

Sample Monthly Status Report

NOTE: In this example, EPA is supplying a format which regulated entities can use to update the Agency on the ongoing environmental review(s) being performed under a Region 4 Compliance Incentive Initiative. In addition to helping the regulated entity meet the 21 day timeframe for self reporting discovered potential violations, the initial status report and subsequent periodic progress reports may also help identify issues early in the auditing process. Monthly status reports should also assist in the overall progress of the audit (e.g., requesting extension of time to correct potential violations).

This sample monthly status report is provided for your convenience. Use of this sample in full or part is not required and other formats could be used to update the Agency of progress under the initiative.

{enter date}

VIA FAX and EMAIL

Kelly Sisario, Acting Chief
Enforcement & Compliance Planning and Analysis Branch
U.S. Environmental Protection Agency – Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, Georgia 30303

Subject: Compliance Incentive Initiative for *{enter the name of the Compliance Incentive Initiative sector}* – Monthly Status Report *{enter number of report}*

Dear Ms. Sisario:

This letter serves as the first monthly letter report on *{enter facility/company's name}*'s implementation of a voluntary compliance assessment under Region 4's Compliance Incentive Initiative for *{enter the name of the Compliance Incentive Initiative sector (e.g., Colleges/Universities)}*.

Most of the focus to date has been on *[enter a general explanation about your institution's efforts in reviewing your institution's environmental status. For example...Most of the focus to date has been on planning and developing an appropriate infrastructure to support this large project and to keep the information current after the effort is completed.]* Major tasks completed include the following:

Development of Data Collection Procedure(s)

{Enter a short explanation of the procedure to be used to determine environmental compliance status.}

For example...A questionnaire has been developed to help technical personnel who are not environmental specialists collect the information necessary for a separate, central team of environmental specialists to make compliance determinations. The questionnaire is the basis for a Web-based user interface. The system is accessible through the company's intranet, where such field personnel will log in and enter the information from each site audited. The information will be tracked through the user's unique ID number, to allow us to contact the person entering the data if we have follow-up questions. Following extensive testing and user feedback, the Web tool went "live" and training took place for field personnel in April and May.}

Assignment of Responsibilities

{Enter a short explanation showing the distribution of responsibilities for the project.}

For example...A core team of twelve individuals has been assembled to manage the rollout and execution of this project. Lead responsibility is with the Operations Director of the corporate Environmental, Health and Safety organization, supported by three Project Managers. Assistance is provided by three "Account Managers", who represent and help coordinate with the three business units involved in this project. I provide legal advice. Environmental, records management, and other specialists make up the rest of the team. Bi-weekly conference calls are held to discuss status updates, upcoming deadlines, and any issues developing.

The people who will collect the data from the approximately X# of sites have also been identified. To underscore these assigned responsibilities, letters from senior management were distributed to the field in {enter date} voicing support for the project.}

Data Collection Rollout

{Enter a short explanation about how the assessment will occur.}

For example...A coordinated plan to audit the approximately X# sites was completed {enter date}. Collection of raw data began in {enter date} and is estimated to be completed in {enter date}. As previously discussed, the raw data will be analyzed and corrective action will be initiated on a rolling basis as the raw data comes in. Such analysis will begin shortly, now that most electronic report formats and decision rules for compliance determinations have been finalized.}

Preparation for Corrective Action

{Enter a short explanation on how corrective actions will be (or are being) generally addressed.}

For example...Any corrective action required generally will be overseen by trained personnel within our organization. To facilitate timely completion of corrective action that may be required, we are in the process of selecting and retaining a number of appropriate

outside consultants, who would be available for us to use as necessary. Depending on the nature of the corrective action required, such as if it involves preparation of a plan, we may have to request an extension from the 60-day guideline.}

Future Monthly Status Reports

Your office requested a monthly status report on or about the 15th of each month. Beginning with the next monthly letter report, we envision providing you with a primarily quantitative summary of our progress. Specifically, we envision providing the information found in Enclosure 1. I understand that receipt of the monthly status reports will be logged, but only the final Self-Disclosure Report will be processed by EPA for timeliness and completeness, for determining the necessity of any enforcement response, and for determining your coverage by the EPA Self-Audit/Self-Disclosure Policy.

If you have any comments, please contact me at *{enter phone number, email address, etc.}*.

Sincerely,

{enter name, title, etc.}

Enclosure: 1. Monthly Status Report
a. Table 1
b. Table 2
c. Table 3

MONTHLY STATUS REPORT - {enter number of report}
{enter identifying facility name}

Table 1: Specific Information on the Potential Violation

Vio. No. ^a	Regulatory Citation	Description of the Regulatory Requirement	Description of the Potential Violation ^b	Description of the Action(s) Taken to Correct the Potential Violation	Date Potential Violation Discovered	Deadline to Correct Potential Violation (i.e., 60 days from Discovery) ^c	Is Extension of Time Needed to Correct Potential Violation? (Yes/No) ^d
<i>Clean Air Act (CAA)</i>							
1							
<i>Clean Water Act (CWA), including Oil Pollution Act (OPA)</i>							
<i>Emergency Planning Community Right-to-Know Act (EPCRA)</i>							
<i>Federal Insecticide, Fungicide and Rodenticide Act (FIFRA)</i>							

^a Enter an identifying number for the violation. This identifying number will be used to distinguish the violation in subsequent tables or reports.

^b Also include the name of the individual who discovered the potential violation and provide location information on the potential violation.

^c If the regulated entity is a small business, then the potential violation must be corrected within 180 days from date of discovery (Note: The small business must submit a written schedule for any violation that cannot be corrected within 90 calendar days of its discovery (i.e., corrections which will be made from 91 to 180 days after discovery require that the business submit a written schedule to the Agency). If the small business intends to correct the violation by putting into place pollution prevention measures, the business may take an additional 180 calendar days (i.e., up to a period of 360 calendar days from the date the violation is discovered). A small business is a person, corporation, partnership or other entity that employs 100 or fewer individuals (across all facility and operations owned by the small business). The number of employees should be considered as full-time-equivalents on an annual basis, including contract employees. Full-time-equivalents (FTE) means 2,000 hours per year of employment. If a regulated entity meets the definition of a small business, then the self-disclosure is judged pursuant to the Small Business Compliance Policy (65 F.R. 19629, April 11, 2000), which contains some relaxed criteria a small business must meet to obtain penalty mitigation. The Small Business Compliance Policy implements, in part, the Executive Memorandum on Regulatory Reform (60 F.R. 20621, April 26, 1995) and Section 223 of the Small Business Regulatory Enforcement Fairness Act of 1996 (signed into law on March 29, 1996) (SBREFA).

^d The date included in this column constitutes a request for an extension to the 60 day deadline to correct a violation (Note: For small businesses, corrections which will be made from 91 to 180 days after discovery require that the business submit a written schedule to the Agency). The basis or reason for requesting an extension (or if a small business submitting a schedule) is found in Table 2.

Vio. No. ^a	Regulatory Citation	Description of the Regulatory Requirement	Description of the Potential Violation ^b	Description of the Action(s) Taken to Correct the Potential Violation	Date Potential Violation Discovered	Deadline to Correct Potential Violation (i.e., 60 days from Discovery) ^c	Is Extension of Time Needed to Correct Potential Violation? (Yes/No) ^d
<i>Resource Conservation and Recovery Act (RCRA)</i>							
<i>Safe Drinking Water Act (SDWA)</i>							
<i>Toxic Substances Control Act (TSCA)</i>							
<i>{Enter any Other Statute(s)}</i>							

Table 3: Qualitative Estimate of Progress Toward Submission of the Final Self-Disclosure Report to EPA-Region 4

Monthly Status Report dated <i>{enter date}</i>										
General Task Categories										
Start ^e	Prepare for Assessment	Perform Assessment			Prepare Assessment Report	Prepare Self-Disclosure Report	Ends with Submission of Self-Disclosure Report to EPA ^f			
Percent Complete										
0%	10%	20%	30%	40%	50%	60%	70%	80%	90%	100%
										
<p>NOTE: To graphically display progress, perform the following actions:</p> <ol style="list-style-type: none"> click on the arrow click on the tip/point of the arrow and drag to expand the arrow to an appropriate length based on progress made to date. 										

^e For facilities participating in a Regional Compliance Incentive Initiative (e.g., the Compliance Incentive Initiative for Colleges/Universities), the process begins with receipt of the acknowledgement letter from EPA welcoming the facility into the Compliance Incentive Initiative.

^f Unless a different schedule is identified with EPA-Region 4 (e.g., in an Audit Agreement), the expectation is for the Self-Disclosure Report to be submitted six months from receipt of EPA’s acknowledgement letter welcoming the facility into the Compliance Incentive Initiative.