AGENCY INFORMATION

Agency: Environmental Protection Agency

Name of Agency CERPO: Robert Tomiak

Email address of Agency CERPO: tomiak.robert@epa.gov

Agency submitter (if different from agency CERPO): N/A

Submitter email address: tomiak.robert@epa.gov

*If this form is submitted by a Permitting Council member's designee, please provide a delegation memo with the self-assessment submission.

SECTION 1. EXAMPLES OF BP IMPLEMENTATION

While FPISC OED does not require an implementation narrative for each BP category, it encourages each member agency to highlight its successes and challenges for each category. This can be in the form of identifying positive outcomes from implementation of a BP during FY 2020 or from identifying where a BP did not prevent the issue it was intended to prevent and how the agency or Permitting Council may want to consider addressing that. The specific BPs to be reported on are listed in Table 1 of the Fiscal Year 2020 Recommended Best Practices for Environmental Reviews and Authorizations for Infrastructure Projects. Please note, BP Categories and BPs have been shortened in the dropdowns for ease of use.

Agencies are also encouraged to identify and submit "alternative BPs" that reflect where the agencies have implemented process improvements that meet the statutory BP categories but not one of the specific BPs identified in the FY 2020 BP Report. Alternative BPs should be submitted to FPISC OED by August 28, 2020 for approval before submitting the BP through this form. If your alternative BP has been approved, please choose "Alternative BP" from the "Corresponding BP" drop-down menu below for the appropriate entry.

Please adhere to a word count limit of 200 words per BP example in this section (i.e., if you provide examples of implementation of four BPs, please use four template boxes below for a total word count of 800 words), while thoroughly reflecting your accomplishments and challenges. Provide links and/or citations as appropriate, and provide as many relevant examples as possible. If you would like to provide more than four examples of BP implementation, please contact FPISC OED for a supplemental form.

Best Practice Category: (ii) Timely decisions for ERA (	Corresponding BP: ii.1 ERA process templates/ c
• In FY20 EPA developed and implemented an electronic permit application (eApp) pilot project for Underground Injection Control (UIC) permits that has demonstrably eased burdens, reduced application cycle time by over 50%, and eliminated the pre-process iterative "completeness review" that can often take 60 or more days. Prior to the eApp pilot, applications were in paper and EPA estimated over 80% of UIC permits submitted were incomplete and required additional information or resubmission by the applicant. If successful, the eApp will be implemented nationally, for all UIC Well Classes, except Class VI, and possibly expanded to other EPA permit programs.	

Best Practice Category: (vi) GIS and other tools	Corresponding BP: vi.1 Knowledge sharing about
• In FY20 EPA continued to implement and provide its NEPAssist environmental planning web-based platform and conducted training for NEPA practitioners in other federal agencies. NEPAssist contains GIS informational layers that are extremely useful building a baseline characterization of the existing environment as well as identifying potential environmental considerations in support of drafting federal NEPA documents. EPA continues to record approximately 4,500 site visits per month. EPA also continues to garner feedback for NEPAssist improvements, including incorporating a direct link to USACE's Regulatory In Lieu fee and Bank Information Tracking System (RIBITS) Find Credit Reports	

Best Practice Category: (vii) Training materials	Corresponding BP: vii.1 Provide training about F
• In FY20 EPA completed curriculum, based on a practitioner needs survey, for a training titled "Introductory Course for NEPA 309 Reviewers". The training is designed to be a virtual 10-module course, presented over a four-day period, including a case study and participant exercises. Scheduled for a November 2020 pilot, the training targets new NEPA staff with 309 review responsibilities. The training will also be useful for EPA, other federal agencies, and State/local agencies with new staff implementing NEPA. The training will enhance NEPA staff and practitioners' ability to: understand roles and responsibilities in CAA Section 309 reviews for EPA and cooperating agencies; understand purpose	

Best Practice Category: (i) Early stakeholder engagem	Corresponding BP: i.1 Early stakeholder engagem

SECTION 2. FAST-41 PROJECT SPECIFIC PERMITTING IMPROVEMENTS/OUTCOMES

This section should highlight examples from specific projects. Please include agency innovations, initiatives, successes, and identification of and resolution to challenges. Agencies are encouraged to report on FPISC OED recommendations from the FY 2019 ARC (See OED Assessment, Part 2).

Please adhere to a total word count limit of 300 words for this section, while thoroughly reflecting your accomplishments and challenges. Provide links and/or citations as appropriate. Provide as many relevant examples as possible in the space provided below.

• EPA will likely never serve as a FAST-41 lead agency and has issued only one permit for a FAST-41 covered project in three years. While only having limited opportunities to generate improvements directly on a specific covered project, EPA has produced indirect permitting improvements/outcomes in support of FAST-41 best practices on all projects that trigger an EPA permit. The Agency is focused on working across EPA program offices and with state and tribal co-regulators to streamline EPA's permitting processes in support of the FY2018 – 2022 EPA Strategic Plan's Agency Priority Goal to reach all permitting-related decisions within six months and in FY2020 – 2021 to accelerate permitting-related decisions. EPA created a comprehensive system to track the status of all pending EPA permits to monitor progress on its goal of reducing backlogs of new permit applications. The Agency reduced the backlog of new permit applications by more than 50 percent (from 149 to 65) through a series of targeted Lean events to improve the efficiency and effectiveness of permitting programs. In addition, EPA also reduced the number of existing permit renewals in backlog by 13

SECTION 3. PERMITTING PROCESS IMPROVEMENTS (GENERAL)

Please document activities undertaken by the agency in FY 2020 that may be outside the information captured in the two sections above. Examples include challenges addressed or looking to be addressed through actions like: new tracking systems, procedural changes, outreach efforts/information gathering, regulatory changes, and interagency discussions/working groups/agreements/collaboration through the Permitting Council and with other Permitting Council member agencies. This section provides a space to report any new and unexpected challenges with novel solutions developed by agencies. Addressing challenges that were anticipated, then addressed by existing or new BPs can be included in sections 1 and 2.

Please provide a narrative for each process improvement in a separate section below. Please adhere to a total word count limit of 300 words for this section, while thoroughly reflecting your accomplishments and challenges. Provide links and/or citations as appropriate. Provide as many relevant examples as possible in the space provided below.

• During EPA-wide permitting process improvement events, the Endangered Species Act (ESA) Section 7 Consultation process was identified as a common opportunity for streamlining improvements. In FY20, EPA completed a survey and a report of findings for EPA's ESA Practitioners to better understand expertise and capabilities agencywide as well as the frequency, complexity, successes, and challenges experienced as EPA collectively conducts ESA consultation. Based on the report's findings EPA will prioritize for implementation promising opportunities to improve the timeliness and quality of ESA consultations.

• EPA issued New Source Review (NSR) Plantwide Applicability Limitation (PAL) Final Guidance on August 4, 2020. A PAL is an optional flexible permitting mechanism available to major stationary sources that involves the establishment of a plantwide emissions limits for a regulated NSR pollutant. Stakeholder input deemed certain elements of PAL regulations onerous, or a source of uncertainty and

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This information has been reviewed by the Permitting Council Member and CERPO, and others as necessary (public affairs, legislative affairs, office of general counsel staff). I understand that this information will be used as submitted in the FPISC Annual Report to Congress and is testimony-ready for use by Administration officials. ☑

Robert Tomiak

CERPO Name (or designee)	Signature

SUBMIT

Permitting Council Member Agency Self-Assessment

Agency Input to FPISC's FY 2020 Annual Report to Congress

Section 1 Supplement

Please use this section to supplement Section 1. Examples of BP Implementation. Please submit this document with your Agency Self-Assessment form to FPISC OED by October 14, 2020

Best Practice Category: (i) Early stakeholder engagem	Corresponding BP: i.1 Early stakeholder engager
Not relevant. Previously, FPISC has made this a Lead Agency requirement only. EPA will likely never serve as a FAST-41 Lead Agency and has issued only one permit for a FAST-41 covered project in three years as a Cooperating Agency. When EPA is a Cooperating Agency on FAST-41 projects it fully participates in Coordinated Project Plans led by the Lead Agency and, if necessary, supports early stakeholder engagement and preapplication/pre-official review processes. Also, see Sections 2 and 3 for EPA's overall strategy to improve all agency permitting (ERAs).	

Best Practice Category: (i) Early stakeholder engagem	Corresponding BP: i.2 Pre-application/ pre-offici
Not relevant. Previously, FPISC has made this a Lead Agency requirement only. EPA will likely never serve as a FAST-41 Lead Agency and has issued only one permit for a FAST-41 covered project in three years as a Cooperating Agency. When EPA is a Cooperating Agency on FAST-41 projects it fully participates in Coordinated Project Plans led by the Lead Agency and, if necessary, supports early stakeholder engagement and preapplication/pre-official review processes. Also, see Sections 2 and 3 for EPA's overall strategy to improve all agency permitting (ERAs).	

Best Practice Category: (iii) Improving coordination	Corresponding BP: iii.1 Standards and protocols
Not relevant. Typically, FPISC has made this a Lead Agency requirement only. EPA will likely never serve as a FAST-41 Lead Agency and has issued only one permit for a FAST-41 covered project in three years as a Cooperating Agency. When EPA is a Cooperating Agency on FAST-41 projects it fully participates in Coordinated Project Plans led by the Lead Agency and, if necessary, supports increasing the efficiency and effectiveness of consultations with Federally Recognized Indian Tribes. Also see Sections 2 and 3 for EPA's overall strategy to improve all agency permitting (ERAs).	

Best Practice Category: (iv) Increasing transparency	Corresponding BP: iv.1 Share information about
Not relevant. EPA will likely never serve as a FAST-41 Lead Agency and has issued only one permit for a FAST-41 covered project in three years as a Cooperating Agency. When EPA is a Cooperating Agency on FAST-41 projects it fully participates in Coordinated Project Plans led by the Lead Agency and, as necessary, provide updated schedules to the project sponsor and other governmental entities with ERA processes when substantive changes occur. Also see Sections 2 and 3 for EPA's overall strategy to improve all agency permitting (ERAs).	

Best Practice Category: (v) Reducing information colle	Corresponding BP: v.1 Address ERA staff change
Not relevant. EPA will likely never serve as a FAST-41 Lead Agency and has issued only one permit for a FAST-41 covered project in three years as a Cooperating Agency. When EPA is a Cooperating Agency on FAST-41 projects it fully participates in Coordinated Project Plans led by the Lead Agency and, as necessary, ensures continuity of project-specific knowledge such that staff change does not result in substantive schedule changes. If applicable, EPA supports joint processes and the reduction of duplicative actions. Also see Section 2 and 3 for EPA's overall strategy to improve all agency permitting (ERAs).	

Best Practice Category: (v) Reducing information colle	Corresponding BP: v.2 Joint processes or progra
Not relevant. EPA will likely never serve as a FAST-41 Lead Agency and has issued only one permit for a FAST-41 covered project in three years as a Cooperating Agency. When EPA is a Cooperating Agency on FAST-41 projects it fully participates in Coordinated Project Plans led by the Lead Agency and, as necessary, ensures continuity of project-specific knowledge such that staff change does not result in substantive schedule changes. If applicable, EPA supports joint processes and the reduction of duplicative actions. Also see Section 2 and 3 for EPA's overall strategy to improve all agency permitting (ERAs).	

Best Practice Category: (viii) Other	Corresponding BP: viii.1 Outreach to stakeholder
Not relevant. EPA will likely never serve as a FAST-41 Lead Agency and has issued only one permit for a FAST-41 covered project in three years as a Cooperating Agency. When EPA is a Cooperating Agency on FAST-41 projects it fully participates in Coordinated Project Plans led by the Lead Agency and, as necessary, provides outreach to increase the probability of reaching stakeholders and shares lessons learned and success stories in Interagency Working Group/Permitting Council meetings. Also see Sections 2 and 3 for EPA's overall strategy to improve all agency permitting (ERAs).	

Best Practice Category: (viii) Other	Corresponding BP: viii.2 Share information on EF
Not relevant. EPA will likely never serve as a FAST-41 Lead Agency and has issued only one permit for a FAST-41 covered project in three years as a Cooperating Agency. When EPA is a Cooperating Agency on FAST-41 projects it fully participates in Coordinated Project Plans led by the Lead Agency and, as necessary, provides outreach to increase the probability of reaching stakeholders and shares lessons learned and success stories in Interagency Working Group/Permitting Council meetings. Also see Sections 2 and 3 for EPA's overall strategy to improve all agency permitting (ERAs).	

SUBMIT