January 12, 2016

SUBJECT: Follow-Up Review on OIG Report No. 13-P-0167, *Efficiency of EPA's Rule Development Process Can Be Better Measured Through Improved Management and Information*

FROM: Eric Lewis, Director /s/
Special Program Reviews, Office of Program Evaluation

TO: Laura Vaught, Acting Associate Administrator
Office of Policy

The U.S. Environmental Protection Agency (EPA) Office of Inspector General (OIG) is starting a follow-up review on the EPA's actions to address recommendations in the subject report, issued February 28, 2013. Follow-up reviews are included in our fiscal year 2016 annual plan. Our review will focus on the status of corrective actions for the three reported recommendations documented in the agency's Management Audit Tracking System as having been completed. Our review objectives will be to verify if the Office of Policy implemented corrective actions to address the previous OIG recommendations to:

1.   Establish guidance that clarifies roles and responsibilities in the Action Development Process (ADP) implementation, including data entry, record keeping and the status of action development.

2.   Ensure that the ADP Tracker has established clear roles, responsibilities and requirements for the program offices to upload development documents; and that entries are updated in a timely manner, are monitored for data quality, and all features available are used to evaluate the efficiency of the rule development process.

3.   Work with the EPA's Office of the Chief Financial Officer to develop and implement a method to track resource use in key rulemaking activities.

The project manager will be Dwayne Crawford and the team member will be Michael Wilson. We will contact your staff to arrange a mutually agreeable time for a kickoff meeting within 30 days from the date of this memorandum. During the meeting, we will answer any questions you have about the review process. At or before the meeting, we would like to have the following information provided to us in an electronic format:

- Documentation that supports the completion of each corrective action taken for each recommendation.
- The point of contact information for the individuals we would need to meet with to discuss the status of corrective actions for each recommendation.

We respectfully note that the OIG is authorized by the Inspector General Act of 1978 to have timely access to personnel and all materials necessary to complete its objectives. We will request your resolution if an agency employee or contractor refuses to provide requested records to the OIG, or otherwise fails to cooperate with the OIG. We may report unresolved access matters to the Administrator and include the incident in the Semiannual Report to Congress.

We will provide routine updates on the status of our review to agreed-upon contacts from your office. If you or your staff have any questions, please do not hesitate to contact me at (202) 566-2664 or lewis.eric@epa.gov, or Dwayne E. Crawford at (202) 566-2894 or crawford.dwayne@epa.gov.

cc: William Nickerson, Acting Director, Office of Regulatory Policy and Management
     Robin Kime, Office of Policy, Immediate Office
     Glen Cuscino, Audit Follow-up Coordinator, Office of the Administrator
     Arthur A. Elkins Jr., Inspector General
     Charles Sheehan, Deputy Inspector General
     Alan Larsen, Counsel to the Inspector General
     Aracely Nunez-Mattocks, Chief of Staff, OIG
     Carolyn Copper, Assistant Inspector General for Program Evaluation
     Kevin Christensen, Assistant Inspector General for Audit
     Patrick Sullivan, Assistant Inspector General for Investigations
     Christine El-Zoghbi, Deputy Assistant Inspector General for Program Evaluation
     Richard Eyermann, Deputy Assistant Inspector General for Audit
     Jennifer Kaplan, Deputy Assistant Inspector General for Congressional and Public Affairs
     Jeffrey Lagda, Congressional and Media Liaison, OIG