

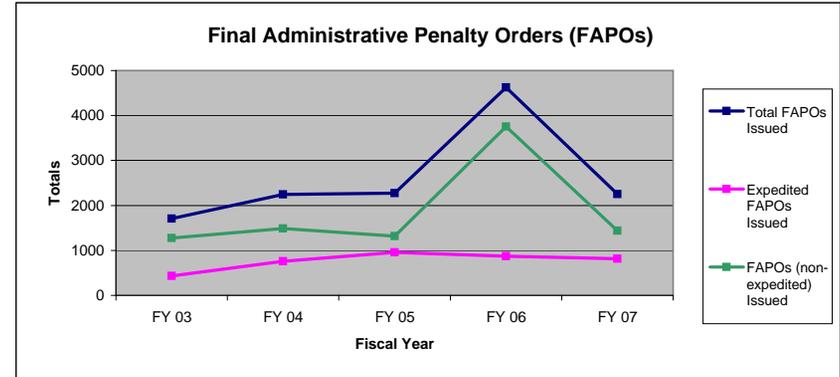
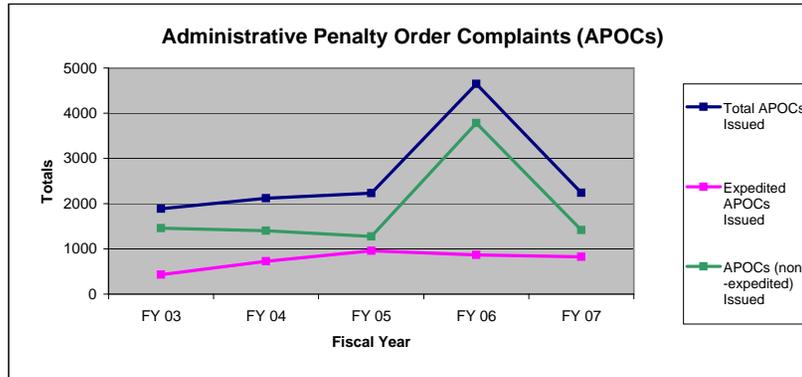
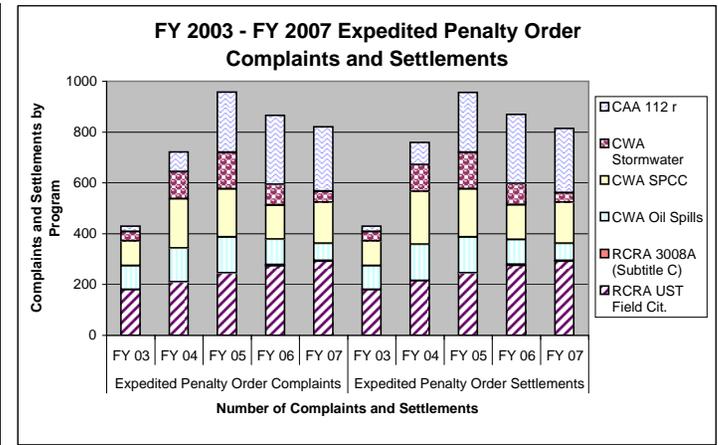


National Enforcement Trends (NETs)

FY 2003 - FY 2007 Expedited Administrative Penalty Orders

FY 2003-FY 2006 Expedited Penalty Order Complaints and Settlements											
Statute	Program	Expedited Penalty Order Complaints					Expedited Penalty Order Settlements				
		FY 03	FY 04	FY 05	FY 06	FY 07	FY 03	FY 04	FY 05	FY 06	FY 07
CAA	CAA 112 r	21	78	236	272	253	21	88	235	272	253
CWA	CWA Stormwater	38	107	145	82	44	38	105	144	84	37
CWA	CWA SPCC	96	194	189	133	162	96	208	190	137	162
CWA	CWA Oil Spills	94	133	142	101	68	94	143	142	97	68
RCRA	RCRA 3008A (Subtitle C)	NR	NR	NR	3	2	NR	NR	NR	4	2
RCRA	RCRA UST Field Cit.	181	210	245	275	292	181	216	245	276	292
Total		430	722	957	866	821	430	760	956	870	814

NR - Not Reported



National Enforcement Trends (NETs) Metadata

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Note 1	<p>According to US. EPA policy, "Use of Expedited Settlements to Support Appropriate Tool Selection," December 2, 2003, pp. 2 & 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:</p> <p style="padding-left: 40px;">offers both 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>
Note 2	<p>Prior to FY 2003 expedited administrative penalty orders (APOs) (complaints and final orders) were referred to as "field citations" in the Resource Conservation and Recovery Act (RCRA). Beginning in FY 2003 the term field citations was superseded by the term "expedited" action and additional programs now have 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>
Note 3	<p>Beginning in FY 1999 field citations/expedited APOs have been included in counts of APOs.</p>
Note 4	<p>Expedited actions account for a significant portion of the APOCs 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; and of the 2,237 APOCs reported in FY 2007, 821 (37%) were expedited penalty order complaints.</p>
Note 5	<p>Expedited actions account for a significant portion of the final administrative penalty orders (FAPOs) reported. 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; and of the 2,256 FAPOs in FY 2007, 814 (36%) were expedited penalty settlements.</p>
Note 6	<p>No expedited penalty orders (complaints/final orders) were issued to address the animal feeding operations, which account for the lower percentage of expedited orders in FY 2006 (refer to Notes 4 & 5 for percentages in FY 2005 vs. FY 2006).</p>