



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

OFFICE OF
INSPECTOR GENERAL

September 23, 2019

MEMORANDUM

SUBJECT: Notification of Evaluation:
Implementation of EPA's Toxic Substances Control Act Premanufacture Notice
Consent Order with DuPont [Chemours]
Project No. OA&E-FY19-0348

FROM: Jeffrey Harris, Director
Toxic, Chemical Management and Pollution Prevention Directorate
Office of Audit and Evaluation

TO: Alexandra Dapolito Dunn, Assistant Administrator
Office of Chemical Safety and Pollution Prevention

Susan Parker Bodine, Assistant Administrator
Office of Enforcement and Compliance Assurance

The Office of Inspector General (OIG) for the U.S. Environmental Protection Agency (EPA) plans to begin an evaluation of the EPA's implementation of the 2009 Toxic Substances Control Act (TSCA) Premanufacture Notice consent order with DuPont [Chemours]. This project is based on the OIG's internal planning process.

Our objective is to determine what actions the EPA took to verify compliance with requirements of the 2009 TSCA Premanufacture Notice Consent Order with DuPont [Chemours] to prevent release of the chemical GenX into the Cape Fear River basin. The OIG plans to conduct work in headquarters within the Office of Enforcement and Compliance Assurance and the Office of Chemical Safety and Pollution Prevention, as well as Region 4.

The project will be conducted using *Quality Standards for Inspection and Evaluation*, issued by the Council of the Inspectors General on Integrity and Efficiency. The anticipated benefits of this project are to improve controls over TSCA Premanufacture Notice Consent Orders.

We will contact the audit coordinator to arrange a mutually agreeable time to discuss the objectives and scope of our project. We would also be particularly interested in any areas of concern that you may have. We will answer any questions you may have about the project process, reporting procedures, methods used to gather and analyze data, and what we should expect of each other during the evaluation. Throughout the project, we will provide updates on a regular basis.

To expedite our evaluation, please be ready to provide at the entrance conference any EPA policies, procedures or guidance regarding monitoring compliance with issued TSCA Premanufacture Notice consent orders.

We respectfully note that the OIG is authorized by the Inspector General Act of 1978, as amended, to have timely access to personnel and all materials necessary to complete its objectives. We will request that you resolve the situation 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.

I will supervise the project and the Project Manager will be Chad Kincheloe. Should you or your staff have any questions, please contact me at (202) 566-0831 or harris.jeffrey@epa.gov, or Chad Kincheloe at (312) 886-6530 or kincheloe.chad@epa.gov.

cc: Henry Darwin, Assistant Deputy Administrator
Doug Benevento, Associate Deputy Administrator
Ryan Jackson, Chief of Staff
Michael Molina, Deputy Chief of Staff
Kevin DeBell, Acting Deputy Chief of Staff
David Fischer, Deputy Assistant Administrator for Chemical Safety and Pollution Prevention
Lek Kadeli, Acting Deputy Assistant Administrator for Management, Office of Chemical Safety and Pollution Prevention
Lawrence Starfield, Principal Deputy Assistant Administrator for Enforcement and Compliance Assurance
Patrick Traylor, Deputy Assistant Administrator for Enforcement and Compliance Assurance
Annette Morant, Agency Follow-Up Coordinator
Corry Schiermeyer, Associate Administrator for Public Affairs
Mary Walker, Regional Administrator, Region 4
Regional Audit Follow-Up Coordinators, Regions 1–10
Janet Weiner, Audit Follow-Up Coordinator, Office of Chemical Safety and Pollution Prevention
Gwendolyn Spriggs, Audit Follow-Up Coordinator, Office of Enforcement and Compliance Assurance
Charles J. Sheehan, Deputy Inspector General
Edward Shields, Associate Deputy Inspector General
Eric Hanger, Deputy Counsel to the Inspector General
Kevin Christensen, Assistant Inspector General for Audit and Evaluation
Helina Wong, Assistant Inspector General for Investigations
Stephanie Wright, Acting Assistant Inspector General for Management
Richard Eyermann, Deputy Assistant Inspector General for Audit and Evaluation
Christine El-Zoghbi, Deputy Assistant Inspector General for Audit and Evaluation
Rashmi Bartlett, Deputy Assistant Inspector General for Audit and Evaluation
Jennifer Kaplan, Deputy Assistant Inspector General for Congressional and Public Affairs
Jeffrey Lagda, Congressional and Media Liaison, Office of Inspector General
Tia Elbaum, Congressional and Media Liaison, Office of Inspector General