

Public Guidance Portal: U.S. Environmental Protection Agency Announces Availability



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The United States Environmental Protection Agency (“EPA”) published a February 28th Federal Register Notice announcing the availability of a public guidance portal. See 85 Fed. Reg. 11986.

The Notice describes the development of a web portal that provides the public the ability to search for agency guidance documents.

EPA and state environmental agencies (including Arkansas) sometimes use guidance documents to eliminate confusion or provide consistent treatment for complex regulations or ambiguous statutory provisions. Such documents may also be denominated:

- Statements of Policy
- Enforcement Manuals
- Interpretive Letters

As a result, the public, organizations, and other governmental agencies often have an interest in identifying and/or locating particular documents.

EPA states that the purpose of the web portal is to increase transparency of agency guidance documents. It is also intended to provide a mechanism for the public to request modification or withdrawal of such documents.

The preamble to the February 28th Federal Register Notice states that the portal was developed pursuant to the October 9, 2019, White House Executive Order 13891, “Promoting the Rule of Law Through Improved Agency Guidance Documents.”

The Executive Order required that agencies develop a central web portal for interested parties to review active guidance documents and provide a means for requesting their modification or withdrawal.

EPA states that each guidance document listed in the portal will include:

- A concise name for the guidance document;
- The date on which the guidance document was issued;
- The date on which the guidance document was posted to the web portal;
- An agency unique identifier;
- A hyperlink to the guidance document;
- The general topic addressed by the guidance document; and
- A summary of the guidance document’s content.

A copy of the Federal Register Notice can be downloaded [here](#).