



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JUN 16 2011

OFFICE OF  
WATER

**MEMORANDUM**

**SUBJECT:** *EPA Should Revise Outdated or Inconsistent EPA-State Clean Water Act Memorandum of Agreement, No. 10-P-0224, September 14, 2010*

**FROM:** Michael H. Shapiro   
Deputy Assistant Administrator  
Office of Water

Catherine R. McCabe   
Principal Deputy Assistant Administrator  
Office of Enforcement and Compliance Assurance

**TO:** Wade T. Najjum  
Assistant Inspector General  
Office of Program Evaluation  
Office of Inspector General

Pursuant to our recent discussion with your staff, the Office of Water and Office of Enforcement and Compliance Assurance are submitting an updated Corrective Action Plan addressing the recommendations in the final report, *EPA Should Revise Outdated or Inconsistent EPA-State Clean Water Act Memorandum of Agreement, No. 10-P-0224, September 14, 2010*. We have coordinated with the Office of the Deputy Administrator to revise the plan. We trust the additional action included in the attached revised Corrective Action Plan adequately addresses your concerns with the Agency's original response. Although the Corrective Action Plan includes due dates associated with an initial round of reviewing and updating MOAs, we intend to establish these reviews as part of our existing, ongoing review processes.

Should you have any questions or concerns about this response, please contact either of us. Thank you again for the opportunity to provide this updated Corrective Action Plan.

Attachment

cc: Nena Shaw

## Corrective Action Plan

Lead Program Office(s)	Corrective Action	Due Date	Corrective Action
OECA and OW	2-1	<del>9/30/11</del> 12/31/11	Develop a national MOA template.
OECA and OW	2-2	<del>7/31/11</del> 3/31/12	Establish criteria to identify and prioritize MOAs that present the greatest barriers to state performance and need to be updated and renegotiated.
OECA and OW	2-2, 2-3	<del>12/31/11</del> 3/31/12	Incorporate into regular NPDES program reviews a systematic approach to identify and review problematic MOAs based on the established criteria.
OECA and OW	2-2	<del>4/1/12</del> 4/1/12	Begin review of problematic MOAs as part of the regular and periodic NPDES review process, using the new MOA template.
<i>OECA and OW</i>	2-2	9/30/17	<i>Using the tracking system, verify that MOAs identified during the first four-year round of integrated permitting and enforcement reviews are updated.</i>
OW	2-4	<del>6/30/11</del> 12/31/11	Develop a system to maintain a publicly available repository of MOAs.