



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

OFFICE OF
INSPECTOR GENERAL

July 14, 2021

MEMORANDUM

SUBJECT: Notification of Evaluation:
EPA's Fiscal Years 2020–2023 National Compliance Initiative: Stopping Aftermarket
Defeat Devices for Vehicles and Engines
Project No. OSRE-FY21-0228

FROM: Patrick Gilbride, Director *Patrick D. Gilbride*
Implementation, Execution, and Enforcement Directorate
Office of Special Review and Evaluation

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

The Office of Inspector General for the U.S. Environmental Protection Agency plans to begin an evaluation to examine the EPA's actions related to its Fiscal Years 2020–2023 National Compliance Initiative: Stopping Aftermarket Defeat Devices for Vehicles and Engines. This evaluation also addresses the following top management challenge for the Agency, as identified in our [EPA's FYs 2020–2021 Top Management Challenges](#) report, issued July 21, 2020: overseeing states implementing EPA programs and communicating risks.

The OIG's objectives are to (1) determine the EPA's progress toward achieving the goals and measures in its Fiscal Years 2020–2023 National Compliance Initiative: Stopping Aftermarket Defeat Devices for Vehicles and Engines and (2) determine the extent to which existing measures track and promote the achievement of the National Compliance Initiative's goals.

The OIG plans to conduct work within the Office of Enforcement and Compliance Assurance and relevant regional offices and states. The evaluation 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 evaluation include strengthening existing controls and reducing public health risks in a timely manner.

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

To expedite our evaluation, please be ready to provide the following information regarding the Fiscal Years 2020–2023 National Compliance Initiative: Stopping Aftermarket Defeat Devices for Vehicles and Engines at the entrance conference:

- Program budgets and resource allocations for activities.
- Number of full-time equivalents.
- Regional and state contacts.
- Current strategic plan, including any addendums and updates.

Please also provide the following information at the entrance conference:

- Names and titles of EPA civil inspectors credentialed to perform inspections for tampering and aftermarket defeat devices.
- Data supporting the Office of Enforcement and Compliance Assurance Report, *Tampered Diesel Pickup Trucks: A Review of Aggregated Evidence from EPA Civil Enforcement Investigations*, published November 20, 2020.

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. Similarly, EPA Manual 6500, *Functions and Activities of the Office of Inspector General* (1994), requires that each EPA employee cooperate with and fully disclose information to the OIG. Also, Administrator Michael S. Regan, in an April 28, 2021 email message to EPA employees, conveyed his “expectation that EPA personnel provide OIG timely access to records or other information” and observed that “full cooperation with the OIG is in the best interest of the public we serve.” We will request that you immediately resolve the situation if an Agency or state employee or contractor refuses to provide requested materials 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 post this memorandum on our public website at www.epa.gov/oig.

cc: Janet McCabe, Deputy Administrator

Dan Utech, Chief of Staff, Office of the Administrator

Wesley J. Carpenter, Acting Deputy Chief of Staff, Office of the Administrator

Evan Belser, Acting Director, Air Enforcement Division, Office of Enforcement and Compliance Assurance

Gwendolyn Spriggs, Audit Follow-Up Coordinator, Office of Enforcement and Compliance Assurance

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Lindsay Hamilton, Associate Administrator for Public Affairs

Lance McCluney, Director, Office of Administrative and Executive Services, Office of the Administrator

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