

# DEPARTMENT OF ENVIRONMENTAL CONSERVATION LEGISLATIVE REPORT

## Report Name: Uniform Environmental Enforcement Act Report

Year: 2024

Date reported: 02/14/2025

Authorizing statute: 10 V.S.A. §8017

Committees: President Pro Tempore of the Senate, Speaker of the House, House Committee on Natural Resources, Fish and Wildlife, & Senate Committee on Natural Resources and Energy

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## Executive Summary

The Department of Environmental Conservation (DEC) within the Agency of Natural Resources (ANR) includes an investigative body within the Environmental Compliance Division (ECD). The Enforcement Section (ENF) of ECD investigates and documents all alleged violations of Vermont's environmental permits, rules, regulations, and statutes that are under the jurisdiction of DEC. The Enforcement Section is staffed by a Chief Environmental Enforcement Officer (CEEEO), an Administrative Services Coordinator and seven (7) Environmental Enforcement Officers (EEOs) located within geographical districts throughout the state.

In 2024, DEC received a total of 3,923 incidents. 3,050 incidents were received by ENF, and 873 were initiated or received by DEC programs including 719 hazardous material spill reports. No violations were found in approximately 75% of the 1,946 incidents closed in 2024. Successful, voluntary compliance was achieved in approximately 84% of complaints where a violation had occurred, highlighting the benefits of face-to-face communications with EEOs and citizens to remedy violations.

ANR's Enforcement and Litigation Section is housed within ANR's Office of General Counsel (OGC). The legal staff in this section handle formal enforcement that begins when an investigation ends and includes negotiating settlement agreements and representing ANR in court proceedings related to formal enforcement actions. ECD and OGC work closely to bring cases identified by EEOs or DEC media program staff to legal resolution.

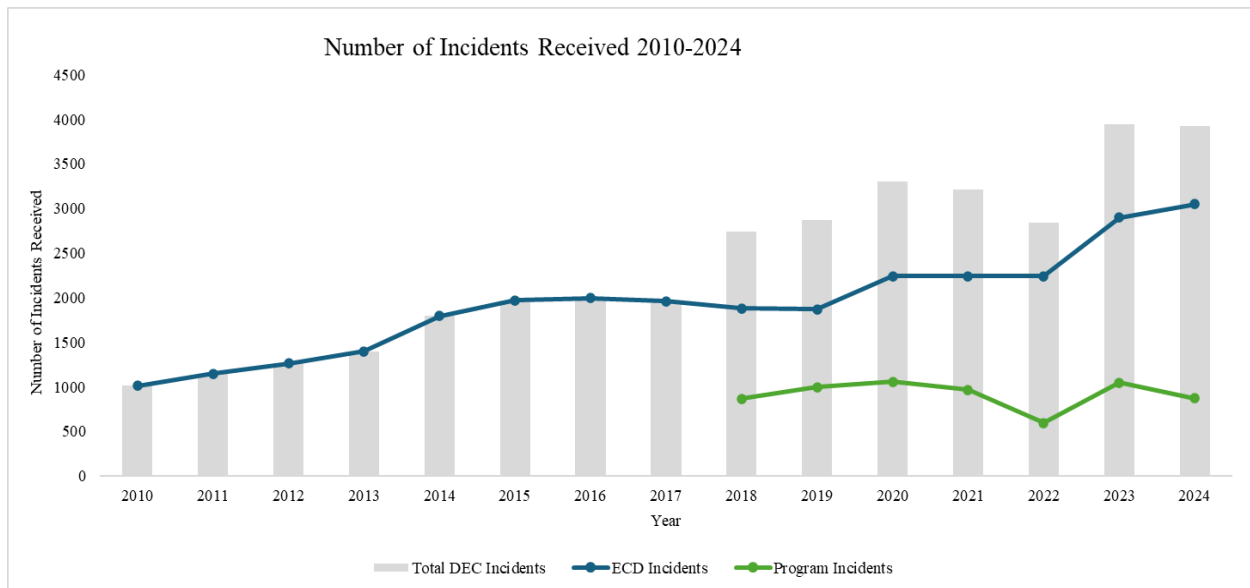
In 2024, ANR used formal enforcement methods in 17 cases through the issuance of civil citations, Administrative Orders, or Assurances of Discontinuances. The cases resulted in \$158,273.96 in penalties assessed for the year to be directed to the general fund.

### Collaboration with the Attorney General's Office (AGO)

ANR continues to work closely and effectively with the AGO, providing information on new cases to the AGO on a weekly basis and collaborating quarterly. The MOU between the two organizations is reviewed annually to ensure its continued effectiveness.

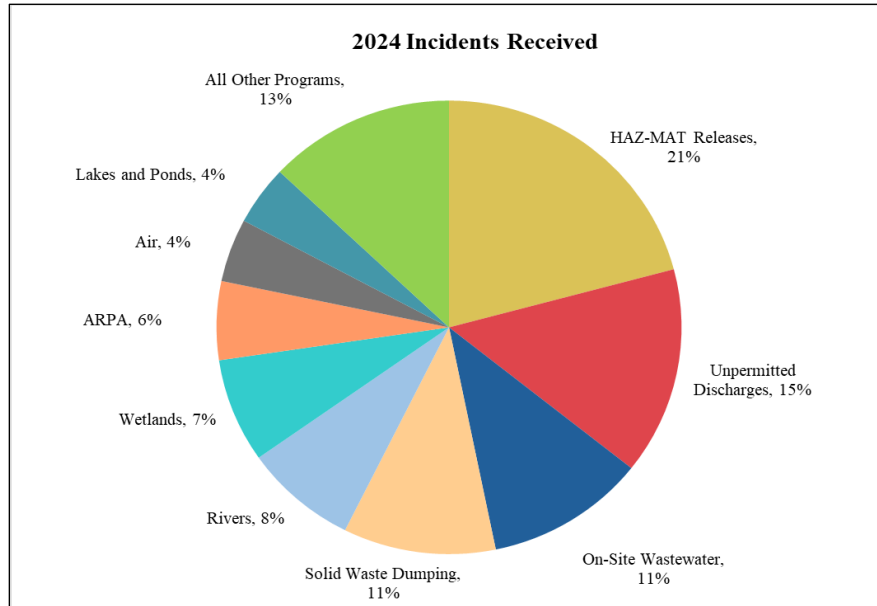
During 2024, ANR referred 3 enforcement cases to the AGO. There were no ANR-referred cases that were closed by the AGO during the year.

### Key Takeaways



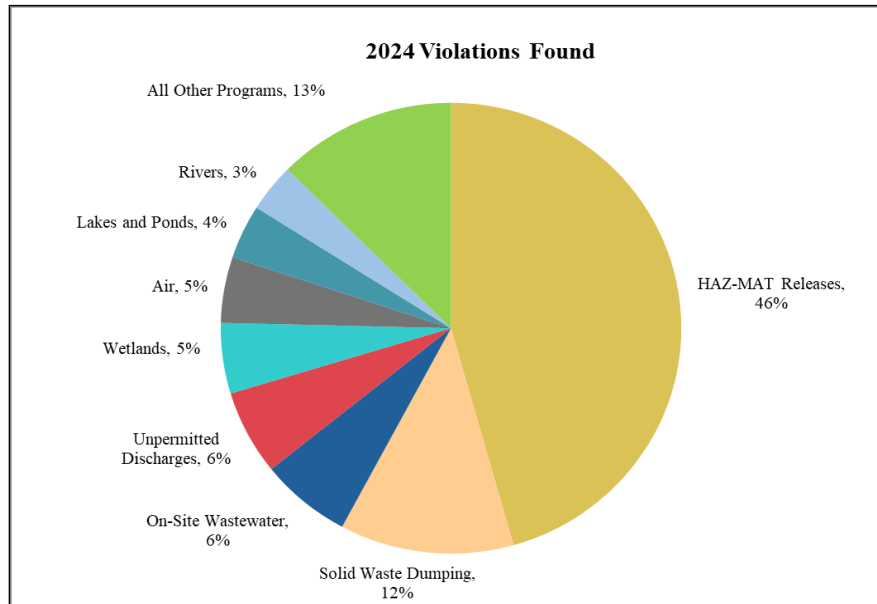
*Incidents Received by Year. ECD data is presented since 2010. Note: Although the tracking breakout of ECD and program incidents began in 2018, incidents involving ECD and individual programs occurred prior to 2018.*

In 2024, the most common categories of incidents received are presented in the figure below:



Program	Total	Percent
HAZ-MAT Releases	819	21%
Unpermitted Discharges	580	15%
On-Site Wastewater	436	11%
Solid Waste Dumping	416	11%
Rivers	309	8%
Wetlands	291	7%
ARPA	220	6%
Air	177	5%
Lakes and Ponds	166	4%
All Other Programs	509	13%
<b>Total</b>	<b>3923</b>	<b>100%</b>

The top categories of violations found in 2024 are present in the figure below:



Program	Total	Percent
HAZ-MAT Releases	541	46%
Solid Waste Dumping	145	12%
On-Site Wastewater	76	6%
Unpermitted Discharges	72	6%
Wetlands	60	5%
Air	56	5%
Lakes and Ponds	46	4%
Rivers	41	3%
All Other Programs	149	13%
<b>Total</b>	<b>1186</b>	<b>100%</b>

**Summary of Incidents Received and/or Resolved  
January 1, 2024 to December 31, 2024**

Division	Total Incidents Received 2024	Pending Of Those Received in 2024	Closed No Violation	Closed NOAV Issued	Closed Citation Requested/ Issued	Closed Voluntarily Corrected/ No Further Action Required	Closed Formal Action Requested/ Taken	Closed No Formal Action Taken*	Total Closed
Environmental Compliance Division	3050	843	1469	27	0	400	17	33	1946
DEC Media Programs	873	125	217	2	2	464	27	43	755
<b>Total</b>	<b>3923</b>	<b>968</b>	<b>1686</b>	<b>29</b>	<b>2</b>	<b>864</b>	<b>44</b>	<b>76</b>	<b>2701</b>

*\*Reflects complaints closed through other means, e.g. lack of evidence, lack of cooperation from complainant, referred to the appropriate regulatory program or NRB, unable to respond, or violation found/enforcement action not pursued*

**Summary of Formal Court Actions  
January 1, 2024 to December 31, 2024**

ANR closed eighteen (18) cases informally in 2024. Closed informally means an enforcement attorney was able to obtain compliance without the need for formal legal action, or further investigation may reveal that an enforcement action was no longer needed or appropriate, or one case is consolidated with another and closed. ANR resolved one violation with a Supplemental Environmental Project (SEP) in 2024 in the amount of \$47,812.50. A SEP is defined as: a project that primarily benefits public health or the environment and that persons charged with a violation are not otherwise obligated or likely to perform.

Type	Number Issued	Penalties Assessed	Penalties Collected
Administrative Orders	1	\$19,500.00	\$0.00
Assurances of Discontinuance	14	\$104,347.30	\$88,487.50
Supplemental Environmental Project	1	\$47,812.50	\$47,812.50
Civil Citations	2	\$3,000.00	\$3,000.00
Emergency Orders	0	\$0.00	\$0.00
<b>Total</b>	<b>18</b>	<b>\$174,659.80</b>	<b>\$139,300.00</b>