U.S. Environmental Protection Agency
Open Government Plan 1.0

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

OPEN GOV

April 7, 2010

Open Government Plan 1.0

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I. Introduction

Since its creation 40 years ago, the Environmental Protection Agency (EPA) has embraced the basic tenets of open government – transparency, participation and collaboration. With its establishment, EPA was charged with the mission "to protect human health and to safeguard the natural environment—air, water and land—upon which life depends." 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.

- Provide 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 and employee Directive (www.epa.gov/open/). 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

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 (http://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 (www.epa.gov/ocfo/). Ms. Bennett directs the work of the Open Government Spending Information Quality Work Group. OCFO's responsibilities are integral for ensuring accountability and integrity. These serve as key tenets to EPA's approach to open government. For more information on OCFO, visit (http://www.epa.gov/ocfo).

2. 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.
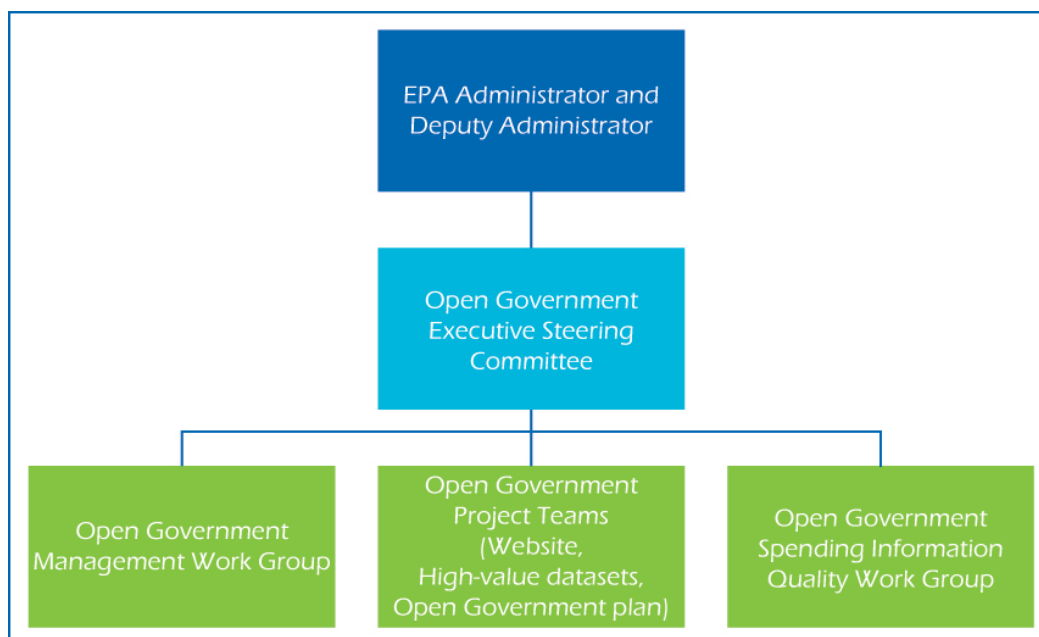
Figure I-1: EPA's Open Government Governance

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 resources in support of the Agency's plan and associated projects. The following offices are represented on the committee:

- Office of the Administrator (OA).
  - Office of Public Affairs (OPA).
  - Office of Policy, Economics and Innovation (OPEI).

E. Leadership and Cultural Change - History and Path Forward

Again, EPA leadership is committed to encouraging the adoption of Open Government principles in all aspects of our operations and employee performance. EPA has and will continue to reward employees who make significant contributions to enhancing the Agency's transparency, collaboration and participation. We will encourage designated employees to incorporate at least one new media and Web training into their individual development plans.

At EPA, we have an established policy (www.epa.gov/publicinvolvement/pdf/policy2003.pdf) with a variety of tools to help our staff reach out to and involve the public (www.epa.gov/publicinvolvement/index.htm). We strive to:

- Involve the public early and often throughout a decision-making process.

- Identify, inform and listen to the affected public (providing extra encouragement and technical or financial resources, where possible, to support public participation).

- Involve the public in developing options and alternatives when possible and, before making decisions, seek the public's opinion on options or alternatives.

- Use public input to develop options that resolve differing points of view.

- Tailor public involvement efforts based upon many factors.

- Work in partnership with state, local and tribal governments, community groups, associations, and other organizations to enhance and promote public involvement.

Our current policy calls for Agency staff to strive for the most meaningful public involvement opportunities appropriate to each situation. In addition, we have established an interim policy on the use of social media platforms that offer us the chance to engage with the public in new ways (http://yosemite.epa.gov/OEI/webguide.nsf/policy/interim_guidance_memo). EPA has identified a range of possible levels of public involvement, shown in Figure I-2.
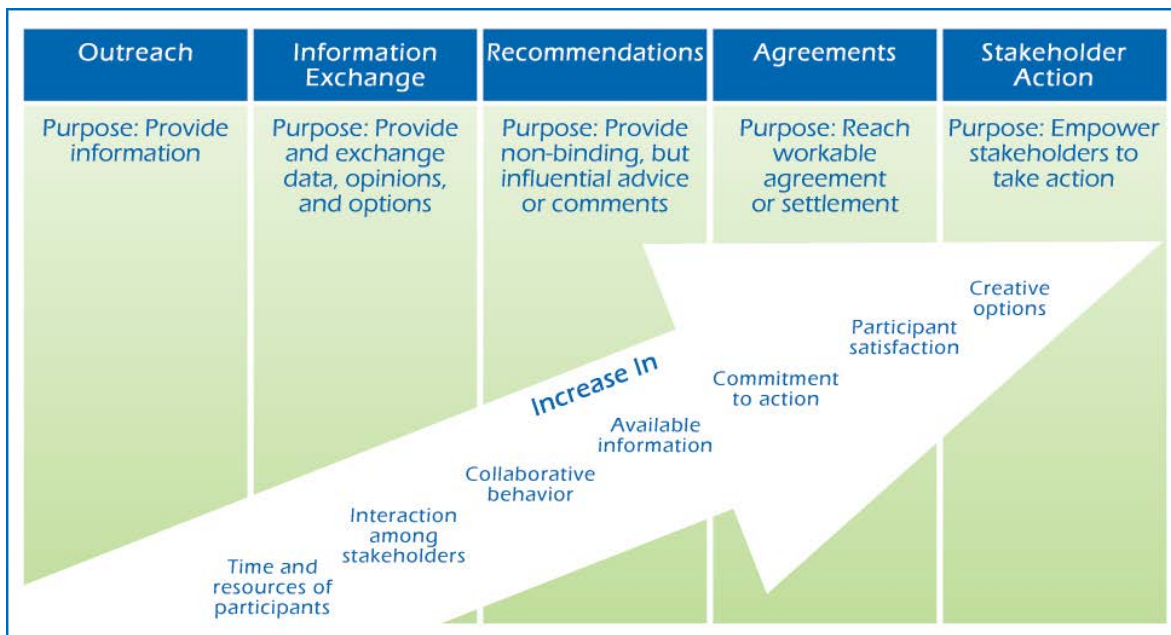

Figure I-2: EPA Public Involvement Spectrum

II.   Transparency

Transparency is the foundation of open government. Transparency allows the public and all stakeholders to know what you are doing, and more importantly, how and why you are doing it. EPA's commitment to transparency is not new. In 1983, Administrator Ruckelshaus promised that EPA would operate "in a fishbowl" and "attempt to communicate with everyone from environmentalists to those we regulate…as openly as possible." Upon being sworn in last year, EPA Administrator Lisa Jackson pledged in her first memorandum to EPA employees to "uphold the values of scientific integrity, rule of law and transparency every day." What is new is our commitment to reach out to more stakeholders, especially those historically underrepresented in EPA decision making.

Since the Open Government Directive was issued in December of 2009, EPA has taken a number of actions to promote transparency, as detailed in this section. Of particular note, we are developing a plan to streamline and simplify how the public asks for, tracks and receives information subject to the Freedom of Information Act (FOIA), and we have posted more than 400 data sets on Data.gov.

Empowering our stakeholders with more information is not helpful if the data are not current or of high quality. We address this challenge in two ways. First, EPA established a governance structure, described in Section I above, to ensure progress in open government initiatives and find ways to further open EPA's culture. In addition, we are developing a clear process for data posted on Data.gov and EPA.gov to balance the need for relevant and current information with our commitment to meet or exceed EPA's established standards for high quality data.

The availability of high quality data has led to innovative mechanisms created by our agency to give individuals the ability to discover important information about the state of their environment within their local community. For example, did you know that you can discover what is happening in your community related to your air and water quality, and cancer and mortality rates by visiting EPA's My Environment Web site (www.epa.gov/myenvironment)?

The image below shows an example of what you can find out about your community by taking advantage of this innovative use of high quality data that we make available to you.

a) Web Links to EPA's Records Management Program

Information about EPA's records management program, which includes approved record schedules and a description of how we meet record responsibilities, can be accessed at (www.epa.gov/records/).

b) EPA's FOIA Program

EPA is committed to the letter and spirit of the Freedom of Information Act (FOIA). The Agency's CIO is the Chief FOIA Officer responsible for EPAwide FOIA policy and administration. EPA's FOIA Public Liaison assists with resolving disputes between requesters and the Agency. The Public Liaison facilitates timely FOIA responses, provides information on the status of requests, and fosters greater openness and transparency in the Agency's FOIA administration activities. The national FOIA staff, under the leadership of the Agency FOIA Officer, provide national oversight and manage FOIA processing activities, including training, developing policies and procedures, overseeing Agencywide FOIA responses, operating an electronic tracking system and managing the Agency's FOIA Web site. The national FOIA staff report to the FOIA Public Liaison.

> EPA reduced its overdue backlog from 23,514 in 2001 to 332 in 2009. In fiscal year 2009, 96% of all new requests were responded to within the 20-day statutory deadlines. We centralized FOIA processes to improve application of statutory criteria and response rates.

The Agency continues to proactively ensure that the presumption of openness is applied to its FOIA decisions and administrative appeal processes. To ensure Agency awareness of the President's FOIA Memorandum and the Attorney General's FOIA Guidelines, the Administrator Jackson issued a memorandum, "Transparency in EPA's Operations," to all employees on April 23, 2009, that communicates the Agency's full commitment to these policies (http://www.epa.gov/Administrator/operationsmemo.html).

EPA's program and regional offices analyze and respond to more than 10,000 FOIA requests each year. Over the past several years, EPA aggressively tackled its backlog of overdue requests while responding to new requests in a timely manner. In 2001, there were 23,514 overdue FOIA requests. The Agency revised its FOIA procedures and processes, deployed new information technology tools, and collaboratively worked with subject matter experts across the Agency to reduce overdue requests to less than 10% of the number of new requests received. By fiscal year 2007, we met our goal and continued to reduce our backlog so that by the end of fiscal year 2009, the Agency's backlog totaled only 332. To ensure consistency in the application of statutory criteria, EPA moved all fee waivers and expedited processing decisions from the regions to its national office in 2009.

Figure II-2: FOIA Backlog

EPA's Office of Pesticide Programs completely redesigned its electronic FOIA reading room to make thousands of highly sought after pesticide science data and regulatory records available without filing a FOIA request (www.epa.gov/pesticides/foia/reading_room.htm). The reading

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 page, conducted a stakeholder meeting, and used the Greenversations blog, Twitter and Facebook (links provided in Section III.B.2).

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.

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.

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

- Baseline participation.
- 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 that they cannot always find EPA information, even information they know exists. In response, EPA initiated a web restructuring effort, described in Section II.D.
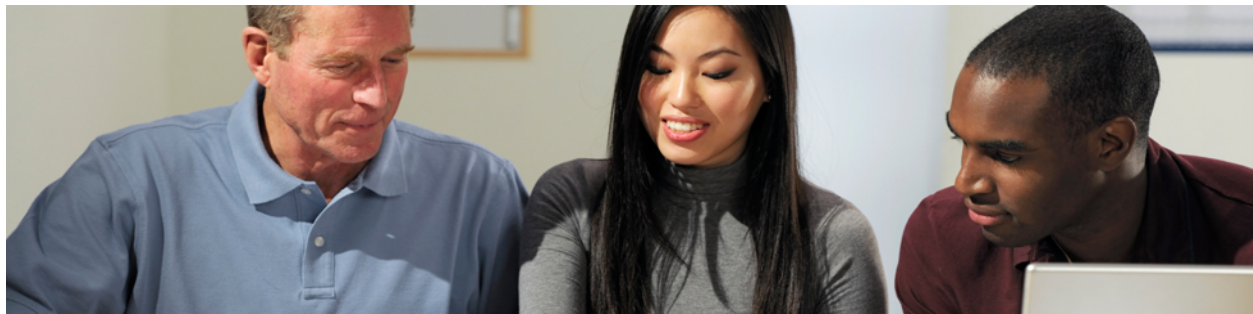
EPA has many active efforts to encourage and enable public participation. Several of these efforts are operational and have been previously noted, including our open government Web page (www.epa.gov/open), Regulations.gov Exchange (www.regulations.gov/) and a variety of

IV. Collaboration

Collaboration is ingrained in the Agency's operations and an important part of being open, fair and inclusive. We collaborate by working with our federal, state, tribal and local partners, with non-governmental organizations, academia and industry and with the public. EPA's partners implement many of the Agency's most critical environmental programs, including protecting water quality, reducing air pollution, safeguarding drinking water and mitigating hazardous waste. Almost all of the environmental data EPA collects comes from our partners and the regulated community. We collaborate on issues as wide ranging as data collection and sharing, enforcement of regulations, setting standards of protection, voluntary programs such as EnergyStar, and how best to empower local communities to tackle local issues.

Producing widespread environmental and economic benefits:

Redeveloped brownfields sites reduce stormwater runoff between 44 to 88%, result in lower vehicle miles traveled between 33 to 58% reducing air pollutants, and return formerly contaminated property to re-use. Since inception, more than 61,000 jobs have been leveraged nationwide. Residential property values increased between 2 to 3% once a nearby brownfield was assessed or cleaned. Brownfield projects leveraged $18.68 per EPA dollar expended.

One of the most significant examples of collaboration with a broad spectrum of partners is the Brownfields program. This program is designed to empower states, communities and other stakeholders to work together in a timely manner to prevent, assess, safely clean up and sustainably reuse Brownfields (sites with the presence or potential presence of a hazardous substance, pollutant or contaminant). The idea for the program was presented by a state at an Association of State and Territorial Solid Waste Management Officials (ASTSWMO) meeting in the early 1990s. Shortly thereafter, EPA funded Brownfields as a pilot voluntary program; the program evolved based on feedback and lessons learned from early projects. Congress recognized the success and potential of the program and passed the 2001 Small Business Liability Relief and Brownfields Revitalization Act. Our Brownfields program empowers citizens to reclaim and revitalize properties in their communities.

EPA has well-established tools and procedures for collaborating with the public, and we are exploring new ways to collaborate with our partners and other stakeholders. The remainder of this section provides information about the Agency's:

- Baseline collaboration.
- Collaboration innovations.

V.   Flagship Initiative - Community Engagement

Each agency was asked to select at least one flagship initiative – a new, specific project to promote transparency, participation or collaboration. Rather than selecting one concrete project, EPA determined we would have more impact by defining and launching a broad Community Engagement initiative, with many concrete projects across the Agency.

Community Engagement refers to a broad spectrum of activities intended to promote a greater understanding of, participation in, and contribution by individuals regarding the environmental issues that affect or interest them most. EPA considered several areas of its core mission where improvements could be achieved by implementing open government principles. The selection of the Community Engagement theme presents many challenges, and the Agency believes it also offers the greatest source of growth potential by encompassing many of the elements associated with the other themes. The broad scope of this theme also allows us to select a range of projects, many with ties to suggestions posed during the public participation/input process.

We selected Community Engagement by applying the following evaluation criteria developed by the Agency's Open Government Work Group:

- Supports the Agency's strategic goals and the Administrator's priorities.

- Degree to which the initiative supports openness principles.

- Anticipated degree of impact and benefits.

- Feasibility and likelihood of success.

- Transformative value.

> To successfully accomplish our mission, EPA needs active participation from the public. Effectively engaging communities means we will need to make information easy to understand; find diverse ways to reach the public (both electronically and via traditional means); find creative ways to hear their needs and suggestions; and work with partners, stakeholders and other federal agencies to make informed decisions and find the best solutions.

Each flagship candidate area (Community Engagement, Regulatory Involvement and OneEPA) met these criteria; however, the Agency selected Community Engagement because of its wide applicability—potentially influencing nearly every part of the Agency. We crafted this initiative with opportunities to apply what is learned throughout the Agency, providing a higher return on our invested effort.

To implement the flagship initiative, EPA selected a number of projects - each designed to involve the public and/or a particular segment of the population in greater depth than activities typically conducted. Individually, each project varies in how it will engage the public. The Agency expects to learn what is most effective and make use of this information as it evaluates policies and standard practices that will be of benefit to future Agency efforts. The sections that
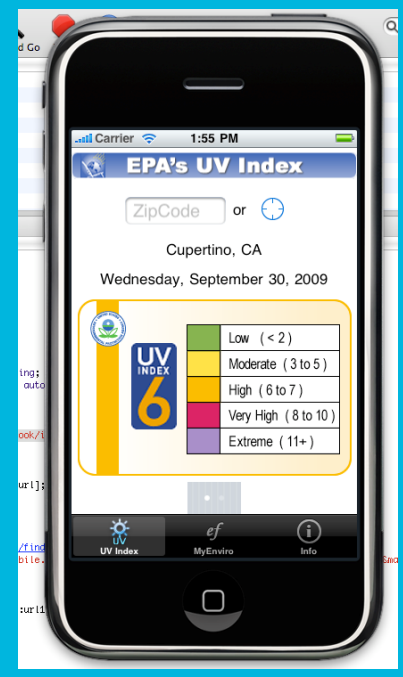
C. EPA Mobile Applications (apps) to Empower Citizen's Environmental Decisions

- **Human Health Advisories:** EPA is leveraging technology to push human health advisories via mobile phone apps, providing the public with location-based information to help them take action. The project is cross-Agency. One example being developed is the EPA Saves Your Skin mobile phone app, providing ZIP code-based UV index information to help the public take action to protect their skin.

- **Green Product Information:** This is an Agencywide strategy to provide a one-stop source of information to consumers to help them consider the impacts of products when making purchases (e.g., energy efficiency, water conservation, chemical exposure, sustainable design). In response to public input during the development of this plan, EPA is developing an Internet portal that consolidates the various Agency product information Web sites into one Web site. Future efforts may include ways to deliver such information through mobile channels, either by EPA providing data that others can incorporate into mobile applications, or direct EPA effort such as text messages or Smartphone applications.

These projects help us meet our strategic goals through the use of openness principles as shown in Figure V-1.

Mobile Apps - EPA Saves Your Skin: One of our first mobile device applications provides the public instant access to the Ultraviolet (UV) radiation index and the next day forecast of the sun's intensity, based on ZIP code.

Community Engagement Flagship Project Characteristics

Flagship Project Name	Transparency	Participation	Collaboration	1. Clean Air and Global Climate Change	2. Clean and Safe Water	3. Land Preservation and Restoration	4. Healthy Communities and Ecosystems	5. Compliance and Environmental Stewardship	1. Results and Accountability	2. Innovation and Collaboration	3. Best Available Science
	OG Principles			Strategic Plan Goals					Cross Goal Strategies		
Urban Waters	X	X	X		X		X	X		X	X
Improve Communication of Sampling and Testing Results	X	X	X				X			X	X
Improve Delivery of Information to At-Risk and Remote Communities	X	X	X				X			X	X
Chesapeake Bay TMDL Webinar Series	X	X	X		X						X
Faces of Grassroots		X						X		X	
NPDES Pre-proposed Involvement	X	X	X		X			X	X	X	
Rulemaking Gateway	X								X	X	
Health Advisories	X		X				X			X	X
Product Information	X		X	X	X	X	X	X		X	

Figure V-1: Community Engagement Flagship Project Characteristics

VI.   Evolution – The Open Road Ahead

EPA will learn from the activities identified in this plan and our focus on being more fair, open and inclusive. We will capture the benefits and lessons learned for new innovations and flagship projects, and we will describe how lessons from those projects are being considered to make lasting improvements in how the Agency operates. Those changes will be incorporated into subsequent revisions of this plan.

EPA will leverage our governance structure, described in Section I, to continue to monitor activities as they progress and to continue transforming our culture.

OEI will maintain the lead role in coordinating routine reporting activities, including updates to Data.gov and Community Engagement flagship projects. The Office of Public Affairs (OPA) will continue to maintain EPA's open government Web site (epa.gov/open) as the primary resource for the public to stay informed on EPA's open government activities.

EPA has also secured the necessary resources and contractual arrangements to continue to operate the OpenEPA Web site to receive public input. EPA has taken a "lite" moderation role in operating this site during development of this plan. Upon publication of this plan, EPA will determine how its moderation role will evolve to make better use of this tool as a source of input--potentially increasing its use for dialogue. EPA will track suggestions from the site and will prepare an analysis of suggestions. We will make that analysis available when the plan is revised.

In summary, EPA asks you to provide us feedback, and we would appreciate specific engagement in the following areas:

- How can the EPA Open Government Plan 1.0 be improved?
- What additional data and information do you want to see from EPA?
- What are some innovative uses of EPA data that you have seen or implemented?

The success of this Open Government Plan, and of the environmental protection mission, depends on community engagement and a continued two-way dialogue – EPA looks forward to your participation.

Appendix A – Milestones

OG High-level Milestones	4/7/2010	FY 2010		FY 2011				FY 2012	
		Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2
EPA's OG Plan									
Initial plan release	★								
Identify and share lessons					★————	————	————	———★	
Adjust activities as needed					★————	————	————	———★	
Develop plan addendum					optional			★	
Verify alignment with Agency Strategic Plan to be released			★						
Data Specific Activities									
Publish Strategic Data Action Plan				★					
Make 5 high-value data sets available							★		
Define process to identify innovative uses of data			★———★						
Governance									
Establish and institutionalize sustainable governance structure		★							
Hold quarterly governance meetings		★——★	★	★	★	★	★	★	
Update EPA's Open Government performance metrics on www.epa.gov/open		★——★	★	★	★	★	★	★	★
Policy									
Promote culture change by encouraging new media and Web training within employee individual development plans				★					
Develop policy for maintenance of Public Engagement Site		★							
Communication									
Analysis of public input		★——★	★	★	★	★	★	★	★
Maintain Open Government Website									
OMB Reporting		★——★	★	★	★	★	★	★	★
Employee Engagement Plan	monthly	★——★	★	★	★	★	★	★	★
Update performance measures					★				
Post and maintain Web pages for flagship projects		★——★	★	★	★	★	★	★	★
Flagship reporting		★——★	★	★	★	★	★	★	★
Website update	★	★——★	★	★	★	★	★	★	★
Cross-Agency Transferability									
Review and evaluate success of ongoing efforts (Green Affinity and ACE/ITDS)		★——★	★——★						
Communicate availability of NatureServe Endangered Species data			★						
Identify, monitor, and participate in cross agency activities					★————	————	————	———★	
Flagship Initiative									
Identify Web 2.0 strategy and tools		★							
Implement Web 2.0 strategy and tools			★						
3 new programs/projects use integrated Web 2.0 tools to engage the public		★							
2 new outreach events held			★						
2 recommendations for new/ revised policies/procedures that support Open Government					★				
1 new program/project using mobile application to support citizen environmental decisions				★					
Identify Best Practices to share					★————	————	————	———★	