

## Environmental Obligations during Covid-19

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In response to several measures undertaken as a response to the Covid-19 outbreak, there is major restructuring of business processes while companies incorporate remote work initiatives; temporary furloughs; ramped production schedules; reduced onsite staff; etc. Essentially leading to a myriad of new responsibilities and stressors.

With environmental agencies adjusting themselves to the changes in work environment, there have been many questions regarding the ability and need to complete regulatory filings, including reports, certifications, inspections, trainings, renewals, etc.

### **Are regulatory deadlines in effect?**

Yes. There has been consistent communication that all deadlines and requirements remain the same throughout this period for both essential and non-essential businesses. Unless you have received specific communication from a local regulatory authority on individual permits, presume all deadlines are in place. A few counties and state departments have provided very limited response offering waivers or extensions with upfront notice and approval on specific items.

### **Is enforcement in full effect?**

Most agencies are in a reduced enforcement capacity and exercising enforcement discretion, meaning less onsite enforcement but resources are available for critical issues. Regulators are using enforcement discretion and overall not looking to initiate enforcement initiatives, although this does not relieve the burden, a slightly late but timely submittal should not see regulatory enforcement – but no guarantees.

### **How should operations proceed?**

Maintain all compliance obligations as normal. If a work restriction postpones an onsite activity (literally no one onsite to support), then make a note on the inspection, report or training as to why it has not been completed and plan to catch it up at the first available moment. For online filings, continue to submit and file work by the stated deadlines. U.S. Compliance is actively working with clients to obtain required information upfront and develop offsite solutions, so that the information can be filed timely and remotely.

