



# At a Glance

## Why We Did This Audit

The Office of Inspector General conducted this audit of the U.S. Environmental Protection Agency to identify the trends, as well as the key factors that contribute to these trends, in EPA-led enforcement actions and results from fiscal years 2006 through 2018.

The EPA works to ensure that regulated entities, such as wastewater treatment plants, pesticide manufacturers, and oil refineries, comply with environmental statutes. The EPA reports enforcement outputs, such as compliance monitoring activities and enforcement actions, and enforcement outcomes, such as penalties, injunctive relief, supplemental environmental projects, and environmental benefits, to the public each year.

### This audit addresses the following:

- *Compliance with the law.*

### This audit addresses these top EPA [management challenges](#):

- *Overseeing states implementing EPA programs.*
- *Improving workforce/workload analyses.*
- *Integrating and leading environmental justice.*

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List of [OIG reports](#).

## ***Resource Constraints, Leadership Decisions, and Workforce Culture Led to a Decline in Federal Enforcement***

### What We Found

EPA-led compliance monitoring activities, enforcement actions, monetary enforcement results, and environmental benefits generally declined from FYs 2007 through 2018 nationwide. This downward trend also occurred at the regional level and on a statute-by-statute basis. While annual enforcement measures, such as penalty dollars assessed or commitments to clean up pollution, declined, the results varied year-to-year based on the conclusion of large cases.

**A decline in the EPA's enforcement activities may expose the public and the environment to undetected harmful pollutants.**

The decline in enforcement resources was a primary driver behind the observed declining enforcement trends, resulting in fewer compliance monitoring activities and concluded enforcement actions. EPA leadership also made strategic decisions that affected enforcement trends, such as focusing limited resources on the most serious cases and, in 2017, emphasizing deference to state enforcement programs and compliance assistance. From 2006 through 2018, growth in the domestic economy and new laws increased the size and level of activity in key sectors that the EPA regulated, but the EPA's capacity to meet that need decreased.

The EPA's annual enforcement reports do not provide context for understanding the EPA's enforcement accomplishments and the impact these enforcement activities have on human health and the environment. For example, the EPA does not measure or report data for compliance-assistance activities, informal enforcement actions, and noncompliance rates. The EPA could also provide additional information that would provide context about the scope of activities captured by its enforcement measures, such as the type of inspections conducted and the types and toxicity of pollutants removed from the environment.

### Recommendations and Planned Agency Corrective Actions

We recommend that the EPA's assistant administrator for Enforcement and Compliance Assurance complete a workforce analysis to assess the Agency's capacity to maintain a strong enforcement field presence that protects human health and the environment and to integrate the results of this analysis into the Office of Enforcement and Compliance Assurance's strategic and annual planning processes. These two recommendations are unresolved. We made six recommendations about how the EPA can improve the way it reports enforcement achievements. The recommendation to measure the Agency's compliance assistance and informal enforcement activities is unresolved.