

A close-up of a hand in a white shirt sleeve and a gold watch, holding a thick, light-colored rope. The hand is positioned at the top of the frame, with the rope extending downwards.

Out of Bounds

Out of Control

REGULATORY ENFORCEMENT AT THE EPA



James V. DeLong

Out Of Bounds And Out Of Control Regulatory Enforcement At The Epa Hardcover

Jessica J Manson



Out Of Bounds And Out Of Control Regulatory Enforcement At The Epa Hardcover:

Out of Bounds and Out of Control James V. DeLong, 2002-09-25 Out of Bounds Out of Control measures the enforcement activities of the Environmental Protection Agency against that standard and finds them disturbingly deficient Environmental regulation is so detailed and obscure that no one can identify all relevant mandates let alone ensure compliance EPA maintains broad discretion to define legal violations and resists any checks Discretion is exercised retroactively or arbitrarily People fear to dispute the agency's interpretation of its power or express doubts about the absolute primacy of its mission lest they be made into examples The concept of intent has become so attenuated that it provides no limitation on prosecution The EPA also blurs the lines separating governmental powers Using its open ended authority to interpret vague statutes it makes the laws that define its own powers then investigates prosecutes adjudicates and penalizes Judicial checks are sporadic This panoply of authority breeds regulatory zealotry and a disregard for the rights of the regulated The book however is more than a sobering look at a legal theory In story after story specific regulatory abuses are examined many of which are positively Kafkaesque Moreover many of the problems documented in the book are pandemic across the government The ultimate lesson to be drawn is that deep structural reform is needed to restore the rule of law to administrative agencies

Bulletin of the Atomic Scientists, 1988-01 The Bulletin of the Atomic Scientists is the premier public resource on scientific and technological developments that impact global security Founded by Manhattan Project Scientists the Bulletin's iconic Doomsday Clock stimulates solutions for a safer world

Environmental Science & Technology, 1980 Oct 1969 issue contains the 1969-70 Pollution Control Directory *Environment Reporter*, 1984 Current developments a weekly review of pollution control and related environmental management problems Decisions later published in bound volumes Environment reporter Cases Monographs Federal laws Federal regulations State air laws State water laws State solid waste land use laws Mining

Federal Pollution Control Laws Robert Esworthy, 2014-10-31 As a result of enforcement actions and settlements for noncompliance with federal pollution control requirements the U S Environmental Protection Agency EPA reported that during FY2013 regulated entities committed to invest an estimated 7.0 billion for judicially mandated actions and equipment to control pollution injunctive relief and 22.0 million for implementing mutually agreed upon supplemental environmentally beneficial projects EPA estimated that these compliance enforcement efforts achieved commitments to reduce or eliminate 1.3 billion pounds of pollutants in the environment primarily from air and water and to treat minimize or properly dispose of 148 million pounds of hazardous waste Noncompliance with federal pollution control laws remains a continuing concern The overall effectiveness of the enforcement organizational framework the balance between state autonomy and federal oversight and the adequacy of funding are long standing congressional concerns

Federal Pollution Control Laws Robert Esworthy, 2010-11 Contents 1 Intro Federal and State Government Interaction 2 Statutory Framework for Enforcement of Pollution Control Laws and Key Players Key Players in Environ

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Activities Examples of Reported Enforcement Actions and Penalties Over Time Illus and tables Enforcement at the EPA
Joel A. Mintz, 1995-01-01 This book offers the first comprehensive history of a difficult and often neglected part of EPA's
responsibilities the enforcement of federal environmental standards Drawing on extensive interviews with the political
appointees administrators and staff who have provided the agency's direction as well as his own professional experience with
EPA Joel A. Mintz explores the historical evolution of the agency's enforcement program its institutional setting within the
larger political arena and its current strengths and shortcomings This history will be important reading for students of
political science public policy environmental law administrative law anthropology sociology and related fields It should also
be read by attorneys who represent parties in enforcement cases initiated by EPA by the agency's own managers and
professional staff and by public citizens concerned with environmental issues **EPA Regulations** James E. McCarthy, 2011
In the two years since Barack Obama was sworn in as President the Environmental Protection Agency EPA has proposed and
promulgated numerous regulations implementing the pollution control statutes enacted by Congress Critics have reacted
strongly Many both within Congress and outside of it have accused the agency of reaching beyond the authority given it by
Congress and ignoring or underestimating the costs and economic impacts of proposed and promulgated rules Republican
leaders have promised vigorous oversight of the agency in the 112th Congress and the House has already voted to overturn
specific regulations and to limit the agency's authority Particular attention is being paid to the Clean Air Act under which
EPA has moved forward with the first federal controls on emissions of greenhouse gases and addressed conventional
pollutants from a number of industries Environmental groups disagree that the agency has overreached and EPA itself
maintains that its pace of regulation under the Clean Air Act is actually slower than the pace during the first years of the
Clinton and George W Bush Administrations The agency states that critics focus on the cost of controls obscures the benefits
of new regulations which it estimates far exceed the costs and it maintains that pollution control is an important source of
economic activity exports and American jobs This report provides background information on recent EPA rulemaking to help
address these issues It examines 43 major or controversial regulatory actions taken by or under development at EPA since
January 2009 providing details on the regulatory action itself presenting an estimated timeline for completion of the rule
including identification of related court or statutory deadlines and in general providing EPA's estimates of costs and benefits
where available The report also discusses factors that affect the timeframe in which regulations take effect including
statutory and judicial deadlines public comment periods judicial review and permitting procedures the net results of which

are that existing facilities are likely to have several years before being required to comply with most of the regulatory actions under discussion. Unable to account for such factors which will vary from case to case, timelines that show dates for proposal and promulgation of EPA standards effectively underestimate the complexities of the regulatory process and overstate the near term impact of many of the regulatory actions.

Enforcement at the EPA Joel A. Mintz, 2012-04-01 The only published work that treats the historical evolution of EPA enforcement, this book provides a candid inside glimpse of a crucial aspect of the work of an important federal agency. Based on 190 personal interviews with present and former enforcement officials at EPA, the U.S. Department of Justice, and key congressional staff members, along with extensive research among EPA documents and secondary sources, the book vividly recounts the often tumultuous history of EPA's enforcement program. It also analyzes some important questions regarding EPA's institutional relationships and the Agency's working environment. This revised and updated edition adds substantial new chapters examining EPA enforcement during the Clinton and George W. Bush administrations. Its treatment of issues of civil service decline and the applicability of captive agency theory is also new and original.

EPA Compliance and Enforcement Answer Book 2015 Adam Sowatzka, Richard E. Glaze, 2014 The U.S. Environmental Protection Agency enforces an extensive array of federal environmental laws and regulations and it delegates enforcement authority to state environmental officials as well. These laws may affect not only major manufacturing operations like chemicals and automobiles but also small businesses and operations such as hospitals, universities, farms, and municipal governments. Failure to comply may subject firms and their officers and employees to federal and state administrative proceedings, civil lawsuits, and criminal prosecutions. To help firms and individuals comply with the law and deal effectively with the EPA, this new book provides in convenient question and answer format a brief overview of the main federal environmental laws and it then focuses in detail on the practical aspects of compliance and enforcement. Is state enforcement less stringent than federal enforcement? What does a typical permit provide? What are the enforcement consequences of failing to comply with monitoring and reporting requirements? How does EPA set its enforcement priorities? What triggers an EPA inspection? What is the first thing that should be done when an inspector arrives? What is an environmental crime? Can a corporate officer be prosecuted for the conduct of an employee? What is an administrative compliance order? What is a notice of violation? What is the role of the Department of Justice in environmental enforcement? What does imminent and substantial endangerment mean? What is economic benefit and why does EPA seek to recover it as part of the penalty calculation? Is compliance with the language of the permit a defense? How does bankruptcy affect enforcement actions by EPA? What are the benefits of implementing an environmental management system? How does one make a voluntary disclosure under EPA's audit policy? Can a citizen suit be brought if EPA or a state is pursuing an enforcement action for the same conduct? These questions and hundreds of others are answered clearly and succinctly by Adam Sowatzka and Richard E. Glaze Jr. based on the expertise they have gained both as lawyers for the government and as

private practitioners advising clients regarding environmental compliance As pointed out in the Foreword by Fred L Burnside Former Director U S EPA Office of Criminal Enforcement Forensics and Training EPA s enforcement programs have evolved and today the government utilizes a wide range of resources to investigate enforcement matters including inspectors criminal investigators regulatory experts sampling technicians chemists agency enforcement attorneys and civil and criminal prosecutors Companies and corporate officials often finding themselves at the mercy of government personnel and an unpredictable timetable need their own resources to respond effectively The EPA Compliance and Enforcement Answer Book provides an essential resource to help level the playing field **EPA Interim Guidance for Implementing the Small Business Regulatory Enforcement Fairness Act and Related Provisions of the Regulatory Flexibility Act** United States. Environmental Protection Agency,1997

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