

## **Introduction to the Fiscal Year 1998 Enforcement Reports**

US EPA Region 5, Office of Regional Counsel

This brief introduction serves to highlight improvements to the Fiscal Year 1998 Enforcement Reports. It also provides important notes about the reports as well as references for additional information.

### **The 1998 Reports: An effort in improvement**

The format of these three reports has been changed considerably to present a more accurate, comprehensive picture of enforcement in Region 5 in a manner that is easier to use. The changes to the three reports include:

<b>Injunctive Relief</b>	The type of order issued in each case and the county in which the violation(s) occurred are identified. Superfund cases are identified by Site name and include lists of potentially responsible parties (PRPs). Quantitative reductions are explained in a standard format. All acronyms are spelled out throughout the report. The overall format has been changed for easier reading.
<b>Supplemental Environmental Projects</b>	The type of order issued in each case and the county in which the violation(s) occurred are identified. Quantitative reductions are explained in a standard format. All acronyms are spelled out throughout the report. The overall format has been changed for easier reading.
<b>Penalties</b>	Any applicable Standard Industrial Classification (SIC) code, the county in which the violations occurred, and geographic initiatives are identified. The report has been completely revamped for easier reading.

In addition, cross-references between the three reports have been added and made consistent. These and other improvements not mentioned here should serve to create a report on enforcement in Region 5 which is both more complete and more meaningful.

### **Obtaining more information**

These reports make reference to information used in Region 5's Enforcement Program. While most of this information is either self-explanatory or is explained in the reports, additional resources may prove to be helpful.

To help you learn more about Region 5's **geographic initiatives**, we are preparing a Web site which will provide a basic description and map of each initiative. We expect to complete the site by May 1, 1999. It will be available at:

[www.epa.gov/region5/orc/gi.htm](http://www.epa.gov/region5/orc/gi.htm)

For more information about **criminal cases with fines** (included in the Penalty Report summary), contact Mr. Martin Topper in U.S. EPA Headquarters (202-564-2564) or visit our Web site at:

[www.epa.gov/region5/orc/enfactions98/law-criminal.htm](http://www.epa.gov/region5/orc/enfactions98/law-criminal.htm)

To learn more about a particular **Standard Industrial Classification (SIC) code**, or about SIC codes in general, visit one of the following Web sites:

[www.osha.gov/oshstats/sicser.html](http://www.osha.gov/oshstats/sicser.html)

[www.census.gov/pub/epcd/www/naics.html](http://www.census.gov/pub/epcd/www/naics.html)

## **Notes about the Reports**

### *Injunctive Relief*

To present as complete a picture as possible, “injunctive relief” is defined broadly, beyond its strict legal definition, to include orders requiring pollution reduction, remediation, restoration, site access, reporting, and/or permit applications (to name a few).

This report does not identify whether or not Respondents and Defendants have complied with their respective orders. (The only exception involves Respondents who have indicated that they refuse to comply with an order.) The term “Respondent” refers to the party to whom an administrative order or complaint was issued. The term “Defendant” refers to the party in a civil judicial lawsuit against whom relief is sought.

These notes are discussed at greater length on Page E1 of the Injunctive Relief report.

### *Supplemental Environmental Projects*

In those cases which involve both a supplemental environmental project (SEP) and a monetary penalty, it is not uncommon to find that the penalty has been reduced upon the successful negotiation of the SEP. For this reason, both the original and the final penalties are provided for those cases which included a penalty.

Second, this report does not identify those Respondents and Defendants that have not yet

completed their SEPs, nor does it identify those who have. This report simply describes the SEP which the Respondent or Defendant agreed to undertake. The term “Respondent” refers to the party to whom an administrative order was issued or an administrative complaint was served. The term “Defendant” refers to the party in a civil judicial lawsuit against whom relief is sought.

Fiscal Year 1998 is the first year in which the number of cases with SEPs has been distinguished from the number of SEPs (some cases involve more than one SEP). This fact is noted in the comparative trend reports.

These notes are discussed at greater length on Page F1 of the SEP report.

### *Penalties*

The Penalty Report is presented in three “sorts” to assist you in examining the information in the way you prefer. **Sort 1** organizes the penalty cases according to the dates on which they were concluded (the date the administrative order was filed with the Regional Hearing Clerk or the consent decree was entered into the Court Docket). **Sort 2** organizes the cases alphabetically by Respondent or Defendant name. **Sort 3** organizes the cases by statute and section.

Information about criminal cases with fines is included in the comparative report, but individual cases are not listed in the full report. See above under “Obtaining more information” to find out how to obtain information about these cases.