



EPA's Planned Compliance Assistance (CA) Activities for Fiscal Year (FY) 2005



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 (e.g., workshops, seminars) 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 intends to undertake for the upcoming fiscal year. From 2001 until 2004, EPA used the Compliance Assistance Planning Database (CAPD) to create the previous *EPA Compliance Assistance Activity Plans*. In February 2004, EPA began using a new database, the Integrated Compliance Information System (ICIS), to capture information on CA activities and to track results of the Agency's CA. Because of the shift to the ICIS database, EPA has modified the summary data and analyses contained in the FY 2005 Plan and Inventory. The highlights below reflect these changes

National Highlights of EPA's 292 CA Activities Planned for FY 2005

The primary difference between the FY 2005 Plan and the FY 2004 Plan is the decrease in the amount of CA planning data reported, which is due, in part, to the introduction of the new database. The total number of CA activities-- 292 planned for FY 2005-- has decreased 30% compared to 415 planned CA activities reported in FY 2004. Several offices did not report any data in the new database this year, and while nine of ten Regional Offices entered CA planning data for FY 2005, they reported about 30% fewer planned activities for this fiscal year – 245 compared to 352 for last fiscal year.²

- EPA Organizations Planning CA:** In FY 2005, EPA's **Regional Offices** continue to plan and undertake the majority (84%) of CA activities for FY 2005 with **Regions 2, 6 and 10 accounting for 60%** of the Regional total. **Headquarters Offices** are responsible for **16%** of planned CA activities. This proportion has stayed relatively constant over the five years EPA has collected this information.
- Types of CA Activities:** The most frequent type of CA activity planned for FY 2005 is **“Outreach Materials Distributed,”** representing **46%** of activities. This new category, systematically reported for the first time in ICIS, includes both outreach materials targeted to specific audiences and outreach to the general public about CA opportunities. **“Workshops/Trainings”** and **“Presentations/Meetings”** account for **38%** of planned CA activities for FY 2005. Together these three types of CA account for **more than 80%** of planned activities.
- Support for Agency Priorities:** **One hundred (100)** of the 292 planned CA activities support either an EPA **national enforcement and compliance assurance priority and/or a Regional priority**. 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 2005, because of changes in how such data were collected in ICIS.
- Top Five Sectors Addressed:** The **five most frequently addressed sectors** in the FY 2005 Plan are **federal, state and local governments** (general), **federal facilities, tribes, healthcare** and **schools** (including elementary, secondary and colleges and universities.) This is the first time that healthcare has appeared in the top five sectors since EPA began collecting information on sectors addressed by planned CA activities in FY 2001.
- CA Related to Different EPA Statutes:** Planned CA activities support environmental requirements under all of EPA's major statutes. The **Clean Water Act** (CWA) accounts for **20%** of planned CA activities, the **Clean Air Act** (CAA) accounts for **18%** and the **Resource Conservation and Recovery Act** (RCRA) accounts for **18%**.
- EPA Support for Other CA Providers:** Through grants, contracts and other types of agreements, EPA **funds a portion of the CA activities** of a few states and other CA providers. Such activities represent about **10%** of the total CA activities reported in the FY 2005 Plan, about **6% less** than FY 2004. In addition to financial support, about **17%** of EPA's CA activities planned for FY 2005 **involve training other CA providers**.

- **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 2005 Plan includes **52 projects** 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.
- **Measuring the Impact of CA:** EPA continues to build its capacity and methods of measuring the impact of compliance assistance in addressing environmental problems. The FY 2005 Plan indicates that EPA intends to **measure the impact of 44% of CA activities, a 9% decrease from FY 2004.** The decrease is due in part to changes in the way that ICIS captures data on this topic. Regions have responded to these changes by entering “Yes” only for those activities for which they had a very high degree of certainty that they had the resources and could measure the impact of a particular planned CA activity.

Electronic Access to CA Planning Information

Analyses that Support These Highlights: These *National Highlights* are based on summary statistics of the FY 2005 Plan and inventory. *Appendix A* of the report contains analyses of FY 2005 data alone, while *Appendix B* contains comparisons of data selected from all five annual compliance assistance activity plans (FY 2001 - FY 2005). A complete report, including these statistics in *Appendices A and B*, is available only in electronic form. To view the more detailed report, go to EPA’s Compliance Assistance Planning Web Page: <http://www.epa.gov/compliance/assistance/planning/index.html>.

Project or Activity Specific Information: More detailed information (e.g., activity title, brief description, contact information) about the CA activities that EPA plans for FY 2005 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 2005, go to the Clearinghouse; select the “Planned and Ongoing Activities” button in the left sidebar, select “US EPA Activities,” and select “FY05 Compliance Assistance Planning Data.” Then search by organization and other criteria (e.g., sector, location, etc.). For additional information about these materials and/or Web access to them, 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, 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 Reporting: EPA offices 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 set of workshops 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, development of training materials and the conduct of workshops related to that new tool). Given the wide discretion in grouping and reporting activities, care must be taken when comparing the number of “activities” reported. Within this report, 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.