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Annual EPA Enforcement Results Highlight Focus on Major Environmental Violations

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WASHINGTON – The U.S. Environmental Protection Agency (EPA) today released its **annual enforcement** and compliance **results** demonstrating a focus on violations that have the most impact on public health.

“Our **enforcement** work over the past year reflects our focus on the biggest violators and the cases that make the most difference in protecting American communities from pollution,” said Cynthia Giles, Assistant Administrator for EPA’s Office of **Enforcement** and Compliance Assurance. “Big cases like the Deepwater Horizon disaster and Walmart’s illegal handling of pesticides and hazardous waste resulted in nationwide reforms and billions of dollars to help affected communities. We’ve reduced deadly air toxics from refineries and chemical plants and cleaned up toxic pollution in communities. We’re working with cities to cut discharges of raw sewage and contaminated stormwater to the nation’s waters. Driving compliance and deterring violations in these sectors is a critical way EPA protects the air, water and land on which Americans depend, and creates a level playing field for companies that do the right thing.”

Highlights from fiscal year **2013** include:

-- EPA’s cases resulted in criminal sentences requiring violators to pay more than \$4.5 billion in combined fines, restitution and court-ordered environmental projects that benefit communities, and more than \$1.1 billion in civil penalties.

-- Pursuing justice for Gulf Coast residents through the [Deepwater Horizon cases](#), resulting in over \$3.7 billion going back to benefit the Gulf States and communities impacted by the spill.


-- Requiring [Walmart](#) to commit to cutting edge hazardous waste handling systems, as well as compliance and training programs that will protect employees and nearby residents. Walmart also paid more than \$80 million in fines and penalties for mishandling pesticides and hazardous waste.

-- Ensuring that companies take responsibility and clean up the toxic pollution they create. In a landmark settlement, AVX Corporation committed to pay over \$366 million to clean up contamination in Massachusetts’s [New Bedford Harbor](#), the largest single-site cash settlement in Superfund history.


-- Reducing dangerous air toxics released from industrial flares at refineries and chemical plants, requiring companies to implement technologies that control emissions. A recent Clean Air Act settlement with [Shell Deer Park in Texas](#) requires continuous monitoring of cancer-causing benzene and vehicle retrofits to reduce diesel emissions, put in place to benefit nearby overburdened communities. See another example of innovative pollution controls from [Countrymark Refining](#).

-- Reducing emissions from coal fired power plants, requiring companies to cut pollution and conduct mitigation projects that promote energy efficiency and protect clean air for local communities. See examples from [Wisconsin Power and Light](#), [Dominion Energy](#) and [Louisiana Generating](#).

-- Working with cities to cut discharges of raw sewage and contaminated stormwater to the nation’s waters through integrated planning, green infrastructure and other innovative approaches. This helps cities manage resources better, cut pollution and improve quality of life for local residents. Recent settlements with [Seattle and](#)

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Recent additions

- 10/01/2014 [EPA Provides \\$340 Million to New York to Make Sewage Treatment Plants and Drinking Water Systems Damaged by Sandy More Resilient](#)
- 10/01/2014 [EPA Provides \\$229 Million to New Jersey to Make Sewage Treatment Plants and Drinking Water Systems Damaged by Sandy More Resilient](#)
- 10/01/2014 [EPA Reaches Clean Water Act Settlement with Two Coal Companies to Improve Water Quality in Eastern Kentucky](#)
- 09/30/2014 [EPA settles with Idaho construction company and developer for Boise stormwater violations](#)
- 09/30/2014 [Surf City Resident and Captain of “The Raven” Pleads Guilty to Violating the Clean Water Act and the Rivers and Harbors Act](#)

[King Co., WA](#) and [Wyandotte County, KS](#) require cities to initially provide relief to overburdened communities most impacted by sewage discharges. Other examples of innovative settlements include [San Antonio, TX](#) and [Jackson, MS](#).

More information about EPA's Fiscal Year **2013 enforcement results**:
<http://www2.epa.gov/enforcement/enforcement-annual-results-fiscal-year-fy-2013>

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Enforcement Annual Results for Fiscal Year (FY) 2013

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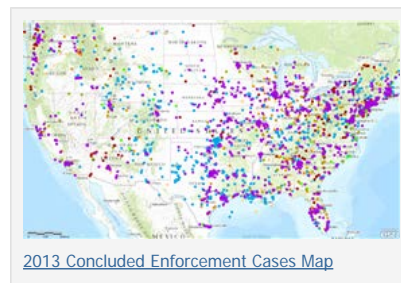
Case Map

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EPA enforcement of the nation's environmental laws is focused on violations that have the most impact on protecting public health and the environment. In fiscal year 2013, EPA held major polluters accountable by requiring nationwide operational reforms and by directing billions of dollars to pollution controls and on-the-ground projects that benefit communities.



[2013 Concluded Enforcement Cases Map](#)

EPA took action to clean up toxic pollution in communities, cut discharges of raw sewage and contaminated stormwater to the nation's waters and reduce deadly air toxics from refineries and chemical plants, among other priorities.

EPA enforcement accomplishments in FY 2013 include:

- EPA's cases resulted in criminal sentences requiring violators to pay more than \$4.5 billion in combined fines, restitution and court-ordered environmental projects that benefit communities, and more than \$1.1 billion in civil penalties.
- Pursuing justice for Gulf Coast residents through the [Deepwater Horizon cases](#), resulting in over \$3.7 billion going back to benefit the Gulf States and communities impacted by the spill.
- Requiring [Walmart](#) to commit to cutting edge hazardous waste handling systems, as well as compliance and training programs that will protect employees and nearby residents. Walmart also paid more than \$80 million in fines and penalties for mishandling pesticides and hazardous waste.
- Ensuring that companies take responsibility and clean up the toxic pollution they create. In a landmark settlement, AVX Corporation committed to pay over \$366 million to clean up contamination in Massachusetts's [New Bedford Harbor](#), the largest single-site cash settlement in Superfund history. See [additional cleanup enforcement accomplishments](#).
- Reducing dangerous air toxics released from industrial flares at refineries and chemical plants, requiring companies to implement technologies that control emissions. A recent Clean Air Act settlement with [Shell Deer Park in Texas](#) requires continuous monitoring of cancer-causing benzene and vehicle retrofits to reduce diesel emissions, put in place to benefit nearby overburdened communities. See another example of innovative pollution controls from [Countrymark Refining](#).
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- Working with cities to cut discharges of raw sewage and contaminated stormwater to the nation's

waters through integrated planning, green infrastructure and other innovative approaches. This helps cities manage resources better, cut pollution and improve quality of life for local residents. Recent settlements with [Seattle and King Co., WA](#) and [Wyandotte County, KS](#) require cities to initially provide relief to overburdened communities most impacted by sewage discharges. Other examples of innovative settlements include [San Antonio, TX](#) and [Jackson, MS](#).

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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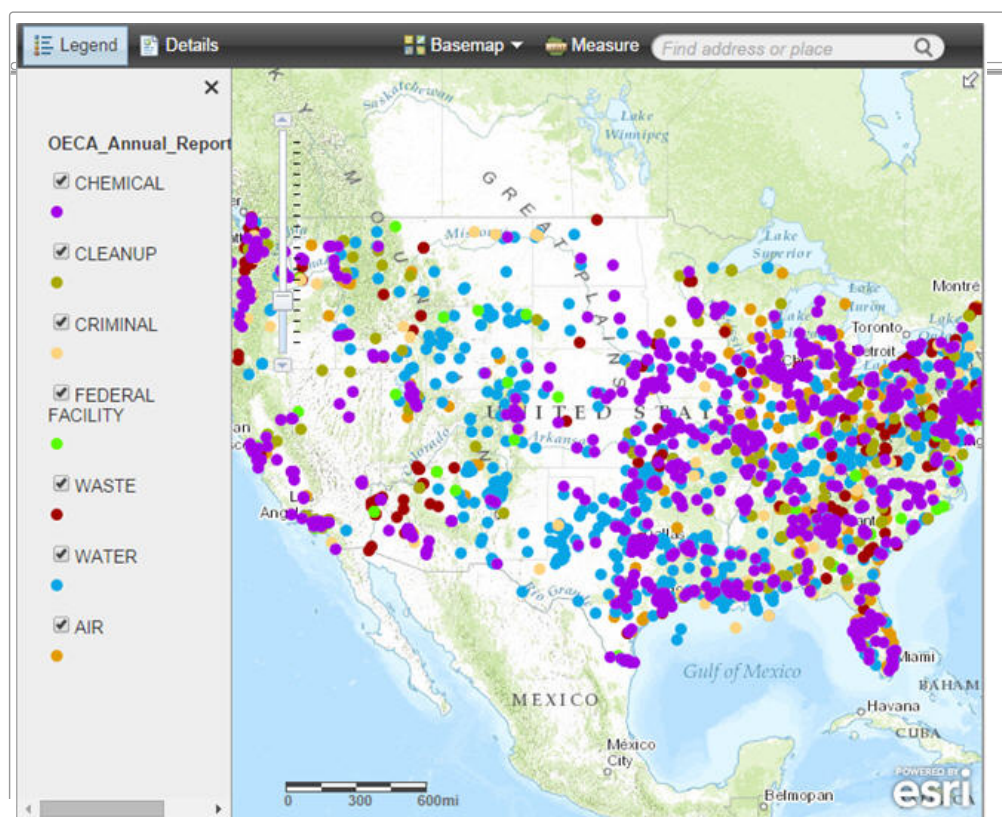
Concluded EPA Enforcement Cases Map

This interactive map shows information on concluded enforcement actions and cases from fiscal year (FY) 2013. 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

Add or subtract EPA enforcement actions to and from the map by checking or un-checking the box next to the program of interest (water, air, etc). 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 "Questions About the 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 2013.

Notes:

Civil enforcement cases not represented on this map.

State	City	Facility Site Name	Law	FacilityID
AK	Not Applicable	Aleutian Leader Fisheries LLC - F/V Judi B (Uscg No. 562772)	CWA	110042369120
AK	Unknown	Blue Ballad Llc/ Blue North Fisheries Inc - F/V Blue Ballard (Uscg No. 974507)	CWA	110042374908
AK	Unknown	Blue North Fisheries Inc - Blue Pacific (Uscg No. 569927)	CWA	110042375006
AK	Bering Sea	F: Golden Fleece (609951)	CWA	110009005129
AK	Bering Sea	F: Judi B (562772)	CWA	110011383172
CN	Ontario	Proteckta Inc.	FIFRA	110054920911
GM	Houston	Prime Offshore LLC.	CWA	110013346423
GM	Houston	Weatherford Pipe. & Spec Serv	CWA	110038109953
IL	Wedron	Bp Products	RCRA	3400052020
IL	Carlock	Carlock	SDWA	110013056110
IL	Findlay	Findlay	SDWA	110018334934
IL	Wedron	Illinois Railway, LLC	RCRA	3400052013
IN	Anderson	Coeus Technology, LLC	FIFRA	110055647420
LA	Venice	Main Pass 46 1000 Leg Production Facility	CWA	1800064150
MI	Bronson	North Bronson Industrial Subareas	CERCLA	110009351398
MN	Plymouth	Creative Water Solutions, LLC	FIFRA	110055642158
MN	Beardsley	Thomas Herberg	CWA	110055645814
MT	Harlem	Fort Belknap Indian Community And Prairie Mountain Utilities	SDWA	110024264678
MT	Harlem	Lodgepole Housing Water System	SDWA	110032598909
OH	Hudson	Bioclean Ohio, LLC	FIFRA	110055647288
OH	Grove City	Bioclean Technologies, LLC	FIFRA	110055642693
OH	Concord	De Nora Tech, Inc.	FIFRA	3400051578
OH	Dayton	Harris-Thomas Industries Site	CERCLA	110045016521
OH	Mount Hope	Howbert Company, Incorporated	FIFRA	110014420484
OH	Hamilton	Listening Systems, Inc.	FIFRA	110055647340
OH	North Hampton	North Hampton Village	SDWA	110037230626
OH	Cheshire	Reed Minerals Division Harsco Corporation	CAA	110008573515
ON	Toronto	Micrylium Laboratories	FIFRA	110055643905
UT	Roosevelt	Berry Petroleum Co., Brundate Gas Plant	CAA	110033138021
UT	Salt Lake City	Big Cottonwood Pine Tree Water Co Inc.	SDWA	110052907244

WI	Cedarburg	Cedar Creek	CERCLA	110009317890
WI	Stevens Point	Wpsc Stevens Point	CERCLA	110022814212

- 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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Accomplishments

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

Civil Enforcement Results

	Concluded Cases
Pollution Reduced, Treated or Eliminated (Pounds)	1,300,000,000
Hazardous Waste Treated, Minimized, or Properly Disposed of (Pounds)	148,000,000
Contaminated Soil to be Cleaned Up (Cubic Yds)	75,000,000
Contaminated Water to be Cleaned Up (Cubic Yds)	700,000,000
Stream Miles Restored or Created (Linear Feet)	46,591
Wetlands Restored or Created (Acres)	233
People Protected by Safe Drinking Water Act Enforcement (# of People)	1,000,000
Toxic Material Abated (# Housing Units, Schools, Buildings)	1,201
Volume (gallons) of Untreated Discharge Eliminated	2,000,000,000
Hazardous Waste Prevented from Release (Pounds)	261,000,000
Liquid in Underground Storage Tanks Prevented from Release (Gallons)	3,000,000
Underground Injection Wells Prevented from Leaking (# of Wells)	26
Toxic Substance Contamination Prevented (# of Housing Units, Schools, Buildings)	364
Volume of Oil Spills Prevented (in Gallons)	190,000,000
Toxic Chemicals and Pesticides Prevented from Misuse/Environmental Release (Pounds)	17,000,000
Stream Miles Preserved (Linear Feet)	17,293
Wetlands Preserved (Acres)	132

Civil Enforcement Monetary Commitments

	Concluded Cases
Estimated Value of Complying Actions to be Taken in Response to EPA's Concluded Enforcement Actions (Injunctive Relief)	\$7,300,000,000
Estimated Investments in Projects that Benefit the Environment and Public Health (Supplemental Environmental Projects)	\$22,000,000
Administrative Penalties Assessed	\$48,000,000
Judicial Penalties Assessed	\$1,100,000,000

State/Local Judicial Penalties Assessed From Joint Federal-State/Local Enforcement Actions	\$11,000,000
Stipulated Penalties Paid	\$11,000,000

Superfund Cleanup Enforcement

Amount Committed by Liable Parties to Clean up Superfund Sites	\$1,243,000,000
Amount Committed by Liable Parties to Pay for Government Oversight of Superfund Cleanups	\$93,000,000
Amount Committed by Liable Parties to Reimburse the Government for Money Spent Cleaning up Superfund Sites	\$292,000,000
** See Cleanup Enforcement Program Accomplishments	

Civil Enforcement and Compliance Activities

Referrals of Civil Judicial Enforcement Cases to Department of Justice (DOJ)	138
Supplemental Referrals of Civil Judicial Enforcement Cases to DOJ	25
Civil Judicial Complaints Filed with Court	137
Civil Judicial Enforcement Case Conclusions	176
Administrative Penalty Order Complaints	1,407
Final Administrative Penalty Orders	1,440
Administrative Compliance Orders	873
Cases with Supplemental Environmental Projects	110
Inspections/Evaluations	18,000
Civil Investigations	103

Criminal Enforcement Program

Environmental Crime Cases Opened	297
Defendants Charged	278
Years of Incarceration	161
Fines and Restitution	\$1,500,000,000
Value of Court Ordered Environmental Projects	\$3,000,000,000
** 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 is the EPA Regions certified FY 2013 end of year workbooks as of December 7, 2013. The official databases of record are: Integrated Compliance Information System (ICIS), Criminal Case Reporting System, Comprehensive Environmental Response, Compensation & Liability Information System (CERCLIS), Resource Conservation and Recovery Act Information (RCRAInfo), Air Facility System (AFS).

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Cleanup Enforcement Program FY 2013 Accomplishments

In fiscal year (FY) 2013, EPA continues to ensure that responsible parties perform and pay for the cleanup of our nation's most contaminated sites. In doing so, the Agency protects the interests of numerous communities and environmental justice areas.

To address the cleanup of contaminated sites, EPA's most often used and most powerful cleanup enforcement mechanism is the [Comprehensive, Environmental Response, Compensation, and Liability Act](#) (CERCLA or Superfund). Superfund is a cleanup authority only and does not otherwise regulate a facility's operations. The [Resource Conservation and Recovery Act](#) (RCRA), including the Underground Storage Tank (UST) program, contains both cleanup and regulatory authorities. RCRA's cleanup authority is the RCRA Corrective Action program, which addresses cleanup activities at RCRA regulated facilities. More information is available from the Agency's [cleanup enforcement section of the waste, chemical and cleanup enforcement website](#).

In FY 2013, EPA's cleanup enforcement program:

- [Secured more than \\$1 billion in responsible party commitments to pay for cleanups or reimburse the Agency for past cleanup costs.](#)
- [Exceeded its target goal for addressing the cleanup of contaminated soil and ground water in settlement agreements.](#)
- [Negotiated settlements that brought an end to lengthy and complex litigation for a site in California and shortened the time table for cleaning up a Massachusetts site.](#)
- [Issued revised guidance on the Agency's treatment of tenants under Superfund's Bona Fide Prospective Purchaser provision and model letters for lessees at renewable energy projects.](#)

EPA Secures \$1.5 Billion from Responsible Parties to Clean Up Superfund Sites and Reimburse EPA for Past Cleanup Costs

In FY 2013, EPA obtained more than \$1.2 billion in commitments from responsible parties to clean up Superfund sites. This is the tenth highest cleanup commitment total since the Superfund program began.

Additionally, responsible parties will reimburse \$292 million of EPA's past costs from cleanup work at Superfund sites. This is the seventh highest cost recovery total ever for the Superfund program.

Since 1980, EPA has attained over \$38.8 billion in commitments from responsible parties. Of this amount, more than \$32 billion has been committed to investigate and clean up Superfund sites, and more than \$6 billion represents reimbursements to EPA for its past costs.

EPA has a long-standing commitment to ensuring that responsible parties perform and/or pay for the cleanup of contaminated sites. Generally, EPA is most successful in ensuring that responsible parties perform remedial actions, the final and often most costly cleanup phase. At some sites, EPA finds it more appropriate to cost recover the Agency's costs of performing the cleanup. The size, number, and type of settlements vary each year due to the nature of the sites that are ripe for enforcement.

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EPA Exceeds GPRA Target for Cleaning Up Contaminated Soil and Ground Water

In FY 2013, EPA exceeded its targeted goal for the volume of contaminated media addressed (VCMA) that is reported under the Government Performance and Results Act (GPRA). The FY 2013 GPRA goal for cleaning up contaminated soil and ground water was 275 million cubic yards. Through settlement agreements under CERCLA and RCRA Corrective Action authorities, the Agency secured commitments to clean up over 751 million cubic yards of contaminated soil and ground water media, more than two-and-a-half times the targeted goal.

The 751 million total cubic yards involve the following:

- 65.6 million cubic yards of contaminated soil, which is enough to cover more than 12,000 football fields with three feet of dirt, and
- 685.6 million cubic yards of contaminated ground water, which is enough to fill approximately 210,000 Olympic-sized swimming pools.

The vast majority of the VCMA number for FY 2013 is from three settlement agreements associated with two sites:

- Agreements with Goodrich Corporation (400 million cubic yards of ground water) and Emhart Industries (250 million cubic yards of ground water) at the Rockets, Fireworks, and Flares Superfund Site in Rialto, Calif. (Region 9); and
- Agreement with FMC Corporation (45.7 million cubic yards of soil) at the Eastern Michaud Flats Contamination Superfund Site in Pocatello, Idaho (Region 10).

The agreements at these two sites constitute 695.8 million cubic yards of soil and ground water, which is 93% of the national total.

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Negotiated Settlements End Lengthy and Complex Litigation for California Site and Speeds up Cleanup Time Table for Massachusetts Site.

Rockets, Fireworks, and Flares Superfund Site Settlement, Calif.

During FY 2013, EPA and the Department of Justice negotiated several settlement agreements associated with the Rockets, Fireworks, and Flares Superfund Site [formerly known as the B.F. Goodrich Superfund Site] in northern Rialto, California. The 2013 settlement agreements ended years of litigation and will result in the cleanup of ground water contamination at the site to the benefit of neighboring communities.

The cleanup agreements will ensure the remediation of perchlorate and trichloroethylene contamination at the site. The cleanup work includes increased monitoring and surveying the contamination, as well as active measures to remove the contaminants from the area. The agreements also require the installation of ground water monitoring wells.

The following is a summary of the settlement agreements associated with the Rockets, Fireworks, and Flares site that were approved in FY 2013, resulting in work commitments and cost recovery of over \$100 million:

- The Goodrich Corporation will pay at least the first \$21.5 million for the cost of the cleanup work and be responsible for designing, building, and operating, under EPA's oversight, any facility selected by the Agency in its cleanup plan to address soil and ground water contamination in central and south Rialto, Calif.
- KTI, Inc. will pay \$2.8 million toward EPA's cleanup costs. KTI's agreement also allows EPA and other parties performing work on EPA's behalf to access the site for any cleanup work.
- Emhart Industries, the Department of Defense, and the other settling defendants, will spend \$43 million over the next 30 years to clean up contaminated ground water at the site. The cities of

- Rialto, Colton, and the county of San Bernardino, Calif. will receive \$8 million from that amount.
- Pyro Spectaculars Inc (PSI) and the other settling defendants will pay \$4.3 million to the EPA and \$1.3 million to the cities of Rialto and Colton and San Bernardino County.

More information on the settlements associated with this site is available from the [B.F. Goodrich case summary web page](#)

New Bedford Harbor Superfund Site Settlement, Mass.

At the New Bedford Harbor Superfund Site, the United States, the State of Massachusetts, and AVX Corporation (AVX) reached an agreement where AVX will pay \$366.25 million, plus interest, for cleanup of the site. EPA will use the funds to perform the cleanup of the Harbor, which contains sediment highly contaminated with polychlorinated biphenyls and heavy metals. This cash-out settlement will speed up the cleanup of New Bedford Harbor when compared with the previous funding levels. The cleanup may take as little as eight years to complete rather than the 40 years previously estimated. It also means that the primary party responsible for the contamination will be financing the rest of the Superfund cleanup rather than taxpayers.

Following court approval of the consent decree, AVX made the first of three payments in the amount of \$133,350,000 million, plus interest. AVX's second payment is due one year after the date of entry of the consent decree and the third payment will be due two years after the date of entry. Under the terms of the settlement, AVX has the option of pre-paying any amounts before the due date.

The approval of the settlement completes the enforcement action and settlement negotiations with AVX, and subject to a few reservations of rights, AVX has resolved its liability for the New Bedford Harbor Superfund Site with the federal and state governments. More information on the settlement is available from the [AVX settlement case summary web page](#).

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Agency Issues Revised Guidance on the Treatment of Tenants Under Superfund's BFPP Provision and Model Comfort/Status Letters for Lessees at Renewable Energy Projects

Section 107(r) of CERCLA provides liability protection for certain owners or operators of contaminated or formerly contaminated properties who are referred to as bona fide prospective purchasers (BFPPs). In 2009, the Agency issued enforcement guidance specific to the BFPP provision and tenants.

On December 5, 2012, the Agency issued the "Revised Enforcement Guidance Regarding the Treatment of Tenants Under the CERCLA Bona Fide Prospective Purchaser Provision." The revised guidance discusses the potential applicability of the BFPP provision to tenants and how the EPA intends to exercise its enforcement discretion on a site-specific basis to treat certain tenants as BFPPs. Under the revised guidance, certain lessees, who were not previously covered by Agency guidance because the owner of the property was not a BFPP, may now be treated as a BFPP.

In conjunction with the revised guidance, the Agency also developed three new model comfort/status letters for lessees involved in renewable energy development on contaminated or formerly contaminated property. The revised guidance and model comfort/status letters were developed, in part, to respond to issues raised through EPA's RE-Powering America's Land initiative for siting renewable energy on current and formerly contaminated lands, landfills, and mine sites.

More information is available from the Agency's [Guidance on Treatment of Tenants under CERCLA's BFPP Provision and Model Documents web page](#).

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National Environmental Policy Act (NEPA) 2013 Annual Results

In fulfillment of our responsibilities under Section 309 of the Clean Air Act, EPA issued comment letters on 372 draft and final Environmental Impact Statements (EISs). These included EISs concerning:

- renewable energy - 19
- oil and gas exploration or extraction - 11
- mining - 14
- transmission lines - 12

EPA met its performance goals in FY 2013 for the NEPA program: 74% 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 2013.

High Priority Infrastructure Projects

EPA is collaborating with the Office of Management and Budget (OMB) and Federal Agencies on the development of an implementation plan for the Presidential Memorandum on Modernizing Infrastructure Permitting. EPA also engaged with lead Federal Agencies during NEPA reviews to support work on a number of [high priority infrastructure projects](#) identified through this Presidential Memorandum and the Executive Order on Improving Performance of Federal Permitting and Review of Infrastructure Projects.

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

Air Quality Memorandum of Understanding

EPA continued its efforts to implement the interagency [Memorandum of Understanding](#) (MOU) with the Bureau of Land Management, the Forest Service, the National Park Service, and the Fish and Wildlife Service that established a mutually acceptable approach for addressing air quality analyses and mitigation for Federal oil and gas development actions. In May, EPA hosted an interactive training session for over 90 participants from across the country representing all the signatory agencies of the MOU. During the training, participants shared "lessons learned" during the first 18 months of the MOU's implementation.

Environmental Justice and NEPA

EPA developed a new webpage: [Environmental Justice and NEPA Agency Resource Compendium: Key References](#). The page provides key references from the Environmental Justice and NEPA Agency Resource Compendium created by EPA's Office of Environmental Justice and the NEPA Committee of the [Federal Interagency Working Group on Environmental Justice](#). The compendium gathers into one place the Environmental Justice and NEPA documents from Federal Agencies.

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2013 Major Criminal Cases

Clean Air Act

Bio-diesel Fuel Company Owner Sentenced to 188 Months in Federal Prison for Crimes Connected to Illegal Fuels Scheme (Texas)

Jeffrey David Gunselman was sentenced to 188 months in federal prison, fined \$175,000 and ordered to pay more than \$54.9 million in restitution, following his guilty plea to an indictment charging 51 counts of wire fraud, 24 counts of money laundering and four counts of making false statements in violation of the Clean Air Act.



Gunselman was the owner of Absolute Fuels, LLC, dba Absolute Fuels, LLC (Absolute Fuels), which he formed in April 2009. He was also named as Governing Person and/or as Registered Agent for other business entities associated with Absolute Fuels, LLC.

Gunselman was the owner of Absolute Fuels, LLC. From September 2010 to October 2011, he devised a scheme to defraud the EPA by falsely representing that he was in the business of producing bio-diesel fuel, yet Gunselman did not have a bio-diesel fuel-producing facility. Instead, his business operation consisted of falsely generating renewable fuel credits and selling them to oil companies and brokers. During the same time period, Gunselman engaged in monetary transactions in criminally derived property by purchasing real and personal property valued at approximately \$12 million with the funds derived from the wire fraud. For more information read the [complete case summary](#).

Tonawanda Coke and Manager Found Guilty of Violating the Clean Air Act, RCRA (CAA/RCRA, New York)

A federal jury in Buffalo, NY convicted the Tonawanda Coke Corporation of 11 counts of violating the Clean Air Act and three counts of violating the Resource Conservation and Recovery Act. In addition, Tonawanda Coke Environmental Control Manager, Mark L. Kamholz, 65, of West Seneca, N.Y., was found guilty of 11 counts of violating the Clean Air Act, one count of obstruction of justice and three counts of violating the Resource Conservation and Recovery Act. The charges carry a maximum combined penalty up to 75 years in prison and fines in excess of \$200 million.



Storage tank that was dismantled for scrap metal and released coal tar sludge material that tested positive for benzene

The defendants also stored, treated and disposed of hazardous waste without a permit to do so, in violation of the Resource Conservation and Recovery Act. These offenses related to TCC's practice of mixing its coal tar sludge, a listed hazardous waste that is toxic for benzene, on the ground in violation of hazardous waste regulations. For more information read the [DOJ Press Release](#).

Rodney Hailey Sentenced to More Than 12 Years in Prison for Selling \$9 Million in

Fraudulent Renewable Fuel Credits (CAA/Title 18, Maryland)

In June 2012, Rodney Hailey was convicted at trial on 42 counts of wire fraud, money laundering and a violation of the Clean Air Act in connection with a scheme in which he sold renewable fuel credits he falsely claimed were produced by his company, Clean Green Fuel. In February 2013, Hailey was sentenced to 151 months in prison, ordered to pay restitution of \$42 million and forfeit \$9 million in proceeds of the fraud including cars, jewelry, his home and bank accounts already seized by the government.

To encourage the production of renewable fuel and lessen the nation's dependence on foreign oil, all oil companies that market petroleum in the U.S. are required to produce a given quantity of renewable fuel or to purchase credits, called renewable identification numbers (RINs) from producers of renewable fuels to satisfy their renewable fuel requirements. For more information read the [complete case summary](#).

Clean Water Act

BP to Pay a Record \$4 Billion for Environmental and Other Crimes Associated with the Deepwater Horizon Explosion and Gulf Oil Spill (CWA/MBTA/Title 18, Louisiana)

In January 2013, BP Exploration and Production Inc. (BP) was sentenced to pay \$4 billion in criminal fines and penalties – the largest criminal resolution in United States history -- after pleading guilty to 11 counts of felony manslaughter, one count of felony obstruction of Congress, and violations of the Clean Water and Migratory Bird Treaty Acts for its role in the 2010 Deepwater Horizon disaster that killed 11 people and the subsequent oil spill resulted in the largest environmental disaster in U.S. history. More than

half of the funds will be used to directly benefit the Gulf Coast region through acquiring, restoring, preserving and conserving the marine and coastal environments, ecosystems and bird and wildlife habitat in the Gulf of Mexico and bordering states harmed by the *Deepwater Horizon* oil spill and will also support, significant barrier island restoration, and improved oil spill prevention and response efforts in the Gulf.



Deepwater Horizon Platform fire after well blow-up

The guilty plea agreement and charges are part of the ongoing criminal investigation by the Deepwater Horizon Task Force into matters related to the explosion and oil spill. The Task Force includes the Department of Justice; U.S. Attorneys' Offices; the FBI, EPA, Department of the Interior, National Oceanic and Atmospheric Administration Office of Law Enforcement, U.S. Coast Guard, U.S. Fish and Wildlife Service and the Louisiana Department of Environmental Quality. For more information read the [complete case summary](#).

Wal-Mart Pays Over \$81 Million After Pleading Guilty to Criminal and Civil Violations Affecting Water Quality, Ensuring Proper Handling of Hazardous Wastes and Pesticides (CWA, California, Missouri)

Wal-Mart Stores Inc. pleaded guilty in cases filed by federal prosecutors in Los Angeles and San Francisco to six counts of violating the Clean Water Act by illegally handling and disposing of hazardous materials at its retail stores across the United States. It also pleaded guilty in Kansas City, Mo., to violating the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) by failing to properly handle pesticides that had been returned by customers at its stores across the country. As part of a plea agreement filed in California, Wal-Mart was sentenced to pay a \$40 million criminal fine and an additional \$20 million that will fund various community service projects, including opening a \$6 million Retail Compliance Assistance Center that will help retail stores across the nation learn how to properly handle hazardous waste.

Pursuant to the plea agreement filed in Missouri Wal-Mart agreed to pay a criminal fine

of \$11 million and to pay another \$3 million to the Missouri Department of Natural Resources, which will go to that agency's Hazardous Waste Program and will be used to fund further inspections and education on pesticide regulations for regulators, the regulated community and the public. For more information read the complete case summaries - [California](#) or [Missouri](#).

Two Companies, Five Individuals Sentenced for Dumping Thousands of Tons of Asbestos in Violation of the Clean Water Act (CWA/CERCLA, New York)

The charges involved conspiring to violate the Clean Water Act, the Superfund statute, wire fraud and defrauding the United States by illegally dumping thousands of tons of asbestos-contaminated construction debris on a 28-acre piece of property on the Mohawk River in upstate New York. The defendants conspired to illegally dump fill in the entire property over the course of five years with pulverized construction and demolition debris that was processed at New Jersey solid waste management facilities and then transported to open property in Frankfort, N.Y.



Thousands of tons of asbestos-contaminated construction debris on a 28-acre piece of property on the Mohawk River in upstate New York.

The five individuals received sentences of incarceration of 51 months, 36 months, 33 months, 15 months, and five years probation, respectively. Mazza & Sons Inc. paid a \$100,000 criminal fine and \$494,000 in restitution. For more information read the [complete case summary](#).

Omega Protein, Inc. Sentenced For Environmental Crimes (CWA, Virginia)

Omega Protein, Incorporated ("Omega") headquartered in Houston, Texas, with operations in Reedsville, Virginia, was sentenced for two violations of the Clean Water Act stemming from its activities in the menhaden fishing industry. Omega was sentenced to 3 years of probation and financial penalties totaling \$7.5 million.

The company produces fish oil and fish meal derived from menhaden, a small, oily, Omega-3 rich fish that live off the east coast of the United States. Omega's processing facility generated a fish waste known as "Bail" water that was permitted to be discharged at a point beyond three nautical miles from the shore, provided it was not mixed with any other chemicals or wastes. Instead, Omega combined the Bail water with pollutants generated by the processing operations and a caustic substance. This material was then discharged into the Chesapeake Bay at a point less than three nautical miles from the shore.

Omega's fishing fleet also violated the Clean Water Act by discharging oily wastewater directly into the sea. For more information read the [complete case summary](#).

Florida Man And His Corporation Sentenced For Illegal Dredging And Wetlands Violations (CWA, Florida)

Brian Raphael D'Isernia, and Lagoon Landing, LLC, a corporation controlled by D'Isernia, were sentenced for illegal dredging and felony wetlands violations. The two defendants were ordered to pay a criminal fine totaling \$2.25 million dollars, the largest criminal fine assessed for wetlands violations in Florida history. D'Isernia was sentenced to a fine of \$100,000 while Lagoon Landing, LLC, was sentenced to a term of probation of three years, a fine of \$2.15 million, and a community service payment of \$1 million to the National Fish and Wildlife foundation, a charitable non-profit organization created by Congress.

Between 2005 and 2010, Lagoon Landing used tractors and other heavy equipment to alter and fill wetland areas of property it controlled in Allanton without obtaining a

permit. The wetland areas were adjacent to East Bay. The National Fish and Wildlife Foundation will use the money to fund projects for the conservation, protection, restoration and management of wetland, marine, and coastal resources, with an emphasis on projects benefiting wetlands in and around St. Andrew Bay. For more information read the [complete case summary](#).

Crestwood Official Convicted of Falsifying Reports to Conceal Village's Use of Well in Drinking Water Supply (CWA, Illinois)

A former water department official for the Chicago's southwest suburban Village of Crestwood was convicted of lying repeatedly to environmental regulators for more than 20 years about using a water well to supplement the village's drinking water supply from Lake Michigan. The defendant, Theresa Neubauer, former water department clerk and supervisor and currently its Crestwood's police chief on leave, was found guilty of all 11 counts of making false statements by a federal jury after a week-long trial. A co-defendant, Frank Scaccia, the village's retired certified water operator, pleaded guilty to making false statements and is also awaiting sentencing.



The pump that the Village of Crestwood used to draw water from an underground aquifer, which was used to supplement their drinking water drawn from Lake Michigan. This picture was taken after the pump was already disconnected from the well and taken out of service.

The substantial majority of Crestwood's drinking water came from Lake Michigan and was purchased from neighboring Alsip, which, in turn, had purchased the water from the City of Chicago after it was treated and tested pursuant to state and federal environmental regulations. Since 1982, Crestwood regularly supplemented the Lake Michigan water with water drawn from an underground aquifer through a well (Well #1), in part, because of substantial leakage in its water distribution system, which Crestwood officials failed to adequately repair.

Sentencing has not yet occurred. For more information read the [DOJ Press Release](#).

Transocean Pays Record \$1 Billion in Civil Penalties and \$ 400 Million in Criminal Fines (CWA/MBTA/Title 18, Louisiana)

Transocean Deepwater Inc. agreed to plead guilty to violating the Clean Water Act (CWA) and to pay a total of \$1.4 billion in civil penalties and criminal fines, for its conduct in relation to the *Deepwater Horizon* disaster, the largest oil spill in U.S. history.

In February 2013, Transocean Deepwater Inc. pled guilty and was sentenced to pay \$400 million in criminal fines and to continue its on-going cooperation in the government's criminal investigation. The company was also sentenced to five years probation, the maximum term of probation permitted by law.

The agreements are the result of work by the Deepwater Horizon Task Force which includes the Department of Justice; U.S. Attorneys' Offices; the FBI, EPA, Department of the Interior, National Oceanic and Atmospheric Administration Office of Law Enforcement, U.S. Coast Guard, U.S. Fish and Wildlife Service and the Louisiana Department of Environmental Quality. For more information read the [complete case summary](#).

Resource Conservation and Recovery Act (RCRA)

Executive Recycling Company and Executives Sentenced for Fraud and International Environmental Crimes (RCRA/Title 18, Colorado)

Executive Recycling, Inc. and Brandon Richter, its owner and chief executive officer were sentenced for their roles in a fraudulent scheme related to the disposal and exportation of electronic waste to foreign countries. Executive Recycling, was sentenced to pay a \$4,500,000 fine and serve 3 years on probation. Richter was ordered to serve 30 months in federal prison, followed by 3 years on supervised release, and was ordered to pay a \$7,500 fine, \$70,144 in restitution, and \$142,241.10 in asset forfeiture. The defendants were convicted by a federal jury of multiple counts of mail and wire fraud and environmental crimes related to the illegal disposal of electronic waste, smuggling, and obstruction of justice, following an 11-day trial.



Port in Hong Kong where Executive Recycling exported electronic waste. Approximately 21 million containers are processed through this Port annually.

Executive Recycling was an electronic waste recycling business located in Englewood, Colorado with affiliated locations in Utah and Nebraska. The company collected electronic waste from private households, businesses, and government entities. The defendants exported electronic waste, including CRTs, which contain lead, from the United States to foreign countries, including the People's Republic of China. For more information read the [complete case summary](#).

Michigan Computer Company Owner Sentenced for International Environmental, Counterfeiting Crimes (RCRA/Title 18, Michigan)

A Michigan computer company and its owner pled guilty and were sentenced for trafficking in counterfeit goods and services and violating environmental laws. Mark Jeffrey Glover received 30 months in prison and a \$10,000 fine, and his company, Discount Computers, Inc. (DCI), a \$2 million fine with \$10,839 in restitution. DCI was also sentenced for storing and disposing of hazardous waste without a permit.



Used CRT monitors illegally abandoned by DCI in a warehouse in Missouri

DCI, headquartered in Canton, Mich., with warehouses in Maryland Heights, Mo., and Dayton, N.J., exported used cathode ray tube (CRT) monitors to countries in the Middle East and Asia. Egypt prohibits the importation of computer equipment which is more than five years old. To evade this requirement, all three DCI locations replaced the original factory labels on used CRT monitors with counterfeit labels, which reflected a more recent manufacture date. Over a five-year period, DCI sent at least 300 shipments to Egypt, with a total shipment value of at least \$2.1 million, constituting more than 100,000 used CRTs monitors. For more information read the [complete case summary](#).

Title 18

Halliburton Pleads Guilty to Destruction of Evidence in Connection with Deepwater Horizon Disaster and Is Sentenced to Statutory Maximum Fine (Title 18, Louisiana)

Halliburton Energy Services Inc. (Halliburton) pleaded guilty to destroying evidence pertaining to the 2010 Deepwater Horizon disaster and was sentenced to the statutory maximum fine of \$200,000 and three years probation.

Following the explosion which resulted in the death of 11 workers and the largest oil spill in U.S. history, Halliburton destroyed computer simulations which could have provided evidence on the cause of the blowout. For more information read the [DOJ Press Release](#).



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Enforcement Annual Results in EPA Regions for Fiscal Year (FY) 2013

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

Accomplishments by EPA Region

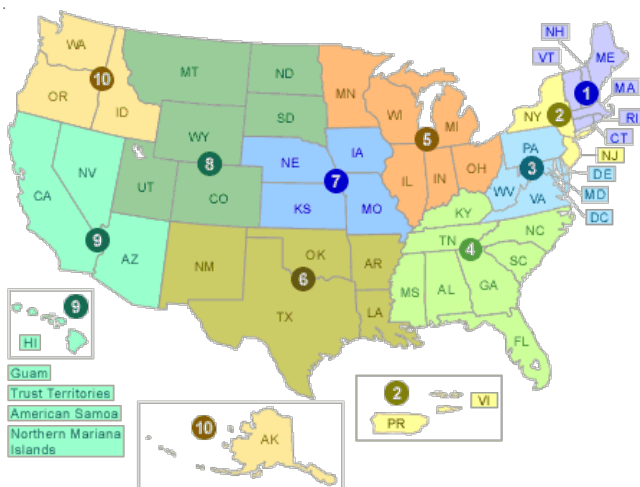
EPA's regional offices work with state and tribal governments to ensure compliance with our nation's environmental laws. Our civil and criminal enforcement actions are focused on the most serious water, air and chemical hazards including those identified in EPA's national enforcement initiatives and 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	149,325,193
--	-------------

Estimated contaminated water/aquifer to be cleaned up (cubic yards)	16,311,921
Estimated contaminated soil/debris to be cleaned up (cubic yards)	69,515
Enforcement Activities	
Case initiations	95
Case conclusions	99

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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	52,056,585
Estimated hazardous waste treated, minimized, or properly disposed of (pounds) ¹	131,306,518
Estimated contaminated water/aquifer to be cleaned up (cubic yards)	4,648
Estimated contaminated soil/debris to be cleaned up (cubic yards)	11,435,191
Enforcement Activities	
Case initiations	331
Case conclusions	330

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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	416,933,956
Estimated hazardous waste treated, minimized, or properly disposed of (pounds) ¹	2,143,269
Estimated contaminated water/aquifer to be cleaned up (cubic yards)	4,940,561
Estimated contaminated soil/debris to be cleaned up (cubic yards)	851,913
Enforcement Activities	
Case initiations	184
Case conclusions	182

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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	32,506,158
	Estimated hazardous waste treated, minimized, or properly disposed of (pounds) ¹	10,396,450
	Estimated contaminated water/aquifer to be cleaned up (cubic yards)	13,500,053
	Estimated contaminated soil/debris to be cleaned up (cubic yards)	3,122,005
Enforcement Activities		
	Case initiations	420
	Case conclusions	416

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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	408,440,176
	Estimated hazardous waste treated, minimized, or properly disposed of (pounds) ¹	19,000
	Estimated contaminated water/aquifer to be cleaned up (cubic yards)	590,402
	Estimated contaminated soil/debris to be cleaned up (cubic yards)	4,481,803
Enforcement Activities		
	Case initiations	298
	Case conclusions	310

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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	117,155,005
	Estimated contaminated water/aquifer to be cleaned up (cubic yards)	61,289
Enforcement Activities		
	Case initiations	439
	Case conclusions	443

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EPA Region 7

Serving Iowa, Kansas, Missouri, and Nebraska.

Accomplishments:

Civil Cases		
	Estimated pollution reduced, treated or eliminated (pounds) ¹	57,629,235
	Estimated hazardous waste treated, minimized, or properly disposed of (pounds) ¹	1,622,172
	Estimated contaminated water/aquifer to be cleaned up (cubic yards)	100,000
	Estimated contaminated soil/debris to be cleaned up (cubic yards)	128,101
Enforcement Activities		
	Case initiations	180
	Case conclusions	202

[Top of page](#)**EPA Region 8**

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

Accomplishments:

Civil Cases		
	Estimated pollution reduced, treated or eliminated (pounds) ¹	9,238,919
	Estimated hazardous waste treated, minimized, or properly disposed of (pounds)	590,000
	Estimated contaminated water/aquifer to be cleaned up (cubic yards)	40,789
	Estimated contaminated soil/debris to be cleaned up (cubic yards)	7,002,000
Enforcement Activities		
	Case initiations	152
	Case conclusions	161

[Top of page](#)**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	107,411
	Estimated hazardous waste treated, minimized, or properly disposed of (pounds) ¹	1,840,800
	Estimated contaminated water/aquifer to be cleaned up (cubic yards)	650,395,187
	Estimated contaminated soil/debris to be cleaned up (cubic yards)	2,077,221
Enforcement Activities		
	Case initiations	104
	Case conclusions	120

EPA Region 10

Serving Alaska, Idaho, Oregon, and Washington.

Accomplishments:

Civil Cases		
	Estimated pollution reduced, treated or eliminated (pounds) ¹	31,950,959
	Estimated contaminated water/aquifer to be cleaned up (cubic yards)	1,092
	Estimated contaminated soil/debris to be cleaned up (cubic yards)	45,802,549
Enforcement Activities		
	Case initiations	174
	Case conclusions	177

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

Footnotes:

1. Projected pollution reductions to be achieved during the one year period after all compliance actions have been completed. ([return to text](#))

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Enforcement Annual Results Analysis and Trends for Fiscal Year (FY) 2013

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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) 2009 to 2013.

Government Performance and Results Act (GPRA)

Measure Number	GPRA External Performance Measure	FY 13 Target	FY 13 Actual (rounded)
409	Number of federal inspections and evaluations	17,000	18,000
410	Number of civil judicial and administrative enforcement cases initiated	3,200	2,400
411	Number of civil judicial and administrative enforcement cases concluded	3,000	2,500
412	Percentage of open consent decrees reviewed for overall compliance status	100%	91%
418	Percentage of criminal cases having the most significant health, environmental, and deterrence impacts	43%	44%
420	Percentage of criminal cases with charges filed	40%	38%
419	Percentage of criminal cases with individual defendants	75%	80%
421	Percentage of conviction rate for criminal defendants	85%	94%
400 *	Millions of pounds of air pollutants reduced, treated, or eliminated through concluded enforcement actions	450 M lbs	610 M lbs
402 *	Millions of pounds of water pollutants reduced, treated, or eliminated through concluded enforcement actions	320 M lbs	660 M lbs
404 *	Millions of pounds of toxic and pesticide pollutants reduced, treated, or eliminated through concluded enforcement actions	3.0 M lbs	4.6 M lbs
405	Millions of pounds of hazardous waste pollutants reduced, treated, or eliminated through concluded enforcement actions	6,500 M lbs	150 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 corrective action enforcement actions.	300 M cu. yds.	750 M cu. yds.
	Percentage of Superfund sites having viable, liable		

285	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 Penalties and Criminal Fines and Restitution

- [Administrative and Civil Judicial Penalties Assessed \(PDF\)](#)
- [Value of Fines and Restitution and Court Ordered Environmental Projects \(PDF\)](#)

Civil Enforcement Program

- [Civil Enforcement Case Initiations and Conclusions \(PDF\)](#)
- [Federal Inspections and Evaluations \(PDF\)](#)
- [Superfund Results \(PDF\)](#)

Environmental Results

- [Estimated Value of Administrative and Civil Judicial Complying Actions \(Injunctive Relief\) \(PDF\)](#)
- [Supplemental Environmental Projects \(PDF\)](#)
- Estimated Environmental Benefits
 - [Commitments to Reduce, Treat or Eliminate Pollution \(PDF\)](#)
 - [Hazardous Waste Treated, Minimized, or Properly Disposed Of \(PDF\)](#)
 - [Volume of Contaminated Water and Soil to be Cleaned Up \(PDF\)](#)

Criminal Enforcement Program

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

Single Document Containing All Charts and Graphs

- [FY 2013 Enforcement Annual Results - Trend Data \(PDF\)](#) (14 pp, 355 K)

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Fiscal Year 2013 EPA Enforcement and Compliance Annual Results

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

January 13, 2013



FY 2013 Enforcement and Compliance Annual Results

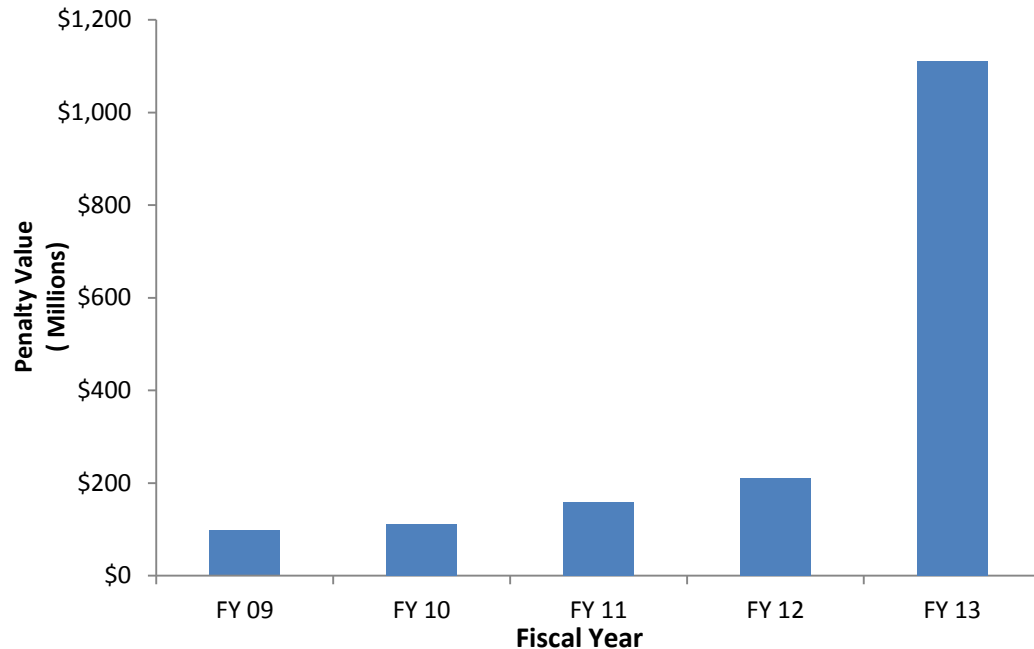
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FY 2013 Enforcement and Compliance Annual Results

Administrative and Civil Judicial Penalties Assessed

FY 2009 – FY 2013



In FY 2013, EPA obtained a total of **\$1.1 Billion** in federal administrative and civil judicial penalties primarily due to a record settlement of **\$1 Billion** reached with Transocean for its liability for the Deepwater Horizon Gulf of Mexico oil spill.

Pursuant to the RESTORE Act, **\$800 million** of the Transocean penalty went to the Gulf Coast Restoration Trust Fund to fund programs, projects, and activities that restore and protect the environment and economy of the Gulf Coast region.

In FY 2013, EPA and the Department of Justice made a significant investment in the Deepwater Horizon case, which is evident in this year's civil and criminal results.

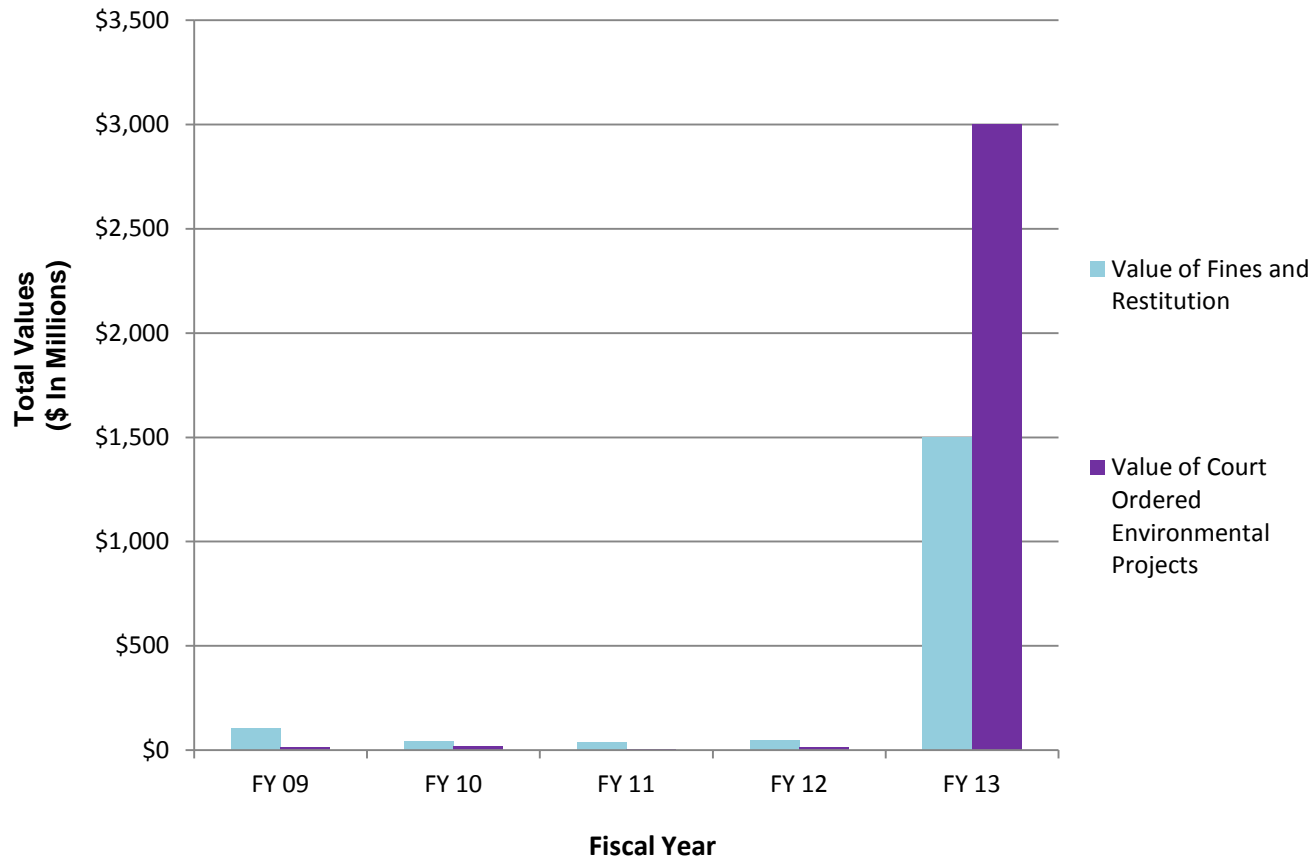
All prior FY dollar figures in this report are adjusted to reflect the current value in FY 2013 dollars based on the monthly rate of inflation/deflation as determined by the U.S. Department of Labor Consumer Price Index for All Urban Consumers.

Data Source: Integrated Compliance Information System (ICIS).

FY 2013 Enforcement and Compliance Annual Results

Criminal Enforcement

Value of Fines and Restitution and Court Ordered Environmental Projects FY 2009 – FY 2013



➤ 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 2013, fines, restitution, and court ordered projects from the Deepwater Horizon spill totaled **\$4 billion**. **\$2.5 billion** of the criminal recovery will fund coastal protection/restoration and an additional **\$500 million** will fund spill prevention work .

➤ Criminal fines and restitution from cases other than Deepwater Horizon totaled **\$187 million**.

Note: All prior FY dollar figures in this report are adjusted to reflect the current value in FY 2013 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.

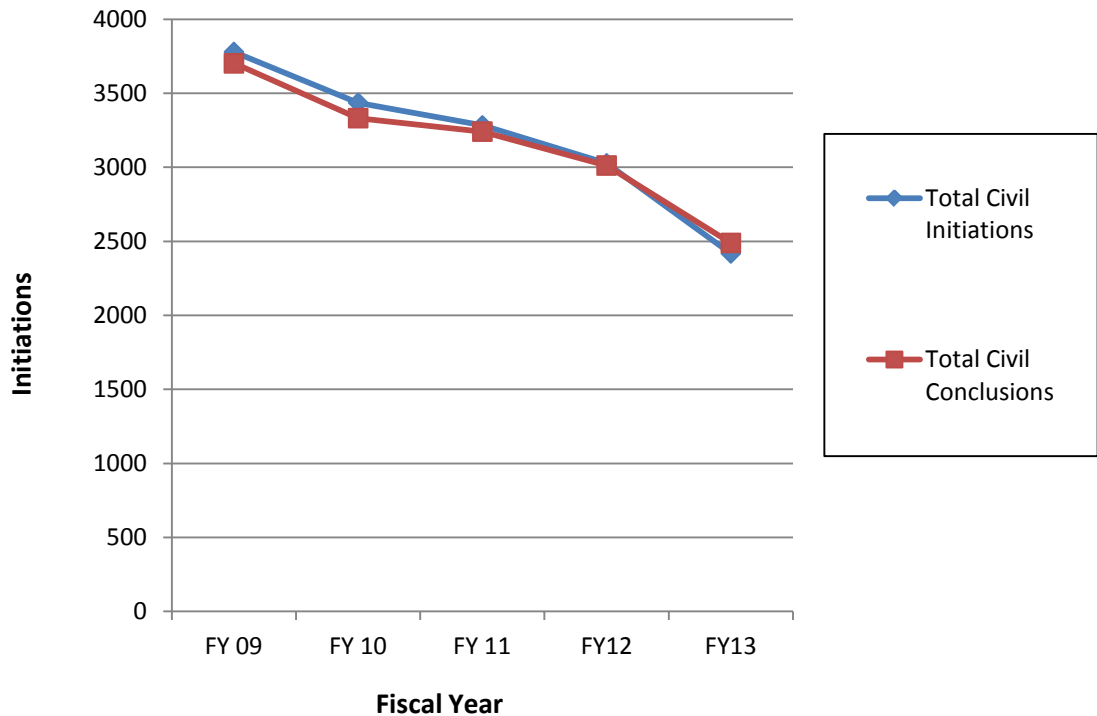
Data Source: Criminal Case Reporting System



FY2013 Enforcement and Compliance Annual Results

Civil Enforcement Case Initiations and Conclusions

FY 2009 – FY 2013



➤ In FY 2013 EPA continued to pursue larger more complex, risk-based enforcement cases leading to significant environmental and health gains.

➤ In FY 2013, EPA initiated a total of **2,418** civil judicial and administrative cases.

➤ In FY 2013, EPA concluded **2,489** civil judicial and administrative cases.

Data Source: Integrated Compliance Information System (ICIS).

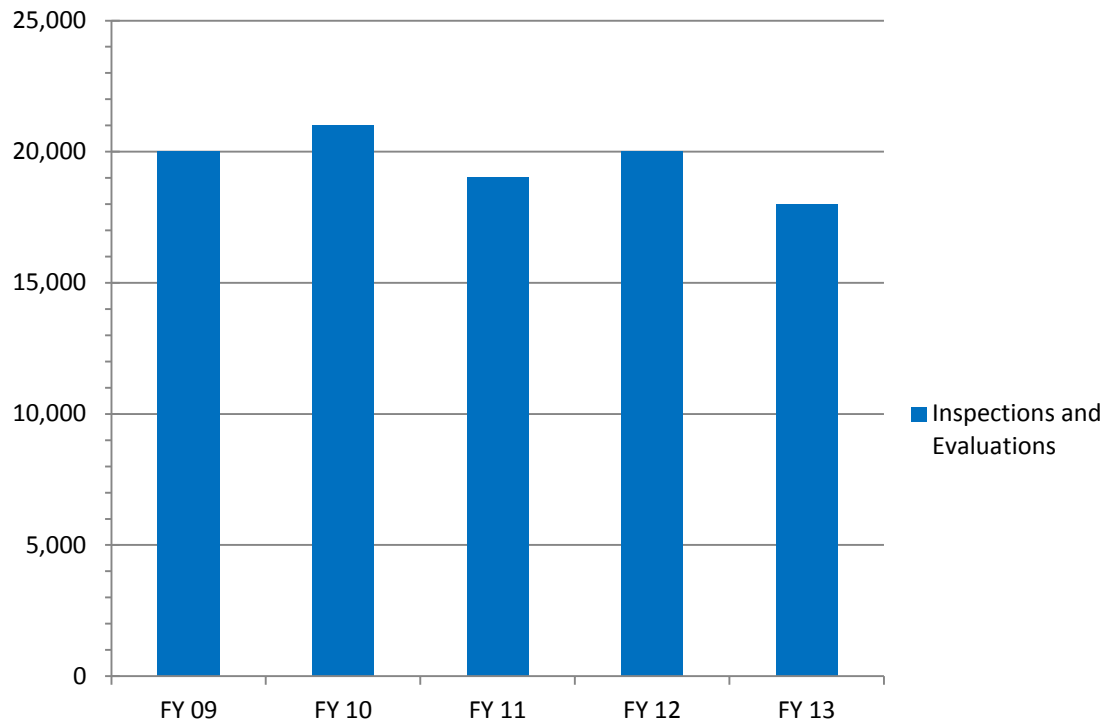


FY 2013 Enforcement and Compliance Annual Results

Federal Inspections and Evaluations

(Conducted by EPA)

FY 2009 – FY 2013



➤ In FY 2013, EPA conducted nearly **18,000** inspections/evaluations .

➤ In light of tight budget circumstances, in FY 2013 EPA focused on inspections at larger facilities, leading to fewer inspections overall.

Note: There are other compliance monitoring activities conducted by the EPA that are not reflected in this chart such as civil investigations. The number of EPA Civil Investigations for the last five FYs are: 246 (FY 09), 282 (FY 10), 177 (FY 11), 237 (FY 12), 103 (FY 13).

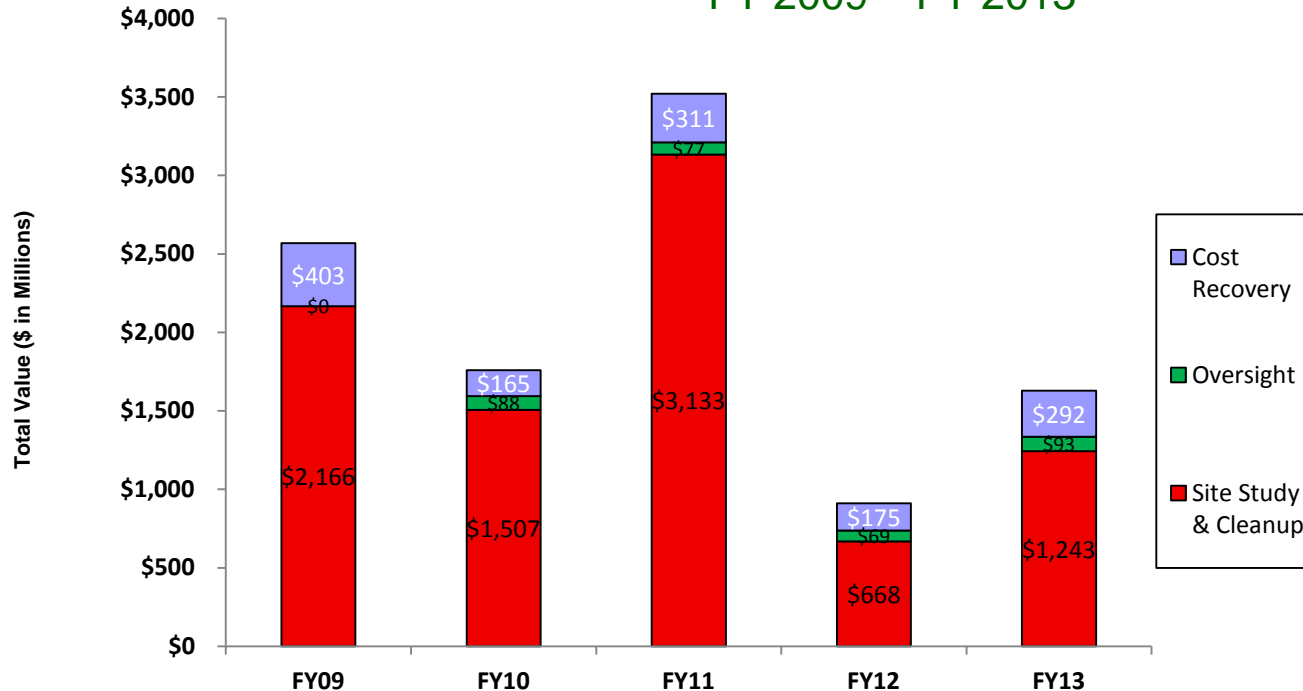
Data Source: Integrated Compliance Information System (ICIS), ICIS-NPDES, AFS, RCRAInfo and manual reporting.



FY 2013 Enforcement and Compliance Annual Results

Superfund Results

FY 2009 – FY 2013



In FY 2013, private party cleanup commitments exceeded **\$1.2 billion**. The total dollar value of cleanup commitments is driven by settlements requiring responsible parties to conduct or pay for cleanup.

Note: All prior FY dollar figures in this report are adjusted to reflect the current value in FY 2013 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.

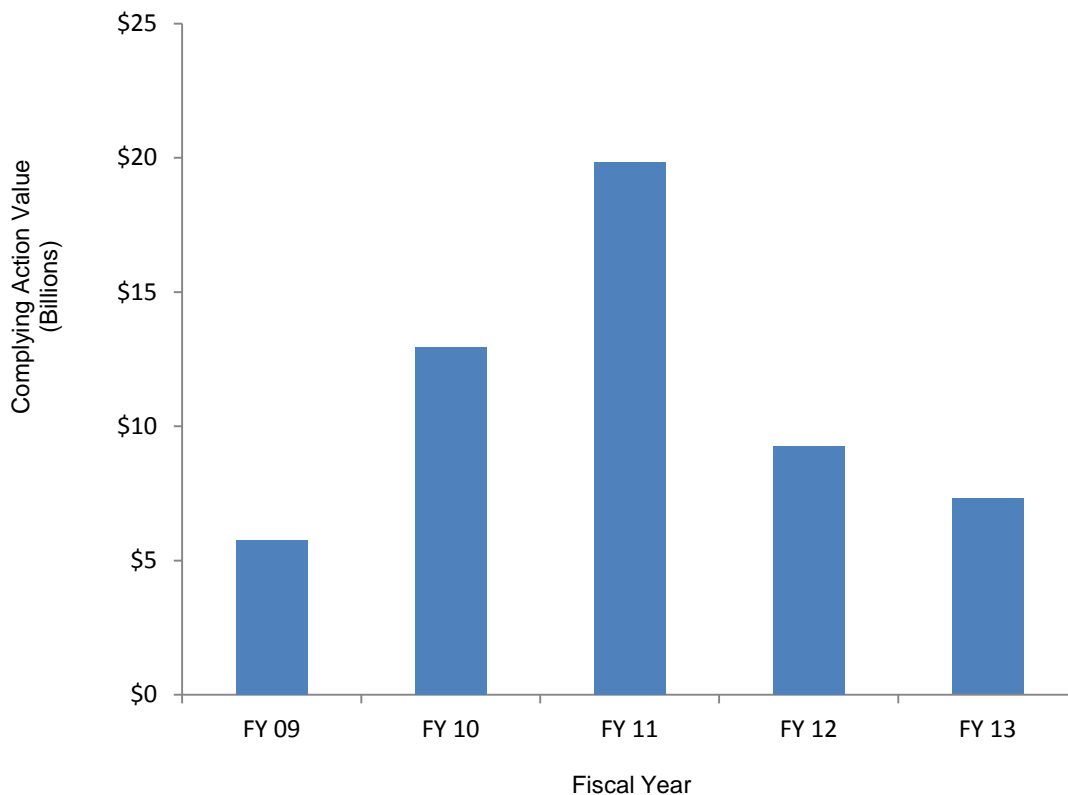
Note: Totals include "allowed claims" under bankruptcy settlements.

Data Source for Clean up and Cost Recovery: 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.



FY 2013 Enforcement and Compliance Annual Results

Estimated Value of Administrative and Civil Judicial Complying Actions (Injunctive Relief) FY 2009 – FY 2013



➤ In FY 2013, EPA enforcement actions required companies to invest more than **\$7 billion** in actions & equipment to control pollution (injunctive relief.)

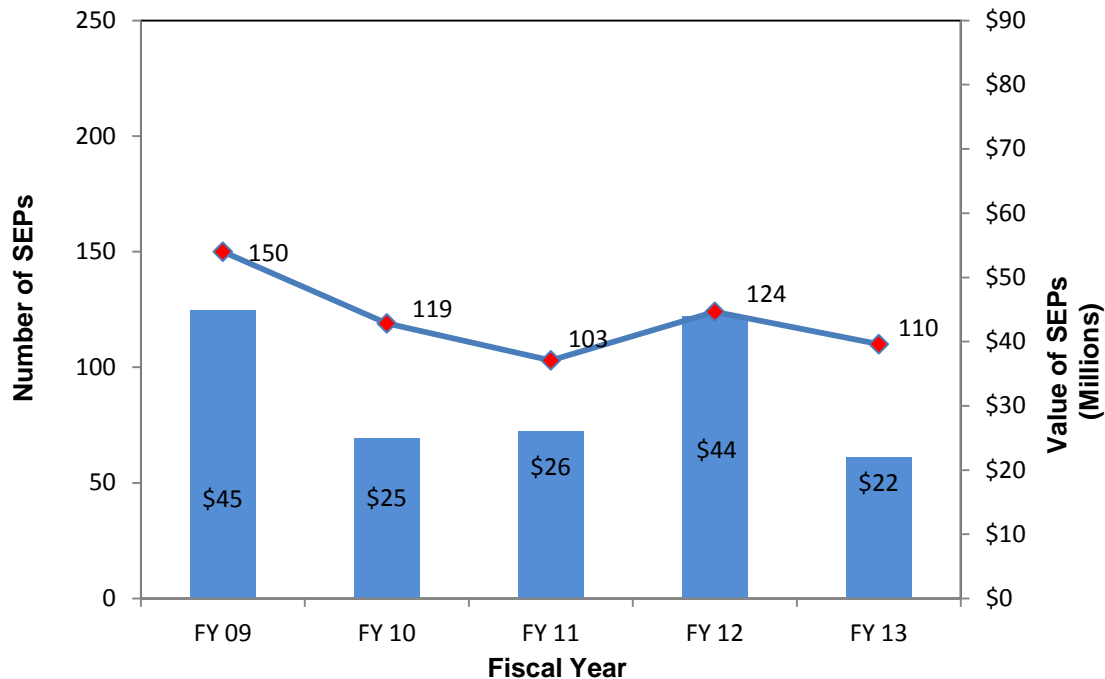
➤ Injunctive relief totals vary widely from year to year depending on the timing of resolution of the largest cases. For example, the total in FY 2011 is mainly due to one large company-wide air settlement (TVA; 26% of FY 2011 total) and two large municipal water settlements (City of Honolulu and NEORDS-Cleveland; both comprise 35% of FY 2011 total.)

Note: All prior FY dollar figures in this report are adjusted to reflect the current value in FY 2013 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)

FY 2013 Enforcement and Compliance Annual Results

Supplemental Environmental Projects FY 2009 – FY 2013



➤ In FY 2013, EPA enforcement actions resulted in more than
➤ **\$22 million** in Supplemental Environmental Projects (SEPs).

➤ SEPs are projects that a defendant/respondent agrees to undertake to benefit the community harmed by the violations in a way that defendant/respondent is not otherwise legally required to perform, e.g., in a CAA case, the defendant agrees to retrofit diesel school buses, thereby reducing pollution and protecting public health.

➤ SEPs are variable from year to year, and one or two large SEPs (e.g., one case in FY12 had an SEP of \$20 million) can have a significant effect on the total.

Note: All prior FY dollar figures in this report are adjusted to reflect the current value in FY 2013 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)

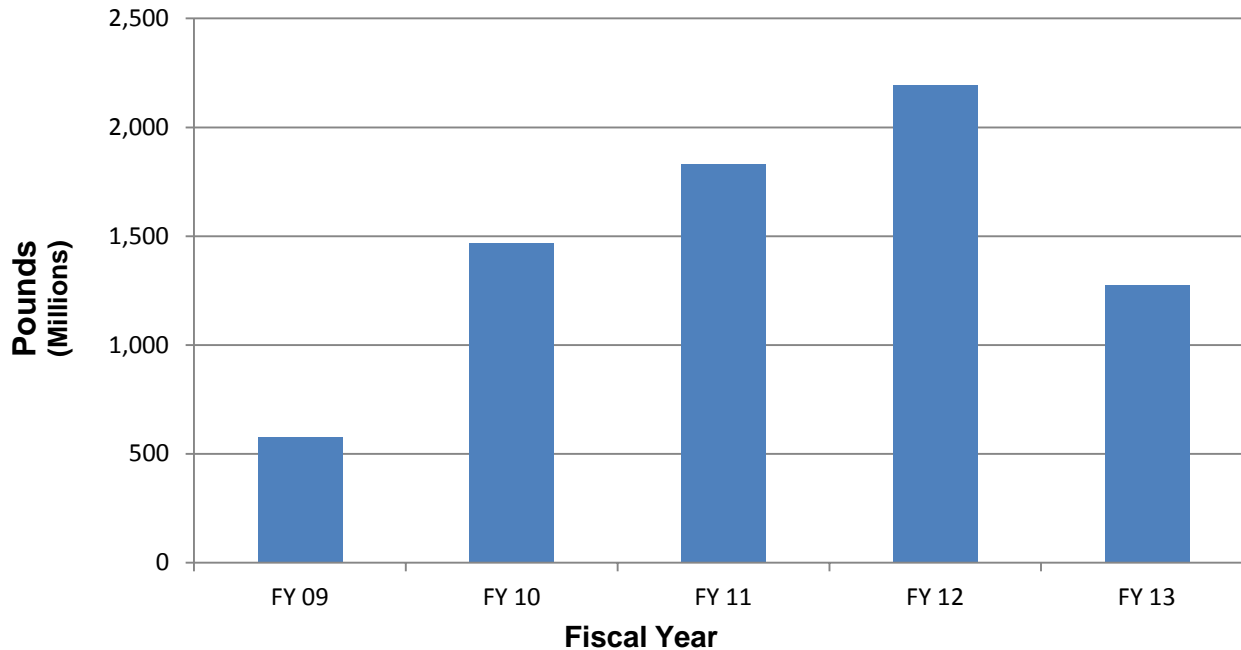


FY 2013 Enforcement and Compliance Annual Results

Estimated Environmental Benefits

Commitments to Reduce, Treat, or Eliminate Pollution

FY 2009 – FY 2013



Data Source: Integrated Compliance Information System (ICIS)

- In FY 2013, EPA enforcement actions required companies to reduce pollution by an estimated 1.3 billion pounds per year.
- EPA addresses the biggest sources first. In sectors contributing the largest amounts of pollution (e.g., coal fired power plants, raw sewage discharges, etc.) the total pounds of pollution reduced as a result of enforcement cases will therefore decline over time.
- EPA is increasing focus on air toxic pollution violations. These cases are fewer in pounds, but just as big in health impacts and benefits to communities.

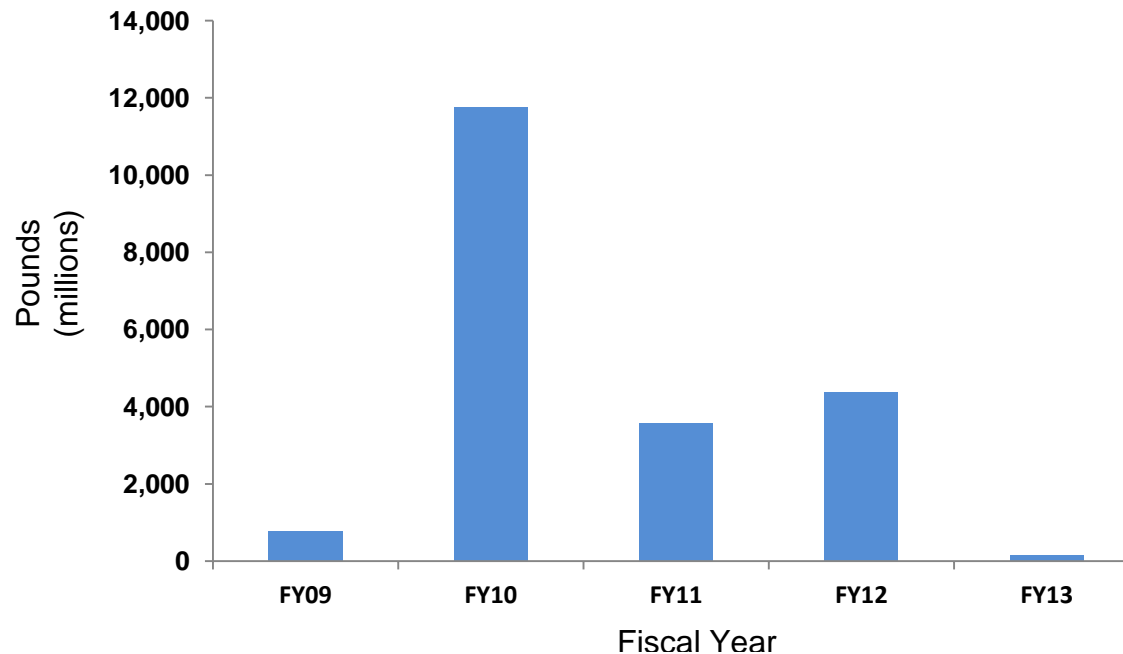


FY2013 Enforcement and Compliance Annual Results

Estimated Environmental Benefits

Hazardous Waste Treated, Minimized, or Properly Disposed

FY 2009 – FY 2013



➤ In FY 2013, EPA enforcement actions required companies to commit to treat, minimize, or properly dispose of **148 million pounds** of hazardous waste.

➤ In FY 2014, the Agency expects to conclude several hazardous waste cases that could result in billions of pounds of hazardous waste treated, minimized or properly disposed .

➤ 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.

Data Source: Integrated Compliance Information System (ICIS)

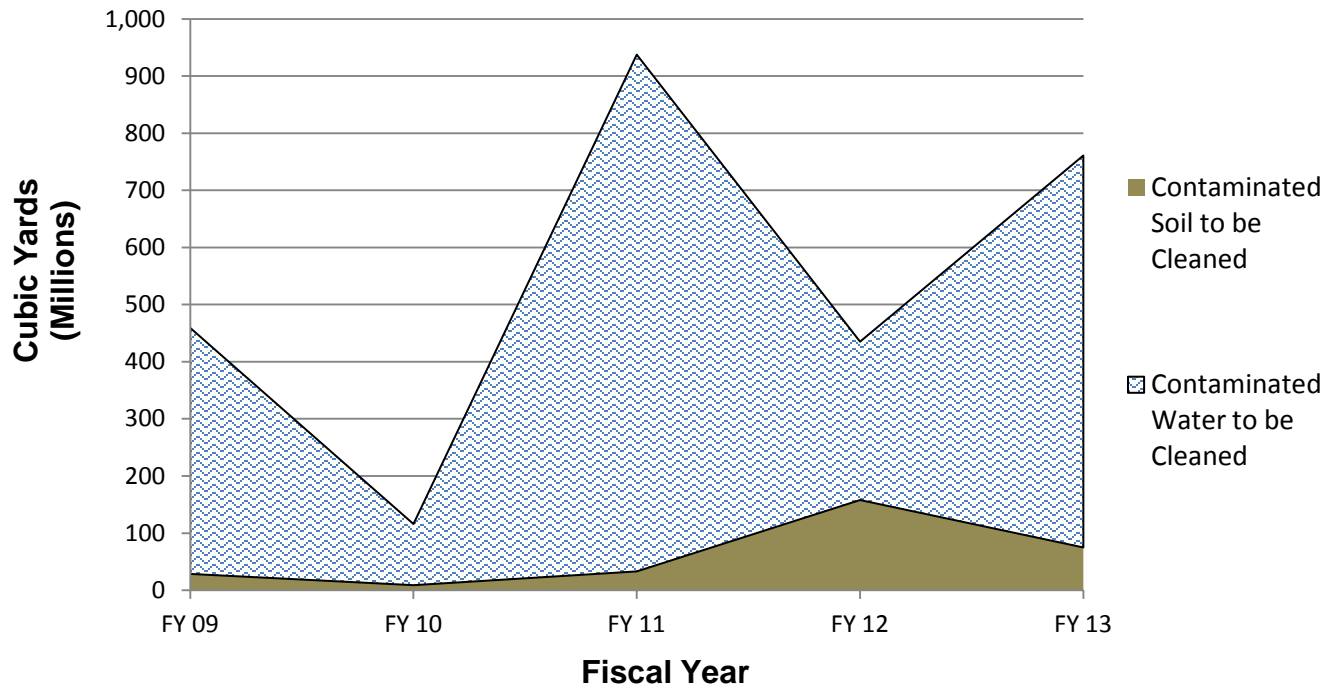


FY2013 Enforcement and Compliance Annual Results

Estimated Environmental Benefits

Volume of Contaminated Water and Soil to be Cleaned Up

FY 2009 – FY 2013



➤ In FY 2013 the Agency obtained an estimated 686 M cubic yards of Estimated Contaminated Water/Aquifer to be Cleaned Up (cubic yards).

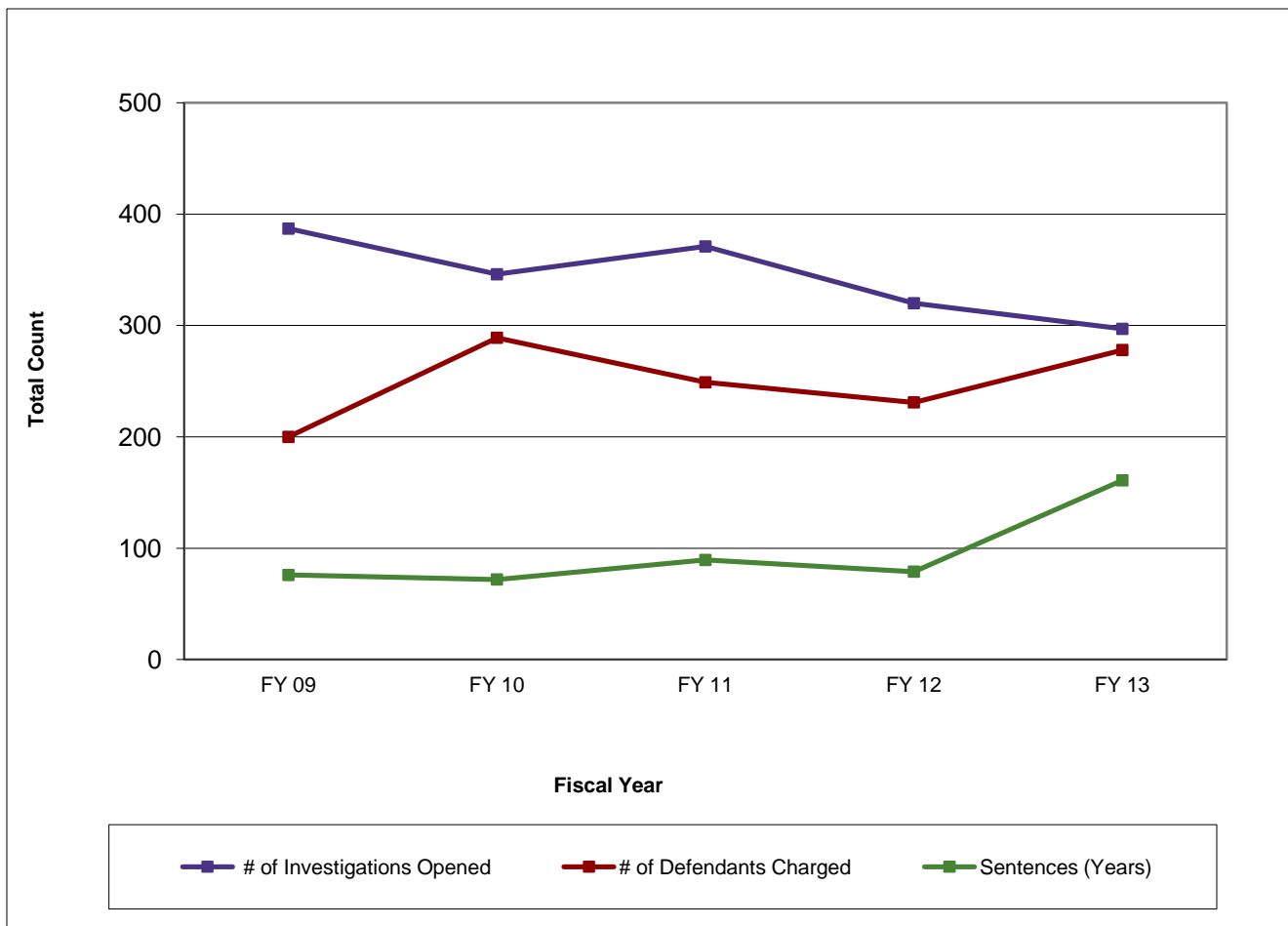
➤ In FY 2013 the Agency obtained an estimated 75 M cubic yards of Estimated Contaminated Soil to be Cleaned Up (cubic yards).

Data Source: Integrated Compliance Information System (ICIS)

FY 2013 Enforcement and Compliance Annual Results



Criminal Enforcement Environmental Crime Cases Opened, Defendants Charged and Sentencing Results – Years of Incarceration FY 2009 – FY 2013



- As predicted, the continued focus in FY 13 on Tier 1 and Tier 2 cases (which are generally more complex and resource intensive) has contributed to fewer investigations opened, but an increase in number of defendants charged and number of years sentenced.
- Significant criminal cases in FY13 included: Executive Recycling, Rodney Hailey, Walmart and the Deep Water Horizon cases - BP, Haliburton, and Transocean.

FY 2013 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