

Second Trump Administration: Environmental Integrity Project Report Predicts Drop in U.S. Environmental Protection Agency Enforcement



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The Environmental Integrity Project (“EIP”) issued a December 16th report titled:

EPA Enforcement Could Drop Sharply in Second Trump Administration, After Improvements Under Biden (“Report”).

By way of introduction, the EIP Report states that during the Biden Administration, EPA environmental enforcement:

...generally improved compared to the Trump Administration, with increases in penalties for polluters, inspections, and civil case conclusions in federal fiscal year 2024 compared to 2020, according to new EPA data analyzed by EIP.

The Report states that during the first Trump Administration the following environmental enforcement activities significantly declined:

- Inspections.
- Penalties.

Concern is expressed that President-elect Trump’s allies and advisors are suggesting:

- Deep EPA budget cuts.
- Elimination of EPA’s Office of Enforcement and Compliance Assurance.
- Relocation of EPA’s headquarters from Washington, D.C.
- Shifting responsibilities to state environmental agencies (which also suffered from budget and staffing reductions over the years).

The Report includes the following graphs which provide historical EPA enforcement data for the past 20 years.

- Graph 1. Total Civil Environmental Case Conclusions by Fiscal Year.
- Graph 2. Inspections of Polluters by EPA Each Fiscal Year.
- Graph 3. Civil Penalties for Environmental Violations, Annual Averages for Each Administration.
- Graph 4. Civil Cases Referred by EPA to Justice Department.
- Graph 5. Criminal Enforcement Actions by Federal Fiscal Year.
- Graph 6. Actual Staffing and Expenditures at EPA’s Office of Enforcement and Compliance.

Particular concern is expressed about the potential effects on low-income and communities of color.

Note however, that the EPA Report did find that some environmental enforcement trends at EPA continued downward under the Biden Administration. An example provided is the number of new civil case referred by EPA to the United States Department of Justice for enforcement. These were stated to have dropped from 98 in fiscal year 2021 to 60 in fiscal year 2024. Further, the average number of criminal defendants charged during the Trump Administration was 126 per year compared to 113 per year under the Biden Administration.

A copy of the Report can be downloaded [here](#).