

# Coronavirus (COVID-19): Arkansas Department of Energy and Environment Issues Environmental Enforcement Guidance

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On March 30, the Arkansas Department of Energy and Environment (E&E) issued an enforcement guidance document in response to COVID-19 related disruptions faced by regulated businesses.

Per the guidance, the E&E has created an e-mail address for regulated entities to report “unavoidable compliance situations.”

An affected facility may utilize the e-mail address to provide information that can facilitate alternative compliance flexibilities.

The guidance specifically lists reporting deadline extensions, late fee waivers, and enforcement discretion as three potential alternatives for relief. While not explicitly stated in the guidance, it is inferred that there will be other types of relief that will be considered by E&E for regulatory accommodations.

Enforcement discretion requests should e-mailed to [COVID19EE@adeq.state.ar.us](mailto:COVID19EE@adeq.state.ar.us). Specific regulatory relief requests will be monitored daily by E&E staff. According to the guidance, requests for relief submitted prior to March 30th will be considered without having to resubmit them.

The document provides information to be included with each request. According to E&E, staff will “work diligently to expeditiously review and respond to incoming requests from regulated entities.” In the instance alternative compliance pathways are authorized, the guidance requires those facilities granted such relief to maintain records related to the non-compliance.

The E&E guidance follows the issuance of a March 26 United States Environmental Protection Agency (EPA) Memorandum addressing “COVID-19 Implications for EPA’s Enforcement Assurance Program.”

A copy of the E&E Memorandum can be found [here](#).

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