

Supplemental Environmental Projects



Presented by:

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New Jersey Department of Environmental Protection

Supplemental Environmental Projects

- Policy was approved by Assistant Commissioner of Compliance & Enforcement on December 5, 2011
- Can be found at :
www.nj.gov/dep/transformation/enforcement/seprule.html

What is a Supplemental Environmental Project (SEP)?

- Environmentally beneficial project that respondent agrees to perform as part of settlement – Administrative Consent Order
- Environment or public health must be primary beneficiary
- Must include measureable environmental benefits

A SEP is not...

- A project that would have been needed to comply with an enforcement order for a specified source
- Used to totally mitigate penalty

How?

- Respondent proposes at time of settlement
- Review by Department for approval/modification/rejection
- Incorporated into binding enforcement agreement (ACO)

Relationship of SEP to Violation

- Reduces the adverse impact to health and environment of affected area
- Reduces likelihood that similar violations would reoccur in the future
- Must consider the community impacted, otherwise an indirect SEP can be considered

Impact on Penalty

- For each dollar spent on SEP, one dollar is deducted from the penalty settlement amount up to 75%(50% for WPCA)
 - Example: Penalty \$125,000
 - Settlement : \$100,000
 - SEP amount \$75,000 (75% of settlement)
- 25% of settlement amount (50% for WPCA) must be paid in monetary form (\$25,000)

Not Acceptable for SEP

- Monetary Donation
- DEP or other state agency managing/
controlling funds
- Any promotion/publication of SEP must
clearly indicate that it was completed as part of
an enforcement action

Categories of SEP approved

- Pollution Reduction
- Pollution Prevention
- Remediation
- Environmental Enhancement

Diesel Oxidation Catalyst



Solar



Idle Air



Abandoned Gas Station – Camden, NJ



UST Removal



Stormwater from Street Directed to Rain Garden



Green Space and Park Improvement



Barnegat Bay SEP

- **Buffer Plantings and Signage along Schoolhouse Branch of the Metedeconk River in Ocean County Park, Lakewood**
- **Penalty from stack test violations**

Other Examples

- Rebates for Hybrid Cars
- Indirect SEP
- Diesel Particulate Filter
- Electrification

