

measures in Goal 5 capture OECA's work efforts in terms of environmental results achieved. By focusing on environmental results, rather than the activities of Agency programs and organizational units, the goal structure allows for greater flexibility between EPA and its states and federally-recognized Indian tribes (tribes) for solving environmental problems. EPA consulted extensively with the states in the development of the Strategic Plan.

OECA has now aligned its Fiscal Year 2005 through 2007 (FY 2005–2007) work planning cycle with the Agency's strategic planning cycle. OECA's planning cycle sets out short term, annual and multi-year goals for the Office, establishes work planning requirements for the enforcement and compliance assurance programs within the Agency's ten Regional Offices, establishes a small set of national program priorities and requires the development of performance-based strategies to direct the work in the identified priority areas. By aligning its planning cycle with the Agency's Strategic Plan, OECA will be better able to correlate the environmental results achieved in the national enforcement and compliance priorities to the environmental outcomes projected in Goal 5 of the Strategic Plan. The intent of this **Federal Register** Notice (FR Notice) is to solicit from the public suggestions of new national enforcement and compliance assurance priorities for 2005–2007, and comments

on the candidate priorities described below.

This past summer, OECA asked each EPA Regional Office to: (1) Conduct internal discussions about existing and potential national program priorities; and (2) engage its state and tribal regulatory partners in discussions of existing and potential national program priorities for fiscal years 2005–2007. EPA conducted outreach regarding the priorities at an environmental justice forum, which is a federal advisory committee chartered under the Federal Advisory Committee Act (FACA). OECA received comments back from all EPA Regional Offices and six states.

OECA will select the FY 2005–2007 national program priorities using the following criteria:

(a) **Significant Environmental Benefit:** In what specific areas can the Federal enforcement and compliance assurance programs make a significant positive impact on human health or the environment? What are the known or estimated public health or environmental risks?

(b) **Noncompliance:** Are there particular economic or industrial sectors, geographic areas or facility operations where regulated entities have demonstrated serious patterns of noncompliance?

(c) **EPA Responsibility:** What identified national problem areas or programs are better addressed through EPA's Federal capability in enforcement or compliance assistance?

Based on the analysis of all proposals received and ongoing work, OECA has

developed the following preliminary list of suggested FY 2005–2007 national priorities. While not all suggestions submitted appear on the preliminary list of candidates, the opportunity remains for those candidates to be adopted as regional, state, tribal, or local priorities. In considering the following list, please note that OECA remains committed to identifying a very limited number of national priorities to retain flexibility to address emerging problems or issues as they arise. In addition, some current priority areas may be carried forward or refined during the FY 2005–2007 work planning cycle to complete unfinished work. Two current priorities will not be continued through FY 2005–2007. The Petroleum Refining priority is anticipated to be completed by the end of calendar year 2005, and the Resource Conservation and Recovery Act (RCRA) Permit Evaders priority will no longer include a focus on waste-derived fertilizer facilities and foundries. Work such as monitoring or tracking the implementation of Consent Decrees will continue for both as part of the Agency's core program activities.

The following list of candidate priorities is divided into the current priorities and suggested new areas. The tables below include a brief description of the environmental problem in each priority area. Greater detail and background information on each priority area can be found at the DOCKET site identified in the address section of this **Federal Register**.

I. CURRENT PRIORITIES

Priority	Nature of concern
Safe Drinking Water Act—Microbials Plus	Ensure public water systems provide clean and safe drinking water that pose minimal health risks and are largely free from microbiological, chemical or radiological contamination. Efforts would focus upon microbial rules, nitrate requirements and emergency orders to protect public health from contaminants presenting an imminent and substantial endangerment. The suggested priority would also address situations where multiple violations, at one system or different systems in the same geographic area, present an unacceptable cumulative risk to public health.
Clean Water Act/Wet Weather	Ensure compliance with CWA requirements addressing storm water runoff, overflows from combined and sanitary sewers, and concentrated animal feeding operation (CAFO) discharges. These discharges can contain bacteria, pathogens and other pollutants that may cause illnesses in humans, lead to water quality impairment, including beach and shellfish bed closures and harm our nation's water resources.
Clean Air Act (CAA)/New Source Review/Prevention of Significant Deterioration (NSR/PSD).	Ensuring that NSR and PSD requirements of the CAA are implemented. Failure to comply with NSR/PSD requirements may lead to the inadequate control of emissions resulting in the release of thousands of tons of pollution to the air each year, particularly of nitrogen oxides, volatile organic compounds, and particulate matter.
Clean Air Act (CAA)/Air Toxics	Reduce public exposure to toxic air emissions by ensuring compliance through directed monitoring and enforcement with the Maximum Achievable Control Technology (MACT) standards. This is the second phase of this priority following four years of compliance assistance and the development of implementation tools.