

# EPA FY 2005 Compliance & Enforcement Annual Results



*Prepared by the Office of Enforcement and Compliance Assurance*

*November 15, 2005*



# FY 2005 Compliance & Enforcement Annual Results

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## FY 2005 Compliance & Enforcement Annual Results

### FY 2005 Highlights

In FY 2005 actions from the enforcement and compliance program produced significant results including...

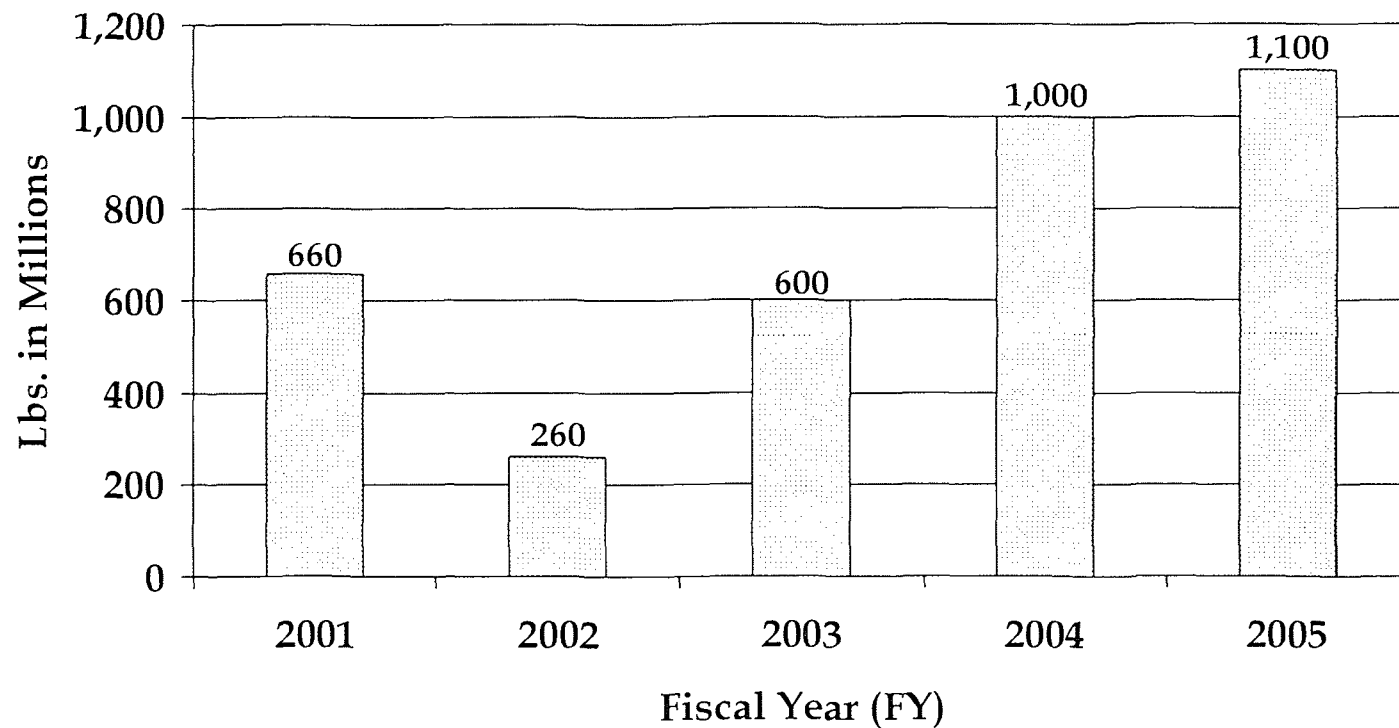
- Enforcement actions projected to reduce pollution by 1.1 Billion Pounds
- Defendants will spend a record \$10 Billion to reduce pollution and achieve compliance
- Defendants will pay \$100 Million in Criminal Fines and Restitution and were sentenced to 186 years in jail

*Results like this reflect a strong and active enforcement program, effective targeting, and a focus on results-based performance.*



## FY 2005 Compliance & Enforcement Annual Results

### Estimated Pollutant Reduction Commitments Obtained through Formal Enforcement Case Conclusions FY 2001 - FY 2005



FY 2005 Data Source: Integrated Compliance Information System (ICIS), & Manual Calculations, October 27, 2005

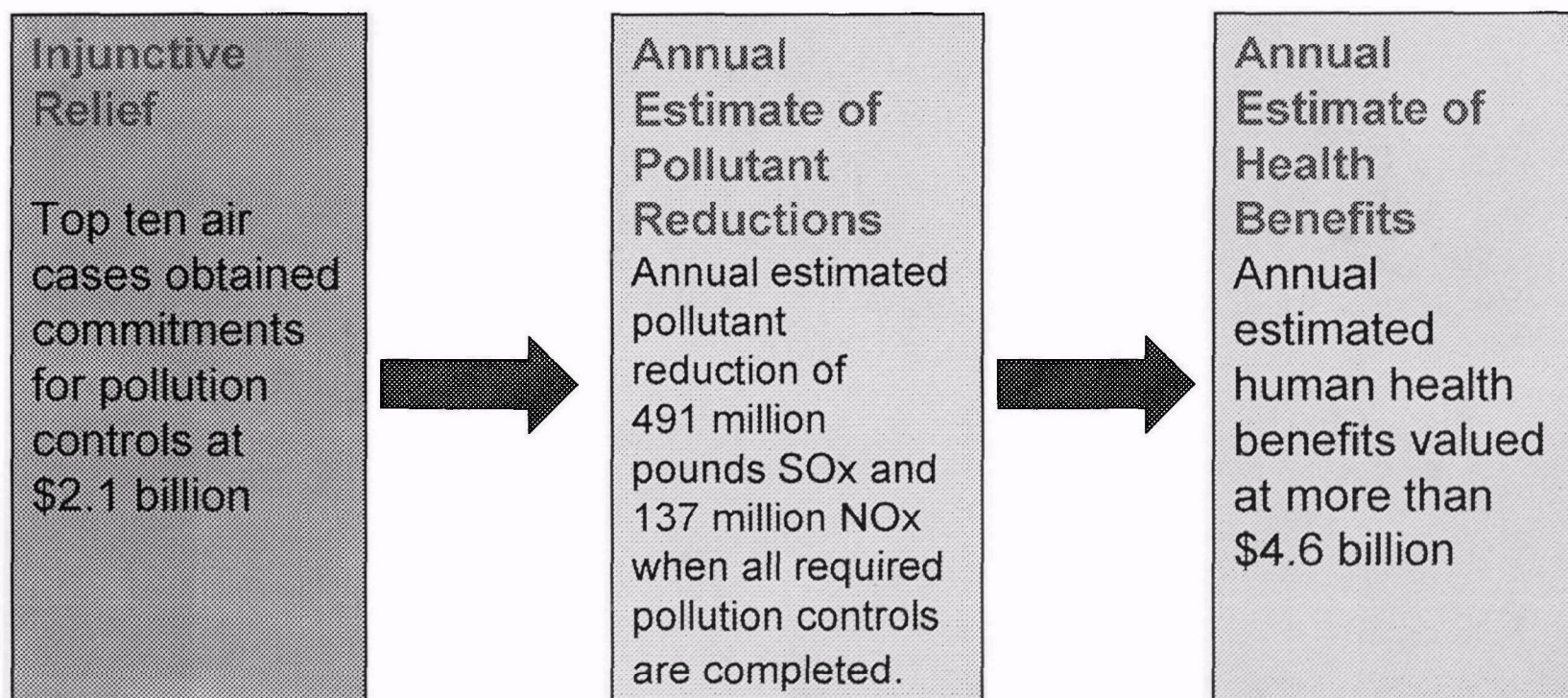
Disclaimer: Due to enhanced data quality reviews, minor corrections may have been made to previously reported data. As such, this FY 2005 End-of-Year Report contains updated enforcement and compliance data for prior years.





## FY 2005 Compliance & Enforcement Annual Results

### Air Enforcement Cases Yield Human Health Benefits Valued Over \$4.6 Billion Annually

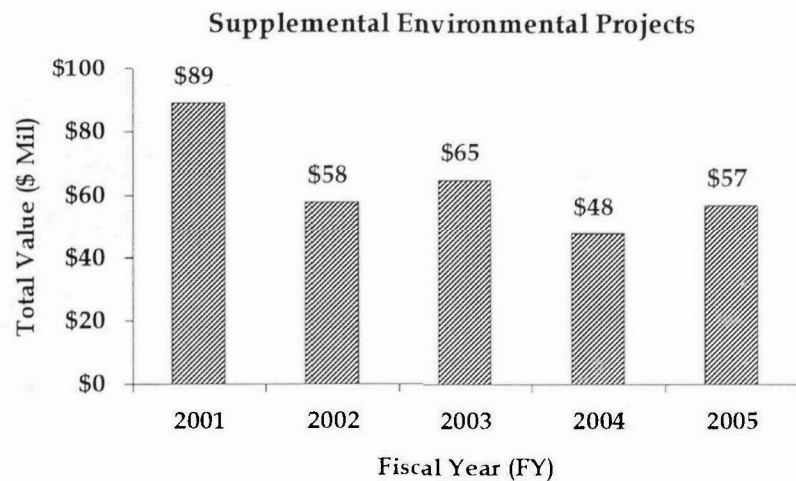
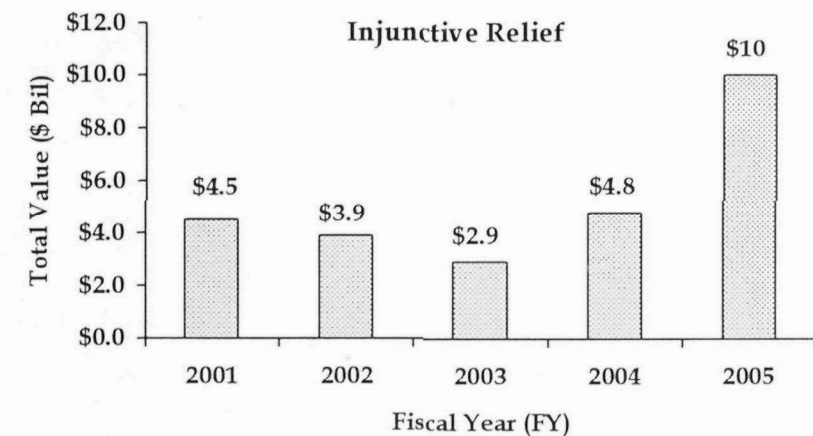


This is the first time EPA is estimating health benefits from its enforcement cases. The benefits are estimated using an EPA peer-reviewed model. The estimate is for ten air cases only and is based only on NOx and SOx pollutant reductions. A portion of these benefits is expected to be realized immediately and to increase annually as the companies continue to install the pollution controls required in the judicial settlements. The benefits are expected to reach their maximum annual amount at \$4.6 billion in 2012, after which they will continue to accrue. Thus, the \$4.6 Billion is a very conservative estimate. The health benefits of NOx and SOx reductions quantified in this estimate include reductions in premature mortality, chronic and acute bronchitis, myocardial infarctions, hospitalizations, respiratory symptoms, and/or work loss days.



## FY 2005 Compliance & Enforcement Annual Results

### Dollar Values of Concluded EPA Enforcement Actions FY 2001 - FY 2005



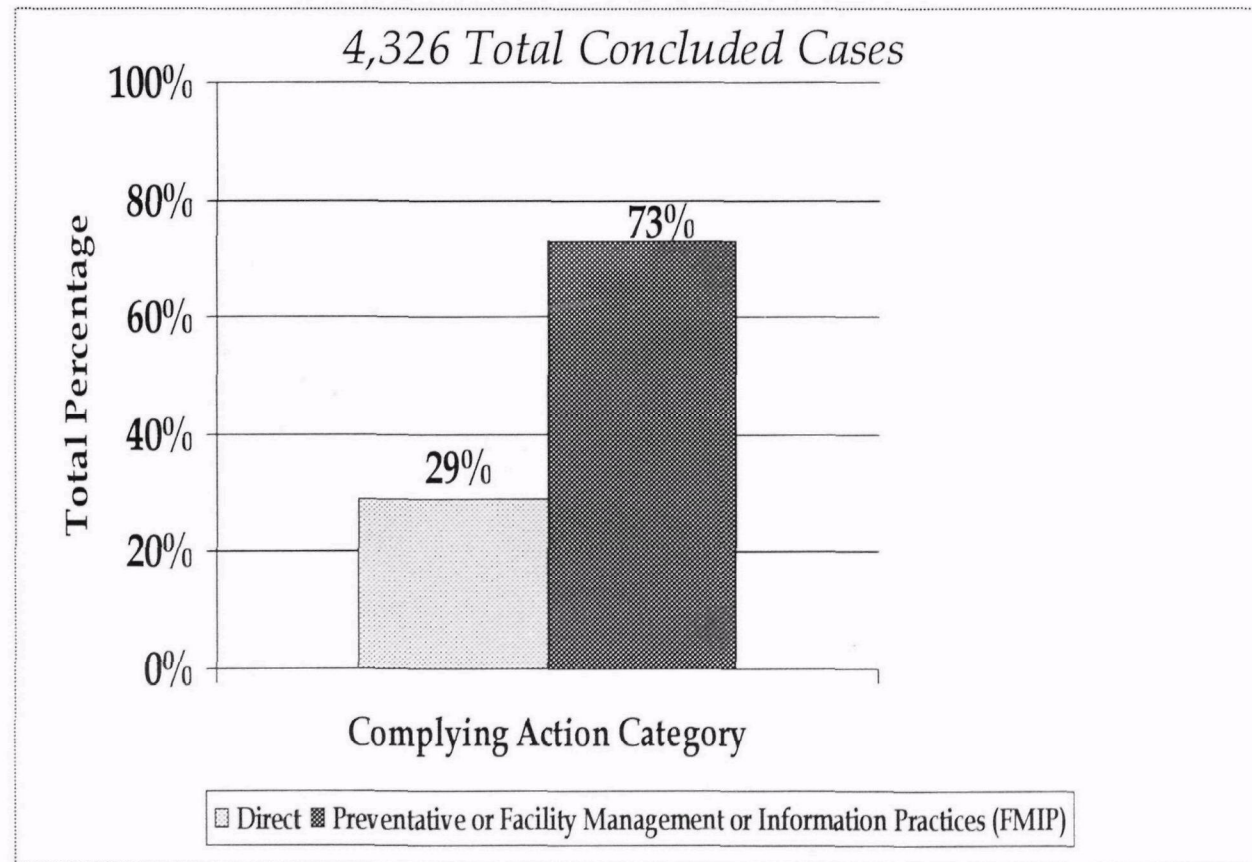
FY 2005 Data Source: Integrated Compliance Information System (ICIS), October 27, 2005





## FY 2005 Compliance & Enforcement Annual Results

### EPA Cases Reporting Complying Actions FY 2005



#### Examples of Complying Actions

##### Direct:

- ✓ Source Reduction
- ✓ Implement Business Best Practices
- ✓ Wetlands Mitigation
- ✓ Spill Removal

##### Preventative:

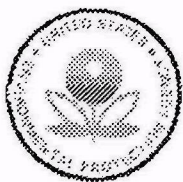
- ✓ Storage Change
- ✓ Develop Spill Control Plan
- ✓ Asbestos Abatement
- ✓ Pesticide Registration

##### FMIP:

- ✓ Auditing
- ✓ Reporting
- ✓ Testing
- ✓ Training

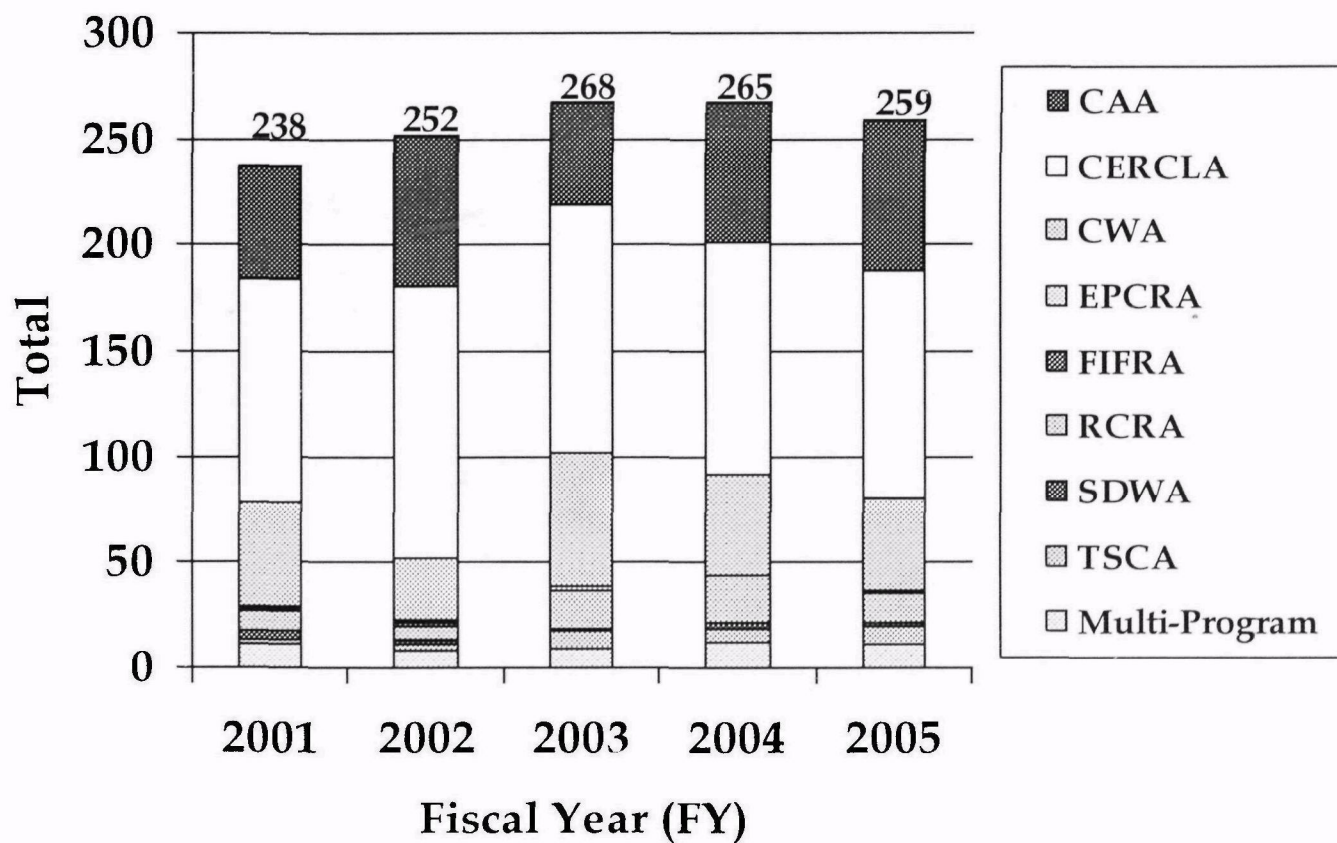
These two categories of complying actions are not exclusive, therefore the total exceeds 100%.

FY 2005 Data Source: Integrated Compliance Information System (ICIS), October 27, 2005



# FY 2005 Compliance & Enforcement Annual Results

## EPA Civil Judicial Referrals FY 2001 – FY 2005



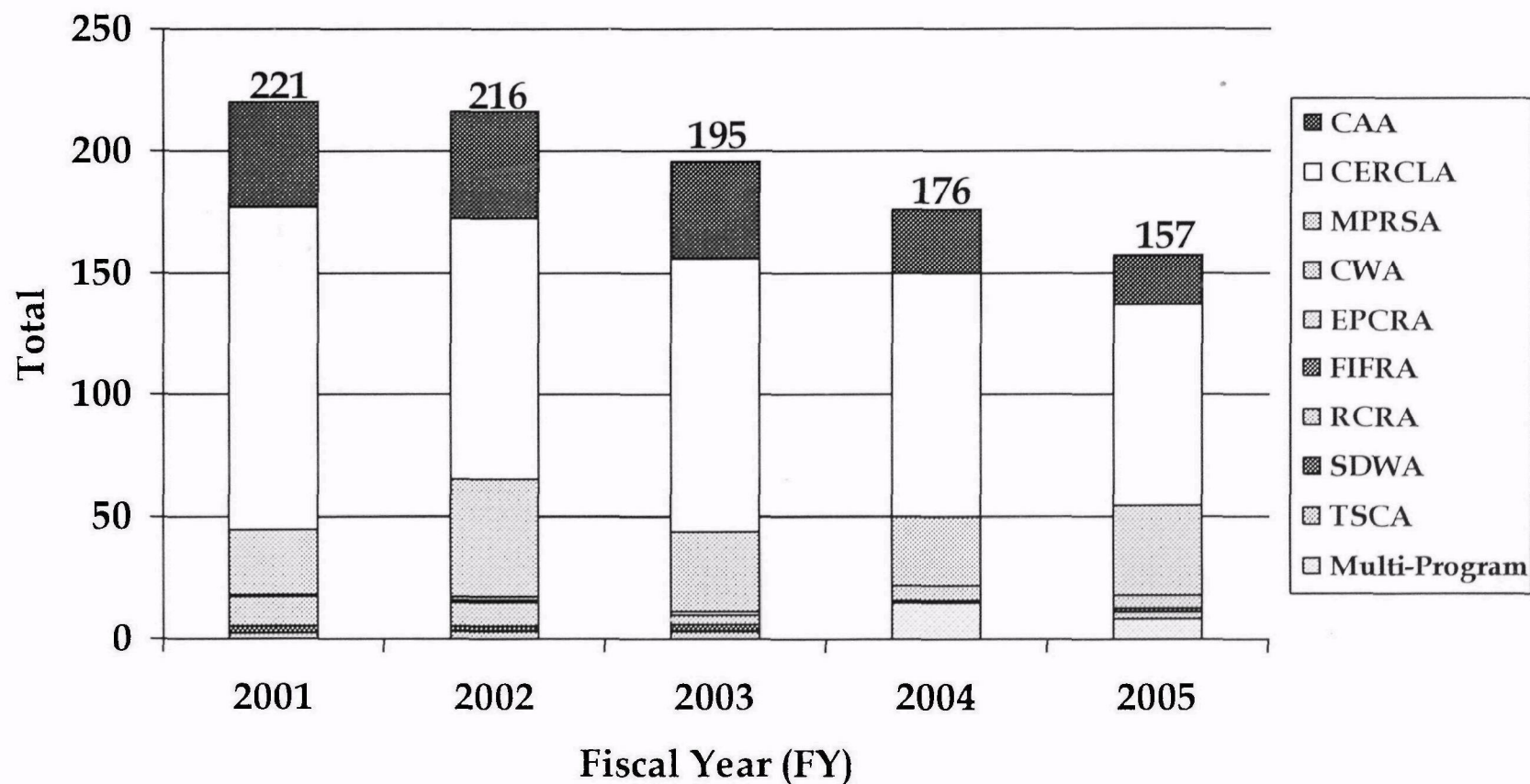
FY 2005 Data Source: Integrated Compliance Information System (ICIS), October 27, 2005

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## FY 2005 Compliance & Enforcement Annual Results

### EPA Civil Judicial Conclusions FY 2001 - FY 2005



FY 2005 Data Source: Integrated Compliance Information System (ICIS), October 27, 2005

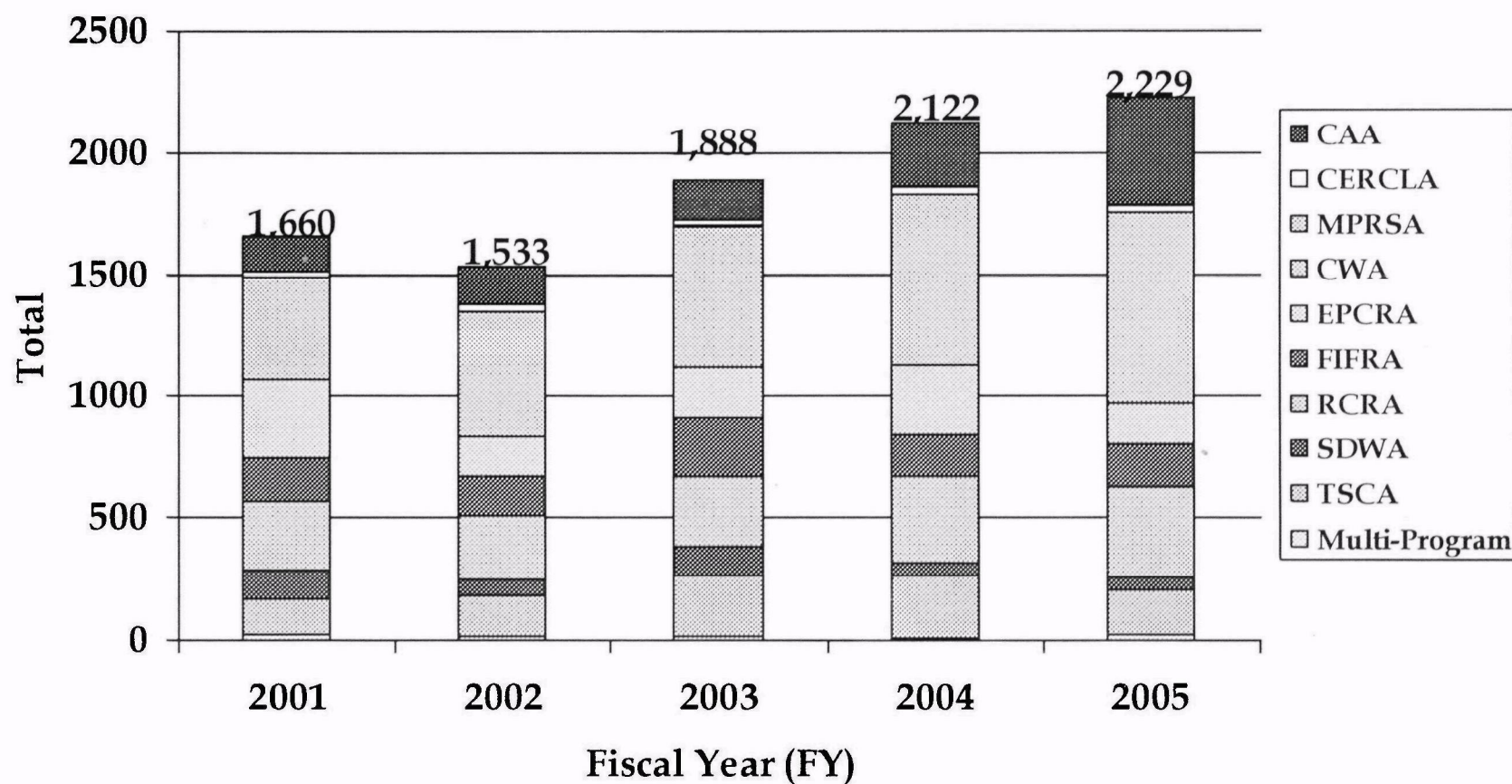
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## FY 2005 Compliance & Enforcement Annual Results

### Administrative Penalty Order Complaints FY 2001 - FY 2005



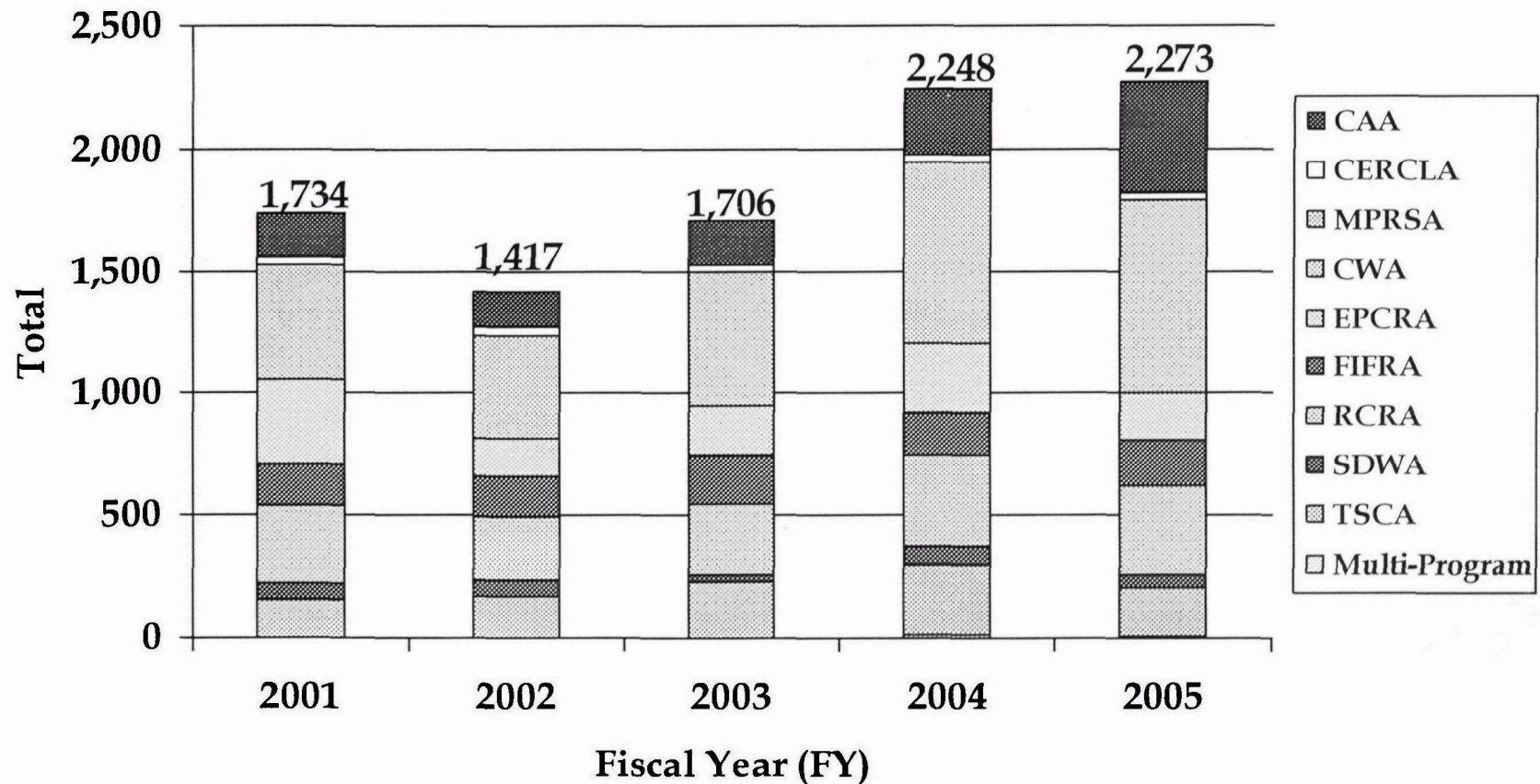
FY 2005 Data Source: Integrated Compliance Information System (ICIS), October 27, 2005

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## FY 2005 Compliance & Enforcement Annual Results

### EPA Final Administrative Penalty Orders FY 2001 - FY 2005

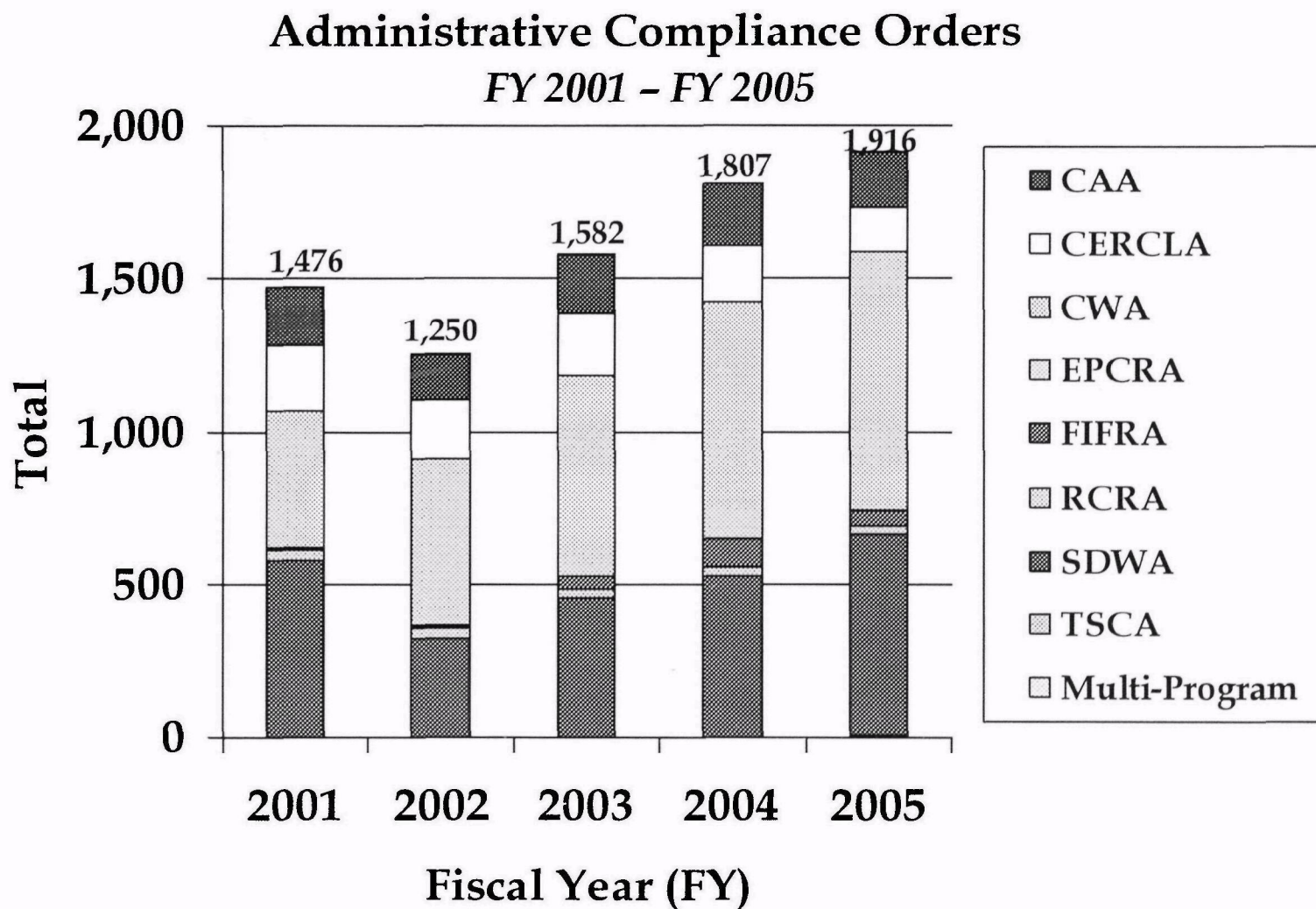


FY 2005 Data Source: Integrated Compliance Information System (ICIS), October 27, 2005

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## FY 2005 Compliance & Enforcement Annual Results



FY 2005 Data Source: Integrated Compliance Information System (ICIS), October 27, 2005

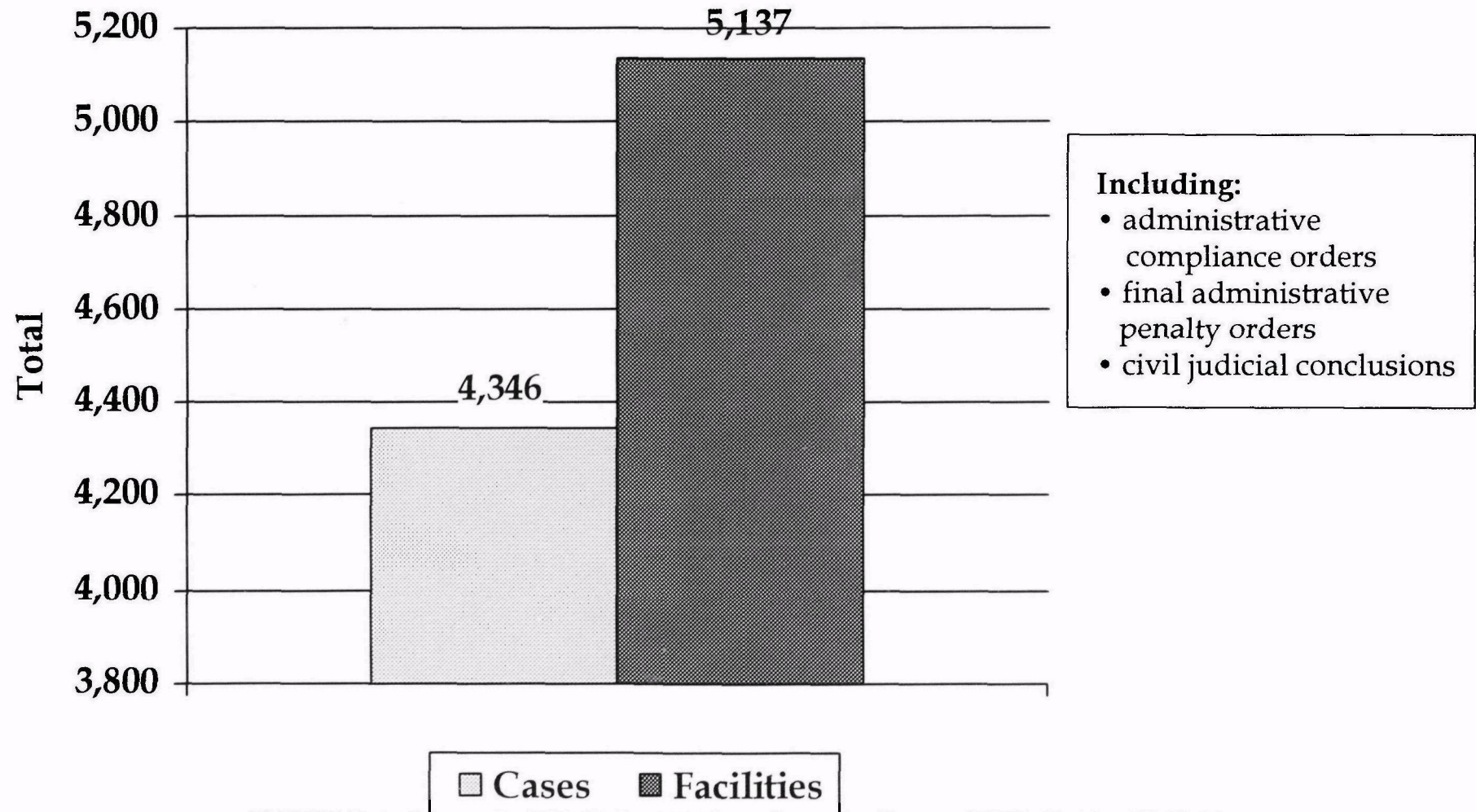
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## FY 2005 Compliance & Enforcement Annual Results

### Total Facilities Addressed by FY 2005 Enforcement Cases



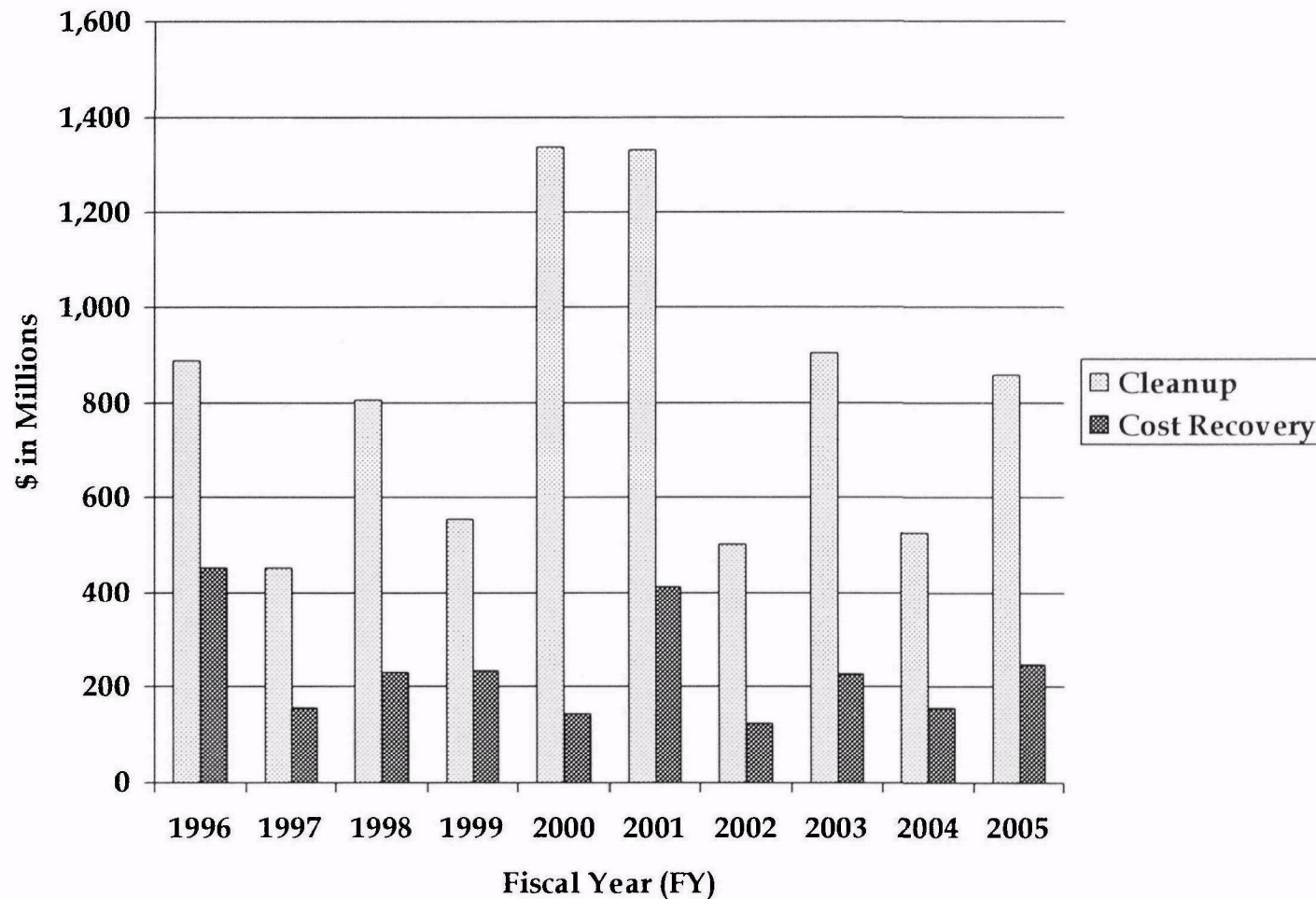
FY 2005 Data Source: Integrated Compliance Information System (ICIS), October 27, 2005



## FY 2005 Compliance & Enforcement Annual Results

### Superfund Site Remediation Program

#### FY 1996 - FY 2005



FY 2005 Data Source: Comprehensive Environmental Response, Compensation & Liability Information System (CERCLIS), October 27, 2005

The Office of Site Remediation Enforcement (OSRE) includes case results in CERCLIS when the Regional Administrator signs the consent decree.

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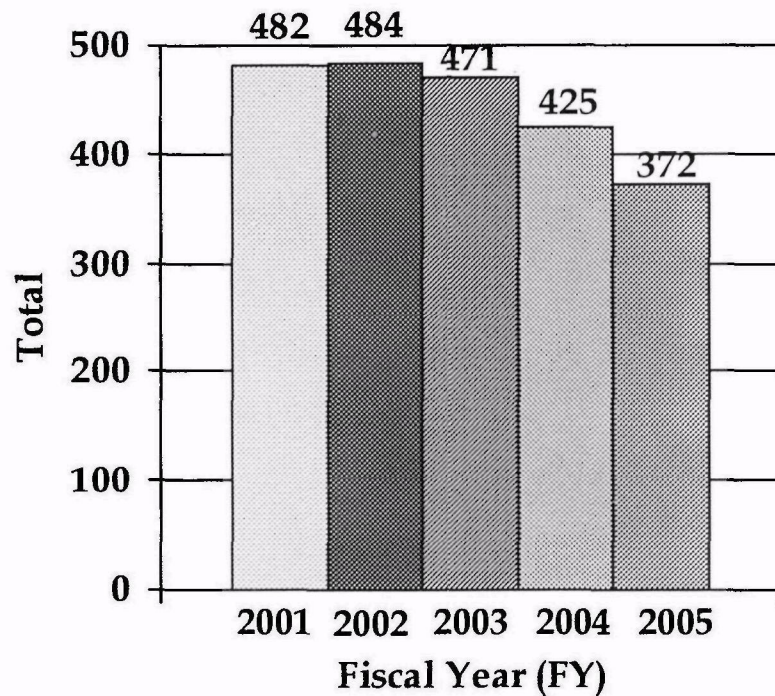


## FY 2005 Compliance & Enforcement Annual Results

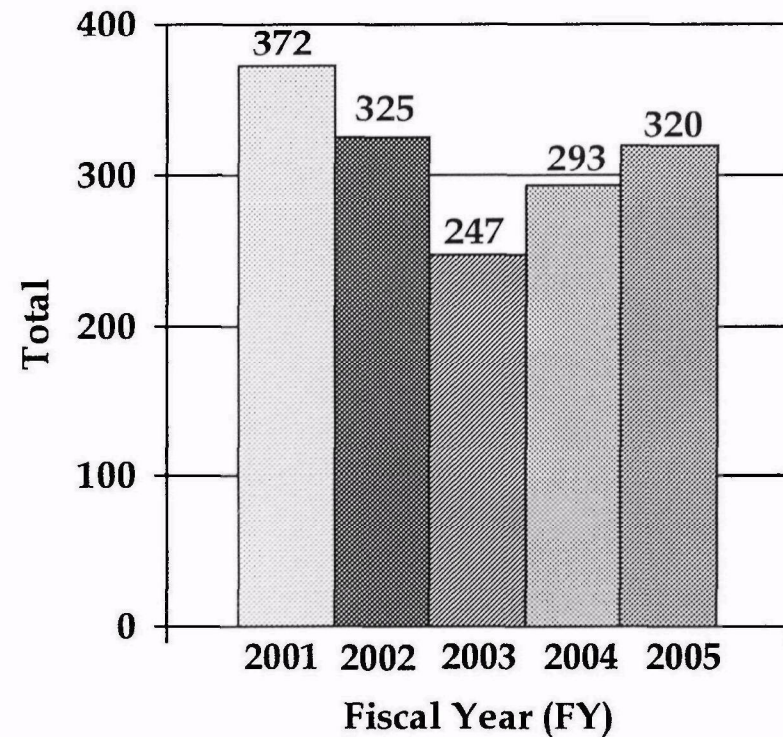
### Criminal Enforcement Program

FY 2001 - FY 2005

#### Environmental Crime Investigations



#### Defendants Charged



FY 2005 Data Source: Criminal Docket, October 27, 2005

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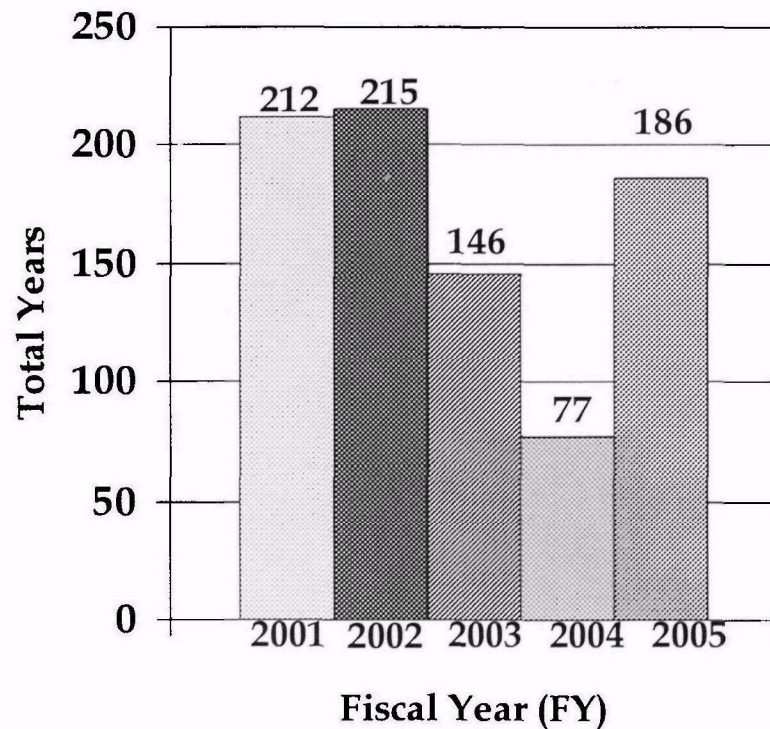
# FY 2005 Compliance & Enforcement Annual Results

## Criminal Enforcement Program

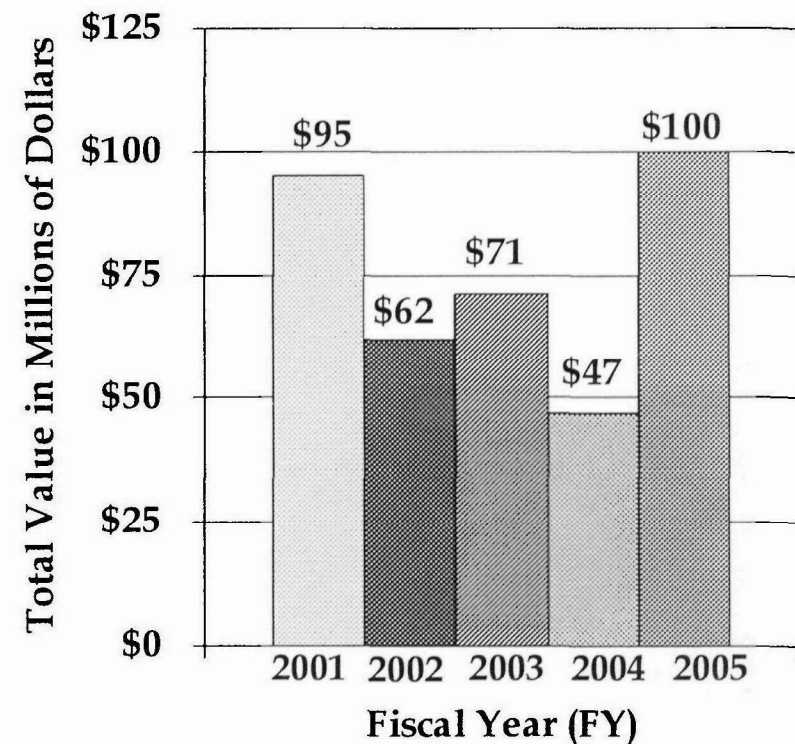
### Sentencing Results

FY 2001 - FY 2005

#### Incarceration



#### Fines and Restitution



FY 2005 Data Source: Criminal Docket, October 27, 2005

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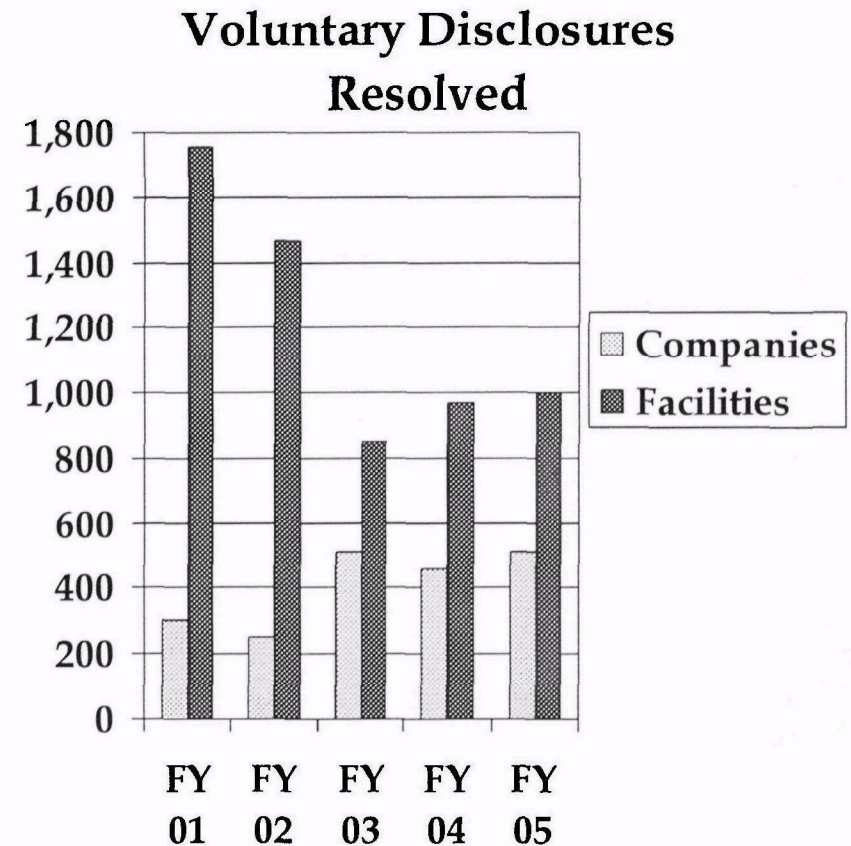
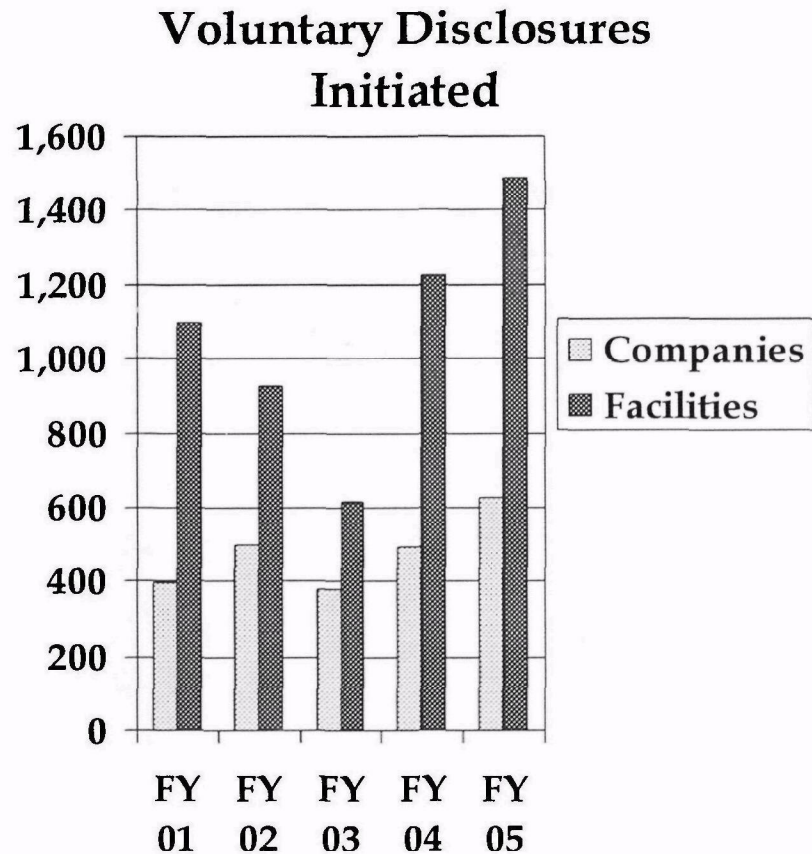




## FY 2005 Compliance & Enforcement Annual Results

### EPA Voluntary Disclosure Programs

FY 2001 - FY 2005



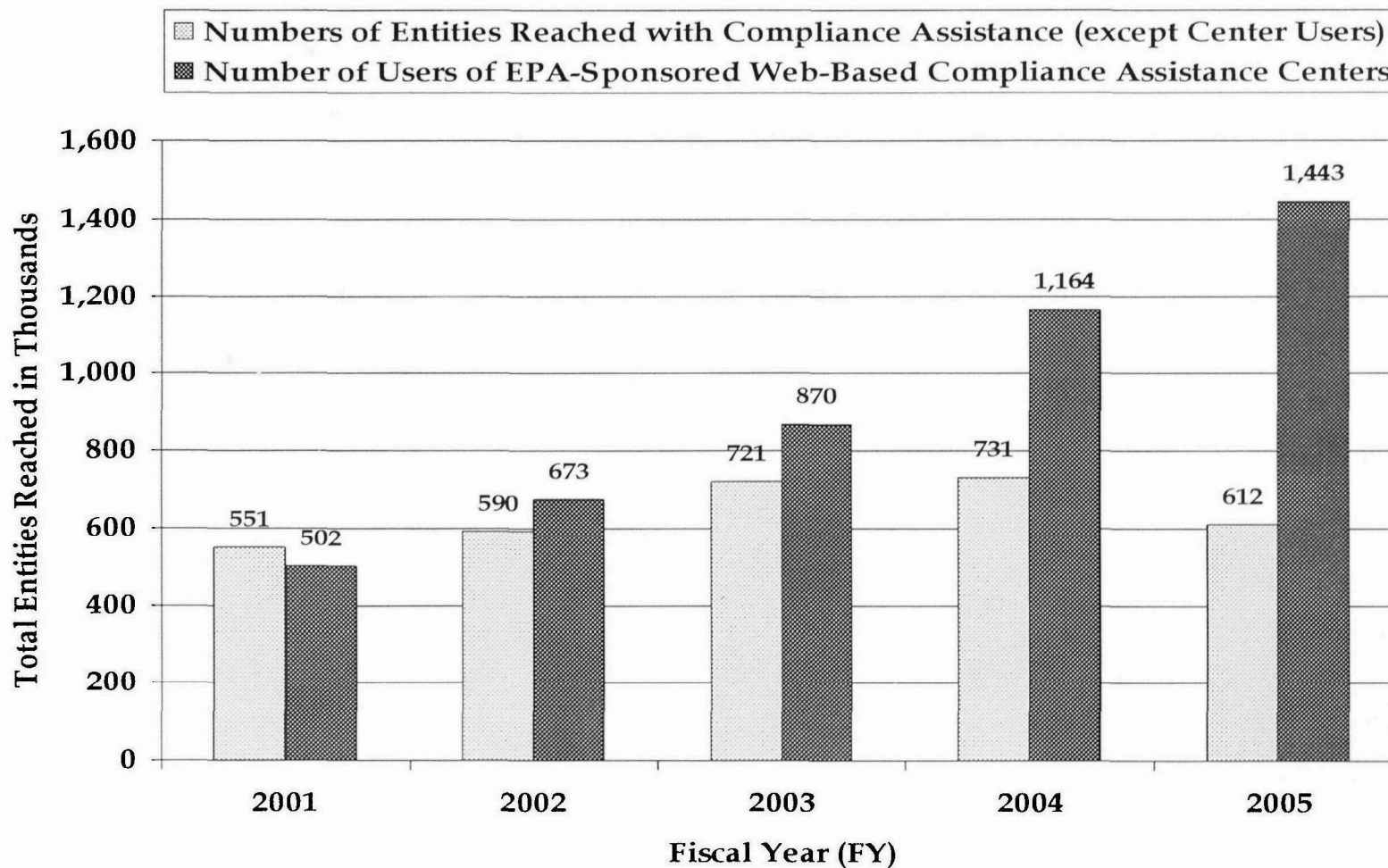
Data Source: Integrated Compliance Information System (ICIS), October 27, 2005

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## FY 2005 Compliance & Enforcement Annual Results

### Entities Reached with Compliance Assistance



FY 2005 Data Sources: Integrated Compliance Information System (ICIS), October 27, 2005 and on-line usage report.

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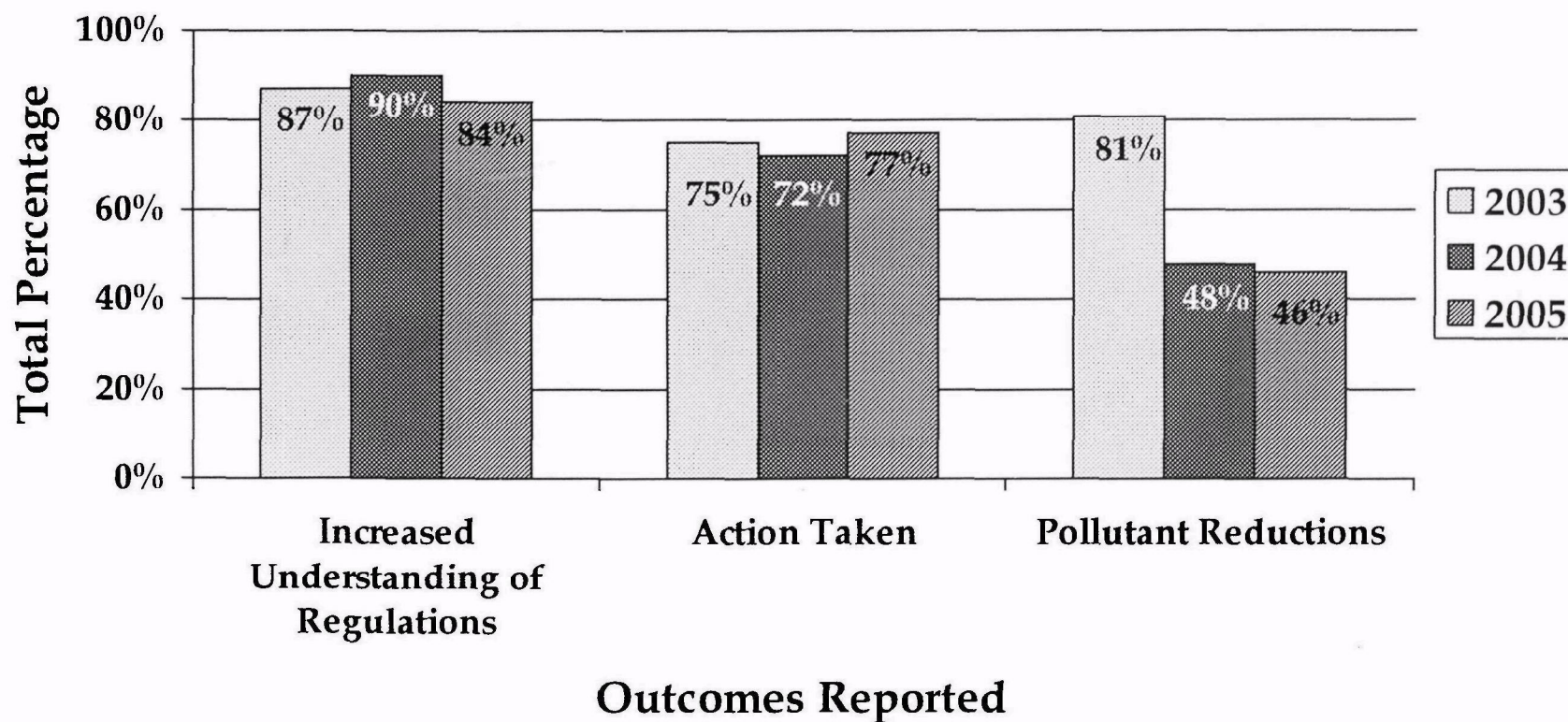




## FY 2005 Compliance & Enforcement Annual Results

### FY 2005 Compliance Assistance Centers

### *EPA Sponsors 14 Web-Based Compliance Assistance Centers*



*FY 2005 Data Source: On-line surveys completed during FY 2005*

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**EPA FY 2005**  
**Goal Five Government Performance and**  
**Results Act (GPRA)**



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# FY 2005 Compliance & Enforcement Annual Results

## Government Performance and Results Act (GPRA) - Goal 5

### Measures *Monitoring and Enforcement*

Measure Number	Measure Description	FY 05 Target	FY 05 Actual	Comments
178	Pounds of pollution estimated to be reduced, treated, or eliminated as a result of concluded enforcement actions.	300 Mil lbs.	1.1 Bil lbs.	Target Exceeded
179	% of concluded enforcement cases requiring that pollutants be reduced, treated, or eliminated and protection of populations or ecosystems.	30%	29%	Target not Met
180	% of concluded enforcement cases requiring implementation of improved environmental management practices.	60%	73%	Target Exceeded
181	Number of inspections, civil investigations, and criminal investigations conducted.	18,500	22,000	Target Exceeded
182	% of regulated entities taking complying actions as a result of on-site compliance inspections and evaluations.	10%	19%	Target Exceeded
183	Dollars invested in improved environmental performance or improved environmental management practices as a result of concluded enforcement actions (i.e., injunctive relief and SEPs).	\$4 Bil	\$10 Bil	Target Exceeded



**FY 2005 Compliance & Enforcement Annual Results**  
**Government Performance and Results Act (GPRA) - Goal 5**  
**Measures**

***Compliance Incentives***

Measure Number	Measure Description	FY 05 Target	FY 05 Actual	Comments
174	% of audits or other actions that result in the reduction, treatment, or elimination of pollutants and the protection of populations or ecosystems.	5%	6%	Target Exceeded
175	% of audits or other actions that result in improvements in environmental management practices.	10%	90%	Target Exceeded
176	Pounds of pollutants reduced, treated, or eliminated, as a result of audits or other actions.	0.25 Mil lbs.	1.9 Mil lbs.	Target Exceeded
177	Dollars invested in improved environmental performance or improved environmental management practices as a result of audits or other actions.	\$2.0 Mil	\$3.4 Mil	Target Exceeded

**FY 2005 Compliance & Enforcement Annual Results**

**Government Performance and Results Act (GPRA) - Goal 5**

**Measures**

***Compliance Assistance***

Measure Number	Measure Description	FY 05 Target	FY 05 Actual	Comments
Percent of regulated entities seeking assistance from EPA-sponsored compliance assistance centers and clearinghouse reporting that, as a result of their use of the centers or clearinghouse, they:				
990	Increased their understanding of environmental requirements	75%	84%	Target Exceeded
987	Improved environmental management practices	60%	78%	Target Exceeded
989	Reduced, treated, or eliminated pollution	25%	46%	Target Exceeded
Percent of regulated entities receiving direct compliance assistance from EPA reporting that, as a result of the EPA assistance, they:				
991	Increased their understanding of environmental requirements	65%	91%	Target Exceeded
988	Improved environmental management practices	50%	72%	Target Exceeded
992	Reduced, treated, or eliminated pollution	25%	13%	Target not Met