STATE REVIEW FRAMEWORK

Choose a state from the drop-down menu

**Clean Water Act, Clean Air Act, and
Resource Conservation and Recovery Act
Implementation in Federal Fiscal Year Choose a fiscal
year**

**U.S. Environmental Protection Agency
Choose an EPA office**

**Choose report type
Select date**

Executive Summary

[Please delete all italicized and bracketed sections of this report before submitting. Do not delete sections that are not italicized and bracketed.]

[The intended audience for this executive summary is state and EPA senior management. As such, it is important to highlight only those SRF findings that are most central to the state's performance, both positive and where improvements are needed. This summary should be no longer than 2-3 pages.

Describe each issue and the accompanying recommendation using bullets and a maximum of two to three sentences.]

Introduction

EPA Select office enforcement staff conducted a State Review Framework (SRF) enforcement program oversight review of the *[insert name of state agency]*.

EPA bases SRF findings on data and file review metrics, and conversations with program management and staff. EPA will track recommended actions from the review in the SRF Tracker and publish reports and recommendations on EPA's ECHO web site.

Areas of Strong Performance

- *[Describe aspects of the program that, according to the SRF, the state is implementing at a high level. Describe each item using bullets and no more than 2-3 sentences. These items can be specific to a media program or cross across the lines of multiple media programs. Do not include more than three items.]*

Priority Issues to Address

The following are the top-priority issues affecting the state program's performance:

- *[Describe each issue and the accompanying recommendation using bullets and 2-3 sentences. Do not include more than three issues. These should be a subset of the media-specific issues below.]*

Most Significant CWA-NPDES Program Issues[1]

- *[Describe each issue and the accompanying recommendation using bullets and 2-3 sentences. Do not include more than three issues.]*

Most Significant CAA Stationary Source Program Issues

- *[Describe each issue and the accompanying recommendation using bullets and 2-3 sentences. Do not include more than three issues.]*

Most Significant RCRA Subtitle C Program Issues

- *[Describe each issue and the accompanying recommendation using bullets and 2-3 sentences. Do not include more than three issues.]*

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[1] EPA's "National Strategy for Improving Oversight of State Enforcement Performance" identifies the following as significant recurrent issues: "Widespread and persistent data inaccuracy and incompleteness, which make it hard to identify when serious problems exist or to track state actions; routine failure of states to identify and report significant noncompliance; routine failure of states to take timely or appropriate enforcement actions to return violating facilities to compliance, potentially allowing pollution to continue unabated; failure of states to take appropriate penalty actions, which results in ineffective deterrence for noncompliance and an unlevel playing field for companies that do comply; use of enforcement orders to circumvent standards or to extend permits without appropriate notice and comment; and failure to inspect and enforce in some regulated sectors."

Table of Contents

*[**Updating Table of Contents:** After finishing your report, right-click anywhere on the body of text above. Then, in the menu, click on Update Field. Next, select "Update entire table," then OK.*

DO NOT DELETE THE HEADERS OR SUBHEADERS IN THE BODY OF THE REPORT OR THE TABLE OF CONTENTS WILL NOT UPDATE PROPERLY.

Delete non-NPDES related content from report when using as a NPDES-only report.]

I. Background on the State Review Framework

The State Review Framework (SRF) is designed to ensure that EPA conducts nationally consistent oversight. It reviews the following local, state, and EPA compliance and enforcement programs:

- Clean Water Act (CWA) National Pollutant Discharge Elimination System (NPDES)
- Clean Air Act (CAA) Stationary Sources (Title V)Resource Conservation and Recovery Act (RCRA) Subtitle C

Reviews cover:

- **Data** — completeness, accuracy, and timeliness of data entry into national data systems

- **Inspections** — meeting inspection and coverage commitments, inspection report quality, and report timeliness

- **Violations** — identification of violations, determination of significant noncompliance (SNC) for the CWA and RCRA programs and high priority violators (HPV) for the CAA program, and accuracy of compliance determinations

- **Enforcement** — timeliness and appropriateness, returning facilities to compliance

- **Penalties** — calculation including gravity and economic benefit components, assessment, and collection

EPA conducts SRF reviews in three phases:

- Analyzing information from the national data systems in the form of data metrics
- Reviewing facility files and compiling file metrics
- Development of findings and recommendations

EPA builds consultation into the SRF to ensure that EPA and the state understand the causes of issues and agree on actions needed to address them. SRF reports capture the agreements developed during the review process in order to facilitate program improvements. EPA also uses the information in the reports to develop a better understanding of enforcement and compliance nationwide, and to identify issues that require a national response.

Reports provide factual information. They do not include determinations of overall program adequacy, nor are they used to compare or rank state programs.

Each state's programs are reviewed once every four years. The first round of SRF reviews began in FY 2004. The third round of reviews began in FY 2013 and will continue through FY 2016.

II. SRF Review Process

Review period: *[Insert fiscal year being reviewed.]*

Key dates:

State and EPA key contacts for review: *[Add names of key contacts here.]*

III. SRF Findings

Findings represent EPA's conclusions regarding state performance, and may be based on:

- Initial findings made during the data and/or file reviews
- Annual data metric reviews conducted since the state's last SRF review
- Follow-up conversations with state agency personnel
- Review of previous SRF reports, Memoranda of Agreement (MOAs), or other data sources
- Additional information collected to determine an issue's severity and root causes

There are three categories of findings:

Meets or Exceeds Expectations: Describes a situation where no performance deficiency is identified or where a state has performed beyond expectations.

Area for State Attention: An activity, process, or policy that one or more SRF metrics show as a minor problem. The state should correct the issue without additional EPA oversight. EPA may make recommendations to improve performance, but it will not monitor these recommendations for completion until the next SRF review.

Area for State Improvement: An activity, process, or policy that one or more SRF metrics show as a significant problem that the agency is required to address. When possible, recommendations should address root causes. These recommendations must have well-defined timelines and milestones for completion, and EPA will monitor them for completion in the SRF Tracker between SRF reviews.

Whenever a metric indicates a major performance issue, EPA will write up a finding of Area for State Improvement, regardless of other metric values pertaining to a particular element.

The relevant SRF metrics are listed within each finding. The following information is provided for each metric:

- **Metric ID Number and Description:** The metric's SRF identification number and a description of what the metric measures.
- **Natl Goal:** The national goal, if applicable, of the metric.
- **Natl Avg:** The national average across all states, territories, and the District of Columbia.
- **State N:** For metrics expressed as percentages, the numerator.
- **State D:** The denominator.
- **State % or #:** The percentage, or if the metric is expressed as a whole number, the count.

[Here is a sample findings table followed by instructions for completing the findings tables in the template:

Element 4 — Enforcement	
Finding 4-1	***Area for State Improvement***
Summary	*SNC violations are not addressed in a timely or appropriate manner.*
Explanation	*For two of the eight SNC violations reviewed, the violations did receive appropriate follow-up action. However, in six instances, these violations received neither informal nor formal enforcement action.* *The state does not have a formal policy in place for taking enforcement against SNC violators.* *Metric 10a shows that the state was not consistently taking timely enforcement action. This can be traced to the failure to complete inspection reports in a timely manner.*
Relevant metrics	

Metric ID Number and Description	*Natl Goal*	*Natl Avg*	*State N*	*State D*	*State % or #*
10a Major facilities with timely action	*98%*	*-*	*1*	*8*	*13%*
10b Enforcement responses reviewed that address violations in a timely and appropriate manner	*100%*	*-*	*5*	*15*	*33%*

State Response	*The state agrees that this is a problem and has agreed to work with EPA to resolve it.*
Recommendation	*1) The state will develop a Standard Operating Procedure (SOP) for taking enforcement action against SNC violators within 90 days of finalization of this report, and will send a copy to EPA for approval. 2) The state will immediately begin taking enforcement action against SNC violators in accordance with the SOP developed under item 2. 3) EPA will monitor performance via quarterly conference calls and annual SRF data metric analyses. EPA will close this recommendation after approving the state's SOP and observing three consecutive quarters of performance that meets national goals.*

Step-by-step instructions for completing findings tables:

Step 1 — Numbering Findings:

- *For findings of Area for State Improvement, make one finding for all common problems identified under the most appropriate element that can have the same recommended action. For problems with different recommended actions, make a separate finding for each unique recommendation. This will simplify tracking.*

- *For findings of Meets or Exceeds Expectations and Area for State Attention, discuss all issues and metrics relevant to the element under the same finding.*

    - *For example, if Element 1 identified two major problems, some isolated issues, and some satisfactory areas of performance:*

        - *Finding 1-1 would be a finding of Meets or Exceeds Expectations discussing all aspects of performance under Element 1 that meet or exceed expectations.*

        - *Finding 1-2 would be a finding of Area for State Attention discussing the isolated performance issues under Element 1 that require state attention.*

        - *Finding 1-3 would be a finding of Area for State Improvement discussing the two major deficiencies. (If they both have the same recommended action they can be covered in a single finding; otherwise create two.)*

- *For an element with two or more findings, it will be necessary to copy and paste additional copies of the element's findings table. (The report template only includes one findings table per element per media program.) Do this by creating a blank page after a finding, then copy and paste a findings table.*

- *Use the drop-down menu to choose the finding number.*

Step 2 — Finding Category: *Generally, findings should be no more than 1-2 pages.*

Use the drop-down menu to select whether the finding is Meets or Exceeds Expectations, Area for State Attention, or Area for State Improvement (definitions above). If EPA finds a serious performance problem, it should be considered an Area for State Improvement regardless of the strength of performance in other relevant metrics.

See the finding level descriptions above as well as the Plain Language Guides *for additional guidance in determining the appropriate level and explanation.*

Reviewers should base their findings primarily on data and file metrics from the review year. For marginal cases, EPA may want to use the annual data metric analyses conducted since the

state's last review to analyze performance trends. See the last page of Conducting an Annual Data Metric Analysis *guidance on conducting such an analysis.*

*Step 3 — **Summary:** Provide a succinct description of the finding. This is a short summary explanation — no more than a brief paragraph — of the specific issue or issues covered. Findings in the SRF Tracker have a 200-character limit, which in most cases should fall in the range of 30-40 words. Findings longer than 200 characters will need to be condensed when entered into the Tracker.*

*Step 4 — **Explanation:** Provide a more detailed explanation of the finding. The explanation should be brief, and should:*

- *Describe the issue in more detail*
- *Justify the finding level made in Step 2*
- *Provide quantification using SRF metrics*
- *Explain the cause of any deficiencies, including unique circumstances in the state*
- *Reference relevant recommended actions from a previous round, along with the status of the actions*
- *If the action was closed, explain why the problem resurfaced*
- *If the finding is an Area for State Attention, you may include a recommended action at the end of this section, but it will not be tracked for completion.*

Explanations have a limit of 700 characters in the SRF Tracker, which equates to roughly 100-130 words. For complex findings, it may be necessary to exceed this limit. Explanations that exceed 700 characters will need to be condensed for entry into the Tracker.

*Step 5 — **Relevant Metrics:** Use the drop-down menus under the "Metric ID Number and Description" column to choose the applicable metrics. These menus are populated with all metrics that could have relevance to findings under each element. Select all metrics with direct relevance to the finding. Select one metric per row. If there are extra rows after selecting all relevant metrics under a particular finding, delete them by highlighting the extra rows, right clicking, then selecting "delete rows."*

Once the relevant metrics are selected, report the agency's values for the metrics as shown in the example below. Report national goals and averages when applicable.

Since metrics are no longer reported in the appendices, it is vital that all relevant metrics are accurately reported in this section.

*Step 6 — **State Response:** This should include the state's written response to the finding from their review of the draft report. If there is no written response, EPA may include relevant information from discussions with the state (please identify the source of the information). If there is no state response, leave blank or include this statement: "No state response."*

State responses are limited to 300 characters in the SRF Tracker, and will need to be condensed when exceeding this limit.

Step 7 — Recommendation: Complete this section for findings of Area for State Improvement. It should contain specific steps the agency being reviewed will take to address the causes of the issue, including:

- *Policy, guidance, or standard operating procedure where none exists*
- *Training as needed*
- *Taking action (e.g., entering data, making appropriate SNC determinations, taking timely and appropriate action)*
- *Any other steps needed to improve performance*
- *EPA follow-up to confirm improved performance*

Each of these actions should be assigned a due date (e.g. 90 days from finalization of report).

EPA should also include a mechanism for confirming that the issue has been resolved. This could include reviewing data, or reviewing a sample of inspection reports or enforcement actions. For the most significant issues, EPA will want to review this information for a longer period and see sustained improvement over several quarters before closing out the action item.

Some findings will require a series of recommendations, all of which should be included in this section. All recommendations for findings of Area for State Improvement must be entered into the SRF Tracker, reviewed annually, and reported in the SRF reports.

Formatting tip for Microsoft Word 2007: If tables run together, separate by clicking in top row of table, then click Layout in top menu, then click Split Table.]

Clean Water Act Findings

Element 1 — Data	
Finding Choose an item.	**Choose a finding**
Summary	
Explanation	

Relevant metrics

Metric ID Number and Description	Natl Goal	Natl Avg	State N	State D	State % or #
Choose an item.					
Choose an item.					
Choose an item.					
Choose an item.					
Choose an item.					
Choose an item.					
Choose an item.					
Choose an item.					
Choose an item.					
Choose an item.					
Choose an item.					
Choose an item.					

State Response	
Recommendation	

Element 2 — Inspections	
Finding Choose an item.	**Choose a finding**
Summary	
Explanation	
Relevant metrics	

Metric ID Number and Description	Natl Goal	Natl Avg	State N	State D	State % or #
Choose an item.					
Choose an item.					
Choose an item.					
Choose an item.					
Choose an item.					
Choose an item.					
Choose an item.					
Choose an item.					
Choose an item.					
Choose an item.					
Choose an item.					
Choose an item.					

State Response	
Recommendation	

Element 3 — Violations					
Finding Choose an item.	**Choose a finding**				
Summary					
Explanation					
Relevant metrics	**Metric ID Number and Description**	**Natl Goal**	**Natl Avg**	**State N**	**State D**	**State % or #**
	Choose an item.					
	Choose an item.					
	Choose an item.					
	Choose an item.					
	Choose an item.					
	Choose an item.					
	Choose an item.					
	Choose an item.					
State Response					
Recommendation					

Element 4 — Enforcement

Finding Choose an item.	**Choose a finding**					
Summary						
Explanation						
Relevant metrics	**Metric ID Number and Description**	**Natl Goal**	**Natl Avg**	**State N**	**State D**	**State % or #**
	Choose an item.					
	Choose an item.					
	Choose an item.					
State Response						
Recommendation						

Element 5 — Penalties	
Finding Choose an item.	**Choose a finding**
Summary	
Explanation	
Relevant metrics	

Metric ID Number and Description	Natl Goal	Natl Avg	State N	State D	State % or #
Choose an item.					
Choose an item.					
Choose an item.					

State Response	
Recommendation	

Clean Air Act Findings

Element 1 — Data	
Finding Choose an item.	**Choose a finding**
Summary	
Explanation	
Relevant metrics	*(see table below)*
State Response	
Recommendation	

Relevant metrics

Metric ID Number and Description	Natl Goal	Natl Avg	State N	State D	State % or #
Choose an item.					
Choose an item.					
Choose an item.					
Choose an item.					
Choose an item.					
Choose an item.					
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Choose an item.					

Element 2 — Inspections						
Finding Choose an item.	**Choose a finding**					
Summary						
Explanation						
Relevant metrics	**Metric ID Number and Description**	**Natl Goal**	**Natl Avg**	**State N**	**State D**	**State % or #**
	Choose an item.					
	Choose an item.					
	Choose an item.					
	Choose an item.					
	Choose an item.					
	Choose an item.					
	Choose an item.					
	Choose an item.					
State Response						
Recommendation						

Element 3 — Violations						
Finding Choose an item.	**Choose a finding**					
Summary						
Explanation						
Relevant metrics	**Metric ID Number and Description**	**Natl Goal**	**Natl Avg**	**State N**	**State D**	**State % or #**
	Choose an item.					
	Choose an item.					
	Choose an item.					
	Choose an item.					
	Choose an item.					
	Choose an item.					
	Choose an item.					
State Response						
Recommendation						

Element 4 — Enforcement						
Finding Choose an item.	**Choose a finding**					
Summary						
Explanation						
Relevant metrics	**Metric ID Number and Description**	**Natl Goal**	**Natl Avg**	**State N**	**State D**	**State % or #**
	Choose an item.					
	Choose an item.					
	Choose an item.					
	Choose an item.					
State Response						
Recommendation						

Element 5 — Penalties

Finding Choose an item.	Choose a finding					
Summary						
Explanation						
Relevant metrics	**Metric ID Number and Description**	**Natl Goal**	**Natl Avg**	**State N**	**State D**	**State % or #**
	Choose an item.					
	Choose an item.					
	Choose an item.					
State Response						
Recommendation						

Resource Conservation and Recovery Act Findings

Element 1 — Data	
Finding Choose an item.	**Choose a finding**
Summary	
Explanation	

Relevant metrics	Metric ID Number and Description	Natl Goal	Natl Avg	State N	State D	State % or #
	Choose an item.					
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	Choose an item.					
	Choose an item.					

State Response	
Recommendation	

Element 2 — Inspections	
Finding Choose an item.	**Choose a finding**
Summary	
Explanation	

Relevant metrics	Metric ID Number and Description	Natl Goal	Natl Avg	State N	State D	State % or #
	Choose an item.					
	Choose an item.					
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	Choose an item.					
	Choose an item.					
	Choose an item.					
	Choose an item.					
	Choose an item.					
	Choose an item.					
	Choose an item.					

State Response	
Recommendation	

Element 3 — Violations

Finding Choose an item.	**Choose a finding**					
Summary						
Explanation						
Relevant metrics	**Metric ID Number and Description**	**Natl Goal**	**Natl Avg**	**State N**	**State D**	**State % or #**
	Choose an item.					
	Choose an item.					
	Choose an item.					
	Choose an item.					
	Choose an item.					
	Choose an item.					
State Response						
Recommendation						

Element 4 — Enforcement	
Finding Choose an item.	**Choose a finding**
Summary	
Explanation	
Relevant metrics	

Metric ID Number and Description	Natl Goal	Natl Avg	State N	State D	State % or #
Choose an item.					
Choose an item.					
Choose an item.					

State Response	
Recommendation	

Element 5 — Penalties	
Finding Choose an item.	**Choose a finding**
Summary	
Explanation	
Relevant metrics	<table><tr><th>Metric ID Number and Description</th><th>Natl Goal</th><th>Natl Avg</th><th>State N</th><th>State D</th><th>State % or #</th></tr><tr><td>Choose an item.</td><td></td><td></td><td></td><td></td><td></td></tr><tr><td>Choose an item.</td><td></td><td></td><td></td><td></td><td></td></tr><tr><td>Choose an item.</td><td></td><td></td><td></td><td></td><td></td></tr></table>
State Response	
Recommendation	

Appendix

[This section is optional. Essential content that has direct relevance to the SRF review that could not be covered in the above sections should be included here. Delete this page if it isn't used.]