

FY 2003 Enforcement and Compliance Trends



	FY 1998	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003
<b>Env. Benefits of Enforcement Actions (inc. SEPs)</b>						
<i>Lbs of Poll. Reduced, Treated or Properly Managed (Millions)</i>	629	6,800	335	660	260	~ 600
<i>Lbs of Cont.Soil/Sed. to be Cleaned Up (Millions)</i>	N/A	574	1,300	1,800	513	7,500
<i>Gallons of Wastewater/Groundwater Treated (Billions)</i>	N/A	N/A	N/A	N/A	2.8	6.5
<i>Acres of Wetlands Protected</i>	N/A	N/A	N/A	N/A	29	1,050
<i>People Protected by SDWA Enforcement (Millions)</i>	N/A	N/A	N/A	N/A	3	2
<i>Value of Injunctive Relief (Billions) <sup>1</sup></i>	\$2.0	\$3.4	\$1.6	\$4.5	\$3.9	\$2.9
<i>Value of SEPs (Millions)</i>	\$91	\$237	\$56	\$89	\$58	\$65
<i># of Cases with SEPs</i>	221	197	193	164	157	150
<b>Voluntary Disclosure Program</b>						
<i>Facilities Initiated</i>	N/A	990	2,190	1,095	927	614
<i>Companies Initiated</i>	N/A	260	429	397	500	379
<i>Notices of Determination (NODs)</i>	N/A	NA	144	234	247	514
<i>Facilities Resolved</i>	N/A	624	437	1,754	1,467	848
<i>Companies Resolved</i>	N/A	106	217	304	252	511

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**FY 2003 Enforcement and Compliance Trends**

	FY 1998	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003
<i>Total Entities Reached by EPA Compliance Assistance (Thousands)</i>	247	333	351	551	590	721
<i>EPA Administrative Compliance Orders (ACOs)<sup>2</sup></i>	(1,721)	(1,516)	(3,388)	1,476 (1,494)	1,250 (1,251)	1,582
<i>EPA Administrative Penalty Complaints (APCs) (not incl. RCRA Field Citations)<sup>3</sup></i>	(1,400)	(1,654)	(1,763)	1510 (1,582)	1395 (1,441)	1,707 (1,781)
<i>RCRA Field Citations</i>	194	311	192	150	138	181
<i>Total EPA Administrative Penalty Complaints (APCs) (incl. RCRA Field Citations)<sup>4</sup></i>	(1,594)	(1,965)	(1,955)	1,660 (1,732)	1,533 (1,579)	1,888 (1,962)
<i>EPA Civil Judicial New Referrals to DOJ<sup>2</sup></i>	(411)	323 (403)	250 (368)	238 (327)	252 (322)	268 (359)
<i>EPA Final Administrative Penalty Order (FAPOs) Settlements (incl. RCRA Field Citations)</i>	1,439	1,669	1,922	1,734	1,417	1,707
<i>EPA Civil Judicial Settlements</i>	253	215	219	221	216	195
<i>EPA Administrative Penalties (Millions)</i>	\$28	\$26	\$29	\$24	\$26	\$24
<i>EPA Judicial Penalties (Millions)</i>	\$64	\$141	\$55	\$102	\$64	\$72
<i>EPA Stipulated Penalties (Millions)</i>	N/A	N/A	N/A	N/A	\$4	\$128
<i>Inspections/Evaluations</i>	23,237	21,847	20,337	17,560	17,668	18,880
<i>Civil Investigations</i>	N/A	N/A	660	366	422	344

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<b><i>Criminal Enforcement Program</i></b>	<b>FY 1998</b>	<b>FY 1999</b>	<b>FY 2000</b>	<b>FY 2001</b>	<b>FY 2002</b>	<b>FY 2003</b>
<i>Environmental Crime Cases Initiated</i> <sup>5</sup>	636	471	477	482	484	471
<i>Referrals</i>	266	241	236	256	250	228
<i>Defendants Charged</i>	350	322	360	372	325	247
<i>Sentences (Years)</i>	173	208	146	212	215	146
<i>Fines (MIL)</i>	\$93	\$62	\$122	\$95	\$62	\$71

***Superfund Enforcement Program***

<i>PRP-financed Remedial Action (RA) Starts</i>	N/A	79	64	33	48	50
<i>PRP-lead RA Starts (%)</i>	N/A	80%	68%	67.3%	71%	87%
<i>Private Party Commitments (\$ in MIL for future response work incl. Cashouts)</i> <sup>6</sup>	N/A	\$552.5	\$1,335.5	\$1,329.1	\$501.3	\$904
<i>Private Party Commitments (\$ in MIL for past cost)</i>	N/A	\$232.8	\$145.8	\$413.5	\$126.1	\$225
<i>% of Cost Recovery Statute of Limitation Cases Addressed with Total Past Greater than or Equal to \$200,000.</i>	N/A	99%	98.5%	97.8%	100%	100%

<sup>1</sup> *In addition to the FY 2003, \$2.88 billion in injunctive relief, the Virginia Electric and Power Company (VEPCO) case produced \$1.2 billion in injunctive relief. This case will result in reductions of 237,000 tons of sulfur dioxide (SO2) and nitrogen oxides (NOx) emissions. In addition to providing for major pollution reductions, VEPCO agreed to pay a \$5.3 million civil penalty and spend at least \$13.9 million, which is not included in the FY 2003 totals for projects in each of the five states that participated in the settlement to offset the impact of past emissions. EPA lodged this case on April 21, 2003; however the Court entered the case on October 3, 2003.*

<sup>2</sup> *Case totals shown in parenthesis include extra credits employing the old case counting methodology.*

<sup>3</sup> *Case totals shown in parenthesis include extra credits employing the old case counting methodology; RCRA field citations are not included in these numbers.*

<sup>4</sup> *Case totals shown in parenthesis include extra credits employing the old case counting methodology; RCRA field citations are included in these numbers.*

<sup>5</sup> *In FY 2002 and FY 2003, an additional 190 and 37 Homeland Security Cases were initiated respectively in the Criminal Enforcement Program.*

<sup>6</sup> *Includes \$125 Million for an innovative settlement with ASARCO that was achieved in FY 2003 under the authority of the Federal Debt Collection Procedures Act and the Federal Priorities Act. This settlement provides funds to partially fulfill ASARCO's obligations under numerous prior federal and state consent decrees and administrative orders for work at CERCLA and non-CERCLA sites, work conducted for or by other Federal agencies, and work at sites where states are conducting or overseeing the work.*

*\* Not Available (N/A)*

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