Compliance Obligations during the COVID-19 Crisis - A Legal Perspective

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May 13, 2020
Environmental Compliance During the Covid 19 Crisis: Resources to Consider

- www.michigan.gov/coronavirus
- www.cdc.gov
- www.michigan.gov/egle/0,9429,7-135-99239--,00.html
- https://www.epa.gov/coronavirus
- www.millercanfield.com/resources-business-reopening-toolkit.html
- www.millercanfield.com/resources-millercanfield-coronavirus-response-team.html
Overview: Discretion

- Overview of EPA Policy

- Focuses on Routine Monitoring and Recordkeeping Requirements

- No “Make Up” Duty

- Self-Reporting Obligations Continue

- Current Legal Status
Discretion: Some Things to Consider

- Similar to Force Majeure *but* Does Not Excuse Compliance
- Applies Only to the Agency Exercising It
- Self Reporting
- Other Enforcement Risks
- Protection of Public Health and the Environment Is Paramount