

2009 Innovations Awards Program APPLICATION

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ID # (assigned by CSG): 09-S-21TX

Please provide the following information, adding space as necessary:

State: Texas

Assign Program Category (applicant): Natural Resources-Environment (Use list at end of application)

1. Program Name: eComments for Proposed Rulemakings
2. Administering Agency: Texas Commission on Environmental Quality (TCEQ)
3. Contact Person: Russell Kimble, Manager
4. Address: 12100 Park 35 Circle, Building A, Austin, TX 78753
5. Telephone Number: 512-239-1836
6. FAX Number: 512- 239-4808
7. E-mail Address: rkimble@tceq.state.tx.us
8. Web site Address: <http://www.tceq.state.tx.us/>
9. Please provide a two-sentence description of the program. The program provides another mechanism for individuals to submit comments electronically on newly proposed rules from the agency.
10. How long has this program been operational (month and year)? The program has been in operation since September, 2006.
11. Why was the program created? The program was designed to allow interested parties an efficient and reliable mechanism to provide electronic (paperless) comments to agency rulemakings in addition to written comments or formal comments at public hearings. What problem[s] or issue[s] was it designed to address? The eComment process allows greater awareness and input by the general public, affected parties, and organizations of the agency's rulemakings.
12. Describe the specific activities and operations of the program in chronological order. Each rulemaking has a set schedule for consideration for proposal, and publication and acceptance of comments. When this schedule is first set, milestone dates, including the opening and closing dates for acceptance of public comments, are input into an ORACLE database for rules tracking. When rules are filed for commission consideration, the following information is posted on the web site: 1) the draft language of the rule; 2) the agenda date that it will be considered by the commission; and 3) the dates for the comment period. This information is then automatically emailed to over 4000 subscribers. An electronic mailbox is automatically opened, based on the date in the ORACLE database, and is monitored on a daily basis. The Oracle database also links to eComments to automatically close the mailbox at the end of the comment period. Comments received are stored electronically, and included in the agency's formal rule response. Each person that submits a comment receives an automatic return email that the agency has received the comment.
13. Why is the program a new and creative approach or method? This program has increased public awareness and allowed for a more efficient way of receiving comments, as well as storing and archiving information, and ensuring that commentors know that their comment has been received. Additionally, it helps staff to address the comments because the comments are available in an

electronic format that can easily be shared with other staff and cut and pasted into rule response documents.

14. What were the program's start-up costs? No additional purchases were required for the startup of this project. The existing Outlook system was used to create the mailbox for receipt of comments, the existing ORACLE database was used to open and close the electronic comment system, and existing staff are used to maintain and monitor the system. After implementation, staff time dealing with comments (cataloging, copying, filing, etc.) have decreased, mainly due to the comments being in an electronic format at receipt, allowing easier manipulation, communication, and coordination.

15. What are the program's annual operational costs? Annual operational costs are minimal. Staff time dealing with rule comments has decreased, allowing staff members to serve in other capacities related to the agency's rulemaking process.

16. How is the program funded? Appropriations from the state legislature.

17. Did this program require the passage of legislation, executive order or regulations? No.

18. What equipment, technology and software are used to operate and administer this program? ORACLE software, one PC, OUTLOOK email software, computer server.

19. To the best of your knowledge, did this program originate in your state? Yes. This program was a joint development project with Russell Kimble as manager, and Lisa Martin, Shanna Howard, Charlotte Horne, and Joyce Spencer providing technical and administrative support. All members were employed at the TCEQ.

20. Are you aware of similar programs in other states? Other states may have similar systems, but I am not aware of any system that automatically monitors each individual rule (we do about 60/year) and ensures that electronic comments are only received during the official comment period, or provides automatic email updates to subscribers.

21. Has the program been fully implemented? Yes.

22. Briefly evaluate (pro and con) the program's effectiveness in addressing the defined problem[s] or issue[s]. No negatives have been associated with this program. On the positive side, a much larger audience is now aware of the agency's rulemakings (over 4000 subscribers). No comments received through the system have ever been lost or misplaced. We have received favorable comments from several law firms regarding the simplicity and effectiveness of the program. Finally, staff efforts have decreased.

23. How has the program grown and/or changed since its inception? Initial usage has grown, so that now, electronic comment submittal is the preferred method for many interested parties. Because the system allows for direct comments in a data field, or the attachment of PDF files or WORD files, we are seeing significant advantages for external customers.

24. What limitations or obstacles might other states expect to encounter if they attempt to adopt this program? Other states would have to evaluate if any statutory or regulatory impediments exist. Other states also need to determine if their current systems and processes could be modified to incorporate electronic comments, as well as start-up and operational costs.

2009 Innovations Awards Program Program Categories and Subcategories

Use these as guidelines to determine the appropriate Program Category for your state's submission and list that program category on page one of this application. Choose only one.

Infrastructure and Economic Development

- Business/Commerce
- Economic Development
- Transportation

Government Operations

- Administration
- Elections
- Public Information
- Revenue

Health & Human Services

- Aging
- Children & Families
- Health Services
- Housing
- Human Services

Human Resources/Education

- Education
- Labor
- Management
- Personnel
- Training and Development
- Workforce Development

Natural Resources

- Agriculture
- Energy
- Environment
- Environmental Protection
- Natural Resources
- Parks & Recreation
- Water Resources

Public Safety/Corrections

- Corrections
- Courts
- Criminal Justice
- Drugs
- Emergency Management
- Public Safety

Save in .doc or rtf. Return completed application electronically to innovations@csg.org or mail to:

CSG Innovations Awards 2009
The Council of State Governments
2760 Research Park Drive, P.O. Box 11910
Lexington, KY 40578-1910

Contact:

Nancy J. Vickers, National Program Administrator
Phone: 859.244.8105
Fax: 859.244.8001 – Attn: Innovations Awards Program
The Council of State Governments
E-mail: nvickers@csg.org

This application is also available at www.csg.org, in the Programs section.

Deadline: March 2, 2009