

United States Environmental Protection Agency Enforcement: 2016 Report Issued



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The United States Environmental Protection Agency ("EPA") announced on December 19th its 2016 annual enforcement and compliance results.

The EPA announcement includes an interactive map showing the location of the agency's 2016 enforcement actions.

EPA states that during the agency's 2016 fiscal year (October 1, 2015 to September 30, 2016) agency enforcement actions secured 13.7 billion in what it describes as "investments by companies for projects to control pollution." The agency states that it also secured:

... enforceable commitments that ensure the proper treatment, storage and disposal of an estimated 62 billion pounds of hazardous waste, the majority coming through a settlement with Mosaic Fertilizer for their eight facilities across Florida and Louisiana.

Also referenced as "landmark settlements" are those with BP and Volkswagen.

EPA's Summary of Enforcement also notes:

- More than one billion in commitments from responsible parties to clean up Superfund sites, and return 55 million to the Superfund Trust
- Commitments from companies to reduce, treat or eliminate releases of pollution by an estimated 324 million pounds per year
- Cleanup of an estimated 174 million cubic yards of contaminated water aquifers and 17 million cubic yards of contaminated soil
- A combined 6 billion in federal administrative, civil judicial penalties and criminal penalties
- 270 million in criminal fines and restitution, and a combined 93 years of incarceration for criminal violations of federal environmental laws

Note that the State of Arkansas has been delegated almost every federal environmental program that can be delegated. As a result, the Arkansas Department of Environmental Quality typically has primacy for purposes of implementation and enforcement of the various programs. Nevertheless, EPA does typically have the statutory authority to seek on its own initiative enforcement actions against regulated facilities in the State.

[A link to the EPA announcement can be found here.](#)