DEQ Program Involvement for Division 12 Rule Development

During the summer of 2012, DEQ’s Office of Compliance and Enforcement (OCE) staff began contacting DEQ’s air quality, water quality and land quality program management teams to gather suggestions and determine needed changes to DEQ’s Division 12 Enforcement Procedure and Civil Penalties rules. Each Environmental Law Specialist (ELS) who is the lead for the respective program attended at least one program management team meeting to explain that OCE was beginning work to amend Division 12 to increase base civil penalties to implement 2009 legislation that increased DEQ civil penalty maximums, and to gather suggestions and input from the respective programs for needed changes to the rules.

Program managers made suggestions in consultation with their respective program-lead ELS. Changes suggested by the programs included adding new violations to classifications or re-classifying certain violations, amendments to selected magnitudes and moving various violators to new civil penalty matrices. OCE considered and incorporated those changes, as appropriate, and are reflected in the current draft rule proposal.