CHANGE

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

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SUBJ: COMPLIANCE AND ENFORCEMENT PROGRAM

1. PURPOSE. This change transmits Compliance/Enforcement Bulletin 2005-1, "Enforcement Decision Tool."

2. EXPLANATION. The FAA is adopting the Enforcement Decision Tool (EDT). The EDT is an aid for agency enforcement personnel to assist them in carrying out the FAA's exercise of prosecutorial discretion in addressing violations of the FAA's statute, regulations, and orders. The EDT process uses systems safety risk management principles to allocate limited agency investigative and legal resources to the most important cases, for a more timely and effective compliance and enforcement system.

3. DISPOSITION OF TRANSMITTAL. After filing the attached pages, this transmittal should be retained.

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Initiated By: AGC-300

COMPLIANCE/ENFORCEMENT BULLETIN NO. 2005-1

Subject : Enforcement Decision Tool

1. Introduction.

a. Purpose. The Enforcement Decision Tool (EDT) is an aid for agency enforcement personnel to assist them in carrying out the FAA's exercise of prosecutorial discretion. The EDT process uses systems safety risk management principles to allocate limited agency investigative and legal resources to the most important cases, for a more timely and effective compliance and enforcement system. The EDT maps the safety risk posed by an act with the type of conduct involved. There are separate EDTs for individuals and businesses, so that systemic problems can be considered in evaluating business conduct.

b. Benefits. Additional benefits of the EDT process include:

(1) Improving consistency and standardization in determining the most appropriate type of enforcement action to take considering the case facts and circumstances;

(2) Improving airman skills through the offer of the remedial training process for general aviation pilot and mechanic cases involving careless conduct with a high safety risk;

(3) Improving operator systems for systems safety benefits through the use of letters of correction for certain business cases involving unintentional conduct with a high safety risk; and

(4) Endorsement of oral and written counseling as appropriate enforcement tools, documented in a database to support systems safety analysis and to identify repeat acts.

c. Reference Materials. The definitions, hazard analysis, and risk assessment methodology used in this bulletin are consistent with those used in:

(1) FAA Order 8040.4, Safety Risk Management.

(2) FAA System Safety Handbook: Practices and Guidelines for Conducting System Safety Engineering and Management (see Chapter 3, Principles of System Safety).

(3) FAA NAS Modernization System Safety Management Program (see Appendix A, Example of the use of the Hazard Analysis Model).

These methodologies are also consistent with the curriculum content of FAA Academy Course 22006, System Safety (see modules on Hazard Identification and Risk Statements, and Risk Analysis and Assessment).

2. Applicability. The FAA uses the Enforcement Decision Tool (EDT) along with associated guidance to determine the type of enforcement action to take (informal, administrative, or legal) in all enforcement cases, except those categorically excluded in paragraph 6.a. of this bulletin. The EDT process will be applied to all open cases (in the investigating division and in legal counsel's office) on October 1, 2005, except cases previously initiated by legal counsel. Open uninitiated cases in legal counsel's office will be evaluated by the assigned attorney using the EDT worksheet, and any cases proposed for conversion to administrative action or informal action will be coordinated with the appropriate LOB division for concurrence prior to returning the case.

3. Definitions. The following definitions apply to this bulletin.

Act includes failure to act.

Intentional conduct means a deliberate act where the individual or business knowingly acted contrary to a regulation.

Reckless conduct means a gross disregard for safety standards or norms for reasonably prudent conduct, considering the certification level of the individual and the type of operation involved.

Careless conduct means a slip, lapse, or mistake that was not intentional or reckless.

Systemic conduct means pervasive, repeated, or repeatable acts indicating a system deficiency.

Not systemic conduct means acts that are not systemic.

Hazard means a condition that could lead to injury or property damage.

Safety risk means the level (high, moderate, or low) of potential injury or property damage from a hazard created by an act, considering the hazard severity and the likelihood that the severity will be realized.

Severity means the worst credible outcome (catastrophic, critical, marginal, or negligible) in terms of the extent of injury or property damage potentially caused by a hazard.

Likelihood means the probability (frequent, occasional, or remote) that the worst credible outcome (severity) will result from a hazard.

Legal action means enforcement action other than administrative action or informal action.

Administrative action means letter of correction or warning notice.

Informal action means oral or written counseling of individuals or businesses, documented in a line of business database.

4. Categorizing Conduct. The FAA uses the following attributes and examples in conjunction with the definitions in paragraph 3 as an aid in categorizing conduct. Not all of the attributes need be met for the category to apply, as long as the definition is met.

a. Intentional Conduct.

(1) Attributes: Taking or failing to take an action with knowledge that the behavior was prohibited. May be, but does not have to be, associated with risk taking.

(2) Examples of intentional conduct include:

- Flying through the St. Louis archway.
- Conducting aerobatics in a traffic pattern.
- Knowingly eliminating required steps from the execution of a maintenance procedure.
- Failing to declare a shipment with knowledge that the contents are hazardous materials.
- Hiring an individual for a safety sensitive position after the individual received a positive pre-employment drug test result without completing the return to duty process.

b. Reckless Conduct.

(1) Attributes. Wanton abandonment of concern for the potential consequences of an act. Conscious disregard of a known, visible, significant, or unjustifiable risk. Substantial disregard of accepted safety standards so as to potentially or actually endanger the life or property of another.

(2) Examples of reckless conduct include:

- Fuel exhaustion while operating without current winds aloft forecasts (strong headwinds) and without visually checking tanks to ensure they were topped off before departure.
- Failing to consult the maintenance manual and then conducting an improper/insufficient inspection of a critical required inspection item (RII).

- A commercial pilot taking off at a busy controlled airport without having received takeoff clearance.
- A passenger failing to declare a container of pesticide in his or her checked luggage.

(3) Additional Guidance. Standards/norms vary based upon the certification level of the individual (for example, private pilot versus airline transport pilot) or the type of operations conducted (for example, personal flying versus air transportation, general aviation maintenance versus air carrier maintenance). For example, a private pilot who forgets to lower the landing gear may be involved in a careless act, whereas a commercial pilot flying in air transportation with a two-person flight crew and a regulatory requirement to use a checklist may be involved in a reckless act in not lowering the landing gear.

c. Careless Conduct.

(1) Attributes: Failure to exercise ordinary, proper, or reasonable care. Failure to recognize a risk. No awareness that a risk was being taken. Should have been, but was not, aware they were taking a risk. Actions were based upon an expectation of correct conduct. No awareness that an error was going to be made. No intent to engage in the misconduct.

(2) Examples of careless conduct include:

- Private pilot missing an item on a checklist (for example, lower the landing gear) due to a distraction.
- Missing an item on a maintenance job task card.
- Selecting the wrong fix while programming a GPS receiver
- Forgetting to report a motor vehicle action DUI within 60 days.
- Mistakenly using an incorrect label to identify a category C hazardous material.

d. Systemic Conduct.

(1) Attributes: Similar, interconnected problems seen throughout a system or organization. Similar problems that occur frequently. Problem(s) that has occurred and could continue to occur due to an identified lack of policies, procedures, or controls.

(2) Examples of systemic conduct include:

- Repeatedly dispatching aircraft contrary to the Minimum Equipment List (MEL).
- Chronic record-keeping problems in various departments (pilot, aircraft, and dispatch records) throughout an air carrier.

- A single Airworthiness Directive (AD) overrun as a result of a gap in an operator's policies, procedures or controls rather than an isolated human failure/mistake.
- Repeatedly completing hazardous materials declaration forms improperly.

e. Not Systemic Conduct

(1) Attributes: Isolated acts or occurrences not indicative of a system deficiency. Unrelated problems in a system or organization that occur infrequently. Failure of an employee to follow established and adequate policies, procedures, and controls.

(2) Examples of conduct that is not systemic include:

- Misinterpretation and resulting misapplication of the Minimum Equipment List (MEL) on a single occasion.
- A pilot record missing an item of required information.
- A 100-hour inspection overrun on a single aircraft due to a computation error.
- Shipment of a single undeclared hazardous material by an untrained employee of a company that regularly ships hazardous materials.

5. Addressing High Safety Risk.

a. Careless acts. Careless acts by individuals with a high safety risk must be handled through the offer of the remedial training process for Flight Standards cases meeting the criteria for use of remedial training (see Appendix 1 to this order, Compliance and Enforcement Bulletin 90-8). Other cases falling in this EDT block, that is, Flight Standards cases that do not meet the criteria for remedial training, and all cases from other LOBs, must be handled through legal action.

b. Limitation on use of remedial training. Remedial training is only used for high safety risk cases to ensure limited inspector resources are used on the most important cases. Careless acts, regardless of the level of safety risk (high, moderate, or low) previously have been eligible for the remedial training process (because they do not represent *deliberate*, *grossly negligent,* or *criminal* conduct) since the inception of that process in 1990. Intentional and reckless acts have never been eligible for the remedial training process, and they remain ineligible. The focus of the EDT process in this regard is to expand the use of remedial training for the systems safety benefits related to improved airmen knowledge, skills, and abilities.

c. Unintentional Not Systemic acts.

(1) Unintentional not systemic acts by businesses with a high safety risk require a letter of correction or legal action, whichever is deemed most appropriate to achieve future compliance. Administrative action through the use of a warning

notice is not appropriate for any high safety risk act, since the potential safety benefits of a structured corrective action process (closed with a letter of correction) are necessary in these cases if administrative action is to be used.

(2) Unintentional acts that are not systemic, regardless of the level of safety risk (high, moderate, or low), have since at least 1994 generally been eligible for administrative action (because they are not *purposeful* conduct and often do not represent *a substantial disregard for safety*). The focus of the EDT process in this regard is to restrict the use of warning notices (which, unlike letters of correction, do not mandate corrective action) to cases with moderate or low safety risk only.

6. APPLYING THE EDT. FAA investigative personnel apply the EDT when sufficient investigative information becomes available to categorize the safety risk and the conduct. They take the following steps based upon the facts and circumstances indicated by the enforcement investigation results.

a. Determine Applicability. Ensure the type of case is not categorically excluded from the EDT process. Excluded cases are those involving:

(1) Voluntary programs, for example:

- Aviation Safety Action Program (ASAP) covered reports
- Voluntary disclosures meeting established criteria
- Runway Incursion Information Evaluation Program (RIIEP) covered incidents

Note: A case is not excluded from the EDT process because a report was filed under the Aviation Safety Reporting Program (ASRP).

(2) Lack of qualification, for example:

- Failure to meet technical qualifications for a certificate held
- Conducting air transportation without holding an air carrier certificate
- Refusal to permit and/or submit to an inspection, reexamination, or drug/alcohol test
- Intentional falsification of records or applications
- Cheating on a written examination

(3) Criminal activities, such as narcotics convictions

(4) Special emphasis enforcement

b. Categorize Conduct. Determine the category of conduct. The categories for individuals and businesses, respectively, are:

(1) Individuals: Intentional, Reckless, or Careless

(2) Businesses: Intentional Systemic, Intentional Not Systemic, Unintentional Systemic, or Unintentional Not Systemic

If the conduct is determined to be intentional, legal action is indicated. The remainder of the EDT process (and worksheet) is not completed unless a deviation from the EDT process outcome will be sought (see item j. below). Deviations require division manager approval and will generally only be considered in cases where there was negligible or no safety risk involved.

If an individual's conduct is both intentional and reckless, the conduct is categorized as intentional for the purpose of applying the EDT.

c. Prepare Risk Statement. Prepare a statement that describes the hazard created by the act, and the potential consequences of that hazard. This risk statement is generally a single phrase that expresses the condition created and how that could endanger persons or property. For example:

(1) An aircraft that operates in Class B airspace without a clearance providing separation from other aircraft could cause a mid-air collision.

(2) A packing group 1 pesticide is a highly toxic material, and if not properly packaged, declared, and marked for air cargo it poses an undue health hazard to persons that unexpectedly come into contact with it.

(3) Failing to conduct pre-employment drug testing could lead to the hiring of a pilot with a substance abuse problem, which could result in aircraft operations conducted in an impaired state endangering the aircraft and its occupants.

d. Determine Severity. Review the risk statement to determine the severity of the hazard. Severity is the worst credible outcome potentially caused by the hazard. In other words, what's the worst type of injury/damage that could realistically occur? Severity must be determined without considering the likelihood of that severity being realized. For example, if a plausible argument can be made that a hazard could under some circumstances result in death or severe damage, the severity is catastrophic, notwithstanding the fact that such an outcome from the hazard might be extremely rare. The most common error in determining severity is prematurely considering likelihood. Likelihood must be considered and determined after the severity is determined. Severity can be one of the following:

(1) Catastrophic (death or severe damage).

(2) Critical (severe injury or substantial damage).

(3) Marginal (minor injury or damage).

(4) Negligible (incident/occurrence with no injury or damage).

In assessing the severity of an act as one part of determining safety risk, the FAA considers only the potential outcome, not the actual outcome that resulted from the act. The potential severity can be catastrophic, critical, marginal, or negligible regardless of whether actual injury or property damage occurred or nearly occurred. For example, a 1,000-foot altitude deviation from an ATC clearance may have the same potential outcome regardless of whether there was actually another aircraft that came into conflict or not. Similarly, a fuel exhaustion occurrence may have the same potential outcome irrespective of whether an actual accident resulted. In these examples, the lack of another aircraft that came into conflict or the existence of suitable forced landing sites are fortuitous (by chance) circumstances not considered in the risk determination, since other aircraft could have been in conflict (by chance) or there could have been a lack of suitable forced landing sites (by chance). In determining the level of safety risk, the existence of fortuitous circumstances is not considered, and therefore plays no role in aggravating or mitigating the type of enforcement action selected.

e. Determine Likelihood. Determine the likelihood of the worst credible outcome occurring. In other words, how likely is it that the severity level would actually be realized given the facts and circumstances involved? Likelihood can be one of the following:

(1) Frequent (likely to occur often).

(2) Occasional (likely to occur sometimes).

(3) Remote (unlikely to occur, or would seldom occur).

f. Determine Safety Risk. Determine the safety risk (high, moderate, or low) from the following risk assessment matrix:

RISK ASSESSMENT MATRIX

	SEVERITY			
LIKELIHOOD	**Catastrophic**	**Critical**	**Marginal**	**Negligible**
Frequent	High	High	Moderate	Moderate
Occasional	High	Moderate	Moderate	Low
Remote	Moderate	Moderate	Low	Low

g. Determine the Type Action. Determine the type of action to take from the applicable EDT (individual or business):

EDT - INDIVIDUAL

	SAFETY RISK		
CONDUCT	**High**	**Moderate**	**Low**
Intentional	Legal	Legal	Legal
Reckless	Legal	Legal	Administrative
Careless	Remedial Training or Legal	Administrative	Administrative or Informal

EDT - BUSINESS

	SAFETY RISK		
CONDUCT	**High**	**Moderate**	**Low**
Intentional Systemic	Legal	Legal	Legal
Intentional Not Systemic	Legal	Legal	Legal
Unintentional Systemic	Legal	Administrative	Administrative or Informal
Unintentional Not Systemic	Letter of correction or Legal	Administrative	Administrative or Informal

h. Ensure Administrative Action or Remedial Training Criteria Met (if applicable). If administrative action or remedial training is proposed, the eligibility criteria for taking that action must be met. The eligibility criteria for administrative action are found in chapter 2, paragraph 205.b. of this order; the criteria for remedial training are found in Appendix 1 to this order, Compliance and Enforcement Bulletin 90-8. If the criteria for taking administrative action or remedial training are not met, then legal enforcement action is taken unless approval by the LOB division manager is given in accordance with paragraph 6.j. of this bulletin. If informal action is proposed, the eligibility criteria for administrative action must be met.

i. Specific action indicated. Select the specific type of action indicated by the EDT process:

(1) Informal action (oral counseling or written counseling).

(2) Warning notice.

(3) Letter of correction (other than remedial training).

(4) Remedial training resulting in a letter of correction.

(5) Legal action after remedial training offer was refused or not completed.

(6) Legal action after letter of correction actions not completed.

(7) Legal action (other than after a remedial training offer refused or not completed or letter of correction actions not completed).

j. Deviation from EDT Process Outcome (if applicable). If FAA investigative personnel select a type of action other than that indicated by applying paragraphs g. and h. of this bulletin, the division manager's approval is required (the worksheet may be faxed to accommodate the division manager signature requirement). See chapter 2, paragraph 205.f. regarding the use of administrative action when associated criteria are not met.

k. Legal Counsel Concurrence (for legal enforcement cases only). Before initiating legal enforcement action, legal counsel determines that the proposed type of enforcement action conforms to the EDT process. Legal counsel signs the worksheet, and explains if a nonconformance to the EDT process is noted.

7. Documentation.

a. EDT Worksheet. FAA investigative personnel must complete the Enforcement Decision Tool (EDT) Worksheet in Figure 1 of this bulletin, to support the type of enforcement action selected. If remedial training is offered but declined or not completed, it is not necessary to complete a new worksheet. FAA investigative personnel change the specific action taken in paragraph 6.i. of this bulletin to reflect legal action after a remedial training offer is refused or not completed.

b. EIR Worksheet in EIR. FAA investigative personnel include the completed worksheet in the Facts and Analysis section of the EIR for administrative and legal actions. For administrative and informal actions, they retain the worksheet in the investigating office in accordance with established file retention directives, but not less than 24 months after completion to ensure the availability of the worksheets to facilitate evaluation of the EDT process.

c. Entry in Tracking Systems. Legal and administrative actions are recorded in EIS. Informal actions do not require the preparation of an EIR, and must be documented in a line of business database (for example, NPTRS for Flight Standards cases, Web-DG for hazardous materials cases, CETS for drug abatement program cases) to support national, regional, and local systems safety analysis, and to identify

recent similar acts for consideration in applying the EDT to future cases involving the same individual or business. FAA investigative personnel record the following data on informal actions in the appropriate line of business (LOB) database:

(a) Name of the individual or business

(b) Certificate type and number of the individual or business (as applicable)

(c) Regulations involved (include section, paragraph and subparagraph)

(d) Date of counseling

(e) Type of counseling (oral or written)

(f) For businesses, name and title of person counseled

(g) Brief description of the apparent noncompliance

8. Review of EDT Application.

a. Supervisory Review. Policies and procedures for office manager/supervisor and division level EIR review, including the appropriateness of the action taken, are also applicable to cases that use the EDT process. LOB divisions and Regional Counsel ensure that the EDT was appropriately applied in all legal cases. Additionally, LOB divisions review all administrative actions for a period of at least one year from October 1, 2005, to ensure that the EDT was appropriately applied to those cases.

b. Feedback. LOB divisions will establish mechanisms to provide periodic feedback and guidance to investigating offices on any problems observed in the application of the EDT. This process will involve collaboration between division personnel who review the cases and EDT worksheets so that common errors and process application problems are identified and communicated to investigating offices at least quarterly. Regional Counsel will establish similar processes for legal cases they receive, and they will communicate errors and problems noted to LOB division personnel for further communication to investigating offices. The Office of the Chief Counsel (AGC) will collect the information generated by these feedback processes at least quarterly in order to monitor the implementation of the EDT process. The Enforcement Work Group of the Compliance Review Team may be engaged as necessary to recommend any process improvements needed based upon the information collected.

Figure 1
ENFORCEMENT DECISION TOOL (EDT) WORKSHEET

NOTE: Insert this completed worksheet in the Facts and Analysis section of the EIR for legal actions and those administrative actions where the EIR includes such a section. For administrative actions where the EIR does not contain a Facts and Analysis section, insert the worksheet in the EIR, and retain the EIR in the investigating office in accordance with established file retention directives, but not less than 24 months. For informal actions, retain the worksheet in the investigating office in accordance with established file retention directives, but not less than 24 months.

a) Determine Applicability. Is this case categorically excluded? Yes ____ No ____. If yes, discontinue the EDT process and follow applicable program guidelines.

Excluded cases are those involving:

- Voluntary programs, for example:
  - Aviation Safety Action Program (ASAP) covered reports
  - Voluntary disclosures meeting established criteria
  - Runway Incursion Information Evaluation Program (RIIEP) covered incidents
- Lack of qualification, for example:
  - Failure to meet technical qualifications for a certificate held
  - Conducting air transportation without holding an Air Carrier Certificate
  - Refusal to permit and/or submit to an inspection, reexamination, or drug/alcohol test
  - Intentional falsification of records or applications
  - Cheating on a written examination
- Criminal activities, such as narcotics convictions
- Special emphasis enforcement

b) Categorize Conduct. Select the category of conduct involved:

Individual: Intentional ____ Reckless ____ Careless ____.

Business: Intentional Systemic ____ Intentional Not Systemic ____ Unintentional Systemic ____ or Unintentional Not Systemic ____.

Describe the facts and circumstances considered:

_____
_____
_____
_____
_____

NOTE: If "Intentional" is checked above for an individual or business, legal action is indicated. You need not complete the rest of this worksheet unless a deviation from the EDT process outcome will be sought (see item j. below). Deviations require division manager approval and will generally only be considered in cases where there was negligible or no safety risk involved.

c) Prepare Risk Statement. Write a single phrase that expresses the hazard condition created and how that could endanger persons or property:

_____
_____
_____
_____
_____

d) Determine Severity. Select the worst credible outcome potentially resulting from the hazard created by the act:

____ Catastrophic (death or severe damage)
____ Critical (severe injury or substantial damage)
____ Marginal (minor injury or damage)
____ Negligible (no injury or damage)

Describe the factors considered:

_____
_____
_____
_____
_____

e) Determine Likelihood. Select the probability of the worst credible outcome occurring:

____ Frequent (likely to occur often)
____ Occasional (likely to occur sometimes)
____ Remote (unlikely to occur, or would seldom occur)

Describe the facts and circumstances considered:

_____
_____
_____
_____
_____

f) Determine Safety Risk. Select the applicable safety risk from the following risk assessment matrix:

____ High
____ Moderate
____ Low

RISK ASSESSMENT MATRIX

	SEVERITY			
LIKELIHOOD	**Catastrophic**	**Critical**	**Marginal**	**Negligible**
Frequent	High	High	Moderate	Moderate
Occasional	High	Moderate	Moderate	Low
Remote	Moderate	Moderate	Low	Low

g) Determine the Type Action. Determine the type of action to take from the applicable EDT (individual or business):

EDT - INDIVIDUAL

	SAFETY RISK		
CONDUCT	**High**	**Moderate**	**Low**
Intentional	Legal	Legal	Legal
Reckless	Legal	Legal	Administrative
Careless	Remedial Training or Legal	Administrative	Administrative or Informal

EDT - BUSINESS

	SAFETY RISK		
CONDUCT	**High**	**Moderate**	**Low**
Intentional Systemic	Legal	Legal	Legal
Intentional Not Systemic	Legal	Legal	Legal
Unintentional Systemic	Legal	Administrative	Administrative or Informal
Unintentional Not Systemic	Letter of correction or Legal	Administrative	Administrative or Informal

h) Administrative Action or Remedial Training Criteria. If administrative action or remedial training is proposed, the eligibility criteria of this order must be met. The eligibility criteria for administrative action are found in chapter 2, paragraph 205.b. of this order; the criteria for remedial training are found in Appendix 1 to this order, Compliance and Enforcement Bulletin 90-8. See these paragraphs for guidance on these criteria.

1. Administrative Action Criteria Met: Yes ____ No ____ N/A ____
   A. Legal enforcement action not required by law
   B. Administrative action would be an adequate deterrent to future violations
   C. Lack of qualification is not indicated
   D. The alleged violation was inadvertent
   E. A substantial disregard for safety or security was not involved
   F. The circumstances of the alleged violation were not aggravated
   G. The alleged violator has a constructive attitude toward compliance
   H. A trend of noncompliance is not indicated.

2. Remedial Training Criteria Met: Yes ____ No ____ N/A ____
   A. Future compliance can be reasonably ensured through remedial training alone
   B. Airman should exhibit a constructive attitude
   C. Lack of qualifications is not indicated
   D. The airman's record of enforcement actions does not indicate that remedial training would be inappropriate
   E. The conduct is not deliberate, grossly negligent, or criminal in nature.

If no, explain which criteria are not met and why:

_____
_____
_____
_____
_____

i) Specific Action Indicated. Select the specific type of action indicated by the EDT process:

____ Oral counseling
____ Written counseling
____ Warning notice
____ Letter of correction (other than remedial training)
____ Remedial training resulting in a letter of correction
____ Legal action after remedial training offer was refused or not completed
____ Legal action after letter of correction actions not completed
____ Legal action (other than after a remedial training offer refused or not completed or letter of correction actions not completed)

j) Deviation From EDT Process Outcome Requested: Yes ____ No ____ . If a type of action is proposed other than that indicated in paragraph (i) above, the division manager's approval is required. See chapter 2, paragraph 205.f. regarding the

use of administrative action when associated criteria are not met.

If yes, explain and justify proposed action:

_____
_____
_____
_____
_____

Division Manager Action: Approved ____Disapproved ___
Signature: _____

k) Attorney Concurrence (for legal enforcement cases only).
The proposed type of enforcement action conforms to the EDT process:
Yes ____ No ____

If no, explain:

_____
_____
_____
_____
_____

Attorney Signature: _____