

# Next Generation Compliance and Enforcement at U.S. EPA

1

**Government Enforcement Institute**

**Houston, TX**

**U.S. Environmental Protection Agency**

**September 30, 2016**

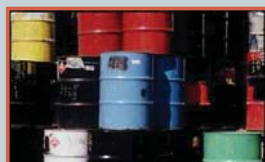
U.S. Environmental Protection Agency

## EPA Enforcement Goals

2



- **Tough civil and criminal enforcement** for violations that threaten communities and the environment



- **Next Generation Compliance**  
– reduce pollution, increase compliance



- **Strong EPA/state/tribal environmental protection**

U.S. Environmental Protection Agency

## Tough Enforcement

3

- Protecting communities by reducing pollution and requiring compliance
- Deterring others from violating
- Level playing field for those who play by the rules
- Environmental Justice

*The New York Times*

*Duke Energy Agrees to Pay \$102 Million for Breaches*

**Tampa Bay Times**

Editorial: The positives of the Mosaic settlement

**CBSNEWS**

**Terminix fined \$10M in Virgin Islands toxic pesticide case**

**AP Associated Press**

Simplot to Install \$42 Million in Pollution Controls

U.S. Environmental Protection Agency

## New National Enforcement Initiatives

4

1. Keeping Industrial Pollutants Out of the Nation's Waters
2. Reducing Risks of Accidental Releases at Industrial and Chemical Facilities
3. Cutting Hazardous Air Pollutants (expanded initiative)



U.S. Environmental Protection Agency

## Continuing National Enforcement Initiatives

5

1. Reducing Air Pollution from the Largest Sources
2. Ensuring Energy Extraction Activities Comply with Environmental Laws
3. Keeping Raw Sewage and Contaminated Stormwater Out of the Nation's Waters
4. Preventing Animal Waste from Contaminating Surface and Ground Water

U.S. Environmental Protection Agency

## Enforcement: Air Pollution

6

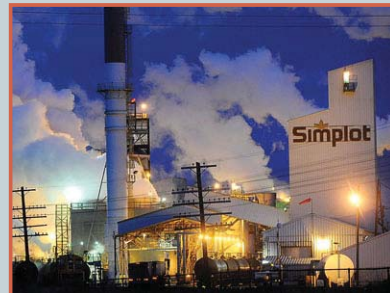
### Berkshire Power Plant

- Plant owner & management company pleaded guilty to tampering with emissions equipment and submitting false information.
- \$8.5 million in penalties + funding for an American Lung Association wood stove change-out program.



### J.R. Simplot Company

- Illegal modifications made at Simplot's five sulfuric acid plants in three states.
- \$42 million on pollution controls that will significantly cut SO2 emissions at all five plants; fund two wood stove change-out programs.



U.S. Environmental Protection Agency

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](http://utcle.org/elibrary)

## Title search: Next Generation Compliance and Enforcement at U.S. EPA

Also available as part of the eCourse

[2016 Government Enforcement eConference](#)

First appeared as part of the conference materials for the

3<sup>rd</sup> Annual Government Enforcement Institute session

"When Bad Things Happen to Good Companies: Managing Catastrophic Environmental Risks"