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EPA NEEDS TO UPDATE ITS PESTICIDE AND CHEMICAL ENFORCEMENT PENALTY POLICIES AND PRACTICES (PAPERBACK)

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Createspace, United States, 2014. Paperback. Book Condition: New. 279 x 216 mm. Language: English . Brand New Book ***** Print on Demand *****.We found that EPA regions differed in how they documented decisions and justified penalties related to FIFRA and TSCA enforcement penalty reductions. EPA regions generally did not consistently determine and document reductions in proposed penalties based on good faith of the violators, and in some regions reductions appeared automatic without adequate justification. The lack of adequate guidance for determining good faith reductions and supporting documentation for good faith reductions creates a risk that violators may not be treated equitably. In addition, EPA may be losing opportunities to fully collect all penalties due. We found that the EPA lacks a sufficient policy to address violators who are unable to pay FIFRA and TSCA penalties. The current ability to pay model and policy are limited to cases where an individual may not have the cash to pay a penalty. However, no guidance exists for applying non-monetary penalty alternatives such as public service for FIFRA and TSCA inability to pay cases when cash is not available to pay a penalty. Also, training for enforcement staff needs to be updated to include more guidance on ability to pay cases. Therefore EPA's enforcement actions for FIFRA and TSCA ability to pay cases may be limited by its outdated policy, model and training, which could impact the regions consistent handling of the growing number of ability to pay claims being received from individuals.

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