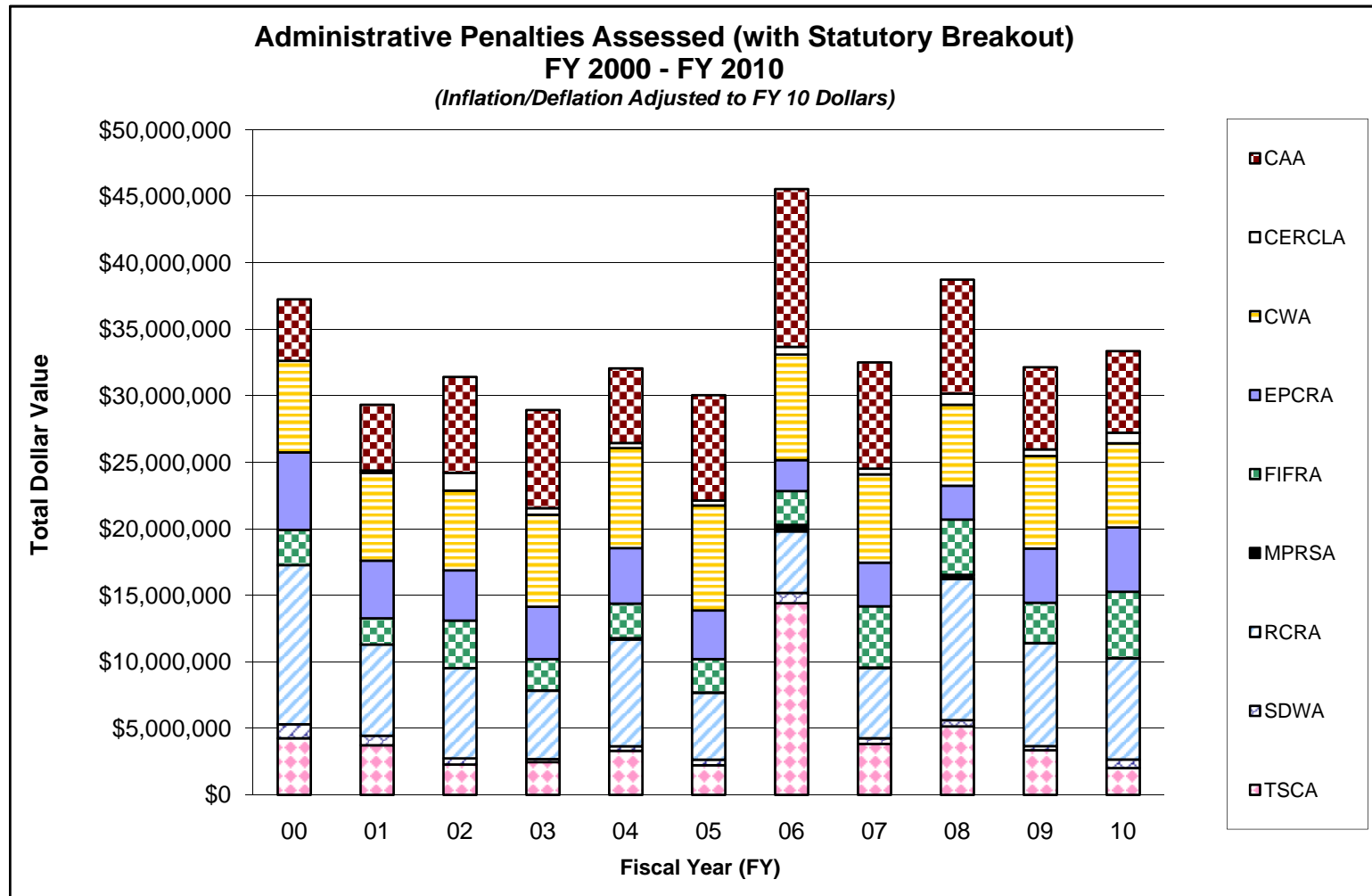


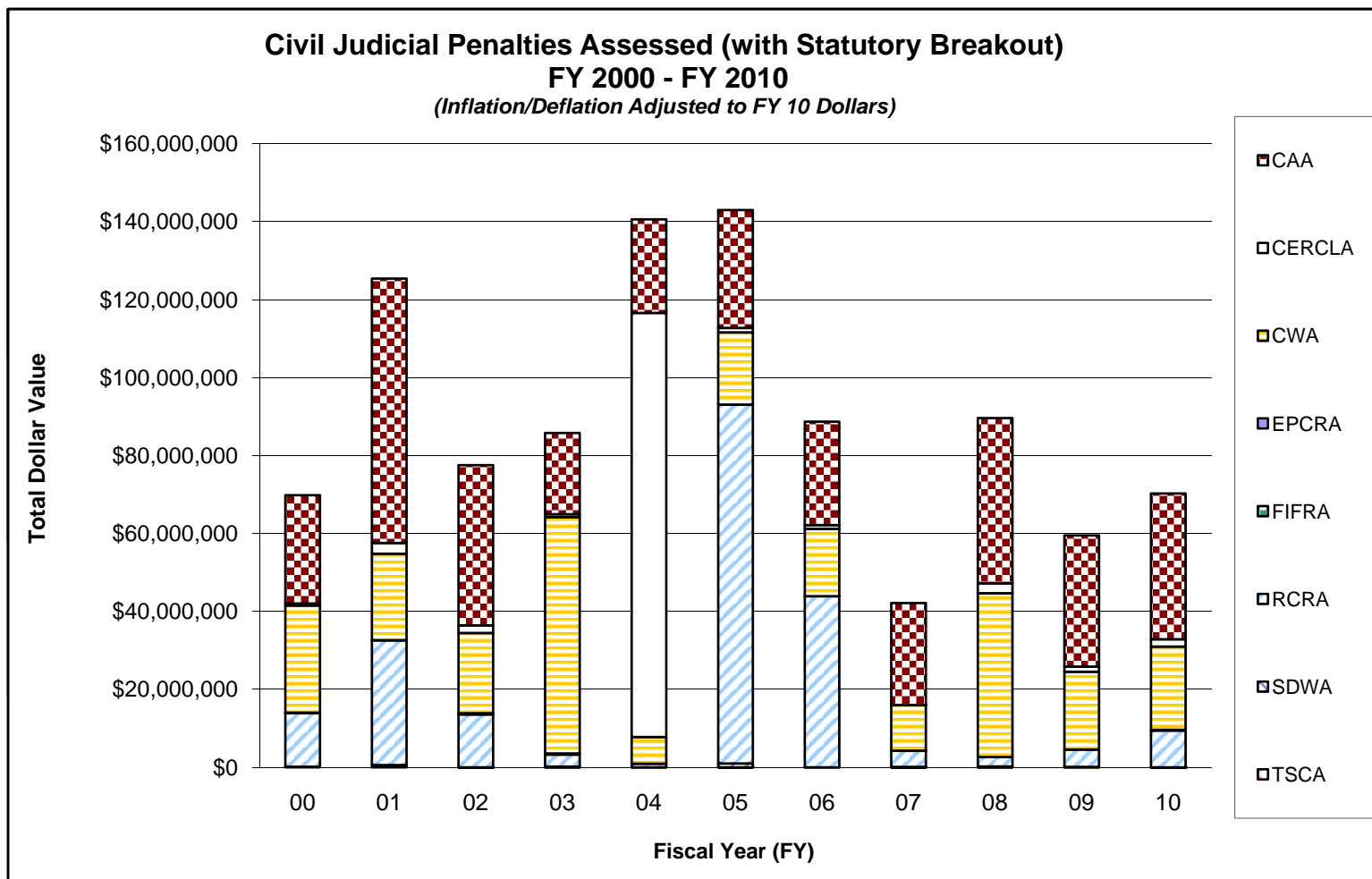


# National Enforcement Trends (NETs)



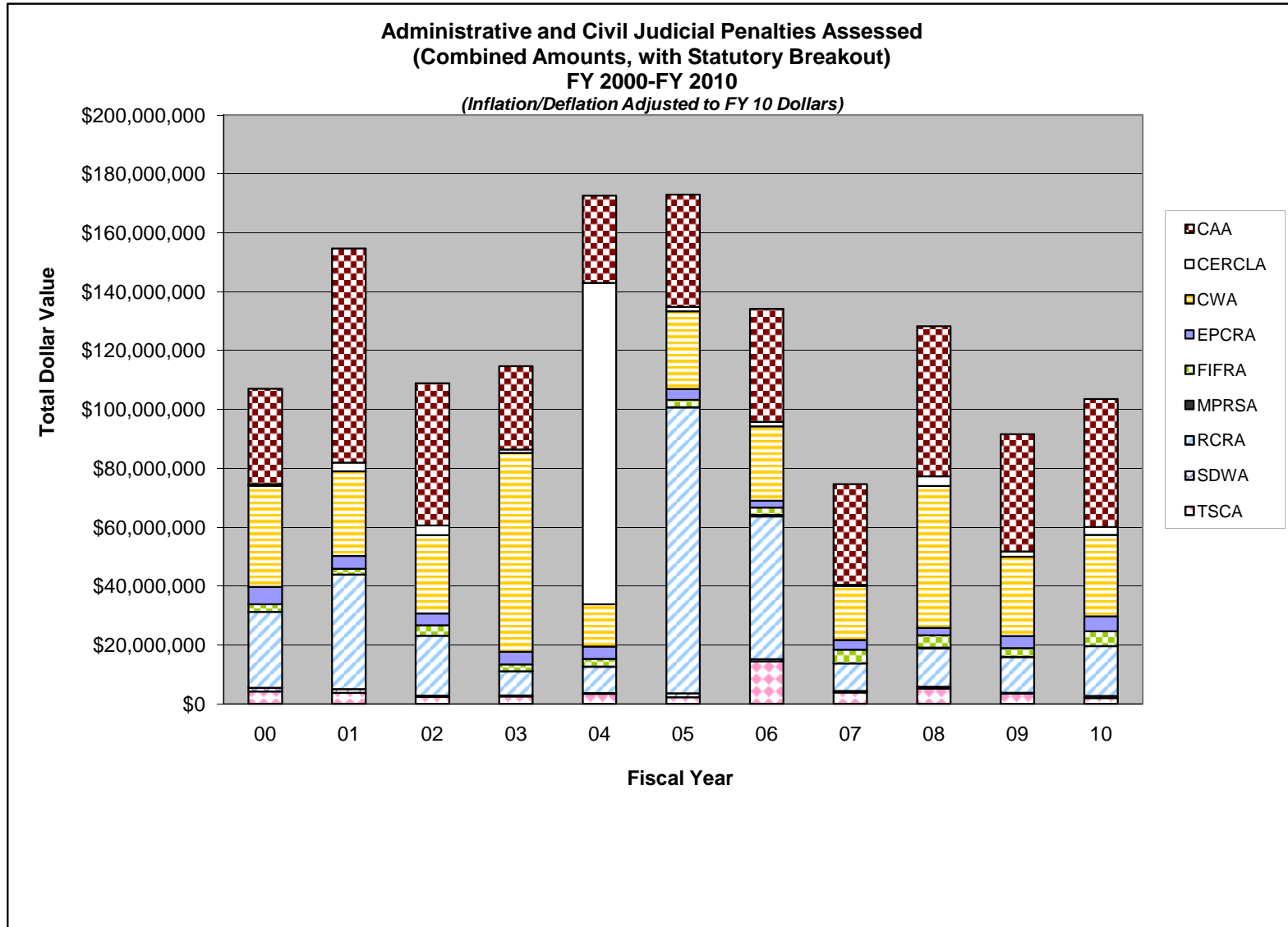


# National Enforcement Trends (NETs)





# National Enforcement Trends (NETs)





## National Enforcement Trends (NETs)

# FY 2000 - FY 2010 Administrative and Civil Judicial Penalties Assessed (Inflation/Deflation Adjusted to FY 10 Dollars)

Administrative Penalties											
Statute	00	01	02	03	04	05	06	07	08	09	10
CAA	\$4,620,043	\$4,940,444	\$7,205,170	\$7,385,128	\$5,602,409	\$7,918,243	\$11,852,408	\$7,982,869	\$8,566,303	\$6,177,396	\$6,132,658
CERCLA	\$0	\$176,529	\$1,338,714	\$493,984	\$390,520	\$368,981	\$584,061	\$427,727	\$836,638	\$494,050	\$798,706
CWA	\$6,878,275	\$6,600,794	\$6,002,305	\$6,909,781	\$7,514,106	\$7,896,641	\$7,931,913	\$6,643,642	\$6,089,203	\$6,955,869	\$6,322,857
EPCRA	\$5,828,560	\$4,334,957	\$3,767,419	\$3,942,651	\$4,169,618	\$3,650,347	\$2,334,100	\$3,275,417	\$2,545,242	\$4,079,781	\$4,839,159
FIFRA	\$2,645,938	\$1,972,900	\$3,579,341	\$2,348,699	\$2,596,449	\$2,516,297	\$2,533,280	\$4,605,015	\$4,154,728	\$3,026,241	\$4,978,477
MPRSA	NR	NR	NR	\$23,740	\$116,000	\$17,984	\$493,220	\$42,890	\$312,312	\$20,340	\$12,500
RCRA	\$11,968,591	\$6,848,321	\$6,788,227	\$5,144,485	\$8,016,318	\$5,026,916	\$4,627,714	\$5,270,425	\$10,608,956	\$7,722,256	\$7,621,729
SDWA	\$1,045,789	\$718,550	\$454,109	\$220,289	\$340,588	\$421,576	\$764,600	\$430,003	\$470,603	\$314,545	\$644,233
TSCA	\$4,258,878	\$3,731,037	\$2,284,009	\$2,464,032	\$3,313,114	\$2,228,828	\$14,414,322	\$3,829,419	\$5,147,969	\$3,355,579	\$2,008,807
<b>Total</b>	<b>\$37,246,073</b>	<b>\$29,323,532</b>	<b>\$31,419,294</b>	<b>\$28,932,790</b>	<b>\$32,059,122</b>	<b>\$30,045,813</b>	<b>\$45,535,619</b>	<b>\$32,507,406</b>	<b>\$38,731,955</b>	<b>\$32,146,058</b>	<b>\$33,359,126</b>

NR - Not Reported

Civil Judicial Penalties											
Statute	00	01	02	03	04	05	06	07	08	09	10
CAA	\$27,785,788	\$67,834,039	\$41,137,261	\$20,853,129	\$24,019,553	\$30,244,761	\$26,526,139	\$26,164,465	\$42,397,780	\$33,671,876	\$37,401,382
CERCLA	\$542,298	\$2,737,260	\$1,931,000	\$737,127	\$108,797,792	\$1,152,100	\$981,463	\$36,035	\$2,513,278	\$1,323,538	\$1,857,269
CWA	\$27,470,569	\$22,174,543	\$20,595,476	\$60,647,456	\$6,885,976	\$18,513,858	\$17,287,286	\$11,679,349	\$42,063,737	\$19,951,348	\$21,392,202
EPCRA	\$66,574	\$15,976	\$273,375	\$289,546	\$0	\$0	\$0	\$2,383	\$0	\$0	\$184,878
FIFRA	\$0	\$0	\$14,580	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
MPRSA	NR	NR	NR	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
RCRA	\$13,828,677	\$32,035,238	\$13,523,481	\$3,069,048	\$836,503	\$92,097,260	\$43,837,364	\$4,125,618	\$2,413,513	\$4,439,209	\$9,377,109
SDWA	\$132,392	\$578,277	\$608	\$127,246	\$0	\$940,540	\$0	\$96,369	\$154,128	\$1,271	\$25,000
TSCA	\$0	\$0	\$60,750	\$48,726	\$67,524	\$30,910	\$47,356	\$13,449	\$50,700	\$103,734	\$11,000
<b>Total</b>	<b>\$69,826,297</b>	<b>\$125,375,333</b>	<b>\$77,536,530</b>	<b>\$85,772,279</b>	<b>\$140,607,347</b>	<b>\$142,979,428</b>	<b>\$88,679,609</b>	<b>\$42,117,668</b>	<b>\$89,593,136</b>	<b>\$59,490,977</b>	<b>\$70,248,839</b>

NR - Not Reported

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)

# FY 2000 - FY 2010 Administrative and Civil Judicial Penalties Assessed (Nominal Value)

Administrative Penalties											
Statute	00	01	02	03	04	05	06	07	08	09	10
CAA	\$3,629,256	\$4,006,848	\$5,930,181	\$6,221,675	\$4,829,663	\$7,044,700	\$10,933,956	\$7,538,120	\$8,448,030	\$6,074,136	\$6,132,658
CERCLA	\$0	\$143,170	\$1,101,822	\$416,162	\$336,655	\$328,275	\$538,802	\$403,897	\$825,087	\$485,792	\$798,706
CWA	\$5,403,201	\$5,353,442	\$4,940,169	\$5,821,214	\$6,477,678	\$7,025,481	\$7,317,263	\$6,273,505	\$6,005,132	\$6,839,596	\$6,322,857
EPCRA	\$4,578,602	\$3,515,780	\$3,100,756	\$3,321,526	\$3,594,498	\$3,247,640	\$2,153,229	\$3,092,934	\$2,510,101	\$4,011,584	\$4,839,159
FIFRA	\$2,078,506	\$1,600,081	\$2,945,960	\$1,978,685	\$2,238,318	\$2,238,698	\$2,336,974	\$4,348,456	\$4,097,365	\$2,975,655	\$4,978,477
MPRSA	NR	NR	NR	\$20,000	\$100,000	\$16,000	\$455,000	\$40,500	\$308,000	\$20,000	\$12,500
RCRA	\$9,401,878	\$5,554,194	\$5,587,018	\$4,334,023	\$6,910,619	\$4,472,345	\$4,269,109	\$4,976,794	\$10,462,481	\$7,593,172	\$7,621,729
SDWA	\$821,515	\$582,766	\$373,752	\$185,585	\$293,610	\$375,068	\$705,351	\$406,046	\$464,106	\$309,287	\$644,233
TSCA	\$3,345,544	\$3,025,983	\$1,879,843	\$2,075,848	\$2,856,133	\$1,982,943	\$13,297,345	\$3,616,071	\$5,076,892	\$3,299,487	\$2,008,807
<b>Total</b>	<b>\$29,258,502</b>	<b>\$23,782,264</b>	<b>\$25,859,501</b>	<b>\$24,374,718</b>	<b>\$27,637,174</b>	<b>\$26,731,150</b>	<b>\$42,007,029</b>	<b>\$30,696,323</b>	<b>\$38,197,194</b>	<b>\$31,608,710</b>	<b>\$33,359,126</b>

NR - Not Reported

Civil Judicial Penalties											
Statute	00	01	02	03	04	05	06	07	08	09	10
CAA	\$21,827,013	\$55,015,441	\$33,857,828	\$17,567,927	\$20,706,511	\$26,908,150	\$24,470,608	\$24,706,766	\$41,812,406	\$33,109,023	\$37,401,382
CERCLA	\$426,000	\$2,220,000	\$1,589,300	\$621,000	\$93,791,200	\$1,025,000	\$905,409	\$34,027	\$2,478,578	\$1,301,414	\$1,857,269
CWA	\$21,579,394	\$17,984,220	\$16,951,009	\$51,093,055	\$5,936,186	\$16,471,404	\$15,947,681	\$11,028,658	\$41,482,975	\$19,617,845	\$21,392,202
EPCRA	\$52,297	\$12,957	\$225,000	\$243,931	\$0	\$0	\$0	\$2,250	\$0	\$0	\$184,878
FIFRA	\$0	\$0	\$12,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
MPRSA	NR	NR	NR	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
RCRA	\$10,863,061	\$25,981,539	\$11,130,437	\$2,585,550	\$721,123	\$81,937,064	\$40,440,373	\$3,895,768	\$2,380,190	\$4,365,004	\$9,377,109
SDWA	\$104,000	\$469,000	\$500	\$107,200	\$0	\$836,779	\$0	\$91,000	\$152,000	\$1,250	\$25,000
TSCA	\$0	\$0	\$50,000	\$41,050	\$58,210	\$27,500	\$43,686	\$12,700	\$50,000	\$102,000	\$11,000
<b>Total</b>	<b>\$54,851,765</b>	<b>\$101,683,157</b>	<b>\$63,816,074</b>	<b>\$72,259,713</b>	<b>\$121,213,230</b>	<b>\$127,205,897</b>	<b>\$81,807,757</b>	<b>\$39,771,169</b>	<b>\$88,356,149</b>	<b>\$58,496,536</b>	<b>\$70,248,839</b>

NR - Not Reported

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)

# FY 2000 - FY 2010

## Total Civil Penalties Assessed

*(Inflation/Deflation Adjusted to FY 10 Dollars)*

Total Administrative and Civil Judicial Penalties											
Statute	00	01	02	03	04	05	06	07	08	09	10
CAA	\$32,405,830	\$72,774,482	\$48,342,431	\$28,238,258	\$29,621,962	\$38,163,003	\$38,378,547	\$34,147,334	\$50,964,082	\$39,849,273	\$43,534,040
CERCLA	\$542,298	\$2,913,789	\$3,269,713	\$1,231,111	\$109,188,312	\$1,521,081	\$1,565,525	\$463,762	\$3,349,917	\$1,817,588	\$2,655,975
CWA	\$34,348,843	\$28,775,337	\$26,597,781	\$67,557,237	\$14,400,082	\$26,410,499	\$25,219,199	\$18,322,991	\$48,152,941	\$26,907,217	\$27,715,059
EPCRA	\$5,895,134	\$4,350,933	\$4,040,794	\$4,232,197	\$4,169,618	\$3,650,347	\$2,334,100	\$3,277,800	\$2,545,242	\$4,079,781	\$5,024,037
FIFRA	\$2,645,938	\$1,972,900	\$3,593,921	\$2,348,699	\$2,596,449	\$2,516,297	\$2,533,280	\$4,605,015	\$4,154,728	\$3,026,241	\$4,978,477
MPRSA	\$0	\$0	NR	\$23,740	\$116,000	\$17,984	\$493,220	\$42,890	\$312,312	\$20,340	\$12,500
RCRA	\$25,797,267	\$38,883,559	\$20,311,708	\$8,213,533	\$8,852,821	\$97,124,176	\$48,465,078	\$9,396,043	\$13,022,469	\$12,161,465	\$16,998,838
SDWA	\$1,178,181	\$1,296,827	\$454,716	\$347,536	\$340,588	\$1,362,116	\$764,600	\$526,372	\$624,731	\$315,817	\$669,233
TSCA	\$4,258,878	\$3,731,037	\$2,344,759	\$2,512,758	\$3,380,638	\$2,259,738	\$14,461,678	\$3,842,868	\$5,198,669	\$3,459,313	\$2,019,807
<b>Total</b>	<b>\$107,072,370</b>	<b>\$154,698,864</b>	<b>\$108,955,824</b>	<b>\$114,705,070</b>	<b>\$172,666,469</b>	<b>\$173,025,241</b>	<b>\$134,215,228</b>	<b>\$74,625,074</b>	<b>\$128,325,090</b>	<b>\$91,637,035</b>	<b>\$103,607,965</b>



## National Enforcement Trends (NETs)

# FY 2000 - FY 2010

## Total Civil Penalties Assessed

*(Nominal Value)*

Total Administrative and Civil Judicial Penalties											
Statute	00	01	02	03	04	05	06	07	08	09	10
CAA	\$25,456,269	\$59,022,289	\$39,788,009	\$23,789,602	\$25,536,174	\$33,952,850	\$35,404,564	\$32,244,886	\$50,260,436	\$39,183,159	\$43,534,040
CERCLA	\$426,000	\$2,363,170	\$2,691,122	\$1,037,162	\$94,127,855	\$1,353,275	\$1,444,211	\$437,924	\$3,303,665	\$1,787,206	\$2,655,975
CWA	\$26,982,595	\$23,337,662	\$21,891,178	\$56,914,269	\$12,413,864	\$23,496,885	\$23,264,944	\$17,302,163	\$47,488,107	\$26,457,441	\$27,715,059
EPCRA	\$4,630,899	\$3,528,737	\$3,325,756	\$3,565,457	\$3,594,498	\$3,247,640	\$2,153,229	\$3,095,184	\$2,510,101	\$4,011,584	\$5,024,037
FIFRA	\$2,078,506	\$1,600,081	\$2,957,960	\$1,978,685	\$2,238,318	\$2,238,698	\$2,336,974	\$4,348,456	\$4,097,365	\$2,975,655	\$4,978,477
MPRSA	\$0	\$0	NR	\$20,000	\$100,000	\$16,000	\$455,000	\$40,500	\$308,000	\$20,000	\$12,500
RCRA	\$20,264,939	\$31,535,733	\$16,717,455	\$6,919,573	\$7,631,742	\$86,409,409	\$44,709,482	\$8,872,562	\$12,842,671	\$11,958,176	\$16,998,838
SDWA	\$925,515	\$1,051,766	\$374,252	\$292,785	\$293,610	\$1,211,847	\$705,351	\$497,046	\$616,106	\$310,537	\$669,233
TSCA	\$3,345,544	\$3,025,983	\$1,929,843	\$2,116,898	\$2,914,343	\$2,010,443	\$13,341,031	\$3,628,771	\$5,126,892	\$3,401,487	\$2,019,807
<b>Total</b>	<b>\$84,110,267</b>	<b>\$125,465,421</b>	<b>\$89,675,575</b>	<b>\$96,634,431</b>	<b>\$148,850,404</b>	<b>\$153,937,047</b>	<b>\$123,814,786</b>	<b>\$70,467,492</b>	<b>\$126,553,344</b>	<b>\$90,105,246</b>	<b>\$103,607,965</b>

## National Enforcement Trends (NETs) Metadata

NETs Page F-3, 3b, 3c, 3d, 3e, 3f, 3g: FY 2000 - FY 2010 Administrative and Civil Judicial Penalties Assessed	
<b>Note 1</b>	"Penalties assessed" is the penalty amount that the defendant or respondent 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.
<b>Note 2</b>	Civil penalty assessed amounts do not include stipulated penalties.
<b>Note 3</b>	The administrative penalty values include values from both expedited and non expedited final administrative penalty orders (FAPOs).
<b>Note 4</b>	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.
<b>Note 5</b>	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.
<b>Note 6</b>	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.
<b>Note 7</b>	For each enforcement case, the entire complying action amount for that case is attributed to the "primary law" that EPA has designated for the case, even where the action is brought under more than one law.