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Strategic Direction of Federal Facilities Enforcement at EPA

9 am, Oct. 31, 2019
Federal Environmental Symposium

The Federal Facilities Universe



About 8,000
regulated facilities



About one-third are
DOE or DOD sites



Most facilities are
operated by federal
civilian agencies







CHPUBS_100K_0151



CHPUBS1105_2010-97_DD_01.1-



Today's Three Topics



FFEO'S ROLE & EPA
ENFORCEMENT



CURRENT & FUTURE
ENFORCEMENT
PRIORITIES



PARTNERSHIPS &
STEWARDSHIP

FFEO's Role and EPA Enforcement

Federal Facilities Regulation

- **Federal facilities are treated the same as all regulated facilities for compliance purposes**
- Environmental Statutes and Regulations
- EO 12088 (Oct. 1978)
- EO 13834 (May 2018)

FFEO's Role



Employ all
enforcement and
compliance tools

- Enforcement
- Assistance
- Incentives
- Inspections



Provide strategic direction
and expertise



Foster compliance through
collaboration



Promote stewardship

Enforcement: FY18 + FY19*

EPA concluded approximately 43 formal enforcement actions, which included:

- over \$1.7 million in penalties
- complying actions valued at over \$13.7 million

**These numbers are preliminary as FY19 data has not been finalized*

Current and Future Enforcement Priorities

Enforcement Priorities: National Compliance Initiatives

FY20 - FY23

- EPA has identified six areas as National Compliance Initiatives (NCIs)
- The most serious health and environmental issues
- Focus is addressing these issues nationwide, using all available tools



Water



Hazardous
Chemicals



Air

NCIs: Water



Reducing Non-Compliance with Drinking Water Standards at Community Water Systems



Reducing Significant Non-Compliance with National Pollutant Discharge Elimination System (NPDES) Permits

NCI on NPDES

- Again, the same standards apply to Federal facilities as apply to other regulated facilities
- FFEO has been working with federal facilities to reduce the rate of significant non-compliance (SNC) with NPDES permits

NCIs: Air

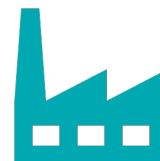


Creating Cleaner Air for
Communities by
Reducing Excess
Emissions of Harmful
Pollutants



Stopping Aftermarket
Defeat Devices for
Vehicles and Engines

NCIs: Hazardous Chemicals



Reducing Hazardous Air
Emissions from
Hazardous Waste
Facilities

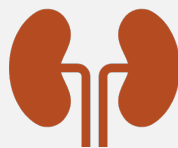


Reducing Risks of
Accidental Releases at
Industrial and Chemical
Facilities

Additional priorities



PFAS



Lead

Partnerships for Compliance

Partnerships: Authorized Programs

- EPA can authorize a state to be the primary implementer of inspections and enforcement in certain areas
- EPA retains concurrent authority

Partnerships with States

- EPA works closely with states and tribes that are implementing federal environmental programs
- **Important: Authorized states are your first-line regulators so it is important that you build relationships and work with them.**

July 2019:
Assistant
Administrator's
Memo

- Memo: *Enhancing Effective Partnerships Between the EPA and the States in Civil Enforcement and Compliance Assurance Work*
- Directs OECA to ensure that it communicates effectively with states
- EPA and states work together to:
 - Determine inspections
 - Set priorities
 - Share enforcement responsibilities
 - Reduce duplication of effort and increase efficiency

Environmental Stewardship

Environmental Stewardship

- EPA encourages voluntary compliance in the Federal facility sector whenever possible
- **Federal facilities are eligible to receive Audit Policy incentives!**
- EPA works with other agencies (including Army Corps-CERL) to support and maintain [FedCenter.gov](https://www.fedcenter.gov), which has useful resources
- Federal facilities have opportunities to be exemplars of stewardship

Environmental
Stewardship:
Exec. Order
13834—
May 2018



Agencies Shall:



Reduce energy and water use



Manage stormwater and e-waste appropriately



Implement waste prevention and recycling measures



Comply with all Federal requirements with regard to solid, hazardous, and toxic waste management and disposal



WALLS MOUNTED BY FLAG

**I WANT YOU
TO COMPLY WITH
ENVIRONMENTAL
LAWS!**