





## **EPA Environmental Results**

FY2009 Highlights

EPA Enforcement Cases Yield Human Health and Environmental Benefits

National Enforcement Priorities Address Important Environmental Problems

National Enforcement Priority Environmental Benefits

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## Civil Enforcement Highlights:

- In FY 2009, EPA enforcement actions required companies to invest an estimated **\$5.4 billion in actions & equipment to reduce pollution & protect the environment (injunctive relief) and in projects that benefit the environment & public health (Supplemental Environmental Projects)**
- In FY 2009, civil and criminal defendants committed to **reduce pollution by 580 million pounds** annually once all required controls are fully implemented.
- In the past 5 years, EPA has obtained estimated **total pollution reduction commitments of 7.4 billion pounds, an average of 1.5 billion pounds per year.**
- In FY 2009 EPA's voluntary disclosure program obtained commitments for pollutant reductions of an estimated 23 million pounds, **the largest environmental benefit amount ever obtained through this program.**
- Over the past five years, Defendants have committed to **invest an estimated total of \$45 billion to reduce pollution**, clean up contaminated land and



# FY2009 Enforcement & Compliance Annual Results

## Highlights (continued)

- Defendants in EPA's civil enforcement cases committed to take complying actions that will result in treatment, minimization, or proper disposal of **780 million pounds of hazardous waste**.
  - FY 2009 is the second year that EPA has collected data on hazardous waste reductions achieved through enforcement cases.
- EPA also continued a trend of increasing the number of civil judicial enforcement cases concluded – with a total of **201 cases concluded in FY 2009**.



# FY2009 Enforcement & Compliance Annual Results

## Criminal Enforcement Program Accomplishments:

- In FY 2009, EPA opened **387 new environmental crime cases**, the largest number of new criminal case initiations in five years.

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# FY2009 Enforcement & Compliance Annual Results

## EPA Enforcement Cases Yield Human Health and Environmental Benefits

- EPA's top Clean Air Act enforcement actions of FY 2009 reduced emissions of particulate matter, sulfur dioxide, nitrogen oxides, VOCs, and ammonia, resulting in annual benefits of:
  - Between \$4.0 to \$9.8 billion in avoided health costs
  - Between 450 to 1,200 avoided premature deaths in people with heart or lung disease
  - Over 790 fewer emergency room visits or hospital admissions
  - About 1,000 fewer cases of chronic bronchitis and acute bronchitis
  - About 720 fewer nonfatal heart attacks
  - Over 7,700 fewer cases of aggravated asthma
  - Over 15,000 fewer cases of upper and lower respiratory symptoms
  - Over 58,000 fewer days when people would miss work or school.
- Air Toxics enforcement actions in 76 counties protected the 26 million people living in those counties
- Hazardous waste enforcement actions protected an estimated 96 thousand people who live within 500 meters of hazardous waste facilities
- 23% of EPA Clean Water Act enforcement actions reduced pollutants discharged into waters that states have identified as impaired

Data Source of Pollutant Reduction: Integrated Compliance Information System (ICIS), October, 2009. Pollutant estimates based on estimated emissions when facilities return to compliance. Clean Air Act health benefit estimates are based on methodologies developed to calculate the co-benefits of reducing particulate matter for the Ozone NAAQS Regulatory Impact Analysis (RIA) and represent a range of the methodologies presented in 2009 dollars. Air toxics and hazardous waste estimates based on 2000 census data.



- EPA's enforcement and compliance program identifies and focuses on priority environmental risks and noncompliance problems. The enforcement and compliance priority areas identified by EPA involve pollution of the water, air, and land.
- Approximately 57% of pollution reductions and 71% of pollution control investments s01 Tc 0.



# FY2009 Enforcement & Compliance Annual Results

## National Enforcement Priorities Environmental Benefits

	Estimated Pollutants to be Reduced <i>(million pounds)</i>		Estimated Investments in Pollution Control <i>(million dollars adjusted to 2009 dollars)</i>	
	<u>FY 2008</u>	<u>FY 2009</u>	<u>FY 2008</u>	<u>FY 2009</u>
<b>New Source Review/Prevention of Significant Deterioration</b>	<b>1,654</b>	<b>95</b>	<b>\$4,780</b>	<b>\$318</b>
<b>Air Toxics</b>	<b>0.09</b>	<b>0.23</b>	<b>\$7</b>	<b>\$0.19</b>
<b>Combined Sewer Overflows/Sanitary Sewer Overflows</b>	<b>173</b>	<b>22</b>	<b>\$2,900</b>	<b>\$1,400</b>
<b>Concentrated Animal Feeding Operations</b>	<b>32</b>	<b>7</b>	<b>\$5.1</b>	<b>\$1.9</b>
<b>Stormwater</b>	<b>1,329</b>	<b>196</b>	<b>\$68</b>	<b>\$58</b>
<b>Indian Country</b>	<b>-</b>	<b>-</b>	<b>\$49</b>	<b>\$4</b>
<b>Mineral Processing</b> <i>(as hazardous waste)</i>	<b>1,751</b>	<b>64</b>	<b>\$216</b>	<b>\$1.2</b>
<b>Financial Assurance</b> <i>(estimated value of financial assurance restored)</i>	<b>-</b>	<b>-</b>	<b>\$134</b>	<b>\$395</b>

Note: All prior FY dollar figures in this report are adjusted to reflect the current value in FY 2009 dollars based on the monthly rate of inflation as determined by the U.S. Department of Labor Consumer Price Index for All Urban Consumers.

Note: Most of the numbers displayed in this document are rounded. As a result, adding the figures presented here may not produce exactly the same totals as those displayed in other EPA documents.

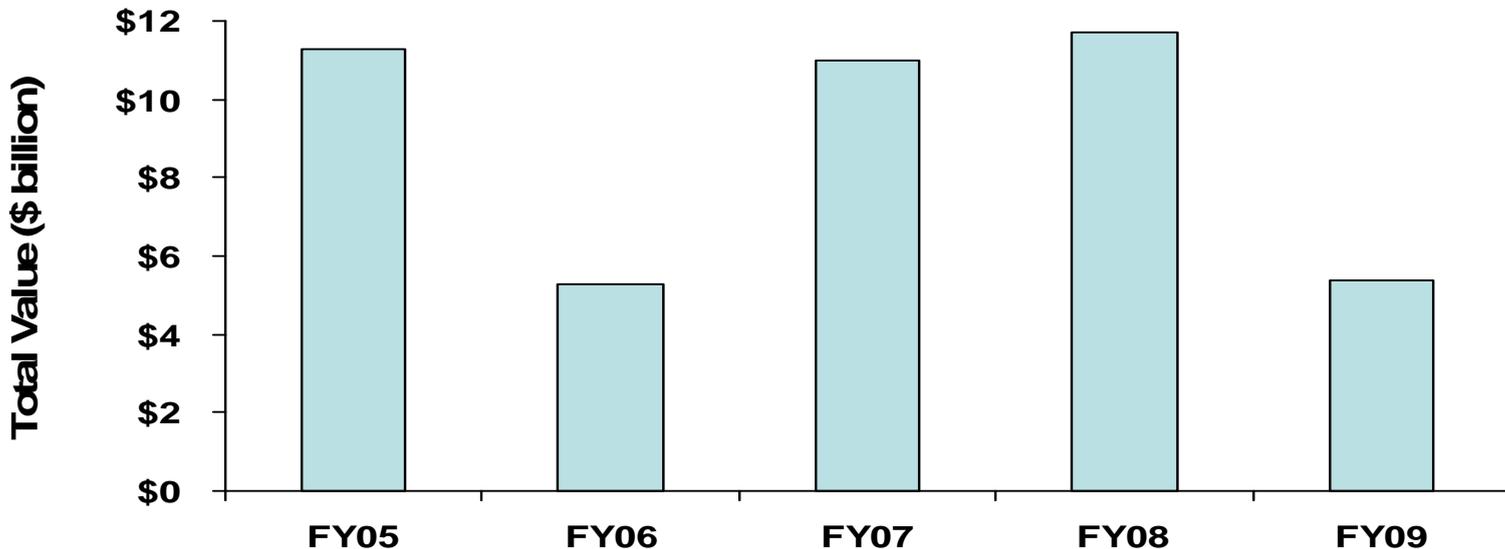
Note: More information at <http://www.epa.gov/compliance/data/planning/priorities/index.html>

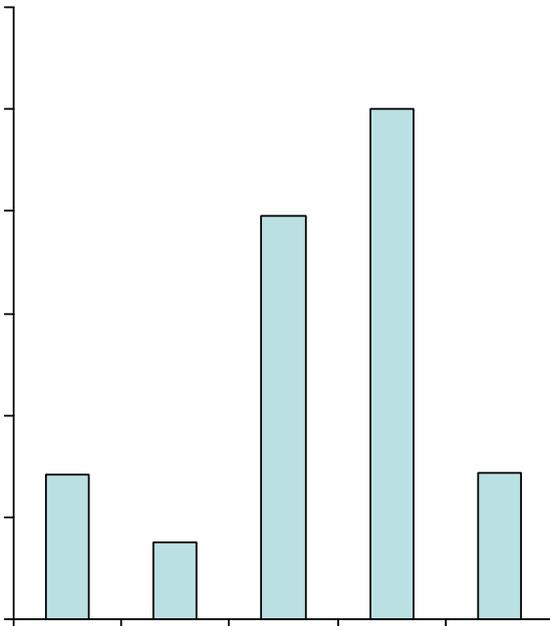




# FY2009 Enforcement & Compliance Annual Results

Investments in Actions & Equipment to Reduce Pollution & Protect the Environment (Injunctive Relief) Plus Investments in Projects  
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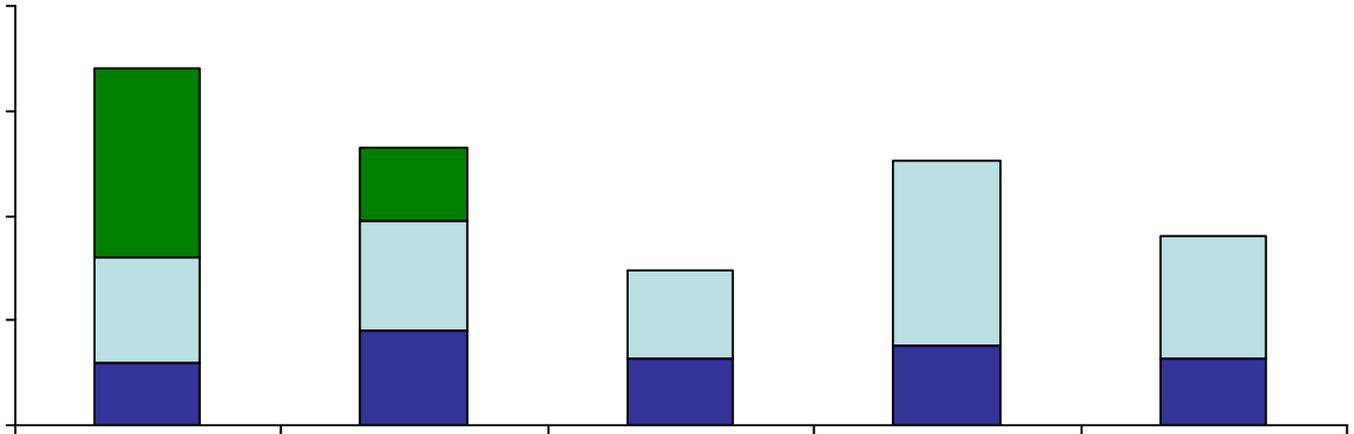


# FY2009 Enforcement & Compliance Annual Results

## Results from Concluded EPA Enforcement Actions

### Civil Penalties Assessed

*(Inflation/Deflation Adjusted to FY 09 Dollars)*





# EPA Civil Judicial Enforcement Cases Referred to the Department of Justice

Total and by Statute





## **Concluded EPA Enforcement Actions**



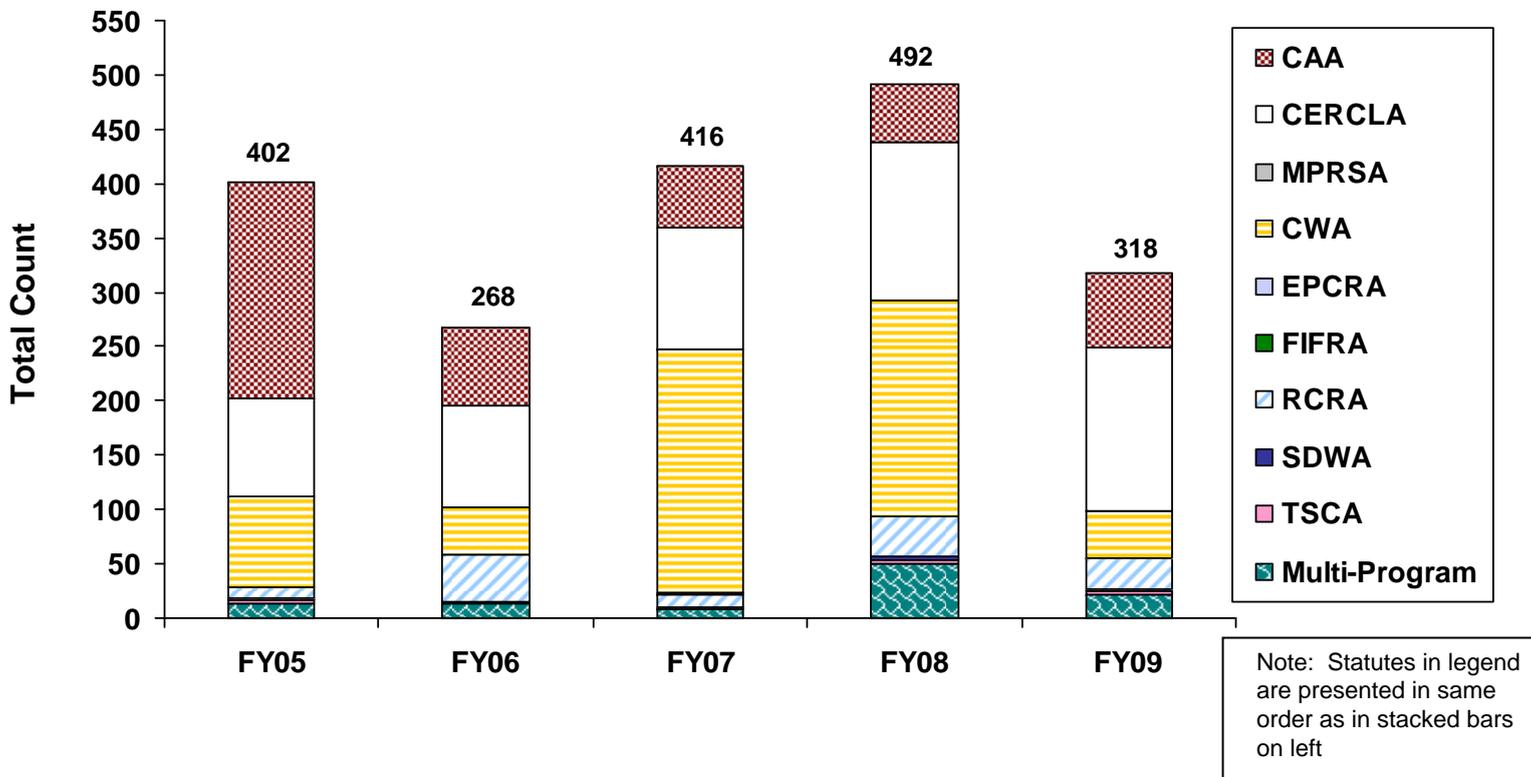
# FY2009 Enforcement & Compliance Annual Results

## Concluded EPA Enforcement Actions

### EPA Civil Judicial Enforcement Case Conclusions

#### Number of Facilities Addressed

Total and by Statute



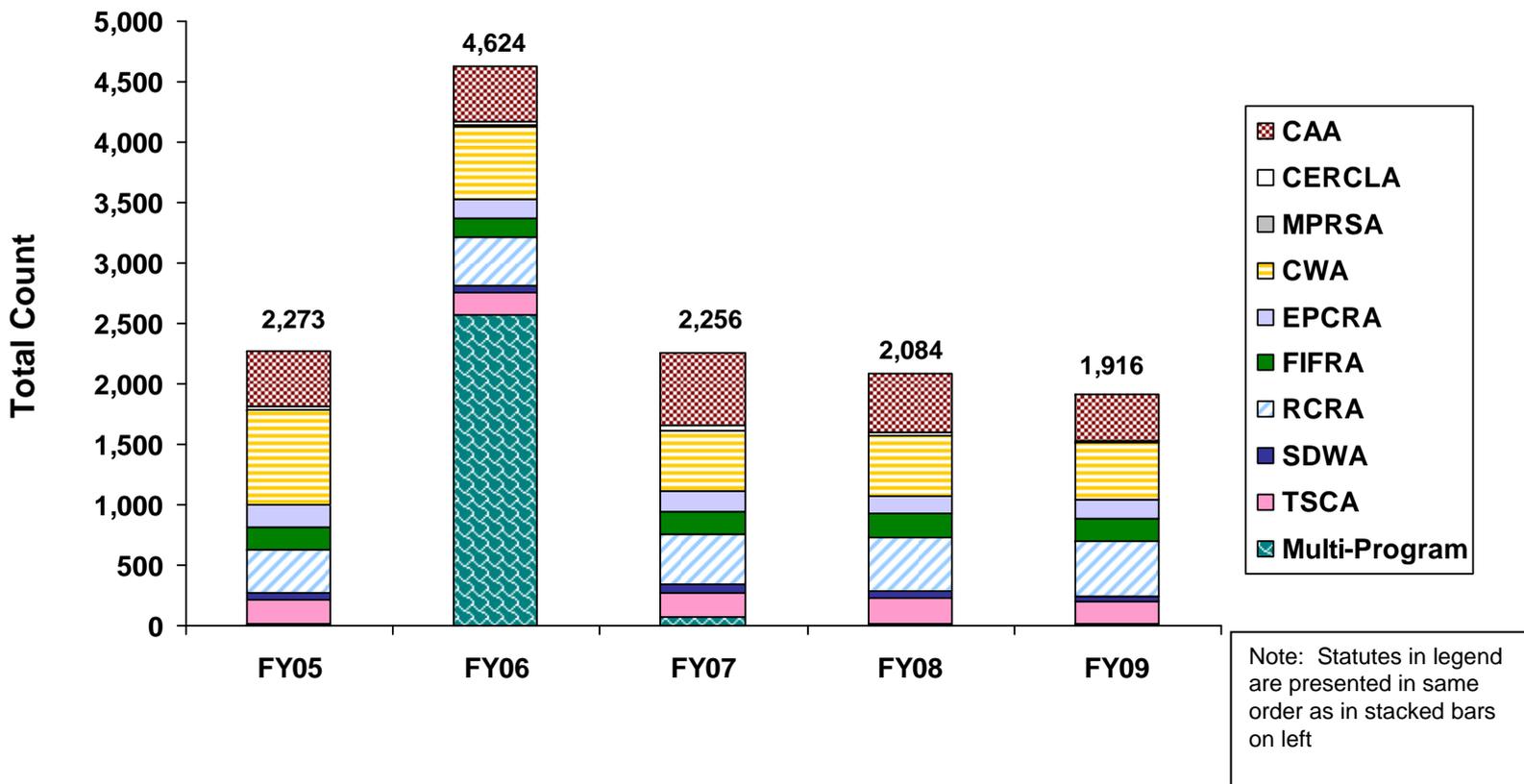
FY2009 Data Source: Integrated Compliance Information System (ICIS), October 13, 2009; data source for previous fiscal years: ICIS.



# FY2009 Enforcement & Compliance Annual Results

## Concluded EPA Enforcement Actions

### EPA Final Administrative Penalty Orders Issued Total and by Statute



FY2009 Data Source: Integrated Compliance Information System (ICIS), October 13, 2009; data source for previous fiscal years: ICIS.

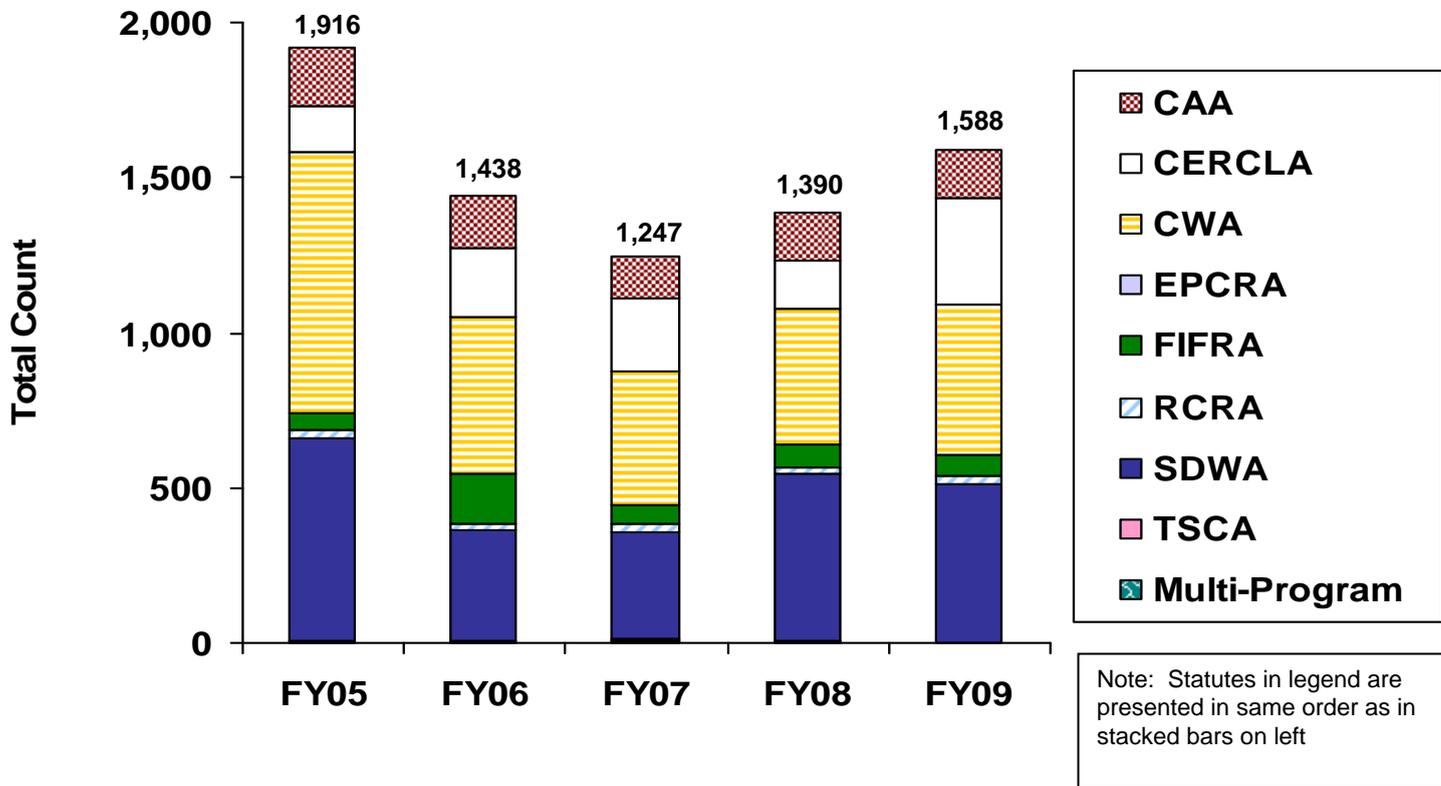
Note: The large final administrative penalty order (FAPO) number in FY 2006 is the result of a one-time enforcement initiative involving animal feeding operations (AFOs) that resulted in over 2,568 multi-program administrative consent agreements and final orders (referred to as the AFO Air Compliance Agreements). Almost all of these cases were both initiated and resolved in FY 2006. Approximately 55% of the FY 2006 FAPOs and nearly 100% of the MP FAPO's (2,576) were a result of this initiative.



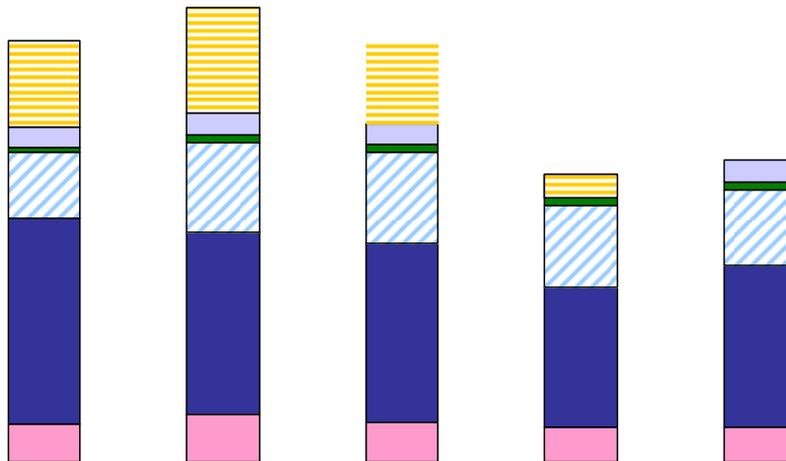
# FY2009 Enforcement & Compliance Annual Results

## Concluded EPA Enforcement Actions

### EPA Administrative Compliance Orders Issued Total and by Statute



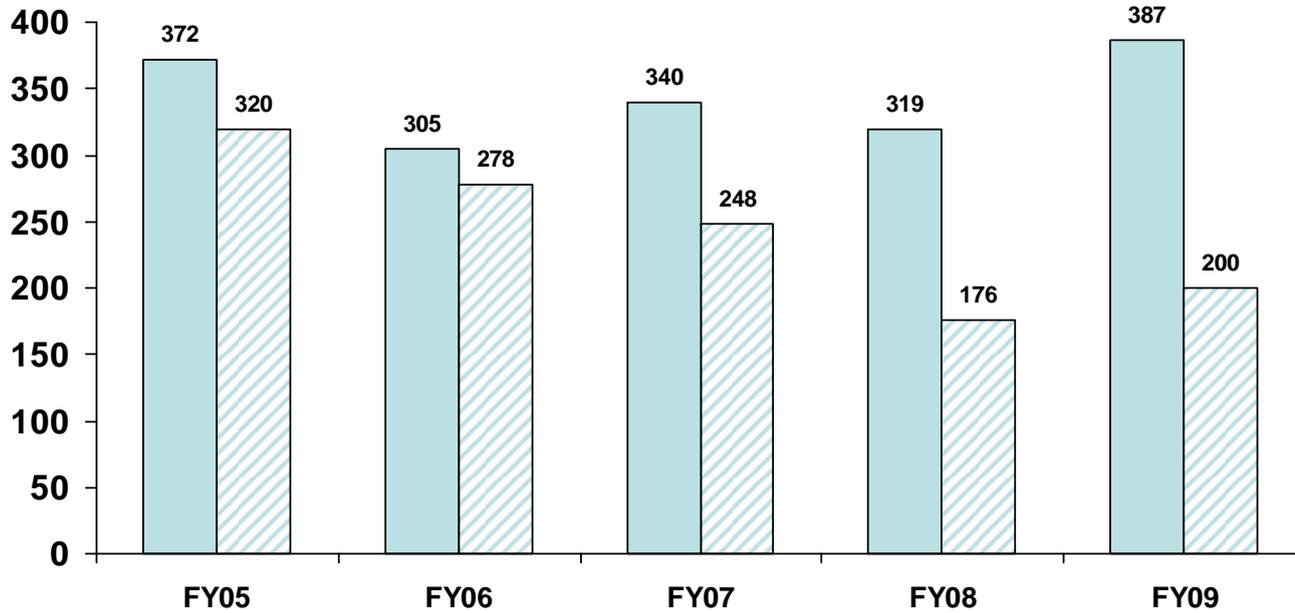
FY2009 Data Source: Integrated Compliance Information System (ICIS), October 13, 2009; data source for previous fiscal years: ICIS.







# Criminal Enforcement

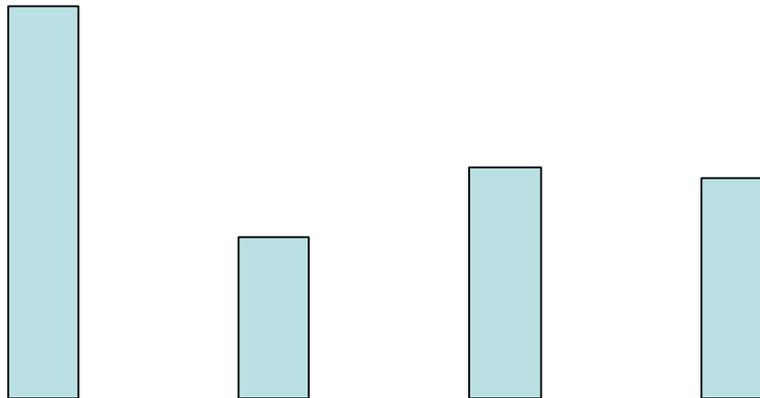


# FY2009 Enforcement & Compliance Annual Results

## Criminal Enforcement

### Value of Fines & Restitution and Court Ordered Environmental Projects

*(Inflation/Deflation Adjusted to FY 09 Dollars)*

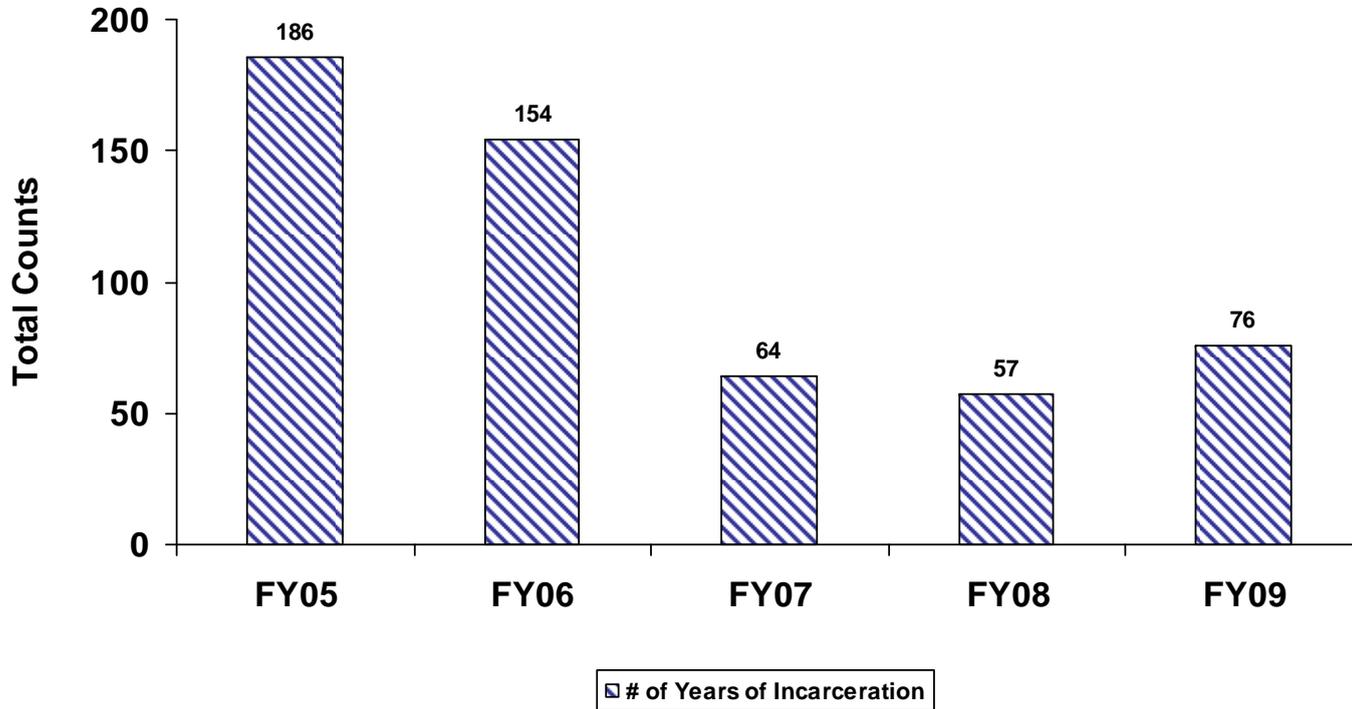


Note: All prior FY dollar figures in this report are adjusted to reflect the current value in FY 2009 dollars based on the monthly rate of inflation/deflation as determined by the U.S. Department of Labor Consumer Price Index for All Urban Consumers.

FY2009 Data Source: Criminal Case Reporting System, October 13, 2009; Source for previous years: annual Criminal Case Reporting System data.

# FY2009 Enforcement & Compliance Annual Results

## Criminal Enforcement Sentencing Results



FY2009 Data Source: Criminal Case Reporting System, October 13, 2009; Source for previous years: annual Criminal Case Reporting System data.

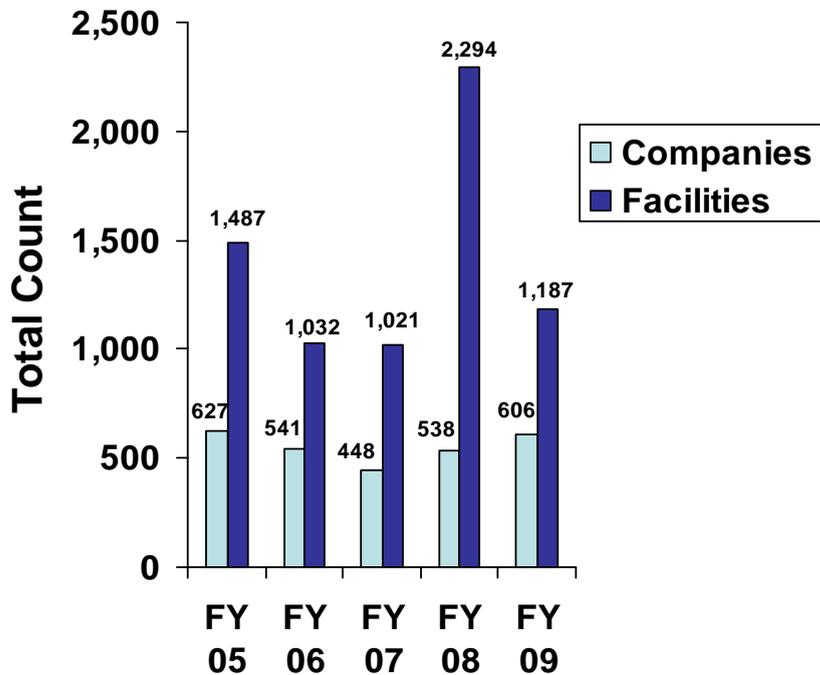


# FY2009 Enforcement & Compliance Annual Results

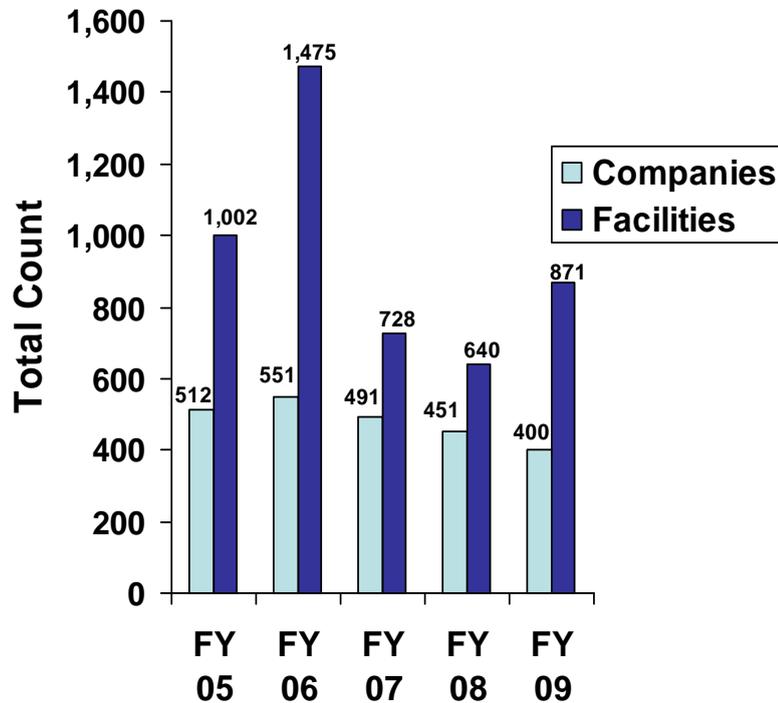
## Concluded EPA Enforcement Actions

### Voluntary Disclosures

#### Voluntary Disclosures Initiated



#### Voluntary Disclosures Resolved

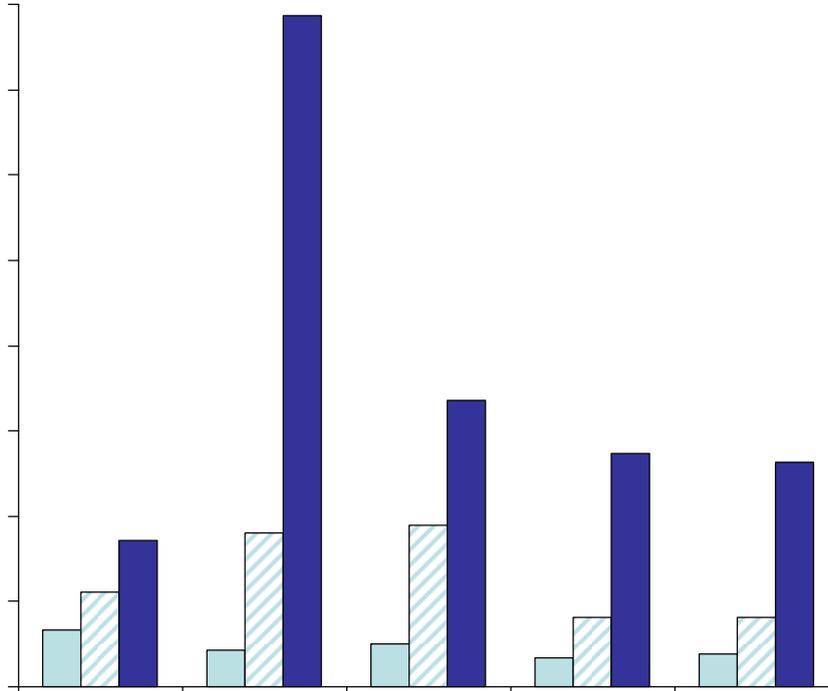


Data Source: Integrated Compliance Information System (ICIS), October 13, 2009; data source for previous fiscal years: ICIS.

# FY2009 Enforcement & Compliance Annual Results

## Compliance Assistance

### Assistance Tools, Workshops & Training, and Facility Visits & Re-Visits

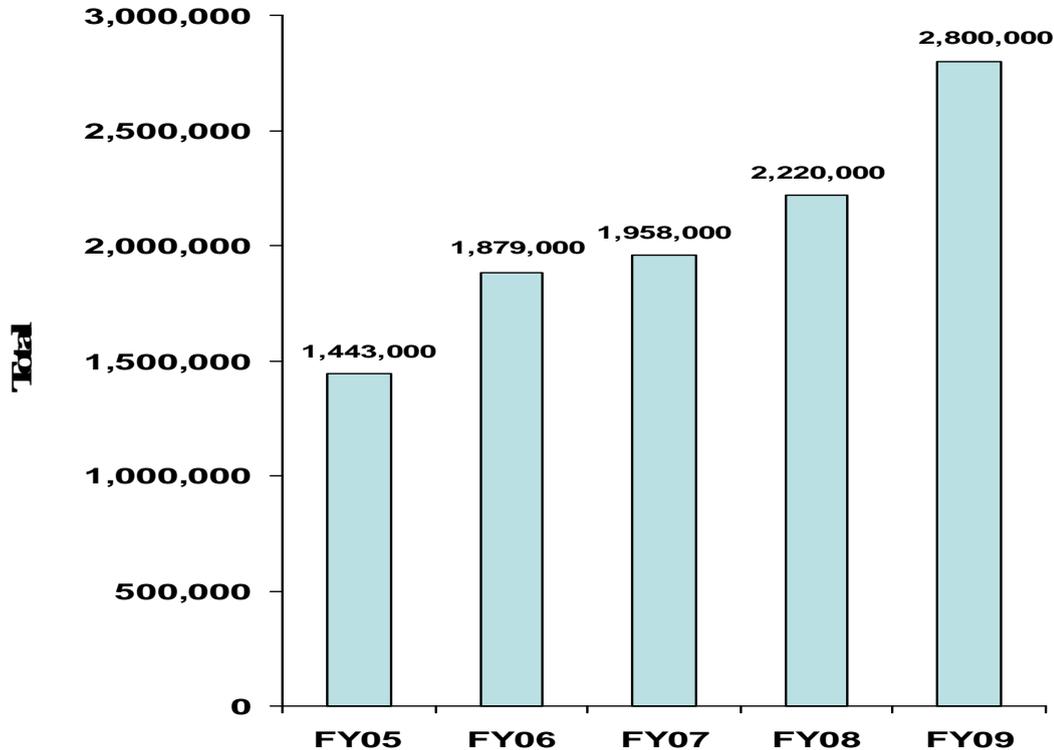


Note: An outreach initiative in one Region was responsible for a spike in facility visits in FY 2006.

FY2009 Data Source: Integrated Compliance Information System (ICIS), October 13, 2009; data source for previous fiscal years: ICIS

# FY2009 Enforcement & Compliance Annual Results

## Compliance Assistance User Sessions to Web-based Compliance Assistance Centers



Compiled from Web Analytic Software Submissions from Compliance Assistance Center Grantees to Office of Compliance



# **FY2009 Enforcement & Compliance Annual Results**

## **Acronyms – Statute and Abbreviations/Section Description**

CAA	Clean Air Act
CERCLA	Comprehensive Environmental Response, Compensation and Liability Act



# FY2009 Enforcement & Compliance Annual Results

## Prior Year Enforcement Dollar Values Adjusted to FY 2009 Dollars

Fiscal Year	Judicial Penalties Nominal	Judicial Penalties Adjusted for Inflation	Administrative Penalties Nominal	Administrative Penalties Adjusted for Inflation	Total Penalties Nominal	Total Penalties Adjusted for Inflation
05	\$127,205,897	\$140,562,516	\$26,731,150	\$29,537,921	\$153,937,047	\$170,100,437
06	\$81,807,757	\$87,207,069	\$42,007,029	\$44,779,493	\$123,814,786	\$131,986,562
07	\$39,771,169	\$41,401,787	\$30,696,323	\$31,954,872	\$70,467,492	\$73,356,659
08	\$88,356,149	\$88,091,081	\$38,197,194	\$38,082,603	\$126,553,344	\$126,173,684

	Injunctive Relief Nominal	Injunctive Relief Adjusted for Inflation	SEP Nominal	SEP Adjusted for Inflation	TOTAL IR + SEP Nominal	Total IR+SEP Adjusted for Inflation
05	\$10,169,667,426	\$11,237,482,506	\$57,036,067	\$63,024,854	\$10,226,703,493	\$11,300,507,360
06	\$4,929,926,719	\$5,255,301,882	\$77,767,340	\$82,899,984	\$5,007,694,059	\$5,338,201,867
07	\$10,548,076,934	\$10,980,563,178	\$30,344,797	\$31,588,934	\$10,578,421,731	\$11,012,137,022
08	\$11,719,063,597	\$11,683,906,406	\$39,046,129	\$38,928,991	\$11,758,109,726	\$11,722,835,397

	Cost Recovery Nominal	Cost Recovery Adjusted for Inflation	Oversight Nominal	Oversight Adjusted fo24