Strategic Framework for Compliance Assurance
EPA Region III

Introduction

The mission of the EPA Region III Compliance Assurance Program is to protect public health and the environment by fairly, effectively, and efficiently assuring compliance with federal environmental laws throughout the Mid-Atlantic region. This Strategic Framework establishes three core principles which will guide the Region's compliance assurance community in its efforts to fulfill that mission. Although our Regional Compliance Programs are diverse, each with differing authorities and priorities, this Strategic Framework provides a common set of directions which each Program will be expected to follow when developing and implementing its individual Compliance Assurance Plan as part of the Region's overall Compliance Assurance Program.

Compliance Assurance Principles

The following three core principles guide the Compliance Assurance Community. These are:

- Use of appropriate strategies, resources and measures of success;
- Strengthening of external partnerships to collaboratively protect public health and the environment; and
- Strengthening of internal partnerships to efficiently protect public health and the environment.

Principle #1:

Use appropriate strategies, resources, and measures of success

The primary mission of the Region's Compliance Assurance Program is the protection of public health and our air, land, and water resources by fairly, effectively and efficiently assuring compliance with federal environmental laws and regulations. Programs should consider the following:

1.1 Use of Data-Driven Decision-Making: Compliance assurance priorities should be based on relevant and reliable environmental, public health, and compliance data.

1.2 Use of Meaningful Measures of Success: Measures selected should drive desired results.

1.3 Utilization of the Full Range of Compliance Assurance Tools: The Compliance Assurance Community should employ appropriate tools to ensure return to compliance and a level playing field.

1.4 Integration of Compliance Assurance and Regulatory Programs: The Compliance Assurance Program should work collaboratively with the Regulatory Program to ensure tools are used to advance environmental and public health goals.

1.5 Prioritization of Compliance Assurance Resources: The Compliance Assurance Program should allocate resources to address the most serious environmental and public health issues.

Principle #2:

Strengthen external partnerships to protect public health and the environment

Our external partnerships are critical in achieving Regional environmental and public health objectives.

2.1 Effective Communication and Coordination with States and Tribes: Divisions should undertake early and ongoing communication with Regional State and Tribal partners on compliance assurance priorities to provide an opportunity for joint planning, implementation, and elevation as appropriate.

2.2 Effective Outreach to the Regulated Community: Clear timely, and substantive communication of compliance expectations to the regulated community and provides an opportunity for them to take proactive measures to prevent or promptly correct noncompliance. Programs should develop and implement strategies for engaging the regulated communities.

2.3 Effective Communication with the Public: Clear, timely, and substantive communication provides opportunities for transparency and provides for public involvement. Programs should develop and implement public communication strategies and respond to tips and complaints.

2.4 Recognition of State and Federal Role in Authorized/Delegated Programs: In States with authorized/delegated programs, EPA is primarily responsible for ensuring that the States are implementing the programs as required by regulation and for providing technical and legal assistance. For States with authorized/delegated programs, compliance assurance activities should be based on an evaluation of the effectiveness of such programs in addressing compliance assurance priorities. Tools available for this purpose include, but are not limited to:

- **Assessment of State Programs**
- **Grant Work Plans**
- **Joint EPA/State Work Plans**
- **State Capacity-Building Activities**
- **Analysis of Environmental Data**
- **EPA Initiated Activities**

2.5 Federal Direct Implementation Programs: For direct implementation Programs, EPA is the sole compliance assurance authority. To ensure transparency among regulatory partners, EPA should communicate as appropriate with all stakeholders.

Principle #3:

Strengthen internal partnerships and capabilities to protect public health and the environment

Our internal partnerships are critical in achieving our environmental and public health objectives. Therefore, Programs should consider how partnerships can be developed and strengthened through:

3.1 Effective Internal Communication, Coordination, and Collaboration. Timely and effective communication within the Region ensures consistency and facilitates coordination. The Office of Enforcement, Compliance and Environmental Justice (OECEJ) is the central point of coordination for regional compliance assurance, providing a variety of support functions. The Office of Regional Counsel ("ORC"), OECEJ, and Programs share responsibility for implementing the Region's compliance assurance program.

3.2 Develop and Maintain Technical Expertise in the Region: Programs should develop activities designed to cultivate and maintain the technical expertise and resources needed to accomplish the Region's Compliance Assurance mission.

Implementation

Each Division will complete its Compliance Assurance Plan on an annual basis incorporating the Compliance Assurance Core Principles described above in collaboration with the Office of Regional Counsel (ORC), the Office of Enforcement, Compliance and Environmental Justice (OECEJ), and other stakeholders as appropriate. The Deputy Regional Administrator will issue a call letter to the Division Directors conveying the schedule and expectations for the development of next fiscal year's Compliance Assurance Plans.

The Division Directors will submit their draft Compliance Assurance Plans to the Deputy Regional Administrator. These plans will be submitted to Regional Counsel and the Director of OECEJ for review and comment. As part of Regional Counsel review of the plans ORC will use the information from these regional plans to prepare the legal support plan. OECEJ will consolidate comments received, and the ORC legal support plan. This consolidated plan will be shared with the program offices and form the basis for the convening of the annual meeting on or about September 1st. The purpose of this meeting is to identify persistent environmental issues, opportunities for collaboration, pipeline review, State capacity, and appropriately align resources. During this meeting the Regional senior leadership team will discuss and propose strategic decisions on implementation.

To assist in the development of Compliance Assurance Plans, the Region is providing the following template.

Template for Compliance Assurance Plans Developed in Concert with the Compliance Assurance Principles

I. **Environmental and/or Compliance Priorities Being Addressed -** Include a discussion on the following elements:
   a. Description (brief) of each Program (i.e., LUST, RCRA-I, NPDES, etc.), include whether it is a direct implementation or authorized program.
   b. Describe the environmental and/or compliance priorities being addressed by each Program.
   c. Describe the objectives of the environmental and/or compliance priorities being addressed (linkage to measures).

II. **Authorized State Program Review: (If applicable to your program)**
   a. Describe Assessment Process
   b. Describe State capacity to address environmental or compliance priority
   c. Describe what capacity or resource gaps are needed to be addressed.
   d. Describe potential capacity building activities; utilizing Grants, training and technical support.

III. **Activities to Achieve Protection of Public Health and the Environment**
   a. Compliance Assurance Activities: Provide a description of how each Program will address the priorities listed in Section I.
      i. Describe the data relied on in identifying the priorities with a linkage to public health and environmental benefits (including priority sectors or geographic areas to focus resources);
      ii. State Capacity Building Activities;
      iii. Describe the Compliance Assurance Tools to be Utilized;

      iv. Permitting Program Activities (If applicable);
      v. External Coordination: Describe efforts to coordinate with local, state, tribal, and federal partners; and
      vi. Internal Coordination: Describe efforts to coordinate with other programs on related matters, including ORC and OECEJ.

   b. Clean-up Program Activities: Provide a description of the how the Cleanup program will address the priorities listed in Section I.
      i. Describe the tools to be utilized to address the priorities;
      ii. Describe the data relied on in identifying the priorities with linkage to public health and environmental benefits.
      iii. External Coordination: Describe efforts to coordinate with local, state, tribal and federal partners; and
      iv. Internal Coordination: Describe efforts to coordinate with other program on related matters.

IV. Program Coordination Within the Region

a. Tier/Docket Meetings
b. Pipeline
c. OECA information dissemination

V. Resources

a. Describe resources that will be used to complete the compliance assurance activities;
b. Describe the efforts to develop and maintain technical expertise for Regional staff.

VI. Measures of Program Efficacy

a. Describe measures to be monitored to document program implementation.