



U.S. ENVIRONMENTAL PROTECTION AGENCY

OFFICE OF INSPECTOR GENERAL

Compendium of Unimplemented Recommendations as of March 31, 2014

Report No. 14-N-0242

April 30, 2014



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Abbreviations

CFR	Code of Federal Regulations
CSB	U.S. Chemical Safety and Hazard Investigation Board
ECHO	Enforcement Compliance and History Online
EMP	Emergency Management Portal
EPA	U.S. Environmental Protection Agency
FY	Fiscal Year
MATS	Management Audit Tracking System
MCD	Milestone compliance demonstrations
NCP	National Contingency Plan
NPDES	National Pollutant Discharge Elimination System
OA	Office of the Administrator
OAR	Office of Air and Radiation
OARM	Office of Administration and Resources Management
OCFO	Office of the Chief Financial Officer
OCSP	Office of Chemical Safety and Pollution Prevention
OECA	Office of Enforcement and Compliance Assurance
OEI	Office of Environmental Information
OEM	Office of Emergency Management
OIG	Office of Inspector General
OITA	Office of International and Tribal Affairs
OMB	Office of Management and Budget
ORD	Office of Research and Development
OSWER	Office of Solid Waste and Emergency Response
OW	Office of Water

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

THE INSPECTOR GENERAL

April 30, 2014

MEMORANDUM

SUBJECT: Compendium of Unimplemented Recommendations as of March 31, 2014
Report No. 14-N-0242

FROM: Arthur A. Elkins Jr.

A handwritten signature in black ink, appearing to read "Arthur A. Elkins Jr.", is written over the printed name.

TO: Deputy Administrator
Assistant Administrators
General Counsel
Chief Financial Officer
Associate Administrators
Regional Administrators

Attached is the semiannual *Compendium of Unimplemented Recommendations as of March 31, 2014*, prepared by the Office of Inspector General (OIG) of the U.S. Environmental Protection Agency (EPA). By law, the OIG serves as the Inspector General for the U.S. Chemical Safety and Hazard Investigation Board (CSB) as well as the EPA. As such, this report includes information pertaining to the EPA and the CSB. This Compendium fulfills the Inspector General Act of 1978, as amended, requirement to include an identification of each significant recommendation described in previous semiannual reports on which corrective action has not been completed. It is included as a part of the semiannual reports summarizing the activities of the OIG. The information included in part 1 of the report identifies those significant recommendations with corrective actions that have not been implemented 1 year or more past the agreed-to completion date and are past due. The information in part 2 identifies those recommendations with corrective actions that have not been completed less than 1 year past the agreed-to date or have agreed-to dates that are in the future. Corrective actions are being reported as past due if they have not been completed within 1 year of the original agreed-to date.

This Compendium is issued in conjunction with the *Semiannual Report to Congress, October 1, 2013–March 31, 2014*, and as a separate report to the EPA's leadership. As part of the OIG's results-oriented culture, we perform follow-up assessments to determine whether planned actions by the EPA in response to OIG recommendations were taken. Follow-up is done in collaboration with the EPA's Office of the Chief Financial Officer and the EPA's audit follow-up coordinators. The goal is to improve overall audit management by increasing the EPA's managers' awareness of outstanding agreed-to commitments for action on OIG report recommendations. Implementing these recommendations will correct weaknesses, reduce vulnerabilities to risk, and leverage opportunities for improved performance.

According to Office of Management and Budget (OMB) Circular A-50, audit follow-up is a shared responsibility between the agencies and the OIG. The significance of audit follow-up, as described by the OMB Circular A-50, is enhanced by the public's expectation for greater transparency and a

heightened interest by Congress in realizing potential opportunities for improvement in the federal government. The OIG's previous Compendium reports have increased agency awareness of and action on unimplemented OIG recommendations.

The OIG identified the unimplemented recommendations listed in this Compendium based on their significance, material impact, and status in the EPA's Management Audit Tracking System, as well as others identified through OIG review. Omission of an unimplemented recommendation from this report does not lessen its value or the importance of completing the corrective action, and still warrants the full attention of the EPA.

We will continue to identify unimplemented recommendations for attention and action, as well as remove the previously reported unimplemented recommendations when appropriate information of completion is provided. We hope that you find this tool useful in identifying ways to further improve agency operations.

If you or your staff have any questions, please contact Crystal Barrett at (202) 566-2060 or barrett.crystal@epa.gov, or Aracely Nuñez-Mattocks at (202) 566-0840 or nunez-mattocks.aracely@epa.gov.



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

THE INSPECTOR GENERAL

April 30, 2014

The Honorable Rafael Moure-Eraso, Ph.D.
Chairperson and Chief Executive Officer
U.S. Chemical Safety and Hazard Investigation Board
2175 K Street, NW, Suite 400
Washington, D.C. 20037-1809

Dear Dr. Moure-Eraso:

Enclosed is the semiannual *Compendium of Unimplemented Recommendations as of March 31, 2014*, prepared by the Office of Inspector General (OIG) of the U.S. Environmental Protection Agency (EPA). By law, the OIG serves as the Inspector General for the U.S. Chemical Safety and Hazard Investigation Board (CSB) as well as the EPA. As such, this report includes information pertaining to the EPA and the CSB. This Compendium fulfills the requirement of the Inspector General Act of 1978, as amended, to prepare semiannual reports summarizing the activities of the OIG that include an identification of each significant recommendation described in previous semiannual reports on which corrective action has not been completed. The information included in part 3 of the report identifies those significant CSB recommendations with corrective actions that have not been implemented 1 year or more past the agreed-to completion date and are past due. The information in part 4 identifies those CSB recommendations with corrective actions that have not been completed less than 1 year past the agreed-to date or have agreed-to dates that are in the future. Corrective actions are being reported as past due if they have not been completed within 1 year of the original agreed-to completion date.

This Compendium is issued in conjunction with the *Semiannual Report to Congress, October 1, 2013–March 31, 2014*, and as a separate report to the CSB's leadership. As part of the OIG's results-oriented culture, we perform follow-up assessments to determine whether planned actions by the CSB in response to OIG recommendations were taken. Follow-up is done in collaboration with the CSB Managing Director. The goal is to improve overall audit management by increasing the CSB managers' awareness of outstanding agreed-to commitments for action on OIG report recommendations. Implementing these recommendations will correct weaknesses, reduce vulnerabilities to risk, and leverage opportunities for improved performance. It also fulfills the OIG statutory authority to inform Congress, consistent with the semiannual reporting requirement of the Inspector General Act, as amended.

According to Office of Management and Budget (OMB) Circular A-50, audit follow-up is a shared responsibility between the CSB and the OIG. The significance of audit follow-up, as described by the OMB Circular A-50, is enhanced by the public's expectation for greater transparency and a heightened interest by Congress in realizing potential opportunities for improvement in the federal government. This Compendium report should help increase the CSB's awareness of and action on unimplemented OIG recommendations.

The OIG identified the unimplemented recommendations listed in this Compendium based on their significance, material impact, and status as reported on the spreadsheet received from the CSB on March 11, 2014, as well as others identified through OIG review. Omission of an unimplemented recommendation from this report does not lessen its value or the importance of completing the corrective action, and still warrants the full attention of the CSB.

We will continue to identify unimplemented recommendations for attention and action, as well as remove the previously reported unimplemented recommendations when appropriate information of completion is provided. We hope that you find this tool useful in identifying ways to further improve the CSB's operations.

If you or your staff have any questions, please contact Crystal Barrett at (202) 566-2060 or barrett.crystal@epa.gov, or Aracely Nuñez-Mattocks at (202) 566-0840 or nunez-mattocks.aracely@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Arthur A. Elkins Jr.", written in a cursive style.

Arthur A. Elkins Jr.

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Introduction

Purpose

Section 5 of the Inspector General Act of 1978, as amended (5 U.S.C. App. 3), requires each Inspector General to prepare semiannual reports for Congress which include “an identification of each significant recommendation described in previous semiannual reports on which corrective action has not been completed.” The Office of Inspector General (OIG) prepares the Compendium of Unimplemented Recommendations to satisfy this requirement. The Compendium highlights for the U.S. Environmental Protection Agency (EPA) and the U.S. Chemical Safety and Hazard Investigation Board (CSB) management those significant recommendations that are unimplemented 1 year or more past the date agreed upon by the EPA or the CSB and the OIG. It also provides a listing of all of the other significant recommendations with corrective actions that are less than 1 year past the agreed-to completion date or have completion dates that are in the future. This Compendium is being issued in conjunction with the OIG Semiannual Report to Congress for the reporting period October 1, 2013, through March 31, 2014. The Compendium helps agency management stay informed about the EPA’s or the CSB’s outstanding commitments, and its progress in taking agreed-upon corrective actions on OIG recommendations to improve programs and operations.

Background

Recommendations are issued by the EPA’s OIG to improve the economy, efficiency, effectiveness or integrity of the EPA’s and the CSB’s programs and operations. Office of Management and Budget (OMB) Circular A-50, *Audit Followup*, dated September 29, 1982, affirms that corrective action taken by management on resolved findings and recommendations is essential for improving the effectiveness and efficiency of government operations. It also states that audit follow-up is a shared responsibility of agency management officials and auditors.

OMB Circular A-50 requires each agency to ensure that systems are in place for the prompt and proper resolution and implementation of audit recommendations. EPA Manual 2750, based in part on OMB Circular A-50, details the EPA’s audit management procedures. The Chief Financial Officer is the EPA audit follow-up official who has responsibility for ensuring agency-wide audit resolution and implementation of corrective actions by action officials. The EPA uses the Management Audit Tracking System (MATS) to track information on the agency’s implementation of OIG recommendations. The Office of the Chief Financial Officer (OCFO) maintains and operates MATS. Report data, such as the title, issue date and recommendations, are downloaded into MATS from the Inspector General Enterprise Management System.

The Office of the Administrator, Office of General Counsel, OCFO, and each Assistant Administrator and Regional Administrator designate an audit follow-up coordinator for their respective office. Audit follow-up coordinators are responsible for data entry, quality assurance and analysis of data in the tracking system. When all corrective actions in response to recommendations in an audit report are completed and certified, the agency may inactivate that report’s MATS file, and it is no longer tracked by the audit follow-up coordinator. The agency

self certifies that corrective actions are completed. Section 5(b)(4) of the Inspector General Act of 1978, as amended (5 U.S.C. App. 3), also requires the agency to report audit reports for which final corrective action has not been taken 1 year or more after the agency's management decision (agreement with the OIG on planned corrective actions).

While CSB does not have a formal internal operating procedure or electronic tracking system to implement OMB Circular A-50, the CSB's managing director tracks information on the CSB's implementation of the OIG's recommendations in a spreadsheet. The CSB updates and provides the spreadsheet to the OIG on a semiannual basis. When all corrective actions for recommendations in a report have been completed, the CSB removes it from the spreadsheet.

Scope and Methodology

The work performed in this review does not constitute an audit conducted in accordance with generally accepted government auditing standards issued by the Comptroller General of the United States. Although MATS and the spreadsheet provided by the CSB were our primary sources for identifying unimplemented recommendations, we did perform additional steps to search for unimplemented recommendations that may not have been identified in MATS or the spreadsheet. We analyzed the MATS data in the system as of April 3, 2014. We did not verify the accuracy of the information reported in MATS.

We reviewed selected audit and evaluation reports issued to the EPA by the OIG from October 1, 2000, through September 30, 2013, to identify significant unimplemented recommendations for inclusion in the Compendium. However, we did not identify any significant unimplemented recommendations from fiscal years (FYs) 2002 and 2003. We reviewed reports issued to the CSB by the OIG from October 1, 2010, to September 30, 2013. We did not review recommendations from reports without an OIG agreement on the agency's proposed corrective actions. A list of the reports without a management decision can be found in Appendix 2 of the Semiannual Report to Congress.

We limited the consideration of unimplemented recommendations to those we believe were significant because they could have a material impact on the economy, efficiency, effectiveness or integrity of the EPA's and the CSB's programs and operations. For this purpose, we define significant recommendations in the following terms:

- **Economy:** Opportunity to save, prevent loss or recover at least \$500,000 in monetary costs or value.
- **Efficiency:** Improvement in the process, capacity, accessibility or delivery of program objectives and the elimination of unnecessary or unproductive actions or expenses.
- **Effectiveness:** Improvement in the quality of, or reduction in the risk to, public health and the environment.
- **Integrity:** Improvement in operational accountability, enforcement of and compliance with laws and regulations, and security of resources for public confidence.

The Compendium consists of four sections: (1) unimplemented recommendations for the EPA with past due completion dates; (2) unimplemented recommendations for the EPA with future

planned completion dates; (3) unimplemented recommendations for the CSB with past due completion dates; and (4) unimplemented recommendations for the CSB with future planned completion dates. The OIG considers a recommendation past due if the associated corrective action was not completed within 1 year of the original agreed-to date.

The EPA offices that have unimplemented recommendations with past due dates listed in this Compendium are:

- Office of Administration and Resources Management (OARM)
- Office of Air and Radiation (OAR)
- Office of the Chief Financial Officer (OCFO)
- Office of Chemical Safety and Pollution Prevention (OCSPP)
- Office of Enforcement and Compliance Assurance (OECA)
- Office of Solid Waste and Emergency Response (OSWER)
- Region 2
- Region 9

The EPA offices that have unimplemented recommendations with future planned completion dates in this Compendium are:

- Office of the Administrator (OA)
- Office of Administration and Resources Management (OARM)
- Office of Air and Radiation (OAR)
- Office of the Chief Financial Officer (OCFO)
- Office of Chemical Safety and Pollution Prevention (OCSPP)
- Office of Enforcement and Compliance Assurance (OECA)
- Office of Environmental Information (OEI)
- Office of International and Tribal Affairs (OITA)
- Office of Research and Development (ORD)
- Office of Solid Waste and Emergency Response (OSWER)
- Office of Water (OW)
- Region 1
- Region 6
- Region 8
- Region 9
- Region 10

We anticipate that the EPA will provide updates in MATS on the status of each unimplemented recommendation to include a description of progress and an explanation of the delay in completing an agreed-to action.

Part One: Unimplemented EPA Recommendations With Past Due Completion Dates

Action Office: OARM
Report Title: Improvements Needed in EPA's Smartcard Program to Ensure Consistent Physical Access Procedures and Cost Reasonableness
Report No.: 13-P-0200
Date Issued: 03/27/2013

Report Summary

In EPA Order 3200, *EPA Personal Identity Verification and Smartcard Program*, the EPA stated that it would upgrade facilities in an order that would protect its most critical and valued assets first. Contrary to its plans, the EPA upgraded some less critical facilities prior to its most important facilities (including EPA headquarters). The EPA stated it was more efficient to upgrade facilities based on geographic location rather than importance, but provided no quantitative data to support that position. In addition, the EPA indicated it did not want to make mistakes upgrading headquarters buildings so it upgraded others first. As a result, some lower valued facilities required a higher level of authentication for access than EPA headquarters facilities. The processes used to gain access are inconsistent and not yet inter-operable (can be used by all federal employees including those outside the EPA) or intra-operable (can be used by any EPA employee). This occurred because the EPA had not developed national physical access procedures to foster consistency. As a result, the EPA is not realizing potential benefits associated with a standardized process.

Unimplemented Recommendation

Recommendation 1: We recommend that the Assistant Administrator for Administration and Resources re-prioritize the remaining facility upgrades by security level from highest to lowest, complete all remaining upgrades according to security level, and require the Security Management Division Director to provide written justification for upgrading Level 1 facilities.

Status: OARM agreed to initiate the Physical Access Control System upgrades for all remaining Facility Security Level 3 and 4 facilities. OARM is reevaluating the remaining Physical Access Control System upgrades and modifying the implementation schedule. OARM is taking these steps due to the recent significant updates to Homeland Security Presidential Directive-12 technical standards. The updates have resulted in there being a limited number of approved and/or proven vendor products on the Federal Identity, Credential, and Access Monitoring Testing Program's Approved Product List. OARM will look for fully deployed systems that have a record of stability before it moves ahead with the majority of the remaining Physical Access Control Systems. OARM will pilot newly approved systems as they become available enabling OARM to follow federal best practices for procuring and implementing emerging technologies incrementally to reduce associated risk. The original agreed-to completion date was March 31, 2013.

Action Office: OCFO
Report Title: Audit of EPA Fiscal 2012 and 2011 Financial Statements
Report No.: 13-1-0054
Date Issued: 11/15/2012

Report Summary

In October 2011, the EPA replaced the Integrated Financial Management System with a new system, Compass Financials (Compass), and we determined that Compass reporting and system limitations represented a material weakness. In addition, we noted the following significant deficiencies, some of which involve Compass and contributed to the material weakness:

- Posting models in Compass materially misstated general ledger activity and balances.
- Compass reporting limitations impair accounting operations and internal controls.
- The EPA did not reverse approximately \$108 million in expense accruals.
- Compass system limitations impair internal controls of financial operations.
- Accounts receivable internal controls contained numerous deficiencies.
- The EPA did not timely clear Fund Balance with Treasury Statement of Differences transactions.
- Compass did not have sufficient controls over personal property entries.
- Compass and the Maximo property system cannot be reconciled.
- The EPA did not monitor the testing of networked information technology assets to identify commonly known vulnerabilities.
- The EPA lacks reliable information on security controls for financial systems.

Unimplemented Recommendation

Recommendation 6: We recommend that the Chief Financial Officer update the EPA's policy for recognizing year-end accruals to require reconciliations of accruals and accrual reversals.

Status: OCFO's Office of Financial Management agreed to update Policy Announcement Number No. 95-11, "Policies and Procedures for Recognizing Year-End Accounts Payable and Related Accruals." OFCO has delayed completion of the corrective action to December 13, 2014 due to a decision to expand the scope of the update. The original agreed-to completion date was March 31, 2013.

Action Office: OCSPP
Report Title: Review of Hotline Complaint Concerning Cost and Benefit Estimates for EPA's Lead-Based Paint Rule
Report No.: 12-P-0600
Date Issued: 07/25/2012

Report Summary

Although the EPA stated that its economic analysis underwent extensive intra-agency review and was approved by the Office of Management Budget prior to publication, the EPA used limited data to develop its cost and benefit estimates for the Lead Rule. We did not conclude that the EPA violated policies or failed to follow requirements in conducting its analysis. Rather, the EPA conducted its economic analysis under time pressures and subsequently used its discretion to complete its analysis using some limited data and approaches. The EPA's economic analyses were limited in that:

- The estimated cleaning and containment work practice costs to comply with the rule were not based on a statistically valid survey.
- The EPA did not quantitatively analyze or include other costs outlined in agency guidance, such as costs due to increased consumer prices, costs of unemployment, and costs to markets indirectly affected by the rule.
- The EPA did not include the cost to renovation businesses of securing additional liability insurance.
- The EPA recommended additional work practices in a training program that, while not required by the rule, would likely result in additional cost because the regulated community would view these practices as required.

Further, an EPA science advisory committee reported that limitations in the agency's data for estimating intelligence quotient changes in children exposed to lead dust during renovations would not adequately support a rigorous cost benefit analysis. In our opinion, the data limitations in the EPA's analyses limit the reliability of the rule's stated cost and benefits. In public rulemaking documents, the EPA acknowledged several of the limitations. The EPA's obligation under terms of a settlement agreement to issue the Lead Rule by March 2008, the use of discretion in conducting the economic analysis, and the EPA's subsequent assumption that the costs of the rule were low, limited the EPA's approach in estimating the cost and benefits of the rule.

Unimplemented Recommendation

Recommendation 1: We recommend that the Assistant Administrator for Chemical Safety and Pollution Prevention, consistent with a retrospective and flexible regulatory culture, reexamine the estimated costs and benefits of the 2008 Lead Rule and the 2010 amendment to determine whether the rule should be modified, streamlined, expanded, or repealed.

Status: OCSPP will create an information gathering work plan. It will submit an Information Collection Request to OMB for clearance by April 30, 2014. The original agreed-to completion date was March 31, 2013.

Action Office: Region 9
Report Title: Agreed-Upon Procedures Applied to EPA Grants Awarded to Summit Lake Paiute Tribe, Sparks, Nevada
Report No.: 12-2-0072
Date Issued: 11/10/2011

Report Summary

Although our transaction tests showed that labor costs claimed by the Summit Lake Paiute Tribe under the EPA grants were generally supported by timesheets, the following timekeeping issues warrant attention:

- The timekeeping process for the Indian Environmental General Assistance Program grants did not comply with Code of Federal Regulations (CFR) requirements in 2 CFR Part 225.
- A third party did not consistently verify the chairman's consent to use his signature stamp for timesheet approval.
- The tribe charged indirect labor costs as direct costs, contrary to its accounting policy.
- The tribe did not have policies and procedures for leave allocation.

As a result of the above issues, we questioned labor costs of \$96,615.

We found that the tribe was addressing some of the issues raised in the 2008 and 2009 single audits. However, additional work remains to be done on issues relating to deferred revenues and updating policies and procedures.

Unimplemented Recommendation

Recommendation 2: We recommend that the Regional Administrator, EPA Region 9, require the tribe to implement internal controls to ensure that:

- a. Employees document all hours worked in accordance with 2 CFR Part 225 requirements.
- b. The chairman's consent to use his signature stamp for timesheet approval is independently verified.
- c. Leave allocation complies with 2 CFR Part 225 requirements.

Status: The tribe established a current timesheet that documents all hours worked and implemented a new procedure on the use of the chairman's signature stamp. The tribe plans to use the Micro-Information Processing payroll computerized system for a labor allocation feature that will comply with 2 CFR Part 225 requirements. As of September 18, 2013, the tribe's financial officer and consultant had developed a process in which leave will post to the right program/grant. It is still in the finalizing stage. As of March 13, 2014, region 9 worked with the tribe on financial issues and was still in the process of coming up with a resolution to the appeal. In addition, the tribe had yet to submit an update on the leave allocation. The original agreed-to completion date was July 31, 2012.

Action Office: OCFO
Report Title: EPA Needs Workload Data to Better Justify Future Workforce Levels
Report No.: 11-P-0630
Date Issued: 09/14/2011

Report Summary

The EPA has not collected comprehensive workload data or conducted workload analysis in about 20 years. The EPA does not require program offices to collect and maintain workload data, and the programs do not have databases or cost accounting systems in place to collect data on time spent on specific mission-related outputs. Federal guidance and standards emphasize the importance of planning work to determine staffing needs. OMB guidance states that agencies should identify their workloads to help determine the proper workforce size, and federal accounting standards require that agencies establish cost accounting systems to allow them to determine resources consumed for work performed. Without sufficient workload data, program offices are limited in their ability to analyze their workloads and justify resource needs, and the EPA's Office of Budget must base budget decisions primarily on subjective justifications at a time when budgets continue to tighten and data-driven decisions are needed. Organizations of varying sizes and missions have used workload models for years to justify resource needs. During our audit, we identified some basic concepts of workload modeling from which the EPA could benefit. The EPA would need to tailor such concepts to its own mission, structure and culture.

Unimplemented Recommendations

Recommendation 1: We recommend that the Chief Financial Officer conduct a pilot project requiring EPA organizations to collect and analyze workload data on key project activities.

Status: OCFO is working closely with the EPA's air and water programs and their lead regions to refine and expand on FY 2011 pilot projects. OCFO is working to determine the specifics of how the EPA organizations should collect and analyze workload data on key project activities. OCFO created a workload analysis model for air and water permitting programs and is conducting analyses of grant and Superfund cost recovery. The EPA has added analyses of grants project officer work to its analyses of grants specialist workloads. Analyses have updated the workload estimates developed by Logistics Management Institute in their grants analyses and have further refined some critical grants management steps. OCFO plans to complete this phase of grants analysis by June 30, 2014. The original agreed-to completion date was September 30, 2012.

Recommendation 2: We recommend that the Chief Financial Officer use information learned from the pilot and the ongoing contracted workload study to issue guidance to the EPA's program offices on:

- a. How to collect and analyze workload data.
- b. The benefits of workload analysis.
- c. How this information should be used to prepare budget requests.

Status: OCFO is revising Resource Management Directive 2520, Administrative Control of Appropriated Funds, to incorporate workload planning guidance. Due to continued staff turnover and other work priorities, the update to Resource Management Directive 2520 is expected to be completed by September 18, 2014. The original agreed-to completion date was September 30, 2012.

Action Office: OARM
Report Title: EPA Has Not Fully Implemented a National Emergency Equipment Tracking System
Report No.: 11-P-0616
Date Issued: 09/13/2011

Report Summary

Although the EPA spent \$2.8 million as of October 2010 to develop and implement an Emergency Management Portal (EMP) emergency equipment tracking module, the EPA has not fully implemented the module, and the module suffers from operational issues. Our review of allegations in a Hotline complaint found that:

- The EPA does not fully use the EMP equipment tracking module because no EPA office with overall authority has mandated its use.
- The EPA has made no formal effort to assess functionality and cost effectiveness due to its decision to perform such assessments only after fully implementing the EMP equipment module.
- The EMP equipment module is cumbersome and slow, and may not be the most efficient and effective emergency equipment tracking alternative.

The EPA has guidance and policies that require the agency to develop and implement a plan for a national equipment tracking system. Both the OMB and EPA require performance measurement of such systems. However, the EPA has not fulfilled this requirement. In addition to the \$2.8 million it has already spent, the EPA plans to spend another \$5.5 million over the next 15 years on the EMP equipment module's maintenance. Further, the regions that are using the module continue to maintain their own tracking systems, resulting in wasted resources. Because the EPA has not fully implemented the EMP equipment module and the module is cumbersome and slow, the EPA's ability to protect public health and the environment in the event of a nationally significant incident may be impaired.

Unimplemented Recommendation

Recommendation 3: We recommend that the Deputy Administrator mandate that regions and response teams employ the national tracking system the EPA decides to use for emergency response equipment.

Status: The new system has been developed but it is not yet fully implemented. OARM has been actively working toward acquiring an agency asset management system to achieve the federal government "industry" standard since June 2010. A commercial off-the-shelf software package with asset management functionality was purchased in February 2012, with the intention of hosting it on the local Office of Administration Services Information System. As a result of shifting priorities and reduced funding, the corrective action completion date committed to in the previous audit response is no longer achievable. OARM continues to be fully committed to implementing the developed property system, but will not achieve deployment of the system until January 31, 2015. The original agreed to completion date was May 31, 2012.

Action Office: OSWER
Report Title: Revisions Needed to National Contingency Plan Based on Deepwater Horizon Oil Spill
Report No.: 11-P-0534
Date Issued: 08/25/2011

Report Summary

We received two Hotline complaints on the use of dispersants in response to the Deepwater Horizon oil spill in the Gulf of Mexico. We reviewed the steps the EPA took to analyze the dispersant Corexit for inclusion on the National Contingency Plan (NCP) Product Schedule. We also determined the EPA's role in the decision to use Corexit in the response. The OIG Office of Counsel addressed a perjury allegation in one complaint.

We found that the EPA and the manufacturer of Corexit completed required steps to include Corexit products on the NCP Product Schedule. However, the EPA has not updated the Product Schedule since 1994 to include the most appropriate efficacy testing protocol. Subpart J of the NCP identifies requirements a manufacturer must meet to include a product on the Product Schedule, including efficacy results using the Swirling Flask Test. The EPA has considered revising Subpart J to change efficacy testing procedures to the more reproducible Baffled Flask Test. However, the EPA had not finalized the rulemaking before the Deepwater Horizon oil spill occurred because of competing priorities and changes in management. If the EPA had updated Subpart J, more reliable efficacy data may have been available during the oil spill.

Responders to the Deepwater Horizon oil spill could have used other dispersants, but not within the applicable window of time designated by Addendum 2 to a directive issued by the EPA and the Coast Guard. The EPA's involvement in the response included issuing Joint Directives to BP, making operational decisions, and conducting additional dispersant testing. The EPA involved senior officials in the response because (a) the agency was not prepared for the unprecedented volume and duration of dispersant use and subsea application, and (b) additional clarity was needed on roles and responsibilities in responding to a Spill of National Significance. The involvement of senior EPA officials created confusion as to who at the EPA led response efforts for dispersant use.

The OIG Office of Counsel did not find evidence supporting the perjury allegation.

We noted that the EPA took proactive actions to make health and environmental data available on the agency's website throughout the spill response. Also, the EPA demonstrated proactive efforts to improve emergency response plans.

Unimplemented Recommendations

Recommendation 1: We recommend that the Assistant Administrator for Solid Waste and Emergency Response develop appropriate NCP Subpart J testing revisions, including proceeding with plans in place before the Deepwater Horizon oil spill, to incorporate the most appropriate efficacy testing protocol. Develop an action plan with milestones for these and any other necessary revisions and take steps to propose NCP Subpart J revisions.

Status: The EPA is proposing regulatory revisions to the NCP's Subpart J testing requirements. The Subpart J rule is currently awaiting transmittal to OMB. The proposed rule incorporating NCP testing requirements is expected to appear in the *Federal Register*. The original agreed-to completion date was August 30, 2012.

Recommendation 3: We recommend that the Assistant Administrator for Solid Waste and Emergency Response modify the NCP Product Schedule and contingency plans to include additional information (such as testing on crude oil, subsurface dispersants application, volume and duration limits, etc.) learned from the Deepwater Horizon oil spill response and use such information to revise and update Area and Regional Contingency Plans.

Status: The EPA is proposing regulatory revisions to the Subpart J requirements for the NCP Product Schedule and contingency planning elements. The revisions will address chemical agent tests (such as dispersants) using crude oil; subsurface use of dispersants; and quantity, location and duration of chemical agent use criteria. The Subpart J rule is currently awaiting transmittal to OMB. The proposed rule incorporating NCP testing requirements is expected to appear in the *Federal Register*. The original agreed-to completion date was August 30, 2012.

Recommendation 6: We recommend that the Assistant Administrator for Solid Waste and Emergency Response review and analyze NCP Subpart J toxicity testing protocols to ensure that emergency responders have the information necessary for appropriate subsurface dispersant use for future oil spills.

Status: This issue is currently being addressed as part of the action to revise the requirements for Subpart J toxicity testing and criteria for listing dispersants on the NCP Product Schedule. When revisions to the Product Schedule requirements are complete, OSWER's Office of Emergency Management (OEM) will work on revisions to the Selection Guide and Technical Notebooks, which are made available to emergency responders, to ensure the necessary information is available for subsurface dispersant use on future oil spills. The Subpart J rule is currently awaiting transmittal to OMB. The proposed rule incorporating NCP testing requirements is expected to appear in the *Federal Register*. The original agreed-to completion date was August 30, 2012.

Recommendation 7: We recommend that the Assistant Administrator for Solid Waste and Emergency Response, as part of the action to review NCP Subpart J requirements, address the need to capture and maintain dispersant manufacturer production capacities, equipment requirements, and other necessary information to better prepare for future oil spills. Make this information widely available to the response community.

Status: OEM is in the process of developing amendments to the requirements in Subpart J of the NCP associated with the testing, listing and use of chemical agents, including dispersants, on oil spills on the waters of the United States. The proposed rulemaking containing the amendments has cleared Options Selection and is in the workgroup package development state under the agency's Action Develop Process, in compliance with the Administrative Procedures Act. One set of elements under development in the package is proposed regulatory language that would require product manufacturers to include information on their

production capabilities and equipment requirements, with their submittal to the EPA to have their product listed on the Product Schedule under Subpart J of the NCP.

OEM is also examining options on the frequency of updating this information and mechanisms for making it readily available to the response community. The preferred regulatory approach and options for collection and dissemination of the information, as recommended by the OIG, will be clearly described in the proposed regulatory text and preamble. OEM will seek public comment on the approach and options and will welcome well-supported alternatives. The Subpart J rule is currently awaiting transmittal to OMB. The proposed rule incorporating NCP testing requirements is expected to appear in the *Federal Register*. The original agreed-to completion date was August 30, 2012.

Action Office: OECA
Report Title: Agency-Wide Application of Region 7 NPDES Program Process Improvements Could Increase EPA Efficiency
Report No.: 11-P-0315
Date Issued: 07/06/2011

Report Summary

Although participants in the Kaizen event for Region 7's National Pollutant Discharge Elimination System (NPDES) program continued to follow up on the commitments and action items identified, no single authority was responsible for tracking the process improvement outcomes. Also, the EPA did not have a process to develop and track quantifiable results and outcomes from the event. Further, the EPA encountered barriers involving scope, performance measures, implementation and accountability when planning the Kaizen event. While the states and the EPA collaborated to create guidance for Kaizen events, such as the lean starter kit and primer, the EPA did not, nor was it required to, use them to assure that barriers were overcome in the execution of the Region 7 event.

The Administrator's January 2010 memorandum, "Our Top Priorities," as well as the EPA's other recent and state initiatives, discusses the need to improve internal operations and/or conduct more Kaizen events with the states to more efficiently protect the environment and public health. The Region 7 Kaizen event for the NPDES program identified three process improvements (resolution of technical issues and communication, permitting and enforcement oversight reviews of states, and annual strategic planning) and one implementation action (data collection and reporting) that can potentially be implemented in other regions. Agency-wide permitting process changes could result in better communication; time and cost savings in the states; and avoidance of duplicate inspections, reviews and data reporting. Using lessons learned from the Region 7 Kaizen event can increase the potential benefits achieved in future process improvement efforts.

Unimplemented Recommendation

Recommendation 1: We recommend that the Deputy Administrator direct the Office of Water and the Office of Enforcement and Compliance Assurance to identify Region 7 process improvements that can be applied elsewhere, considering the cost and benefit of implementation. These actions include:

- a. Earlier resolution of technical issues and communication;
- b. Combining permitting and enforcement oversight reviews of the states;
- c. Implementing coordinated and integrated strategic planning nationwide for the NPDES program, including consideration of the new approaches under the Clean Water Act of 1972 action plan; and
- d. Fully implementing burden reduction initiatives identified during the event.

Status: OW has completed corrective actions to address items a, b and c. To address item d, OECA published the proposed NPDES electronic reporting rule in the *Federal Register* on July 30, 2013. A significant amount of work was required to develop the proposed rule, as was extensive coordination with the water community both within and outside of the agency.

An initial draft of the proposed rule was sent to OMB in December 2011. Official clearance to publish the proposed rule was provided by OMB in June 2013. A 90-day public comment period began with the publication of rule. During this time period, OECA has been engaging in outreach presentations and webinars for interested parties. In response to a request for additional time to review and submit comments on the proposed rule, an extension to the comment period has been granted. Should there be significant comments on the rule; the agency is committed to issuing a supplemental notice, which will require additional OMB review and a subsequent public comment period. Should a supplemental rule be required, OECA anticipates the final rule would be published in May 2015. The original agreed-to completion date was September 30, 2012.

Action Office: OAR
Report Title: EPA Needs to Better Document Project Delays for Recovery Act Diesel Emissions Reduction Act Grants
Report No: 11-R-0179
Date Issued: 03/28/2011

Report Summary

While the Diesel Emission Reduction Act project officers were aware of Recovery Act grant project delays, they did not always document delays in the EPA's grants management system or, in some cases, take action to reduce the impact of project delays. To prompt quicker action from recipients on Recovery Act grants, the EPA had stated to OMB in March 2009 that all grants would have an initial project period through September 30, 2010. The EPA's goal was to have 40 percent of the Recovery Act grant funds expended by September 30, 2010, which was met. However, as of June 30, 2010, 49 grants, with a value of \$101,437,442, had less than 10 percent of the funds expended. Eighty-five percent of the grantees did not finish projects by the completion date, and the EPA granted no-cost time extensions for all those grantees. In granting the extensions, 3 of 15 grants we reviewed did not contain new timeframes for completing the projects. The EPA guidance requires timeframes to be established, and timeframes can be used to assess progress and reduce the impact of project delays. Even though grant recipients reported project delays to the EPA in progress reports, in 10 of 15 cases reviewed, project officers did not document these delays in programmatic baseline monitoring reports. Diesel Emission Reduction Act staff believed the delays were outside the control of the recipients and that no-cost time extensions were the appropriate corrective action. However, the EPA did not take sufficient action in some cases by establishing new milestone dates and instituting corrective actions when approving grant extensions. Delayed projects may result in recipients not completing projects within specified timeframes and delayed achievement of Recovery Act objectives.

Unimplemented Recommendations

Recommendation 3: We recommend that the Assistant Administrator for Air and Radiation ensure that project officers continuously document delays in baseline and advanced monitoring reports for Recovery Act EPA Diesel Emissions Reduction Program grants. Update milestones and institute corrective action plans when delays occur.

Status: Once the baseline monitoring programmatic report has been revised by OARM, OAR will train project officers and grant specialists to use the form correctly to document delays. OAR will work with the regions to update milestones when delays occur; plans for corrective action will be used when avoidable delays occur. OAR is continuing to perform baseline and advance monitoring for Recovery Act EPA Diesel Emissions Reduction Program grants and documenting those activities in project officer files and grants databases. As necessary, OAR is initiating corrective action plans through consultation and coordination between the Office of Grants and Debarment, the Office of General Counsel and OAR's regional partners. The anticipated completion date for these actions is September 30, 2014. The original agreed-to completion date was December 31, 2011.

Recommendation 5: We recommend that the Assistant Administrator for Air and Radiation ensure that project officers, using the information in the recipient monitoring database, regularly

provide reports to management on progress of projects and status of corrective action plans until the Recovery Act grants are completed.

Status: OAR will oversee the monitoring database and the status of corrective action plans. OAR will regularly collect information on the status of Recovery Act grants, including the status of baseline monitoring and progress toward completion of projects. This information will be provided to management on a regular basis until the Recovery Act grants are completed. The anticipated completion date for these actions is September 30, 2014. The original agreed-to completion date was December 31, 2011.

Action Office: OSWER
Report Title: EPA Needs an Agency-Wide Plan to Provide Tribal Solid Waste Management Capacity Assistance
Report No.: 11-P-0171
Date Issued: 03/21/2011

Report Summary

This evaluation found that the EPA cannot determine whether its efforts are assisting tribal governments in developing the capacity to manage solid waste or reduce the risks of open dumps in Indian country. The EPA's performance measures do not assess whether the agency's efforts are effective in building solid waste management capacity in Indian country. The EPA also lacks internal data controls to track the status of open dumps.

Further, the EPA does not have an agency-wide plan that defines the roles and responsibilities of the EPA program offices and regions. The EPA also lacks internal controls that hold these offices accountable for providing consistent solid waste management assistance to tribes. The lack of a single, agency-wide plan results in poor coordination and limited oversight, and may lead to an ineffective use of resources. As a result, the EPA cannot (1) ensure that consistent solid waste management assistance is provided, (2) accurately determine the risks of open dumps, or (3) determine whether efforts are effective nationwide.

Unimplemented Recommendation

Recommendation 2: We recommend that the Deputy Administrator require the agency-specific plan include:

- a. Descriptions of the roles and responsibilities for the EPA program offices and the EPA regions conducting solid waste management capacity assistance activities in Indian country;
- b. Identification of the agency resources required for providing solid waste management assistance activities;
- c. Performance measures, including both output and outcome measures, to track whether its assistance is consistent and effective in developing solid waste management capacity and reducing risks from open dumps in Indian country;
- d. Internal controls to ensure consistent data collection and consistent provision of waste management capacity assistance to tribal clients nationwide;
- e. A process to ensure coordination between the EPA program offices and regions; and
- f. A timeline specifying when the activities and outcomes outlined in the plan are expected to be accomplished.

Status: OSWER has completed corrective actions to address items a, b, d, e and f. To address item c, EPA's agency-wide plan will propose new performance measures for consideration in the next EPA Strategic Plan. The EPA intends to focus on outcome oriented measures and ensure that internal controls are a significant factor in selecting new proposed measures. The EPA will also attempt to align the proposed measures with the Tribal Decision Maker's Guide and the Guidebook for Building Tribal Environmental Capacity (currently in draft form). The EPA has created a national workgroup, comprised of headquarters and regional

staff that will develop a process for evaluating options for new performance measures. Using this process, which will include tribal consultation, the workgroup will develop and implement new performance measures by October 2014. The original agreed-to completion date was April 30, 2012.

Action Office: OARM
Report Title: EPA Needs Better Agency-Wide Controls Over Staff Resources
Report No.: 11-P-0136
Date Issued: 02/22/2011

Report Summary

The EPA does not enforce a coherent program of position management to assure the efficient and effective use of its workforce. While some organizational elements have independently established programs to control their resources, there is no agency-wide effort to ensure that personnel are put to the best use. Prior to April 2010, the EPA had the *Position Management and Control Manual*, which required an agency-wide program. However this manual was not enforced and in April 2010 it was cancelled without replacement. According to the cancellation memorandum, the manual was eliminated because OARM officials believed the EPA had other mechanisms in place to appropriately manage and control its positions. However, the other mechanisms do not provide similar effects, controls, or documentation. Without an agency-wide position management program, the EPA leadership lacks reasonable assurance that it is using personnel in an effective and efficient manner to achieve mission results.

Unimplemented Recommendation

Recommendation 1: We recommend that the Assistant Administrator for Administration and Resources Management establish an agency-wide workforce program that includes controls to ensure regular reviews of positions for efficiency, effectiveness, and mission accomplishment.

Status: OARM will submit the directive for final approval by June 1, 2014. The original agreed-to completion date was September 15, 2012. Also, OARM will issue the position management directive by June 1, 2014. The original agreed-to completion date was September 30, 2012.

Action Office: OCFO
Report Title: EPA Needs to Strengthen Internal Controls for Determining Workforce Levels
Report No.: 11-P-0031
Date Issued: 12/20/2010

Report Summary

The EPA's policies and procedures do not include a process for determining employment levels based on workload as prescribed by the OMB. Further, the EPA does not determine the number of positions needed per mission-critical occupation using workforce analysis as required by the Office of Personnel Management. These conditions occurred because the EPA has not developed a workload assessment methodology and has not developed policies and procedures that require identifying and reporting on the number of positions needed per mission-critical occupation. As a result, the EPA cannot demonstrate that it has the right number of resources to accomplish its mission. The Government Accountability Office and the EPA OIG have reported instances in which personnel resources were not adequately considered and, consequently, offices encountered delays or did not meet mission requirements.

The Office of Personnel Management noted that the EPA's Human Capital Management Report shows evidence that the EPA's work is guided by human capital goals and objectives. However, the EPA's Office of Human Resources does not require that workforce planning results link to the EPA's strategic and performance goals. This condition occurred because the Office of Human Resources has not clearly defined the reporting requirements needed. As a result, there is no assurance that the EPA's workforce levels are sufficient to meet the workload of the agency.

Unimplemented Recommendations

Recommendation 2-1: We recommend that the Chief Financial Officer amend the Resource Management Directive 2520 and the annual planning and budget memoranda to require using workload analysis to help determine employment levels needed to accomplish agency goals.

Status: Resource Management Directive 2520 issuance has been delayed to allow for additional revisions. The update is expected to be completed by September 18, 2014. The original agreed-to completion date was September 30, 2012.

Recommendation 2-2: We recommend that the Chief Financial Officer require the agency to complete a workload analysis for all critical functions to coincide with developing the strategic plan.

Status: OCFO continues to update the OIG on the progress and scope changes of the workload analysis. The last update was March 12, 2014. The original agreed-to completion date was September 30, 2012.

Action Office: OARM
Report Title: Audit of EPA's Fiscal 2010 and 2009 Consolidated Financial Statements
Report No.: 11-1-0015
Date Issued: 11/15/2010

Report Summary

We rendered an unqualified opinion on the EPA's Consolidated Financial Statements for fiscal 2010 and 2009, meaning that they were fairly presented and free of material misstatement. The OIG noted the following four significant deficiencies:

- Further improvements are needed in reviewing the Superfund state contract unearned revenue spreadsheets.
- The EPA should assess collectability of federal receivables and record allowances for doubtful accounts as needed.
- The EPA needs to improve its controls for headquarters personal property.
- The EPA needs to properly close the Fund Balance with Treasury when cancelling treasury symbols.

The OIG also noted one noncompliance issue involving the EPA's need to continue efforts to reconcile intragovernmental transactions.

Unimplemented Recommendation

Recommendation 9: We recommend that the Assistant Administrator for Administration and Resources Management require the Director, Facilities Management and Services Division, to adequately address and resolve the issue and determine why personal property items are missing.

Status: OARM agreed to take several actions to address the personal property issue including the Financial Management Services Division developing a new property tracking system. The new system will include individual as well as location tracking features. This system will also include contract property tracking features. The Financial Management Services Division expects to have the tracking system completed by January 31, 2015. The original completion date for this corrective action was May 30, 2012.

Action Office: OECA
Report Title: ECHO Data Quality Audit—Phase II Results: EPA Could Achieve Data Quality Rate with Additional Improvements
Report No.: 10-P-0230
Date Issued: 09/22/2010

Report Summary

We sought to assess the quality of key data elements reported through the Enforcement Compliance and History Online (ECHO) website. KPMG, LLP, performed the review. The EPA mandates that data elements reported to the public through the ECHO Website have a 95 percent accuracy rate. KPMG found a 91.5 percent data accuracy rate for key data elements entered into two primary ECHO source systems: the legacy Permit Compliance System and the newer Integrated Compliance Information System – NPDES. Although the 91.5 percent data quality rate is close to the EPA’s goal, the EPA and the state environmental offices could take additional steps to increase the quality of data reported through the ECHO website.

Unimplemented Recommendation

Recommendation 5: We recommend that the Director, Office of Compliance, within the Office of Enforcement and Compliance Assurance, complete new rules that require states to report minor facility data.

Status: OECA agreed to publish the final NPDES electronic reporting rule. OECA published the proposed NPDES electronic reporting rule in the *Federal Register* on July 30, 2013. A 90-day public comment period began with the publication of rule. During this time period, OECA has been engaging in outreach presentations and webinars for interested parties. Should there be significant comments on the rule, OECA is committed to issuing a supplemental notice, which will require additional OMB review and a subsequent public comment period. Should a supplemental rule be required, OECA anticipates the final rule would be published in May 2015. The original agreed-to completion date was September 30, 2012.

Action Office: OAR
Report Title: Key Activities in EPA's Integrated Urban Air Toxics Strategy Remain Unimplemented
Report No.: 10-P-0154
Date Issued: 06/23/2010

Report Summary

This report evaluated the public health risk from exposure to air toxics which is a concern in many urban areas. Accordingly, we conducted this evaluation to assess how the EPA tracks progress toward the goals of its 1999 Integrated Urban Air Toxics Strategy. The Clean Air Act Amendments of 1990 required the EPA to develop this strategy to reduce public health risks from air toxics emissions in urban areas.

We found that the EPA has not implemented key requirements of Clean Air Act Section 112(k), including developing emission standards for all area (smaller) source categories and submitting a second report to Congress (due in 2002) identifying urban areas that continue to experience significant public health risks from air toxics exposures. In addition, 10 years after issuing the 1999 Integrated Urban Air Toxics Strategy, the EPA has still not implemented key activities outlined in the Strategy. For example, the EPA has not established baseline risk data to measure progress in reducing air toxics risks. As a result, the EPA has not tracked progress in meeting the strategy's goals.

Further, although the EPA determined in 2001 that a risk-based program is necessary to meet the goals of the strategy, the EPA has not yet determined whether it has the statutory authority to require state and local agencies to implement such a program. Many state and local agencies do not have their own risk-based programs, and about half of the states and several local agencies have laws preventing them from implementing environmental regulations stricter than the EPA's regulations. Without the establishment of a minimum, federally required risk-based program, we do not believe that all state and local agencies will implement programs to adequately address the health risks from urban air toxics.

The EPA's last risk assessment, based on 2002 data, estimated that 1 in every 28,000 people could develop cancer from air toxics exposure, and that 2 million Americans live in areas with lifetime cancer risks from air toxics in excess of 1 in 10,000. Given the length of time since the Integrated Urban Air Toxics Strategy was developed and the problems the EPA has encountered in its implementation, the EPA should reassess and update its approach to addressing urban air toxics.

Unimplemented Recommendations

Recommendation 2-1: We recommend that the Assistant Administrator for Air and Radiation develop and submit the required second Urban Air Toxics Report to Congress by the end of FY 2010. This report should:

- Disclose the current status and progress made in meeting Section 112(k) of the Clean Air Act.

- Identify the urban areas that continue to experience high or unacceptable health risks from cancer and noncancer effects, and how the EPA plans to reduce risks in these areas.
- Address the major factors that have hindered implementation of the Integrated Urban Air Toxics Strategy, and how the EPA plans to address these factors.
- Provide details on how the agency intends to meet the Clean Air Act Section 112(k) requirement that at least 10 percent of Section 112 funds go to state or local agencies to support strategies to address air toxics emissions from area sources.
- Disclose air toxics requirements that the agency is unable to meet through its current authorities.

Status: OAR has developed the Urban Air Toxics report and is circulating it for review. The original agreed-to completion date was December 15, 2011.

Recommendation 2-2: We recommend that the Assistant Administrator for Air and Radiation determine how the agency will measure progress in meeting the goals of the strategy. If the Assistant Administrator determines that the development and maintenance of a 1990 or similar baseline is not cost effective, the EPA should develop and inform Congress of the agency's alternative measures for assessing its progress in meeting the intent of the statutory goals.

Status: OAR has developed the Urban Air Toxics report which also addresses this recommendation. The report is circulating it for review. The original agreed-to completion date was September 15, 2011.

Action Office: OCSPP
Report Title: EPA Needs a Coordinated Plan to Oversee Its Toxic Substances Control Act Responsibilities
Report No.: 10-P-0066
Date Issued: 02/17/2010

Report Summary

The EPA does not have integrated procedures and measures in place to ensure that new chemicals entering commerce do not pose an unreasonable risk to human health and the environment. We found that the EPA's New Chemicals Program had limitations in three processes intended to identify and mitigate new risks – assessment, oversight and transparency. The program is limited by an absence of test data and a reliance on modeling because the Toxic Substances Control Act does not require upfront testing as part of a Premanufacture Notice submission. Premanufacture Notice submitters are required to submit health and safety data in their possession and a description of data known to or reasonably ascertainable by the submitter at the time of its submission. Nonetheless, the majority of Premanufacture Notice submissions do not include chemical toxicity or environmental fate data. Oversight of regulatory actions designed to reduce known risks is a low priority, and the resources allocated by the EPA is not commensurate with the scope of monitoring and oversight work. In addition, the EPA's procedures for handling confidential business information requests are predisposed to protect industry information rather than to provide public access to health and safety studies.

The EPA's Office of Pollution Prevention and Toxics and OECA's respective performance measures for managing risks from new chemicals do not accurately reflect program performance in preventing risk, nor do they assure compliance. In cases where full information does not exist or analyses are limited, the Office of Pollution Prevention and Toxics reports the new chemicals as not having risk, while the limitations in the measure are not disclosed. OECA's performance measure is not outcome based; rather, the measure tracks program activities.

Unimplemented Recommendations

Recommendation 2-4: We recommend that the Assistant Administrator for Chemical Safety and Pollution Prevention establish criteria and procedures outlining what chemicals or classes of chemicals will undergo risk assessments for low-level and cumulative exposure. Periodically update and revise risk assessment tools and models with latest research and technology developments.

Status (CA 2): OCSPP agreed to initiate cumulative assessments of eight phthalates and the EPA intends to lay the groundwork to consider initiating rulemaking under Toxic Substances Control Act section 6(a) to regulate the eight phthalates. In preparation for the rulemaking, the EPA intends, in cooperation with the U.S. Consumer Product Safety Commission and the U.S. Food and Drug Administration, to continue to work to fully assess the use, exposure and substitutes for these chemicals. OCSPP has been unable to complete the assessments and rulemaking because the work to be done requires the use of data from the Consumer Product Safety Commission and Food and Drug Administration's report tentatively titled, "Report to the U.S. Consumer Product Safety Commission by the Chronic Hazard Advisory Panel on Phthalates Alternatives." This report was to be issued in 2012 but as of October 21, 2013, had

not yet been released. OCSPP plans to complete the corrective action by December 31, 2014. The original agreed-to completion date was December 31, 2012.

Status (CA 3): OCSPP is an active participant in an agency-wide introspective analysis of risk assessment practices that brings agency risk assessors and risk managers together to work toward advancing human health risk assessment focusing on selected recommendations presented in the National Research Council reports: *Science and Decisions: Advancing Risk Assessment*; *Phthalates and Cumulative Risk: The Tasks Ahead*; and *Toxicity Testing in the 21st Century: A Vision and A Strategy*. The EPA plans to issue agency guidance for the conduct of cumulative exposure assessments and OCSPP's implementation of the guidance is dependent on the agency issuing the guidance. The guidance, planned for issuance in 2012, has not yet been issued. OCSPP plans to complete the implementation by December 31, 2014. The original agreed-to completion date was February 28, 2013.

Recommendation 2-5: We recommend that the Assistant Administrator for Chemical Safety and Pollution Prevention develop a more detailed Toxic Substances Control Act confidential business information classification guide that provides criteria for approving confidential business information coverage and establishes a time limit for all confidential business information requests to allow for eventual public access to health and safety data for chemicals.

Status: OCSPP will propose regulation(s) to establish sunset provisions for confidential business information claims. On January 15, 2013, OCSPP informed the OIG of the delay in completing this corrective action due to further senior management discussions leading to a decision to develop a more complex and comprehensive rule. OCSPP expects the publication of the proposed rule by September 30, 2014. The original agreed-to completion date was January 31, 2012.

Action Office: OSWER
Report Title: Lack of Final Guidance on Vapor Intrusion Impedes Efforts to Address Indoor Air Risks
Report No.: 10-P-0042
Date Issued: 12/14/2009

Report Summary

The EPA's efforts to protect human health at sites where vapor intrusion risks may occur have been impeded by the lack of final agency guidance on vapor intrusion risks. The EPA's 2002 draft vapor intrusion guidance has limited purpose and scope, and the science and technology associated with evaluating and addressing risk from vapor intrusion is evolving. The EPA's draft also contains outdated toxicity values for assessing risk to humans from chemical vapors in indoor air.

The EPA's draft guidance does not address mitigating vapor intrusion risks or monitoring the effectiveness of mitigation efforts. The draft guidance also does not clearly recommend that multiple lines of evidence be used in evaluating and making decisions about risks from vapor intrusion. The draft guidance is not recommended for assessing vapor intrusion risks associated with petroleum releases at Underground Storage Tank sites. The EPA's outdated toxicity values allow for the use of widely different, nonfederal toxicity values and have caused delays in work to address possible risks.

The EPA has not finalized its guidance, according to EPA managers and staff, because the 2007 Interstate Technology Regulatory Council guidance addressed many issues that the EPA would have addressed in a final guidance, and because finalizing the EPA's guidance would take a long time in light of the emerging scientific issues in the field. Also, previous administrative review requirements for agency guidance were perceived as barriers to issuing timely guidance in a rapidly changing environment. These requirements were revoked by the current Administration, but significant guidance remains subject to some administrative review.

Seven years later, the EPA is developing a roadmap of technical documents that will update its draft guidance. However, technical documents may not be effective for conveying and representing agency policy. The EPA has also made some progress in updating toxicity values for some contaminants most frequently associated with vapor intrusion.

Unimplemented Recommendation

Recommendation 2: We recommend the Assistant Administrator for Solid Waste and Emergency Response issue final vapor intrusion guidance(s) that incorporates information on:

- a. Updated toxicity values.
- b. A recommendation(s) to use multiple lines of evidence in evaluating and making decisions about risks from vapor intrusion.
- c. How risks from petroleum hydrocarbon vapors should be addressed.
- d. How the guidance applies to Superfund Five-Year Reviews.
- e. When or whether preemptive mitigation is appropriate.

- f. Operations and maintenance, the termination of the systems, and when institutional controls and deed restrictions are appropriate.

Status: OSWER drafted 2 companion guidance documents in 2012 to address vapor intrusion risks from both petroleum and non-petroleum based subsurface contaminants. After vetting the documents within the EPA in 2012, OSWER decided to hold a public review of the draft guidance. Over 1,500 comments from over 100 commenters were received in the docket during the public comment period in 2013. OSWER program offices are currently reviewing revised drafts. OSWER hopes to circulate the revised draft guidance to the agency-level workgroup in early May with a goal of submitting the guidance to OMB in June 2014 for inter-agency review. The original agreed-to completion date was November 30, 2012.

Action Office: OCFO
Report Title: Audit of EPA's Fiscal 2009 and 2008 (Restated) Consolidated Financial Statements
Report No.: 10-1-0029
Date Issued: 11/16/2009

Report Summary

We rendered an unqualified opinion on the EPA's consolidated financial statements for FYs 2009 and 2008 (restated), meaning that they were fairly presented and free of material misstatement. The OIG noted the following three material weaknesses:

- The EPA understated accounts receivable for FY 2008.
- The EPA understated unearned revenue.
- Improvement is needed in billing costs and reconciling unearned revenue for Superfund state contract costs.

We also noted the following eight significant deficiencies:

- The EPA misstated uncollectible debt and other related accounts.
- The EPA needs to improve billing and accounting for accounts receivable.
- Headquarters property items were not inventoried.
- The EPA should improve its financial statement preparation process.
- Unneeded funds were not deobligated timely.
- Improvement is needed in managing data system user accounts.
- Las Vegas Finance Center needs improved physical access controls.
- Customer Technology Solutions equipment needs improved planning.

We noted one noncompliance issue, involving the EPA's need to continue efforts to reconcile intra-governmental transactions.

Unimplemented Recommendations

Recommendation 27: We recommend that the Office of the Chief Financial Officer ensure that all new financial management systems (including the Integrated Financial Management System replacement system) and those undergoing upgrades include a system requirement that the fielded system include an automated control to enforce separation of duties.

Status: OCFO's Office of Financial Management and Office of Technology Solutions planned to take action to develop and implement a procedure, linked to OEI's System Life Cycle Management procedures, that ensures all new financial management systems and those undergoing upgrades include a system requirement for the fielded system to include an automated control to enforce separation of duties. OCFO has made significant strides to complete corrective actions associated with the segregation of duties issue noted during the FY 2009 financial statement audit. The agency has implemented a segregation of duties policy, and detective system controls do exist. However, the EPA has not implemented automated separation of duties controls throughout the entire Compass financial management

system to enforce separation of duties. OCFO has not provided a new planned completion date to implement these automated controls across the entire Compass financial management system. In FY 2013, OCFO agreed to develop alternative corrective action and is in the process of developing the proposal. No planned completion date was provided. The original agreed-to completion date was September 30, 2010.

Recommendation 32: We recommend that the Office of the Chief Financial Officer ensure that all new financial management systems (including the Integrated Financial Management System replacement system) and those undergoing upgrades include a system requirement that the fielded systems have an automated control in place to provide a failsafe that links to the Human Resources data to identify and disable terminated/transferred personnel in the system in a timely manner.

Status: OCFO has been receiving automated human resources data and reports and is working with OARM on the implementation of the Human Resources Line of Business. The original agreed-to completion date was September 30, 2010.

Action Office: OECA
Report Title: EPA Oversight and Policy for High Priority Violations of Clean Air Act Need Improvement
Report No.: 10-P-0007
Date Issued: 10/14/2009

Report Summary

High Priority Violations (HPVs) were not being addressed in a timely manner because regions and states did not follow the HPV policy, the EPA headquarters did not oversee regional and state HPV performance, and regions did not oversee state HPV performance. According to EPA data, about 30 percent of state-led HPVs and about 46 percent of EPA-led HPVs were unaddressed after 270 days. This can result in significant environmental and public health impacts.

Regions are not ensuring that sources receive notices of violation within 60 days. None of the regions reviewed held meetings with their states after HPVs had been unaddressed for 150 days to discuss case strategy. Several states addressed HPVs with informal rather than formal enforcement actions. EPA headquarters did not use the “Watch List” and trend reports to assess performance of regions and states in addressing HPVs. The regions did not ensure that state-led HPVs are addressed in a timely manner by taking over delinquent state HPV cases. Regions also did not always ensure that states entered accurate data into the Air Facility System database. Although the EPA noted some of these deficiencies, it has not developed a plan to correct them.

The EPA regions reviewed generally conducted status meetings with states to discuss HPVs. Also, the EPA implemented the State Review Framework as a means to better evaluate the performance of its Clean Air Act compliance and enforcement programs.

Unimplemented Recommendations

Recommendation 1: We recommend that the Assistant Administrator for Enforcement and Compliance Assurance direct the EPA regions to comply with the HPV policy, and monitor and report on regions’ compliance.

Recommendation 3: We recommend that the Assistant Administrator for Enforcement and Compliance Assurance implement proper management controls over HPV by (1) following the watch list standard operating procedures, including generating trend reports and conducting national annual reviews; and (2) ensuring that Air Facility System data is accurate by documenting data inaccuracies and their disposition in regular meeting notes.

Status: OECA is working with a number of state partners and completed work on a revised policy on August 30, 2013. OECA completed its effort to allow partners to review/comment on the new policy and will work to complete the HPV management report in June 2014. The EPA plans to formally issue the revised policy in March 2014. Once the HPV Policy revision is final, OECA will work with regions and states on an HPV management report that adapts to the new policy and that will serve as the tool for the EPA and states to use to manage the HPV process. The HPV management report will be provided no later than June 30, 2014. The

original agreed-to completion date was September 1, 2012. (The corrective action applies to 1 and 3).

Action Office: OARM
Report Title: Review of Hotline Complaint on Employee Granted Full-Time Work-at-Home Privilege
Report No.: 10-P-0002
Date Issued: 10/07/2009

Report Summary

We found an unauthorized, full-time work-at-home arrangement that has existed for 9 years and allows a National Enforcement Training Institute employee to work from home in Ohio instead of an office in Washington, D.C. The employee and position were originally located in the Washington area and the employee later moved as the result of a spouse transfer. In our opinion, the National Enforcement Training Institute's actions are for the benefit of a single employee as opposed to being primarily in the interest of the government, and this action was not equitably provided within the institute. The EPA has no established or consistent policy, procedure or criteria for granting full-time work-at-home privilege, and appears to be preferentially available to only a few employees. Neither OARM nor the National Enforcement Training Institute has any written documentation showing the government interest in or appropriateness of making this arrangement, or that senior OARM officials approved this action.

Office of Human Resources personnel (Associate Deputy Director of Program Management and Communications and the agency telework coordinator) stated that the EPA became aware of similar arrangements due to research it performed for an unrelated court case. OARM raised concerns about equity in such arrangements, and believes this must be brought under control. To date, OARM has not corrected this situation.

Unimplemented Recommendations

Recommendation 1: We recommend that the Deputy Administrator assign responsibility for authorizing all non-OARM geographically separate duty station changes to the Assistant Administrator for OARM.

Recommendation 2a: We recommend that the Assistant Administrator for Administration and Resources Management establish and implement agency policy for all of the EPA's employees, clearly articulating the process and procedures for changing an employee's duty station to a location geographically separate from the position of record. This policy should include eligibility criteria for positions and personnel, records management requirements, periodic review and reauthorization, verification of correct pay rate (locality and grade), and specific approvals required from initial submission to final approval to ensure equity. The policy should require the Assistant Administrator for OARM to be the final decision authority for all geographically separate duty station locations authorizations except those duty station location changes initiated within OARM.

Status: OARM has been working to address the official worksite designation issue for situations where employees are assigned to geographically separate locations. As OARM anticipated, it has taken time to build the considerable cross program and regional support that it believes is needed to effectively implement the final policy. OARM informed the OIG that it continues to aggressively coordinate across the agency's program and regional offices

to develop and finalize the telework policy that formalizes procedures for changing an employee's duty station to a location geographically separate from the position of record. OARM expects to complete the final telework policy by July 1, 2014. The policy will include a directive clearance review process and the agency negotiation process with the unions. The agency continues to be in the negotiation process with the unions. The original agreed-to completion date was June 20, 2011. (These corrective actions apply to 1 and 2a.)

Action Office: Region 9
Report Title: Making Better Use of Stringfellow Superfund Special Accounts
Report No.: 08-P-0196
Date Issued: 07/09/2008

Report Summary

By Fiscal Year 2010, EPA Region 9 could reclassify, or transfer to the Trust Fund, up to \$47.8 million in special account funds for the Stringfellow Superfund site, located near Glen Avon, California. Reclassifying or transferring is consistent with EPA guidance and would potentially allow \$47.8 million to be available for better use in Region 9's Superfund program or elsewhere in the Nation.

In response to our draft report, Region 9 agreed to reclassify \$20 million of the \$47.8 million by the end of Fiscal Year 2008. It also stated it would review the remaining amount (\$27.8 million) in annual reviews and when it achieves a record of decision and settlement for the remaining site work in Fiscal Year 2010.

The Stringfellow special accounts had a balance of approximately \$117.8 million as of June 11, 2008. The \$70 million remaining in the accounts are to cover potential EPA cleanup costs if the responsible party (the State of California) is unable to pay. The OIG will address the EPA's management of funds held back for these purposes in a future report.

Unimplemented Recommendation

Recommendation 2: We recommend that the Region 9 Administrator reclassify or transfer to the Trust Fund, as appropriate, up to \$27.8 million (plus any earned interest less oversight costs) of the Stringfellow special accounts in annual reviews, and at other milestones including the end of FY 2010, when the record of decision is signed and the final settlement is achieved.

Status: Region 9 will reclassify or transfer to the EPA Hazardous Substance Superfund Trust Fund, as appropriate, up to \$27.8 million of the Stringfellow special accounts in annual reviews, and at other milestones, when the record of decision is signed and the final settlement is achieved. In 2012, a new area of groundwater contamination was identified that is commingling with and will directly impact the cleanup of existing Stringfellow contamination. An EPA lead remedial investigation/feasibility study is currently underway to characterize and develop remedial alternatives for the newly identified contamination. Due to the additional investigations at the site, the current anticipated date to complete the site-wide record of decision is December 31, 2015. The original agreed-to completion date was December 31, 2012.

Action Office: Region 2
Report Title: Environmental Justice Concerns and Communication Problems Complicated Cleaning Up Ringwood Mines/Landfill Site
Report No.: 2007-P-00016
Date Issued: 04/02/2007

Report Summary

We did not find evidence to indicate that the EPA's actions or decision-making to investigate or remediate environmental conditions at the Ringwood Mines/Landfill site were affected by the area's racial, cultural or socioeconomic status. However, residents living near the site continue to believe they were unfairly treated because of their racial makeup and socioeconomic status. Several residents believe their health was adversely affected by exposure to site contamination. Ringwood residents said that multiple cleanups at the site beginning in 1987, and a lack of effective communication with EPA Region 2, contributed to this perception. Additionally, residents believe that the EPA is pursuing the current activity because of outside pressures. Region 2 plans to address environmental justice concerns by cleaning up the site.

Problems with communications and relationships impeded effective cooperation between the EPA and residents. Although Region 2 has increased its community relations efforts at the site, the new community relations plan being prepared must address these impediments.

Unimplemented Recommendation

Recommendation 2-1: We recommend that the Regional Administrator, Region 2, address the Ringwood community's perception of unfair treatment and concerns regarding completely cleaning up the site by directing his staff to ensure that the new record of decision includes a detailed comparison of current and prior site investigations and cleanups.

Status: Region 2 presented its remedy for the Ringwood site to the National Remedy Review Board on June 25, 2013. Region 2 allowed for time to address possible concerns from the National Remedy Review Board review and issued to the public the EPA's proposed plan for the site on September 30, 2013. In anticipation of substantial public comment on the proposed plan, Region 2 expects to issue the Record of Decision for the site by June 30, 2014. The original agreed-to completion date was June 30, 2012.

Action Office: OSWER
Report Title: EPA Needs to Plan and Complete a Toxicity Assessment for the Libby Asbestos Cleanup
Report No.: 2007-P-00002
Date Issued: 12/05/2006

Report Summary

In our limited review, we identified the following significant issues that we believe are critical to a successful cleanup in Libby, Montana.

- The EPA has not completed a toxicity assessment of amphibole asbestos necessary to determine the safe level for human exposure; therefore, the EPA cannot be sure that the Libby cleanup sufficiently reduces the risk that humans may become ill or, if ill already, get worse.
- The EPA's public information documents *Living with Vermiculite* and *Asbestos in Your Home* are inconsistent about safety concerns.

Unimplemented Recommendation

Recommendation 1: We recommend that the EPA fund and execute a comprehensive amphibole asbestos toxicity assessment to determine (1) the effectiveness of the Libby removal actions, and (2) to determine whether more actions are necessary. The toxicity assessment should include the effects of asbestos exposure on children. The EPA Science Advisory Board should review the toxicity assessment and report to the OA and the Libby Community Advisory Group whether the proposed toxicity assessment can sufficiently protect human health.

Status: OSWER is completing revisions to the draft Toxicological Review for Libby Amphibole Asbestos, based on comments from the EPA's Science Advisory Board. Before the final posting of the Integrated Risk Information System assessment, the revised document will undergo internal agency review and Inter-Agency Science Consultation. Stakeholders are expecting the toxicity review in June 2014. The agency received an Information Quality Act Request for Correction regarding the Libby Amphibole Asbestos Integrated Risk Information System Assessment, dated February 26, 2014. It also received two letters from industry trade organizations requesting an additional peer review of the document before finalization. The agency is in the process of reviewing these requests as well as addressing peer review comments and other public comments. The site-specific risk assessment will be released for public comment within 6 months after the posting of the final Toxicological Review for Libby Amphibole asbestos. The original agreed-to completion date was September 30, 2012.

Action Office: OCFO
Report Title: EPA Can Better Manage Superfund Resources
Report No.: 2006-P-00013
Date Issued: 02/28/2006

Report Summary

We performed this review in response to a congressional request to evaluate Superfund expenditures at headquarters and the regions. We provide answers to congressional questions about the EPA's Superfund program expenditures and identify numerous opportunities for the EPA to more effectively manage its existing Superfund resources and its program, and direct more resources to cleanup. The EPA needs to overcome challenges in accounting for Superfund resources, understanding the program's resource needs, and decentralized management of the Superfund program.

Several obstacles have prevented the EPA from efficiently and effectively managing the Superfund program for performance and adequately accounting for Superfund resources. The EPA has been unable to allocate and manage Superfund resources for cleanup as efficiently and effectively as possible because of the way the agency accounts for program resources, manages by functions, supplements the program with other funds, relies on an outdated workload model, and maintains unliquidated Superfund obligations and funds in special accounts. Closely aligning offices that support the Superfund program and that produce program performance and cost data have been limited because the EPA disperses the responsibility for allocating and managing program resources.

Unimplemented Recommendation

Recommendation 2-3: We recommend that the EPA should agree to define costs in a manner that supports management decision making and improve their accounting of such resources to maximize achieving program goals.

Status: OCFO will update the Funds Control Manual to describe the use of the Superfund Cost Recovery Package Imaging and On-Line System in tracking all Superfund site cleanup-related costs. As of September 30, 2012, the updated Funds Control Manual was in the review process. After the agency review is completed, the manual will be sent to OMB for final approval. The anticipated completion date is March 31, 2014. The original agreed-to completion date was October 31, 2011.

Action Office: OECA
Report Title: Limited Knowledge of the Universe of Regulated Entities Impedes EPA's Ability to Demonstrate Changes in Regulatory Compliance
Report No.: 2005-P-00024
Date Issued: 09/19/2005

Report Summary

We found that OECA has limited knowledge of the diverse regulated universe for which it maintains responsibility. OECA has not updated its universe table since generating it in 2001, even though some universe figures for reviewed program areas have changed substantially. The EPA has used the 2001 table as a source for describing the size of its regulated universe in public documents. Various data quality issues impact OECA's ability to adequately identify the size of its regulated universe and associated compliance information. OECA concentrates most of its regulatory activities on large entities and knows little about the identities or cumulative impact of small entities. OECA cannot effectively use universe figures to assist with its regulatory activities. OECA does not develop programmatic compliance information, adequately report on the size of the universe for which it maintains responsibility, or rely on universe figures to assist with planning.

OECA's limited universe knowledge prevents it from determining overall compliance levels in five of the six regulatory program areas we reviewed. This hinders OECA's ability to generate valid programmatic compliance information and effectively determine program success. In addition, OECA lacks adequate transparency in publicly reporting some currently available compliance information.

Unimplemented Recommendation

Recommendation 2-4: We recommend that the Assistant Administrator for Enforcement and Compliance Assurance develop an objective of having the most up-to-date and reliable data on all entities that fall under its regulatory responsibility. OECA should adopt the goals of requiring states to track, record, and report data for entities over which the states have regulatory responsibility. To achieve this goal, OECA should develop a multi-state, multi-program pilot program of collecting data that states track, record, verify, and report.

Status: OECA published the proposed NPDES electronic reporting rule in the *Federal Register* on July 30, 2013. A 90-day public comment period began with the publication of the rule. During this time period, OECA has been engaging in outreach presentations and webinars for interested parties. Should there be significant comments on the rule, OECA is committed to issuing a supplemental notice, which will require additional OMB review and a subsequent public comment period. Should a supplemental rule be required, OECA anticipates the final rule would be published in May 2015. The original completion date for the corrective action was September 30, 2012.

Action Office: OAR
Report Title: Substantial Changes Needed in Implementation and Oversight of Title V Permits If Program Goals Are To Be Fully Realized
Report No: 2005-P-00010
Date Issued: 03/09/2005

Report Summary

Our analysis identified concerns with five key aspects of Title V permits, including (1) permit clarity, (2) statements of basis, (3) monitoring provisions, (4) annual compliance certifications, and (5) practical enforceability. Collectively, these problems can hamper the ability of the EPA, state and local regulators, and the public to understand what requirements sources are subject to, how they will be measured, and ultimately to hold sources accountable for meeting applicable air quality requirements. Factors such as extensive use of incorporation by reference; failure to fully cite applicable regulations; complex permit format; and lack of detail in source requirements for testing, monitoring and reporting had a negative impact on permit clarity. Also, the practical enforceability of some permits was limited by vague permit language and insufficient monitoring provisions. Further the EPA's guidance is needed in each of these Title V permitting program elements.

The EPA's oversight and guidance of Title V activities have resulted in some improvements in Title V programs; however, areas of further improvement remain. Many Title V programs have improved as a result of the EPA's issuing formal notices of deficiency, and through the EPA's efforts to obtain commitment letters from selected state and local permitting authorities. However, some of the EPA regions have been slow in issuing program evaluation reports for permitting authorities within their respective regions, and have not responded to public petitions against Title V permits in a timely manner. For example, of the 31 state and local agency Title V evaluations completed, the EPA regions have only reported on 14 agencies. Several stakeholders expressed a need for an increase in the EPA's guidance and oversight.

Unimplemented Recommendations

Recommendation 2-1: We recommend that the Assistant Administrator for Air and Radiation develop and issue guidance or rulemaking on annual compliance certification content, which requires responsible officials to certify compliance with all applicable terms and conditions of the permit, as appropriate.

Status: Based on recommendations from the Clean Air Act Advisory Committee Task Force on Title V Implementation, the Office of Air Quality Planning and Standards has begun developing a guidance document that will include, among other topics, guidance on compliance certifications. The guidance document is delayed because of the limited resources being focused on Title V Permit Petitions, New Source Review rulemaking, and Greenhouse Gas-related rulemaking. OAR plans to have the actions completed by April 30, 2014. The original agreed-to completion date was August 30, 2011.

Recommendation 2-3: We recommend that the Assistant Administrator for Air and Radiation develop nationwide guidance or rulemaking, as appropriate, on the contents of statements of basis, which includes discussions of monitoring, operational requirements, regulatory

applicability determinations, explanations of any conditions from previously issued permits that are not being transferred to the Title V permit, discussions of streamlining requirements, and other factual information, where advisable, including a listing of prior Title V permits issued to the same applicant at the plant, attainment status, and construction, permitting, and compliance history of the plant.

Status: OAR will work with the regions to disseminate information about the positions the EPA has taken on statements of basis in response to citizen program and permit petitions. OAR will also develop a plan for identifying and sharing with permitting agencies those statements of basis that represent “best practices.” This effort will be included in guidance documentation for recommendation 2-1. The guidance document is delayed because of the limited resources being focused on Title V Permit Petitions, New Source Review rulemaking, and Greenhouse Gas-related rulemaking. OAR plans to have the actions completed by April 30, 2014. The original agreed-to completion date was August 30, 2011.

Action Office: OECA
Report Title: State Enforcement of Clean Water Act Discharges Can Be More Effective
Report No.: 2001-P-00013
Date Issued: 08/14/2001

Report Summary

The objective of the audit was to determine whether state enforcement of the Clean Water Act discharge programs protect human health and the environment due to concerns over the effectiveness of state enforcement programs. The OIG believes that state enforcement programs could be much more effective in deterring noncompliance with discharge permits and, ultimately, improving the quality of the nation's water. Despite the EPA's tremendous progress in reducing point source pollution, nearly 40 percent of the nation's assessed waters are not meeting the standards states have set for them.

The state enforcement strategies we evaluated needed to be modified to better address environmental risks, including contaminated runoff. Contaminated runoff was widely accepted as causing the majority of the nation's remaining water quality problems. Although many sources of contaminated runoff were regulated, some were not. Despite the fact that contaminated runoff was accepted as the major cause of water quality problems, the states continued to emphasize inspecting and monitoring major dischargers such as industrial facilities and larger sewage treatment plants. The states also did not have sufficient information on dischargers to effectively implement their programs. Additionally, we found that OECA had not successfully collaborated with OW and the states in the design of the new system requirements to modernize its Permit Compliance System.

Unimplemented Recommendations

Recommendation 3-1: We recommend that the Assistant Administrator for Enforcement and Compliance Assurance make modernizing the Permit Compliance System a high priority. Further, ensure that future systems: (a) allow electronic submission and evaluation of self-monitoring reports for all dischargers, including minor facilities and storm water; and (b) track storm water permits, inspections, compliance rates, and enforcement actions.

Recommendation 3-2: We recommend that the Assistant Administrator for Enforcement and Compliance Assurance accelerate the development of the Interim Data Exchange Format for the Permit Compliance System. Also, before proceeding further into design and development, work with OW to ensure there is an up-to-date policy statement for water system criteria.

Status: OECA published the proposed NPDES electronic reporting rule in the *Federal Register* on July 30, 2013 which began a 90-day public comment period. During this time, OECA has engaged in outreach presentations and webinars for interested parties. Should there be significant comments on the rule, OECA is committed to issuing a supplemental notice that will require additional OMB review and a subsequent public comment period. Should a supplemental rule be required, OECA anticipates the final rule would be published in May 2015. The original completion date for these corrective actions was September 30, 2012. (The corrective action applies to 3-1 and 3-2.)

Part Two: Unimplemented EPA Recommendations With Future Planned Completion Dates

Action Office: OECA
Report Title: The EPA Should Assess the Utility of the Watch List as a Management Tool
Report No.: 13-P-0435
Date Issued: 09/30/2013

Recommendation

Recommendation 1: We recommend that the Assistant Administrator for Enforcement and Compliance Assurance, assess the Watch List's utility as a management tool in assisting the agency in monitoring long-standing alleged significant violators. If the agency determines that the tool is useful, it should:

- a. Ensure that Watch List criteria are consistent with relevant enforcement response policies and reassess the criteria to determine relevance.
- b. Develop an approach for identifying and/or removing facilities on the list that have been referred to other offices/programs or are under a consent decree.
- c. Improve transparency of the publicly available Watch List to allow users to query and receive information similar to what is available through internal data systems.
- d. Identify and implement other improvements to the Watch List identified in the EPA's assessment.

Planned Corrective Action: OECA will assess the Watch List's utility as a management tool. Once assessed, if OECA decides to retain the Watch List, it will implement the remainder of the recommendations by December 31, 2014.

Agreed-to Completion Date: September 30, 2014

Action Office: OEI
Report Title: Congressionally Requested Inquiry Into the EPA's Use of Private and Alias Email Accounts
Report No.: 13-P-0433
Date Issued: 09/26/2013

Recommendations

Recommendation 3: We recommend that the Assistant Administrator and Chief Information Officer for Environmental Information develop and implement internal controls to monitor and track completion of training for personnel with specific delegated duties and responsibilities outlined in the National Records Management Program guidance.

Planned Corrective Action: Records Liaison Officers are required to obtain the National Archives and Record Administration Certification in Federal Records Management. This training is tracked by the National Archives and Records Administration and periodically reported to the Agency Records Officers. The National Records Management Program will request an updated report from the National Archives and Records Administration and follow-up with any Records Liaison Officer that has not received the certification. Noncompliance will be reported to the management for appropriate action.

Agreed-to Completion Date: December 31, 2013 (corrective action will be considered past due as of December 31, 2014)

Recommendation 4: We recommend that the assistant administrator and chief information officer, Office of Environmental Information, conduct outreach with all EPA offices to ensure that locally developed separation policies and procedures, as well as the associated employee separation checklist, include records management retention practices consistent with agency guidance. This should include ensuring that:

- a. Locations' out-processing procedures contain practices where notifications are sent to individuals with records management responsibilities in a timely manner to aid in capturing electronic records from separating employees.
- b. Locations include steps to have employees search for potential records residing within alias email accounts that the employee manages or on other electronic media devices within the employee's control.
- c. Locations have special out-processing procedures that contain a method for collecting records from departing employees during the holiday season or times of limited staffing.
- d. Locations update their locally developed out-processing checklist to ensure an area exists for where records managers can note their records management certifications as required by agency policy.

Planned Corrective Action a: The EPA's National Records Management Program, via the Quality and Information Council's agency-wide Records Workgroup, has been working with OARM to develop a consolidated employee separation and transfer procedure.

The procedure will include a requirement that Records Liaison Officers, Records Contacts and Document Control Staff are notified 2 weeks in advance of an employee's separation,

when possible. This will alert the staff with specific records management responsibilities to aid separating staff in capturing their records.

Agreed-to Completion Date: December 31, 2013 (corrective action will be considered past due as of December 31, 2014)

Planned Corrective Action b: The EPA's National Records Management Program and OARM will include steps in the separation process and procedures for employees to search for potential records residing within the secondary or group email accounts that the employee manages. A checklist will also be provided which will include all possible locations where records (paper and electronic) might be found.

Agreed-to Completion Date: December 31, 2013 (corrective action will be considered past due as of December 31, 2014)

Planned Corrective Action c: The EPA's National Records Management Program and OARM will include safeguards in the separation procedure to ensure that separating employees' information is captured during the holiday season and other times of limited staffing.

Agreed-to Completion Date: December 31, 2013 (corrective action will be considered past due as of December 31, 2014)

Planned Corrective Action d: The EPA's National Records Management Program and OARM will include in the separation process and procedures an out-processing checklist to ensure an area exists for records managers to certify as required by policy.

Agreed-to Completion Date: December 31, 2013 (corrective action will be considered past due as of December 31, 2014)

Action Office: OA
Report Title: Controls and Oversight Needed to Improve Administration of EPA's Customer Service Lines
Report No.: 13-P-0432
Date Issued: 09/26/2013

Recommendations

Recommendation 1: We recommend that the Deputy Administrator develop agency-wide guidance for the monitoring and oversight of the agency's customer service lines.

Planned Corrective Action: Under the direction of the Deputy Administrator, the EPA will establish a small workgroup with staff from headquarters and regional offices, which will develop draft guidance based on responses to the Deputy Administrator's August 21, 2013, request for information. The workgroup will request input from all headquarters and regional offices before submitting final guidance to the Deputy Administrator.

The workgroup will identify all issues to be addressed, including:

- General oversight.
- Monitoring.
- Evaluating success.
- Providing accurate information.

Agreed-to Completion Date: May 31, 2014

Recommendation 2: We recommend that the Deputy Administrator review the EPA's external customer service lines to determine their cost efficiency.

Planned Corrective Action: The EPA offices will evaluate existing customer service lines per the guidance. Initial certification of completion and a report on resulting actions is anticipated to be due to the workgroup by the end of FY 2014, although the workgroup may recommend adjusting this timeframe consistent with the level of review required by the criteria in the final guidance. Recurring review will be covered by the guidance.

Agreed-to Completion Date: September 30, 2014

Recommendation 3: We recommend that the Deputy Administrator develop guidance for the identification, presentation and management of customer service line information on the Web to include, but not be limited to:

- a. Providing information to the public that is complete, accurate, readily available, and consistent across the EPA's program offices and regions.
- b. Clearly defining the terms and categories of various types of customer service lines available to the public.

Planned Corrective Action: The EPA's website is governed by the "Web Governance and Management" policy under which the National Web Content and Infrastructure Managers

develop policy recommendations. After review by various governing bodies and approval by the Associate Administrator for External Affairs and Environmental Education and the Assistant Administrator for Environmental Information, policies are formally implemented by the Chief Information Officer.

To ensure that information about all customer service lines is consistently provided on the EPA's website, and reviewed regularly, the National Web Managers will work with their staffs and agency web leads to address issues including:

- Identifying the information about customer service lines that must be provided on the website.
- Identifying who will manage information about each customer service line.
To clarify, this refers to information about the customer service line itself, not information that the customer service line distributes about its subject matter.
- Determining how information about customer service lines will be provided on the website.

Agreed-to Completion Date: September 30, 2014

Action Office: OECA
Report Title: EPA Needs to Update Its Pesticide and Chemical Enforcement Penalty Policies and Practices
Report No.: 13-P-0431
Date Issued: 09/26/2013

Recommendations

Recommendation 3: We recommend that the Assistant Administrator for Enforcement and Compliance Assurance update the existing Lead-Based Paint Disclosure Enforcement Response and Penalty Policy to include guidance on:

- a. How to evaluate ability-to-pay claims for individuals, and
- b. When and how to apply alternatives such as payment plans and public service to ability-to-pay cases.

Planned Corrective Action: OECA will update the 1986 “Guidance on Determining a Violator’s Ability to Pay a Civil Penalty.” As part of that effort, OECA will consider whether more guidance is needed on (1) how to evaluate ability-to-pay claims in enforcement cases against individuals, and (2) when to allow a respondent/defendant to pay a civil penalty in installments and how best to structure settlement agreements with delayed payment schedules. Rather than revise the Lead-Based Paint Disclosure Enforcement Response and Penalty Policy, OECA plans to evaluate whether additional cross-media guidance is needed to clarify whether “non-monetary alternatives, such as public service activities” must meet the Supplemental Environmental Projects Policy.

Agreed-to Completion Date: June 30, 2014

Recommendation 4: We recommend that the Assistant Administrator for Enforcement and Compliance Assurance evaluate the Individual Ability to Pay Model to determine whether revisions would improve applicability to lead paint disclosure cases with individual violators.

Planned Corrective Action: OECA will consider whether more guidance is needed on how to evaluate ability-to-pay claims in enforcement cases on individuals in updating the agency’s 1986 “Guidance on Determining a Violator’s Ability to pay a Civil Penalty.”

Agreed-to Completion Date: June 30, 2014

Recommendation 5: We recommend that the Assistant Administrator for Enforcement and Compliance Assurance provide regional staff with updated training for case development, including evaluation of ability to pay claims.

Planned Corrective Action: OECA will update the 1986 “Guidance on Determining a Violator’s Ability to Pay a Civil Penalty” and provide training that reflects the new guidance once it is issued.

Agreed-to Completion Date: September 30, 2014

Action Office: OITA

Report Title: EPA's International Program Office Needs Improved Strategic Planning Guidance

Report No.: 13-P-0386

Date Issued: 09/09/2013

Recommendation

Recommendation 1: We recommend that the Assistant Administrator for the Office of International and Tribal Affairs develop strategic planning guidance to document:

- How OITA links its achieved outcomes for international and foreign grant activities to the goals of its strategic plan.
- The process used by OITA to allocate resources for its international and foreign grant activities.
- How OITA's international and foreign grant activities align with the EPA's goals in advancing public health and environmental improvement.

Planned Corrective Action: OITA will update and supplement planning guidance to document:

- How OITA links its achieved outcomes for international and foreign grant activities to the goals of its strategic plan.
- The process used by OITA to allocate resources for its international and foreign grant activities.
- How OITA's international and foreign grant activities align with the EPA's goals in advancing public health and environmental improvement.

Agreed-to Completion Date: June 30, 2014

Action Office: OAR
Report Title: The EPA Should Improve Monitoring of Controls in the Renewable Fuel Standard Program
Report No.: 13-P-0373
Date Issued: 09/05/2013

Recommendations

Recommendation 1: We recommend that the Assistant Administrator for Air and Radiation modify existing electronic systems to track the submission of reporting requirements to ensure that all participants comply with applicable Renewable Fuel Standard program regulations.

Planned Corrective Actions: OAR will incorporate tracking capabilities into the development and modifications to the EPA's Moderated Transaction System and associated data systems.

Agreed-to Completion Date: June 30, 2015

Recommendation 2: We recommend that the Assistant Administrator for Air and Radiation assist with tracking, require electronic submittal of all reporting requirements for the Renewable Fuel Standard program, particularly third-party engineering reviews and attest engagements.

Planned Corrective Action: OAR will deploy an electronic template as a part of the Engineering Reviews.

Agreed-to Completion Date: December 31, 2013 (corrective actions will be considered past due as of December 31, 2014)

Recommendation 3: We recommend that the Assistant Administrator for Air and Radiation track reporting submissions to determine whether potential conflicts of interest exist from allowing the same third party to complete multiple reporting requirements and monitor the potential conflicts to determine whether they negatively impact Renewable Fuel Standard program integrity. Based on that determination, revise regulations as appropriate to include specificity on whether the same third party can conduct multiple reviews or reporting requirements for the same producer or importer.

Planned Corrective Actions: OAR will incorporate tracking capabilities into the development and modifications to the EPA's Moderated Transaction System and associated data systems.

Agreed-to Completion Date: June 30, 2015

Action Office: OCFO

Report Title: The EPA Needs to Improve Timeliness and Documentation of Workforce and Workload Management Corrective Actions

Report No.: 13-P-0366

Date Issued: 08/30/2013

Recommendations

Recommendation 1: We recommend that the Chief Financial Officer notify all the EPA's action officials that when they extend planned completion dates for corrective actions by more than 6 months they must provide the OIG with written notification that includes the new milestone dates.

Planned Corrective Action 2: OCFO will develop training for audit follow-up coordinators on using MATS to ensure that they notify OIG when planned completion dates are extended more than six months.

Agreed-to Completion Date: December 31, 2013 (corrective action will be considered past due as of December 31, 2014)

Planned Corrective Action 3: OCFO will conduct Management Accountability Reviews to review audit follow-up documentation and quality assurance/quality control data in MATS every three years.

Agreed-to Completion Date: September 30, 2015

Recommendation 2: We recommend that the Chief Financial Officer ensure that training provided on EPA Manual 2750 emphasizes that:

- a. Audit follow-up coordinators should update all fields in MATS, and
- b. Program staff and managers should provide timely information to audit follow-up coordinators to ensure that they can update all fields within MATS.

Planned Corrective Action: OCFO will develop training for audit follow-up coordinators on using MATS to ensure that they update all fields in MATS and that program staff and managers provide timely information for thorough MATS updates.

Agreed-to Completion Date: December 31, 2013 (corrective action will be considered past due as of December 31, 2014)

Action Office: ORD

Report Title: Chemical Fume Hood Testing Improvements Needed to Reduce Health and Safety Risk to EPA Employees

Report No.: 13-P-0363

Date Issued: 08/28/2013

Recommendation

Recommendation 3: We recommend that the Director, National Exposure Research Laboratory, require the Research Triangle Park Safety, Health and Environmental Management Office, to establish a practice of retesting a sample of the chemical fume hoods annually to verify the subcontractor's testing results.

Planned Corrective Action: ORD will perform random re-testing of fume hoods in each building.

Agreed-to Completion Date: July 31, 2014

Action Office: OARM
Report Title: EPA Needs to Improve STAR Grant Oversight
Report No.: 13-P-0361
Date Issued: 08/27/2013

Recommendation

Recommendation 7: We recommend that the Assistant Administrator for Administration and Resources Management follow up on unallowable costs identified in the finding. If grant recipients cannot provide documentation, require repayment of the funds.

Planned Corrective Action: OARM will follow up on unallowable costs and require repayment of costs, as appropriate.

Agreed-to Completion Date: December 31, 2013 (corrective action will be considered past due as of December 31, 2014)

Action Office: OCFO
Report Title: Controls Over EPA's Compass Financial System Need to Be Improved
Report No.: 13-P-0359
Date Issued: 08/23/2013

Recommendations

Recommendation 3: We recommend that the Chief Financial Officer finalize the revised Quality Assurance Surveillance Plan that includes the revised service level requirements to accurately assess service provider performance.

Planned Corrective Action: OCFO's Office of Technology Solutions will negotiate with the service provider to complete the Quality Assurance Surveillance Plan update.

Agreed-to Completion Date: December 31, 2013 (corrective actions will be considered past due as of December 31, 2014)

Recommendation 5: We recommend that the Chief Financial Officer test inherent Compass financial reporting capabilities during a functional disaster recovery exercise.

Planned Corrective Action: OCFO will identify a subset of reports from the Compass transactional reporting system supporting agency-level financial reporting and incorporate the testing of these reports within its disaster recovery exercise.

Agreed-to Completion Date: June 30, 2014

Action Office: ORD
Report Title: Public May Be Making Indoor Mold Cleanup Decisions Based on EPA Tool Developed Only for Research Applications
Report No.: 13-P-0356
Date Issued: 08/22/2013

Recommendation

Recommendation 1: We recommend that Assistant Administrator for the Office of Research and Development periodically review licensee advertising to determine whether licensees have violated the terms of their agreement by implying the EPA's endorsement of Mold Specific Quantitative Polymerase Chain Reaction and take appropriate action based on the results of this review.

Planned Corrective Action: The Federal Technology Transfer Act staff will institute a more comprehensive, annual review of all active Federal Technology Transfer Act licensees to look for language that suggests endorsement or validation by the EPA. Federal Technology Transfer Act staff will work with the Office of General Counsel to address any such issues with licensees.

Agreed-to Completion Date: September 30, 2014

Action Office: Region 1

Report Title: Examination of Costs Claimed Under EPA Cooperative Agreements 2A-96104501 and 2A-96107201 Awarded Under the Recovery Act to Chelsea Collaborative Inc., Chelsea, Massachusetts

Report No.: 13-R-0353

Date Issued: 08/22/2013

Recommendations

Recommendation 2: We recommend that the Regional Administrator, Region 1, require Chelsea Collaborative Inc. to complete the agency's mandatory non-profit recipient online training upon award of a future grant.

Planned Corrective Action: Chelsea Collaborative Inc. should be awarded future grants and the agency will encourage Chelsea Collaborative Inc. to attend training that is made available to non-profit recipients.

Agreed-to Completion Date: December 31, 2013 (corrective action will be considered past due as of December 31, 2014)

Recommendation 4: We recommend that the Regional Administrator, Region 1, assist Chelsea Collaborative Inc. with developing a methodology for calculating the number of jobs created or retained for quarterly reports that meets OMB guidance on Recovery Act reporting.

Planned Corrective Action: Region 1 agreed to assist Chelsea Collaborative Inc. with developing a methodology for calculating the number of jobs created or retained for quarterly reports that meet OMB guidance on Recovery Act reporting.

Agreed-to Completion Date: December 31, 2013 (corrective action will be considered past due as of December 31, 2014)

Recommendation 5: We recommend that the Regional Administrator, Region 1, direct Chelsea Collaborative Inc. to review the calculation of jobs created or retained for all periods reported and correct those erroneous periods.

Planned Corrective Action: Region 1 agreed to direct Chelsea Collaborative Inc. to review the calculation of jobs created or retained for all periods reported and correct those erroneous periods.

Agreed-to Completion Date: March 31, 2014 (corrective action will be considered past due as of March 31, 2015)

Recommendation 6: We recommend that the Regional Administrator, Region 1, direct Chelsea Collaborative Inc. to maintain the corrected jobs documentation in administrative records and submit the correction to the federal government after a schedule has been established by future Recovery Act guidance.

Planned Corrective Action: The agency's Grants Compliance Officer will work with Chelsea Collaborative Inc. to address this recommendation.

Agreed-to Completion Date: March 31, 2014 (corrective action will be considered past due as of March 31, 2015)

Recommendation 7: We recommend that the Regional Administrator, Region 1, report the finding in the Grantee Compliance Findings database.

Planned Corrective Action: Region 1 agreed to report the finding in the Grantee Compliance Findings database, as required by the EPA's Audit Management Procedures (Manual 2750).

Agreed-to Completion Date: June 30, 2014

Action Office: OW
Report Title: EPA Can Better Address Risks to the Security of the Nation's Drinking Water through New Authorities, Plans, and Information
Report No.: 13-P-0349
Date Issued: 08/21/2013

Recommendations

Recommendation 1: We recommend that the Assistant Administrator for Water develop a comprehensive strategic plan across all program offices that are involved in the EPA's water security program.

Planned Corrective Actions: OW will meet on an annual basis with each office to describe the program outcomes and priorities that it intends to achieve and to determine how the other offices can contribute to these outcomes and priorities as their resources permit.

Agreed-to Completion Date: June 30, 2014

Recommendation 2: We recommend that the Assistant Administrator for Water for utilize information currently available to assess the state of water security across the nation, specifically, by:

- a. Gathering water security data, and
- b. Incorporating water security-related performance measures, targets, and annual commitments into OW's National Program Manager Guidance.

Planned Corrective Action: In future iterations of this guidance, the OW will include key water security metrics.

Agreed-to Completion Date: September 30, 2014

Recommendation 3: We recommend that the Assistant Administrator for Water seek additional authority from Congress to better manage the security of drinking water systems and their water supply. Additional authorities should include the ability to collect, protect and utilize water system-specific security information.

Planned Corrective Actions: OW expects that it will need to operate the program under the current constraints. OW has committed to meeting with Administration officials outside of the EPA about obtaining additional authority for the water security program.

Agreed-to Completion Date: March 31, 2014 (corrective action will be considered past due as of March 31, 2015)

Recommendation 4: We recommend that the Assistant Administrator for Water, if additional authority is granted, further assess the state of water security across the nation, specifically, by:

- a. Developing and utilizing a drinking water security baseline and conducting periodic reassessments; and

b. Developing and utilizing annual and long-term outcome measures.

Planned Corrective Actions: OW has committed that, if additional authority for the water program is granted, it will work with OMB and water sector partners to collect the necessary information and develop a baseline.

Agreed-to Completion Date: March 31, 2016

Action Office: OW
Report Title: Limitations on the EPA's Authority Under the Safe Drinking Water Act Resulted in Unaddressed Concerns at a Tribal Drinking Water Plant
Report No.: 13-P-0308
Date Issued: 07/02/2013

Recommendation

Recommendation 1: We recommend that the Assistant Administrator for Water reexamine its interpretation that, in tandem, 40 CFR Parts 141 and 142 prevent the agency from requiring tribes to address plan and specification review comments. If the determination is still that this limitation exists, pursue a regulatory or guidance change to address it.

Planned Corrective Action: OW confirmed that the agency can require tribes to address plan and specification review comments prior to being awarded a grant. Language to reinforce this statement will be included in the Drinking Water Infrastructure Grants-Tribal Set Aside Guidelines currently under revision.

Agreed-to Completion Date: March 31, 2014 (corrective actions will be considered past due as of March 31, 2015)

Action Office: OSWER
Report Title: Improved Information Could Better Enable EPA to Manage Electronic Waste and Enforce Regulations
Report No.: 13-P-0298
Date Issued: 06/21/2013

Recommendations

Recommendation 1: We recommend that the Assistant Administrator for Solid Waste and Emergency Response develop a consistent approach for defining E-waste to set the conditions for goal setting and tracking. Identify and gather information to manage the goals and, if necessary, submit an Information Collection Request to OMB.

Planned Corrective Action 1: The agency will define and document each new activity it develops prior to initiating or implementing the activity.

Agreed-to Completion Date: July 31, 2014

Planned Corrective Action 2: The Municipal Solid Waste Characterization Report, which includes E-waste information and data, is completed annually. New information is incorporated into the program activities, as appropriate. If necessary, an Information Collection Request to OMB will be submitted.

Agreed-to Completion Date: February 28, 2014 (corrective actions will be considered past due as of February 28, 2015)

Recommendation 2: We recommend that Assistant Administrator for Administration Solid Waste and Emergency Response develop a more practical process to address the hazards of non-cathode ray tube electronic waste that ensures that this waste is managed in an environmentally sustainable manner.

Planned Corrective Action: The EPA's focus in implementing the National Strategy for Electronics Stewardship is to ensure that electronic devices are reused where possible and when no longer functional or reusable, are recycled by a certified recycler. As such, the EPA believes that this approach will help address hazards associated with used electronics, and ensure that used electronics are managed in an environmentally-sustainable manner. For used electronics, the EPA works with electronics stakeholders to collect used electronics and direct them to recycling at certified recycling facilities (certification includes a requirement to facilitate reuse of devices whenever possible). The EPA continues to encourage the use of and actively participate in the development and revisions of electronics recycling certification programs to prevent environmental releases and ensure public safety. For new electronics products, the EPA is working to expand the Electronic Product Environmental Assessment Tool registry which offers electronics designed to use potentially less hazardous chemicals or materials and to prevent environmental damage now and in the future.

Agreed-to Completion Date: July 31, 2014

Recommendation 3: We recommend that Assistant Administrator for Administration Solid Waste and Emergency Response evaluate the implementation of currently used electronics certification programs as detailed in the National Strategy. If necessary, conduct Resource Conservation Recovery Act inspections (for federal regulations only) of certified recyclers accordingly.

Planned Corrective Action: OSWER agreed to evaluate the implementation of the currently used certification programs as detailed in the National Strategy for Electronics Stewardship. The EPA, General Services Administration and the applicable accreditation board to conduct a study of the implementation of the current used electronics certification programs to ensure that they are being implemented transparently, consistently and are achieving desired results.

Agreed-to Completion Date: July 31, 2014

Action Office: Region 6
Report Title: Air Quality Objectives for the Baton Rouge Ozone Nonattainment Area Not Met under EPA Agreement 2A-96694301 Awarded to the Railroad Research Foundation
Report No.: 13-R-0297
Date Issued: 06/20/2013

Recommendation

Recommendation 1: We recommend that the Regional Administrator, Region 6, recover federal funds of \$2,904,578 unless the foundation provides a verifiable and enforceable remedy to reduce diesel emissions in the Baton Rouge ozone nonattainment area, as required by the cooperative agreement.

Planned Corrective: Region 6 will monitor the Railroad Research Foundation's compliance with the proposed compliance schedule that it developed with them. The cooperative agreement amount is therefore considered allowable, except for individual questioned items. Should the Railroad Research Foundation fail to comply with the schedule, Region 6 will assess monetary penalties.

Agreed-to Completion Date: September 30, 2020

Recommendation 3: In the event that all federal funds are not recovered under recommendation 1, we recommend that the Regional Administrator, Region 6, recover the excess indirect cost of \$16,512, or consider funding the foundation's indirect costs for the entire project period.

Planned Corrective Action: Region 6's intention was to allow for funding of indirect costs for the entire project period of the grant. Therefore, Region 6 will fund the Railroad Research Foundation's indirect costs for the entire project period. Region 6 will prepare an amendment to fund indirect costs for the entire project period and incorporate the Railroad Research Foundation's amended sub agreement

Agreed-to Completion Date: One month from the Railroad Research Foundation's finalized subagreement.

Action Office: OW and OEI
Report Title: Improved Internal Controls Needed in the Gulf of Mexico Program Office
Report No.: 13-P-0271
Date Issued: 05/30/2013

Recommendations

Recommendation 2: We recommend that Assistant Administrator for Water evaluate the results of the Gulf of Mexico Program Office's risk assessment and work with the Gulf of Mexico Program Office management to make the necessary changes to its objectives and measures, so the Gulf of Mexico Program Office can accurately measure performance.

Planned Corrective Action: OW will evaluate the results of the Gulf of Mexico Program Office's risk assessment and work with Gulf of Mexico Program Office management to make the necessary changes to its objectives and measures.

Agreed-to Completion Date: June 30, 2014

Recommendation 10: We recommend that Assistant Administrator for Environmental Information and Chief Information Officer assess the Local Area Network deficiencies identified in this report to determine whether they should be reported under the Federal Managers Financial Integrity Act, and act accordingly.

Planned Corrective Action: OEI will assess the Local Area Network deficiencies identified in this report to determine whether they should be reported under the Federal Managers Financial Integrity Act, and act accordingly.

Agreed-to Completion Date: September 30, 2013 (corrective actions will be considered past due as of September 30, 2014)

Recommendation 13: We recommend that Assistant Administrator for Environmental Information and Chief Information Officer and the Associate Administrator for External Affairs and Environmental Education establish a schedule for monitoring the Gulf of Mexico Program Office in their enforcement of Web Content Types and Review Procedure.

Planned Corrective Action: OEI and the Office of External Affairs and Environmental Education are building a new Web publishing system that will allow for automatic and timely enforcement of the Web Content Types and Review Procedure. Content owners will receive multiple notices directing them to review their content. If they still fail to review their content on time, the content will automatically be removed from the EPA's website. Until the new Web publishing system is fully operational at the end of FY 2014, OEI and the Office of External Affairs and Environmental Education will remind the Web Executive Board, Web Council and the EPA Web community of the importance of following the EPA's Web policies, procedures, and standards. They will specifically highlight the importance of the Web Content Types and Review Procedure.

Agreed-to Completion Date: September 30, 2014

Action Office: OEI
Report Title: Improvements Needed in EPA's Information Security Program
Report No.: 13-P-0257
Date Issued: 05/13/2013

Recommendations

Recommendation 3: We recommend that the Assistant Administrator for Environmental Information update the configuration management process to verify program offices remediate Federal Desktop Core Configurations / U.S. Government Configuration Baseline deviations in a timely manner.

Planned Corrective Actions: OEI's Office of Technology Operations and Planning's Technology and Information Security Staff will generate periodic reports depicting compliance status of assets shown in BigFix. As this is an ongoing effort, the planned completion date references the date in which the first compliance report will be generated from BigFix and in which noncompliance tickets will be inserted into the REMEDY software suite.

The Enterprise Desktop Solutions Division, with input from the Senior Agency Information Security Officer, will provide training and procedures for the Tivoli Endpoint Administrators to run compliance reports that will show Federal Desktop Core Configurations/U.S. Government Configuration Baseline deviations for their respective program or regional office.

The deviations from the standards will be reported via tools to the Senior Agency Information Security Officer and risk management and compliancy processes will apply – that is, recommendations will be provided to the chief information officer and the Risk Executive Group by the Senior Agency Information Security Officer, reports will be provided to the senior information officers and chief information officer, and Plans of Actions and Milestones will be monitored and validated by the Senior Agency Information Security Officer. The Office of Technology Operations and Planning may implement network isolation etc., as a result of chief information officer /risk management decisions.

Agreed-to Completion Date: September 30, 2013 (corrective action will be considered past due as of September 30, 2014)

Recommendation 7: We recommend that the Assistant Administrator for Environmental Information implement a strategic plan for the EPA's risk management framework.

Planned Corrective Action: The chief information officer's office will finalize and begin implementing a Risk Management Strategic Plan.

Agreed-to Completion Date: December 31, 2013 (corrective action will be considered past due as of December 31, 2014)

Recommendation 8: We recommend that the Assistant Administrator for Environmental Information work with the Risk Executive Group to:

- a. Define the core mission and business processes for the organization (including any derivative or related missions and business processes carried out by subordinate organizations).
- b. Identify the types of information that the organization needs in order to successfully execute the stated missions and business processes.
- c. Specify the degree of autonomy for subordinate organizations that the parent organization permits for assessing, evaluating, mitigating, accepting, and monitoring risk.
- d. Specify the types and extent of risk mitigation measures the organization plans to employ to address identified risks.
- e. Specify how the organization plans to monitor risk on an ongoing basis given the inevitable changes to organizational information systems and their environments of operation.

Planned Corrective Action: The Chief Information Officer's office will finalize and begin implementing a Risk Management Strategic Plan. This work will be accomplished in the development and implementation of the Risk Management Strategic Plan.

Agreed-to Completion Date: December 31, 2013 (corrective action will be considered past due as of December 31, 2014)

Recommendation 10: We recommend that the Assistant Administrator for Environmental Information verify that OCSPP completed an assessment of security controls for the Toxic Substances Control Act online system.

Planned Corrective Action: The Senior Agency Information Security Officer will verify OCSPP has completed a security controls assessment on the Toxic Substances Control Act online system.

Agreed-to Completion Date: September 6, 2013 (corrective action will be considered past due as of September 6, 2014)

Action Office: ORD
Report Title: Improvements Needed to Secure IT Assets at EPA-Owned Research Facilities
Report No.: 13-P-0252
Date Issued: 05/08/2013

Recommendations

Recommendation 4: We recommend that the Principal Deputy Assistant Administrator for Research and Development require all ORD facilities to perform and document semiannual workstation audits to assess staff compliance with agency IT security requirements.

Planned Corrective Action: A draft informational message to educate users on securing workstations and portable devices is currently under development. ORD's Office of Science Information Management will help coordinate semi-annual workstation audits at all ORD facilities to assess staff compliance with agency IT security requirements.

Agreed-to Completion Date: November 1, 2013 (corrective action will be considered past due as of November 1, 2014)

Recommendation 10: We recommend that the Principal Deputy Assistant Administrator for Research and Development require all ORD facilities to formalize a process that restricts access to ORD server rooms based upon job responsibility and need.

Planned Corrective Action: The Office of Science Information Management site-maintained documentation will be reviewed to determine and identify which sites and which groups are named as responsible for maintaining access to server rooms. These documents will be updated with additional details of responsibility, as needed. Additional procedures and processes will be written where none exist.

Agreed-to Completion Date: December 15, 2013 (corrective action will be considered past due as of December 15, 2014)

Recommendation 14: We recommend that the Principal Deputy Assistant Administrator for Research and Development require the Gulf Ecology Division, Atlantic Ecology Division, and Ecosystems Research Division to update contingency plans to include:

- a. A list of required IT equipment provisions for essential staff in the event of an emergency.
- b. A list of local stores and vendors from which to procure IT equipment in order to maintain operations in an emergency.
- c. Procurement procedures and the names of authorized purchase cardholders in Continuity of Operations Plans for each ORD facility.

Additionally, require management personnel at all other ORD facilities to provide operational resources and facilities in the event of an emergency.

Planned Corrective Action: As EPA Order 2030.1A does not require Continuity of Operations Plans for ORD remote locations, all laboratory continuity documents will be

renamed as "Business Continuity Plans" per discussion with the OIG. This is further supported under National Institute of Standards and Technology 800-34 Rev 1 (page 18), where "Information systems that do not support Continuity of Operations Plan functions do not require alternate sites as part of the Information System Contingency Plan recovery strategy ... " The Office of Program Accountability and Resource Management will work to ensure that all ORD facilities are reviewing necessary operating plans to adequately prepare for emergency situations, as it relates to overall IT equipment issues.

Agreed-to Completion Date: December 31, 2014

Recommendation 15: We recommend that the Principal Deputy Assistant Administrator for Research and Development require all ORD facilities to relocate data backup tapes offsite to a secure location.

Planned Corrective Action: The Office of Science Information Management will coordinate with each site to determine data and/or applications that support critical functions and/or agency defined Mission Essential Function. This data will be considered for inclusion in the current electronic backup effort that is occurring at ORD primary and secondary automated failover processing sites.

Agreed-to Completion Date: December 15, 2013 (corrective action will be considered past due as of December 15, 2014)

Recommendation 16: We recommend that the Principal Deputy Assistant Administrator for Research and Development require all ORD facilities to conduct and document annual tests (during non-business hours) of the uninterrupted power supply connected to servers.

Planned Corrective Action: The Office of Science Information Management site-maintained documentation will be reviewed to identify current occurrences of uninterrupted power supply testing as related to ORD managed servers. Documents will be updated with additional details of uninterrupted power supply testing where it is not currently present.

Agreed-to Completion Date: September 15, 2013 (corrective action will be considered past due as of September 15, 2014)

Action Office: OARM and OSWER
Report Title: EPA Should Increase Fixed-Price Contracting for Remedial Actions
Report No.: 13-P-0208
Date Issued: 03/28/2013

Recommendations

Recommendation 1: We recommend that the Assistant Administrator for the Office of Administration and Resources Management:

- a. Require that written acquisition plans for future cost-reimbursement Remedial Action Contract contracts be approved by the Head of the Contracting Activity.
- b. For current cost reimbursement Remedial Action Contract contracts, at the end of the base period, require written acquisition plans be prepared and approved by the Head of the Contracting Activity.

Planned Corrective Action: Once the governance structure is in place, strategy development with regard to existing contract off-ramps and transitions to any new vehicles is anticipated to commence.

Agreed-to Completion Date: March 31, 2014 (corrective action will be considered past due as of March 31, 2015)

Recommendation 2: We recommend the Assistant Administrators for Administration and Resources Management and the Assistant Administrator for Solid Waste and Emergency Response develop performance measures for each region for the use of fixed-price contracts and task orders for remedial actions. The performance measures should be implemented in a way that holds the regions accountable (both the Superfund program staff and contracting staff) for decreasing the use of high risk contracts and task orders.

Planned Corrective Actions: OARM and OSWER plan to award Superfund Multiple Award Contracts on September 30, 2014. Metrics for evaluating and tracking Remedial Action Contract requirements in terms of competition, contract type, etc. will be developed as part of the implementation of the Remedial Action Contract, and collection of data will commence.

Agreed-to Completion Date: September 30, 2014

Recommendation 3: We recommend the Assistant Administrators for Administration and Resources Management and the Assistant Administrator for Solid Waste and Emergency Response, as part of the implementation of the Contracts 2010 Strategy, provide training to both Superfund program and contracting staff on how and when less risky contracts and task orders should be used in the Superfund remedial program.

Planned Corrective Action: OARM and OSWER will provide training to both Superfund program and contracting staff. The training will include how to document the analysis leading up to the contract type selection.

Agreed-to Completion Date: November 30, 2013 (corrective action will be considered past due as of November 30, 2014)

Recommendation 4: We recommend the Assistant Administrators for Administration and Resources Management and the Assistant Administrator for Solid Waste and Emergency Response determine whether staffing changes are needed in each region to ensure that staff have the skills to manage the increased use of fixed-price contracts and task orders, and develop a plan for addressing the staffing needs.

Planned Corrective Action: OARM and OSWER anticipate any resource alignment or requirements resulting from the Centers of Expertise and Remedial Action Contract will be identified by September 30, 2014. How any alignment or requirement needs will be implemented is subject to budget and other resource constraints.

Agreed-to Completion Date: September 30, 2014

Action Office: Region 10
Report Title: Audit of American Recovery and Reinvestment Act-Funded Cooperative Agreement 2S-96099601 Awarded to the Idaho Department of Environmental Quality
Report No.: 13-R-0206
Date Issued: 03/28/2013

Recommendations

Recommendation 3: We recommend that the Regional Administrator, Region 10, require Idaho Department of Environmental Quality to ensure that current and future contractors are covered by accident and catastrophic loss insurance as required by Title 40 CFR 35.6590 (b).

Recommendation 4: We recommend that the Regional Administrator, Region 10, require Idaho Department of Environmental Quality to update its policies and procedures to ensure that they address:

- a. Bid proposal certification of independent price determination language as required by 40 CFR 35.6550(b) (3).
- b. 10 year record retention period as required by 40 CFR 35.6705.
- c. Accident and catastrophic loss insurance as required by 40 CFR 35.6590 (b).

Planned Corrective Actions: Region 10 does not believe it is feasible or necessary for contractors to acquire accident and catastrophic loss insurance. Therefore Region 10 has agreed to pursue a cooperative agreement-specific waiver from the requirement for the insurance under 40 CFR Part 35.6590(b). Once approved, it will provide a copy of the waiver to the OIG and Idaho Department of Environmental Quality. Region 10 will instruct the Idaho Department of Environmental Quality in writing to not require their contractors to acquire accident and catastrophic loss insurance, pending the waiver determination. This corrective action is for 3 and 4.

Agreed-to Completion Date: January 1, 2014 (corrective action will be considered past due as of January 1, 2015)

Action Office: OARM
Report Title: Improvements Needed in EPA's Smartcard Program to Ensure Consistent Physical Access Procedures and Cost Reasonableness
Report No.: 13-P-0200
Date Issued: 03/27/2013

Recommendations

Recommendation 1: We recommend that the recommend that the Assistant Administrator for Administration and Resources Management re-prioritize the remaining facility upgrades by security level from highest to lowest, complete all remaining upgrades according to security level, and require the Security Management Division Director to provide written justification for upgrading Level 1 facilities.

Planned Corrective Action 2: OARM agreed to initiate Physical Access Control System upgrades for all remaining Facility Security Level 3 facilities.

Agreed-to Completion Date: June 30, 2013 (corrective action will be considered past due as of June 30, 2014)

Planned Corrective Action 3: OARM agreed to initiate the Physical Access Control System upgrades for all remaining Facility Security Level 2 facilities.

Agreed-to Completion Date: June 30, 2014 (corrective action will be considered past due as of June 30, 2014)

Recommendation 3: We recommend that the Deputy Administrator establish one entity responsible for implementing and overseeing the agency's smartcard program, including physical and logical access.

Planned Corrective Action: Under the direction of the Deputy Administrator and facilitated by OARM, relevant stakeholders will convene to determine the entity responsible for implementing and overseeing the smartcard program.

Agreed-to Completion Date: June 30, 2013 (corrective action will be considered past due as of June 30, 2014)

Action Office: OSWER
Report Title: Improvements Needed in EPA Training and Oversight for Risk Management Program Inspections
Report No.: 13-P-0178
Date Issued: 03/21/2013

Recommendations

Recommendation 7: We recommend that the Assistant Administrator for Solid Waste and Emergency Response coordinate with the Assistant Administrator for Enforcement and Compliance Assurance to revise inspection guidance to recommend minimum inspection scope for the various types of facilities covered under the program and provide more detailed examples of minimum reporting.

Planned Corrective Action: OSWER will publish final guidance which specifies minimum inspection scope and examples for various types of inspections to assist regions in focusing their limited resources on the most significant issues at facilities.

Agreed-to Completion Date: July 31, 2014

Recommendation 8: We recommend that the Assistant Administrator for Solid Waste and Emergency Response coordinate with the Assistant Administrator for Enforcement and Compliance Assurance to develop and implement an inspection monitoring and oversight program to better manage and assess the quality of program inspections, reports, supervisory oversight, and compliance with inspection guidance.

Planned Corrective Action: OSWER is working with the regions to identify key components of a repository of inspections reports in order to better ensure and assess the quality of Risk Management Program inspections. This repository system will be developed by the end of FY 2014.

Agreed-to Completion Date: September 30, 2014

Action Office: OSWER
Report Title: Results and Benefits Information Is Needed to Support Impacts of EPA's Superfund Removal Program
Report No.: 13-P-0176
Date Issued: 03/11/2013

Recommendations

Recommendation 1: We recommend that Assistant Administrator for Solid Waste and Emergency Response define environmental results and benefits of the removal program, and communicate these results and outcomes with existing removal goal outcomes.

Planned Corrective Actions: OSWER will continue to: (1) report the top 10 contaminants of concern each fiscal year, and will begin reporting on total volume for removals beginning FY 2013; (2) highlight program accomplishments in OSWER publications, including the annual OSWER Accomplishments Report; (3) work with the regions and special teams to build a repository of removal success stories, which will be used to communicate program benefits on the EPA website and other channels; and (4) look into delineating different types of removal completions to communicate impacts.

Agreed-to Completion Date: September 30, 2014

Recommendation 2: We recommend that Assistant Administrator for Solid Waste and Emergency Response implement system controls to: (a) ensure required Comprehensive Environmental Response, Compensation, and Liability Information System data are entered and completed; and (b) synchronize data between the Pollution Reports and the Comprehensive Environmental Response, Compensation, and Liability Information System.

Planned Corrective Action: OSWER will notify the regions of any discrepancies in the Comprehensive Environmental Response, Compensation, and Liability Information System and synchronize data fields in the final Pollution Report to fields in the Superfund Enterprise Management System. The Superfund Enterprise Management System will replace the Comprehensive Environmental Response, Compensation, and Liability Information System in FY 2014.

Agreed-to Completion Date: September 30, 2013 (corrective action will be considered past due as of September 30, 2014)

Action Office: OCSPP
Report Title: EPA is Not Recovering All Its Costs of the Lead-Based Paint Fees Program
Report No.: 13-P-0163
Date Issued: 02/20/2013

Recommendation

Recommendation 1: We recommend that Assistant Administrator for Chemical Safety and Pollution Prevention update the March 20, 2009, fees rule to reflect the amount of fees necessary for the program to recover the costs of implementing and enforcing the program.

Planned Corrective Action: OCSPP will update the 2009 Fees Rule following completion of at least one 5-year cycle of the Renovation, Repair and Painting accreditation and certification program, if findings from at least two consecutive biennial reviews show that the Lead Program costs continue to exceed the amount of fees collected. If necessary, this will be conducted in conjunction with other regulatory changes in the lead program, e.g., rules underway to address renovation activities in other buildings.

Agreed-to Completion Date: January 31, 2017

Action Office: OARM
Report Title: EPA Can Further Reduce Space in Under-Utilized Facilities
Report No.: 13-P-0162
Date Issued: 02/20/2013

Recommendations

Recommendation 1: We recommend that Assistant Administrator for Administration and Resources Management assess utilization of General Services Administration-owned and leased facilities and relocate staff as warranted to reduce under-utilized space.

Planned Corrective Action: The agency has an aggressive space consolidation plan that, with adequate funding, will reduce leased space by approximately 20 percent by 2022.

Agreed-to Completion Date: December 31, 2022

Recommendation 2: We recommend that Assistant Administrator for Administration and Resources Management develop space guidelines for support spaces and assess the number and size of support spaces needed at the time of a new or renewal lease.

Planned Corrective Action: The agency has guidance per the July 2004 Space Acquisition and Planning Guidelines that describe the approximate size and frequency of special spaces typically found at the EPA facilities. OARM will revise the October 2011 draft New Mobile Work Space Design Guidelines to include support space guidance that will be used for new and renewal leases.

Agreed-to Completion Date: December 31, 2013 (corrective action will be considered past due as of December 31, 2014)

Recommendation 4: We recommend that Assistant Administrator for Administration and Resources Management require that personnel information be consistently tracked and updated in the EPA's designated real property management system on an annual basis or more often if needed.

Planned Corrective Action: OARM is developing a process whereby facility managers will be required to update personnel data in the designated real asset management system. Facilities Management and Services Division staff will provide oversight to ensure updates are provided.

Agreed-to Completion Date: December 31, 2013 (corrective action will be considered past due as of December 31, 2014)

Action Office: ORD and OAR
Report Title: EPA Needs to Improve Air Emissions Data for the Oil and Natural Gas Production Sector
Report No.: 13-P-0161
Date Issued: 02/20/2013

Recommendations

Recommendation 1: We recommend that the Assistant Administrator for Air and Radiation and the Assistant Administrator for Research and Development develop and implement a joint comprehensive cross-office strategy for improving data for the oil and gas production sector. The strategy should:

- a. Identify gaps and limitations in (1) existing oil and gas air emissions data, (2) emission factors, and (3) measurement techniques, including direct and remote measurement methods.
- b. Prioritize what data limitations are most significant and develop specific action plans for how the EPA will address these gaps and limitations.

Planned Corrective Action 3: ORD and OAR agreed to revise the draft strategy based upon the cross-office review and submit the final draft for review and approval by both OAR and ORD.

Agreed-to Completion Date: March 31, 2014 (corrective action will be considered past due as of March 31, 2015)

Planned Corrective Action 4: ORD and OAR agreed to begin implementation of the approved, final oil and gas sector emissions data improvement strategy in a coordinated cross-office effort.

Agreed-to Completion Date: June 30, 2014

Recommendation 2: We recommend that the Assistant Administrator for Air and Radiation prioritize and update existing oil and gas production emission factors that are in greatest need of improvement and develop emission factors for key oil and gas production processes that do not currently have emission factors.

Planned Corrective Action 1: OAR agreed to finalize the revised emissions factors development procedures for data collected from traditional test methods.

Agreed-to Completion Date: September 30, 2014

Planned Corrective Action 2: OAR agreed to revise Web Factor and Information Retrieval System to include the emissions factors development procedures for data collected using traditional test methods.

Agreed-to Completion Date: December 31, 2014

Planned Corrective Action 3: OAR agreed to revise the Electronic Reporting Tool to accommodate those non-traditional measurement techniques identified in the cross-office strategy. The Electronic Reporting Tool will be fully developed by the 4th quarter of FY 2017.

Agreed-to Completion Date: September 30, 2018

Planned Corrective Action 4: OAR agreed to set forth procedures for developing emissions factors based on data collected with non-traditional measurement techniques and incorporate those procedures into Web Factor and Information Retrieval System.

Agreed-to Completion Date: September 30, 2019

Recommendation 3: We recommend that the Assistant Administrator for Air and Radiation ensure that the data in National Emissions Inventory are complete by:

- a. Monitoring the states' submission of oil and gas emissions data for point sources and nonpoint sources pursuant to the requirements of the Air Emissions Reporting Requirements and assisting states in complying with the rule.
- b. Completing the development of a method for calculating default nonpoint emission estimates to enter into the National Emissions Inventory when states do not submit nonpoint data for oil and gas production.
- c. Developing default calculation guidance for states to use to estimate oil and gas nonpoint source emissions.

Planned Corrective Action 3: OAR agreed to incorporate public comments and release the final tool for estimating nonpoint emissions from oil and gas production.

Agreed-to Completion Date: June 30, 2014

Planned Corrective Action 4: OAR agreed to release a final user's guide for the final tool for estimating nonpoint emissions from oil and gas production.

Agreed-to Completion Date: June 30, 2014

Planned Corrective Action 6: OAR agreed to incorporate public comments and release a final user's guide for the final oil and gas emissions tool.

Agreed-to Completion Date: June 30, 2014

Action Office: OSWER
Report Title: EPA Could Improve Contingency Planning for Oil and Hazardous Substance Response
Report No.: 13-P-0152
Date Issued: 02/15/2013

Recommendations

Recommendation 2: We recommend that the Assistant Administrator for Solid Waste and Emergency Response require regions to keep critical planning information up to date using the most effective method available and avoid unnecessary duplication.

Planned Corrective Action: OSWER's Office of Emergency Management will issue guidance and work with the regions on its timely implementation.

Agreed-to Completion Date: September 30, 2016

Recommendation 3: We recommend that the Assistant Administrator for Solid Waste and Emergency Response have the Director of the Office of Emergency Management work through the office's National Response Team capacity to develop a process to regularly incorporate lessons learned from national exercises into contingency plan reviews and updates.

Planned Corrective Action: The National Response Team will continue to incorporate lessons learned from exercises and real world events into its purview.

Agreed-to Completion Date: April 30, 2013 (corrective action will be considered past due as of April 30, 2014)

Recommendation 4: We recommended that the Assistant Administrator for Solid Waste and Emergency Response assess the resources, including on-scene coordinators, necessary to develop and maintain contingency plans. Use the results of this analysis to develop a workforce plan to distribute contingency planning resources.

Planned Corrective Action: Building on the existing workgroup process, OSWER will continue evaluation of on-scene coordinator resources based on needs and responsibilities of the regions to develop the plan to redistribute regional on-scene coordinator allocations.

Agreed-to Completion Date: September 30, 2013 (corrective action will be considered past due as of September 30, 2014)

Action Office: OCFO and OARM
Report Title: Improvements Needed in Estimating and Leveraging Cost Savings Across EPA
Report No.: 13-P-0028
Date Issued: 10/22/2012

Recommendations

Recommendation 1: We recommend that the Chief Financial Officer develop an agency-wide policy that defines what the agency considers cost savings, efficiencies, and avoidances.

Planned Corrective Actions: OCFO agreed to develop high level guidance/policy that will establish support for all savings and efficiency efforts and highlights recent successes. This document will define types of savings and efficiency efforts broadly, provide high level framework for costs savings, cost efficiencies and cost avoidances; establish expectations of new efforts; and utilize existing process that can be used for idea generation and development.

Agreed-to Completion Date: December 31, 2015

Recommendation 2: We recommend that the Chief Financial Officer develop an agency-wide procedure for estimating savings, efficiencies, and cost avoidances to include requiring program offices and regions to consult with internal financial managers to obtain complete and up-to-date cost data.

Planned Corrective Actions: OCFO agreed to develop high level procedures for estimating savings. It will outline the types of consideration that should be reviewed when preparing estimates for potential savings, with examples of how to prepare calculations, and establish trial periods and interim measures when savings cannot be calculated.

Agreed-to Completion Date: December 31, 2015

Recommendation 3: We recommend that the Assistant Administrator for Administration and Resources Management develop a policy on estimating savings and cost avoidances relating to contracts based on similar prior contract data that will show the actions not taken or improved operations as opposed to using the independent government cost estimates.

Planned Corrective Actions: OARM agreed to work with the OCFO to support the development of agency-wide policy/guidance for identifying and calculating savings, and will implement that policy in the Office of Acquisition Management, as appropriate. The Office of Acquisition Management also agreed that if the OMB develops government-wide policies/processes for identifying and calculating savings, it will adopt that guidance, as well.

Agreed-to Completion Date: December 31, 2015

Action Office: OARM
Report Title: EPA Should Improve Management Practices and Security Controls for Its Network Directory Service System and Related Servers
Report No.: 12-P-0836
Date Issued: 09/20/2012

Recommendations

Note: The narrative of the recommendations and planned corrective actions for this report are not being included in the Compendium due to the sensitive nature of the report's security findings.

Recommendation 8: This recommendation was made to the Assistant Administrator for Administration and Resources Management.

Agreed-to Completion Date: September 30, 2013 (corrective action will be considered past due as of September 30, 2014)

Recommendation 9: This recommendation was made to the Assistant Administrator for Administration and Resources Management.

Agreed-to Completion Date: April 1, 2015

Action Office: OCSPP
Report Title: Review of Hotline Complaint Concerning Cost and Benefit Estimates for EPA's Lead-Based Paint Rule
Report No.: 12-P-0600
Date Issued: 07/25/2012

Recommendation

Recommendation 1: We recommend that the Assistant Administrator for Chemical Safety and Pollution Prevention, consistent with a retrospective and flexible regulatory culture, reexamine the estimated costs and benefits of the 2008 Lead Rule and the 2010 amendment to determine whether the rule should be modified, streamlined, expanded, or repealed.

Planned Corrective Action 2: After OMB clearance on the Information Collection Request is received, OCSPP will conduct information gathering and analysis.

Agreed-to Completion Date: September 30, 2014

Planned Corrective Action 3: OCSPP will draft the information and analysis submitted to OMB for interagency review as part of the Action Development Process.

Agreed-to Completion Date: March 31, 2015

Planned Corrective Action 4: OCSPP will publish the work practice and cost information as part of the proposed rule.

Agreed-to Completion Date: September 30, 2015

Action Office: OSWER
Report Title: EPA Inaction in Identifying Hazardous Waste Pharmaceuticals May Result in Unsafe Disposal
Report No.: 12-P-0508
Date Issued: 05/25/2012

Recommendation

Recommendation 3: We recommend the Assistant Administrator for Solid Waste and Emergency Response develop a nationally consistent outreach and compliance assistance plan to help states address challenges that health care facilities, and others as needed, have in complying with Resource Conservation and Recovery Act regulations for managing hazardous waste pharmaceuticals.

Planned Corrective Actions: OSWER will develop nationally consistent outreach and compliance assistance to help in complying with the Resource Conservation and Recovery Act regulations for managing hazardous waste pharmaceuticals. It will propose a rule designed to facilitate proper management of hazardous waste pharmaceuticals in the health care industry.

Agreed-to Completion Date: August 31, 2013 (corrective action will be considered past due as of August 31, 2014)

Action Office: OAR
Report Title: Weaknesses in EPA's Management of the Radiation Network System Demand Attention
Report No.: 12-P-0417
Date Issued: 04/19/2012

Recommendation

Recommendation 8: We recommend that the Assistant Administrator for Air and Radiation track the installation of the radiation network monitors against the revised schedule and use the contract requirements in recommendations 4 and 5 to hold the contractor accountable.

Planned Corrective Action: All radiation network monitors have been delivered and installations are being conducted as sites are prepared. The contracting officer representative is working with the contracting officer to negotiate consideration for late deliveries.

Agreed-to Completion Date: September 30, 2013 (corrective action will be considered past due as of September 30, 2014)

Action Office: OSWER
Report Title: Controls Over State Underground Storage Tank Inspection Programs in EPA Regions Generally Effective
Report No.: 12-P-0289
Date Issued: 02/15/2012

Recommendation

Recommendation 1: We recommend that the Assistant Administrator for Solid Waste and Emergency Response require the EPA and states to enter into memoranda of agreements that reflect program changes from the 2005 Energy Policy Act and address oversight of municipalities conducting inspections.

Planned Corrective Actions: The regulations will be finalized and OSWER will share the specific date on which the memoranda of agreements will be in place.

Agreed-to Completion Date: August 1, 2013 (corrective actions will be considered past due as of August 1, 2014)

Action Office: OSWER
Report Title: EPA Needs to Further Improve How It Manages Its Oil Pollution Prevention Program
Report No.: 12-P-0253
Date Issued: 02/06/2012

Recommendation

Recommendation 1: We recommend that the Assistant Administrator for Solid Waste and Emergency Response, in consultation with the Assistant Administrator for Enforcement and Compliance Assurance, improve oversight of facilities regulated by the EPA's oil pollution prevention program by:

- a. Producing a biennial public assessment of the quality and consistency of Spill Prevention, Control, and Countermeasure Plans and Facility Response Plans based on inspected facilities.
- b. Developing procedures for updating and issuing new guidance to ensure the regulated community has access to the most current guidance.
- c. Implementing a risk-based strategy toward inspections that identifies unknown Spill Prevention, Control, and Countermeasure and Facility Response Plan facilities, and directs inspection resources toward facilities where the potential for spills poses the greatest risks to human health and the environment.
- d. Consistently interpreting regulations and the EPA's authority to enforce regulations.

Planned Corrective Action 4(b): A summary of findings will be developed by OSWER. These findings will help to identify areas where additional guidance and outreach are needed to improve the quality and consistency of Spill Prevention, Control, and Countermeasure Plans.

Agreed-to Completion Date: October 31, 2013

Planned Corrective Action 4(c): The model developed by OSWER for the Spill Prevention, Control, and Countermeasure program will be used to develop a review protocol for Facility Response Plans to examine the Facility Response Plan inspections conducted during the FY 2013 inspection cycle.

Agreed-to Completion Date: September 30, 2013 (corrective actions will be considered past due as of September 30, 2014)

Planned Corrective Action 4(d): A summary of findings will be developed by OSWER. These findings will help to identify areas where additional guidance and external outreach are needed to improve the quality and consistency of Facility Response Plans.

Agreed-to Completion Date: October 31, 2014

Action Office: Region 10
Report Title: Region 10 Technical and Computer Room Security Vulnerabilities Increase Risk to EPA's Network
Report No.: 12-P-0220
Date Issued: 01/20/2012

Recommendations

Note: The narrative of the recommendations and planned corrective actions for this report are not being included in the Compendium due to the sensitive nature of the report's security findings.

Recommendation 4: This recommendation was made to the senior information official, Region 10.

Agreed-to Completion Date: September 30, 2013 (corrective action will be considered past due as of September 30, 2014)

Recommendation 7: This recommendation was made to the senior information official, Region 10.

Agreed-to Completion Date: September 30, 2013 (corrective action will be considered past due as of September, 2014)

Action Office: Region 9
Report Title: Region 9 Technical and Computer Room Security Vulnerabilities Increase Risk to EPA's Network
Report No.: 11-P-0725
Date Issued: 09/30/2011

Recommendations

Note: The narrative of the recommendations and planned corrective actions for this report are not being included in the Compendium due to the sensitive nature of the report's security findings.

Recommendation 4: This recommendation was made to the senior information official, Region 9.

Agreed-to Completion Date: March 31, 2014 (corrective action will be considered past due as of March 31, 2015)

Recommendation 6: This recommendation was made to the senior information official, Region 9.

Agreed-to Completion Date: March 31, 2014 (corrective action will be considered past due as of March 31, 2015)

Recommendation 8: This recommendation was made to the senior information official, Region 9.

Agreed-to Completion Date: March 31, 2014 (corrective action will be considered past due as of March 31, 2015)

Recommendation 10: This recommendation was made to the senior information official, Region 9.

Agreed-to Completion Date: March 31, 2014 (corrective action will be considered past due as of March 31, 2015)

Action Office: OAR
Report Title: EPA Should Update Its Fees Rule to Recover More Motor Vehicle and Engine Compliance Program Costs
Report No.: 11-P-0701
Date Issued: 09/23/2011

Recommendation

Recommendation 1: We recommend that the Assistant Administrator for Air and Radiation update the 2004 fees rule to increase the amount of the Motor Vehicle and Engine Compliance Program costs it can recover.

Planned Corrective Action: OAR will begin planning for a new fees rule as part of the 2013 program prioritization and budget processes, and initiate formal work on rule making early in calendar year 2014.

Agreed-to Completion Date: December 31, 2017

Action Office: OSWER
Report Title: Revisions Needed to National Contingency Plan Based on Deepwater Horizon Oil Spill
Report No.: 11-P-0534
Date Issued: 08/25/2011

Recommendation

Recommendation 5: We recommend that the Assistant Administrator for Solid Waste and Emergency Response develop guidance and training for a Spill of National Significance that clarifies roles and responsibilities for high-level agency officials. Review this response and the NCP and work with federal partners to address lessons learned and include detail on how to respond to a Spill of National Significance.

Planned Corrective Action 2: The EPA updated its Incident Management for executives training as a result of lessons learned from the Deepwater Horizon spill. The training has been presented in one region and additional training will be given.

Agreed-to Completion Date: October 31, 2013 (corrective actions will be considered past due as of October 31, 2014)

Planned Corrective Action 3: As a result of this training, the agency will develop policy guidance on this issue.

Agreed-to Completion Date: October 31, 2013 (corrective actions will be considered past due as of October 31, 2014)

Action Office: Region 8
Report Title: An Overall Strategy Can Improve Communication Efforts at Asbestos Superfund Site in Libby, Montana
Report No.: 11-P-0430
Date Issued: 08/03/2011

Recommendation

Recommendation 2: We recommend that the EPA Regional Administrator, Region 8, revise the Libby community engagement plan to serve as the overall communication strategy by including:

- a. Key messages that address specific public concerns and site activities.
- b. Timelines for community involvement activities and outreach products.
- c. Measures for successful communication.
- d. Mechanisms for identifying community concerns and collecting feedback.

Planned Corrective Action: Region 8 will seek public comment on the next major revision to the community involvement plan.

Agreed-to Completion Date: December 31, 2015

Action Office: ORD
Report Title: Office of Research and Development Needs to Improve Its Method of Measuring Administrative Savings
Report No.: 11-P-0333
Date Issued: 07/14/2011

Recommendation

Recommendation 1: We recommend that the Assistant Administrator for Research and Development establish a more timely and accurate system to measure its effective use of resources and to allow ORD to better manage its initiatives to reduce administrative costs.

Planned Corrective Actions: ORD agreed to tag federal administrative personnel, senior environmental employees, and on-site contractors in its ORD Management Information System and reconcile this data with personnel rosters on a monthly basis. ORD senior management had its initial meeting in 2011 and will continue to meet twice a year to review current status and outline plans to attain organizational administrative staffing targets.

Agreed-to Completion Date: December 15, 2015

Action Office: OCFO
Report Title: EPA Needs to Strengthen Its Management Controls Over Its Travel Authorization Process
Report No.: 11-P-0223
Date Issued: 05/10/2011

Recommendations

Recommendation 2: We recommend that the that the Chief Financial Officer request that the General Services Administration change GovTrip to prevent self-authorization of travel and include audit trails to determine who made changes to routing lists.

Planned Corrective Actions: The contract with GovTrip expired on November 12, 2013. A routing audit trail is one of the requirements under the E-Gov Travel Service 2 contract. OCFO sees updating GovTrip with the addition of a routing list as cost prohibitive. A change to prevent self-authorization is not feasible; however, OCFO believes that this control will be captured when the routing lists are updated.

Agreed-to Completion Date: November 12, 2013 (corrective actions will be considered past due as of November 12, 2014)

Recommendation 4: We recommend that the that the Chief Financial Officer develop scripts to determine whether travelers are in compliance with policy for managing routing lists, run the scripts monthly, and investigate exceptions.

Planned Corrective Actions: The routing list audit table in the Electronic Travel Systems product will allow OCFO to run a list of changes that occurred during the reporting period. OCFO would then be able to compare the list to the requests received for the same period and investigate exceptions. In the meantime, OCFO has developed a report that provides a list of vouchers where the traveler's name and the authorizer are the same. The Cincinnati Financial Management Center will run this report monthly and require additional documentation from any exceptions it produces.

Agreed-to Completion Date: November 12, 2013 (corrective actions will be considered past due as of November 12, 2014)

Action Office: OSWER
Report Title: EPA Promoted the Use of Coal Ash Products With Incomplete Risk Information
Report No.: 11-P-0173
Date Issued: 03/23/2011

Recommendation

Recommendation 1: We recommend that the Assistant Administrator for Solid Waste and Emergency Response define and implement risk evaluation practices to determine the safety of the coal combustion residual beneficial uses the EPA promotes.

Planned Corrective Action: OSWER will develop a conceptual model for evaluating risks from unencapsulated uses.

Agreed-to Completion Date: March 30, 2014 (corrective action will be considered past due as of March 30, 2015)

Action Office: OECA and OW
Report Title: EPA Should Revise Outdated or Inconsistent EPA-State Clean Water Act Memoranda of Agreement
Report No.: 10-P-0224
Date Issued: 09/14/2010

Recommendation

Recommendation 2-2: We recommend that the Deputy Administrator develop a systematic approach to identify which states have outdated or inconsistent memoranda of agreement; renegotiate and update those memoranda of agreement using the memorandum of agreement template; and secure the active involvement and final, documented concurrence of headquarters to ensure national consistency.

Planned Corrective Action: Using the tracking system, OECA and OW agreed to verify that memoranda of agreement identified during the first 4-year round of integrated permitting and enforcement reviews are updated.

Agreed-to Completion Date: September 30, 2017

Action Office: OARM, OCFO and OEI
Report Title: EPA Revised Hiring Process Needs Additional Improvements
Report No.: 10-P-0177
Date Issued: 08/09/2010

Recommendations

Recommendation 2-1: We recommend that the Assistant Administrator for Administration and Resources Management, the Chief Financial Officer, and the Assistant Administrator for Environmental Information determine the scope of services to be provided under a human resources line-of-business provider contract. Among the services considered should be an automated workflow process, a tracking system with responsive in-process metrics that will be provided to the EPA, and a system to develop and catalog position descriptions.

Recommendation 2-2: We recommend that the Assistant Administrator for Administration and Resources Management, the Chief Financial Officer, and the Assistant Administrator for Environmental Information, based on the above considerations, select a line-of-business provider and develop a plan to migrate to the selected provider.

Planned Corrective Actions: OARM, OCFO and OEI agreed to develop the scope of services to be provided under a human resources line-of-business provider contract, and present this business case to Office of Personnel Management. They will make a decision on the proposed human resources line-of-business provider. In addition, they will tentatively plan to deploy the system and train the user community, contingent upon a decision and a mutually approved project schedule with the selected human resources line-of business provider. (These corrective actions apply to recommendations 2-1 and 2-2.)

Agreed-to Completion Date: September 30, 2013 (corrective actions will be considered past due as of September 30, 2014)

Action Office: OSWER
Report Title: Lack of Final Guidance on Vapor Intrusion Impedes Efforts to Address Indoor Air Risks
Report No.: 10-P-0042
Date Issued: 12/14/2009

Recommendation

Recommendation 3: We recommend the Assistant Administrator for Solid Waste and Emergency Response train the EPA and state staff and managers and other parties on the newly updated, revised and finalized guidance document(s).

Planned Corrective Actions: OSWER will develop training materials and train the EPA and state staff and managers on the finalized guidance document(s).

Agreed-to Completion Date: May 31, 2013 (corrective actions will be considered past due as of May 31, 2014)

Action Office: OARM
Report Title: Review of Hotline Complaint on Employee Granted Full-Time Work-at-Home Privilege
Report No.: 10-P-0002
Date Issued: 10/07/2009

Recommendation

Recommendation 2b: We recommend that the Assistant Administrator for Administration and Resources Management identify and review all existing arrangements of full-time work-at-duty-station separate from the position of record, including the situation that was the subject of this review, and bring each of these arrangements into compliance with implemented EPA policy.

Planned Corrective Action 1: The EPA headquarters program and regional offices plan to review the current arrangements (6 months from approval date of policy).

Agreed-to Completion Date: June 30, 2013 (corrective action will be considered past due as of June 30, 2014)

Planned Corrective Action 2: Bring any arrangements into alignment with the policy by obtaining approval through the new policy's request process or terminate the existing arrangement. (Note: the 6 months to review current arrangements is included within the 1-year for final resolution.)

Agreed-to Completion Date: December 31, 2013 (corrective action will be considered past due as of December 31, 2014)

Action Office: OAR
Report Title: EPA Does Not Provide Oversight of Radon Testing Accuracy and Reliability
Report No.: 09-P-0151
Date Issued: 05/12/2009

Recommendation

Recommendation 1: We recommend that the Assistant Administrator for Air and Radiation disclose to the public that while radon testing is recommended by the agency and the U.S. Surgeon General, the EPA cannot provide assurance that commercially available radon testing devices or radon testing laboratories are accurate and reliable.

Planned Corrective Action 2: OAR will publish the study results and make them available to the public and to the radon community in general.

Agreed-to Completion Date: June 30, 2014

Planned Corrective Action 3: OAR will update the radon website to show results of the study.

Agreed-to Completion Date: June 30, 2014

Action Office: OSWER
Report Title: EPA Needs to Plan and Complete a Toxicity Assessment for the Libby Asbestos Cleanup
Report No.: 2007-P-00002
Date Issued: 12/05/2006

Recommendation

Recommendation 1: We recommend that the EPA fund and execute a comprehensive amphibole asbestos toxicity assessment to determine (1) the effectiveness of the Libby removal actions, and (2) to determine whether more actions are necessary. The toxicity assessment should include the effects of asbestos exposure on children. The EPA Science Advisory Board should review the toxicity assessment and report to the OA and the Libby Community Advisory Group whether the proposed toxicity assessment can sufficiently protect human health.

Planned Corrective Action: OSWER will complete the National Health and Environmental Effects Research Laboratory animal toxicity studies.

Agreed-to Completion Date: September 30, 2015

Action Office: OAR
Report Title: EPA and States Not Making Sufficient Progress in Reducing Ozone Precursor Emissions In Some Major Metropolitan Areas
Report No.: 2004-P-00033
Date Issued: 09/29/2004

Recommendations

Recommendation 3-1: We recommend that the Assistant Administrator for Air and Radiation develop oversight procedures and guidance that will expedite development, approval, and implementation of rate of progress plans and related emission controls.

Recommendation 3-3: We recommend that the Assistant Administrator for Air and Radiation develop guidance for analyzing and comparing periodic emission inventories to projected emission target levels and evaluating assumptions used in applicable rate of progress plans, in order to: (1) reconcile differences between projected and actual inventories; (2) identify any incorrect assumptions or projections and understatement of needed emission reductions; and (3) establish improvements that may be needed in the rate of progress development process, and ensure training of staff in conducting these analyses.

Recommendation 5-1: We recommend that the Assistant Administrator for Air and Radiation expedite issuance of the milestone compliance guidance, but restrict the use of observed ambient zone levels as a stand-alone indicator of emission reductions. The guidance should also require the use of meteorologically adjusted ozone trends and trends in ambient concentrations of Volatile Organic Compound and Nitrogen Oxide in the weight of evidence approach.

Recommendation 5-2: We recommend that the Assistant Administrator for Air and Radiation instruct States to utilize indicators, as reflected in the draft milestone compliance demonstration guidance, and/or provide annual updates to emissions inventories (one third of sources per year or one third of States per year) to determine potential or actual emission reductions within the Act's 90-day time frame for milestone compliance demonstrations.

Recommendation 5-3: We recommend that the Assistant Administrator for Air and Radiation require that nonattainment areas update baseline inventories and, subsequently, perform more in-depth assessments of actual emission reductions, once the applicable Periodic Emissions Inventories are completed. This subsequent determination of actual emission reductions may not meet the milestone compliance demonstration 90-day time frame but will provide a measure of progress that is not currently available.

Recommendation 5-4: We recommend that the Assistant Administrator for Air and Radiation incorporate the use of updated National Emissions Inventory data and other available measures, where appropriate, into milestone compliance demonstration guidance as top-down indicators or measures of nonattainment area progress in reducing precursor emissions.

Recommendation 6-1: We recommend that the Assistant Administrator for Air and Radiation develop analytical procedures and processes for the EPA and/or States to utilize updated National Emissions Inventory data for measuring the progress of individual 8-hour

nonattainment areas in reducing precursor emissions and complying with the Act's emission reduction mandates.

Planned Corrective Actions: The Office of Air Quality Planning and Standards is developing a tiered milestone compliance demonstrations (MCD) mechanism involving a review of the implementation of planned emissions reduction measures, air quality monitoring data trends, and, if necessary, a longer-term more detailed assessment of emissions inventories. While the Act requirements for MCDs focus on rigorous accounting of emissions reductions, OAR believes the intent of the reasonable further progress/rate of progress and MCD requirements to assure accountability for early and steady air quality improvement can also be gauged by reviewing implementation efforts and meteorologically adjusted air quality monitoring data. This review would entail, first, a certification that a state's adopted attainment and reasonable further progress plans are being implemented. The second component would be an air quality screening analysis to determine if measured air quality progress is consistent with an expected air quality improvement target correlated with the planned reasonable further progress/rate of progress emissions reductions for the milestone period. The assessment of air quality progress would use meteorological data adjustment to ensure improvements are not due solely to favorable meteorology. The certification and air quality screening analysis would be due within 90 days of the end of the milestone period. If targeted air quality improvements are not demonstrated, a third MCD component would be required, and would include a more comprehensive area-wide emissions analysis. The emissions analysis would be due in a reasonable time (e.g., 12 to 18 months). Since the MCD reporting requirements for the 2008 National Ambient Air Quality Standards will impact just one state, California, OAR intends to work with California on further developing this approach in preparation for the 2018 MCD submissions. OAR plans to have the terms of a draft MCD demonstration completed with California by the end of 2015. The approach developed with affected areas in California would provide a basis and foundation for a broader policy in the future. (These corrective actions apply to recommendation 3-1, 3-3, 5-1, 5-2, 5-3, 5-4 and 6-1.)

Agreed-to Completion Date: December 31, 2015

Part Three: Unimplemented CSB Recommendations With Past Due Completion Dates

Report Title: U.S. Chemical Safety and Hazard Investigation Board Did Not Take Effective Corrective Actions on Prior Audit Recommendations
Report No.: 11-P-0115
Date Issued: 02/15/2011

Report Summary

The CSB did not take timely corrective actions to address a total of 34 audit recommendations from three OIGs and from the Government Accountability Office. In four instances, it took CSB 4 years beyond the agreed-upon corrective actions date (or report date) to implement corrective actions. The CSB's actions to address 13 recommendations were not completely effective and require additional corrective actions, while seven additional recommendations are not yet completed.

The CSB has not established and implemented a management control program to evaluate and report on the effectiveness of controls related to its program operations. The CSB's control environment and control activities do not ensure accountability. Specifically, the CSB's office directors are not accountable for achieving individual and program initiatives leading to chemical accident prevention. Effective control activities, including board orders, have not been developed and implemented. In addition, without a clearly defined statutory mandate, the CSB will face difficulties in developing outcome-related goals for measuring its impact on chemical accident prevention. Without effective controls, the CSB is not timely in carrying out initiatives to achieve the board's goal of chemical accident prevention.

On September 16, 2010, the CSB announced an internal reorganization, appointing a managing director who will oversee all aspects of the CSB operations. A managing director who ensures accountability should provide for more timely and effective resolution of audit recommendations.

Unimplemented Recommendations

Recommendation 1: We recommend that the Chairperson, U.S. Chemical Safety and Hazard Investigation Board, develop and implement a management control plan that documents and addresses the five internal control standards in accordance with OMB Circular A-123 and Government Accountability Office's *Standards for Internal Controls in the Federal Government*. The plan should include an effective monitoring system to track corrective actions to address and implement audit recommendations. The plan is to include:

- a. A database to track all prior audit recommendations, planned milestone completion dates, and corrective actions taken.

- b. Procedures for conducting periodic internal control reviews and properly documenting those reviews, including verifying and ensuring that audit recommendations are resolved promptly.

Status: The CSB agreed to develop a management control plan as an initiative in its FY 2011 action. A draft management control plan has been developed and is currently out for comment. The CSB expects to complete the plan by March 31, 2014. The agreed-to completion date for this corrective action was February 28, 2011.

Recommendation 2: We recommend that the Chairperson, U.S. Chemical Safety and Hazard Investigation Board, develop and publish a regulation requiring persons to report chemical accidents, as required by the Clean Air Act.

Status: The CSB agreed to issue a proposed rule on accident reporting as an initiative in its FY 2011 action plan. After further considering this issue, the CSB believes that it receives adequate incident notifications through constant media and Internet searches, as well as existing federal sources such as the National Response Center. The CSB's ability to consider rulemaking and program development in this area has been further impacted by congressional budget cuts and sequestration, which effectively prevent any hiring that would be needed for a regulatory reporting program. The CSB has developed two written questionnaires that are being sent to companies that have incidents, on a discretionary basis. The CSB does not have any further action planned. The agreed-to completion date for this corrective action was September 30, 2011.

Recommendation 3: We recommend that the Chairperson, U.S. Chemical Safety and Hazard Investigation Board, follow up with Congress on the CSB's request for clarification of its statutory mandate. Upon receipt of the response, develop a plan to describe and address the investigative gap, address prior audit recommendations, and request the necessary resources to meet the CSB's statutory mandate.

Status: The CSB agreed to transmit a formal package of suggested legislative improvements to the CSB's congressional authorizing committee as an initiative in its FY 2011 action plan. The package will include suggested language to clarify the statutory mandate to investigate. The CSB noted that it is not in a position to guarantee a congressional response as indicated in our recommendation. The CSB now believes this recommendation should be closed since the CSB raised the statutory issue with Congress by letter in November 2009. In addition, the letter from then-Chairperson Bresland stated, "Pending any further direction from Congress, the CSB will continue to adhere to its interpretation of its statutory authority and mandate." In the event that Congress opts to consider reauthorization of the CSB, the CSB will remind Congress of this wording concern of the OIG. The CSB does not have any further action planned. The agreed-to completion date for this corrective action was April 30, 2011.

Recommendation 5: We recommend that the Chairperson, U.S. Chemical Safety and Hazard Investigation Board, develop and implement a system for periodic reviews of board orders to ensure they remain updated (i.e., effective date of the policy and scheduled review date) and include the requirement for such a system in the management control plan.

Status: The CSB agreed to develop a system for periodic reviews of board orders and include the requirement for such a review in the management control plan. The CSB has completed its review of all board orders and a plan for updating board orders will be prepared. The agreed-to completion date for this corrective action was February 28, 2011.

Recommendation 6: We recommend that the Chairperson, U.S. Chemical Safety and Hazard Investigation Board, take corrective actions that will satisfy prior audit recommendations by updating and formalizing board orders that are essential to facilitate and manage effective and efficient control activities. Specifically, update:

- a. Board Order 036, "Incident Selection Process," to reflect current changes, such as its data sources, changes due to technology improvements, and the incident selection process decision-making flowchart, to improve the incident screening and deployment decision-making process. In addition, formalize the Incident Screeners Guide (appendix A, audit recommendation 17, 18, 19, 20, and 31).
- b. Board Order 040, "Investigation Protocol," to govern employees retaining memberships in societies or organizations to which the CSB issues recommendations (appendix A, audit recommendation 21).
- c. Board Order 027, "Roles, Responsibilities, and Standards of Conduct in Procurement Activities," to reflect current procurement practices and processes to ensure consistency in the procurement process (appendix A, audit recommendation 7).
- d. Board Order 022, "Recommendation Program," to include new practices adopted for following up on safety recommendations, to include a quality review program to ensure timely follow-up on closed safety recommendations (appendix A, audit recommendations 12 and 15).
- e. Board Order 028, "Executive Administrative Functions of the Board," to document the role and responsibility of the managing director position.

Status: The CSB indicated its intention to satisfy prior audit recommendations by updating and formalizing board orders that are essential to facilitate and manage effective and efficient control activities. Specifically, for each of the sub-recommendations:

- a. The CSB has completed the corrective actions.
- b. The CSB has completed the corrective actions.
- c. For those board orders that refer to positions that no longer exist (e.g., chief operating officer), the CSB general counsel has concluded that the delegated position authority references the equivalent position (e.g., managing director). In those instances in which no equivalent position exists, authority is reposed in the next higher ranking official with decision-making authority. In those rare instances in which no equivalent position can be determined, the administrative authority will revert to the chair or the board, as appropriate. The CSB does not have any further action planned. The agreed-to completion date was March 31, 2011.
- d. The CSB agreed to consider including a quality review program to ensure timely follow-up on safety recommendations in Board Order 022. The CSB will also update the Recommendations Office "Standards of Practice" document and expects that the board order will contain general guidance and the Standards of Practice will include detailed procedures. The CSB staff proposed a revision of Board Order 22 to address this issue,

but the board has not been able to agree on approval. The CSB will adopt pertinent changes through a management directive. The CSB plans to complete these actions by September 30, 2014. The agreed-to completion date was September 30, 2011.

- e. The CSB agreed to review Board Order 028, and update it as appropriate to reflect the role and responsibility of the managing director position by September 30, 2011. The CSB determined, as of February 14, 2012, after review of Board Order 028, that it is not appropriate to document the role and the responsibilities of the managing director in this board order. The purpose of the board order is to establish the manner in which the board exercises its executive and administrative functions through the position of the chairperson. The managing director is a staff position for which roles and responsibilities is no longer applicable. The OIG, however, still considers the recommendation to be open.

Part Four: Unimplemented CSB Recommendations With Future Planned Completion Dates

Report Title: U.S. Chemical Safety and Hazard Investigation Board Needs to Complete More Timely Investigations Evaluation
Report No.: 13-P-0337
Date Issued: 07/30/2013

Recommendation

Recommendation 1: We recommend that the Chairperson, U.S. Chemical Safety and Hazard Investigation Board, develop and implement performance indicators related to its first strategic performance goal and objective to complete timely investigations. Indicators should track and measure the efficiency of key phases of the investigation process and clarify the definition of a “timely” completed investigation. Also, address the indicators in the investigation protocol policy.

Planned Corrective Action: The CSB is analyzing key investigation metrics such as investigator hours, costs and elapsed days to develop performance indicators for various investigation product types. These indicators will be incorporated in the Investigation Product Development and Review procedure of the investigation protocol, which will provide timelines for key milestones. Given staff resources and the investigation workload we expect to provide the Board with a draft Investigation Product Development and Review procedure for consideration and approval by June 30, 2014.

Agreed-to Completion Date: December 31, 2013 (corrective action will be considered past due as of December 31, 2014)

Recommendation 2: We recommend that the Chairperson, U.S. Chemical Safety and Hazard Investigation Board, revise and publish an annual action plan to comply with GPRA 2010 and update related individual performance plans to ensure that performance indicators are addressed and investigative staff are held accountable for performing key phases in the investigation process.

Planned Corrective Action: The CSB believes that the only reports required for publishing under GPRA are Strategic Plans, Annual Performance Plans and Annual Performance Reports. The CSB has published an up-to-date Strategic Plan, annual performance-based budgets, and annual performance reports, which it believes meet the requirements of GPRA. The CSB considers its “action plans” as internal, evergreen documents that are developed annually and updated periodically through the year to track initiatives as it strives to accomplish the goals set in its Strategic Plan. CSB considers action plans to be living documents that must be changed based on inherently unforeseeable incident deployments. CSB will develop and update its FY 2014 action plan during the upcoming fiscal year.

Agreed-to Completion Date: September 30, 2014

Recommendation 3: We recommend that the Chairperson, U.S. Chemical Safety and Hazard Investigation Board, review investigations open for more than 3 years and develop a plan to close out those investigations.

Planned Corrective Action: The CSB will agree to update the OIG on the status and plans for closure for all investigations at the end of calendar 2013.

Agreed-to Completion Date: December 31, 2013 (corrective action will be considered past due as of December 31, 2014)

Recommendation 5: We recommend that the Chairperson, U.S. Chemical Safety and Hazard Investigation Board, as a best practice, involve staff in the planning process of an investigation. Hold meetings between senior management and staff to address any concerns with the investigation process.

Planned Corrective Action: The CSB proposed scoping procedures and templates were presented to the Board for comment in September 2013, and will be prepared for Board vote by October 31, 2013. This will be incorporated in the draft Investigation Product Development and Review procedure that, as stated above in our comments on recommendation 1, the CSB expects to provide to the Board for consideration and approval by June 30, 2014.

Agreed-to Completion Date: December 31, 2013 (corrective action will be considered past due as of December 31, 2014)

Recommendation 7: We recommend that the Chairperson, U.S. Chemical Safety and Hazard Investigation Board, implement and update the records management policy to ensure that the classification of electronic investigation files agrees with the investigation protocol policy and staffs perform internal reviews of records as required by the policy.

Planned Corrective Action: The CSB agrees with this recommendation and will review its Records Management policy and update it by December 31, 2013, to reflect the need for a full OCR scan of the evidentiary case file for each investigation as well as completeness of the case file for official closeout/archiving. The October shutdown and other work priorities have delayed the completion of this project. As a result, the CSB believes it can have it completed by June 30, 2014.

Agreed-to Completion Date: December 31, 2013 (corrective action will be considered past due as of December 31, 2014)

Recommendation 8: We recommend that the Chairperson, U.S. Chemical Safety and Hazard Investigation Board, update the investigation protocol policy for all current investigation procedures to include scoping documents and recommendation briefs. Provide formal training to the investigative staff on changes and updates to the investigative process.

Planned Corrective Action: The CSB proposed scoping procedures and templates were presented to the Board for comment in September 2013, and will be prepared for Board vote by October 31, 2013. This will be incorporated in the Investigation Product Development and Review procedure of the investigation protocol along with a template for recommendations briefs. As previously stated, we expect to provide the Board with a draft of this procedure for consideration and approval by December 31, 2013. We will then train investigative staff on the procedures within 90 days of Board approval. The October shutdown and other work priorities have delayed the completion of this project. As a result, the CSB believes it can have this section completed by June 30, 2014.

Agreed-to Completion Date: December 31, 2013 (corrective action will be considered past due as of December 31, 2014)

Recommendation 9: We recommend that the Chairperson, U.S. Chemical Safety and Hazard Investigation Board, provide guidelines for staff to determine the type of final product in the beginning of the investigation process to help staff be more efficient in completing investigations.

Planned Corrective Action: The CSB proposed scoping procedures and templates were presented to the Board for comment in September 2013, and will be prepared for Board vote by October 31, 2013 and draft of the Investigation Product Development and Review procedure for consideration and approval by June 30, 2014. The October shutdown and other work priorities have delayed this project.

Agreed-to Completion Date: December 31, 2013 (corrective action will be considered past due as of December 31, 2014)

Report Title: Audit Follow-Up Process Needed for the U.S. Chemical Safety and Hazard Investigation Board
Report No.: 13-P-0128
Date Issued: 02/01/2013

Recommendation

Recommendation 1: We recommend that the Chairperson, U.S. Chemical Safety and Hazard Investigation Board, develop and implement a follow-up system as required by OMB Circulars A-50 and A-123 that includes establishing a policy that identifies an audit follow-up official, roles and responsibilities, required documentation, and reporting requirements, to allow for prompt resolution of recommendations and implementation of agreed-to corrective actions.

Planned Corrective Action: The CSB agreed to create agency audit follow-up procedures.

Agreed-to Completion Date: April 30, 2013 (corrective action will be considered past due as of April 30, 2014)

Report Title: U.S. Chemical Safety and Hazard Investigation Board Should Improve Its Recommendations Process to Further Its Goal of Chemical Accident Prevention
Report No.: 12-P-0724
Date Issued: 08/22/2012

Recommendation

Recommendation 1: We recommend that the Chairperson, U.S. Chemical Safety and Hazard Investigation Board, update board orders to ensure that the CSB achieves its mission of chemical accident prevention through improved recommendations processes, to include:

- a. Board Order 022, *CSB Recommendation Program*,
 - i. To establish and implement data quality reviews to verify the accuracy, completeness, and reliability of recommendations data entered in TRIM (Total Records and Information Management), such as error checks and inclusion of required supporting documentation.
 - ii. To require that the Office of Recommendations director periodically analyze and assess the recommendations process to identify potential process improvements.
- b. Board Order 001, *Board Quorum and Voting*, to establish and implement guidelines that define the length of time notation items can be calendared before a vote must be taken.
- c. Board Order 040, *Investigation Protocol*, to clearly outline roles and responsibilities of the Office of Investigations with respect to the recommendations process, including a requirement that Office of Recommendations staff participate in accident investigations, and identification of the office responsible for identifying potential recommendation recipients.

Planned Corrective Action for 1.a: The CSB submitted the revised Board Order 22 to the board for consideration and it was calendared by one of the members on November 1, 2012. The CSB will adopt pertinent changes through a management directive.

Agreed-to Completion Date: May 31, 2013 (corrective action will be considered past due as of May 31, 2014)

Planned Corrective Action for 1.c: Due to the CSB's workload to complete several investigations by the beginning of the second quarter of FY 2013, it was not able to meet the previous December 31, 2012, deadline to complete the sections of Board Order 040 related to the OIG's recommendations. The staff task force completed the section on causal analysis and it has been approved by the board. The task force from the Offices of Investigations, Recommendations, and Administration met on January 22, 2013, to create chapter work plans for Product Development and Review and Recommendations. The CSB will revise Board Order 40.

Agreed-to Completion Date: September 30, 2013 (corrective action will be considered past due as of September 30, 2014)

EPA OIG Reports With Unimplemented Recommendations by Program Office as of March 31, 2014

Recommendations With Past Due Completion Dates

OAR

- 11-R-0179** EPA Needs to Better Document Project Delays for Recovery Act Diesel Emissions Reduction Act Grants
- 10-P-0154** Key Activities in EPA's Integrated Urban Air Toxics Strategy Remain Unimplemented
- 2005-P-00010** Substantial Changes Needed in Implementation and Oversight of Title V Permits If Program Goals Are To Be Fully Realized

OARM

- 13-P-0200** Improvements Needed in EPA's Smartcard Program to Ensure Consistent Physical Access Procedures and Cost Reasonableness
- 11-P-0616** EPA Has Not Fully Implemented a National Emergency Equipment Tracking System
- 11-P-0136** EPA Needs Better Agency-Wide Controls Over Staff Resources
- 11-1-0015** Audit of EPA's Fiscal 2010 and 2009 Consolidated Financial Statements
- 10-P-0002** Review of Hotline Complaint on Employee Granted Full-Time Work-at-Home Privilege

OCFO

- 13-1-0054** Audit of EPA Fiscal 2012 and 2011 Financial Statements
- 11-P-0630** EPA Needs Workload Data to Better Justify Future Workforce Levels
- 11-P-0031** EPA Needs to Strengthen Internal Controls for Determining Workforce Levels
- 10-1-0029** Audit of EPA's Fiscal 2009 and 2008 (Restated) Consolidated Financial Statements
- 2006-P-00013** EPA Can Better Manage Superfund Resources

OCSP

- 12-P-0600** Review of Hotline Complaint Concerning Cost and Benefit Estimates for EPA's Lead-Based Paint Rule
- 10-P-0066** EPA Needs a Coordinated Plan to Oversee Its Toxic Substances Control Act Responsibilities

OECA

- 11-P-0315** Agency-Wide Application of Region 7 NPDES Program Process Improvements Could Increase EPA Efficiency
- 10-P-0230** ECHO Data Quality Audit—Phase II Results: EPA Could Achieve Data Quality Rate with Additional Improvements
- 10-P-0007** EPA Oversight and Policy for High Priority Violations of Clean Air Act Need Improvement
- 2005-P-00024** Limited Knowledge of the Universe of Regulated Entities Impedes EPA’s Ability to Demonstrate Changes in Regulatory Compliance
- 2001-P-00013** State Enforcement of Clean Water Act Discharges Can Be More Effective

OSWER

- 11-P-0534** Revisions Needed to National Contingency Plan Based on Deepwater Horizon Oil Spill
- 11-P-0171** EPA Needs an Agency-Wide Plan to Provide Tribal Solid Waste Management Capacity Assistance
- 10-P-0042** Lack of Final Guidance on Vapor Intrusion Impedes Efforts to Address Indoor Air Risks
- 2007-P-00002** EPA Needs to Plan and Complete a Toxicity Assessment for the Libby Asbestos Cleanup

Region 2

- 2007-P-00016** Environmental Justice Concerns and Communication Problems Complicated Cleaning Up Ringwood Mines/Landfill Site

Region 9

- 12-2-0072** Agreed-Upon Procedures Applied to EPA Grants Awarded To Summit Lake Paiute Tribe, Sparks, Nevada
- 08-P-0196** Making Better Use of Stringfellow Superfund Special Accounts

Recommendations With Future Planned Completion Dates

OA

- 13-P-0432** Controls and Oversight Needed to Improve Administration of EPA’s Customer Service Lines

OAR

- 13-P-0373** The EPA Should Improve Monitoring of Controls in the Renewable Fuel Standard Program
- 13-P-0161** EPA Needs to Improve Air Emissions Data for the Oil and Natural Gas Production Sector

- 12-P-0417** Weaknesses in EPA’s Management of the Radiation Network System Demand Attention
- 11-P-0701** EPA Should Update Its Fees Rule to Recover More Motor Vehicle and Engine Compliance Program Costs
- 09-P-0151** EPA Does Not Provide Oversight of Radon Testing Accuracy and Reliability
- 2004-P-00033** EPA and States Not Making Sufficient Progress in Reducing Ozone Precursor Emissions In Some Major Metropolitan Areas

OARM

- 13-P-0361** EPA Needs to Improve STAR Grant Oversight
- 13-P-0208** EPA Should Increase Fixed-Price Contracting for Remedial Actions
- 13-P-0200** Improvements Needed in EPA’s Smartcard Program to Ensure Consistent Physical Access Procedures and Cost Reasonableness
- 13-P-0162** EPA Can Further Reduce Space in Under-Utilized Facilities
- 13-P-0028** Improvements Needed in Estimating and Leveraging Cost Savings Across EPA
- 12-P-0836** EPA Should Improve Management Practices and Security Controls for Its Network Directory Service System and Related Servers
- 10-P-0177** EPA Revised Hiring Process Needs Additional Improvements

OCFO

- 13-P-0366** The EPA Needs to Improve Timeliness and Documentation of Workforce and Workload Management Corrective Actions
- 13-P-0359** Controls Over EPA’s Compass Financial System Need to Be Improved
- 13-P-0028** Improvements Needed in Estimating and Leveraging Cost Savings Across EPA
- 11-P-0223** EPA Needs to Strengthen Its Management Controls Over Its Travel Authorization Process
- 10-P-0177** EPA Revised Hiring Process Needs Additional Improvements

OCSPP

- 13-P-0163** EPA is Not Recovering All Its Costs of the Lead-Based Paint Fees Program
- 12-P-0600** Review of Hotline Complaint Concerning Cost and Benefit Estimates for EPA’s Lead-Based Paint Rule

OECA

- 13-P-0435** The EPA Should Assess the Utility of the Watch List as a Management Tool
- 13-P-0431** EPA Needs to Update Its Pesticide and Chemical Enforcement Penalty Policies and Practices

10-P-0224 EPA Should Revise Outdated or Inconsistent EPA-State Clean Water Act Memoranda of Agreement

OEI

13-P-0433 Congressionally Requested Inquiry Into the EPA's Use of Private and Alias Email Accounts

13-P-0271 Improved Internal Controls Needed in the Gulf of Mexico Program Office

13-P-0257 Improvements Needed in EPA's Information Security Program

10-P-0177 EPA Revised Hiring Process Needs Additional Improvements

OITA

13-P-0386 EPA's International Program Office Needs Improved Strategic Planning Guidance

ORD

13-P-0363 Chemical Fume Hood Testing Improvements Needed to Reduce Health and Safety Risk to EPA Employees

13-P-0356 Public May Be Making Indoor Mold Cleanup Decisions Based on EPA Tool Developed Only for Research Applications

13-P-0252 Improvements Needed to Secure IT Assets at EPA-Owned Research Facilities

13-P-0161 EPA Needs to Improve Air Emissions Data for the Oil and Natural Gas Production Sector

11-P-0333 Office of Research and Development Needs to Improve Its Method of Measuring Administrative Savings

OSWER

13-P-0298 Improved Information Could Better Enable EPA to Manage Electronic Waste and Enforce Regulations

13-P-0208 EPA Should Increase Fixed-Price Contracting for Remedial Actions

13-P-0178 Improvements Needed in EPA Training and Oversight for Risk Management Program Inspections

13-P-0176 Results and Benefits Information Is Needed to Support Impacts of EPA's Superfund Removal Program

13-P-0152 EPA Could Improve Contingency Planning for Oil and Hazardous Substance Response

12-P-0508 EPA Inaction in Identifying Hazardous Waste Pharmaceuticals May Result in Unsafe Disposal

12-P-0289 Controls Over State Underground Storage Tank Inspection Programs in EPA Regions Generally Effective

12-P-0253 EPA Needs to Further Improve How It Manages Its Oil Pollution Prevention Program

- 11-P-0534** Revisions Needed to National Contingency Plan Based on Deepwater Horizon Oil Spill
- 11-P-0173** EPA Promoted the Use of Coal Ash Products With Incomplete Risk Information
- 10-P-0042** Lack of Final Guidance on Vapor Intrusion Impedes Efforts to Address Indoor Air Risks
- 2007-P-00002** EPA Needs to Plan and Complete a Toxicity Assessment for the Libby Asbestos Cleanup

OW

- 13-P-0349** EPA Can Better Address Risks to the Security of the Nation's Drinking Water through New Authorities, Plans, and Information
- 13-P-0308** Limitations on the EPA's Authority Under the Safe Drinking Water Act Resulted in Unaddressed Concerns at a Tribal Drinking Water Plant
- 13-P-0271** Improved Internal Controls Needed in the Gulf of Mexico Program Office
- 10-P-0224** EPA Should Revise Outdated or Inconsistent EPA-State Clean Water Act Memoranda of Agreement

Region 1

- 13-R-0353** Examination of Costs Claimed Under EPA Cooperative Agreements 2A-96104501 and 2A-96107201 Awarded Under the Recovery Act to Chelsea Collaborative Inc., Chelsea, Massachusetts

Region 6

- 13-R-0297** Air Quality Objectives for the Baton Rouge Ozone Nonattainment Area Not Met under EPA Agreement 2A-96694301 Awarded to the Railroad Research Foundation

Region 8

- 11-P-0430** An Overall Strategy Can Improve Communication Efforts at Asbestos Superfund Site in Libby, Montana

Region 9

- 11-P-0725** Region 9 Technical and Computer Room Security Vulnerabilities Increase Risk to EPA's Network

Region 10

- 13-R-0206** Audit of American Recovery and Reinvestment Act-Funded Cooperative Agreement 2S-96099601 Awarded to the Idaho Department of Environmental Quality
- 12-P-0220** Region 10 Technical and Computer Security Vulnerabilities Increase Risk to EPA's Network

***Unimplemented Recommendations:
Current EPA Compendium
(Past Due Recommendations)
Compared to September 30, 2013, Compendium***

Continuing Unimplemented Recommendations

- 12-2-0072** Agreed-Upon Procedures Applied to EPA Grants Awarded To Summit Lake Paiute Tribe, Sparks, Nevada (**Region 9, Recommendation 2**)
- 11-P-0630** EPA Needs Workload Data to Better Justify Future Workforce Levels (**OCFO, Recommendations 1 and 2**)
- 11-P-0616** EPA Has Not Fully Implemented a National Emergency Equipment Tracking System (**OARM, Recommendation 3**)
- 11-P-0534** Revisions Needed to National Contingency Plan Based on Deepwater Horizon Oil Spill (**OSWER, Recommendations 1, 3, 6 and 7**)
- 11-P-0315** Agency-Wide Application of Region 7 NPDES Program Process Improvements Could Increase EPA Efficiency (**OECA, Recommendation 1**)
- 11-R-0179** EPA Needs to Better Document Project Delays for Recovery Act Diesel Emissions Reduction Act Grants (**OAR, Recommendations 3 and 5**)
- 11-P-0171** EPA Needs an Agency-Wide Plan to Provide Tribal Solid Waste Management Capacity Assistance (**OSWER, Recommendation 2**)
- 11-P-0136** EPA Needs Better Agency-Wide Controls Over Staff Resources (**OARM, Recommendation 1**)
- 11-P-0031** EPA Needs to Strengthen Internal Controls for Determining Workforce Levels (**OCFO, Recommendations 2-1 and 2-2**)
- 10-P-0230** ECHO Data Quality Audit—Phase II Results: EPA Could Achieve Data Quality Rate with Additional Improvements (**OECA, Recommendation 5**)
- 10-P-0154** Key Activities in EPA’s Integrated Urban Air Toxics Strategy Remain Unimplemented (**OAR, Recommendations 2-1 and 2-2**)
- 10-P-0066** EPA Needs a Coordinated Plan to Oversee Its Toxic Substances Control Act Responsibilities (**OCSP, Recommendation 2-5**)
- 10-1-0029** Audit of EPA’s Fiscal 2009 and 2008 (Restated) Consolidated Financial Statements (**OCFO, Recommendations 27 and 32**)
- 10-P-0002** Review of Hotline Complaint on Employee Granted Full-Time Work-at-Home Privileges (**OARM, Recommendations 1 and 2a**)

- 2007-P-00016 Environmental Justice Concerns and Communication Problems Complicated Cleaning Up Ringwood Mines/Landfill Site (**Region 2, Recommendation 2-1**)
- 2007-P-00002 EPA Needs to Plan and Complete a Toxicity Assessment for the Libby Asbestos Cleanup (**OSWER, Recommendation 1**)
- 2006-P-00013 EPA Can Manage Superfund Resources (**OCFO, Recommendation 2-3**)
- 2005-P-00024 Limited Knowledge of the Universe of Regulated Entities Impedes EPA's Ability to Demonstrate Changes in Regulatory Compliance (**OECA, Recommendation 2-4**)
- 2005-P-00010 Substantial Changes Needed in Implementation and Oversight of Title V Permits If Program Goals Are To Be Fully Realized (**OAR, Recommendations 2-1 and 2-3**)
- 2001-P-00013 State Enforcement of Clean Water Act Discharges Can Be More Effective (**OECA, Recommendations 3-1 and 3-2**)

New Unimplemented Recommendations

- 13-P-0200 Improvements Needed in EPA's Smartcard Program to Ensure Consistent Physical Access Procedures and Cost Reasonableness (**OARM, Recommendation 1**)
- 13-1-0054 Audit of EPA Fiscal 2012 and 2011 Financial Statements (**OCFO, Recommendation 6**)
- 12-P-0600 Review of Hotline Complaint Concerning Cost and Benefit Estimates for EPA's Lead-Based Paint Rule (**OCSPP, Recommendation 1**)
- 11-1-0015 Audit of EPA's Fiscal 2010 and 2009 Consolidated Financial Statements (**OARM, Recommendation 9**)
- 10-P-0066 EPA Needs a Coordinated Plan to Oversee Its Toxic Substances Control Act Responsibilities (**OCSPP, Recommendation 2-4**)
- 10-P-0042 Lack of Final Guidance on Vapor Intrusion Impedes Efforts to Address Indoor Air Risks (**OSWER, Recommendation 2**)
- 10-P-0007 EPA Oversight and Policy for High Priority Violations of Clean Air Act Need Improvement (**OECA, Recommendations 1 and 3**)
- 08-P-0196 Making Better Use of Stringfellow Superfund Special Accounts (**Region 9, Recommendation 2**)

Removed Unimplemented Recommendations

Note: Removal of an unimplemented recommendation does not mean that the OIG verified it as being implemented but rather that EPA reported it as being completed.

- 12-P-0388 EPA Should Improve Controls for Managing Contractor-Held Property (**OARM, Recommendations 1, 3 and 6**)
- 12-P-0125 Early Warning Report: Use of Unapproved Asbestos Demolition Methods May Threaten Public Health (**OA, Recommendation 5**)
- 12-P-0113 EPA Must Improve Oversight of State Enforcement (**OECA, Recommendation 4**)

- 12-1-0073** Audit of EPA's Fiscal 2011 and 2010 Consolidated Financial Statements
(OARM, Recommendations 9)
- 11-P-0708** EPA Progress on the 2007 Methamphetamine Remediation Research Act
(OA, Recommendation 3)
- 11-P-0705** EPA's Contract Oversight and Controls Over Personal Computers Need Improvement
(OARM, Recommendation 2)
- 11-P-0687** EPA Should Improve Timeliness for Resolving Audits Under Appeal
(OARM, Recommendation 2)
- 11-P-0386** Office of Research and Development Should Increase Awareness of Scientific Integrity Policies
(ORD, Recommendation 3)
- 11-P-0171** EPA Needs an Agency-Wide Plan to Provide Tribal Solid Waste Management Capacity Assistance
(OSWER, Recommendation 1)
- 10-P-0007** EPA Oversight and Policy for High Priority Violations of Clean Air Act Need Improvement
(OECA, Recommendation 2)
- 09-P-0087** EPA Plans for Managing Counter Terrorism/Emergency Response Equipment and Protecting Critical Assets Not Fully Implemented
(OARM, Recommendation 4-1(b))