

## Steep Drop in Environmental Protection Agency (EPA) Enforcement

The EPA's own fiscal year 2018 data, interviews with EPA staff, and internal agency documents suggest that the **EPA is not adequately enforcing environmental health protections.**

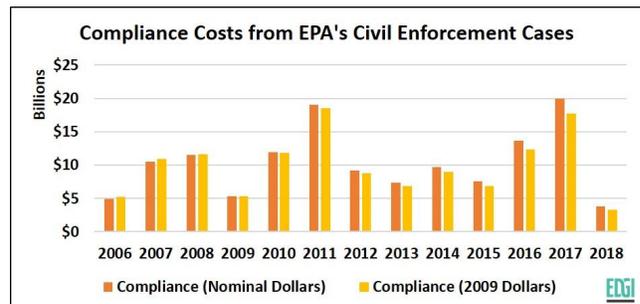
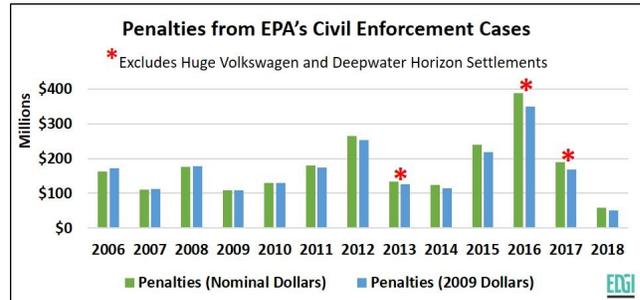
### Cases, Penalties, and Compliance Costs Lowest in Over a Decade

- For the major types of civil enforcement (judicial and administrative), the number of cases in 2018 was the lowest since 2006 and well below half the average for 2006-2017
- Penalties levied against law-breaking polluters and the costs of bringing those polluters' facilities into legal compliance were also lower than at any time since 2006, and again below half of the average for 2006-2017
- Civil cases declined, usually severely, in every EPA region in the country since 2017
- Enforcement has fallen for every major statute, from the Clean Air and Water Acts to the Toxic Substances Control Act, since 2017

### EPA Enforcement is Being Discouraged, Obstructed, and Weakened

- EPA staff say leadership have told them to give extreme deference to states, a move staff think will not yield adequate enforcement
- Evidence suggests that states are doing less enforcement, not more, in response to EPA's declining enforcement
- Industry-friendly EPA leadership have given staff the impression, and at times reportedly explicit orders, to leave some industries alone
- Industries have become emboldened to ignore or push back against enforcement
- EPA's enforcement office has lost considerable staff and expertise; criminal investigation staffing is at its lowest in over 20 years, well below what is required by law
- Internal documents from EPA leadership confirm many of the staff's concerns

**Sources:** EDGI, "A Sheep in the Closet: The Erosion of Enforcement at EPA" (November 2018); and EDGI, "EPA Enforcement is Declining Across All Regions of the Country in Programs Designed to Protect Air, Water, Land and Public Health" (December 2018), both available at [envirodatagov.org](http://envirodatagov.org); ICIS FE&C Data Set, downloaded from Enforcement and Compliance History Online, Data Downloads, Environmental Protection Agency, accessed December 3, 2018, <https://echo.epa.gov/tools/data-downloads>.



### Percentage Decline in Civil Enforcement Case Conclusions by EPA Region, FY 2017 to FY 2018

