 <p align="center"> <b>United States Environmental Protection Agency</b>          Washington, DC 20460  <b>Interagency Agreement</b>  <b>Amendment</b>  <b>Part 1 - General Information</b> </p>		1. EPA IAG Identification Number RW-31-92295001 - 0		4. Funding Location by Region EPA HQ					
		2. Other Agency IAG ID Number NRC-DR-10-09-387		5. Program Office Abbreviation Office of Environmental Information					
		3. Type of Action New							
6. Name and Address of EPA Organization US Environmental Protection Agency OEI 1200 Pennsylvania Avenue, NW (2822T) Washington, DC 20460 DUNS: 029128894    BETC: COLL			7. Name and Address of Other Agency Nuclear Regulatory Commission Division of Contracts/CMB3, MS T-712 Washington, DC 20555 DUNS: 040535809    BETC: DISB						
8. Project Title and Description eRulemaking Program To support the maintenance and operation of the government-wide eRulemaking electronic docket management system known as the Federal Docket Management System (FDMS)									
9. EPA Project Officer (Name, Address, Phone Number) Jeanne Shepitka 1200 Pennsylvania Ave, NW (2822T) Washington, DC 20460 202-566-1440			10. Other Agency Project Officer (Name, Address, Phone Number) James Leedom 11555 Rockville Pike Rockville, MD 20852 301-492-3615						
11. Project Period 01/01/2009 to 12/31/2009			12. Budget Period 01/01/2009 to 12/31/2009						
13. Scope of Work See attached MOU  Treasury Symbol: BR 689/00108  EPA Grants Specialist for this IAG is Linda Perry 202-564-5349									
14. Statutory Authority for Both Transfer of Funds and Project Activities Clinger-Cohen Act 40 U.S.C. 11318				15. Other Agency Type Federal Agency					
Funds	Previous Amount	Amount This Action		Amended Total					
16. EPA Amount				\$0					
17. EPA In-Kind Amount				\$0					
18. Other Agency Amount		\$63,986		\$63,986					
19. Other Agency In-Kind Amt.				\$0					
20. Total Project Cost		\$63,986		\$63,986					
21. Fiscal									
Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
		0910	BR	18CAXBB	ZZZHF1R				63,986
									63,986

EPA Form 1610-1 (Rev. 10-88). Previous editions are obsolete.

TEMPLATE - ADM001

SUNSI REVIEW COMPLETE

FEB 13 2009

ADM002

Part II - Approved Budget		EPA IAG Identification Number RW-31-92295001 - 0
22. Budget Categories	Itemization of This Action	Itemization of Total Project Estimated Cost to Date
(a) Personnel		\$0
(b) Fringe Benefits		\$0
(c) Travel		\$0
(d) Equipment		\$0
(e) Supplies		\$0
(f) Procurement / Assistance	\$63,986	\$63,986
(g) Construction		\$0
(h) Other		\$0
(i) Total Direct Charges	\$63,986	\$63,986
(j) Indirect Costs? Rate % Base \$	\$0	\$0
(k) Total (EPA Share 0.00 %) (Other Agency Share 100.00 %)	\$63,986	\$63,986
23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Identify all equipment costing \$1,000 or more)		
24. Are any of these funds being used on extramural agreements? (See Item 22f.) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Type of Extramural Agreement <input type="checkbox"/> Grant <input type="checkbox"/> Cooperative Agreement <input checked="" type="checkbox"/> Procurement		
Contractor/Recipient Name (if known)	Total Extramural Amount Under This Project	Percent Funded by EPA (if known)
Booz Allen Hamilton	63986 Total \$ 63,986.00	0
<b>Part III - Funding Methods and Billing Instructions</b>		
25. (Note: EPA Agency Location Code (ALC) - 68010727)		
<input type="checkbox"/> Disbursement Agreement <input type="checkbox"/> Repayment <input type="checkbox"/> Advance <input type="checkbox"/> Allocation Transfer-Out		
Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002: <input type="checkbox"/> Monthly <input type="checkbox"/> Quarterly <input type="checkbox"/> Upon Completion of Work Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002. Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.		
26. <input checked="" type="checkbox"/> Reimbursement Agreement <input checked="" type="checkbox"/> Repayment <input type="checkbox"/> Advance <input type="checkbox"/> Allocation Transfer-In		
Funding Agency's Treasury Symbol <input type="checkbox"/> One-Year <input checked="" type="checkbox"/> Two-Year <input type="checkbox"/> No-Year		
Other Agency's IAG Identification Number NRC-DR-10-09-387		EPA Program Office Allowance Holder/Resp. Center No.
Other Agency's Billing Address (include ALC or Station Symbol Number) See attached MOU		Other Agency's Billing Instructions and Frequency See attached MOU

**Part IV - Acceptance Conditions**

EPA Identification Number

RW-31-92295001 - 0

**27. General Conditions**

The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement.

**28. Special Conditions (Attach additional sheets if needed)**

*SEE ATTACHED*

**Part V - Offer and Acceptance**

**Note:** 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature.

Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.

2) For Reimbursement actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance.

EPA IAG Administration Office (for administrative assistance)

EPA Program Office (for technical assistance)

**29. Organization/Address**

Environmental Protection Agency  
 CCD, FISB, GIAMD  
 1200 Pennsylvania Avenue, NW (3903R)  
 Washington, DC 20460

**30. Organization/Address**

US Environmental Protection Agency  
 Office of Environmental Information  
 1200 Pennsylvania Ave, NW (2822T)  
 Washington, DC 20460

**Certification**

All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.

**Decision Official on Behalf of the Environment Protection Agency Program Office****31. Signature**

*SEE ATTACHED*

**Typed Name and Title**

John Moses

**Date**

12/15/2008

**Action on Behalf of the Environment Protection Agency****32. Signature**

*Sandra L. Waugh-Williams*

**Typed Name and Title**

**Sandra L. Waugh-Williams, Chief  
 Fellowships, IAGs and SEEs Branch  
 Grants and IAG Management Division**

**Date**

*2/4/09*

**Authorizing Official on Behalf of the Other Agency****33. Signature**

*SEE ATTACHED NEC 1A*

**Typed Name and Title**

Jeffrey McDermott

**Date**

12/15/2008

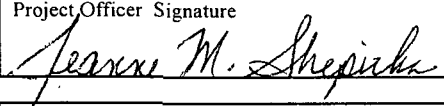
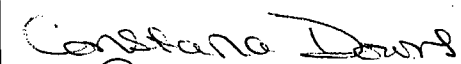
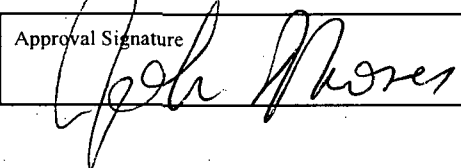
**LAG Terms and Conditions**

1. Should disagreement arise on the interpretation of the provisions of this agreement, the dispute shall be resolved pursuant to the Business Rules for Intragovernmental Transactions delineated in the Treasury Financial Manual, Vol. 1, Bulletin 2007-03, Section VII (Resolving Intragovernmental Disputes and Major Differences).
2. If the Nuclear Regulatory Commission cancels the order, the Environmental Protection Agency (EPA) is authorized to collect costs incurred prior to cancellation of the order plus termination costs, up to the total payment amount provided for under the agreement.



## RECOMMENDATION

The federal E-Government eRulemaking Program developed the Federal Docket Management System (FDMS) to provide citizens with a central place to learn about proposed regulations and to have their comments shape the rulemaking process of all federal agencies. The funding transferred will be used to operate and maintain the Federal Docket Management System.

Project Officer Signature 	Typed Name and Title Jeanne M. Shepitka, Program Analyst	Date 12/15/2008
Recommending Signature 	Typed Name and Title Constance Downs, Acting Chief eRulemaking Program Branch	Date 12/15/2008
Approval Signature 	Typed Name and Title John Moses, Director, eRulemaking Program	Date 12/15/2008

INTERAGENCY AGREEMENT			PAGE 1	OF 1
1. INTERAGENCY AGREEMENT NO. NRC-DR-10-09-387	2. EFFECTIVE DATE	3. PROJECT/REQUISITION NO. 10-09-387		
4. ISSUED BY U.S. Nuclear Regulatory Commission Div. of Contracts Attn: James Leedom Mail Stop: TWB-01-B10M Washington, DC 20555	5. NAME, TITLE & PHONE NUMBER OF EACH GOVERNMENT PROJECT OFFICER FOR BOTH AGENCIES  <div style="border-bottom: 1px solid black; margin-bottom: 10px; display: flex; justify-content: space-between;"> <span>CAROL GALLAGHER - 301-415-5905</span> <span>(Project Officer)</span> </div> <div style="border-bottom: 1px solid black; display: flex; justify-content: space-between;"> <span>Jeanne Shepitka - 202-566-1440</span> <span>(Other Agency's Project Monitor)</span> </div>			
6. AGENCY PERFORMING SERVICE  ENVIRONMENTAL PROTECTION AGENCY  26 MARTIN LUTHER KING DR  CINCINNATI OH 452680001				
7. PROJECT TITLE Federal Docket Management System (E-Rulemaking)				
8. PROJECT OBJECTIVE  The purpose of this Inter-Agency Agreement is to enter into a Memorandum of Agreement (MOA) with the Environmental Protection Agency (EPA). The EPA shall provide the NRC access to the Federal Docket Management System (FDMS), which consolidates the dockets of various departments and agencies and centrally manages them through a web-based environment offering services such as one-stop access, search capabilities, public comment submission, email notification, bookmarking and electronic records management. The EPA shall act as the Managing Partner and the NRC shall act as the Partner Agency in this agreement.  Attachment: Memorandum of Agreement between the Nuclear Regulatory Commission and Environmental Protection Agency.  All invoices shall be sent to the address shown in block #12.				
9. PERFORMANCE PERIOD OF AGREEMENT January 1, 2009 through December 31, 2009				
10. ACCOUNTING AND APPROPRIATION DATA  94015-5B1306 D2418 253A x0200 Obligate \$63,986.00 DUNS# 029128894 FFS# ADM-09-387			11. DOLLAR VALUE OF AGREEMENT  \$63,986.00	
12. FUNDING (The Issuing Agency agrees to advance/reimburse funds up to the dollar amount of this agreement, upon receipt of a properly executed Standard Form 1080 or 1081. The appropriate form must be executed in original and <u>2</u> copies, be identified with agreement number and accounting data, and transmitted to the following office for funds action.)  <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="width: 60%;"> <p>Department of Interior / NBC  NRCPayments@nbc.gov  7301 W. Mansfield Avenue  Denver, CO 80235-2230  Attn: Fiscal Services Branch - D2770</p> </div> <div style="width: 35%; text-align: right; font-size: small;"> <p>2009 DEC 15 PM 2:20  ADMINISTRATIVE SERVICES  FBI</p> </div> </div>				
(Any funds not utilized for the performance of the work described in this agreement must be returned to the Issuing Agency.)				
13. PURSUANT TO THE AUTHORITY OF Economy Act, Clinger Cohen Act & E-Government Act				
(The Issuing Agency may enter into this agreement. The person executing this agreement has a written delegation of authority to do so on behalf of the agency.)				
14. SIGNATURE OF PERSON AUTHORIZED TO SIGN 	DATE 2/4/09	16. SIGNATURE OF PERSON AUTHORIZED TO SIGN 	DATE 12/15/08	
15. TYPE NAME & TITLE OF PERSON AUTHORIZED TO SIGN  <b>Sandra L. Vaughn-Williams, Chief</b> <b>Fellowships, TAGs and SEES Branch</b> <b>Grants and IAG Management Division</b>		17. TYPE NAME & TITLE OF PERSON AUTHORIZED TO SIGN Jeffrey L. McDermott Contracting Officer		

**Memorandum of Agreement**  
Between  
U.S. Environmental Protection Agency (EPA)  
Managing Partner  
eRulemaking Program  
And  
U.S. Nuclear Regulatory Commission (NRC)

**I. Purpose**

This Memorandum of Agreement (MOA) between the U.S. NRC (the "Partner Agency") and the U.S. Environmental Protection Agency (the "Managing Partner") is to support the maintenance and operation of the government-wide electronic docket management system known as the Federal Docket Management System (FDMS), (publicly accessible at [www.regulations.gov](http://www.regulations.gov)). The eRulemaking Program is one of the 35 Presidential E-Government programs and lines of business. It fulfills the requirements under the E-Government Act of 2002 (Section 206), the Clinger-Cohen Act, and the Government Paperwork Elimination Act, as well as furthering the effectiveness and efficiency of government. This MOA establishes Managing Partner and Partner Agency responsibilities and funding requirements in support of the Program Management Office (PMO) operations related to the eRulemaking Program and will be incorporated by reference into EPA's funding document, the interagency agreement (IA).

The U.S. NRC will transfer funds to EPA that reflect NRC's service fee for the implementation, use, and the operation and management of FDMS. Access to and use of FDMS will be granted to NRC, along with all other Federal agencies and the general public.

**II. Authorities**

This agreement is authorized in accordance with the authority provided under:

The Economy Act (31 U.S.C. §1535, 1536)  
The Clinger-Cohen Act (40 U.S.C. §11318)  
The E-Government Act of 2002

**III. Background**

The eRulemaking Program is a collaborative, inter-agency effort, whose purpose is to establish a common, automated, and integrated repository for managing Federal rulemakings and non-rulemaking actions that follow a structured notice and comment process. The project consolidates the dockets of various departments and agencies and centrally manages them through a web-based environment offering services such as one-stop access, search capabilities, public comment submission, email notification, bookmarking, and electronic records management meeting the DOD 5015.2 standard recognized by the National Archives and Records Administration.

The E-Gov Programs strive to provide an order of magnitude of improvement in services to the constituents they serve. A Managing Partner was assigned to each program or lines of business.



The EPA is the designated Program Management Office for the eRulemaking Program. The eRulemaking Program Office was established by EPA to implement this effort. The NRC is a partner agency under this agreement.

#### **IV. Vision and Goals for the eRulemaking Program**

The overall vision and goals for the eRulemaking Program are:

##### **Vision**

Citizens can easily access and participate in a high quality, efficient and open rulemaking process across all Federal agencies.

##### **Goals**

Through the use of information technology, the eRulemaking Program seeks to:

- Expand public understanding of the rulemaking process;

- Improve the quality of Federal rulemaking decisions and streamline and improve the efficiency of the rulemaking process; and

- Increase the amount, breadth, and ease of citizen access and participation in rulemaking.

The eRulemaking Program will achieve these goals by implementing a range of performance measures related to technology, processes and activities, customer results, and mission and business results:

**Technology** – The PMO will ensure FDMS/Regulations.gov is available 99.9% of the time to the public and the Federal agencies. Availability = (Hours FDMS accessible to public and Federal entities)/(total hours in measurement period less scheduled maintenance + plus Network downtime)

**Processes and Activities** - The PMO will deploy four FDMS version updates per year.

**Customer Results** – The PMO will complete the implementation of Federal entities that request and pay for migration to FDMS.

**Mission and Business Results** - 90% of total Federal rules promulgated by Federal entities are implemented in FDMS and have associated dockets available and posted for public access via [www.regulations.gov](http://www.regulations.gov)

#### **V. Roles and Responsibilities**

This MOA addresses participation in and the funding of the eRulemaking Program as mandated by the 2002 eGovernment Act, Section 206 according to OMB directive M-03-18

“Implementation Guidance for the E-Government Act of 2002. The FDMS will be the central electronic docket management system for all Federal agencies.

The Managing Partner will:

1. Staff an eRulemaking Program Management Office in order to manage the Program, convene and participate on an inter-agency advisory board comprised of Federal representatives of partner agencies, and establish work groups to address projects and tasks essential to the successful execution of the Program.
2. Conduct meetings for the purpose of collaborating with other Federal agencies to enhance the Program.
3. Facilitate an effort under the Advisory Board to convene a budget workgroup to develop an annual budget for the eRulemaking Program, metrics for a fee for service model, and a fee for service model.
4. Manage development, migration, and operation of the FDMS/Regulations.gov. Costs borne by EPA and reimbursed by NRC will reflect NRC's fee for service in CY09 to support, operate, and maintain the eRulemaking Program, FDMS, and [www.regulations.gov](http://www.regulations.gov).
5. Coordinate and ensure participating and partner members have an opportunity to review project management documentation, including the draft annual OMB Exhibit 300 (also known as the Business Case or CPIC).
6. Execute any interagency agreements (IA) to affect NRC's transfer of funds and coordinate the IA prior to start of work, monitor progress, establish performance measures, and ensure reporting requirements are met.
7. Evaluate project progress, interoperability policies, practices and procedure documents and testing reports, as well as provide programmatic and technical assistance as required, and attend all meetings, reviews and conferences.
8. Convene meetings of an interagency Executive Committee on an as-needed basis and annually, at a minimum.

Each Participating or Partner Agency signing this MOA will:

1. Transfer the funding amount identified in Section IX of this MOA. If the partner agency is under a permanent continuing resolution (PCR), it will be expected to pay in full within 45 days of the signed PCR. If the partner agency is under a temporary CR, it shall contribute the full amount of its FY09 allocation, or, an amount proportionate to the period covered by the CR in order provide necessary funding to keep the Initiative operational until the appropriations bill is signed.
2. Identify a manager or senior executive to coordinate activities and serve as the main point of contact to address any issues that may arise. The manager or senior executive

and/or his/her designee will also participate in the governance structure of the eRulemaking program.

3. Identify a qualified staff person(s) to work with PMO staff on the agency's use of FDMS/Regulations.gov.
4. In using the FDMS, the agency will be required to do the following:
  - a. Make its public regulatory dockets electronically accessible and searchable using <http://www.regulations.gov>. This includes posting Federal Register proposed rules and rule documents; supporting scientific, legal economic and technical analyses; public comments; as well as other Federal Register documents the agency chooses to post;
  - b. Accept electronic submissions (a.k.a. comments) to the online dockets;
  - c. Include in the preamble to any regulatory action requesting public comment specific reference directing the public to [www.regulations.gov](http://www.regulations.gov);
  - d. Include in an appropriate place on its agency website homepage a link to [www.regulations.gov](http://www.regulations.gov); and
  - e. Use [www.regulations.gov](http://www.regulations.gov) to process public comments for economically significant guidance documents according to OMB Directive M-07-07 "Issuance of OMB's Final Bulletin for Agency Good Guidance Practices".
5. Include an acknowledgement of its participation in the eRulemaking Program in relevant budget program documents generated by the agency.
6. Actively assist in developing and using the common government eRulemaking components as they become available and meet established government-wide criteria, as may be appropriate.

#### **VI. Duration of Agreement**

This MOA is valid through calendar year 2009.

#### **VII. Dispute Resolution Mechanism**

In the event the participating or partner agency determines that its ability to fulfill its financial obligations under this MOA/IA as identified in Section IX of this MOA is at risk, it shall promptly inform the eRulemaking Program Manager in writing. If the Program Manager becomes aware of like circumstances, the Program Manager shall apprise participating and partner agencies in writing.

In the event of any disagreement arising under this agreement, the parties shall, in good faith, attempt to negotiate a resolution to the disagreement. If the parties cannot negotiate a resolution, the OMB E-Government portfolio manager is authorized to resolve the dispute.

### **VIII. Points of Contact**

NRC and EPA will assign the following senior manager as the key point of contact (POC) with the eRulemaking Program. The senior manager is an official representative and is authorized to act on the Agency's behalf.

#### **NRC Representative**

Name: Michael T. Lesar  
Title: Chief, Rulemaking, Directives and Editing Branch  
Telephone: 301/415-7163  
Fax: 301/415-5144  
Email: [Michael.Lesar@nrc.gov](mailto:Michael.Lesar@nrc.gov)

#### **NRC Alternate**

Name: Cindy K. Bladey  
Title: Rulemaking Team Leader  
Telephone: 301/415-6978  
Fax: 301/415-5144  
Email: [Cindy.Bladey@nrc.gov](mailto:Cindy.Bladey@nrc.gov)

#### **EPA's eRulemaking Program Manager**

Name: John Moses  
Title: Chief, eRulemaking Program Branch  
Telephone: 202/566-1352  
Fax: 202/566-1611  
Email: [moses.john@epa.gov](mailto:moses.john@epa.gov)

#### **EPA's Project Officer**

Name: Jeanne Shepitka  
Telephone: 202/566-1440  
Fax: 202/566-1611  
Email: [shepitka.jeanne@epa.gov](mailto:shepitka.jeanne@epa.gov)

The budget/financial contacts for this agreement are:

#### **NRC**

Name: Patti Humphreys  
Telephone: 301/415-6150  
Fax:  
Email: [Patti.Humphreys@nrc.gov](mailto:Patti.Humphreys@nrc.gov)

EPA

Name: Jeanne Shepitka  
Telephone: 202/566-1440  
Fax: 202/566-1611  
Email: [shepitka.jeanne@epa.gov](mailto:shepitka.jeanne@epa.gov)

#### IX. Transfer of Funds

Each partner agency is responsible for providing funding and/or in-kind contributions. The government-wide total estimated cost for development and support in calendar year 2009 is \$8.1 million. Funding and resources from participating agencies shall be made available within 45 days of the enactment of an Agency's fiscal year 2009 appropriations bill.

Nothing in this agreement is intended to be a direct transfer of funds from NRC to EPA. All transfers are to be effected through the Interagency Payment and Collection System (IPAC).

The NRC will transfer funds to EPA in accordance with the following table:

<b>Contributing/Sending Agency:</b>	U.S. Nuclear Regulatory Commission
<b>Treasury Account Symbol:</b>	31X0200
<b>Agency Location Code:</b>	31000001
<b>DUNS Number:</b>	04-053-5809
<b>Type of Fund</b>	<input type="checkbox"/> One-Year <input type="checkbox"/> Two-Year <input checked="" type="checkbox"/> No Year
<b>Total Dollar Amount:</b>	\$ 63,986
<b>Obligating Document Number:</b>	See attached funding document

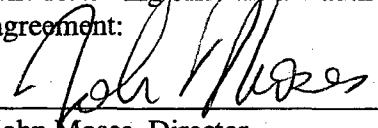
<b>Receiving Agency:</b>	U.S. Environmental Protection Agency
<b>Treasury Account Symbol:</b>	689/00108
<b>Agency Location Code:</b>	68010727
<b>Taxpayer Identification Number:</b>	52-08-52695
<b>DUNS Number:</b>	029128894

#### X. Commencement/Amendment/Termination

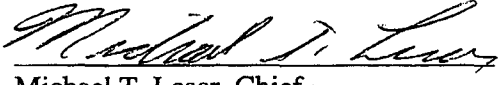
This MOA will be expressly incorporated by reference into an IA (EPA's funding document). This MOA shall remain in effect for one fiscal year from the date of signing with a new IA to be signed annually. Amendments to the MOA will be effected by the mutual consent of the parties in writing and will be incorporated by reference into the IA.

## XI. Approvals

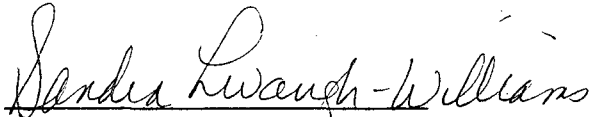
The following officials are authorized to bind their respective Department/Agency to this agreement:

  
John Moses, Director  
eRulemaking Program  
Collection Strategies Division, U.S. EPA

Date: 12/15/08

  
Michael T. Lesar, Chief  
Rulemaking, Directives and Editing Branch  
Division of Administrative Services, NRC

Date: Nov. 6, 2008

  
Sandra Waugh-Williams, Chief  
Fellowship, IA & SEE Branch  
Grants and IA Administration Management Division  
U.S. EPA

Date: 2/4/09