



U.S. Environmental Protection Agency
 Final Plan for Periodic Retrospective Reviews of Existing Regulations
EO 13563 Progress Report, September 2012

| EPA Plan # | Agency / Sub-Agency | RIN / OMB Control Number | Title of Initiative / Rule / ICR | Brief Description | Actual or Target Completion Date | Anticipated savings in costs and/or information collection burdens, together with any anticipated changes in benefits | Progress updates and anticipated accomplishments | Notes |
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| 2.1.1 and 2.1.11(a) | EPA/OAR | RIN 2060-AQ86 | Gasoline and diesel regulations: reducing reporting and recordkeeping. Vehicle regulations: harmonizing criteria air pollutant requirements with CARB | As part of the Tier 3 vehicle and fuel standards rule, EPA intends to review existing gasoline and diesel regulations that apply to fuel producers, ethanol blenders, fuel distributors, and others for areas where recordkeeping and reporting obligations can be modified to reduce burden. In regard to vehicle regulations, EPA plans to assess and take comment on opportunities to harmonize testing and compliance requirements with CARB's vehicle emission standards. | Next step for this action is EO 12866 review. | EPA will propose a number of amendments to the fuels program regulations in 40 CFR part 80. With regard to regulatory streamlining, the majority of these items involve clarifying vague or inconsistent language, removal or updating of outdated provisions, and decreasing the frequency and/or volume of reporting burden where data is either no longer needed or is redundant in light of other EPA fuels programs. In general, we believe that these changes would reduce burden on industry with no expected adverse environmental impact. In addition, EPA will request comments on potential areas in the fuel regulations that may benefit from a more comprehensive streamlining effort. The Tier 3 rule will also harmonize federal vehicle criteria pollutant emission standards with CARB's LEV III standards, allowing the auto manufacturers to more efficiently produce on fleet of vehicles that will meet all the standards. This is directly responsive to the auto manufacturers input during the regulatory review comment process. | A Small Business Advocacy Review Panel to obtain advice and recommendations of representatives of the small entities potentially subject to the rule's requirements was completed on October 3, 2011. | 40 CFR Part 80 - Regulation of Fuels and Fuel Additives Subpart D - Reformulated Gasoline (80.40 through 80.89) Subpart E - Anti-Dumping (Conventional Gasoline) (80.90 through 80.124) Subpart H - Gasoline Sulfur (80.180 through 80.415) Subpart J - Gasoline Toxics (MSAT1) (80.800 - 80.1045) Subpart L - Gasoline Benzene (MSAT2) (80.1200 - 80.1363) |
| 2.1.2(a.) | EPA/OAR | RIN 2060-AP66 | Equipment and leak detection and repair: reducing burden | EPA intends to reduce burden on industry and streamline leak detection and repair (LDAR) by using an optical gas imaging instrument to find leaks. | EPA expects to propose Alternative Work Practices for Leak Detection and Repair, Amendments after 2.1.2(b) is finalized. | Using the optical gas imaging instrument where permissible, will reduce monitoring time since the instrument can image multiple pieces of equipment simultaneously from a distance, which also removes the need to designate equipment as unsafe-to-monitor or difficult-to-monitor. | See progress update for 2.1.2(b). | |
| 2.1.2(b.) | EPA/OAR | RIN 2060-AR00 | Equipment and leak detection and repair: reducing burden | EPA intends to reduce burden by developing and consolidating state-of-the-art uniform standards for controlling equipment leaks that will then become applicable when they are referenced in other regulatory actions. | EPA proposed the Uniform Standards for Equipment Leaks and Ancillary Systems on March 26, 2012. | Significant burden reduction will be achieved by referencing the Uniform Standards due to consistency of monitoring, recordkeeping, and reporting requirements. By applying the Equipment Leaks Uniform Standards to the chemical and refining industries, we estimate that each refinery and chemical facility will save approximately \$7,000/year and \$4,000, respectively in burden reporting. The Uniform Standards also contain provisions for use of an optical gas imaging instrument to detect leaks, where permissible. We estimate that an average refinery would save approximately \$34,000 per year using this instrument. We do not have similar estimates for an average chemical plant since some plants may not be able to use the device due to detection capabilities. | The rule was proposed on March 26, 2012, with a 90-day comment period. EPA expects to issue a final rule in June of 2013. | http://www.epa.gov/ttn/oarpg/t3/fr_notices/unistand_storageplu_s_pfr_022412.pdf |

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| 2.1.3 | EPA/OECA and EPA/OW | | Regulatory certainty for farmers: working with the U.S. Department of Agriculture (USDA) and states | EPA is working with USDA and state governments to explore flexible, voluntary approaches for farmers to achieve water quality improvements. | EPA intends to continue to work with Chesapeake Bay States to build programs with interested States. We plan to continue to work with Regions to explore interest in other States. | Anticipated benefits include increased adoption of best management practices (BMPs) that reduce runoff of excess nutrients and sediment. | In October, EPA met with Chesapeake Bay State Agriculture and Environment Directors. In November, EPA met with Bay state officials and key stakeholder groups. An anticipated outcome is that one or more of these states adopt certainty programs that encourage more farmers to adopt BMPs to reduce runoff of excess nutrients and sediment. In January, EPA signed an agreement with Minnesota on "Engaging in a State and Federal Partnership in Support of the Minnesota Agricultural Water Quality Certification Program." EPA and USDA havemet with officials from Vermont and communicated with Maryland and Delaware who have indicated their intentions to move forward with certainty programs. EPA 's Region 3 office will provide support to that effort. | |
| 2.1.4 | EPA/OCSP P | | Modernizing science and technology methods in the chemical regulation arena: reducing whole animal testing, reducing costs and burdens and improving efficiencies | EPA seeks ways to more efficiently assess the health and environmental hazards, as well as the exposure potential, of chemicals while reducing costs and burdens. A new work plan would develop new science-based approaches like computational toxicology tools to prioritize chemicals for risk assessment/management purposes and to develop tools that allow the agency to base these risk management decisions on sufficient, credible data. | EPA intends to apply Tox 21 methods to prioritize certain chemicals by the end of 2012. | The initial benefits will be to decrease the time it takes to collect the necessary information to make decisions from years to months. The cost savings will come from reduced data generation and review times. | In 2012, EPA developed a general methodology for validating these Tox 21 methods for use in the prioritization and screening of chemicals; in 2013, EPA also established a stakeholder workgroup under the Pesticide Program Dialogue Committee that is addressing communication and transition issues as EPA phases in these new test methods into its pesticide registration and review programs. This workgroup has met three times in 2012. For the endocrine disrupter program, EPA published the EDSP21 plan summary in November 2011, which set out a timeline for integrating high speed throughput methods (known as Tox 21 methods) into the EDSP program. EPA intends to apply these methods to prioritize certain chemicals in 2013. | For EDSP: http://www.epa.gov/endo/pubs/regaspects/index.htm For PPDC: http://www.epa.gov/pesticides/ppdc/testing/index.html |
| 2.1.5 and 2.1.7 | EPA/OCSP P | RIN 2070-AJ75 | Electronic online reporting of health and safety data under TSCA, FIFRA and FFDCA: reducing burden and improving efficiencies. Quick changes to some TSCA reporting requirements; reducing burden. | EPA is exploring transitioning from paper-based reporting to electronic reporting for industries regulated under TSCA, FIFRA, and FFDCA. Online electronic reporting can reduce burden and costs for regulated entities. The changes to TSCA reporting requirements are intended to reduce reporting burdens and to clarify reporting requirements. Considerations include the submission of an electronic copy in the place of 6 paper copies, the additional requirement of including "Robust Summaries" of test results with test data, and the use of the Inventory Update Reporting Form to format submission of preliminary assessment information. | EPA issued a proposal related to Electronic reporting under TSCA in April 2012. With regard to electronic reporting under FIFRA & FFDCA, on October 14, 2011, EPA implemented an electronic submission option that covers all significant aspects of the pesticides registration and review processes. EPA provided detailed guidance and a downloadable tool to facilitate electronic submission via CD/DVD of registration applications and responses to registration review and endocrine disruptor screening program orders. | Online electronic reporting can reduce burden and costs for the regulated entities by eliminating the costs associated with printing and mailing reports to EPA, many of which are required in multiple copies, completing the forms through look-up features and error checks, and maintaining paper records. It can also increase efficiencies in terms of record retrieval and information sharing within the company. At the same time, it can improve EPA's efficiency in reviewing the submissions, in particular for lengthy scientific studies. The regulated community has indicated that these savings could be substantial, but there may be an initial offset from burden related to initial registration into the system that will be used for the online reporting portal. | EPA proposed the "eTSCA Reporting" rule on April 27, 2012 (77 FR 22707). EPA is streamlining business processes and developing a new IT paradigm to support a paperless office, including true e-submission of pesticide registration application materials. This study is expected to be complete by the end of 2012. | Includes components of 2.1.7. For TSCA: http://www.epa.gov/oppt/newhems/epmn/epmn-index.htm For Pesticides: http://www.epa.gov/pesticides/regulating/registering/submissions/ |

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| 2.1.6 | EPA/OSW ER | | National Priorities List rules: improving transparency | EPA will improve transparency in the NPL listing process by considering ways for states, local govts, and tribes to have meaningful input to listing decisions. | EPA intends to address this programmatic concern through the ongoing Integrated Cleanup Initiative from the third quarter of fiscal year 2011 through the fourth quarter of FY 2012. | | This activity is extended due to the additional time needed to complete guidance for use of model governors' letter considering essential input from states. The model letter has been presented to the Association of State and Territorial Solid Waste Management Officials at several recent meetings. The proposed approach involves formal EPA and state correspondence including making the correspondence available to the public and is expected to be final by the end of September, 2012. The process will include opportunity for additional calls or meetings if the state has questions. Substantial EPA and state dialogue and formal partnerships are expected to continue during the discovery, the preliminary assessment/site investigation process, as well as when identifying candidate NPL sites and sites for other cleanup activities. The guidance will address transparency and how the letter is to be used given the diverse relationships among the many states' site assessment programs. A similar letter and guidance will be developed for tribes when sites are on tribal lands in accordance with EPA's May 2011 Policy on Consultation and Coordination with Indian Tribes. Draft Guidance for Incorporating Community Involvement into Superfund Site Assessment Activities has completed regional review and is being finalized for January 2013. | |
| 2.1.8 | EPA/OW | RIN 2040- AF25 | National Pollutant Discharge Elimination System (NPDES): coordinating permit requirements and removing outdated requirements | EPA intends to review the regulations that apply to the issuance of NPDES permits, which are the wastewater permits that facility operators must obtain before they discharge pollutants to any water of the United States. EPA intends to revise or repeal outdated or ineffective regulatory requirements for wastewater facilities. | EPA expects to propose modifications to NPDES permit regulations in September of 2013. | EPA estimates that public notice of draft permits in newspapers for NPDES major facilities, sewage sludge facilities and general permits currently costs approximately \$1.6 million per year (this excludes the costs of preparing the content of the NPDES public notice, and the costs of the other methods to provide notice besides newspaper publication, such as direct mailing). Any savings from EPA's planned rule, however, are likely to be less than this amount. The new rule would allow, but not require states and the Federal Government to use electronic public notice instead of newspaper publication. Some states would continue to publish at least some notifications in newspapers. In addition, there would be offsetting costs to provide electronic notice, and EPA does not currently have estimates of those costs. | Final rule is expected in July of 2013. | |

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| 2.1.9 | EPA/OW | | National primary drinking water regulations - Long Term 2 Enhanced Surface Water Treatment: evaluating approaches that may maintain, or provide greater, public health protection | EPA intends to evaluate effective and practical approaches that may maintain or provide greater protection from Cryptosporidium and other pathogens in the water treated by public water systems for protection and stored prior to distribution to consumers. EPA plans to conduct this review expeditiously to protect public health while considering innovations and flexibility. | The review process for LT2-will be completed in conjunction with the 6-year review process, no later than March 2016. | | EPA held a stakeholder meeting on LT2 on December 7, 2011, which focused on analytical methods. The Agency held a second stakeholder meeting on April 24, 2012, which focused on uncovered finished water reservoirs. EPA plans to hold a third stakeholder meeting in November 2012, with a focus on source water monitoring data and current LT2 treatment technique requirements (e.g., binning, microbial tool box options). | The National Primary Drinking Water Regulations: Long Term 2 Enhanced Surface Water Treatment Rule RIN 2040--AD37 was promulgated, January 5, 2006. |
| 2.1.10 and 2.2.3 | EPA/OW | | Integrated planning for municipal wastewater and stormwater sources. | When EPA requested public comments on how we should meet the Executive Order 13563, several commentors raised concerns that EPA, states and municipalities often focus on Clean Water Act requirements applicable to municipalities, including requirements for CSOs, SSOs and other wet weather discharges, individually, assessing and implementing the best alternative to solve one problem at a time without adequate consideration of the entire water quality challenge facing a community. This review is included in the Plan so that EPA can gather additional information on how to better promote green infrastructure, to promote more cost-effective remedies to CSO, SSO and other wet weather violations and to identify additional approaches that balance competing CWA requirements and allows municipalities to develop a comprehensive plan that addresses CSOs, SSOs, stormwater and other municipal CWA requirements in a way that focuses their resources on the most pressing public health and environmental protection issues first. | EPA issued the Integrated Municipal Stormwater and Wastewater Planning Approach framework document on June 5, 2012 that more fully describes the integrated planning concept. | This effort gives municipalities the opportunity to develop and implement plans that will help them meet their water quality objectives in the most cost-effective way. It allows municipalities to take advantage of some innovative practices, such as green infrastructure, that can be used to address several issues, such as CSOs, SSOs, and stormwater discharges. Green infrastructure offers municipalities other benefits as well, such as making their communities more liveable, reducing the urban heat island effect, and saving energy. | EPA completed the framework document and is now in the implementation stage. The Agency is identifying municipalities that are interested in developing integrated plans, and will work with identified municipalities and appropriate State agencies. | http://cfpub.epa.gov/npdes/integratedplans.cfm Action Completed |
| 2.1.11(b) | EPA/OAR | RIN 2060-AQ54 | Vehicle Regulations: harmonizing requirements for GHG and Fuel Economy Standards | EPA and NHTSA have proposed a joint rulemaking to propose greenhouse gas (GHG) and Corporate Average Fuel Economy (CAFE) standards for model years 2017-2025 light-duty vehicles. As part of this process, EPA and DOT are taking comment on opportunities to further harmonize compliance requirements of the two agencies. This was recommended by an auto industry representative during the public comment process for this Plan. | EPA and DOT finalized the joint GHG and fuel economy rule on August 28, 2012. | The rulemaking is directly responsive to requests from the auto industry to harmonize DOT's fuel economy standards, EPA's greenhouse gas standards and CARB's greenhouse gas standards. This will allow the auto manufacturers to more efficiently produce one vehicle fleet to meet the requirements of the "National Program". | The GHG Vehicle standards proposal was published on December 1, 2011. The final rule was signed on August 28, 2012, and published in the FR on October 15, 2012. | http://www.epa.gov/otaq/climate/regulations.htm Action Completed |

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| 2.1.12 | EPA/OAR | RIN 2060-AQ41 | Multiple air pollutants: coordinating emission reduction regulations and using innovative technologies | EPA intends to explore ways to reduce emissions of multiple air pollutants through the use of technologies and practices that achieve multiple benefits, such as controlling hazardous air pollutant emissions while also controlling particulate matter and its precursor pollutants. An early example of this approach is a rule amending pollution-control requirements for the pulp and paper industry. | EPA issued a final rule in July 2012. | Market analysis found that the proposal is likely to induce minimal changes in the average national price of paper and paperboard products. The control costs for the proposed rule amendments are estimated to be approximately \$4.1M per year with associated emission reductions of approximately 4,100 tons per year of HAP. Total industry costs (repeat testing/monitoring and incremental reporting/recordkeeping requirements in addition to controls) are estimated to be approximately \$2.1M per year. | The pulp and paper industry rule was signed July 31st and will be published shortly. The review evaluated technology developments and residual risk following MACT implementation. EPA next intends to apply these approaches in a rulemaking to review Kraft pulp mill standards. | http://www.epa.gov/ttn/atw/pulp/pulppg.html Action Completed |
| 2.1.13 | EPA/OAR | RIN 2060-AO60 | New Source Performance Standards (NSPS) reviews and revisions under the CAA: | This review is included in the Plan to ensure that EPA prioritizes NSPS reviews to focus on those that, in keeping with EO 13563, promote innovative technologies while upholding EPA's mission to protect human health and the environment. | EPA issued an advanced notice of proposed rulemaking in October 2011. EPA expects to issue a proposed rule in fall 2013. | This strategy will reduce the resource burden to the government and stakeholders by eliminating the need for costly and time consuming reviews of certain standards, which are not expected to result in any environmental benefits. This burden reduction will allow the government and stakeholders to focus on those NSPS with greater opportunities for meaningful improvements in air quality and public health. | EPA is reviewing public comments submitted in response to the ANPRM and preparing a proposal. | 76 FR 65653 http://federalregister.gov/a/2011-27441 |
| 2.1.14 | EPA/OAR | | CAA Title V Permit programs: simplifying and clarifying requirements | EPA is reviewing the Title V implementation process to determine whether changes can be made to simplify and clarify the process for industry, the public, and government resources. | EPA expects to be able to identify options for future improvements by the end of 2012. | EPA believes the improvements will reduce burden on the public, the permitting agencies and the permittees. This action should realize a benefit of \$200 to \$300 per permit revision when fully implemented. | EPA began the review process to implement this recommendation during the fall of 2011. EPA has started to identify areas for improvement and is establishing a work group to develop options for possible improvements to include in a potential future action. | |
| 2.1.15 | EPA/OP | | Innovative technology: seeking to spur new markets and utilize technology | EPA intends to assess technology during retrospective reviews and new rulemakings to help encourage development of innovative technologies that reduce costs. EPA also plans to update monitoring and testing protocols to allow the use of new methods and technologies, where feasible. Support for the newly formed regional water technology innovation cluster will continue. | EPA expects to complete the pilot(s) in 2012. | This action is not designed to reduce costs or information burdens; its desired outcome is to stimulate the incorporation of the most up to date technology in regulatory programs. The "definitive" results from these pilots are not known; however, EPA hopes to explore the potential for expanding alternative technologies and processes in the market that will offer new possibilities for reducing environmental and health impacts. | The first of two pilots has been completed - and the final deliverables are being developed for Design for the Environment (DfE) in OCSPP and are expected by the end of October. This DfE market analysis pilot focused on understanding the drivers, needs, barriers, and selection criteria used by a company when an alternative flame retardant is considered or employed. Discussions are still underway with OW focused on mountain top mining water issues for a second potential pilot, slated for completion December 2012. | |
| 2.1.16 | EPA/OP | | The costs of regulations: improving cost estimates | The goals of the Retrospective Cost Study are to evaluate whether ex-ante and ex-post cost estimates of regulations differ substantially and, if so, to explore the reasons causing the divergence. If systematic differences in between ex ante and ex post cost estimates are detected, we hope to identify the source of the differences and determine if there are defensible means of correcting for them in our ex-ante cost estimation methodology. | Additional meetings have been scheduled with the SAB-EEAC for September 7 and November 2, 2012 during which they will continue their deliberations. | The ultimate goals of this effort are to improve our ex-ante cost modeling and to inform future revisions to EPA's Guidelines for Preparing Economic Analyses. | An Advisory Meeting with the SAB-EEAC to discuss the Phase I report entitled "Retrospective Study of the Costs of EPA Regulations: An Interim Report of Five Case Studies" was held on April 19 and 20, 2012. The Agency asked for input on whether the approaches employed in the study are appropriate and how the analyses could be improved. The case studies in the Interim Report should be considered works in progress as they may change in response to feedback received from the SAB. An internal review draft of the Phase 1 report was completed in December 2011. | |
| 2.2.1 | EPA/OAR | RIN 2060-AQ97 | Vehicle fuel vapor recovery systems: eliminating redundancy | | | | | Action Completed (Refer to May 2012 Report) |

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| 2.2.2 | EPA/OAR | RIN 2060-AP06 | New Source Performance Standards (NSPS) under the CAA for grain elevators, amendments: updating outmoded requirements and relieving burden | The NSPS for Grain Elevators was promulgated in 1978 with the latest amendments made in 1984. Since that time there have been a number of changes in the technology used for storing and loading/unloading grain at elevators. The rule has seen increased activity of late, due to the increase in ethanol production that has led to bumper crops of corn being grown, which, in turn, has led to a need for increased grain storage. For these reasons a review and potential change in certain definitions is necessary to ensure the appropriate standards are being applied consistently throughout the industry. | EPA expects to issue a proposed rulemaking by January 2013. | The industry will realize some benefits in regulatory certainty moving forward as the current regulation is being interpreted differently across the country. EPA is revising the standards in response to industry requests for EPA to clarify the standards as they relate to temporary grain storage. | A draft proposed rule is undergoing internal review. The grain elevator trade coalition petitioned EPA in early February 2012 to review and repeal the NSPS. The Agency plans to evaluate the petition in conjunction with this lookback exercise. A meeting was held with the trade coalition in late July 2012 to update them on the progress of the rulemaking. The project is still on track for proposal in January 2013. | |
| 2.2.4 | EPA/OSW-ER | RIN 2050-AG20 | E-Manifest: reducing burden | This rule would establish legal and policy framework for collecting hazardous waste shipment data electronically, thereby replacing the current, burdensome paper manifest system that requires 6-copy forms to be completed, carried and signed manually. | The next step for this action is internal review. The final rule must be promulgated within one year of enactment of legislation authorizing establishment of national system funded by user fees or other funding. | National system could result in annual savings to hazardous waste handlers and states ranging between \$77 million and \$209 million, depending on final system design selected and widespread adoption of e-Manifest by user community. | Technical assistance has been provided to Congress on both a Senate Bill (S.710) a similar Administration Bill and a House mark-up of the Senate Bill. The Senate Bill passed in August 2011. The House mark-up of S710 cleared the Energy and Commerce Committee in July 2012 and is being scheduled for a vote by the full House. Finalization of a rule (contingent upon enactment of legislation first) is estimated to be one year from date of enactment of legislation. | |
| 2.2.5 | EPA/OSW-ER | | Electronic hazardous waste Site ID form: reducing burden | EPA is exploring ways to reduce burden for hazardous waste generators, transporters, and holders of waste permits. | EPA estimates that an electronic site ID form could be implemented within a year after the decision is made to move forward. | Electronically submitting Site ID forms would: 1) save in mailing costs; 2) enable better data quality as the data would be entered by the facility itself; 3) increase efficiency of the notification process as the facility could easily submit updates of past submissions (rather than repeatedly filling out the form again and again); and 4) enable states and EPA to receive the updated data faster. | The Site ID proof of concept has been deployed to our internal test server. Select state partners continue to work with us to analyze both the functional requirements as well as the technical architecture and digital signature components. EPA has completed internal testing and will now conduct additional testing with our state partners beginning in late Aug/early Sept. Once any system issues have been addressed and feedback from users received, EPA will determine next steps based on the findings. | |
| 2.2.6 | EPA/OW | | Consumer confidence reports for primary drinking water regulations: providing for the open exchange of information | This action is included in the Plan so that EPA can explore ways to promote greater transparency and public participation in protecting the Nation's drinking water. | EPA estimates that a retrospective review of the CCR will be completed by early CY2013. | EPA initially estimates a cost savings of approximately \$1,000,000 (2010\$) per year, based on the anticipated reduction in postage and paper costs for systems serving ≥10,000 customers. EPA is currently analyzing a range of burden reduction estimates based on the electronic delivery approaches under consideration. | In FY 2012, EPA began review of the CCR, including an internal comparison of the statute and CCR rule language and formation of an EPA workgroup. EPA determined that the current rule language will allow for additional delivery options (e.g., electronic delivery). To gather information from stakeholders, a Listening Session was held on February 23, 2012. The web-based dialogue was opened for two weeks allowing for states, utilities, and consumers to provide feedback on CCR delivery and on other issues. EPA plans to seek feedback on logistical issues associated with electronic delivery during and following an in-person public meeting in October 2012. In December 2012, EPA plans to release a legal interpretation memo on CCR delivery options, with an attachment describing electronic delivery considerations for states and utilities, and a summary of issues raised by stakeholders. | National Primary Drinking Water Regulations: Consumer Confidence Reports, RIN 2040-AC99, was promulgated on August 19, 1998. |

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| 2.2.7 | EPA/OW | | Reporting requirements under Section 303(d) of the Clean Water Act (CWA) reducing burden | EPA intends to explore ways to reduce the burden on state governments when reporting on the quality of the Nation's water bodies. | EPA has been working with the public and states to identify alternative approaches for reducing the burden associated with water quality reporting requirements and to evaluate the impact of changing this reporting cycle under either or both CWA Sections 303(d) and 305(b). EPA has completed this review and is currently drafting a report. | | In late 2011, EPA identified interested participants (states, regions, and ACWA) and initiated conference calls. In March 2012, EPA and States finalized discussions on identifying the steps in the Integrated Reporting process, and EPA publically reported out on its efforts at the Spring meeting of ACWA. EPA has requested input from States on each step in the IR process, which included: estimated Level of Effort, estimated staff and cost, estimated number of days to complete and over what period of time, barriers and inefficiencies, whether necessary in IR process, and applicability to their State. EPA compiled this information, identified the IR steps that account for the most significant effort, and held a series of discussions with Regions and States to better understand why these IR steps are a significant effort, how a change in the length of the reporting cycle would or would not reduce the burden, and what other alternatives exist within the current framework. Recently, EPA completed a draft report consolidating the State input, which is currently being reviewed at the program management level to determine next steps. | CWA Section 303(d) and 305(b) and 40 CFR 130.7 and 40 CFR 130.8 |
| 2.2.8 | EPA/OCSP | | Export notification for chemicals and pesticides: reducing burden and improving efficiencies | | | | | Action Completed (Refer to May 2012 Report) |
| 2.2.9 | EPA/OW | | Water quality trading: improving approaches | EPA intends to seek public feedback on the 2003 Water Quality Trading Policy to determine whether revisions could help increase adoption of market-based approaches, in which trading is a leading example, to increase the implementation of cost-effective pollutant reductions. | EPA held a webinar November 28th, 2012. | | EPA is developing summary of the webinar/workshop. | |
| 2.2.10 | EPA/OW | RIN 2040-AF16 | Water quality standard regulations: simplifying and clarifying requirements | EPA intends to review water quality standard (WQS) regulations to identify ways to improve the Agency's effectiveness in helping restore and maintain the Nation's waters and to simplify standards. | EPA expects to propose a targeted set of revisions to the WQS regulation in fall 2013. | States, tribes, stakeholders, and the public will benefit from the clarifications of the WQS regulations by ensuring better utilization of available WQS tools (variances & designated use change) that allow states and tribes the flexibility to implement their WQS in an efficient manner while providing transparency and open public participation. Although associated with potential administrative burden and costs in some areas, the proposal has the potential to partially offset these costs by reducing regulatory uncertainty and consequently increasing overall program efficiency. Furthermore, more efficient and effective implementation of state and tribal WQS has the potential to provide a variety of economic benefits associated with cleaner water including the availability of clean, safe, and affordable drinking water, water of adequate quality for agricultural and industrial use, and water quality that supports the commercial fishing industry and higher property values. Nonmarket benefits of the proposal include the protection and improvement of public health and greater recreational opportunities. | Action is at OMB, pending E.O. 12866 review. More information can be found on www.reginfo.gov . | |

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| 2.2.11 | EPA/OAR | | State Implementation Plan (SIP) process: reducing burden | | | | | Action Completed (Refer to May 2012 Report) |
| 2.2.12 | EPA/OW | RIN 2040-AF15 | National primary drinking water regulations for lead and copper: simplifying and clarifying assumptions | Efforts to revise the Lead and Copper Rule (LCR) have been ongoing. This review is part of the Retrospective Review Plan because, in addition to improving public health protection, EPA is seeking ways to simplify and clarify requirements imposed on drinking water systems to maintain safe levels of lead and copper in drinking water. EPA is also planning to address the revised definition of lead free plumbing materials from the 2011 Drinking Water Lead Reduction Act that becomes effective January 4, 2014. Industry and other stakeholders have been asking for clarification on new EPA plans to implement this statute. | EPA currently expects to issue a proposed rulemaking in CY 2013 . | | EPA convened the RFA/SBREF A SBAR Panel as of August 14, 2012. | The 1991 National Primary Drinking Water Regulations for Lead and Copper RIN 2010-AB51, has been previously reviewed and revised in 2000 RIN 2140-AC27, and 2007 RIN 2040-AE83 |
| 2.2.13 | EPA/OSW ER | RIN 2050-AF08 | Adjusting threshold planning quantities (TPQs) for solids in solution: reducing burden and relying on scientific objectivity | | | | | Action Completed (Refer to May 2012 Report) |

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| 2.2.14 | EPA/OCSP P | | Integrated pesticide registration reviews: reducing burden and improving efficiencies | EPA is reviewing the pesticide registration review process, as well as other FIFRA requirements. | | <p>Near-term examples of chemical bundling include initiating registration reviews for the neonicotinoid insecticides and sulfonylurea herbicides in the next 12-18 months.</p> <p>To enhance label clarity and potentially reduce regulatory burdens on industry by refining data requirements to support pesticide reevaluations, OPP also plans to bring "SMART meetings" (so named under the reregistration program) into the process on the front end of reviews within the next 12 months. "SMART meetings" ensure that EPA and all interested stakeholders begin communicating early in the process to ensure the accuracy of information about pesticide use. Current pesticide use and usage information is vital to the Agency in updating and refining human and ecological exposure and risk assessments during registration review.</p> <p>Bundling chemicals for Registration Reviews combines efforts and results in cost savings for industry, public, and EPA. In addition, recent post Preliminary Work Plan experience indicates that enhanced label clarity can ultimately reduce or eliminate certain data requirements in select cases, which could reduce cost and burden for industry to generate the data and administratively for EPA.</p> | <p>Registration reviews to be initiated in FY 2012 have been scheduled, and initiated with the opening of a docket pursuant to the established registration review procedures. EPA is working with a variety of stakeholders and advisory committees, such as the Pesticide Program Dialogue Committee, to pilot different approaches for "SMART meetings" to determine how to conduct these meetings in the most efficient and effective manner.</p> <p>For example, EPA announced that it is seeking comments on a proposal jointly developed with the U.S. Department of Agriculture, the National Marine Fisheries Service and the U.S. Fish and Wildlife Service ("the Services") to enhance opportunities for stakeholder input during pesticide registration reviews and endangered species consultations (77 FR 49792, 08/17/12).</p> | This is an ongoing program, so the effort is broadly applicable to different aspects of the program. |
| 2.2.15 | EPA/OCSP P | RIN 2070-AJ20 | Certification of pesticide applicators: eliminating uncertainties and improving efficiencies | A review of EPA's regulations on certification and training of pesticide applicators will help clarify requirements and modify potentially redundant or restrictive requirements. | EPA intends to propose improvements to these regulations in 2013. | Savings may result from streamlining activities which could reduce the burden on the regulated community by promoting better coordination among the state, federal, and tribal partnerships; clarifying requirements; and modifying the regulation. | EPA has identified proposed improvements and is completing the proposed rulemaking package for issuance in 2013. | |
| 2.2.16 | EPA/OSW ER | | Polychlorinated biphenyls (PCB) reforms: improving efficiencies and effectiveness | EPA intends to examine existing PCB guidance and regulations to harmonize regulatory requirements related to harmful PCB uses and to PCB cleanup. The disposal and cleanup requirements for PCB-contaminated building material depend on whether the material is classified as PCB bulk product waste or PCB remediation waste. The Agency intends to issue a Federal Register notice that solicits comment on guidance that reinterprets the definition of PCB bulk product waste. EPA believes that this proposed reinterpretation would allow for accelerated cleanups of PCB-contaminated building material by providing a more straightforward path for disposal pursuant to the regulations. Speeding up removal and disposal of the PCB-contaminated material is critical for reducing exposure potential, such as in schools or other locations where such PCB-contaminated building materials are currently in place. | EPA issued a Federal Register notice in February 2012. | Increased number and speed of cleanups of PCB caulk and PCB paint contamination | EPA issued a Federal Register Notice on February 29, 2012. Comment period closed on March 30, 2012. EPA is currently reviewing the comments. | http://www.gpo.gov/fdsys/pkg/FR-2012-02-29/pdf/2012-4860.pdf |

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| 2.2.17(a.) | EPA/OSW ER | | Hazardous waste requirements for retail products: clarifying and making the program more effective | | | | | The signed guidance completes this portion of the review. The guidance is available on RCRAOnline at: http://yosemite.epa.gov/osw/rcra.nsf/0c994248c239947e85256d090071175f57b21f2fe33735128525795f00610f0f!OpenDocument . Action Completed (Refer to May Report) |
| 2.2.17(b.) | EPA/OSW ER | RIN 2050- AG39 | Hazardous waste requirements for retail products: clarifying and making the program more effective | EPA intends to review the data and information in our possession about pharmaceutical products that may become wastes to address these issues as part of a rulemaking on pharmaceutical waste management. | EPA expects to publish a proposed rulemaking in 2013. | Savings estimates are not available at this time. It is too early in the process of the proposed rulemaking on pharmaceutical waste management to determine savings in costs and information collection burdens. A benefit of the rule will be to ensure these pharmaceutical hazardous wastes are managed and disposed of safely. | The proposed rule is under development. | |
| 2.2.17(c.) | EPA/OSW ER | 2050-AG72 | Hazardous waste requirements for retail products: clarifying and making the program more effective | EPA intends to analyze relevant information to identify what the issues of concern are for retailers, what materials may be affected, what the scope of the problem is, and what options may exist for addressing the issues. | EPA expects to publish a Notice of Data Availability (NODA) in March 2013. | It is not possible to calculate savings and benefits until the agency has identified specific actions to be taken. | EPA has conducted 4 listening sessions with commenters and stakeholders on the retrospective review: Walmart, Home Depot, the Retail Industry Leaders Association, and the Council on Safe Transportation of Hazardous Articles (COSTHA). To complete information gathering EPA plans to publish a NODA to 1) present the data and information gathered so far from stakeholders and public sources, 2) request additional relevant data and information from the stakeholders and public, 3) request comments on issues of concern for managing retail product waste and options for addressing the issues. EPA will use information to evaluate possible next steps. | |
| 2.2.18 | EPA/OW | RIN 2040- AF29 | National Primary Drinking Water Regulations: Group Regulation of Carcinogenic Volatile Organic Compounds (VOCs) | EPA intends to coordinate drinking water regulatory requirements and regulate more cost-effectively by addressing contaminants as groups. The plan is to group contaminants into one regulation, which will utilize the same analytical methods for measurement and/or can be removed by the same treatments or control processes. | EPA expects to issue a proposed rulemaking in October of 2013. | | EPA plans to conduct a public stakeholder meeting in fall 2012. | This action may revise drinking water standards for up to 8 VOCs. The standards for the 8 regulated VOCs were promulgated in phases. Phase I: July 8, 1987(Vol 52, No. 130) includes: TCE, 1,2-dichloroethane, vinyl chloride, benzene, carbon tetrachloride. Phase II&IIB: January 20, 1991(Vol 56, No 20) & July 1, 1991(Vol 52, No 126) includes: PCE and 1,2-dichloropropane. Phase V: July 17, 1992(Vol 57, No 138) includes: dichloromethane. There were no RINs published for these original rules. |
| 2.2.19 | EPA/OP | | Section 610 reviews: coordinating requirements | To the extent practicable, EPA will coordinate Section 610 reviews with other statutorily or Presidentially mandated retrospective reviews. | The next specific Section 610 reviews are not due until early 2013. This item in the plan will remain ongoing as rules come up for review. List of rules with upcoming 610 reviews is expected to be posted on EPA's website in October. | Each specific Section 610 review that can be coordinated with another review requirement will save Agency resources and reduce burden on the public responding to and commenting on reviews. | The list of 11 rules for which upcoming 610 reviews are required will be posted on EPA's Small Entities and Rulemaking website (http://www.epa.gov/rfa/). Other required retrospective reviews for each rule will be indicated. | |

Paperwork and Reporting Burden Reduction Initiatives, September 2012

| Agency | Sub-Agency | Title | Description of the initiative | Hours of paperwork/reporting eliminated | Cost savings/increases | Estimated effective date of the change | Who benefits? | New initiative? | Regulatory or statutory change needed? |
|--------|-------------|---|---|--|---|---|--------------------------------|-----------------|---|
| EPA | OECA/ OSWER | Electronic Reporting for Hazardous Waste Exports | The current paper hazardous waster exporter program involves three types of documents: the notice submitted by the exporter to EPA, the acknowledgment of receipt which EPA sends to the exporter, and the acknowledgment of consent or notice of objection which EPA sends to the exporter. Annually exporters submit about 1,650 notices to EPA, containing a total of 12,000-13,000 distinct waste streams, and the other two documents are sent by EPA in response. Collectively these documents generate over 31,000 written pages per year which could instead be transmitted by industry and EPA electronically. | 2,600 | \$33,000 in cost savings to reporting entities in reduced courier fees and QA/QC costs. | 2 years from date of initiation. Assuming start in September 2012, the project will be completed by September 2014. | Hazardous waste exporters, EPA | Yes | Yes, regulatory change is needed if electronic submissions will be required. Some improvements (creating a form) could happen without regulatory changes. |
| EPA | OECA/ TBD | Streamline and Convert Financial Assurance Paper Reporting to Electronic Across Multiple Programs | CERCLA, RCRA, SDWA, and TSCA each impose requirements on regulated entities to obtain financial assurance (FA) for current and future environmental obligations. Financial assurance instruments guarantee that RCRA hazardous waste treatment, storage, and disposal facilities and municipal solid waste landfills are properly closed, RCRA and CERCLA cleanups are completed, RCRA underground storage tanks have funds to address releases, and that SDWA underground injection wells are properly plugged. Currently FA instruments are submitted in paper form to EPA or state regulators, without standardized procedures across regulatory programs for maintaining documents submitted or for tracking compliance. Many of these documents are similar, if not identical, in form. A detailed scoping analysis has not been done yet, but | 150,000 initially; 55,000 subsequent years | Not identified | Not projected | Industrial sources | Yes | Possibly. May not be required. |

| Agency | Sub-Agency | Title | Description of the initiative | Hours of paperwork/reporting eliminated | Cost savings/increases | Estimated effective date of the change | Who benefits? | New initiative? | Regulatory or statutory change needed? |
|--------|---------------|---|--|--|---|--|--|-----------------|---|
| EPA | OSWER | Hazardous Waste e-Manifest | The current paper manifest form currently required for tracking hazardous waste shipments should be replaced by electronic manifests (e-manifests). E-manifests could be downloaded to mobile devices and tracked through a national system, thus reducing paperwork burden and making tracking easier. Pending legislation will assure successful implementation. The implementation of e-Manifest would also produce significant non-economic benefits for all stakeholders, including: <ul style="list-style-type: none"> -More timely waste shipment tracking services and higher quality data -Transparency and more rapid notification of problems or discrepancies during transit -Enhanced inspection/enforcement capabilities for regulators -One stop reporting of manifest data to EPA and States -Possible consolidation with Biennial Reporting and other reporting -Improved information sharing with emergency responders. | Implementation of e-Manifest could result in annual cost savings exceeding \$75 million, and annual burden reductions of between 370,000 and 700,000 burden hours. | Implementation of e-Manifest could result in annual cost savings exceeding \$75 million | Not projected | Hazardous waste generators, hazardous waste transporters and disposers, States | No | Yes, a statutory and regulatory change is needed. |
| EPA | OECA/ OEI/ OW | Proposed National Pollutant Discharge Elimination System (NPDES) e-reporting Rule | The proposed rule will transform the NPDES program from a paper reporting program to a modern electronic program. Key paper reports from dischargers, such as the Discharge Monitoring Report (DMR) and Notice of Intent (NOI), will be converted to smart electronic forms. The proposed rule provides a flexible foundation for continued report streamlining and innovation. Four existing reports from states would be eliminated: quarterly noncompliance report for major facilities; semi-annual statistical summary report for major facilities; annual non-compliance report for nonmajor facilities; and annual biosolids report from states to EPA. EPA plans to partner with states for a pilot in FY13 and FY14 using fillable forms technology and centralized shared CROMERR services. | 914,000 | Cost savings of \$28.5 million annually as state data entry burden would decrease by 25% compared to current levels. Permittees are estimated to save \$1.1 million annually, and EPA \$0.7 million annually. EPA is revising these numbers, and we haven't had a chance to review yet. | 1/2016 | States, Permittees, EPA. EPA estimates that 150,000 regulated facilities will be affected. | No | Yes, a regulatory change is needed |

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|--------|------------|--|--|--|------------------------|---|---|---|--|
| EPA | Multiple | Pilot Integrated Portal for Direct Reports to EPA for Pesticides, Chemicals, TRI, and Clean Fuels | To pilot the creation of an integrated portal for regulated entities to efficiently report, a cross-programmatic team (Pesticides (OPP), Lead program, Fuels (OAR/OTAQ), Toxics (OPPT), TRI (OEI), OECA, and OEI proposes focusing initially on a discrete universe of direct reporters to EPA, primarily the chemical sector. The intent is to design a fully functional Center for the chemical sector quickly and efficiently (starting in Q1 2013) and then use this as a platform to build out to the full spectrum of EPA and delegated state, local and tribal programs in 2014 and beyond. The initial project would address TSCA, FIFRA, relevant portions under the Clean Air Act for the EPA's Clean Fuels program, TRI as well as enterprise systems maintained by OEI (e.g., CDX, FRS, SRS, EDG, Envirofacts), and OECA | 200,000 for Lead Program; 10,000 for pesticides/toxics; 170,000 for fuels integrated reporting | Not identified | Industry - 2013 State/local/tribal entities - 2014 and beyond | Industrial chemical sector, and State/local/tribal entities | Yes | No |
| EPA | OAR | Changes to Prevention of Significant Deterioration (PSD) New Source Review (NSR) Pre-construction Permitting Program | All new and modified sources of air pollution are required to have permits under the Clean Air Act prior to construction. The burden associated with the preconstruction permitting programs could be reduced by considering the following changes: (1) Requiring electronic source registration for all minor sources in Indian country; (2) establishing streamlining techniques; (3) developing tools (e.g. permit application checklists) or establish techniques for process improvement to streamline the permit processing; and (4) allowing electronic notice alternatives for required public notice requirements and potentially allowing support information on publicly-available websites. | 110,000 | Not identified | Not projected | Industrial sources | No. Some aspects described in previous rulemakings. | Yes, a regulatory change is needed for all but item (3). |
| EPA | OAR | CAA Stationary Source Electronic Reporting (OAQPS) | The goal of this project is to transition from the practice of requiring sources subject to our air regulations to submit reports in hard copy and to improve the national emission inventories. This project would change to requiring electronic submission of the same reports. In order to implement this program, we need to revise many regulations that affect approximately 70 sectors to require affected sources to submit information electronically. We estimate that over 300,000 reports will be submitted once the program is fully implemented. Our emission inventory system will be updated to readily accept this data. | 160,000 | Not identified | Not projected | Industrial sources | Yes | Yes, a regulatory change is needed |

| Agency | Sub-Agency | Title | Description of the initiative | Hours of paperwork/reporting eliminated | Cost savings/increases | Estimated effective date of the change | Who benefits? | New initiative? | Regulatory or statutory change needed? |
|--------|------------|---|---|---|------------------------|--|---|-----------------|---|
| EPA | OAR | Clean Air Act: Title V Rulemaking to Clarify Certain Provisions of the Operating Permit Rules | All major sources of air pollution are required to have Title V operating permits by the Clean Air Act. The changes to Title V permitting program would evaluate: (1) Allowing the use of shorter forms for annual compliance reports; (2) allowing for simpler listing of regulatory requirements; (3) simplifying the listing of requirements for insignificant sources or activities; (4) allowing less resource intense revision procedures; and (5) allowing electronic notice alternatives for required public notice requirements and potentially allowing support information on publicly-available websites. | 120,000 - 180,000 | Not identified | Not projected | Industrial sources.:14,000 to 15,000 total | No | Yes, a regulatory change is needed |
| EPA | OW | Electronic Reporting for the Public Water System Supervision (PWSS) Program | EPA believes that the PWSS program could achieve state and PWS burden reduction, support greater data transparency, and enable better and more efficient state and EPA programmatic and regulatory decision making if drinking water data were reported electronically. EPA will conduct an analysis to identify the burden hours that are attributable specifically to paperwork and/or reporting requirements for each activity under each National Primary Drinking Water Regulations (NPDWR). Based on the identified burden hours and requirements, EPA will evaluate opportunities for electronic reporting by Public Water Systems (PWS) and supporting laboratories to primacy agencies, and from state primacy agencies to EPA. Additional resources will be required to undertake these burden reduction actions. | To be determined | Not identified | FY 2014 or after. | Water systems, state drinking water agencies, laboratories. | Yes | Yes, regulatory change is needed to achieve the intended burden reduction. Additional burden reduction would be achieved through the SDWIS Next Gen initiative above. |