

FY 2016-2017 EXTERNAL COMMENTS AND RESPONSE TO COMMENTS SUMMARY TEMPLATE

Instructions:

Comment from State, Tribe, or Other Stakeholder	Commenter(s)	Location in Draft Guidance	NPM Response	Action Taken in Final Guidance
Issue Area - Divide comments into general issue areas (e.g., NAAQS, indoor air, etc., where appropriate):				
<i>Include your comment.</i>	<i>Organization of Commenter (e.g., ECOS, New England Commissioners, tribe, etc.).</i>	<i>State the section page number the comment is referring to.</i>	<i>The response should include adequate discussion and details to support the decision to modify/retain the draft language. Note: If more than one commenter raises the same issue, please cross-reference the individual responses.</i>	<i>Specify changes made in response to comments and identify all locations in the final Guidance (e.g., page numbers, sections, etc.).</i>

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Issue Area: <i>Draft Overview to the FY 2016-2017 National Program Guidances</i>				
ECOS appreciates that beginning with FY 2016-2017, U.S. EPA is implementing a two-year cycle for the NPM Guidances. ECOS supports this transition implemented collaboratively with state partners. In particular, ECOS supports the focus on 1) earlier and more meaningful state engagement in joint priority setting; 2) clear support to pursue flexibility within the NPM Guidance documents including identifying	ECOS	<i>Draft Overview to the FY 20162017 National Program Manager (NPM)</i>	OEI thanks ECOS for their comments.	OEI NPM Guidance meets new format requirements.

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<p>areas where flexibilities can be sought and providing additional guidance for seeking approval; 3) utilization of multi-year grant workplans to allow for better alignment with the new two-year NPM Guidances; 4) better alignment of the NPM and Grant Guidances to help streamline and facilitate the grant work planning process and potentially reduce workload for states and EPA headquarters and regional offices.</p> <p>ECOS recommends that EPA highlight language from each core NPM Guidance (OAR, OW, OSWER, OECA) that addresses support to pursue flexibility and guidance on how to seek flexibility approval. For instance, OECA includes discussion of flexibility within CMS and general guidelines for seeking flexibility in its Guidance on pages 3-4. ECOS recommends OECA’s language along with specific language from the OAR, OW, and OSWER Guidance documents be provided in summary, perhaps as an appendix to the final “overview” document. ECOS commends EPA Regions for negotiating flexible approaches under the new guidance for states to request alternative CMS plans and for regions to review and approve state alternative plans. While states note that in certain instances the process is still challenging, time consuming, and complex, significant progress has been made and agreements</p>		<p><i>Guidances (page 4); OAR, OW, OSWER, OECA, NEPPS Guidances</i></p>	<p>OEI understands the need to work with states and tribes to consolidate the workload and leverage resources to more efficiently meet our mission. OEI recognizes the importance of flexibility and will work with states and tribes as needed to ensure continuity in implementing our program priorities and activities.</p>	<p>Edits responding to comment are incorporated on page 4 in the “Introduction.”</p>

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<p>reached. ECOS encourages EPA to continue working to support and refine this process.</p> <p>ECOS and states are working with EPA’s Office of Grants and Debarment and other EPA offices and regions to look at multi-year state grant workplans to align with the 2-year NPM Guidance cycle. ECOS supports this work and efforts to consider institutionalizing these discussions and decisions through language in Grants Policy Issuance (GPI) and other appropriate means.</p>			Not applicable to OEI	Not applicable to OEI
<p>ECOS urges EPA to include in all final NPM Guidance documents clear reference to the E-Enterprise for the Environment joint governance initiative between states and EPA. Specifically, ECOS requests each NPM include language generally defining EEnterprise; language regarding how E-Enterprise concepts are being incorporated into each NPM’s work; language explicitly recognizing that states need flexibility to adjust their work commitments and required outputs to be able to devote time to continuous process improvement efforts, including joint efforts with other states, tribes and EPA in support of E-Enterprise aligned activities; and language discussing that states may use categorical grant dollars to advance E-Enterprise aligned projects. ECOS also asks each NPM to provide examples in its final Guidance of specific E-Enterprise aligned work it is undertaking and</p>	<i>ECOS</i>	<i>OAR, OW, OSWER, OECA, OCSP, OEI, NEPPS Guidances</i>	OEI supports the Administrator’s “E-Enterprise for the Environment Initiative” through the development, coordination and governance of shared information technology and data services.	Edits responding to comment are incorporated throughout the “Shared Services” section on pages 17-21 and in Appendix B on page 25.

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<p>examples of projects that states may similarly be undertaking. This may include efforts such as shared services development or implementation, LEAN and streamlining initiatives, e-permitting, E-Enterprise scoping team participation, development of E-Enterprise architecture and identity management, portal development, and other activities.</p>				
<p>Issue Area: Quality Program</p>				
<p>For FY16 – 17, OEI notes it will issue a revised EPA Quality Policy and Procedure. ECOS understands that when EPA updates its quality standard for external organizations (including states), the policy for external organizations will need to align with EPA’s internal quality policy. States have offered to provide input to EPA as it develops its quality policy as requirements to states will follow. ECOS asks OEI to engage with states through ECOS early and to offer opportunities for state input during its internal quality policy development.</p>	<p>ECOS</p>	<p>OEI – page 14</p>	<p>OEI plans to provide frequent updates to our external stakeholders about the status of our internal policy development. Before we initiate the revision of quality standards for external organizations, we will provide opportunities for external stakeholder input.</p>	<p>No action taken</p>

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Issue Area: <i>National Areas of Focus</i>				
Does not specify in Activities any follow-up activities OEI might pursue on this statement or provide any context to this statement.	<i>Exchange Network Tribal Governance Group (TGC)</i>	<i>Page 4</i>	OEI will work with partners to ensure that the appropriate safeguards are in place to ensure that tribal data are properly classified and managed in accordance with CUI requirements	Edits responding to comment incorporated on page 6.
Issue Area: <i>Exchange Network</i>				
It seems that labeling certain data systems a “priority” in protecting individuals from environmental concerns is not the best means of wording for this sentence. For instance, Open Dumps would be a priority in the tribal community, but is not identified as such in OEI data systems.	<i>Exchange Network Tribal Governance Group (TGC)</i>	<i>Page 11</i>	Programs and regions should request that program grant recipients make specific commitments for using the EN for the ongoing exchange of data with Agency priority data systems and for exchange of other data that are a priority for the recipient.	Edit responding to comment incorporated on page 12.

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<p>To support tribal involvement in the Exchange Network, the EPA program and regional staff should also prioritize attendance at the Tribal Exchange Network Conference due to the fact that very few tribes are able to attend the EN National Meeting.</p>	<p><i>Exchange Network Tribal Governance Group (TGC)</i></p>	<p><i>Page 11</i></p>	<p>Tribes should also attend the 2016 and 2017 Tribal Users conferences in which OEI will participate and support.</p>	<p>Edit responding to comment incorporated on page 12.</p>
<p>Issue Area: <i>Toxics Release Inventory</i></p>				
<p>This topic has been briefly touched up on in the past and little has been done to publicize or bring this information to the Tribal communities. TRI participation seems limited to tribal stakeholders. Will this consultation increase access to information or at the same level as the general public?</p>	<p><i>Exchange Network Tribal Governance Group (TGC)</i></p>	<p><i>Page 13</i></p>	<p>OEI will continue to work to expand opportunities for Tribal consultation and as part of that effort will promote Tribal awareness and attendance at the next TRI National Conference slated for 2016.</p>	<p>Edit responding to comment incorporated on page 14.</p>