

U.S. Environmental Protection Agency - Office of Criminal Enforcement, Forensics and Training

MISSION: Investigate serious environmental crimes. Provide:

- Federal, state, tribal, and local prosecutors with the evidence needed to prosecute environmental crimes,
- Environmental evidence retrieval, forensic analyses, technical evaluations to both civil and criminal enforcement,
- Counsel and guidance on legal investigative issues, and
- Successful investigations to deter potential violators and eliminate the temptation to “pay to pollute.”



WHAT IS AN ENVIRONMENTAL CRIME? An environmental crime is a knowing or negligent violation of an environmental law. Environmental laws are designed to protect our nation’s air, land, water, and public health.

SEVEN SIGNS OF AN ENVIRONMENTAL CRIME:

- Strong, offensive, or unusual chemical odors,
- Large numbers of dead birds, fish or other animals,
- Pipes or valves that bypass waste treatment systems,
- Tank trucks discharging into drains, manholes or surface waters,
- Oily slicks on bodies of water,
- Corroded, leaking waste containers, and
- Drums or containers dumped at odd hours in out-of-the-way places.

WHO INVESTIGATES ENVIRONMENTAL CRIMES?

- Federal law enforcement agents - with full Federal authority to conduct investigations, carry firearms, make arrests, and execute search and arrest warrants.
- Specially trained investigators, chemists, engineers, technicians.
- Attorneys with environmental crimes expertise.



INVESTIGATIONS & FORENSICS: EPA must have cutting-edge capabilities to prove cases beyond a reasonable doubt.

Investigations – EPA special agents talk and listen to suspects and witnesses, conduct surveillance, seize and analyze records, find people and information, work with forensics experts, prosecutors and other police involved, analyze evidence and data and testify in court. As environmental crime specialists, they also apply added training in environmental sciences, toxicology, safety, and environmental law.

NEIC (National Enforcement Investigations Center) – At EPA’s fully-accredited forensics laboratory in Lakewood, Colorado, multi-disciplinary expert teams conduct field investigations to gather site-specific evidence and laboratory work to analyze the results. NEIC staff work with special agents to provide field sampling, engineering evaluations, forensic laboratory analysis, and expert witness services in the courtroom.

NCFL-TEC (National Computer Forensics Laboratory and Technical Investigative Equipment Support Center) – At this Jacksonville, Florida, facility, a team of high-tech criminal investigators plan the search, seizure, and analysis of digital evidence from the Internet, computers, servers, smart phones, and other digital or electronic devices. Rarely does an environmental crime not leave a digital trail.

PROTECTIVE SERVICE DETAIL (PSD): OCEFT special agents also provide physical security for the EPA Administrator. The PSD advises the Administrator and staff on his/her personal security matters and carries out its responsibilities through developing and implementing security plans, monitoring technical security considerations, developing emergency contingency plans, and coordinating with federal, state and local law enforcement offices.

PUBLIC INVOLVEMENT & INFORMATION:

EPA’s Fugitive Website: <http://www.epa.gov/fugitives>



BAGGETT



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Report Environmental Violations:

<http://www.epa.gov/tips>

OCEFT on EPA’s Website:

<http://www.epa.gov/enforcement/criminal>

CRIMINAL CASE RESULTS

FY 2014 to FY 2016 Criminal Cases by Pollution Type

	Fiscal Year			3-Year Average
	2014	2015	2016	
Case Opened				
Air (CAA)	81	54	40	58
Water (CWA, SDWA, etc)	108	99	61	89
Waste (RCRA, CERCLA)	32	32	29	31
Chemicals (TSCA, FIFRA)	23	21	18	21
Title 18 + Other	27	7	22	19
Total:	271	213	170	218
Defendants Charged				
Air (CAA)	55	47	50	51
Water (CWA, SDWA, etc)	61	99	66	75
Waste (RCRA, CERCLA)	22	26	42	30
Chemicals (TSCA, FIFRA)	21	10	16	16
Title 18 + Other	33	11	13	19
Total:	192	193	187	191
Fines & Restitution (in Millions)				
Air (CAA)	\$28	\$51	\$181	\$87
Water (CWA, SDWA, etc)	\$9	\$115	\$12	\$45
Waste (RCRA, CERCLA)	\$4	\$19	\$3	\$9
Chemicals (TSCA, FIFRA)	\$22	\$2	\$0	\$8
Title 18 + Other	\$0	\$14	\$13	\$9
Total:	\$64	\$201	\$209	\$158
Incarceration (In Months)				
Air (CAA)	1,391	862	625	959
Water (CWA, SDWA, etc)	140	133	156	143
Waste (RCRA, CERCLA)	135	89	115	113
Chemicals (TSCA, FIFRA)	206	261	36	168
Title 18 + Other	53	211	212	159
Total:	1,925	1,556	1,144	1,542
Note: Due to rounding, averages may not add correctly				

LEGAL (Statutory) AUTHORITIES – OCEFT investigates violations of environmental laws and related violations of the U.S. Federal Criminal Codes (Title 18 - fraud, conspiracy, and obstruction of justice, aiding and abetting, false statements, smuggling). Environmental Laws include: Clean Air Act (CAA); Clean Water Act (CWA); Comprehensive Environmental Response, Compensation and Liability Act (CERCLA, Superfund); Emergency Planning and Community Right-to-Know Act (EPCRA); Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA); Oil Pollution Act (OPA); Ocean Dumping Act; Resource Conservation and Recovery Act (RCRA, hazardous waste); Safe Drinking Water Act (SDWA); and Toxic Substances Control Act (TSCA).



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