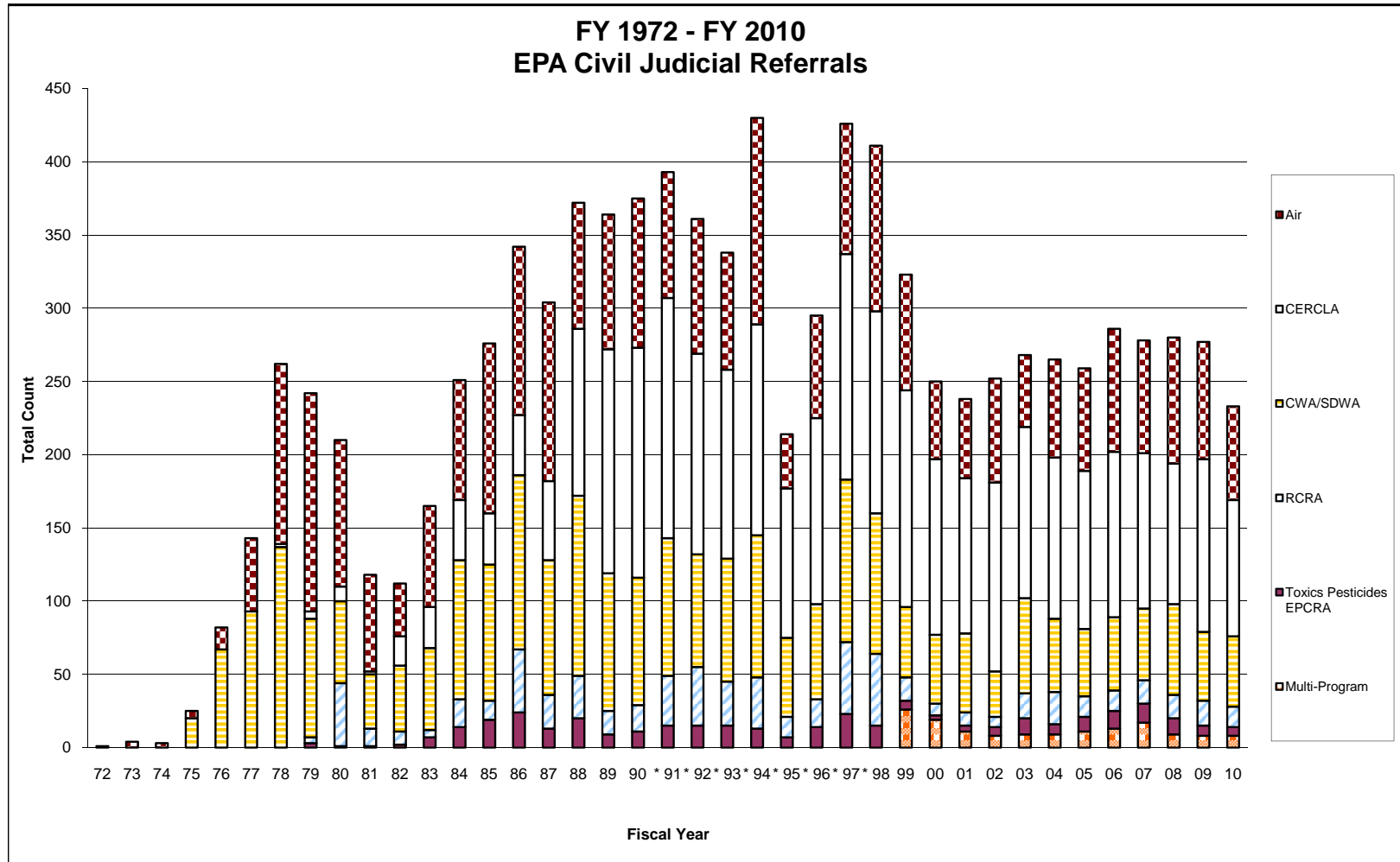




National Enforcement Trends (NETs)



* (Note: FY 91- FY 98 Referral counts include extra credits. See Metadata.)



National Enforcement Trends (NETs)

FY 1972 - FY 2010 Civil Judicial Referrals

EPA Civil Judicial Referrals							
Fiscal Year	Statutes						Total
	Air	CERCLA	CWA/SDWA	RCRA	Toxics Pesticides EPCRA	Multi-Program	
72	0	NR	1	0	0	NR	1
73	4	NR	0	0	0	NR	4
74	3	NR	0	0	0	NR	3
75	5	0	20	0	0	NR	25
76	15	0	67	0	0	NR	82
77	50	0	93	0	0	NR	143
78	123	2	137	0	0	NR	262
79	149	5	81	4	3	NR	242
80	100	10	56	43	1	NR	210
81	66	2	37	12	1	NR	118
82	36	20	45	9	2	NR	112
83	69	28	56	5	7	NR	165
84	82	41	95	19	14	NR	251
85	116	35	93	13	19	NR	276
86	115	41	119	43	24	NR	342
87	122	54	92	23	13	NR	304
88	86	114	123	29	20	NR	372
89	92	153	94	16	9	NR	364
90	102	157	87	18	11	NR	375
* 91	86	164	94	34	15	NR	393
* 92	92	137	77	40	15	NR	361
* 93	80	129	84	30	15	NR	338
* 94	141	144	97	35	13	NR	430
* 95	37	102	54	14	7	NR	214
* 96	70	127	65	19	14	NR	295
* 97	89	154	111	49	23	NR	426
* 98	113	138	96	49	15	NR	411
99	79	148	48	16	6	26	323
00	53	120	47	8	3	19	250
01	54	106	54	9	4	11	238
02	71	129	31	7	6	8	252
03	49	117	65	17	11	9	268
04	67	110	50	22	7	9	265
05	70	108	46	14	10	11	259
06	84	113	50	14	12	13	286
07	77	106	49	16	13	17	278
08	86	96	62	16	11	9	280
09	80	118	47	17	7	8	277
10	64	93	48	14	6	8	233

NR - Not Reported

* (Note: FY 91- FY 98 Referral counts include extra credits. See Metadata)

FY 2010 data as of October 2010
Further information concerning these tables and graphs can be found in the attached meta-data.

National Enforcement Trends (NETs) Metadata

NETs Page E-2, 2b: FY 1972 - FY 2010 Civil Judicial Referrals	
Note 1	<p>From FY 1991 through 2002, EPA granted "Extra Credits" to certain enforcement case initiations: administrative compliance orders, administrative penalty order complaints and 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 Environmental Protection Agency's (EPA's) case initiation counts as additional referral 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 National Enforcement Trends (NETs) 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 of those years.</p>
Note 2	<p>In FY 2003, in response to the larger change of not adding extra credits to referrals, Environmental Protection Agency (EPA) began collecting case initiation information in several new categories: the number of multi-program and multi-facility cases; the media/programs that make up EPA's multi-program cases; the total number of facilities that are the subject of EPA's enforcement actions; the number of EPA supplemental judicial referrals to amend an existing enforcement action to add parties and/or violations; the number of EPA supplemental judicial referrals to enforce judicial settlements, and, the number of EPA supplemental judicial referrals, those that do not fall into either adding parties and/or violations or enforcing judicial settlements. (See November 17, 2003, "New EPA Methodology for Civil Enforcement Case Initiation Counting" at: http://epa.gov/compliance/resources/reports/endofyear/eoy2003/newcasecountingmethod.pdf.)</p>
Note 3	<p>Beginning in FY 2006, EPA changed its methodology for counting consent decrees (CD) for the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA, also commonly referred to as "Superfund") cleanup commitments, and cost recovery judicial settlements. In other enforcement programs, CDs are counted only in the year that the CD has been entered by the court. Prior to FY 2006, the Superfund program had always given settlement credits when a CD was referred, lodged, or entered, (depending on which action the regions reported first.) However, starting in FY 2006, in order to provide consistency in reporting within Office of Enforcement and Compliance, CDs for Superfund response and cost recovery measures are now counted only when they have been entered. Because the new procedures resulted in some previously counted Superfund CDs being counted again (because they were referred or lodged in a previous fiscal year, but entered in a subsequent fiscal year), FY 2006 thru approximately FY 2008 was a transition period. As a result, the count of Superfund referrals (and the count of all referrals) were impacted, since Superfund CDs were no longer counted at the referral stage. Civil judicial conclusions were also impacted, since previously reported Superfund CDs may have been counted again under this category (during the transition period.)</p>