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United States Senate

COMMITTEE ON SMALL BUSINESS
WASHINGTON, DC 20510-6350

October 11, 2000

The Honorable Carol M. Browner
Administrator
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Administrator Browner:

The purpose of this letter is to determine the progress of the U.S. Environmental Protection Agency's (EPA/Agency) implementation of key commitments aimed at improving EPA's compliance assistance efforts. The Agency outlined its commitments in its 1999 report *Aiming for Excellence: Actions to Encourage Stewardship and Accelerate Environmental Progress*.

Compliance assistance is an essential tool for improving the environment. Many people, especially small business owners, want to meet their environmental obligations but lack the necessary knowledge or understanding of complex federal regulations. Many of these businesses, as high as 90 percent in some industries, will never be visited or contacted by the limited numbers of EPA or state inspectors and thus escape the effective reach of the enforcement program. It is essential for EPA to cover the inevitable shortfalls of the enforcement program and reach out to and help those who want to help the environment. Many of the activities EPA pledged to undertake in the *Aiming for Excellence* report would strengthen EPA compliance assistance.

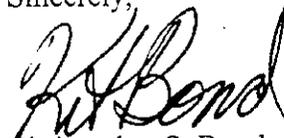
However, at the time of my last letter on this subject in March 2000, EPA implementation of many *Aiming for Excellence* tasks ranged from woefully late to simply non-existent. In some cases, senior-level managers responsible for implementation of objectives such as the small business environmental assistance assessment were completely unaware of the status of those efforts. In other instances, staff responsible for implementing key tasks such as the development of compliance assistance tools for new major regulations were unaware of their obligation to prepare the tools.

Associate Administrator Farrell, in responding to my letter in your stead, pledged personal senior-level involvement and accountability in these efforts. He also stated that his office would soon issue a status report reflecting EPA's progress on *Aiming for Excellence* efforts to date. Nearly six months since his pronouncement, I am unaware of any EPA status report on these issues. Similarly, other tasks appear behind schedule.

Hon. Carol M. Browner
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Therefore, please respond by November 3, 2000, to the enclosed set of questions on the status of *Aiming for Excellence* compliance assistance efforts. The environment will only benefit from EPA's implementation of these measures. If you have any questions regarding this issue, please contact John Stody at 224-5175. Thank you in advance for your attention to this matter.

Sincerely,



Christopher S. Bond
Chairman

Enclosure

Information Request for the *Aiming for Excellence* Report

1. Provide the status, as of October 1, 2000, of each *Aiming for Excellence* recommendation task and milestone in Actions 4 and 5. Include the original milestone date in the report, any subsequent revised date for completion, the actual date of completion if applicable, and the expected date of completion. In any instance of delay or late completion, provide a brief explanation for the delay. If any of these milestones produced products such as guides or catalogues, and the Agency has not previously provided a copy, include the materials with the response.
2. Provide a copy of the *Aiming for Excellence* status report referenced in EPA's March 28, 2000, letter and reflecting the Agency's implementation progress. If EPA has failed to produce this report, provide a brief explanation for this delay.
3. Provide a copy of the recent recommendations from the Compliance Assistance Advisory Committee to the Agency for improving compliance assistance activities at EPA.
4. For each of the projected economically significant regulations EPA finalized in 1999 and 2000 and expects to finalize by the end of 2000:
 - a) Provide the status of tools development including the date EPA expects the rule to go final and the date EPA expects to finish the associated compliance assistance tools.
 - b) If EPA has completed development of tools for a rule, provide the date the rule was finalized and the date its tools were completed.
 - c) For any delay in tools development which occurred or is occurring beyond the timing commitment stated in the *Aiming for Excellence* report, provide an explanation for the delay and the name of the senior level manager and the staff person responsible for the rule's tools development.