



# **Enforcement and Compliance Assurance Annual Results for Fiscal Year 2019**

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

**Published: February 13, 2020**



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# EPA Announces 2019 Annual Environmental Enforcement Results

February 13, 2020

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**WASHINGTON** (Feb.13, 2020) — In Fiscal Year (FY) 2019, the U.S. Environmental Protection Agency (EPA) continued to strengthen its collaborative partnership with state and tribal programs to assure compliance with federal environmental laws. EPA continued to focus its resources in areas that will have a major environmental or human health impact, support the integrity of our environmental regulatory programs, create a deterrent effect, or promote cleanups. In FY 2019, EPA also continued to encourage entities to self-disclose and correct violations, resulting in an increase of entities that used this option to return to compliance.

“EPA’s enforcement program is focused on achieving compliance with environmental laws using all tools available,” **said EPA Office of Enforcement and Compliance Assurance Assistant Administrator Susan Bodine.** “Our goal is to eliminate inefficient duplication with state programs, and to direct federal resources to help achieve the Agency’s core mission of improving air quality, providing for clean and safe water, revitalizing land and preventing contamination, and ensuring the safety of chemicals in the marketplace.”

Highlights of EPA’s FY 2019 enforcement and compliance achievements include:



- Voluntary **self-disclosed violations at over 1,900 facilities** expediting return to compliance, an **estimated 20% increase** compared to FY 2018.
- Investment of over **\$4.4 billion** in actions and equipment that achieve compliance with the law and control pollution, an increase of over \$400 million from FY 2018.
- **\$471.8 million** in combined Federal administrative and judicial civil penalties and criminal fines, the highest total of all but four of the past ten years.
- Commitments to reduce, treat, or eliminate **347.2 million pounds of pollution** (air, toxics, and water), the highest value in the past four years.
- **7.56 million pounds** of emissions prevented from mobile sources, an increase of nearly 6.9 million pounds from FY 2018.
- **170 criminal cases opened**, an increase from 128 in FY 2018, continuing to reverse the downward trend that began after 2011.
- A total of **137 criminal defendants charged**, an increase from 107 in FY 2018, reversing a downward trend that began after 2013.
- **Commitments for \$570.4 million** in new site cleanup work, **\$283 million in reimbursement of EPA's costs**, and **more than \$108 million in oversight billed, totaling \$961 million, an increase of over \$349 million** from FY 2018.
- **Cleanups and redevelopment at over 160 sites** through use of Superfund enforcement tools, **an increase of 6 sites** from 2018.

EPA focuses its enforcement and compliance resources on the most serious environmental violations by developing and implementing national program priorities, called National Compliance Initiatives (NCIs). EPA's NCIs focus federal enforcement and compliance resources to advance the Agency Strategic Plan's objectives to improve air quality, provide for clean and safe water, ensure chemical safety, and improve compliance with our nation's environmental laws while enhancing shared accountability between the EPA and states and tribes with authorized environmental programs. Those initiatives are <<https://epa.gov/enforcement/national-compliance-initiatives>>:

- Creating Cleaner Air for Communities by Reducing Excess Emissions of Harmful Pollutants <<https://epa.gov/enforcement/national-compliance-initiative-creating-cleaner-air-communities-reducing-excess>>

- Stopping Aftermarket Defeat Devices for Vehicles and Engines  
<<https://epa.gov/enforcement/national-compliance-initiative-stopping-aftermarket-defeat-devices-vehicles-and-engines>>
- Reducing Hazardous Air Emissions from Hazardous Waste Facilities  
<<https://epa.gov/enforcement/national-compliance-initiative-reducing-hazardous-air-toxic-emissions-hazardous-waste>>
- Reducing Risks of Accidental Releases at Industrial and Chemical Facilities  
<<https://epa.gov/enforcement/national-compliance-initiative-reducing-accidental-releases-industrial-and-chemical>>
- Reducing Significant Non-Compliance with National Pollutant Discharge Elimination System (NPDES) Permits <<https://epa.gov/enforcement/national-compliance-initiative-reducing-significant-non-compliance-national-pollutant>>
- Reducing Non-Compliance with Drinking Water Standards at Community Water Systems <<https://epa.gov/enforcement/national-compliance-initiative-reducing-noncompliance-drinking-water-standards-community>>

In addition to the NCIs, EPA has made reduction of children's exposure to lead a priority. EPA's lead paint enforcement activities in FY 2019 are summarized here

<<https://epa.gov/newsreleases/epa-enforcement-actions-help-protect-vulnerable-communities-lead-based-paint-health-1>>. EPA completed **117 federal enforcement actions in FY 2019** to ensure that entities such as renovation contractors, landlords, realtors and others comply with rules that protect the public from exposure to lead from lead-based paint. More information on the Agency's enforcement activities related to lead  
<<https://epa.gov/lead/enforcing-lead-laws-and-regulations>>.

To see EPA's FY 2019 Annual Environmental Enforcement Results, including case highlights: <https://www.epa.gov/enforcement/enforcement-annual-results-fiscal-year-2019>

Members of the public can help protect our environment by identifying and reporting environmental violations. Learn more here <<https://echo.epa.gov/report-environmental-violations>>.

Last updated on March 22, 2024

This story was made with [Esri's Story Map Cascade](#).

Read it on the web at <https://arcg.is/rP1Le0>.



# EPA Enforcement Annual Results FY 2019



In FY 2019, the EPA worked in collaboration with state and tribal programs to ensure compliance with federal environmental laws. In doing so, the EPA focused its enforcement and compliance resources in areas that will have a major environmental or human health impact, support the integrity of our environmental regulatory programs, create a deterrent effect, or promote cleanups.

“EPA’s enforcement program is focused on achieving compliance with environmental laws using all tools available,” said Assistant Administrator for Enforcement and Compliance Assurance Susan Bodine. “Our goal is to eliminate inefficient duplication with state programs, and to direct federal resources to help achieve the Agency’s core mission of improving air quality, providing for clean and safe water, revitalizing land and preventing contamination, and ensuring the safety of chemicals in the marketplace.”

In 2019, EPA continued to focus on impactful actions that meaningfully increase compliance with environmental laws. As a result of this focus, in FY 2019 EPA’s enforcement and compliance assurance actions this past year resulted in:

- Voluntary **self-disclosed violations at over 1900 facilities** expediting return to compliance, an **estimated 20% increase** compared to FY 2018.
- Investment of over **\$4.4 billion** in actions and equipment that achieve compliance with the law and control pollution, an increase of over \$400 million from FY 2018.
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- [Creating Cleaner Air for Communities by Reducing Excess Emissions of Harmful Pollutants](#)
- [Stopping Aftermarket Defeat Devices for Vehicles and Engines](#)
- [Reducing Hazardous Air Emissions from Hazardous Waste Facilities](#)
- [Reducing Risks of Accidental Releases at Industrial and Chemical Facilities](#)
- [Reducing Significant Non-Compliance with National Pollutant Discharge Elimination System \(NPDES\) Permits](#)
- [Reducing Non-Compliance with Drinking Water Standards at Community Water Systems](#)

In addition to the six NCIs selected for 2020-2023, the EPA has made reduction of children's exposure to lead a priority. Rather than develop a separate, enforcement program-led NCI, we believe it is more appropriate to participate in the Agency-wide lead initiative. The President's Task Force on Environmental Health Risks and Safety Risks to Children released its Lead Action Plan on December 4, 2018. The enforcement and compliance assurance program will contribute to the Agency's overall efforts to address lead exposure as outlined in the Lead Action Plan. The EPA's lead paint enforcement activities in FY 2019 are summarized [here](#). The EPA completed **117 federal enforcement actions in FY 2019** to ensure that entities such as renovation contractors, landlords, realtors and others comply with rules that protect the public from exposure to lead from lead-based paint.



## More Effective Partnerships

EPA aims to enhance its partnerships with state, local, and tribal co-regulators by more effectively carrying out our shared responsibilities under environmental laws. OECA issued a final policy on July 11, 2019 on [Enhancing Effective Partnerships Between the EPA and the States in Civil Enforcement and Compliance Assurance Work](#).

The Partnership Policy sets out expectations and procedures for enhancing effective partnerships. Cooperative, periodic, and early joint planning and regular communication between the EPA and states is essential to promote enhanced, shared accountability between federal and state enforcement authorities. The overall goal of joint planning is the sharing of enforcement responsibilities with a clear agreement on EPA and state roles in individual inspections and formal enforcement actions. Additionally, in many cases, the EPA provides assistance to a state (e.g., undertakes a portion of case work that is later completed by a state), to bring a violator back into compliance.

Under authorizations or delegations, states have the lead to implement and enforce a variety of federal environmental laws, including much of the Clean Air Act, the Clean Water Act and the Resource Conservation and Recovery Act. The Agency provides oversight on state enforcement and works jointly with its co-regulators to bring facilities back into compliance using the full range of enforcement and compliance tools. To see state enforcement and compliance data, that has been shared with EPA, you can go to [ECHO's state dashboards](#).





## Compliance Assurance Activities

### **Interim Policy on Inspection Report Timeliness and Standardization**

In 2019, the EPA began implementation of the Interim Policy on Inspection Report Timeliness and Standardization. The Interim Policy establishes inspection practices for the appropriate and timely notification of the EPA's inspection results to facilities, including any potential deficiencies or areas of concern observed during an on-site inspection.

The initial goal for timely completion and release of inspection reports was 75%, which was exceeded by providing 81% of inspection reports to facilities within 70 days of an inspection, up from 46% before this interim policy began. This reform provides certainty to facilities and allows earlier correction of problems. In the future, the EPA also plans to make inspection results public.

### **Self-Disclosed Violation Policies**

In 2019 OECA continued to see an increase in the number of entities, including new owners, utilizing its self-disclosed violation policies that encourage regulated entities to voluntarily discover, disclose, and correct violations of federal environmental laws and regulations. Specifically, in FY 2019, 635 entities with over 1,900 facilities voluntarily disclosed violation pursuant to self-disclosure policies, expediting return to compliance, an estimated 20% increase compared to FY 2018.

### **Oil and Gas Clean Air Act Audit Programs**

On March 29, 2019, EPA launched the New Owner Clean Air Act Audit Program tailored for oil and natural gas facilities to encourage new owners to make clean starts by finding, promptly disclosing, and correcting Clean Air Act violations at their newly acquired upstream oil and natural gas exploration and production facilities. This voluntary Program provides flexibilities specifically tailored to incentivize and encourage new owners in the oil and natural gas sector to participate in the Program. See, <https://www.epa.gov/enforcement/new-owner-clean-air-act-audit-program-oil-and-natural-gas-exploration-and-production> . In December 2019, EPA extended this audit program to existing owners, for a period of twelve months. See, <https://www.epa.gov/enforcement/existing-owner-clean-air-act-audit-program-oil-and-natural-gas-exploration-and>.



# Civil Enforcement & Compliance



## **Aux Sable Liquid Product LP (Aux Sable)**

- Aux Sable is the largest natural gas processing plant in the United States. The plant is located within the Chicago Non-Attainment Area for ground-level ozone, which includes the greater Chicago area and the northwest Indiana counties of Lake and Porter.
- In an October 29, 2018 settlement with EPA and DOJ the company agreed to take measures to resolve allegations that it violated the Clean Air Act at its natural gas processing facility in Morris, Illinois. Upgrades and controls will improve air quality for the greater Chicago area.
- Under the terms of the settlement, Aux Sable will pay a \$2.7 million civil penalty and spend at least \$4.5 million on improvements to pollution controls and projects to reduce volatile organic compounds (VOCs) and nitrogen oxide emissions (NOX).

Press release at <https://www.epa.gov/newsreleases/aux-sable-liquid-products-agrees-take-measures-resolve-clean-air-act-violations-its>

## **Fiat Chrysler Automobiles (FCA)**

- Fiat Chrysler, an automobile manufacturer, sold over 100,000 EcoDiesel Ram 1500 and Jeep Grand Cherokee vehicles (Model Years 2014-2016) equipped with illegal and undisclosed software that causes the emission control system to operate differently during emission control tests than when it is driven on the road.
- On January 10, 2019, the EPA, DOJ, and California announced a settlement to settle allegations that FCA had violated the Clean Air Act and California law. FCA is paying penalties of \$305 million and will spend up to \$185 million for vehicle recall and mitigation programs. The recall will install updated vehicle software that meets EPA and California emission standards and the mitigation program will improve the effectiveness of 200,000 aftermarket catalytic converters sold for use on light-duty vehicles by July 1, 2020.

Press release at <https://www.epa.gov/newsreleases/civil-settlements-united-states-and-california-fiat-chrysler-settle-allegations>

### **NGL Crude Logistics**

- NGL is a midstream energy provider headquartered in Tulsa, Oklahoma that transports crude oil, and markets and supplies refined products, natural gas liquids, and other products.
- On November 7, 2018, the EPA and DOJ entered a consent decree resolving allegations that NGL Crude Logistics violated requirements of the Renewable Fuel Standard (RFS) program under the Clean Air Act (CAA). NGL violated the CAA by causing the generation of 36 million invalid RFS credits known as Renewable Identification Numbers (RINs)
- The settlement resolved the violations and required the company to retire 36 million valid RINs and pay a \$25 million civil penalty. The cost of the RIN retirement was estimated to be \$10 million.

EPA Press Release - <https://www.epa.gov/newsreleases/ngl-crude-logistics-llc-agrees-pay-civil-penalty-25-million-and-retire-10-million>

### **NYC Hillview Reservoir**

- The NYC Hillview Reservoir is part of New York City's public water system, which delivers up to a billion gallons of water a day. The Reservoir is an open storage facility and is the last stop for drinking water before it enters the City's water tunnels for distribution to City residents.
- On May 15, 2019, the United States District Court entered a consent decree addressing New York City's longstanding violations of the Safe Drinking Water Act (SDWA). The decree creates a judicially enforceable schedule for the City for phased work and associated milestones.

Press release: <https://www.epa.gov/newsreleases/city-new-york-comply-federal-safe-drinking-water-act-and-prevent-contamination-citys>

### **Hyundai Construction Equipment Americas Inc. and Hyundai Heavy Industries Co. Ltd (HHI)**

- In September 2019, Hyundai Construction Equipment Americas, Inc. (HCEA) and Hyundai Heavy Industries Co. Ltd (HHI) agreed to pay a \$47 million civil penalty to resolve allegations that Hyundai sold heavy construction vehicles with diesel engines that were not certified to applicable emission standards. In November 2018, HCEA had pleaded guilty to criminal violations of the Clean Air Act relating to the same actions.
- Press Release: <https://www.justice.gov/opa/pr/departments-justice-and-epa-reach-clean-air-act-settlement-hyundai-engines-and-construction>

### **Chevron U.S.A. Inc. (Chevron)**

- Chevron U.S.A. Inc. owns and operates the U.S. petroleum refineries of Chevron Corporation, the second-largest integrated energy company in the United States, and the sixth-largest U.S. refiner as measured by crude oil distillation capacity.
- The case resulted from fires and an explosion at Chevron refineries in California (2012 and 2013) and in Pascagoula, Mississippi (2013), the latter causing the death of a refinery employee. The three incidents endangered workers and local communities and caused a loss of power and flaring at one of the refineries.
- On October 24, 2018, EPA and DOJ and the State of Mississippi entered into a settlement with Chevron to resolve violations of the Clean Air Act, EPCRA and CERCLA. The settlement includes a \$2.95 million civil penalty, \$10 million to supply emergency response equipment to local jurisdictions and approximately \$150 million for a variety of safety improvements at all its domestic refineries.

Press release <https://www.epa.gov/enforcement/chevron-settlement-information-sheet>





### Robust efforts to deter the manufacture and sale of aftermarket “defeat devices”



Advertisement for Bully Dog (Derive Systems) defeat device

- Defeat devices are products designed to bypass or disable required emissions control systems of cars and trucks. These systems increase emissions of harmful pollutants, including nitrogen oxide (NO<sub>x</sub>) and particulate matter (PM).
- EPA is addressing the problem of aftermarket defeat devices with a coordinated, national effort including a wide range of enforcement and compliance assurance approaches. This is a new National Compliance Initiative starting in 2020, which builds from strong results in 2019.
- In the Fall 2018, EPA performed extensive outreach and engagement with stakeholders including state and industry organizations on a planned update to existing enforcement policy concerning vehicle and engine tampering and aftermarket defeat devices.

- Throughout 2019, in well more than 30 separate instances, EPA engaged stakeholders including state and industry organizations to describe the Clean Air Act violations EPA has identified in the course of enforcement work, and to collaborate on ways to strategically achieve compliance.
- Since 2014, the EPA has resolved more than 40 enforcement cases concerning tampering or aftermarket defeat devices, which together addressed more than 1 million illegal aftermarket products.
- For example, Derive Systems (Press release at <https://www.epa.gov/newsreleases/epa-and-doj-settle-derive-systems-over-vehicle-emissions-control-defeat-devices>). All of the resolutions are available at <https://www.epa.gov/enforcement/2019-clean-air-act-vehicle-and-engine-enforcement-case-resolutions>

# Criminal Enforcement



**Explo Systems, Inc. (ESI)**



- In November 2018, five defendants were sentenced to nearly 20 years in prison in the Western District of Louisiana for their role in a case involving Explo Systems, Inc. (ESI), a private company involved in the demilitarization of military munitions.
- The company's mismanagement of military munitions resulted in a large explosion at a storage facility in Camp Minden, Louisiana, on October 15, 2012, that damaged buildings in a four-mile radius, derailed 11 rail cars, and was felt up to 35 miles away.
- This triggered an investigation that showed ESI had illegally disposed of hazardous waste resulting in more than \$38 million of cleanup costs to tax payers.



## **Former Asbestos Abatement Contractor Sentenced to 12 Years for Violating Clean Air Act**



- In September 2019, Lloyd Robl was sentenced in the Western District of Wisconsin to 12 years in prison.
- Robl worked as a self-employed asbestos abatement contractor in Minnesota and Wisconsin. Robl engaged in a scheme to defraud his clients by falsely advertising he was licensed to do asbestos abatements. In addition, Robl violated the Clean Air Act by knowingly releasing asbestos by burning the materials and spreading the ashes along the tree line and in the farm field behind his home.
- Press Release <https://www.justice.gov/usao-wdwi/pr/former-asbestos-abatement-contractor-sentenced-12-years-violating-clean-air-act>

## **IAV GmbH sentenced to \$35 Million Criminal Fine for Emissions Fraud related to Volkswagen AG**

- In May 2019, IAV GmbH (IAV), a German company that engineers and designs automotive systems, was sentenced to pay a \$35 million criminal penalty in the Eastern District of Michigan. The penalty is the result of the company's guilty plea for its role in a long-running scheme for Volkswagen AG to sell approximately 335,000 diesel vehicles in the U.S. by using a defeat device to cheat on U.S. emissions tests mandated by the U.S. Environmental Protection Agency and the California Air Resources Board.
- IAV admitted that it and its co-conspirators knew the vehicles did not meet U.S. emissions standards and worked collaboratively to design, test and implement cheating software.
- Press Release <https://www.justice.gov/opa/pr/iav-gmbh-sentenced-pay-35-million-criminal-fine-its-role-volkswagen-ag-emissions-fraud>

## **Illegal Transportation and Storage of Hazardous Waste leads to 36 months and \$5 M in restitution**



- Global Environmental Services (GES) operated as a recycling service for Cathode Ray Tubes (CRTs), which contain significant amounts of lead. GES accepted more CRTs for recycling than it could properly process, resulting in CRTs being sent to a landfill that was not permitted to handle hazardous waste and in a pit behind their facility.
- In November 2018, owner/operator Kenneth Gravitt was sentenced in the Eastern District of Kentucky to 36 months of incarceration and pay over \$5 million in restitution.
- Press Release <https://www.justice.gov/usao-edky/pr/former-central-kentucky-businessman-sentenced-36-months-illegal-transportation-and>

### **Hyundai Construction Equipment Americas Inc.**



- The Hyundai Construction Equipment Americas, Inc. (HCEA), maker of construction equipment, conspired to import engines that did not comply with air emissions standards under the Clean Air Act.
- As a result, on November 14, 2018 HCEA was sentenced to pay a criminal fine of \$1,950,000 in the Northern District of Georgia.
- Press Release <https://www.justice.gov/opa/pr/hyundai-construction-equipment-americas-inc-sentenced-19-million-criminal-fine-violating>

# Federal Facilities



## Public Water Systems at Federal Facilities



- In FY 2019, EPA issued eight federal Safe Drinking Water Act (SDWA) enforcement orders to federal facilities. The SDWA enforcement orders were issued to ensure public health protection through compliance with federal drinking water standards at public water systems.

Press Release: <https://www.epa.gov/newsreleases/epa-announces-enforcement-actions-protect-drinking-water-eight-federal-facilities>

### Improved Compliance with Pollutant Discharge Permits at Federal Facilities

- In FY19, EPA and the States worked with federal facilities that were significantly out of compliance with their permits for pollutants discharged to waters of the US. As a result of the efforts, forty-five percent of these federal facility permittees were brought back into compliance, helping to ensure water quality and people's health.





**US Government Printing Office (GPO) in Washington, DC**



View of two cyclone dust removal units attached to paper baling equipment

- In July 2019, EPA, in collaboration with the District of Columbia Department of Energy and Environment, entered into a consent agreement with the GPO to settle violations of the Clean Air Act and Resource Conservation and Recovery Act hazardous waste requirements. The GPO agreed to: reduce volatile organic compounds (VOCs) and particulate matter emissions, improve management of hazardous waste storage through training, improve oil management system, implement a new Spill Prevention, Control, and Countermeasure (SPCC) plan, and paid a \$140,000 penalty.

### **US Veterans Affairs**



Photo from inspection of VA facility

- In 2019, EPA reached consent agreements to resolve Resource Conservation and Recovery Act (RCRA) violations at six US Veterans Affairs (VA) facilities: VA Northport (NY), VA Bronx (NY), VA Syracuse (NY), VA Castle Point (NY), VA East Orange (NJ), and the Puget Sound Health Care System Seattle Division (WA). The VA agreed to resolve a variety of hazardous and universal waste violations, and paid settlements for \$123,000.



# Superfund

## Using Superfund Enforcement Tools for Cleanup and Redevelopment

Environmental benefits resulting from the work of the EPA's Superfund enforcement program include cleaning up thousands of lead-contaminated residential yards and contaminated surface and ground water at mining sites, as well as addressing liability concerns at sites to foster redevelopment. In FY 2019, under 105 settlements and orders and 8 amended enforcement agreements with new cleanup requirements, the enforcement program achieved cleanup commitments from parties for cleanup work and redevelopment at 112 Superfund sites totaling approximately \$570.4 million. Four (of the 105) settlements were with prospective purchasers. Additionally, EPA issued 57 comfort/status letters across the country to address cleanup and promote redevelopment. Settlements to reimburse the Agency for the cost of its past cleanup work totaled approximately \$283 million. The Agency billed more than \$108 million, for oversight costs, the highest amount ever billed during a fiscal year. Since the inception of the Superfund program, the estimated value of PRP commitments for cleaning up sites is over \$38 billion and cost recovery settlements total more than \$7.3 billion for a combined total of over \$45 billion.

More information on the [Superfund enforcement program](#) is available on the Agency's website.



# Superfund



## Lower Fox River and Green Bay

- A March 2019 settlement concludes 20 years of successful enforcement work to hold responsible parties accountable and provide for cleanup of the area by negotiating agreements that will reduce the risks to humans and wildlife posed by PCB exposure and contaminated sediments in the Fox River bed and the migration of PCBs to Green Bay. The \$90 million settlement with P.H. Glatfelter Company requires the company to perform long-term monitoring and maintenance activities associated with cleanup work at the Lower Fox River and Green Bay Superfund site in Wisconsin and includes \$20.5 million for payment of past cleanup costs.

## Centredale

- Cleanup work will remove dioxin-contaminated sediment in the Woonasquatucket River that is adjacent to residential and commercial properties at the Centredale Superfund site in Rhode Island. An April 2019 consent decree resolves approximately eight years of significant and complex litigation, mediation, and negotiation with multiple companies. The site is contaminated with high levels of dioxin and other hazardous substances from manufacturing operations between the 1940s to 1970s.



### **Blue Tee**

- Under a September 2019 consent decree with Blue Tee Corporation and its corporate successor, Brown Strauss, Inc., the companies will clean up mining waste at multiple Superfund sites west of the Mississippi River. EPA will receive just under \$50 million to address cleanup work at 11 Superfund sites across Colorado and Montana.

### **Big River Mine Tailings**

- In FY 2019, the Agency finalized enforcement agreements with two parties, concluding years of negotiations between the parties and setting in motion cleanup work to get lead-contaminated yards cleaned up near the large mine waste piles at the Big River Mining Tailings Superfund site in Missouri. As a result of historic mining activities, the site includes contaminated surface soils, sediments, surface water and groundwater. The elevated levels of lead and heavy metals in mining waste pose a threat to human health and the environment. Under the agreement with the Missouri Department of Natural Resources, the state is cleaning up the remaining 57 residential properties, at a cost of \$20,000 per property or \$1.14 million, for a total of 98 properties and paying the Agency \$65,000 in past and future costs. The agreement with NL Industries includes a payment of \$13 million that will be placed in a special account to be used for cleanup of residential properties at the site.





### **Koppers**

- EPA helped leverage the resources of a developer to implement a \$30 million remedy change supporting residential land use that will help facilitate additional cleanup and redevelopment, and spur redevelopment in the area of the Koppers Co., Inc. (Charleston Plant) Superfund site in South Carolina. In 2019, the EPA and Department of Justice finalized a prospective purchaser agreement (PPA) with Highland Resources, Inc. to implement the remedy change. The site has sat idle after the bankruptcy of the previous developers. Additionally, the cleanup work associated with the PPA may lead to delisting the majority of the site from the National Priorities List.



# Superfund Task Force Accomplishments

Protecting human health and the environment is EPA's core mission. Ensuring that the Superfund program operates optimally is one of this mission's cornerstones. With this in mind, beginning in July 2017, the Agency's Superfund Task Force developed recommendations for improving and expediting site cleanups and promoting redevelopment. The final report for the task force was issued in September 2019.

The focus of the 22 enforcement-related recommendations, included the following: (1) encourage and facilitate expeditious and thorough cleanups to affect re-use; (2) create oversight efficiencies; (3) promote redevelopment and reuse; (4) use alternative approaches for financing cleanups; (5) streamline the process for use of enforcement tools, along with optimizing and realigning incentives to encourage third-party cleanup and investment; and (6) address liability concerns of third parties and local governments

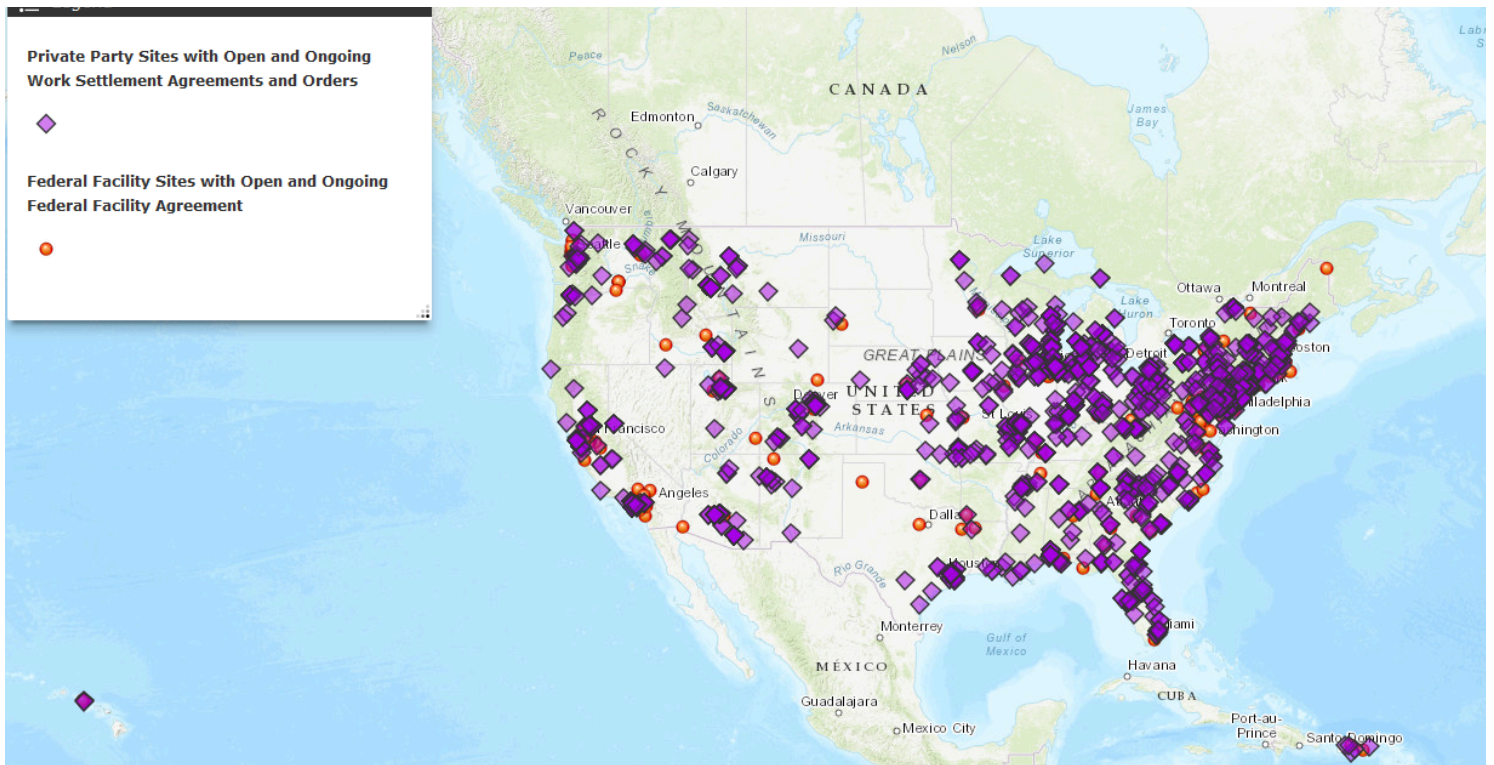
Highlights of actions taken under the task force recommendations include:

Issuing new documents on:

- "[Common elements](#)" of the Superfund statutory landowner liability protections for bona fide prospective purchasers, contiguous property owners, and innocent landowners,
- "[Comfort/status letters](#)" to respond to interested parties looking to acquire contaminated property,
- Separate tracks ([bifurcating](#)) RD/RA negotiations and [expediting negotiations](#) process with PRPs for cleanup starts,
- Use of special accounts as a settlement incentive,
- Process to elevate settlement issues with federal PRPs at private sites,
- Enforcement tools that [encourage third-party investment](#),
- [Advance monitoring technologies](#) and approaches to support long-term stewardship, and
- [Coordinate with states](#) regarding cleanup and oversight at Superfund sites.
- Sponsoring "[listening sessions](#)" with over 700 external stakeholders and federal and state partners on select recommendations.

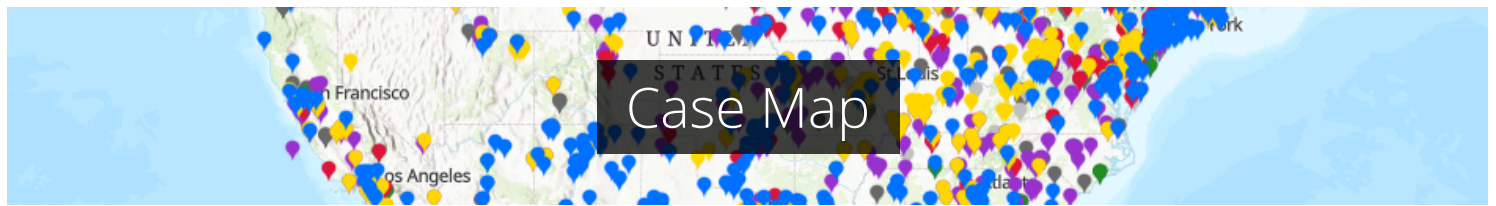


# Superfund Enforcement Cleanup Work Map



[Click Here to learn more about EPA's Superfund work and Explore the Enforcement Cleanup Map](#)





## Concluded EPA Enforcement Cases Map

This interactive map shows information on concluded enforcement actions and cases from fiscal year (FY) 2019.

### The map includes:

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

### The map does not include:

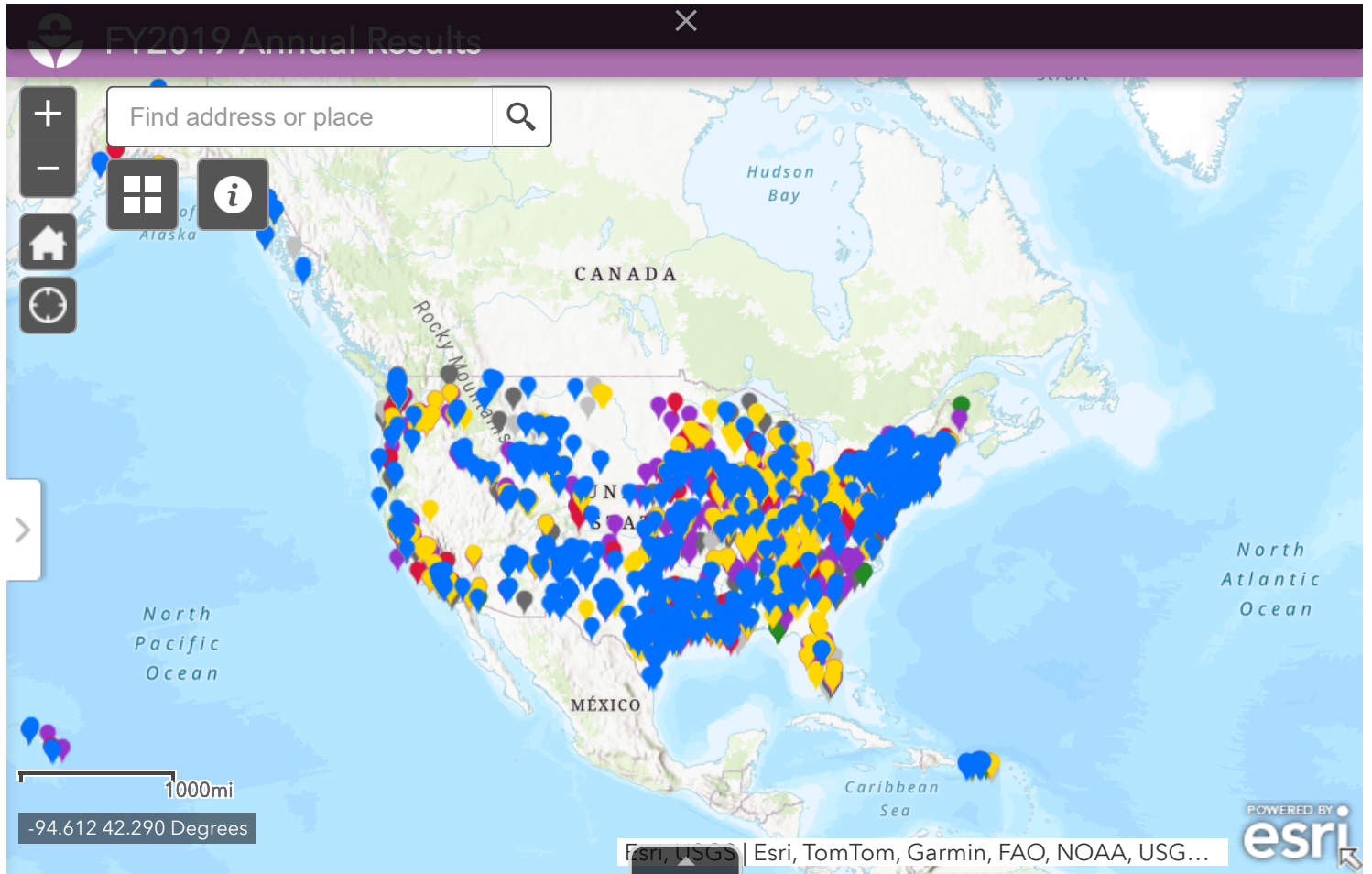
- State civil cases or civil cases where EPA provide significant support to a state
- The indicators on the map generally mark the location of the site or facility where the violations occurred or were discovered.

### How to Use the Map:

The map below displays all FY 2019 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 uncheck 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.

**To use the map, click the "Explore" button in the bottom right-hand corner.**



Website: <https://arcg.is/10aXOD>

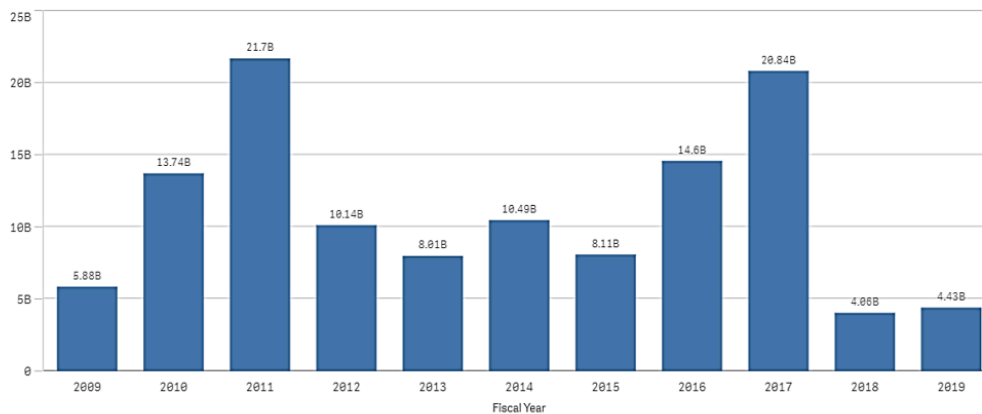
To use the map, click the "Explore" button in the bottom right-hand corner.

# Analysis and Trends

## Estimated Value of Administrative and Civil Judicial Complying Actions (Injunctive Relief) FY 2009 – FY 2019



Prior FY Totals Inflation Adjusted to Reflect the Current Totals in FY 2019 Dollars



- In FY 2019, EPA enforcement actions required companies to invest more than \$4.4 billion in actions and equipment to control pollution (injunctive relief.)
- Injunctive relief results vary from year to year depending on the timing of the resolution of the largest cases.
  - For instance, the FY 2017 results are dominated by a Volkswagen case which required over \$15.9 billion in injunctive relief.
  - In three FY 2011 cases, the settlements required significant injunctive relief—TVA (\$5 billion), City of Honolulu (\$3.7 billion) and NEORSD (\$3 billion).

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3. Dollar figures referenced in the bullets are not adjusted to reflect inflation/deflation.

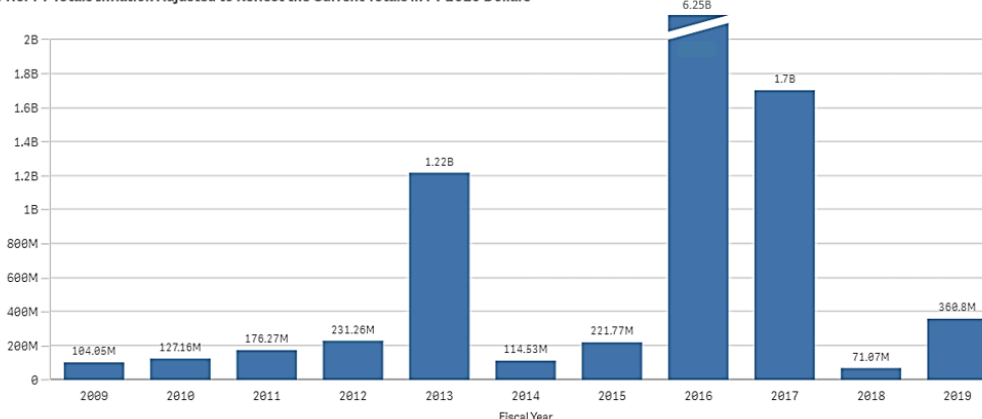
Data Source: Integrated Compliance Information System (ICIS)  
Data as of: January 20, 2020

U.S. Environmental Protection Agency

## Administrative and Civil Judicial Penalties Assessed FY 2009 – FY 2019



Prior FY Totals Inflation Adjusted to Reflect the Current Totals in FY 2019 Dollars



- In FY 2019, EPA assessed over \$360 million in federal administrative and civil judicial penalties, which exceeds the annual penalty values assessed in all but three of the past 10 years.
- Annual total penalties assessed are often strongly influenced by one or two large cases.
- The FY 2017 results were dominated by the record setting \$1.45 billion Clean Air Act – Mobile Source penalty assessed to Volkswagen, the FY 2016 results by the \$5.7 billion BP case, and the FY 2013 results by the \$1 billion Transocean case. Both the 2013 and 2016 cases were related to the 2010 Gulf of Mexico oil spill.

1. All prior FY dollar figures in the graph are adjusted to reflect the current value in FY 2019 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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Data Source: Integrated Compliance Information System (ICIS)  
Data as of: January 20, 2020

U.S. Environmental Protection Agency



### EPA Voluntary Disclosure Programs Number of Disclosures and Facilities FY 2015 – FY 2019



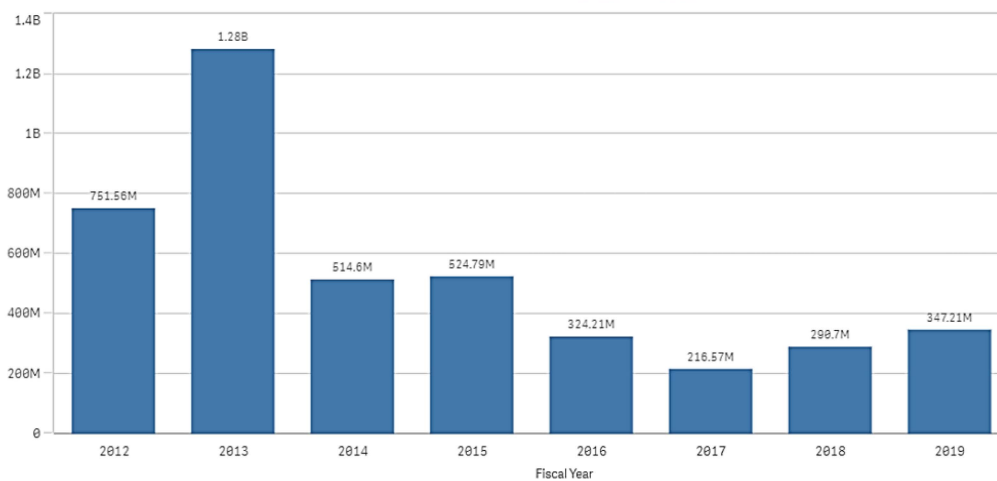
Data Source: Integrated Compliance Information System (ICIS) and eDisclosure System  
Data as of: November 19, 2019

U.S. Environmental Protection Agency

- In FY 2019, 635 entities with over 1,900 facilities voluntarily disclosed violations pursuant to EPA's self-disclosure policies. Representing an approximately 20% increase in both areas.



### Commitments to Reduce, Treat, or Eliminate Pollution (Air, Toxics, and Water) FY 2012 – FY 2019



- In FY 2019, EPA enforcement actions required facilities to commit to reduce, treat, or eliminate pollution by an estimated 347 million pounds per year, which is the highest value in the past four years.
- Annual totals for environmental benefits are often influenced by one or two large cases.
- Through actions in prior years, EPA has addressed the largest stationary sources of air pollution and the largest municipal dischargers. EPA has recently increased focus on reducing toxic pollutants, that may effect communities, which are smaller in amount but higher in toxicity.

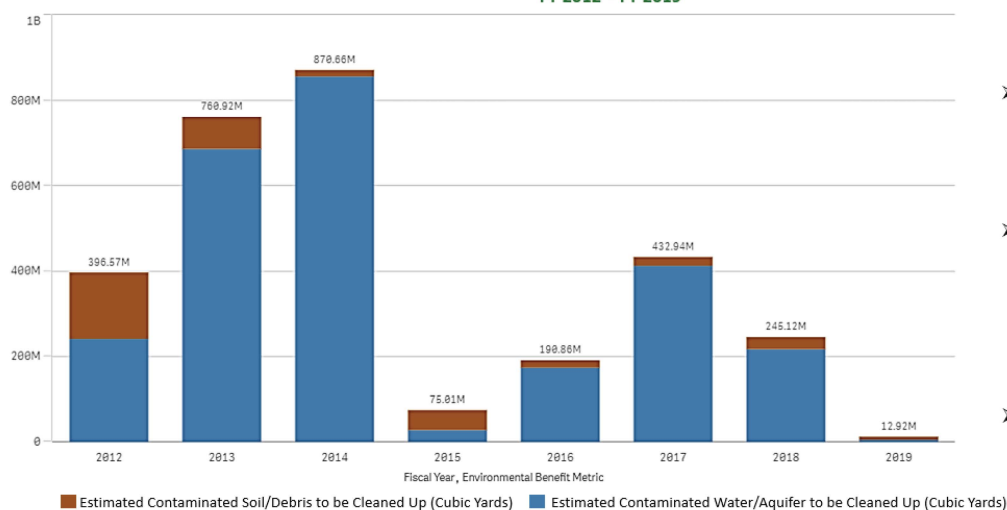
1. Starting in FY 2012, EPA changed the way it stores environmental benefit information in the ICIS data system. Therefore, data are not reported for years prior to FY 2012.

Data Source: Integrated Compliance Information System (ICIS)  
Data as of: January 20, 2020

U.S. Environmental Protection Agency



### Estimated Environmental Benefits: Volume of Contaminated Soil and Water to be Cleaned Up FY 2012 – FY 2019



1. Starting in FY 2012, EPA changed the way it stores environmental benefit information in the ICIS data system. Therefore, data are not reported for years prior to FY 2012.
2. Starting in FY 2018, the Agency is reporting contaminated soil and water cleanup from all cases, not just from RCRA Corrective Action and CERCLA cases as in past years. Nonetheless, CERCLA cases (both private and federal facility) account for more than 99% of the FY 2019 total.
3. To ensure no double counting, the VCMA reported each year does not include environmental benefits from consent decrees converted from previously issued UAOs. For example, in FY 2019, a commitment to cleanup 8.0 million cubic yards of soil and water reached through settlement agreements were not reported because they had been counted in a previous fiscal year when a UAO had been issued.

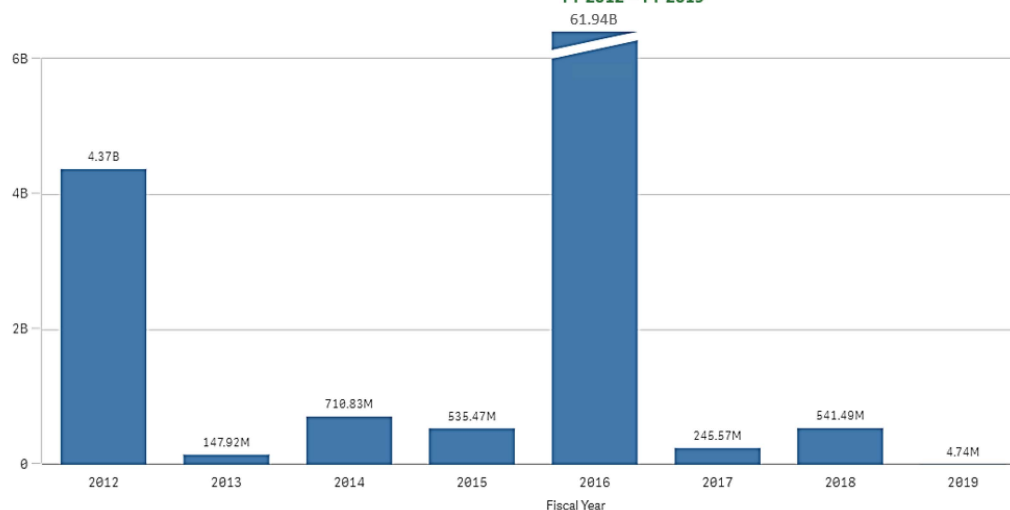
Data Source: Integrated Compliance Information System (ICIS)  
Data as of: January 20, 2020

U.S. Environmental Protection Agency

- In FY 2019, EPA enforcement actions obtained commitments to clean up over 12 million cubic yards of contaminated soil and water.
- Annual totals of soil and water to be cleaned up are often strongly influenced by one or two large cases. For example, in FY 2013 and FY 2014 three big cases accounted for the majority of the soil and water to be cleaned up.
- VCMA captures the volume but not the complexity of the cleanups.



### Estimated Environmental Benefits Hazardous Waste and Non-Hazardous Waste Treated, Minimized, or Properly Disposed FY 2012 – FY 2019



1. Starting in FY 2012, EPA changed the way it stores environmental benefit information in the ICIS data system. Therefore, data are not reported for years prior to FY 2012.
2. Starting in FY 2016, EPA combined reductions in hazardous waste and non-hazardous waste into one measure. Totals for FY 2012 – 2015 are for hazardous waste reductions only.

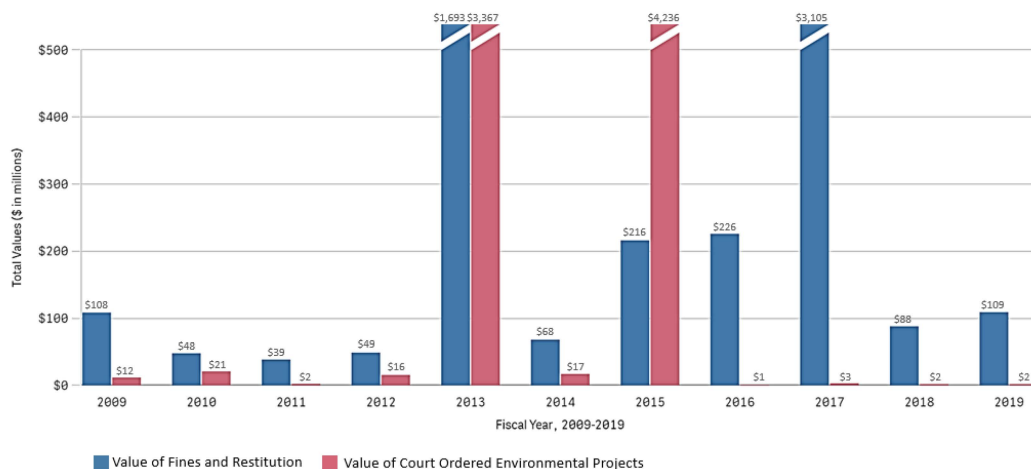
Data Source: Integrated Compliance Information System (ICIS)  
Data as of: January 20, 2020

U.S. Environmental Protection Agency

- In FY 2019, EPA enforcement actions required facilities to commit to treat, minimize, or properly dispose of over an estimated 4.7 million pounds of hazardous and non-hazardous waste.
- Annual totals for environmental benefits are often strongly influenced by one or two large cases.
  - In FY 2016, one case, the Mosaic Fertilizer RCRA case, accounted for over 99% of the hazardous and non-hazardous waste total in that year.



### Criminal Enforcement Value of Fines and Restitution and Court Ordered Environmental Projects FY 2009 – FY 2019



- In FY 2019, the total of criminal fines, restitution, and court ordered projects was \$111 million.
- Annual totals vary widely due to large cases such as BP in 2013, Duke Energy in 2015, and Volkswagen in 2017.

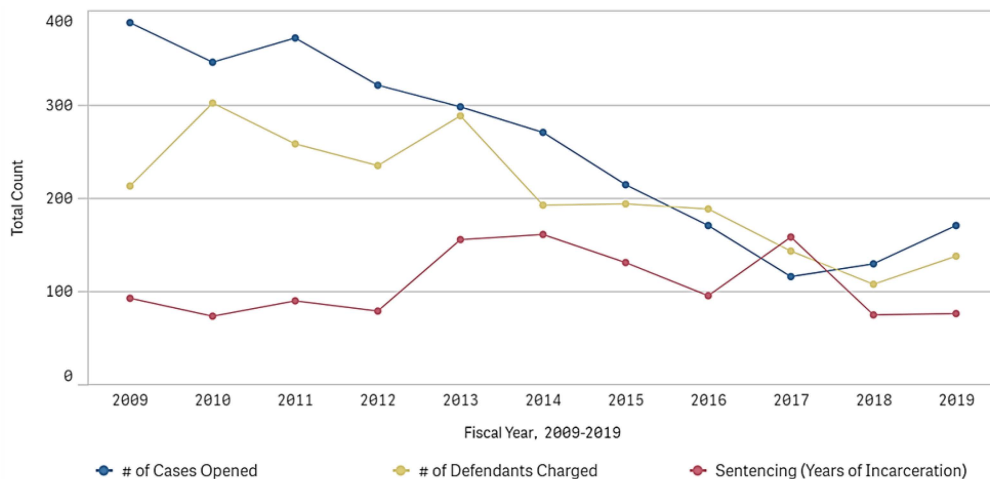
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Data Source: Criminal Case Reporting System  
Data as of: December 18, 2019

U.S. Environmental Protection Agency



### Criminal Enforcement Environmental Crime Cases Opened, Defendants Charged, and Sentencing Results (Years of Incarceration) FY 2009 – FY 2019

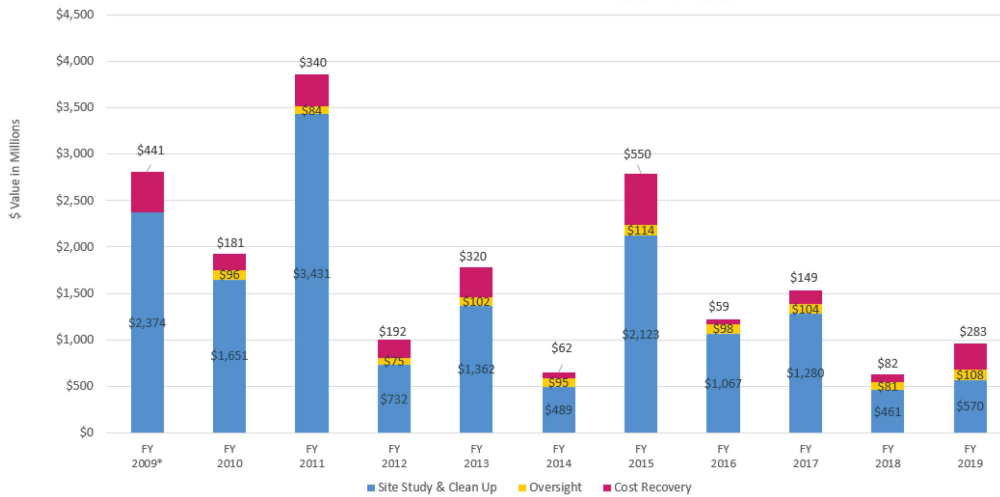


- In FY 2019, the criminal program continued to focus on complex cases that involve a serious threat to human health and the environment and/or undermine program integrity.
- For the first time since FY 2013, the number of defendants charged in environmental crimes increased.
- The number of new environmental crime cases opened increased for the second year in a row.

Data Source: Criminal Case Reporting System  
Data as of: December 18, 2019

U.S. Environmental Protection Agency

### Superfund Enforcement Private Party Commitments FY 2009 – FY 2019



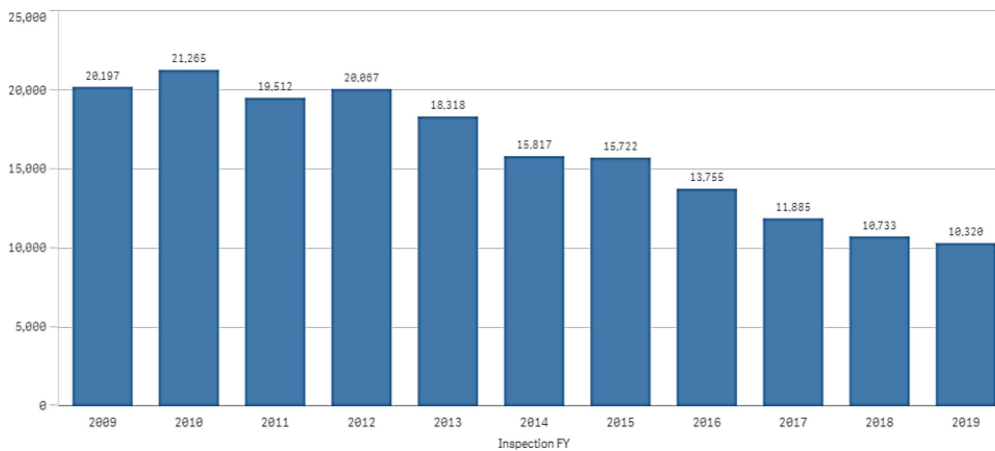
1. Totals include "allowed claims" under bankruptcy settlements.
  2. These results do not include commitments made for activities at Federally-owned or operated facilities.
  3. All prior FY dollar figures in the graph are adjusted to reflect the current value in FY2019 dollars based on the monthly rate of inflation/deflation as determined by the U.S. Department of Labor Consumer Price Index for All Urban Consumers.
- \* Amounts billed for Oversight were not reported as part of end-of-year results prior to FY 2010.

Data Source for Cleanup and Cost Recovery: FY08-FY13 Comprehensive Environmental Response, Compensation & Liability Information System (CERCLIS); FY14/15 Manual Reporting; FY16 forward Superfund Enterprise Management System (SEMS).  
Data Source for Oversight: Compass Business Objects Reporting (CBOR).  
Data as of: October 16, 2019

U.S. Environmental Protection Agency

- In FY 2019, private parties committed to spend \$570.4 million on new site cleanup. Responsible parties also agreed to reimburse approximately \$283 million of EPA's past costs from cleanup work at Superfund sites. Additionally, parties were billed more than \$108 million in oversight, for a total of \$961 million.
- Annual totals for both cleanup and cost recovery settlements are often influenced by the existence of one or two large cases that involve complex cleanups.

### Federal Inspections and Evaluations (Conducted by EPA) FY 2009 – FY 2019



- In FY 2019, EPA conducted over 10,300 inspections/evaluations.
- EPA continues to use data analytics and other tools to improve inspection targeting, which allows the Agency to use inspection resources more efficiently.
- EPA inspections represent a fraction of the total number of inspections conducted in the Clean Water Act, Clean Air Act, and Hazardous Waste programs that are implemented by states. For example, in 2019, states report 34,553 inspections of facilities regulated under the Clean Water Act. For information on inspections reported by states see [ECHO's state dashboards](#).

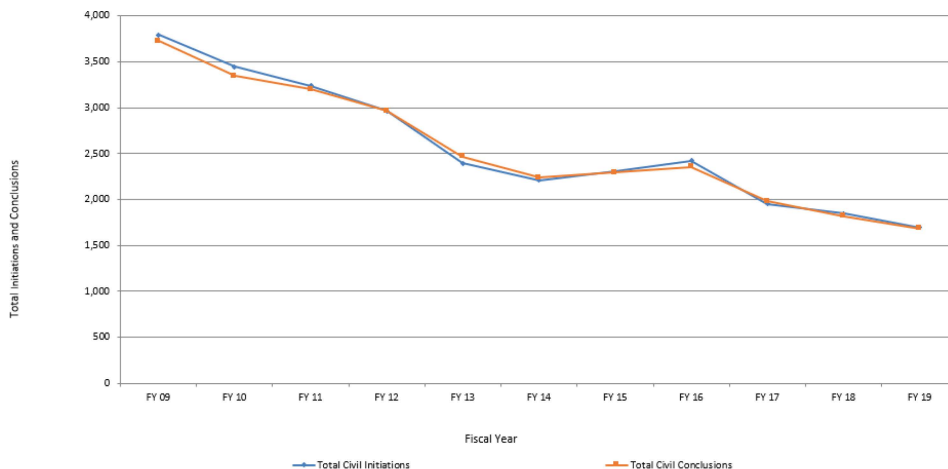
Data Source: ICIS, RCRA Info (for RCRA HW), manual (for SDWA UIC)  
Data as of: January 20, 2020

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### Total Civil Enforcement Case Initiations and Conclusions FY 2009 – FY 2019



➤ In FY 2019, EPA initiated and concluded more than 1,600 civil judicial and administrative cases.

1. Totals include CERCLA Initiations and Conclusions.

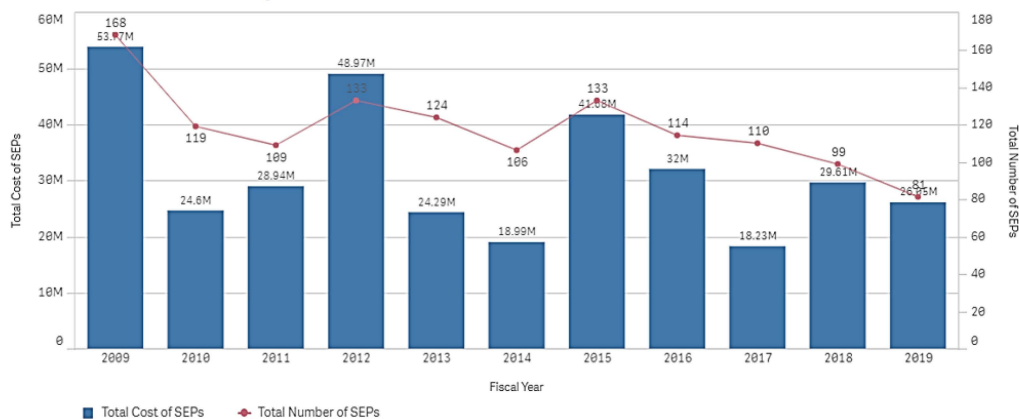
Data Source: Integrated Compliance Information System (ICIS)  
Data as of: January 20, 2020

U.S. Environmental Protection Agency



### Supplemental Environmental Projects (SEPs) FY 2009 – FY 2019

Prior FY Total Cost of SEPs Inflation Adjusted to Reflect the Current Totals in FY 2019 Dollars



➤ In FY 2019, 81 EPA enforcement cases included agreements by the violator to perform Supplemental Environmental Projects (SEPs) with a total estimated cost to the violators of over \$26 million.

➤ SEPs are environmentally beneficial projects that are not legally required that a defendant/respondent voluntarily agrees to undertake as part of the settlement of an enforcement action. SEPs have a close nexus to the violations being resolved and may be considered as a factor to mitigate a civil penalty.

1. A single settlement can have multiple SEPs.
2. All prior FY dollar figures in the graph are adjusted to reflect the current value in FY 2019 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)  
Data as of: January 20, 2020

U.S. Environmental Protection Agency



# Government Performance and Results Act

Measure Number	FY 2019 Government Performance and Results Act (GPRA) Measure	Target	Actuals
PM 409	Number of federal on-site compliance monitoring inspections and evaluations and off-site compliance monitoring activities.	10,000	10,300
PM 432	Percentage of Clean Water Act National Pollutant Discharge Elimination System (NPDES) permittees in significant noncompliance with their permit limits.	25.7%	25.0%
PM 434	Millions of pounds of pollutants and waste reduced, treated, or eliminated through concluded enforcement actions.	325 Million	347 Million
PM 436	Number of all referred no complaint filed (RNCF) civil judicial cases that are more than 2.5 years old.	129 Cases	94 Cases
PM 441	Number of enforcement tools completed to address cleanup and/or long-term protection, including reuse, of contaminated sites.	170 Tools	210 Tools

# Numbers at a Glance

Civil Enforcement Results	
Results	Concluded Cases
Pollution Reduced, Treated or Eliminated (Pounds)	347,207,000
Estimated Hazardous and Non-Hazardous Waste Treated, Minimized or Properly Disposed of (pounds)	4,738,000
Contaminated Soil to be Cleaned Up (Cubic Yds)	7,196,000
Contaminated Water to be Cleaned Up (Cubic Yds)	5,725,000
Stream Miles Restored or Created (Linear Feet)	90,000
Wetlands Restored or Created (Acres)	292
People Protected by Safe Drinking Water Act Enforcement (# of People)	8,464,000
Toxic Material Abated (# Housing Units, Schools, Buildings)	27
Volume (gallons) of Untreated Discharge Eliminated	673,249,000
Emission Prevented from CAA Mobile Sources (pounds)	7,563,000
Hazardous Waste Prevented from Release (Pounds)	12,744,000
Extremely Hazardous Substances Properly Controlled (Pounds)	334,142,000
Liquid in Underground Storage Tanks Prevented from Release (Gallons)	1,239,000
Underground Injection Wells Prevented from Leaking (# of Wells)	36
Toxic Substance Contamination Prevented (# of Housing Units, Schools, Buildings)	224
Underground Injection Wells Prevented from Leaking (# of Wells)	36

Volume of Oil Spills Prevented (in Gallons)	85,511,000
Toxic Chemicals and Pesticides Prevented from Misuse/Environmental Release (Pounds)	6,786,000
Stream Miles Preserved (Linear Feet)	15,000
Wetlands Preserved (Acres)	28

#### Civil Enforcement Monetary Commitments

Monetary Commitments from Concluded Cases	Commitment
Estimated Value of Complying Actions to be Taken in Response to EPA's Concluded Enforcement Actions (Injunctive Relief)	\$4,426,740,000
Estimated Investments in Projects that Benefit the Environment and Public Health (Supplemental Environmental Projects)	\$26,046,000
Administrative Penalties Assessed	\$40,384,000
Judicial Penalties Assessed	\$320,411,000
State/Local Judicial Penalties Assessed from Joint Federal-State/Local Enforcement Actions	\$52,009,000
Stipulated Penalties Paid	\$2,996,000

#### Superfund Cleanup Enforcement

Superfund Enforcement Private Party Commitments	Commitment
Amount Committed by Private Liable Parties to Clean up Superfund Sites	\$570,390,000
Amount Committed by Private Liable Parties to Pay for Government Oversight of Superfund Cleanups	\$108,361,000
Amount Committed by Private Liable Parties to Reimburse the Government for Money Spent Cleaning up Superfund Sites	\$282,849,000

**Civil Enforcement and Compliance Activities**

<b>Activities</b>	<b>Results</b>
Referrals of Civil Judicial Enforcement Cases to Department of Justice (DOJ)	96
Supplemental Referrals of Civil Judicial Enforcement Cases to DOJ	10
Civil Judicial Complaints Filed with Court	99
Civil Judicial Enforcement Case Conclusions	101
Administrative Penalty Order Complaints	934
Final Administrative Penalty Orders	920
Administrative Compliance Orders	663
Cases with Supplemental Environmental Projects	79
Inspections/Evaluations	10,320
Civil Investigations	36

**Criminal Enforcement Program**

<b>Activities</b>	<b>Results</b>
Environmental Crime Cases Opened	170
Defendants Charged	137
Years of Incarceration	76
Fines and Restitution	\$109,000,000
Value of Court Ordered Environmental Projects	\$2,000,000

## EPA Region 1

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

### Accomplishments:

Civil Cases		
	Total Estimated Pollution Reduced, Treated, or Eliminated (pounds)	1,111,632
	Estimated Contaminated Soil/Debris to be Cleaned Up (cubic yds)	64,167
Enforcement Activities		
	Case initiations	101
	Case conclusions	111

## EPA Region 2

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

### Accomplishments:

Civil Cases		
	Total Estimated Pollution Reduced, Treated, or Eliminated (pounds)	89,750,803
	Estimated Contaminated Soil/Debris to be Cleaned Up (cubic yds)	2,528,441
	Estimated Contaminated Water/Aquifer to be Cleaned Up (cubic yds)	150,740
Enforcement Activities		
	Case initiations	248
	Case conclusions	241

### EPA Region 3

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

#### Accomplishments:

Civil Cases		
	Total Estimated Pollution Reduced, Treated, or Eliminated (pounds)	1,248,888
	Estimated Hazardous and Non-Hazardous Waste Treated, Minimized or Properly Disposed of (pounds)	15,929
	Estimated Contaminated Soil/Debris to be Cleaned Up (cubic yds)	13,000
	Estimated Contaminated Water/Aquifer to be Cleaned Up (cubic yds)	401,799
Enforcement Activities		
	Case initiations	127
	Case conclusions	126

### EPA Region 4

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

#### Accomplishments:

Civil Cases		
	Total Estimated Pollution Reduced, Treated, or Eliminated (pounds)	4,254,141
	Estimated Hazardous and Non-Hazardous Waste Treated, Minimized or Properly Disposed of (pounds)	4,325,408
	Estimated Contaminated Soil/Debris to be Cleaned Up (cubic yds)	896,865
	Estimated Contaminated Water/Aquifer to be Cleaned Up (cubic yds)	5,168,541
Enforcement Activities		
	Case initiations	177
	Case conclusions	172

## EPA Region 5

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

### Accomplishments:

Civil Cases		
	Total Estimated Pollution Reduced, Treated, or Eliminated (pounds)	79,396,985
	Estimated Hazardous and Non-Hazardous Waste Treated, Minimized or Properly Disposed of (pounds)	88,866
	Estimated Contaminated Soil/Debris to be Cleaned Up (cubic yds)	3,529,293
Enforcement Activities		
	Case initiations	207
	Case conclusions	205

## EPA Region 6

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

### Accomplishments:

Civil Cases		
	Total Estimated Pollution Reduced, Treated, or Eliminated (pounds)	25,717,766
	Estimated Contaminated Water/Aquifer to be Cleaned Up (cubic yds)	964
Enforcement Activities		
	Case initiations	316
	Case conclusions	319



## EPA Region 7

Serving Iowa, Kansas, Missouri, and Nebraska.

### Accomplishments:

Civil Cases		
	Total Estimated Pollution Reduced, Treated, or Eliminated (pounds)	79,386,620
	Estimated Hazardous and Non-Hazardous Waste Treated, Minimized or Properly Disposed of (pounds)	209,883
	Estimated Contaminated Soil/Debris to be Cleaned Up (cubic yds)	32,428
Enforcement Activities		
	Case initiations	135
	Case conclusions	127

## EPA Region 8

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

### Accomplishments:

Civil Cases		
	Total Estimated Pollution Reduced, Treated, or Eliminated (pounds)	39,002,503
	Estimated Hazardous and Non-Hazardous Waste Treated, Minimized or Properly Disposed of (pounds)	50,600
	Estimated Contaminated Water/Aquifer to be Cleaned Up (cubic yds)	314
Enforcement Activities		
	Case initiations	100
	Case conclusions	104

## 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		
	Total Estimated Pollution Reduced, Treated, or Eliminated (pounds)	15,033,803
	Estimated Hazardous and Non-Hazardous Waste Treated, Minimized or Properly Disposed of (pounds)	46,696
	Estimated Contaminated Soil/Debris to be Cleaned Up (cubic yds)	123,386
	Estimated Contaminated Water/Aquifer to be Cleaned Up (cubic yds)	2,253
Enforcement Activities		
	Case initiations	140
	Case conclusions	138

## EPA Region 10

Serving Alaska, Idaho, Oregon, and Washington.

### Accomplishments:

Civil Cases		
	Total Estimated Pollution Reduced, Treated, or Eliminated (pounds)	11,583,010
	Estimated Hazardous and Non-Hazardous Waste Treated, Minimized or Properly Disposed of (pounds)	500
	Estimated Contaminated Soil/Debris to be Cleaned Up (cubic yds)	8,300
	Estimated Contaminated Water/Aquifer to be Cleaned Up (cubic yds)	80
Enforcement Activities		
	Case initiations	129
	Case conclusions	127

[Click here to view the FY 2019 Enforcement Annual Results Report](#)



# **Fiscal Year 2019 EPA Enforcement and Compliance Annual Results**

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

**February 13, 2020**



# FY 2019 Enforcement and Compliance Annual Results



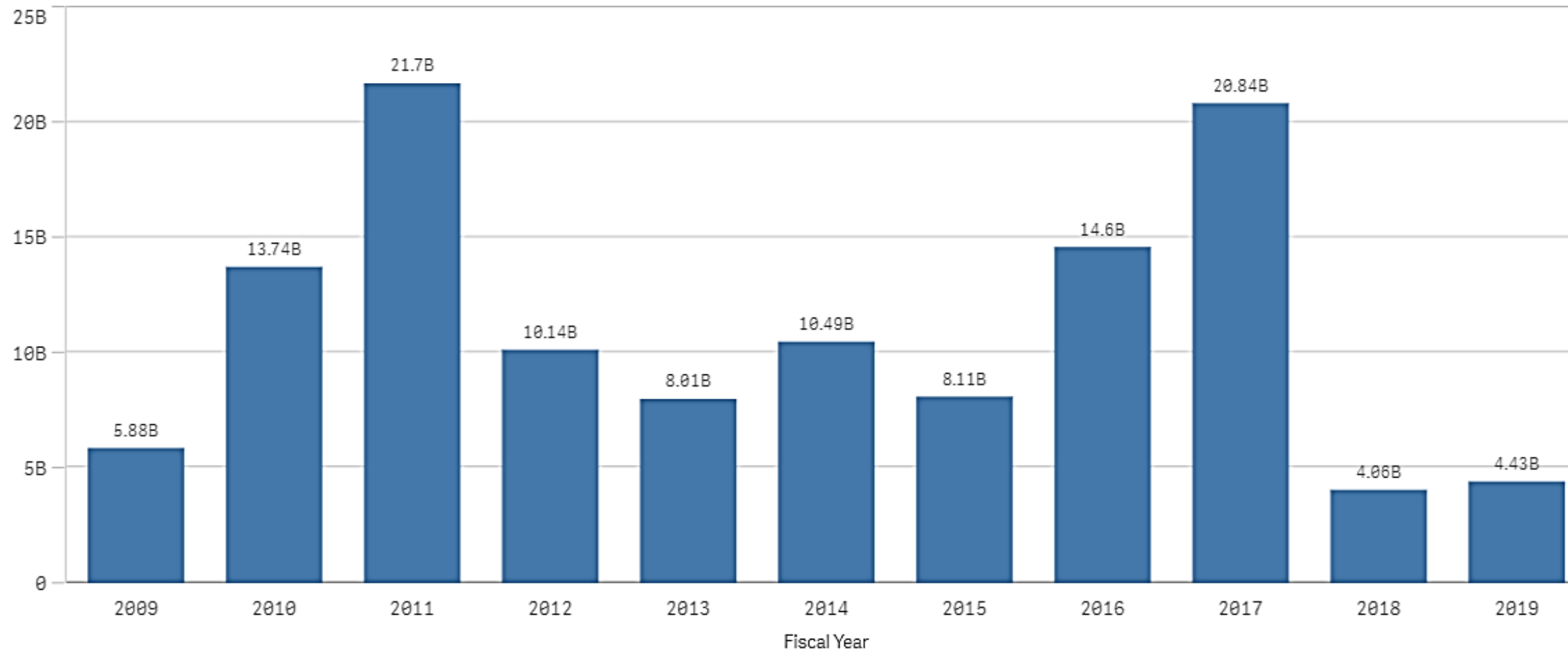
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Note: This data reflects all EPA enforcement actions, including Federal Facility Compliance Agreements and inspections, unless otherwise noted. Does not include state and local enforcement actions or inspections.



## Estimated Value of Administrative and Civil Judicial Complying Actions (Injunctive Relief) FY 2009 – FY 2019

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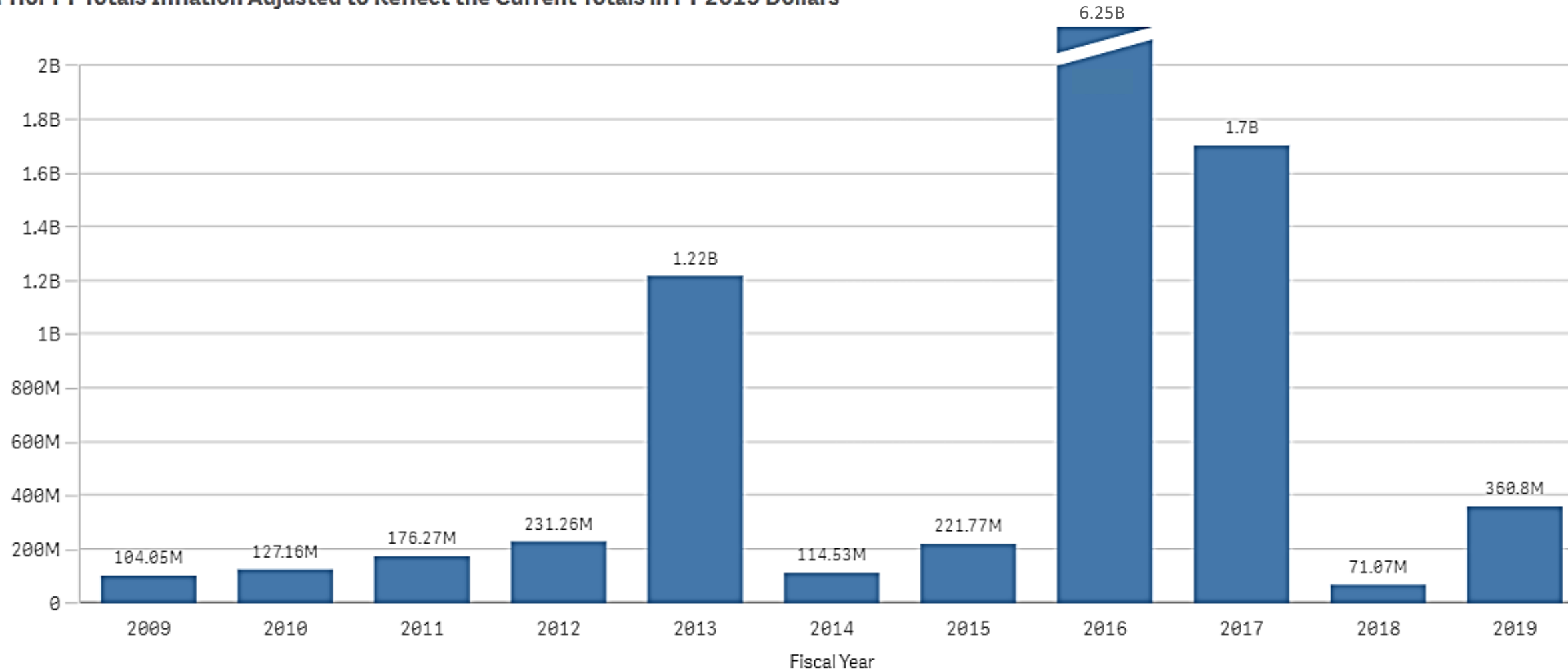
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## Administrative and Civil Judicial Penalties Assessed FY 2009 – FY 2019

Prior FY Totals Inflation Adjusted to Reflect the Current Totals in FY 2019 Dollars

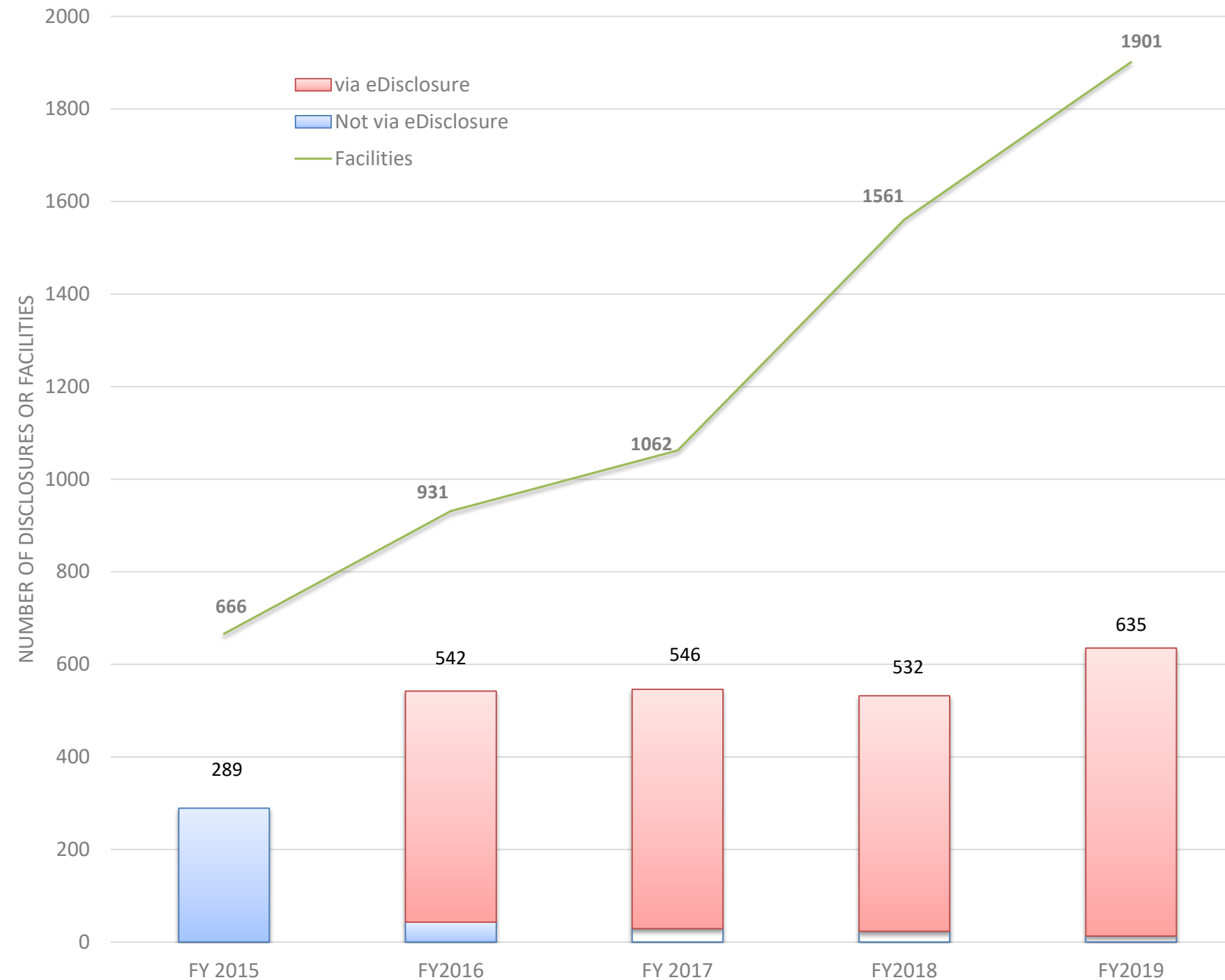


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## EPA Voluntary Disclosure Programs Number of Disclosures and Facilities FY 2015 – FY 2019

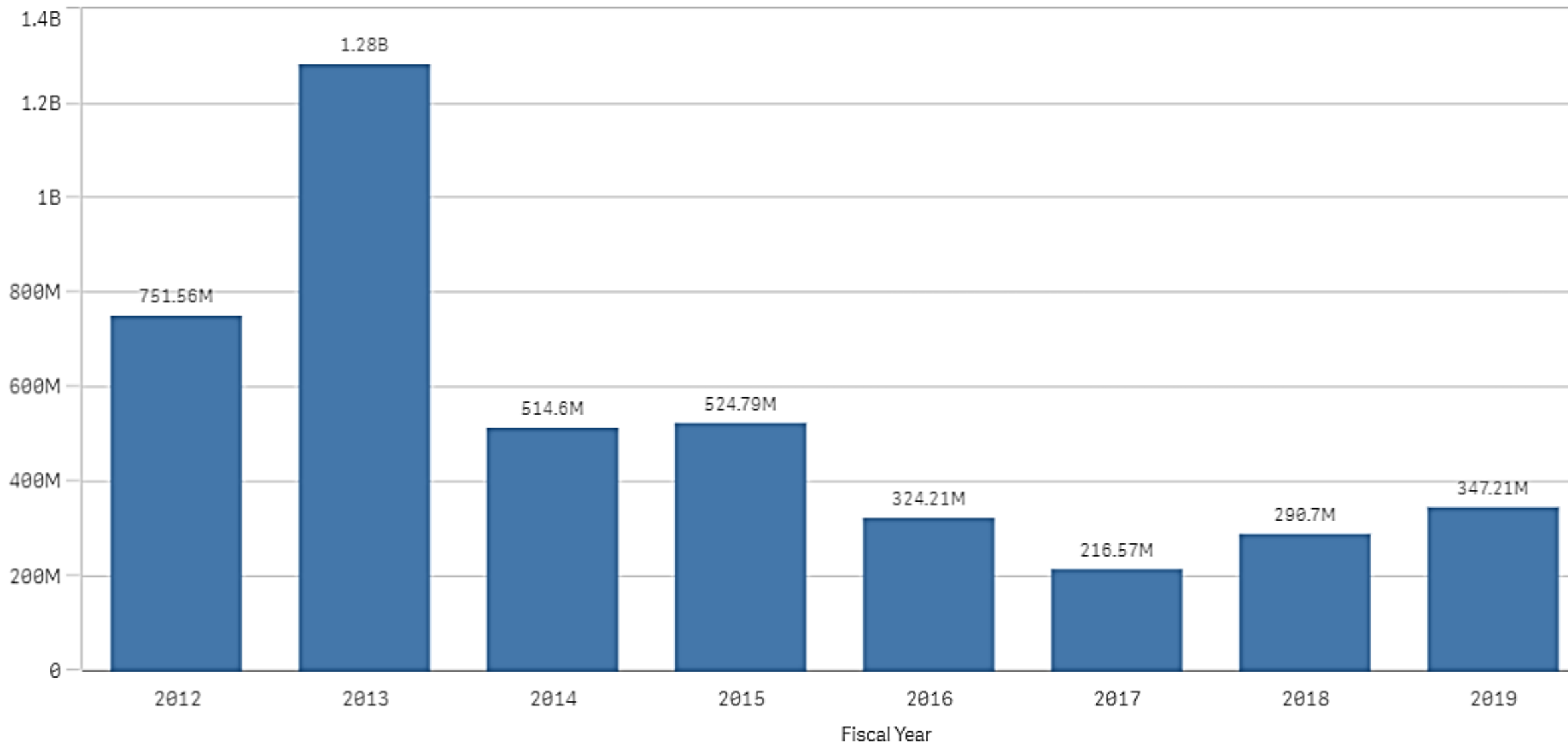


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## Commitments to Reduce, Treat, or Eliminate Pollution (Air, Toxics, and Water) FY 2012 – FY 2019

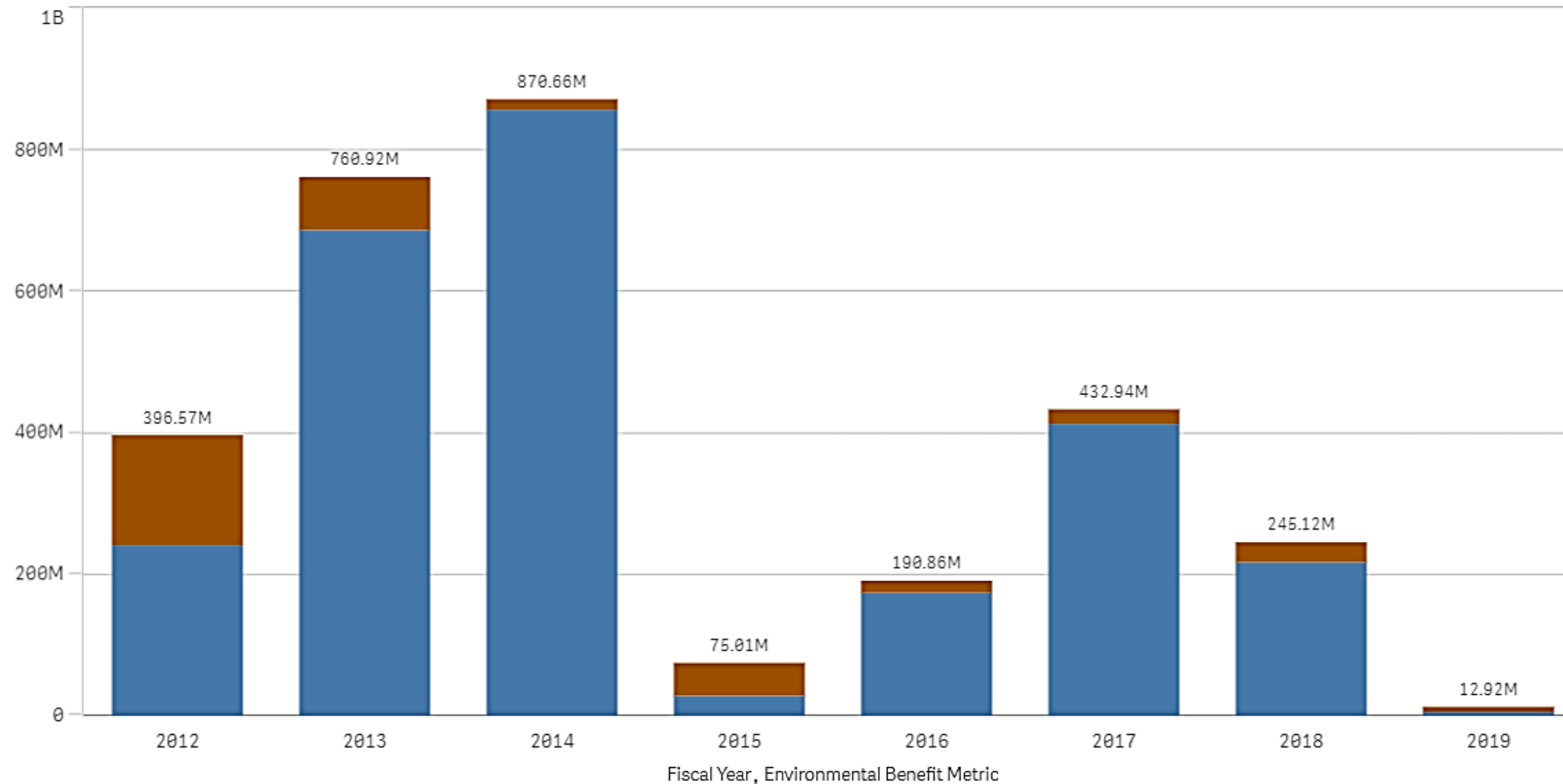


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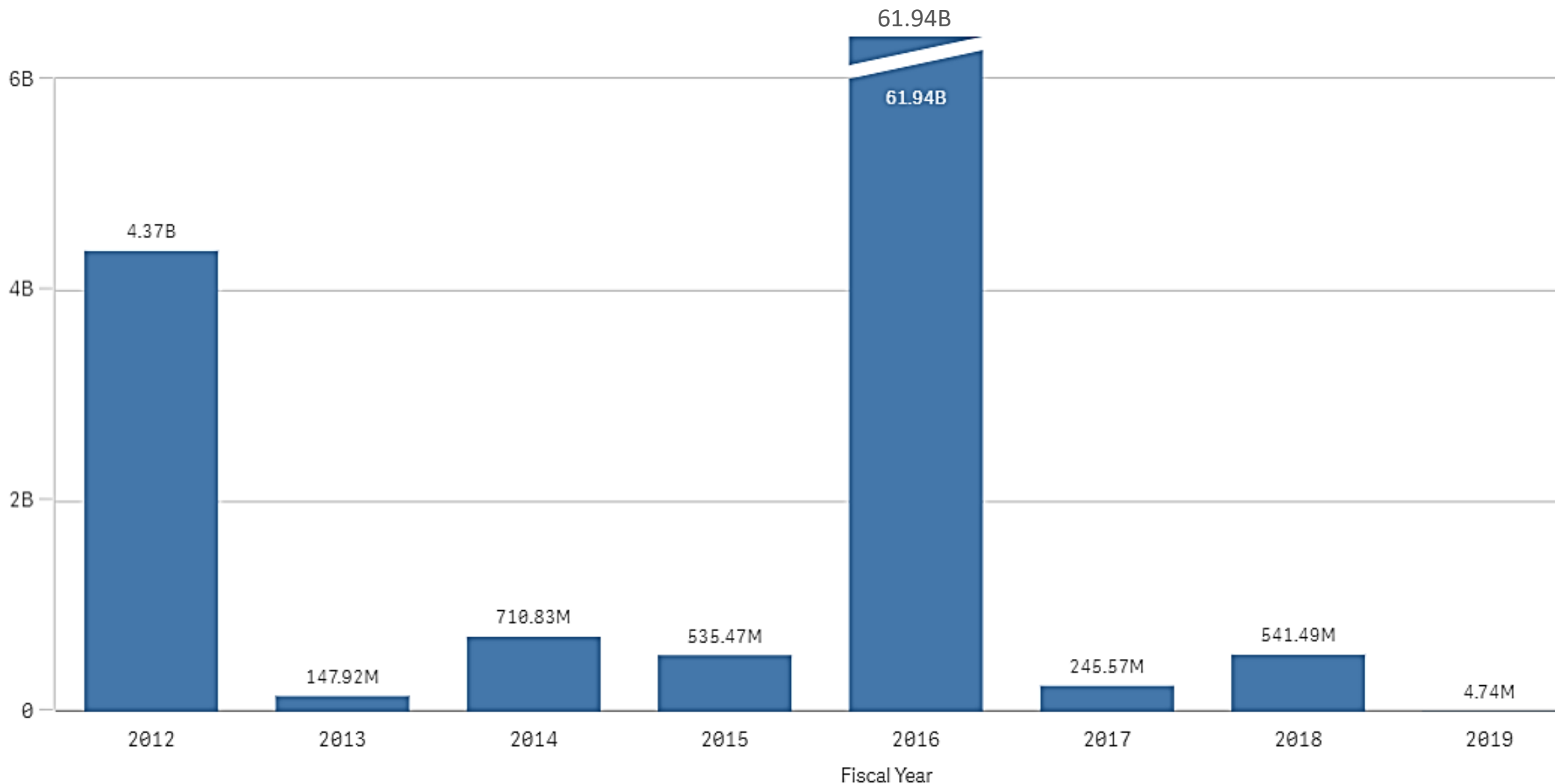
■ Estimated Contaminated Soil/Debris to be Cleaned Up (Cubic Yards) ■ Estimated Contaminated Water/Aquifer to be Cleaned Up (Cubic Yards)

- In FY 2019, EPA enforcement actions obtained commitments to clean up over 12 million cubic yards of contaminated soil and water.
- Annual totals of soil and water to be cleaned up are often strongly influenced by one or two large cases. For example, in FY 2013 and FY 2014 three big cases accounted for the majority of the soil and water to be cleaned up.
- VCMA captures the volume but not the complexity of the cleanups.

1. Starting in FY 2012, EPA changed the way it stores environmental benefit information in the ICIS data system. Therefore, data are not reported for years prior to FY 2012.
2. Starting in FY 2018, the Agency is reporting contaminated soil and water cleanup from all cases, not just from RCRA Corrective Action and CERCLA cases as in past years. Nonetheless, CERCLA cases (both private and federal facility) account for more than 99% of the FY 2019 total.
3. To ensure no double counting, the VCMA reported each year does not include environmental benefits from consent decrees converted from previously issued UAOs. For example, in FY 2019, a commitment to cleanup 8.0 million cubic yards of soil and water reached through settlement agreements were not reported because they had been counted in a previous fiscal year when a UAO had been issued.



## Estimated Environmental Benefits Hazardous Waste and Non-Hazardous Waste Treated, Minimized, or Properly Disposed FY 2012 – FY 2019

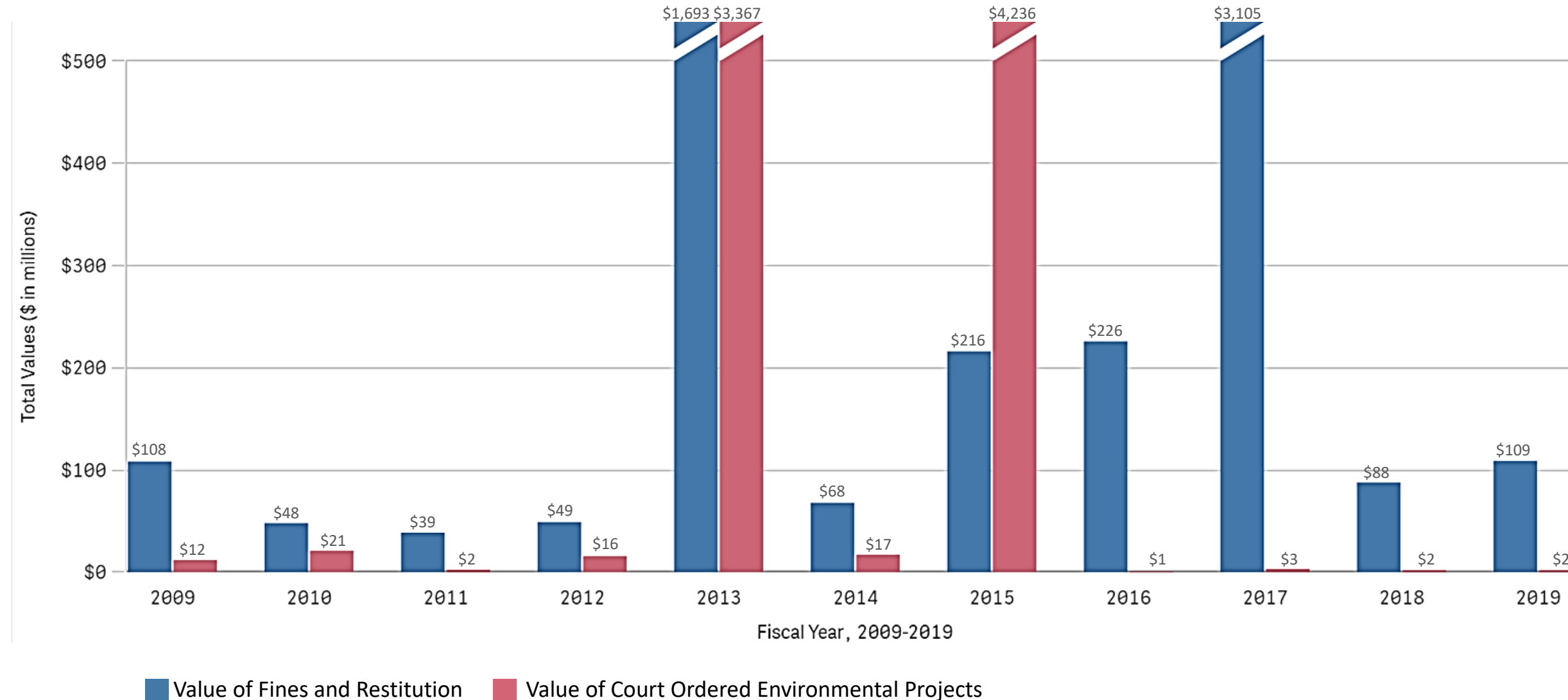


- In FY 2019, EPA enforcement actions required facilities to commit to treat, minimize, or properly dispose of over an estimated 4.7 million pounds of hazardous and non-hazardous waste.
- Annual totals for environmental benefits are often strongly influenced by one or two large cases.
  - In FY 2016, one case, the Mosaic Fertilizer RCRA case, accounted for over 99% of the hazardous and non-hazardous waste total in that year.

1. Starting in FY 2012, EPA changed the way it stores environmental benefit information in the ICIS data system. Therefore, data are not reported for years prior to FY 2012.
2. Starting in FY 2016, EPA combined reductions in hazardous waste and non-hazardous waste into one measure. Totals for FY 2012 – 2015 are for hazardous waste reductions only.



## Criminal Enforcement Value of Fines and Restitution and Court Ordered Environmental Projects FY 2009 – FY 2019



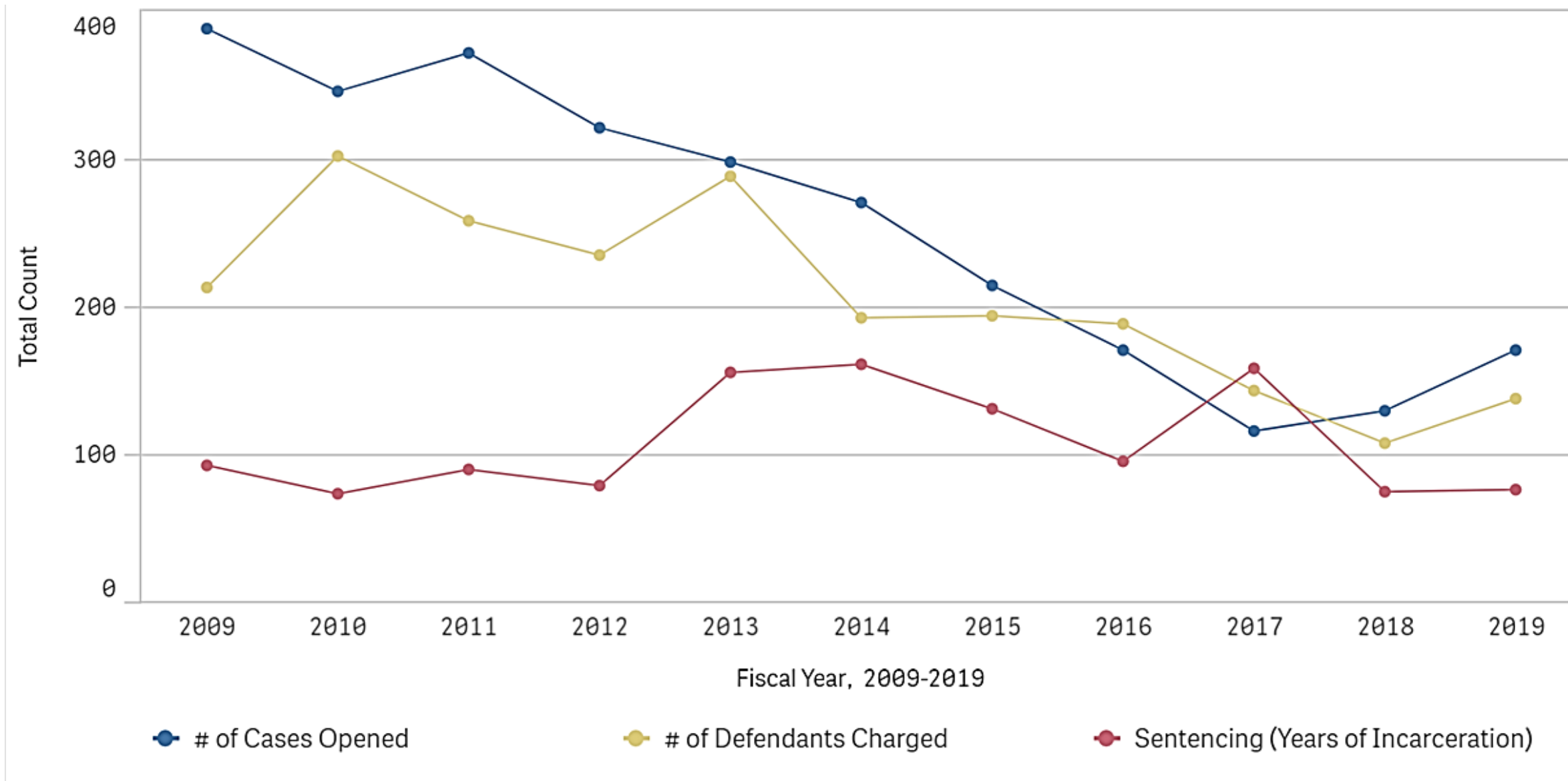
- In FY 2019, the total of criminal fines, restitution, and court ordered projects was \$111 million.
- Annual totals vary widely due to large cases such as BP in 2013, Duke Energy in 2015, and Volkswagen in 2017.

1. All prior FY dollar figures in the graph are adjusted to reflect the current value in FY 2019 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.
2. Dollar figures referenced in the bullets are not adjusted to reflect inflation/deflation.



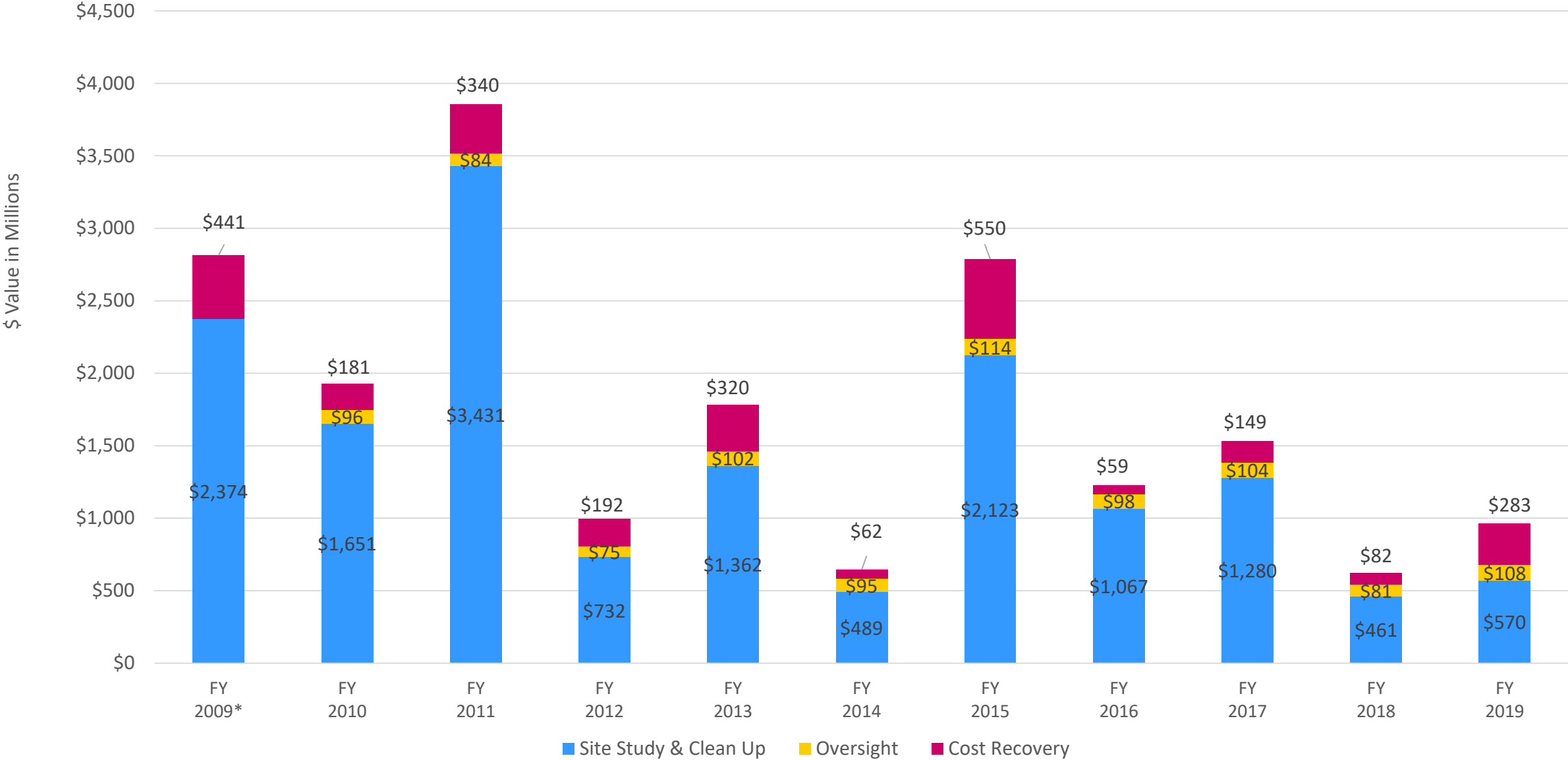


# Criminal Enforcement Environmental Crime Cases Opened, Defendants Charged, and Sentencing Results (Years of Incarceration) FY 2009 – FY 2019



- In FY 2019, the criminal program continued to focus on complex cases that involve a serious threat to human health and the environment and/or undermine program integrity.
- For the first time since FY 2013, the number of defendants charged in environmental crimes increased.
- The number of new environmental crime cases opened increased for the second year in a row.

Superfund Enforcement Private Party Commitments  
FY 2009 – FY 2019

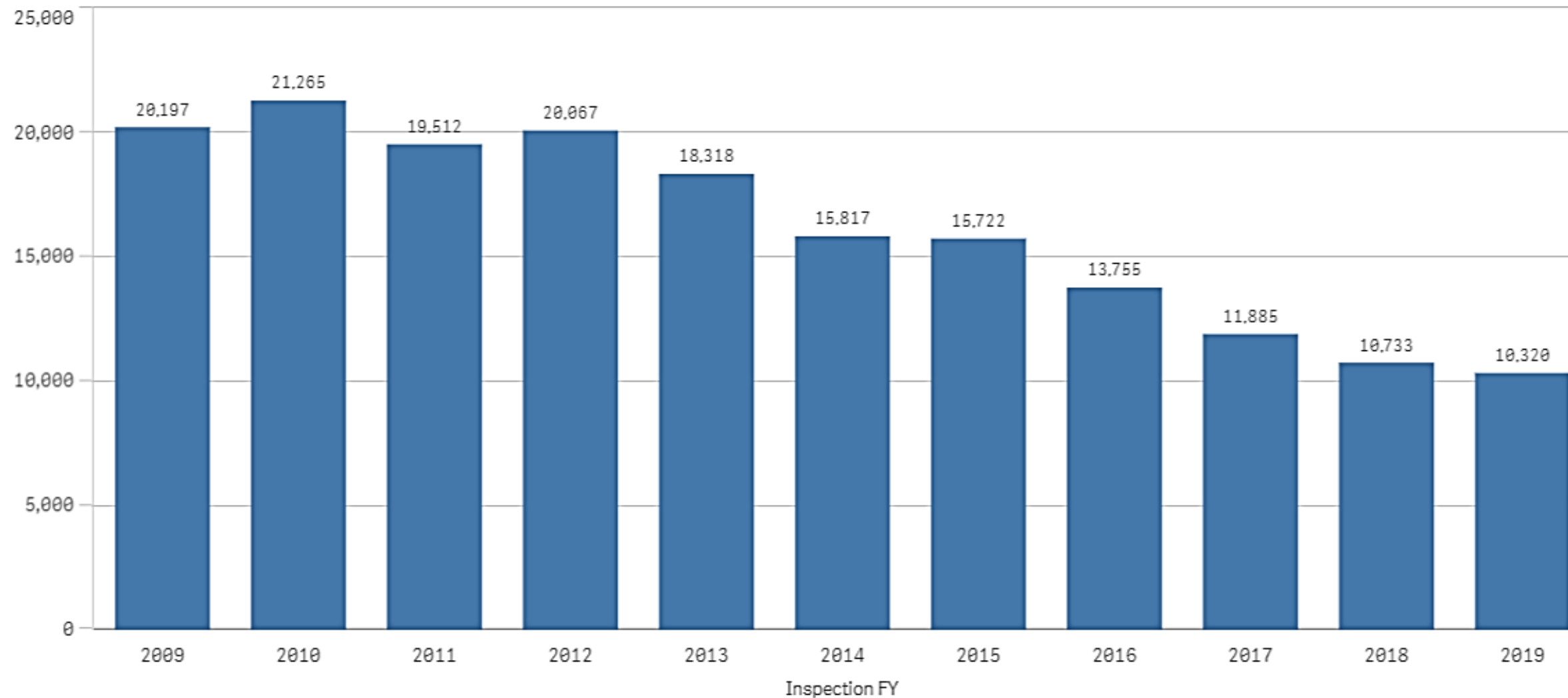


- In FY 2019, private parties committed to spend \$570.4 million on new site cleanup. Responsible parties also agreed to reimburse approximately \$283 million of EPA’s past costs from cleanup work at Superfund sites. Additionally, parties were billed more than \$108 million in oversight, for a total of \$961 million.
- Annual totals for both cleanup and cost recovery settlements are often influenced by the existence of one or two large cases that involve complex cleanups.

1. Totals include "allowed claims" under bankruptcy settlements.  
2. These results do not include commitments made for activities at Federally-owned or operated facilities.  
3. All prior FY dollar figures in the graph are adjusted to reflect the current value in FY2019 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.  
\* Amounts billed for Oversight were not reported as part of end-of-year results prior to FY 2010.



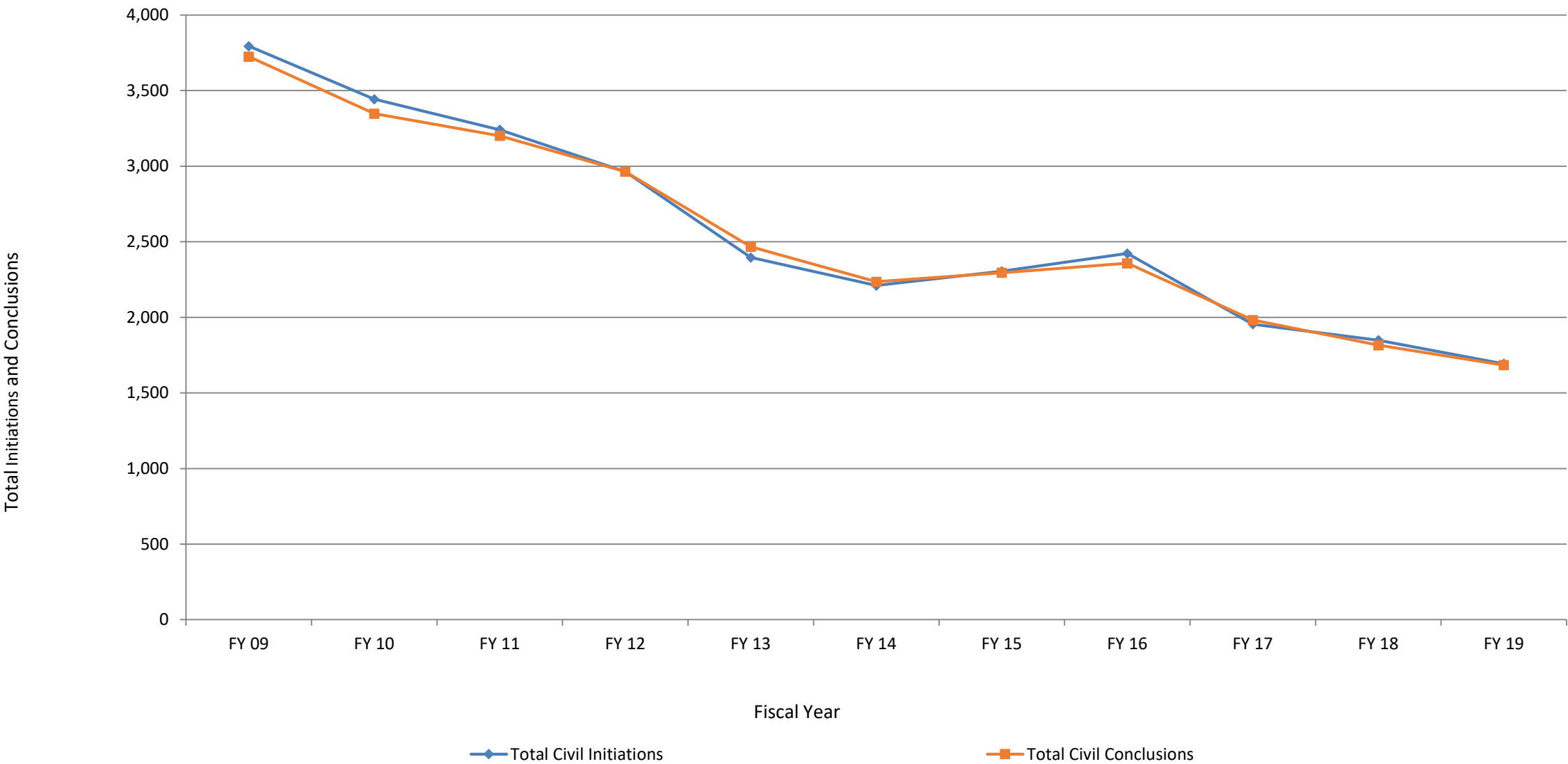
## Federal Inspections and Evaluations (Conducted by EPA) FY 2009 – FY 2019



- In FY 2019, EPA conducted over 10,300 inspections/evaluations.
- EPA continues to use data analytics and other tools to improve inspection targeting, which allows the Agency to use inspection resources more efficiently.
- EPA inspections represent a fraction of the total number of inspections conducted in the Clean Water Act, Clean Air Act, and Hazardous Waste programs that are implemented by states. For example, in 2019, states report 34,553 inspections of facilities regulated under the Clean Water Act. For information on inspections reported by states see [ECHO's state dashboards](#).



# Total Civil Enforcement Case Initiations and Conclusions FY 2009 – FY 2019



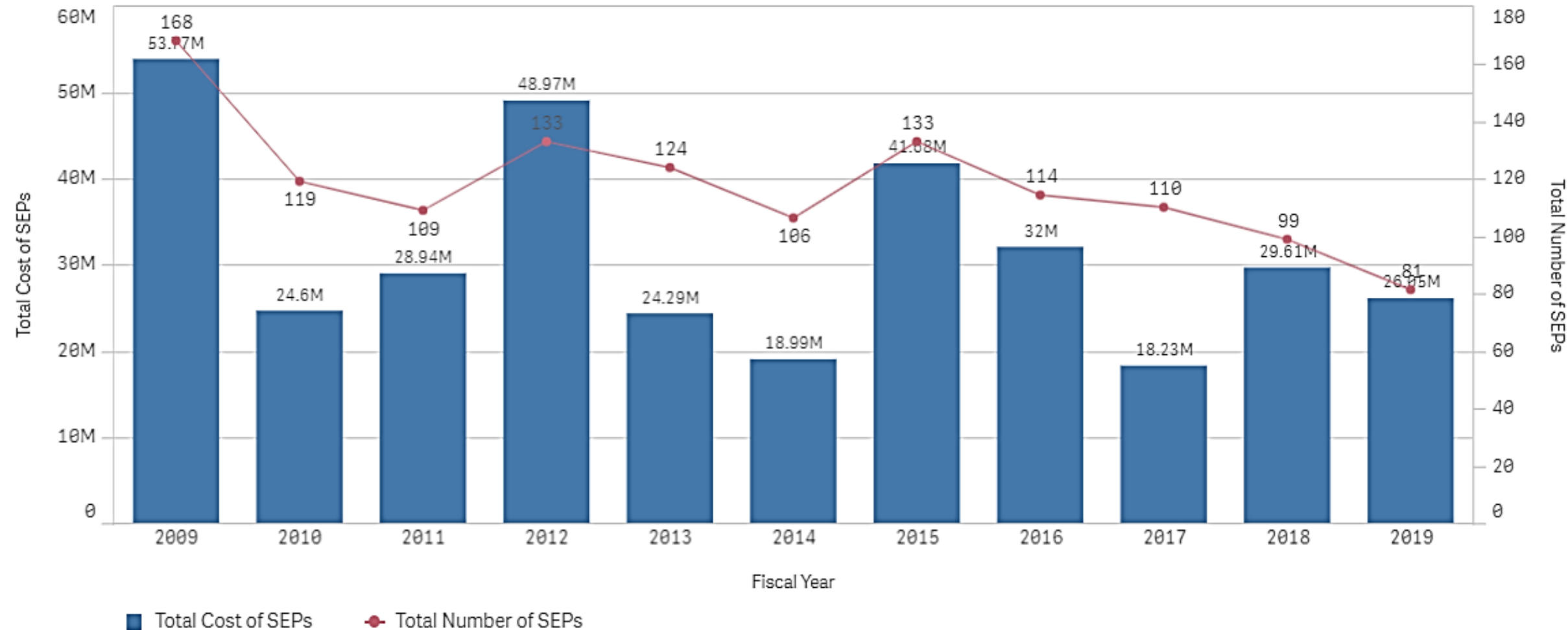
➤ In FY 2019, EPA initiated and concluded more than 1,600 civil judicial and administrative cases.

1. Totals include CERCLA Initiations and Conclusions.



## Supplemental Environmental Projects (SEPs) FY 2009 – FY 2019

Prior FY Total Cost of SEPs Inflation Adjusted to Reflect the Current Totals in FY 2019 Dollars



- In FY 2019, 81 EPA enforcement cases included agreements by the violator to perform Supplemental Environmental Projects (SEPs) with a total estimated cost to the violators of over \$26 million.
- SEPs are environmentally beneficial projects that are not legally required that a defendant/respondent voluntarily agrees to undertake as part of the settlement of an enforcement action. SEPs have a close nexus to the violations being resolved and may be considered as a factor to mitigate a civil penalty.

1. A single settlement can have multiple SEPs.
2. All prior FY dollar figures in the graph are adjusted to reflect the current value in FY 2019 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 2019 Enforcement and Compliance Annual Results**

## Acronyms and Descriptions for Statutes/Sections

CAA	Clean Air Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act ("Superfund")
CWA	Clean Water Act
EPCRA	Emergency Planning & Community Right-to-Know Act
FIFRA	Federal Insecticide, Fungicide and Rodenticide Act
MPRSA	Marine Protection, Research, and Sanctuaries Act
RCRA	Resource Conservation & Recovery Act
SDWA	Safe Drinking Water Act
TSCA	Toxic Substances Control Act
Title 18	U.S. Criminal Code - Crimes and Criminal Procedure