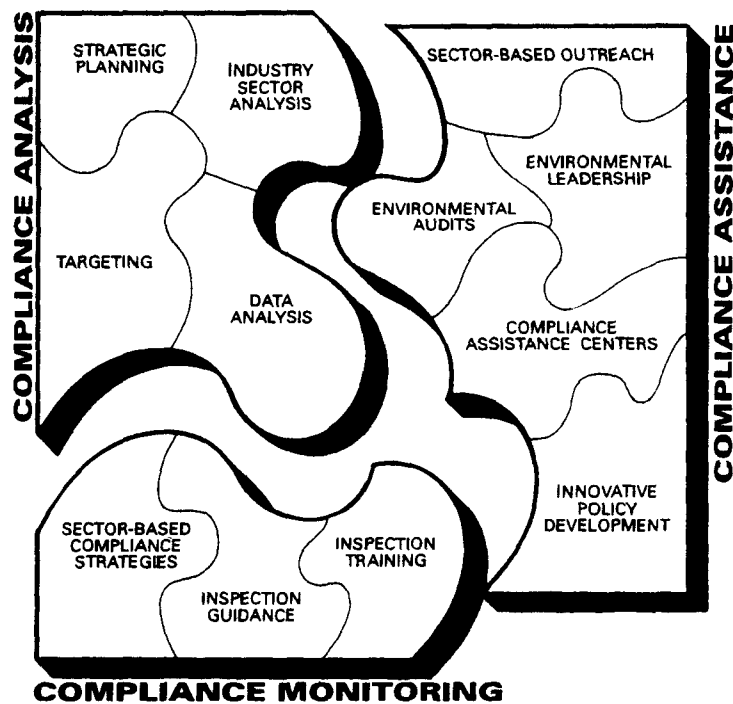




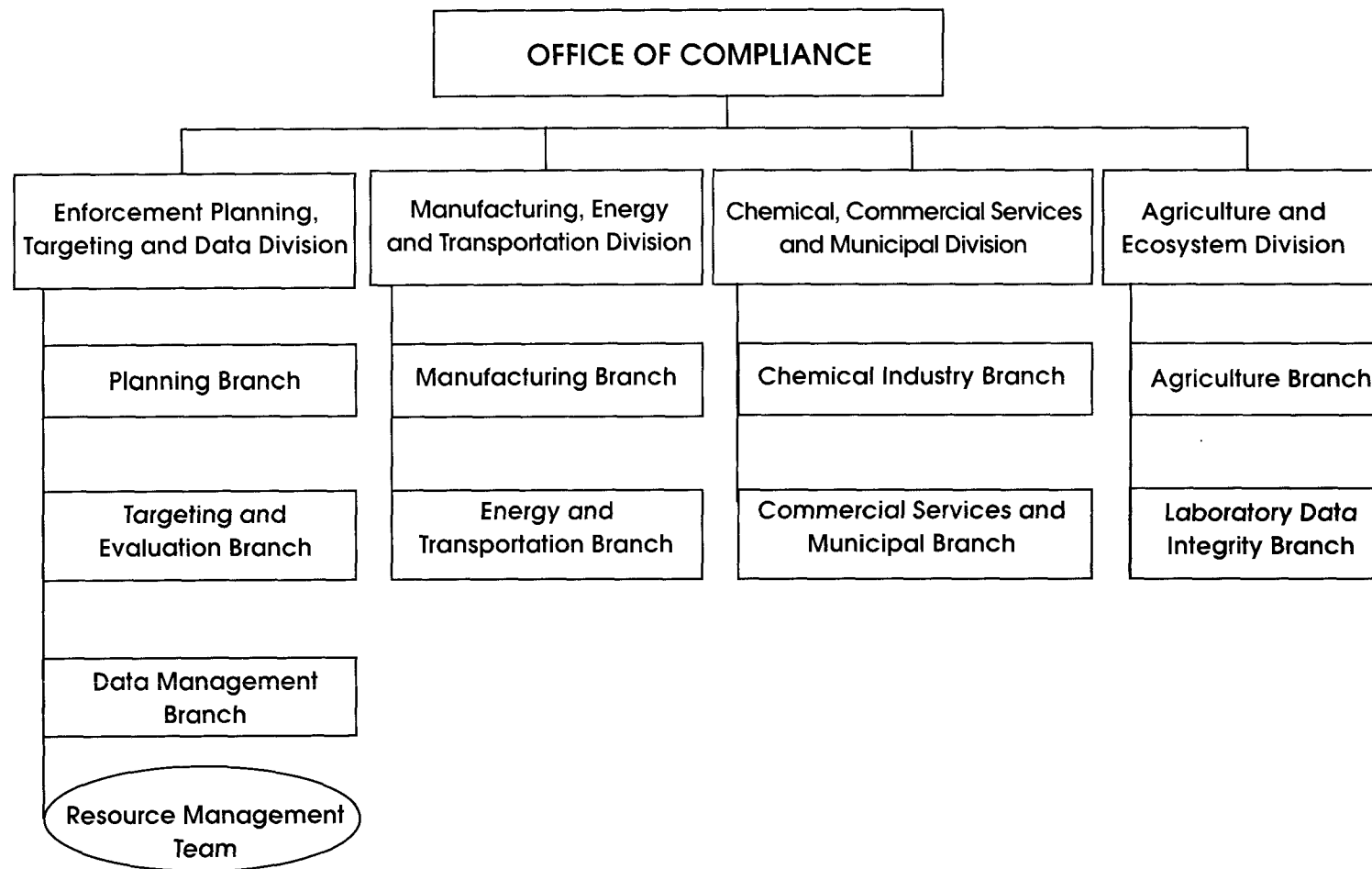
# The Office Of Compliance

## An Introductory Guide



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# BACKGROUND

## ***EPA Enforcement: The New Alignment***

On June 8, 1994, the Environmental Protection Agency established a new Office of Enforcement and Compliance Assurance (OECA), consolidating a number of functions formerly shared among several different programs at EPA. This brochure introduces the Office of Compliance (OC), one of several offices established within the new organization.

## ***Office of Compliance Mission***

The overriding mission of the Office of Compliance is to improve compliance with environmental laws. OC will achieve this by:

- setting national compliance assurance and enforcement priorities through strategic planning and targeting;
- collecting and integrating compliance data;
- developing effective compliance monitoring programs to support inspections and self-reporting;
- building the capacity for more effective compliance assistance to the regulated community;
- improving the quality of regulations;
- working with Regions, States, municipalities, citizens groups and industry; and
- supporting enforcement activity.

## ***Office of Compliance Organization***

The Office of Compliance is comprised of four divisions. One Division is responsible for strategic and annual planning to set compliance assurance and enforcement priorities; State/tribal grant guidance; targeting for inspection/enforcement activity; data management; and integration of compliance and enforcement data from EPA program offices. Three Divisions organized by economic sector will develop strategies to identify patterns of noncompliance within the regulated community; support Federal enforcement actions through inspection guidance and better compliance monitoring techniques; and help the regulated community understand and comply with complex federal requirements.

# MAJOR OC FUNCTIONS/ACTIVITIES

## STRATEGIC PLANNING

- ✓ Develop short and long-term compliance monitoring and enforcement priorities, including State/tribal grant guidance

## RISK-BASED TARGETING

- ✓ Focus compliance assurance/enforcement resources on environmentally significant facilities through risk-based targeting
- ✓ Develop targeting approaches that result in high compliance rates, ecosystem protection and environmental justice

## DATA INTEGRATION, MANAGEMENT AND ANALYSIS

- ✓ Integrate geographic, corporate, pollutant, media, and industry-specific data to support monitoring and targeting functions
- ✓ Conduct detailed analyses of industry sectors to target compliance and enforcement activities
- ✓ Develop accurate measures of success for enforcement and compliance activities

## COMPLIANCE MONITORING

- ✓ Develop inspection and monitoring guidance and training
- ✓ Provide Regional, State and program office support on regulatory matters and rulemakings relating to compliance monitoring

## COMPLIANCE ASSISTANCE

- ✓ Focus the presentation and communication of environmental requirements to the regulated community
- ✓ Deliver clear, concise industry-specific technical and regulatory information to States, Regions and the regulated community

## ENVIRONMENTAL AUDITING/LEADERSHIP

- ✓ Build partnerships with the regulated community to encourage facilities to go beyond compliance
- ✓ Recognize outstanding compliance records and pollution prevention results

## MAJOR OC PROJECT CONTACTS

**Common Sense Initiative - Printing Sector**

Ginger Gotliffe

(202) 564-7072

**Ecosystems Management**

Walter Brodtman

(202) 564-4181

**Enhanced Monitoring Rule**

Scott Throwe

(202) 564-7013

**Electronic Data Interchange**

Lucy Reed

(202) 564-5036

**Environmental Auditing**

Geoff Garver

(202) 564-5017

**Environmental Justice**

Pat Alberico

(202) 564-5017

**Environmental Leadership Program**

Tai-Ming Chang

(202) 564-5081

**Expansion of C.A.A. Section 507 Enforcement Response Policy**

Elliott Gilberg

(202) 564-2310

**IDEA Analyses**

Bruce Rothrock

(202) 564-2375

**International GLP Agreements**

David Dull

(202) 564-7049

**Sector Notebooks Project** (industry profiles)

Mike Barrette

(202) 564-7019

**Small Town Compliance Assistance Strategy**

Ken Harmon

(202) 564-7049

**Targeting Network**

Rick Duffy

(202) 564-2345

**Worker Protection Strategy**

Phyllis Flaherty

(202) 564-2355

# PLANNING, TARGETING AND DATA

## ***Strategic Enforcement Planning***

The Enforcement Planning, Targeting and Data Division (EPTDD) develops the strategic plan for all compliance assurance and enforcement functions at EPA. The ultimate goal of EPTDD is to focus the Agency's compliance assurance and enforcement resources on noncompliance problems that are pervasive and represent the greatest risk to human health and the environment. To supplement single-media compliance indicators now used for targeting, EPTDD is developing new measures of facility-level compliance with all environmental laws. Compliance data analysis is being used extensively to establish targeting priorities, and measure the success of national and State enforcement programs.

## ***Developing Targeting Priorities***

Data integration efforts by the EPTDD will improve the targeting of compliance and enforcement activities at EPA. Compliance profiles will be developed from historical records, pollution release data, corporate compliance rates, and geographic/demographic characteristics. The IDEA (Integrated Data for Enforcement Analysis) system, managed by EPTDD, has the capability to integrate these data elements from other EPA single-media databases. Based upon data analysis results, initiatives will be developed by EPTDD, the Sector Divisions, and other offices within OECA to address concerns arising within industrial sectors, sensitive ecosystems, and environmental justice areas.

## ***Improving Environmental Success Measures***

Risk-based measures of enforcement activities and compliance results are being developed by EPTDD to gauge the environmental impact of national and State enforcement programs. As these measures are refined, EPTDD will continue to work with Regional, State and tribal groups to promote effective enforcement strategies and ensure consistency of compliance and inspection data.

# DEVELOPING SECTOR STRATEGIES

## *Using the "Sector" Approach to Improve Compliance*

Traditionally at EPA, work has been divided along single-media statutory lines -- air, water, waste and toxic substances. Within the Office of Compliance, all compliance issues related to a specific economic category (or industrial group) are handled by staff units specializing in that particular sector. This multi-media orientation is expected to improve compliance rates in several ways.

**Identification and Targeting of Noncompliance Patterns:** The Sector Divisions will identify patterns of noncompliance within specific economic sectors, and devise appropriate compliance assurance and enforcement strategies to correct violations. That effort will include publishing periodic compliance profiles for specific industries.

**Support for the Enforcement and Compliance Assurance Program:** The Sector Divisions will support the enforcement and compliance assurance program through inspection guidance, by improving compliance monitoring, and by providing technical advice where needed to support major enforcement actions. The specific industry expertise in the Office of Compliance will be critical to these functions.

**Development of Compliance Assistance Programs:** The Sector Divisions will develop programs that help to organize and better explain different environmental requirements that affect the same industry. As a first step, the Office of Compliance is developing "compliance service centers" to help those small business sectors with significant regulatory requirements.

## ***Media Programs***

The Sector Divisions are also responsible for those compliance activities (e.g., regulatory development, inspection guidance) that OECA performs for media programs. See page 12 for information on these responsibilities.

# OC DIRECTORY

## OFFICE OF COMPLIANCE

Elaine Stanley, Director  
Eric Schaeffer, Deputy Director

Mail Code - 2221-A  
202-564-2280  
202-564-2280

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## ENFORCEMENT PLANNING, TARGETING AND DATA DIVISION (2222-A)

Frederick Stiehl, Director 202-564-2290  
Pat Alberico, Deputy Director 202-564-2290  
Bob Heiss, Senior Legal Advisor 202-564-2290

### Planning Branch

Responsibilities: Strategic planning, OECA priority setting, state grant and operating plan coordination, and inter-agency Memoranda of Understanding with other Federal agencies

Jack Neylan, Branch Chief 202-564-2385  
Rita Smith, MOA Team 202-564-5044  
Phil Milton, Strategic Planning Team 202-564-5029  
Karen Milne, RCRA Import/Export Team 202-564-5028

### Data Management Branch

Responsibilities: Compliance data system management (e.g., AIRS, NCDB, PCS, RCRIS, SETS, Enforcement Dockets), data integration (IDEA), training and user support

Carol Galloway, Branch Chief 202-564-2375  
Bob Zisa, Program Regional Liaison Team 202-564-5048  
Chris Nugent, System Support and Analysis Team 202-564-7051  
Bruce Rothrock, Integration Team 202-564-5038  
Mike Mundell, Systems Operations Team 202-564-5031  
Bob Small, Import/Export Team 202-564-5043

### Resource Management Team

Responsibilities: Contracts management, budget formulation, financial management, OC administrative activities, and Freedom of Information Act tracking

Roberta Miller, Team Leader 202-260-7691



# OC DIRECTORY

## ENFORCEMENT TARGETING, PLANNING AND DATA DIVISION (continued)

### Targeting and Evaluation Branch

Responsibilities: Risk-based targeting, compliance rate analysis, regional/state program evaluation, success/performance measures, and accomplishment reports

Rick Duffy, Branch Chief	202-564-2345
Joseph Acton, Measures of Success	202-564-5002
Gerald Lappan, Targeting Network	202-564-5024
Daniel Palmer, Regional Reviews	202-564-5034

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### AGRICULTURE AND ECOSYSTEM DIVISION (2225-A)

Rick Colbert, Director	202-564-2320
David Dull, Associate Director	202-564-2320

### Agriculture Branch (AB)

Regulated sectors: Agricultural production (crops/livestock), forestry, fishing, hunting, agricultural chemicals, irrigation systems, farm, lawn supply, pest control, public lands, wildlife and forests

Phyllis Flaherty, Branch Chief	202-564-2355
Walter Brodtman, Ecosystems Team	202-564-4181
David Stangel, Agriculture, FIFRA Issues Team	202-564-4162
Steve Howie, Agriculture, FIFRA Issues Team	202-564-4146

### Laboratory Data Integrity Branch (LDIB)

Responsibilities: Implementation of the Laboratory Data Integrity Assurance and Good Laboratory Practice (GLP) programs

Francisca Liem, Chief	202-564-2365
Fred Siegelman, Non-GLP Issues Team	202-564-4159

# OC DIRECTORY

**MANUFACTURING, ENERGY AND TRANSPORTATION DIVISION (2223-A)**  
John Rasnic, Director 202-564-2300  
Richard Biondi, Associate Director 202-564-2300

## **Manufacturing Branch (MB)**

Regulated sectors: Mining, textile mills, lumber, wood, furniture, paper & allied products, rubber, leather, stone, clay, glass, concrete, primary metals, fabricated metal, electronic equipment, manufacture of transportation equipment and machinery, computers, and woodstoves

Mamie Miller, Branch Chief	202-564-2395
Scott Throwe, Enhanced Monitoring Team	202-564-7013
Greg Waldrip, Metals Team	202-564-7024
Seth Heminway, Wood Products Team	202-564-7017
Robert Marshall, Woodstoves Team	202-564-7021

## **Energy and Transportation Branch (ETB)**

Regulated sectors: Coal mining, oil/gas extraction, petroleum refining, transit, USPS, transportation (air, land, rail, water), pipelines, communications, electric & gas utilities, steam production, petroleum bulk storage & terminals, and auto repair/dealers/services

David Lyons, Branch Chief	202-564-2405
Tom Ripp, Petroleum Refining Team	202-564-7003
Ted Coopwood, Power Generation Team	202-564-7058
Virginia Lathrop, Transportation Team	202-564-7057
Everett Bishop, Auto Services and Repair Team	202-564-7032
Gary Polvi, Inspections and Inspector Training Team	202-564-7056
Joanne Callahan, Radionuclides Team	202-564-5009

# OC DIRECTORY

## **CHEMICAL, COMMERCIAL SERVICES AND MUNICIPAL DIVISION (2224-A)**

Susan Bromm, Director

202-564-2310

Elliott Gilberg, Associate Director

202-564-2310

### **Chemical Industry Branch (CIB)**

Regulated sectors: Manufacture and formulation of chemicals and allied products including plastics, synthetic resins, synthetic rubber, pharmaceuticals, detergents, cleaning agents, soaps, cosmetics, paints, varnishes, lacquers, enamels, wood chemicals, dyes, explosives, inks, adhesives, and sealants

Ken Gigliello, Branch Chief

202-564-2524

Emily Chow, Combustion & CFC Compliance Team

202-564-7071

### **Commercial Services and Municipal Branch (CSMB)**

Regulated sectors: Building construction, food products, tobacco, printing and publishing, sewers and wastewater treatment, municipalities, hazardous/solid waste facilities, wholesale trade, building materials, food stores, furniture stores, restaurants, retail, real estate, medical waste, health service, and dry cleaners

Mimi Guernica, Branch Chief

202-564-2415

George Gray, Municipal Issues Team

202-564-7069

Karen Leff, Commercial Services Issues Team

202-564-7068

*"To be most effective in measuring compliance and improving targeting of enforcement resources, national enforcement strategies should increasingly be organized around 'sectors' of the economy."*

**- EPA Administrator Carol Browner**

## REGULATED SECTOR INDEX

Below is an index of regulated sectors with the appropriate Branch-level contacts. Phone listings appear on the previous pages. Questions pertaining to sectors not listed below should be directed to the Branch handling similar types of industries. ☎

Agricultural - (General - livestock, crops)	AB
Agricultural chemicals - pesticides/fertilizers...	AB
Air transportation	ETB
Amusement/recreation services/sports	CSMB
Auto dealers/service stations/repair	ETB
CFCs	CSMB
Construction	CSMB
Coal mining	ETB
Commercial waste industry (Hazardous and Solid)	CSMB
Communications	ETB
Detergents/cleaning & finishing agents	CIB
Disinfecting and pest control services	AB
Drugs/pharmaceuticals	CIB
Electric power generation	ETB
Electronic/electrical equipment and computers	MB
Explosives, inks, adhesives, sealants	CIB
Farm raw materials	AB
Fishing/hunting/trapping	AB
Food/kindred products and food stores	CSMB
Forestry	AB
Furniture stores	CSMB
Furniture/fixtures (manufacture of)	MB
Health services/hospitals	CSMB
Heavy construction (Buildings...)	CSMB
Industrial inorganic chemicals	CIB
Industrial organic chemicals	CIB
Irrigation systems	AB
Leather and leather products	MB
Lumber and wood	MB

## REGULATED SECTOR INDEX

**Abbreviations:** AB - Agriculture Branch; CIB - Chemical Industry Branch; CSMB - Commercial Services and Municipal Branch; ETB - Energy and Transportation Branch; MB - Manufacturing Branch.

Machinery (manufacture of)	MB
Mass transit	ETB
Metals (Mining/extraction/production/fabrication)	MB
Mining and quarrying (except fuels)	MB
Natural gas transmission	ETB
Oil and gas extraction	ETB
Paints, varnishes, lacquers, enamels	CIB
Paper and allied products	MB
Petroleum refining, distribution and related industries	ETB
Photographic and medical goods	MB
Pipelines	ETB
Plastics, synthetic resin & rubber (production of)	CIB
Plastics & rubber (manufacture of products)	MB
Power production (electric and gas utilities)	ETB
Printing/publishing industry	CSMB
Public lands, wildlife, and forests	AB
Railroads	ETB
Restaurants	CSMB
Retail (stores - all types except below)	CSMB
Retail nurseries, lawn and garden supply	AB
Sanitary services	CSMB
Stone/clay/glass/concrete production	MB
Textiles (mill products - apparel/fabrics)	MB
Tobacco products	CSMB
Transportation equipment (manufacture of vehicles....)	MB
Transportation (air, land, rail, water)	ETB
Water supply/wastewater treatment	CSMB
Wholesale trade	CSMB
Woodstoves	MB

# SINGLE-MEDIA COORDINATION

## ***OC will Retain Single-media Functions***

The Office of Compliance recognizes that most Federal and State environmental offices are organized by single media. In order to facilitate access to, and promote coordination with, other offices, OC has designated specific Divisions as the point of contact for single-media compliance issues that arise outside the context of a specific industrial sector. Major statutory issue areas are listed below with the appropriate staff coordinators.

<b>MANUFACTURING, ENERGY AND TRANSPORTATION DIVISION</b>			
<u>STATUTE</u>	<u>ISSUE AREA</u>	<u>COORDINATOR</u>	<u>NUMBER</u>
CAA	General	Sally Mitoff	202-564-7012
CAA	Enhanced Monitoring	Scott Throwe	202-564-7013
CWA	Industrial Wastewater	Peter Bahor	202-564-7029
EPCRA	General	Maria Eisemann	202-564-7016
AHERA	Asbestos	Chris Oh	202-564-7004
<b>CHEMICAL, COMMERCIAL SERVICES AND MUNICIPAL DIVISION</b>			
CAA	Stratospheric Ozone	Emily Chow	202-564-7071
CWA	Municipal	George Gray	202-564-7069
SDWA	Public Water	Joe Sarcone	202-564-7049
RCRA	General	Sandi Jones	202-564-7038
TSCA	General	Ann Stephanos	202-564-7043
<b>AGRICULTURE AND ECOSYSTEM DIVISION</b>			
CWA	Non-point Source Water	Lorilyn McKay	202-564-4151
FIFRA	General	Shruti Sanghavi	202-564-4158
SDWA	Underground Injection Control	Rose Lew	202-564-4147
Multiple	Wetlands/Watersheds/Coastal Zones	Lorilyn McKay	202-564-4151

Statute Acronyms: CAA - Clean Air Act; CWA - Clean Water Act; EPCRA - Emergency Planning and Community Right-to-Know Act; SDWA - Safe Drinking Water Act; RCRA - Resource Conservation and Recovery Act; TSCA - Toxic Substances Control Act; FIFRA - Federal Insecticide, Fungicide and Rodenticide Act.

## IMPLEMENTING THE NEW FUNCTIONS

### ***Analysis, Targeting and Communication - Our New Focus***

OECA will improve the targeting of enforcement actions against the worst violators, while at the same time help to reduce the transaction costs of understanding and complying with statutory and regulatory requirements. The Office of Compliance will help to achieve both of these goals in five ways: **enforcement planning** (priority-setting based on patterns of non-compliance and risk, and coordination of environmental justice and ecosystem protection programs); **targeting and data management** (developing data systems that help target the worst offenders within a particular industry, that measure success based on compliance history and environmental results, and that allow public scrutiny of facility-level environmental records); **compliance guidance** (advancing the Agency's ability to identify and detect violations, while minimizing monitoring costs); **compliance and enforcement strategies** (analyzing compliance patterns for specific industries and designing appropriate compliance or enforcement strategies for problem sectors); and **auditing and compliance assistance** (encouraging companies to develop strong auditing programs to prevent or correct violations, and helping small businesses understand and meet compliance requirements).

*"Although we must maintain an imposing enforcement presence as a means of deterring noncompliance, traditional enforcement should be seen as a tool for achieving the broader goal of compliance and not as an end unto itself. Multi-media, whole facility approaches to enforcement represent the future of environmental protection and should be pursued whenever possible."*

**- Carol Browner**

## OTHER OECA OFFICES

### OFFICE OF ENFORCEMENT AND COMPLIANCE ASSURANCE

**Steve Herman, Assistant Administrator** 202-260-4134

**Scott Fulton, Deputy Assistant Administrator** 202-260-4137

**Michael Stahl, Deputy Assistant Administrator** 202-260-4543

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**Office of Site Remediation Enforcement** (Mail Code - 2271) 202-260-4814

Bruce Diamond, Director

Responsibilities: Superfund and RCRA corrective action enforcement

**Office of Regulatory Enforcement** (2241) 202-564-2220

Robert Van Heuvelen, Director

Responsibilities: Civil judicial and administrative enforcement of regulatory programs; legislative policy and guidance development

**National Enforcement Investigations Center** ( 2211) 303-236-5100

Frank Covington, Director

Responsibilities: Technical and regional support for enforcement inspections and investigations

**Office of Criminal Enforcement** (2231) 202-260-4539

Earl Devaney, Director

Responsibilities: Criminal enforcement policy and administration

**Federal Facilities Enforcement Office** (2261) 202-260-9801

Barry Breen, Director

Responsibilities: Enforcement and compliance activities at federal bases

**Office of Federal Activities** (2251) 202-260-5053

Richard Sanderson, Director

Responsibilities: NEPA compliance, inter-agency liaison, international enforcement and environmental assessment

**Administrative and Resource Management Support Staff** (2201) 202-260-4543

Sally Seymour, Director

Responsibilities: Administrative support, budget, contracts, grants, and correspondence control

**Enforcement Capacity and Outreach Office** (2201) 202-260-4140

Gerald Bryan, Director

Responsibilities: Oversight of National Enforcement Training Institute, liaison with outside groups