

National Federal Facilities Compliance & Enforcement FY 2015 *Program Agenda*

U.S. government facilities comprise one of the largest and most diverse sectors in the nation and have a significant environmental footprint. EPA's federal facilities enforcement and compliance assurance program endeavors under EPA's **Strategic Goal 5 of Protecting Health and the Environment by Enforcing Laws and Assuring Compliance** to hold federal government agencies accountable to the same standard of environmental compliance as other members of the regulated community. Accordingly, OECA's Federal Facilities Enforcement Office (FFEO) and its Regional counterparts use compliance monitoring, compliance assistance and enforcement to ensure facility compliance and environmental stewardship in the federal sector. Timely and appropriate enforcement is also applied, whenever necessary. Further, EPA is improving the effectiveness of its enforcement and compliance program by implementing new compliance assurance tools, such as electronic monitoring and reporting, and innovative enforcement strategies to supplement more conventional approaches.¹

Throughout FY 2014, EPA's federal facilities enforcement and compliance program, in conjunction with the Regions, has reassessed its national *Program Agenda*, its traditional *Integrated Strategies*² and other program components in an effort to "right-size" its activities in the face of recent resource reductions. EPA still supports the use of combined enforcement and compliance assurance approaches associated with its *Integrated Strategies* (through inspections and compliance monitoring, outreach and compliance assistance and, when necessary, enforcement). However, in FY 2015, FFEO is seeking to more closely align its various federal facility sector activities, including its Annual Commitment System (ACS) obligations, with EPA's **National Enforcement Initiatives (NEIs)** and other **Agency-wide and Regional environmental enforcement priorities** whenever possible.

As FFEO completes its "right-sizing" efforts, EPA, in addition to increased emphasis on the NEIs and other Agency and Regional environmental enforcement priorities, will continue its focus on the following previously identified **federal facility enforcement priority areas**:

- **Vulnerable Communities**: 1) Focus on federal facility EJScreen targets to align with EJ national priorities; and 2) Regional vulnerable community priorities.
- **Risk Management Plan - CAA 112(r)**: Focus on compliance monitoring and enforcement as a follow up to required federal facility risk management plans.
- **RCRA**: Focus on federal 1) medical facilities which generate hazardous waste; or 2) LQGs that have not been inspected by EPA in past five years.
- **SDWA**: Focus on inspection and enforcement of federally owned drinking water systems and UIC wells.
- **NPDES Industrial Stormwater**: Focus on federal facilities such as post offices, ship building or repair yards, airports, hazardous waste treatment, storage or disposal facilities (TSDF), and scrap recycling facilities.
- **Climate Change/Flood Plain Areas**: Focus on EPA Regional climate change adaptation plans, submitted to HQ in June 2013. These plans outlined Regional climate change impacts expected and priority actions to address these impacts. In some instances, Regions will inspect federal and other facilities in FEMA flood zones and which manage hazardous waste, oil, and toxic chemicals and/or are dischargers of storm water, to determine whether they are in compliance, and suggest best management practices.
- **GOCO/GOPO**: Focus on federal government owned/contractor operated and government owned/private operated facilities and energy extraction (aligns with national OECA-wide initiative).

In this sector, EPA will also:

- Continue to implement the national enforcement settlement with the Department of the Interior's Indian Affairs program for violations at its schools and water treatment plants across Indian country.

¹ These activities are associated with EPA's "Next Generation Compliance" initiative.

² FFEO established *Integrated Strategies* with the Regions in the mid-2000s as a sector complement/supplements to the EPA's National Enforcement Initiatives (NEIs). The strategies typically blend stewardship and compliance assistance components, as well as inspection and enforcement focus, in order to take a more holistic approach to addressing particular environmental problems, challenges or facilities.

- Adopt creative work sharing arrangements and exploit new Agency initiatives, such as the One EPA Skills Marketplace and SharePoint, to more fully utilize EPA resources to address compliance and enforcement needs at federal facilities.
- Foster collaboration between OECA, FFEO, and the Regions to identify and implement Next Generation Compliance opportunities under Advanced Monitoring, Electronic reporting, Transparency and Innovative Enforcement, to create more effective and efficient enforcement in this sector.
- Encourage the use of SEPs in enforcement actions and settlements to reduce greenhouse gas emissions from federal facilities. (A target of five percent reduction based on 2012 baseline of greenhouse gas emissions.)

COMPLIANCE MONITORING: FFEO will continue to include, under its single ACS commitment, at least 10 federal facility site inspections by each Region and associated with the EPA NEIs, other Agency-wide and Regional environmental enforcement priorities and the federal facility enforcement priority areas listed above. The Agency plans to conduct at least 100 EPA-led federal facility enforcement inspections in FY 2015. FFEO will continue to provide targeting, contractor inspection and travel funding support to the Regions to the fullest extent possible. Regions will incorporate their future activities for the federal facility ACS commitment in their Regional (Enforcement) Plans.

OUTREACH: Consistent with the EPA vision of “Next Generation Compliance” assistance, the EPA will complete its revisions to EPA’s federal facilities enforcement web site, redesigned in FY 2014 based upon the new electronic “Yellow Book” Guide to Environmental Enforcement and Compliance at Federal Facilities. FFEO and regions, when appropriate, will promote this new resource. EPA will maximize its use of [FedCenter](#), the federal facility environmental stewardship and compliance assistance center, to deliver assistance tools and training opportunities and where appropriate, make use of e-reporting mechanisms. FFEO will continue to reduce its leadership role at [FedCenter](#), as other federal agencies rise to assume more responsibility in this area. As much as possible, the EPA will partner with other entities in the delivery of compliance assistance and will focus on the “wholesale” aspects of assistance (e.g. tool development) and less on the “retail” assistance to fulfill direct implementation responsibilities or to address high priority environmental or public health problems.

CLEANUP/LAND RESTORATION: EPA’s federal facilities **enforcement and compliance assurance** program also strives to achieve the EPA’s **Strategic Goal 3 of Cleaning Up Communities and Advancing Sustainable Development** by overseeing federal facility cleanup of contaminated property. EPA will continue to measure the volume of contaminated media addressed by our actions, target enforcement to the highest priority sites and to those instances where the biggest potential return is realized on our enforcement dollars. This year the program will focus on:

- Taking timely and appropriate enforcement actions to address noncompliance with cleanup responsibilities.
- Collaborating with OSWER to continue the implementation of its Federal Facility Site Evaluation Project (FFSEP) to promote greater cleanup progress and increased public accountability at non-listed federal facility sites.
- Timely completion of CERCLA Federal Facility Agreements (FFAs).
- Integrating Corrective Action at federal sites into the National Enforcement Strategy for Corrective Action (NESCA).
- Developing proper written site documents to support oversight and future enforcement actions where needed.
- Continue to partner with EPA program offices to ensure munitions and other priority contaminants are addressed in cleanups, initially focusing on sites where cleanup construction should be completed in FY 2014.
- Assuring proper and enforceable safeguards are in place for long-term stewardship at cleanup sites.