



EPA's Planned Compliance Assistance (CA) Activities for Fiscal Year (FY) 2006



The U.S. Environmental Protection Agency (EPA) offers a diverse set of compliance assistance (CA) activities to help business, industry and government comply with regulatory requirements and improve environmental performance.¹ This assistance helps users implement new regulations; address problems with existing regulations; or address geographical, national, regional, local or facility-specific environmental issues. Compliance assistance may include written or electronic materials such as tools (e.g., overviews of laws and regulations or best management practices); training and both targeted and public outreach opportunities (e.g., presentations, mailings, hotlines); and on-site visits or revisits.

Each fiscal year since 2001, EPA has prepared an Agency-wide compliance assistance plan and inventory identifying CA activities that EPA's ten Regional and seven Headquarters Offices intend to undertake for the upcoming fiscal year. These *Highlights* provide a very general overview of the plan, using data from the compliance assistance portion of EPA's Integrated Compliance Information System (ICIS). ICIS offers EPA organizations new capabilities to report on planned CA activities as well as the results of these activities.

National Highlights of EPA's 231 CA Activities Planned for FY 2006

The primary difference between the FY 2006 Plan and the FY 2005 Plan is the decrease in the number of organizations reporting and the apparent decrease in the amount of planned CA. As of December 21, 2005, ICIS contained **231** planned activities. This total represents a **20% decrease** compared to **292** planned activities in FY 2005. The FY 2006 number is the lowest amount reported since EPA began systematically tracking planned CA in FY 2001. However, this number does not appear to reflect all the CA originally planned by EPA offices for this fiscal year.

For the first time, EPA offices were allowed to enter data on planned FY 2006 CA activities through the first quarter of the year instead of entering it at the end of the previous fiscal year. It appears that in some instances, CA activities planned for the first quarter of FY 06 were entered in the database only as "actual" CA after they had occurred instead of as planned CA. One hundred ninety-two (192) completed CA activities had been entered as of the end of December 2005. Nevertheless, for consistency of approach with previous years, and because of the time needed to identify potential duplicate planned and actual CA activities, these *Highlights* remain focused on the 231 records entered in ICIS as "planned" activities.

- **EPA Organizations Planning CA:** In FY 2006, EPA's **Regional Offices** continue to plan and undertake the majority (**86%**) of CA activities for FY 2006, with **Regions 2, 6 and 10 accounting for about 70%** of the Regional total. Only two of seven **Headquarters Offices** (Office of Enforcement and Compliance Assurance and the Office of Solid Waste and Emergency Response) report CA activities planned, the same two as last year.
- **Types of CA Activities:** The most frequent type of CA planned for FY 2006 is "**Outreach Distributed**" (**29%**), which includes both outreach targeted to specific audiences and outreach to the general public about CA opportunities. "**Tools Developed**" (**18%**), "**Workshops/Trainings**" (**18%**) and "**Presentations/Meetings**" (**16%**) follow in frequency. These **four categories** account for about **80%** of all CA activities planned for FY 2006.
- **Support for Agency Priorities:** During FY 2006 EPA Regions and Headquarters Offices are planning **forty six (46)** CA activities that address either a **National OECA Priority (22)** and/or a **Regional Priority (24)**. Data about planned CA that addresses other Agency priorities (e.g., Air Program priorities of the Office of Air and Radiation, or Safe Drinking Water Program priorities of the Office of Water) are not available for FY 2006, because of changes in how such data are collected in ICIS.
- **Top Sectors Addressed:** The most frequently addressed sector in FY 2006 continues to be the public sector of **federal, state and local governments (30)** (including federal facilities), followed by **education (21)** (including kindergarten through 12th grade plus colleges and universities), and **tribes (15)** for a total of **66 planned CA activities**.
- **CA Related to Different EPA Statutes:** Planned CA activities support environmental requirements under all of EPA's major statutes. The **Resource Conservation and Recovery Act (RCRA)** heads this year's list with **18%**, followed immediately by the **Clean Water Act (CWA) (16%)**. The **Clean Air Act (CAA)**, the **Toxic Substances Control Act (TSCA)** and **Emergency Planning and Community Right-to-Know Act (EPCRA)** each account for **13%** of planned activities.

- **EPA Support for Other CA Providers:** Through grants, contracts and other types of agreements, EPA funds a small portion of the CA activities of a few states and other CA providers. Such activities represent about 8% of the total CA activities reported in the FY 2006 Plan, about 2% less than FY 2005. In addition to financial support, about 24% of EPA's CA activities planned for FY 2006 involve training other CA providers.
- **Measuring the Impact of CA:** The FY 2006 CA Activity Plan indicates that EPA intends to measure the impact of 43% of CA activities, about the same percentage as FY 2005.
- **Integrated Approaches or Strategies:** EPA continues to promote strategic consideration and use of all compliance assurance and enforcement tools to address environmental problems through integrated or performance-based strategies. Related to this, the FY 2006 Plan includes 27 projects (24%, a slight decrease from FY 2005) that indicate the planned CA activity is part of an integrated approach. This means that the planned CA is part of an approach or strategy that may combine compliance assistance, compliance monitoring, enforcement and/or compliance incentives to address an environmental problem.

Electronic Access to CA Planning Information

These *National Highlights* are available electronically on EPA's Compliance Assistance Planning Web Page: <http://www.epa.gov/compliance/assistance/planning/index.html>. More information (e.g., activity title, brief description, contact information) about the FY 2006 CA activities planned by EPA is available in a database that business, industry, government and the general public can search via the Internet at: **National Environmental Compliance Assistance Clearinghouse**, <http://www.epa.gov/clearinghouse>. To search this information for FY 2006, go to the Clearinghouse; select the "**Planned and Ongoing Activities**" button in the left sidebar, then search by "**EPA Region**," "**Environmental Statute**" or "**Target Sector**." **Contact:** Ms. Rebecca A. (Becky) Barclay, U. S. EPA, Office of Enforcement and Compliance Assurance, Office of Compliance, 202-564-7063, barclay.rebecca@epa.gov.

¹**Compliance assistance:** For purposes of this plan and inventory, CA includes activities, tools or technical assistance that provides clear and consistent information for: (1) helping the regulated community understand and meet its obligations under environmental regulations; or (2) helping compliance assistance providers to aid the regulated community in complying with environmental regulations. Compliance assistance may also help the regulated community find cost effective ways to comply with regulations and/or go "beyond compliance" through the use of pollution prevention, environmental management practices, and innovative technologies, thus improving their environmental performance. To be categorized as a compliance assistance project or activity, at least one objective must be related to achieving or advancing regulatory compliance.

2 Discretion in CA Activity Reporting: Seventeen EPA offices with compliance assistance responsibilities are encouraged to enter all planned CA activities for each fiscal year. Each office has wide discretion in how the planned CA activities are grouped and reported in records in the ICIS database. For example, an individual record may describe a specific workshop on a given CA topic, or a record may describe an entire project consisting of several different types of planned CA activities (e.g. development of a CA tool, the conduct of workshops related to that new tool, etc). This means that usually a greater number of activity types are reported than total number of records. For example, the total records for FY 2006 are 231, with 65 of these records containing more than one type of CA activity, for a total of 391 "Types of CA Activities" reported. Given the wide discretion in reporting planned CA activities in ICIS, care must be taken when comparing the number of "activities" reported. Within these *Highlights*, the term "planned CA activities" usually refers either to the "number of records entered" or the "number of responses selected" within each record, depending on the topic being analyzed. It does not mean quantity of outputs.