

## ENVIRONMENTAL

### UPDATE: EDISCLOSURE IS OPEN FOR BUSINESS

by Sharon R. Newlon & Kelly M. Martorano

EPA just announced that its eDisclosure system for reporting environmental audit disclosures and corrections is open for business as of December 9, 2015. Entities who register to file with EPA's Central Data Exchange will now be able to submit audit disclosures within 21 days and certify compliance electronically. For reported violations under the Emergency Planning and Community Right-to-Know Act (EPCRA) which meet all EPA Audit Policy conditions (Category 1 disclosures) EPA will issue an electronic Notice of Determination (eNOD) confirming their resolution without penalty. For all other reported violations (Category 2 disclosures) EPA will send an acknowledgment letter noting that EPA will determine their eligibility for penalty mitigation if and when it considers enforcement. EPA will screen Category 2 disclosures for concerns such as criminal conduct and imminent hazards. For more detail on the eDisclosure system, please see Dickinson Wright's June 19, 2015 Client Alert: [EPA Rolls Out New eDisclosure System for Audit Policy Disclosures](#).

#### FOR MORE INFORMATION CONTACT:



**Sharon R. Newlon** is a Member in Dickinson Wright's Detroit office. She can be reached at 313.223.3674 or [snewlon@dickinsonwright.com](mailto:snewlon@dickinsonwright.com).



**Kelly M. Martorano** is Of Counsel in Dickinson Wright's Troy office. She can be reached at 248.433.7274 or [kmartorano@dickinsonwright.com](mailto:kmartorano@dickinsonwright.com).

## ENVIRONMENTAL ATTORNEYS



**Margaret A. Coughlin** is a Member in Dickinson Wright's Troy office. She can be reached at 248.433.7272 or [mcoughlin@dickinsonwright.com](mailto:mcoughlin@dickinsonwright.com).



**Anna M. Maiuri** is a Member in Dickinson Wright's Troy office. She can be reached at 248.433.7558 or [amaiuri@dickinsonwright.com](mailto:amaiuri@dickinsonwright.com).



**David A. Owen** is a Member in Dickinson Wright's Lexington office. He can be reached at 859.899.8707 or [dowen@dickinsonwright.com](mailto:dowen@dickinsonwright.com).



**Darlene T. Marsh** is a Member in Dickinson Wright's Nashville office. She can be reached at 615.620.1716 or [dmarsh@dickinsonwright.com](mailto:dmarsh@dickinsonwright.com).



**Brian M. Johnson** is a Member in Dickinson Wright's Lexington office. He can be reached at 859.899.8704 or [bjohnson@dickinsonwright.com](mailto:bjohnson@dickinsonwright.com).

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