

US EPA ARCHIVE DOCUMENT



## Data, Planning and Results

You are here: [EPA Home](#) [Compliance and Enforcement](#) [Data, Planning and Results](#) [Results and Reports](#) [Annual Results](#) FY2001

# Compliance and Enforcement Annual Results - FY2001

EPA released data on its enforcement and compliance assurance results for FY 2001 on January 31, 2002, which included record-setting amounts of money violators have committed to environmental cleanups and restoration, and for projects to protect the environment and human health beyond injunctive relief, and to record penalty assessments.

By working in partnership with state and local governments, environmental groups, other organizations, and local citizens, the Agency continued to make great strides toward providing Americans with a cleaner, safer, and healthier environment.

Overall the FY2001 EPA enforcement and compliance efforts had the following results:

- enforcement actions required violators to reduce an estimated 660 million pounds of pollutants and treat and safely manage an estimated 1.84 billion pounds;
- violators being required to invest \$4.3 billion in pollution control and cleanup measures—the highest-ever such investment; 222 civil judicial cases were settled and 3,228 administrative orders and field citations issued;
- a vigorous criminal program resulted in prison sentences totaling 256 years—an increase of more than 100 years over FY2000—for criminal violations; such violations also resulted in nearly \$95 million in fines and restitution;
- supplemental environmental projects totaled at \$89 million—up 60 percent from \$55.8 million in FY2000; these involve actions a violator agrees to undertake to protect the environment and human health beyond required injunctive relief in exchange for a penalty reduction; and
- compliance assistance for more than one million individuals and businesses by direct assistance or through Compliance Assistance Centers.

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

### [Press Release](#)

[Numbers at a Glance](#) — Fact sheet comparing FY2000 and FY2001 annual results

[Compliance and Enforcement Progress in FY2001 \(PDF\)](#) (3 pp, 205K) — Brief summary of compliance and enforcement progress

### Graphical Representation

- [Dollar Values of FY2001 Enforcement Actions by Statute \(PDF\)](#) (1 pg, 12K) — Table
- [Dollar Values of Enforcement Actions Concluded in FY2001 \(PDF\)](#) (1 pg, 77K) — Graph
- [National Totals – FY2001 Enforcement Actions \(PDF\)](#) (1 pg, 18K) — Table

### FY2001 Annual Results Topics

- [FY2001 Home](#)
- [Press Release](#)
- [Numbers at a Glance](#)
- [Compliance and Enforcement Progress in FY2001 \(PDF\)](#)

### Graphical Representation

- [Dollar Values of FY2001 Enforcement Actions by Statute \(PDF\)](#)
- [Dollar Values of Enforcement Actions Concluded in FY2001 \(PDF\)](#)
- [National Totals – FY2001 Enforcement Actions \(PDF\)](#)
- [Twenty Pollutants with Largest Reductions Reported for EPA Enforcement Settlements \(PDF\)](#)
- [Audit Policy: Companies Disclosing and Correcting Violations Under the Agency Audit Policy Program \(PDF\)](#)
- [EPA Criminal Enforcement: Major Outputs FY1995 to FY2001 \(PDF\)](#)
- [Trends in Criminal Enforcement Since FY1995 \(PDF\)](#)
- [FY2001 National Compliance Assistance \(PDF\)](#)

- [Twenty Pollutants with Largest Reductions Reported for EPA Enforcement Settlements \(PDF\)](#) (1 pg, 45K) — Chart
- [Audit Policy: Companies Disclosing and Correcting Violations Under the Agency Audit Policy Program \(PDF\)](#) (1 pg, 12K) — Graph
- [EPA Criminal Enforcement: Major Outputs FY1995 to FY2001 \(PDF\)](#) (1 pg, 10K) — Graph
- [Trends in Criminal Enforcement Since FY1995 \(PDF\)](#) (1 pg, 62K) — Graph
- [FY2001 National Compliance Assistance \(PDF\)](#) (1 pg, 15K) — Chart

**Annual Results by Fiscal Year:**

[FY2010](#) | [FY2009](#) | [FY2008](#) | [FY2007](#) | [FY2006](#) | [FY2005](#) | [FY2004](#) | [FY2003](#) | [FY2002](#) | [FY2001](#) | [FY2000](#) | [FY1999](#)



## Data, Planning and Results

You are here: [EPA Home](#) [Compliance and Enforcement](#) [Data, Planning and Results](#) [Information Resources](#) [Reports](#) [Annual Results](#) [FY2001](#) Enforcement and Compliance Numbers at a Glances

### FY2001 Numbers at a Glance

	2001	2000	FY2001 Annual Results Topics	
<b>Civil Enforcement</b>				
Injunctive Relief	\$4,396,018,367	\$2,562,824,364	<ul style="list-style-type: none"> <li>• FY2001 Home</li> <li>• Press Release</li> <li>• Numbers at a Glance</li> <li>• Compliance and Enforcement Progress in FY2001 (PDF)</li> </ul>	
Civil Judicial Penalties	\$101,683,157	\$54,851,765		
Administrative Penalties	\$23,782,264	\$25,509,879		
Judicial Settlements	222	219		
Referrals to Justice Department	327	368		
Administrative Orders and Field Citations	3,228	5,310*		
Administrative Penalty Orders & Complaints	1,584	1,763		
State's Share of Civil Judicial Penalties	\$25 million	\$15 million		
<b>Criminal Enforcement</b>				
Fines	\$94,726,283	\$121,974,488	<b>Graphical Representation</b> <ul style="list-style-type: none"> <li>• Dollar Values of FY2001 Enforcement Actions by Statute (PDF)</li> <li>• Dollar Values of Enforcement Actions Concluded in FY2001 (PDF)</li> <li>• National Totals – FY2001 Enforcement Actions (PDF)</li> <li>• Twenty Pollutants with Largest Reductions Reported for EPA Enforcement Settlements (PDF)</li> <li>• Audit Policy: Companies Disclosing and Correcting Violations Under the Agency Audit Policy Program (PDF)</li> <li>• EPA Criminal Enforcement: Major Outputs FY1995 to FY2001 (PDF)</li> <li>• Trends in Criminal Enforcement Since FY1995 (PDF)</li> <li>• FY2001 National Compliance Assistance (PDF)</li> </ul>	
Sentences in Years	256	146		
Referrals to Justice Department	256	236		
Defendants Charged	372	360		
Cases Initiated	482	477		
<b>Supplemental Environmental Projects (Value)</b>				
<b>Compliance Assistance (Entities Reached)</b>				
Regional Assistance	550,000	450,000		
Compliance Assistance Centers	485,000	400,000		
Clearinghouse Visitors (1st Year)	62,000			
<b>Audit Policy Settlements</b>				
Companies	364	217		
Facilities Affected	1,754**	437		
<b>Federal Facilities</b>				

US EPA ARCHIVE DOCUMENT

	2001	2000
Enforcement Actions	51	46
Civil Penalties	\$1,367,243	\$140,010
Injunctive Relief	\$2,164,000	\$370,000,000***
<b>Superfund Cleanup Enforcement</b>		
Private Party Commitments	Over \$1.7 billion	Over \$1.4 billion
Orphan Share Compensation Offers	Over \$22.9 million	More than \$19.1 million
De minimus Settlements/Parties	15/Over 1,900	

\*The significant number of administrative settlements in FY 2001 was due to 1,700 Safe Drinking Water Act administrative enforcement actions related to non-submissions of the required Consumer Confidence Report, an annual drinking water quality report for consumers.

\*\*The increase in facilities involved in Audit Policy settlements is due, largely in part, to the Agency's continuing efforts to encourage corporations with multiple facilities to conduct corporate-wide audits and develop corporate compliance systems. EPA has reached corporate-wide agreements with the telecommunications and iron and steel sectors.

\*\*\*More than \$350 million of this amount was attributed to cleanup involving the Massachusetts Military Reservation.

**Annual Results by Fiscal Year:**

[FY2010](#) | [FY2009](#) | [FY2008](#) | [FY2007](#) | [FY2006](#) | [FY2005](#) | [FY2004](#) | [FY2003](#) | [FY2002](#) | [FY2001](#) | [FY2000](#) | [FY1999](#)

## Compliance and Enforcement Progress in FY 2001 Detailed Summary

**Pollutants Reduction:** In 2001, EPA's enforcement actions required violators to reduce an estimated 660 million pounds and treat or safely manage an estimated 1.84 billion pounds of pollutants. Major estimated pollution reductions through enforcement included: **Soil**—720 million pounds of dredge and fill material associated with the illegal wetlands ditching and excavation, and 541 million pounds of soil contaminated with toxins. **Air**—370 million pounds of sulfur dioxide (SO<sub>2</sub>), which contributes to respiratory illness, particularly in children and the elderly, and aggravates existing heart and lung diseases, and 316 million pounds of nitrogen oxide (NO<sub>x</sub>) which is one of the main ingredients involved in the formation of ground-level ozone and can trigger serious respiratory problems. **Water**—149 million pounds of ground water contaminated with volatile organic compounds (VOCs), many of which are known or suspected carcinogens.

Contributing to the significant required air pollutant reductions were civil enforcement settlements involving Motiva/Equilon/Shell, which is estimated to result in an annual reduction of 51,000 tons SO<sub>2</sub> and 19,500 tons of NO<sub>x</sub> through the use of upgraded technologies, and a similar agreement with BP Amoco, which is estimated to cut NO<sub>x</sub> and SO<sub>2</sub> by more than 40,000 tons a year. These reductions are consistent with the Agency's goal of reducing emissions of six principal air pollutants (carbon monoxide, lead, nitrogen dioxide, ozone, particulate matter, and sulfur dioxide). In the past 30 years, the total emissions of the six principal air pollutants decreased 31 percent.

**Civil Enforcement:** EPA's civil enforcement program's goal is to maintain a consistent federal enforcement presence, as a deterrent to non-compliance and in support of state enforcement activities. In FY 2001, EPA saw a civil enforcement program that resulted in many successes including injunctive relief valued at \$4.3 billion that will undo past harm and prevent future damage to the environment. Violators also paid \$125 million in civil penalties with an additional \$25.5 million going to states in shared penalties. Assessing civil penalties establishes a level playing field for regulated entities by eliminating economic advantage gained through noncompliance. EPA settled 222 civil judicial cases and issued 3,228 administrative orders and field citations involving violations of a single statute or multiple statutes. In a major multi-statute enforcement case, Morton International Inc. agreed on Oct. 26, 2001, to resolve charges that it violated clean air, clean water and hazardous waste laws at its Moss Point, Miss., facility under a civil settlement and criminal plea agreement with the United States and Mississippi Department of Environmental Quality. Morton paid a \$20 million penalty and will spend up to \$16 million on projects to enhance the environment. EPA also took 51 enforcement actions against federal facilities, an increase of five from last year, for violations of numerous federal environmental statutes.

EPA's efforts in the petroleum refinery sector continue to produce large gains in reducing air pollution. In FY2001, EPA reached "global" settlements with four major refiners (Koch Petroleum, BP Amoco, Marathon Ashland Petroleum and Motiva/Equilon/Shell) addressing CAA violations of NSR/PSD, Leak Detection and Repair, Benzene Waste-NESHAP (National Emission Standards for Hazardous Air Pollutants) and flaring/NSPS (New Source Performance Standards) requirements. These settlements involved 27 refineries and 28.8 percent of domestic refining capacity. The addition of air pollution controls combined with operational changes will result an estimated annual reduction of 87,000 tons of SO<sub>x</sub>, 49,500 tons of NO<sub>x</sub>, 8,220 tons of volatile organic VOCs and 2,100 tons of particulate matter (PM). The Agency is negotiating global settlements with five refineries representing more than 25 percent of refining capacity.

***Criminal Enforcement:*** During FY 2001, EPA maintained a strong criminal enforcement program to bring to justice those who violated the law knowingly or willingly. Over the year, among other enforcement accomplishments, the criminal program initiated 482 cases and 372 defendants charged. The guilty paid nearly \$95 million in fines and restitution, and were sentenced to 256 years in prison— an increase of more than 100 years from 2000. In addition to committing resources and manpower to the Agency's criminal enforcement efforts, EPA's criminal staff also worked closely with other federal law enforcement agencies as part of the federal government's response to the Sept. 11 terrorist attacks. Since the attacks, criminal investigations and forensics staff have been providing crisis management support to other federal agencies to combat domestic terrorism.

In 2001, the Agency successfully prosecuted the first criminal case involving a violation of the Lead Hazard Reduction Act. On July 11, 2001, David D. Nuyen of Silver Spring, M.D., who owned and managed approximately 15 low-income rental properties in the District of Columbia and Maryland, pled guilty to making false statements in violation of the Lead Hazard Reduction Act and the Toxic Substances Control Act (TSCA). When sentenced, he faces up to two years in prison and up to a \$1.5 million fine.

***Compliance Assistance:*** To help the regulated community understand and fully comply with environmental requirements, EPA provided compliance assistance more than 550,000 businesses and provided financial and other support to 10 Internet-based Compliance Assistance Centers created to help small and medium-sized businesses, local governments, and federal facilities. In FY 2001, the public and regulated entities visited the Centers more than 485,000 times, an increase of 19 percent from FY 2000. These visits included more than 150,000 requests compliance documents. Other compliance assistance tools such as hotlines, workshops and guidance materials effectively reached more than one-half million regulated entities. Also, in 2001, EPA launched the National Assistance Clearinghouse. The Clearinghouse is a web-based searchable reference tool that provides a quick access to compliance assistance materials and a means for the user to interact with EPA, states and other compliance assistance providers. The Clearinghouse contains almost 4,500 links, including resources from all 50 states. In its first year of operation, 62,000 visitors viewed more than 183,000 web pages.

***Compliance Incentives:*** In FY 2001, EPA's Audit and Small Business Policies continued to provide a significant incentive for many companies to improve their environmental management practices. Under the Audit Policy, regulated facilities detect, disclose, and correct environmental violations in exchange for a waiver or significant reduction in penalties from EPA. In 2001, EPA completed Audit Policy agreements with 364 companies to conduct self-audits and correct violations at 1,754 facilities. In 2001, EPA also successfully worked with solicited industry sectors, such as steel mini-mills, petroleum refineries, telecommunications, and property management, to use the Audit Policy through tailored initiatives to improve environmental management at their facilities.

***Supplemental Environmental Projects:*** A supplemental environmental project (SEP) involves actions an violator agrees to undertake to protect the environment and human health beyond required injunctive relief in exchange for a penalty reduction. In FY 2001, SEPs valued \$89.1 million, up 60 percent from last year's value of \$55.8 million. Significant SEPs in 2001 included environmental projects funded by Air Liquide America Corporation and by S.C. Johnson. In June 2001, Air Liquide agreed to dedicate an undeveloped parcel of land having ecological value as open or "green" space in the industrialized area of Calcasieu Parish. This land will not be used for industrial purposes in the future and is aimed at benefitting the primarily lower income, predominately minority community. In 2001, S.C. Johnson and Company agreed to provide funding to the Asthma and Allergy Foundation of America to purchase and staff a Mobile Asthma Clinic ("Breathmobile®") for specialized and preventative health care to Baltimore's high-risk,

inner-city and underprivileged children. The settlement funds the Breathmobile® for one year of diagnosis and treatment at a cost of nearly \$700,000.

Dollar Value of FY 2001 EPA Enforcement Actions (by Statute)

	Criminal Penalties Assessed	Civil Judicial Penalties Assessed	Administrative Penalties Assessed	\$ Value of Jud. Injunctive Relief	\$ Value of Adm. Injunctive Relief	\$ Value of SEPs
CAA	\$25,315,683	\$55,015,441	\$4,006,848	\$2,702,366,701	\$4,467,971	\$33,825,273
CERCLA*	\$16,742,004	\$2,220,000	\$143,170	\$1,067,948,700	\$154,235,133	\$830,957
CWA	\$38,216,603	\$17,984,220	\$5,353,442	\$97,662,082	\$60,925,238	\$3,390,528
EPCRA	\$15,000	\$12,957	\$3,515,780	\$0	\$834,689	\$3,711,428
FIFRA	\$128,505	\$0	\$1,600,081	\$0	\$1,109,965	\$107,000
RCRA	\$1,611,479	\$25,981,539	\$5,554,194	\$89,567,501	\$210,800,317	\$44,393,575
SDWA	\$8,000	\$469,000	\$582,766	\$100,000	\$5,558,975	\$2,290,419
TSCA	\$357,336	\$0	\$3,025,983	\$0	\$441,095	\$585,776
**Title 18/Other	\$12,331,673	\$0	\$0	\$0	\$0	\$0
Totals	\$94,726,283	\$101,683,157	\$23,782,264	\$3,957,644,984	\$438,373,383	\$89,134,956

\* This includes PRP cash out settlement for future work. Cost recovery dollars were \$414 million.

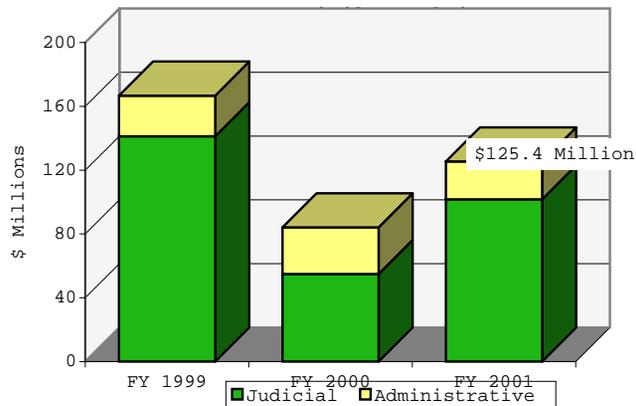
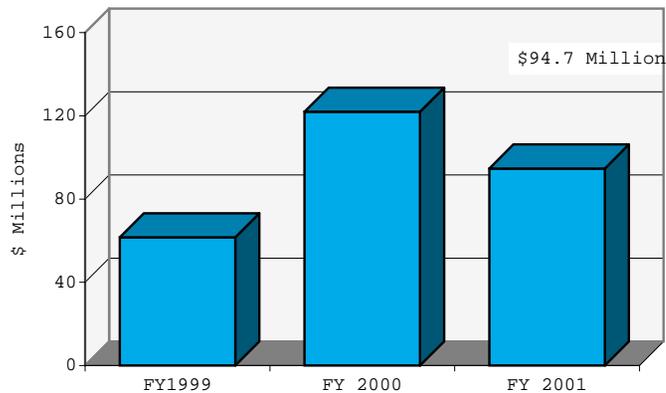
\*\*Criminal cases with U.S. Code - Title 18 or other violations

Data comes from EPA criminal and civil dockets (10/09/01).

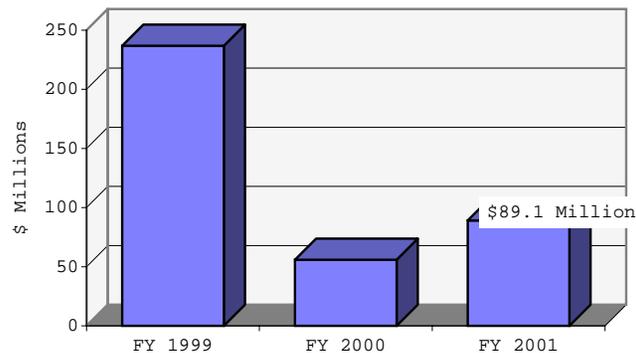
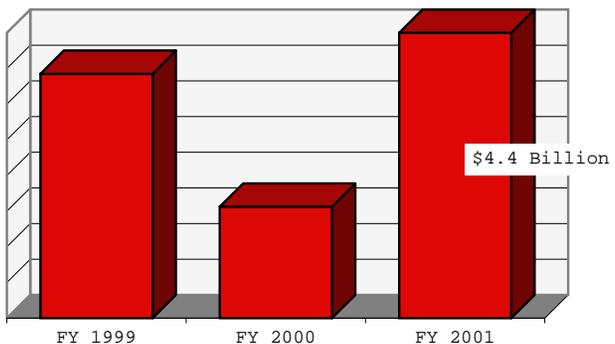
Docket pull on November 1, 2001.

Dollar Value of EPA Enforcement Actions Concluded in FY 2001

EPA Criminal Penalties



Value of Injunctive Relief



National Totals - FY 2001 Enforcement Activity

Regional Inspect: EPA Administrative Penalty Order Complaints

EPA

	FY 99	FY 00	FY01
CAA	193	160	170
CERCLA	0	0	25
CWA-NPDES	192	295	136
CWA-311	204	208	261
CWA-404	40	41	45
EPCRA	285	390	338
FIFRA	274	199	184
RCRA	197	212	154
SDWA-PWSS	20	20	97
SDWA-UIC	44	41	25
TSCA	205	197	147
<b>Total</b>	<b>1,654</b>	<b>1,763</b>	<b>1,582</b>

SOURCE: Docket (Nov. 1, 2001)

New EPA Civil Referrals to

	FY 99	FY 00	FY01
CAA	110	125	113
CERCLA	148	121	107
CWA-NPDES	58	46	53
CWA-311	16	16	9
CWA-404	12	11	14
EPCRA	12	8	2
FIFRA	0	0	1
RCRA	39	28	16
SDWA-PWSS	4	4	5
SDWA-UIC	1	3	3
TSCA	3	6	4
<b>Total</b>	<b>403</b>	<b>368</b>	<b>327</b>

SOURCE: Docket (Nov. 1, 2001)

y Settlements (Conclusions)

EPA Adm. Penalt

	FY 99	FY 00	FY01
CAA	154	182	179
CERCLA	1	0	25
CWA-NPDES	186	291	210
CWA-311	148	180	235
CWA-404	31	44	26
EPCRA	244	379	346
FIFRA	223	200	174
RCRA	134	201	168
SDWA-PWSS	16	21	51
SDWA-UIC	24	27	16
TSCA	197	205	154
<b>Total</b>	<b>1,358</b>	<b>1,730</b>	<b>1,584</b>

SOURCE: Docket (Nov. 1, 2001)

EPA Civil Judicial Sett

	FY 99	FY 00	FY01
CAA	48	53	43
CERCLA	124	130	132
CWA-NPDES	16	12	24
CWA-311	1	6	3
CWA-404	7	4	1
EPCRA	1	2	1
FIFRA	1	0	0
RCRA	11	10	12
SDWA-PWSS	5	0	3
SDWA-UIC	1	2	1
TSCA	0	0	2
<b>Total</b>	<b>215</b>	<b>219</b>	<b>222</b>

SOURCE: Docket (Nov. 1, 2001)

pliance Orders Issued

EPA Administrative Compliance Orders Issued

SOURCE: Docket

	FY 99	FY 00	FY01
CAA	298	219	192
CERCLA	247	251	220
CWA-NPDES	549	596	374
CWA-311	8	29	12
CWA-404	64	102	66
EPCRA	0	1	1
FIFRA	28	64	12
RCRA	50	42	35
SDWA-PWSS	251	2,067	542
SDWA-UIC	18	17	39
TSCA	3	0	0
<b>Total</b>	<b>1,516</b>	<b>3,388</b>	<b>1494*</b>

SOURCE: Docket (Nov. 1, 2001)

\* This includes I MRBMA inspection.

EPA Field Citations

	FY 99	FY 00	FY01
UST	311	192	150

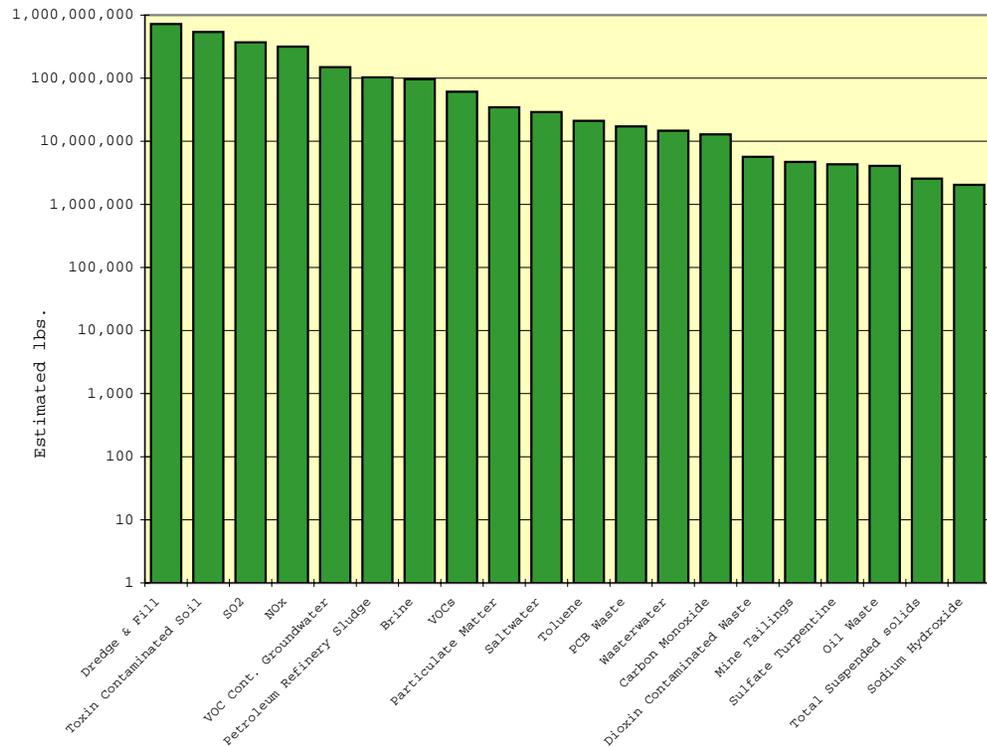
SOURCE: Docket (Nov. 1, 2001)

Audit Policy Notices of Determination

	FY 99	FY 00	FY01
All Statutes	NA	144	234

SOURCE: Docket (Nov. 1, 2001)

Data pull on December 19, 2001.

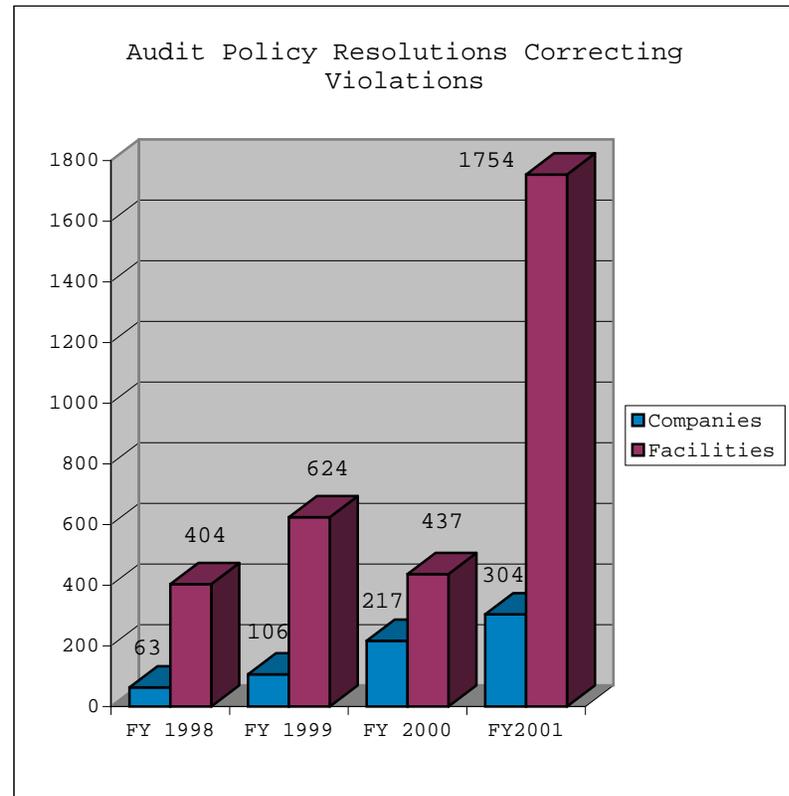
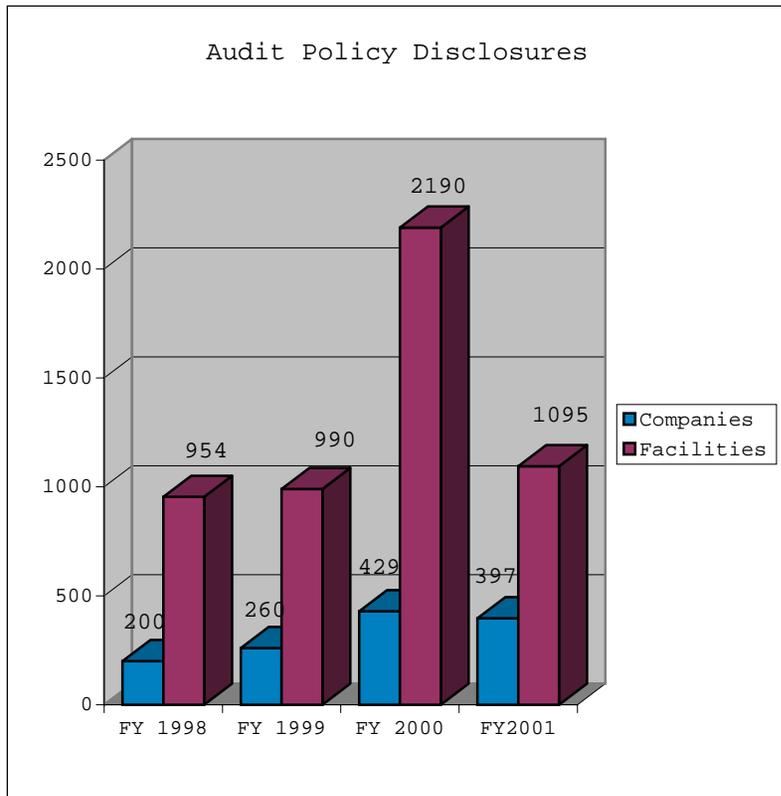


Pollutant	Lbs. Reduced
Dredge & Fill	720,797,600
Toxin Contaminated S	541,606,300
SO2	370,340,600
NOx	316,028,200
VOC Cont. Groundwater	149,940,000
Petroleum Refinery S	103,158,000
Brine	96,408,800
VOCs	61,213,300
Particulate Matter	34,589,400
Saltwater	28,991,300
Toluene	21,126,200
PCB Waste	17,226,500
Wasterwater	14,715,100
Carbon Monoxide	12,896,000
Dioxin Contaminated	5,663,500
Mine Tailings	4,719,600
Sulfate Turpentine	4,326,000
Oil Waste	4,075,400
Total Suspended soli	2,563,850
Sodium Hydroxide	2,034,000

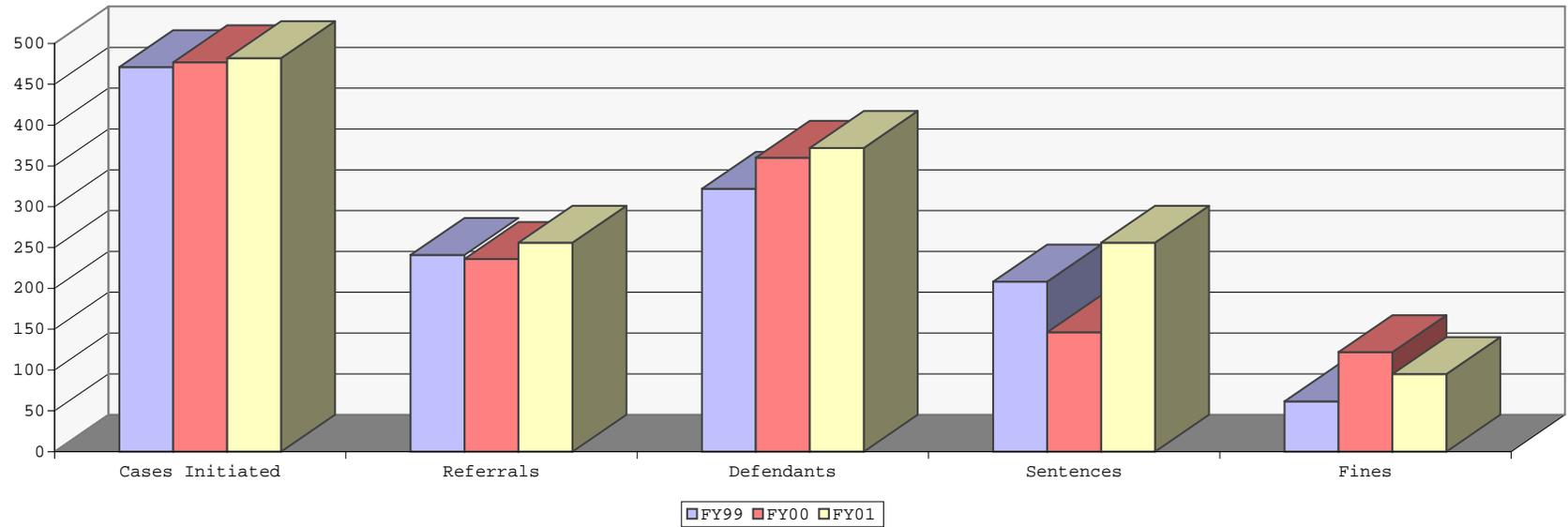
Note: Chart is in Log<sub>10</sub> sca

December 1, 2000 - OECA/OC/EPTDD/IUTB

Audit Policy: Companies Disclosing and Correcting Violations Under the Agency Audit Policy Program

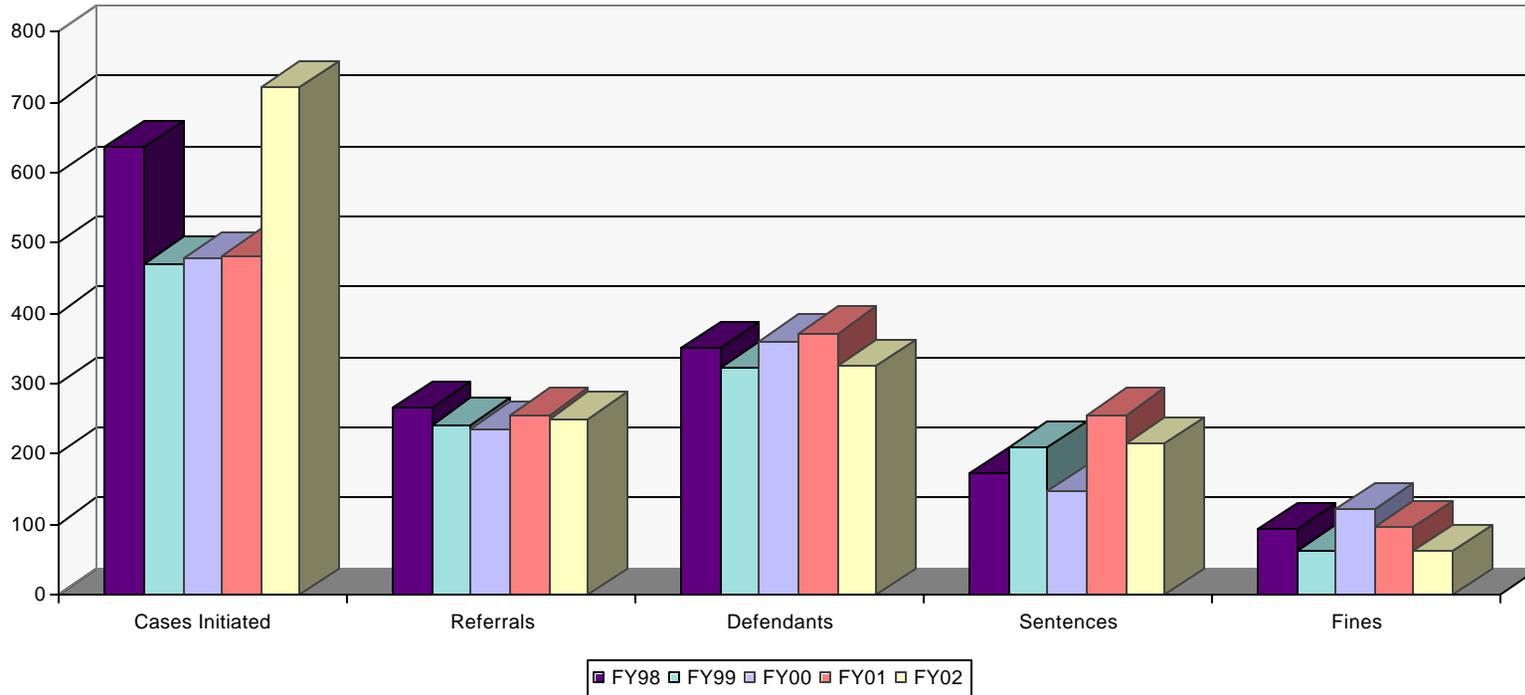


Major Outputs FY 1999 to FY 2001



	<u>Cases Initiated</u>	<u>Referrals</u>	<u>Defendants Charged</u>	<u>Sentences (Years)</u>	<u>Fines (\$ Millions)</u>
FY 1999	471	241	322	208.3	61.6
FY 2000	477	236	360	146.2	122.0
FY 2001	482	256	477	256	95

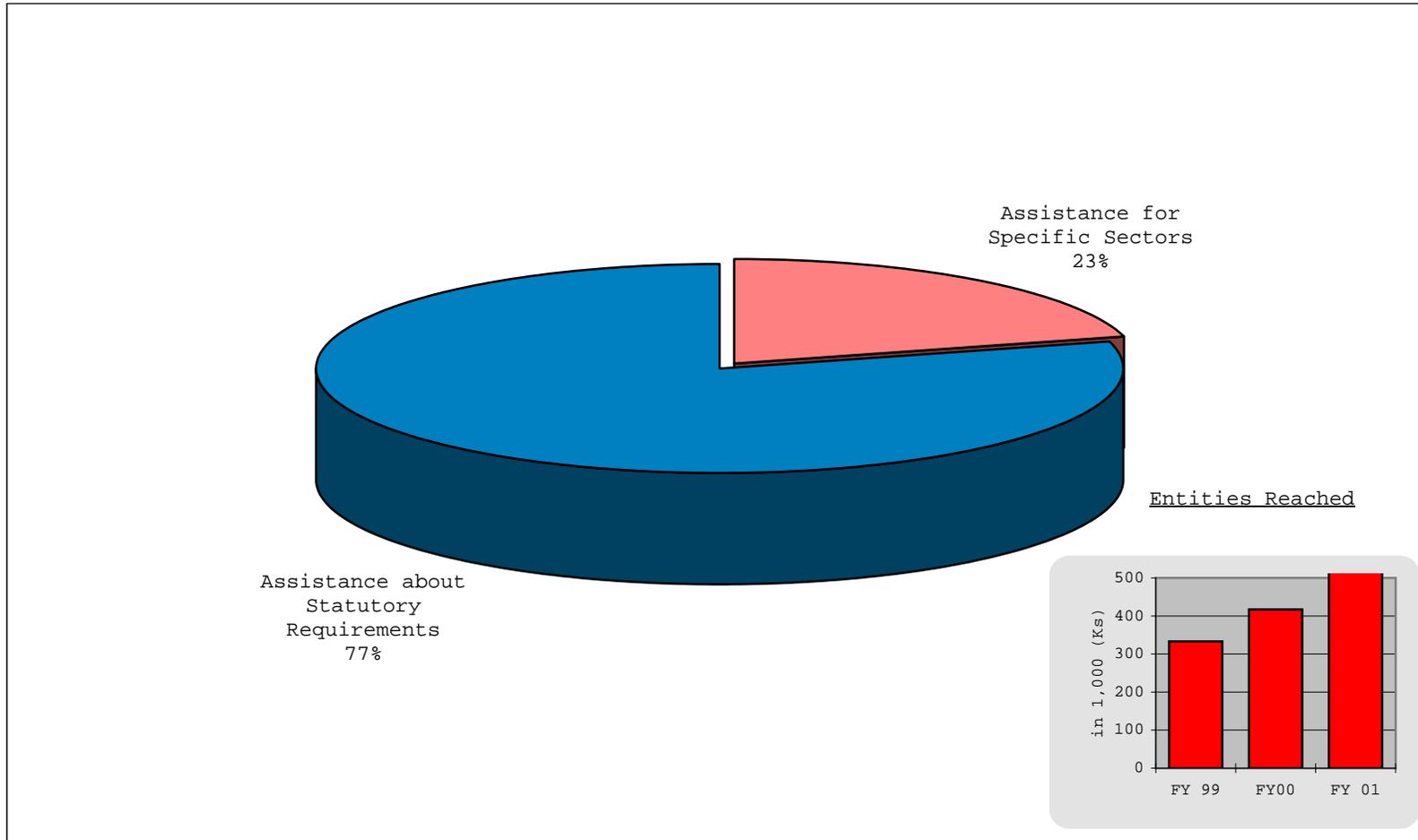
## EPA Criminal Enforcement : Major Outputs FY 1998 to FY 2002



	<u>Cases Initiated</u>	<u>Referrals</u>	<u>Defendants Charged</u>	<u>Sentences (Years)</u>	<u>Fines (\$ Millions)</u>
FY 1998	636	266	350	173	93
FY 1999	471	241	322	208	62
FY 2000	477	236	360	146	122
FY 2001	482	256	477	256	95
FY 2002	674*	250	325	215	62

\*FY'02 includes 190 counter-terrorism investigation initiations.

FY 2001 National Compliance Assistance  
Number of Entities Reached = 550,000



Source: RCATS  
November 15, 2001

In addition, the Compliance Assistance Centers were visited more than 485,000 times.