barring catastrophic events, water bodies do not change significantly over a two-year period. Change reporting frequency of five years. (IL)
- The Integrated Water Quality Monitoring and Assessment Report (303(d), 305(b), 314) should be modified and required less frequently. Much of the data is already provided in more detail in other documents (e.g., monitoring program description is already provided in more detail in the state's Comprehensive Ambient Water Quality Monitoring and Assessment Strategy). Most of the interest in the Integrated Report relates only to the 303(d) listing portion, which can be provided conveniently through the Assessment Database (ADB). Eliminate all but this portion. (ME)
- Change 303(d) and 305(b) reports from 2-year cycle to 3- or 4-year cycle. (MD)
- The timelines identified in water quality measures are short timelines and does not reflect the timeframe required to see in-stream improvements. Furthermore, these measures appear to assume that all waters are monitored every year. In state, monitoring is completed on a 5 year rotating cycle and thus new data is not always available. State recommends that EPA provide language that annual/ multi-year reporting requirements do not apply to those states where a watershed cycle is used. EPA should use the present integrated list and conduct comparative analysis on the data provided in the current list. (MA)
- Change the 2-year reporting cycle to a 5-year reporting cycle. (MI)
- Two-year reporting frequency for both the list and report provides little/no environmental benefit. A four-year cycle would greatly reduce burden. (MN)
- Modify requirements to allow the 303(d) to mesh with the basin rotation plan. 20% of impaired waters would be reported per year with a complete, statewide list every 5 years. (MS)
- Offset the reporting period for economics by one or two cycles (2-4 years) from the current reporting cycle (e.g., for 2006 Integrated Report, use years 2002-2004 as the period for economic benefit analysis). Furthermore, recognize that many restoration projects take 10 or more years to achieve measurable benefits. (MT)
- A reporting frequency of 5 or 10 years would be more appropriate for the 305(b)/303(d) Integrated Report and would be more meaningful to the state and the public. (NV)
- Basic data for the Integrated Report is available in ADB (and this data is updated annually). Most importantly, the condition of many water bodies is assessed periodically (i.e., every 5 years) and barring catastrophic events, water bodies do not significantly change over a two-year period. State concurs with recommendation from ASIWPCA to institute a reporting frequency of five years, which coincides with both the NPDES/SPDES permit cycle and the state rotating basin monitoring scheme. (NY)
- Change reporting frequency from two years to five years. Saves on limited state resources. More in line with state's rotating basin approach for monitoring. Water quality improvements are unlikely to

occur in two years. Five-year frequency would allow state to devote more resources to making information publicly accessible. (OH)

- Biennial updates to the Integrated Reports are a burden. (OK)
- The reporting burden for the Integrated Report is very large because it is required every two years. The development of watershed projects to improved impaired water bodies, the implementation of practices for water quality improvement, and the subsequent changes of water quality do not occur in two years. Change reporting frequency to every four years. (SD)
- Allow us to submit each year for those watersheds that have been completed or once per five years to correspond with our watershed rotation schedule. (TN)
- The Integrated Report cycle needs to be changed from a two-year cycle to a five-year cycle. To ensure that the waters are being protected, the state could send an update of the ADB every year. (UT)
- EPA Assessment Group should work closely with its Standards Group to develop 303(d) listing criteria that is not as burdensome. Right now, state is required to list a water body as impaired on a single violation of a standard that is not based on a duration frequency. A single violation does not necessarily mean impairment. (UT)
- State recommends a five-year 305(b) reporting cycle. Modification/reduction/extension of reporting requirements for the biennial portion of the reporting cycle would eliminate/reduce considerable administrative work that appears to be of low value to Federal agencies. Much of what is stated in the 305(b) report is already available in other reporting documents. State has purposefully de-coupled the biennial 303(d) list from the 305(b) report as the 303(d) list needs EPA approval and the 305(b) report does not. (VT)
- State recommends a five-year 303(d) reporting cycle. (VT)
- Reduce the frequency of the 305(b)/303(d) Water Quality Assessment Reports to no more than every four years. (VA)
- The Water Quality Report to Congress frequency should be decreased to once every four years. An interim report (short form) should be provided in the middle two years to report on progress which would satisfy the statutory requirement. (WI)

EPA Response

- Sections 305(b) and 314 of the Clean Water Act (CWA) require states, territories, and authorized tribes to provide biennial reports to EPA on the condition of waters within their boundaries. EPA regulations at 40 CFR 130.7 require states to provide biennial submissions of impaired waters lists.
- EPA provides guidance on integrating these reports in a way that supports the agency's strategy for achieving a broad-scale, national inventory of water quality conditions. The guidance is from EPA for states, territories, authorized tribes, and interstate commissions ("jurisdictions") that help states prepare and submit Section 305(b) reports to EPA. Use of the integrated report (IR) format provides jurisdictions a recommended reporting format and suggested content to be used in developing a single document that integrates the reporting requirements of Sections 303(d), 305(b), and 314. Use of the IR format allows jurisdictions to report the water quality standards attainment status of all waters, document the availability of data and information for each segment, identify certain trends in the water quality conditions, and provide information to managers in setting priorities for future actions to protect and restore the health of our nation's aquatic resources.
- 303(d) and 305(b) are a strong foundation of the Clean Water Act. The Integrated Report format is a meaningful water quality tool and allows EPA to better understand the status of water quality. Twenty-one states asked to reduce the reporting frequency of the Integrated Report. The majority asked for either a four- or five-year frequency. EPA and the Association of State and Interstate Water Pollution Control Administrators (ASIWPCA) formed a workgroup to handle this issue within the existing regulatory framework, but have acknowledged that no single option will provide relief to all states. Due to the necessity of statutory and regulatory changes required to alter the reporting cycles, the states and EPA agreed to pursue a series of alternatives to respond to the underlying

concerns of collecting and reporting the information on a biennial schedule.

- EPA is working with ASIWPCA to develop the Integrated Report Guidance Memo for the 2010 reporting cycle. EPA expects to circulate a draft in fall 2008, and finalize the memo by the last quarter of calendar year 2008. EPA agrees to move forward with the ASIWPCA group to see the extent of burden reduction attained by the policy resolution. EPA will revisit the states' burden reduction recommendations after the results of the 2010 Guidance Memo streamlining efforts can be evaluated.

W31: Use Safe Drinking Water Information System (SDWIS) for All Water-Related Reporting

Priority Area: This recommendation falls under Priority Area 15. Click on the hyperlink to learn more about this priority area.

Status: Will Not Be Implemented

Trends:
- Eliminate redundant reporting
- Streamline databases

States' Original Input

- Delete the significant noncompliance (SNC) report used specifically for capacity development as a requirement – it is redundant (FL).
- Submission of Public Water System Inventory data from Safe Drinking Water Information System (SDWIS) State to EPA's ODS database system – the burden is currently placed on states to submit all inventory data to EPA. The SDWIS State application is capable of tracking changes made to required inventory data elements. It is our recommendation that only changes or modifications of required data elements be submitted to EPA in data submissions (TN).

EPA Response

- **Delete the SNC report used for capacity development** - The significant non-compliance (SNC) calculations which form the basis for the capacity development report are currently being tested by a joint EPA-state workgroup. As stated in Recommendation W3, the SNC desktop calculator is currently in a pilot phase and will continue to be tested with an EPA-Association of State Drinking Water Administrators (ASDWA) workgroup through FY-09. In the future, there may be an opportunity to integrate the capacity development measure of historical SNCs with the SNC calculator being developed for enforcement targeting. However, EPA will still require that states provide reasons for systems in Historical Significant Non-Compliance (HSNC) or new systems in SNC.
- **Submission of PWS data from SDWIS State to EPA's ODS** - EPA believes that for electronic data exchange it is more efficient to update entire files than to isolate on data that has changed. For states using SDWIS-State, the process for uploading data to the modernized SDWIS-Fed database, which has been in place since 2006, has been completely automated.

W32: Modify Reporting on the Public Water Supply (PWS) Supervisory Program

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• Performance Partnership Grant (PPG) requires mid-year and end-of-year reports on the Public Water Supply (PWS) Supervisory Program. Extend turn-around times for these reports and allow electronic data submission. (TX)

W33: Use Safe Drinking Water Information System (SDWIS) to Collect Sanitary Survey Plans Data

Priority Area: This recommendation falls under Priority Area 15. Click on the hyperlink to learn more about this priority area.

Status:

- FL: Implemented
- MA: Implemented

Trends:

- Eliminate redundant reporting
- Eliminate low-value data requirements

States' Original Input
• Delete the requirement for a plan for conducting all sanitary surveys for the fiscal year. Any information EPA needs is in Safe Drinking Water Information System (SDWIS) (FL). • Sanitary survey data is a new requirement to be reported in SDWIS and Integrated Compliance information System (ICIS), resulting in duplicate reporting. It is recommended that this data should be reported in SDWIS only and that information be used to populate ICIS (MA).
EPA Response
• Region 4 does not request a plan for future sanitary surveys from Florida or any of its other states. Region 4 requests only a list of what the state completed for the year as verification for what is uploaded into SDWIS-Fed. Every state uploads their completed sanitary surveys into SDWIS-Fed on a quarterly basis. Additionally, as part of EPA's Government Performance and Results Act (GPRA) measures, the Region asks its states to submit an annual list of their completed sanitary surveys to verify what is in SDWIS-Fed (because historically the two lists have been different at times due to data lag). If Florida prefers that Region 4 use the data in SDWIS-Fed to calculate their compliance with the sanitary survey GPRA goal rather than submitting an annual list, then Region 4 will do so. • EPA has elected to collect state sanitary survey data only in SDWIS. EPA's Office of Enforcement and Compliance Assurance (OECA) confirmed that no state sanitary information is currently collected in the Integrated Compliance Information System (ICIS), nor will it be in the future. Region 1 has confirmed that they have not requested sanitary survey data in ICIS from Massachusetts. Please visit the Web site for more information on these water data systems.

W34: Use Safe Drinking Water Information System (SDWIS) for Operator Certification Program Reporting

Priority Area: This recommendation falls under Priority Area 15. Click on the hyperlink to learn more about this priority area.

Status: Started But Not Finished

Trends: Streamline databases

States' Original Input
• Reporting of the operator certification program is currently required annually in a narrative report. This function should be automated in an additional module in the Safe Drinking Water Information System (SDWIS) (MA).
EPA Response
• In collaboration with the Data Sharing Committee under the Association of State Drinking Water Administrators (ASDWA), EPA will evaluate whether to include operator certification reporting in SDWIS.

W35: Eliminate Requirement for Nonpoint Source Reduction Estimates Under Clean Water Act (CWA) Section 319 Grants

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• EPA requires nitrogen, phosphorus, and sediment reduction estimates and actual reduction measurements under Section 319 grants. A modeling effort is needed up front for estimated reduction, and a data collection effort is needed for actual reduction measurements. Modeling estimated reductions is not useful and actual reductions cannot be well documented over the lifespan of the grant. In most cases, the reductions will occur after the grant has expired. (MT)

W36: Reduce Frequency of Clean Water Act (CWA) Section 319 Reporting

Priority Area: This recommendation falls under Priority Area 10. Click on the hyperlink to learn more about this priority area.

Status: Started But Not Finished

Trends:

- Reduce reporting frequency

- Eliminate redundant reporting

States' Original Input
• State requests that the reporting schedule for the watershed 319 program be changed from quarterly to annually. (IN) • Regions should eliminate additional reporting requirements for the 319 grant that are not required by grant or nationally. Report annually rather than semi-annually. (MN) • Quarterly reports for the Non-Point Source Program should be reduced to annually. It would be more efficient to incorporate this reporting as part of the Performance Partnership Agreement (PPA) annual report. (RI)
EPA Response
• EPA's response to the states' recommendations is twofold. At the national level, EPA's Office of Grants and Debarment (OGD) is responding by creating an Agency-wide grant reporting policy. Among other things, this policy will reduce quarterly grant progress reports to a frequency of no greater than semi-annually, except in instances of poor performers or where Regions and states have otherwise agreed. In the case of Section 319, OGD expects that the policy will reduce reporting to an annual frequency. Read more about the national grant reporting policy in the Priority Area 10 overview. • This national policy addresses Indiana and part of Rhode Island's recommendations. Furthermore, Rhode Island may access information about including Section 319 grant funds in state performance partnership grants. • Finally, in addition to national policies, Region 5 worked with Minnesota to address their recommendation. (Region 5 will be happy to clarify or discuss any remaining issues with Minnesota, if needed.) Specifically, Region 5 worked with Minnesota to refine Section 319(h)(10) reporting requirements so that the state only provides the information already reported in the Grant Reporting and Tracking System (GRTS). • But, GRTS only covers nonpoint source activities and projects supported with Section 319 funds. Annual written reports from the states (that supplement and do not duplicate GRTS annual reporting) are necessary to satisfy 319(h)(11) requirements relating to the overall progress states have achieved in implementing their approved management programs. These reports are necessary in order to work proactively with the states to reduce unliquidated balances in the Section 319 program.

W37: Reduce Frequency of Pre-Treatment Summary Report for State-Run Programs

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• Reduce reporting frequency for Pre-Treatment Summary Report for State-Run Programs from semi-annual to annual. It is not clear how semi-annual reporting adds value. (CT)

W38: Eliminate Report on Environmental Benefits of Every State Revolving Fund (SRF) Loan

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• EPA wants state to report on the environmental benefits of every State Revolving Fund (SRF) loan including nonpoint loads by watershed. State has made literally hundreds of small nonpoint loans and has not tracked what watershed each project is in. See no value in doing so. This requirement may be more reasonable if state wasn't required to include nonpoint loans. (IA)

W39: Improve Data Sharing Related to the Operational Data System (ODS)

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• The requirement to submit violation and enforcement data to EPA within 45 days following the end of each quarter does not allow sufficient time for the state to process and review monitoring data for compliance, create violation records, generate draft Notices of Violation for the field staff to review, finalize valid violation information, and create electronic violation and enforcement data records. Once submitted to EPA's Operational Data System (ODS) database, there is no mechanism to delete/insert/modify a single record. The entire (10+ MB) data submission must be resubmitted. Streamline the system. (TN) • Electronic reporting data under 40 CFR 142.15(c) Special Reports should not be required. The amount of decisions made that are to be reported to EPA does not necessitate a specific electronic format. Paper reports of this information should suffice. (TN)

W40: Eliminate the Clean Watersheds Needs Survey

This recommendation is not addressed in this progress report because the report focuses on the 16 priority areas identified by ECOS in summer 2007 and this recommendation is not in a priority area. But, it is listed here to ensure that a full list of all states' submissions is provided.

States' Original Input
• The Clean Watersheds Needs Survey serves no useful purpose to the state. Until the report is tied directly to the allocation formula for State Revolving Fund (SRF) capitalization grants (as it is in the Drinking Water Act), state sees no need for such a rigorous and burdensome survey process. (FL)