

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

Arizona Department of Environmental Quality

8 Recommendations

Clean Air Act Recommendations

Element: E1 Insp Universe

Recommendation Title: Verify Inspection Commitment Completeness

Finding: Verify inspection completeness

Status: Working

Expected Completion Date: 12/31/2007

Responsible Agency: State Action

Recommendation Narrative: ADEQ had 2 majors & 3 sms in AFS that lacked FCE reporting. ADEQ believes this was primarily a UI or coding/conversion error & is checking internal data. ADEQ will report missing FCEs to AFS once data & problem are debugged from internal batch upload process from ICE (local system) to UI to AFS.

Recommendation Title: Ensure 2 Certification Reviews Reported

Element: E1 Insp Universe

Finding: Title V Certification Reviews

Status: Completed

Expected Completion Date: 11/14/2007

Responsible Agency: State Action

Recommendation Narrative: 2 Title V plants lacked Title V Certification reviews for FY03. ADEQ found one plant (Snowflake Pulp) had just been issued permit & so first Title V Certification was not yet due, but is researching status on other plant (Cochise County Landfill).

Recommendation Title: Correct 2 Plant Targets

Element: E1 Insp Universe

Finding: 2 ADEQ plants showed "Unknown Status" due to targeting coding problem, which was promptly corrected.

Status: Completed

Expected Completion Date: 11/14/2007

Responsible Agency: State Action

Recommendation Narrative: Correct 2 Plant Targets (El Paso Seligman & La Paz County Landfill)

Recommendation Title: Ensure Quality of UI Uploads

Element: E11 Data Accurate

Finding: ADEQ should run its own AFS reports to ensure quality of UI uploads.

Status: Completed

Expected Completion Date: 11/14/2007

Responsible Agency: State Action

Recommendation Narrative: ADEQ should run its own AFS reports to ensure quality of UI uploads.

Recommendation Title: Ensure Timeliness of UI Updates

Element: E10 Data Timely

Finding: ADEQ should ensure timeliness of its updates

Status: Completed

Expected Completion Date: 11/14/2007

Responsible Agency: State Action

Recommendation Narrative: ADEQ should ensure timeliness of its updates, including HPVs, Inspections, & other data to AFS. At time of the evaluation, ADEQ was transitioning from manual entry to using the Universal Interface (UI). Once all the translation between systems, programming, coding, training, & procedures were in place, ADEQ expected it would be updating AFS monthly via UI batches. Therefore, the timing of the evaluation occurred before these matters were complete and thus some update timeliness issues were noted. Those have since been remedied and ADEQ is now performing monthly updates to AFS via the UI.

Recommendation Title: Timeliness Addressing HPVs

Element: E6 Timely & Appropriate Actions

Finding: ADEQ had several HPVs that were addressed > 270 days including Cholla (907 days), Cochise (800 days), Eurofresh (454 days), Phoenix (410, 254, & 254 days respectively), & Praxair (371 days). ADEQ should seek to address most HPVs within the EPA's 270 day recommended timeliness standard.

Status: Completed

Expected Completion Date: 09/30/2008

Responsible Agency: State Action

Recommendation Narrative: ADEQ should seek to ensure most HPVs are addressed within the 270 day timeliness standard of the EPA national HPV policy.

Recommendation Title: Reduce # NFA HPV Settlements

Element: E8 Penalties Collected

Finding: 7 of 12 HPVs reported to AFS for FY02/03 period were settled "No Further Action" (NFA). Per the national HPV policy, penalties should be the more common with HPVs to provide deterrence.

Status: Completed

Expected Completion Date: 11/14/2007

Responsible Agency: State Action

Recommendation Narrative: ADEQ should seek to reduce the number of NFA settlements for HPVs in favor of more with penalties where appropriate.

Recommendation Title: Confirm Consistency with MDR Definitions

Element: E11 Data Accurate

Finding: ADEQ should ensure mapping reports "date issued" instead of date a document was mailed or received by the facility for AFS action dates (such as NOVs), to more accurately map equivalently to the national MDRs. ADEQ should reconfirm the mapping of all its MDRs against the EPA Business Rules and/or AFS Data Dictionary definitions.

Status: Completed

Expected Completion Date: 11/14/2007

Responsible Agency: State Action

Recommendation Narrative: ADEQ should reconfirm that all its AFS reported actions are consistent with the national AFS MDRs and/or Data Dictionary definitions.

Clean Water Act Recommendations

None

Resource Conservation and Recovery Act Recommendations

None

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
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
CID – Criminal Investigation Division
CIPs – Compliance Incentive Programs
CMS - Compliance Monitoring Strategy
CSOs – Combined Sewer Overflows
CSS – Combined Sewer Systems
CWA – Clean Water Act
CFC – Chlorofluorocarbon

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
NO_x – 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
SITS – Strategy Implementation Teams
SLPD – Special Litigation and Projects Division
SNCs – Significant Noncompliance
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
UST – Underground Storage Tank

V

VOC – Volatile Organic Compounds

W

WW – Wet Weather