



U.S. Environmental Protection Agency
Final Plan for Periodic Retrospective Reviews of Existing Regulations
EO 13563 Progress Report, January 2013

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
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.	This action is currently under OMB 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streamlining, the majority of these items involve clarifying vague or inconsistent language, removal or updating of outdated provisions, and decreasing the frequency and/or volume of reporting burden where data is either no longer needed or is redundant in light of other EPA fuels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.	We are in the beginning stages of developing a protocol for using the optical gas imaging instrument, but the timeline is not set. 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 Uniform Standards for Equipment Leaks and Ancillary Systems were proposed on March 26, 2012, with a 180 day comment period ending September 25, 2012. EPA expects to issue a final rule in late 2013. However, EPA also intends to propose provisions for use of an optical gas imaging instrument to detect leaks in the Petroleum Refinery RTR proposal, currently undergoing OMB review.	http://www.epa.gov/ttn/oarpg/t3/fr_notices/unistand_storageplus_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.	This action is completed.	Anticipated benefits include increased adoption of best management practices (BMPs) that reduce runoff of excess nutrients and sediment.	In October, 2012, EPA met with Chesapeake Bay State Agriculture and Environment Directors. In November, 2012, 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, 2012, 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 have met 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. We will coordinate with USDA as needed as they work with their state partners to develop agricultural certainty programs.	Action Completed
2.1.4	EPA/OCSP		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 (e.g., in vitro and in silico methods) to prioritize chemicals and focus on effects of concern for risk assessment/management purposes and to develop tools that allow the agency to base these risk management decisions on sufficient, credible data.	On January 29, 2013: The multi parameter prioritization scheme was presented to the FIFRA Scientific Advisory Panel external peer review. May 2013: The final SAP report is scheduled to be issued. December 2013: After receiving the SAP report, EPA plans to finalize each analysis and apply these methods to prioritize the EDSP universe of chemicals.	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 November 2012, EPA released a white paper entitled, "The EDSP Universe of Chemicals and General Validation Principles" that describes some general validation concepts to analyze computational toxicology tools for regulatory decision making. The cross-agency EDSP21 work group performed several critical analyses to present a proof of concept for the use of quantitative structure activity relationship, physicochemical properties, exposure information and Tox21 high throughput assays in a comprehensive prioritization methodology. In early 2012, EPA also established a stakeholder workgroup under the Pesticide Program Dialogue Committee that is addressing communication and transition issues as EPA phases these new test methods into its pesticide registration and review programs. This workgroup met seven times in 2012. January 29, 2013: The multi parameter prioritization scheme was presented to the FIFRA Scientific Advisory Panel external peer review. A SAP Report is scheduled to be issued within 90 days.	For EDSP: http://www.epa.gov/endo/pubs/regaspects/index.htm For PPDC: http://www.epa.gov/pesticides/ppdc/testing/index.html

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2.1.5 and 2.1.7	EPA/OCSP	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 down-loadable 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), and currently expects to finalize those revisions in mid-2013. EPA/OPP has contracted with a company to facilitate streamlining business processes and is developing a roadmap to support a paperless office, including true e-submission of pesticide registration application materials. The Alternatives Analysis is expected to be complete by February 2013.	Includes components of 2.1.7. For TSCA: http://www.epa.gov/oppt/newchemicals/epmn/epmn-index.htm For Pesticides: http://www.epa.gov/pesticides/regulating/registering/submissions/
2.1.6	EPA/OSWER		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.		EPA is initiating a more structured approach for the process by which state and tribal input on NPL listing decisions is solicited. A model letter has been developed for use when requesting state and tribal support for NPL listing. The model letter 1) explains the concerns at the site and the EPA's rationale for proceeding; 2) requests an explanation of how the state intends to address the site if placement on the NPL is not favored; and 3) emphasizes the transparent nature of the process by informing states that information on their responses will be publicly available. Action completed (see the following web site for more information: http://www.epa.gov/superfund/sites/query/queryhtml/nplstcor.htm)	Action completed (see the following web site for more information: http://www.epa.gov/superfund/sites/query/queryhtml/nplstcor.htm)

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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 2014.	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 2014.	
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 held a third stakeholder meeting on November 15, 2012, which focused on source water monitoring data and current LT2 treatment technique requirements (e.g., binning, microbial tool box options). EPA will consider input provided by stakeholders as the agency determines options to enhancing protection from pathogens in drinking water.	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.					Action Completed (Refer to September 2012 Report)
2.1.11(b)	EPA/OAR	RIN 2060-AQ54	Vehicle Regulations: harmonizing requirements for GHG and Fuel Economy Standards					Action Completed (Refer to September 2012 Report)
2.1.12	EPA/OAR	RIN 2060-AQ41	Multiple air pollutants: coordinating emission reduction regulations and using innovative technologies					Action Completed (Refer to September 2012 Report)
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

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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 mid 2013.	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 has completed 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.	This DfE market analysis pilot was completed in 2012 and was focused on understanding the drivers, needs, barriers, and selection criteria used by a company when an alternative flame retardant is considered or employed. A second pilot study was completed in December 2012 with OW focused on mountain top mining water pollution technologies. OW is currently reviewing the final report.	Action Completed
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.	The SAB EEAC concluded its deliberations on EPA's Interim Report on September 7, 2012. EPA is awaiting the SAP's Advisory Report which is not expected before March 2013, following a meeting of the Chartered SAB.	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 with additional meetings held in July and September. 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.	
2.2.1	EPA/OAR	RIN 2060-AQ97	Vehicle fuel vapor recovery systems: eliminating redundancy					Action Completed (Refer to May 2012 Report)
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 February 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. Meetings with the industry trade coalition were held in August, October, and November 2012 to update them on the progress of the rulemaking and hear their concerns as we proceed.	

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2.2.4	EPA/OSWER	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 final rule must be promulgated by October 5, 2013 as mandated by the "Hazardous Waste Electronic Manifest Establishment Act."	Implementation of e-Manifest could result in annual cost savings exceeding 75 million, and annual burden reductions of between 370,000 and 700,000.	The "Hazardous Waste Electronic Manifest Establishment Act" was signed into law by the President on October 5, 2012. The Act authorizes EPA to establish a national electronic manifest (e-Manifest) system that will be initially funded by appropriations and ultimately funded by user-fees. The Act requires EPA to promulgate its e-Manifest regulation within one year of the Acts enactment (i.e., October 5, 2012). The Act also requires EPA to establish the e-Manifest system within three years of the Act's enactment.	
2.2.5	EPA/OSWER		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 electroinc 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.	eSiteID has been deployed and initial CROMERR approval has been received. The system will begin accepting electronic submissions once final CROMERR approval has occurred.	
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, while at the same time looking for opportunities to reduce utility burden.	EPA completed the retrospective review of this action in December 2012. On January 3, 2013, EPA released an interpretive memo allowing for electronic delivery of CCRs and a document summarizing CCR issues and recommended next steps for utilities to enhance public access to information on drinking water quality.	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 $\geq 10,000$ customers. EPA developed estimated cost savings to utilities for several different electronic delivery scenarios.	In FY 2012, EPA began review of the CCR, including an internal comparision 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 held a public meeting in October 2012 to obtain feedback on its draft framework for electronic delivery of CCRs. The draft was available for a 30-day public comment period. On January 3, 2013, EPA released an interpretive 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. Action Completed

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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 is 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 finalizing a report that will include State input and key recommendations.		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 (IR) 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.	

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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 .	
2.2.11	EPA/OAR		State Implementation Plan (SIP) process: reducing burden					Action Completed (Refer to May 2012 Report)

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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/SBREFA SBAR Panel as of August 14, 2012. Currently awaiting OMB signature on panel report.	The 1991 National Primary Drining 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/OSWER	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)
2.2.14	EPA/OCSP		Integrated pesticide registration reviews: reducing burden and improving efficiencies	EPA is reviewing the pesticide registration review process, as well as other FIFRA requirements.	Near-term examples of chemical bundling include initiating registration reviews for the neonicotinoid insecticides and sulfonylurea herbicides in the next 12-18 months. To enhance label clarity and potentially reduce regulatory burdens on industry by refining data requirements to support pesticide reevaluations, OPP began holding "FOCUS meetings". "FOCUS meetings" ensure that EPA and all interested stakeholders begin communicating early in the process to ensure the accuracy of information about pesticide use, as well as early identification of data needs to support re-evaluation decisions. 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.	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.	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 "FOCUS meetings" to determine how to conduct these meetings in the most efficient and effective manner. 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).	This is an ongoing program, so the effort is broadly applicable to different aspects of the program.

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2.2.15	EPA/OCSP	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/OSWER		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.	On October 24, 2012, OSWER released the final PCB Bulk Waste Reinterpretation. The reinterpretation is available to the public at http://www.epa.gov/epawaste/hazard/tsd/pubs/pubs/caulk/reinterpret.htm	Increased number and speed of cleanups of PCB caulk and PCB paint contamination	The final reinterpretation memorandum has been issued regarding Polychlorinated Biphenyl (PCB) contaminated building materials. See reinterpretation webpage at http://www.epa.gov/epawaste/hazard/tsd/pubs/pubs/caulk/reinterpret.htm	http://www.gpo.gov/fdsys/pkg/FR-2012-02-29/pdf/2012-4860.pdf Action Completed
2.2.17(a.)	EPA/OSWER		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/0c994248c239947e85256d090071175f/57b21f2fe33735128525795f00610f0f?OpenDocument . Action Completed (Refer to May Report)
2.2.17(b.)	EPA/OSWER	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.	

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2.2.17(c.)	EPA/OSWER	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 May of 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 prior to proposal of rulemaking.	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.	This item in the plan will remain ongoing as rules come up for review. The most recent list of rules with upcoming 610 reviews was posted on EPA's website in December 2012.	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 rules for which upcoming 610 reviews are required are posted on EPA's Small Entities and Rulemaking website (http://www.epa.gov/rfa/section-610.html). Other required retrospective reviews for each rule will be indicated.	

Paperwork and Reporting Burden Reduction Initiatives, January 2013

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.	2600	\$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 preliminary analysis indicates potential for significant burden reduction, improved transparency and enhanced program performance.	150,000 initially; 55,000 subsequent years	Not identified	Not projected	Industrial sources	Yes	Possibly. May not be required.
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: -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 changed 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	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.	914000	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.	Estimated January 2016	States, Permittees, EPA. EPA estimates that 150,000 regulated facilities will be affected.	No	Yes, a regulatory change is needed
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.	110000	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.	160000	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.