

Data Quality Record for Long-Term Performance Goals

Long-Term Performance Goal Text: By September 30, 2026, reduce to not more than 93 the number of open civil judicial cases more than 2.5 years old without a complaint filed.

Corresponding Annual Performance Goal: Number of open civil judicial cases more than 2.5 years old without a complaint filed.

Goal Number/Objective: Goal 3/Objective 3.1

NPM Lead: Office of Enforcement and Compliance Assurance (OECA)

1a. Purpose of Long-Term Performance Goal:

The purpose of this long-term performance goal (LTPG) is to reduce the time that a facility is in violation of an environmental standard. At this time, this LTPG will be assessed by tracking different segments of the violation identification to correction timeline, beginning with reducing the number of open civil judicial cases that are more than 2.5 years old without a complaint filed. EPA is focusing first on the civil judicial case referral segment of the timeline because referrals are one of EPA's most impactful enforcement tools and the Agency can track this segment now. Through this LTPG, the Agency aims to reduce the amount of time from referral of an enforcement case to its conclusion, and hence reduce the time by which violation(s) alleged in the case are corrected. A negative trend (reduction in time) will mean that the program is making progress in more quickly returning violators to compliance.

1b. Performance Measure Term Definitions:

Violation identification: Documented, identified noncompliance with environmental law.

Correction: Documented determination of return to compliance with environmental law.

Civil judicial referral: A formal written request to Department of Justice (DOJ) to proceed with judicial enforcement relating to violation(s) referred by EPA for enforcement.

Filing of a complaint: A complaint is filed with the appropriate Hearing Clerk (for administrative cases) or the appropriate District Court (for civil judicial cases).

1c. Unit of Measure:

The number of open civil judicial cases more than 2.5 years old without a complaint filed.

2a. Data Source:

- Relevant information system: The Integrated Compliance Information System (ICIS)
- Entity that reports data to the system: OECA and EPA regions
- Frequency of reporting primary data: Data must be entered into ICIS within two weeks of the event (e.g., referral of case to DOJ, filing of complaint).

2b. Data Needed for Interpretation of (calculated) Performance Result:

- Baseline: The national baseline for the LTPG is 129 cases, which represented approximately 50% of open cases (*i.e.*, case has been referred but a complaint has not been filed) at the time the baseline was established (June 5, 2018).

- Frequency for reporting result: Monthly
- Universe: Total number of open civil judicial cases without a complaint filed.

3. Calculation Methodology:

The total will equal the number of open civil judicial cases that are more than 2.5 years old without a complaint filed, excluding Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), bankruptcy, collection action, and access order cases.

4. Quality Assurance/Quality Controls:

OECA has an annual data certification process for quality assuring EPA's enforcement and compliance data. The certification process was established to ensure reporting entities are aware of the reporting deadlines, receive the most up-to-date reporting instructions, and follow best data management practices to assure reporting completeness and accuracy. Civil enforcement case data is covered by the annual data certification process.

5. Data Limitations/Qualifications:

Relies on complete, timely, and accurate reporting of enforcement case information to the ICIS Federal Enforcement and Compliance (FE&C) data system by EPA regions and OECA.

6. Technical Contact:

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7. Certification Statement/Signature:

I certify the information in this DQR is complete and accurate.

DAA Signature Original signed by Lawrence Starfield Date 5/18/2022