

US EPA ARCHIVE DOCUMENT

NPDES Pre-proposal Involvement Flagship Lessons Learned



List Benefits or Lessons Learned from this effort:

- Benefits
 - NPDES Electronic Rule website allows stakeholder engagement early in the rule development process.
 - It is valuable for stakeholders to obtain information on the rule development process this includes; what EPA plans are for this rule, obtain access to rule support documentation and schedules and register for important meeting events.
 - By using a discussion forum for stakeholders to comment on the merits of the rule in advance of the formal rule process; EPA is better positioned to inform its senior management on critical areas of stakeholder disagreement and areas where EPA is able to build consensus amongst stakeholders.
- Lessons Learned
 - Stakeholders perceive that the use of the term “regulation” implies that EPA is initiating another compliance initiative as such this has negatively affected stakeholder’s willingness to engage EPA on the development of the NPDES Electronic Reporting Rule via the regulations.gov website.
 - Stakeholders are apprehensive in using the discussion forum to provide informal comments despite EPA’s best efforts to articulate that the discussion forum comments are intended for informal use.
 - The NPDES Electronic Rule website has garnered significant web hits since its deployment in July 2010 but this has yielded very little substantive comment.

How will you continue to engage stakeholders?

- By expanding the information currently provided on the NPDES Electronic Rule, EPA plans to provide rule schedules and additional rule documentation that may or may not be included as part of the formal docket library.
- Provide a link to docket documents once they are posted to the docket folder.
- Continue to promote the use of the website through as many venues as possible; press releases, trade association periodicals, etc.
- Continue to employ social media tools such as twitter, Facebook and YouTube to engage stakeholders.

What steps would you recommend to sustain this effort and build in improvements?

- It is important that regulations.gov to entice users to provide informal comment and remove the stigma that is associated with providing informal comments for a formal process.
- Regulations.gov may want to consider removing the discussion forum feature and concentrate on providing advance rule information to stakeholders on future rulemakings before the formal rule process. This appears to be an area where stakeholders are getting the most value from this effort.

What other measures would be useful or would you recommend for a similar effort?

- For EPA, it may be best to employ the Greenversations website which is EPA’s public blogging tool instead of regulations.gov for managing informal comments for the following reasons:
 - Greenversations is traditionally focused on capturing comments on a variety of EPA topics and initiatives.

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- Greenversations is an EPA sponsored blog tool that EPA stakeholders are familiar with for posting informal comments on EPA initiatives.
- The advantage to using EPA's traditional blogging tool is that there is no reference to the term "regulations".
- The use of Greenversations would alleviate the need to create new comment policies outside of EPA's standard informal comment policy as is the case with regulations.gov.