



FY 2017

**Office of Enforcement and Compliance Assurance
National Program Manager Guidance Addendum**

April 29, 2016

Publication 300B16003

Table of Contents

I. Introduction	1
II. Key Changes for FY 2017	2
 <i>OECA’s FY 2016-2017 National Program Manager (NPM) Guidance will continue to be implemented in FY 2017, with a few exceptions. This section discusses the significant changes from OECA’s FY 2016-2017 NPM Guidance which will be implemented in FY 2017.</i>	
1. OECA’s High Priority Work Areas	2
2. National Areas of Focus.....	3
3. Reducing Pollution from Mineral Processing Operations	5
4. CWA National Pollutant Discharge Elimination System (NPDES) Program for Compliance Assurance and Enforcement.....	6
5. FIFRA Program for Compliance Assurance and Enforcement.....	8
Appendix: FY 2017 Annual Commitment System (ACS) Measures	9

I. Introduction

This National Program Manager Guidance Addendum applies to the Office of Enforcement and Compliance Assurance (OECA), all U.S. Environmental Protection Agency (EPA) regional enforcement programs¹, and states and federally-recognized Indian tribes implementing EPA-approved inspection and enforcement programs.² OECA coordinates with the regions, states and local agencies and engages in consultation and coordination with tribal governments as it designs, develops, implements and oversees national compliance and enforcement programs. Regional offices work with states and local agencies and consult with tribes to implement and review these programs.³

OECA's National Program Manager (NPM) Guidance for fiscal years (FY) 2016 - 2017 carries over to and should be implemented during FY 2017 with a few exceptions. This document, *OECA's Draft NPM Guidance Addendum for FY 2017*, discusses those exceptions and a few significant changes from OECA's FY 2016-2017 NPM Guidance which will be in effect in FY 2017. These significant changes include the finalization and implementation of the NPDES E-Reporting Rule and the selection and implementation of the FY 2017-2019 National Enforcement Initiatives.

The EPA continues to be committed to a strong national enforcement and compliance program to assure compliance with federal environmental statutes using a variety of tools, including civil and criminal enforcement. These tools advance OECA's overall national goals for:

- Tough civil and criminal enforcement for violations that threaten communities and the environment.
- Next Generation Compliance (Next Gen) to increase compliance with environmental regulations by using advances in pollutant monitoring, information technology, innovative enforcement and transparency, combined with a focus on designing more effective regulations and permits to reduce pollution.
- Strong EPA/State/Tribal environmental protection: working together toward shared environmental goals.

To help achieve these enforcement goals, in FY 2017, OECA will continue to focus on high priority work where significant environmental risk and noncompliance patterns are known to exist or where there are important opportunities to improve performance. This work includes: 1) Cutting Air Toxics under the Clean Air Act and Resource Conservation and Recovery Act; 2) Reducing Air Pollution from the Largest Sources; 3) Implementing Clean Water Act National Enforcement Initiatives; 4) Assuring Safe Drinking

¹ Other programs also managed by OECA include Environmental Justice and the National Environmental Policy Act (NEPA).

² When referring to states and tribes throughout this NPM guidance, OECA is referring to states and tribes authorized to implement federal programs.

³ EPA consults with tribes consistent with the EPA Policy on Consultation and Coordination with Indian Tribes and Executive Order 13175.

Water; 5) Assuring Energy Extraction Sector Compliance with Environmental Laws; 6) Reducing Risks from Accidental Releases at Industrial and Chemical Facilities; 7) Implementing the Clean Water Act Action Plan; 8) Advancing Next Generation Compliance; and 8) Strengthening State Performance and Oversight. With the exception of what’s discussed in this Addendum, the rest of OECA’s FY 2016-2017 NPM Guidance applies to FY 2017. EPA looks forward to working together with its state and tribal partners during FY 2017 to achieve our shared environmental goals.

II. Key Changes for FY 2017

The table below summarizes each significant change from OECA’s FY 2016-2017 NPM Guidance (NPMG) and identifies revised language and/or activities to be implemented in FY 2017. The page numbers listed below refer to the location of the original language in OECA’s FY 2016-2017 NPMG, which can be accessed at <http://www2.epa.gov/planandbudget/national-program-manager-guidances>. All of these changes provide additional direction for and will be implemented in FY 2017, along with the rest of the FY 2016-2017 NPM Guidance which remains the same and carries over.

Page #	Issue Area: OECA’s High Priority Work Areas
2	<p>Key Change: List of OECA High Priority Work Areas</p> <p>For purposes of clarity and to more fully align with the National Enforcement Initiatives selected for the FY 2017-2019 cycle, OECA is revising the list of high priority work areas on page 2 of the FY 2016-2017 NPM Guidance.</p>
	<p>Description: OECA revised the list of high priority work areas on page 2, with changes underlined, to read as follows:</p> <ol style="list-style-type: none"> 1. <u>Cutting Air Toxics under the Clean Air Act and Resource Conservation and Recovery Act;</u> 2. <u>Reducing Air Pollution from the Largest Sources;</u> 3. Implementing Clean Water Act National Enforcement Initiatives; 4. Assuring Safe Drinking Water; 5. <u>Reducing Risks from Accidental Releases at Industrial and Chemical Facilities;</u> 6. Assuring Energy Extraction Sector Compliance with Environmental Laws; 7. Implementing the Clean Water Act Action Plan; 8. Advancing Next Generation Compliance; and 9. Strengthening State Performance and Oversight.

Page #	Issue Area: National Areas of Focus
4-11	<p>Key Change: National Areas of Focus—Announcement of FY 2017-2019 National Enforcement Initiatives</p> <p>OECA is announcing the FY 2017-2019 National Enforcement Initiatives in the FY 2017 Addendum to the FY 2016-2017 National Program Manager (NPM) Guidance.</p>
	<p>Announcement:</p> <p>Starting October 1, 2016, EPA will retain four of its current National Enforcement Initiatives, add two new initiatives, and expand one to include a new area of focus. The first new initiative is to reduce industrial pollutants in the nation’s waters, and the second will reduce the risks of accidental releases at industrial and chemical facilities. EPA is also expanding its existing initiative focused on cutting toxic air pollution to address public health threats from large storage tanks and hazardous waste facilities. EPA’s new work will address sources of pollution that pose direct public health and environmental threats to communities.</p> <ul style="list-style-type: none"> • <u>Keeping Industrial Pollutants out of the Nation’s Waters</u>: Certain facilities in industrial sectors like chemical and metal manufacturing, mining and food processing are responsible for nutrient and metal pollution in lakes, rivers and streams, and can degrade water quality and threaten drinking water sources. EPA’s focus on facilities in these industrial sectors, driven by water pollution data, will build compliance with Clean Water Act discharge permits and cut illegal pollution discharges, which impact water quality. • <u>Reducing Risks of Accidental Releases at Industrial and Chemical Facilities</u>: Thousands of facilities nationwide, many of which are in low income or minority communities, make, use and store extremely hazardous substances. Catastrophic accidents at these facilities—historically about 150 each year—result in fatalities and serious injuries, evacuations, and risk of harm to health and the environment. EPA will focus on reducing the risks of accidents through innovative accident prevention measures, and improving response capabilities. • <u>Cutting Toxic Air Pollution</u> (<i>expanded initiative</i>): Leaks, flares, and excess emissions from refineries, chemical plants and other industries emit hazardous air pollutants that are known or suspected to cause cancer and birth defects, seriously impact the environment, and pose risks to local communities and facility employees. EPA will continue to implement this initiative, and expand it to address air toxics violations at facilities that generate, treat, store or dispose of hazardous waste. <p>EPA is also continuing and building on four other of its existing National Enforcement Initiatives:</p>

Page #	Issue Area: National Areas of Focus
	<ul style="list-style-type: none"> • <u>Assuring Energy Extraction and Production Activities Comply with the Law</u>: EPA has settled a number of high-impact cases under this initiative resulting in significant air emissions reductions, and will continue to identify the best ways to address pollution through greater use of advanced pollution monitoring and reporting techniques. • <u>Preventing Animal Waste from Contaminating Surface and Ground Water</u>: EPA’s updated strategy for this initiative includes using innovative targeting tools, using stream monitoring to gauge the impacts concentrated animal feeding operations have on water resources, and advancing the use of technologies to recover nutrients that can impact water quality through local environmental mitigation projects. • <u>Keeping Raw Sewage and Polluted Stormwater out of our Waters</u>: While many municipalities with raw sewage and stormwater discharge problems are working to address these issues through enforceable long-term agreements, these types of water pollution still pose significant threats to our lakes, rivers, and streams. EPA will continue to monitor the progress of these long-term agreements, ensuring they are adapted to include green infrastructure practices and new pollution control technology where appropriate. • <u>Reducing Air Pollution from the Largest Sources</u>: This initiative has resulted in significant cuts in air emissions, especially from coal fired power plants, since it began in 2005. Fifty-nine percent of individual power generating units at coal-fired power plants have installed the required pollution controls or are under a court order to do so. EPA expects to complete additional work on these sectors as part of the base program and monitor the progress of existing settlement agreements to ensure actions required under those settlements are implemented and air pollution reduction targets are met. <p>Activities:</p> <p>EPA Regions will implement a new and/or revised FY 2017-2019 Strategy for each National Enforcement Initiative.</p> <p>Measures:</p> <ul style="list-style-type: none"> • ACS measures: The ACS measures PBs- MNP05, PBS-NSR01-NSR06 and NSR09 will no longer be active beginning in FY 2017. EPA is retiring these measures as nearly all of the facilities in these sectors (cement, acid, and glass) have been investigated and/or addressed. There will be no changes to ACS measures PBS-NSR07 and NSR08.

Page #	Issue Area: Reducing Pollution from Mineral Processing Operations
10	<p>Key Change: Revisions to National Enforcement Initiative—Reducing Pollution from Mineral Processing Operations</p> <p>EPA’s current National Enforcement Initiative that focuses on reducing pollution from mineral processing operations will return to its base hazardous waste enforcement program level beginning in fiscal year 2017. Under the National Enforcement Initiative, the highest risk facilities will have been inspected and largely addressed through enforceable agreements by the end of fiscal year 2017. Recent settlements that address some high risk mineral processing facilities have helped set the stage to resolve future cases at other high risk facilities in this sector.</p>
	<p>Activities:</p> <p>EPA Regions will <u>no longer</u> implement the NEI strategy for Reducing Pollution from Mineral Processing Operations in FY 2017.</p> <p>Measures: The ACS measure for this NEI, PBS-MNP05, will no longer be active beginning in FY 2017 as EPA will have already completed inspections of all high risk mineral processing facilities.</p>

Page #	Issue Area: CWA National Pollutant Discharge Elimination System (NPDES) Program for Compliance Assurance and Enforcement
21-22	<p>Key Change: Announcement of Promulgation of NPDES E-Reporting Rule</p> <p>On September 24, 2015, EPA finalized the National Pollutant Discharge Elimination System (NPDES) Electronic Reporting Rule. The final rule will require regulated entities and state and federal regulators to use existing, available information technology to electronically report data required by the National Pollutant Discharge Elimination System (NPDES) program instead of filing written paper reports.</p>
	<p>Activities:</p> <ul style="list-style-type: none"> • By December 21, 2016, authorized states, tribes, and territories are required to electronically provide to EPA: <ul style="list-style-type: none"> ○ All inspections, violation determinations, and enforcement actions. ○ All, majors and non-major Discharge Monitoring Report (DMR) information from NPDES permittees ○ The Federal Sewage Sludge/Biosolids Annual Program Reports for the 42 states where EPA implements the Biosolids Program. ○ A state implementation plan for meeting the Phase 2 data requirements. <ul style="list-style-type: none"> a. The State implementation plans will be sent to a HQ electronic inbox. The review and communications of the State plans will be a Region/HQ partnership. b. For Regions with Direct Implementation responsibilities, no Regional Implementation Plan is required. • Although Phase 2, of the rule is not effective for five years after effective date: December 21, 2020, EPA will be leading Phase 2 implementation activities that will require state participation. <ul style="list-style-type: none"> ○ ICIS-NPDES Integrated project teams ○ Specific (e.g. Stormwater Construction) General Permit form design workgroup • The following table includes a full list of important milestones for the FY 2016 – 2017 NPDES milestones:

Due Date: Effective date (12/21/15) + # of days	Responsible Entity	Description of required actions
120 days (4 months) April 21, 2016	State/Tribe/ Territory	Permitting authority designate initial recipient – opt out process- No response from a state means they are the initial recipient for all electronic data flows
120 days (4 months) April 21, 2016	EPA	EPA publishes initial recipient listing in the FR and on the Rule Website
9 Months September 21, 2016	EPA/State/Tribe/ Territory	All Individual and General permit facility and basic information will be entered/shared with EPA
1 Year December 21, 2016	Regulated community	Submit Electronically, complete universe, majors and non-majors: DMRs Biosolids program report
1 Year December 21, 2016	EPA State/Tribe/ Territory	Compliance Monitoring data Enforcement action data
1 Year December 21, 2016	EPA/ State/ Tribe/ Territory	Electronic systems tested and ready to accept complete universe: DMRs Biosolids program reports State Performance Data Compliance Monitoring Enforcement data
1 Year December 21, 2016	State/ Tribe/ Territory	Implementation Plan due to EPA
1 year 6 months June 21,2017	EPA	Review/approve implementation Plans
1 year 6 months June 21, 2017	EPA	Report State e-DMR participation rates
1 Year 9 months September 21, 2017	EPA	Notices to regulated entities not e-reporting in States where the reporting rate is below 90% (readiness criteria) and facility has not received a waiver. Direct users to use their NPDES e-reporting system (based on initial recipient status) Non-compliance = penalties
2 Years December 21, 2017	State/ Tribe/ Territory	Statute changes complete for e-reporting

For more information regarding the Exchange Network (EN) grants that will be awarded to help implement the NPDES e-reporting rule, please visit <http://www.epa.gov/exchangenetwork/exchange-network-grant-program>

Page #	Issue Area: FIFRA Program for Compliance Assurance and Enforcement
45-46	<p>Key Change: Elimination of ACS measure FIFRA-FED2 – WPS activities incorporated into FIFRA-FED1</p> <p>The FIFRA program identifies three focus areas – product integrity, border compliance and worker protection standards. The activities associated with the product integrity and border compliance focus areas are linked to ACS Measure FIFRA-FED1. The worker protection standard focus area is linked to FIFRA-FED2. However, the activities set forth in ACS measure FIFRA-FED2 can be adequately addressed as part of ACS measure FIFRA-FED1. Therefore, FIFRA-FED2 is no longer active beginning in FY 2017.</p>
	<p>Activities:</p> <p>EPA Regions will continue participation in the worker protection standard focus area.</p> <p>Measures: The ACS measure FIFRA-FED2 will no longer be active beginning in FY 2017 as these activities will be adequately addressed as part of ACS measure FIFRA-FED1.</p>

Appendix: FY 2017 Annual Commitment System (ACS) Measures

This appendix includes measures for FY 2017. Revisions from last year are underlined.

*Note: The following ACS measures will no longer be active in FY2017: PBS-NSR01 thru PBS-NSR06 & PBS-NRS09, PBS-MNP05, and FIFRA-FED02. EPA is retiring these PBS-MNP and PBS-NSR measures as nearly all of the facilities in these sectors (cement, acid, glass, and high risk mineral processing) have been investigated and/or addressed.

ENVIRONMENTAL PROTECTION AGENCY Office of Enforcement and Compliance Assurance FY 2017 NPM GUIDANCE MEASURES APPENDIX

G/O/S*	ACS Code	Measure Text	Non-Commitment Indicator (Y/N)	State Performance Measure (Y/N)	Planning Target ⁴	National Target (FY 2016 Pres. Bud)
5	PBS-ATX03	Number of facilities evaluated for compliance within the national focus areas.	N	N	Y	N
5	PBS-ATX04	Number of addressing actions at facilities within the national focus areas.	N	N	Y	N
5	PBS-NSR07	Number of NSR/PSD investigations of coal-fired electric utilities.	N	N	Y	N
5	PBS-NSR08	Number of completion reports or referrals to DOJ for coal-fired electric utilities.	N	N	Y	N
5	PBS-M105	Number of Phase 1 municipal separate storm sewer system permit assessments conducted.	N	N	Y	N
5	PBS-M106	Number of civil judicial referrals and/or addressing actions for sanitary sewer systems (SSS) with total treatment capacity ≥ 10 mgd.	N	N	Y	N
5	PBS-M107	Number of civil judicial referrals and /or addressing actions for CSS communities serving populations $\geq 50,000$.	N	N	Y	N
5	PBS-M108	Number of civil judicial referrals and/or addressing actions for Phase I and II MS4s.	N	N	Y	N
5	PBS-CAF002	Number of federal AFO/CAFO inspections.	N	N	Y	N

⁴ Annual Commitment System (ACS) planning targets for FY 2017 are negotiated between the EPA regions and headquarters during 2016. For the measures which encompass state activities, the EPA regions coordinate with the affected states on the planning targets as applicable.

G/O/S*	ACS Code	Measure Text	Non-Commitment Indicator (Y/N)	State Performance Measure (Y/N)	Planning Target ⁴	National Target (FY 2016 Pres. Bud)
5	PBS-CAF007	Number of federal CAFO addressing actions.	N	N	Y	N
5	PBS-CAF008	Submit 1 progress report per federal fiscal year.	N	N	Y	N
5	PBS-EE01	Number of compliance evaluations/inspections conducted in the air and water programs at land-based natural gas extraction and production facilities (e.g., wells, compressor stations, gas plants), and at disposal sites (e.g., injection wells, lagoons, ponds, land application). Land impacts and inspections conducted under other media programs may be included per discussion and agreement with the EEPI Strategy Implementation Team.	N	N	Y	N
5	PBS-EE03	Number of land-based natural gas extraction and production addressing actions.	N	N	Y	N
5	SDWA02	<p>During FY 2017, the primacy agency must address with a formal enforcement action or return to compliance the number of priority systems equal to the number of its PWSs that have a score of 11 or higher on the July 2015 ETT report. State, territory and tribal breakouts shall be indicated in the comment field of the Annual Commitment System.</p> <p>Please note: A primacy agency's success at addressing violations will be tracked by means of the quarterly ETT reports. Numerical targets may be adjusted at mid-year. While it remains the ERP's goal that all of a priority system's violations will be returned to compliance, a primacy agency has met its commitment under the FY 2017 SDWA ACS measures with respect to a priority system if the score for that system has been brought below, and remains below, 11.</p>	N	Y	Y	N

G/O/S*	ACS Code	Measure Text	Non-Commitment Indicator (Y/N)	State Performance Measure (Y/N)	Planning Target ⁴	National Target (FY 2016 Pres. Bud)
5	SRF01	Finalize all Round 3 SRF reports for state CAA, CWA and RCRA enforcement programs scheduled for calendar year 2016 no later than December 31, 2016 (first quarter of FY 2017). By September 30, 2017, complete draft reports for all Round 3 SRF reviews scheduled for calendar year 2017. (Final reports are to be completed by December 31, 2017 (first quarter of FY 2018).) Regions in FY 2013 developed a plan to complete all Round 3 state reviews by the end of calendar year 2017. OC and OWM will hold annual discussions with regions to establish whether any modifications to the schedules are necessary.	N	N	Y	N
5	EJ01	Percentage of non-exempt cases brought by the EPA in areas determined by the EPA to have potential EJ concerns. [Note: While we are tracking this measure, there is no specific target number or trend we expect to achieve. EJ is one of many factors the Agency considers in bringing an enforcement action.]	Y	N	N	N
5	FED-FAC05	Conduct ten (10) federal facility <u>on-site</u> inspections. These inspections may be done in federal facility enforcement priority areas, national areas of focus, national enforcement initiatives, regional priority areas, priorities established in federal facility regional enforcement enhancement plans, or as otherwise deemed necessary by the region. These 10 inspection commitments can be achieved through any combination of single media or multimedia inspections. For any multimedia inspection conducted, it shall count as up to four inspections toward this goal if up to four of the individual inspections support priority areas as listed above. All of these inspections may simultaneously satisfy inspection commitments required in any National Enforcement Initiative or other core program area. FFEO will be as flexible as possible in assisting the regions in meeting this vital federal facility commitment.	N	N	100 federal facility <u>on-site</u> inspections nationally	N

G/O/S*	ACS Code	Measure Text	Non-Commitment Indicator (Y/N)	State Performance Measure (Y/N)	Planning Target ⁴	National Target (FY 2016 Pres. Bud)
5	CWA07	<p>By December 31, provide to OECA a specific NPDES Compliance Monitoring Strategy (CMS) plan for the current year for each authorized state in the region and a regional plan wherever EPA direct implementation occurs (e.g., non-authorized states, territories, Indian country, pretreatment, etc.). Each CMS plan should be developed in accordance with the guidelines in Part 1 of the 2014 revised NPDES CMS. Any proposed alternative CMS plan should be provided to OECA for consultation and review by August 15, unless the region and OECA agree upon a later date.</p> <p>By December 31, provide for each state and EPA direct implementation area, a numerical end of year report on EPA and state CMS plan outputs from the prior year, by category and subcategory, corresponding to each of the planned CMS activities.</p> <p>The ACS commitment for each region should reflect the total number of state and regional CMS plans and end of year reports to be submitted to OECA for the year (e.g., an annual ACS commitment of 12 for a region that will submit six state and regional CMS plans and six state and regional CMS end-of-year reports).</p>	N	N	Y	N

G/O/S*	ACS Code	Measure Text	Non-Commitment Indicator (Y/N)	State Performance Measure (Y/N)	Planning Target ⁴	National Target (FY 2016 Pres. Bud)
5	CAA04	The number of compliance evaluations to be conducted by the regions at majors sources, 80% synthetic minors, and other sources (as appropriate). [Note: Region should break out evaluation projections by source classification and by compliance monitoring category (FCE, PCE, and Investigations). For the total number of evaluations to be conducted, the region should also identify how many of these evaluations are in Indian country.] Projected <u>evaluations</u> under this commitment are those <u>evaluations</u> initiated by the regions for the air enforcement program outside of the National Enforcement Initiatives, and identified by the air program (e.g., MACT, NSPS).	N	N	Y	N
5	CAA06	Ensure that delegated state, tribal and local agencies implement their compliance and enforcement programs in accordance with the CAA CMS and have negotiated facility-specific CMS plans in place. The regions are to provide the number of FCEs at majors and 80% synthetic minors to be conducted by individual state/local agencies to demonstrate program implementation consistent with CMS. However, if a delegated agency negotiates with a Region an alternative CMS plan or alternative activities (pursuant to the CAA CMS national dialogue), this commitment should reflect the alternative plan. [Note: Break out evaluation and activity projections (e.g., FCEs; PCEs included in alternative plan) by source classification. Please indicate when a commitment is pursuant to an approved alternative plan.] Prior to approving an alternative plan, regions should consult with the Office of Compliance (OC) and provide OC with information on how the state, tribal or local agency compliance monitoring air resources will be redirected and the rationale for making the change.	N	Y	Y	N

G/O/S*	ACS Code	Measure Text	Non-Commitment Indicator (Y/N)	State Performance Measure (Y/N)	Planning Target ⁴	National Target (FY 2016 Pres. Bud)
5	RCRA01	<p>Project by state, and Indian Country where applicable, the number of operating non-governmental TSDFs, to be inspected by the region during the year. Regions must commit to inspect at least two (2) TSDFs in each state or Indian country unless OECA approves a deviation from this requirement, as indicated in the initial OECA opening bid. Financial responsibility is an important component of the RCRA core program and evaluating compliance with 40 CFR Parts 264/265 Subpart H and corrective action financial responsibility should be included in the RCRA core program inspections. Regions must commit to inspect at least the same number of financial assurance instruments at RCRA operating facilities as the region inspects for operating CEIs. Once a region exceeds the number of CEIs and FA instrument reviews from the final agreed upon bid, any additional CEIs will not require a corresponding FA instrument review. The determination of which financial assurance instruments to review should take into account the potential risk posed by the facility, the type of financial assurance instrument provided by the facility, and whether the financial assurance instrument has been previously reviewed and is the same type of instrument (this does not apply to the financial test, which may be reviewed each year). The review of financial assurance instruments is for RCRA Subtitle C closure and post-closure and includes corrective action if there is a corrective action obligation at the facility under review</p>	N	N	Minimum of 100 TSDFs nationally	N

G/O/S*	ACS Code	Measure Text	Non-Commitment Indicator (Y/N)	State Performance Measure (Y/N)	Planning Target ⁴	National Target (FY 2016 Pres. Bud)
5	RCRA01.s	<p>Project by state the number of operating TSDFs to be inspected by the state during the year.</p> <p>Note: Only one inspection per facility counts towards this coverage measure. The RCRA CMS establishes minimum annual inspection expectations for TSDFs. At least 50 percent of the operating non-governmental TSDFs in the state must be inspected annually. The onsite inspections for RCRA01 and RCRA01.s should be CEIs. Completing the commitment includes evaluating compliance with the financial assurance requirements, 40 CFR Parts 264/265 Subpart H. Financial responsibility is an important component of the RCRA core program and should be included as part of the inspection of each TSDF (although the financial responsibility reviews do not have to occur at the same time nor be conducted by the same people who conduct the field inspections).</p>	N	Y	Y	N
5	RCRA02	<p>Project by state and Indian country, the number of LQGs, including those at federal facilities, to be inspected by the region during the year. Each region must commit to inspect at least six (6) LQGs in each state, and 20% of the region's LQGs universe in Indian country, unless OECA approves a deviation from this requirement. For example, deviations are given for states with small universes where it doesn't make sense for a region to inspect 6 LQGs per year or 20% of the region's LQG universe in Indian country. Regions should select at least 2 of the region's total LQG inspections at facilities described in the high priority section as areas of emerging environmental concern. Regions may work with OECA to coordinate these inspections, including whether the inspection will be conducted at a TSDF or LQG. In the Comment Section, provide the number of federal facility LQG inspections.</p>	N	N	Minimum of 300 LQG inspections nationally and 20% of LQGs in Indian Country	N

G/O/S*	ACS Code	Measure Text	Non-Commitment Indicator (Y/N)	State Performance Measure (Y/N)	Planning Target ⁴	National Target (FY 2016 Pres. Bud)
5	RCRA02.s	Project by state the number of LQGs to be inspected by the state during the year. At least 20 percent of the LQG universe should be covered by combined federal and state inspections unless an alternative plan is approved under the RCRA CMS. The region should identify in the "Comment" field of BAS any state that is following an approved Alternative Plan and a breakout of the inspection numbers in the plan.	N	Y	Y	N
5	RCRA03	Inspect each operating TSDf operated by states, local, or Tribal governments.	N	N	Y	N
5	HQ-VOL	Volume of Contaminated Media Addressed (VCMA). As part of the Goal 5 sub-objective, Support Cleaning up Our Communities, the following is the GPRA target: <i>By 2015, obtain commitments to clean up 1.5 billion cubic yards of contaminated soil and groundwater media as a result of concluded CERCLA and RCRA corrective action enforcement actions.</i> OECA has reported VCMA for contaminated soil and groundwater media as separate measures in its annual results since 2004. The GPRA target is a national target and regions are not required to post commitments in ACS.	N	N	200 million cubic yards	N
5	TSCA 01OC	Project the total number of FY 2017 TSCA inspections. In the comment field of the Annual Commitment System (ACS), the region shall break out the number of projected inspections by TSCA program area (LBP, PCBs, Asbestos, New and Existing Chemicals). <i>Note: The LBP component of this TSCA ACS commitment (TSCA 01OC) will serve as an OECA FY 2017 measure of compliance work being done to protect children's health.</i>	N	N	Y	N
5	TSCA 02OC	Report other compliance monitoring activities at the end of the year; and break-out the description of other such activities by TSCA program area. (See the CMS for more details).	Y	N	N	N

G/O/S*	ACS Code	Measure Text	Non-Commitment Indicator (Y/N)	State Performance Measure (Y/N)	Planning Target⁴	National Target (FY 2016 Pres. Bud)
5	FIFRA-FED1	Project regional (federal) FIFRA inspections. Each region should conduct a minimum of ten (10) FIFRA inspections. In the Comment Section, provide the number of federal facility inspections.	N	N	Minimum of 100 FIFRA federal inspections nationally	N
5	OSRE-01	Reach a settlement or take an enforcement action by the start of remedial action at 99% of non-federal Superfund sites that have viable, liable parties.	N	N	99 percent	N
5	OSRE-02	Address all unaddressed costs in Statute of Limitations cases for sites with total past Superfund costs equal to or greater than \$500,000 in value via settlement, referral to DOJ, filing a claim in bankruptcy, or where appropriate write-off.	N	N	100 percent of cases	N
5	EPCRA 01	Conduct at least four (4) EPCRA 313 data quality inspections.	N	N	Minimum of 40 nationally	N
5	EPCRA 02	Conduct at least twenty (20) EPCRA 313 non-reporter inspections (and/or other compliance monitoring activities as determined by the compliance monitoring national dialogue).	N	N	Minimum of 200 nationally	N

*Goal/Objective/Sub-Heading