Managing an Information Collection Request Project

An Information Collection Request (ICR) is a set of documents that describes reporting, recordkeeping, survey, and other information collection requirements that a federal agency imposes on the public. The Paperwork Reduction Act (PRA) requires that every federal agency must obtain approval from the Office of Management and Budget (OMB) before collecting identical or similar information from 10 or more members of the public. ICR requirements can vary in complexity, ranging from a request for existing information that is readily available to one that requires the production of substantial historical data and the generation of new data. Agencies use ICR data to comply with statutes. For example, the U.S. Environmental Protection Agency (EPA) uses ICRs to fulfill its requirements associated with the residual risk and technology reviews of the U.S. Clean Air Act Amendments.

A quick search of www.regulations.gov indicates that EPA renewed or initiated close to 200 ICRs in the 12 month period beginning on July 1, 2015. Many of these were renewals, simply requesting the continued collection of data associated with previously approved ICRs; however, some ICRs imposed substantial requirements on industry. For example, the recent ICRs targeting Coke Ovens and Ethylene Production Facilities will easily cost targeted facilities several hundred thousand dollars to satisfy. And perhaps more important than the near-term costs associated with completing the ICR, are the long-term and ongoing costs associated with regulations that may be promulgated based on ICR results.

Five Keys to a Successful ICR

Clearly, responding to an ICR is an important undertaking for an organization that should be approached in terms of project management best practices. Although responding to an ICR can involve several hundred individual tasks and span several months, five areas require particular attention to ensure that requested information satisfies its intended purpose, is responsive, qualified, technically sound, and reported accurately:

1. Participate in Stakeholder Meetings that Shape the ICR.

EPA typically seeks involvement of the affected community when developing ICRs. Often, key trade organizations and industry groups are invited to participate in the development
of the ICR. It is important to use this opportunity to understand EPA’s goals in conducting the ICR, the schedule for the ICR program, and how ICR data will be used. Trade organizations and industry groups have the relevant process and operational knowledge critical to guiding the development of a practical and realistic ICR that yields the required data.

2. Assemble the ICR Response Team. It is likely that the ICR response will require efforts from environmental, operational, and information technology staff. The legal department may need to be involved to ensure the protection of confidential information. Contractors and consultants may be required to support the ICR with site preparation, data collection, data analysis, reduction, and interpretation. Engage these team members early and rely on their expertise to support the ICR response through the entire process.

3. Provide Feedback on Draft ICRs. It is important to review and understand draft ICRs and comment on them in the required timeframe. While it is easy to focus on the cost of responding to the ICR when seeking changes, the most persuasive arguments for modifying an ICR are found in the areas of safety, technical feasibility, and data defensibility. When challenging a draft ICR in any of these areas, it is important to be clear about the specific issue, the limitations of the proposed approach, and provide an alternate approach to satisfying the data need. For example, if it is unsafe to conduct a particular sampling operation, provide a defensible engineering calculation or alternative sampling approach that satisfies the data need. Similarly, if a measurement yields a detection limit that will not guide a meaningful risk assessment, explain the sampling, analytical, or process operation issues that affect the detection limit and how that detection limit will drive interpretation and use of ICR data.

4. Perform the ICR Work. Once the ICR is issued, manage the effort as a project relying on a project manager for coordinating and tracking the various tasks. Although an ICR may be issued with incremental submittal requirements, it is likely that the ICR will require simultaneous work on multiple tasks instead of independent work on sequential tasks to meet the submittal schedule. Responding to a complex ICR will require the efforts of an overall project manager and a team of task managers. And the ICR response won’t be their only job—team members will be satisfying ongoing operational responsibilities in addition to supporting the ICR.

5. Report ICR Data on Time and in the Required Format. Reported ICR data are going to be used by EPA to evaluate the effectiveness of existing regulations and determine the need for new ones. It is therefore important that ICR data be collected in time to allow adequate review of the information before it is submitted. Although conformance with the ICR requirements is important, it is also important to evaluate the collected data from a broader perspective, considering data quality, completeness, and representativeness. ICRs may require electronic reporting, which can be challenging to learn. Accordingly, it is important to allow enough time for both the reporting of electronic information and the review of electronically reported information.

Summary
If a facility is subject to a regulatory requirement and it hasn’t been issued an ICR, it can expect to be in the future. ICRs are not casual requests for which a response is optional. The results of ICRs will be used to shape future regulations for the industry and it is important that ICR recipients approach ICRs as projects, managing the effort from stakeholder engagement through data submittal.

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