The Environmental Results Program (ERP) approach is an evidence-based compliance strategy that uses tools that have been proven to:

- **E**fficiently and strategically use government resources
- **R**educe pollution and improve compliance across business sectors
- **P**roduce results that inform priority setting and decision-making

## ERP is Efficient

Traditional compliance inspections produce a great deal of information about individual facilities. However, the compliance status of a single facility cannot be generalized to other facilities, even those with similar operations. An ERP approach is designed to provide an understanding of the compliance problems within an entire industry sector and provide data for targeting future inspection, assistance, and enforcement activities. As government resources available for regulatory inspection programs come under increased pressure, ERP and similar approaches are needed to ensure that they are used strategically.

An ERP approach is most relevant when a government agency needs to understand the compliance characteristics of a large group, such as a business sector comprised of many small facilities. The performance of such groups should be understood and improved because:

- The cumulative human health and environmental impact of many small facilities can be significant
- Localized impacts from smaller facilities can be of concern to a community
- Small businesses may not understand the requirements for managing hazardous materials, wastes, discharges, and emissions and they may be in noncompliance

State environmental agencies have used the ERP methodology to address a number of business sectors:

| | |
|---|---|
| Dry cleaners | Auto body shops |
| Auto repair shops | Gas Stations |
| Printers | Auto salvage yards |

ERP has also been used to address a wide range of regulated activities that occur at different types of facilities, such as:

| |
|---|
| Small quantity generators of hazardous waste |
| Stormwater discharges |
| Underground injection control wells |
| Underground storage tanks |

## ERP is Reliable & Evidence-Based

The ERP process is outlined in the accompanying figure. Compliance inspections and enforcement are integral components of ERP. **Compliance is determined from data gathered during agency site inspections – not facility-reported data.** To achieve improved compliance for any selected group, ERP uses a unique combination of:

- Compliance assistance outreach, including developing plain language assistance tools that promote compliance and adoption of "beyond compliance" practices
- Facility self-audits and submittal of compliance status certifications to regulatory agencies
- **Verification through strategic compliance inspections and enforcement activities**
- Evidence-based statistical analysis to measure changes in performance

## ERP is Productive

After creating ERP tools for a sector, implementing an ERP approach can **use up to 50 percent fewer agency resources to achieve the same compliance results** as traditional inspections. An ERP strategy can produce **average compliance improvements of 5-30 percent or more** across a group for many important indicators. Other benefits of ERP include:

- A more level playing field for all facilities in the targeted sector
- Clear explanations for facilities about their regulatory requirements and beyond compliance opportunities
- Evidence-based information on sector performance and compliance and environmental improvements

**Efficient**    **Reliable**    **Productive**

# Typical ERP Cycle

**STEP 1:**
**INVENTORY**

Identify the universe of facilities in the chosen sector. Determine the number of facilities that need to be inspected for a statistically valid sample.

**STEP 2:**
**BASELINE INSPECTIONS**

Develop a uniform inspection format specific to the target sector. Conduct inspections at a sample of randomly-selected facilities. **Take enforcement action as applicable.**
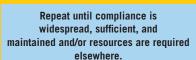
**STEP 3:**
**EVALUATE**

Review results from Step 2 to determine if sector needs compliance improvement. If baseline inspections show high rates of compliance, continuing an ERP approach might not be efficient.

**STEP 4:**
**COMPLIANCE ASSISTANCE**

Work with trade associations and others to develop and deliver plain-language user-friendly assistance that improves compliance and best management practice awareness.

**STEP 5:**
**SELF-AUDIT AND COMPLIANCE STATUS CERTIFICATION**

Develop self-audit checklist closely linked to Step 4 materials and distribute to the full universe of facilities. Facilities conduct self-audits and certify results – a technique commonly used by traditional enforcement programs

**STEP 6:**
**EVALUATE**

Review results from Step 5 to identify potential problem facilities to target for additional assistance and/or for compliance inspections. **Take enforcement action as applicable.**

**STEP 7:**
**COMPLIANCE INSPECTIONS**

Use the same inspection format developed in Step 2 to conduct inspections at a sample of randomly-selected facilities.

**STEP 8:**
**EVALUATE**

Review results from Step 7 to verify facility self-certification results from Step 5 and to determine performance changes from Step 2. **Take enforcement action as applicable.**

**STEP 9:**
**INFORMED DECISION-MAKING**

Assess performance data and changes to determine whether to adjust strategies before beginning again at Step 4.

**Repeat until compliance is widespread, sufficient, and maintained and/or resources are required elsewhere.**

Data cited from the "ERP States Produce Results" report available at: **www.epa.gov/erp/files/2007reportfull.pdf**

**Efficient**   **Reliable**   **Productive**