

# Rulemaking Gateway Flagship Update

FY2011 – 2<sup>nd</sup> Quarter



## Description of Flagship Project

- The Rulemaking Gateway falls under the “Expanding Public Awareness and Involvement in the Development of Rules and Regulations” Flagship Theme
- The Gateway gives the public continual updates about priority regulations that are under development and posts information earlier in the rulemaking process than previously provided
- To better help stakeholders understand which rules are likely to relate to them, the Gateway contains set filters/topics including children’s health, environmental justice, state and local governments, and tribal governments
- For additional information, go to: <http://www.epa.gov/rulemaking/>

## Stakeholders

- Local governments
- State and Tribal governments
- Small businesses
- Environmental community
- Public

## Milestones/Status

- Launch the Rulemaking Gateway (Complete)
- Make daily and monthly updates to the Gateway (Ongoing)
- Moderate discussion forums (Complete)

## Highlights of Progress this Quarter

- Upgraded the Gateway based on public recommendations submitted via the online discussion forum (<http://yosemite.epa.gov/oepi/RuleGate.nsf/content/upgrades.html>)
- Highlighted upcoming public hearings on priority rulemakings (<http://yosemite.epa.gov/oepi/RuleGate.nsf/content/attendmeetings.html>)

## Planned Activity for Next Quarter

- Complete upgrades to the Gateway based on public recommendations
- Continue daily and monthly updates

## Metrics

- Number of Actions: 108
- Number of Visitors: 7,321 per month average
- Average number of months Gateway information precedes publishing first regulatory document: 8 Months
- Average number of months Gateway information precedes first appearance in Regulatory Agenda: 4 Months

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## List Benefits or Lessons Learned from this effort:

### Benefits:

- One benefit of the Rulemaking Gateway website is earlier information about rulemakings. Numerous stakeholders have requested information on rulemakings well before EPA publishes a proposed rule for public comment. As soon as EPA begins working on a rule, the Gateway offers an overview of the rulemaking and EPA's progress. It can be months, or sometimes years, before the proposed rule is published.
- The Gateway meets stakeholder requests for more regular updates. We update information about rulemakings on a monthly basis, and more time-sensitive information is updated daily. Prior to the Gateway, EPA published updates every six months in the *Regulatory Agenda*.
- The Gateway allows the public to find in one place all the rules related to certain areas of interest. For example, the Gateway's filters help users focus on rules likely to affect a particular population or issue: children's health, environmental justice, state and tribal governments, and small businesses.
- Each rule has a "profile page" on the Gateway, which provides an abstract, tracking numbers, and a brief timeline of major milestones. This standardized profile serves as a useful first look at a rulemaking; equally important are the direct links to more detailed information on Regulations.gov and EPA webpages.

### Lessons Learned:

- As with most IT projects, when launching and maintaining the Gateway, we've spent more time on making sure we have quality data than we have on actually developing the technology. It's important to:
  - Establish policies and procedures for staff who will contribute information to the website and for those who will review the information.
  - Create user guides to help staff know how to enter their information.

### How will you continue to engage stakeholders?

- We continue to give presentations about the Gateway at various meetings and conferences and solicit stakeholder input at those meetings/conferences.

### What steps would you recommend to sustain this effort and build in improvements?

- A cross-EPA workgroup helped develop the Gateway. We will continue to solicit improvement ideas from them.

### What other measures would be useful or would you recommend for a similar effort?

- The key when embarking on an effort similar to the Gateway is to establish a sound database about rulemakings. You can't build a successful website without making sure the underlying information is accurately captured and maintained in a standard format. Fortunately, EPA had an existing database that has existed since the early 1990s.
- In order to facilitate meaningful participation in the rulemaking process and improve transparency, it would be useful to have a federal-wide solution that provides the same benefits provided by the Gateway (i.e., earlier information, more regular updates, filters for specific stakeholders, and profile pages). Perhaps something like the Gateway could be added to Regulations.gov (<http://www.regulations.gov>) or the new Federal Register website (<http://www.federalregister.gov/>). In order to do so, one of these sites would have to begin accepting information about rulemakings prior to FR publication and would have to allow agencies to filter their rules based on specific stakeholders, such as the environmental justice community or Tribes.