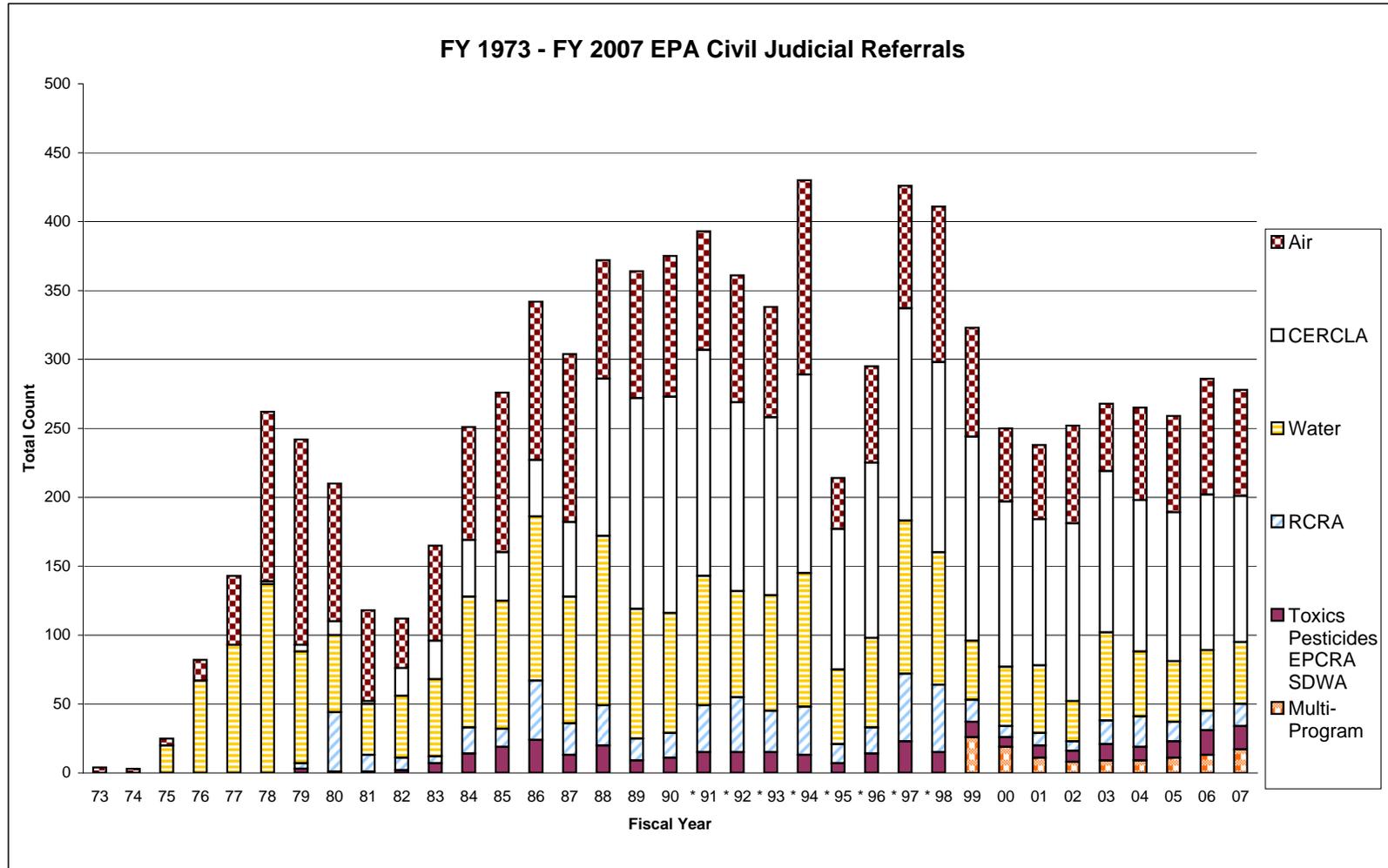




National Enforcement Trends (NETs)



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



National Enforcement Trends (NETs)

FY 1973 - FY 2007 Civil Judicial Referrals

EPA Civil Judicial Referrals							
Fiscal Year	Statutes						Total
	Air	CERCLA	Water	RCRA	Toxics Pesticides EPCRA SDWA	Multi-Program	
73	4	0	0	0	0	NR	4
74	3	0	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	43	16	11	26	323
00	53	120	43	8	7	19	250
01	54	106	49	9	9	11	238
02	71	129	29	7	8	8	252
03	49	117	64	17	12	9	268
04	67	110	47	22	10	9	265
05	70	108	44	14	12	11	259
06	84	113	44	14	18	13	286
07	77	106	45	16	17	17	278

NR - Not Reported

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

National Enforcement Trends (NETs) Metadata

NETs Page D-4, 4b: FY 1973 - FY 2007 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>Since FY 2003, as part of the larger change in not adding extra credits to referrals, EPA captures in separate data tables (not included here) the following information that was formerly captured only as extra-credits: 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 actions to amend enforcement actions to add parties and/or violations; and the number of EPA actions to enforce 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 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. The Superfund program has always given credit for these settlements when a CD was referred, lodged or entered, depending on which action the regions reported first. However, in order to provide consistency in reporting within Office of Enforcement and Compliance (OECA), CDs for Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) response and cost recovery measures will now be counted only when they have been entered. Because the new procedures result in some previously counted Superfund CDs being counted again (because they were referred or lodged in a previous fiscal year, but not entered until this fiscal year), FY 2006 and the next couple of years will be a transition period. As a result, the count of Superfund referrals and the total count of referrals will be impacted, as Superfund CDs will not be counted at the referral stage any longer, and civil judicial conclusions will be impacted, since previously reported Superfund CDs may be counted again under this category (during the transition period).</p>