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Notice Terminating March 31, 2020 Guidance Regarding COVID-19 Implications for EPD's Compliance and Enforcement

On March 26, 2020, USEPA released a memo titled "COVID-19 Implications for EPA's Enforcement and Compliance Assurance Program" (Memo) describing USEPA's temporary policy for enforcing environmental legal obligations during the COVID-19 pandemic. On March 31, 2020 EPD issued a Response to Questions about COVID-19 Implications for EPD's Compliance and Enforcement indicating that EPD would apply the framework described in the Memo to State-only programs as well.

Per that March 31st communication, EPD is now providing notice that it will terminate its application of the framework expressed in the Memo effective August 31, 2020. EPD will continue to evaluate appropriate enforcement action on a case by cases basis, considering potential harm to human health and the environment, mitigating or equitable circumstances, and the overriding goal of returning a facility to compliance as quickly as possible.

A copy of the Memo may be found here:

<https://www.epa.gov/sites/production/files/2020-03/documents/oecamemoonccovid19implications.pdf>

