

January 16, 2018 (updated 01-2020)

Data Quality Record for Long-Term Performance Goal

Long-Term Performance Goal Text: By September 30, 2022, reduce the average time from violation identification to correction.

Goal Number/Objective: Goal 3: Greater Certainty, Compliance, and Effectiveness/Objective 3.1: Compliance with the Law

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

1a. Purpose of Long-Term Performance Goal:

The purpose of the measure is to reduce the time that a facility is in violation of an environmental standard. At this time, this measure will be assessed by tracking different segments of the violation identification to correction timeline, beginning with reducing the number of all open civil judicial cases that are more than 2.5 years old without a complaint filed. We are focusing first on the civil judicial case referral segment of the timeline because referrals are one of EPA's most impactful enforcement tools and EPA is able to track this segment now. Through this measure, 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 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: Number of all 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: Reported by OECA and EPA regions
- Frequency of reporting primary data: Data are due to be entered into ICIS within two weeks of the event (e.g., referral of case to DOJ, filing of complaint).
- Reference to Quality Assurance Project Plan: OECA has an annual data certification process for quality assuring EPA's enforcement and compliance data. The certification process was established to ensure all 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.

2b. Data needed for interpretation of (calculated) Performance Result:

- Baseline: The **national baseline for the measure is 129 cases**, which represented approximately 50% of all 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. Methodology:

The number of open civil judicial cases that are more than 2.5 years old without a complaint filed, excluding CERCLA, bankruptcy, collection action and access order cases.

4. Data Limitations/Qualifications:

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

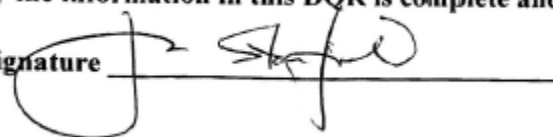
5. Technical Contact:

Sara Ager/202-564-7968

6. Certification Statement/Signature

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

DAA Signature

A handwritten signature in black ink is written over a solid horizontal line. The signature is cursive and appears to be 'Sara Ager'.