

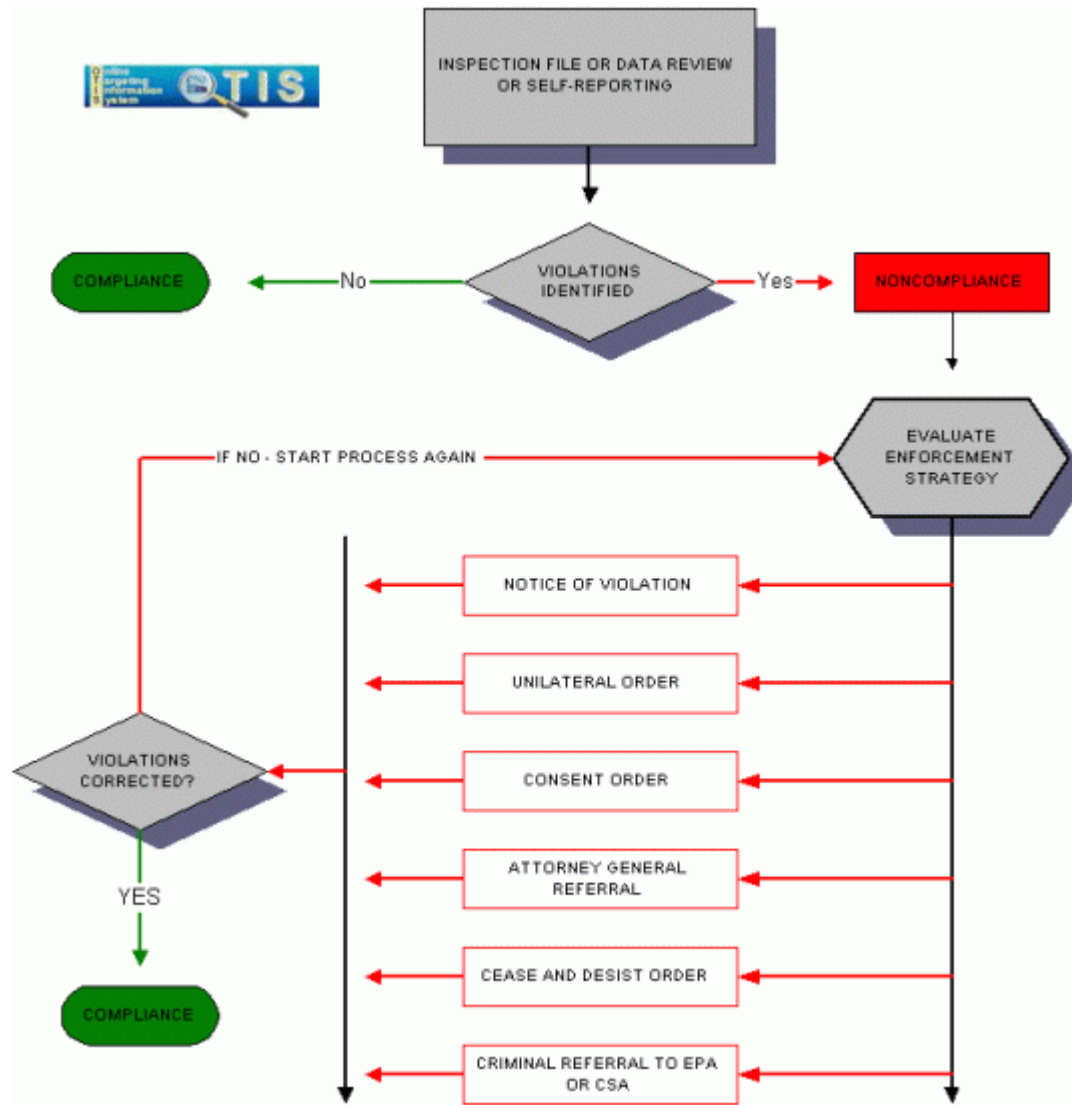


DEP's Enforcement Policies and How to Find Them

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Enforcement Process Diagram



To Access DEP's Enforcement Policy Documents:

Navigate to main website: <http://www.ct.gov/dep>

→ From top toolbar, choose "*Publications*"

→ Choose "*Policy Documents*"

→ Choose "*Enforcement Policies*"

1. [Civil Penalty Policy](#)
2. [Enforcement Response Policy \(ERP\)](#)
3. [Policy on Supplemental Environmental Projects](#)
4. [Policy on Incentives for Self-Policing Policy](#)
5. Policy on Inspection a Facility Previously Subject to Formal Enforcement
6. Environmental Equity Policy

Enforcement Response Policy (ERP)

Guidance only, used by case development staff to:

1. Classify the type of violations found
2. Determine the appropriate enforcement response given this classification
3. Develop an enforcement action timeline based on the type of enforcement response and date of discovery of the violation

The ERP ensures the DEP's enforcement response is applied consistently from case to case.

Website:

<http://www.ct.gov/dep/lib/dep/enforcement/policies/enforcementresponsepolicy.pdf>

Policy on Incentives for Self-Policing (aka – Self-Audit Policy)

- Guidance only.
- Designed to provide a higher compliance rate by encouraging voluntary discovery, disclosure, correction and prevention of environmental violations through the use of audits.
- Provides three incentives to self-audit:
 1. Full/partial waiver of punitive/gravity penalty assessment,
 2. No recommendation for civil/criminal prosecution,
 3. No routine requests for environmental audits.
- Doesn't apply to violations found via legally mandated monitoring or a compliance audit required by an enforcement action.
- Must be promptly disclosed (within 30 days of discovery) and in writing.
- Must not be a repeat violation.
- Must not have violated the terms of an open enforcement action or resulted in serious endangerment/harm to the environment or human health.

Website:

<http://www.ct.gov/dep/lib/dep/enforcement/policies/incentivesforselfpolicingpolicy.pdf>

Civil Penalty Policy

- Internal policy for assessing civil penalties for violations of state environmental laws.
- Provides a method of calculating penalties once it has been determined (from the ERP) that a penalty is warranted.
- Method provides assurance that penalty assessments are consistently applied by using a gravity rating system and penalty matrix based on the rating system

Note: Hazardous waste violations are assessed using the \$25K/violation/day matrices, per statute

Total Penalty = Economic Benefit + Gravity +/- Adjustments

Website: <http://www.ct.gov/dep/lib/dep/enforcement/policies/civilpenaltypolicy.pdf>

SEP Policy

- Provides guidance for DEP staff to use in evaluating the acceptability of a proposed SEP as partial settlement of an administrative action (i.e., a CO).
- Provides specific criteria which the proposed SEP must meet.
- Provides categories of eligible SEP's and example projects.
- Defines a mechanism for SEP approval.
- Examples :
 - CHCI purchased a mobile emergency response command center for the Bristol Fire Department in partial settlement of hazardous waste violations through a consent order.
 - CT Valley Hospital is undertaking a combined unwanted prescription medications collection/household hazardous waste collection for citizens of Middlesex county.

Website: <http://www.ct.gov/dep/lib/dep/enforcement/policies/seppolicy.pdf>

Enforcement Case Summaries Tool

Query enforcement action settlements (orders and civil cases) by:

- Environmental media
- Location
- Date
 - Actions issued within last 12 months
 - All actions issued within last 10 years

The query tool provides short case summaries which include violation type and number, compliance schedule requirements, civil penalty amount, and SEP.

Website: <http://www.depdata.ct.gov/enforcement/enform.asp?depNav=|>



For more help, contact the COMPASS Hotline
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Thank you!

