



**COLORADO**  
Department of  
Labor and Employment  
Division of Oil and Public Safety

# Working Together to Recognize (and Achieve) Our Shared Goals

**Bobby J. Sonnier**  
*Colorado Division of  
Oil and Public Safety*





# Working Together to Recognize and Achieve Our Shared Goals



- How has my enforcement style evolved



- Effective enforcement tools I have used



- Case study





# How Has My Enforcement Style Evolved

From state  
regulator  
cliché...



...to (I believe) a  
more effective  
enforcement  
regulator





# Effective Enforcement Tools I Have Used

- Empathy
- Keep it Professional/Clinical
- Verbal Judo



# Effective Enforcement Tools I Have Used



**Yea, this phone  
call needs a  
TIME-OUT!**



# Effective Enforcement Tools I Have Used

- Empathy
- Keep it Professional/Clinical
- Verbal Judo





# Verbal Judo

- Ask: “Sir/Ma’am, could I ask you to.....”
- Set Context: Explain why
- Create and Present Options
- Confirm: “Is there anything I could say....”
- Act: Escalate enforcement. Forecast.



# If All Else Fails...

Follow your established enforcement procedure:

- Increased fine amounts
- Delivery prohibition
- Judicial enforcement
- Reductions in financial reimbursement of clean-up costs, from your state storage tank fund program

And, of course...always leave the door open for discussing a settlement





# Case Study - Former Retail Fuel Station





# Case Study

- Three USTs, 2-8,000 gal; 1-2,000 gal (steel tanks, 1966 install)
- Tanks had not been used for several years.
- Property has changed hands several times over the last few years





# Case Study

- Current owner purchased the property in 2013, as an investment
- Fuel had been pumped from tanks in July 2013
- OPS issued NOVs, an Enforcement Order, and filed a complaint with District Court, in an effort to achieve compliance



# Case Study

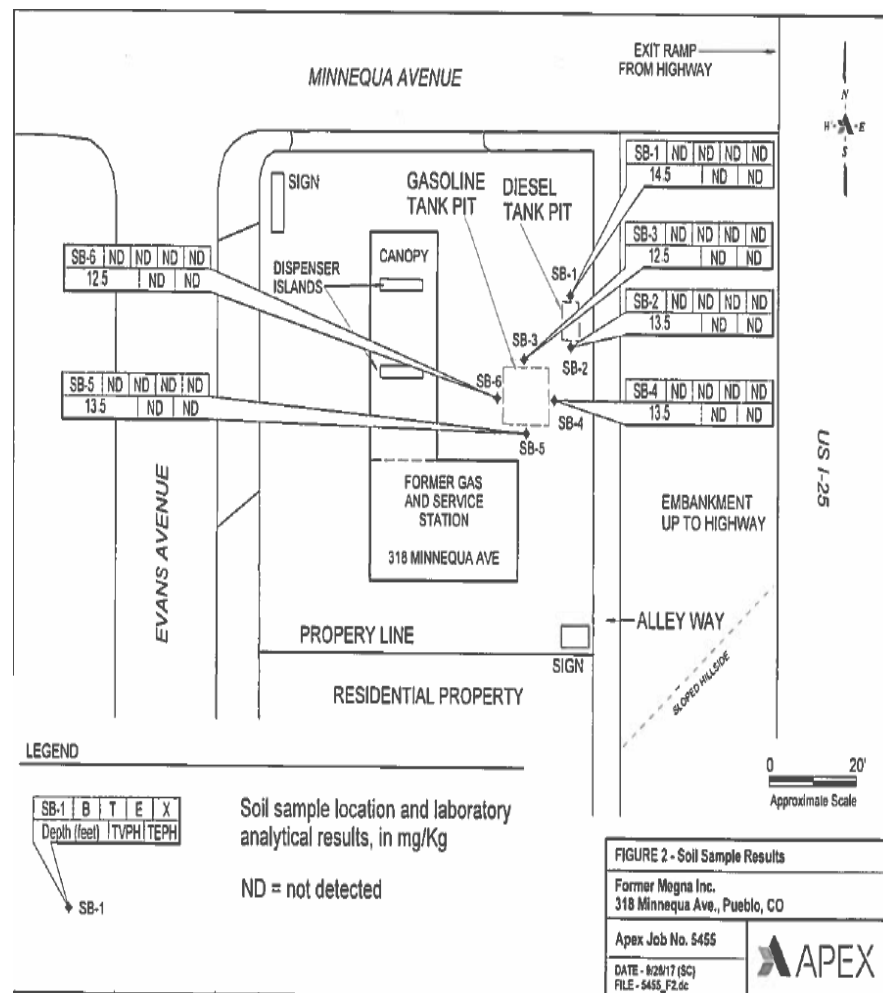
- Agreement between OPS and the tank owner
- Judgment Lien to reimburse OPS for the costs of performing a limited subsurface investigation: approximately \$9,000





# Case Study

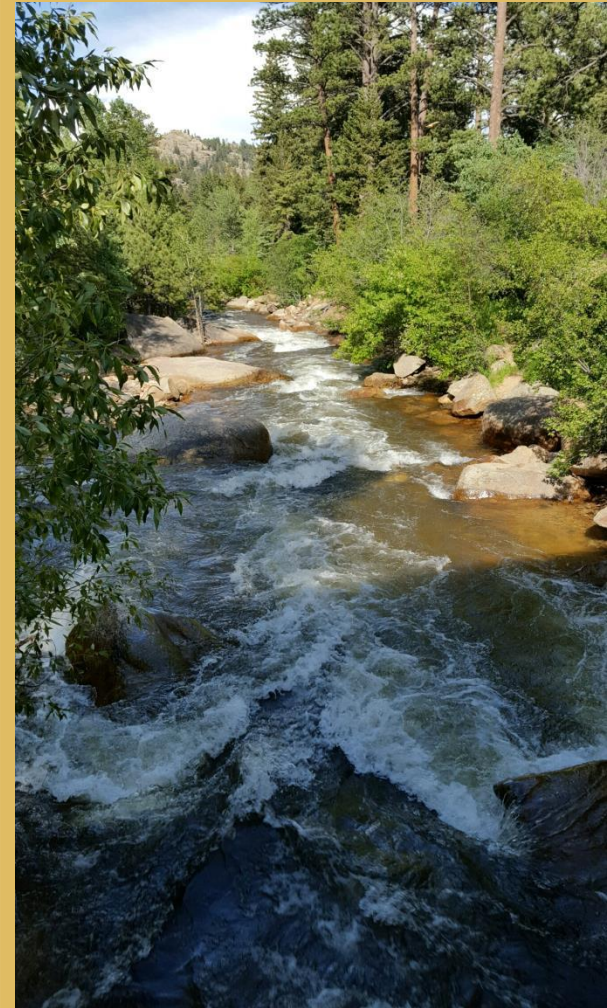
- Limited assessment included 6 borings, to 25 feet, in close proximity to the tanks
- No groundwater encountered
- All 6 soil samples were below the lab detection limits





# Success!!

- Protective of human health and the environment
- No release discovered. No source remaining.
- Working together to recognize and achieve our shared goals.



# **Bobby J. Sonnier**

**Enforcement Program Supervisor**

**Colorado Division of Oil and Public Safety**

**P 303-318-8532 | C 303-910-5003**

**633 17th Street, Suite 500, Denver CO 80202**

**[Colorado.gov/OPS](https://colorado.gov/OPS)**