

Response to Comments on Draft SRF Guidances: Report Template, File Selection Protocol, and Annual Data Metric Analysis

Document	Comment	Action/Response
Report Template	<p>Background p. 2 includes the following statements: "EPA builds consultation into the SRF to ensure that EPA and the state understand the causes of issues and agree on actions needed to address them. SRF reports capture the agreements developed during the review process in order to facilitate program improvements." This statement may be appropriate in explaining the SRF to a third party, but is not necessary in a report addressed to a state. States are aware of the level of consultation in preparing the report. There may not always be agreement.</p>	<p>SRF reports are public documents and are written to inform states, EPA, and the public.</p>
Report Template	<p>Background p. 2 includes the following statement: "Reports provide factual information. They do not include determinations of overall program adequacy, nor are they used to compare or rank state programs." The reports provide factual information, conclusions ("findings"), and recommendations in Section III of the template. While EPA may not prepare a separate summary report comparing or ranking state programs, the SRF reports are used for comparing states. For example, though qualified, EPA publishes a webpage entitled "ECHO State Comparative Maps and Dashboards" (http://www.epa-echo.gov/echo/stateperformance/comparative_maps.html) that includes SRF information. EPA also offers a webpage for multi-state queries to facilitate the comparison of each metric across states (http://www.epa-echo.gov/echo/trends/srf_multistate_report.html). The "Multi-State Report Graphs" display comparative data on the selected metric in ascending order. This is viewed by many as a ranking for that metric.</p>	<p>EPA has determined to retain the language in the reports as an important reminder to users of the information in the reports.</p>
Report Template	<p>Will the region have the ability to attach a copy of the state's response in the SRF Tracker? That would be most appropriate, especially in a case where the state response is lengthy. It is better to reference a documented response than to condense.</p>	<p>The State Response section of the finding in the report will contain the complete state response. A PDF of the full report is attached to the Tracker and is posted on the web.</p>
Report Template	<p>In Section III, step 4, the last bullet item indicates the reviewer may include a recommended action, but it will not be tracked for completion. If a recommendation is going to be recorded in the report, but there will be no tracking of the outcome, why make the recommendation to begin with?</p>	<p>Recommendations are tracked for findings of Area for State Improvement (more serious issues requiring remedy) but not for findings of Area for State Attention (less serious issues). Recommendations for findings of State Attention are optional and therefore are not tracked in the Tracker. We have clarified this point in the revised template.</p>

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Report Template	Step 3 indicates the reviewer has up to 200 characters to enter an issue. Step 4 indicates the reviewer has up to 700 characters to enter an explanation of the finding. However, step 6 limits the State to 300 characters to respond. These ratios seem to be favored to stating the problem and limited on a State explanation.	The Tracker will be re-programmed to accept 700 characters for state response and the Report Template has been updated to reflect this change. (Character limits apply only to the SRF Tracker and not to the report template. We have included additional clarification on this point in the revised template.)
Report Template	Remove the second bullet regarding the annual data metric reviews conducted since the state's last SRF review. After the last bullet insert the wording from the last page of the "Conducting An Annual Data Metric Analysis" guidance document. The findings from the SRF should be from that years review. The annual DMA can be used to help plan the record reviews and look at trends but not provide the findings of the SRF. Again this is reinforcing the state's views that the annual DMA are becoming annual SRF's.	Report Template has been modified to be consistent with ADMA guidance.
Report Template	The name of the category "Area for State Attention" should be changed to something like "Recommendations to the State". Since category lists minor problems and will not have any additional EPA oversight, the term "Recommendations" is more neutral and doesn't have as many negative connotations. This would need to be changed throughout the rest of this document and the Plain Language Guides.	Recommendations are optional for findings of State Attention and mandatory for findings of State Improvement. We have clarified this point in the revised template.
Report Template	The report template does not provide information on agreements or grant commitments between EPA and the state for any metric (see second bullet under item 1). The "National Goal" or "National Average" is not always the relevant standard, and may be very misleading. If EPA and the state have agreed on a different goal in a CMS or by grant commitment, that goal should be presented in the SRF report instead of the National Goal.	Where applicable, metrics have goals of 100% of the CMS commitment. These distinctions are made in the Plain Language Guides. We have added clarifying language on the first page of Section III that defines a national goal as "the national goal, if applicable, of the metric, or the CMS commitment that the state has made."
Report Template	The DMA, File Metric Analysis, and File Selection tables which are all in the current draft report as Appendices A-C along with other miscellaneous Appendices are not in the proposed draft report template. Is this intentional, an oversight or will they be referenced somewhere else? [Include note in report template that regions can include if they and the state wish.]	This was intentional based on regional feedback. The new template includes an appendix that can be used for other relevant items. We have added this sentence to the appendix instructions: "Regions may also include file selection lists and metric tables at their discretion."
File Selection Protocol	Commenter noted the table does not list upper numbers in some of the ranges, ie "301 to ".	Upper numbers have been inserted.

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File Selection Protocol	Commenter notes that the document indicates to print the DFR at the top of page 5 and suggested an edit to say "review" rather than print, so unnecessary printing is avoided.	EPA's experience has shown that having hard copies or e-files of the DFRs during a review is the most effective method for completing a file review, so text was changed to "print or download."
File Selection Protocol	Commenter notes that under #5, states "And for RCRA, choose the Evaluation column.", but there is no Evaluation column.	Text has been edited to state "For CWA and RCRA, choose the Inspection column."
File Selection Protocol	Commenter suggested that files review guidelines penalize States with small universes because the percentage of file reviews is higher than in states with a large universe. EPA should go with a straight percentage for record reviews and that a mandatory of 10 to 15 percent review of all facilities in the file section tool in OTIS for all States is equitable and fair.	The percentage of files reviewed does not affect likelihood of positive or negative findings.
Annual DMA	States are not yet convinced that the Data Metric Analysis (DMA) has to be completed annually; biannual data analysis would be just as useful and would provide more time for states and EPA to work through some of the historical issues with unrepresentative data.	The ADMAs are intended to be very quick to produce and not to generate additional findings; therefore EPA anticipates that Annual DMAs will not affect time available to address historic issues. However, EPA will monitor the time necessary for implementation of ADMAs.
Annual DMA	As the DMA is also a foundational building block of the file selection protocol, this reinforces the mutually recognized need for a data set fully representative of state programs. For direct users of ICIS-NPDES, this may be a simple exercise, but for others it may take time to discern the search logic EPA used to create the data set. The process could be improved if EPA Regions were more involved in the creation of the queries used to create these datasets and if everyone was given the opportunity to see the detailed logic behind these queries. Regions are more attuned to the operations of specific states and can act as first line editors prior to release of the dataset to the states for review.	EPA is exploring options to provide additional information on detailed select logic used to create data sets for SRF and state dashboards.
Annual DMA	Recommend that the goals are clearly defined for the 4 year SRF review and the annual Data Metric Analysis (DMA).	National goals for each SRF metric are defined in the plain language guide for CAA, CWA, and RCRA. Comment addressed.
Annual DMA	With regard to the Annual DMA Draft document, we note that on page 2 (Using Verified Data for the Annual DMA) there is the following statement: "If inaccuracies are found during the Data Verification process, states and regions are expected to correct the data in the national database at that time." In previous data verification exercises, we have identified inspections that are reflected in RCRAInfo but are not reflected on the OTIS SRF page. Since the inspections are identified in RCRAInfo, there is no "correction" that States can do. EPA needs to determine why the data is not getting into the OTIS SRF database.	EPA is investigating options for addressing these concerns and will be contacting states in the near future for further discussion.

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Annual DMA	<p>In conversations with EPA, states have expressed concern that the DMA may become mini-SRFs and it appears that they are. The document, "Conducting an Annual Data Metric Analysis" states, "The annual DMA is a simple check-in between SRF reviews that supports ongoing and regular performance reviews that already occur during annual planning and grant discussions between EPA and states. It is a management tool to guide discussions with states." However, under SRF Findings in the Report Template, the instructions state that findings may be based on "Annual data metric reviews conducted since the state's last SRF review". States urge you to ensure that the annual DMA is just a check in and not used as a basis for findings in the SRF reviews.</p>	<p>Report Template has been modified to be consistent with ADMA guidance.</p>
Annual DMA	<p>Conducting an Annual Data Metric Analysis: Data Quality Issues have been discussed with EPA during several SRF calls. States have pointed out OTIS/ECHO does not pull some data from RCRAInfo because there are State's that enter generator information/inspection into RCRAInfo and do not release it to the public. This will definitely affect the annual and SRF data pulls and cause "data inaccuracies" that in fact aren't. For the RCRA Program EPA should pull SRF data directly from RCRAInfo, then there wouldn't be as many "data inaccuracies".</p>	<p>Additional information available in RCRAInfo should be noted in the Explanation section of SRF reports and considered during the development of findings.</p>
Annual DMA	<p>Conducting an Annual Data Metric Analysis: Several States have expressed concerns that the Annual Data Metrics Analysis will become annual SRF's and the text in the document doesn't discredit the States concerns. If you want our buy in, EPA needs to alleviate our concerns.</p>	<p>The ADMAs are intended to be very quick to produce and not to generate additional findings. EPA will monitor the implementation of ADMAs to ensure that this remains the case.</p>
Annual DMA	<p>Data metric analysis - use of OTIS: We offer a caution regarding EPA's exclusive use of OTIS to conduct hazardous waste program SRF and annual reviews. In 2012, EPA Region 8 utilized SRF-Round 3 to review South Dakota's FY2011 Hazardous Waste Program. In conjunction with that experience, the state and EPA determined that the number of inspections (specifically, CESQG non-notifier inspections) reflected in OTIS did not match the data in RCRAInfo. Although EPA Regional staff can obtain complete information from RCRAInfo, because they are forced to use OTIS for SRF reviews, the process is skewed from the start. In the course of reviewing OTIS data through the Data Verification Process, the state alerted the discrepancy to Regional reviewers, but the mechanics behind the file selection could not be altered. This created an issue for EPA in conducting the review and trying to prepare an accurate report.</p>	<p>Additional information available in RCRAInfo should be noted in the Explanation section of SRF reports and considered during the development of findings.</p>

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Annual DMA	<p>The document states on the pp. 1 and 2 that “The annual DMA is a simple check-in between SRF reviews that supports the ongoing and regular performance reviews that already occur” This may be correct for the EPA regional offices, but it omits the state effort in performing annual data verifications that underlie the DMA. Depending on the level of detail in the review, data verification for each program (CAA, NPDES, RCRA C) can take state staff several days to several weeks.</p>	<p>Data Verification is independent of SRF and the ADMA. Data Verification is conducted annually to ensure the accuracy of state performance data that is in EPA’s systems and is made available to the public via ECHO and the state dashboards.</p>
Annual DMA	<p>At p. 3, the document asks the regional offices to identify “any potential problems with national goals....” Analysis should compare state results to National Goals where applicable, but where EPA and the state have agreed on different goals, those goals should be used. Under the National Program Manager’s guidance, EPA and states have authority to modify goals in national guidance through the Compliance Monitoring Strategy (CMS) or in grant agreements. For metrics where EPA and the state have agreed on different goals, comparison to National Goals is misleading.</p>	<p>SRF metrics are assessed against a consistent set of national goals to ensure that all states are evaluated against the same standard. EPA evaluates states against commitments in state specific CMS plans for CWA inspections and alternative CMS plans for CAA and RCRA inspections where such documents exist. If a state does not have a state specific alternative CMS plan for CAA or RCRA inspections or a state specific CMS plan for CWA inspections, states are evaluated against the national coverage goals for inspections. The CAA, CWA, and RCRA plain language guidance ask regional offices to evaluate states against the state specific CMS plans or alternative CMS plans as the national goal for inspection coverage.</p>