



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

SEP 30 2013

DEPUTY ADMINISTRATOR

MEMORANDUM

SUBJECT: E-Reporting Policy Statement for EPA Regulations

FROM: Bob Perciasepe

Bob Perciasepe

TO: Assistant Administrators
General Counsel
Inspector General
Associate Administrators
Regional Administrators

We are establishing a new Agency-wide policy on e-reporting that specifies in developing new regulations that we will start with the assumption that reporting will be electronic and not paper based. And we will use shared services to do this to the maximum extent possible. This Policy Statement is one important step forward in the Agency's larger E-Enterprise for the Environment Initiative.

This action fulfills the Agency's commitment to institute electronic submissions in place of existing paper-based reporting to meet the Agency's regulatory reporting requirements.¹ And it meets our commitment in the Agency Priority Goal for E-Reporting. The Policy embraces the Digital Government Strategy issued by the White House on May 23, 2012² which calls for the EPA to continue evolving its reporting systems to take advantage of new technology and improve transparency for all our stakeholders.

More details on implementation of the attached Policy Statement will be set forth in internal implementing guidance from the Office of Policy in October 2013.

Attachment

cc: EPA Internal E-Enterprise Management Team.

¹ EPA's Final Plan for Periodic Retrospective Reviews, August 2011 (p. 6)

² <http://www.whitehouse.gov/sites/default/files/omb/egov/digital-government/digital-government-strategy.pdf>

Policy Statement on E-Reporting in EPA Regulations

September 30, 2013

The Policy of the U.S. Environmental Protection Agency (EPA) is to:

1. Begin the regulatory development process with the assumption that all reporting will be electronic, unless there is a compelling reason to use paper reporting;
2. Use, to the maximum extent practicable, common agency tools, information systems, and data sets for E-Reporting (i.e., shared services);
3. Develop and use E-Reporting tools and processes that help regulated entities understand their regulatory reporting requirements; and
4. Collaborate with States, local governments, tribes, and territories thru the E-Enterprise initiative to help enable the adoption of E-Reporting and to harmonize the development and use of systems and tools to support it. As part of this collaboration thru E-Enterprise, EPA will work with states and others to identify and prioritize which existing paper-based programs should be transitioned to electronic reporting and how.

EPA does not intend that this Policy will, by itself, change the federal and state roles in environmental programs. Any such changes in roles will be separately negotiated and agreed upon in the appropriate documents, such as program memorandum of agreements.

This document is a statement of Agency policy and does not constitute a regulation. It is not intended, nor can it be relied upon, to create any rights enforceable by any party in litigation with the United States.

Details on implementation of this policy in the Agency's Action Development Process (ADP) will be distributed shortly by the Office of Policy.

BACKGROUND

EPA believes this Policy will improve data quality and the ability of government agencies to manage environmental programs efficiently and effectively. E-Reporting will help increase transparency through data availability and encourage greater accountability of regulated entities and the government to the public. In addition, the Policy will result in more effective engagement with the regulated community, and can often reduce regulatory burdens, while enhancing collaboration among levels of government.

This Policy is part of the E-Enterprise for the Environment initiative. E-Enterprise is a joint initiative between States and EPA to improve environmental outcomes and dramatically enhance service to the regulated community and the public by maximizing the use of advanced monitoring and information technologies, optimizing EPA and state operations, and increasing transparency. Moving from paper to electronic reporting is a key component of E-Enterprise and this Policy sets forth the Agency's commitment to moving to electronic reporting.

As EPA moves forward with electronic reporting, the second provision (see first page) in this Policy confirms the Agency's intention to maximize the use of shared information systems, tools and data sets. This should be more efficient and reduce the need to create new separate information systems and data collections.

EPA believes implementation of this Policy and the larger E-Enterprise initiative will enhance the ability of EPA and the states to collaboratively manage the national environmental protection system based on more complete and shared information. And this will increase the government's ability to perform evidence-based management so that EPA and the states can design and implement the most effective environmental programs. The collaboration among EPA, the States, tribes and territories on the National Environmental Exchange Network provides many of the fundamental building blocks for moving to E-Reporting.

EPA recognizes that States, local governments, tribes, and territories with authorized or delegated environmental programs are key players in the transition to E-Reporting. EPA also recognizes that, in some instances, an applicable statute or existing regulation at the federal, State, local government or tribal level may need to be amended to allow for E-Reporting. However, nothing in this Policy is intended to change the federal and State roles in environmental programs, and EPA will work with States, local governments, territories and tribes as the Agency includes E-Reporting in new regulations and modifies existing regulations to convert from paper to E-Reporting.

As described in this Policy, *E-Reporting* is not simply a regulated entity e-mailing an electronic copy of a document (e.g., a PDF file) to the government. Rather, E-Reporting is defined as a system in which an electronic tool guides the regulated entity through the reporting process often with built-in compliance assistance and data quality checks.

This Policy applies to regulations that will be directly implemented by EPA and regulations that will be implemented by authorized or delegated state, tribal or local government programs. For existing regulations, the Agency will continue and increase its efforts to convert paper reporting to E-Reporting. The details on how to do this expeditiously and efficiently, with appropriate business process reviews and streamlining to reduce burden, will be addressed as part of the E-Enterprise initiative.

This Policy does not identify the specific data to be collected thru electronic reporting in a particular regulation. And this Policy does not address whether approaches other than reporting to the government, such as regulated entities providing certified information directly to the public via their own websites, might be appropriate for a particular regulation. Instead, the specific data needs and reporting approaches will be addressed as each regulation is developed.

Approved on September 30, 2013 by:



Bob Perciasepe, US EPA Deputy Administrator