

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
ENFORCEMENT AND
COMPLIANCE ASSURANCE

March 19, 2003

MEMORANDUM

SUBJECT: Measuring Compliance Assistance Outcomes

FROM: Michael M. Stahl /s/
Director
Office of Compliance

TO: Regional Enforcement Division Directors
OC Division Directors
Regional Enforcement Coordinators

The purpose of this memorandum is to advance measurement of compliance assistance outcomes in the national enforcement and compliance assurance program. As you know, the proposed Goal 5 of the revised Agency Strategic Plan under the Government Performance and Results Act (GPRA) includes a variety of outcome measures for compliance assistance (see Attachment 1). Outcomes such as pollution reductions, improvements in facility environmental management practices, and increased understanding of environmental requirements will need to be measured for our compliance assistance activities when the new Strategic Plan goes into effect. In addition to accountability for meeting GPRA targets, the Assistant Administrator for Enforcement and Compliance Assurance is routinely using outcome data to examine the performance of the compliance assurance program. Over the last few years, we have made considerable progress in measuring the outputs and outcomes of compliance assistance activities. We are just now beginning to receive compliance assistance outcome information from the regions and need to build on this momentum.

Action Plan for Measuring Compliance Assistance Outcomes

Clearly, it is challenging to measure the outcomes of our assistance activities. We are working to build capacity, develop measurement “tools” and “templates” and standardize compliance assistance outcome reporting to help us achieve this goal. Our strategy will only be successful if compliance assistance measurement is routinely incorporated into the planning and implementation of our activities. We need to continue to track our compliance assistance activity outputs and strategically undertake outcome measurement.

In Fiscal Year 2003-2004, we need to collect and report data that will support our Goal 5 compliance assistance performance measures. As mentioned above, the three outcome measures are:

- ▶ increased understanding of environmental requirements;
- ▶ improved environmental management practices; and
- ▶ reduced pollution.

To enable us to meet this challenge, I'm asking that you undertake three actions that will help us increase the number of projects with outcome measurement components as well as generate better data to support our GPRA commitments. Beginning in 2003:

- ▶ compliance assistance activities that support the National OECA priorities or Regional priorities should measure outcomes using a follow-up method or activity (e.g., survey, post test, on-site revisit) (Attachment 2);
- ▶ compliance assistance workshops/training should include a pre-test/post-test to measure changes in understanding; and
- ▶ contract and grant activities involving compliance assistance (e.g. the integrated strategies funded through headquarters, the State compliance assistance projects funded through STAG grants) should include outcome measures as well. Contractors/grantees are accountable for providing these results to the Office of Compliance. Include the attached output/outcome measurement requirements language in all Requests for Proposals (RFPs) (Attachment 3). Contractor/grantee performance should be evaluated, in part, using agreed-upon measurement activities.

Office of Compliance Support for Regional GPRA Outcome Measurement Activities

To support your measurement activities, the Office of Compliance will:

1. Provide measurement training for all ten Regions and Headquarters in 2003. The training supplements the newly revised *Guide for Measuring Compliance Assistance Outcomes* ("the yellow book"), provides hands-on exercises for every section and addresses the proposed Goal 5 measures.
1. Continue to work with the Compliance Assistance Policy and Infrastructure (CAPI) Steering Committee to develop guidance on consistent measures, definitions and strategies to:
 - a) implement the Goal 5 Compliance Assistance performance measures; b) develop compliance assistance program data standards; and c) develop other program measures to tell a clear and compelling story of the effectiveness of the compliance assistance program.

2. Provide support and guidance to contractors/grantees who must fulfill compliance assistance outcome measurement requirements.
3. Incorporate both RCATS and CAPD¹ into the Integrated Compliance Information System (ICIS) for FY 2004 to facilitate compliance assistance reporting for Goal 5 and beyond.
4. Continue to conduct monthly measurement calls (third Thursday in the month, 1:00 - 2:00 EST, 202-260-8330 1142#), to provide project support for compliance assistance measurement.
5. Support two measurement specific Web sites on the OECA Web page: <http://www.epa.gov/compliance/planning/results> and the National Environmental Compliance Assistance Clearinghouse <http://cfpub.epa.gov/clearinghouse/index.cfm?TopicID=C:10:650>. The sites have a collection of measurement resources in one place and we will continue to develop and post additional templates, surveys and other tools on these two sites as they come available.

Both Rochele Kadish in the Compliance Assistance and Sector Programs Division (CASPD) (564-3106) and Lynn Vendinello in the Enforcement Planning Targeting and Data Division (EPTDD) (564-7066) are available to help support your measurement efforts. Generally, Rochele will help you develop the measurement tool, discuss implementation, and analyze data whereas Lynn will help with your Information Collection Requests and getting the final data into RCATS/ICIS.

I look forward to seeing progress in our ability to report on and learn from measuring compliance assistance outcomes. If you have any questions please feel free to call me or contact Rochele or Lynn.

Attachments

cc: J.P. Suarez
Phyllis Harris
Deputy Regional Administrators
Lisa Lund
OC Deputy/Associate Division Directors
OC Branch Chiefs
Regional Compliance Assistance Coordinators
Rochele Kadish
Lynn Vendinello

¹Reporting Compliance Assistance Tracking System & Compliance Assistance Planning Database

Attachment 1

GOAL 5 COMPLIANCE, PREVENTION, AND STEWARDSHIP

Improve environmental performance through compliance with environmental requirements preventing pollution, and promoting environmental stewardship. EPA and its partners will promote stewardship through incentives for governments, businesses, and the public to better protect human health and the environment.

OBJECTIVE 1: Maximize compliance to protect human health and the environment by achieving a X% increase in the pounds of pollution reduced through compliance assistance, compliance incentives, and enforcement by FY 2008; and achieving a X% increase by 2008, in the number of regulated entities making improvements in environmental management practices.

Subobjective 1.1: Prevent noncompliance and reduce environmental risks by achieving: a X% increase by 2008, in the percentage of regulated entities that improved their understanding of environmental requirements as a result of EPA assistance; a X% increase by 2008, in the number of regulated entities that improved environmental management practices as a result of EPA assistance; a X% by 2008, in the percentage of regulated entities that reduced pollution as a result of EPA compliance assistance.

Compliance Assistance [194.2 FTE and 5.1 M]

(Note: The principal measures listed with each sub-objective focus on outcomes. The other measures provide additional important information for understanding performance in meeting the subobjective. The numeric targets and the time periods are pending requiring further refinement and additional discussion with program management and staff.)

Principal Measures:

- **Percentage of regulated entities receiving direct compliance assistance (e.g., training, on-site visits, etc) from EPA reporting that they increased their understanding of environmental requirements as a result of EPA assistance.**

- **Percentage of regulated entities receiving direct compliance assistance (e.g, training, on-site visits, etc.) from EPA reporting that they improved environmental management practices as a result of EPA assistance.**
- **Percentage of regulated entities receiving direct assistance (e.g., training, on-site visits, etc.) from EPA reporting that they reduced pollution as a result of EPA assistance.**
- Percentage of regulated entities seeking assistance from EPA-sponsored compliance assistance centers reporting that they increased their understanding of environmental requirements as a result of their use of the centers or the clearinghouse.
- Percentage of regulated entities seeking assistance from EPA-sponsored compliance assistance centers reporting that they improved environmental management practices as a result of their use of the centers or the clearinghouse.
- Percentage of regulated entities seeking assistance from EPA-sponsored compliance assistance centers reporting that they reduced pollution as a result of their use of the centers or the clearinghouse.

Other Measures:

- Number of regulated entities seeking compliance assistance from EPA-sponsored centers or the EPA compliance assistance clearinghouse.
- Number of regulated entities reached through direct EPA or EPA-sponsored/funded compliance assistance.
- **Percentage of non-EPA assistance providers reporting improved ability to deliver compliance assistance as a result of using EPA compliance assistance tools and resources.**
- **Percentage of EPA or EPA- sponsored/funded compliance assistance projects undertaken as part of an integrated strategy or approach.**

Attachment 2

The table below shows the appropriate follow-up method for different compliance assistance activities and the outcome measures that can be gathered as a result. Through the use of checklists, pre-test / post tests and survey questions, we will be able to gather the data necessary to assess the outcomes of our activities. Some examples of questions that would help us to assess the outcomes of our activities include:

Increased Understanding

- Did your understanding of environmental regulations improve as a result the <compliance assistance activity>?

Improved environmental management practices

- What regulatory actions do you intend to take (did take) as a result of the <compliance assistance activity>?
- What process changes at your facility do you intend to make (did make) as a result of the <compliance assistance activity>?
- What management changes at your facility do you intend to take (did take) as a result of the <compliance assistance activity>?
- Who (if anyone) have you contacted (will contact) for further assistance as a result of the <compliance assistance activity>?

Reduced pollution – only for mail/phone surveys or on-site revisits

- Did you reduce pollution as a result of the Compliance Assistance information you received?

Compliance Assistance Activity	Follow-up Methods	Outcome Measure
Onsite Visits	On-site revisits	Reduction in Pollution Environmental Management Improvements Increased Understanding
	Phone/Mail/email survey	Increased Understanding
Workshops / Training	On-site Pre/post test	Environmental Management Improvements Increased Understanding
	Phone/Mail/email survey	Reduced Pollution Environmental Management Improvements Increased Understanding
Tools (e.g., manuals)	Phone/Mail/email survey	Reduced Pollution Environmental Management Improvements Increased Understanding

Compliance Assistance Activity	Follow-up Methods	Outcome Measure
Web Sites	Online survey	Environmental Management Improvements Increased Understanding

Attachment 3

Measurement Language for Requests For Proposals:

Measurement Requirements:

1. Collect and make information available relating to the implementation of your project, your performance against your objectives and targets, and changes in compliance that occur as a result of the project.

Outputs (required)

- Activities undertaken
- Number of entities reached

Outcomes (one outcome measure is required)

- Increased understanding
- Improved environmental management practices
 - changes in regulatory behavior (e.g., getting a permit)
 - changes in non-regulatory behavior (e.g. implementing best management practices, process changes, self-audits)
- changes in compliance
- Reduced pollution