



At a Glance

Why We Did This Project

The Office of Inspector General conducted this audit of the U.S. Environmental Protection Agency to identify the trends in EPA-led enforcement actions and results from fiscal years 2006 through 2018. We also sought to determine the key factors explaining those trends. This report focuses on national trends. A forthcoming report will discuss regional and statute-specific trends and key factors.

The EPA's Office of Enforcement and Compliance Assurance works to ensure that environmental statutes are fairly and effectively enforced at approximately 40 million regulated federal and private entities. The EPA reports the following measures to the public each year:

- Compliance monitoring activities, such as inspections.
- Enforcement actions, such as case initiations and conclusions.
- Enforcement results, such as penalties; corrective actions, called *injunctive relief*; supplemental environmental projects; and environmental benefits.

This report addresses the following:

- *Compliance with the law.*

Address inquiries to our public affairs office at (202) 566-2391 or OIG_WEBCOMMENTS@epa.gov.

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EPA's Compliance Monitoring Activities, Enforcement Actions, and Enforcement Results Generally Declined from Fiscal Years 2006 Through 2018

What We Found

The EPA's annual level of compliance monitoring activities, enforcement actions, and enforcement results generally declined throughout the scope of our audit:

- The number of *inspections* that the EPA conducted decreased by 33 percent when comparing FYs 2007 and 2018.
- The numbers of enforcement actions *initiated* and *concluded* by the EPA decreased by 52 and 51 percent, respectively, when comparing FYs 2007 and 2018.
- The EPA concluded 58 percent fewer enforcement actions with *injunctive relief* in FY 2018 than in FY 2007. Over those 12 years, the EPA estimated the lowest value of injunctive relief in FY 2018 (\$3.9 billion) and estimated the highest injunctive relief value in FY 2011 (\$21 billion).
- The EPA concluded 53 percent fewer enforcement actions with *penalties* in FY 2018 than in FY 2007. Over those 12 years, the EPA assessed the lowest penalty total in FY 2018 (\$69 million) and assessed the highest penalty total in FY 2016 (\$6.1 billion).
- The total number of *supplemental environmental projects* decreased by 48 percent. FY 2017 had the lowest total estimated value of supplemental environmental projects (\$18 million), whereas FY 2009 had the highest (\$53 million).
- The value of *environmental benefit* commitments to reduce, treat, or eliminate pollutants varied from FYs 2012 through 2018 but decreased by 64 percent when comparing FYs 2012 and 2018. The number of commitments also decreased by 31 percent when comparing FYs 2012 and 2018.

Additionally, both funding for the EPA's enforcement program and the number of enforcement staff decreased by 18 percent and 21 percent, respectively, when comparing FYs 2006 and 2018.

While we were conducting this audit, the EPA released its FY 2019 annual enforcement measures. Compared to FY 2018, four of the 15 enforcement measures increased, while 11 continued to decrease. The EPA's enforcement funding and staff also continued to decrease in FY 2019.

We make no recommendations in this report. The assistant administrator for Enforcement and Compliance Assurance provided a response to our draft report on March 30, 2020. We modified the report based on the Agency's response and technical comments, as appropriate.