



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-5-14**

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CHAPTER 5

FEDERAL INSECTICIDE, FUNGICIDE AND RODENTICIDE ACT

Administrative Enforcement: Issuance of Complaints and Signing of Consent Agreements

- 1. AUTHORITY.** Pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act, the authority to:
 - a. Issue written notices of warning;
 - b. Issue complaints and evaluate the appropriateness of civil penalties;
 - c. Negotiate consent agreements memorializing settlements between the agency and respondents;
and
 - d. Sign consent agreements memorializing settlements between the Agency and respondents.
- 2. TO WHOM REDELEGATED.**
 - a. These authorities are redelegated to the director of the Enforcement & Compliance Assurance Division.
 - b. The authority in paragraph 1.c. is redelegated to the regional counsel.
- 3. LIMITATIONS.**
 - a. The director of ECAD must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising the authority in paragraphs 1.b. and 1.d.
 - b. The director of ECAD and regional counsel must consult with the assistant administrator for the Office of Enforcement & Compliance Assurance, or her or his designee, in cases of national significance before exercising any of the above authorities except for the issuance of warning letters.
- 4. REDELEGATION AUTHORITY.**

- a. The authority in paragraph 1.c. may be redelegated to the staff level and no further.
- b. The authority in paragraph 1.d. may be redelegated to the level of branch chief and no further.
- c. The authority in paragraphs 1.a. and 1.b. may not be redelegated.
- 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. Delegation R7-5-15A, “Administrative Enforcement: Agency Representation in Hearings and Signing of Consent Agreements.”

Delegation of Authority

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FEDERAL INSECTICIDE, FUNGICIDE AND RODENTICIDE ACT (FIFRA)

5-14. Administrative Enforcement: Issuance of Complaints and Signing of Consent Agreements

1. **AUTHORITY.** Pursuant to the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), to issue written notices of warning; to issue complaints; to evaluate the appropriateness of civil penalties; and to negotiate and sign consent agreements memorializing settlements between the Agency and respondents.
2. **TO WHOM DELEGATED.** Regional Administrators and the Assistant Administrator for Enforcement and Compliance Assurance.
3. **LIMITATIONS.**
 - a. Regional Administrators must consult with the Assistant Administrator for Enforcement and Compliance Assurance or designee in cases of national significance before exercising any of the above authorities except for the issuance of warning letters.
 - b. The Assistant Administrator for Enforcement and Compliance Assurance may exercise these authorities in multi-Regional cases or cases of national significance.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated.
 - b. An officer or employee who redelegates authority does not divest herself or himself of the power to exercise that authority, and an official who redelegates authority may revoke such redelegation at any time.
5. **ADDITIONAL REFERENCES.**
 - a. Sections 9(c) and 14 of FIFRA.