



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

MEMORANDUM

SUBJECT: Response to Office of Inspector General Final Report No. 22-E-0009 "Authorized State Hazardous Waste Program Inspections and Operations Were Impacted During Coronavirus Pandemic" dated December 1, 2021

FROM: Barry N. Breen
Acting Assistant Administrator
Office of Land and Emergency Management

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Lawrence E. Starfield
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TO: Sean O'Donnell, Inspector General
Office of Inspector General

Thank you for the opportunity to respond to the issues and recommendations in the subject audit report. Following is a summary of the agency's overall position, along with its position on each of the outstanding report recommendations and corrective actions.

AGENCY'S OVERALL POSITION

The Office of Land and Emergency Management (OLEM) and the Office of Enforcement and Compliance Assurance (OECA) appreciate the opportunity to provide additional details required to resolve Recommendations 1 and 5 in the subject final report. Provided below are updated high-level corrective actions, along with estimated completion dates.

As the OIG notes in its report, all surveyed states were able to overcome technical barriers so that all staff could work remotely, including conducting off-site monitoring activities of hazardous waste facilities, during the pandemic. We have seen that states continue to use virtual tools as an ordinary practice, which we believe will lessen the impact of any future transitions to remote work. In response to Recommendation 1, OLEM will raise the issues discussed in the report to the states and will assist states that are developing plans to address future events if they request EPA's support. As necessary, OLEM will coordinate with the Office of Mission Support to provide such assistance. States may also use EPA grant funds to support their remote work operations. In response to Recommendation 5, OECA will work with EPA regions and states to consider effective approaches and implement policies as needed to continue the important work of compliance monitoring during pandemics or other large-scale events.

AGENCY'S RESPONSE TO REPORT RECOMMENDATIONS

No.	Recommendation	High-Level Intended Corrective Action(s)	Estimated Completion by Quarter and FY
1.	Assist authorized states in developing and implementing plans that ensure that states are able to maintain operations in the event of a pandemic or other disaster.	During national meetings and calls, OLEM will raise the issue of whether states will be able to maintain operations during national meetings and will assist states to develop and implement plans to address future events if requested.	4 th Quarter FY 2022
5.	Develop policies that define inspection requirements and flexibilities to optimize the capabilities of authorized state programs in future large-scale pandemic or disaster events. These should include mechanisms, consistent with EPA guidance documents, that allow maintenance of normal Resource Conservation and Recovery Act inspection rates while ensuring the safety of enforcement staff.	OECA will work with EPA regions and states to develop policies for inspection requirements and flexibilities that help optimize the capabilities of authorized state programs in the face of future large-scale pandemic or disaster events. Our considerations will include mechanisms, consistent with EPA guidance documents, that allow maintenance of normal Resource Conservation and Recovery Act inspection rates while ensuring the safety of enforcement staff.	2 nd Quarter FY 2023

CONTACT INFORMATION

If you have any questions regarding this response, please have your staff contact Kecia Thornton (OLEM) at thornton.kecia@epa.gov or 202-566-1913 or Gwendolyn Spriggs (OECA) at spriggs.gwendolyn@epa.gov or 202-564-2439.

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