**FY 2022-2023 National Program Guidance: Early Engagement Questions for State, Territory, Tribal and Local Partners**

(EPA Office of Enforcement and Compliance Assurance)

EPA’s National Program Guidances (NPGs) communicate program priorities, strategies, key activities, and measures for EPA and guide grant work planning, consistent with the President’s Budget and EPA’s Strategic Plan. Each of EPA’s five major National Program Offices—Air and Radiation; Water; Land and Emergency Management; Chemical Safety and Pollution Prevention; Enforcement and Compliance Assurance—along with the Office of Congressional and Intergovernmental Relations (OCIR), and the Office of International and Tribal Affairs (OITA) – issues NPGson a two-year cycle.

Consistent with the Agency’s Strategic Plan and the Office of Enforcement and Compliance Assurance’ (OECA’s) commitment to enhance its partnerships between EPA and state, territory, local, and tribal co-regulators, EPA is seeking early input from these partners on the upcoming FY 2022-2023 National Program Guidance. Early engagement in this effort is intended to identify common priorities to inform development of the NPGs.

EPA’s enforcement and compliance assurance program is seeking specific feedback in the following areas:

**Shared goals and priorities**

In the [FY 2018-2022 EPA Strategic Plan](https://www.epa.gov/planandbudget/strategicplan), OECA has two strategic measures: (1) reduce the average time from violation identification to correction and (2) increase the environmental compliance rate. EPA has also established six FY 2020-2023 National Compliance Initiatives (NCIs), which are:

* Creating Cleaner Air for Communities by Reducing Excess Emissions of Harmful Pollutants
* Stopping Aftermarket Defeat Devices for Vehicles and Engines
* Reducing Hazardous Air Emissions from Hazardous Waste Facilities
* Reducing Risks of Accidental Releases at Industrial and Chemical Facilities
* Reducing Significant Non-compliance with National Pollutant Discharge Elimination System (NPDES) Permits
* Reducing Non-compliance with Drinking Water Standards at Community Water Systems

1. **What other priorities or areas of focus, beyond the EPA Strategic Plan priorities and NCIs, should OECA identify in the FY 2022 – FY 2023 National Program Guidance and why?**
2. **What assistance do state, territory, local, and tribal co-regulators need from EPA to accomplish the shared compliance and enforcement goals and priorities in EPA’s Strategic Plan and NCIs?**

**Measures of Success**

OECA’s FY 2020-2021 National Program Guidance includes five National Program Measures:

* The number of all referred, no complaint filed (RNCF), civil judicial cases that are more than 2.5 years old.
* The percentage of EPA inspection reports that are timely completed and communicated to the regulated entity.
* Increase compliance in the Clean Water Act National Pollutant Discharge Elimination System (NPDES) by reducing the percentage of permittees in significant noncompliance with their permit.
* The number of EPA on-site compliance monitoring inspections/evaluations conducted by credentialed EPA inspectors in direct implementation states, territories, and Indian country and in authorized states, territories, and Indian country.
* The number of EPA on-site compliance monitoring inspections/evaluations conducted by credentialed EPA inspectors in direct implementation states, territories, and Indian country and in authorized states, territories, and Indian country in support of National Compliance Initiatives (NCIs) per its implementation strategy.

1. **What are additional ways we should measure our effectiveness or define success?** For example, are there suggestions for measuring the effectiveness of the enforcement aspect of the CERCLA program?

**Additional Considerations**

1. **Do states, tribes and associations have any other comments on the existing** [**FY 2020-2021 Office of Enforcement and Compliance Assurance (OECA) National Program Guidance**](https://www.epa.gov/planandbudget/final-fy-2020-2021-office-enforcement-and-compliance-assurance-oeca-national-program) **for OECA to consider when drafting revisions for FY 2022 – FY 2023?**