

# US EPA Region 6 Compliance Assurance and Enforcement Division 2007 Annual Report



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(214) 665-2210

# Compliance Assurance and

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**US Environmental Protection Agency  
Region 6  
Compliance Assurance and Enforcement Division  
1445 Ross Ave., Suite 1200  
Dallas, Texas 75202-2733**



Welcome to the Compliance Assurance and Enforcement Division's (CAED) FY 07 annual report. This is the first annual report issued for the Division under my management. As you will see documented in this report, we had a very successful year. While this report focuses on CAED, we could not have completed any of the work highlighted without the support of our partners in the Office of Region Counsel's Enforcement Group. We also could not have been successful without the involvement and full support of staff in the Division's within the Region and our State partners. My goals for the Division entering into FY 07, were to:

- to be leaders in environmentally significant enforcement;
- to be major players in the national priorities;
- to improve State, Tribal and local partnerships;
- to materially contribute to the success of the Region's other Division's and Offices; and
- to improve our work place and productivity by embracing our People Plan.

I am pleased to present this report on our successes in these areas, and credit my staff for their exemplary work. I hope to improve upon this report for FY 08. Any ideas and suggestions that you have would be appreciated. One area of improvement for next year will be the inclusion of a vision and projections for FY 09.

Sincerely yours,

A handwritten signature in blue ink, appearing to read "John Blevins".

John Blevins  
Director  
Compliance Assurance and  
Enforcement Division

# Enforcement Strategy

1. Be Results Driven (Start with the end in mind)
  - Significant injunctive relief
  - Significant reduction in pollutants
  - Meaningful message
2. Cover National Priorities
3. Cover Regional Priorities
4. Respond to Citizen's Complaints
5. Help the States
6. Find sector/facilities in non-compliance (aggressive screening)
7. Make sure Consent Decrees and Orders are being complied with --- certify compliance/re-inspect if necessary.

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# Priorities, Measures and Results

## Regional Administrator's 300-Day Plan - 2007

### 6EN Activities

(Timeframe: March 1 - December 31, 2007)



Category	#	Commitment	Status
Make Compliance Our Enforcement Objective	1	Conduct 10 inspections and take 5 CAA Actions at facilities in or affecting non-attainment areas	15 insp. 5 enf.
	2	Jointly conduct 25 CAFO inspections in TX, NM and OK	29
	3	Take actions at 15 CAFO facilities in priority watersheds	16
	4	Complete development of the homebuilders storm water compliance assistance pilot by September 2007	Complete
	5	Issue 3 CAA 114 letters on NSR compliance	1
	6	Focus 50% of NPDES enforcement actions to support national priorities	51%
	7	Conduct 6 RCRA inspections in non-attainment areas	6
	8	Conduct 2 MS4 Audits trainings for phase 2 cities in TX and NM	2
	9	Refer 15 civil Judicial actions to DOJ	18
	10	Issue 300 enforcement actions	474
	11	Conduct 10 RCRA corrective action inspections	12
Promote Innovative Approaches to Environmental Problem-solving	12	Enroll 7 new members to Performance Track	7
	13	Increase the use of infrared camera and phosphorus monitor as compliance tools	22
Assist Recovery Efforts in Louisiana	14	Partner with LDEQ to investigate 7 refineries to support Refinery Initiative	7
Develop Collaborative Networks	15	Assist TX with risk-based investigations and expedited enforcement actions to improve air quality in major metropolitan areas; and NM in increasing gas plan compliance	On Target
Oil and gas initiative	16	Provide compliance assistance at 15 oil and gas facilities focusing on unaccounted emission sources	27
Assist Recovery Efforts in Louisiana	17	Meet quarterly with LDEQ to review asbestos demolition activity	On Target

**Green: Already Met or Exceeded Target**

**Light Blue: On Target to Meet**

**Yellow: Issues Could Impede Completion**

**Red: Will Not Meet Target**



# Key Management Measures

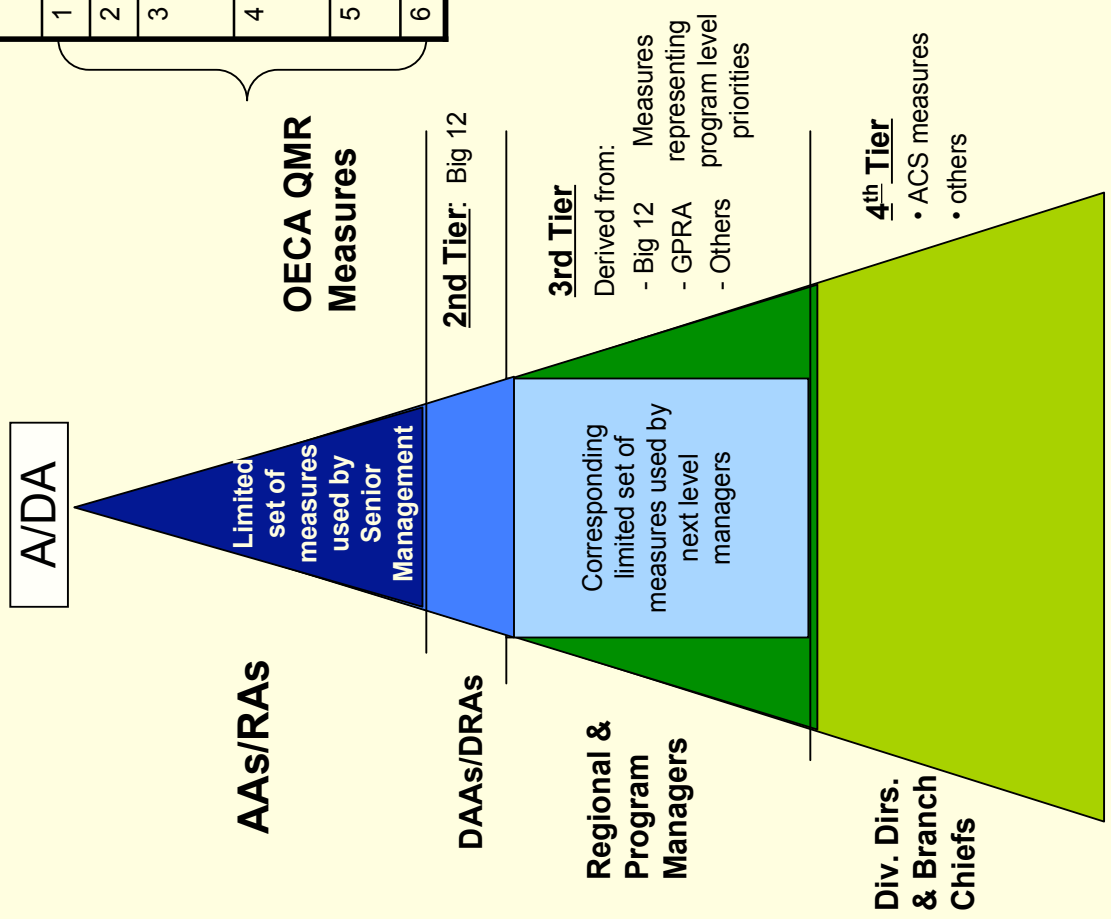
## OECA Measures Hierarchy/Status

OECA Top Tier Measures	
1	% Compliance assistance recipients with improved EMP
2	Number of Civil Referrals to DOJ
3	Number of large concluded cases with more than 1M lbs. pollution reduced, \$5M injunctive relief or \$1M penalty
4	Dollars invested in environmental performance or improved EMP as a result of concluded enforcement
5	Pounds of pollution reduced by audit agreement or concluded enforcement
6	Volume of contaminated media addressed

**Big 12 Measures**

OECA Top Tier (see above) Plus :

7. # Entities Reached through Compliance Assistance
8. # Resolved Self-Disclosures
9. # Inspection/evaluations & investigations
10. % Facilities inspected (Fed and State)
11. SNC Status
12. # Civil Judicial and Administrative Conclusions



# Organizational Assessment Summary on Big 12

	OECA Top Tier Measures	Status
1	% Compliance assistance recipients with improved EMP	100%
2	Number of Civil Referrals to DOJ	<u>29 Total</u> 22 Regulatory, 7 Superfund
3	Number of large concluded cases with more than 1M lbs. Pollution reduced, \$5M injunctive relief or \$1M penalty	<b>18 Total</b> 15 Regulatory 3 Superfund
4	Dollars invested in environmental performance or improved EMP as a result of concluded enforcement	\$237.8 million
5	Pounds of pollution reduced by audit agreement or concluded enforcement	101 million lbs
6	Volume of contaminated media addressed	530K cubic yards

	<b>Big 12 Measures</b> OECA Top Tier (see above) Plus :	Status
7	# Entities Reached through Compliance Assistance	9,391
8	# Resolved Self-Disclosures	55
9	# Inspection/evaluations & investigations	1386 (as of 8/26/07)
10	% Facilities inspected (Fed and State)	See below
11	SNC Status	See below
12	# Civil Judicial and Administrative Conclusions	669

% Facilities Inspected (State and EPA combined)					
State	CAA		RCRA		CWA
	Majors	SM 80s	TSDs	LQGs	Majors
AR	100%	96%	100%	21%	96%
LA	46%	71%	97%	10%	96%
NM	43%	71%	92%	19%	21%
OK	80%	95%	100%	37%	87%
TX	59%	40%	85%	9%	21%

SNC/HPV Status			
State	CAA	RCRA	CWA
AR	1%	8%	19%
LA	3%	0	21%
NM	9%	3%	0
OK	15%	0	20%
TX	44%	1.7%	19%

# RCRA

## FY07 - RCRA Commitments Summary

Description	Oct 2006	Nov 2006	Dec 2006	Jan 2007	Feb 2007	Mar 2007	Apr 2007	May 2007	Jun 2007	Jul 2007	Aug 2007	Sep 2007	Total FY 07	% of YTD Completed	% of EOY Completed	
<b>ACS COMMITMENTS</b>																
RCRA01: # of federal TSDFs to be inspected during the year.	0	0	1	0	2	2	2	1	2	0	0	0	10	Total Projected		
	0	0	1	0	2	2	2	1	2	0	0	0	10	YTD Projected		
	0	0	1	2	2	1	1	1	2	0	1	0	11	YTD Completed	110.00%	110.00%
RCRA02: # of federal LQGs to be inspected during the year.	0	0	4	4	4	4	0	4	4	4	2	0	30	Total Projected		
	0	0	4	4	4	4	0	4	4	4	2	0	30	YTD Projected		
	0	1	4	2	1	5	3	8	2	2	3	0	31	YTD Completed	103.33%	103.33%
PBS-MNP04: Number of investigations in the non-phosphoric acid mineral processing sector.	0	0	0	0	1	0	0	0	0	0	0	0	1	Total Projected		
	0	0	0	0	1	0	0	0	0	0	0	0	1	YTD Projected		
	0	0	0	0	0	1	0	0	0	0	0	0	1	YTD Completed	100.00%	100.00%
PBS-FA01: RCRA Closure and Post Closure - Number of Preliminary Financial Assessments for Closure and Post-Closure Financial Responsibility Requirements.	0	0	0	0	9	4	4	5	5	5	5	5	42	Total Projected		
	0	0	0	0	9	4	4	5	5	5	5	5	42	YTD Projected		
	0	0	0	0	0	0	0	0	0	0	193	0	193	YTD Completed	459.52%	459.52%
PBS-FA02: RCRA Closure and Post Closure - Number of Owners/Operators in Compliance or on the path to compliance for closure or post-closure financial responsibility requirements.	0	0	0	0	5	5	10	10	0	0	0	0	30	Total Projected		
	0	0	0	0	5	5	10	10	0	0	0	0	30	YTD Projected		
	1	1	0	0	0	0	0	0	0	0	78	0	80	YTD Completed	266.67%	266.67%
PBS-FA03: RCRA Corrective Action - Number of preliminary financial assessments for corrective action financial assurance requirements.	0	0	0	11	0	0	0	0	0	0	0	0	11	Total Projected		
	0	0	0	11	0	0	0	0	0	0	0	0	11	YTD Projected		
	0	0	0	0	0	0	0	0	0	15	0	0	15	YTD Completed	136.36%	136.36%
PBS-FA04: RCRA Corrective Action - Number of owners/operators in compliance or on the path to compliance for corrective action financial assurance requirements.	0	0	0	0	0	0	3	3	3	0	0	0	9	Total Projected		
	0	0	0	0	0	0	3	3	3	0	0	0	9	YTD Projected		
	0	0	0	0	0	0	0	0	0	12	0	0	12	YTD Completed	133.33%	133.33%
FEDFAC04: # federal inspections to be conducted at federal RCRA treatment, storage or disposal facilities.	0	0	0	0	0	0	0	0	0	0	0	0	0	Total Projected		
	0	0	0	0	0	0	0	0	0	0	0	0	0	YTD Projected		
	0	0	0	1	1	0	0	1	2	0	0	0	5	YTD Completed		
<b>SHELL COMMITMENTS</b>																
RCRA Hazardous Waste Inspections	0	4	4	4	4	5	20	5	5	20	4	0	75	Total Projected		
	0	4	4	4	4	5	20	5	5	20	4	0	75	YTD Projected		
	1	3	8	5	7	12	7	10	9	9	4	3	78	YTD Completed	104.00%	104.00%
RCRA Administrative Compliance Orders	0	0	0	0	0	0	0	0	1	1	1	1	4	Total Projected		
	0	0	0	0	0	0	0	0	1	1	1	1	4	YTD Projected		
	0	0	0	0	0	0	0	2	0	0	0	0	2	YTD Completed	50.00%	50.00%
RCRA Administrative Penalty Orders	0	1	0	0	1	1	0	1	1	0	0	1	6	Total Projected		
	0	1	0	0	1	1	0	1	1	0	0	1	6	YTD Projected		
	0	2	0	0	0	0	0	1	1	0	0	0	4	YTD Completed	66.67%	66.67%
RCRA Final Administrative Penalty Orders	0	1	1	1	1	1	1	1	1	1	1	0	10	Total Projected		
	0	1	1	1	1	1	1	1	1	1	1	0	10	YTD Projected		
	0	1	0	2	0	0	1	0	2	0	1	0	7	YTD Completed	70.00%	70.00%
RCRA Civil Judicial Referrals	0	0	1	0	0	3	0	0	2	1	0	0	7	Total Projected		
	0	0	1	0	0	3	0	0	2	1	0	0	7	YTD Projected		
	0	0	0	0	0	0	0	0	1	1	4	0	6	YTD Completed	85.71%	85.71%
RCRA Civil Judicial Case Conclusions	0	0	0	0	0	0	0	0	0	0	0	0	0	Total Projected		
	0	0	0	0	0	0	0	0	0	0	0	0	0	YTD Projected		
	0	0	1	0	0	0	1	0	0	0	0	0	2	YTD Completed		



# Air

## FY07 CAA and TSCA Commitments Summary

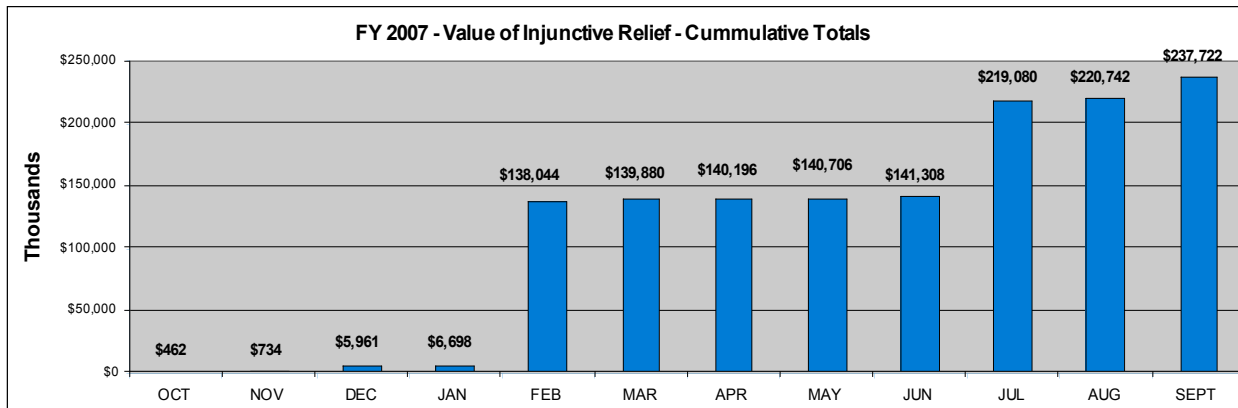
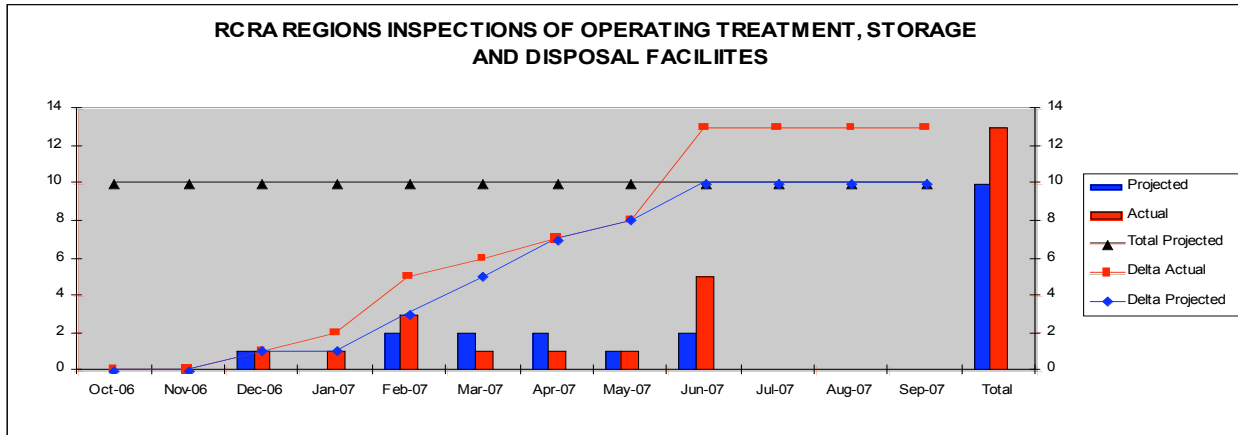
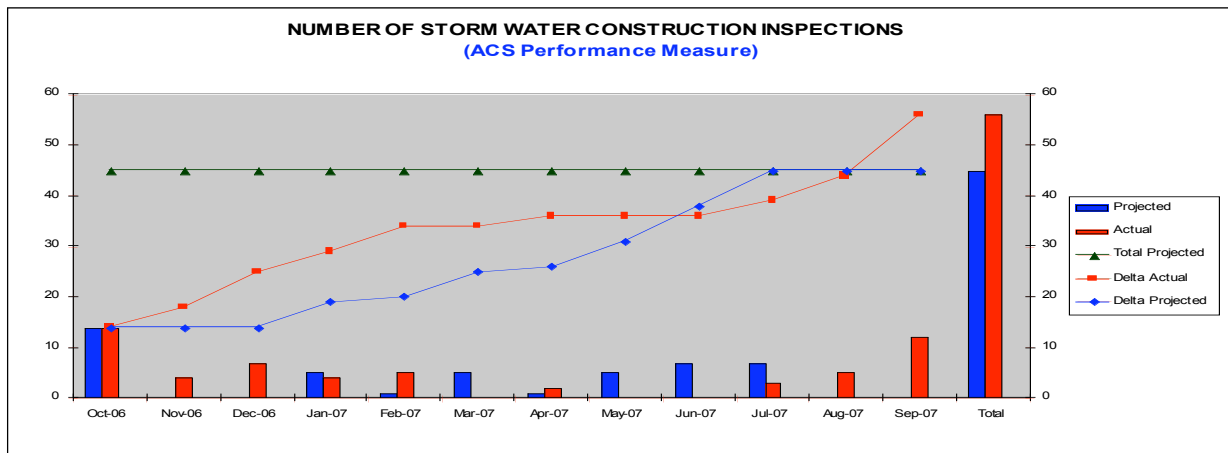
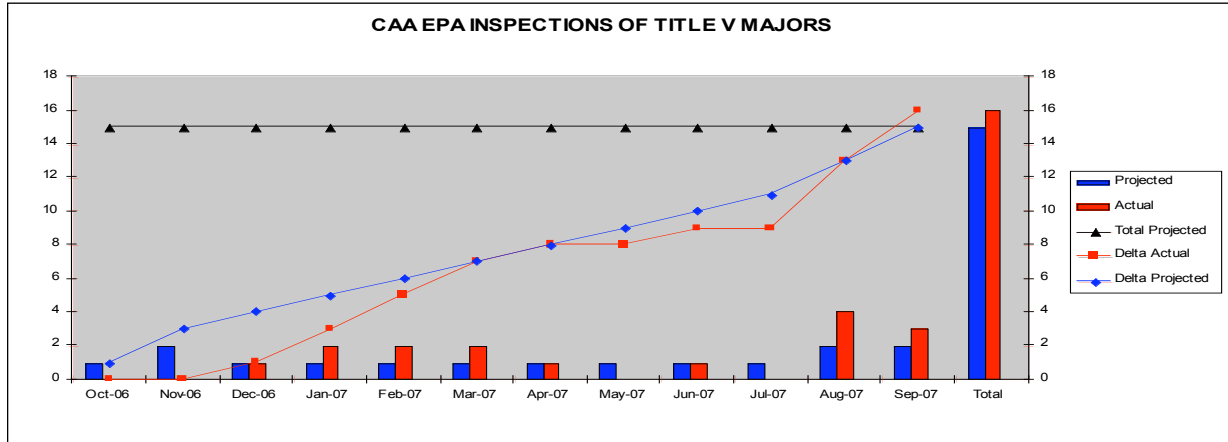
Description	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Total	Percent YTD	% of EOY Completed
	2006	2006	2006	2007	2007	2007	2007	2007	2007	2007	2007	2007	2007		
<b>ACS COMMITMENTS</b>															
CAA 01: # of federal FCEs to be conducted at Title V majors	1	2	1	1	1	1	1	1	1	1	2	2	15	Total Projected	
	1	2	1	1	1	1	1	1	1	1	2	2	15	YTD Projected	
	0	0	1	2	2	2	1	0	1	0	4	3	16	YTD Completed	106.67%
CAA 02: # federal FCEs at "80% synthetic minors" and other sources	0	0	0	0	0	0	0	0	0	0	0	0	0	Total Projected	
	0	0	0	0	0	0	0	0	0	0	0	0	0	YTD Projected	
	0	0	0	0	1	0	0	0	0	0	0	0	1	YTD Completed	zero commitment
CAA 03: # PCEs to be conducted by the regions (to include ULSD & Off Road Eng)	2	0	2	6	5	0	5	5	10	5	5	0	45	Total Projected	
	2	0	2	6	5	0	5	5	10	5	5	0	45	YTD Projected	
	1	5	7	11	5	1	3	7	8	5	18	7	78	YTD Completed	173.33%
CAA 05: # of investigations to be initiated in FY 2007. (Anchor Glass - Dec, Buzzi- Jan, Lyndell-Citgo - Feb.)	0	0	0	1	0	1	0	0	1	0	0	0	3	Total Projected	
	0	0	0	1	0	1	0	0	1	0	0	0	3	YTD Projected	
	0	0	1	1	1	0	0	0	0	0	0	0	3	YTD Completed	100.00%
CAA 16: Ensure delegated agencies have written agreements to provide complete, accurate, and timely data and provide copies													100%	Total Projected	
													100%	YTD Projected	
													100%	YTD Completed	
CAA 17: Enter all MDRs in AFS. If a delegated agency does not agree to enter the MDRs, the region is responsible for ensuring that the data is entered													0%	Total Projected	Not agreed
													0%	YTD Projected	
													0%	YTD Completed	
CAA 19: Conduct at least one in-depth evaluation of a delegated program per year and provide the written results to HQ	0	0	0	0	0	0	1	0	0	0	0	0	1	Total Projected	
	0	0	0	0	0	0	1	0	0	0	0	0	1	YTD Projected	
	0	0	0	0	0	0	1	0	0	0	0	0	1	YTD Completed	100.00%
PBS-ATX03: Number of MACT investigative activities (Applicable/Non-Applicable National Priority MACTs only)	0	0	2	2	0	2	2	4	0	4	0	4	20	Total Projected	
	0	0	2	2	0	2	2	4	0	4	0	4	20	YTD Projected	
	0	4	0	4	3	1	2	3	4	1	3	3	28	YTD Completed	140.00%
PBS-TB03: By September 30, 2007, Regions will provide compliance assistance to Bureau of Indian Affairs (BIA) and non-BIA schools.	0	0	0	0	0	0	0	0	0	0	0	26	26	Total Projected	
	0	0	0	0	0	0	0	0	0	0	0	26	26	YTD Projected	
	0	0	0	0	0	0	0	0	26	0	0	0	26	YTD Completed	100.00%
TSC 03: Inspect 33% of the PCB commercial storage and disposal facility universe	0	0	0	0	0	0	1	0	1	2	0	0	4	Total Projected	
	0	0	0	0	0	0	1	0	1	2	0	0	4	YTD Projected	
	0	1	0	1	0	1	0	0	3	0	0	1	7	YTD Completed	175.00%
TSCA 05: Report the number of federal TSCA asbestos inspections	0	0	0	0	0	0	4	4	0	0	2	0	10	Total Projected	
	0	0	0	0	0	0	4	4	0	0	2	0	10	YTD Projected	
	0	0	0	0	0	0	7	5	0	0	0	0	12	YTD Completed	120.00%
TSC 10: Number of 1018/402/406 federal inspections.	4	0	0	6	0	5	5	5	0	0	0	0	25	Total Projected	
	4	0	0	6	0	5	5	5	0	0	0	0	25	YTD Projected	
	4	0	0	6	0	4	2	5	0	0	5	0	25	YTD Completed	100.00%
<b>SHELL COMMITMENTS</b>															
CAA Stationary Inspections (FCE's & PCE's) Line total from Lines 7,13,19	3	2	3	7	6	1	6	6	11	6	7	2	60	Total Projected	
	3	2	3	7	6	1	6	6	11	6	7	2	60	YTD Projected	
	1	5	8	13	7	3	4	7	9	5	22	10	94	YTD Completed	156.67%
CAA CFC Inspections	0	0	2	0	0	2	0	0	3	0	0	3	10	Total Projected	
	0	0	2	0	0	2	0	0	3	0	0	3	10	YTD Projected	
	18	1	0	0	0	4	4	0	0	2	0	0	29	YTD Completed	290.00%
TSCA Inspections (Cumulative of All TSCA Actions) Inspections / PCB count (Lines 58 , 61 , 64 total )	4	0	0	6	0	5	10	9	1	2	2	0	39	Total Projected	
	4	0	0	6	0	5	10	9	1	2	2	0	39	YTD Projected	
	4	1	0	1	4	3	12	5	3	5	5	1	44	YTD Completed	112.82%
CAA Administrative Compliance Orders	0	0	0	0	0	0	1	0	0	0	0	1	2	Total Projected	
	0	0	0	0	0	0	1	0	0	0	0	1	2	YTD Projected	
	0	0	0	0	0	1	0	0	0	2	0	0	3	YTD Completed	150.00%
CAA Administrative Penalty Orders	0	0	0	0	1	2	0	0	3	2	1	0	9	Total Projected	
	0	0	0	0	1	2	0	0	3	2	1	0	9	YTD Projected	
	0	0	0	0	0	2	0	1	0	0	0	3	6	YTD Completed	66.67%
CAA Final Administrative Penalty Orders	0	0	1	0	0	2	0	0	2	1	1	0	7	Total Projected	
	0	0	1	0	0	2	0	0	2	1	1	0	7	YTD Projected	
	0	0	0	0	0	2	1	1	0	0	0	2	6	YTD Completed	85.71%
CAA Civil Judicial Referrals	0	0	2	0	0	2	0	0	2	2	1	0	9	Total Projected	
	0	0	2	0	0	2	0	0	2	2	1	0	9	YTD Projected	
	0	0	4	0	0	1	1	0	1	0	2	0	9	YTD Completed	100.00%
CAA Civil Judicial Conclusions	0	0	0	1	0	1	0	0	2	0	0	2	6	Total Projected	
	0	0	0	1	0	1	0	0	2	0	0	2	6	YTD Projected	
	0	0	0	1	1	1	0	0	3	0	0	0	6	YTD Completed	100.00%
TSCA Administrative Penalty Orders	0	0	0	1	0	1	1	1	1	1	2	2	10	Total Projected	
	0	0	0	1	0	1	1	1	1	1	2	2	10	YTD Projected	
	0	0	2	13	1	0	0	0	0	0	0	0	16	YTD Completed	160.00%
TSCA Final Administrative Penalty Orders	0	0	0	1	0	1	1	1	1	1	2	2	10	Total Projected	
	0	0	0	1	0	1	1	1	1	1	2	2	10	YTD Projected	
	1	0	2	2	2	2	0	2	2	2	1	1	17	YTD Completed	170.00%
# CAA Cease and Desist Orders Issued	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Total Projected	
	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	YTD Projected	
	0	0	0	0	0	0	0	0	0	2	0	0	2	YTD Completed	No projections, report on!

# Associate Director's Office

## Associate Director's Office 6EN-X(P)

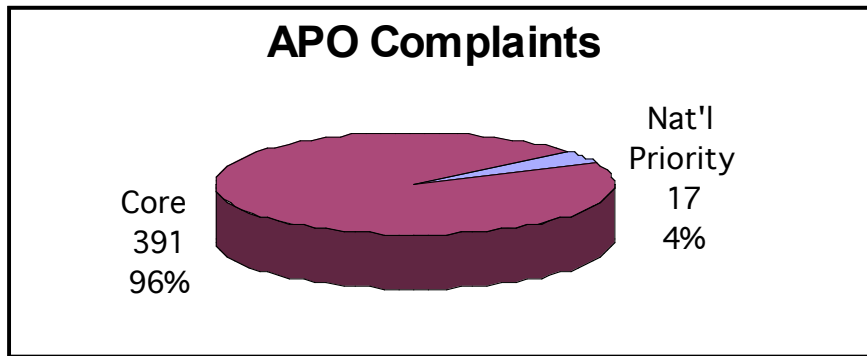
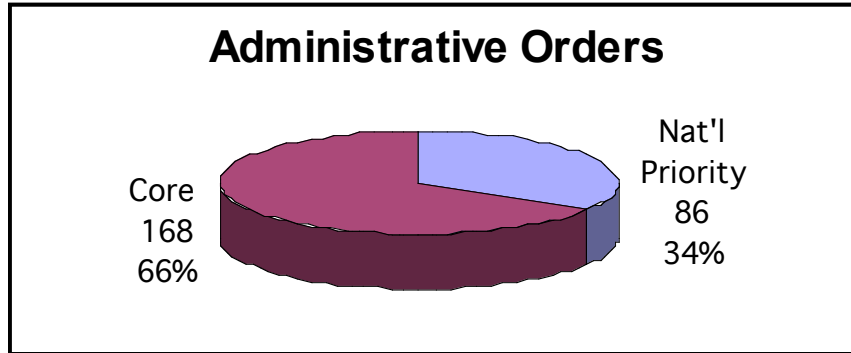
Description	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Total	Percent YTD Completed	% of EOY Completed
	2006	2006	2006	2007	2007	2007	2007	2007	2007	2007	2007	2007	FY 07		
<b>ACS COMMITMENTS</b>															
1 - Number of PT Applications received	0	5	0	0	0	0	0	0	5	0	0	0	10	100%	150.00%
	0	5	0	0	0	0	0	0	5	0	0	0	10	100%	150.00%
	0	9	0	0	0	0	0	0	6	0	0	0	15	100%	150.00%
2 - Number of States, tribes, or territories in which PT incentives have been adopted and made available to PT members.	0	0	0	0	0	0	0	0	0	0	1	0	1	0.00%	0.00%
	0	0	0	0	0	0	0	0	0	0	0	0	0	0.00%	0.00%
	0	0	0	0	0	0	0	0	0	0	0	0	0	0.00%	0.00%
3 - Number of State environmental performance agreements that incorporate PT (attempted)	0	0	0	0	0	0	0	0	0	0	0	1	1	300.00%	300.00%
	0	0	0	0	0	0	0	0	0	0	0	1	1	300.00%	300.00%
	0	0	0	0	0	3	0	0	0	0	0	0	3	300.00%	300.00%
ASST01 - Outcome measurement for 100% of all compliance assistance workshops, training, onsite visits and revisits supporting National Priorities													100%	100.00%	100.00%
													100%	100.00%	100.00%
													100%	100.00%	100.00%
FEDFAC01 - Number of Compliance Assistance activities for Federal Facilities to support the integrated strategy areas.	1	0	0	0	1	0	0	0	0	0	0	0	2	150.00%	150.00%
	1	0	0	0	1	0	0	0	0	0	0	0	2	150.00%	150.00%
	1	0	0	1	1	0	0	0	0	0	0	0	3	150.00%	150.00%
FEDFAC03 - Number multi-media inspections to support the Integrated Strategy areas.	0	0	1	1	0	0	0	0	0	0	0	0	2	100.00%	100.00%
	0	0	1	1	0	0	0	0	0	0	0	0	2	100.00%	100.00%
	0	0	1	1	0	0	0	0	0	0	0	0	2	100.00%	100.00%
FEDFAC05 - Number of single media inspections to be conducted by EPA to support Integrated Strategy areas	0	0	0	3	0	0	0	1	1	1	0	0	6	180.00%	150.00%
	0	0	0	3	0	0	0	1	1	1	0	0	6	180.00%	150.00%
	0	0	0	7	0	2	0	0	0	0	0	0	9	180.00%	150.00%
PBS-TB02 - Number of EPA-authorized tribal inspectors	0	0	0	0	0	0	0	0	0	0	0	0	1	100.00%	100.00%
	0	0	0	0	0	0	0	0	0	0	0	0	1	100.00%	100.00%
	0	0	0	0	0	0	0	0	0	0	0	0	1	100.00%	100.00%
PBS-TB03 - Number of compliance assistance activities at BIA and non-BIA schools	0	0	0	0	0	0	0	0	0	0	0	26	26	100.00%	100.00%
	0	0	0	0	0	0	0	0	0	0	0	26	26	100.00%	100.00%
	0	0	0	0	0	0	0	0	26	0	0	0	26	100.00%	100.00%
PBS-TB08 - Number of waste management compliance and technical assistance to tribes	0	1	2	0	0	0	0	0	0	0	0	0	3	466.67%	466.67%
	0	1	2	0	0	0	0	0	0	0	0	0	3	466.67%	466.67%
	0	2	1	0	0	0	0	1	5	2	3	0	14	466.67%	466.67%
PBS-TB09 - Number of open dumps on tribal lands assessed and closed or brought into compliance	0	0	0	0	0	0	0	0	0	0	0	0	1	200.00%	200.00%
	0	0	0	0	0	0	0	0	0	0	0	0	1	200.00%	200.00%
	0	0	2	0	0	0	0	0	0	0	0	0	2	200.00%	200.00%
PBS-TB10 - Identify off-reservation regulated facilities that present the top compliance priorities inside Indian country.													Yes		
													Yes		
													Yes		
SRF-01 - Number of State Review Framework Reviews to be Completed	0	0	0	0	0	1	0	0	0	0	0	0	1	100.00%	100.00%
	0	0	0	0	0	1	0	0	0	0	0	0	1	100.00%	100.00%
	0	0	0	0	0	0	0	0	0	0	0	0	2	100.00%	100.00%
(P2) 234A - Pounds of hazardous materials reduced/avoided through pollution preventions efforts	0	0	0	0	0	0	0	0	0	0	0	0	5000000	222.27%	222.27%
	0	0	0	0	0	0	0	0	0	0	0	0	5000000	222.27%	222.27%
	0	0	0	0	0	0	0	0	0	0	0	0	11113625	222.27%	222.27%
(P2) 235 - Dollars saved through pollution prevention efforts	0	0	0	0	0	0	0	0	0	0	0	0	5000000	193.85%	193.85%
	0	0	0	0	0	0	0	0	0	0	0	0	5000000	193.85%	193.85%
	0	0	0	0	0	0	0	0	0	0	0	0	9692580	193.85%	193.85%
(P2) 239 - Gallons of water reduced or conserved through pollution prevention efforts	0	0	0	0	0	0	0	0	0	0	0	0	1000000	1150000.72%	1150000.72%
	0	0	0	0	0	0	0	0	0	0	0	0	1000000	1150000.72%	1150000.72%
	0	0	0	0	0	0	0	0	0	0	0	0	11500007221	1150000.72%	1150000.72%
(P2) 243 - Billions of BTUs of energy conserved	0	0	0	0	0	0	0	0	0	0	0	0	25	424.00%	424.00%
	0	0	0	0	0	0	0	0	0	0	0	0	25	424.00%	424.00%
	0	0	0	0	0	0	0	0	0	0	0	0	106	424.00%	424.00%

# Sample Monthly Tracking Charts

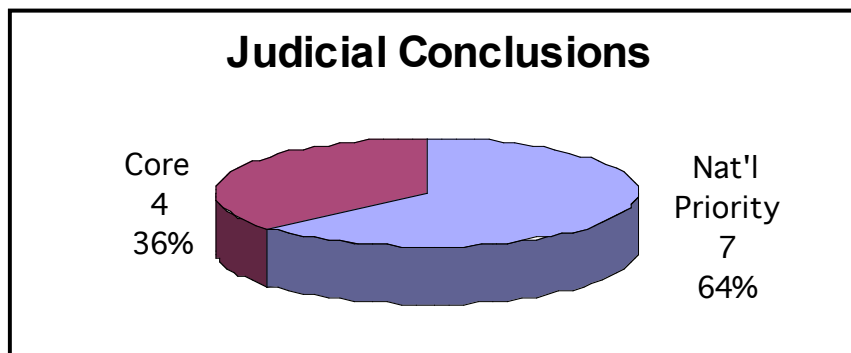
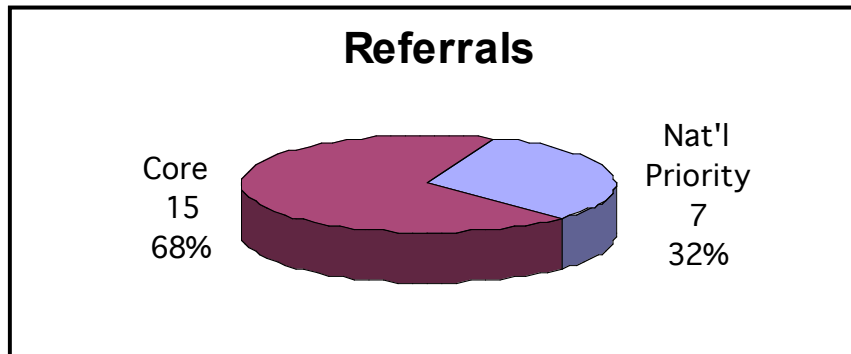


# FY07 National Priorities

## Percentage of Enforcement Actions Addressing National Priorities



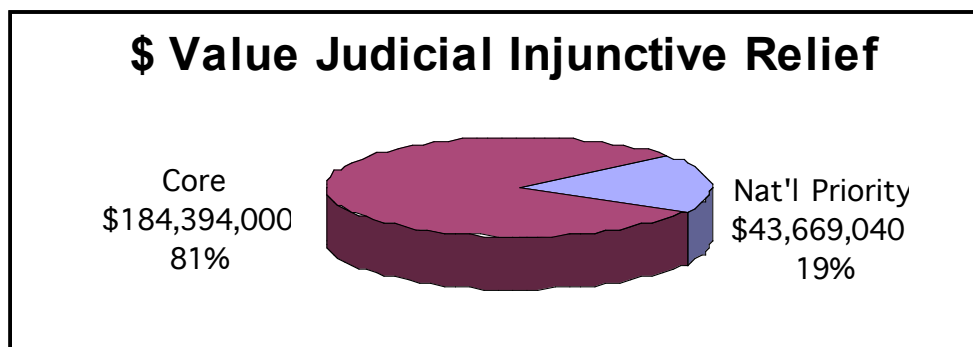
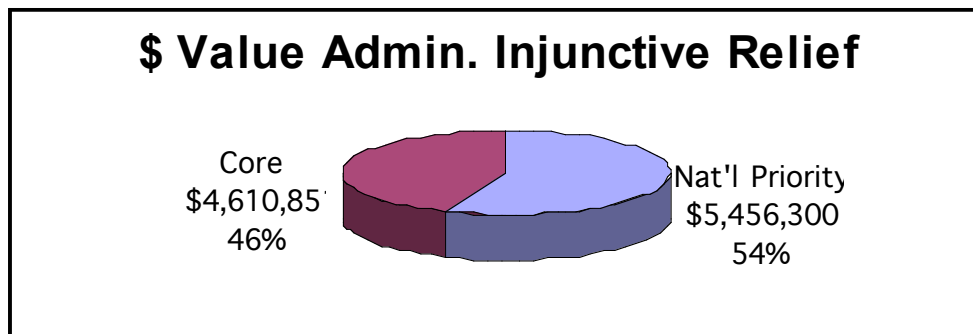
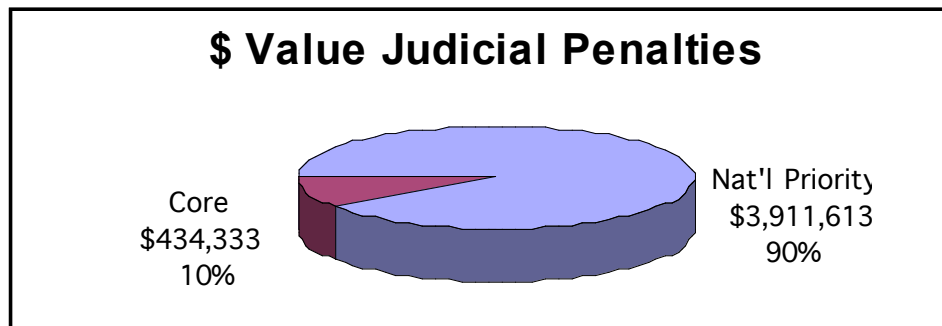
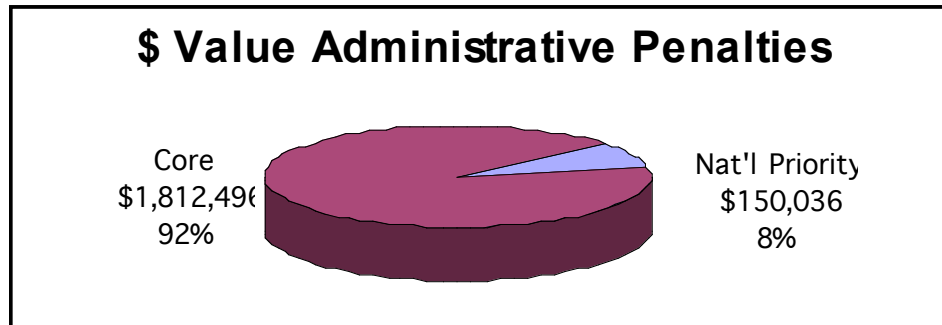
The large number of APOs issued under OPA and CAA 112r programs (274), greatly affect this Nat'l Priority ratio





# FY07 National Priorities

## Percentage of Penalties and Injunctive Relief Resulting from National Priority Cases



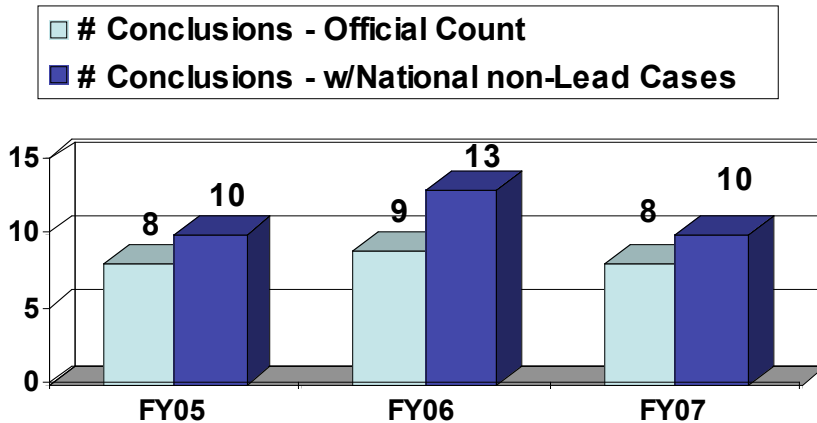
# Regional Priorities

CAED has exceeded its FY 2007 targets.



Measures	Target	Status
<b>Water Quality – Mississippi River Basin</b>		
NPDES inspections – CAFOs, major municipals, major industrials discharging into Miss. River	12	27
Number of compliance assistance – CAFOs, municipals, States, Tribes regarding nutrient management in Miss. River basin	report only	1
<b>Air Quality – DFW and Houston SIP</b>		
Partner with TCEQ – TAGA monitoring in Houston	12/31/06	done
Air inspections in Houston 2006 – 2007	10	12
Air inspections in DFW area 2006-2007	4	8
<b>Energy – Oil and Gas Compliance</b>		
HH, HHH (O&G MACT) – site visits with on-site compliance assistance	15	16

# Judicial Conclusions



## Examples of Results:

### Total Petroleum

- \$2.9M Penalty
- \$89K SEP (Comparative Monitoring using Infrared Camera)
- \$37M Injunctive Relief
- 1.6M lbs Sulfur Dioxide
- 240K lbs Carbon Monoxide
- 360K lbs Nitrogen Oxides

### Seaboard Farms (combined totals for 2 Settlements)

- \$345K Penalty
- \$5.4M Injunctive Relief
- 47K Cubic Yards Solid Sludge
- 477K Cubic Yards Nitrogen (dissolved)
- 1.4M lbs Sediment
- 9K lbs Nitrate Compounds
- 969 lbs Phosphorus

### E.I. Du Pont (Nat'l case)

Region 6 portion of settlement:

- \$618,750 Penalty
- \$66M Injunctive Relief
- 18M lbs Sulfur Dioxide

### Village of Ft. Sumner

- Administrative Order
- \$4,600 Injunctive Relief
- 18M lbs Coliform & BOD5

### Rhodia (Nat'l case)

Region 6 portion of settlement

- \$333,333 Penalty
- \$40M Injunctive Relief
- 36M lbs Sulfur Dioxide

### Alcoa

- \$131M Injunctive Relief
- 9M lbs Nitrogen Oxide and Sulfur Dioxide

# Highlights

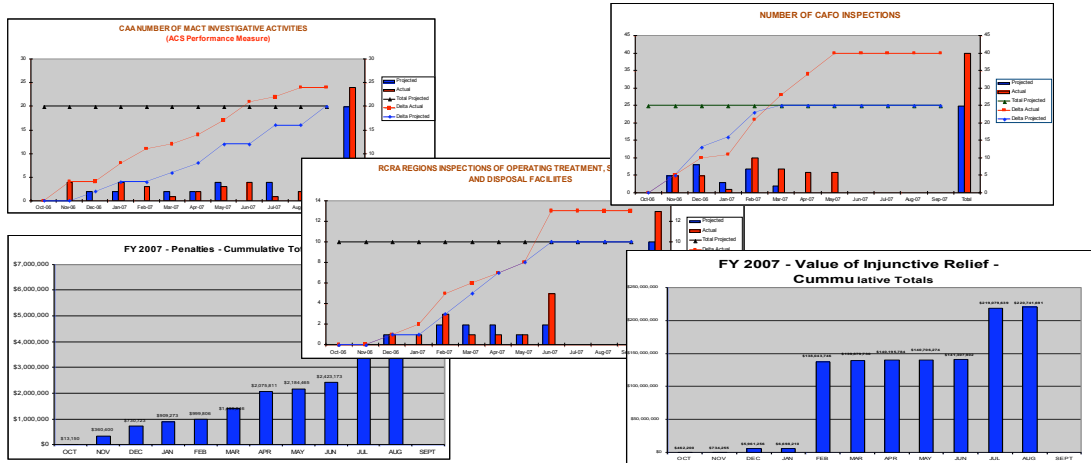
## FY07 Accomplishments

### Monthly Tracking Charts

Nationally recognized by OECA, used by Managers to plan and manage targets and everyday workload.

Monthly Summary and Charts for ACS, Shell, 300 Day Plan, Regional Priorities, Penalties and Injunctive Relief. You can view all the charts and summaries on the 6EN Division homepage of the Intranet at:

<http://region6.epa.gov/intranet/6en/07-Monthlies/monthlies.html>



### Press Releases – Reporting Results Region 6 Increases Outreach to the Press and Public

Press releases are important tool in getting the word out on the “results” of our activities and they can serve as a too in promoting compliance. OECA asked the Region to step up our efforts in issuing press releases, and we responded.



# Initiatives

## Oil and Natural Gas Initiative Using the Infrared

EPA Region 6 used a two-prong approach to reduce air toxic emissions in the Oil and Natural Gas (ONG) sector while at the same time promoting energy production and efficiency. The first approach involved forming industry partnerships to identify ways to reduce fugitive emissions through voluntary and compliance assistance related activities. The second approach involved conducting ONG inspections, in collaboration with our state partners, at targeted ONG facilities to verify compliance and seek injunctive relief.

- Issued the nations first Consent Agreement and Final Order in the natural gas production sector for air violations which included enhanced tank hatch monitoring.

- Conducted 25 ONG inspections with compliance evaluations pending at 10 facilities which include one Administrative Order on Consent.

- Reduced 31,500 pounds of volatile organic compounds using enforcement and compliance assistance efforts.

## Surface Impoundments (SI) - Regional Initiative

Surface impoundments (SI) can be significant sources of air and ground water pollution if not managed and designed properly. Impoundment management also directly affects the compliance status of the impoundments.



- In FY07, we inspected 12 facilities to determine their impoundment regulatory status. RCRA compliance concerns were identified and will be pursued in FY08.



## A. Concentrated Animal Feeding Operations

CAFO enforcement, nation-wide, accounts for half of the pollutant reductions in the water program. Non-compliance among CAFOs is exacerbating water quality problems in impaired water bodies. In 2007 the Region used compliance assistance to the CAFO industry and traditional enforcement to help address these compliance and environmental issues.

- Enforcement Actions resulting in 12 million pounds of pollutant reductions in FY 2007.

- Conducted 49 inspections directed at CAFOs impacting impaired water bodies.

- In partnership with TCEQ and other Texas agricultural agencies, held a February 2007 workshop to strengthen regulatory collaboration.

- In August 2007, provided compliance assistance to 14 New Mexico dairies.

- Issued 26 administrative enforcement actions, two judicial consent decrees.

## New Mexico Dairy Initiative

Some concentrated animal feeding operations (CAFOs) are having a detrimental affect on impaired water bodies. The Region is using outreach to the CAFO industry and traditional enforcement to address non-compliance issues and the associated environmental impacts.

- During the week of August 13, 2007, we provided compliance assistance to the owners, operators, and consultants of 14 dairies located between Las Cruces and Anthony, New Mexico. The meetings were held with each dairymen to discuss the Clean Water Act.

- Administrative Orders were issued on August 17, 2007, tailored to bring each dairy into sustained compliance.



## Safe Drinking Water Act

Disinfectant Byproduct Rule (DBPR) (Stage 2)

We are addressing chronic non-compliance with the DBPR Stage 2 through compliance assistance and traditional enforcement.

- We provided 1560 drinking water system operators training and compliance assistance at 26 workshops in Arkansas, Texas, Louisiana and New Mexico (Oklahoma workshops are scheduled to begin in October 2007).

- We have issued 28 Administrative Orders and three Administrative Penalty Orders to water systems that failed to comply with the DBPR (Stage 2) in FY 2007.



# Numbers at a Glance

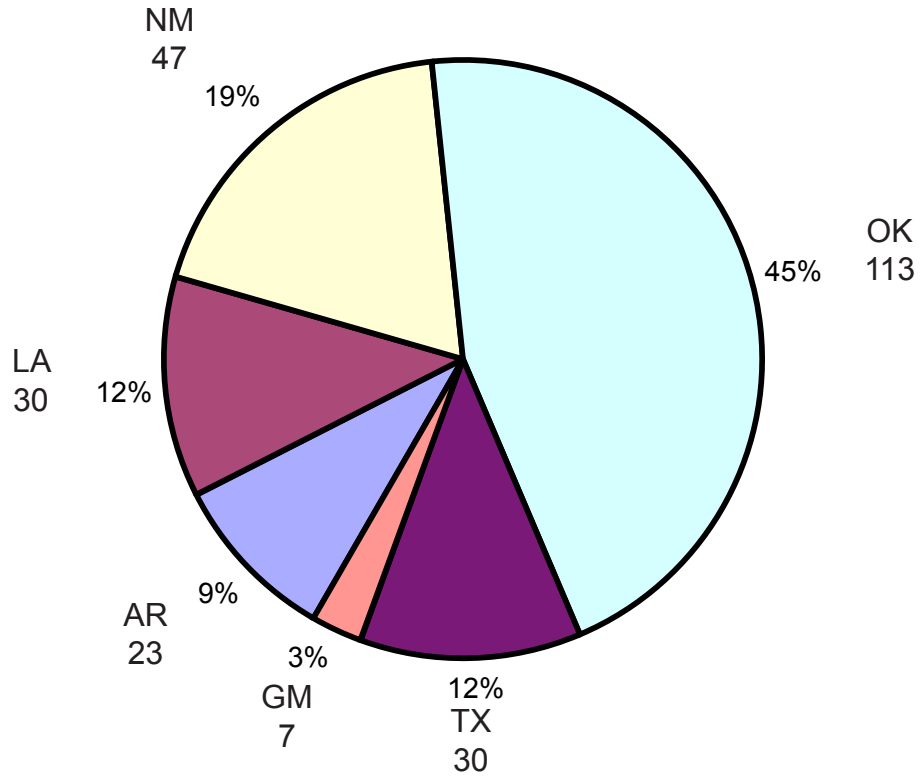
Measure	FY07 as of 10/10/2007
<input type="checkbox"/> Estimated Environmental Benefits of Enforcement Actions (Including Supplemental Environmental Projects (SEPs)) obtained or committed to:	
<ul style="list-style-type: none"> <li>▪ Pollutants Reduced (Pounds) 101,379,888</li> <li>▪ Contaminated Soil Cleaned (Cubic Yds) (SF &amp; Corr. Action) 52,874</li> <li>▪ Contaminated Water Cleaned (Cubic Yds) (SF) 476,954</li> <li>▪ Stream Miles (Linear Feet) (Wetlands) 10,050</li> <li>▪ Wetlands Protected (Acres) (Wetlands) 314</li> <li>▪ People Protected by Safe Drinking Water Act (SDWA) Enforcement 12,976</li> </ul>	
<input type="checkbox"/> Value of Complying Actions	237,772,026
<input type="checkbox"/> Value of Supplemental Environmental Projects (SEPs)	1,547,771
<input type="checkbox"/> Cases with SEPs	22
<input type="checkbox"/> Voluntary Disclosure Program <ul style="list-style-type: none"> <li>▪ Pollutants Reduced as a Result of Audits or Other Actions (Pounds) 120,134</li> <li>▪ Facilities Initiated 48</li> <li>▪ Companies Initiated 52</li> <li>▪ Notices of Determination (NODs) 55</li> <li>▪ Facilities Resolved 59</li> <li>▪ Companies Resolved 56</li> </ul>	
<input type="checkbox"/> Total Entities Reached by Compliance Assistance	9391
<input type="checkbox"/> EPA Administrative Compliance Orders (ACOs)	254
<input type="checkbox"/> EPA Administrative Penalty Complaints (APCs)	408
<input type="checkbox"/> EPA Civil Judicial Referrals	32 (22 Program/ 10 SF)
<input type="checkbox"/> EPA Final Administrative Penalty Order (FAPO) Settlements	408
<input type="checkbox"/> EPA Civil Judicial Conclusions	12* (8 Program/ 4 SF)
<input type="checkbox"/> EPA Administrative Penalties	\$2,008,739
<input type="checkbox"/> EPA Judicial Penalties	\$4,345,946
<input type="checkbox"/> EPA Stipulated Penalties	\$3,618,689
<input type="checkbox"/> Inspections/Evaluations	1684
<input type="checkbox"/> Civil Investigations	14
<input type="checkbox"/> Number of Regulated Entities Taking Complying Actions during EPA Inspections/Evaluations	73
<input type="checkbox"/> Number of Regulated Entities Receiving Assistance during EPA Inspections/Evaluations	795

NOTE: This represents preliminary data pulled from ICIS and the legacy data systems. Final numbers will be available October 26th

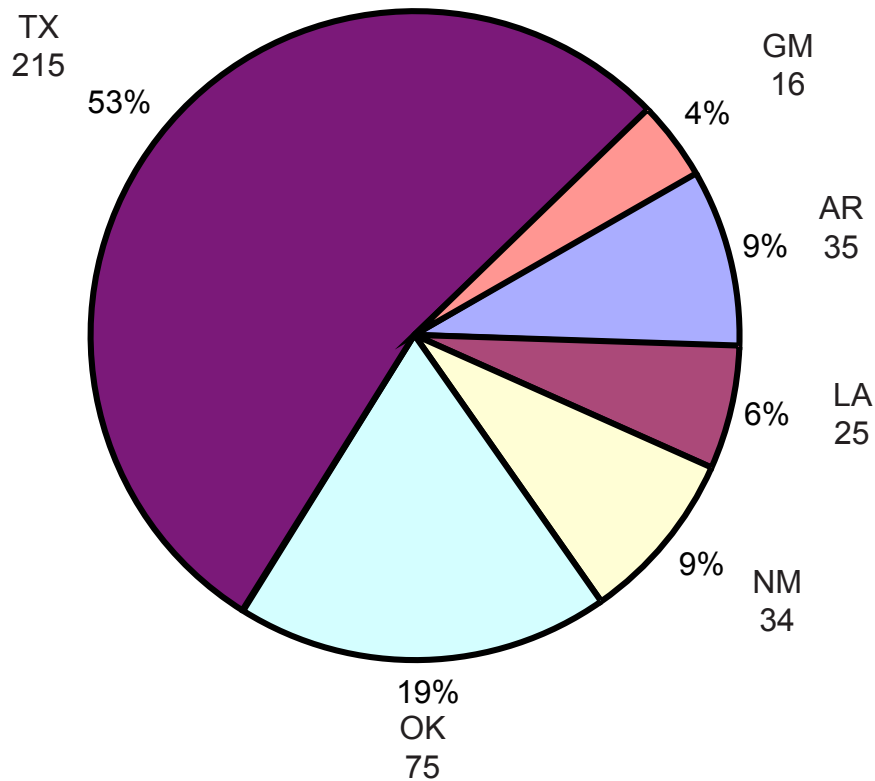
\* Conclusions do not include National Cases the Region participated (no credit)  
There were two (2) National cases we did not receive credit (Bunge and Rhodia)

# Numbers at a Glance • State by State

## # AOs

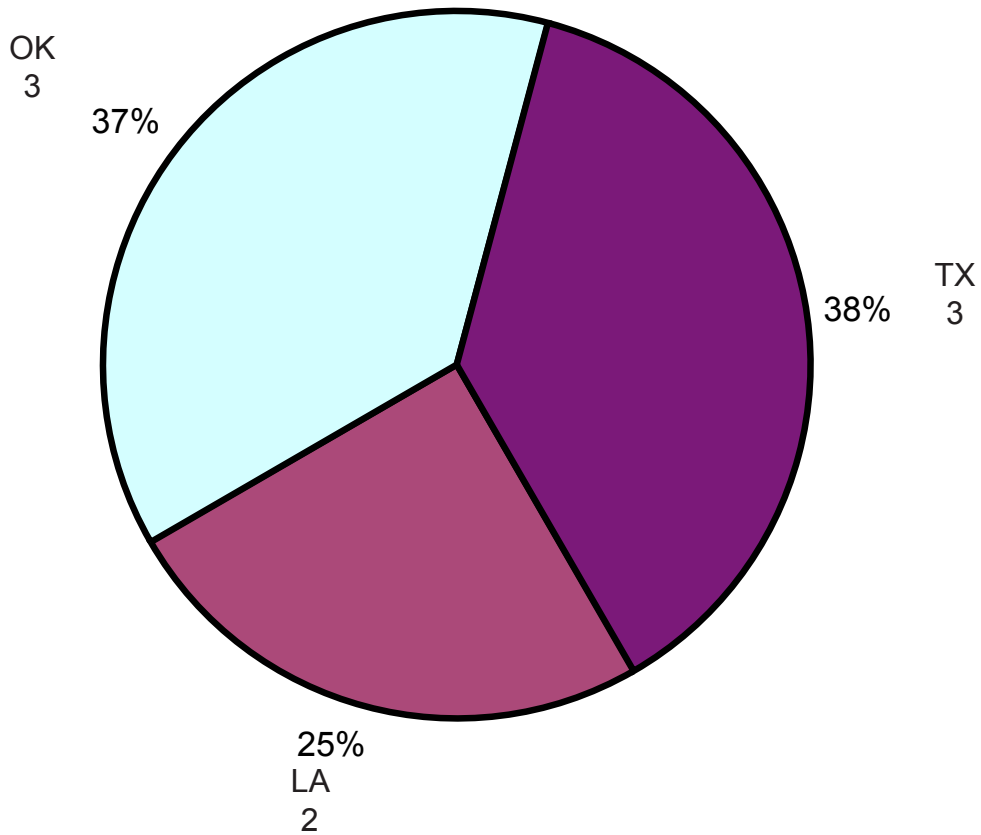


## # APO Conclusions

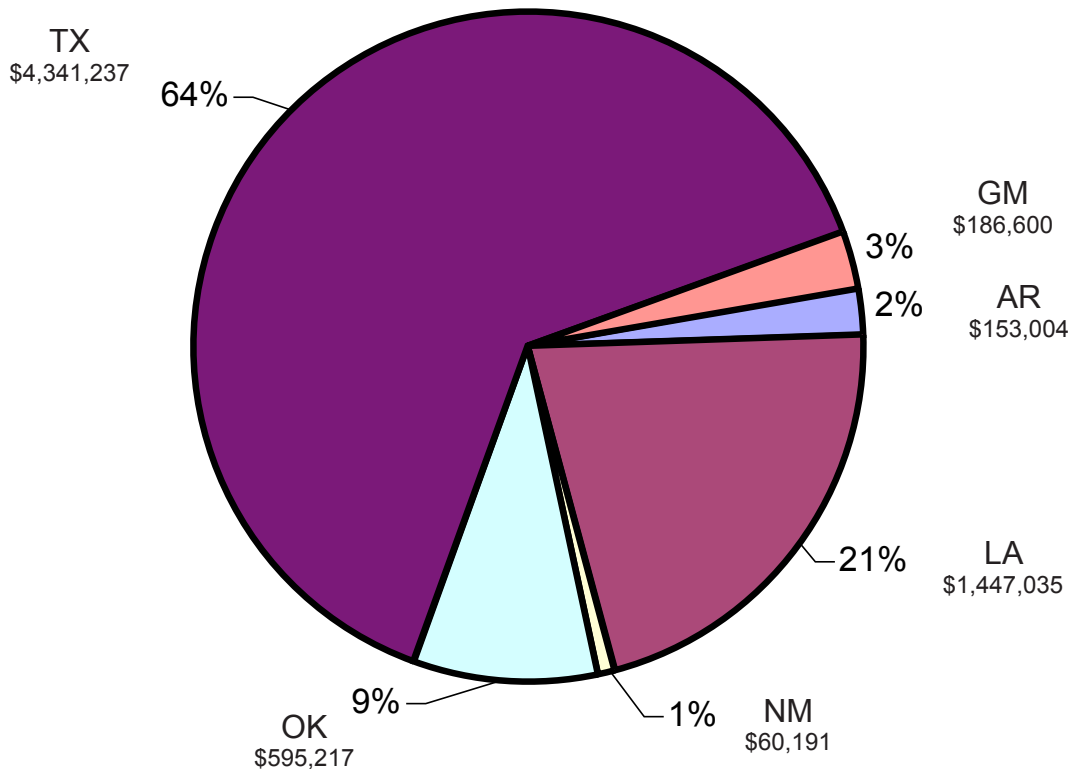


# Numbers at a Glance • State by State

## # Judicial Conclusions



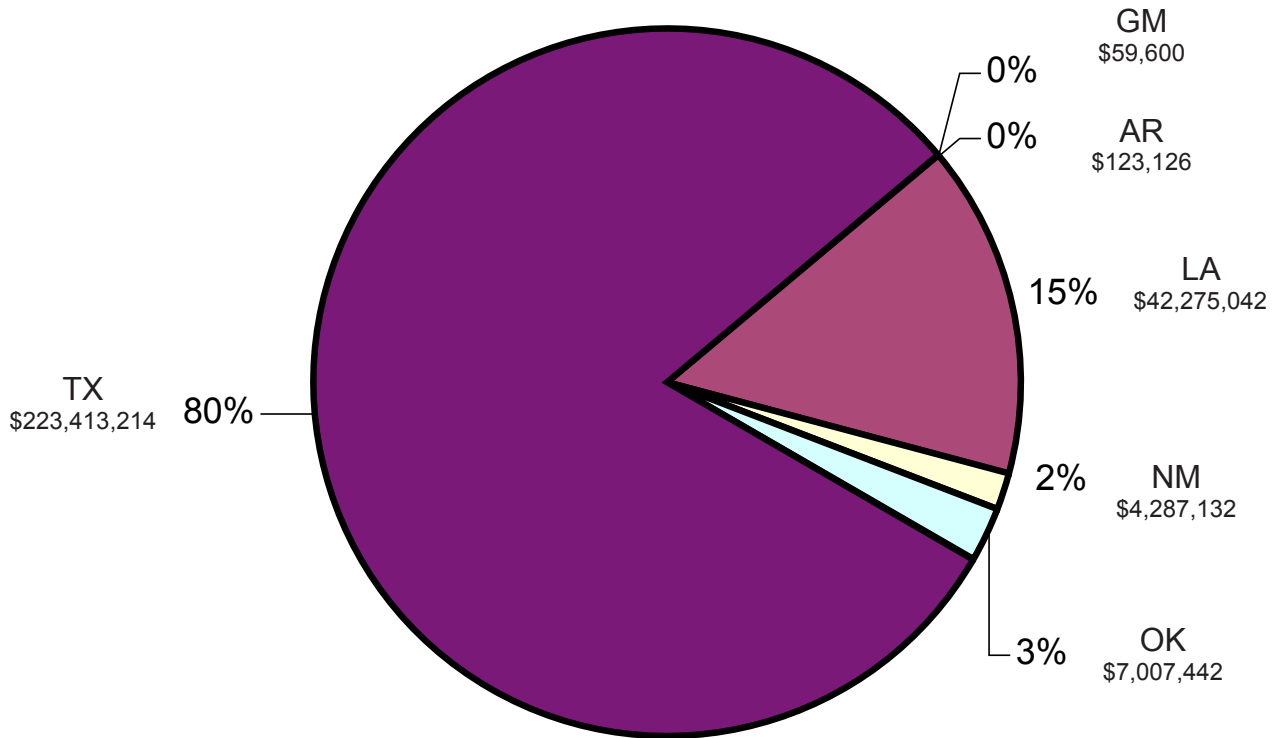
## Penalties



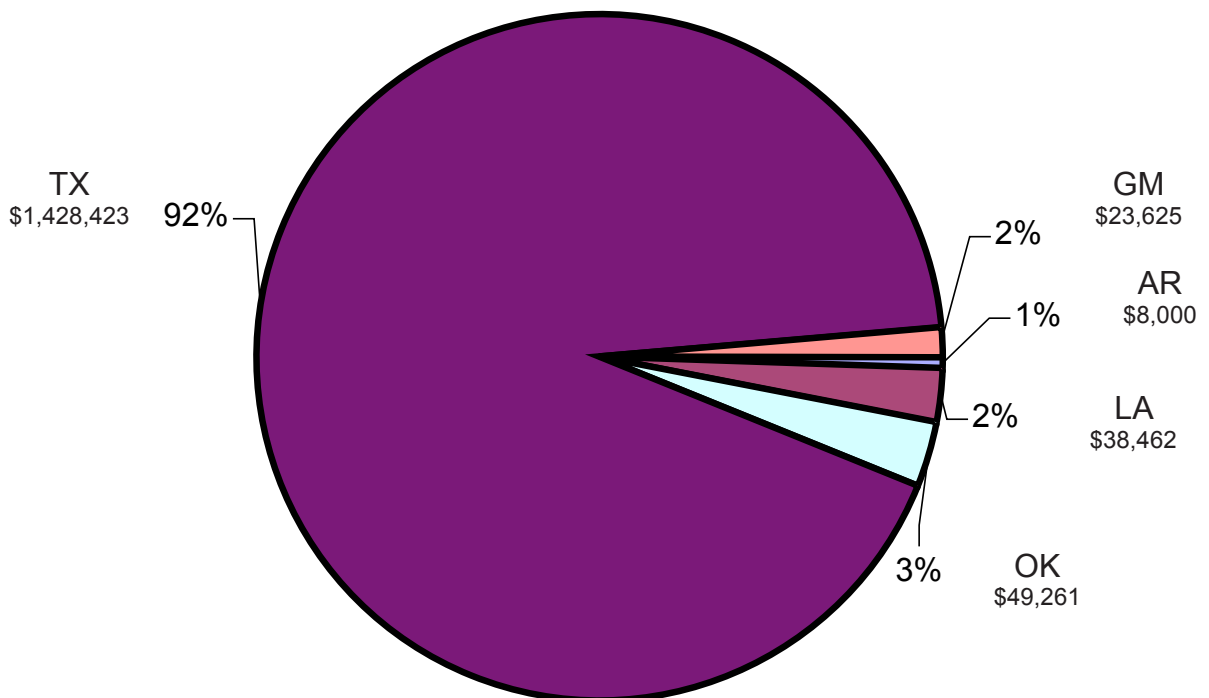


# Numbers at a Glance • State by State

## Injunctive Relief



## SEPs



# Management Systems

CAED has implemented a number of tracking systems and tools to track cases, perform scientific calculations, and process cases. They include:

## Enforcement Process Management:

### Referral Database

- Tracks all critical milestones for active referrals (once referred to DOJ)
- Accessible by Region 6 and OECA
- Supports monthly ORC docket and quarterly DOJ/OECA docket reviews.

### Consent Decree Tracking System

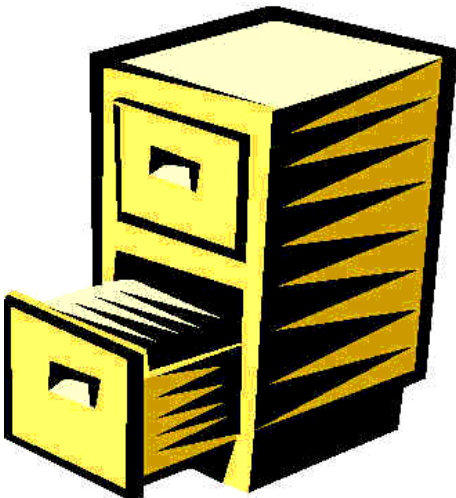
- Tracks CD deliverables such as monitoring reports, audits, compliance assessment
- Sends reminders to enforcement officers via emails

### Case Activities Database

- Provides current status on significant administrative and all judicial cases
- Accessible by Region 6 and OECA
- Supports monthly Branch/ORC docket meetings

### To Do Database

- Tracks significant Division activities at the Associate Director level



- sends automatic reminders to responsible Associate Director

## Future Tools:

### Self Disclosure Database

- Track self disclosure audit reports
- provides history and status of each open disclosure
- identifies responsible staff facilitates statistical analysis and reporting

EPA Self Disclosure Audit Report Form		U.S. EPA Region 6 Self Disclosure Audit Report 1445 Ross Avenue (EN-X) Suite 1200 Dallas, TX 75202-2730
<p>This report is a voluntary disclosure report being submitted in accordance with the EPA Audit Policy <a href="http://www.epa.gov/compliance/insure/policies/incentives/auditpolicy.pdf">www.epa.gov/compliance/insure/policies/incentives/auditpolicy.pdf</a> and is being made in conjunction with the EPA Region 6 Self Disclosure Audit Policy reporting web page at <a href="http://www.epa.gov/region6/en/self-disclosure.htm">www.epa.gov/region6/en/self-disclosure.htm</a>. The EPA Audit Policy's full title is "Incentives for Self-Policing: Discovery, Disclosure, Correction and Prevention of Violations".</p> <p>This form may only be used for Self Disclosure Audit Reports on facilities located in Arkansas, Louisiana, Oklahoma, New Mexico, Texas, and the western portion of the Gulf of Mexico (areas subject to EPA Region 6 jurisdiction).</p> <p>Use of this form is not subject to the Paperwork Reduction Act because the entity making this report is voluntarily initiating this report and understands that it will result in EPA issuing an enforcement file regarding the disclosure.</p> <p>EPA may need to request additional information to confirm whether this report conforms to the policy requirements. EPA will review the disclosure and make a Notice of Determination as to whether the disclosure meets the policy.</p> <p>This form is part of an electronic reporting process whereby the information will be submitted electronically. The electronic reporting process is an alternative to the traditional paperwork reporting. The electronic reporting process does not allow for reports that include Confidential Business Information (CBI). If you do not wish to use the electronic process or you have CBI materials in your report, you should mail your Self Disclosure Audit report to the address at the top of the form.</p>		
<p><b>Legal Name:</b> Please provide your complete legal name. If you are an individual, this will be your personal name and not a "Doing Business As" name. Please do not abbreviate. Spell the name exactly as it is legally documented.</p> <p>Legal Name: <input type="text" value="Acme Building Company"/></p>		
<p><input checked="" type="checkbox"/> An individual doing business as:</p> <p><input type="text" value="Texas"/></p> <p><input checked="" type="checkbox"/> A corporation which was organized under the laws of the State or Tribal Nation of:</p> <p><input type="text" value="Oklahoma"/></p> <p><input checked="" type="checkbox"/> A partnership, formed under the laws of the State or Tribal Nation of:</p> <p><input type="text" value="North Carolina"/></p> <p><input checked="" type="checkbox"/> An association doing business in the State or Tribal Nation of:</p> <p><input type="text" value="Louisiana"/></p> <p><input type="checkbox"/> A municipality, chartered under the laws of the State or Tribal Nation of:</p> <p><input type="text" value="Cherokee"/></p> <p><input type="checkbox"/> A statutory utility district, chartered under the laws of the State or Tribal Nation of:</p> <p><input type="text" value="Mescalero"/></p> <p><input type="checkbox"/> A commission chartered under the laws of the State or Tribal Nation of:</p> <p><input type="text" value="Arkansas"/></p> <p><input checked="" type="checkbox"/> A political subdivision of the State or Tribal Nation of:</p> <p><input type="text" value="Nebraska"/></p> <p><input checked="" type="checkbox"/> The United States Government, the department or agency name of which is:</p> <p><input type="text" value="Environmental Protection Agency"/></p>		
Page 1 of 14		

## eRouting

Enforcement documents and correspondence can be routed electronically thereby providing more accountability, faster transport, and use less paper.

## Analytical Tools:

### Cool Tool

- Agronomic rate calculator
- National Program Support
- hosted national program meeting
- conducted CAFO inspections in Regions 2 and 3 at request

of HQ

- provided technical review of nutrient management plan in support of Region 10 at request of HQ
- developed Nutrient Management Plan evaluation tool which is undergoing peer review nationally

### NEPA Assist

- provides preliminary assessment of a facility's or project's environmental footprint
- can provide comparative risk based analyses
- web based, can be tailored for a variety of applications (e.g., inspection targeting, NEPA, etc.)
- exportable to States, Tribes and other agencies

### Survey Monkey

- Employee survey tool
- yearly subscription, available upon demand
- confidential

### Inspection Targeting

- target by facility, by sector or geographically for greatest potential environmental outcomes
- dedicated team and computing capabilities

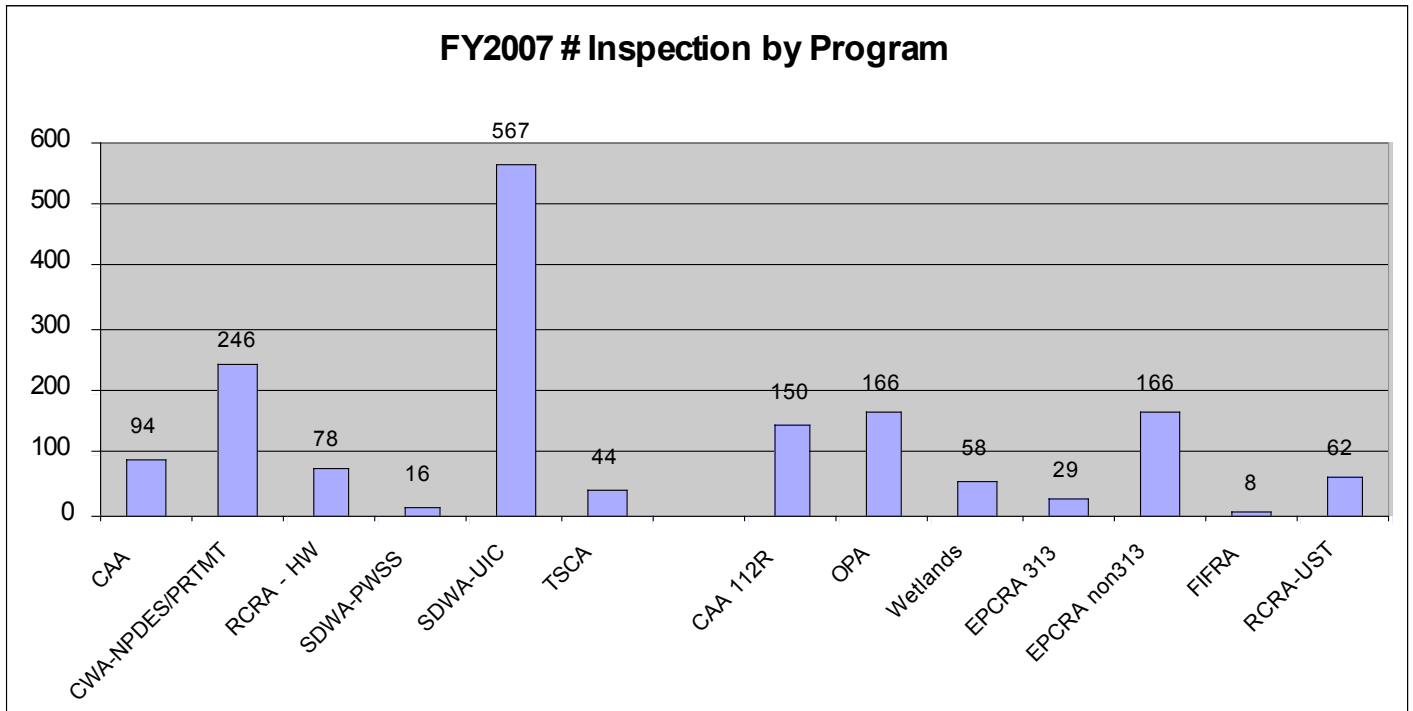
## Online Training Tools

CAED is now collecting presentation materials and videos of our major training sessions and put them on the web for additional access.

- Basic Inspector Training
- Air Inspector Workshop
- RCRA Inspector Workshop
- NPDES Inspector Workshop
- Civil/Criminal Enforcement Training

Additional online training tools are anticipated for FY08.

# Inspections



Preliminary Data – final numbers will be available 10/26/07

Combined Animal Feeding Operations: 49 Inspections  
 - 43 Federal Inspections (15 Oklahoma, 28 New Mexico)  
 - 6 Joint Inspections (all in Texas)

Storm Water: 73 Inspections  
 - 56 Construction  
 - 17 Non-Construction

Clean Air Act: 94 Inspections  
 - 16 Full Compliance Evaluations  
 - 78 Partial Compliance Evaluations

Toxics Substance Control Act: 44 Inspections  
 - 12 AHERA  
 - 25 Lead  
 - 7 PCBs

16 inspections for drinking water were conducted against Jeff Pruet water systems in Monroe, Louisiana

# New Equipment

## Cameras

• Headquarters provided our Surveillance team with eight Samsung Digitmax S850 cameras, eight mega pixel, 5X optical zoom, and two gigabyte secure digital cards. They are being used by five inspectors, two Underground Injection Control staff, and one person from wetlands.

## Phosphorous Monitor

- Real time nutrient monitor was received in April 2007. The unit allows the region to detect very small concentrations of phosphorus and nitrogen in streams or receiving waters, help identify unauthorized discharges, and possible sources of surface water pollutants. The unit is being used in support of CAFO surveillance and enforcement activities.

- To support usage of the phosphorus monitoring unit, the division has purchased standards and reagents, tools for a tool kit and a limited number of parts for a small spare parts inventory.

- To support testing of a real time enforcement pilot project, the division has purchased two satellite transmission systems with two support telephones. When the field printers that are being purchased arrive, we will begin the pilot project in FY08.

- Items to support continued use of the hydrolab were also purchased; the hydrolab is a small hand held unit that can be used to rapidly survey surface and ground waters for ammonia or nitrates to within 90-95% of true. This is a very useful tool in tracking fate and transport of nitrogen in surface and ground water.

- Minor repair, and purchase of batteries were also needed for our survey equipment, which is used in proving direction of surface and ground water flows.

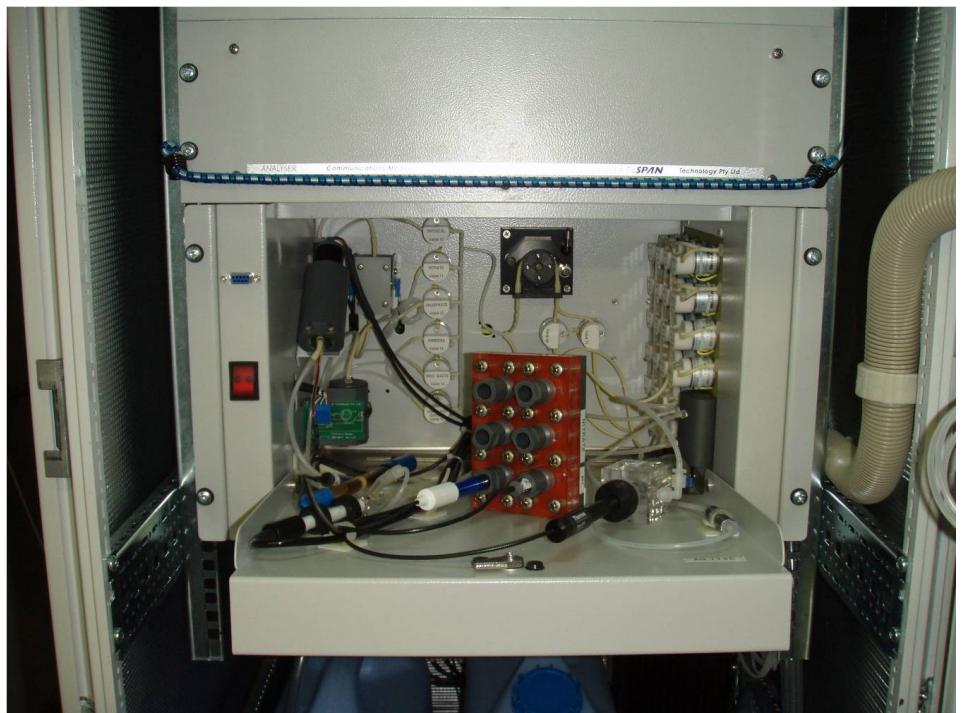
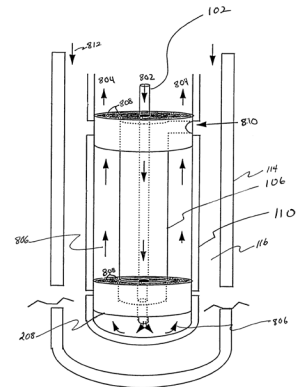
- Purchase of pressure transducers so slug tests and pump tests can be conducted to determine aquifer conductivity, transmissivity and flow velocity. This information is very useful in linking CAFO facilities to aquifer (and well) contamination.

## Hawk Camera

Region 6 is using the Hawk Monitoring Camera during compliance inspections to pinpoint excess emissions from valves and flanges and to determine whether there is product/waste in unidentified tanks. The inspector can see leaks through the hand-held camera and show the facility where leak repairs need to be made. Since receiving the camera in January 2007, the camera has identified emissions concerns in 11 out of 24 inspections.

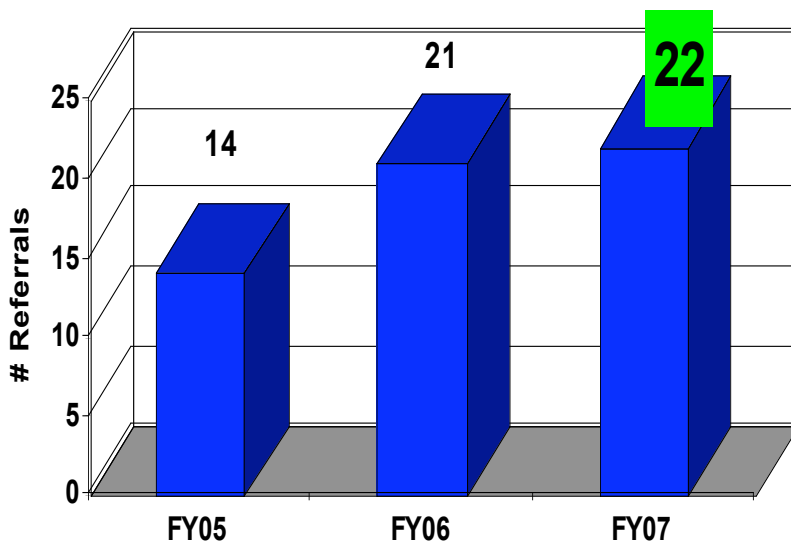
## Bioreactor for Method 304A

It appears that enhanced biodegradation units (EBUs) are significant sources of unregulated benzene and other organic hazardous air pollutant (HAP) emissions. The concern is that the EBUs are volatilizing rather than biodegrading these organic compounds. Only analytical method 304A is capable of discerning between volatilized and biodegraded. This capability could support huge HAP reductions through enforcement and voluntary actions not only in Region 6, but nation-wide. In 2007, the Region purchased the necessary bioreactor and software to facilitate this.



# Referrals/Judicial Conclusions

**Region 6 = 13% of Nat'l FTEs**  
**FY07 Referrals = 17% of Nat'l Referrals**



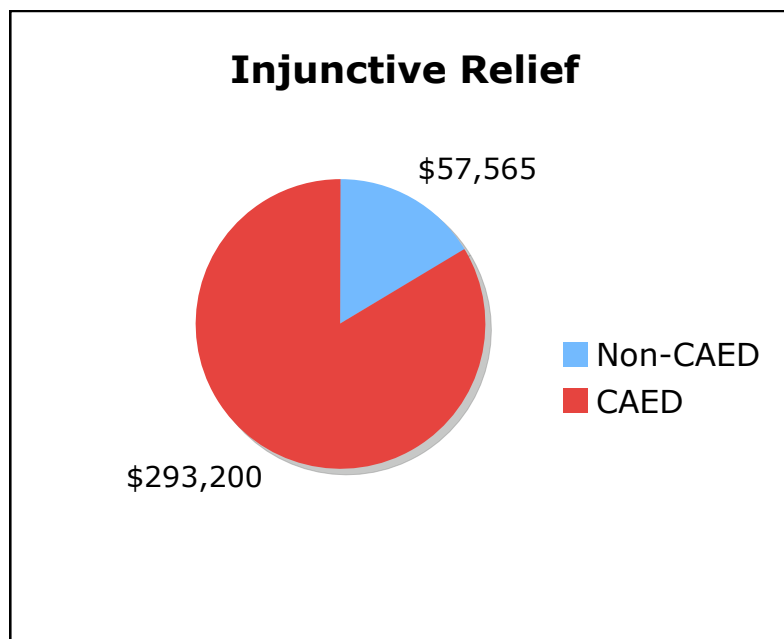
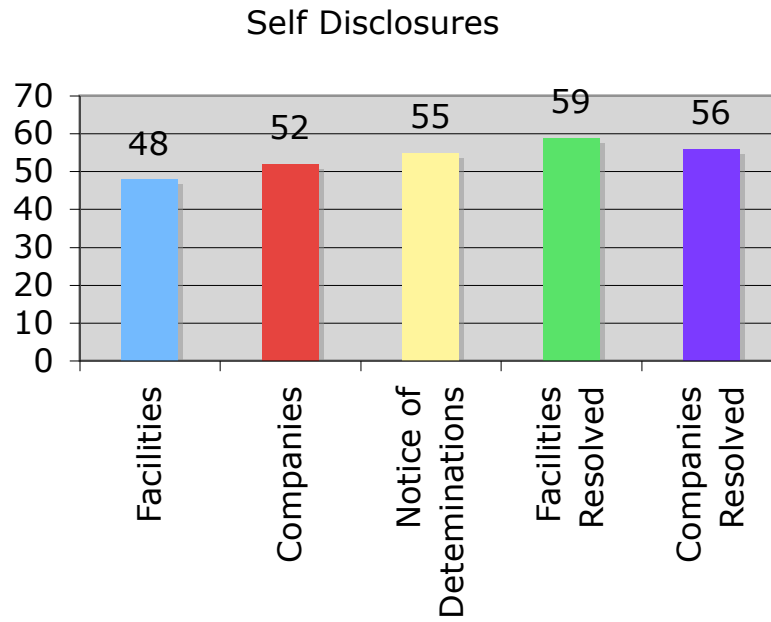
Program	# Referrals
Clean Air Act	9
Clean Water Act (NPDES)	4
RCRA	6
SDWA-UIC	1
Oil Pollution Act	2
<b>Total</b>	<b>22</b>

## More Substantial Enforcement Cases:

- ✓ Region 6 made a commitment to move towards more environmentally substantial enforcement cases
- ✓ Conscious effort to increase the number of Referrals
- ✓ In FY07, Region 6 will issued 22 Referrals
- ✓ 5% increase over FY06 (21), 36% increase over FY05 levels (14)
- ✓ Fair Share of Referrals Nationally
  - 17% without Superfund, 15% with Superfund

# Voluntary Audit Disclosures

CAED serves as the central repository for all voluntary disclosures for the region.

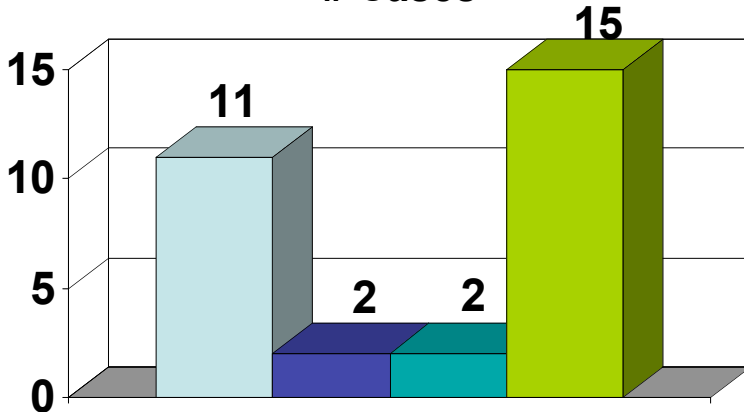


# Big Case Summaries

## Why track Big Cases?

- Most of the pollutants and injunctive relief/SEP dollars come from Big Cases
- 1% of the cases produce over 90% of the Results
- Projecting and Tracking Big Cases makes it easier for EPA's Managers to forecast what our "Results" may be at the end of the year.

# Cases

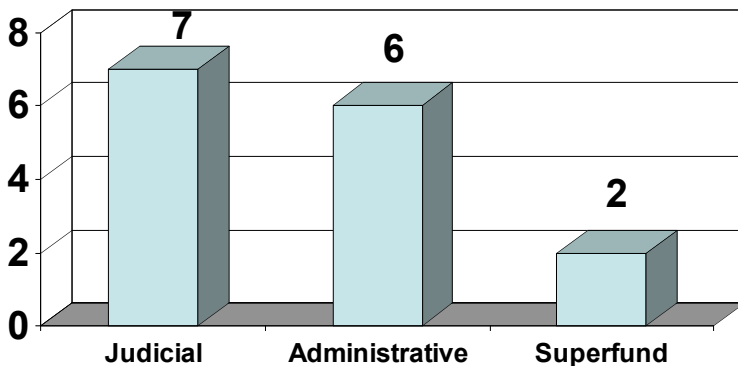


### Criteria for Non-Superfund

- Civil Penalty amount of greater than \$1 million; or
- Pounds of pollutants reduced, estimated amount greater than 1 million pounds; or
- Injunctive relief and SEP combined, estimated amount of more than \$5 million

Regulatory   Nat'l Cases not Lead   Superfund   TOTAL

Types of Actions



### Criteria for Superfund

- Cost recovery of at least \$5 million; or
- PRP clean up commitment of at least \$5 million; or
- Volume of contaminated soil or water/aquifer clean-up commitment of at least 1 million cubic yards.

## Big Case Results

\$ Value of Penalties	\$6.3 Million
\$ Value of Injunctive Relief/SEP	\$217 Million
Direct Pollutant Reductions	79.7 Million Pounds

# Supplemental Environmental Projects

<b>Supplemental Environmental Projects (SEPs)</b>			<b>SEPs in R6</b>
			21 (13 6EN)
			12 % - Nat'l Total
			\$ 1,534,896
			5 % of Nat'l SEP \$
<b>Case Name</b>	<b>Cost</b>	<b>Project(s)</b>	
Total Petrochemicals Inc.	\$80K	Upgrade leak detection and repair practices. The company will do comparative monitoring of method 21 using infrared camera.	
City of Baytown	\$82K	Two activities. Educational workshop for the industrial community on the Mult-Sector Industrial General Permit (MSGP) and to increase awareness of the detrimental effect that polluted storm water may have on surface waters. The second activity of the project is to upgrade and expand two existing city owned storm water detention basins.	
Union Carbide	\$165K	Purchase mobile command center and other emergency response equipment for the local response agency and provide training to the city's emergency response personnel.	
TxDOT	\$1M	Develop and implement a long term management system focused on improving environmental compliance and performance at all Road Construction Projects undertaken by TxDOT or it's contractors. Benefit the environment by aiding TxDOT in it's continued commitment to environmental compliance.	
Anadarko Petroleum Corporation (Gulf of Mexico) environmental or public health	\$16,875	Purchase and donate, to the Trust for Public Lands, coastal/ inland wetlands in several counties located along the Gulf of Mexico in Texas. Trust for Public Lands will maintain for conservation purposes.	



# Tips and Complaints



Silverleaf Resorts  
CFC Violations  
Referred to DOJ



Jeff Pruett Public Water Systems  
West Monroe, Louisiana  
Safe Drinking Water violations  
17 Administrative Orders



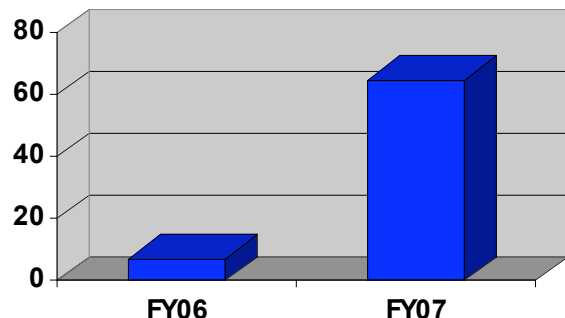
Rabun Dairy  
Bashear, Texas  
Animal Feeding Operations  
Clean Water Act  
Administrative Order



Mahard Egg Farms  
Boogie Hill Facility  
Sulphur, Oklahoma  
Animal Feeding Operations  
Clean Water Act  
Administrative Order

# Cease and Desist Orders

# Cease & Desist Orders



FY06: 7 issued - all under Clean Water Act

FY07: 65 issued

- 46 Clean Water Act
- 17 Public Water Supply
- 2 Clean Air Act

**Goal:** Immediately stop the release of significant quantities of pollutants into the environment and to direct facilities to take quick actions to remediate the environmental damages.

## Benefits

- Addresses critical environmental problems on a real time basis
- Responsive to State needs

### Center Point Dairy

Ordered to stop discharges of pollutants from its lagoon and domestic septic systems, clean up areas where domestic septic waste has pooled, properly remove solid waste from domestic septic tanks and repair septic waste collection systems, and remove sediment buildup in its lagoon and restore the lagoon to proper operating conditions

### Lisbon

Ordered to cease all discharges and air emissions and to remove and properly store the hazardous waste.

# Partnerships

Utilizing State, Local, Tribal, Private and Federal partnerships to aid our mission to move facilities beyond compliance.

We partnered with the South Texas Exploration and Production Safety (STEPS) network in Corpus Christi, Texas, on June 20, 2007. This effort demonstrated to the Oil and Gas industry how to use an Infrared Camera to detect air emissions and how vapor recovery units can capture lost product.



## Annual Region 6 CMOM Conference

The Capacity, Management, Operations, and Maintenance (CMOM) program was developed in conjunction with the creation of the Sanitary Sewer Overflow (SSO) rule as a methodology that can be used to assess the need for repairs and maintenance for sewage collection systems. Although the SSO rule has not been promulgated at this time, we embraced the CMOM approach and have developed the annual CMOM Conference in conjunction with the City of Austin and the Texas Commission on Environmental Quality (TCEQ). The purpose of the workshop is to allow EPA and state regulators to come together with their municipal permit holders to discuss practical experiences related to CMOM. Since the inception of the workshop in 2004, over 1500 hundred people have attended.

The following numbers of Compliance Assistance activities were performed for the associated OECA National Priorities in 2007:

<u>National Priority</u>	<u>No. of Activities</u>
Air Toxics.....	8
Petroleum Refining.....	1
Tribal.....	6
Wet Weather:	
Combined Sewer Overflows...	1
Sanitary Sewer Overflows.....	1
Concentrated Animal Feeding Operations.....	2
Storm Water:	
Construction.....	5
Industrial (non-construction)..	2
Municipal Separate Storm Sewer Systems.....	8



We partnered with the Texas Association of Builders (TAB) and the Texas Commission on Environmental Quality (TCEQ) to develop another tool for the builder's toolbox. From developing a storm water pollution prevention plan (SWPPP) to conducting site inspections to selecting the best erosion or sediment controls, the new training tool developed by the partners will help builders to achieve compliance and will prevent many tons of sediment and other pollutants from reaching waters of the United States. Twenty-eight workshops have been planned for venues across the state, with a target to train 3500 statewide builders. We provided \$50,000 in Regional Geographic Initiative funds.

Texas Manufacturing Assistance Center (TMAC), a recipient of Pollution Prevention grant dollars from EPA worked with industrial facilities and their partners to link environmental issues to core business concerns by teaching P2 techniques as part of lean manufacturing principles.

One of the industrial entities that TMAC worked with was Atlas Copco Drilling Solutions LLC. Atlas Copco demonstrated its commitment to the environment by investing in both technology and people. The drilling equipment manufacturer spent nearly \$1 million upgrading lighting and air-conditioning systems. This investment, along with other procedural changes, reduced electrical use by 25 percent, solid waste disposal was dropped by 65 percent, and water use was cut by 18 percent.

Atlas Copco also committed to work with TMAC to take a leadership role in promoting the international standard ISO 14001 and Environmental Management Systems (EMS) to their suppliers. This effort serves as a model for building partnerships between a grant recipient and an industrial entity. The effort of Atlas Copco earned them the Texas Environmental Excellence Award, presented by Texas Governor Rick Perry and TCEQ on Environmental Quality. They were also selected by EPA as a Performance Track member for their commitment to environmental excellence and improved performance.



# Pollution Prevention

## Pollution Prevention/Source Reduction Grant Partners



Goals of Pollution Prevention Program Grants, Source Reduction Assistance Grants and Pollution Prevention Information Network Grants:

- Assist businesses and industries in identifying better environmental strategies and solutions for reducing or eliminating waste at the source.
- Work with business and industry to reduce the release of potentially harmful pollutants across all environmental media.

Grantees are required by the EPA's Environmental Results Policy to submit outcome and output measurements.


Pollutant Reductions and outcomes reported by Grant Partners in FY07:

- Hazardous materials  
11,113,625 pounds
- P2 efforts saved  
\$9,692,580
- Water conserved  
11.5 trillion gallons
- Energy conserved  
105.963 billion BTUs

The Oil and Gas Environmental Results Program (ERP) project is using Louisiana Department of Environmental Quality (LDEQ) resources and leverages outside community partnerships including Louisiana Department of Natural Resources, USEPA Region 6, community organizations, local trade organizations and economic developments agencies. LDEQ will take a multimedia approach to prepare fact sheets, self-assessment checklists, a workbook for guidance on how to complete the self-assessment checklists, and compliance assistance tools for the industry sector on pollution prevention including release notification. Annual training will be provided through on-site assessments and workshops. These tools will be made available as models for other states to use.

Environmental results will be achieved by the outcomes of: reducing air emissions, reducing the threat of releases of materials to groundwater (a significant source of drinking water in Louisiana) and soils through enhanced compliance with sector-specific BMPs. As minor sources these facilities are not subject to most state and federal regulatory requirements for pollution reduction measures.

# Environmental Management Systems



*EMS Forum for Local Governments*  
A PEER to Peer Collaboration  
June 26, 27 and 28<sup>th</sup>, 2007  
Dallas City Hall · Level L1 · 1500 Marilla Street · Dallas, TX



EMS Forum For Local Governments: Dallas, Texas, June 26-28, 2007:

Staff from the Compliance Assurance and Enforcement Division, Texas Commission on Environmental Quality, North Central Texas Council of Governments, and City of Dallas collaborated to conduct of an EMS Forum for local governments June 26-28, 2007. This forum relied on the participation of out-of-region local government leaders who are veterans in developing and implementing an EMS. They shared examples of costs-savings, improved regulatory compliance, reduction of liability, and reduced environmental impact with their North Texas Peers. These speakers conveyed how local governments, citizens, and the environment can benefit from EMS implementation.

Workshop: Environmental Management Systems, Saving Money and Improving Compliance and Performance: Austin, Texas, July 26, 2007.

This workshop for Central Texas Cities and governments focused on how EMSs are helping local governments and other organizations in Texas and across the country reduce risks and liabilities, improve compliance and environmental performance, and reduce costs.

- Learned what an EMS is and how it improves an organization's efficiency
- Learned from three Texas organizations why and how they developed an EMS, the lessons they learned and the benefits
- Learned how to take the first steps toward improving the organizations environmental performance and reducing costs
- Learned how to develop an EMS that complements the organization's existing internal improvement programs
- Learned about available assistance, make valuable contacts, and take away informative materials
- Learned about incentives in Texas to develop an EMS that get results.

A Seminar For City Managers on EMS: Grand Prairie, Texas, September 27, 2007

Staff from Compliance Assurance and Enforcement Division, Region 6, the North Central Texas Council of Governments, Texas Commission on Environmental Quality, and the North Central Texas EMS Work Group hosted this seminar that highlighted balancing growth, budget constraints, and environmental risks in city governments—the costs of not having an EMS. The seminar featured W. Robert Herbert, a retired city manager of Roanoke, Virginia, with experiences associated with Not having an EMS in place. North Central Texas governments learned how to Reduce Risks from operations, Reduce Impact to the environment and Save local tax dollars using an EMS.

# Performance Track



Fiscal Year 2007 New members include:

- US FAA Mike Monroney Aeronautical Center • Oklahoma City, Oklahoma
- Dallas Fort Worth International Airport, Fort Worth, Texas
- Aloe Vera of America, Inc., Dallas, Texas
- Frito-Lay, Inc., Jonesboro, Arkansas.
- Bandelier Trading Company, Los Alamos, New Mexico
- University of Texas Medical Branch, Galveston, Texas
- Toshiba International Corporation, Houston, Texas
- Firestone Building Products, Corsicana, Texas
- Sheppard Air Force Base, Texas
- Lockheed Martin Aeronautics Company, Fort Worth, Texas
- Eaton Hydraulics Operation, Searcy, Arkansas
- Atlas Copco Drilling Solutions, Garland, Texas

Frito-Lay achievements:

- Reduced total suspended solids in wastewater system by 234,914.85 (normalized) pounds (32.9%) through procedural improvements.
- Reduced total water usage by 172,471,233.86 (normalized) gallons (45.2%) through implementation of a water re-use system during production.



• During 2007, Region 6 received 15 new applications. This exceeded our ACS commitment goal of 10 new applications.

• In 2007, Region 6 senior managers conducted Recognition Events at two P-Track member's facilities, DFW Airport, in March, and Frito-Lay in August. We anticipate conducting one additional on-site event this year. We will also be conducting a Regional Roundtable meeting for P-Track members within Region 6 in October 2007.

DFW Airport Achievements:

Reduced NOx emissions by 38.65 (normalized) tons (95.6%) through equipment replacement/upgrades.

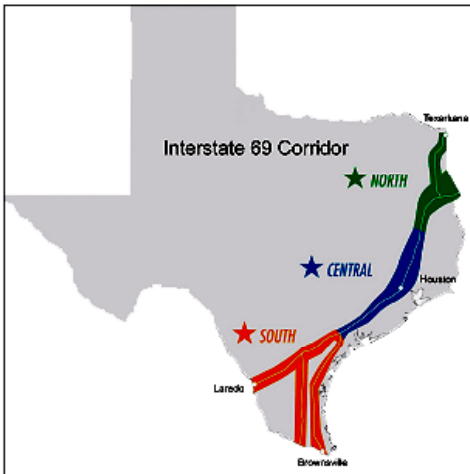
Reduced VOC emissions by 0.18 (normalized) tons (47.4%) through participation in the Clean Fleet Program.



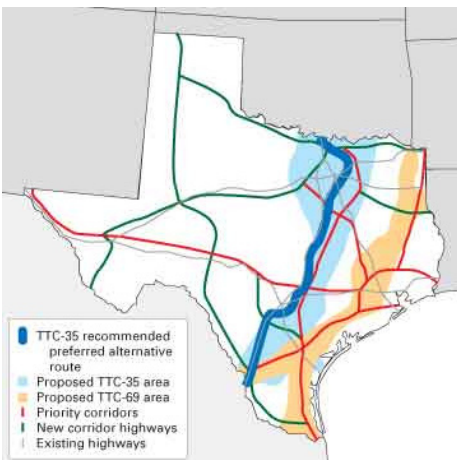
# National Environmental Policy Act

## Significant NEPA/309 Project Reviews:

In FY07, the Trans Texas Corridor Interstate 69 Tier 1 Draft Environmental Impact Statement and the Trans Texas Corridor Interstate 35 Draft Environmental Impact Statement were review by Region 6 staff for compliance with the National Environmental Policy Act and the Clean Air Act Section 309. These two projects are significant transportation projects for the State of Texas to decrease congestion related to traffic created by the North American Free Trade Agreement.



309 Review of the Preliminary Draft Environmental Impact Statement (DEIS) for the Trans Texas Corridor - IH35 (TTC-35) proposed Oklahoma to Mexico/Gulf Coast Element Tier One system project to identify a preferred corridor for a potential TTC-35 alignment.



We participated in the Workgroup for Review and Comment of the Proposed Revision of 40 CFR Part 6 Procedures for Implementing the Requirements of the CEQ on NEPA. The draft amendments to the procedures at 40 CFR Part 6 for implementing the requirements of the Council on Environmental Quality's (CEQ's) regulations for the National Environmental Policy Act of 1969 (NEPA) are undergoing the finalization process.

We participated in the Workgroup to Review and Comment on the Preliminary Draft of the Special Appropriation Applicant's Handbook. Reviewed the Preliminary Draft of Applicant's Guide. The handbook and the associated appendices are designed for grant applicants who are applying for funds for specific projects identified in the annual special appropriations.

We participated in the Workgroup to Review and Comment of the Preliminary Draft of the Proposed Revision of the 309 Environmental Review Process Handbook. Reviewed the Preliminary Draft of EPA's Environmental Review Process Handbook by a Task Force.

Environmental Impact Statement (EIS) for the Outer Continental Shelf (OCS) Minerals Management Service (MMS) Oil and Gas Lease Sales: 2007-2012.: Worked on the coordination process associated with the issuance of the Final NPDES permit for the Outer Continental Shelf (OCS) Oil and Gas activi-

ties. We are a cooperating agency in the MMS preparation of the EIS for the Lease Sales: 2007-2012. The Final General Permit was issued in September 2007. The EPA is participating as a cooperating agency because of the National Pollutant Discharge Elimination System (NPDES) general permit being proposed for the OCS, which requires the NEPA review.

Environmental information documents received for review and assessment:

- Border Environment Cooperation Commission (BECC) projects – 5
- Special Appropriations – 19
- Colonia - - 1
- Coastal Wetlands Planning, Protection and Restoration Act (CWPPRA) - 1

Completed Environmental Assessments:

- BECC projects – 5
- Special Appropriations – 20
- Outer Continental Shelf Produced Water General Permit – 1

Environmental Impact Statement (EIS) Accomplishments:

Draft EISs Received	28
Draft EISs Reviewed	24
Final EISs Received	28
Final EISs Reviewed	27
Projects with significant issues	4
Total EISs Reviewed	51



# Federal/State Relations

## State Enforcement Review Framework Highlights

The first round of all States completed:



- Arkansas Department of Environmental Quality (ADEQ)
  - Successful review in 2006 - SNC/HPV identification a strength; inspection/enforcement commitments met; data quality high. Action - consider unifying penalty policy for greater consistency among media programs.
  - National Best Practice: Annual Title V Compliance Certification Reminder letters resulting in 100% compliance with reporting requirements
  - ADEQ is participating in the Framework Evaluation Work Group.



- Louisiana Department of Environmental Quality (LDEQ)
  - Successful review in 2007 - inspection/enforcement commitments met; data quality high; good consistency among media programs. Action - consider options for more timely HPV/SNC identification in national databases.
  - National Best Practices: Reports from the 2007 reviews are being evaluated to identify Best Practices.
  - LDEQ is participating in the Framework Evaluation Work Group



- New Mexico Environment Department (NMED)
  - Successful review 2006 - inspection/enforcement commitments met. Action - data system conversion completed for improved data; action needed for HPV/SNC identification.
  - National Best Practices: NMED Air Bureau's innovative filing system; the Green Zia Pollution Prevention Program; Waste Bureau's timely inspection reports.



- Oklahoma Department of Environmental Quality (ODEQ)
  - Successful review in 2005 - inspection/enforcement commitments met; data quality high; good consistency among media programs. Action - new consolidated filing system implemented for improved records management.
  - National Best Practices: ODEQ's use of portable testing analyzer for its water compliance program; the availability/use of web-based forms.



- Texas Commission on Environmental Quality (TCEQ)
  - Successful review 2007 - inspection/enforcement commitments met; good consistency among media programs. Action - additional measures to address data issues.
  - National Best Practices: Reports from 2007 reviews are being evaluated to identify Best Practices.
  - TCEQ is participating in the Framework Evaluation Work Group.



# Tribal Partnerships



CAED worked with the Bureau of Indian Affairs to achieve the following goal: Provide state-of-the-art training to individuals who are committed to fulfilling the government's responsibilities to Indian Country.

Staff from Region 6 Compliance Assurance and Enforcement Division provided compliance assistance to BIA Tribal School facilities and environmental managers at the BIA Office of Facilities Management and Construction, June 4th-8th. The assistance provided information to school managers in the Region 6 areas of New Mexico, Oklahoma and Louisiana on the AHERA (Asbestos) program, lead-based paint and spent laboratory chemicals in schools program. The focus of the presentation was on regulatory requirements of these programs to ensure compliance with federal law, school safety, using less chemicals and the interface with science curriculum in schools.



# Tribal Capacity Building



- Before  
Kickapoo Tribe in continuous non-compliance with the Safe Drinking Water Act.
- After  
Technical assistance and Compliance Agreement resulting in compliance.

Tribal Professionals Attended Region 6 Inspector Workshops

We worked with Sandia Pueblo to credential a tribal inspector for the NPDES program.

Provided all Tribes with information on reporting tips and complaints, compliance assistance, and pollution prevention.

## Safe Drinking Water for the Kickapoo and Nambe Tribes

Region 6 worked with the Nambe Pueblo in New Mexico and the Kickapoo Traditional Tribe in Texas to address violations of the Safe Drinking Water Act (SDWA) and National Primary Drinking Water Regulations. Both Tribes had chronic violations of monitoring and reporting requirements and used unqualified operators. Through the technical assistance provided by EPA and the Tribes' commitment to compliance, both Tribes have achieved continuous compliance since issuance of the compliance agreements. As a result, EPA has terminated the agreed-to-orders in October 2007.

