



**Background paper for the  
"Seminar on Strengthening the Enforcement and  
Administration of Environmental law in North America."  
PANEL 4.- Environmental enforcement at a local level, alternate  
mechanisms to solve environmental disputes and submissions on  
enforcement matters. (a) Local law enforcement attorneys,  
municipalities and commissions that perform auditing or public  
scrutiny related to environment. Coordination between federal  
enforcement authorities and state and local enforcement  
authorities.  
Author: Eva Kreisler, U.S. Environmental Protection Agency.**

In the United States, attaining and preserving a clean environment relies on a strong partnership between the U.S. EPA, state environmental agencies, tribal and local governments, and other federal agencies. By working together, these authorities can assist each other in their goal to preserve human health and the environment.

Federal environmental statutes recognize the importance of allowing states to have primary responsibility to implement and enforce federal environmental programs. Thus, states can apply for, and receive, authorization to administer most environmental programs.<sup>1</sup> Most states have approval to implement and enforce at least a portion of the U.S. environmental laws. In order to ensure a base level of protection across the nation, states seeking authorization for a particular statute must demonstrate that they have enforcement programs and statutes that are at least as stringent as the federal program in the area in which the state seeks authorization. EPA and the authorized states work together to ensure effective enforcement by coordinating their efforts in the areas of compliance monitoring, inspections and enforcement actions.

Similar to the states, federally-recognized Indian tribes can apply for, and receive, authority to administer federal environmental programs so long as their programs are at least as stringent as the federal requirements. In areas where tribes are not authorized to implement environmental programs, EPA directly manages its programs and ensures compliance with federal environmental laws. In addition, EPA works with officials in tribal environmental, health and agricultural agencies on strategic planning, priority-setting and measurement of results.

EPA maintains close relationships and partnerships with state, tribal, and local government regulators in order to achieve implementation of new technologies in communities around the country. Partnerships with these governments include information exchange and training on new technologies. In addition, these authorities

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<sup>1</sup> One program for which they cannot receive authorization is the Oil Pollution Act program under Section 311 of the Clean Water Act.



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participate in national voluntary programs and initiatives with EPA in order to achieve nation-wide benefits for human health and the environment.<sup>2</sup>

EPA is not the only agency responsible for preserving the environment. Other agencies have the responsibility for regulating and enforcing statutes related to natural resources laws, including fisheries, wildlife, forests, and other resources.<sup>3</sup> When necessary, EPA coordinates compliance and enforcement activities with these other agencies in order to achieve the best results for the environment.

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<sup>2</sup> These programs include, but are not limited to, climate change activities to save energy and reduce greenhouse gas emissions, brownfields programs, and financial reimbursement for emergency actions.

<sup>3</sup> These Agencies include, but is not limited to, Department of the Interior, Nuclear Regulatory Commission, National Oceanic and Atmospheric Administration, and Federal Maritime Commission.