



Enforcement and Compliance Assurance Annual Results for Fiscal Year 2015

**U.S. Environmental Protection Agency
Office of Enforcement and Compliance Assurance
Washington, DC 20460**

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EPA Announces 2015 Annual Environmental Enforcement Results

12/16/2015

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WASHINGTON - The U.S. Environmental Protection Agency (EPA) today released its annual enforcement and compliance results highlighted by large cases that reduce pollution, level the playing field for responsible companies, and protect public health in communities across the country. In fiscal year 2015, EPA secured record-setting hazardous waste, Clean Air Act, and Superfund settlements, and acted swiftly to win a large criminal plea agreement following a major coal ash spill, among other accomplishments. Additionally, EPA made significant progress on cases that will benefit communities well into the future, by pursuing a final settlement that puts billions of dollars to work restoring the Gulf and helping communities affected by the BP oil spill, and by launching an investigation against Volkswagen for illegally emitting air pollution from diesel vehicles.

"The large cases we tackled in 2015 will drive compliance across industries, and protect public health in communities for years to come," said Cynthia Giles, Assistant Administrator for EPA's Office of Enforcement and Compliance Assurance. "These cases are putting cutting edge tools to work, and using innovative approaches to reduce pollution. Through another strong year in enforcement, we are implementing America's environmental laws and delivering on EPA's mission."

In fiscal year 2015, EPA enforcement actions required companies to invest more than \$7 billion in actions and equipment to control pollution and clean up contaminated sites. EPA's cases resulted in \$404 million in combined federal administrative, civil judicial penalties, and criminal fines. Other results include:

Reductions of an estimated 430 million pounds of air pollutants.

Almost \$2 billion in commitments from responsible parties to clean up Superfund sites.

More than \$39 million invested in environmental projects that provide direct benefits to communities harmed by pollution.

EPA pursues high impact cases that drive compliance across industries:

Mosaic Fertilizer, LLC, one of the world's largest fertilizer manufacturers, committed to ensuring the proper treatment, storage, and disposal of an estimated 60 billion pounds of hazardous waste at eight facilities across Florida and Louisiana, the largest amount of hazardous waste ever covered by a federal or state Resource Conservation and Recovery Act settlement.

A Clean Air Act settlement with Hyundai-Kia netted a record \$100 million penalty, forfeiture of emissions credits, and more than \$50 million invested in compliance measures to help level the playing field for responsible companies, and reduce greenhouse gas emissions fueling climate change.

Noble Energy, Inc., a leading oil and gas producer, will use advanced monitoring technologies to detect air pollution problems in real-time, and ensure proper operation and maintenance of pollution control equipment at its facilities in Colorado.

EPA holds criminal violators accountable that threaten the health and safety of Americans, while directing funds to affected communities:

EPA's criminal program secured \$4 billion in court-ordered environmental projects, generated \$200 million in fines and restitution, and sentenced defendants to a combined 129 years of incarceration.

Three subsidiaries of Duke Energy Corporation, the largest energy utility in the United States, agreed to pay a \$68 million criminal fine and spend \$34 million on environmental projects and land conservation to benefit rivers and wetlands in North Carolina and Virginia. As part of the plea, two Duke subsidiaries will ensure they can meet legal obligations to remediate coal ash impoundments within North Carolina, which will cost an estimated \$3.4 billion.

EPA enforcement work reduces pollution in the sectors that impact American communities the most:

Settlements with Interstate Power and Light, Duke Energy Corporation and power companies in Arizona and New Mexico are cutting coal fired power plant emissions, requiring companies to control pollution, and conduct innovative projects that promote renewable energy development and energy efficiency practices.

EPA is working closely with local governments and utilities in places like Fort Smith, Ark., Delaware County, Pa., and across Puerto Rico, to cut discharges of raw sewage and contaminated stormwater through integrated planning, green infrastructure and other innovative approaches.

Cal-Maine Foods, one of the nation's largest egg producers, is implementing a series of measures to comply with laws that control pollutants, including nutrients and bacteria, from being discharged into waterways.

XTO Energy, Inc., a subsidiary of ExxonMobil and the nation's largest holder of natural gas reserves, will restore eight sites in West Virginia damaged when streams and wetlands were filled to build roads, and implement a plan to comply with water protection laws.

Through settlements with three Nevada gold mining operations, Newmont, Barrick and Veris, EPA ensured that over 180 million pounds of mercury containing RCRA hazardous waste were treated, minimized, or properly disposed.

The largest bankruptcy-related cleanup settlement in American history, with Anadarko and Kerr McGee, will put more than \$4.4 billion into toxic pollution cleanup, improving water quality and removing dangerous materials in tribal and overburdened communities.

EPA ensures federal agencies take responsibility and clean up toxic pollution. The Army addressed over 19 million cubic yards of contaminated groundwater at the Anniston Army Depot in Alabama, and the U.S. Navy and Defense Logistics Agency are required to implement at least \$90 million in upgrades and improvements to prevent potential leaks at the Red Hill Bulk Storage Facility in Hawaii.

More information about EPA's Fiscal Year 2015 enforcement results:

<http://www.epa.gov/enforcement/enforcement-annual-results-fiscal-year-fy-2015>

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Enforcement Annual Results for Fiscal Year (FY) 2015

Overview	Case Map	Numbers at a Glance
Regional Results	Analysis and Trends	

EPA enforcement of the nation’s environmental laws is focused on large cases that drive compliance across industries and that have a high impact on protecting public health and the environment.

Our enforcement accomplishments include:

- **\$7 billion** in investments by companies in actions and equipment to control pollution and clean up contaminated sites
- **\$404 million** in combined federal administrative, civil judicial penalties and criminal fines
- **\$4 billion** in court-ordered environmental projects resulting from criminal prosecutions
- **129 combined years** of incarceration for sentenced defendants
- **\$1.975 billion** in commitments from responsible parties to clean up Superfund sites
- **\$39 million** for environmental mitigation projects that provide direct benefits to local communities across the country

Enforcement Highlights

[Mosaic Fertilizer, LLC](#), one of the world’s largest fertilizer manufacturers, committed to ensuring the proper treatment, storage, and disposal of an estimated 60 billion pounds of hazardous waste at eight facilities across Florida and Louisiana, the largest amount of hazardous waste ever covered by a federal or state Resource Conservation and Recovery Act settlement.

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Mosaic Fertilizer will ensure proper handling, storage and disposal of 60 billion pounds of hazardous waste at eight plants.



Hyundai and Kia will spend \$50 million to prevent future Clean Air Act violations and pay a record \$100 million penalty.



Duke Energy will spend more than \$3 billion to clean up and close of coal ash impoundments in North Carolina.



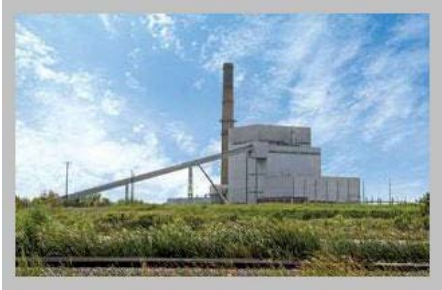
Anadarko and Kerr McGee will spend \$4.4 billion on cleanups and projects benefiting tribal and overburdened communities.



Noble Energy is using advanced emissions monitoring technology at its oil and gas exploration and production sites in Colorado.



Cal-Maine Foods will ensure compliance with the company's Clean Water Act permit for an egg production facility in Mississippi.



Coal-fired power plants across the country must control pollution and promote renewable energy development.

[**Noble Energy, Inc.**](#), a leading oil and gas producer, will use advanced monitoring technologies to detect air pollution problems in real-time, and ensure proper operation and maintenance of pollution control equipment at its facilities in Colorado.

EPA holds [**criminal violators**](#) accountable that threaten the health and safety of Americans. Three subsidiaries of [**Duke Energy Corporation**](#), the largest utility in the United States, agreed to pay a \$68 million criminal fine and spend \$34 million on environmental projects and land conservation to benefit rivers and wetlands in North Carolina and Virginia. As part of the plea, two Duke subsidiaries will ensure they can meet legal obligations to remediate coal ash impoundments within North Carolina, which will cost an estimated \$3.4 billion.

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Progress on our National Enforcement Initiatives:

- [Reducing Air Pollution from the Largest Sources](#)
- [Cutting Hazardous Air Pollutants](#)
- [Ensuring Energy Extraction Activities Comply with Environmental Laws](#)
- [Reducing Pollution from Mineral Processing Operations](#)
- [Keeping Raw Sewage and Contaminated Stormwater Out of Our Nation's Waters](#)
- [Preventing Animal Waste from Contaminating Surface and Ground Water](#)

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Enforcement Annual Results Concluded Cases Map for Fiscal Year (FY) 2015

Overview

Case Map

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Concluded EPA Enforcement Cases Map

This interactive map shows information on concluded enforcement actions and cases from fiscal year (FY) 2015. They include:

- civil enforcement actions taken by EPA at facilities,
- criminal cases prosecuted by EPA under federal statutes and the U.S. Criminal Code, and
- cases in which EPA provided significant support to cases prosecuted under state criminal laws

The indicators on the map generally mark the location of the site or facility where the violations occurred or were discovered.

How to Use the Map

The map displays all FY 2015 EPA enforcement actions. Add or subtract one or more layers (e.g. Air Water, Criminal) from the map by clicking on the “Layers” menu in the gray box beside the map. Check or un-check the box next to the program layer of interest.

Zoom the map to an exact location. Enter a city and state in the search box, then press the [Enter] key on your keyboard or use the zoom bar in the map's upper left corner. Click on the indicator to get information on the environmental enforcement case. See "[What are the limitations of interactive maps?](#)" for additional information and needs accommodations related to a disability.

Find address or place: Enter city and state. Press [Enter] on your keyboard.



Civil enforcement actions at facilities and criminal enforcement actions concluded in FY 2015.

Civil enforcement cases not represented on this map.

State	City	Facility Site Name	Primary Law	FRS/Program ID
IN	Elkhart	Conrail Railyard	CERCLA	110010628794
CT	New Haven	Accustandard	FIFRA	110064837253
WI	Fox Lake	Beskill Chemical Co., Inc.	FIFRA	110064841195
WI	Sturtevant	Diverey Inc.	FIFRA	110064841195
WI	Green Lake	Flannery Property	CWA	110056395299
UT	Park City	Ontario Mine	CERCLA	110008535184
MI	Valleyfield	Macco Organiques Inc	FIFRA	110064404354
WI	City Of Milwaukee	Shell Pipeline Company, L.P.	CWA	110064505352
IL	El Paso	Sun Ag Supply Inc	FIFRA	110064502275
		Tietje, Mulltet		

OH	Bakersville	& Klink, Inc.	FIFRA	110063600651
WI	Jackson	Wisconsin Pharmaca	FIFRA	110064413567
MT	Jackson	Beaverhead Jackson WaterAnd Sewer District	SDWA	110012954268
		Crow Agency Water System	SDWA	110012922089
OH	Toledo	Toledo Tie Treatment Plant	CERCLA	110009343139

- Cleanup cases are civil enforcement actions taken under the Superfund program and the RCRA corrective action and leaking underground storage tank programs.
- Criminal enforcement cases include those prosecuted by EPA under federal statutes, the U.S. Criminal Code (Title 18), and cases in which EPA provided significant support to cases prosecuted under state criminal laws.
- Federal - Includes federal agencies and contractors at federal facilities.

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Enforcement Annual Results Numbers at a Glance for Fiscal Year (FY) 2015

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Accomplishments

The following is a list of key results of compliance and enforcement activities.

Civil Enforcement Results

Results	Concluded Cases
Pollution Reduced, Treated or Eliminated (Pounds) ²	533,000,000
Hazardous Waste Treated, Minimized, or Properly	535,000,000

Disposed of (Pounds) ²	
Contaminated Soil to be Cleaned Up (Cubic Yds) ²	46,000,000
Contaminated Water to be Cleaned Up (Cubic Yds) ²	29,000,000
Stream Miles Restored or Created (Linear Feet)	37,870
Wetlands Restored or Created (Acres)	216
People Protected by Safe Drinking Water Act Enforcement (# of People) ³	1,860,000
Toxic Material Abated (# Housing Units, Schools, Buildings)	71
Volume (gallons) of Untreated Discharge Eliminated ¹	526,000,000
Hazardous Waste Prevented from Release (Pounds) ²	10,000,000
Liquid in Underground Storage Tanks Prevented from Release (Gallons) ²	11,000,000
Underground Injection Wells Prevented from Leaking (# of Wells)	31
Toxic Substance Contamination Prevented (# of Housing Units, Schools, Buildings)	233
Volume of Oil Spills Prevented (in Gallons) ¹	55,000,000
Toxic Chemicals and Pesticides Prevented from Misuse/Environmental Release (Pounds) ²	7,000,000

Stream Miles Preserved (Linear Feet)	2,350
Wetlands Preserved (Acres)	939

Civil Enforcement Monetary Commitments

Monetary Commitments from Concluded Cases	Committment
Estimated Value of Complying Actions to be Taken in Response to EPA's Concluded Enforcement Actions (Injunctive Relief) ²	\$7,300,000,000
Estimated Investments in Projects that Benefit the Environment and Public Health (Supplemental Environmental Projects) ²	\$39,000,000
Administrative Penalties Assessed ²	\$42,000,000
Judicial Penalties Assessed ²	\$163,000,000
State/Local Judicial Penalties Assessed From Joint Federal-State/Local Enforcement Actions ²	\$32,000,000
Stipulated Penalties Paid ²	\$7,000,000

Superfund Cleanup Enforcement

Superfund Cleanup	Committment
Amount Committed by Liable Parties to Clean up Superfund Sites ²	\$1,975,000,000
Amount Committed by Liable Parties to Pay for Government Oversight of Superfund Cleanups ²	\$106,000,000

Amount Committed by Liable Parties to Reimburse the Government for Money Spent Cleaning up Superfund Sites ²	\$512,000,000
** See Cleanup Enforcement Program Accomplishments	

Civil Enforcement and Compliance Activities

Activities	Results
Referrals of Civil Judicial Enforcement Cases to Department of Justice (DOJ)	141
Supplemental Referrals of Civil Judicial Enforcement Cases to DOJ	21
Civil Judicial Complaints Filed with Court	108
Civil Judicial Enforcement Case Conclusions	132
Administrative Penalty Order Complaints	1,400
Final Administrative Penalty Orders	1,394
Administrative Compliance Orders	833
Cases with Supplemental Environmental Projects	124
Inspections/Evaluations ⁴	15,400
Civil Investigations	216

Criminal Enforcement Program

Activities	Results

Environmental Crime Cases Opened	213
Defendants Charged	185
Years of Incarceration	129
Fines and Restitution ²	\$200,000,000
Value of Court Ordered Environmental Projects ²	\$4,000,000,000
** See Criminal Enforcement Major Case Highlights	

** National Environmental Policy Act (NEPA) Program - See [NEPA Program Annual Results](#)

Where necessary to reflect EPA's understanding of the precision of the data, numbers in this document and elsewhere on this Web site have been rounded to two or three significant digits.

The primary source for the data displayed in this document are the official databases of record which are:

- Integrated Compliance Information System (ICIS)
- Criminal Case Reporting System
- Resource Conservation and Recovery Act Information (RCRAInfo)
- Compass (the Agency’s official accounting system.)
- Manual Data Submission

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Cleanup Enforcement Program FY 2015 Accomplishments

In fiscal year (FY) 2015, EPA continued to ensure that responsible parties perform and pay for the cleanup of our nation's most contaminated sites. In doing so, the Agency continues to protect the public resources and health of numerous communities, including those in economical disadvantaged areas. In 2015, responsible parties cleaned up millions of cubic yards of contaminated soil and water, committed to pay record-setting amounts to clean up contaminated sites, and agreed to pay back the Agency for its past cleanup work.

Today, EPA's most often used and most powerful cleanup enforcement mechanism is [Comprehensive Environmental Response, Compensation, and Liability Act](#), commonly referred to as Superfund. EPA also uses the authorities provided in the [Resource Conservation and Recovery Act](#) (RCRA), including the Underground Storage Tank (UST) program, to address non-Superfund cleanups. RCRA's cleanup authority is the RCRA Corrective Action program, which addresses cleanup activities at RCRA regulated facilities.

Through the cleanup enforcement program, the Agency continues to pursue two strategies: "Enforcement First" and cost recovery, which provide commitments and money to clean up sites and conserve funds. EPA takes enforcement actions at sites where viable, potentially

responsible parties (PRPs) exist, requiring them to pay for or perform site cleanups. Enforcement enables the Agency to focus appropriated funds on sites where PRPs either do not exist or lack the funds or capability to conduct site cleanups.

In FY 2015, EPA's cleanup enforcement program accomplished the following:

- [Record-setting year for Superfund enforcement program commitments for cost recovery and oversight and cleanup responses](#)
- [Largest Superfund bankruptcy-related settlement in the history of the cleanup enforcement program](#)
- [New guidance on financial assurance for Superfund settlement and orders](#)
- [Innovative Next Generation cleanup practices at Superfund sites](#)
- [Significant Environmental Benefits Realized at Federal Facility Superfund sites](#)

Record-setting year for Superfund enforcement program commitments for cost recovery and oversight and cleanup responses

FY 2015 was a record setting year for the Superfund enforcement program in cost recovery and oversight cost management. Through negotiations and settlements, responsible parties agreed to reimburse \$512.2 million of EPA's past costs from cleanup work at Superfund sites. Additionally, EPA billed \$106.4 million to PRPs for oversight costs associated with cleanup work at sites; the highest amount in the program's history.

EPA obtained \$2 billion in commitments from responsible parties to spend on site cleanup at sites across the country. The fourth largest amount in private party commitments in a fiscal year.

December 2015 marks 35 years since the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA, commonly known as Superfund) was enacted. Congress passed the

Superfund statute to fill in a major gap in environmental protection that came to light in the mid-1970s. Over the past 35 years, EPA has attained over \$39 billion in commitments from responsible parties. Of this amount, more than \$35.1 billion has been committed to investigate and clean up Superfund sites, and more than \$6.9 billion represents reimbursements to EPA for its past costs. [Learn more about the past 35 years of the Superfund enforcement program.](#)

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Largest Superfund bankruptcy-related settlement in the history of the cleanup enforcement program

On November 10, 2014, the U.S. District Court for the Southern District of New York (SDNY) approved an historic settlement agreement resolving fraudulent conveyance claims against Kerr-McGee Corporation and related subsidiaries of Anadarko Petroleum Corporation discovered during the Tronox Corporation bankruptcy proceedings. Under the settlement, Anadarko paid \$5.15 billion plus interest to a litigation trust so that the settlement proceeds can be distributed to the trust's environmental and tort beneficiaries.

Of the environmental recovery in this settlement, \$1.9 billion will pay for cleanup work associated with numerous EPA-lead sites, resulting in the largest bankruptcy-related award that EPA has ever received for environmental claims and liabilities. With more than 2,700 sites in 47 states at issue in the case, the settlement addresses Kerr-McGee's enormous legacy environmental and tort liabilities.

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New guidance on financial assurance for Superfund settlement and orders

On April 6, 2015, EPA issued its first guidance on financial assurance for

Superfund settlements and unilateral orders. The guidance is a compilation and clarification of current practices and seeks to promote national consistency and timeliness in achieving adequate financial assurance to ensure the cleanup of hazardous waste sites. The guidance includes new and updated sample financial assurance instruments for Superfund settlement and orders. The sample instruments include the following: corporate guarantees, financial tests, letters of credit, payment bonds, performance bonds, and trust agreements.

The “[Guidance on Financial Assurance in Superfund Settlement Agreements and Unilateral Administrative Orders](#)” is available from the Superfund enforcement policy and guidance database. The sample FA mechanisms for use in connection with CERCLA settlement agreements and UAOs are available to download in Word format from the Financial Assurance-Orders and Financial Assurance-Settlements categories on the [Cleanup Enforcement Model Language and Sample Documents Database](#).

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Innovative Next Generation cleanup practices at Superfund sites

EPA’s cleanup enforcement staff is working closely with OECA’s Next Generation team to identify and integrate Next Generation concepts into the cleanup enforcement program. The Superfund program has always been on the cutting edge of using advanced technologies, model settlement documents, transparency, and other Next Generation-like concepts. Examples of Next Generation cleanup practices at Superfund sites include:

- Gowanus Canal, Brooklyn, New York – Community groups used digital camera balloons to create seasonal maps to assist in planning the appropriate cleanup.
- Redeveloped brownfield sites in Massachusetts – The state and property owners are using automatic alarms to provide notification alerts and mitigate contaminant exposure.

Honeywell Inner Harbor Corrective Action site, Baltimore, Maryland – Construction for phase 1 of the RCRA redevelopment project included 24/7 air monitoring. The monitoring provided an alarm for tracking particulate matter (PM) levels and the data was sent to a public website.

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Significant Environmental Benefits Realized at Federal Facility Superfund Sites

2015 was a record-setting year for the amount of contaminated material removed from federal facility Superfund sites. In particular, Anniston Army Depot in Alabama addressed over 19 million cubic yards of contaminated ground water, making it the largest removal of contaminated material from ground water for any Superfund site in 2015. Other federal facility sites with significant removal actions in 2015 were the U.S. Marine Corps Base Camp Lejeune in North Carolina, and Otis Air Force Base/Massachusetts Military Reservation on Cape Cod, which account for another 5.2 million cubic yards of contaminated material removed from ground water. Together, these three sites account for over 89 percent of all contamination removed from ground water at Superfund sites in 2015. This represents significant environmental benefit and protection of ground water drinking supplies this past year.

EPA also took several significant enforcement actions at Superfund sites in order to protect drinking water supplies. At Horsham Air Guard Station, formerly known as Willow Grove Air Reserve Station, in Pennsylvania, EPA issued a Safe Drinking Water Act (SDWA) imminent and substantial endangerment order to address drinking water contamination from perfluorinated compounds (PFCs) threatening 79 public and private wells in the vicinity. Under the order, the Air Force and Pennsylvania National Air Guard are required, among other activities, to develop short- and long-term plans to address the contamination, and to provide an alternate water supply in the interim. EPA issued another SDWA imminent and substantial endangerment order to Pease Air Force Base in New Hampshire to address contamination from PFCs in drinking water

at the base. The PFC contamination there had resulted in the shutdown of one public water supply well for the City of Portsmouth, and two others were in danger of being contaminated as well if action wasn't taken to control PFC migration. As a result of EPA's order, the Air Force is taking appropriate steps to control, monitor and clean up the PFC contamination and ensure the community has safe water to drink.

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2015 Major Criminal Cases



The criminal enforcement program investigates and assists in the prosecution of deliberate or egregious violations of environmental laws and regulations. This year’s big cases were often tied to individual conduct, and that conduct resulted in incarceration of over 129 years, plus individual and corporate fines over \$88.0 million, with an additional \$4 billion in court ordered environmental projects and \$112 million in restitution.

Clean Water Act

Duke Energy Subsidiaries Sentenced for Criminal Violations of Clean Water Act

On May 14, 2015, three subsidiaries of Duke Energy Corporation were sentenced in federal court for multiple criminal violations of the Clean Water Act. Duke Energy Business Services LLC, Duke Energy Carolinas LLC, and Duke Energy Progress, Inc.

were sentenced five years’ probation for each charged count; fined \$68 million; and will pay \$34 million for environmental

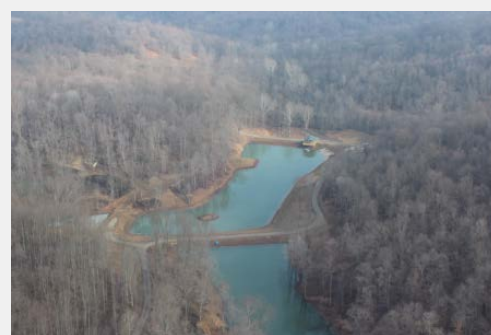


Aerial photo of Duke Energy Coal Ash Spill

projects in North Carolina and Virginia. In the plea agreement, the defendants admitted that they had unlawfully failed to maintain equipment at the Dan River and Cape Fear facilities and unlawfully discharged coal ash and/or coal ash wastewater from impoundments at the Dan River, Asheville, Lee, and Riverbend facilities. The fine that Duke has agreed to pay would be one of the largest ever levied under the landmark Clean Water Act. For more information, [read the complete case summary](#).

West Virginia Oil and Gas Company Fined \$600,000 for Criminal Violations of Clean Water Act

Trans Energy, Inc., an oil and gas exploration company based in Pleasants County, W. Va., was sentenced on April 22, 2015, to two years of probation and ordered to pay fines totaling \$600,000 after the company admitted to multiple violations of the Clean



Aerial photo of impoundments constructed by Trans Energy

Water Act in connection with its natural gas drilling activity. Trans Energy pleaded guilty in October 2014 to three counts of Negligent Discharge of Pollutants without a Permit by unlawfully dumping pollutants into Marshall County waterways. Seeking to capitalize on West Virginia's Marcellus Shale natural gas resources, Trans Energy discharged rock, sand, soil and stone into streams to build large impoundments, or reservoirs, to supply water for drilling activity at nearby well sites.

Trans Energy also failed to properly train and supervise its employees and relied upon unsubstantiated representations of a nearby property owner to determine whether environmental laws were being followed. The Clean Water Act prohibits the discharge of pollutants from a point source into the waters of the United States without a permit. Discharges of dredged or fill material into waters of the United States are prohibited unless authorized by the U.S. Army Corps of Engineers. For more information, [read the](#)

[complete case summary.](#)

Energy Production Company Pleads Guilty to Clean Water Act Violation

XPLOR Energy SPV-1, Inc., an Oklahoma corporation residing in Texas, was sentenced on March 4, 2015, for violating the Clean Water Act. The company agreed to pay a total monetary penalty of \$3.1 million and serve a three-year term of probation. From about 1997 until 2011, XPLOR operated an offshore oil and natural gas extraction platform in the Gulf of Mexico's Breton Sound. As part of the production process, XPLOR had to dispose of the pollutant known as "produced water" or "brine." In November 2011, another corporation took over ownership and operation of XPLOR. The new owner immediately reported that the platform was continuously discharging produced water. An investigation revealed that XPLOR had knowingly discharged produced water into waters of the U.S. without a permit. XPLOR's intentional failure to make repairs to faulty lines resulted in a total monetary savings or gain to the company in the amount of about \$1,550,000. For more information, [read the complete case summary.](#)



XPLOR Energy Offshore Storage Tanks

Louisiana Man Sentenced for Criminal Discharge of Pollutants into Gulf of Mexico Inlet

An oilfield production company employee pleaded guilty and was sentenced July 16, 2015, for dumping polluted water into West Cote Blanche Bay, off the Louisiana coast. Brian Osborn pleaded guilty in Lafayette federal court to one count of negligent discharge of pollutants. He was then sentenced to one day in prison and one year of supervised release and was ordered to perform 200 hours of community service. According to



Area of Discharge

court evidence, Gulfport Energy discharged produced water into West Cote Blanche Bay from June 2011 until March 2012. Produced waters result from separating oil from drainage fluids and should be disposed of via barge, injection well or other approved method. As Gulfport Energy Corporation's platform operation manager, Osborn was aware of the problem but failed to address it in a timely manner. In October 2014, Gulfport Energy pleaded guilty and was sentenced on one count of negligent discharge of pollutants. The company was ordered to pay \$1.5 million in fines and community service. For more information, [read the complete case summary](#).

Drilling Operator Sentenced for Environmental and Maritime Crimes in Alaska

On December 19, 2014, Noble Drilling, LLC was sentenced in U.S. District Court in Anchorage for committing eight felony environmental and maritime crimes arising out of its operation of the drill ship



Noble Drilling Unit Kulluk

Noble Discoverer and the drilling unit Kulluk. Noble will pay \$12.2 million dollars in fines and community service and serve a four year period of probation during which time it must implement a comprehensive Environmental Compliance Plan.

Noble's parent corporation, Noble Corporation plc, headquartered in London, England, will also implement an Environmental Management System for all of its mobile offshore drilling units worldwide. During the 2012 drilling season, the Kulluk and the Noble Discoverer made several port calls in Washington and Alaska on their way to a drilling site in the Chukchi Sea. The Kulluk broke free from its tow in bad weather and ultimately ran aground off the coast of Unalaska. The Noble Discoverer was towed from Dutch Harbor to Seward due to failures with its main engine and other equipment. For more information, [read the complete case summary](#).

Hawaii Firm to Pay \$1 Million for Criminal Harbor Discharge

On January 29, 2015, Matson Terminals, Inc., was sentenced in U.S. District Court in Honolulu to pay a \$400,000 fine plus restitution of \$600,000 based on previously entered guilty pleas to two criminal charges of unlawfully discharging molasses into Honolulu Harbor. The restitution will be divided equally to support coral protection programs and beach clean-ups. According to information provided to the court, Matson Terminals loaded molasses from storage tanks into ships in Honolulu Harbor. From at least September 9, 2013, continuing to September 10, 2013, Matson discharged about 233,000 gallons of molasses into the harbor without authorization. Matson had been aware of a 2012 state report which noted that the pipeline in question was leaking molasses. The discharge caused or contributed to the death of an estimated 25,000 fish. For more information, [read the complete case summary](#).



Aerial Photo of Matson Terminal Molasses Spill into Ocean off Hawaiian Island Coast

Dairy Company Owner Sentenced for Illegal Discharge

William “Billy” Franklin Johnston, owner of one of North Carolina’s largest dairy farms, was sentenced on April 30, 2015, to four years of probation, six months of which will be spent in home detention, and ordered to pay a \$15,000 fine for his role in the illegal discharge of cow feces into the French Broad River. Tap Root Dairy, LLC, was fined \$80,000, placed on four years’ probation and required to abide by a comprehensive environmental compliance plan.



Waste Lagoon Overflowing at Tap Root Dairy

Each year, Tap Root disposes millions of pounds of solid and liquid animal waste, which are considered pollutants under the Clean Water Act. On December 4, 2012, 11,000 gallons of cow feces and other material spilled from waste containment lagoons into the French Broad River, which supplies drinking water to more than one million people and is frequently used for swimming and other recreational activities. In 2012, North Carolina listed the French Broad River from Mud Creek to NC Highway 146 as “impaired” for fecal coliform bacteria. Tap Root is located along this impaired section of the French Broad River. For more information, [read the complete case summary](#).

Florida Residents Sentenced to Prison for Biodiesel Production Fraud

Four Florida residents pleaded guilty and were sentenced in Columbus, Ohio federal court on August 27, 2015, for charges related to a scheme involving the false production of biodiesel. Dean Daniels was sentenced to 63 months incarceration; William Bradley was sentenced to 51 months incarceration; Richard Smith was sentenced to 41 months incarceration; and Brenda Daniels was sentenced to 366 days incarceration. The defendants were all officers and employees of New Energy Fuels LLC, a business in Waller, Texas that claimed to process animal fats and vegetable oils into biodiesel.

...the defendants sold in excess of \$15 million worth of fraudulent biodiesel RINs and more than \$7 million in false tax credits.

The defendants subsequently relocated to Ohio, operating a similar scheme at Chieftain Biofuels LLC. According to court documents, the defendants profited by generating and selling fraudulent biodiesel credits (known as “RINs”) and claiming biodiesel tax credits for the production and blending of fuel that was not actually biodiesel. In total, the defendants sold in excess of \$15 million worth of fraudulent biodiesel RINs and more than \$7 million

in false tax credits. In addition, the defendants' production process generated substantial hazardous by-products which, in at least one instance, was dumped in and around Houston, Texas. For more information, [read the complete case summary](#).

Salvage Firm Owners & Managers Sentenced To Prison for Conspiracy Associated With Illegal Asbestos Removal

Five people will spend time in prison for conspiring to commit Clean Air Act offenses in connection with the illegal removal and disposal of asbestos-containing materials at the former Liberty Fibers Plant in Hamblen County, Tenn. A&E Salvage had purchased the bankrupt facility in order to salvage metals which remained in the plant. During the sentencing hearing, experts testified that there was a substantial likelihood that A&E Salvage workers who handled asbestos materials would suffer death or serious bodily injury as a result of their exposure.

On January 21, 2015, former A&E Salvage Manager Mark Sawyer received the statutory maximum sentence of five years in prison, to be followed by two years of supervised release. A&E Salvage manager Newell Lynn Smith was sentenced to 37 months and two years of supervised release. A&E Salvage Manager Eric Gruenberg received a 28-month sentence. Armida DiSanti and Milto DiSanti each received sentences of six months in prison, to be followed by six months of home confinement. The judge ordered all the defendants to pay restitution of more than \$10.3 million, which will be returned to EPA's Superfund which was used to clean up the plant site contamination. For more information, [read the complete case summary](#).

Former New York State Inspector, Four Others Sentenced for Negligent Endangerment under CAA

Theodore Lehmann, a New York state certified air sampling technician and project monitor, was sentenced November 6, 2014, in U.S. District Court to one year probation. He had been convicted of negligent endangerment under the Clean Air Act. He was the final defendant sentenced in Buffalo's Kensington Towers

asbestos abatement project.

In August 2014, four others were sentenced separately. Rai Johnson, who was convicted of violating the Clean Air Act's Asbestos Work Practice Standards, was sentenced to time served, 160 days, and two years of supervised release. Ernest Johnson was sentenced to two years of probation. Evan Harnden and Brian Scott were convicted of being accessories to a false statement under the Clean Air Act. Each was sentenced to one year probation.

From June, 2009 to January, 2010, co-defendants Johnson Contracting of WNY, Inc., Ernest Johnson and Rai Johnson, conducted asbestos abatement activities at six buildings at the Kensington Towers complex. Harnden and Scott were employed by JMD Environmental, Inc., as air sampling technicians and as project monitors. They were certified by the New York State Department of Health to conduct asbestos project monitor and air sampling duties.



Kensington Towers Buildings Prior to Completed Demolition

During the asbestos abatement work, the men violated the Clean Air Act asbestos work practice standards. They aided and abetted in the violations by conducting visual inspections and final clearance air sampling that indicated no violations of the asbestos work practice standards. Rai Johnson wrote in his daily project log that all asbestos-containing floor tile had been removed from the building, when it had not been. Thereafter, he conducted a visual inspection for floor tile and issued a



Kensington Towers Building during Demolition Process

satisfactory report, when he knew all tile had not been removed. In doing so, he acted as an accessory to the false statements of the other defendants.

For more information, [read the complete case summary](#).

Clean Air Act

Supervisors at Seafood Processing Facility in Alaska Sentenced to Jail for CAA Crime

On November 12, 2014, James Hampton, the former assistant chief engineer for Westward Seafoods, Inc., and Raul Morales, the former powerhouse supervisor, were each sentenced to serve time in jail after previously pleading guilty to falsifying data to cover up the fact that they intentionally failed to operate air pollution controls required under the Clean Air Act at the Westward seafood processing facility in Dutch Harbor. Hampton was sentenced to just over two months in prison and Morales was sentenced to 1.5 months in prison. Both defendants were ordered to pay \$1,000 fine and will serve a one-year term of supervision upon release from prison.

On November 25, 2014, Bryan Beigh, a powerhouse operator, was sentenced after previously pleading guilty to charges that he tampered with the meters used to monitor the operation of the CASS pollution control equipment. Beigh was sentenced to three years' probation and a \$750 fine. Beginning in 2009, and continuing until August 2011, Westward failed to operate the Combustion Air Saturation System (CASS) pollution control equipment. Morales discussed with Hampton that he and the powerhouse staff had stopped operating the CASS. Thereafter, Hampton not only allowed this permit violation to continue, but he used his position to actively participate in a cover-up designed to make it appear that the CASS was in fact being used as required by law. Morales, along with Beigh, falsified data collection forms called "Engine Round" forms on a daily basis when it came to recording information about the operation of the CASS. For more information, [read the complete case summary](#).

Two Men Sentenced to Prison for International Biofuels Fraud Scheme

...sentenced to ten years in prison for his role in illegal schemes to generate fraudulent biodiesel credits and to export biodiesel without providing biodiesel credits to the United States.

On August 5, 2015, Nevada resident James Jariv was sentenced in in Las Vegas federal court to ten years in prison for his role in illegal schemes to generate fraudulent biodiesel credits and to export biodiesel without providing biodiesel credits to the United States. Jariv was also ordered to make restitution in the amount of \$6.3 million and to forfeit between \$4 to \$6 million in cash and other assets. Jariv

was the second defendant to be sentenced for the scheme. In April, Nathan Stoliar of Australia was sentenced to two years in prison and ordered to pay more than \$1.4 million in restitution and to forfeit \$4 million in cash. Jariv and Stoliar both pleaded guilty to one count of conspiracy, one count of conspiracy to engage in money laundering, two counts of wire fraud and one count of making false statements under the Clean Air Act. Jariv's son, Alexander Jariv, was sentenced on September 25, 2015, to 30 months of incarceration and ordered to pay \$491,000 in restitution after pleading guilty to one count of conspiracy to commit wire fraud, make false statements and launder monetary instruments.

Beginning in 2009, James Jariv and Stoliar operated and controlled several firms such as Global E Marketing (GEM) in Las Vegas and City Farm Biofuel in Vancouver, British Columbia, Canada, that represented itself as a producer of biodiesel from "feedstocks" such as animal fat and vegetable oils. The three defendants falsely claimed to produce biodiesel at the City Farm facility and to import and sell biodiesel to GEM, and then generated and sold valuable credits (known as renewable identification numbers, or RINs) to the gallons of biodiesel they

claimed to produce or import. Using this scheme, the three men fraudulently generated more than \$7 million. James Jariv and Stoliar also purchased and resold RIN-less B-99 biodiesel as B-100 biodiesel, which allowed them to charge substantially more than if it has been accurately labeled. In doing so, the two failed to give to the United States RINs worth more than \$34 million, instead keeping the money for themselves. For more information, [read the complete case summary](#).

Resource Conservation and Recovery Act (RCRA)

South Carolina Businesswoman Sentenced to Prison for Criminal Hazardous Waste Practices and Bank Fraud

On January 21, 2015, Nancy Marie Stein, 62, was sentenced to six years in prison for using her company to swindle millions of dollars from financial institutions all over the country while she stockpiled illegal hazardous waste at the business. Stein was also ordered to pay nearly \$18 million in restitution. Her company, the now-defunct American Screw and Rivet Corporation, was put on probation for five years and ordered to pay restitution for bank fraud and hazardous waste. From at least 2004 until 2011, Stein used ASR to defraud financial institutions by creating fictitious manufacturing companies, organizations and business associations with phony addresses, bank accounts and telephone numbers in various locations throughout the Southeast and the Midwest. At least 26 financial institutions were victimized for a total loss in excess of \$16 million. In the environmental crime, Stein and ASR needed a permit to store large amounts of hazardous manufacturing waste, but she never got one. In June 2011, investigators uncovered more than 24,000 gallons of hazardous waste at the plant in Anderson, S.C. The waste was removed and disposed of by the EPA at a cost of approximately \$1,720,000. For more information, [read the complete case summary](#).

Federal Insecticide, Fungicide and Rodenticide Act (FIFRA)

Illinois Man Sentenced in Environmental Crimes Case to Eight Years in Federal Prison

On February 20, 2015, Gibson City, Ill., resident Carl Kieser was sentenced to more than eight years in prison (97 months) followed by three years of supervised release for mail fraud, tax evasion, and illegal application of a pesticide inconsistent with its labeling. A jury convicted



Bags of Diuron located during a search warrant at Carl Kieser's property in 2012.

Kieser last October of three counts of mail fraud and illegal application of a pesticide. In July 2014, Kieser pleaded guilty to four counts of tax evasion. Kieser was owner/operator of Aquatic Control of Illinois, which manufactured, sold, and distributed a product called Pond Clear Plus. Kieser falsely claimed his product could control lake weeds and algae naturally, with no chemicals.

To produce Pond Clear Plus, Kieser mixed dye and other ingredients with Diuron 80DF, a registered pesticide for the control of land-based weeds; its EPA-approved labeling warns that the chemical should not be applied directly to water due to its toxicity to fish and other aquatic wildlife. As a result of Kieser's actions, Diuron 80DF was directly applied to ponds and lakes throughout the nation and multiple customers reported fish kills. Kieser was ordered to pay restitution in the amount of nearly \$76,000; \$71,000 to the IRS; and more than \$4,000 to victims he defrauded. Kieser was scheduled to begin serving his federal prison sentence on May 5, 2015. For more information, [read the complete case summary](#).

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National Environmental Policy Act (NEPA) 2015 Annual Results

In fulfillment of our responsibilities under Section 309 of the Clean Air Act, EPA issued comment letters on over 350 draft and final Environmental Impact Statements (EISs). These included EISs concerning:

- renewable energy – 9
- oil and gas exploration or extraction - 14
- mining - 10
- transmission lines – 14

EPA met its performance goals in FY 2015 for the NEPA program:

- 75 percent of the significant impacts identified in EPA’s comment letters on Draft EISs were avoided, minimized, or compensated for (“mitigated”) by the lead Agencies in the Final EISs published in FY 2015.

High Priority Infrastructure Projects

EPA worked with the Office of Management and Budget (OMB), the White House Council on Environmental Quality, and other Federal Agencies in support of the Executive Order 13604, *Improving Federal Permitting and Review of Infrastructure Projects*.

In particular, EPA provided input on metrics needed to measure improvements of environmental and community outcomes, including the continued development and expanded use of the Federal Infrastructure Permitting Dashboard to facilitate early collaboration on infrastructure project reviews.

EPA also worked with federal agencies as a member of the Rapid Response Team for Transportation to improve federal agency coordination and timely completion of permits, reviews, and requirements for high priority infrastructure projects.



Enforcement

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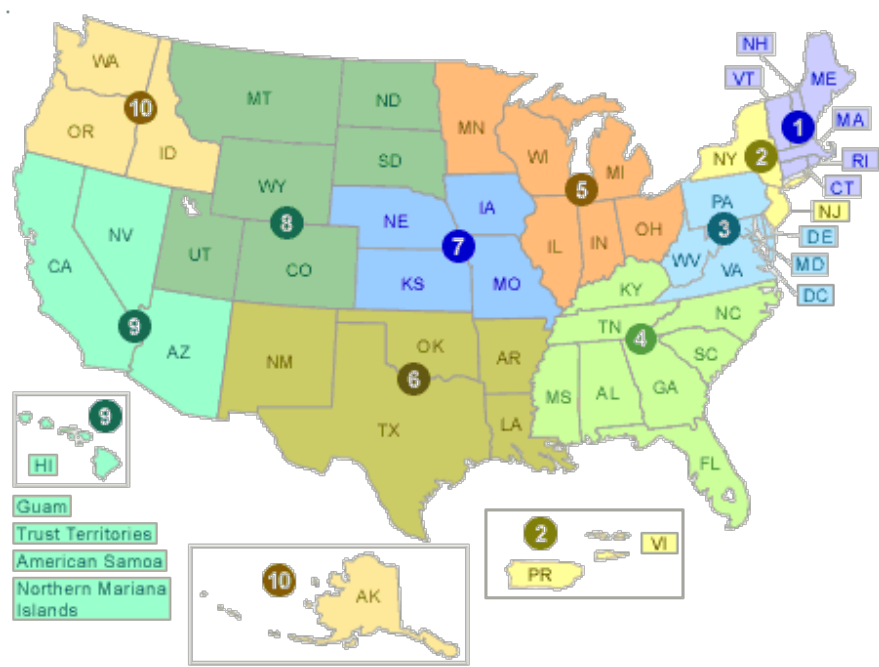
Accomplishments by EPA Region

EPA's regional offices work with state and tribal governments to ensure compliance with our nation's environmental laws. Our civil and criminal enforcement actions are focused on the most serious water, air and chemical hazards including those identified in EPA's national enforcement initiatives and advance environmental justice by protecting overburdened communities.

To see results of EPA's enforcement work in our regional areas, select your state from the list or map below to go to your state's EPA regional enforcement results.

Select a Link
After you select a link, press go to jump to that link.

Alabama - Region 4



EPA Region 1

Serving Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont

Accomplishments:

Civil Cases		
	Estimated pollution reduced, treated or eliminated (pounds) ¹	238,900
	Estimated contaminated soil/debris to be cleaned up (cubic yards)	78,400
	Estimated contaminated water/aquifer to be cleaned up (cubic yards)	2,270,000
Enforcement Activities		

	Case initiations	104
	Case conclusions	97

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EPA Region 2

Serving New Jersey, New York, Puerto Rico, and the U.S. Virgin Islands.

Accomplishments:

Civil Cases		
	Estimated pollution reduced, treated or eliminated (pounds) ¹	39,044,300
	Estimated hazardous waste treated, minimized, or properly disposed of (pounds) ¹	299,632,700
	Estimated contaminated soil/debris to be cleaned up (cubic yards)	13,994,800
	Estimated contaminated water/aquifer to be cleaned up (cubic yards)	213,100
Enforcement Activities		
	Case initiations	293
	Case conclusions	293

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EPA Region 3

Serving Delaware, the District of Columbia, Maryland, Pennsylvania, Virginia, and West Virginia.

Accomplishments:

Civil Cases		
	Estimated pollution reduced, treated or eliminated (pounds) ¹	53,819,800
	Estimated hazardous waste treated, minimized, or properly disposed of (pounds) ¹	2,700
	Estimated contaminated soil/debris to be cleaned up (cubic yards)	422,500
	Estimated contaminated water/aquifer to be cleaned up (cubic yards)	256,700
Enforcement Activities		
	Case initiations	250
	Case conclusions	240

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EPA Region 4

Serving Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee

Accomplishments:

--

Civil Cases		
	Estimated pollution reduced, treated or eliminated (pounds) ¹	107,509,100
	Estimated hazardous waste treated, minimized, or properly disposed of (pounds) ¹	55,660,900
	Estimated contaminated soil/debris to be cleaned up (cubic yards)	496,900
	Estimated contaminated water/aquifer to be cleaned up (cubic yards)	25,057,400
Enforcement Activities		
	Case initiations	354
	Case conclusions	359

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EPA Region 5

Serving Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin.

Accomplishments:

Civil Cases		
	Estimated pollution reduced, treated or eliminated (pounds) ¹	129,535,000
	Estimated contaminated soil/debris to be cleaned up (cubic yards)	595,400

	Estimated contaminated water/aquifer to be cleaned up (cubic yards)	366,700
Enforcement Activities		
	Case initiations	319
	Case conclusions	323

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EPA Region 6

Serving Arkansas, Louisiana, New Mexico, Oklahoma, and Texas

Accomplishments:

Civil Cases		
	Estimated pollution reduced, treated or eliminated (pounds) ¹	35,653,000
	Estimated contaminated soil/debris to be cleaned up (cubic yards)	5,800
	Estimated contaminated water/aquifer to be cleaned up (cubic yards)	1,000
Enforcement Activities		
	Case initiations	362
	Case conclusions	358

EPA Region 7

Serving Iowa, Kansas, Missouri, and Nebraska.

Accomplishments:

Civil Cases		
	Estimated pollution reduced, treated or eliminated (pounds) ¹	86,915,100
	Estimated hazardous waste treated, minimized, or properly disposed of (pounds) ¹	13,500
	Estimated contaminated soil/debris to be cleaned up (cubic yards)	3,100
Enforcement Activities		
	Case initiations	197
	Case conclusions	203

EPA Region 8

Serving Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming.

Accomplishments:

Civil Cases		

	Estimated pollution reduced, treated or eliminated (pounds) ¹	13,082,600
	Estimated contaminated soil/debris to be cleaned up (cubic yards)	21,300
	Estimated contaminated water/aquifer to be cleaned up (cubic yards)	60
Enforcement Activities		
	Case initiations	139
	Case conclusions	134

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EPA Region 9

Serving Arizona, California, Hawaii, Nevada, American Samoa, Commonwealth of the Northern Mariana Islands, Federated States of Micronesia, Guam, Marshall Islands, and Republic of Palau.

Accomplishments:

Civil Cases		
	Estimated pollution reduced, treated or Eliminated (pounds) ¹	63,884,700
	Estimated hazardous waste treated, minimized, or properly disposed of (pounds) ¹	180,169,400
	Estimated contaminated soil/debris to be cleaned up (cubic yards)	30,612,100

	Estimated contaminated water/aquifer to be cleaned up (cubic yards)	390,200
Enforcement Activities		
	Case initiations	126
	Case conclusions	122

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EPA Region 10

Serving Alaska, Idaho, Oregon, and Washington.

Accomplishments:

Civil Cases		
	Estimated pollution reduced, treated or eliminated (pounds) ¹	2,024,400
	Estimated contaminated soil/debris to be cleaned up (cubic yards)	226,900
	Estimated contaminated water/aquifer to be cleaned up (cubic yards)	200
Enforcement Activities		
	Case initiations	161
	Case conclusions	163

Sources for Data displayed in this document: Integrated Compliance Information System (ICIS), Comprehensive Environmental Response, Compensation & Liability Information System (CERCLIS).

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Analysis and Trends

The links below show our progress in meeting performance targets and the trends in our enforcement results from fiscal year (FY) 2010 to 2015.

Government Performance and Results Act (GPRA)

Measure Number	GPRA External Performance Measure	FY 15 Target	FY 15 Actual (rounded)
409	Number of federal inspections and	15,500	15,400

	evaluations		
410	Number of civil judicial and administrative enforcement cases initiated	2,700	2,370
411	Number of civil judicial and administrative enforcement cases concluded	2,400	2,360
412	Percentage of open consent decrees reviewed for overall compliance status	100%	99%
418	Percentage of criminal cases having the most significant health, environmental, and deterrence impacts	45%	62%
420	Percentage of criminal cases with charges filed	45%	38%
419	Percentage of criminal cases with individual defendants	75%	83%
421	Percentage of conviction rate for criminal defendants	85%	92%

400 *	Millions of pounds of air pollutants reduced, treated, or eliminated through concluded enforcement actions	310 M lbs	430 M lbs
402 *	Millions of pounds of water pollutants reduced, treated, or eliminated through concluded enforcement actions	250 M lbs	92 M lbs
404 *	Millions of pounds of toxic and pesticide pollutants reduced, treated, or eliminated through concluded enforcement actions	2.3 M lbs	10 M lbs
405	Millions of pounds of hazardous waste pollutants reduced, treated, or eliminated through concluded enforcement actions	2,400 M lbs	535 M lbs
417	Millions of cubic yards of contaminated soil and groundwater media EPA has obtained commitments to clean up as a result of concluded CERCLA and RCRA	200 M cu yds	66 M cu yds

	corrective action enforcement actions.		
285	Percentage of Superfund sites having viable, liable responsible parties other than the federal government where EPA reaches a settlement or takes an enforcement action before starting a remedial action.	99%	100%
078	Percentage of all Superfund statute of limitations cases addressed at sites with unaddressed total past costs equal to or greater than \$500,000.	100%	100%

* GPRA measures 400, 402, and 404 respectively quantify pollutant releases that are or will be reduced, treated or eliminated to air, water, and land as a result of EPA enforcement actions. Measure 404 includes reductions of pollutant releases to land (e.g., RCRA non-hazardous waste, oil, gasoline, or solvents), as well as reductions in distribution of illegal products, including pesticides and new and existing chemicals.

Civil Enforcement Case Information

- [Estimated Value of Administrative and Civil Judicial Complying Actions \(Injunctive Relief\)\(PDF\)](#)
- [Administrative and Civil Judicial Penalties Assessed \(PDF\)](#)

Superfund Enforcement

- [Superfund Results \(PDF\)](#)

Criminal Enforcement Program

- [Value of Fines and Restitution and Court Ordered Environmental Projects \(PDF\)](#)

Other Civil Measures

- [Hazardous Waste Treated, Minimized, or Properly Disposed Of \(PDF\)](#)
- [Commitments to Reduce, Treat or Eliminate Pollution \(PDF\)](#)
- [Volume of Contaminated Soil to be Cleaned Up \(PDF\)](#)
- [Volume of Contaminated Water to be Cleaned Up \(PDF\)](#)
- [Civil Enforcement Case Initiations and Conclusions \(PDF\)](#)
- [Federal Inspections and Evaluations \(PDF\)](#)
- [Supplemental Environmental Projects \(PDF\)](#)

Other Criminal Enforcement

- [Environmental Crime Cases Opened, Defendants Charged and Sentencing Results – Years of Incarceration \(PDF\)](#)

Single Document Containing All Charts and Graphs

You will need Adobe Reader to view some of the files on this page. See [EPA's About PDF page](#) to learn more.

- [FY 2015 Enforcement Annual Results Analysis and Trends Charts \(PDF\)](#) (14 pp, 176 K, Dec. 16, 2015)

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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

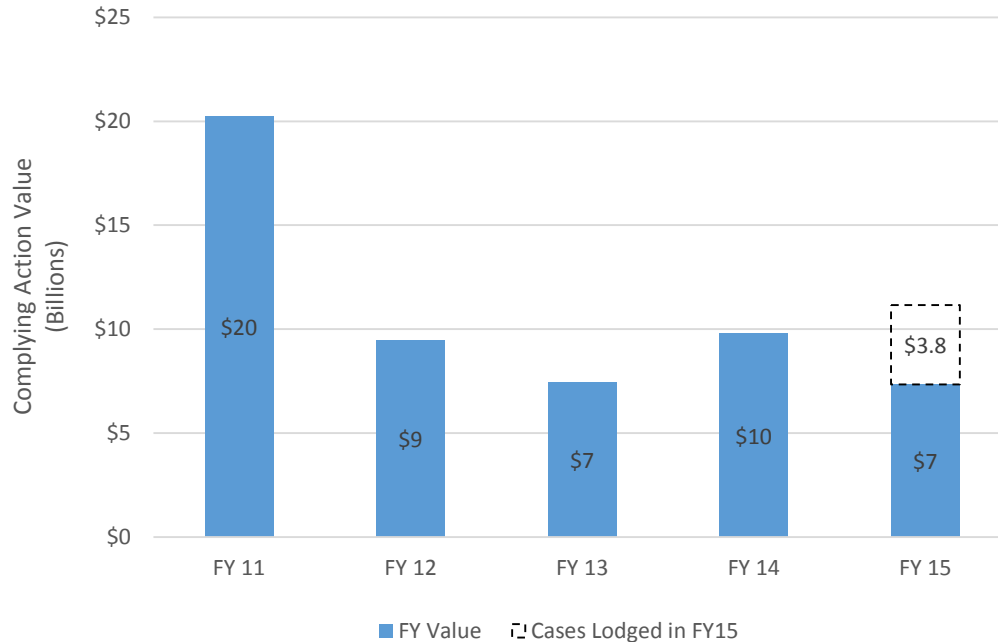
FY 2015 Enforcement and Compliance Annual Results

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FY 2015 Enforcement and Compliance Annual Results

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.

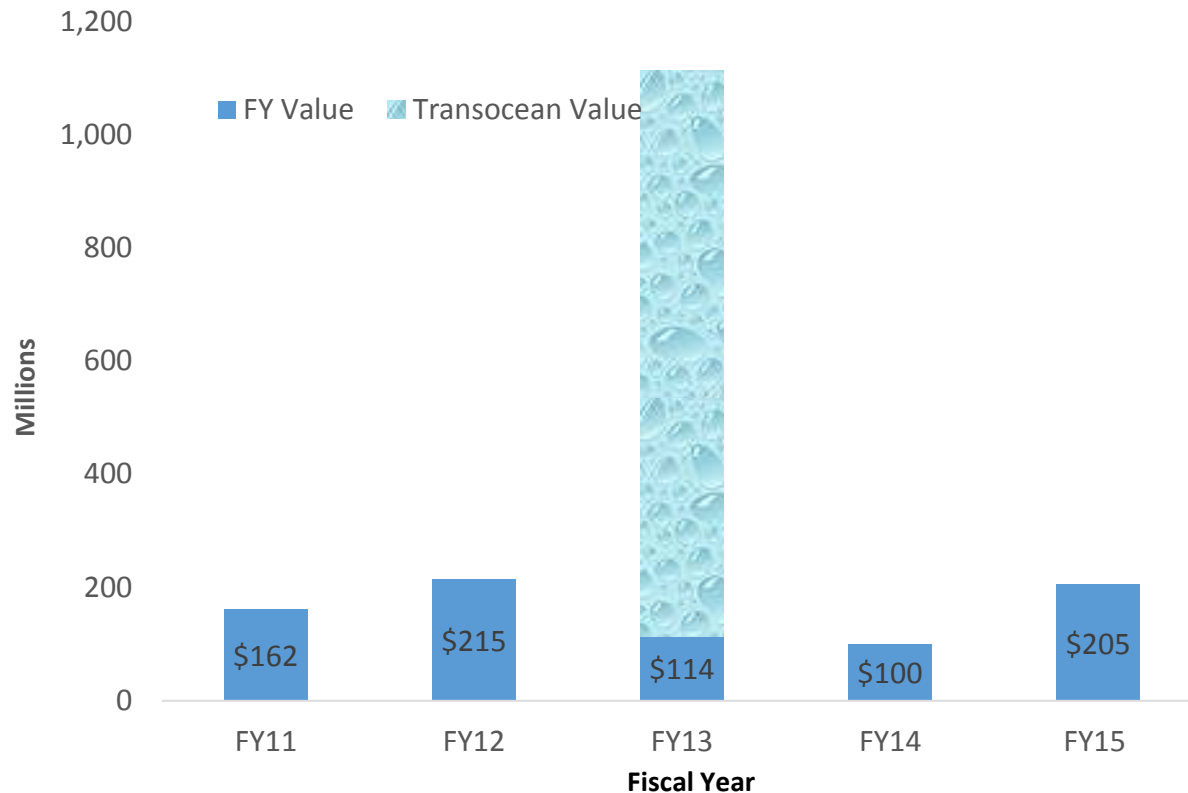
Data Source: Integrated Compliance Information System (ICIS)
Prepared by: OC/ETDD/DSIMB
November 7, 2015

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.

FY 2015 Enforcement and Compliance Annual Results

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.

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.

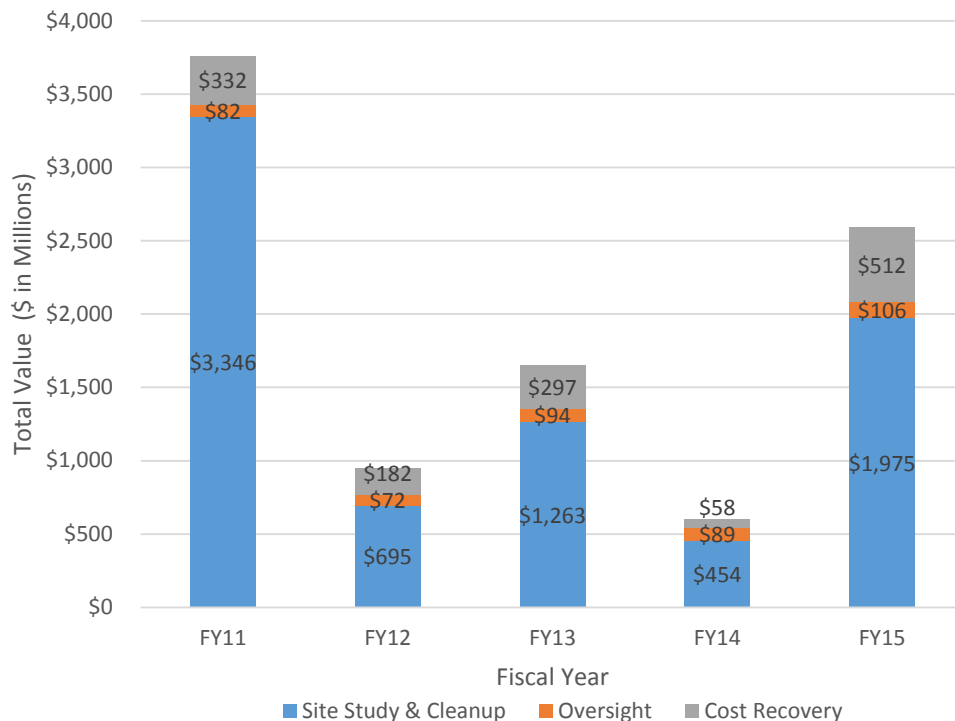
Data Source: Integrated Compliance Information System (ICIS)
Prepared by: OC/ETDD/DSIMB



FY 2015 Enforcement and Compliance Annual Results

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.

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.

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.

Prepared by: OC/ETDD/DSIMB

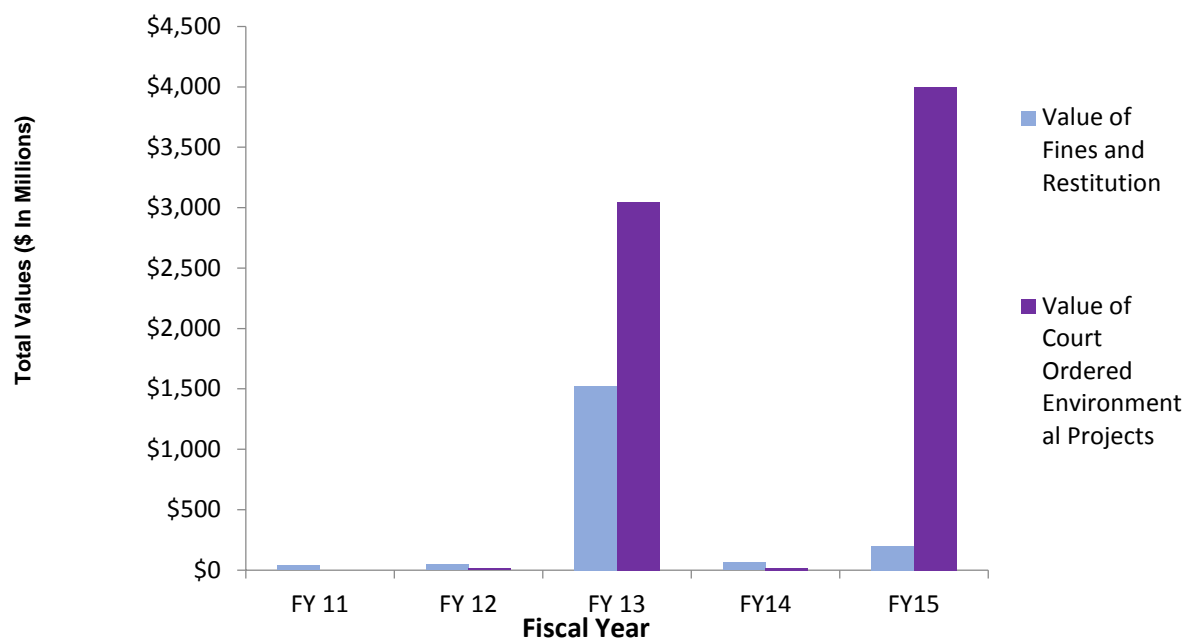
12/16/2015

U.S. Environmental Protection Agency



FY 2015 Enforcement and Compliance Annual Results

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.

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.

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

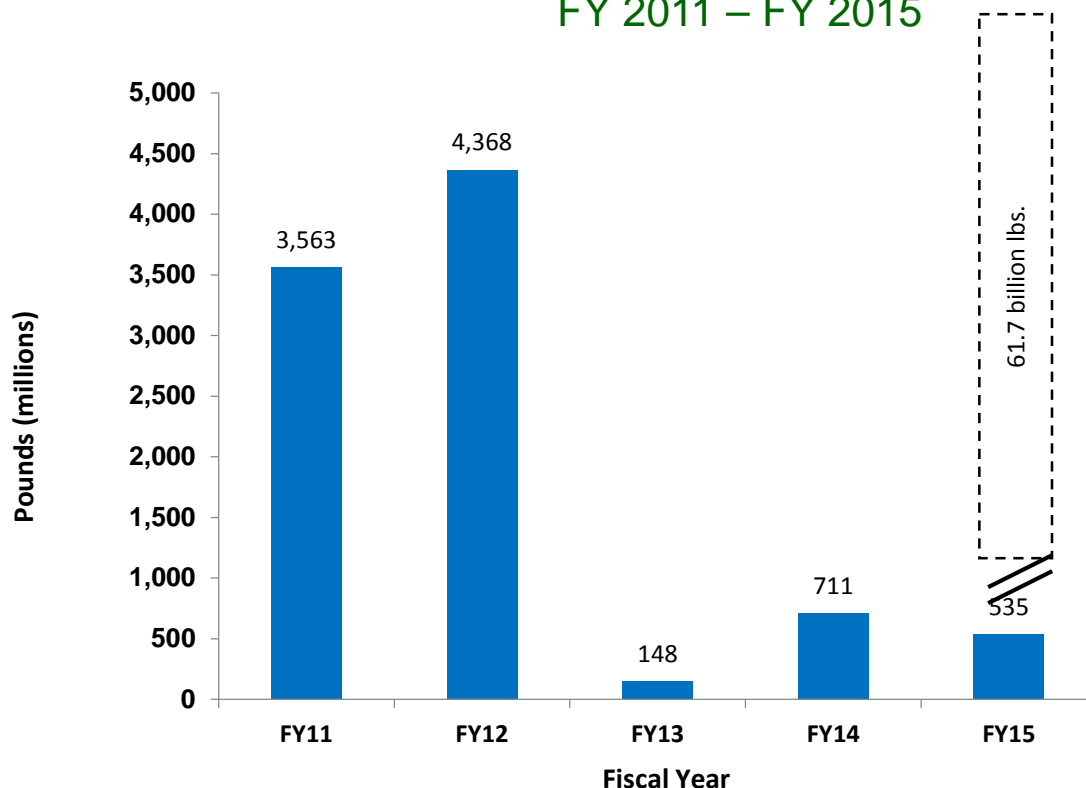


FY2015 Enforcement and Compliance Annual Results

Estimated Environmental Benefits

Hazardous Waste Treated, Minimized, or Properly Disposed

FY 2011 – FY 2015



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

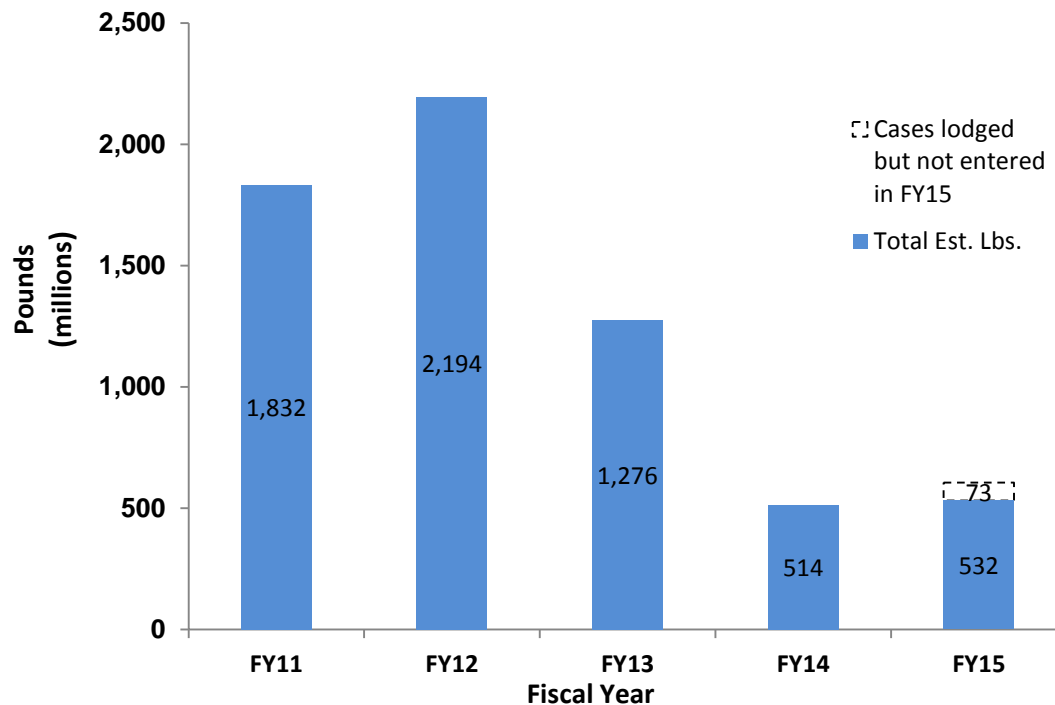
➤ In FY 2015, EPA enforcement actions required companies to commit to treat, minimize, or properly dispose of an estimated **535 million** pounds of hazardous waste. That amount includes the equivalent of over 100 tons of elemental mercury from enforcement at gold mines.

➤ 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.

FY 2015 Enforcement and Compliance Annual Results

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.

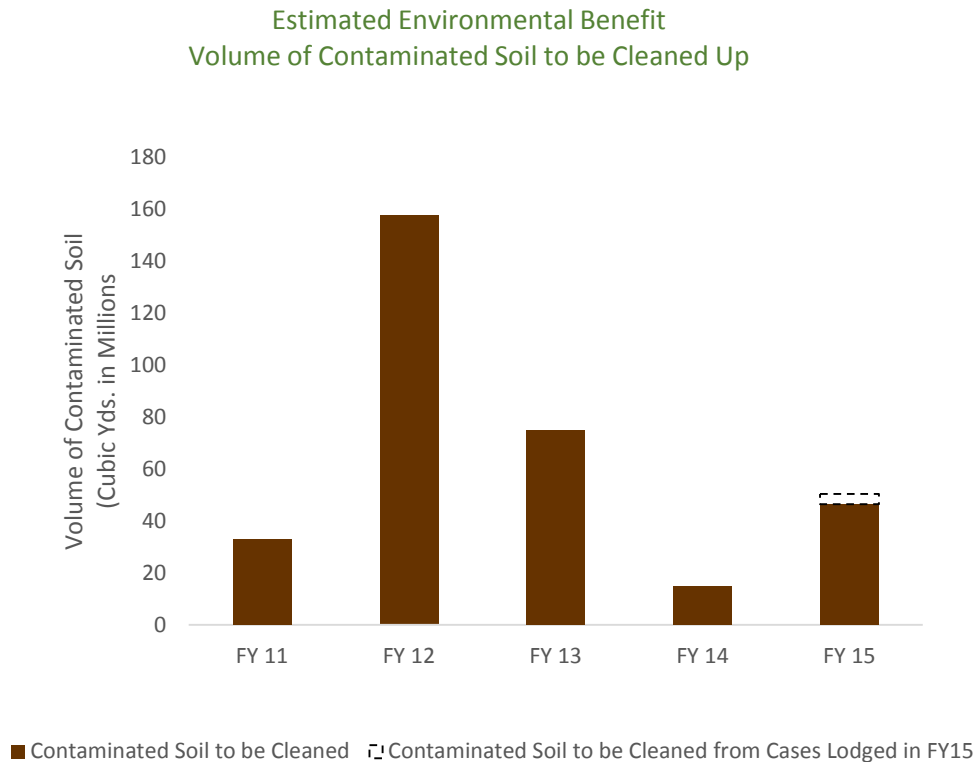
➤ Environmental benefits vary from year to year depending on the timing of resolution of the largest cases.

➤ 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

FY2015 Enforcement and Compliance Annual Results

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).

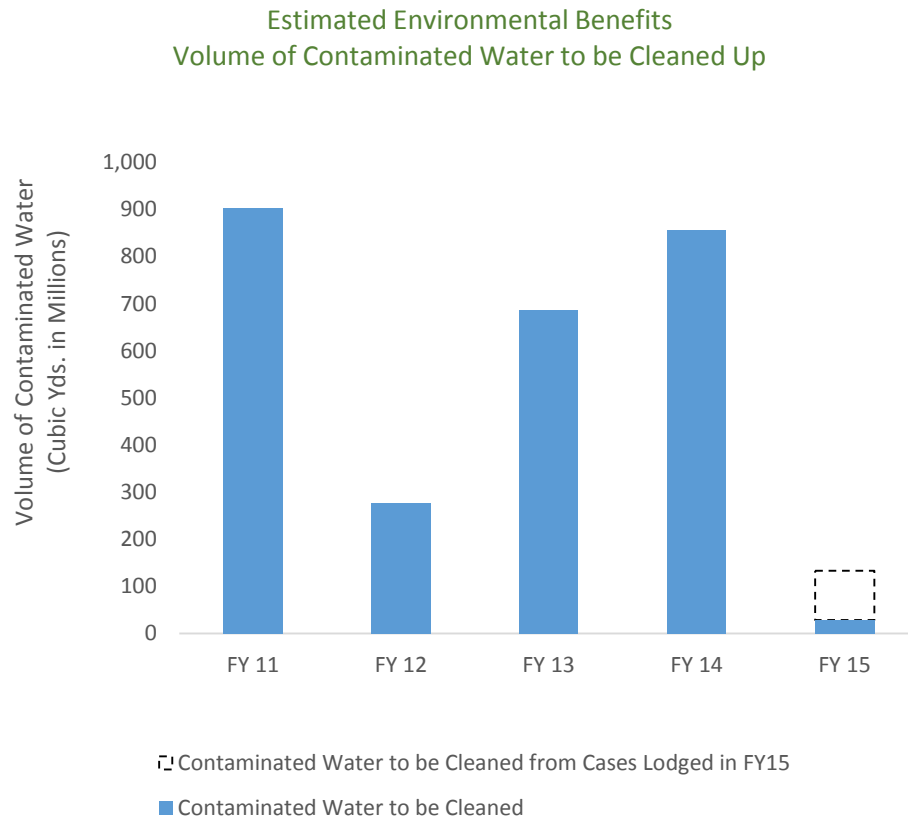
➤ This estimated benefit is the result of CERCLA and RCRA corrective action enforcement. Environmental benefits vary from year to year depending on the timing of resolution of the largest cases.

➤ 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

FY2015 Enforcement and Compliance Annual Results

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



- 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.

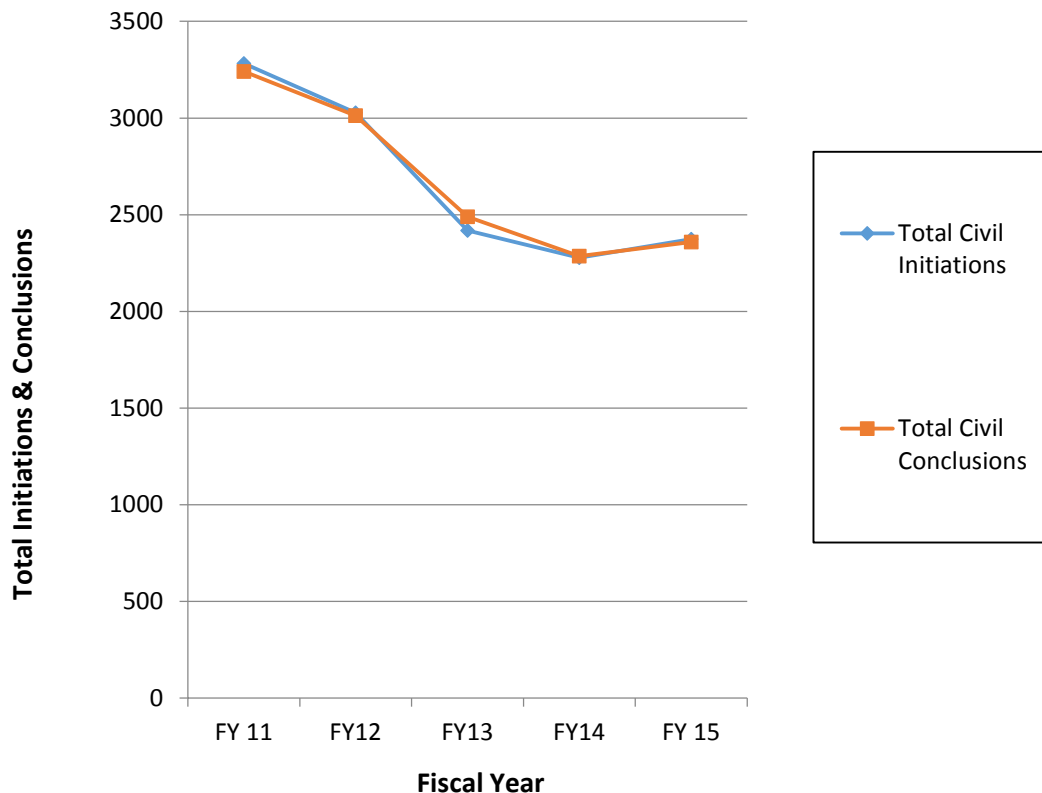
Data Source: Integrated Compliance Information System.
Prepared by: OC/ETDD/DSIMB
November 7, 2015



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

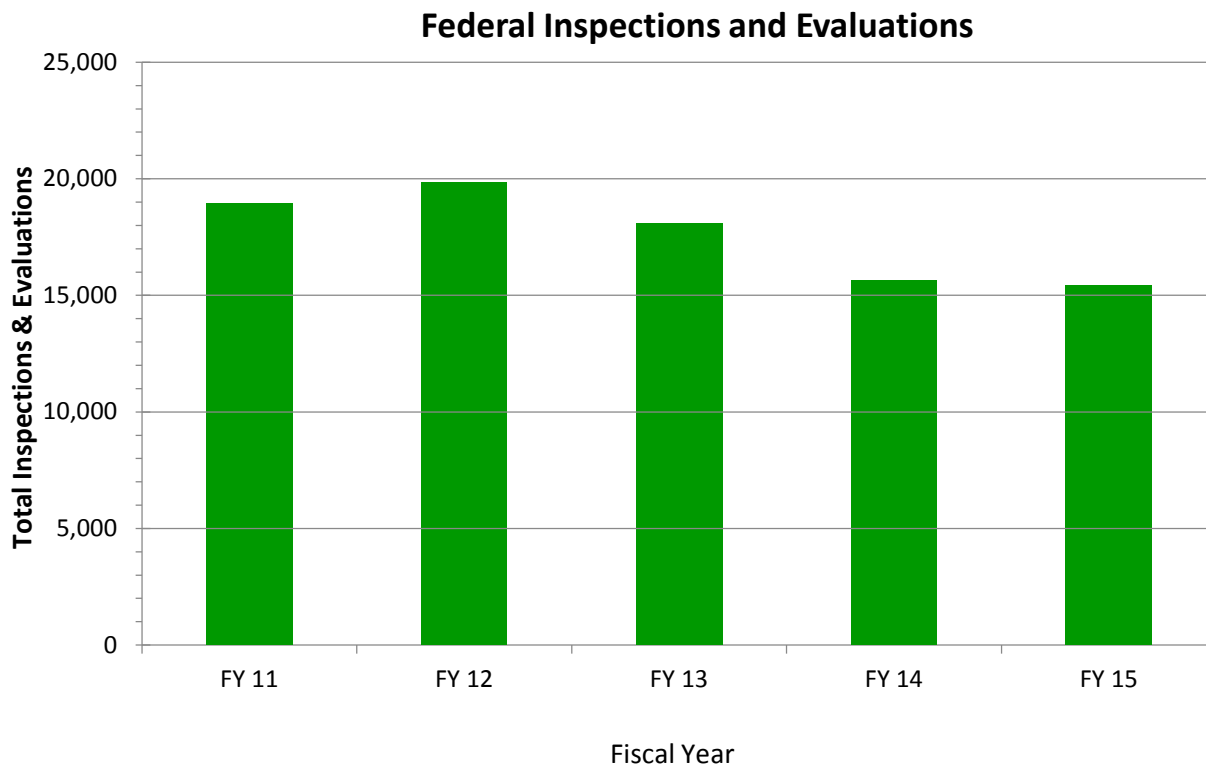
November 7, 2015



FY 2015 Enforcement and Compliance Annual Results

Federal Inspections and Evaluations

(Conducted by EPA)
FY 2011 – FY 2015



➤ 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.

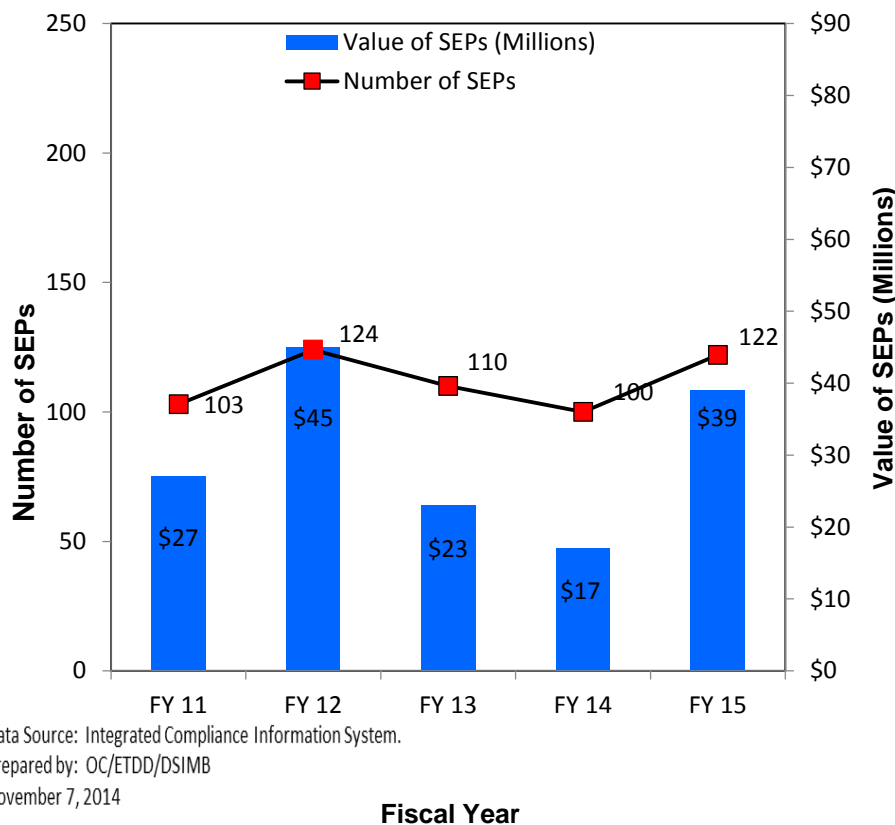
Prepared by: OC/ETDD/DSIMB

October 29, 2015

FY 2015 Enforcement and Compliance Annual Results

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).

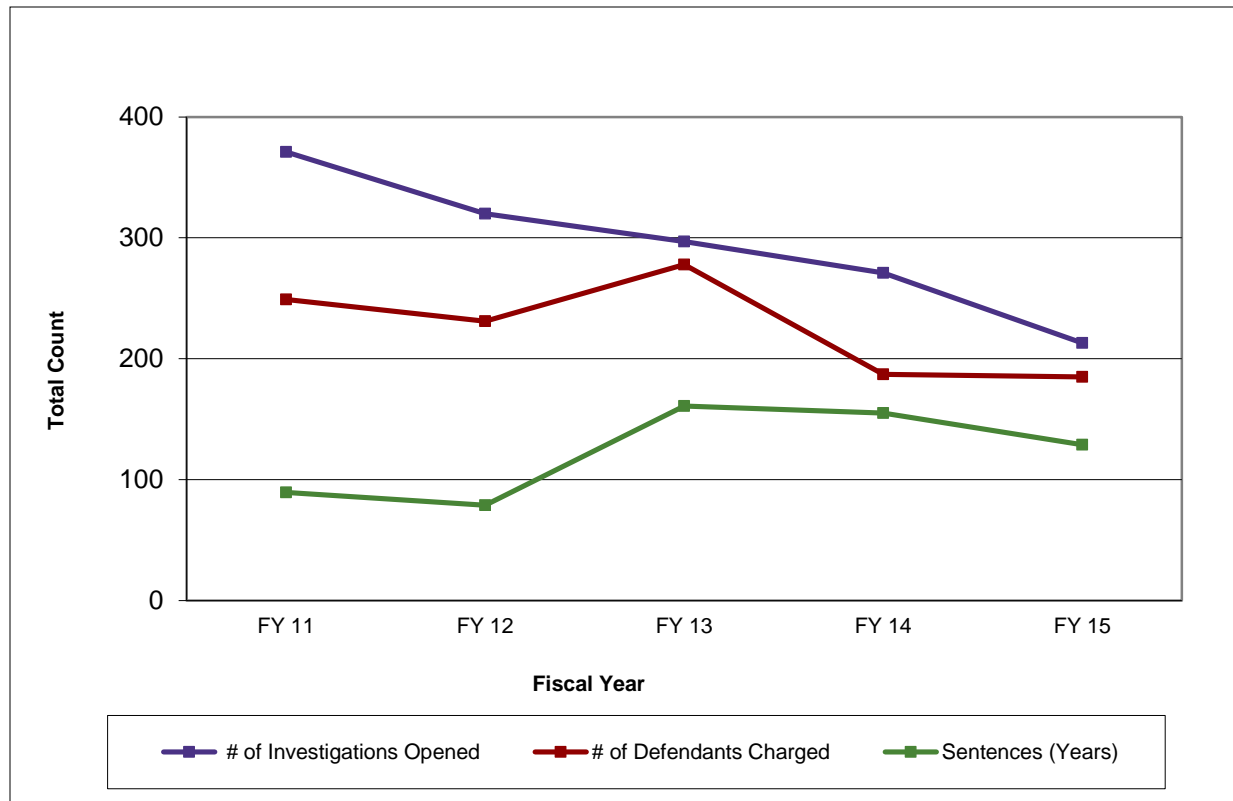
➤ EPA strongly supports SEPs to return benefits to the communities harmed by unlawful pollution.

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.

FY 2015 Enforcement and Compliance Annual Results



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