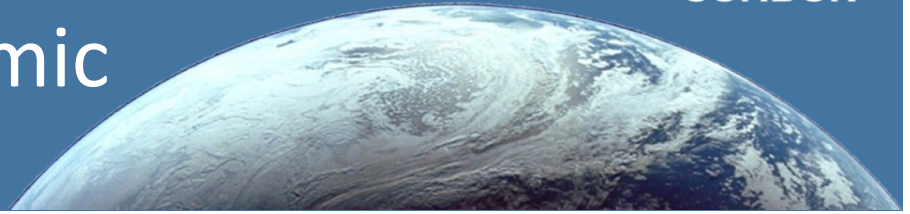


# EPA Announces Enforcement Discretion Policy During COVID-19 Pandemic



**What this means for you**



*Enforcement discretion set forth in the Temporary Policy is conditioned on a regulated entity making every effort to comply with its environmental obligations. Where compliance is not “reasonably practicable” due to COVID-19, companies must provide documentation as to their reasons, efforts and decisions/actions (plus how COVID-19 caused the noncompliance).*

*The Temporary Policy reiterates EPA’s expectation that all regulated entities manage and operate their facilities in a manner that is safe and protective of the public and the environment. That is, EPA is not giving permission to the regulated community to pollute or violate environmental laws and permits.*

*The Temporary Policy does not provide a full reprieve from enforcement nor does it excuse compliance with all environmental laws.*

**Activities expressly excluded from the policy include:**

- Requirements to prevent, respond to, or report accidental releases
- Citizen suits

*Authorized states or tribes may take a different approach under their own authorities. For example, the California State Water Resources Control Board (SWRCB) published an alert on March 20, 2020, stating that compliance with its permits is still required and expected, not withstanding any shelter-in-place orders. However, the SWRCB did allow potential for compliance leniency .*



**At Condor, we're here to help.**

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Contact: Micheline Kipf at  
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