



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

OFFICE OF
INSPECTOR GENERAL

November 5, 2018

MEMORANDUM

SUBJECT: Project Notification:
Analysis of EPA Enforcement Results from Fiscal Years 2006 Through 2018
Project No. OA&E-FY19-0030

FROM: Kathlene Butler, Director *Kathlene Butler*
Water Directorate
Office of Audit and Evaluation

TO: Susan Bodine, Assistant Administrator
Office of Enforcement and Compliance Assurance

The Office of Inspector General (OIG) for the U.S. Environmental Protection Agency (EPA) plans to begin preliminary research on the agency's enforcement results from fiscal years 2006 through 2018. We plan to begin preliminary research on November 5, 2018. This project is approved for our fiscal year 2019 annual plan.

The OIG's objectives are to answer the following questions:

- (1) What are the trends in enforcement results stemming from EPA enforcement actions (injunctive relief, supplementary environmental projects and penalties) over time (fiscal years 2006 through 2018)?
- (2) What are the key factors explaining differences in enforcement results stemming from EPA enforcement actions over time, among EPA regions and among environmental statutes?

The OIG plans to conduct work in the Office of Enforcement and Compliance Assurance's (OECA's) Office of Civil Enforcement, as well as in regions as needed. We will conduct our work using applicable generally accepted government auditing standards. The anticipated benefit of this project includes providing an objective analysis of EPA enforcement trends.

We will contact you to arrange a mutually agreeable time to discuss our objectives and the purpose of our project. We would also be particularly interested in any areas of concern that you may have. We will answer any of your questions about the project process, reporting procedures, methods used to gather and analyze data, and what we should expect of each other during the course of the project. Throughout the project, we will provide OECA's audit follow-up coordinator with monthly updates on the project's status by email.

We request that you provide us with the following information prior to the meeting:

- OECA's master list of concluded enforcement cases for fiscal years 2006 through 2018, in an electronic format.
- The official response to Senator Markey's letter, dated January 19, 2018, to the Administrator, concerning the EPA's enforcement activities.
- Any other official requests, and responses to congressional requests, for information about the EPA's enforcement activities, received by the agency since October 2016.

We respectfully note that the OIG is authorized by the Inspector General Act of 1978, as amended, to have timely access to personnel and all materials necessary to complete its objectives. We will request that you resolve the situation if an agency employee or contractor refuses to provide requested records to the OIG or otherwise fails to cooperate with the OIG. We may report unresolved access matters to the Administrator and include the incident in the *Semiannual Report to Congress*.

I will supervise the project, and the Project Manager will be Kathryn Hess. Any information related to the project should be addressed to me at (404) 562-9736 or butler.kathlene@epa.gov, or Kathryn Hess at (617) 918-1487 or hess.kathryn@epa.gov.

cc: Henry Darwin, Acting Deputy Administrator
Ryan Jackson, Chief of Staff
Michael Molina, Special Advisor, Office of the Administrator
Lawrence Starfield, Principal Deputy Assistant Administrator for Enforcement and Compliance Assurance
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Rosemarie Kelley, Director, Office of Civil Enforcement, Office of Enforcement and Compliance Assurance
Gwendolyn Spriggs, Audit Follow-Up Coordinator, Office of Enforcement and Compliance Assurance
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