Evaluation of Trends in Resource Conservation and Recovery Act State-Level Enforcement Data: U.S. Environmental Protection Agency Office of Inspector General Report



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

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The United States Environmental Protection Agency ("EPA") Office of Inspector General ("OIG") issue an April 28th report titled:

Evaluation of Trends in Resource Conservation and Recovery Act State-Level Enforcement Data ("Report").

See Report No. 26-E-0025.

OIG states that the purpose of the Report was to identify trends in Resource Conservation and Recovery Act ("RCRA") enforcement data for large quantity generators ("LQG") from 2020 through 2024.

OIG notes that for LQGs EPA has established annual inspection expectations for states with primacy. 20 percent of the LQGs in each state and territory should be inspected each year. As a result, all LQGs nationwide should be inspected once every five years.

OIG determined that for the time period 2020-2024, EPA and some authorized states (i.e., with primacy) did not fully meet their commitment to inspect all LQGs within that 5-year period. It further notes that of the states that were reviewed, 38 committed to the standard inspection plan to inspect every LQG within their borders at least once every 5 years. Further, 30 states are indicated to have achieved inspection rates at or above 85%. 5 states achieved an inspection rate between 71-84%. 3 states achieved inspection rates of 70% or below.

An example of statistics found in the OIG Report include:

- EPA and authorized states inspected 5,499, or 81 percent, of the 6,827 LQGs from 2020 through 2024.
- A total of 8,800 inspections were conducted in that time frame.
- Of the 8,800 inspections, 4,661 resulted in at least one identified violation.
- Inspecting agencies identified 23,404 violations.
- 5,156 enforcement actions were undertaken.
- Of the 5,156 enforcement actions, 861, or about 17 percent, were formal actions, with 535 of those formal actions including at least one penalty.

OIG notes that there was wide variability in enforcement actions depending on the state, region, and lead inspecting agency.

A copy of the Report can be found here.