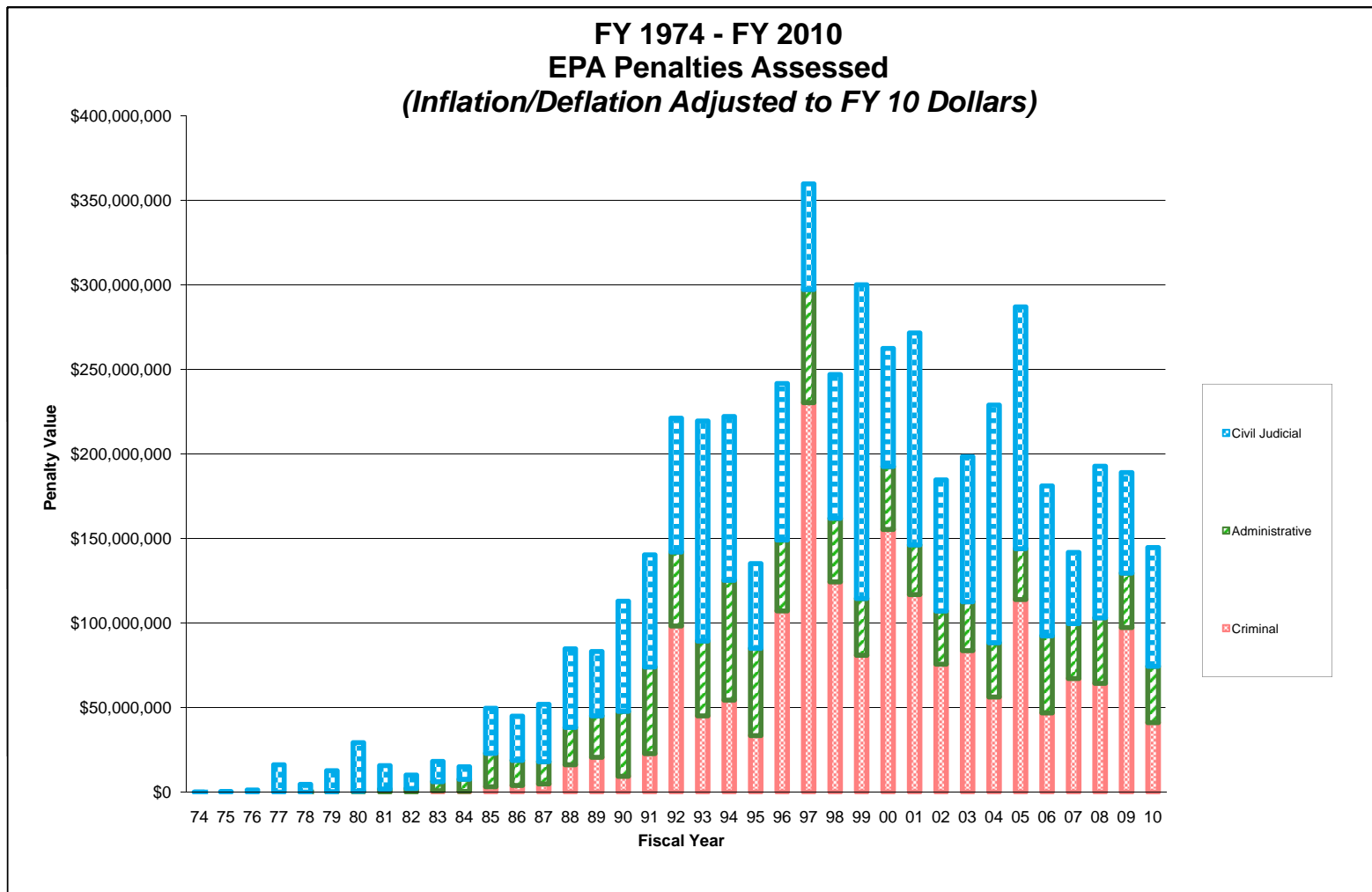




National Enforcement Trends (NETs)





National Enforcement Trends (NETs)

FY 1974 - FY 2010 Penalties Assessed (Inflation/Deflation Adjusted to FY 10 dollars)

Fiscal Year	Civil Judicial	Administrative	Criminal	Total
74	\$22,695	NA	NA	\$22,695
75	\$309,278	NA	NA	\$309,278
76	\$1,216,486	NA	NA	\$1,216,486
77	\$16,112,062	NA	NA	\$16,112,062
78	\$4,469,796	\$85,050	NA	\$4,554,846
79	\$12,439,912	\$175,398	NA	\$12,615,311
80	\$28,729,369	\$432,461	NA	\$29,161,830
81	\$13,775,925	\$1,816,415	NA	\$15,592,340
82	\$7,853,320	\$2,163,751	NA	\$10,017,071
83	\$12,015,483	\$5,323,776	\$812,900	\$18,152,158
84	\$7,390,384	\$7,153,232	\$418,374	\$14,961,990
85	\$26,652,850	\$19,793,552	\$3,111,514	\$49,557,915
86	\$26,211,865	\$14,818,036	\$3,851,002	\$44,880,904
87	\$33,859,503	\$13,186,735	\$4,786,749	\$51,832,987
88	\$46,452,269	\$22,125,621	\$16,090,791	\$84,668,681
89	\$38,071,783	\$24,429,917	\$20,569,000	\$83,070,701
90	\$65,097,463	\$38,420,784	\$9,311,994	\$112,830,242
91	\$66,307,039	\$51,244,398	\$22,705,582	\$140,257,020
92	\$79,150,616	\$43,752,114	\$98,179,719	\$221,082,449
93	\$130,158,980	\$44,268,142	\$44,995,500	\$219,422,622
94	\$96,878,633	\$70,878,909	\$54,334,512	\$222,092,054
95	\$50,152,978	\$51,601,017	\$33,345,500	\$135,099,495
96	\$92,557,468	\$41,905,080	\$107,095,277	\$241,557,825
97	\$62,514,586	\$66,882,752	\$230,224,739	\$359,622,076
98	\$85,068,988	\$37,547,652	\$124,260,152	\$246,876,791
99	\$185,552,172	\$33,519,981	\$80,880,476	\$299,952,630
00	\$69,826,297	\$37,246,073	\$155,273,523	\$262,345,893
01	\$125,375,333	\$29,323,532	\$116,797,507	\$271,496,371
02	\$77,536,530	\$31,419,294	\$75,636,566	\$184,592,390
03	\$85,772,279	\$28,932,790	\$83,595,006	\$198,300,075
04	\$140,607,347	\$32,059,122	\$56,187,484	\$228,853,952
05	\$142,979,428	\$30,045,813	\$113,846,196	\$286,871,437
06	\$88,679,609	\$45,535,619	\$46,784,538	\$180,999,766
07	\$42,117,668	\$32,507,406	\$67,081,493	\$141,706,567
08	\$89,593,136	\$38,731,955	\$64,304,531	\$192,629,621
09	\$59,490,977	\$32,146,058	\$97,280,265	\$188,917,301
10	\$70,248,839	\$33,359,126	\$41,000,000	\$144,607,965



National Enforcement Trends (NETs)

FY 1974 - FY 2010 Penalties Assessed (Nominal Value)

Fiscal Year	Civil Judicial	Administrative	Criminal	Total
74	\$5,000	NA	NA	\$5,000
75	\$75,250	NA	NA	\$75,250
76	\$314,500	NA	NA	\$314,500
77	\$4,423,960	NA	NA	\$4,423,960
78	\$1,313,873	\$25,000	NA	\$1,338,873
79	\$4,028,469	\$56,800	NA	\$4,085,269
80	\$10,570,040	\$159,110	NA	\$10,729,150
81	\$5,634,325	\$742,910	NA	\$6,377,235
82	\$3,445,950	\$949,430	NA	\$4,395,380
83	\$5,461,583	\$2,419,898	\$369,500	\$8,250,981
84	\$3,497,579	\$3,385,344	\$198,000	\$7,080,923
85	\$13,071,530	\$9,707,480	\$1,526,000	\$24,305,010
86	\$13,178,414	\$7,449,993	\$1,936,150	\$22,564,557
87	\$17,507,499	\$6,818,374	\$2,475,051	\$26,800,924
88	\$25,001,221	\$11,908,300	\$8,660,275	\$45,569,796
89	\$21,473,087	\$13,778,859	\$11,601,241	\$46,853,187
90	\$38,542,015	\$22,747,652	\$5,513,318	\$66,802,985
91	\$41,235,721	\$31,868,407	\$14,120,387	\$87,224,515
92	\$50,705,071	\$28,028,260	\$62,895,400	\$141,628,731
93	\$85,913,518	\$29,219,896	\$29,700,000	\$144,833,414
94	\$65,635,930	\$48,020,941	\$36,812,000	\$150,468,871
95	\$34,925,472	\$35,933,856	\$23,221,100	\$94,080,428
96	\$66,254,451	\$29,996,478	\$76,660,900	\$172,911,829
97	\$45,966,607	\$49,178,494	\$169,282,896	\$264,427,997
98	\$63,531,731	\$28,041,562	\$92,800,711	\$184,374,004
99	\$141,211,699	\$25,509,879	\$61,552,874	\$228,274,452
00	\$54,851,765	\$29,258,502	\$121,974,488	\$206,084,755
01	\$101,683,157	\$23,782,264	\$94,726,283	\$220,191,704
02	\$63,816,074	\$25,859,501	\$62,252,318	\$151,927,893
03	\$72,259,713	\$24,374,718	\$70,425,447	\$167,059,878
04	\$121,213,230	\$27,637,174	\$48,437,486	\$197,287,890
05	\$127,205,897	\$26,731,150	\$101,286,651	\$255,223,698
06	\$81,807,757	\$42,007,029	\$43,159,168	\$166,973,954
07	\$39,771,169	\$30,696,323	\$63,344,186	\$133,811,678
08	\$88,356,149	\$38,197,194	\$63,416,697	\$189,970,041
09	\$58,496,536	\$31,608,710	\$95,654,145	\$185,759,391
10	\$70,248,839	\$33,359,126	\$40,609,607	\$144,217,572

National Enforcement Trends (NETs) Metadata

NETs Page F-2, 2b, 2c: FY 1974 - FY 2010 Penalties Assessed	
Note 1	"Penalties assessed" is the penalty amount that the defendant or respondent in an EPA civil enforcement cases has been ordered to pay by a court or Administrative Law Judge, or the amount the defendant or respondent has legally agreed to pay in an enforceable settlement document.
Note 2	Prior FY dollar figures on the first page of this document are adjusted to reflect the value in FY 2010 dollars based on the average fiscal year value of the U.S. Department of Labor Consumer Price Index for All Urban Consumers.
Note 3	The administrative penalty values include values from both expedited and non expedited final administrative penalty orders (FAPOs).
Note 4	Civil penalty amounts presented here do not include amounts collected in stipulated penalties.
Note 5	The total annual sum of civil penalties may be driven by a small set of cases, or sometimes only one case. For example, in FY 2008, a national Clean Water Act case against Massey Energy Company with penalties of \$20 million, accounted for 16% of the national total penalties for that FY.
Note 6	In FY 2004, a default judgment case against Palmetto Recycling with penalties of \$92.3 million accounted for 62% of the total value of civil penalties reported that FY. A FY 2005 default judgment case against Russell Oil Co., with penalties of \$81.3 million accounted for 53% of the total value of civil penalties reported that FY. In FY 2006, a court entered a default judgment in a RCRA case, against United Organics that required the defendant to pay a \$32 million penalty, which accounted for approximately 26% of the total value of civil penalties reported in that FY. A default judgment is a judgment entered against a defendant who has failed to plead or otherwise defend against the plaintiff's claim. (Source: Black's Law Dictionary 449, 8th ed. 2004). The United States has not been able to collect the associated penalty assessed in these three cases because the defendants did not have substantial assets.
Note 7	The Clean Air Act (CAA) of 1990 (Section 113(b)) granted administrative penalty authority for the CAA for the first time. The Water Quality Act of 1987 granted the first administrative penalty authority for the Clean Water Act (CWA).
Note 8	Some of the criminal penalties assessed nominal values are rounded (for example, for FY 1984, 1985, 1993, and 1994).
Note 9	The FY 2008, FY 2009, and FY 2010 criminal penalties assessed nominal values were retrieved from the Office of Criminal Enforcement, Forensics and Training (OCEFT) Criminal Case Reporting System (CCRS) in February of 2011.