

Fiscal Year 2015 EPA Enforcement and Compliance Annual Results

**Prepared by the Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency**

December 16, 2015

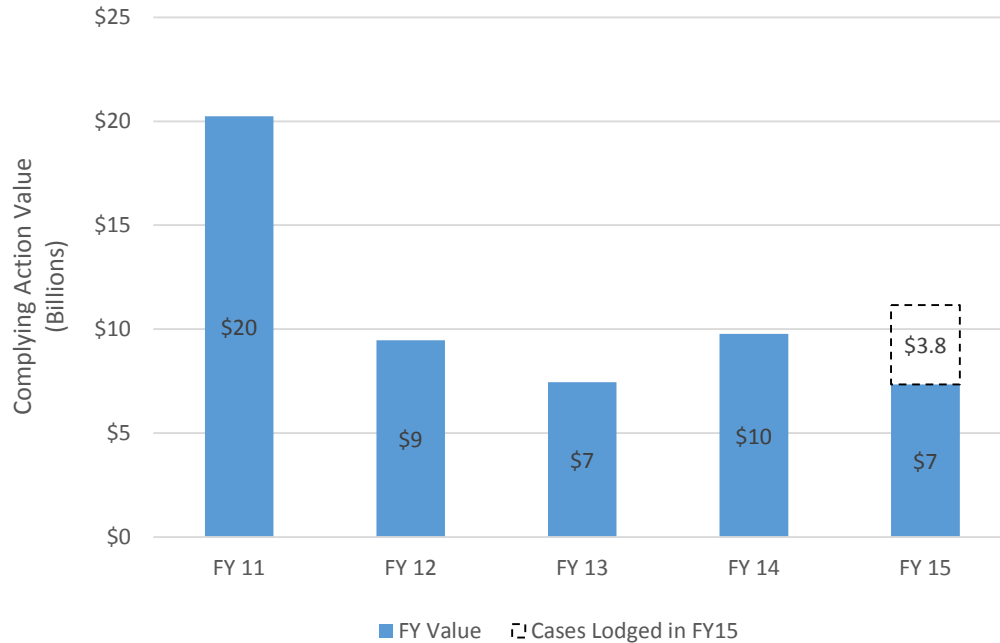
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Estimated Value of Administrative and Civil Judicial Complying Actions (Injunctive Relief) FY 2011 – FY 2015



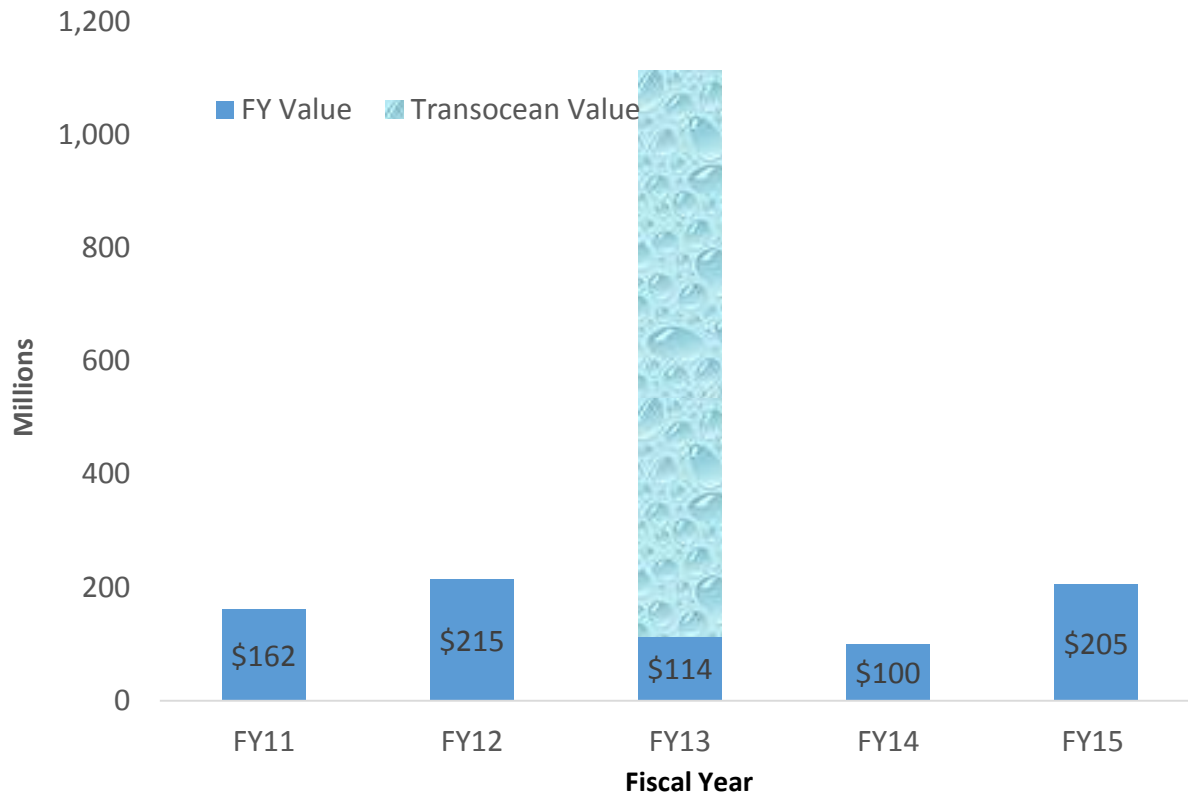
- In FY 2015, EPA enforcement actions required companies to invest more than **\$7 billion** in actions & equipment to control pollution (injunctive relief.)
- Injunctive relief totals vary widely from year to year depending on the timing of resolution of the largest cases.
- A number of large cases that were lodged in FY15 would have contributed an additional **\$3.8 billion** to the FY15 injunctive relief total (shown in dotted bar), if they had been entered by the court by the end of the fiscal year.

Data Source: Integrated Compliance Information System (ICIS)
Prepared by: OC/ETDD/DSIMB
November 7, 2015

Note: All prior FY dollar figures in this report are adjusted to reflect the current value in FY 2015 dollars based on the monthly rate of inflation/deflation as determined by the U.S. Department of Labor Consumer Price Index for All Urban Consumers.

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Administrative and Civil Judicial Penalties Assessed FY 2011 – FY 2015



- In FY 2015, EPA obtained nearly **\$205 million** in federal administrative and civil judicial penalties.
- The FY 2013 results were dominated by the record setting **\$1 billion** penalty from Transocean in the Deepwater Horizon case.
- Penalties assessed vary from year to year depending on the timing of resolution of the largest cases.

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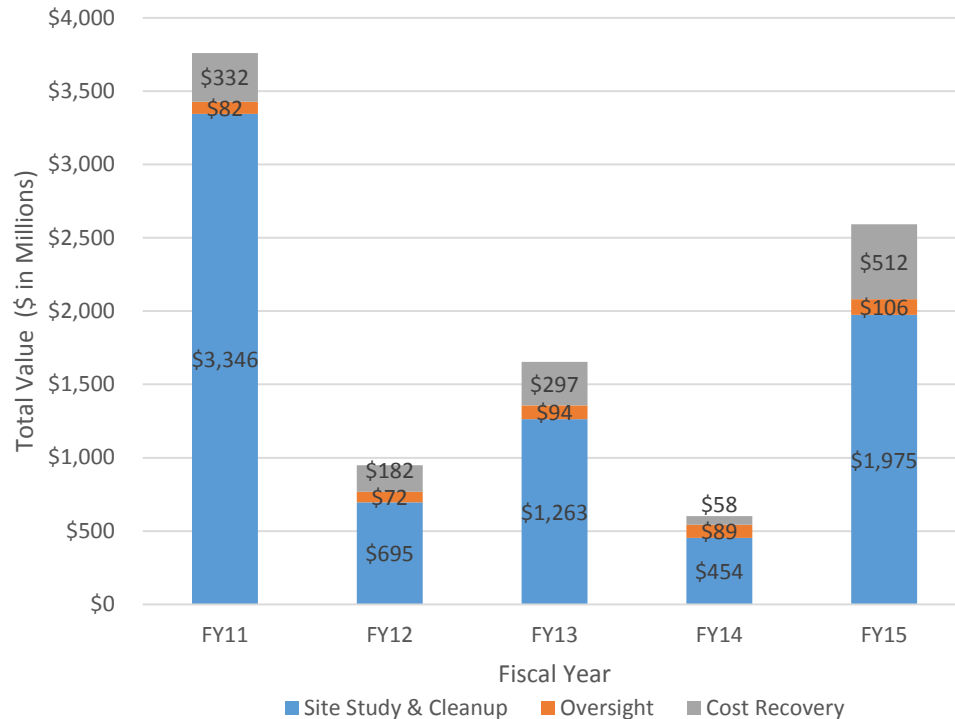
Data Source: Integrated Compliance Information System (ICIS)
Prepared by: OC/ETDD/DSIMB



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Superfund Results

FY 2011 – FY 2015



- In FY 2015, private party cleanup commitments were approximately **\$2 billion**, the second highest amount committed to spend on site “*cleanup*” during a fiscal year. Additionally, EPA billed private parties for **\$106 million** in “*oversight*” costs, the highest amount ever billed during a fiscal year.
- Responsible parties agreed to reimburse approximately **\$512 million** of EPA’s “*past costs*” for cleanup work at Superfund sites, the second highest total since the inception of the program.
- Cleanup commitments generally vary from year to year depending on when the largest cases are resolved.

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Note: Totals include “allowed claims” under bankruptcy settlements.

Data Source for Clean up and Cost Recovery: FY 2015 – Manual Reporting. Data source for previous fiscal years - Comprehensive Environmental Response, Compensation & Liability Information System (CERCLIS),

Data Source for Oversight: Integrated Financial Management System (IFMS); Data source for previous fiscal years: CERCLIS and IFMS.

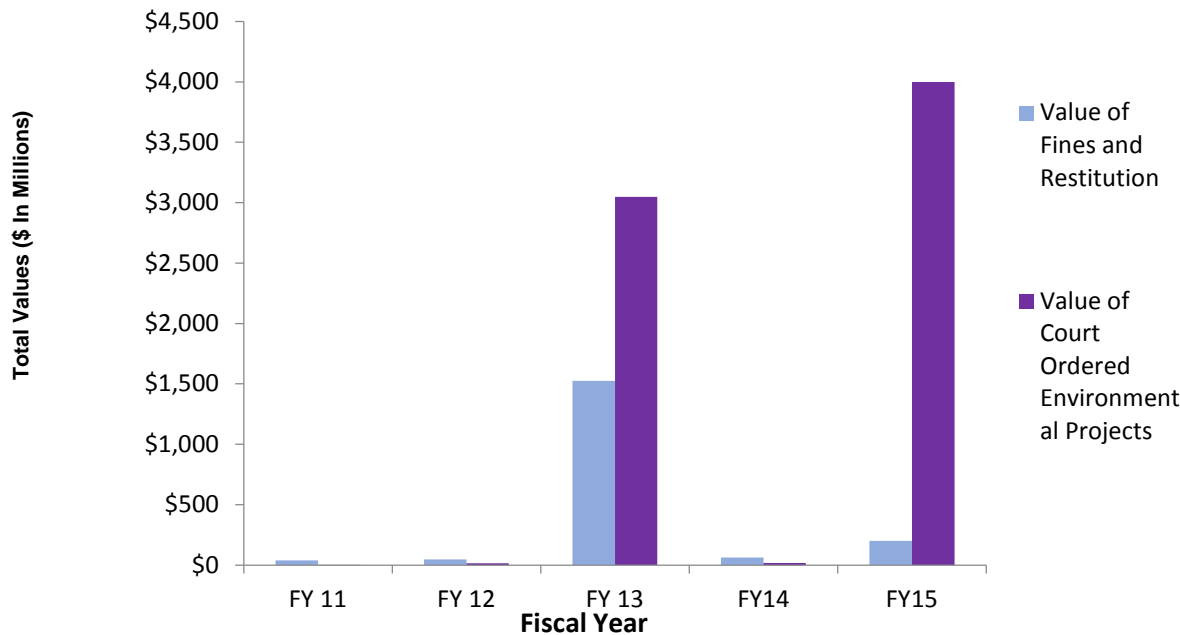
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Criminal Enforcement Value of Fines and Restitution and Court Ordered Environmental Projects FY 2011 – FY 2015



➤ Criminal fines and restitution punish misconduct, deter other violators and, along with court-ordered environmental projects, help to remedy the harm caused by the criminal conduct.

➤ In FY 2015, the total of criminal fines, restitution and court ordered projects was **\$4 billion**.

➤ The annual totals can be significantly affected by large cases, as happened with BP in 2013 and the Duke Energy case in 2015.

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Data Source: Criminal Case Reporting System
Prepared by: OC/ETDD/DSIMB

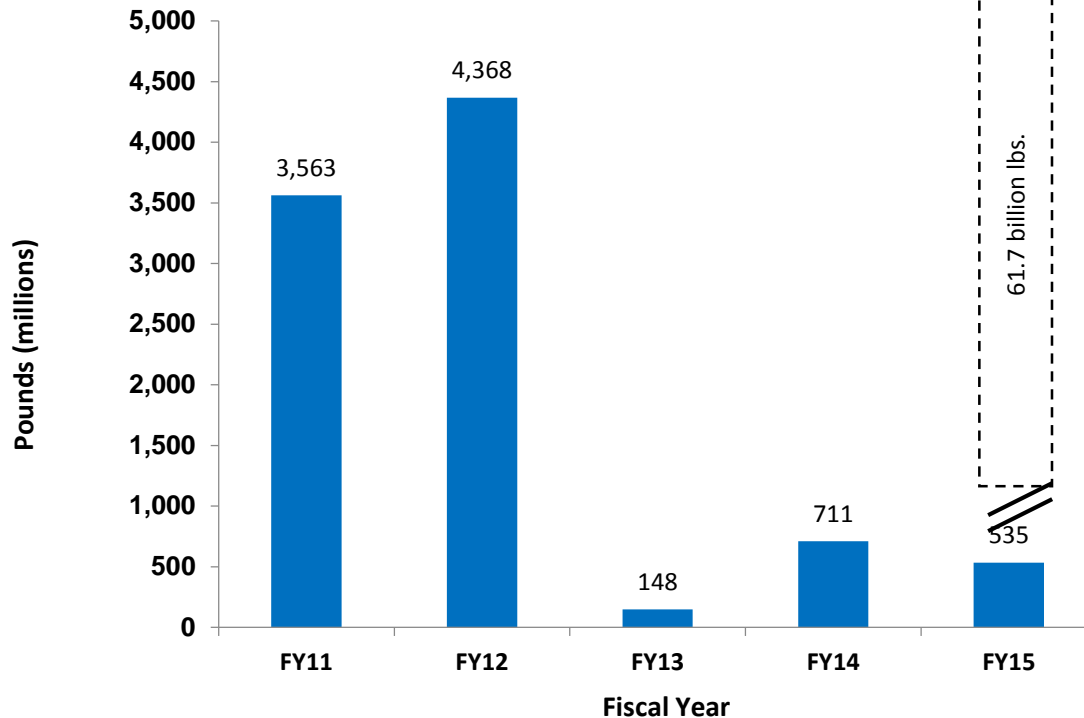


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Estimated Environmental Benefits

Hazardous Waste Treated, Minimized, or Properly Disposed

FY 2011 – FY 2015



➤ In FY 2015, EPA enforcement actions required companies to commit to treat, minimize, or properly dispose of an estimated **535 million** pounds of hazardous waste. That amount includes the equivalent of over 100 tons of elemental mercury from enforcement at gold mines.

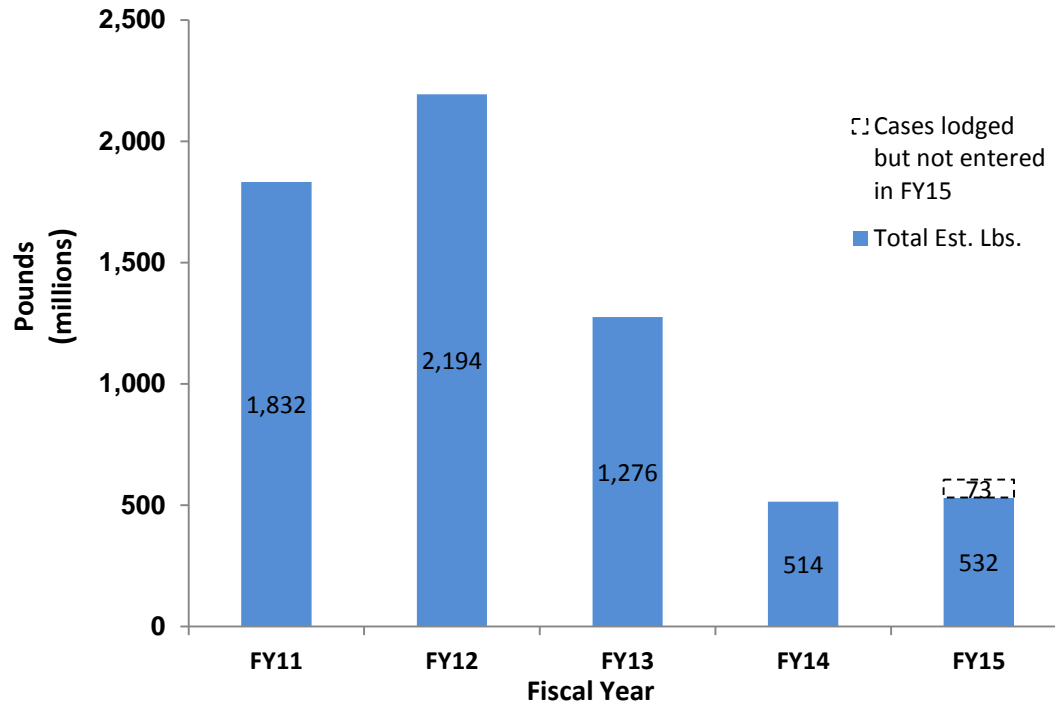
➤ The hazardous waste metric is generally dominated by results from one or two very big cases. This results in substantial variability in this measure from year to year

➤ One large case lodged in FY15 would have contributed an additional **61.7 billion lbs.** to the FY15 estimated hazardous waste treated, minimized, or properly disposed, if the case had been entered by the court by the end of the fiscal year.

Data Source: Integrated Compliance Information System.
Prepared by: OC/ETDD/DSIMB
November 7, 2015

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Estimated Environmental Benefits Commitments to Reduce, Treat, or Eliminate Pollution FY 2011 – FY 2015



➤ In FY 2015, EPA enforcement actions required companies to commit to reduce pollution by an estimated **532 million** pounds per year.

➤ EPA enforcement addresses the biggest sources of pollution first. As a result, in the sectors responsible for the largest amounts of pollution reduced in prior years (e.g., coal fired power plants, raw sewage discharges), the amount of pollution reduced through EPA's enforcement cases will – by design - decline over time.

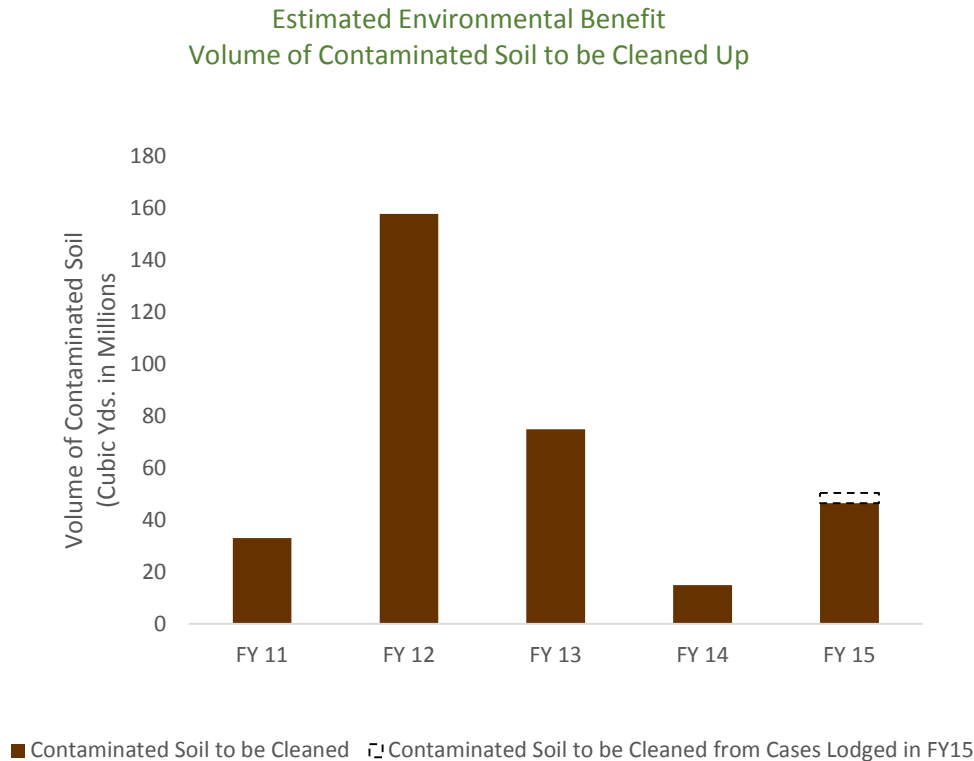
➤ Environmental benefits vary from year to year depending on the timing of resolution of the largest cases.

➤ A number of large cases that were lodged in FY15 would have contributed an additional **73 million** pounds to the FY15 total commitment to reduce, treat, or eliminated pollution (shown in dotted bar), if they had been entered by the court by the end of the fiscal year.

Data Source: Integrated Compliance Information System.
Prepared by: OC/ETDD/DSIMB
November 7, 2015

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Estimated Environmental Benefits Volume of Contaminated Soil to be Cleaned Up FY 2011 – FY 2015



➤ In FY 2015 the Agency obtained commitments to remediate an estimated **37 million** cubic yards of contaminated soil to be cleaned up (cubic yards).

➤ This estimated benefit is the result of CERCLA and RCRA corrective action enforcement. Environmental benefits vary from year to year depending on the timing of resolution of the largest cases.

➤ One case that was lodged in FY15 would have contributed approximately **4 million** VCMA (cubic yds.) of soil (shown in dotted bar), if the case had been entered by the court by the end of the fiscal year.

Data Source: Integrated Compliance Information System.
Prepared by: OC/ETDD/DSIMB
November 7, 2015

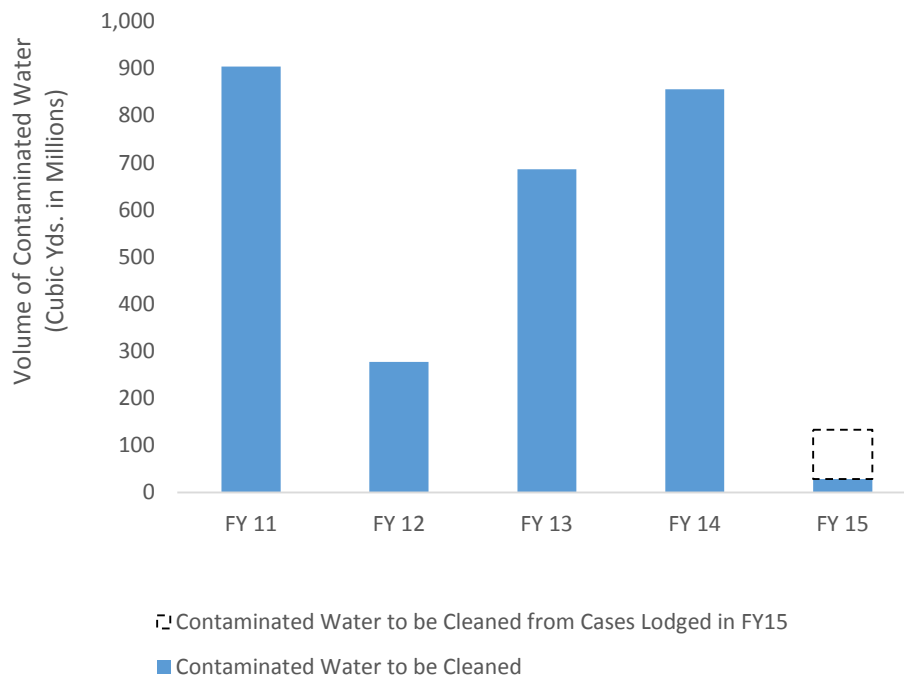
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Estimated Environmental Benefits

Volume of Contaminated Water to be Cleaned Up

FY 2011 – FY 2015

Estimated Environmental Benefits
Volume of Contaminated Water to be Cleaned Up



➤ In FY 2015 the Agency obtained commitments to remediate an estimated **29 million** cubic yards of contaminated water/ aquifer to be cleaned up (cubic yards).

➤ This estimated benefit is the result of CERCLA and RCRA corrective action enforcement. Environmental benefits vary from year to year depending on the timing of resolution of the largest cases.

➤ One case that was lodged in FY15 would have contributed **105 million VCMA** (cubic yds.) of water (shown in dotted bar), if the case had been entered by the court by the end of the fiscal year.

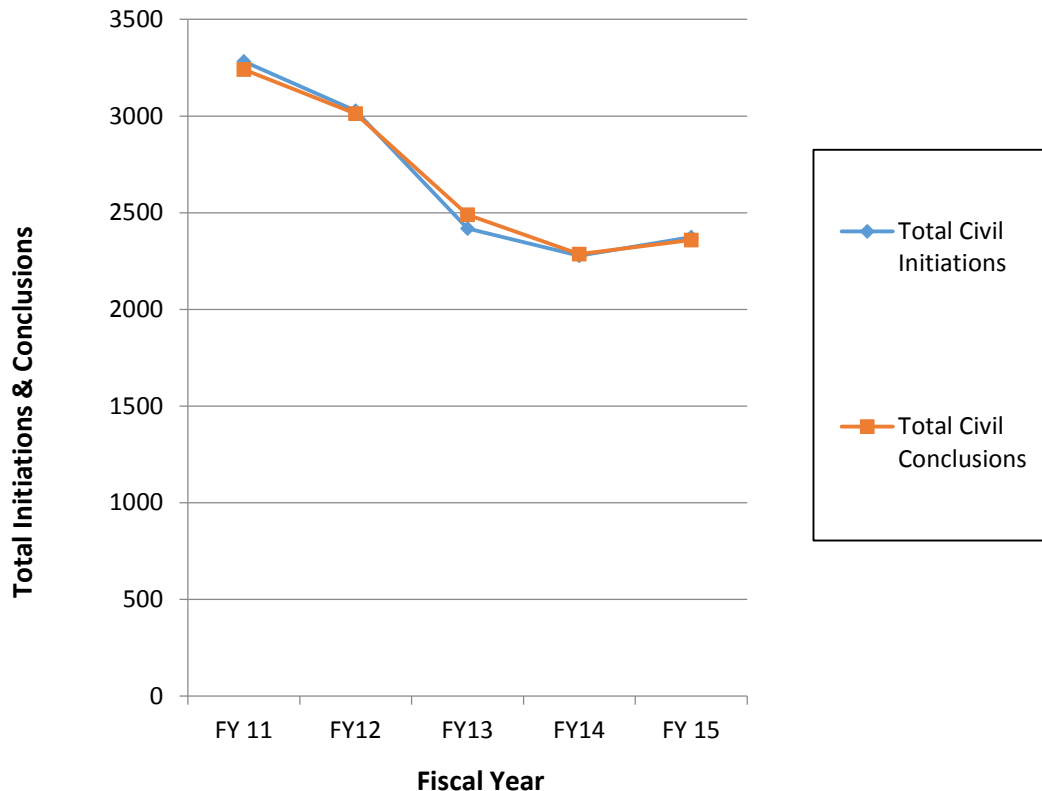
Data Source: Integrated Compliance Information System.
Prepared by: OC/ETDD/DSIMB
November 7, 2015



FY2014 Enforcement and Compliance Annual Results

Civil Enforcement Case Initiations and Conclusions

FY 2011 – FY 2015



- In FY 2015, EPA initiated approximately **2,380** civil judicial and administrative cases.
- In FY 2015, EPA concluded approximately **2,360** civil judicial and administrative cases
- In FY 2015 EPA continued to pursue larger more complex, risk-based enforcement cases. This strategy leads to significant environmental and health gains, but general lower numbers of cases overall.

Data Source: Integrated Compliance Information System.
Prepared by: OC/ETDD/DSIMB
November 7, 2015

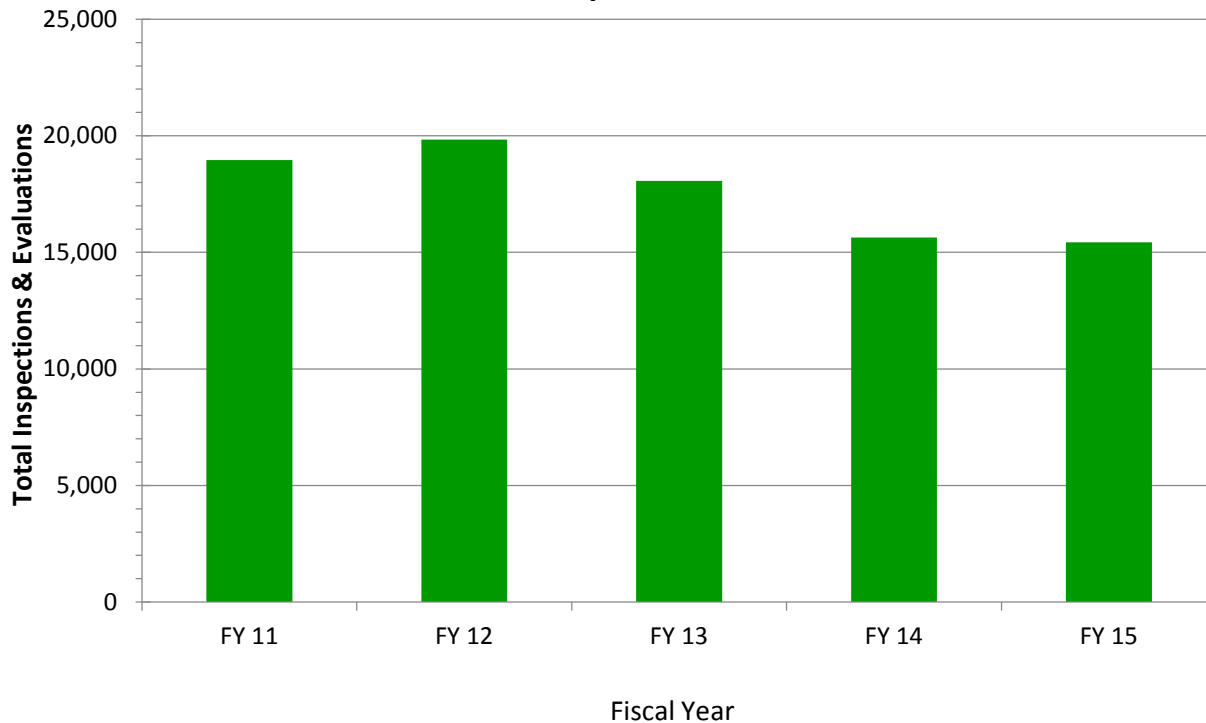


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Federal Inspections and Evaluations

(Conducted by EPA)
FY 2011 – FY 2015

Federal Inspections and Evaluations



➤ In FY 2015, EPA conducted more than **15,400** inspections/evaluations.

➤ As EPA's budget has declined, the total number of inspections has declined as well. EPA continues to pursue additional means of gathering information about facility compliance, to supplement our on the ground inspections.

Data Source: Integrated Compliance Information System (ICIS), ICIS-NPDES, ICIS-AIR, RCRAInfo, and manual reporting.

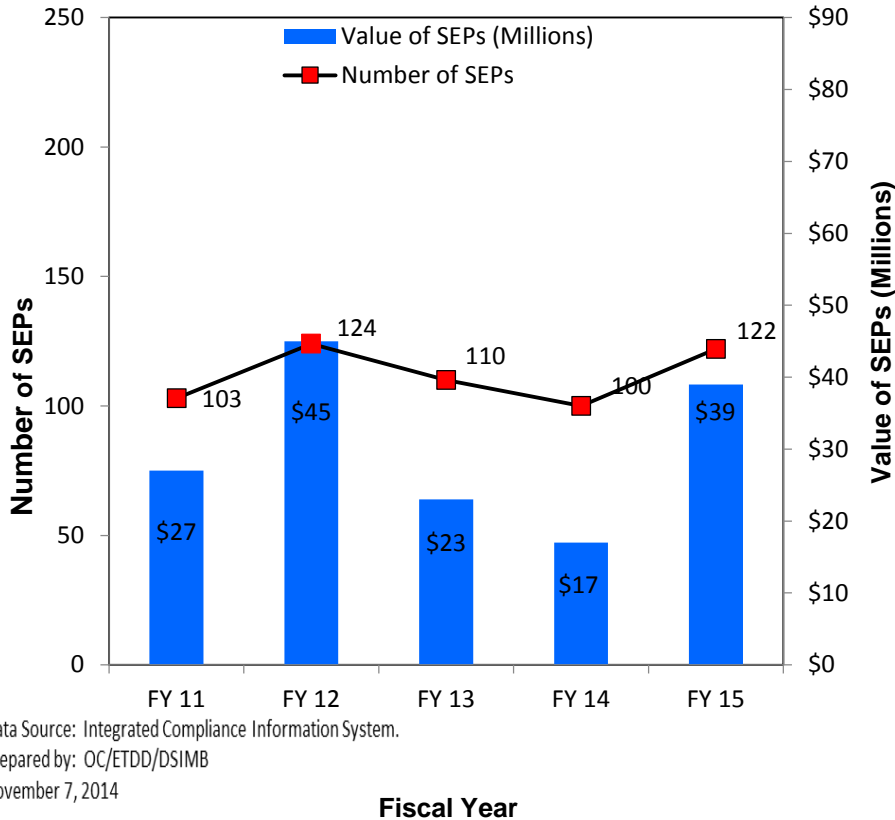
Prepared by: OC/ETDD/DSIMB

October 29, 2015

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Supplemental Environmental Projects

FY 2011 – FY 2015



Data Source: Integrated Compliance Information System.

Prepared by: OC/ETDD/DSIMB

November 7, 2014

➤ In FY 2015, EPA enforcement actions resulted in more than an estimated **\$39 million** in Supplemental Environmental Projects (SEPs.)

➤ SEPs are projects that are not otherwise legally required, which a defendant/respondent agrees to undertake to benefit the community harmed by the violations (e.g., in a CAA case, the defendant may agree to retrofit diesel school buses, which reduces pollution and protects public health beyond the actions required in the injunctive relief portion of the settlement).

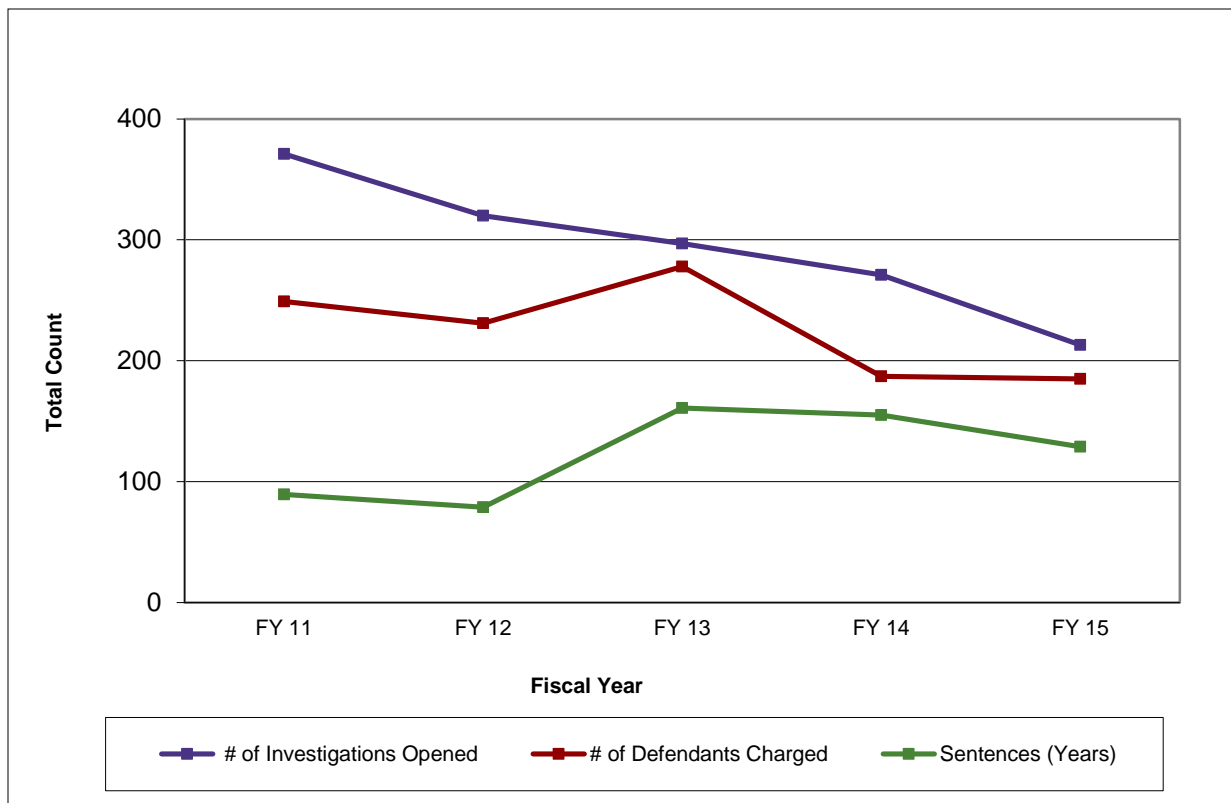
➤ EPA strongly supports SEPs to return benefits to the communities harmed by unlawful pollution.

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Criminal Enforcement Environmental Crime Cases Opened, Defendants Charged, and Sentencing Results – Years of Incarceration FY 2011 – FY 2015



- The criminal program continued in FY15 to focus on complex cases that involve a serious threat to human health and the environment or that undermine program integrity.
- The focus on high impact more complex cases results in fewer investigations overall.

Data Source: Criminal Case Reporting System
Prepared by: OC/ETDD/DSIMB