



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-2-52A

Issued: TN 53, 5/13/1994
Revised: TN R7-133, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Class II Administrative Penalty: Initiation of Action; Public Notice; Consultation with State; Negotiation and Signing of Consent Agreement; and Assessing Penalties

1. **AUTHORITY.** Pursuant to Sections 309(g) and 311 of the Clean Water Act, the authority to:
 - a. Make findings of fact; propose penalty to be assessed; issue, amend, or withdraw Class II administrative complaints;
 - b. Provide, or cause to be provided, public notice of proposed assessment and provide commentors with copies of orders entered on consent or on default;
 - c. Consult with States, as required;
 - d. Sign consent agreements between the Agency and the party against whom a Class II penalty is proposed to be assessed; and
 - e. Issue final orders assessing Class II penalties where no hearing is requested by the respondent or pursuant to a consent agreement.
2. **TO WHOM REDELEGATED.**
 - a. The authority in paragraphs 1.a. through 1.d. are redelegated to the director of the Enforcement & Compliance Assurance Division.
 - b. The authority in paragraph 1.e. is redelegated to the Regional Judicial Officer.
3. **LIMITATIONS.**
 - a. The director of ECAD must consult with the regional counsel, or her or his designee, and obtain advance concurrence on the legal sufficiency of documents to be issued under the authorities specified in paragraphs 1.a. and 1.d.

- b. These authorities may only be exercised in cases initiated by Region 7.

4. REDELEGATION AUTHORITY.

- a. The authority in paragraphs 1.a., 1.d., and 1.e. may not be redelegated.
- b. The authority in paragraph 1.b. may be redelegated to the level of branch chief and no further.
- c. The authority specified in paragraphs 1.c. may be redelegated to the staff level and no further.
- d. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Sections 309(g) and 311 of the CWA.
- b. Delegations 1-37, "Hearings," and 1-38, "Adjudicatory Proceedings."
- c. 40 C.F.R. Part 22.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-2-107

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CHAPTER 2

CLEAN WATER ACT

Enforcement of the Standards for the Use or Disposal of Sewage Sludge in all EPA Regions

1. **AUTHORITY.** The authorities as specified in delegations 2-13, 2-14A, 2-22, 2-51, 2-52A, and 2-52B, pursuant to the Clean Water Act, as applied to conducting inspections, information gathering and enforcement of the Standards for the Use or Disposal of Sewage Sludge outside the geographic boundary of Region 7 on behalf of other regions as the National Biosolids Center of Excellence.
2. **TO WHOM REDELEGATED.** These authorities are redelegated to the same officials specifically designated in redelegations R7-2-13, R7-2-14A, R7-2-22, R7-2-51, R7-2-52A, and R7-2-52B.
3. **LIMITATIONS.**
 - a. These authorities will continue to apply in all EPA regions, however any region may refer a biosolids matter to Region 7 for further investigation and/or enforcement. Region 7 may accept or decline the referral.
 - b. These authorities must be exercised in the manner specified by redelegations R7-2-13, R7-2-14A, R7-2-22, R7-2-51, R7-2-52A, and R7-2-52B.
 - c. Before exercising these authorities for matters located in whole or in part outside of Region 7, the specific delegatee of such authority must consult with the regional administrator or designee of the affected region. A region may elect to waive this limitation, if it so wishes, by notifying Region 7 of such waiver in writing.
4. **REDELEGATION AUTHORITY.**
 - a. These authorities may or may not be redelegated to the same extent specified in redelegations R7-2-13, R7-2-14A, R7-2-22, R7-2-51, R7-2-52A, and R7-2-52B.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. None.