

# memorandum

DATE: February 7, 1997

REPLY TO  
ATTN OF: Office of Environmental Policy and Assistance(EH-413):Nakata:6-0801

SUBJECT: **Consolidated Departmental Response to Facility Identification Initiative Notice**

TO: Distribution

**PURPOSE** To notify DOE elements of the availability of the consolidated Departmental response to a request from the Environmental Protection Agency (EPA) for comments on the Facility Identification Initiative Notice.

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**BACKDROP** On October 7, 1996, EPA published the subject Federal Register notice soliciting comments on the proposed Facility Identification Initiative. As a part of an ongoing effort to reinvent environmental regulations, the Agency requested comment on a number of options to standardize facility data reporting. This initiative represents the first step of a larger Agency effort to standardize, streamline and consolidate the collection and maintenance of environmental data.

On October 18, 1996, the Office of Environmental Policy and Assistance (EH-41) transmitted a memorandum announcing publication of the Notice in the FR.<sup>1</sup> The Facility Identification Initiative notice provided DOE with an opportunity to comment on:

- o State and Federal models for flow of data
- o Frequency and timing of facility identification reports
- o Reviewing and updating facility identification records

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**DOE RESPONSE** The consolidated Departmental response included comments from the Chicago and Oak Ridge Operations Offices, West Valley Demonstration Project, Pantex Plant and an internal EH-413 analysis. The DOE response supports EPA's Initiative to standardize facility data reporting in principle but expressed concerns that implementation of the proposal may place additional and unnecessary reporting requirements on the regulated community. Further, DOE suggested that the goals of the Initiative can be met through exploring alternative approaches to decrease the burden on and confusion to reporting facilities, and requested that EPA consider adopting a hybrid of the proposed "Upgrade FINDS" and the alternative "Collecting Data by Rule" for implementing the Initiative.

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**ACCESS** A copy of the consolidated Departmental response is available through the Internet on the EH-41 World Wide Website for viewing and/or downloading at <http://www.eh.doe.gov/oepa> under the "DOE COMMENTS" buttons. Questions regarding the consolidated Departmental response may be directed to Katherine Nakata of my staff by calling (202) 586-0801 or communicating electronically, via Internet, to [katherine.nakata@eh.doe.gov](mailto:katherine.nakata@eh.doe.gov)

Thomas T. Traceski  
Director, RCRA/CERCLA Division  
Office of Environmental Policy and Assistance

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<sup>1</sup> See Office of Environmental Policy and Assistance memorandum, "Facility Identification Initiative: Notice and Request for Comments," October 18, 1996.



**Department of Energy  
Washington, DC 20585**

December 23, 1996

U.S. Environmental Protection Agency  
TSCA Document Receipt Office (7407)  
Office of Pollution Prevention and Toxics  
401 M Street, S.W.  
Washington, D.C. 20460

RE: Document Control Number OPPTS-00186

Dear Madam or Sir:

On October 7, 1996, the Environmental Protection Agency (EPA) published a Notice and Request for Comments regarding the Facility Identification Initiative (61 FR 52587-52600). As indicated in the Notice, comments are to be submitted to EPA on or before December 23, 1996.

The Department of Energy (DOE) appreciates the opportunity to provide comments on the October 7, 1996 Notice and the associated Support Document. The enclosed package presents several comments for your consideration. These comments reflect combined viewpoints expressed by the DOE Program Offices and Field Organizations.

The Department commends EPA on its commitment to standardize facility data reporting with the Facility Identification Initiative. DOE acknowledges that this commitment represents the first step of a larger Agency effort to streamline and consolidate EPA's collection and maintenance of environmental data. DOE supports these efforts and believes there are many benefits to be gained by standardizing and streamlining federal environmental reporting and permitting requirements.

While the Department supports this Initiative in principle, there are concerns that implementation of the proposed Initiative may place additional and unnecessary reporting requirements on the regulated community. DOE suggests that the goals of the Initiative can be met through exploring alternative approaches to decrease the burden on and confusion to reporting facilities, and requests that consideration be given to adopting a hybrid of the proposed "Upgrade FINDS" and the alternative "Collecting Data by Rule" for implementing the Initiative. Due to the broad, general terms in which the proposal is discussed, DOE requests that once the specific implementation methodology and related policies for the Facility Identification Initiative are determined that stakeholders be given an opportunity to provide further comment.

Sincerely,

Raymond F. Pelletier  
Director  
Office of Environmental Policy and Assistance

Enclosure

cc: S. Sasnett, EPA OPPT

**UNITED STATES DEPARTMENT OF ENERGY  
COMMENTS ON FACILITY IDENTIFICATION INITIATIVE  
NOTICE AND REQUEST FOR COMMENTS (61 FR 52587; October 7, 1996)**

**GENERAL COMMENTS**

DOE supports the goals and objectives of EPA's Facility Identification Initiative to standardize, streamline, and consolidate facility data reporting, and believes there are many benefits to be gained through the implementation of this effort. However, DOE is concerned about the potential cost and compliance difficulties associated with several of EPA's proposed approaches of Federal and State information flow. DOE believes that with certain suggested modifications, it is possible to establish an integrated information infrastructure that balances both the goals and objectives of this Initiative, and yet is sensitive to the needs of the regulated community.

DOE applauds EPA's efforts under the National Performance Review "Reinventing Environmental Regulation" project, which includes goals for reducing paperwork and reporting burdens. DOE encourages further efforts under this project and urges EPA to consider these goals in their design of the Facility Identification Initiative. However, DOE believes that the goals of the Initiative can be met through exploring alternative approaches that decrease the burden and confusion to facilities. For example, EPA should consider standardizing the current instructions for reporting facility identification information on existing environmental reports [Refer to Section I.C of these comments]. The standardization of existing reporting instructions will quickly eliminate inconsistencies in existing program databases and support data linkages.

During the current period of budget cutbacks and downsizing, it would be advantageous to EPA, the States, and the regulated community to upgrade an existing database rather than create a newly consolidated one.

EPA should consider the possibility of combining several of the proposed approaches presented in the Notice and Support Document. DOE believes that each approach, if implemented separately, contains inherent weaknesses that hinder the realization of the Facility Identification Initiative. Accordingly, DOE suggests consideration be given to a hybrid approach that draws from the strengths of two EPA proposed approaches (see specific-comments below). Given the broad scope of options EPA is asking the regulated community to consider, it would seem prudent to let individual States and/or EPA Regions initiate a voluntary pilot study on EPA's preferred approach to provide an opportunity for regulators to work cooperatively with facilities to determine the optimal implementation approach. This pilot study would help facilities to recognize the advantages and give EPA the opportunity to demonstrate that currently reported environmental data can be consolidated and duplicative reporting eliminated. The pilot study would also provide the opportunity for facilities and the general public to raise any concerns or suggestions. Ultimately, the results of the pilot study would provide EPA, the States, and the regulated community with a clearer understanding of the implementation costs and benefits for such a revised reporting process.

## SPECIFIC COMMENTS

*Note: The organization of the following specific comments follows the format of the Facility Identification Initiative Notice and Request for Comments and incorporates the associated Support document. The titles and numbers from the Notice have been identified by utilizing all capital letters, bold titles, and underlining.<sup>1</sup>*

### **I. INTRODUCTION**

#### **A. BACKGROUND [61 FR 52588, column 3, paragraph 1]**

**Through the Facility Identification Initiative, the Agency will establish a national standard for the reporting and maintenance of information regarding the identification of facilities that are subject to federal environmental reporting and permitting requirements. The background section of the Notice states EPA's commitment to standardize, streamline, and consolidate facility data reporting. The Facility Identification Initiative is a first step toward establishing a new one-stop reporting approach for environmental data.**

1. With the growing need for both the Federal and State levels of government and the private sector to cut costs and increase the efficiency of operations, DOE commends EPA's commitment to reinventing Federal environmental reporting and permitting requirements. DOE supports the Facility Identification Initiative's goal to streamline facility data collection and reporting, and encourages EPA to actively pursue its implementation with the Department's suggested modifications.
2. DOE agrees that the lack of standardized facility data across environmental data collections inhibits multi-media analysis of environmental issues and leads to reporting inefficiencies. DOE believes these problems can be alleviated by upgrading an existing system (i.e. FINDS) to serve as a pointer system to other environmental program databases (e.g., AIRS, RCRIS, and TRIS). The database should be shared by EPA and the States.

#### **B. GOALS OF THE FACILITY IDENTIFICATION INITIATIVE [61 FR 52589, column 2, paragraph 1]**

- 1. The overarching goal of the Facility Identification Initiative is to streamline access to and reporting of environmental data by establishing a uniform set of facility identification data and the infrastructure needed to make it operational.**

By establishing a uniform set of facility identification data, EPA can improve public access to environmental data and eliminate inconsistencies in facility identification data that currently exist between programs. EPA's past efforts are recognized in developing a "pointer" (i.e., FINDS) to

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<sup>1</sup>FINDS-Facility Index System; AIRS-Aerometric Information Retrieval System; RCRIS-Resource Conservation and Recovery Information System; PCS-Permit Compliance System; TRIS-Toxic Release Inventory System; CERCLIS-Comprehensive Environmental Response, Compensation and Liability Information System

environmental program information. To conserve limited resources, DOE suggests that EPA build upon FINDS and existing regulatory programs to implement the Initiative.

2. **The specific objectives of the Facility Identification Initiative are: (1) To obtain and maintain an accurate set of uniform, facility-specific information and keep it current; (2) To build an infrastructure based upon as many existing approaches as possible that efficiently support data linkage capabilities; (3) To improve public access to Agency data; (4) To minimize the burden on the regulated community and States as part of the process of obtaining and maintaining such information, and eliminate, where possible, duplication; and (5) To serve as a first practical step toward the broader goal of consolidating environmental data collection.**

1. DOE suggests that EPA initially limit any data collection to elements that are necessary for the development of a comprehensive electronic pointer system to Agency data. Additional discussion of the electronic pointer system is presented in Section II of this document.

2. DOE supports approaches to improving internal database management without increasing the burden on facilities, as they can achieve the goal of maintaining a consistent facility record. During the current period of budget cutbacks and downsizing, EPA should improve its existing information infrastructure by standardizing reported facility identification information to support data linkage capabilities between existing program databases.

3. DOE supports EPA's intent to improve public access to Agency data. Assigning a single unique facility identifier to each facility and adding this identifier to existing EPA database records would enable the public to establish links between data relating to the same facility. These links would support multi-media analysis and improve public access to data.

### **C. BENEFITS OF THE FACILITY IDENTIFICATION INITIATIVE [61 FR 52589, column 2, paragraph 3]**

**The benefits of the Facility Identification Initiative include: (1) Better access to data by facilities; (2) Improved access by the public; (3) Improved multi-media perspectives; (4) Empowered communities; and (5) Reduced facility reporting burden.**

DOE agrees that standardization of facility identification data is important. Due to inconsistent requirements for reporting a facility name on various environmental reports, linkage between different reports submitted by a facility is currently difficult to establish. Prior to implementing the Facility Identification Initiative, EPA should consider standardizing the current instructions for reporting facility identification information on existing environmental reports. By standardizing the reporting instructions first, inconsistencies in reported facility specific information can be quickly eliminated and linkages between different reports can be established.

**II. APPROACHES TO ACHIEVING FACILITY IDENTIFICATION [61 FR 52590-52593, column 1, paragraph 1] [Support Document: Facility Identification Initiative Notice and Request for Comment, pages 2-4, 12-19]**

**EPA presents five approaches for implementing the Facility Identification Initiative. The five approaches are: (1) An administrative approach that would upgrade FINDS, an existing EPA-maintained facility identification database; (2) An EPA/State non-regulatory data management partnership to develop and maintain facility identification data and the necessary linkages between information systems; (3) A distributed information system in which EPA would not establish a central facility identification database, but would rely on building connections to State systems; (4) A regulatory approach that would require consolidated reporting of facility data to EPA or the States while eliminating duplicative reporting; and (5) An approach that would use existing regulatory authority and establish facility identification reporting requirements by developing new OMB Information Collection Requests (ICRs). EPA requests comments on these alternatives, which are not mutually exclusive of each other, for implementing the Facility Identification Initiative and invites suggestions on other approaches that could be implemented.**

1. DOE recommends that a "hybrid approach" be taken to implement the Facility Identification Initiative that would combine the framework from "Upgrade FINDS" (Approach 1) with modifications and the concept of "Collecting Data by Rule" (Approach 4).

Under the "hybrid approach," it is envisioned that: (1) EPA would assign a single unique alphanumeric identifier to each facility. The facility identifier would then serve as the primary link or electronic pointer to all of the Agency's data about the facility. A rulemaking would assure that the States and facilities use the new identifier. (2) The facility identifier would be one element of a consistent record of facility identification data (e.g., facility name, street address, public contact, etc.) established and updated for each reporting facility. (3) EPA would prepare the initial facility identification record for existing facilities and the facility would thereafter review the record for accuracy. (4) New facilities would initially report in conjunction with a regulatory triggering action. (5) Updates would be provided on an as needed basis.

The "hybrid approach" would support all five goals of the Facility Identification Initiative. Benefits of this approach" are as follows: (1) it would be built from FINDS, an existing system. FINDS provides the framework for consolidating and streamlining the reporting of facility identification data; (2) EPA, States, and facilities would collectively be responsible for the success of such an approach; and (3) it would meet the goals of the Facility Identification Initiative. Implementation of the hybrid approach would: a) eliminate the need for facilities to develop data management systems to support new EPA requirements; b) reduce the burden of reporting on Federal facilities, especially those facilities situated in multiple states; and c) encourage EPA and the States to form data management partnerships.

DOE agrees with EPA's concept in Approach 1 to upgrade the FINDS database. However, without DOE's suggested modifications there would be no obligation by the States and facilities to use the facility identifiers. Additionally, many of the data elements that are under consideration by EPA for incorporation in the facility identification record already exist in FINDS. FINDS provides

cross reference between the FINDS ID and system identification codes in program office information systems (RCRIS, PCS, CERCLIS, and TRIS). DOE suggests, as a minimum, the following additional modifications to FINDS: (1) Supplementing the FINDS database to include the GSA real property identification number; (2) Collecting data by rule to populate the refined FINDS; and (3) Expanding linkages to EPA and State program databases. Following implementation of a unique facility identifier based on an upgrade to FINDS, EPA should continue to streamline and consolidate existing program databases.

2. DOE questions the effectiveness of establishing an EPA/State non-regulatory data management partnership to develop and maintain facility identification data and the necessary linkages between information. One of the primary goals of the Facility Identification Initiative is to minimize the burden of data collection on the regulated community and the State, and to eliminate, where possible, duplication. This non-regulatory approach does not appear to efficiently achieve this goal. Furthermore, having multiple parties receive and reconcile data would potentially lead to a significant number of inconsistencies in the collected data.

3. DOE questions the effectiveness of a distributed information system in which EPA would rely on building connections to State systems rather than establishing a central facility identification database. A distributed information system does not support EPA's goals and objectives to establish and maintain a national data system consistent with EPA's "Facility Data Standard" of April 9, 1990. This directive "establishes a data standard for unique facility codes to be maintained by all EPA facility data collections under EPA authority. Standardization of the format and content of facility identification codes will enhance data integration capabilities and increase the utility of all EPA data across facilities." DOE supports EPA's continued use of its Facility Data Standard that establishes the requirements for a facility identification data standard.

4. DOE agrees with EPA's analysis of the ICR-Only Approach. Without the "backing of a codified requirement," the long-term stability of this approach would be lacking.

### **III. CROSS-CUTTING ISSUES**

#### **A. FACILITY DEFINITION [61 FR 52593, column 1, paragraph 1][Support Document: Facility Identification Initiative Notice and Request for Comment, pages 19-29]**

**EPA believes that it would be appropriate to develop a definition of "facility" that could apply across a broad array of current environmental data collections and permit requirements. Therefore, the definition would have to be broad enough to encompass the whole of the facility's operations but remain within the physical and ownership attributes.**

1. EPA's draft facility definition states "all buildings, equipment, structures, and other items located on a single site or contiguous or adjacent sites owned or operated by the same person or persons" constitutes a facility. This definition implies that ". . . all of its parts or divisions, would constitute the facility." As stated, the definition could be interpreted to exclude the land on which these items are located. It is recommended that the land itself (i.e., real property vs. structures) be included in the definition.

2. A discussion of facility changes over time can be found in Section IV.

**B. DATA COLLECTIONS INCLUDED [61 FR 52594, column 1, paragraph 3]**

**EPA developed a specific list of Federal actions that could be included under a Facility Identification Initiative. EPA developed this list by reviewing all of its current Information Collection Requests (ICRs). The purpose of developing this comprehensive list is to identify data that would be subject to consolidation into one facility record under the Initiative. EPA requests comments on what environmental data collections should be included in the Initiative.**

DOE believes that it would be premature to develop a comprehensive information database without first clarifying specific reporting requirements relative to EPA's preferred approach. DOE recommends that EPA collect "lessons learned," on a limited scale, through a pilot study prior to issuing its preferred approach in an Advanced Notice of Proposed Rulemaking.

**C. ELEMENTS OF A CONSOLIDATED FACILITY RECORD [61 FR 52595, column 1, paragraph 1]**

**EPA requests comments on what elements should be included in a consolidated facility identification record. Elements that EPA identified and determined were appropriate for eliciting comment include: facility identifier; facility name; facility street (physical) address; facility mailing address; county, parish or other jurisdictional indicator; facility contact; facility SIC code; facility Dun and Bradstreet number; parent company name and Dun and Bradstreet number; and latitude and longitude coordinates.**

1. DOE has evaluated the proposed data elements with an emphasis on consistency and reliability over time and recommends that the following data elements be included in a facility identification record: (1) Facility identifier; (2) Legally incorporated and "doing-business-as" name of the facility; (3) Facility mailing and street address; (4) County, parish, or other jurisdictional indicator; (5) SIC code; (6) GSA Real Property ID number and the Dun and Bradstreet number; and (7) Latitude and Longitude.

2. For the facility name, DOE suggests using the legally incorporated name of the facility based on the owner because the legally incorporated name is used for tax records and other legal documents. DOE also recommends adding a field for the "doing-business-as" name.

3. DOE recommends including the four digit primary SIC code and space for four additional SIC codes to accommodate situations in which a facility engages in different activities.

4. Due to an increasing number of Federally owned property transfers, DOE recommends including the GSA Real Property ID numbers for Federal facilities.

5. DOE supports including latitude and longitude for a facility in its identification record. DOE believes that EPA should follow the EPCRA guidance to determine the latitude and longitude coordinates and guide measurement of the "center" of irregularly shaped facilities. Technical

assistance should be provided to small facilities to aid them in determining the correct data.

6. Based on the Department's experience under TRI, DOE agrees that a facility contact should be included in the facility identification record.

#### **D. SUPPORTING ELECTRONIC DATA TRANSFER METHODS [61 FR 52598, column 3, paragraph 1]**

**EPA requests comments regarding the most technically feasible and cost effective methods of electronic data transmission including: transmission via fax, transmission via Internet/World Wide Web, electronic submission, submission via commercial on-line services and electronic mail, or any other methods such as paper submissions or submissions by floppy disk.**

Promoting the concepts of electronic data transfer methods in connection with implementing the Facility Identification Initiative is commendable. However, it remains questionable if electronic transfer will assist in streamlining reporting or reduce the reporting burden in that the Department has to provide documents in both electronic and hard copy formats as State regulators continue to request hard copy submittals.

Budgetary constraints limit the rate of adoption of Web Browser software (e.g., MOSAIC and Netscape) and make it difficult for State programs, as well as other Federal agencies to share/distribute electronic documents via the Internet/World Wide Web. Therefore, DOE recommends that electronic data transfer should be recommended, but optional.

#### **E. CONFIDENTIAL BUSINESS INFORMATION AND TRADE SECRETS [61 FR 52599, column 1, paragraph 3]**

**EPA requests comments on any Confidential Business Information-related issues that should be considered under the Facility Identification Initiative.**

Due to the nature of the information suggested for inclusion into the facility identification record, DOE does not anticipate any difficulties with conflict of business information-related issues.

### **IV. BUSINESS TRANSACTIONS THAT AFFECT THE FACILITY IDENTIFICATION NUMBER OR DATA PROFILE [Support Document: Facility Identification Initiative Notice and Request for Comment, pages 30-31]**

#### **A. RELOCATION OF ACTIVITIES**

- 1. EPA has proposed that when a facility moves all operations from one location to another, the identifier that was assigned to that particular location would not move with those operations.**

DOE supports EPA's strategy for the handling of the unique facility identifier when a facility relocates to a new property. As proposed, the management strategy 1) provides a means to track and create a thorough environmental history for a particular site, and 2) is consistent with other

environmental facility identifiers (e.g., the EPA ID number, and the TRIFID).

- 2. EPA also proposes to classify an identifier as inactive unless or until new operations covered by the Facility Identification Initiative are initiated at the abandoned location.**

DOE agrees that it is important to mark inactive identifiers to accurately chronicle a site's environmental history. For facilities with permits, EPA can easily access the necessary information to mark an identifier inactive. For facilities without permits, such as facilities reporting under EPCRA, it is unclear how EPA will obtain the necessary information without imposing additional reporting requirements.

## **B. EXPANDING FACILITY BOUNDARIES**

**EPA has suggested that a facility identifier be updated to reflect changes in a facility's boundaries. If a facility expands its boundaries by acquiring an adjacent or adjoining piece of property, then the expanding facility's identifier would need to be linked to any new reports submitted as a result of the expansion.**

DOE agrees with EPA's suggested approach for updating a facility identifier to reflect changes in a facility's boundaries. If the existing facility's boundary expands to incorporate any adjacent or adjoining property, the facility's original identifier should be linked to any new reports submitted by the acquired site. The acquired facility identifier should be marked inactive and cross-referenced with the new identifier.

## **C. CHANGES IN OWNERSHIP**

**EPA has stated that if a facility changes ownership, only the facility identification data changes, not the facility identifier. Facility identification data profiles on past owners would be archived in the data system.**

DOE requests further clarification on what information would constitute the "archived owner profile."