



E. SCOTT PRUITT
ADMINISTRATOR

March 8, 2018

MEMORANDUM

SUBJECT: Assignment of Roles and Responsibilities and Delegation of Authorities to the Associate Administrator for the Office of Policy

FROM: E. Scott Pruitt

A handwritten signature in black ink, appearing to read "Scott Pruitt", written over a horizontal line.

TO: Deputy Administrator
General Counsel
Assistant Administrators
Chief Financial Officer
Chief of Staff
Chief Operating Officer
Chief Information Officer
Associate Administrators
Regional Administrators

I have asked the Associate Administrator for the Office of Policy to lead and coordinate agency-wide efforts to make policy-related changes needed to accelerate permitting-related decisions without sacrificing environmental results. This includes permits processed by the U.S. Environmental Protection Agency or delegated states¹ in support of broader agency Lean initiatives being led by the chief operating officer. Consistent with my priority goal, the Associate Administrator for OP will lead and coordinate agency-wide efforts to review permitting policies on a recurring basis to ensure consistency and conformance with statutory authority and agency priorities, and to flag policy provisions that contribute to unnecessary processing time delays.

I hereby assign the following authorities and responsibilities related to this new, centralized permitting policy function to the Associate Administrator for OP:

- Establish, implement, lead and coordinate agency-wide efforts to conduct recurring periodic review of permitting policies and guidance governing the processing and

¹ Specific to the topic of permits within this memo, "delegated" refers to permitting programs that the EPA has delegated, authorized or approved to be managed by states, tribes or localities, collectively referred to as "states."

issuance of federal environmental permits. The timing and scope of the periodic review shall be done in conjunction with other assistant and regional administrators;

- In coordination with the Office of General Counsel and appropriate AAs, identify policy provisions that deviate from statutory authority and that may contribute to unnecessary permit processing delays, and work with the AAs that are most directly responsible for the permit program to implement appropriate changes;
- Support the goals of cooperative federalism and rule-of-law processes in EPA's 2018-2022 Strategic Plan, by developing a cross-agency strategy and taking necessary steps to engage and collaborate with co-regulators, where permitting responsibilities pursuant to a federal program are delegated or authorized to a state, tribe or locality;
- Support the chief information officer, in coordination with the chief financial officer, AAs and regional administrators to develop a vision and implement an online "electronic permitting" system that provides the ability to apply for, track the status of and receive permits electronically;
- Facilitate timely and synchronized permit authorization within the environmental review process for major infrastructure projects covered by Title 41 of the *Fixing America's Surface Transportation Act* (FAST-41); and
- Serve as the advocate and central point of contact for all federal agencies on EPA permits.

In addition to these new roles and responsibilities, the Office of Federal Activities is moving from the Office of Enforcement and Compliance Assurance to OP within the Office of the Administrator. As part of this reorganization, the following authorities related to the *National Environmental Policy Act* will be delegated to the Associate Administrator for OP:

- 1-21 Federal Register;
- 7-57 Section 309 Review Process;
- 16-1 Review and Comment on Department of Energy Actions;
- 24-1 Reduction and Extension of the Minimum Environmental Impact Statement Review Periods; and
- 24-2 Review and Adequacy Determination of Environmental Impact Assessment Documents for Non-Governmental Activities in Antarctica.

Consistent with legal requirements, I direct that the appropriate section within Title 40 of the Code of Federal Regulations be updated to reflect this reorganization.