

EJECUCIÓN AMBIENTAL

Oficina de Ejecución y Justicia Ambiental

★ ★ ★ DEPARTMENT
OF ENERGY &
ENVIRONMENT
GOVERNMENT OF THE DISTRICT OF COLUMBIA

★ ★ ★ WE ARE
WASHINGTON
DC GOVERNMENT OF THE
DISTRICT OF COLUMBIA
MURIEL BOWSER, MAYOR

LAS 3 OPCIONES DE LA EJECUCIÓN AMBIENTAL

OPCIÓN #1:

Usted puede hacer lo que quiera y **REZAR** para que no lo atrapen.



OPCIÓN #2:
Puede **JUGAR** según las reglas y evitar multas y sanciones.

OPCIÓN #3:

Puede **PAGAR** multas considerables y sanciones por incumplimiento.



RECURSOS DE LA EJECUCIÓN



1

Asistencia al cumplimiento

2

Aviso de violación (ADV)

3

Orden o directriz administrativa

4

Permiso / licencia / acción de certificación

5

Aviso de infracción (ADI)

6

Judicial -- Civil/Penal



MONTOS DE MULTA DEL ADI

Usualmente utilizamos la **lista de multas por infracciones civiles**, la cual tiene cinco clases de violaciones y cinco montos de multas que varían dependiendo de la severidad de la violación.

Clase 1 - Por la primera infracción.....	\$2,000
Clase 2 - Por la primera infracción.....	\$1,000
Clase 3 - Por la primera infracción.....	\$500
Clase 4 - Por la primera infracción.....	\$100
Clase 5 - Por la primera infracción.....	\$50

MONTOS DE MULTA DEL ADI

Las multas pueden multiplicarse hasta por un máximo de \$16,000 diarios por violación para la cuarta reincidencia regulación de Clase 1 cometida por el mismo demandado en 3 años calendario.



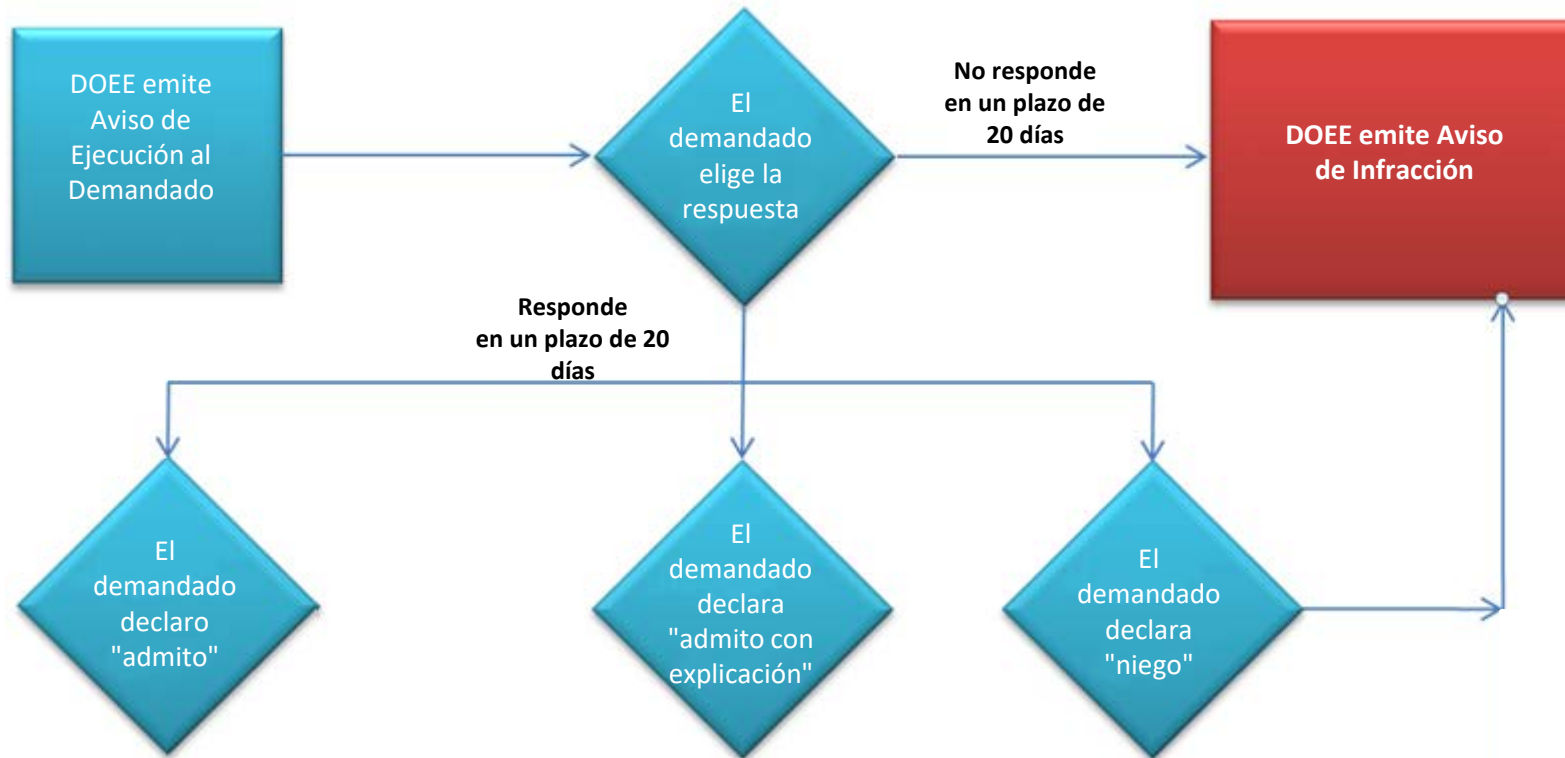
MONTOS DE MULTA DEL ADI

¡SE ACUMULAN!

Las multas pueden multiplicarse hasta por un máximo de \$16,000 diarios por violación para la cuarta reincidencia regulación de Clase 1 cometida por el mismo demandado en 3 años calendario.



ACCIÓN 1: AVISO DE EJECUCIÓN





GOVERNMENT OF THE DISTRICT OF COLUMBIA

Department of Energy and Environment

ENFORCEMENT NOTICE

DOEE-17-A500825



Air Quality Division

Date of Service: August 21, 2017

You are violating or have violated the District of Columbia laws or regulations stated below. Answer and sign this Notice within twenty calendar days of the Date of Service. Before you answer this Notice, please review the "Instructions for Answering this Notice" on the second page.

LOCATION OF VIOLATION	NAME & MAILING ADDRESS	NAME & MAILING ADDRESS
Address [Redacted] Washington DC 20002 Ward: 6	[Redacted] Brandwine, MD 20613 [Redacted]	
Location Type: On street	Charge as Respondent: ☒	Charge as Respondent: ☐
Business License/Permit Type: USDOT Number		Business License/Permit No.: #1078270

DATE	LEGAL REQUIREMENT	DESCRIPTION OF VIOLATION	FINE	Write ANSWER Here
03-22-2017 9:45 - 9:57 AM	20 DCMR § 900.1	Idling engine for more than three (3) minutes.	\$500.00	
**"D.C. Code" means the District of Columbia Official Code **"DCMR" means the D.C. Municipal Regulations		TOTAL AMOUNT: \$500.00		

INSPECTOR'S CERTIFICATION: I declare under penalty of perjury that I observed and/or determined that the above violation(s) have been committed.			
Inspector's Printed Name	Inspector's Signature	Badge No.	Date
JENNINGS, RAFIQ		165	8/21/17
Comments: Huezo Trucking #508 was observed idling while waiting to enter the construction site at 140 M Street NE.			

DEADLINE AND WARNING: If you fail to answer this Notice within twenty calendar days of the Date of Service, the Department of Energy and Environment (DOEE) may refer this matter to an administrative court, the District of Columbia Office of Administrative Hearings. DOEE is offering you an opportunity to resolve the violation(s) before referral. For more information, visit doee.dc.gov/oej or contact DOEE at 202-741-2139 or DOEE.Enforcement@dc.gov.



FOR INFORMATION, CALL; Para obtener información llame al; Pour de plus amples renseignements, veuillez appeler le; ለመረጃ ይህንን ቁጥር ይደውሉ; 자세한 정보는 (202) 741-2139로 문의하십시오; *Dé* biét thém thông tin, vui lòng gọi; 詳情請致電 (202) 741-2139.

RESPONDENT'S DECLARATION: I declare under penalty of perjury that I have filled out this form to the best of my knowledge. Check one of the following boxes if answering ADMIT or AWE: I have ☐ CORRECTED or ☐ NOT CORRECTED (check only one) all violation(s) listed in this Notice.

Respondent's Name (print): _____ Respondent's Signature: _____ Date: _____
Street Address: _____ City: _____ State: _____ Zip: _____
Phone: _____ E-Mail: _____

INSTRUCTIONS FOR ANSWERING THIS NOTICE

Answer each violation with a plea of ADMIT, ADMIT WITH EXPLANATION (AWE), or DENY.

- To Admit and Pay the Fine.** If you wish to admit liability for a violation, you must pay the fine at the same time. Write the word "ADMIT" in the *Write ANSWER Here* column and complete the *RESPONDENT'S DECLARATION*. Return this Notice to the address below, with a check or money order for the amount of the fine, payable to the "D.C. Treasurer." We cannot accept cash payments. Write the Notice number on your check or money order.
- To Admit with Explanation.** If you wish to admit liability for a violation, but want to submit an explanation that you would like DOEE to consider in deciding whether the fine should be reduced or suspended, write the letters "AWE" in the *Write ANSWER Here* column and complete the *RESPONDENT'S DECLARATION*. Submit any written explanation or other evidence explaining the circumstances surrounding the violation that you believe justify a fine reduction. DOEE will determine whether you have submitted sufficient relevant evidence to support a fine reduction or suspension. Return this Notice, along with your written explanation and any supporting documents, photographs, or other materials, to the address below. Write the Notice number on the front of any document you submit.
- To Deny the Violation(s).** If you wish to deny liability for a violation, write the word "DENY" in the *Write ANSWER Here* column and complete the *RESPONDENT'S DECLARATION*. At your option, submit a written explanation of the basis for your denial and any evidence supporting the explanation. Return this Notice, along with any optional written explanation, to the address below. Write the Notice number on the front of any document you submit.

DOEE will attempt to resolve with you any violation that you mark as "AWE" or "DENY," when an explanation is provided. If the violation cannot be satisfactorily resolved, you will receive a Notice of Infraction directing you to file your response with the District of Columbia Office of Administrative Hearings. **IMPORTANT:** Keep a copy of everything that you send to the Department of Energy and Environment.

SEND THIS COMPLETED AND SIGNED NOTICE AND YOUR CHECK OR MONEY ORDER, PAYABLE TO "D.C. TREASURER," TO:

Department of Energy and Environment
Office of Enforcement and Environmental Justice
1200 First Street, NE, 5th Floor
Washington, DC 20002

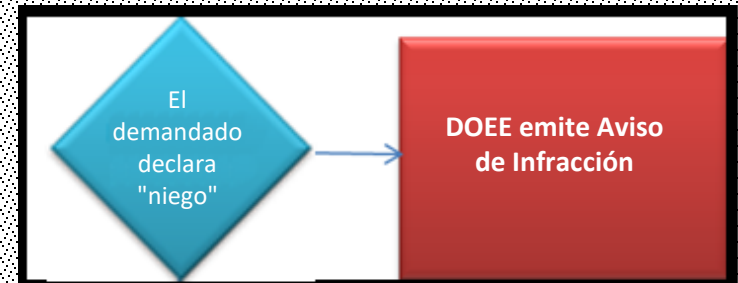
Completed and signed Notices, but not payments, may also be sent via fax to 202-535-2881 or e-mail (in PDF format) to DOEE.Enforcement@dc.gov.



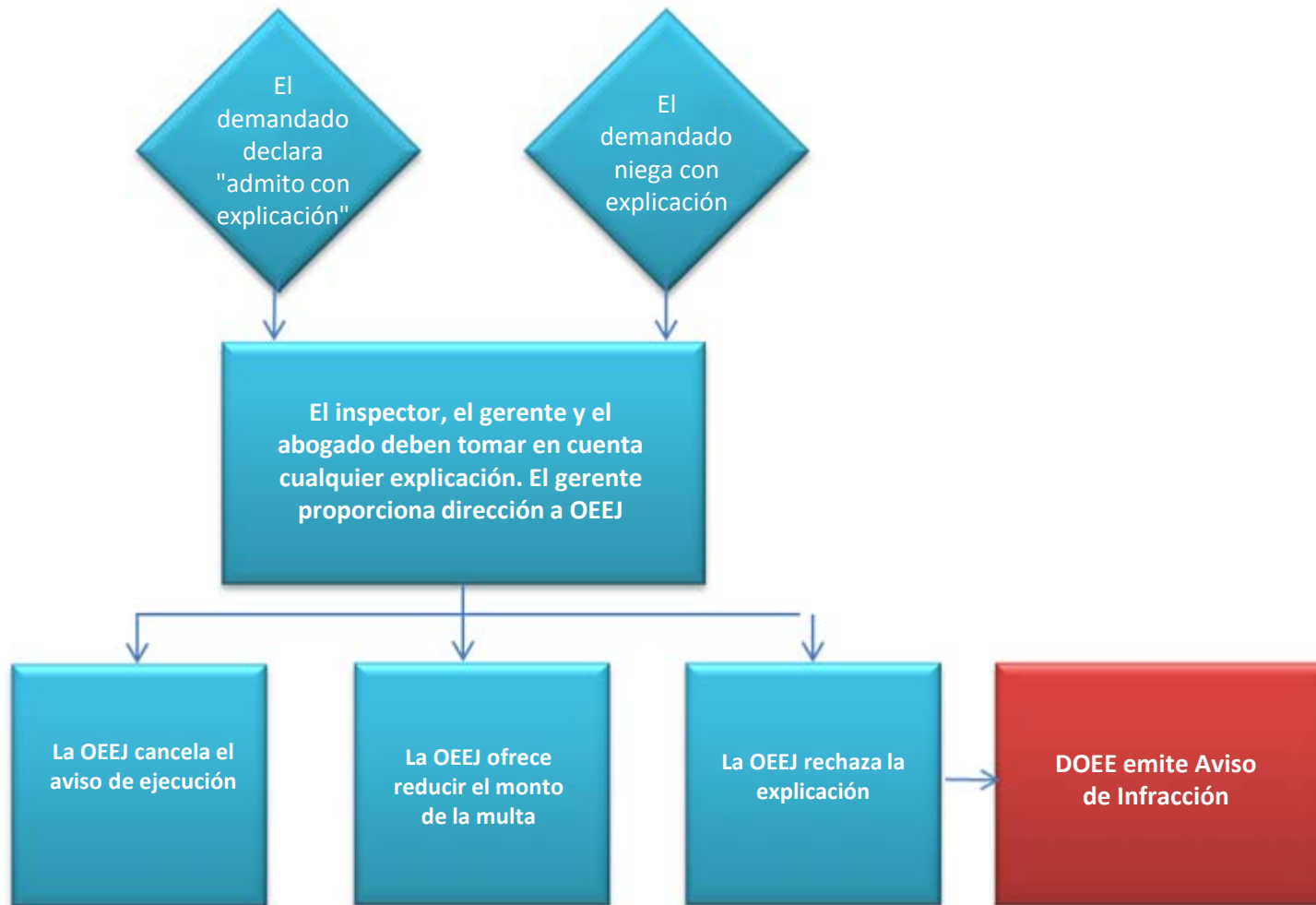
RESPONDER UN ADI

¡ES IMPORTANTE!

- Asegúrese de responder de manera oportuna
- Todas las respuestas deben ser enviadas por escrito a la Oficina de Ejecución y Justicia Ambiental del DOEE.
- Ponerse en contacto con el inspector o el programa que emite el aviso no constituye una respuesta.
- La falta de respuesta a un Aviso de Ejecución del DOEE dará lugar a que se inicie un ADI ante la Oficina de Audiencias Administrativas (OAH)



AVISO DE EJECUCIÓN: EXPLICACIONES



ACCIÓN 2: AVISO DE INFRACCIÓN

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GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Energy and Environment
ENFORCEMENT NOTICE
DOEE-17-A506825



Air Quality Division

You are violating or have violated the District of Columbia laws or regulations stated below. Answer and sign this Notice within twenty calendar days of the Date of Service. Before you answer this Notice, please review the "Instructions for Answering this Notice" on the second page.

Date of Service: August 21, 2017

LOCATION OF VIOLATION	NAME & MAILING ADDRESS	NAME & MAILING ADDRESS
Address: [Redacted]	[Redacted]	[Redacted]
Location Type: On street	Charge as Respondent: ☒	Charge as Respondent: ☐
Business License/Permit Type: USDOT Number	Business License/Permit No.: #1078270	

DATE	LEGAL REQUIREMENT	DESCRIPTION OF VIOLATION	FINE	WRITE ANSWER HERE
03-22-2017 9:45 -9:57 AM	20 DCMR § 900.1	Idling engine for more than three (3) minutes.	\$500.00	
D.C. Code means the District of Columbia Official Code			TOTAL AMOUNT: \$500.00	
DCMR means the D.C. Municipal Regulations				

INSPECTOR'S CERTIFICATION: I declare under penalty of perjury that I observed and/or determined that the above violation(s) have been committed.	
Inspector's Printed Name	Inspector's Signature
JENNINGS, RAFIQ	[Signature]
Inspector's Printed Name	Inspector's Signature

Comments: Huzuo Trucking #508 was observed idling while waiting to enter the construction site at 140 M Street NE.

DEADLINE AND WARNING: If you fail to answer this Notice within twenty calendar days of the Date of Service, the Department of Energy and Environment (DOEE) may refer this matter to an administrative court, the District of Columbia Office of Administrative Hearings. DOEE is offering you an opportunity to resolve the violation(s) before referral. For more information, visit doee.dc.gov/doee or contact DOEE at 202-741-2139 or DOEE.Enforcement@dc.gov.



Notice of Infraction NOI No. DE-I-17-L500077

Date of Service: March 22, 2017

Infraction Address [Redacted] Washington, DC Ward: 1	Name & Mailing Address [Redacted] Washington, DC 20009 Telephone: Charge as Respondent: ☒	Name & Mailing Address Telephone: Charge as Respondent: ☐
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Business License/Permit Type: Business License/Permit No.:
Type of Location: Occupied apartment

You are charged with violating the District of Columbia laws or regulations stated below. You MUST SIGN and SEND IN this form within 15 calendar days of the date of service if served by hand, or 20 calendar days if served by mail. You must write your ANSWER next to each infraction to indicate whether you ADMIT (you must pay the fine), Admit With Explanation (AWE) (you must submit a written explanation), or DENY. If you DENY one or more of the infractions, you must appear for a hearing. You will receive a separate order from the Office of Administrative Hearings (OAH) advising you where and when to appear for your hearing. **ADDITIONAL INSTRUCTIONS ATTACHED.**

Infraction Details					
Date	Citation*	Nature of Infraction	Prior*	Actual Fine	Write ANSWER Here
08-23-2016	20 DCMR § 3318.6(a) / 16 DCMR § 4003.2(q)	Failure to comply with a DOEE order to apply interim controls, in conformance with D.C. Official Code § 8-231.15(a).	0	\$1,000.00	

* "D.C. Code" is the District of Columbia Official Code
* "DCMR" is the District of Columbia Municipal Regulations
TOTAL AMOUNT DUE: \$1,000.00

Inspector Comments:

I hereby declare under penalty of perjury that I have **CORRECTED** or **NOT CORRECTED** (check only one) all of the infractions(s) listed on the Notice that were **ADMITTED** or **ADMITTED WITH EXPLANATION**.

Name (print): _____ Telephone: _____ Email: _____

Street Address: _____ City: _____ State: _____ ZIP: _____

RESPONDENT'S SIGNATURE:

DATE:



AVISO DE INFRACCIÓN: RESPUESTA A OAH

DÓNDE RESPONDER: La Oficina de Audiencias Administrativas debe recibir su respuesta dentro del plazo establecido anteriormente. La Oficina de Audiencias Administrativas es una agencia independiente del Gobierno del Distrito de Columbia y es independiente de la agencia que le envió este Aviso. Puede responder llevando o enviando sus documentos y cheques o giros postales a la siguiente dirección:

**Clerk, Office of Administrative Hearings
Suite 450 North
One Judiciary Square, 441 4th Street, NW
Washington, DC 20001-2714**

Teléfono (202) 442-9094 ■ Fax (202) 442-4789

Puede enviar sus documentos por correo electrónico a oah.filing@dc.gov, junto con la hoja de presentación de la OAH que se encuentra en <http://oah.dc.gov/node/148662>, o enviar los documentos por fax a (202) 442-4789. Los pagos deben hacerse en persona o por correo.



AVISO DE INFRACCIÓN: CONSECUENCIAS LEGALES

PLAZO y ADVERTENCIA: Se le acusa de violar las leyes o regulaciones del Distrito de Columbia establecidas en este Aviso. Debe responder a este Aviso dentro de los 15 días calendario posteriores a la fecha del servicio que figura en la parte superior de la primera página de este Aviso (20 días calendario si recibió este Aviso por correo). Si no responde a tiempo, estará sujeto a una orden que lo encontrará en mora y que evaluará tanto la multa indicada al final de la sección Detalles de la infracción como una multa adicional equivalente al doble de la cantidad de esa multa. Usted también puede estar sujeto a otras penalidades y acciones permitidas por la ley, incluida la suspensión o no renovación de cualquier licencia o permiso del Distrito de Columbia que tenga, el cierre de su negocio y la colocación de un gravamen sobre la propiedad que usted posee.

ACCIÓN 3: CASO OAH

ACCIÓN 2



LA ACCIÓN 3 INICIA

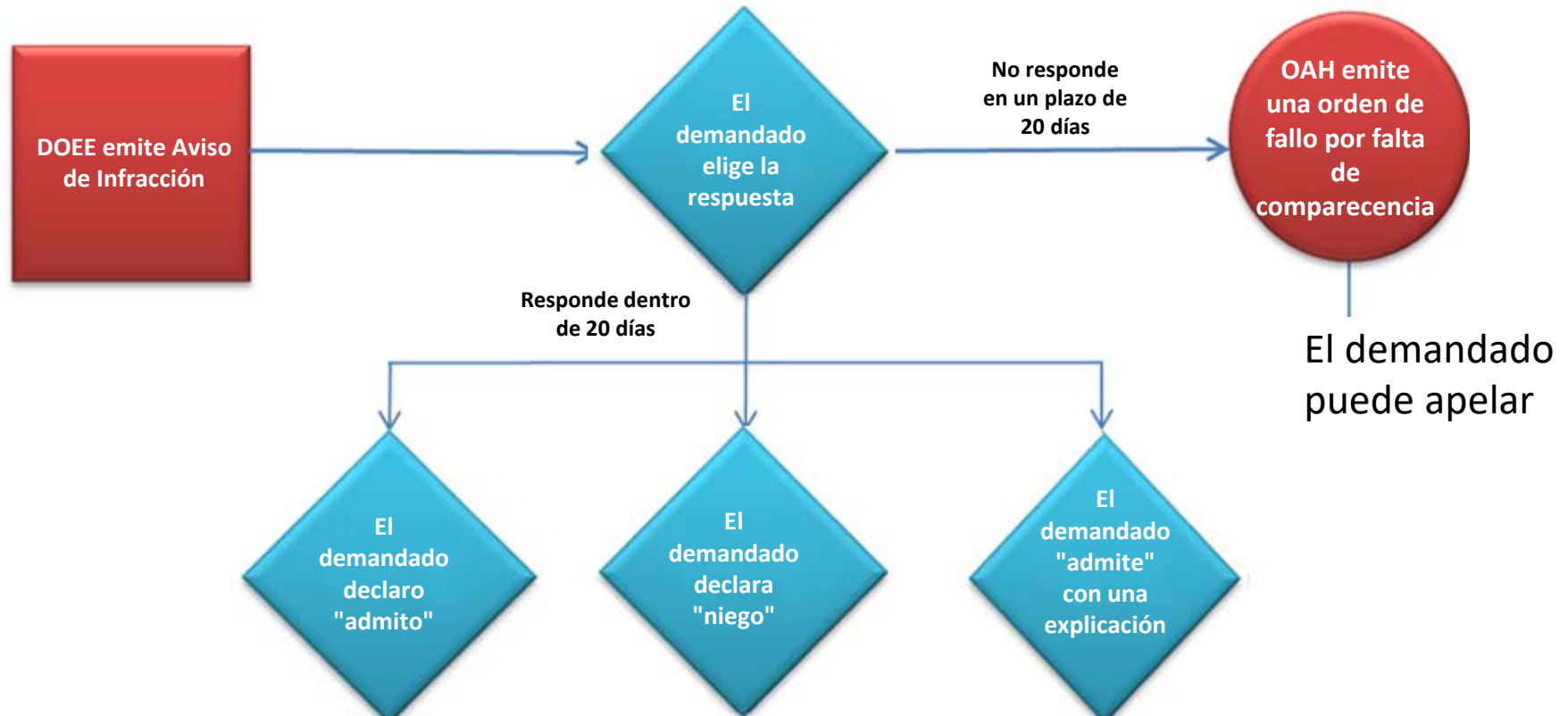


No responde
en un plazo de
20 días

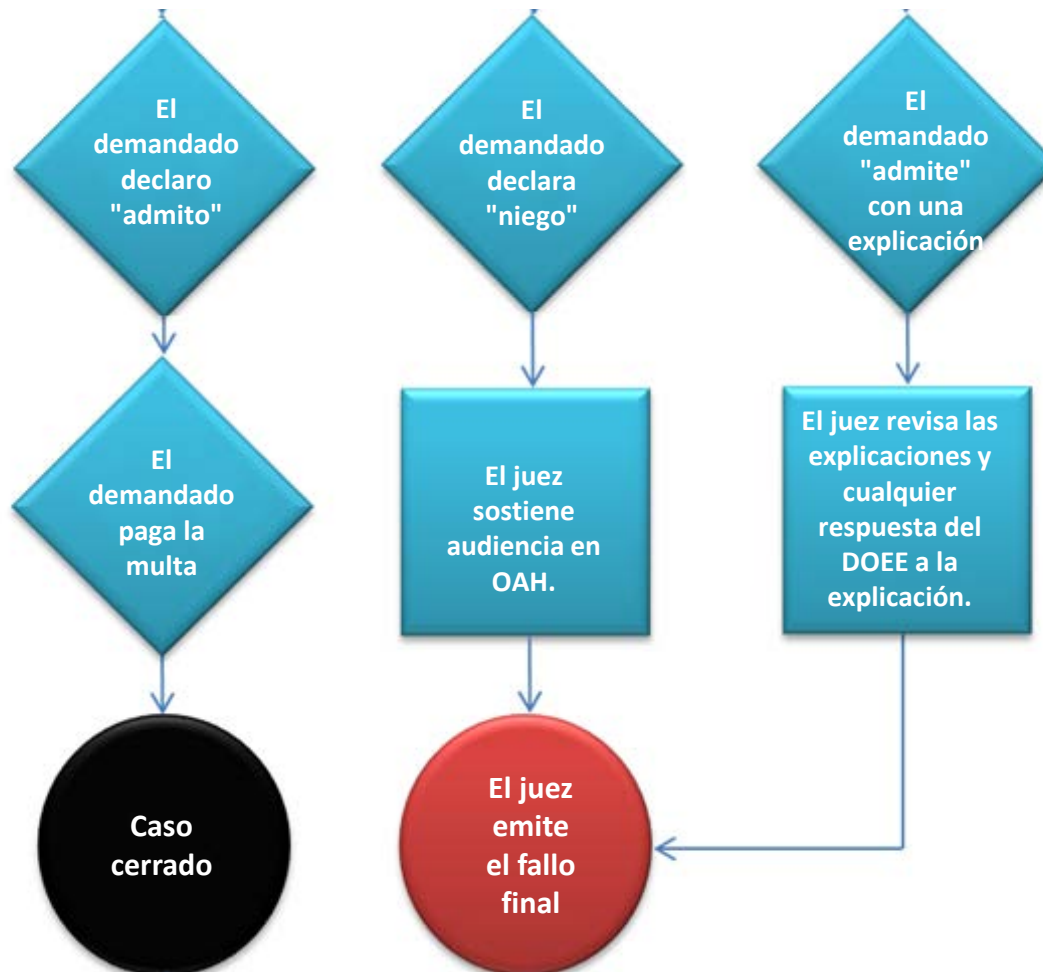
El DOEE
archiva
el caso en OAH

OAH emite una
orden de fallo
por falta de
comparecencia

CASO OAH: OPCIONES DEL DEMANDADO



CASO OAH: PASOS A SEGUIR



Cualquiera de las partes puede apelar el fallo final

CONTACTO:

Jacob Zangrilli

Oficina de Ejecución y Justicia Ambiental

District Department of the Environment

1200 First Street NE, quinto piso

Washington, DC 20002

202-535-2645

Jacob.Zangrilli@dc.gov