



At a Glance

The EPA Should Determine How Its Elevation Policy Can More Effectively Address Risks to the Public

Why We Did This Audit

To accomplish this objective:

The U.S. Environmental Protection Agency Office of Inspector General initiated this audit to determine the extent to which the EPA followed its 2016 *Policy on Elevation of Critical Public Health Issues* when responding to evidence of drinking water lead contamination in the community water system for Benton Harbor, Michigan.

According to the EPA and the Centers for Disease Control and Prevention, there is no amount of lead that is safe for a child's bloodstream. Lead is persistent and bioaccumulates over time. Beginning in September 2018, Benton Harbor's community water system began exceeding the action level for lead of 15 parts per billion, ranging from 0 to 889 parts per billion. The EPA's elevation policy encourages staff to quickly raise their concerns about human health risks, such as lead exposure, to the Office of the Administrator so that the office can assess the situation and recommend corrective actions.

To support these EPA mission-related efforts:

- *Ensuring clean and safe water.*
- *Operating efficiently and effectively.*

To address this top EPA management challenge:

- *Managing business operations and resources.*

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What We Found

EPA Region 5 drinking water staff overseeing Michigan did not use the Agency's elevation policy to alert the administrator when responding to the lead found in Benton Harbor's drinking water, which was above the 15 parts per billion action level. The Agency's elevation policy encourages EPA staff to elevate public health and environmental risks that require higher levels of attention than the Agency's usual processes could address, such as when normal enforcement and compliance tools are not appropriate or unlikely to succeed in the near term.

An EPA staff member involved with monitoring Michigan's response to Benton Harbor told us that the state was addressing the lead levels in a timely manner. However, elevated lead levels and other compliance issues at the Benton Harbor community water system met several of the elevation policy criteria. Still, EPA staff did not elevate these issues to alert the Office of the Administrator of health risks to Benton Harbor's residents. In order for the elevation policy to enhance public health and environmental protection, the Office of the Administrator should determine how this policy can more effectively achieve its purpose in situations like Benton Harbor.

Because the elevation policy was not used, the Office of the Administrator's senior-level team did not have an opportunity to assess and recommend steps for resolving elevated lead levels in the Benton Harbor water system.

Recommendations and Planned Agency Corrective Actions

We recommend that the Office of the Administrator determine how the elevation policy can more effectively achieve its purpose of elevating public health and environmental risks that require higher levels of attention than the Agency's usual processes could address. We also recommend that the Office of the Administrator, as necessary, develop and implement a strategy to enhance EPA staff understanding of the circumstances and process for implementing the elevation policy. The EPA disagreed with the first recommendation, which remains unresolved. The EPA agreed with the second recommendation, which is resolved with corrective actions pending. Where appropriate, we revised the report based on the EPA's technical comments.