Pre-Approved Supplemental Environmental Projects (SEPs)

Listening Session

Office of Compliance and Enforcement

Sep. 17, 2026 Virtual

Using Zoom Webinar

- You should see the following along the bottom of your screen.



- To ask a question, either raise your hand or type your question in the Q&A box.
- To provide comment, raise your hand to join the queue when invited.
- You will not be able to speak unless the host enables your audio and then you unmute.
- Use chat if you're having technical difficulties.

Topics

- Introduction to Enforcement
- DEQ's SEP Policy
- Pre-Approved SEP Process
- Discussion and Questions

Introduction to Enforcement

Who we are:

- DEQ's enforcement office (OCE) is centralized – enforce all programs, statewide.

Why we enforce the law:

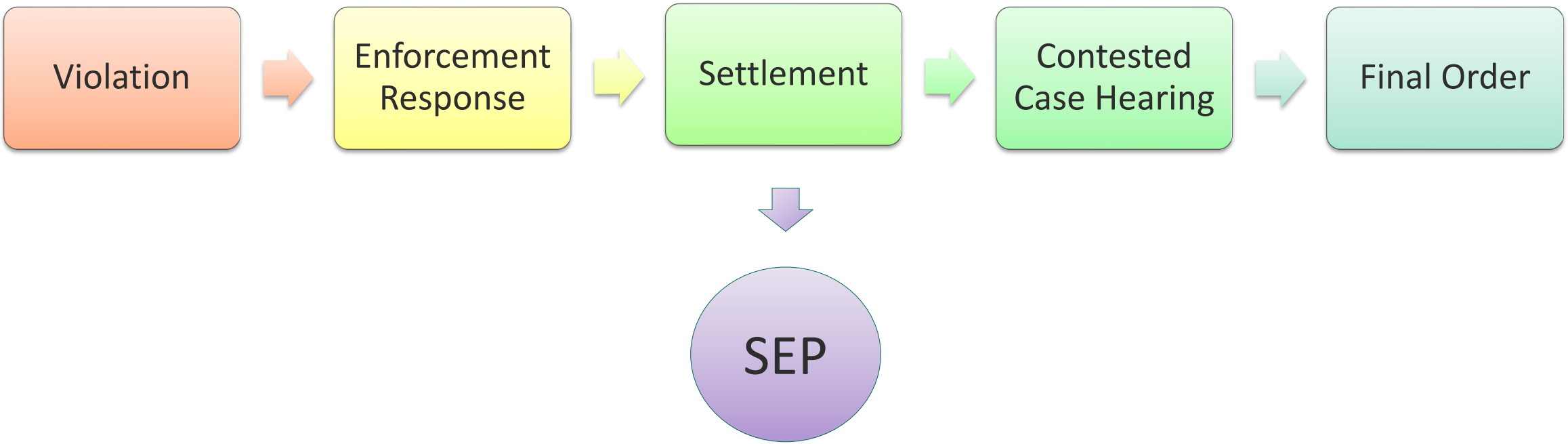
- Enforcement deters future violations, levels the playing field, and fulfills a civic obligation.

When we enforce the law:

- DEQ employs a progressive enforcement scheme – repeated violations and violations that pose a risk of harm to human health and the environment are penalized.

Introduction to Enforcement

The enforcement process



SEP Policy Criteria

What is a SEP?

- A SEP is a condition of settlement –
  - A penalty can be reduced by up to 80% if a respondent agrees to undertake an approved SEP.
  - If the funds are not spent on the SEP as proposed, the respondent is responsible for the entire penalty.
- The SEP policy is not a grant program
  - DEQ may not collect the funds and then grant them to qualifying recipients.

SEP Policy Criteria

*Project **Required** Criteria*

- The SEP must benefit human health or the environment in Oregon.
- The project must not be otherwise required by law.
- The SEP does not create significant market advantage for the violator.
- Project contribution must be at least equal to the penalty reduction.

SEP Policy Criteria

*Project **Required** Criteria*

- The portion of the project attributable to the penalty reduction cannot be funded by government loans, contracts, or grants
- DEQ cannot manage or control funds or manage or administer the project
- A Final SEP Report must be submitted to DEQ

SEP Policy Criteria

*Project **Preferred** Criteria*

- The SEP relates to the same environmental program as the violation.
- The SEP benefits the same geographic area where the violations occurred.
- SEP has measurable, tangible, environmental outcomes.

Inclusion of SEP in Settlement

- SEPs are optional settlement conditions.
- SEP application must be submitted to DEQ for review and approval before project work begins.
- Upon DEQ's approval, the SEP is incorporated into a final order.
- Final report must be submitted to DEQ

Two Types of SEPs

- Case-by-Case SEPs
  - Proposed and approved in the context of a specific enforcement case

- Pre-Approved SEPs
  - Projects (or fully formed concepts) that are vetted and approved by DEQ independent from a specific enforcement case
  - Goal is to more effectively connect respondents with ready projects

Pre-Approved SEP Applications

- Semi-annual application process:

Application Deadline	Posting on DEQ Website
October 31st	Early January
April 30th	Early July

- Projects will be pre-approved for a period of one year but are eligible for renewal.

- Streamlined application process for respondents.

Connecting Respondents with Pre-Approved SEPs

- Pre-approved projects will be posted on DEQ's website for one year.

- Searchable format
  - Media
  - Geographic location
  - Amount of funding needed
  - Organization

- Visual format

Project Selection Process

SEPs by the numbers:

YEAR	Total Number of Approved SEPs	Total Value of Approved SEPs
2021	25	$1,061,456
2022	23	$1,086,215
2023	30	$3,902,279
2024	12	$726,266
2025	14	$454,092

Asking a question

- Raise your hand to ask a question.
- Press *9 if you're listening by phone.
- You can also type your question in the Q&A box.
- Use Chat if you're experiencing technical difficulties.



Next Steps

- Initial applications for pre-approved SEPs due by October 31, 2026.
- DEQ will post the presentation of this listening session and the to: https://www.oregon.gov/deq/Regulations/Pages/SEP.aspx The recording of this session will be available upon request.
- Please send questions and comments on today's listening session to SEP.Enforcement@DEQ.oregon.gov

Thank you to all who joined us today!

Title VI and alternative formats

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