

On March 26, 2020, EPA issued a [guidance document](#) outlining temporary policy regarding the enforcement of environmental legal obligations for noncompliance resulting from the COVID-19 pandemic. Similarly, many state environmental agencies have also issued their own temporary enforcement discretion guidance, some expanding the EPA's discretion while others are warning that compliance is still required and violations will be pursued. Below are links to the states' guidance, which will be updated as more information becomes available.

On April 17, 2020, EPA issued the [interim final rule](#) on Continuous Emission Monitoring; Quality-Assurance Requirements During the COVID-19 National Emergency to temporarily amend the Part 75 emission monitoring and reporting regulations for the Acid Rain Program, Cross-State Air Pollution Rule (CSAPR), and the NO_x SIP Call. The temporary amendments are designed to reduce the COVID-19 exposure risk to power plant and other essential personnel. Under the temporary rule, power plant operators that cannot complete a required quality assurance activity due to travel, plant access, or other safety restrictions implemented to address the current COVID-19 national emergency can continue reporting valid, measured data. [More info.](#)

On July 29, 2020, EPA announced plans to terminate its enforcement discretion policy due to the COVID-19 pandemic on August 31st, 2020. EPA may still provide enforcement discretion on a case-by-case basis, but companies must prove that their plant is unable to meet standards as a direct result of the COVID-19 pandemic. [Read the full statement here.](#)

If you need any assistance or have any questions about compliance, please contact us at icacinfo@icac.com

Alabama: *n/a*

Alaska: <https://dec.alaska.gov/air/air-compliance/covid-19-caused-non-compliance-concerns/>

Arizona: <https://static.azdeq.gov/dir/adeqepacovid19memo.pdf>

Arkansas: https://www.adeq.state.ar.us/home/hot_topics/pdfs/energy-and-environment-enforcement-guidance.pdf

California: <https://ww2.arb.ca.gov/message-chair-mary-d-nichols-and-executive-officer-richard-w-corey-carbs-response-covid-19>

Colorado: https://drive.google.com/file/d/1WPHQ42OAE-9wJRG7_HPaurRkckToG5h8/view?usp=sharing

Connecticut: <https://portal.ct.gov/DEEP/COVID-19/DEEP-COVID-19-Response>

Delaware: <https://dnrec.alpha.delaware.gov/coronavirus/>

Florida: https://floridadep.gov/sites/default/files/EFO_Due_to_the_Effects_of_COVID-19_-_OGC_20-0239.pdf

Georgia: <https://epd.georgia.gov/document/document/response-questions-about-covid-19-implications-epdu2019s-compliance-and/download>

Hawai'i: <https://health.hawaii.gov/news/covid-19-updates/>

Idaho: <https://www.deq.idaho.gov/assistance-resources/covid-19-response/>

Illinois: https://www2.illinois.gov/IISNews/21289-IEPA_Temporarily_Closes_All_Vehicle_Emissions_Testing_Stations.pdf

Indiana: https://www.in.gov/idem/files/coronavirus_enforcement_discretion.pdf

Iowa: <https://www.iowadnr.gov/about-dnr/social-media-press-room/disaster-assistance#3057321-covid---19-outbreak>

Kansas: *n/a*

Kentucky: <https://kydep.wordpress.com/2020/03/18/ky-energy-and-environment-cabinet-services-and-covid-19-in-person-closure-information/>

Louisiana: <https://www.deq.louisiana.gov/assets/docs/Covid-19/Second-Amended-Declaration-of-Emergency-COVID-19-03-27-20.pdf>

Maine: <https://www.maine.gov/dep/coronavirus.html#air>

Maryland: <https://mde.maryland.gov/Pages/MDE-COVID-19-Update.aspx>

Massachusetts: <https://www.mass.gov/info-details/massdeps-covid-19-information-resources>

Michigan: <https://www.michigan.gov/egle/0,9429,7-135--523592--,00.html>

Minnesota: <https://www.pca.state.mn.us/covid-19/covid-19-and-regulatory-flexibility>

Mississippi: <https://www.mdeg.ms.gov/wp-content/uploads/2020/04/COVID-19-MDEQ-Guidance-Document.pdf>



Missouri: <https://dnr.mo.gov/docs/2020-03-24-requests-for-regulatory-relief-due-to-covid-19-impacts.pdf>

Montana: https://deq.mt.gov/Portals/112/Updates/DIR-080_DiscretionGuidance.pdf

Nebraska: <http://deq.ne.gov/NDEQProg.nsf/onWeb/COVID>

Nevada: *n/a*

New Hampshire: <https://www.des.nh.gov/covid19/documents/20200410-air-emissions-permit-information.pdf>

New Jersey: <https://nj.gov/dep/covid19regulatorycompliance/>

New Mexico: *n/a*

New York: <https://www.dec.ny.gov/press/119996.html>

North Carolina: <https://deq.nc.gov/news/press-releases/2020/03/30/memo-state-environmental-enforcement-during-covid-19>

North Dakota: *n/a*

Ohio: <https://www.epa.state.oh.us/covid19>

Oklahoma: <https://www.deq.ok.gov/wp-content/uploads/external-affairs/Scanned-from-a-Xerox-Multifunction-Printer-1.pdf>

Oregon: <https://www.oregon.gov/deq/Pages/covid-19.aspx>

Pennsylvania: <https://www.dep.pa.gov/Pages/AlertDetails.aspx>

Rhode Island: <http://www.dem.ri.gov/programs/media/covid19.php#bep>

South Carolina: <https://www.scdhec.gov/environmental-regulatory-assistance-covid-19>

South Dakota: *n/a*

Tennessee: <https://www.tn.gov/environment/covid19.html>

Texas: <https://www.tceq.texas.gov/response/covid-19/regulated-entities-reporting-requirements>



Utah: <https://documents.deq.utah.gov/admin/compliance/2020-03-30-daq-regulatory-guidance-during-covid-19-pandemic.pdf>

Vermont: <https://anr.vermont.gov/sites/anr/files/emergencyinfo/enforcement-discretion-covid-19-guidance.pdf>

Virginia:

<https://www.deq.virginia.gov/Portals/0/DEQ/ConnectwithDEQ/EnvironmentalInformation/COVID19/COVID-19compliance.pdf>

Washington: <https://ecology.wa.gov/About-us/Get-to-know-us/Coronavirus-Updates/Regulatory-flexibility>

West Virginia: <https://dep.wv.gov/news/Pages/WVDEP-still-enforcing-all-applicable-rules-and-regulations-amid-COVID-19-pandemic.aspx>

Wisconsin: <https://dnr.wi.gov/emergency/COVID19Compliance.html>

Wyoming: <http://deq.wyoming.gov/media/attachments/COVID-19/COVID-19%20Temporary%20Guidance.pdf>

United States: <https://www.epa.gov/sites/production/files/2020-03/documents/oecamemooncovid19implications.pdf>
[https://www.stateside.com/sites/default/files/2020-03/Covid-19%20Overview 31720 947a public.pdf](https://www.stateside.com/sites/default/files/2020-03/Covid-19%20Overview%2031720%20947a%20public.pdf)

