

Remediation Tracking

A Pathway to Compliance

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Goals of the Tracking System

- Keep sites progressing towards clean-up
 - Assure timely response for
Expedited Sites
 - Keep sites from “falling off the radar”
 - Will be used in future for more sites,
eventually all sites will be in system
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What Owner/Operators (and consultants) can expect

- Status Update Letters
- Possibly more Letters of Warning and Notice of Violations
- Possible referrals to Compliance/Enforcement Section

Status Update Letters

- Sent when no response to last request was received
- After 30-120 day period
- Asks for updates on remediation project and response to last request
- Usually gives 30 days to respond

Follow-up Phone Calls

- May call owner or consultant to check up on site status
- E-mail may also be used, if appropriate

Letter of Warning (LOW)

- Sent when no response received on status update
- Usually 30 day response time
- More stern language

Notice of Violation (NOV)

- Sent when no response to LOW received
- Usually 15 day response time
- Lists the State Statute/Regulation violated
- More stern language, may mention penalties
- Followed by referral to Compliance/Enforcement

Remediation Unit Goals

- keep sites progressing in clean-up
- avoid elevated enforcement actions
- progress towards No Further Action (NFA)
- Avoid Legal action or involvement
 - slows the progress
 - adds expense

Referral to Enforcement

- May include civil penalties up to \$10,000/day per violation
- May involve Attorney General's Office (AGO)
- May involve Civil Court
- May involve Settlement Agreements, Consent Judgments, or Abatement Orders which typically involve strict compliance schedules

Conclusion

- Don't get too excited when letters arrive
- More and more sites will get into tracking system
- Should get more sites to closure and NFA status
- Should help Owners and Consultants and MDNR Tanks Section with productivity

Questions?

Comments?

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