



1 systematic voluntary self-investigations, including monitoring, evaluation, review, and  
2 assessment of a facility's compliance and conditions of permits; and

3 WHEREAS, a voluntary compliance audit program should encourage a regulated  
4 facility to increase transparency and improve communications and compliance with the laws  
5 and regulations enforced by the DEQ; and

6 WHEREAS, a voluntary compliance audit program should encourage regulated  
7 facilities to provide more compliance information to the DEQ thereby enabling improved  
8 enforcement capabilities by the department; and

9 WHEREAS, a voluntary compliance audit program should provide for limited  
10 privilege from disclosure of certain information contained in the voluntary audit and create  
11 immunity from civil penalties for disclosing and promptly remediating violations discovered  
12 through a voluntary audit; and

13 WHEREAS, in 1995, the United States Environmental Protection Agency placed an  
14 emphasis on encouraging regulated entities to voluntarily discover, disclose, and correct  
15 environmental violations and offered penalty mitigation and incentives to companies for  
16 prompt voluntary disclosure; and

17 WHEREAS, in 2007, the United States Environmental Protection Agency announced  
18 that over four thousand entities discovered and promptly disclosed violations at more than  
19 eleven thousand three hundred facilities; and

20 WHEREAS, in May 2018, the United States Environmental Protection Agency  
21 renewed its commitment to working with entities interested in proactively managing their  
22 facilities to correct violations with minimized costs and reduced risks; and

23 WHEREAS, a voluntary compliance audit program will not shield any criminal  
24 activity by a facility nor will it protect a facility with violations that present a major degree  
25 of risk or impact to either human health or the environment from statutory and regulatory  
26 penalties; and

27 WHEREAS, a voluntary audit program is not intended to shield against any  
28 intentional violations nor will it excuse any violations that are not promptly remediated; and

