US EPA ARCHIVE DOCUMENT

U.S. Environmental Protection Agency
Open Government Plan 1.1

EPA@40: Healthier Families, Cleaner Communities, A Stronger America

US EPA ARCHIVE DOCUMENT

June 25, 2010

US EPA ARCHIVE DOCUMENT

Nothing in this plan shall be construed to supersede existing requirements for review and clearance of pre-decisional information by the Director of the Office of Management and Budget, relating to legislative, budgetary, administrative, and regulatory materials. Moreover, nothing in this plan shall be construed to suggest that the presumption of openness precludes the legitimate protection of information whose release would threaten national security, invade personal privacy, breach confidentiality, or damage other genuinely compelling interests.

US EPA ARCHIVE DOCUMENT

"The success of our environmental efforts depends on earning and maintaining the trust of the public we serve. The American people will not trust us to protect their health or their environment if they do not trust us to be transparent and inclusive in our decision-making. To earn this trust, we must conduct business with the public openly and fairly. ... In short, we will let more sunlight into our Agency."

Administrator Lisa P. Jackson, April 2009

A Message from the EPA Open Government Team

The Environmental Protection Agency is pleased to present the EPA Open Government Plan 1.1. With 40 years of experience in protecting the health of humans and the environment, EPA is more committed than ever to expanding the conversation on environmentalism, engaging communities, improving regulatory involvement, and continuing a "OneEPA" approach to accomplishing our environmental protection mission. Our Open Government Plan provides the details of these efforts and seeks continued engagement to evolve the EPA cultural legacy of transparency, collaboration and participation. Our definition of success for the EPA Open Government Plan is simple – we want to ensure that you are informed about information we have on environmental protection as well as ensuring that your voice is heard as we move forward in implementing our mission "to protect human health and to safeguard the natural environment - air, water, and land-upon which life depends."

The very nature of this mission requires us to work effectively with our partners (state, local, and tribal governments) and a diverse group of stakeholders including the public, interest groups, industry, and Congress. EPA is unique - we simply cannot fully achieve our mission without the participation of all of you - our partners and stakeholders.

Consequently, this plan represents a response to a synthesis of issues and advice the Agency has heard from its stakeholders in the past and recently through our open government dialogue (www.epa.gov/open).This plan reflects our OpenEPA vision - to continue improving the health of humans and the environment though a significant broadening of dialogue with an ever-expanding community. We intend to actively pursue this dialogue with you; embracing the principle that it will lead to improvements in our nation's environmental decision-making through enhanced transparency, participation, and collaboration.

We are particularly proud to present in our plan EPA's Community Engagement Flagship Initiative. Although we introduce and continue numerous innovative actions in this plan to promote transparency, participation and collaboration, our Community Engagement Flagship

Initiative highlights activities that directly respond to our mission priorities and your comments. This includes efforts such as:

- Expanding the Environmental Conversation with Communities: Urban Waters Information Sharing, Simplifying Scientific Language, Improving Communication with Disadvantaged and At-Risk Communities, Sponsoring a Faces of the Grassroots Video Contest
- Expanding Public Awareness and Involvement in the Development of Rules and Regulations: Chesapeake Bay Total Maximum Daily Load (TMDL) Webinar Series, NPDES pre-proposal involvement, Rulemaking Gateway
- Developing EPA Mobile Applications to Empower Citizen's Environmental Decisions: Human Health Advisories Mobile Application, Easy-to-Find Consumer Product Information

Each project is focused on actively working with communities in a new way, with the goal of sharing best practices and lessons learned for future efforts. The details of the Flagship Initiative and our other innovations are more fully described in our plan.

We continue to welcome your thoughts on our Open Government Plan and projects at www.epa.gov/open, on the EPA Greenversations Blog, or via email at opengov@epa.gov. We want to specifically hear from you on how our plan can be improved, and on what data and information you want to see from EPA. We also encourage you to think of innovative ways to use the data we have provided in this document, on EPA.gov, and on Data.gov, and to provide us feedback on these innovations.

The EPA Open Government Team, represented by offices listed below, thanks everyone who participated in the effort to produce the EPA Open Government Plan 1.1, and we look forward to providing quarterly updates on our progress in implementing your ideas. EPA will also review our Open Government Plan every 180 days to assess our progress. Monitor our progress at www.epa.gov/open.

Open Government Executive: Linda Travers, Principal Deputy Assistant Administrator		
Office of Air and Radiation	Office of the Chief Financial Officer	Office of Solid Waste and Emergency Response
Office of Policy, Economics, and Innovation (Office of the Administrator)	Office of Water	Office of General Counsel
Office of Environmental Information	Office of Research and Development	Region 2 (Coordinating for all Regions)
Office of Public Affairs (Office of the Administrator)	Office of Administration and Resource Management	Office of Prevention, Pesticides and Toxic Substances
	Office of Enforcement and Compliance Assurance	

Sincerely,

Linda A. Travers
Principal Deputy Assistant Administrator
Office of Environmental Information
on behalf of EPA's Open Government Team

US EPA ARCHIVE DOCUMENT

Table of Contents

A Message from the EPA Open Government Team i
Table of Contents iii
I. Introduction 1
A. Purpose of the Plan 1
B. Administrator's Commitment to Open Government Principles 2
C. Integration of Agency's Current Mission, Goals and Priorities 3
D. Leadership, Governance, and Measurement 3
1. Accountable Officials 4
2. Open Government Governance Structure 4
3. How We Will Measure the Success of Open Government at EPA 6
E. Leadership and Cultural Change - History and Path Forward 7
1. Changes to Internal Management and Administrative Policies 8
2. Challenges and How the Public Can Help 9
F. Open Approach to Expand the Conversation on Environmentalism 9
G. Stakeholder Engagement in Plan Development 10
1. Electronic Outreach 10
2. Non-Electronic Outreach 11
3. Ongoing Open Government Efforts and Plan Updates 11
4. EPA Communications Regarding the Open Government Directive 11
H. Flagship Initiative – Community Engagement 11
I. Protecting the Privacy of Those Who Participate 12
II. Transparency 13
A. Transparency History and Baseline 15
B. Increasing and Improving EPA Information on Data.gov 15
1. Identification and Publication of High-Value Information 16
2. Timely Publication of Open Formatted Data 17
C. Governmentwide Initiatives and Requirements 18
1. Governmentwide Transparency Initiatives 18
2. Compliance with Records Management and Information Requests 20
D. Transparency Innovations 23
III. Participation 25
A. Participation History and Baseline 25

US EPA ARCHIVE DOCUMENT

B. Participation Innovations 26
1. Examples of How Targeted Groups Get Informed 27
2. Links and Websites for Public Participation and Engagement 27
3. Partner and Stakeholder Feedback Methods 28
IV. Collaboration 30
A. Collaboration History and Baseline 31
B. Collaboration Innovations 32
1. Collaboration Actions and Mechanisms 32
2. Sample Projects 34
3. How the Public Uses EPA Data 36
4. Input from the Public on Ways EPA Can Increase Openness and Transparency 37
V. Flagship Initiative - Community Engagement 39
A. Expanding the Environmental Conversation with Communities 40
B. Expanding Public Awareness and Involvement in the Development of Rules and Regulations 40
C. EPA Mobile Applications (apps) to Empower Citizen's Environmental Decisions 41
VI. Evolution – The Open Road Ahead 43
Appendix A – Milestones 44
Appendix B - Open Government Plan Development Outreach Timeline and Plan 45
Appendix C – Preview of Transparency Innovation: GeoData Gateway 46

US EPA ARCHIVE DOCUMENT

US EPA ARCHIVE DOCUMENT

I. Introduction

Since our creation 40 years ago, the Environmental Protection Agency (EPA) has embraced the basic tenets of open government – transparency, participation and collaboration. EPA was established and charged with the mission "to protect human health and to safeguard the natural environment—air, water and land—upon which life depends." And the nature of the Agency's mission and statutory responsibilities require collaboration and effective working relationships with our stakeholders (the public, non-governmental organizations and industry), our partners (federal agencies, states and tribes) and others such as local governments and Congress. EPA has a solid foundation of effective working relationships to build upon, and we are now focusing on:

- Broadening our effort to include more stakeholders.
- Encouraging more two-way communication.
- Improving the EPA decision-making process.
- Providing citizens with better information.
- Expanding ways to collaborate with our partners and stakeholders.

How to get involved:

Learn more about Open Government at EPA and provide comments at www.epa.gov/open

We are committed to being open, fair and inclusive in conducting our daily business, leading to better decisions and greater collaboration to address today's environmental challenges.

A. Purpose of the Plan

We created this plan to respond to the Administration's Open Government Directive (OGD) (http://www.whitehouse.gov/open/documents/open-government-directive). While developing our plan, we incorporated public input, examined recent efforts that embody Open Government and identified new opportunities and innovations to further meet this challenge. We will measure and evaluate how our open government activities foster our mission and meet our strategic goals. This plan is a step in the process as the Agency continues to institutionalize a culture of transparency, participation and collaboration.

We will use this Open Government Plan to emphasize and expand on EPA's culture of openness within a mission-focused framework for engaging our stakeholders, especially the public. In many cases, EPA is leveraging technology to help us meet the principles of open government, but we recognize the existence of a digital divide that hinders communication with some stakeholder groups, particularly those who lack access to new and emerging technologies. We are committed to implementing multiple methods of engagement to bridge the digital divide. In this plan, we describe specific projects, both seasoned and new, that add to

EPA's experience in engaging with the public to accomplish our tasks. We expect to share this knowledge throughout the Agency, and we plan to make it available to other government entities for their use and application in joint efforts. Our plan also focuses on expanding the conversation on environmentalism to a broader audience.

Because we are evolving and plan to adapt to feedback, technology innovations and other influences, EPA's Open Government Plan will be a living document, published in an open format on our Web site, which we intend to update regularly to keep it current and relevant.

B. Administrator's Commitment to Open Government Principles

In her first communication to EPA employees, Administrator Lisa P. Jackson encouraged staff to adopt openness in all aspects of EPA's strategy and operations. In her January 2009 memorandum, she stated:

> *"Public trust in the Agency demands that we reach out to all stakeholders fairly and impartially, … consider the views and data presented carefully and objectively, and … fully disclose the information that forms the basis for our decisions. I pledge that we will carry out the work of the Agency in public view so that the door is open to all interested parties and that there is no doubt why we are acting and how we arrived at our decisions."*

Under this Administration, EPA is an active collaborator in advancing the Administration's open government direction.

- EPA is the federal co-lead for the Data.gov initiative. Data.gov (www.data.gov) provides the public one place to access, download and reuse federal government data. To date, we have posted over 500 data sets. Most importantly, outside organizations such as Forbes.com are using and leveraging these data for analyses.
- Under the American Recovery and Reinvestment Act (ARRA), federal agencies launched an effort in early 2009 to strengthen the American economy. We assisted the Recovery Accountability and Transparency Board by adapting an existing EPA solution to implement FederalReporting.gov, a tool for funding recipients to report on the status of their contracts, grants and loans (e.g., award amount, number of jobs created or retained). Ultimately, this information makes the ARRA process transparent and accessible to the public (www.federalreporting.gov).
- EPA is the managing partner for the eRulemaking program, a federal government-wide effort that developed and operates Regulations.gov. This site (www.regulations.gov) provides the public with one-stop access to find, view and comment on all federal rulemakings and notices seeking public input. Currently, the public can access more than 2.2 million documents, including rules and proposed rules, Agency scientific studies and reports, and public comments.

Our legacy, recent accomplishments and the new actions included in this plan demonstrate that EPA is positioned to strengthen a culture where open government is part of our daily business.

US EPA ARCHIVE DOCUMENT

US EPA ARCHIVE DOCUMENT

C. Integration of Agency's Current Mission, Goals and Priorities

Today it is increasingly important that we collect and share reliable, quality data to help us carry out the Agency's mission. Our strategic plan (www.epa.gov/ocfo/plan/plan.htm) guides us and defines our five mission goals and three cross-goal strategies:

- Goal 1: Clean Air and Global Climate Change
- Goal 2: Clean and Safe Water
- Goal 3: Land Preservation and Restoration
- Goal 4: Healthy Communities and Ecosystems
- Goal 5: Compliance and Environmental Stewardship
- Cross-Goal Strategy 1: Results and Accountability
- Cross-Goal Strategy 2: Innovation and Collaboration
- Cross-Goal Strategy 3: Best Available Science

The cross-goal strategy of Innovation and Collaboration has contributed to a culture of openness as evidenced in our strategic plan update process. In the past year, Administrator Jackson worked with the senior policy team and listened to staff and stakeholder feedback to strengthen how we carry out our mission and incorporate relevant feedback into the formal revision of the Agency's strategic plan (to be issued by September 30, 2010). The Open Government Plan will be used to inform our strategic plan, and will be updated to help ensure open government principles continue to support our ongoing mission and goals.

The Administrator set seven priorities as part of this overall process, and these priorities have been factored into the new strategic plan and our Open Government Plan. Additional information on the priorities and a video message from Administrator Jackson can be found at (blog.epa.gov/administrator/2010/01/12/seven-priorities-for-epas-future/).

D. Leadership, Governance, and Measurement

Open government is about transformation and cultural change, which takes leadership above all else. EPA's leadership commitment to open government is unquestioned, as evidenced by Administrator Jackson's actions in April 2009 – when she issued a Transparency Memorandum to all Employees - and by integrating open government's most fundamental concept in our core values, which are science, transparency, and the rule of law. In response to the OGD, EPA swiftly took action to establish a governance structure to:

- Guide and conduct immediate activities.
- Capitalize on and enhance existing Agency policies and management controls.
- Look for ways to institutionalize open government within EPA's organizational structure.

We are also focused on evaluating the Agency's progress in meeting OGD mandates, as well as establishing measures of our progress and performance for EPA-specific initiatives and projects. We will evaluate how to best incorporate open government tenets into Agency processes, including Capital Planning and Investment Control, Budget Formulation, and Strategic Planning and our Enterprise Architecture. For example, we will work to tie our Strategic Data Action Plan to these processes.

We will review our Open Government Plan every 180 days and assess our progress.

US EPA ARCHIVE DOCUMENT

1. Accountable Officials

Administrator Jackson charged Linda Travers, Principal Deputy Assistant Administrator of the Office of Environmental Information (OEI), with leading the Open Government Executive Steering Committee. Ms. Travers also serves as the Agency's Deputy Chief Information Officer, and her office manages the lifecycle of information that supports mission objectives. OEI's responsibilities cut across the Agency, and OEI also supports many of the functions necessary to execute, monitor and report progress in meeting open government principles. More information on OEI, what it does, and how the office is organized is located at (www.epa.gov/oei/).

Administrator Jackson charged Barbara Bennett, the Agency's Chief Financial Officer (CFO), as the Senior Accountable Official responsible for assuring the quality and objectivity of, and internal controls over, publicly disseminated federal spending information. Ms. Bennett directs the work of the Open Government Spending Information Quality Work Group. OCFO's responsibilities are integral to ensure accountability and integrity - key tenets to EPA's approach to open government. For more information on OCFO, visit (www.epa.gov/ocfo).

2. Open Government Governance Structure

EPA established a governance structure with work groups and teams representing offices across the Agency to get the right experts in the room to figure out how to instill open government throughout the Agency. A diagram of our governance structure is shown in Figure I-1, and the work groups and teams are further described in the remainder of this section.

Figure I-1: EPA's Open Government Governance

a) Open Government Executive Steering Committee

The Open Government Executive Steering Committee is made up of Senior Executive Service employees from key responsible offices within the Agency. This group is charged with setting policy and direction while meeting legal requirements. The group also works to secure

III. Participation

Transparency informs the public, and participation informs the government.

EPA has historically engaged our federal, state, tribal and local partners, the public and other stakeholders. We are striving to reach a broader range of groups (especially those historically underrepresented) and understand their views. In order to hear from more diverse groups, EPA is using more diverse methods to receive input.

For example, EPA reached out to stakeholders using a variety of tools to develop this Open Government Plan. We provided a means to accept comments via our Open Government Web site, conducted a stakeholder meeting, and used the Greenversations blog, Twitter and Facebook (links provided in Section III.B.2).

Because EPA is a regulatory agency, enabling participation in the rulemaking process has a large impact on the public and is one of our top priorities. We have a number of active and successful public participation efforts in rulemaking and other areas, described below.

Superfund Community Involvement: Since the 1980s, EPA has actively promoted early and meaningful community participation during Superfund cleanups. Members of the public affected by a Superfund site have a right to know what the Agency is doing in their community and a say in the decision-making process. Our Community Involvement Coordinators go to communities to meet and talk directly to citizens.

The remainder of this section provides information about the Agency's:

- Participation history and baseline.
- Participation Innovations.

A. Participation History and Baseline

At EPA, we leverage technology as one tool to help us identify what information our partners and stakeholders would like to receive. In 2008 EPA held a National Dialogue on Access to Environmental Information (www.epa.gov/nationaldialogue) to determine the information needs of our stakeholders. The dialogue used blogs and wikis, as well as face-to-face meetings, to gather public input. This effort advanced the use of blogs and wikis at EPA as we found that they are secure and easy to set up. What we heard from most of our stakeholders is they cannot always find EPA information, even information they know exists, which is why we initiated the web site restructuring.

A compilation of all the recommendations from each group we met with during the National Dialogue can be found at http://www.epa.gov/open/NationalDialogue.pdf. We captured comments and suggestions during the dialog sessions and are currently reviewing any suggestions not already addressed to determine if we can feasibly and legally address them.

US EPA ARCHIVE DOCUMENT

US EPA ARCHIVE DOCUMENT

EPA has many active efforts to encourage and enable public participation. Several of these efforts are operational and have been previously noted, including our Open Government Web site (www.epa.gov/open), Regulations.gov Exchange (www.regulations.gov/) and a variety of social media technologies. These tools enable our partners and the public to provide input to EPA.

We also use Federal Advisory Committee Act (FACA) committees to obtain input on decisions; these committees include representation from academia, industry, the public and health professionals (www.epa.gov/ocem/faca). EPA also has the ability to charter new committees, as we did for a negotiated rulemaking on Airline Drinking Water (http://www.epa.gov/safewater/airlinewater/index.html).

Rulemaking provides a good example of EPA's continued innovation in enabling public participation. As a regulatory agency, we developed an automated tool to manage the public comment process mandated in the rulemaking process. That automated tool became the foundation of Regulations.gov, now used across the federal government to allow the public to track, review and comment on proposed regulations.

Many of our efforts and tools that provide transparency also have mechanisms for feedback and participation. Since we described these efforts and tools in Section II, we focus on improvements and new activities in the remainder of this section.

B. Participation Innovations

Although you can still send a letter to EPA or call us, EPA has launched several efforts to further public participation. We described several of these efforts in Section II, since many of our projects that foster participation also promote transparency.

National Lakes Assessment Report: We are working with partners to survey the nation's waters, report on conditions, improve monitoring and assessment, and apply technology to educate the public on the state of their waterways.

Some of the new ways we are enabling partners and stakeholders to participate in carrying out our mission include:

- Video contests, leveraging YouTube and the public to educate others on environmental issues and successes: We have launched a series of contests and envision continuing them indefinitely. As this report is being published, we currently have one video contest and one participatory video project running.
- Town hall meetings
- Greenversations blog at (http://blog.epa.gov)
- The MyEnvironment Web page (www.epa.gov/myenvironment/) features environmental shout outs, which give the public the opportunity to publicize good-for-the-environment activities that are happening within their communities, such as river cleanups and volunteer monitoring or e-cycling efforts, using MyEnvironment's mapping interface.

Faces of the Grassroots Video Contest: We are sponsoring a video contest asking the public to highlight an environmental justice activity, issue or topic. Submissions via YouTube of public service announcements or short documentaries may be used in future outreach and education. (http://www.epa.gov/compliance/environmentaljustice/events/video-contest.html)

Within the Agency, we are identifying ways to coordinate and organize a formal network of EPA staff experts to connect and respond to public inquiries, encourage public participation and provide consistent service.

US EPA ARCHIVE DOCUMENT

1. Examples of How Targeted Groups Get Informed

In addition to providing information geared to the public, we offer many ways for groups and communities with specific interests or concerns (target groups) to become informed and share ideas.

- EPA and the Environmental Council of the States (ECOS) developed a forum (www.ChemicalRight2Know.net) to provide access for communities, industry and interested stakeholders to the Toxics Release Inventory (TRI) and other environmental data.
- EPA is holding a conference, the 2010 National Training Conference on the TRI and Environmental Conditions in Communities, to support environmentally-informed decision making in communities.
- In the area of waste management and cleanup, EPA has held two video town halls targeted to citizens. These videos are described and viewable at: (www.epa.gov/oswer/videotownhall.htm). The first town hall was on the Superfund program, and the second focused on environmental justice as well as how citizens can reduce their carbon footprints through reducing, reusing and recycling.
- One EPA office posts a question for discussion at least once a month on their blog (http://blog.epa.gov/oswerforum/). A recent question was: How would you grade EPA's role in addressing environmental justice issues in disadvantaged communities?

Pet Spot-On Products Webinar: An increase in the number of reporting incidents for pesticides in pet spot-on products led EPA to evaluate the incidents and products. This free public webinar is a way to educate consumers and answer their questions. (http://www.epa.gov/pesticides/health/spot_on_webinar.html)

2. Links and Websites for Public Participation and Engagement

EPA will rely on several sites to announce opportunities for our partners and the public to participate in accomplishing our mission. For simplicity, the primary site for learning about these opportunities is (www.epa.gov/open). EPA is committed to keeping this site as current as possible and will strive to provide ample advance notice for upcoming activities. This site is also available from EPA's home page (www.epa.gov) by clicking on the OpenGov icon.

The advent of Web 2.0 offers new ways for the public to participate. For that reason, EPA is pursuing a variety of Web 2.0 tools, such as blogs and wikis. Currently, EPA is hosting more than 140 applications on the Internet and EPA's internal Web site. Some examples include:

- Metal Mining (https://blog.epa.gov/metalminingblog): A blog to obtain public and industry comments on pre-regulatory rulemaking related to the Metal Mining Industry.
- Thorium and Uranium Milling Facilities (http://blog.epa.gov/milltailingblog) (coming soon on the Internet): A blog to obtain public and industry comments on regulatory rulemaking action to 40 CFR192, Thorium and Uranium Milling Facilities.