


## State COVID-19 Environmental Compliance Policies

Prepared by Army Regional Environmental Coordinators


Alabama	Policy being considered. Expecting their guidance will follow EPA's. ADEM 30 March news release: <a href="http://www.adem.state.al.us/newsEvents/pressreleases/2020/DWCOVID19.pdf">http://www.adem.state.al.us/newsEvents/pressreleases/2020/DWCOVID19.pdf</a>
Alaska	Air - <a href="https://dec.alaska.gov/air/air-compliance/covid-19-caused-non-compliance-concerns/">https://dec.alaska.gov/air/air-compliance/covid-19-caused-non-compliance-concerns/</a>  Water - <a href="https://dec.alaska.gov/water/compliance/covid-19-caused-non-compliance-concerns/">https://dec.alaska.gov/water/compliance/covid-19-caused-non-compliance-concerns/</a>
Arizona	Statement on ADEQ website "ADEQ will align with EPA's memo 'COVID-19 Implications for EPA's Enforcement and Compliance Assurance Program' and will be providing further guidance to the regulated community on its implementation."
Arkansas	E&E has created an email address (COVID19EE@adeq.state.ar.us) for regulated entities that face unavoidable noncompliance situations to request regulatory flexibility and assistance in providing alternative approaches to maintaining compliance, where possible. This may include extending reporting deadlines, consideration of waiving late fees, and exercising enforcement discretion. All regulated entities remain obligated to ensure compliance, to the best of their ability, with all orders, regulations and permit requirements. Inspectors will continue to conduct monitoring rounds and are responding to environmental emergencies and complaints. Additionally, inspections that can be performed at unmanned sites, or without public interaction, will also continue. <a href="https://www.ecos.org/wp-content/uploads/2020/03/Arkansas-energy-and-environment-enforcement-guidance.pdf">https://www.ecos.org/wp-content/uploads/2020/03/Arkansas-energy-and-environment-enforcement-guidance.pdf</a> .
California	CalEPA has not provided any public guidance to the regulated community regarding its inspection practices, enforcement priorities, potential exercise of enforcement discretion, or available support resources during this time. CalEPA has stated that its enforcement authority "remains intact" in spite of the US EPA memo. CalEPA expects compliance with environmental obligations, especially where failure to follow the law creates an imminent threat or risk to public health. The agency acknowledges that some regulated entities might need enforcement relief; such entities should contact CalEPA before falling out of compliance.
Colorado	Due to the complications of delaying all regulatory and policy work for several months, the department intends that the majority of the scheduled regulatory and policy activities continue as planned. The department plans to hold board and commission meetings and hearings remotely via Zoom technology. <a href="#">Requests for Pause on Environmental Regulatory and Policy Work</a> .
Connecticut	DEEP's buildings are temporarily closed to public access. To minimize risks to the public and DEEP staff, DEEP employees working with the public, including inspectors, maintainers and environmental educators have been provided instructions to practice social distancing, wherever possible. The majority of DEEP staff have transitioned to telework, and the Department is working to maintain continuous operation of its programs and functions to the greatest extent possible during this public health emergency. This includes the use of online systems and minimizing the need for hard copy documents. <a href="https://portal.ct.gov/DEEP/COVID-19/DEEP-COVID-19-Response">https://portal.ct.gov/DEEP/COVID-19/DEEP-COVID-19-Response</a>
Delaware	Doing business with DE during COVID: <a href="https://dnrec.alpha.delaware.gov/coronavirus/">https://dnrec.alpha.delaware.gov/coronavirus/</a>
Florida	FDEP encourages Florida installations to reach out to the appropriate Program on a case-by-case basis for questions that are specific to an installation: See attached emergency order (begin page 4)   EFO Due to the Effects of COVID-19
Georgia	Given the joint enforcement authority that exists for many of the Environmental Protection Division's (EPD) programs and the national scope of the situation, EPD will not issue a separate, detailed, enforcement discretion policy and expects regulated entities to follow the steps specified in the US EPA memo. EPD will apply the framework described in the Memo to State-only programs as well. EPD will continue to evaluate appropriate enforcement action after 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 href="#">Response to Questions about COVID-19 Implications for EPD's Compliance and Enforcement</a>
Hawaii	No environmental compliance information posted

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Idaho	Links to <a href="#">drinking water</a> , <a href="#">wastewater</a> , and <a href="#">hazardous waste</a> guidelines during COVID
Illinois	vehicle emissions testing has been temporarily suspended:
Indiana	In response to the novel coronavirus (COVID-19), Governor Eric J. Holcomb's Executive Order 20-05 authorizes state agencies to "waive, suspend, or modify any existing rule of their agency where the enforcement of which would be detrimental to the public welfare during this emergency..." Executive Order 20-18 extends this order. <a href="https://www.in.gov/idem/files/coronavirus_enforcement_discretion.pdf">https://www.in.gov/idem/files/coronavirus_enforcement_discretion.pdf</a>
Iowa	The Iowa Department of Natural Resources (Department) will exercise its enforcement discretion through April 30, 2020. If persons and regulated entities meet certain criteria and adhere to the applicable directives, the Department will exercise its enforcement discretion by, as appropriate, (1) not seeking administrative penalties for cited violations of law, or by (2) renewing or not seeking to revoke certain licenses, certifications, or permits. See also <a href="#">DNR Enforcement Discretion and Compliance Protocol</a> .
Kansas	The Kansas Department of Health and Environment (KDHE) expects the regulated community to continue to implement the environmental regulations and permitting to the best of their ability. However, KDHE will provide as much flexibility as possible.
Kentucky	There is no blanket relief offered at this time. Relief will be on a case-by-case basis.
Louisiana	The Louisiana Department of Environmental Quality issued a statewide <a href="#">Declaration of Emergency and Administrative Order</a> providing relief from "the regulatory and proprietary requirements of the Department." The relief provides a 30-day extension for deadlines between March 19, 2020, and the expiration of the order for the following limited circumstances: <ul style="list-style-type: none"> <li>• Any facility that lacks personnel due to COVID-19, the extension applies to the submission of periodic monitoring and other reports required by permits, regulations, other authorizations, enforcement actions, or settlement agreements, except for monitoring requiring by air permits issued under Title IV or V of the Clean Air Act (CAA) or under the Prevention of Significant Deterioration (PSD) program;</li> <li>• Any facility that lacks personnel due to COVID-19, the extension applies to obligation to conduct periodic monitoring required by permits, regulations, other authorizations, enforcement actions, or settlement agreements, except for monitoring requiring by air permits issued under Title IV or V of the CAA or PSD program; and</li> <li>• Deadlines to apply for renewal of an existing permit, except for air permits issued under Title V of the CAA, provided, the renewal applications are submitted before the existing permit expires.</li> </ul>
Maine	<a href="https://www.maine.gov/dep/coronavirus.html">https://www.maine.gov/dep/coronavirus.html</a> ; Maine Department of Inland Fisheries and Wildlife <a href="https://www.maine.gov/ifw/emergency-updates/index.html">https://www.maine.gov/ifw/emergency-updates/index.html</a>
Maryland	The Governor of Maryland issued an executive order that establishes a grace period for state licenses, permits, and registrations that will expire or be up for renewal during the recently declared official state of emergency. After the state of emergency is lifted, renewal deadlines will be extended for another 30 days. All mission-critical emergency response, field inspections and site visits necessary for the protection of public health and the environment will continue. All non-emergency / non-essential Maryland Department of the Environment employees will be teleworking until further notice. During this time, MDE staff will continue to be available by phone and email
Massachusetts	Information only for waste water and drinking water operators <a href="https://www.mass.gov/lists/covid-19-information-for-drinking-water-and-wastewater-operators">https://www.mass.gov/lists/covid-19-information-for-drinking-water-and-wastewater-operators</a>
Michigan	During the COVID-19 response, regulated entities are expected to maintain compliance with environmental regulations and permit requirements to protect Michigan's environment and public health. EGLE understands that disruptions to standard operations may create challenges for regulated entities to meet some legal obligations. EGLE has established an email box (EGLE-EnforcementDiscretion@mi.gov) to accept requests for regulatory flexibility from entities who face unavoidable noncompliance directly due to the COVID-19 emergency. In response to those

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	requests, EGLE may consider extending reporting deadlines, waiving late fees, and otherwise exercising enforcement discretion. <a href="https://www.michigan.gov/egle/0,9429,7-135--523592--,00.html">https://www.michigan.gov/egle/0,9429,7-135--523592--,00.html</a>
Minnesota	<p>All regulated entities remain obligated to take all available actions necessary to ensure compliance with environmental laws, regulations and permit requirements to protect the health and safety of the citizens of Minnesota and the environment.</p> <p>However, in the instance where regulated entities will have an unavoidable noncompliance situation, directly due to impact from the coronavirus, the MPCA has established an email box to accept requests for the Commissioner of the MPCA to consider providing regulatory flexibility, where possible, to assist entities in alternative approaches to maintaining compliance, such as extending reporting deadlines, extensions of operator certifications and other forms of regulatory flexibility. <a href="https://www.pca.state.mn.us/covid-19/covid-19-and-regulatory-flexibility">https://www.pca.state.mn.us/covid-19/covid-19-and-regulatory-flexibility</a></p>
Mississippi	<p>Address case-by-case; relatively consistent with EPA's policy:</p> <p align="center">             COVID-19 MDEQ            Guidance Document         </p>
Missouri	<p>DNR encourages all regulated entities to develop or continue to develop contingency plans aimed at addressing possible reductions in workforce due to COVID-19, and to pursue all available actions necessary to ensure compliance with environmental regulations and permit requirements. The Department will work with all entities that demonstrate a sincere commitment to compliance. In the face of limited resources, the Department acknowledges that entities may need to prioritize their compliance activities. The first priority is always protecting human health and the environment, e.g., ensuring that drinking water is safe, air and water emissions meet permit limits, wastes are handled and disposed of safely, etc. To the greatest extent possible, regulated entities should continue to document compliance, including but not limited to, conducting sampling and analyses, recording monitoring results, keeping accurate and up-to-date records, and completing reports that document ongoing compliance. While timely reporting is always important, the Department recognizes that timely reporting may be challenging for entities with significantly reduced workforces. The Department will work with entities to accept alternate reporting schedules, where appropriate: <a href="https://dnr.mo.gov/docs/2020-03-24-requests-for-regulatory-relief-due-to-covid-19-impacts.pdf">https://dnr.mo.gov/docs/2020-03-24-requests-for-regulatory-relief-due-to-covid-19-impacts.pdf</a></p>
Montana	<p>Includes information on closure of offices, regulatory discretion, guidance for water operators and Solid Waste Interim Program Plan. Offices are currently closed to the public. <a href="http://deq.mt.gov/updates">http://deq.mt.gov/updates</a></p>
Nebraska	<p>NDEE expects the regulated community to comply with Nebraska's environmental laws, regulations, and permits to the best of their ability. NDEE will provide as much flexibility and assistance as lawfully possible. See Director, <a href="#">NDEE ltr of 27 Mar 2020</a>.</p>
Nevada	<a href="http://dcur.nv.gov/about-us/covid-19-updates">http://dcur.nv.gov/about-us/covid-19-updates</a>
New Hampshire	<a href="https://www.des.nh.gov/covid19/index.htm">https://www.des.nh.gov/covid19/index.htm</a>
New Jersey	<a href="https://www.nj.gov/dep/">https://www.nj.gov/dep/</a>
New Mexico	No specific compliance policy available <a href="https://www.env.nm.gov/nmed-resources-for-covid-19/">https://www.env.nm.gov/nmed-resources-for-covid-19/</a>
New York	Waste management guidance only: <a href="https://www.dec.ny.gov/chemical/119944.html">https://www.dec.ny.gov/chemical/119944.html</a>
North Carolina	<p>0 formal guidance being developed at this time. Will continue with regulatory responsibilities with exceptions to routine inspections that are suspended until further notice. Counterparts and installation counterparts are to determine how to navigate any mandatory/statutory compliance while respecting county shelter-in-place restrictions, distancing requirements, and other concerns.</p>
North Dakota	<p>DEQ office closure until 4/20/2020. Includes temporary environmental compliance policy, drinking water sampling precautions, and sustaining public water system operations guidance at - <a href="https://deq.nd.gov/Covid19/">https://deq.nd.gov/Covid19/</a>.</p>


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	Includes guidance for sustaining public water systems, temporary environmental compliance policy, and drinking water sampling precautions. <a href="https://deq.nd.gov/Covid19/">https://deq.nd.gov/Covid19/</a>
Ohio	All regulated entities remain obligated to take all available actions necessary to ensure compliance with environmental regulations and permit requirements to protect the health and safety of Ohioans and the environment. However, in the instance where regulated entities will have an unavoidable noncompliance situation, directly due to impact from the coronavirus, an email box has been established by Ohio EPA to accept requests for the Director of Ohio EPA to consider providing regulatory flexibility, where possible, to assist entities in alternative approaches to maintaining compliance, such as extending reporting deadlines, consideration of waiving late fees and exercising enforcement discretion. <a href="https://www.epa.state.oh.us/covid19">https://www.epa.state.oh.us/covid19</a>
Oklahoma	<a href="https://www.deq.ok.gov/external-affairs-division/for-media/covid-19-news-information/">https://www.deq.ok.gov/external-affairs-division/for-media/covid-19-news-information/</a>
Oregon	DEQ requests that regulated entities document the pandemic-related disruptions to their operations. In addition, DEQ requests that regulated entities justify how disruptions to operations have caused or may cause non-compliance. DEQ will continue to exercise reasonable enforcement discretion within its authority when deciding whether to pursue potential violations caused by pandemic-related disruptions: <a href="https://www.oregon.gov/deq/Pages/covid-19.aspx">https://www.oregon.gov/deq/Pages/covid-19.aspx</a>
Pennsylvania	<p>The Department of Environmental Protection (DEP) is continuing to respond to environmental emergencies and complaints during the duration of the COVID-19 pandemic emergency. Residents should contact DEP at 1-800-541-2050 to report environmental emergencies or complaints.</p> <p>Many industries in Pennsylvania have been ordered to suspend operations for the duration of the emergency declaration. For industries that can remain in operation the Commonwealth of Pennsylvania encourages operators of essential industries to employ social distancing practices and limiting activities as possible. All permittees and operators are expected to meet all terms and conditions of their environmental permits, including conditions applicable to cessation of operations. DEP is committed to its mission of protecting public health and the environment and as such will continue to monitor these permitted facilities that have temporarily ceased operations.</p> <p><a href="https://www.dep.pa.gov/Pages/AlertDetails.aspx">https://www.dep.pa.gov/Pages/AlertDetails.aspx</a></p>
Puerto Rico	No information posted as of April 3
Rhode Island	The DEM is not providing any broad relief measures or policies. Businesses and other regulated entities are encouraged to contact DEM with any specific issues that they are encountering that relate to regulatory compliance. Requests for relief will be considered on a case-by-case basis. Those requests should be specific as to how current conditions related to COVID-19 are causing the issue, the environmental effects of noncompliance if applicable, and what efforts have been made to comply to the highest degree feasible. The requests should also explain the length of time necessary for the relief and what steps will be taken to return to full regulatory compliance at the earliest opportunity. <a href="http://www.dem.ri.gov/programs/media/covid19.php">http://www.dem.ri.gov/programs/media/covid19.php</a>
South Carolina	Formal guidance will follow EPA's and South Carolina's EO 2020-10. An electronic mailbox has been set up to receive requests for regulatory relief consideration due to the COVID-19 event: <a href="mailto:environmentalcompliance@dhec.sc.gov">environmentalcompliance@dhec.sc.gov</a> . The mailbox is monitored throughout the day, and messages will be routed to the proper regulatory program area for action. <a href="https://www.scdhec.gov/environmental-regulatory-assistance-covid-19">https://www.scdhec.gov/environmental-regulatory-assistance-covid-19</a>
South Dakota	<a href="https://denr.sd.gov/dfta/info/COVID19WaterQuality.aspx">https://denr.sd.gov/dfta/info/COVID19WaterQuality.aspx</a>
	FAQs regarding water quality and COVID 19
Tennessee	Tennessee Department of Environmental Conservation's Bureau of Environment (BOE) has issued guidance offering direction for BOE operations affecting BOE divisions and their various programs during the COVID-19 pandemic.

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	 04-07-20 Guidance for BOE Operations
Texas	Due to COVID-19 and reduced staff in the TCEQ workplace, TCEQ may exercise administrative relief and enforcement discretion for various reporting requirements by regulated entities: <a href="https://www.tceq.texas.gov/response/covid-19/tceq-preparedness-responsibilities-covid-19">https://www.tceq.texas.gov/response/covid-19/tceq-preparedness-responsibilities-covid-19</a>
Utah	Utah DEQ offices are currently closed to the public. UT DEQ refers to EPA guidance for compliance <a href="https://deq.utah.gov/tag/coronavirus">https://deq.utah.gov/tag/coronavirus</a>  <a href="https://deq.utah.gov/communication/news/sticky-02/operations-during-covid-19">Utah DEQ offers regulatory guidance memos for each Division to be referred to during COVID 19 Pandemic at https://deq.utah.gov/communication/news/sticky-02/operations-during-covid-19</a>
Vermont	The Agency has issued new environmental enforcement and permit compliance guidance in conjunction with the latest order from Governor Phil Scott to slow the spread of COVID-19. This guidance will expire at the end of the Governor's state of emergency declaration. This guidance does not apply to Department of Fish and Wildlife regulated activities, criminal violations or accidental releases of petroleum products or hazardous materials, or critical functions. <a href="https://anr.vermont.gov/sites/anr/files/emergencyinfo/enforcement-discretion-covid-19-guidance.pdf">https://anr.vermont.gov/sites/anr/files/emergencyinfo/enforcement-discretion-covid-19-guidance.pdf</a>
Virginia	<a href="https://www.deq.virginia.gov/COVID19UpdatesinVA.aspx">https://www.deq.virginia.gov/COVID19UpdatesinVA.aspx</a> <a href="https://www.deq.virginia.gov/Portals/0/DEQ/ConnectwithDEQ/EnvironmentalInformation/COVID19/COVID-19compliance.pdf">https://www.deq.virginia.gov/Portals/0/DEQ/ConnectwithDEQ/EnvironmentalInformation/COVID19/COVID-19compliance.pdf</a>
Washington	All applicable state requirements remain in effect, but Ecology will exercise reasonable discretion within our authority when deciding whether to pursue potential violations that may be linked to the current COVID-19 pandemic: . <a href="https://ecology.wa.gov/About-us/Get-to-know-us/Coronavirus-Updates/Regulatory-flexibility">https://ecology.wa.gov/About-us/Get-to-know-us/Coronavirus-Updates/Regulatory-flexibility</a>
West Virginia	Gov. Jim Justice has asked WVDEP to remain in constant communication with the U.S. EPA regarding potential compliance and enforcement issues that may arise. As of today, all rules, regulations and permitting requirements under the jurisdiction of the WVDEP remain in full effect.  <a href="https://dep.wv.gov/news/Pages/WVDEP-still-enforcing-all-applicable-rules-and-regulations-amid-COVID-19-pandemic.aspx">https://dep.wv.gov/news/Pages/WVDEP-still-enforcing-all-applicable-rules-and-regulations-amid-COVID-19-pandemic.aspx</a>  <a href="https://dep.wv.gov/daq/Documents/DAQ%20COVID-19%20Compliance%20Guidance%202020-03-27.pdf">https://dep.wv.gov/daq/Documents/DAQ%20COVID-19%20Compliance%20Guidance%202020-03-27.pdf</a>
Wisconsin	WI Department of Natural Resources: <a href="https://dnr.wi.gov/covid-19/">https://dnr.wi.gov/covid-19/</a>
Wyoming	<a href="http://deq.wyoming.gov/covid-19/">http://deq.wyoming.gov/covid-19/</a> Includes a link for water quality solid and hazardous waste division electronic document submission. WY DEQ released temporary guidance on enforcement and compliance which is consistent with EPA's March 2020 COVID 19 guidance. <a href="http://deq.wyoming.gov/admin/news/deq-releases-temporary-guidance-on-enforcement-and-compliance">http://deq.wyoming.gov/admin/news/deq-releases-temporary-guidance-on-enforcement-and-compliance</a>