DRA Lead Region Report for the Office of Enforcement and Compliance Assurance
June 7, 2018

Emerging Issues

State Assists: In addition to formal and informal enforcement actions, EPA also provides assistance to State partners or undertakes a portion of case work that is later completed by a State, to bring a violator back into compliance. These assistance efforts to States have not generally been tracked or reported, and thus part of the story of EPA's compliance efforts has gone untold. A workgroup consisting of members from OECA/OC and Regions 3, 4, 7, and 9 have been working on a paper that will define what the Agency counts as assisting a state with an enforcement case or compliance issue. Recently, Regions and other OECA offices had the opportunity to comment on the paper. The workgroup will be discussing next steps on finalizing the paper and implementing the recommendations.

NEIs to NCIs: OECA is beginning the process of transitioning the National Enforcement Initiatives (NEIs) to the National Compliance Initiatives (NCIs). The new NCIs will differ from the NEIs in two important ways: The NCIs will employ a wider range of compliance assurance tools, but with enforcement expected to remain an important tool for remedying serious noncompliance and creating deterrence, and the NCIs will include substantially increased engagement with interested states and tribes in the selection and implementation of initiatives. Outreach to states and tribes on proposed changes will begin in summer 2018, with the goal of implementing NCIs in the FY 2020 – 2022 Initiative cycle. More information about the process will be forthcoming. Enforcement Directors and Regional Counsels were briefed on the proposed changes on the May ED/RC call.

EPA/ECOS Workgroup Team #3 Update: Team 3 co-chaired by Ed Chu, Region 7 and Craig Butler, Ohio, drafted a summary paper for the EPA/ECOS workgroup focused on Enforcement and Compliance. The paper highlights best practices collected from Regions and states on related to coordination with the states in their enforcement and inspection processes. The paper was presented to the larger workgroup on May 29, 2018 to discuss the next steps and is considering how to promote utilization of the best practices.

Recent Policy & Guidance Document Releases

None at this time

Current Data Calls/ Regional Asks

- Discussion on ACS measures for FY2019, comments on recommendations for Susan Bodine briefing. Comments were due May 21, 2018
- Comments on State Assist paper – Lead Region lead a Regions-only call and submitted consolidated comments on behalf of the Regions; comments submitted to OECA on May 17, 2018
- Comments on the NEI to NCI transition paper were due on June 1, 2018

Upcoming Events

OECA Regional Visits:

- Region 7: June 6, 2018
- Region 5: June 12, 2018
- Region 8/NEIC: July 25/26, 2018
- Region 2: July 31, 2018

OECA Meeting with DRAs as part of Agency Budget Meeting: July 2018