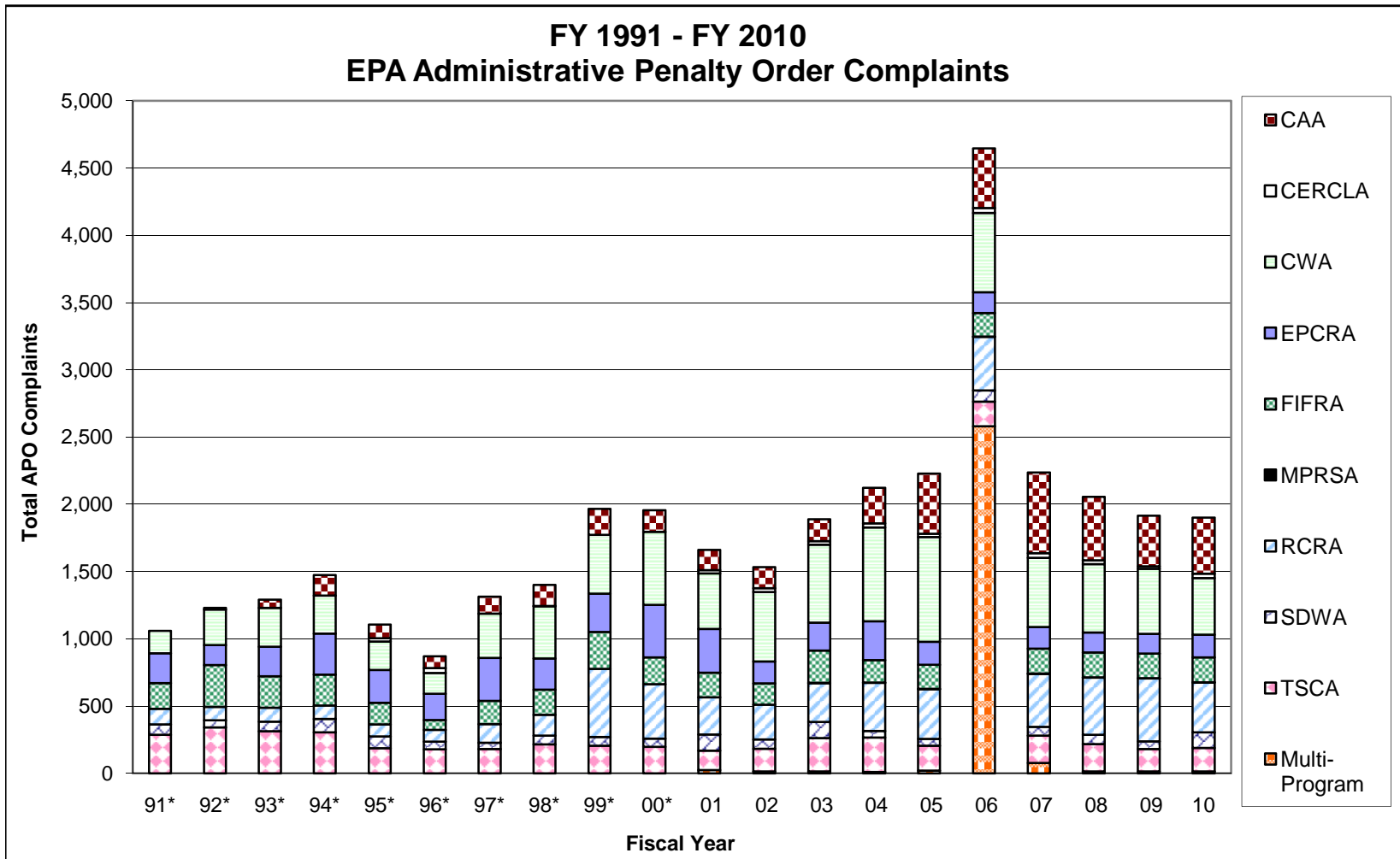




# National Enforcement Trends (NETs)



\* (Note: FY 91- FY 00 APO Complaint counts include extra credits. See Metadata.)



## National Enforcement Trends (NETs)

# FY 1991 - FY 2010 Administrative Penalty Order Complaints

EPA Administrative Penalty Order Complaints																				
Statute	Fiscal Year (FY)																			
	91*	92*	93*	94*	95*	96*	97*	98*	99*	00*	01	02	03	04	05	06	07	08	09	10
CAA	NR	12	61	152	102	88	126	156	193	160	149	156	162	263	448	445	600	472	375	417
CERCLA	NR	NR	NR	NR	23	37	0	1	0	0	25	29	26	31	25	36	36	29	19	33
CWA NPDES	167	265	290	284	212	153	329	389	436	544	126	155	208	277	346	268	194	190	197	153
CWA 311											251	336	340	388	391	297	290	286	255	239
CWA 404											37	27	32	34	42	25	30	32	32	29
EPCRA	221	149	219	305	244	196	319	233	285	390	325	162	207	288	170	155	160	148	147	169
FIFRA	192	310	233	230	160	73	174	187	274	199	182	158	241	166	179	174	185	186	183	185
MPRSA	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	2	2	3	2	2	2	1	2
RCRA	116	101	104	99	91	88	139	155	508	404	276	258	289	359	370	399	396	426	467	369
SDWA PWSS	78	53	71	100	86	57	45	65	64	61	96	43	103	15	14	39	22	21	23	73
SDWA UIC											25	26	16	33	37	43	43	48	34	44
TSCA	285	340	313	304	187	178	181	214	205	197	145	169	248	256	184	185	203	203	167	175
Multi-Program	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	23	14	14	10	20	2579	76	13	14	13
<b>Total</b>	<b>1,059</b>	<b>1,230</b>	<b>1,291</b>	<b>1,474</b>	<b>1,105</b>	<b>870</b>	<b>1,313</b>	<b>1,400</b>	<b>1,965</b>	<b>1,955</b>	<b>1,660</b>	<b>1,533</b>	<b>1,888</b>	<b>2,122</b>	<b>2,229</b>	<b>4,647</b>	<b>2,237</b>	<b>2,056</b>	<b>1,914</b>	<b>1,901</b>

NR - Not Reported

\* (Note: FY 91- FY 00 APOCs include extra credits. See Metadata)

## National Enforcement Trends (NETs) Metadata

NETs Page E-1, 1b: FY 1991 - FY 2010 Administrative Penalty Order Complaints	
<b>Note 1</b>	<p>From FY 1991 through 2002, EPA granted "Extra Credits" to certain enforcement case initiations: administrative compliance orders, administrative penalty order complaints and civil judicial referrals that involved 1) multiple significant violating facilities, 2) significant violations under multiple environmental statutes, 3) amendment of a previously referred enforcement case, and 4) enforcement of a final court order in an earlier concluded case. The "extra-credits" appeared in EPA's case initiation counts as additional APOC counts. Beginning with the count of enforcement cases for FY 2003, EPA discontinued the practice of granting extra-credits. A result of the cessation of the extra-credit practice was an apparent drop in the number of enforcement actions initiated by EPA. In the NETS tables and graphs, four years of historical data for civil judicial referrals (FY 1999 - FY 2002), and two years of historical data for administrative enforcement cases (FY 2001 - FY 2002) were changed to reflect the new counting methodology (no extra-credits added). Extra credits continue to be included in the referral counts for FY 1991 - FY 1998, inflating the enforcement action numbers for those years.</p>
<b>Note 2</b>	<p>The very large numbers of both administrative penalty order complaints (APOCs) and final administrative penalty orders (FAPOs) in FY 2006 is the result of a unique, one-time enforcement initiative involving animal feeding operations (AFOs) that resulted in over 2,568 administrative consent agreements and final orders (referred to as the AFO Air Compliance Agreements). These cases were both initiated and resolved in FY 2006. Approximately 50% of the APOCs (as well as 50% of the FAPOs) issued in FY 06 were part of this initiative. If these actions are subtracted from the total APOC and FAPO counts, the number of administrative penalty cases in FY 06 was about the same as in previous years.</p>
<b>Note 3</b>	<p>The Administrative Penalty Order Complaint (APOC) counts include both expedited and non expedited APOCs.</p>
<b>Note 4</b>	<p>For fiscal years prior to FY 2001, CWA NPDES, CWA 311 and CWA 404 activities were reported as one amount under "CWA" for administrative penalty order complaints (APOCs).</p>
<b>Note 5</b>	<p>For fiscal years prior to FY 2001, SDWA PWSS and SDWA UIC activities were reported as one amount under "SDWA" for Administrative penalty order complaints (APOCs).</p>