

EPA Proposes To Add Climate Change, PFAS As New Compliance Initiatives To Advance Environmental Justice

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The Environmental Protection Agency (EPA) focuses enforcement and compliance resources on the most serious and widespread environmental problems by developing and implementing national program initiatives. Every four years, the EPA revisits and selects national initiatives to prioritize available resources where federal enforcement can make a difference.

As part of that four-year cycle, the EPA [is seeking public comment and recommendations](#) on the National Enforcement and Compliance Initiatives (NECIs) for fiscal years 2024-2027 (formerly called National Compliance Initiatives). The EPA has developed this round of proposed initiatives to align with [two of its strategic plan goals](#): 1) tackling the climate crisis and 2) taking decisive action to advance environmental justice.

Of the six current initiatives, the EPA is proposing to return two to their core or standard enforcement program: reducing toxic air emissions from hazardous waste facilities and stopping aftermarket defeat devices for vehicles and engines. The agency is proposing to continue the following four ongoing initiatives:

- Creating cleaner air for communities by reducing excess emissions of harmful pollutants
- Reducing risks of accidental releases at industrial and chemical facilities
- Reducing significant noncompliance in the national pollutant discharge elimination system program
- Reducing noncompliance with drinking water standards at community water systems

The two potential new NECI are:

- **Mitigating Climate Change.** The agency distinguished this initiative from other ongoing climate regulations as follows: “Although the EPA has sought to incorporate climate considerations in the current initiatives, with a particular focus on climate resiliency, this NECI would focus on achieving the agency's climate mitigation goals in order to reduce climate disruption and the increases in global temperatures that are likely to occur without enforcement of climate mitigation regulations.”
- **Addressing PFAS Contamination.** The focus of this NECI would be “on implementing the commitments to action made in EPA's 2021-2024 Per- and Poly-fluoroalkyl substances (PFAS) Strategic Roadmap.”

The EPA is also asking for comment on two additional areas to consider as possible NECI to address noncompliance, obtain cleanups and deter future violations: reducing exposure to lead and addressing coal combustion residuals (CCR).

The agency is accepting comments on these proposals and is also receiving proposals for other initiatives to consider adding as NECI through March 13, 2023.

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