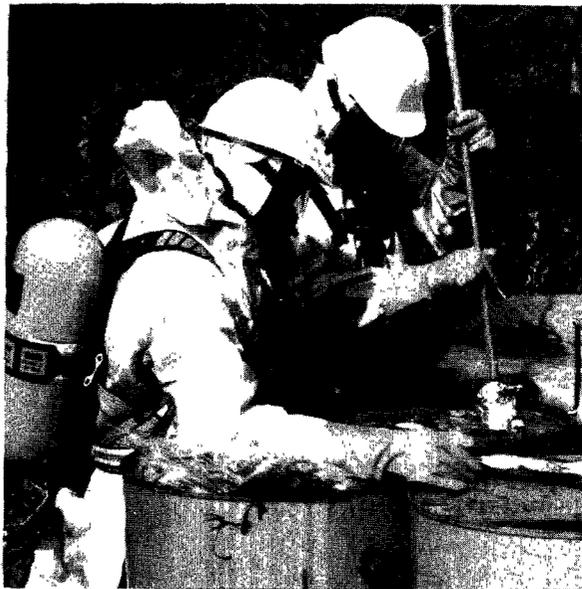


Office of Compliance

Creating an Innovative Enforcement and Compliance Assurance Program:

An Introduction to the Office of Compliance



ORGANIZATION

OFFICE OF COMPLIANCE

Elaine Stanley, Director

Eric Schaeffer, Deputy Director

Enforcement Planning, Targeting and Data Division

Planning Branch

Targeting and Evaluation Branch

Data Management Branch

Resource Management Team

Manufacturing, Energy and Transportation Division

Manufacturing Branch

Energy and Transportation Branch

Chemical, Commercial Services and Municipal Division

Chemical Industry Branch

Commercial Services and Municipal Branch

Agriculture and Ecosystem Division

Agriculture Branch

Laboratory Data Integrity Branch

U.S. Environmental Protection Agency
Region 5, Library (PL-12J)
77 West Jackson Boulevard, 12th Floor
Chicago, IL 60604-3590

OTHER OECA OFFICES

OFFICE OF ENFORCEMENT AND COMPLIANCE ASSURANCE

Steve Herman, Assistant Administrator 202-260-5145

Scott Fulton, Deputy Assistant Administrator 202-260-4137

Michael Stahl, Deputy Assistant Administrator 202-260-4543

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) 202-260-4540

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) 202-260-5144

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

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

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.

MANUFACTURING, ENERGY AND TRANSPORTATION DIVISION			
<u>STATUTE</u>	<u>ISSUE AREA</u>	<u>COORDINATOR</u>	<u>NUMBER</u>
CAA	General	Sally Mitoff	703-308-8692
CAA	Enhanced Monitoring	Scott Throwe	703-308-8699
CWA	Industrial Wastewater	Peter Bahor	202-260-7280
EPCRA	General	Bob Fentress	703-308-8698
AHERA	Asbestos	Chris Oh	703-308-8732
CHEMICAL, COMMERCIAL SERVICES AND MUNICIPAL DIVISION			
CWA, SDWA	Municipal/Public Water	Anne Murray	202-260-7358
OPA	General	Cecilia Smith	703-603-8943
RCRA	General	Sandi Jones	202-260-6255
TSCA	General	Ann Stephanos	202-260-9438
AGRICULTURE AND ECOSYSTEM DIVISION			
CWA	Non-point Source Water	Lorilyn McKay	202-260-6733
FIFRA	General	Shruti Sanghavi	703-308-8291
SDWA	Underground Injection Control	Rose Lew	202-260-6720
Multiple	Wetlands/Watersheds/Coastal Zones	Lorilyn McKay	202-260-6733

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

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

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/related 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

OC SECTOR DIRECTORY

CHEMICAL, COMMERCIAL SERVICES AND MUNICIPAL DIVISION

Susan Bromm, Director 202-260-4808
Elliott Gilberg, Associate Director 202-260-2819

Chemical Industry Branch (CIB)

Ken Gigliello, Chief 202-260-8544

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

Commercial Services and Municipal Branch (CSMB)

Mimi Guernica, Chief 202-260-8320

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

AGRICULTURE AND ECOSYSTEM DIVISION

David Dull, Acting Director and Associate Director 703-308-8300

Agriculture Branch (AB)

Phyllis Flaherty, Chief 703-308-8383

Regulated sectors: Agricultural production (crops/livestock), forestry, fishing, hunting, agricultural chemicals, irrigation systems, farm, lawn supply, pest control, public lands, wildlife and forests (*Branch includes Ecosystem Team headed by Walter Brodtman)

Laboratory Data Integrity Branch (LDIB)

Francisca Liem, Chief 703-308-8333

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

OC SECTOR DIRECTORY

"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

MANUFACTURING, ENERGY AND TRANSPORTATION DIVISION

John Rasnic, Director 703-308-8600

Richard Biondi, Associate Director 703-308-8600

Manufacturing Branch (MB)

Mamie Miller, Chief 703-308-8686

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, instruments, and woodstoves

Energy and Transportation Branch (ETB)

David Lyons, Chief 202-260-8310

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

NOTE: *The phone numbers listed in this Directory are subject to change when OECA moves to its new headquarters building (Fall '94). Call the EPA Locator at 202-260-2090 for updated information.*

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 new 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 10 for information on these responsibilities.

OC DIRECTORY

OFFICE OF COMPLIANCE

Elaine Stanley, Director
Eric Schaeffer, Deputy Director

Mail Code - 2221
202-260-8115
202-260-8636

ENFORCEMENT PLANNING, TARGETING AND DATA DIVISION

Frederick Stiehl, Director
Pat Alberico, Deputy Director

202-260-8180
202-260-2564

Planning Branch

Jack Neylan, Chief

202-260-7825

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

Data Management Branch

Carol Galloway, Chief

202-260-8315

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

Targeting and Evaluation Branch

Rick Duffy, Chief

202-260-8292

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

Resource Management Team

Roberta Miller, Team Leader

202-260-7691

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

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.

MAJOR OC FUNCTIONS

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, through risk-based targeting, on environmentally significant facilities
- ✓ 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
- ✓ 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

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; facility 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 non-compliance 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.

U.S. Environmental Protection Agency
Region 5, Library (PL-12J)
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Chicago, IL 60604-3590

**United States Environmental Protection Agency
Office of Compliance (Mail Code - 2221)
401 M St., SW
Washington, DC 20460**

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