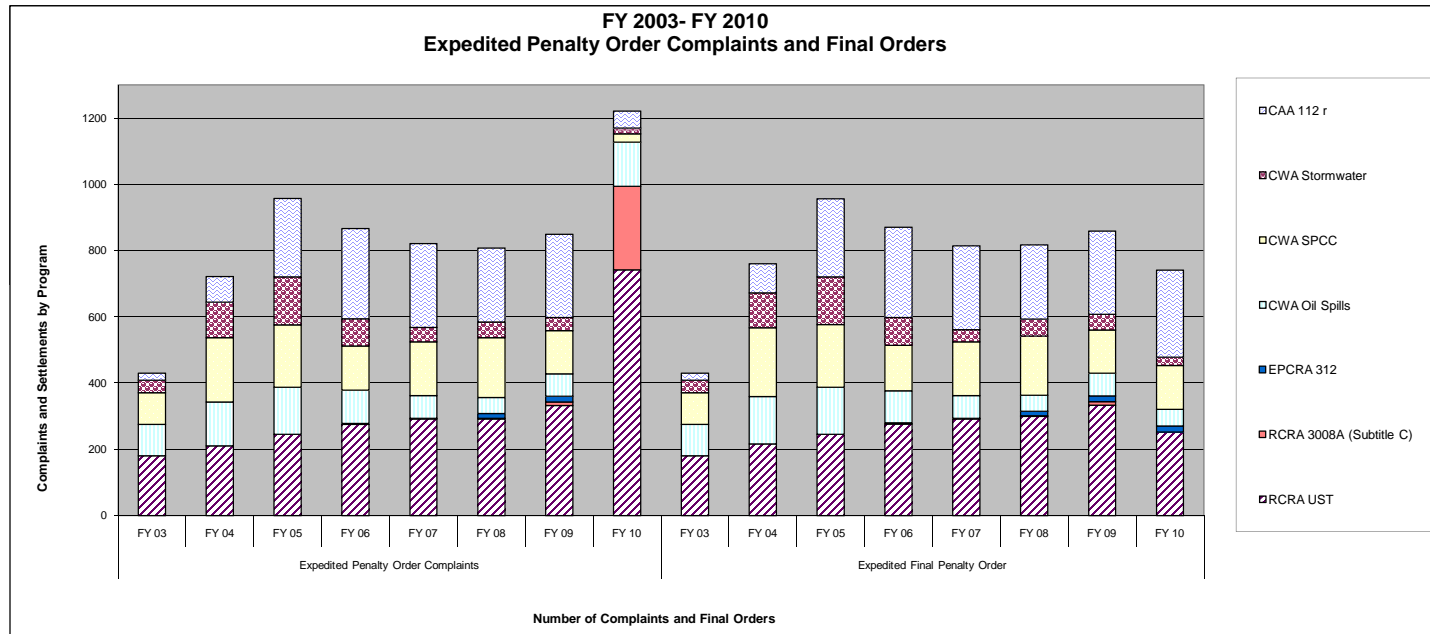




### National Enforcement Trends (NETs)

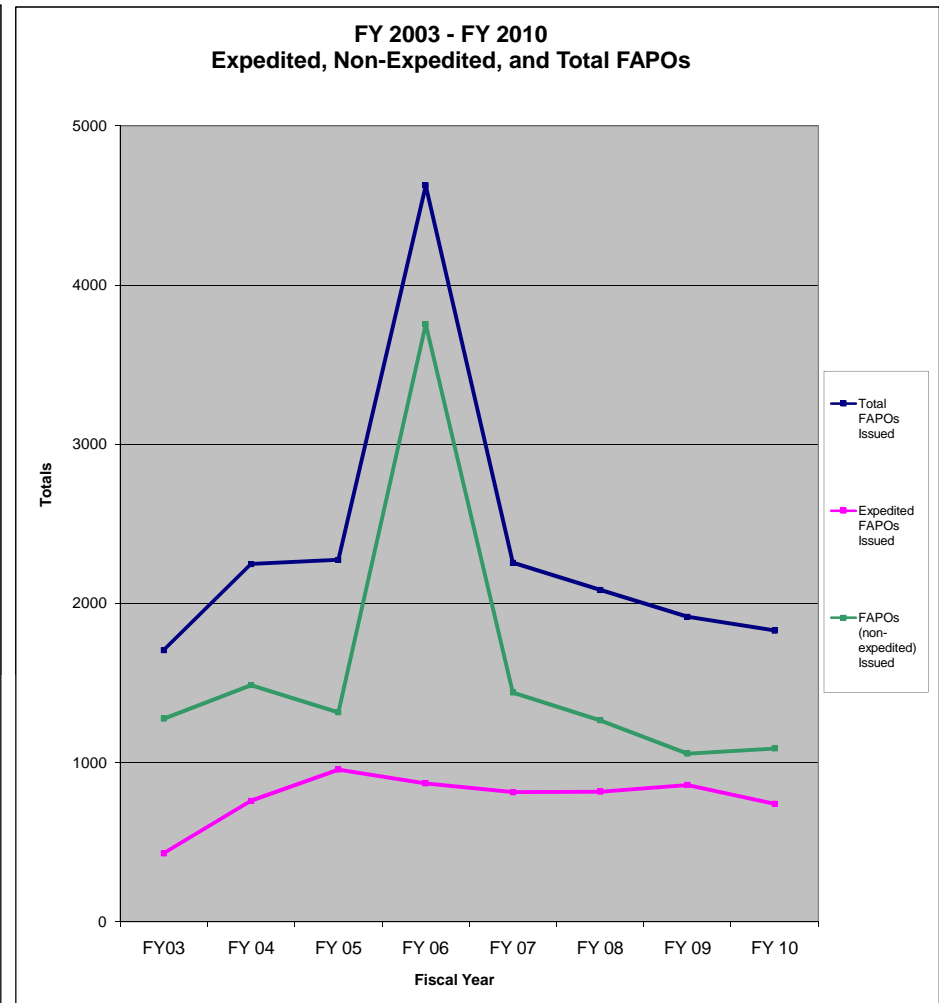
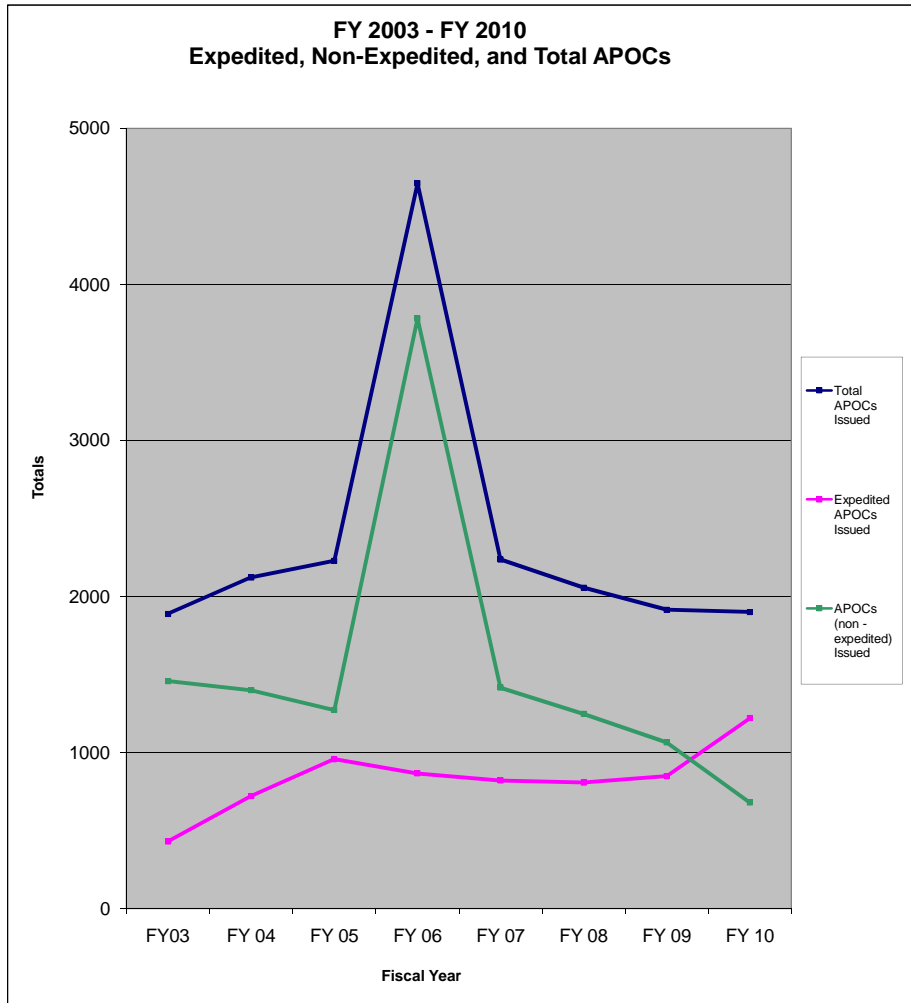
FY 2003-FY 2010 Expedited Penalty Order Complaints and Final Orders																	
Statute	Program	Expedited Penalty Order Complaints								Expedited Final Penalty Order							
		FY 03	FY 04	FY 05	FY 06	FY 07	FY 08	FY 09	FY 10	FY 03	FY 04	FY 05	FY 06	FY 07	FY 08	FY 09	FY 10
CAA	CAA 112 r	21	78	236	272	253	224	251	51	21	88	235	272	253	224	251	263
CWA	CWA Oil Spills	94	133	142	101	68	48	68	133	94	143	142	97	68	48	69	51
CWA	CWA SPCC	96	194	189	133	162	181	130	25	96	208	190	137	162	179	130	132
CWA	CWA Stormwater	38	107	145	82	44	47	40	18	38	105	144	84	37	51	48	25
EPCRA	EPCRA 312	NR	NR	NR	NR	NR	14	17	0	NR	NR	NR	NR	NR	14	17	18
RCRA	RCRA 3008A (Subtitle C)	NR	NR	NR	3	2	2	11	252	NR	NR	NR	4	2	2	11	0
RCRA	RCRA UST	181	210	245	275	292	292	332	742	181	216	245	276	292	299	333	252
	<b>Total</b>	<b>430</b>	<b>722</b>	<b>957</b>	<b>866</b>	<b>821</b>	<b>808</b>	<b>849</b>	<b>1,221</b>	<b>430</b>	<b>760</b>	<b>956</b>	<b>870</b>	<b>814</b>	<b>817</b>	<b>859</b>	<b>741</b>

NR- Not Reported





### FY 2003 - FY 2010 Expedited, Non Expedited and Total Administrative Penalty Orders



## National Enforcement Trends (NETs)

NETs Page E-6: FY 2003 - FY 2010 Expedited, Non Expedited and Total Administrative Penalty Orders	
<b>Note 1</b>	<p>According to EPA guidance titled "Use of Expedited Settlements to Support Appropriate Tool Selection," December 2, 2003, pp. 2 &amp; 3, expedited settlements:</p> <p style="padding-left: 40px;">offer "real time" enforcement in situations where violations are corrected and a penalty is obtained in a short amount of time, generally a few months from Environmental Protection Agency (EPA's) discovery of the violation. The approach is generally appropriate for minor, easily correctable violations and provides a discounted, non-negotiable settlement offer in lieu of more formal, traditional administrative penalty actions.</p> <p>In addition, the expedited settlement approach: offers benefits to the environment and potential cost-savings to the Agency. When used appropriately, expedited settlements result in regulated entities returning to compliance and paying penalties more quickly than would be accomplished through issuance of a non-expedited administrative penalty order.</p>
<b>Note 2</b>	<p>Prior to FY 2003 expedited administrative penalty orders (APOs) (complaints and final orders) were referred to as "field citations" which were issued only in the Resource Conservation and Recovery Act (RCRA) Underground Storage Tank (UST) program. Beginning in FY 2003 the term "field citations" was superseded by the term "expedited" action and additional programs now utilize expedited enforcement actions. In addition to the RCRA UST program, expedited APOs are now a formal enforcement tool used by the following programs: Clean Air Act (CAA) 112r, Clean Water Act (CWA) Stormwater, CWA Spill Prevention Control and Countermeasure (SPCC), CWA Oil Spills, and RCRA 3008A (Subtitle C).</p>
<b>Note 3</b>	<p>Beginning in FY 1999 field citations/expedited actions have been included in the counts of administrative penalty order complaints (APOCs) and Final Administrative Penalty Orders (FAPOs).</p>
<b>Note 4</b>	<p>Expedited Administrative Penalty Orders account for a significant portion of the APOCs and FAPOs reported. Of the 2,229 APOCs reported in FY 2005, 957 (43%) were expedited penalty order complaints; of the 4,647 APOCs reported in FY 2006, 863 (19%) were expedited penalty order complaints; of the 2,237 APOCs reported in FY 2007, 821 (37%) were expedited penalty order complaints; of the 2,056 APOCs reported in FY 2008, 808 (39%) were expedited penalty order complaints; of the 1,914 APOCs reported in FY 2009, 849 (44%) were expedited penalty order complaints; and of the 1,901 APOCs reported in FY 2010, 1,221(64%) were expedited penalty order complaints.</p> <p>Of the 2,273 FAPOs reported in FY 2005, 956 (42%) were expedited penalty order actions; of the 4,624 FAPOs reported in FY 2006, 866 (19%) were expedited penalty settlements; of the 2,256 FAPOs in FY 2007, 814 (36%) were expedited penalty settlements; of the 2,084 FAPOs in FY 2008, 817 (39%) were expedited penalty settlements; of the 1,916 FAPOs in FY 2009, 859 (45%) were expedited penalty settlements; and of the 1,830 FAPOs in FY 2010, 741 (40%) were expedited penalty settlement.</p>
<b>Note 5</b>	<p>None of the large number of multiprogram administrative enforcement actions taken in FY 2006 to address violations at animal feeding operations were expedited actions. This accounts for the substantially lower percentage of expedited orders in FY 2006 compared to other FYs. (See Note 4 above).</p>