

Comparative Report on Civil and Criminal Penalties assessed by U.S. EPA Region 5 / Fiscal Years 1992-1999

		1992	1993	1994	1995	1996	1997	1998	1999
GENERAL									
Total No. Cases		182	220	279	312	174	353	243	292
Total No. Civil Penalty Cases		30	45	37	33	21	23	21	14
Total No. Admin. Penalty Cases		147	173	236	278	148	309	214	260
Total Value (\$)		14,378,026	31,530,415	44,819,851	25,208,197	8,804,994	18,820,956	18,700,494	17,922,741
Total Civil Value (\$)		8,235,944	26,629,720	27,247,750	19,661,720	4,144,369	4,954,000	9,008,663	10,438,202
Total Administrative Value (\$)		5,816,264	4,555,695	16,646,051	5,495,727	4,518,756	6,210,306	4,626,331	6,848,539
Average Penalty		79,000	143,320	160,645	80,796	50,603	53,469	76,957	61,379
Percent with Penalty > \$0		90	93	88	84	94	96	98	96
Median Penalty		8,622	12,500	10,000	6,352	8,000	7,500	9,375	8,000
Highest Penalty		3,124,000	11,100,000	13,500,000	4,800,000	1,307,500	4,000,000	4,700,000	2,900,000
STATUTE-SPECIFIC									
CAA	Total - Penalty Cases	14	32	38	37	24	37	36	62
	Total Value	466,700	2,236,471	4,687,590	3,305,637	1,935,913	3,318,770	3,098,538	5,200,675
	Average Penalty	33,336	69,890	123,358	89,341	80,663	89,696	86,071	83,882
	% with Penalty > \$0	100	97	95	100	92	97	97	98
	Median Penalty	24,500	20,500	23,400	7,000	35,000	27,500	30,750	32,000
	Highest Penalty	100,000	500,000	1,675,000	2,703,000	450,000	1,250,000	546,700	1,050,000
CERCLA	Total - Penalty Cases	4	1	2	0	3	5	0	4
	Total Value	535,000	100,000	180,000	0	46,500	186,687	0	267,592
	Average Penalty	133,750	100,000	90,000	0	23,250	37,337	0	66,898
	% with Penalty > \$0	100	100	100	0	100	100	0	100
	Median Penalty	60,000	100,000	90,000	0	17,000	22,500	0	5,000
	Highest Penalty	400,000	100,000	150,000	0	18,500	100,000	0	255,000
CWA	Total - Penalty Cases	18	27	30	34	31	35	41	30
	Total Value	2,328,000	2,903,770	3,728,000	2,950,450	3,316,950	2,275,750	2,822,736	1,123,300
	Average Penalty	129,333	107,547	124,267	86,778	106,998	65,021	68,847	37,443
	% with Penalty > \$0	100	93	100	100	97	97	100	90
	Median Penalty	81,000	49,100	32,000	39,850	28,500	25,000	9,000	11,000
	Highest Penalty	750,000	749,070	670,000	535,000	1,307,500	501,000	1,555,000	225,000
EPCRA	Total - Penalty Cases	16	18	27	30	28	101	49	40
	Total Value	182,131	372,906	634,423	394,139	910,781	1,056,821	523,765	522,021
	Average Penalty	11,383	20,717	23,497	13,138	32,528	10,464	10,689	13,051
	% with Penalty > \$0	100	100	100	97	100	99	96	100
	Median Penalty	81,000	14,270	20,000	6,153	18,500	2,000	8,000	8,000
	Highest Penalty	750,000	100,000	63,750	136,610	178,500	106,125	82,900	99,000
FIFRA	Total - Penalty Cases	29	26	31	35	28	43	30	16

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	Total Value	191,600	106,818	142,020	322,189	216,128	296,683	102,030	169,400
	Average Penalty	6,607	4,108	4,581	9,205	7,719	6,900	3,401	10,588
	% with Penalty > \$0	79	88	100	97	86	93	87	88
	Median Penalty	1,000	3,350	3,920	3,500	1,852	3,360	3,350	4,400
	Highest Penalty	100,000	16,000	24,000	48,000	165,200	100,000	20,000	88,200
RCRA	Total - Penalty Cases	32	21	20	33	17	28	27	16
	Total Value	9,564,899	7,780,110	7,044,898	10,266,601	1,480,108	1,871,492	865,238	695,125
	Average Penalty	298,903	370,481	352,245	311,109	87,065	66,839	32,046	43,445
	% with Penalty > \$0	97	100	95	94	94	96	100	100
	Median Penalty	1,000	44,700	57,449	50,000	107,134	46,500	23,699	23,100
	Highest Penalty	3,124,000	6,000,000	4,600,000	3,375,000	182,654	400,000	150,000	248,171
SDWA	Total - Penalty Cases	24	21	25	28	13	20	11	15
	Total Value	189,224	169,250	251,105	169,619	90,300	252,225	144,159	109,697
	Average Penalty	7,884	8,060	10,044	6,058	6,946	12,611	13,105	7,313
	% with Penalty > \$0	88	90	96	82	100	85	82	93
	Median Penalty	4,000	2,300	2,500	3,000	5,000	4,278	5,000	5,000
	Highest Penalty	40,000	65,000	75,800	35,000	24,000	150,000	54,764	17,000
TSCA	Total - Penalty Cases	39	60	83	100	25	46	28	81
	Total Value	464,654	1,356,014	1,092,166	1,290,999	666,439	881,959	770,636	740,428
	Average Penalty	11,914	22,600	13,159	12,910	26,658	19,173	27,523	9,141
	% with Penalty > \$0	77	87	66	59	88	89	93	94
	Median Penalty	3,000	8,500	4,675	1,925	20,198	9,400	10,100	500
	Highest Penalty	225,000	329,375	284,100	280,000	216,000	165,000	193,260	274,500
EPCRA/ CERCLA	Total - Penalty Cases	1	9	13	12	0	11	6	8
	Total Value	130,000	310,076	1,162,127	557,813	0	282,194	268,410	211,027
	Average Penalty	130,000	34,453	89,394	46,484	0	28,219	44,735	26,378
	% with Penalty > \$0	100	89	100	100	0	100	100	100
	Median Penalty	130,000	23,760	66,000	31,000	0	15,000	37,880	22,330
	Highest Penalty	130,000	99,025	431,488	200,000	0	94,349	90,000	61,810
Multi- Media & Multi- Regional	Total - Penalty Cases	0	3	4	2	0	6	4	6
	Total Value	0	15,850,000	24,971,472	5,900,000	0	741,725	5,038,942	8,247,476
	Average Penalty	0	5,283,333	6,242,868	2,950,000	0	123,621	1,259,736	1,374,579
	% with Penalty > \$0	0	100	100	100	0	100	100	100
	Median Penalty	0	3,500,000	5,658,236	2,950,000	0	27,500	142,500	1,013,470
	Highest Penalty	0	11,100,000	13,500,000	4,800,000	0	400,000	4,700,000	2,900,000
Criminal	Total - Penalty Cases	5	2	6	1	5	21	8	18
	Total Value	325,818	345,000	926,050	50,750	141,875	7,656,650	5,065,500	636,000
	Average Penalty	65,164	172,500	154,342	50,750	28,375	364,602	633,188	35,333

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% with Penalty > \$0	100	100	100	100	100	100	100	100
Median Penalty	6,500	172,500	95,000	50,750	7,500	15,200	130,300	34,000
Highest Penalty	282,500	270,000	500,000	50,750	120,000	4,000,000	4,000,000	185,000