



# Office of Inspector General U.S. Environmental Protection Agency **At a Glance**

22-E-0009  
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## Why We Did This Evaluation

The Office of Inspector General conducted this evaluation to determine the ability of authorized state Resource Conservation and Recovery Act hazardous waste programs to continue operations during the coronavirus pandemic—that is, the SARS-CoV-2 virus and resultant COVID-19 disease. Under the Act, states and territories may be authorized to implement the federal hazardous waste program under U.S. Environmental Protection Agency regional oversight. The EPA has authorized 48 states and two territories to implement the program.

States received EPA guidance to assist in maintaining adequate regulatory oversight during the pandemic. Issues addressed included holding virtual public meetings, adjusting state inspection commitments, and conducting off-site compliance monitoring activities.

### This evaluation supports an EPA mission-related effort:

- *Partnering with states and other stakeholders.*

### This evaluation addresses a top EPA [management challenge](#):

- *Maintaining operations during pandemic responses.*

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## ***Authorized State Hazardous Waste Program Inspections and Operations Were Impacted During Coronavirus Pandemic***

### What We Found

Authorized state Resource Conservation and Recovery Act programs have continued operations, such as inspections and public meetings, during the pandemic. However, the number of inspections from March 2020 through February 2021 for RCRA treatment, storage, and disposal facilities, known as TSDFs, decreased by 34 percent and for large quantity generators, or LQGs, decreased by 47 percent when compared to the prior year. The number of violations found per inspection also decreased. After a sharp initial reduction in TSDF inspections in April 2020, states neared normal inspection rates by July 2020, but the number of inspections decreased again in October 2020 and remained below historical levels through February 2021. LQG inspections followed a similar pattern except that the decrease in inspections was more significant from October 2020 through February 2021. Decreases in inspections during the pandemic may have been due to remote work difficulties and travel restrictions. RCRA inspections by authorized state programs provide a deterrent effect that protects human health and the environment.

**The coronavirus pandemic impacted RCRA state program operations and resulted in fewer inspections.**

State RCRA programs experienced difficulties in March 2020. We surveyed four regional directors concerning eight authorized states and found that all eight states were initially not completely telework ready but were able to overcome barriers so that all staff could work remotely. Two states initially had difficulties in meeting their grant commitments, such as inspections. The EPA worked with these states to renegotiate their commitments. Further, seven of the eight states implemented changes, consistent with flexibilities in EPA guidance, to hold virtual meetings with the regulated community and the public.

### Recommendations and Planned Agency Corrective Actions

We made five recommendations based on issues identified in this report, including that the Agency review data and develop plans to optimize the ability of authorized state RCRA programs to respond to future pandemic events and disasters. The Agency agreed with all five recommendations. Recommendations 2, 3, and 4 are resolved with corrective actions pending. The planned corrective actions for Recommendations 1 and 5 did not meet the intent of our recommendations, which remain unresolved.

### Noteworthy Achievement

The EPA issued multiple guidance documents during the pandemic providing authorized state programs with flexibilities for enforcement and compliance actions and using virtual alternatives to public meetings.