

 <p>United States Environmental Protection Agency Washington, DC 20460</p> <p><b>Interagency Agreement/ Amendment</b></p> <p>Part 1 - General Information</p>	1. EPA IA Identification Number RW-61-92375501 - 0		2. Funding Location by Region EPA HQ						
	3. Other Agency IA ID Number (if known) CPSC-I-09-0008; MOD #4		4. Awarding Office IASSC East						
	5. Type of Action New		6. IA Specialist: Lenore Connell 202-564-5343 Connell.Lenore@epamail.epa.gov						
7. Name and Address of EPA Organization US Environmental Protection Agency IASSC East 1200 Pennsylvania Avenue, NW Mail code 3903R Washington, DC 20460			8. Name and Address of Other Agency Consumer Product Safety Commission 4330 East-West Highway, Rm. 502 Bethesda, MD 20814						
9. DUNS: 029128894		10. BETC: COLL		11. DUNS: 069287522					
12. BETC: DISB		13. Project Title and Description IA with CPSC for the 2013 eRulemaking Allocation  To provide support for the operations and maintenance of the government-wide electronic docket management system under the eRulemaking Program.							
14. EPA Project Officer (Name, Address, Telephone Number) Holly Douglas 1200 Pennsylvania Ave, NW (2822T) Washington, DC 20460 202-564-8434 E-Mail: Douglas.Holly@epamail.epa.gov FAX: 202-566-1611			15. Other Agency Project Officer (Name, Address, Telephone) Todd A. Stevenson 4330 East-West Highway, Rm. 502 Bethesda, MD 20814 301-504-6836 E-Mail: tstevenson@cpsc.gov FAX: 301-504-0127						
16. Project Period: 01/14/2013 to 09/30/2013			17. Budget Period: 01/14/2013 to 09/30/2013						
18. Scope of Work (See Attachment) See attached MOA.									
19. Employer/Tax ID No. 520852695		20. CAGE No: 347A4		21. ALC: 68-01-0727					
22. Statutory Authority for Transfer of Funds and Interagency Agreement Clinger-Cohen Act 40 U.S.C. 11318				23. Other Agency Type Federal Agency					
24. Revise Reimbursable Funds and Direct Fund Cites (only complete if applicable)									
	Previous Funding	This Action	Amended Total						
Revise Reimbursable (In-house)		0	0						
Direct Fund Cite (contractor)		0	0						
Total			0						
Funds	Previous Amount	Amount This Action	Total Amount						
25. EPA Amount			\$0						
26. EPA In-Kind Amount			\$0						
27. Other Agency Amount		\$47,099	\$47,099						
28. Other Agency In-Kind Amount			\$0						
29. Total Project Cost		\$47,099	\$47,099						
30. Fiscal Information									
Treas. Symbol	DCN	FY	Appropriation	Budget Org	PRC	Object Class	Site/Project	Cost Org	Ob/De-Ob Amt
682/30108		1213	BR	H3A0X27	ZZZHF1	0			47,099
									47,099

Part II - Approved Budget				EPA IAG Identification Number RW-61-92375501 - 0
31. Budget Categories	Itemization of All Previous Actions	Itemization of This Action	In-Kind Itemization of This Action	Itemization of Total Project Cost to Date
(a) Personnel				\$0
(b) Fringe Benefits				\$0
(c) Travel				\$0
(d) Equipment				\$0
(e) Supplies				\$0
(f) Procurement / Assistance		\$47,099		\$47,099
(g) Construction				\$0
(h) Other				\$0
(i) Total Direct Charges	\$0	\$47,099	\$0	\$47,099
(j) Indirect Costs:	\$0			\$0
Charged - Amount Rate: 0% Base: \$ Not Charged: Funds-In: Not charged by EPA Amount \$				
(k) Total (EPA Share %) (Other Agency Share %)	\$0	\$47,099	\$0	\$47,099
32. How was the IDC Base calculated?				
33. 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)				
34. Are any of these funds being used on Procure/Assistance agreements? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
Type of Procure/Assistance Agreement Contract				
Contractor/Recipient Name (if known)	Total Procure/Assistance Amount Under This Project		Percent Funded by EPA (if known)	
Booz Allen Hamilton	47099		0	
	Total \$ 47,099.00			
<b>Part III - Funding Methods and Billing Instructions</b>				
35. (Note: EPA Agency Location Code (ALC) - 68010727)				
<input type="checkbox"/> Disbursement Agreement	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"/> Repayment	<input type="checkbox"/> Monthly <input type="checkbox"/> Quarterly <input type="checkbox"/> Upon Completion of Work			
<input type="checkbox"/> Advance	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.			
<input type="checkbox"/> Allocation Transfer-Out	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.			
36. <input checked="" type="checkbox"/> Reimbursement Agreement	<input checked="" type="checkbox"/> Repayment <input type="checkbox"/> Advance			
<input type="checkbox"/> Allocation Transfer-In				
Other Agency's Billing Address (include ALC or Station Symbol Number) 61000001			Other Agency's Billing Instructions and Frequency	

<b>Part IV - Acceptance Conditions</b>		EPA Identification Number  RW-61-92375501 - 0
37. Terms and Conditions, when included, are located at the end of the 1610-1, or as an attachment.		
<b>Part V - Offer and Acceptance</b>		
<p><b>Note:</b> A) For Fund-out actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants and IA Management Division for Headquarters agreements or to the appropriate EPA Regional IA administration office within 3 calendar weeks after receipt or within any extension of time that may be granted by EPA. The agreement/amendment must be forwarded to the address cited in Item 29 after acceptance signature.</p> <p>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 after the document is signed by the EPA Award Official, which the Award Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.</p> <p>B) For Funds-in 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 IA administration office for signature on behalf of the EPA. EPA will return one original copy after acceptance returned to the other agency after acceptance.</p>		
EPA IA Administration Office (for administrative assistance)		EPA Program Office (for technical assistance)
38. Organization/Address  U.S. Environmental Protection Agency IASSC East 1200 Pennsylvania Avenue, NW Mail code 3903R Washington, DC 20460	39. Organization/Address  US Environmental Protection Agency OEI - Office of Environmental Information 1200 Pennsylvania Ave, NW Washington, DC 20460	
Award Official on Behalf of the Environment Protection Agency		
40. Digital signature applied by EPA Award Official   FOR Frank N. Roth - Chief Fellowship IA & SEE Branch Michelle Messick - AO delegate		Date 01/24/2013
Authorizing Official on Behalf of the Other Agency		
41. Signature	Typed Name and Title Donna Hutton, Contracting Officer	Date 01/11/2013

## **Administrative Conditions**

### **1. Resolution of Disagreements**

Should disagreements arise on the interpretation of the provisions of this agreement or amendments and/or revisions thereto, that cannot be resolved at the operating level, the area(s) of disagreement shall be stated in writing by each party and presented to the other party for consideration. If agreement or interpretation is not reached within 30 days, the parties shall forward the written presentation of the disagreement to respective higher officials for appropriate resolution.

If a dispute related to funding remains unresolved for more than 30 calendar days after the parties have engaged in an escalation of the dispute, disputes will be resolved in accordance with instructions provided in the Treasury Financial Manual (TFM) Volume I, Part 2, Chapter 4700, Appendix 10, available at <http://www.fms.treas.gov/tfm/index.html>.

### **2. Cost Collection Upon Cancellation**

If the IA recipient cancels the agreement, the Environmental Protection Agency is authorized to collect costs incurred prior to the cancellation of the agreement, plus termination costs, up to the total payment amount provided for under the agreement.

CPSC-1-09-0008; MOD #4

**Memorandum of Agreement**  
**Between**  
**U.S. Environmental Protection Agency (EPA)**  
**Managing Partner**  
**eRulemaking Program**  
**And**  
**U.S. Consumer Product Safety Commission (CPSC)**

**I. Purpose and Statement of Work**

This modification constitutes renewal of this Agreement in support of the maintenance and operation of the Federal Docket Management System (FDMS).

This Memorandum of Agreement (MOA) between the Consumer Product Safety Commission (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 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).

CPSC will transfer funds to EPA that reflect CPSC's service fee for the implementation, use, and the operation and management of FDMS. Access to and use of FDMS will be granted to CPSC, 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 CPSC 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.  $Availability = \frac{\text{Hours FDMS accessible to public and Federal entities}}{\text{total hours in measurement period less scheduled maintenance} + \text{plus Network downtime}}$

**Processes and Activities** - The PMO will deploy two FDMS version releases per year and implement technical improvements to Regulations.gov.

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

**Customer Results** – The PMO will maintain the existing FDMS security plan and certification.

**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 CPSC will reflect CPSC's fee for service in 2013 to support, operate, and maintain the eRulemaking Program, FDMS, and 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 CPSC'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 2013 fee, 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/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 fiscal year 2013.

Period of Performance: 1/1/2013 through 12/31/2013

## 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

CPSC 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.

### CPSC Representative

Name: Mr. Todd A. Stevenson  
Title: The Secretariat – Office of the Secretary  
Telephone: 301-504-6836  
Fax: 301-504-0127  
Email: [tstevenson@cpsc.gov](mailto:tstevenson@cpsc.gov)

### CPSC Alternate

Name: Ms. Alberta E. Mills  
Title: FOIA Officer  
Telephone: 301-504-7479  
Fax: 301-504-0127  
Email: [amills@cpsc.gov](mailto:amills@cpsc.gov)

### EPA's eRulemaking Acting Program Manager

Name: Adam McWilliams  
Telephone: 202/566-0833  
Fax: 202/566-1611  
Email: [McWilliams.Adam@epa.gov](mailto:McWilliams.Adam@epa.gov)

### EPA's Project Officer

Name: Holly Douglas  
Telephone: 202/564-8434  
Fax: 202/566-1611  
Email: [Douglas.Holly@epa.gov](mailto:Douglas.Holly@epa.gov)

The budget/financial contacts for this agreement are:

CPSC

Name: Ms. Priscilla Susi  
 Telephone: 301-504-7566  
 Fax: 301-713-1535  
 Email: psusi@cpsc.gov

EPA

Name: Holly Douglas  
 Telephone: 202/564-8434  
 Fax: 202/566-1611  
 Email: Douglas.Holly@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 2013 is \$7.6 million. Funding and resources from participating agencies shall be made available within 45 days of the enactment of an Agency's fiscal year 2013 appropriations bill.

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

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

Contributing/Sending Agency:	U.S. CPSC
Address:	4330 East West Hwy., Bethesda, MD 20814
Treasury Account Symbol:	61190100
Agency Location Code:	61-00-0001
DUNS Number:	069287522
Type of Fund:	<input checked="" type="checkbox"/> One-Year <input type="checkbox"/> Two-Year <input type="checkbox"/> No Year
Total Dollar Amount:	\$47,099
Obligating Document Number: (Please attach a copy of the obligating document and/or fully executed funding document. The fully executed funding document should include bill-to address, funding period, statutory authority, accounting line, and other information for intragovernmental transactions as required by Treasury Bulletin 2007-03. If the fully executed funding document is not available, then provide appropriation information, including the length of the obligation authority).	Accounting Data: 0100A13DSE 2013 9994800000 EXIT002400 25710

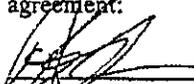
Receiving Agency:	U.S. Environmental Protection Agency
Address:	1200 Pennsylvania Avenue NW Washington DC 20460
Treasury Account Symbol:	682/30108
Agency Location Code:	68010727
Taxpayer Identification Number:	52-08-52695
DUNS Number:	029128894

**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**

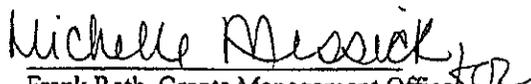
The following officials are authorized to bind their respective Department/Agency to this agreement:

  
 Adam McWilliams, Acting Director  
 eRulemaking Program  
 U.S. EPA

Date: 1/14/2013

  
 Donna Hutton  
 Contracting Officer  
 U.S. CPSC

Date: 1/11/2013

  
 Frank Roth, Grants Management Officer  
 Grants and Interagency Agreements Unit  
 U.S. EPA

Date: 1/24/13