Propose OR 6217 Public Comment Coding Process and Categories

1. See http://coastalmanagement.noaa.gov/nonpoint/oregonDocket/publicComments.html for public comments (including all of NWEA's attachments).

2. Break out comments into groups of ~125pg. Note: State response will be considered separately. (See attached proposed breakdown). Have 3 main groups (Allison, Jayne and Don) with 30 pages remaining spilt between Jenny and Chris. Since Alan will be lead tech reviewer on two of the biggest issues (ag and forestry) he'll get a pass from coding to focus on review and the state's submission.

    - Allison: #1-50
    - Jayne: #51-58 (includes NWEA)
    - Don #59-77
    - Jenny: #80-84
    - Chris: #84-87

3. Using the "rough cut" of comments Allison already captured in the spreadsheet as a foundation, read through assigned comments closely. Make sure all comments are captured accurately in the spreadsheet. Modify/expand on existing comments as needed. Make sure each unique idea has a separate line in the spreadsheet.

4. When you record the comment, note what page # it came from in the comment letter so it will be easy to refer back to the original text for broader context, if needed (Column G).

5. Also use Column H, Additional Info, to add any additional notes that would be useful, such as whether or not it is a substantive comment (rather than general conclusory statement) that we may need to consider more closely when making a final decision.

6. Make sure all comments are coded for the commenter that provided them (Column E). This is already done but if additional comments are added, you'll need to make sure they are coded properly as well. Note that each commenter is assigned a number that corresponds with the number of their comment on the website (see http://coastalmanagement.noaa.gov/nonpoint/oregonDocket/publicComments.html).

7. Categorize each comment using the category code names below (Column I). You may need to add additional categories to the list to capture the points made in future comments. If you do add additional categories, please share an updated category code list with the rest of the tech team so others can use the same category code if they come across similar comments.

8. It may be possible for one comment to fall into more than one category code. If so, include all applicable codes separated by a semi-colon.

9. Once all comments are captured and categorized by topic, tech team members will each take on a category (or categories) of comments to synthesize and organize into a suite of comments for us to respond to for that category. Similar comments should be combined into one summary comment about the issue. Be sure to retain the comment code for the individual comments that are reflected in the summarized comment. (See examples of comments and responses that Don and Steve provided, a few excerpts provided below).

10. Tech team (and maybe legal team?) will review all synthesized comments to determine they correctly capture and reflect all comments received and that each comment warrants a response.

11. Once the tech team (and maybe legal team?) has agreed on the realm of comments that we will need to respond to, each tech team member will be the lead for developing an initial response for a chunk of comments.

12. Tech team will review drafts of all responses to comments and revise as necessary, making sure responses are consistent with final decision rationales.

13. Tech team will send response to comments and final decision rationales to Legal Team to review.

Comment Category Codes:

CATEGORY	CODE
General	
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Proposed Decision	Decision
	Decision-benefit
	Penalties
	Penalties-benefits
	Penalties-negative impacts
	General-need more time
	General-public comment
CZARA Authority/Process	General-one-size-fits all
	General-holding to higher standard
	General-problems with CZARA
Voluntary Approaches	General-voluntary approaches
Oregon Water Quality/Monitoring	General-water quality
	General-fails to meet wqs/uses
	General-need to improve water quality
	General-made improvements in water quality
	Monitoring-improvements needed
Oregon Habitat/Species	Salmon-need more protection
	General-salmon
	Beaver
Other Issues	Toxics/Pesticides
	Toxics/Superfund
	Climate Change
Need for Additional MM/Consider Other Issues	General-need to consider other issues
Urban	
	New Devel
	OSDS

Forestry	
	Forestry-General
	Forestry-riparian
	Forestry-landslides
	Forestry-roads
	Forestry-pesticides *(covers herbicides too)*
	Forestry-clear cuts
Agriculture	
	Ag-General
	Ag-Buffers
	Ag-Pesticides
	Ag-add MMs
	Ag-legacy
Hydromod	Hydromod
Wetlands	Wetlands

Example Excerpts from Other Response to Comment Documents:

Comment B.1-1: EPA received mixed comments on its decision to require electronic reporting of all IUR submissions. In general, commenters supported electronic reporting, but had several concerns. Some commenters suggested that the Agency develop a phased-in process for electronic reporting, in order to provide more time for companies to become familiar with the new format and to develop their own data systems. Some commenters wanted alternate methods, such as uploading data via an XML file into the web-based tool. The requirement to use electronic submissions over the internet was a concern for some commenters.

Source: (0187-0083) (0187-0080) (0187-0065) (0187-0079) (0187-0104) (0187-0292) (0187-0369) (0187-0364) (0187-0087) (0187-0353) (0187-0078) (0187-0050) (0187-0063) (0187-0092)

Response B.1-1: EPA, based on its experience collecting and managing the 2006 IUR reports, has concluded that mandatory electronic reporting is a critical next step for collection of the 2012 data. Optional electronic reporting for the 2006 IUR provided the Agency with experience relating to both industry and Agency needs, and the Agency has applied this experience in the course of developing of the 2012 electronic reporting tool (e-IURweb). For example, the use of a web-based tool for the 2012 IUR will eliminate many of the software compatibility and firewall setting issues that were encountered during the 2006 submission period. In addition, the e-IURweb utilizes other Agency systems, such as SRS, enabling the submitter to readily select the chemical identity in the correct format, thereby eliminating problems relating to the previous need to type or write in the chemical name. With these enhancements, EPA believes the use of e-IURweb will substantially reduce error rates and burden; consequently, EPA does not believe it is necessary to have another optional electronic reporting period.

In addition, the Agency's CDX service is increasingly being used by a variety of programs, as the Agency moves toward comprehensive electronic reporting. EPA is continually looking for ways to improve CDX, to better address submitter and Agency needs. For example, EPA has developed an eTSCA registration for CDX which, when fully implemented, will eliminate the need to register separately to use the e-

IURweb and e-PMN systems. e-PMN registrations using the current eTSCA will be acceptable e-IURweb registrations.

The Agency believes that commenters' concerns regarding mandatory use of the new electronic reporting tool reflect a lack of understanding of the tool's capabilities and enhancements. The reporting tool provides the ability to submit data in an XML format and includes enhancements to CDX that are designed to allow for multi-user capabilities and otherwise facilitate electronic reporting.

Electronic reporting was first offered as an option for the 2006 IUR. As explained in the preamble to the proposed rule and in this document, there were many problems, errors, and delays associated with paper submissions of the 2006 IUR data, which make the continued use of paper reporting highly inefficient and therefore undesirable. In light of the substantial disadvantages associated with allowing paper submissions, and the reporting tool improvements and training opportunities outlined in this unit (and explained in greater detail in the proposed rule and in other sections of this document) EPA does not believe it is reasonable to phase in electronic reporting over another reporting cycle. However, with the additional time available because of the delay of the reporting requirement until 2012, the Agency is confident that submitters will be able to successfully use the e-IURweb tool to electronically report under the IUR rule in 2012.

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