

**PERFORMANCE INDICATORS FOR
ENVIRONMENTAL COMPLIANCE AND ENFORCEMENT
PROGRAMS:
THE U.S. EPA EXPERIENCE**



INECE 6th International Conference
April 15, 2002

Michael M. Stahl
Director, Office of Compliance
U.S. EPA



Presentation Outline

- Background on EPA Enforcement and Compliance Assurance Program
- The Need for Better Indicators
- Identifying Better Indicators
- Designing and Implementing Indicators
- Using Performance Indicators
- Benefits of Performance Indicators



I. Background on EPA Enforcement and Compliance Assurance Program

- Enforce most major U.S. environmental laws, e.g., Clean Air Act, Clean Water Act
- Workforce: 3,311 employees to conduct inspections, bring enforcement cases, provide assistance, manage data
- Use combination of compliance assistance, incentives for facility self-audits, inspections and investigations, civil and criminal enforcement.
- States play major enforcement role through delegated authority



II. The Need for Better Indicators

- Traditional indicators of performance counted activities (“outputs”) such as the number of inspections conducted, and enforcement actions taken through the year
- These indicators fail to:
 - Include new assistance and incentive approaches
 - Measure environmental results (“outcomes”) from activities
 - Characterize the state of compliance in key populations
 - Measure progress in addressing environmental goals and problems
- Special challenges associated with enforcement and compliance indicators:
 - Customer service indicators are of limited value
 - Compliance failures of facilities are not government “successes”
- Importance of Developing Better Indicators:
 - Increased demand to demonstrate results of government activities
 - Indicators provide a management tool for analyzing program performance



III. Identifying Better Indicators

- Principles guiding EPA efforts
 - Consult a broad array of stakeholders and address their needs
 - Combination of outputs and outcomes need to be measured
 - Indicators should be linked to goals and objectives
 - Recognize outcomes are influenced by external factors
 - Indicators should help evaluate progress in addressing environmental problems
 - Indicators should be used to both report results to the public and manage programs
- Criteria for evaluating potential indicators:
 - Relevant to program goals, objectives, and priorities
 - Transparent to multiple users
 - Credible and based on accurate data
 - Functional in encouraging the right behavior
 - Feasible to implement and maintain
 - Comprehensive about operational aspects of the program
- New indicators selected by EPA
 - Pounds of pollutants reduced by enforcement actions
 - Number of companies/facilities self-disclosing violations under EPA policies
 - Number of entities seeking assistance from EPA centers
 - Percentage of enforcement cases requiring improvements in facility management of pollution
 - Dollar value of injunctive relief and supplemental environmental projects
 - Statistically valid compliance rates



IV. Designing & Implementing Indicators

- Important strategies for design and implementation of indicators:
 - Use internal teams to define indicators and develop new information collection and reporting processes
 - Pilot projects should be used to test and refine indicators
 - Consultants can assist with difficult technical issues (e.g., sampling methodologies)
 - Implementation should be done in phases over two to three years



V. Using Performance Indicators

- Reporting and documenting progress for the public and Congress
 - Annual Performance Report required by statute
- Using indicators to analyze and improve program performance
 - Beginning performance reviews of components of the national program
 - Adjusting program strategies and resources based on performance reviews
- Performance review organized around five questions:
 - Are we contributing to the goal of protecting human health and the environment through our actions and strategies?
 - Are we improving the environmental performance of the regulated community?
 - Are we achieving appropriate levels of compliance in key populations?
 - Are we achieving the appropriate levels of enforcement and compliance assurance activity in the regulated community?
 - Are we providing appropriate assistance to our state and tribal partners to support them in contributing to improving environmental performance?



VI. Benefits of Better

- Improving the effectiveness of the enforcement and compliance assurance program
- Demonstrating the value of activities and results to the public



Contact Information

Michael M. Stahl

U.S. Environmental Protection Agency
1200 Pennsylvania Ave., NW (MC 22221-A)
Washington, DC 20460

Phone: 202-564-2280 Fax: 202-564-0027

e-mail: stahl.michael@epa.gov