CLEAN WATER ACT

2-22. Administrative Compliance Orders and Notices of Violation

1. **AUTHORITY.** Pursuant to Section 309(a) of the Clean Water Act, to make findings of violation; to issue and serve notices of violation; to issue and obtain service of administrative compliance orders; to send copies of any orders issued to appropriate States; and to confer with persons to whom an order is issued.

2. **TO WHOM DELEGATED.** Director, Enforcement and Compliance Assurance Division.

3. **LIMITATIONS.**

   a. Any official exercising this authority may do so only for those matters initiated by the Region.

   b. Any official exercising this authority must obtain the prior concurrence of the regional counsel or designee on the legal sufficiency of any findings of violation, notices of violation, or administrative orders.

4. **REDELEGATION AUTHORITY.**

   a. The authority to confer with persons to whom an order has been issued may be redelegated to the staff level.

   b. All other authorities may be redelegated to the branch chief level, and no further.

   c. 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 301(a), 309(a), and 402 of the CWA.

   b. 40 C.F.R. Parts 122-125.

Gregory Sopkin
Regional Administrator

11/18/19
Date