



EPA ENFORCEMENT OF FEDERAL ENVIRONMENTAL LAWS

Threatened EPA Budget Cuts: The Trump Administration and EPA Administrator Lee Zeldin has announced their intent to slash EPA's budget by 54% with cuts to the agency's workforce and program activities. In addition to creating shortfalls in important programs including funding to state programs, their proposed budget would cut funding to EPA's enforcement program by 49%. This would severely impact EPA's enforcement of federal environmental laws, undermining decades of progress in protecting public health and cleaning up the nation's air, water, and land resources.

Why a Robust EPA Enforcement Program is Important: Our nation's environmental laws were enacted by Congress to protect public health and the environment. Robust and visible enforcement of these laws is required to prevent harm to human health and environmental degradation. When environmental laws are violated, the public is at risk of being exposed to toxins and other pollutants in the air they breathe, the water they drink, and the food they eat. As a matter of fundamental fairness, those who violate our nation's laws must be held accountable and not be allowed to gain an economic advantage over those who comply.

Most major federal environmental laws anticipate shared federal and state enforcement roles. In accordance with these laws, EPA retains oversight responsibility for state enforcement activities, and maintains independent enforcement authority. In addition, some federal environmental laws allow for EPA enforcement only. The bottom line is that EPA remains answerable to the public to ensure nationwide compliance with federal environmental laws and requirements.

Below are common situations where EPA must take direct enforcement action to protect public health and the environment. Specific regional examples of past enforcement actions can be found [here](#).

- EPA has enforcement responsibility with respect to certain national environmental programs, and where states have not obtained authority to implement a federal program.
- EPA takes action because a state has failed to take timely or appropriate action to address non-compliance.
- EPA steps in because a state lacks funding, resources, or expertise to achieve compliance with federal standards.
- EPA steps in where national consistency is necessary for effective compliance results (e.g.; where a company is a significant violator in multiple states).
- EPA brings an enforcement action to provide a strong backstop and support for a state seeking to enforce federal law.
- EPA takes direct enforcement action or supplements state enforcement in emergency/urgent situations, where necessary to protect public health and the environment.
- EPA enforcement is necessary to address noncompliance at federal or state facilities where state enforcement is not possible for legal and other reasons.
- EPA's criminal enforcement program is essential to address knowing and intentional violations of environmental laws (only a handful of states have viable criminal enforcement programs).