



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

THE INSPECTOR GENERAL

July 10, 2023

MEMORANDUM

SUBJECT: Response to Planned Corrective Actions for Office of Inspector General
Report No. [23-E-0012](#), *The EPA's Residential Wood Heater Program Does Not Provide Reasonable Assurance that Heaters Are Properly Tested and Certified Before Reaching Consumers*, issued February 28, 2023

FROM: Sean W. O'Donnell 

TO: Lawrence E. Starfield, Acting Assistant Administrator
Office of Enforcement and Compliance Assurance

Joseph Goffman, Principal Deputy Assistant Administrator
Office of Air and Radiation

Thank you for your April 28, 2023 memorandum, which includes the U.S. Environmental Protection Agency's planned corrective actions and estimated milestone dates for all six previously unresolved recommendations in the subject Office of Inspector General report. Based on the information and supporting documentation, we agree that the planned corrective actions for Recommendations 1.a, 1.b, 1.d, 2, 3, 4, 5, and 6 meet the intent of our recommendations. You should track implementation of the corrective actions in the Agency's audit tracking system until all actions are completed.

We note that the EPA's corrective actions for Recommendation 3 to "[d]evelop and implement a plan to demonstrate whether residential wood heaters certified using the test methods based on ASTM E3053 comply with the New Source Performance Standards for residential wood heaters" will not fully demonstrate whether residential wood heaters certified using the test methods based on ASTM E3053 meet the emissions standard established in the New Source Performance Standards, or NSPS. The EPA's corrective action will inform states of appliances tested on the withdrawn methods, but consumers would not be aware and there may still be public health impacts on communities. However, we understand that the EPA believes it is legally constrained in meeting the full intent of Recommendation 3. Because the EPA interprets the NSPS to preclude compliance audits on residential wood heaters certified using the withdrawn test methods based on ASTM E3053, we accept that the EPA is taking corrective actions that meet the intent of this recommendation to the extent practicable. Therefore, based on the information provided, we agree that the planned corrective actions meet the intent of our recommendation.

We do not agree with the planned corrective actions for Recommendation 1.c to "[p]eriodically observ[e] certification testing." In its response, the EPA does not commit to periodically observing testing nor removing the provision from the rule in its upcoming revision of the NSPS. We consider this recommendation unresolved. EPA Manual 2750 requires that recommendations be resolved promptly.

We will post this memorandum on our public website at www.epa.gov/oig.

cc: Tomás Elias Carbonell, Deputy Assistant Administrator for Stationary Sources, Office of Air and Radiation
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