



# Environmental News

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## EPA RELEASES FY 2000 ENFORCEMENT AND COMPLIANCE ASSURANCE DATA

Tanya Meekins 202-564-7819

The U.S. Environmental Protection Agency today released data on its major enforcement and compliance assurance activities for FY 2000. Continuing its focus on the most serious health and environmental violations, the Agency placed a high priority on correcting violations among major corporations with multiple facilities throughout the United States.

The Agency took a record cumulative total of 6,027 civil judicial, criminal and administrative enforcement actions, requiring polluters to pay \$2.6 billion in injunctive relief for environmental cleanup, superfund site remediation, pollution control cleanup, improved monitoring and additional environmental improvements. Polluters were also required to pay \$224.6 million in civil and criminal penalties. The combined level of civil and criminal penalties assessed in FY 2000 was the third largest total in EPA history.

EPA's enforcement actions were taken in response to significant emissions or discharges of toxic or hazardous pollutants. The major pollution reductions realized through civil enforcement included: 905 million lbs of soil and sediments contaminated with toxins; over 11.6 million lbs of chromium, a heavy metal, which can cause neurological illness; over 12.2 million lbs of fecal coliform, which can cause severe illness from drinking contaminated water; over 116.9 million lbs of solvents, which can be carcinogenic and are used in numerous industries; and over 20.8 million lbs of PCB wastes. The cases resolved by the criminal enforcement program included those involving the illegal management or release of serious pollutants such as: over 80 million lbs of lead, which can cause neurological damage and reduce learning in children; 7.4 million lbs of asbestos, another carcinogen; and over 1 million lbs of ozone-layer depleting CFCs.

During FY 2000, the Agency referred 368 civil judicial cases to the U.S. Department of Justice. Several cases under the Clean Air Act were part of EPA's national focus on electric power utilities that the government alleged had illegally expanded the capacity of their facilities, causing millions of excess tons of nitrogen oxides to be emitted into the air. The first case, lodged in February 2000, commits Tampa Electric Company to spend \$1 billion to reduce emissions of nitrogen oxide (NOx) and sulfur dioxide (SO2) by a combined 190,000 tons annually. Other cases under the Clean Water Act involved cleanup of three million gallons of oil spilled from pipelines in six states.

A record 1,763 administrative complaints and 3,660 administrative compliance orders and field citations were issued, almost double the number issued in FY 1999. More than 1,700 of the administrative orders were issued to local water suppliers to ensure that they provided reports to their consumers on the quality of their

drinking water, a major “public right to know” requirement of the 1996 amendments to the Safe Drinking Water Act. EPA also took 32 enforcement actions against federal agencies in FY2000, involving violations of the Clean Air Act, Clean Water Act, Resource Conservation and Recovery Act, and the Safe Drinking Water Act.

Six hundred and sixty civil investigations were conducted in FY 2000. These investigations, which are more complex and intensive assessments of a facility's compliance status, are a key component of EPA’s strategy to identify and resolve the most serious environmental violations involving significant environmental or public health impact.

The criminal enforcement program, used for those who violate the law knowingly or willfully, initiated 477 cases, referred 236 cases to the Justice Department, and charged 360 defendants. The federal courts imposed 146 years of criminal sentences in FY 2000. The courts also assessed \$122 million in criminal fines, the second highest in the history of the program and almost double the FY 1999 total of \$61.6 million.

The civil enforcement program is off to a strong start in FY 2001 by completing several multi-year enforcement actions in various industries in the first three months of FY 2001. Seven cases settled will make the air safer to breathe, reducing air pollutants by an estimated 841,000 tons annually as well as reducing hazardous waste. These cases also required about \$3.9 billion to be spent by violators for environmental cleanup, pollution control equipment, and improved monitoring -- more than was spent on environmental compliance in FY 2000. The attached table lists these first quarter FY 2001 significant multi-state settlements and agreements.

Complementing its civil and criminal enforcement authorities, the Agency continued to successfully use its several incentive programs to encourage industries to self-audit their facilities and correct violations. In FY 2000, 430 companies disclosed potential violations at nearly 2200 facilities under EPA’s Audit Policy, a sizeable increase over last year’s results of 260 companies disclosures at 989 facilities. The Agency continues to expand the use of its voluntary self disclosure policies, working cooperatively with multi-facility corporations and whole industry sectors to use the policy to correct and disclose violations.

Compliance assistance efforts were expanded in FY 2000. EPA launched a Web site to improve environmental compliance by federal agencies, bringing to 10 the number of Internet-based national Compliance Assistance Centers. The centers offer interactive web sites, telephone assistance lines, document fax-back systems and e-mail discussion groups. The centers were used over 400,000 times by regulated entities and the public in FY 2000, a 56 percent increase over FY 1999. Other compliance assistance tools such as hotlines, workshops and guidance materials effectively reached more than 450,000 regulated entities, a 36 percent increase over the number reached in FY 1999.

**EPA OFFICE OF ENFORCEMENT AND COMPLIANCE ASSURANCE**

**FIRST QUARTER FY 2001 -- SIGNIFICANT MULTI-STATE SETTLEMENTS/AGREEMENTS IN PRINCIPLE**

<b>Company</b>	<b>Number of Facilities</b>	<b>Injunctive Relief</b>	<b>Environmental Project(s)<sup>1</sup></b>	<b>Penalties</b>	<b>Environmental Benefits</b>
<b>BP Amoco<sup>3</sup></b>	8	\$600,000,000	Not yet quantified	\$10,000,000	49,000 tons/yr (SO <sub>2</sub> , NO <sub>x</sub> )
<b>CINERGY<sup>3</sup></b>	10	\$1,400,000,000	\$21,500,000	\$8,500,000	500,000 tons/yr (SO <sub>2</sub> , NO <sub>x</sub> )
<b>Koch<sup>2</sup></b>	3	\$80,000,000	None	\$4,500,000	6,000 tons/yr (SO <sub>2</sub> , NO <sub>x</sub> )
<b>Morton International<sup>2</sup></b>	24	\$44,000,000	\$16,000,000	\$22,000,000	800,000 lbs of hazardous waste/yr properly disposed
<b>Nucor<sup>2</sup></b>	14	\$85,000,000	\$4,000,000	\$9,000,000	9,400 tons (NO <sub>x</sub> and VOC) over life of the agreement
<b>VEPCO<sup>3</sup></b>	8	\$1,600,000,000	\$13,900,000	\$5,300,000	250,000 tons/yr (SO <sub>2</sub> , NO <sub>x</sub> )
<b>Willamette<sup>2</sup></b>	13	\$74,000,000	\$8,000,000	\$11,200,000	27,000 tons/yr (VOC, PM and CO)
<b>TOTAL</b>	80	\$3,883,000,000	\$63,400,000	\$70,500,000	<ul style="list-style-type: none"> <li>• 841,400 tons/yr air pollutants</li> <li>• 800,000 lbs of hazardous waste/yr properly disposed</li> </ul>

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<sup>1</sup>Rounded to nearest million

<sup>2</sup>Settlement - Lodged or Entered

<sup>3</sup>Agreement in Principle