

**U.S. Environmental Protection Agency
State Review Framework: Round 1 (Fiscal Years 2003 – 2007)
Recommendation Status**

California

23 Recommendations

Clean Air Act Recommendations

Recommendation Title: Quality Issue on SJVAPCD CMS universe

Element: E1 Insp Universe, E12 Data Complete

Finding: Quality issue on SJVAPCD CMS universe, especially SMs was found when comparing local database with AFS. AFS was found to be missing some batch updates & size changes, mostly with universe of SM sources.

Status: Completed

Expected Completion Date: 12/31/2007

Responsible Agency: Local Action

Recommendation Narrative: SJVAPCD worked with AFS helpline & learned how to understand batch update failure codes more completely. The programming glitch on internal database at SJVAPCD was corrected so that SMs would all be properly flagged to trigger AFS reportability. SJVAPCD updated all missing or changed records and the universes of major and SM are now complete & current.

Recommendation Title: Timeliness Addressing 2 SMAQMD HPVs

Element: E6 Timely & Appropriate Actions

Finding: Timeliness to address HPVs (2 of 4 HPVs took longer than 270 days to address)

Status: Completed

Expected Completion Date: 12/31/2007

Responsible Agency: Local Action

Recommendation Narrative: Local CA CAA District (SMAQMD) should seek to address its HPVs within the 270 day period that EPA recommends.

Recommendation Title: Report & quality assure SJVAPCD penalties reported

Element: E8 Penalties Collected, E11 Data Accurate

Finding: SJVPCD blank penalty fields initially were found on some enforcement, due to batch update problem

Status: Completed

Expected Completion Date: 12/31/2007

Responsible Agency: Local Action

Recommendation Narrative: SJVAPCD should find & report the missing penalty amounts to AFS and then should correct the underlying batch update issue & improve quality assurance of this element.

Recommendation Title: SJVAPCD should analyze penalty effectiveness

Element: E8 Penalties Collected, E13 Other

Finding: SJVAPCD penalty guidelines were good, but a few small penalties at large companies prompted EPA to recommend district analyze effectiveness of the deterrent value of its penalties.

Status: Working

Expected Completion Date: 10/30/2008

Responsible Agency: Local Action

Recommendation Narrative: SJVAPCD should analyze the deterrent value of existing penalty structure to ensure penalties are contributing to improved compliance.

Recommendation Title: Timeliness of SMAQMD CMS Data Entry

Element: E10 Data Timely

Finding: CMS AFS data entry by SMAQMD showed 62.5% entered > 60 days

Status: Completed

Expected Completion Date: 12/31/2007

Responsible Agency: Local Action

Recommendation Narrative: Local District (SMAQMD) should seek to enter its CMS data more timely or explain why the appearance of untimely entry is resulting from routine entry procedures.

Recommendation Title: Timely completion of SJVAPCD inspection reports

Element: E10 Data Timely

Finding: 5 Inspection Reports not prepared timely, e.g. took longer than 30 days to complete.

Status: Completed

Expected Completion Date: 10/30/2008

Responsible Agency: Local Action

Recommendation Narrative: SJVAPCD should strive to ensure its inspection reports are completed timely (within 30 days of occurrence).

Recommendation Title: Quality Issue on SJVAPCD Title V Certification Reviews

Element: E11 Data Accurate, E12 Data Complete

Finding: Data quality issue at SJVAPCD found 296 Title V certifications reviewed had failed to upload, due to a batch problem. Thus it was not clear that all certifications received had been reviewed.

Status: Working

Expected Completion Date: 10/30/2008

Responsible Agency: Local Action

Recommendation Narrative: SJVAPCD should reload missing major FCEs and improve quality assurance screening process to discover failed batches soon after loading to AFS

Recommendation Title: Clarify SMAQMD Data Accuracy on 1 penalty

Element: E11 Data Accurate

Finding: Data Accuracy - Clarify why 2 local district AOs to 1 facility, but only 1 with penalty

Status: Completed

Expected Completion Date: 12/31/2007

Responsible Agency: Local Action

Recommendation Narrative: Local CA CAA District (SMAQMD) should clarify why 2 AOs were issued but only 1 showed penalty in AFS

Recommendation Title: Report Pollutant Codes on SMAQMD Source Tests

Element: E12 Data Complete

Finding: Stack Tests lacked pollutant code in SMAQMD data entry

Status: Completed

Expected Completion Date: 01/31/2008

Responsible Agency: Local Action

Recommendation Narrative: Local District (SMAQMD) should report pollutant codes on all source tests

Recommendation Title: Quality Issue on 67 SJVAPCD SM FCEs

Element: E12 Data Complete

Finding: Data quality issue at SJVAPCD found 67 (most) SM FCEs had failed to upload, due to a batch problem.

Status: Completed

Expected Completion Date: 12/31/2007

Responsible Agency: Local Action

Recommendation Narrative: SJVAPCD should reload missing SM FCEs and improve quality assurance screening process to discover failed batches soon after loading to AFS

Recommendation Title: Quality Issue on 167 SJVAPCD major FCEs

Element: E12 Data Complete

Finding: Data quality issue at SJVAPCD found 167 major FCEs had failed to upload, due to a batch problem.

Status: Completed

Expected Completion Date: 12/31/2007

Responsible Agency: Local Action

Recommendation Narrative: SJVAPCD should reload missing major FCEs and improve quality assurance screening process to discover failed batches soon after loading to AFS

Recommendation Title: SJVAPCD should update the plant compliance

Element: E12 Data Complete

Finding: SJVAPCD was found to not have been always changing the AFS plant compliance status during HPV action reporting.

Status: Completed

Expected Completion Date: 10/30/2008

Responsible Agency: Local Action

Recommendation Narrative: SJVAPCD should change the plant compliance status

Recommendation Title: SJVACPD should report pollutant codes on stack tests

Element: E12 Data Complete

Finding: SJVAPCD was found to not be reporting pollutants on its stack tests

Status: Working

Expected Completion Date: 10/30/2008

Responsible Agency: Local Action

Recommendation Narrative: SJVAPCD should report pollutant codes on its stack tests, most especially on those that fail

Clean Water Act Recommendations

None

Resource Conservation and Recovery Act Recommendations

Recommendation Title: Implement UPDS

Element: E1 Insp Universe

Finding: Data not available to confirm adequate inspection coverage of generator universe

Status: Long Term Resolution

Expected Completion Date: 01/01/2010

Responsible Agency: State Action

Recommendation Narrative: Implementation of CUPA database system UPDS will confirm coverage

Recommendation Title: Report writing training

Element: E2 Violations ID'ed Appropriately

Finding: Deficiencies in CUPA inspection reports

Status: Completed

Expected Completion Date: 02/07/2008

Responsible Agency: State Action

Recommendation Narrative: Provide training to CUPAs on inspection report writing

Recommendation Title: Workgroup provides recommendations

Element: E3 Violations ID'ed Timely

Finding: Inspection reports not completed by DTSC in a timely fashion

Status: Working

Expected Completion Date: 02/16/2009

Responsible Agency: State Action

Recommendation Narrative: Workgroup to develop strategies to improve timeliness

Recommendation Title: Enter SNYs in UPDS

Element: E4 SNC Accuracy

Finding: SNYs not being enter by CUPAs
Status: Long Term Resolution
Expected Completion Date: 04/30/2011
Responsible Agency: Local Action
Recommendation Narrative: Enter SNYs into UPDS

Recommendation Title: Enter tip data into RCRAInfo
Element: E4 SNC Accuracy
Finding: Tip and complaints data not making it into RCRAInfo
Status: Long Term Resolution
Expected Completion Date: 07/01/2009
Responsible Agency: State Action
Recommendation Narrative: Ensure the ICE database is improved so that tip data is entered into RCRAInfo

Recommendation Title: Improve ICE translation to RCRAInfo
Element: E10 Data Timely
Finding: ICE data not translated to RCRAInfo as timely as needed
Status: Long Term Resolution
Expected Completion Date: 07/01/2009
Responsible Agency: State Action
Recommendation Narrative: Use NIEIN grant to improve ICE to RCRAInfo translation

Definition of Terms

Round 1 Elements:

Element 1: Degree to which state program has completed the universe of planned inspections/compliance evaluations (addressing core requirements and federal, state, and regional priorities).

Element 2: Degree to which inspection reports and compliance reviews documents inspection findings, including accurate description of what was observed to sufficiently identify violations.

Element 3: Degree to which Compliance Monitoring Reports are completed in a timely manner, including timely identification of violations.

Element 4: Degree to which significant violations (e.g., significant noncompliance and high priority violations) and supporting information are accurately identified and reported to EPA national databases in a timely manner.

Element 5: Degree to which state enforcement actions include required corrective or complying actions (injunctive relief) that will return facilities to compliance in a specific time frame.

Element 6: Degree to which a state takes timely and appropriate enforcement actions in accordance with policy relating to specific media.

Element 7: Degree to which a state includes both gravity and economic benefit calculations for all penalties, appropriate using BEN model of similar state model (where in use and consistent with national policy).

Element 8: The degree to which penalties in final enforcement actions include economic benefit and gravity in accordance with applicable penalty policies.

Element 9: Degree to which enforcement commitments in the PPA/PPG/categorical grants (SEAs), written agreements to deliver a product/project at a specified time are met and any products or projects are completed.

Element 10: Degree to which the Minimum Date Requirements are timely.

Element 11: Degree to which the Minimum Date Requirements are accurate.

Element 12: Degree to which the Minimum Date Requirements are complete.

Element 13: Optional evaluation element could include program areas such as compliance assistance, pollution prevention, innovation, incentive or self-disclosure programs, outcome

measures, environmental indicators, relationships with Attorney General or other legal offices, etc.

Finding: An observation of activities, processes, or policies that the metrics and/or the file reviews show are being implemented by the state that have significant problems that need to be addressed and that require follow-up EPA oversight.

Status:

Working: The recommendation is in progress, it is expected to be completed, and it is on schedule to meet agreed upon completion date

Completed: The terms of recommendation have been implemented, the corrections have been agreed upon, and the work attributed to the recommendation was completed

Being Negotiated: The region and the state still have to determine the timeline and the procedures for implementing the recommendation, the timeline of recommendation cannot be determined by the completion of the final report

Long Term Resolution: The recommendation cannot be completed without legislative fix, policy change, or institutional arrangement that would have to go on to the future

Responsible Agency: The agency that administers the program. Mostly States, but is EPA where EPA directly implements the program.

List of Acronyms

A

ACS – Annual Commitment System
ASHERA – Asbestos Hazard and Emergency Response Act
AFS – Air Facilities System
AFS ICR - Air Facilities System – Information Collection Request
AO – Administrative Orders
AST – Above Ground Storage Tank
ASDWA – Association of State Drinking Water Administrators

B

BIA – Bureau of Indian Affairs
BMP – Best Management Practices
BoP – Bureau of Prisons

C

CA – Compliance Assistance
CAA – Clean Air Act
CAC – Compliance Assistance Coordinator
CACDS – Compliance Assistance Conclusion Data Sheet
CAFO – Concentrated Animal Feeding Operations
CBP – Bureau of Customs and border Protection
CBI – Confidential Business Information
CCDS – Case Conclusion Data Sheet
CEC – Commission for Environmental Cooperation
CEI – Compliance Evaluation Inspection
CERCLA – Comprehensive Environmental Response, Compensation and Liability Act
CESQG – Conditionally-exempt Small Quantity Generator
CFC – Chlorofluorocarbon
CID – Criminal Investigation Division
CIPs – Compliance Incentive Programs
CMS – Compliance Monitoring Strategy
CSOs – Combined Sewer Overflows
CSS – Combined Sewer Systems
CUPA – Certified Unified Program Agencies
CWA – Clean Water Act

D

DMR – Discharge Monitoring Report

E

EA – Environmental Assessment
EIS – Environmental Impact Statement

EJ – Environmental Justice
EJAC – Environmental Justice Areas of Concern
EJSEAT – Environmental Justice Strategic Enforcement Assessment Tool
EMP – Environmental Management Practices
EMR – Environmental Management Reviews
EMS – Environmental Management System
EPA – Environmental Protection Agency
EPCRA – Emergency Planning and Community Right to Know Act
ERPs – Enforcement Response Policies
ERP – Environmental Results Program
ESD – Explanations of Significant Differences

F

FCE – Full Compliance Evaluation
FEMA – Federal Emergency Management Agency
FFEO – Federal Facilities Enforcement Office
FIFRA – Federal Insecticide Fungicide and Rodenticide Act
FRP – Facility Response Plan
FTE – Full Time Equivalent

G

GAO – Government Accounting Office
GME – Groundwater Monitoring Evaluation
GPRA – Government Performance and Results Act

H

HAP – Hazardous Air Pollutant
HPV – High Priority Violators
HQ - Headquarters
HUD – Housing and Urban Development

I

IAC – Innovative Action Council
ICDS – Inspection Conclusion Data Sheet
ICIS – Integrated Compliance Information System
ICIS – NPDES Integrated Compliance Information System – National Pollutant Discharge Elimination System
IG – Inspector General
INECE – International Network for Environmental Compliance and Enforcement
IU – Industrial users (non-domestic)
IPOD – ICIS Policy on Demand

L

LBP – Lead-based Paint
LDAR - Leak Detection and Repair
LEA – Local Education Authority

LGEAN – Local Government Environmental Assistance Network
LQG – Large Quantity Generator

M

MACT – Maximum Achievable Control Technology
MDR – Minimum Data Requirements
MOA – Memorandum of Agreement
MS4 – Municipal Separate Storm Sewer System

N

NAAQS – National Ambient Air Quality Standards
NEIC – National Enforcement Investigations Center
NEJAC – National Environmental Justice Advisory Council
NEPA – National Environmental Policy Act
NESHAP – National Emissions Standards for hazardous Air Pollutants
NETI – National Enforcement Training Institute
NOV – Notice of Violation
NOx – Nitrogen Oxide
NPDES – National Pollutant Discharge Elimination System
NPL – National Priorities List
NPM – National Program Manager
NRC – National Response Center
NSPS – New Source Performance Standards
NSR – New Source Review
NTP – National Training Plan

O

OAM – Operation and Maintenance
OAP – Office of Administration and Policy
OC – Office of Compliance
OCE – Office of Civil Enforcement
OCEFT – Office of Criminal Enforcement, Forensics and Training
OCFO – Office of Chief Financial Officer
OCIR – Office of Congressional and Intergovernmental Relations
ODS – Ozone Depleting Substances
OECA- Office of Compliance and Assurance
OEJ – Office of Environmental Justice
OGD – Office of Grants and Disbarment
OIG – Office of the Inspector General
OMB – Office of Management and Budget
OPP – Office of Pesticide Programs
OPPTS – Office of Prevention, Pesticides, and Toxic Substances
OSWER – Office of Solid Waste and Emergency Response
OTIS – Online Tracking Information System

P

PBT – Persistent Bio-accumulative Toxics
PCB – Polychlorinated Biphenyls
PCE – Partial Compliance Evaluation
PCS – Permit Compliance System
PEI – Production Establishment Inspections
PFA – Preliminary Financial Assessments
PM10 – Particulate Matter
POTW – Publically Operated Treatment Works
PPA – Performance Partnership Agreement
PPG – Performance Partnership Grants
PRP – Potentially Responsible Party
PSD – Prevention of Significant Deterioration
PWS – Public Water System
PWSS – Public Water System Supervision

R

RCRA – Resource Conservation Recovery Act
RCRAInfo – Resource Conservation and Recovery Act Information
RECAP – Regional Enforcement and Compliance Assurance Program
RMP – Risk Management Plan
ROD – Record of Decision
RR+P – Renovation, Repair and Painting

S

SAAP – Special Appropriations Act Projects
SAC – Special Agent-in-Charge
SCAP – Superfund Comprehensive Accomplishment Planning
SDWA – Safe Drinking Water Act
SDWIS/ODS – Safe Drinking Water Information System/ Operational Data System
SEC – Securities and Exchange Commission
SEE – Senior Environmental Employment
SEP – Supplemental Environmental Project
SGTM – State Grant Template Measures
SJVAPCD – San Joaquin Valley Air Pollution Control District
SITS – Strategy Implementation Teams
SLPD – Special Litigation and Projects Division
SM – Synthetic Minor
SNC – Significant Noncompliance
SNY – SNC Yes
SOC – Significant Operational Compliance
SO2 – Sulfur Dioxide
SPCC – Spill Prevention Control and Countermeasures
SQG – Small Quantity Generator
SRF – State Review Framework
SSO – Sanitary Sewer Overflows
STAG - -State and Tribal Assistance Grant

SWPPP – Stormwater Pollution Prevention Plan

T

TSCA – Toxic Substance Control Act

TSD - Treatment, Storage and Disposal

TSDF – Treatment, Storage and Disposal Facility

TSS – Total Suspended Solids

TVA – Tennessee Valley Authority

U

UIC – Underground Injection Control

UNICOR – trade name of Federal Prison Industries

UPDS – Unified Program Database System

UST – Underground Storage Tank

V

VOC – Volatile Organic Compounds

W

WW – Wet Weather