

**From:** [CARLOUGH Les](#)  
**To:** [ROOT Jenny](#)  
**Subject:** implementation notes  
**Date:** Friday, November 01, 2013 2:42:26 PM

---

Here's a few suggestions:

Regarding amendments to Division 11:

- Parties affected by the onsite records fee will be notified when they request records and when affected parties review the fee schedule on the DEQ website.
- DEQ staff that oversee septic system records have been notified of the upcoming change and will receive additional training on implementing the new fee. Several counties also charge a fee for septic records and DEQ staff can learn from their experiences on what works best. DEQ is also exploring ways to make the onsite records request process easier for affected parties such as the acceptance of credit card payments, and the delivery of records via email or fax.
- Parties affected by changes to the other public records fees will be notified about the current fees as part of the estimate when they make the request.
- Parties affected by changes in the contested case procedural rules will be notified during the contested case process.
- No other notices are necessary for these rules.

Regarding amendments to Division 12, staff from DEQ's Office of Compliance and Enforcement will do the following:

- DEQ staff who conduct inspections and use Division 12 have been previously involved and notified of the proposed changes. Upon adoption, staff from DEQ's Office of Compliance and Enforcement will work with the Air, Water, and Land Division staff and managers to update the expected enforcement response for the new classifications. Those changes in how DEQ will employ its enforcement discretion will be recorded in an update to DEQ's internal management directive, called the *Enforcement Guidance*. And staff will be notified and trained on the revisions.
- The Office of Compliance and Enforcement will update its website to include the updated information and links to resources related to the updates. It will also notify potentially affected party groups through informational letters to the relevant trade associations and other groups and making descriptions of the changes available to trade or other publications interested in the penalty issues.
- Parties subject to penalties will be notified of the new rules as part of their formal notice when a contested case process is initiated.

Regarding the amendment to Division 200, DEQ will notify EPA that the state implementation plan rules have been updated to include the revised Division 12 penalty rules. No other notifications are necessary.