

**Comparative Report on Civil and Criminal Penalties assessed by U.S. EPA Region 5 /
Fiscal Years 1992-2000**

		<u>1992</u>	<u>1993</u>	<u>1994</u>	<u>1995</u>	<u>1996</u>
<u>GENERAL</u>						
Total No. Cases		182	220	279	312	174
Total No. Civil Penalty Cases		30	45	37	33	21
Total No. Admin. Penalty Cases		147	173	236	278	148
Total Value (\$)		14,378,026	31,530,415	44,819,851	25,208,197	8,804,994
Total Civil Value (\$)		8,235,944	26,629,720	27,247,750	19,661,720	4,144,369
Total Administrative Value (\$)		5,816,264	4,555,695	16,646,051	5,495,727	4,518,756
Average Penalty		79,000	143,320	160,645	80,796	50,603
Percent with Penalty > \$0		90	93	88	84	94
Median Penalty		8,622	12,500	10,000	6,352	8,000
Highest Penalty		3,124,000	11,100,000	13,500,000	4,800,000	1,307,500
<u>STATUTE-SPECIFIC</u>						
CAA	Total - Penalty Cases	14	32	38	37	24
	Total Value	466,700	2,236,471	4,687,590	3,305,637	1,935,913
	Average Penalty	33,336	69,890	123,358	89,341	80,663
	% with Penalty > \$0	100	97	95	100	92
	Median Penalty	24,500	20,500	23,400	7,000	35,000
	Highest Penalty	100,000	500,000	1,675,000	2,703,000	450,000
CERCLA	Total - Penalty Cases	4	1	2	0	3
	Total Value	535,000	100,000	180,000	0	46,500
	Average Penalty	133,750	100,000	90,000	0	23,250
	% with Penalty > \$0	100	100	100	0	100
	Median Penalty	60,000	100,000	90,000	0	17,000
	Highest Penalty	400,000	100,000	150,000	0	18,500
CWA	Total - Penalty Cases	18	27	30	34	31
	Total Value	2,328,000	2,903,770	3,728,000	2,950,450	3,316,950
	Average Penalty	129,333	107,547	124,267	86,778	106,998
	% with Penalty > \$0	100	93	100	100	97
	Median Penalty	81,000	49,100	32,000	39,850	28,500
	Highest Penalty	750,000	749,070	670,000	535,000	1,307,500
EPCRA	Total - Penalty Cases	16	18	27	30	28
	Total Value	182,131	372,906	634,423	394,139	910,781
	Average Penalty	11,383	20,717	23,497	13,138	32,528
	% with Penalty > \$0	100	100	100	97	100
	Median Penalty	81,000	14,270	20,000	6,153	18,500
	Highest Penalty	750,000	100,000	63,750	136,610	178,500
FIFRA	Total - Penalty Cases	29	26	31	35	28
	Total Value	191,600	106,818	142,020	322,189	216,128
	Average Penalty	6,607	4,108	4,581	9,205	7,719
	% with Penalty > \$0	79	88	100	97	86
	Median Penalty	1,000	3,350	3,920	3,500	1,852
	Highest Penalty	100,000	16,000	24,000	48,000	165,200
RCRA	Total - Penalty Cases	32	21	20	33	17
	Total Value	9,564,899	7,780,110	7,044,898	10,266,601	1,480,108
	Average Penalty	298,903	370,481	352,245	311,109	87,065

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	% with Penalty > \$0	97	100	95	94	94
	Median Penalty	1,000	44,700	57,449	50,000	107,134
	Highest Penalty	3,124,000	6,000,000	4,600,000	3,375,000	182,654
SDWA	Total - Penalty Cases	24	21	25	28	13
	Total Value	189,224	169,250	251,105	169,619	90,300
	Average Penalty	7,884	8,060	10,044	6,058	6,946
	% with Penalty > \$0	88	90	96	82	100
	Median Penalty	4,000	2,300	2,500	3,000	5,000
	Highest Penalty	40,000	65,000	75,800	35,000	24,000
TSCA	Total - Penalty Cases	39	60	83	100	25
	Total Value	464,654	1,356,014	1,092,166	1,290,999	666,439
	Average Penalty	11,914	22,600	13,159	12,910	26,658
	% with Penalty > \$0	77	87	66	59	88
	Median Penalty	3,000	8,500	4,675	1,925	20,198
	Highest Penalty	225,000	329,375	284,100	280,000	216,000
EPCRA/ CERCLA	Total - Penalty Cases	1	9	13	12	0
	Total Value	130,000	310,076	1,162,127	557,813	0
	Average Penalty	130,000	34,453	89,394	46,484	0
	% with Penalty > \$0	100	89	100	100	0
	Median Penalty	130,000	23,760	66,000	31,000	0
	Highest Penalty	130,000	99,025	431,488	200,000	0
Multi- Media & Multi- Regional	Total - Penalty Cases	0	3	4	2	0
	Total Value	0	15,850,000	24,971,472	5,900,000	0
	Average Penalty	0	5,283,333	6,242,868	2,950,000	0
	% with Penalty > \$0	0	100	100	100	0
	Median Penalty	0	3,500,000	5,658,236	2,950,000	0
	Highest Penalty	0	11,100,000	13,500,000	4,800,000	0
Criminal	Total - Penalty Cases	5	2	6	1	5
	Total Value	325,818	345,000	926,050	50,750	141,875
	Average Penalty	65,164	172,500	154,342	50,750	28,375
	% with Penalty > \$0	100	100	100	100	100
	Median Penalty	6,500	172,500	95,000	50,750	7,500
	Highest Penalty	282,500	270,000	500,000	50,750	120,000

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		<u>1997</u>	<u>1998</u>	<u>1999</u>	<u>2000</u>
<u>GENERAL</u>					
Total No. Cases		353	243	292	273
Total No. Civil Penalty Cases		23	21	14	22
Total No. Admin. Penalty Cases		309	214	260	237
Total Value (\$)		18,820,956	18,700,494	17,922,741	14,634,310
Total Civil Value (\$)		4,954,000	9,008,663	10,438,202	7,766,027
Total Administrative Value (\$)		6,210,306	4,626,331	6,848,539	6,862,533
Average Penalty		53,469	76,957	61,379	53,605
Percent with Penalty > \$0		96	98	96	80
Median Penalty		7,500	9,375	8,000	15,400
Highest Penalty		4,000,000	4,700,000	2,900,000	3,500,000
<u>STATUTE-SPECIFIC</u>					
CAA	Total - Penalty Cases	37	36	62	57
	Total Value	3,318,770	3,098,538	5,200,675	6,420,438
	Average Penalty	89,696	86,071	83,882	112,639
	% with Penalty > \$0	97	97	98	81
	Median Penalty	27,500	30,750	32,000	21,250
	Highest Penalty	1,250,000	546,700	1,050,000	2,400,000
CERCLA	Total - Penalty Cases	5	0	4	12
	Total Value	186,687	0	267,592	48,281
	Average Penalty	37,337	0	66,898	4,023
	% with Penalty > \$0	100	0	100	50
	Median Penalty	22,500	0	5,000	3,820
	Highest Penalty	100,000	0	255,000	16,500
CWA	Total - Penalty Cases	35	41	30	31
	Total Value	2,275,750	2,822,736	1,123,300	593,345
	Average Penalty	65,021	68,847	37,443	19,140
	% with Penalty > \$0	97	100	90	18,800
	Median Penalty	25,000	9,000	11,000	42,000
	Highest Penalty	501,000	1,555,000	225,000	75,500
EPCRA	Total - Penalty Cases	101	49	40	56
	Total Value	1,056,821	523,765	522,021	553,336
	Average Penalty	10,464	10,689	13,051	9,881
	% with Penalty > \$0	99	96	100	95
	Median Penalty	2,000	8,000	8,000	5,000
	Highest Penalty	106,125	82,900	99,000	115,002
FIFRA	Total - Penalty Cases	43	30	16	40
	Total Value	296,683	102,030	169,400	260,356
	Average Penalty	6,900	3,401	10,588	6,509
	% with Penalty > \$0	93	87	88	83
	Median Penalty	3,360	3,350	4,400	3,000
	Highest Penalty	100,000	20,000	88,200	102,800

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		<u>1997</u>	<u>1998</u>	<u>1999</u>	<u>2000</u>
RCRA	Total - Penalty Cases	28	27	16	32
	Total Value	1,871,492	865,238	695,125	5,255,019
	Average Penalty	66,839	32,046	43,445	164,219
	% with Penalty > \$0	96	100	100	88
	Median Penalty	46,500	23,699	23,100	900
	Highest Penalty	400,000	150,000	248,171	3,500,000
SDWA	Total - Penalty Cases	20	11	15	10
	Total Value	252,225	144,159	109,697	124,700
	Average Penalty	12,611	13,105	7,313	12,470
	% with Penalty > \$0	85	82	93	70
	Median Penalty	4,278	5,000	5,000	3,500
	Highest Penalty	150,000	54,764	17,000	50,000
TSCA	Total - Penalty Cases	46	28	81	26
	Total Value	881,959	770,636	740,428	498,509
	Average Penalty	19,173	27,523	9,141	19,173
	% with Penalty > \$0	89	93	94	65
	Median Penalty	9,400	10,100	500	2,000
	Highest Penalty	165,000	193,260	274,500	123,888
EPCRA/ CERCLA	Total - Penalty Cases	11	6	8	6
	Total Value	282,194	268,410	211,027	127,826
	Average Penalty	28,219	44,735	26,378	21,304
	% with Penalty > \$0	100	100	100	83
	Median Penalty	15,000	37,880	22,330	10,873
	Highest Penalty	94,349	90,000	61,810	82,834
Multi- Media & Multi- Regional	Total - Penalty Cases	6	4	6	3
	Total Value	741,725	5,038,942	8,247,476	752,500
	Average Penalty	123,621	1,259,736	1,374,579	250,833
	% with Penalty > \$0	100	100	100	100
	Median Penalty	27,500	142,500	1,013,470	92,500
	Highest Penalty	400,000	4,700,000	2,900,000	610,000
Criminal	Total - Penalty Cases	21	8	18	
	Total Value	7,656,650	5,065,500	636,000	
	Average Penalty	364,602	633,188	35,333	
	% with Penalty > \$0	100	100	100	
	Median Penalty	15,200	130,300	34,000	
	Highest Penalty	4,000,000	4,000,000	185,000	