

 <p>Category: Facility Management / Safety</p> <p>Responsible Office: <a href="#">University Counsel</a></p>	<p><b>Other Requirement Title:</b> State Agency Environmental Audit Reports</p> <p>Document Number: 5100</p> <p>Effective Date: April 01, 1989</p> <p>This procedure item applies to: State-Operated Campuses</p>
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**Summary**

Pursuant to NYS Environmental Conservation Law § 3-0311 the campuses of the State University of New York (University) are required to conduct environmental audits to assess whether their facilities and operations comply with the law and regulations of the NYS Department of Environmental Conservation . The audit law is to provide information to the governor and the legislature concerning the state’s own adherence to its environmental laws.

**Requirement**

**State Agency Environmental Audits (SAEA)**

- A. Pursuant to NYS Environmental Conservation Law § 3-0311 the campuses of the State University of New York (University) are required to conduct an annual self-audit for compliance with the NYS Environmental Conservation Law and regulations on forms to be provided by the NYS Department of Environmental Conservation (DEC). The annual audit will assess compliance with one hundred fourteen (114) regulatory programs of the DEC (see Appendix A).
- B. Each campus must conduct an audit of its operations, facilities, activities and projects (contracts) and complete an audit report. Campus audit reports shall be submitted to the office of University counsel by the due date specified by the DEC.
- C. Any questions concerning completion of the audit should be directed to the office of the University counsel (518-689-2517). Questions concerning the requirements of a particular regulatory program should be directed to the person listed in the DEC’s Guidance Manual as the contact for questions about the program.

**Assessment of Noncompliance**

- A. The DEC’s State Agency Environment Audit (SAEA) Guidance Manual is available online (see Other Related Information) to provide assistance to those performing the SAEA. A set of forms within the Manual (Facility Checklist, Compliance and Noncompliance Status Reports and Third Party Violation Reports) is to be used to complete the audit.
- B. The DEC requests that a separate form be completed for each facility, operation or project that is in noncompliance with each regulatory program of the DEC. The assessment of noncompliance should be made for all physical facilities owned, operated or maintained by a campus, as well as all activities, projects and operations of campuses.

C. The assessment is concerned only with the Environmental Conservation Law and the regulations promulgated under that law. The audit legislation does not address compliance with other state environmental regulations (such as the Right to Know Law) or federal regulations.

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## Definitions

**Non-compliance** – conducting activities without required DEC permits or approvals, violating the Environmental Conservation Law, violating a permit or regulatory standard in a manner that results in harm or threat of harm to the environment or exceeds an ambient air, water or underground or bulk storage standards or violating requirements of an administrative order, either on consent or after a hearing, or a judicial order.

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## Related Procedures

There is no related procedures relevant to this requirement.

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## Forms

All forms are in the “Introduction” section of the [DEC State Agency Environment Audit Guidance Manual Part 1](#):

- Facility Checklist – page 30;
  - Compliance Status Report – pages 31 and 32;
  - Noncompliance Report & Remedial Plan – pages 33 and 34;
  - Third Party Violation Report – pages 35 and 36.
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## Other Related Information

The following link to FindLaw's [New York State Laws](#) is provided for users' convenience; it is not the official site for the State of New York laws.

[NYS Environmental Conservation Law § 3-0311](#)

[NYS Finance Law §22 \(12\) \(a\)](#)

In case of questions, readers are advised to refer to the New York State Legislature site for the menu of [New York State Consolidated](#).

Chapter 741 of the Laws of 1991

Chapter 595 of the Laws of 1988

Memorandum to presidents from the office of University counsel and vice chancellor for legal affairs and office of the vice chancellor for capital facilities dated February 1, 1989 outlining the required environmental audit reports.

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## Appendices

There are no appendices relevant to this requirement.

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