



CONSUMER NEWS

SAN DIEGO CITY ATTORNEY'S OFFICE

Environmental Agencies

February 2015

Environmental crimes come in many varieties which can make reporting an environmental crime difficult. This newsletter provides general information about some of the many agencies that exist to assist in reporting when these crimes are observed.

FEDERAL AGENCIES:

USEPA: The Environmental Protection Agency has primary jurisdiction for enforcement of federal environmental laws. This includes transportation of certain designated chemicals and any transportation or disposal of RCRA waste (Resource Conservation and Recovery Act.) The EPA is also responsible for cleanup of large hazardous waste sites, and implementing the "Superfund."

FBI: The Federal Bureau of Investigation provides assistance to agencies that engage in investigations of criminal environmental activity on the federal level.

USFWS: The United States Fish and Wildlife Service enforce federal wildlife laws, including endangered species and migratory birds. USFWS also works with **DHS** (Department of Homeland Security) to ensure that no unlawful species are imported into the US.

NOAA: The National Oceanic and Atmospheric Administration has a fisheries division. This division is responsible for the control of fish species, ensuring that commercial fisheries are not depleting these resources.

Coast Guard: The Coast Guard, among other duties, responds to all oil spills and hazardous chemical spills that occur in the ocean, or in navigable waters. Additionally, the Coast Guard maintains the National Response Center.

USDOT: The Department of Transportation controls the transporting of hazardous materials over state lines.

USDOJ: The Department of Justice prosecutes federal environmental crimes both civilly and criminally.

STATE AGENCIES:

CFW: California Fish and Wildlife (formerly Fish and Game) is a law enforcement agency that primarily deals with the protection of fish and wildlife resources. Within Fish and Wildlife is the OSPR (Office of Spill Prevention and Response) division to respond to any oil discharge, and a staff of biologists to monitor environmental impacts.

CHP: California Highway is the primary agency to investigate spills originating from vehicle accidents on the highway.

CalEPA: California EPA is the parent agency to the CUPA (Certified Unified Program Agency), and a number of state regulatory agencies:

DTSC: Department of Toxic Substances Control. DTSC

regulates the flow of hazardous materials within the state.

ARB: Air Resources Board. ARB regulates emissions from vehicles and industry.

SWRCB: The State Water Resource Control Board is charged with implementing the Clean Water Act. Nine Regional Water Boards are in place throughout the state to implement the rules and permits that are created by this system. San Diego is located in Region 9.

DPR: Department of Pesticide Regulation. DPR monitors the use and exposure of certain pesticides within the state. Additionally, DPR licenses and regulates commercial pesticide businesses.

**LOCAL AGENCIES:
COUNTY**

Hazmat/CUPA: A CUPA is an agency that handles permitting and inspection of generators of Hazardous Waste under the direction of CalEPA. In San Diego County, that agency is County Hazmat under the umbrella of the County Department of Environmental Health. In addition to the regulatory function, Hazmat responds to any release of hazardous material.

AQMD: Air Quality Management District of San Diego is one of 35 such districts within the state. This agency is charged with monitoring and enforcing air quality within the county.

AWM/Pesticide: Agriculture Weights and Measures Pesticide control. This agency is primarily responsible for the safe use of pesticides, to prevent injury and disease caused by wildlife, and to ensure accurate goods and accuracy of weighing measuring and scanning devices.

District Attorney: The San Diego County District Attorney's office prosecutes felony environmental laws within the county of San Diego, and misdemeanors occurring outside of the City limits.

**LOCAL AGENCIES:
CITY**

Fire/Hazmat: Like the County, the City of San Diego has a Hazmat division within the Fire and Rescue Department. By mutual agreement, either the City's Hazmat team or the County's team will respond to any release within the City or County.

SWPPP: Storm Water Pollution Prevention Program. This agency works under the direction of the regional water board to regulate the quality of water and storm water in the City.

Environmental Services: Operates City trash services, and responds to illegal dumping activity.

City Attorney: The City Attorney's Consumer and Environmental Protection Unit (CEPU) prosecutes misdemeanor violations of environmental laws that occur within the City of San Diego. CEPU also prosecutes civil law

enforcement cases. Some examples of recent civil law enforcement cases can be viewed here:

[CEPU Highlights.](#)

In addition to the above agencies, any significant discharge must be reported to the state Office of Emergency Services if the discharge occurs on land or navigable waterways, or Federal National Response Center if the discharge meets certain criteria.

Please see the attached referral list for each of the listed agencies. There are more agencies that investigate environmental crimes, but this reference list should be a good starting point.

As always, in any emergency call 911 for immediate assistance.

**San Diego
City Attorney's Office
Consumer and Environmental
Protection Unit
(619) 533-5600**

This newsletter was compiled by David McKean



The information provided in this newsletter is intended to convey general information and is not intended to be relied upon as legal advice.

To report violations of consumer protection laws, call the City Attorney's Hotline at **(619) 533-5600.**