

SIMS Enforcement Entry Training

SIMS Lean Team Tasks

100% Agency-wide SIMS enforcement data entry

- Timely
- Complete
- Accurate
- Consistent

Benefits to Users

Agency-wide access to Reliable Enforcement Information

- Visibility of complete Environmental Activity at a Site
- Compliance History Search Capability
- Timely, Accurate Financial Position of Clients

Current State

- Six different divisions doing six variations of enforcement action data entry into SIMS
- Four divisions not entering enforcement action data into SIMS
- No formal SOPs
- No Standard time frame for data entry (from 48 hrs up to 30 days)
- No requirement to associate documents
- Currently using incorrect issuance date
- Duplicate data in SIMS

New Directive

- ◉ Directive for SIMS enforcement data and document entry to assure staff has access to the most up-to-date enforcement information
- ◉ Signed by Commissioner on March 18, 2010
- ◉ Effective May 1, 2010
- ◉ Backfill enforcement actions to January 1, 2009 by November 1, 2010

Table of Mandatory Entries

- ◉ Identifies enforcement data and documents required to be entered into SIMS
- ◉ Sets timeframe goals for entry
- ◉ Many are discretionary –decision to enter made at program level
- ◉ EPA actions are not identified as specific EI types

Order Processing Protocol

- Major change in the way orders are processed
- To avoid duplicates and confusion on date of issuance
- To provide for timely entry of penalty information
- To eliminate unnecessary steps and copies

Order Package

- ◉ Order
- ◉ Cover Letter
- ◉ Enforcement Action Summary
- ◉ Formal Action Data Sheet
- ◉ Certificate of Mailing
- ◉ Land Record Filing
- ◉ Other Supporting documents

Changes to Order Format

- A space must be added on the first page of the order for the date of issuance to be entered by the Commissioner's staff.
- The order must be assigned a number prior to routing for Commissioner's signature. The number must appear on the order.

Cover Letter

Undated, signed, completed cover letter to the Respondent with any reference to the date of the order removed (may use standard format developed or may revise existing)

Certificate of Mailing

One form should be completed for the Commissioner's staff to complete for mailing to the Respondent and land records and another form to be completed by program staff for mailing to other recipients as necessary.

Land Record Filing

Undated, signed, completed cover letter(s) to the appropriate Town(s) for the land record filing, if such filing is necessary

Formal Action Data Sheet

The Formal Action Data Sheet (FADS) is an additional tool to assure that complete, accurate and consistent information is entered into SIMS while simultaneously providing essential documentation and tracking for enforcement case development.

Formal Action Data Sheet

The FADS will be used for all formal enforcement actions and the Consent Order Data Sheet will no longer be required.

Associated Els

Enforcement actions being entered must be associated with any other applicable environmental interests such as permits, Notices of Violation or other enforcement actions

Commissioner's Office

- Following signature by the Commissioner, staff will:
 - > Type or stamp date of issuance on space provided on front of order and FADS
 - > Complete certification of mailing form
 - > Scan original order (including certification of mailing form) and make 2 hard copies
 - > Stamp copies as certified true copies
 - > Place date on cover letter and letter to land records and make one copy each
 - > Scan FADS
 - > Mail copy of order to Respondent with completed cover letter provided in package (certified mail)

Commissioner's Office

- > Mail copy of order to land records if letter to town clerk provided in package
- > Email scanned order and Formal Action Data Sheet to staff indicated on distribution list (one main contact and one cc as backup)
- > Include information regarding the mailings above (i.e. Certified true copy mailed to respondent, however no cover letter was present to the Town Clerk so no copy was provided for the land records.)
- > Place package in program/bureau mailbox

Program Administrative Staff

- Once scanned document is received:
 - > Enter appropriate data into SIMS and upload order and FADS
 - if no client is found then the order should be associated to the site
 - > Reassign EI to Tina Dreselly in A/R, who will create client if not already in the system and create receivable
 - > Tina will reassign to enforcement staff identified in order

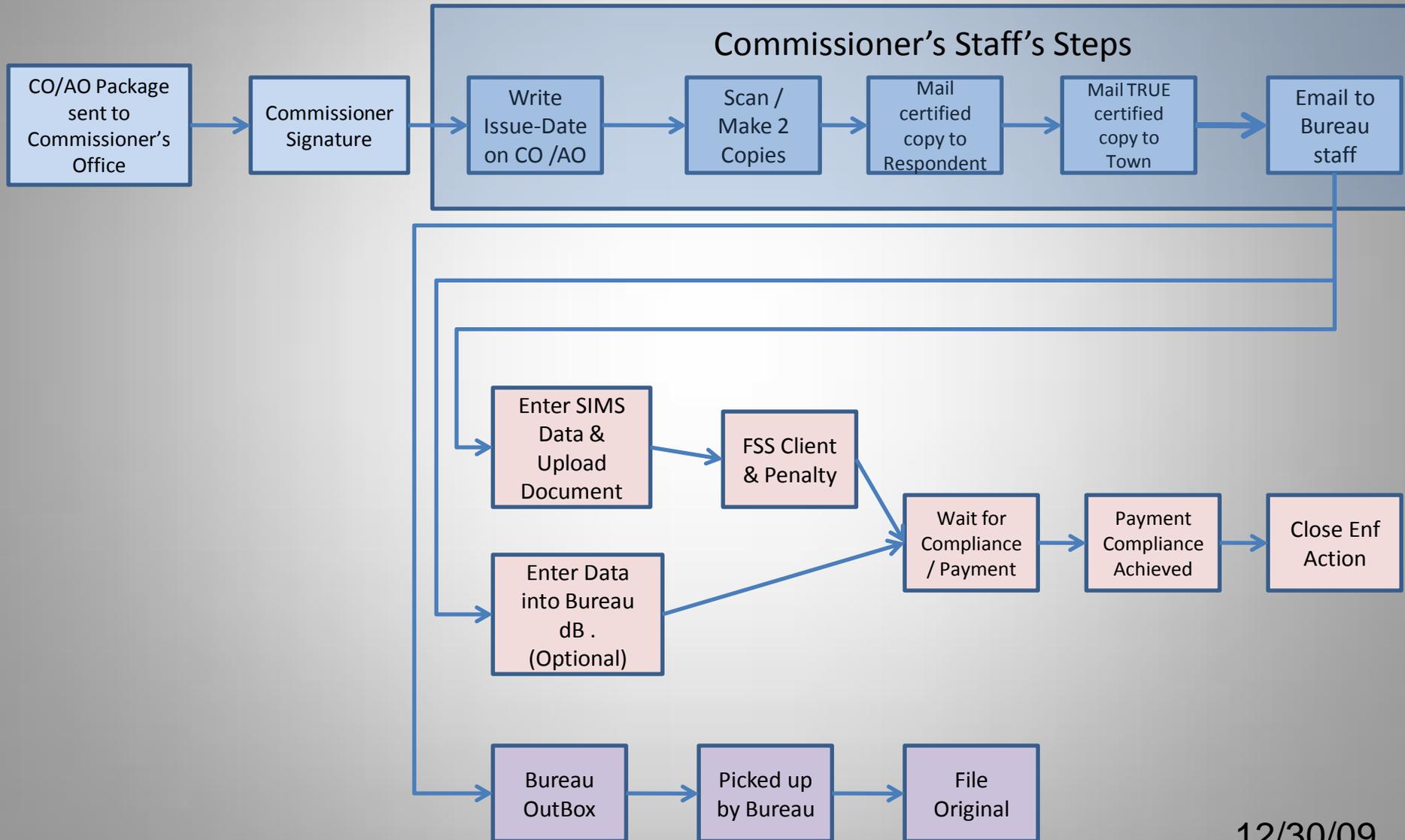
Program Administrative Staff

- Pick up original order package from mail box
- Send appropriate notice of enforcement action to municipal officials (may email to certain contacts if allowed)
- Upload EAS and other appropriate documents
- File original documents as appropriate
- Mail certified true copies to other recipients as necessary and complete Certification of Mailing form
- Process as per Division protocol (e.g., email to Bureau Chief, other contacts, program lead, OEPC, etc.)

Enforcement Staff

- ◎ Responsible for:
 - > Format changes to order
 - > Order package with completed cover letter, letter to town clerk
 - > Two certifications of mailing if necessary
 - > Completed FADS including concise explanation of penalty terms

DEP Consent Order/ Administrative Order Sign-off Steps



SEPs

- SEPs are entered into SIMS as receivables
- Enforcement staff must notify Tina when SEP is completed
- For SEPs not yet specified in a consent order, Tina will enter an estimated schedule. When an actual SEP and schedule is approved, Tina must be notified

Attorney General Referral

- Enter data regarding AG referral
- Complete Notice of Confidentiality –may use standard template or current program format if already in use
- Enter Notice of Confidentiality into SIMS- not referral letter

Stipulated Judgment

- Enter judgment date for resolution date of AG referral
- Select resolution type of: Closed-Court Judgment entered
- Close judgment when appropriate

Document Entry Index

- Table provides document category, document type and subject description
- Enforcement actions should be entered individually
- Supporting documents may be grouped
- Closure documents may be grouped