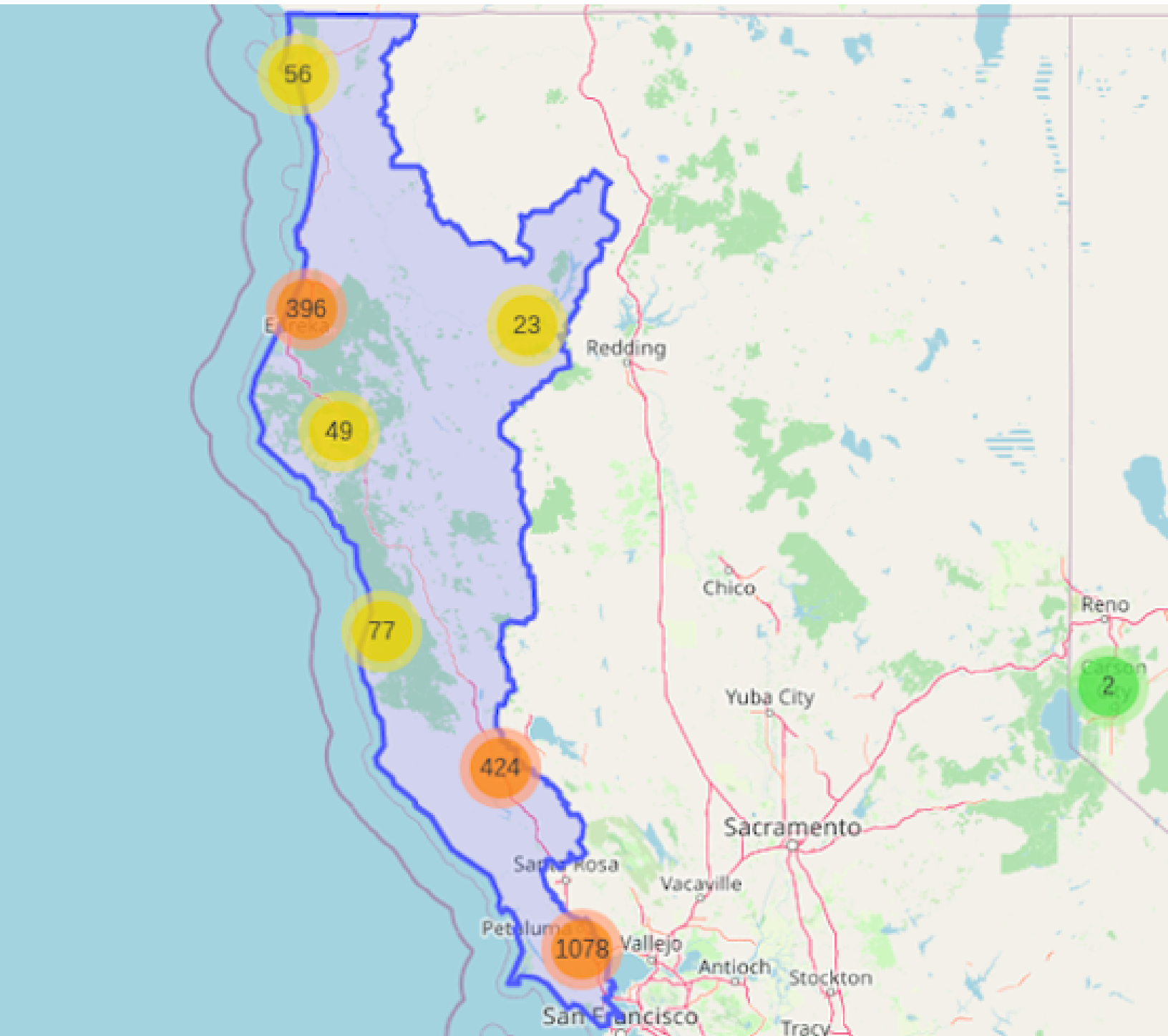


ENVIRONMENTAL ENFORCEMENT WATCH

Congressional Report Card

Virginia's 4th District; seat held by Donald McEachin since 2017



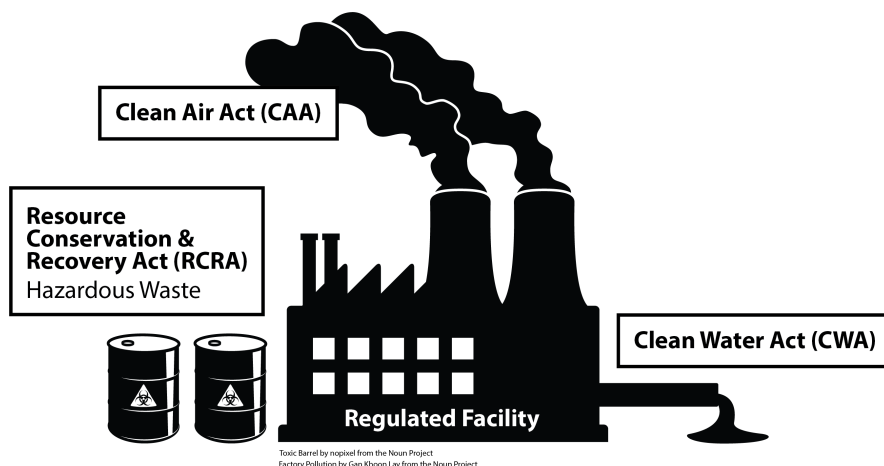
INTRODUCTION

Why Report Cards on compliance with and enforcement of Environmental Laws?

The Environmental Protection Agency (EPA) is charged by Congress to enforce laws that protect people from air pollution, water pollution and hazardous waste. Without effective enforcement, **these laws are meaningless**. Congress can strengthen EPA enforcement by increasing EPA's budget, passing more effective laws, requiring better data collection, and holding the EPA accountable when it fails to protect people.

This report card analyzes available data from the EPA's Enforcement and Compliance History Online (ECHO) database regarding violations, inspections and enforcement actions made under the Clean Air Act (CAA), Clean Water Act (CWA) and Resource Conservation and Recovery Act (RCRA).

What is a "regulated facility"?



Key changes in this District under the Trump Administration:*

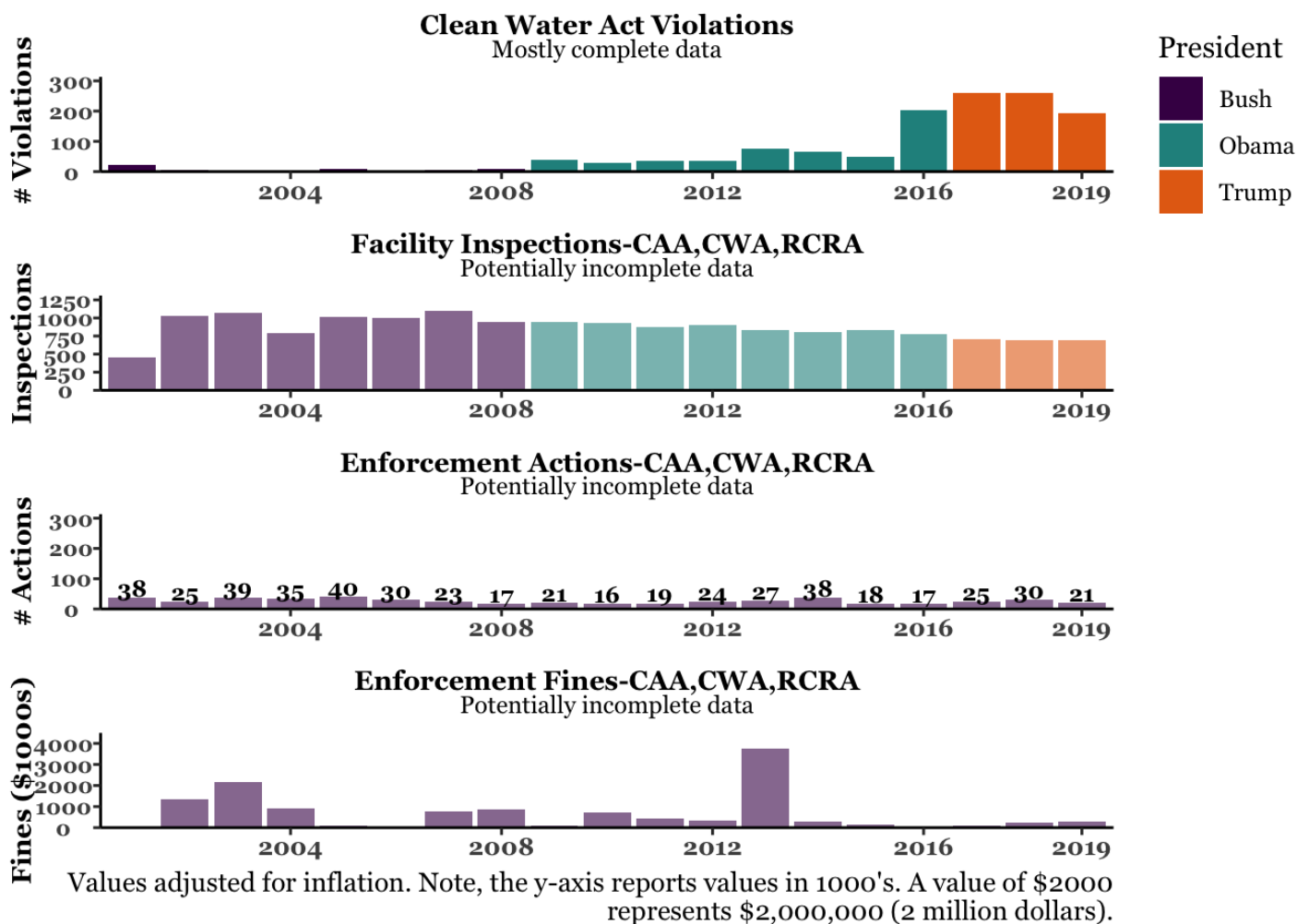
Clean Water Act Violations: **much worse** than the previous 16 years, representing a **551% increase** in violations

Enforcement Actions under CAA, CWA, and RCRA: **worse** than the previous 16 years, representing a **5% decrease** in enforcement actions

*see data limitations page for metric calculations

HIGHLIGHTS FOR VIRGINIA'S 4TH DISTRICT

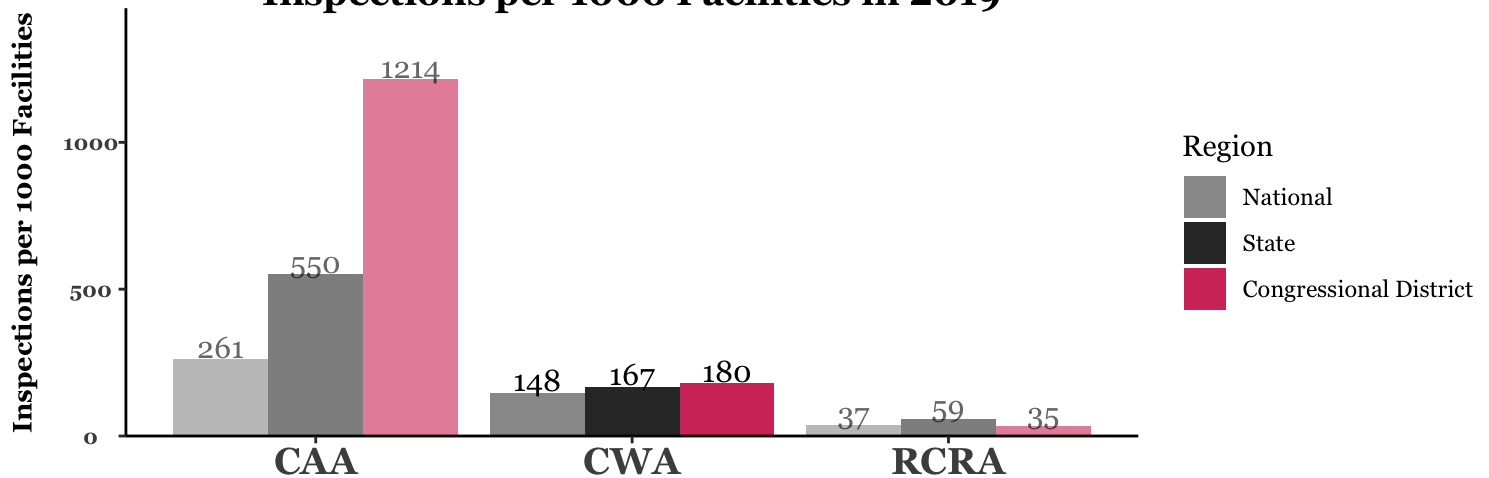
- Comparing the first 3 years of the Obama administration to the first 3 years of the Trump administration, there has been a **24% decrease in inspections**, **38% decrease in fines**, and a **36% increase in enforcement actions**.
- Under the Clean Water Act, the regulation most well-reported by EPA in this report, **54 facilities**, representing **19% of all regulated facilities in VA4**, were in violation for at least 9 months of the last 3 years.



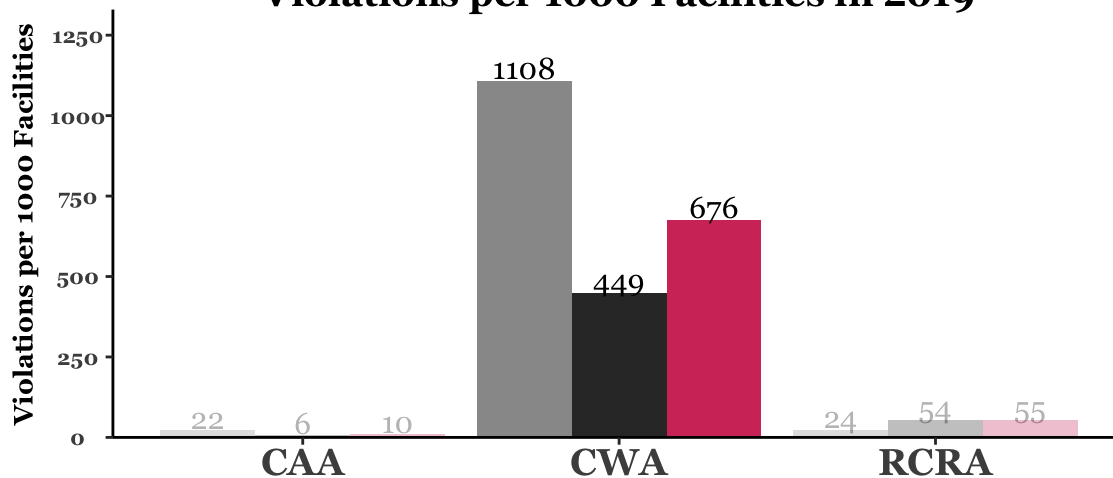
Figures throughout this report indicate reliability by the subtitle and the degree of transparency of the data. See the data limitations page to view the transparency-coding table and access the data here ([NEED LINK HERE](#)).

THIS DISTRICT IN COMPARISON

Inspections per 1000 Facilities in 2019



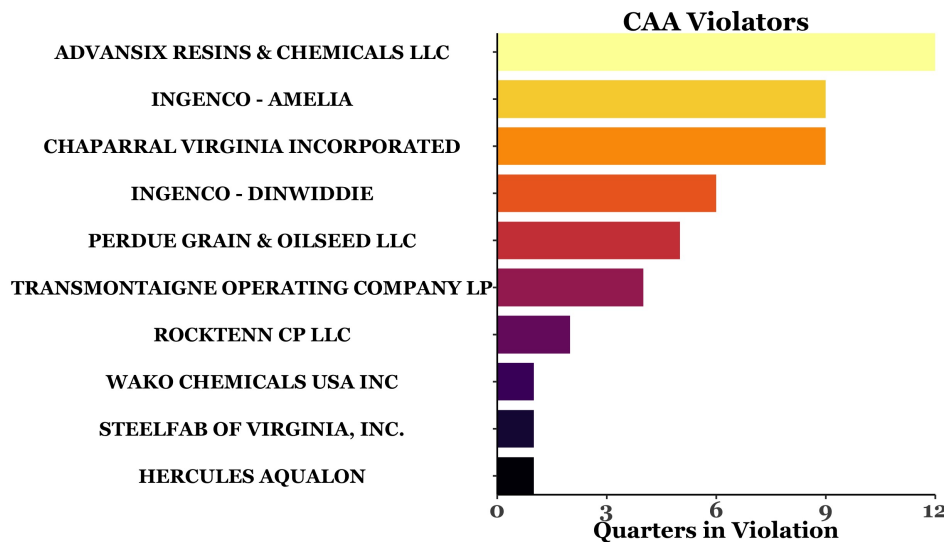
Violations per 1000 Facilities in 2019



These two charts show how inspections and violations in this district compare to the national and state averages per 1000 facilities in 2019. We use data from 2019 as it was the most recent full year and the ECHO database only reports *currently* active facilities. To enable comparison across locations with a differing number of active facilities, we standardize the comparison to a value per 1000 facilities, proportionally adjusting the data if there are more or less than 1000 facilities in a district or state.

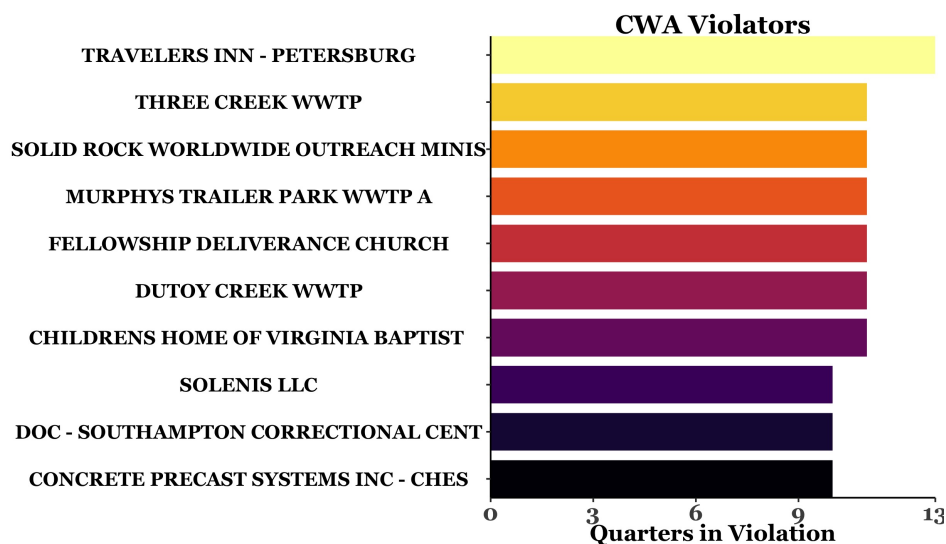
RECENT NON-COMPLIANCE IN THIS DISTRICT

These figures show the ten facilities in this district with the worst history of environmental compliance based on their number of noncompliant quarters in the past 3 years (not necessarily consecutive).



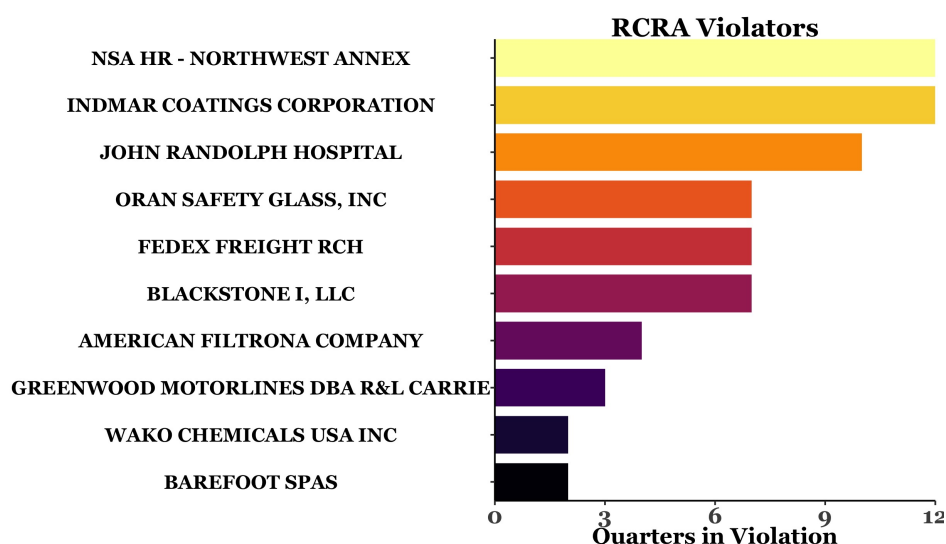
ECHO reports for facilities:

- [ADVANSIX RESINS & CHEMICALS LLC](#)
- [CHAPARRAL VIRGINIA INCORPORATED](#)
- [INGENCO - AMELIA](#)
- [INGENCO - DINWIDDIE](#)
- [PERDUE GRAIN & OILSEED LLC](#)
- [TRANSMONTAIGNE OPERATING COMPANY LP](#)
- [ROCKTENN CP LLC](#)
- [HERCULES AQUALON](#)
- [STEELFAB OF VIRGINIA, INC.](#)
- [WAKO CHEMICALS USA INC](#)



ECHO reports for facilities:

- [TRAVELERS INN - PETERSBURG](#)
- [DUTOY CREEK WWTP](#)
- [CHILDRENS HOME OF VIRGINIA BAPTIST](#)
- [SOLID ROCK WORLDWIDE OUTREACH MINIS](#)
- [MURPHYS TRAILER PARK WWTP A](#)
- [THREE CREEK WWTP](#)
- [FELLOWSHIP DELIVERANCE CHURCH](#)
- [DOC - SOUTHAMPTON CORRECTIONAL CENT](#)
- [CONCRETE PRECAST SYSTEMS INC - CHES](#)
- [SOLENIS LLC](#)



ECHO reports for facilities:

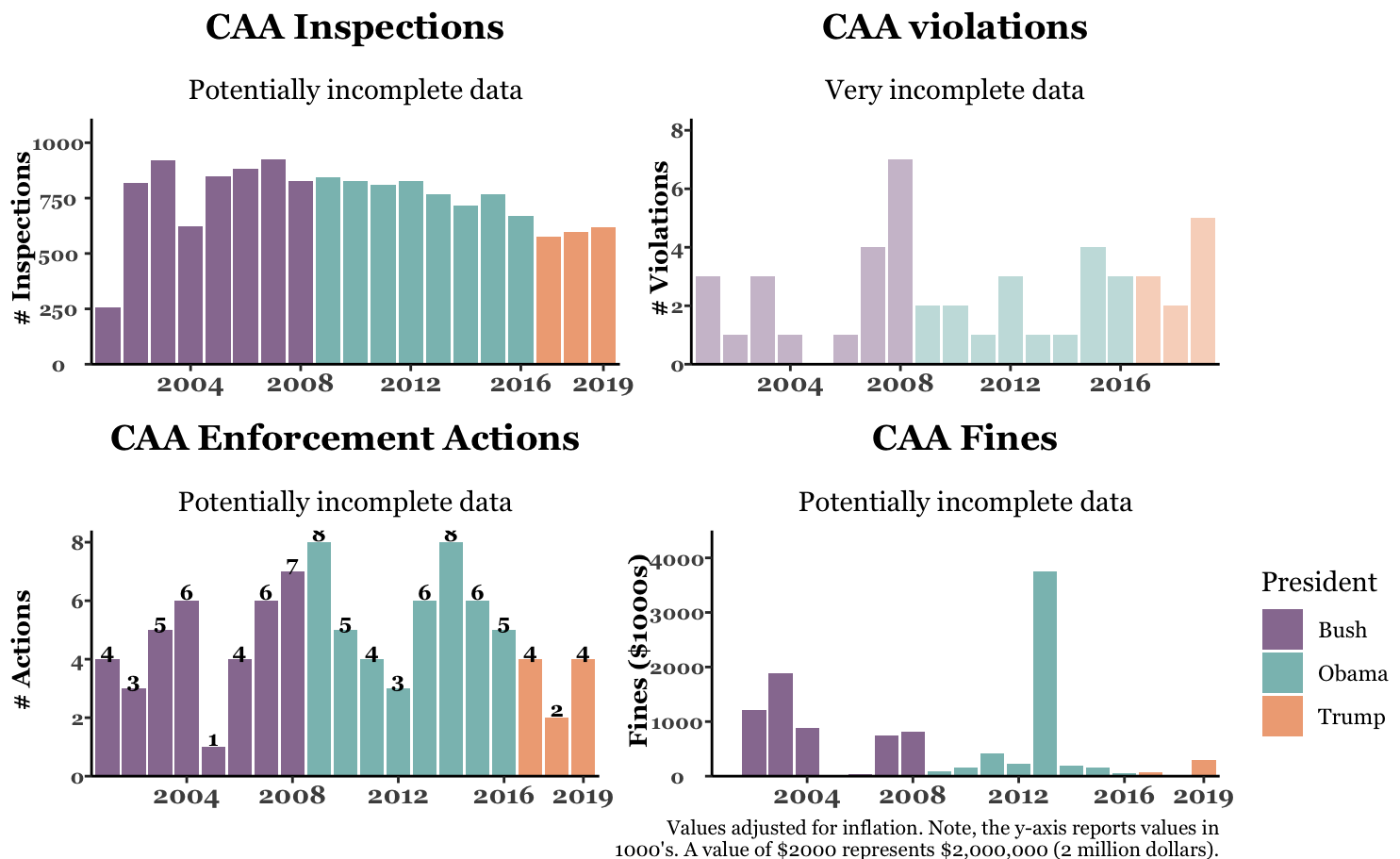
- [INDMAR COATINGS CORPORATION](#)
- [NSA HR - NORTHWEST ANNEX](#)
- [JOHN RANDOLPH HOSPITAL](#)
- [ORAN SAFETY GLASS, INC](#)
- [BLACKSTONE I, LLC](#)
- [FEDEX FREIGHT RCH](#)
- [AMERICAN FILTRONA COMPANY](#)
- [GREENWOOD MOTORLINES DBA R&L CARRIE](#)
- [WAKO CHEMICALS USA INC](#)

- [BAREFOOT SPAS](#)

CLEAN AIR ACT

The [Clean Air Act \(CAA\)](#) is the comprehensive federal law that regulates air emissions from stationary and mobile sources such as refineries, power plants and cars. For the CAA, violations are most commonly recognized via inspections. Infrequent inspection usually results in fewer identified violations. If CAA violations have decreased, make sure to check whether inspections have also decreased as recent cuts in inspections are likely related to drops in CAA violations. Unless thorough inspections are occurring regularly, fewer violations does not necessarily mean air quality has improved. [More info on CAA](#)

There are 510 facilities currently reporting under the CAA

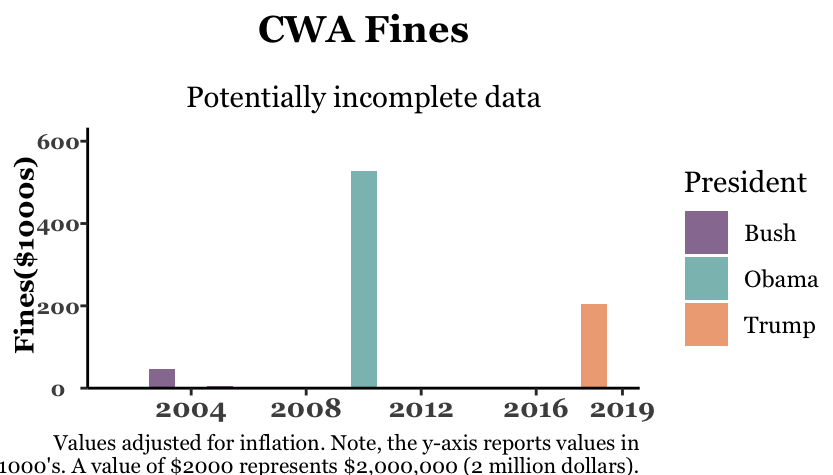
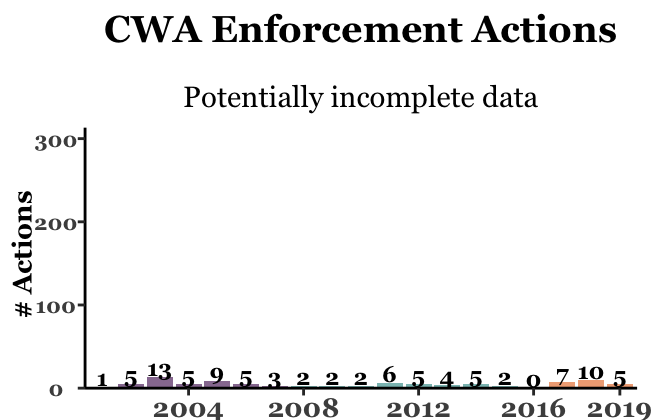
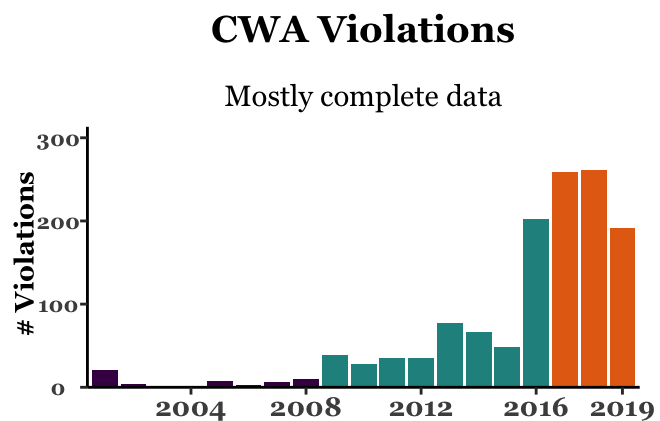
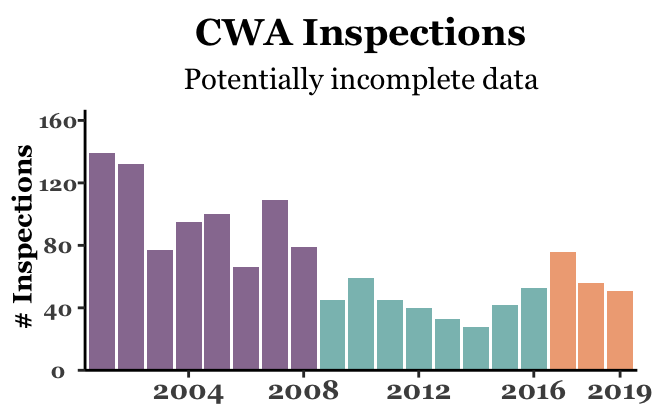


These figures show patterns of CAA inspections, violations, enforcement actions and fines in this district since 2001 based on available EPA data (see page 9). The bars are colored by president. Figure transparency illustrates data reliability: the more transparent, the more uncertain the data. Data on CAA violations is particularly unreliable as emissions are often not directly monitored but are estimates. Inspection, enforcement, and fine data can be unreliable state reporting to ECHO may be incomplete.

CLEAN WATER ACT

The [Clean Water Act \(CWA\)](#) regulates the discharge of hazardous pollutants into and establishes quality standards for the waters of the United States. The CWA established the National Pollutant Discharge Elimination System (NPDES) which permits facilities to discharge certain kinds and amounts of pollutants. Unlike the CAA, effluent (waste emissions) from CWA facilities is routinely reported electronically to ECHO. Levels of contaminants reported over permitted levels triggers a NPDES violation automatically. Therefore, CWA violations are recorded independently of facility inspections and inspections often occur in response to recorded violations. [More info on CWA](#)

There are 284 facilities currently reporting under the CWA

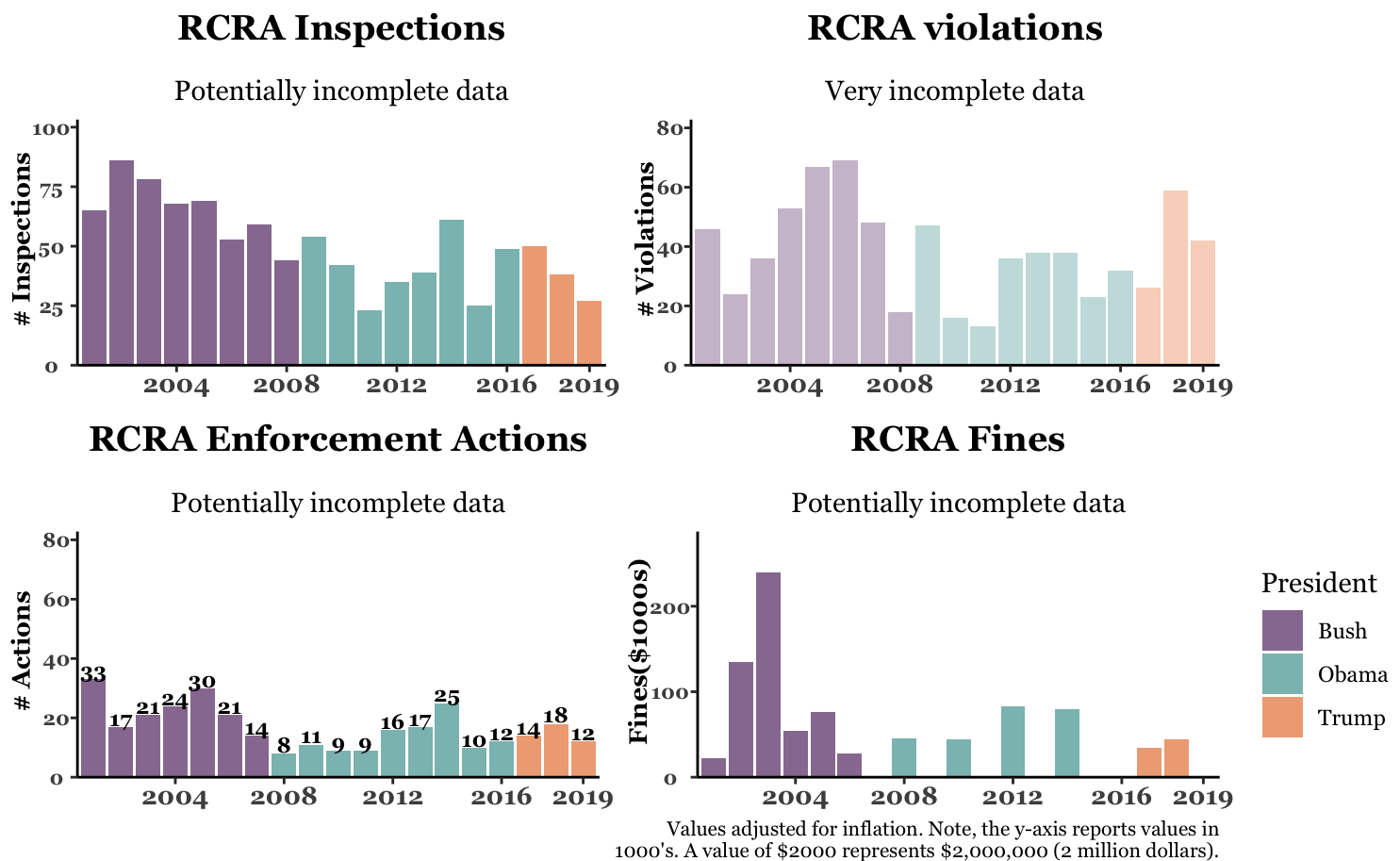


These figures show patterns of Clean Water Act inspections, violations, enforcement actions and fines in this district since 2001 based on available EPA data (see page 9). The bars are colored by president. Figure transparency illustrates data reliability: the more transparent, the more uncertain the data. Data on CWA violations is particularly reliable as effluent violations are automatically reported to EPA.

RESOURCE CONSERVATION AND RECOVERY ACT

The [Resource Conservation and Recovery Act \(RCRA\)](#) gives EPA the authority to control hazardous waste from the “cradle-to-grave”, regulating the generation, transportation, treatment, storage, and disposal of hazardous waste. Facilities self-report under RCRA, like the CAA, and violations are most often found after an inspection. If RCRA violations have decreased, make sure to check whether inspections have also decreased as recent cuts in inspections are likely related to drops in RCRA violations. [More info on RCRA](#)

There are 766 facilities currently reporting under RCRA



These figures show patterns of RCRA inspections, violations, enforcement actions and fines in this district since 2001 based on available EPA data (see page 9). The bars are colored by president. Figure transparency illustrates data reliability: the more transparent, the more uncertain the data. Data on RCRA violations is particularly unreliable as violations are not necessarily directly measured. Inspection, enforcement, and fine data can be unreliable state reporting to ECHO may be incomplete.

LEGISLATOR INFORMATION



A. Donald McEachin (D)

In office since January 3rd, 2017

Relevant Committee Membership: Energy and Commerce Committee

The House Energy and Commerce Committee

This Committee is the oldest house Committee with the broadest jurisdiction of any authorizing committee. The Committee oversees the EPA, and legislates on issues like environmental protection, clean air, climate change, safe drinking water, toxic chemicals and hazardous waste, and nuclear facilities. Currently, the Committee consists of 55 members – 24 Republicans and 31 Democrats. The subcommittees of primary interest to these reports are Environment & Climate Change and Oversight & Investigations.

Relevant Subcommittees:

[energy](#)

[environment and climate change](#)

ABOUT THE EPA DATA ANALYZED IN THIS REPORT CARD AND ITS LIMITATIONS

The data in this report is from EPA's publicly-available [ECHO database](#) that compiles information from a number of distinct state and federal sources. However, poor reporting by states and inconsistent reporting schemes result in data gaps and inaccuracies.

EPA lists numerous specific issues on its ["Known Data Problems"](#) page. In addition, EPA [notes](#) that data on inspections, violations, and enforcement actions from prior to 2001 should be treated as incomplete and unreliable. For that reason, we have only tracked data back to 2001. In addition to many data entry errors – too numerous to list here – there are several major problems with ECHO:

- There is serious under-recording and under-reporting of CAA violations at the state level. Most CAA violations – [perhaps 85% or more](#) – do not make it into ECHO. Violation data is therefore inaccurate and misleading: states which report the fewest violations may be states whose recording and reporting of violations is actually the poorest.
- Although there is no specific information about the quality of data on RCRA violations, it is likely that this program, like the CAA, has serious reporting problems. Therefore, RCRA violations data should also be considered inaccurate and potentially misleading. The key difference between these and the CWA is that the CWA entails mandatory electronic self-reporting. *ECHO does not record how many regulated facilities there were for programs in previous years. Therefore, we cannot calculate the number of inspections, enforcement actions, and violations per regulated facility before 2019.

###Data reliability coding

In this report, we have divided data issues into three categories, using transparencies in graphs as well as subtitles to indicate data reliability and completeness. See the table below:

(put table here)

Note on 2020 data

We do not include data from 2020 because we are only part way through the year. It is important to note, as well, that data from 2020 will be strongly influenced by the EPA's decision to suspend, from March through August, pollution monitoring requirements for industries that claim to have been impacted by COVID-19. EDGI's report on this policy ["More Permission to Pollute"](#) found that, despite relatively few facilities claiming the COVID exemption, a much larger proportion of facilities are still failing to report. .

ABOUT THE AUTHORS

About EEW and this Project

Environmental Enforcement Watch (EEW) is a collaborative project across EDGI working groups. The EEW project builds on EDGI's 2019 [Sheep in the Closet Report](#) that documents large declines in EPA enforcement of environmental laws. This project and others used data from EPA's [ECHO](#) database, revealing how useful ECHO could be for communities to track pollution and EPA responses in their areas. However, they also revealed the inaccessibility of ECHO for non-specialists, along with maOR omissions, errors, and confusions present in the data itself.

A key goal of EEW is to highlight gaps and inadequacies in the enforcement of environmental laws, demonstrating EPA's failure to fulfill its congressionally mandated duty. To help bring awareness and action to the state of environmental non-compliance across the US, we are using Jupyter Notebooks that utilize ECHO data to present these congressional report cards for the 75 Senators and House Representatives that sit on the House Energy & Commerce Committee and the Senate Environment & Public Works Committee. By providing a novel and poignant look at the chronic state of non-compliance in their states and districts, we hope to provide these key representatives with the information and pressure they need to hold the EPA accountable.

About EDGI

EDGI is an international network of over 175 members from more than 80 different academic institutions and non-profits, comprised foremost by grassroots volunteer efforts. Since 2016, EDGI has served as a preeminent watchdog group for federal environmental data, generating international effort to duplicate and monitor repositories of public data that are vital to environmental health research and knowledge. EDGI's work has been widely acknowledged, leading to EDGI testifying before Congress on declines in EPA enforcement, and hundreds of mentions in leading national and international media such as *The New York Times*, *The Washington Post*, Vice News, and CNN. For more about our work, read our [2019 Annual Report](#) and [2020 Annual Report](#).

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