



Step-by-Step Guide

How to Create and Submit a Successful
CROMERR Application



- What is CROMERR?
- Purpose of CROMERR
- CROMERR Requirements

INTRODUCTION



What is CROMERR?

The Cross-Media Electronic Reporting Rule (CROMERR) program at the Environmental Protection Agency (EPA) provides the legal framework for **electronic reporting** from regulated entities to the EPA and to states, tribes, and local governments that are authorized to administer EPA programs.



Purpose of CROMERR

CROMERR seeks to maintain the level of **corporate and individual responsibility and accountability** during the transition from a paper-based to an electronic reporting environment.

Key benefits of CROMERR program:

- Ensures that the electronic reports are as enforceable as their paper counterparts by providing standards for
 - Electronic Signatures
 - Integrity of copy of record
- Provides a central point for EPA to receive and act on applications in lieu of going through individual EPA offices and regions



CROMERR Requirements

Under § 3.1000(b)(1), to obtain EPA approval of program revisions or modifications to incorporate electronic reporting, a state, tribe, or local government must submit an application to the EPA that includes **four elements**:

- 1. Attorney General (AG)/Legal Certification.** Verifies that the state has sufficient legal authority to enforce the program using electronic reports, as described in § 3.2000(c).
- 2. System Descriptions.** Systems used to receive e-reports must meet the CROMERR standards listed in § 3.2000(b), and provide for e-signatures (or follow-on paper signatures) that meet the requirements of § 3.2000(a).
- 3. System Upgrades.** System changes that may affect CROMERR compliance.
- 4. Other Information.** Additional information that should be considered by EPA during evaluation of the application.



- Getting Started
- Traditional Application
- Maximizing Successful Submissions
- Application Submission

CROMERR APPLICATION



Getting Started

- Begin by accessing the 20-item CROMERR System Checklist that lays out application requirements; this document is called the Blank System Checklist and can be found on the CROMERR website*
- Access and populate either the generic application cover sheet or a customized cover sheet available for certain systems; all available cover sheets can be found on the CROMERR website
- Contact cromerr@epa.gov to determine if an AG/Legal Certification is required for your application
- If your not using an off-the-shelf (OTS) approach, we strongly encourage you to engage EPA during the system design phase and submit a draft checklist for initial review

** Note: Many OTS systems have template system checklists. If available, these should be used by the applicant. Some OTS systems do not require system checklists. See the CROMERR website for more information.*



Traditional Application: Cover Sheet

Cover Sheet

The Cover Sheet includes data fields for:

- Type of agency;
- Application point of contact;
- List of components included in this CROMERR application;
- Brief system overview;
- List of programs covered by the application; and,
- List of attachments included with the application.

Templates for CROMERR Cover Sheets are on the CROMERR website

Note: Some systems have customized cover sheets.



Traditional Application: Attorney General/Legal Certification

- § 3.1000(b)(1)(i) requires a **letter demonstrating sufficient legal authority** to enforce the application's authorized programs using electronic reports.
- For **states**, the **AG** (or designee) must sign the certification letter.
- For **tribes and local governments**, the Chief Administrative Official or Officer (**CAO**) (or designee) must sign the certification letter.
- A guidance document including a template for preparing your AG/Legal Certification is available on the CROMERR website.

Note: Some states have approved generic AG Certifications on file. Contact cromerr@epa.gov to determine if an AG Certification is required for your application

Note: Letters signed by a designee must explicitly state that this individual has delegated authority from the AG or CAO to sign the certification letter.



Traditional Application: System Checklist

The descriptions that an applicant provides for each of the **20 checklist requirements** reflect how the applicant's approach will meet the CROMERR § 3.2000(a) and (b) requirements through a combination of business processes and system functionality.

When applicable, **supporting documentation** should be attached to the descriptions. Attachments may include the following:

- Electronic Signature Agreement
- System user guides
- Process diagrams
- System screenshots and/or printouts

Note: Before submitting your application, ensure that the checklist items that are relevant to your system are complete. Please use template system checklists if available.



Maximizing Successful Submissions

An **official application submission** will trigger the **formal review process** by the CROMERR Technical Review Committee (TRC).

Unless using a checklist template for an OTS system, we strongly encourage you to **submit a draft version** for initial review BEFORE submitting an official application. This draft submission enables you to:

- Avoid restarting the entire application process to make minor edits (resubmission will delay your application by at least 30 days)
- Obtain technical assistance and clarification on any aspect of the application
- Receive timely feedback regarding any changes required to maximize the chance of the application's approval
- Expedite the formal application review process

Please direct all questions regarding draft submissions to the CROMERR program at cromerr@epa.gov.



Application Submission

Electronic submissions are encouraged!

- Applications can be submitted via e-mail to Karen Seeh at seeh.karen@epa.gov, along with a courtesy copy to cromerr@epa.gov
- AG/Legal Certifications must be submitted in hard-copy; please send to the following address:

For U.S. Postal Service deliveries:

U.S. Environmental Protection Agency
Office of Environmental Information
Attn: Karen Seeh
1200 Pennsylvania Avenue, N.W.
Mail Code: 2823T
Washington, DC 20460

For UPS, FedEx, or courier mail deliveries:

U.S. Environmental Protection Agency
Office of Environmental Information
Attn: Karen Seeh
1301 Constitution Avenue, N.W.
EPA West, Room 6408J
Washington, DC 20004
Phone: (202) 566-1175



- Traditional Review Process
- System Approach and CROMERR Approval Timeframes
- Comparison of Two Approaches
- Approved Application Modifications

APPLICATION REVIEW PROCESS



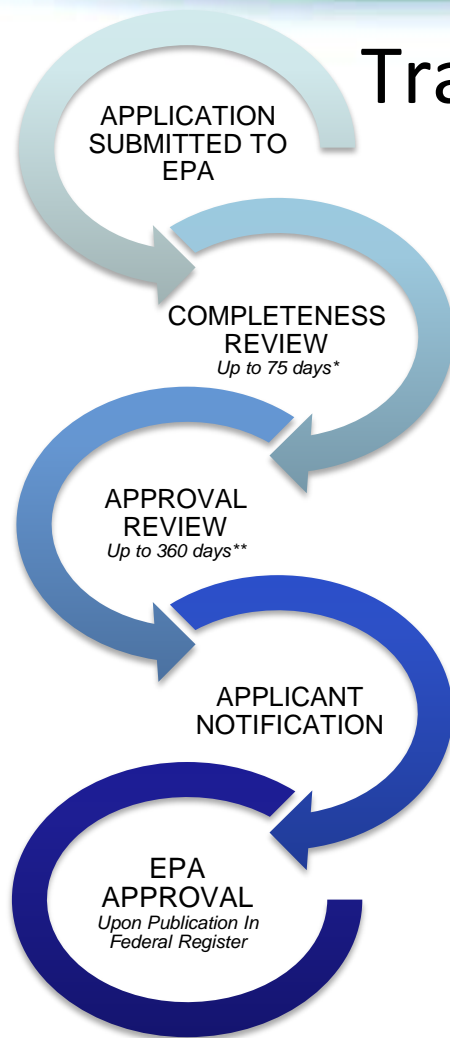
Traditional Review Process

- EPA's Completeness Review (§ 3.1000(b)(3)(i))
 - EPA first reviews applications to ensure that enough information has been provided for a CROMERR compliance evaluation
 - This may be an iterative process with the applicant
- EPA's Approval Review (§ 3.1000(c))
 - Upon determination of completeness, EPA reviews applications to assess the approaches outlined for compliance with CROMERR requirements
 - This may be an iterative process with the applicant
- Administrative Approval Steps
 - The CROMERR TRC's approval recommendations are voted on by the committee and confirmed by EPA executives
 - Approved applicants receive a letter signed by EPA
 - Applications are officially approved upon publication of a Federal Register notice

Note: Some of these steps are combined or eliminated for some OTS systems



Traditional Review Process Map



* EPA has 75 days to issue completeness determinations for new applications and 30 days for amended applications. “Incomplete” applications are required to be amended and resubmitted.

** After an application is determined “complete,” EPA has 180 days to issue approval determinations for applications outlining “new” systems or 360 days for applications outlining “existing” systems. This process may be extended if the applicant submits new information during the approval review.

Note: Some of these steps are combined or eliminated for some OTS systems



System Approach and CROMERR Approval Timeframes

System approach is a key factor in the resources and time required to achieve CROMERR approval. Generally, applicants can expect the following approval timeframes, depending upon their system approach:

- Longest time: All or mostly all custom development – Minimum 1 year
- Short time: Custom development that leverages several *Shared CROMERR Services* components for CROMERR functionality – 6-9 months
- Shortest time: Off-the-shelf (OTS) solutions that provide for all or almost all CROMERR functionality and business processes – 2-4 months



System Approach and CROMERR Approval Timeframes (cont.)

Opportunities exist for applicants to develop CROMERR-compliant solutions quickly and cost-effectively plus reduce CROMERR compliance maintenance costs

- Off-the-shelf (OTS) products offer solutions for a range of electronic reporting needs
- CROMERR component services are available from EPA's Central Data Exchange for implementation with any system

Significant reductions in application burden and approval timeframes have been achieved via "streamlined" CROMERR review and approval processes being developed for these new approaches

- These streamlined processes are further aided by ongoing CROMERR process improvements such as application templates, online forms, and process standardization/automation

Note: Information about Shared CROMERR Services and OTS Solutions are available on the CROMERR website



Comparison of Two Approaches

Illinois eDMR (Traditional Approach)

- Completeness review: 149 days
- Committee vote: 38 days
- Agency executive concurrence: 7 days
- FR Notice publication: 30 days

Note: Custom-built systems often undergo a lengthy, iterative review process which significantly affects the approval timeframe



Rhode Island NetDMR (Streamlined Using Automated Template)

- Completeness review: 33 days
- Committee vote: 17 days
- Agency executive concurrence: 7 days
- FR Notice publication: 15 days





Approved Application Modifications

- Per § 3.1000(a)(4), approved applicants must notify EPA of any changes that may affect compliance with CROMERR, including changes to:
 - System functionality
 - Policies and business processes
 - Laws
- Process:
 - Outline any changes in an email to cromerr@epa.gov
 - EPA may request additional information and/or may need to address issues with the applicant to maintain compliance
 - A formally amended application may or may not be required
 - EPA acts to approve the changes formally or informally
- Applicants with approved OTS or component-based systems are not required to inform EPA of mass system updates implemented by vendors



Application Resources

- [EPA CROMERR Website](#)
- [CROMERR Application Tools & Templates](#)
- [CROMERR 101 Training](#)

- [CROMERR Help Desk](#)
 - Application status
 - Regulatory/policy questions
 - Technical assistance
 - Other inquiries