DELEGATION OF AUTHORITY
CLEAN AIR ACT (CAA)

Compromise, Remittance and Settlement of Administrative Penalties associated with Violations of Title II of the Clean Air Act

1. **AUTHORITY.** Pursuant to Title II of the Clean Air Act:
   a. To commence an administrative penalty action pursuant to Sections 205(c), 211(d) and 213(d), by providing written notice of a proposal to assess a penalty for any violations under Sections 203, 211 and/or 213.
   b. To compromise or remit administrative penalties, with or without conditions, which may be imposed pursuant to Sections 205(c), 211(d), and 213(d), for any violation under Sections 203, 211 and/or 213.
   c. To determine the facts in conjunction with commencing an administrative penalty action and/or compromise or remittance of penalties.
   d. To settle administrative penalty actions under Sections 205(c), 211(d) and/or 213(d).
   e. To take all associated actions pursuant to the CAA.
   f. To determine jointly with the attorney general the circumstances under which a matter involving a larger penalty than specified in Section 205(c) is appropriate for administrative penalty assessment.

2. **TO WHOM REDELEGATED.** To the director, Office of Compliance and Enforcement, or equivalent.

3. **LIMITATIONS.**
   a. Negotiations necessary to carry out the authorities in 1.d. shall be conducted by attorneys in the office of Regional Counsel, or equivalent.
   b. Representation of the EPA in administrative proceedings pursuant to the authorities in 1.d. and 1.e. shall be by attorneys in the office of Regional Counsel, or equivalent.

4. **REDELEGATION AUTHORITY.**
   a. This authority may be redelegated to the unit manager level, or equivalent, and no further.
   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. **SUPERSESSION.** This delegation supersedes any other delegation of the same authority.

6. **ADDITIONAL REFERENCES.**
   a. This delegation does not delegate the Administrator's authority to grant waivers under Section 211(f)(4) or issue regulations under Section 211.
   b. For civil judicial actions see the Chapter 7 delegation entitled "Civil Judicial Enforcement Actions" and "Emergency Temporary Retaliation Orders."
   c. For civil administrative actions other than those under Title II, see Chapter 7 delegation entitled "Administrative Enforcement Actions."
   d. EPA Delegation 7-19.

10/3/17
Date

Michelle L. Pirzadeh
Acting Regional Administrator