



U.S. ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF INSPECTOR GENERAL



Compendium of Open and Unresolved Recommendations

Data as of March 31, 2021



Abbreviations

| | |
|-----------|---|
| BEACH Act | Beaches Environmental Assessment and Coastal Health Act of 2000 |
| EPA | U.S. Environmental Protection Agency |
| OIG | Office of Inspector General |
| U.S.C. | United States Code |

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At a Glance

Why We Published This Compendium

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 must include “an identification of each significant recommendation described in previous semi-annual reports on which corrective action has not been completed.”

The U.S. Environmental Protection Agency’s Office of Inspector General is publishing this compendium to analyze the open and unresolved recommendations listed in the semiannual report covering our work from October 1, 2020, through March 31, 2021. Our intention is to update this compendium annually.

Open recommendations are those that the EPA and the OIG agree on but that have not yet been completed. This includes recommendations with corrective actions past due or due in the future. **Unresolved recommendations** are those that the Agency and the OIG do not agree on. This includes disagreement on either the recommendation itself or the proposed corrective action.

Address inquiries to our public affairs office at (202) 566-2391 or OIG_WEBCOMMENTS@epa.gov.

List of [OIG reports](#).

Compendium of Open and Unresolved Recommendations: Data as of March 31, 2021

What We Found

From March 2017 through March 2021, the U.S. Environmental Protection Agency’s Office of Inspector General issued nine semiannual reports to Congress that identified an average of 99 open recommendations and 18 unresolved recommendations issued by the OIG to the EPA. The total potential monetary benefit was, on average, \$167 million for the open recommendations and \$7.5 million for the unresolved recommendations.

This compendium focuses on the 111 open and 25 unresolved recommendations identified in OIG Report No. [EPA-350-R-21-001](#), *Semiannual Report to Congress: October 1, 2020 to March 31, 2021*, issued May 29, 2021. In this compendium, we also discuss:

- The relationship of the open and unresolved recommendations to the EPA’s top management challenges, which we detail in OIG Report No. [20-N-0231](#), *EPA’s FYs 2020–2021 Management Challenges*, issued July 21, 2020.
- Fourteen high-priority open or unresolved recommendations presented to the EPA in April 2021.
- The breakdown of open recommendations by program office and region.
- The human health, environmental, administrative, and business benefits of the open recommendations. As of March 31, 2021, there were 48 open recommendations to improve human health and the environment and 63 recommendations to improve administrative and business functions.
- Open recommendations that are at least three years old, as well as corrective actions that are not scheduled to be completed within three years of their issuance.



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

THE INSPECTOR GENERAL

August 4, 2021

MEMORANDUM

SUBJECT: Compendium of Open and Unresolved Recommendations: Data as of March 31, 2021
Report No. 21-N-0191

FROM: Sean W. O'Donnell 

TO: Michael S. Regan, Administrator

Janet McCabe, Deputy Administrator

The U.S. Environmental Protection Agency's Office of Inspector General presents our inaugural *Compendium of Open and Unresolved Recommendations: Data as of March 31, 2021*, which details the status of 111 open and 25 unresolved recommendations issued by the OIG to the EPA as of March 31, 2021.

The Inspector General Act of 1978, as amended, requires each inspector general to prepare semiannual reports for Congress, which must include "an identification of each significant recommendation described in previous semi-annual reports on which corrective action has not been completed." This compendium provides an analysis of the open or unresolved recommendations identified in OIG Report No. [EPA-350-R-21-001](#), *Semiannual Report to Congress: October 1, 2020 to March 31, 2021*, issued May 29, 2021.

Section 1 focuses on unresolved recommendations. Section 2 outlines how the open and unresolved recommendations relate to the EPA's top management challenges, which we detail in OIG Report No. [20-N-0231](#), *EPA's FYs 2020–2021 Management Challenges*, issued July 21, 2020. Section 3 identifies 14 high-priority open or unresolved recommendations, a summary of which we shared with the EPA in April 2021. Section 4 breaks down the open recommendations by program and regional office. Section 5 discusses the human health, environmental, administrative, and business benefits of the open recommendations. Section 6 lists the open recommendations that are at least three years old, as well as those recommendations with proposed corrective actions not scheduled to be completed within three years of issuance.

We will post this report to our website at www.epa.gov/oig.

cc: Assistant Administrators
General Counsel
Chief Financial Officer
Associate Administrators
Regional Administrators

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INTRODUCTION

Terminology

In this compendium, we discuss the recommendations that the Office of Inspector General has made to the U.S. Environmental Protection Agency that are either open or unresolved. **Open recommendations** are those OIG recommendations that the Agency has proposed corrective actions and estimated completion dates for, that the OIG agrees with, but that the Agency has not yet completed. **Unresolved recommendations** are those recommendations on which the OIG and the Agency have not reached agreement on the recommendation, the corrective action, or both.

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 must include “an identification of each significant recommendation described in previous semiannual reports on which corrective action has not been completed.” Section 5 also requires these semiannual reports to list prior audit, inspection, and evaluation reports for which no management decision was made—in other words, those reports with unresolved recommendations. Accordingly, the EPA OIG includes lists in each of its semiannual reports to Congress of the open and unresolved recommendations issued by the OIG to the EPA.

Purpose

This compendium analyzes the open or unresolved recommendations issued by the EPA OIG to help Agency management stay informed about the EPA’s:¹

- Outstanding commitments to act on OIG recommendations.
- Progress in completing corrective actions, which will help improve its programs and operations.

As of March 31, 2021, the EPA had not implemented 111 OIG recommendations. The full text of these recommendations and any associated monetary benefits can be viewed in Appendix 3 of OIG Report No. [EPA-350-R-21-001](#), *Semiannual Report to Congress: October 1, 2020 to March 31, 2021*, issued May 29, 2021. Also, as of March 31, 2021, the OIG has issued 25 recommendations to the EPA that remain unresolved. These recommendations can be found in Appendix 2 of the *Semiannual Report to Congress*.

Background

Section 5(b)(4) of the Inspector General Act of 1978, as amended (5 U.S.C. App. 3), requires each inspector general to report recommendations for which final corrective action has not been taken one year or more after the agency’s management decision as to the resolution of the

¹ The EPA OIG also provides oversight to the U.S. Chemical Safety and Hazard Investigation Board. However, with only two open recommendations, the Board did not have the volume to make a compendium necessary. The recommendations issued to the Chemical Safety and Hazard Investigation Board that remained open as of March 31, 2021, can be viewed in Appendix 3 of the *Semiannual Report to Congress* (OIG Report No. [EPA-350-R-21-001](#)).

recommendation. Office of Management and Budget Circular A-50, *Audit Follow-up*, dated September 29, 1982, provides insight into the recommendation process. Specifically, the circular:

- Affirms that corrective action taken by management on resolved findings and recommendations is essential for improving the effectiveness and efficiency of government operations.
- States that audit follow-up is a shared responsibility of agency management officials and auditors.
- Requires each agency to ensure that systems are in place for the prompt and proper resolution and implementation of audit recommendations.

Recommendations issued by the EPA OIG are designed to improve the economy, efficiency, effectiveness, or integrity of the EPA’s programs and operations. EPA Manual 2750, *Audit Management Procedures*, which is based in part on Office of Management and Budget Circular A-50, details the EPA’s audit management procedures. EPA Manual 2750 designates the EPA’s chief financial officer as the Agency’s audit follow-up official with responsibility for ensuring agencywide audit resolution and implementation of corrective actions by action officials.

In accordance with Office of Management and Budget Circular A-50, if the OIG and the EPA office that was audited or evaluated disagrees on a recommendation, an audit resolution process is triggered. This process is outlined in EPA Manual 2750. When resolution cannot be attained, the Office of the Chief Financial Officer will hold resolution discussions with the OIG and the office that was audited or evaluated. If resolution still is not attained, the issue is presented to the EPA deputy administrator for a final decision.

Compendium Data Sources

Table 1 outlines the relevant information from the March 2017 through March 2021 semiannual reports to Congress used to produce this compendium.

Table 1: Semiannual reporting data relevant to the development of this compendium*

| Semiannual reporting period | Number of open and unresolved recommendations | Potential monetary benefits (in millions) |
|-----------------------------|---|---|
| 10/1/16–3/31/17 | 114 | \$110.227 |
| 4/1/17–9/30/17 | 73 | \$112.332 |
| 10/1/17–3/31/18 | 133 | \$865.694 |
| 4/1/18–9/30/18 | 76 | \$89.214 |
| 10/1/18–3/31/19 | 148 | \$92.473 |
| 4/1/19–9/30/19 | 93 | \$71.066 |
| 10/1/19–3/31/20 | 138 | \$69.853 |
| 4/1/20–9/30/20 | 138 | \$115.447 |
| 10/1/20–3/31/21** | 136 | \$40.601 |

Source: OIG Semiannual Reports to Congress issued from fiscal year 2016 to mid-fiscal year 2021. (EPA OIG table)

* U.S. Chemical Safety and Hazard Investigation Board and single audit report data were not included.

** Number of recommendations and monetary benefits as of March 31, 2021, have been updated since publication of OIG Report No. EPA-350-R-21-001 based on new data.

SECTION 1: Unresolved Recommendations

It is the Agency’s prerogative to agree to and implement corrective actions addressing OIG recommendations. Although rare, sometimes the EPA and the OIG cannot reach agreement on recommendations even after completing the audit resolution procedures outlined in EPA Manual 2750. The recommendation is then considered **unresolved**.

Table 2 provides an overview of the EPA’s 13 unresolved OIG recommendations as of March 31, 2021,² and as reported in OIG Report No. [EPA-350-R-21-001](#), *Semiannual Report to Congress: October 1, 2020 to March 31, 2021*. The table delineates these recommendations by the EPA office or region that would be responsible for implementing the associated corrective actions. These 13 unresolved recommendations were issued across five reports. Appendix A details these unresolved recommendations by report, including a summary of the OIG and EPA positions and any progress made toward resolution.

Table 2: Unresolved recommendations by responsible office

| Responsible office | Number of unresolved recommendations |
|---|--------------------------------------|
| Office of Air and Radiation | 4 recommendations across 2 reports |
| Office of Land and Emergency Management | 3 recommendations in 1 report* |
| Office of Mission Support | 3 recommendations in 1 report |
| Office of Water | 2 recommendations in 1 report |
| Region 6 | 1 recommendation* |

Source: OIG Report No. [EPA-350-R-21-001](#), *Semiannual Report to Congress: October 1, 2020 to March 31, 2021*. (EPA OIG table)

* The unresolved recommendations to the Office of Land and Emergency Management and to Region 6 were issued within the same report.

² In total there were 25 unresolved recommendations; however, 12 are being covered in *Section 3: High-Priority Open or Unresolved EPA Recommendations*.

SECTION 2: Implementing Open and Unresolved Recommendations Would Help EPA Mitigate Its Top Management Challenges

The EPA faces significant challenges in accomplishing its mission. Annually, our office publicly reports on the EPA’s top management challenges, whereby we assess the major challenges that affect and influence EPA operations. In fiscal year 2020, we identified eight top management challenges for the EPA in OIG Report No. [20-N-0231](#), *EPA’s FYs 2020–2021 Management Challenges*. Drawing high-level EPA attention to these key issues is an essential component of the OIG’s mission. In Table 3, we enumerate the EPA’s open and unresolved recommendations, that if implemented or resolved would help the EPA mitigate these challenges. Appendix B details how the reports in which these open and unresolved recommendations were issued relate to each management challenge.

Table 3: EPA’s top management challenges and related open and unresolved recommendations

| Management challenge | Description of challenge | Number of open and unresolved recommendations with relevant notes |
|--|---|--|
| Maintaining operations during pandemic and natural disaster responses | The EPA must be able to operate in challenging environments and take actions to mitigate obstacles that can impede mission completion. The EPA needs to maintain human health and environmental protections, business operations, and employee safety during pandemics and other natural disasters. | 3 open and 4 unresolved recommendations across 2 reports <i>EPA Administrator Michael S. Regan has discarded the return-to-office schedule of the prior administration while the EPA assesses the situation.</i> |
| Complying with key internal control requirements | The EPA must implement and operate internal controls that establish and maintain an effective work environment, including developing internal control risk assessments, ensuring quality data, and creating effective operational policies and procedures. | 63 open and 9 unresolved recommendations across 24 reports <i>Internal controls affect all other management challenges. The high number of recommendations in this area will be an OIG consideration in the development of future management challenges.</i> |
| Overseeing states, territories, and tribes responsible for implementing EPA programs | The EPA must improve its oversight of environmental programs managed by states, territories, and tribes. | 19 open and 3 unresolved recommendations across 7 reports <i>The pandemic affected the ability of EPA staff to perform some in-person oversight duties.</i> |
| Improving workforce/workload analyses to accomplish EPA’s mission efficiently and effectively | The EPA needs ongoing and comprehensive workload analyses to adequately respond to and prepare for future staffing gaps and shortages in essential positions. | 4 open recommendations across 2 reports <i>The U.S. Government Accountability Office reports that the entire federal government has regressed in this area after years of progress and that this is a high-risk issue because mission-critical skills gaps impede the government from cost-effectively serving the public and achieving results. The EPA has reported to the OIG that it faces significant workforce issues. Specifically, the EPA is concerned about having appropriate staff at the appropriate grade levels.</i> |

| Management challenge | Description of challenge | Number of open and unresolved recommendations with relevant notes |
|--|--|--|
| Enhancing information technology security to combat cyberthreats | Without enhanced information technology security, the EPA remains vulnerable to existing and emerging cyberthreats. | 4 open recommendations across 2 reports <i>Cybercrime is becoming more prevalent. Because of increased remote work during the pandemic, the EPA is more reliant on information systems to achieve its mission, which has increased its vulnerability to cyberthreats. In addition, the EPA warns that, like other critical infrastructure, the water sector can be a target of cybersecurity threats and hazards. According to the American Water Works Association, water- and wastewater-sector entities have suffered a range of attacks, such as ransomware, the tampering with Industrial Control Systems, the manipulation of valve and flow operations and chemical treatment formulations, and other efforts to disrupt and potentially destroy operations. Implementing cybersecurity best practices is critical for water and wastewater utilities.</i> |
| Communicating risks to allow the public to make informed decisions about its health and the environment | The EPA needs to provide individuals and communities with sufficient information to make informed decisions to protect their health and the environment. | 10 open and 1 unresolved recommendation across 5 reports <i>This challenge is closely related to environmental justice, as disadvantaged communities cannot make fully informed decisions without receiving vital information on environmental issues that could affect their health.</i> |
| Fulfilling mandated reporting requirements | The EPA must meet its congressionally mandated reporting requirements. | 8 open and 2 unresolved recommendations across 4 reports <i>The EPA is responsible for submitting reports to Congress under several environmental statutes. When the EPA does not fulfill a requirement for a statutorily mandated report, the Agency is in violation of the law.</i> |
| Integrating and leading environmental justice across the Agency and government | The EPA needs to enhance its consideration of environmental justice across programs and regions. The EPA also needs to provide leadership in this area. | 6 unresolved recommendations* <i>Environmental justice is a stated focus of the new administration and an overarching challenge.</i> |

Source: OIG Report No. [EPA-350-R-21-001](#), *Semiannual Report to Congress: October 1, 2020 to March 31, 2021*. (EPA OIG table)

SECTION 3: High-Priority Open or Unresolved EPA Recommendations

Introduction

We delivered a briefing in April 2021 to EPA Administrator Michael S. Regan, who was then newly confirmed, that identified 14 high-priority open or unresolved recommendations issued across five OIG reports. This section identifies those high-priority recommendations, specifies which management challenges they would help mitigate, and classifies them by the benefits to be gained once they are implemented.

Recommendations Containing Human Health or Environmental Benefits

If implemented, four of our 14 high-priority open or unresolved recommendations would benefit human health or the environment. These four high-priority recommendations were issued across three reports and are detailed in the tables below. These recommendations would also help the EPA address three of its top management challenges: communicating risks; overseeing states, territories, and tribes implementing EPA programs; and maintaining operations during pandemic and natural disaster responses.

Communicating Ethylene Oxide Emissions Risks to Residents

| Report | |
|---|--|
| Number | 20-N-0128 |
| Date issued | March 31, 2020 |
| Title | <i>Management Alert: Prompt Action Needed to Inform Residents Living Near Ethylene Oxide-Emitting Facilities About Health Concerns and Actions to Address Those Concerns</i> |
| High-priority recommendation | |
| Responsible office | Office of the Administrator (specifically, the associate deputy administrator) |
| High-priority recommendation issued within report | 1. Improve and continue to implement ongoing risk communication efforts by promptly providing residents in all communities near the 25 ethylene oxide-emitting facilities identified as high-priority by the EPA with a forum for an interactive exchange of information with the EPA or the states regarding health concerns related to exposure to ethylene oxide. |
| Status of high-priority recommendation | <i>Open.</i> Because the EPA did not concur with our recommendation, the recommendation progressed through the resolution process, in accordance with EPA Manual 2750. On January 4, 2021, the administrator accepted the alternative corrective actions and milestones proposed by the Office of Air and Radiation for this recommendation. The milestone for completing the corrective actions was May 31, 2021. |
| Associated top management challenge and description | <i>Communicating risks.</i> The then-administrator's decision to not implement the original OIG recommendation to warn residents of the risk of exposure to ethylene oxide impedes effective and transparent risk communication by the EPA. In our report, we found that the EPA identified 25 high priority ethylene oxide-emitting facilities that contributed to elevated estimated cancer risks, but the EPA or the states only communicated those risks to nine of the 25 affected communities. |

Planning and Communication in Tribal “Circuit Rider” Program

| Report | |
|---|--|
| Number | 20-P-0012 |
| Date issued | October 29, 2019 |
| Title | <i>Tribal Pesticide Enforcement Comes Close to Achieving EPA Goals, but “Circuit Rider” Inspector Guidance Needed</i> |
| High-priority recommendations | |
| Responsible office | Office of Enforcement and Compliance Assurance |
| High-priority recommendations issued within report | <ol style="list-style-type: none"> 1. Require circuit riders to include the pesticide needs and risks of each tribe on their circuit in the development of their priority-setting plans, which are a required component of tribal pesticide enforcement cooperative agreements. 2. Develop and implement tribal circuit rider guidance for pesticide inspectors that includes expectation-setting and communication with tribes that are being served under a tribal pesticide enforcement cooperative agreement. |
| Status of high-priority recommendations | <i>Open.</i> The planned completion date for both recommendations is December 31, 2022. The Office of Enforcement and Compliance Assurance agreed with our recommendations and provided both interim corrective action plans and long-term corrective action plans. No administrator action is requested at this time. |
| Associated top management challenge and description | <i>Overseeing states, territories, and tribes implementing EPA programs.</i> The circuit rider program enables the EPA to better detect and prevent pesticide misuse and unnecessary risk to human health and the environment in Indian Country, in accordance with the Federal Insecticide, Fungicide, and Rodenticide Act. Specifically, tribes that are not interested in or suited for a single-tribe pesticide enforcement program are encouraged to use tribal inspectors, also referred to as circuit riders. However, tribes that use circuit riders may not be fully aware of the scope or outcome of activities that the circuit riders conduct. |

Ability to Respond to Disasters

| Report | |
|---|--|
| Number | 20-P-0066 |
| Date issued | January 3, 2020 |
| Title | <i>EPA Can Improve Incident Readiness with Better Management of Homeland Security and Emergency Response Equipment</i> |
| High-priority recommendation | |
| Responsible office | Office of the Administrator |
| High-priority recommendation issued within report | <ol style="list-style-type: none"> 2. Maintain an official agencywide management and tracking system for homeland security and emergency response equipment that provides for the status, availability, and acquisition costs of all equipment. |
| Status of high-priority recommendation | <i>Open.</i> Although unresolved upon issuance, Recommendation 2 was resolved on February 10, 2021, with corrective actions pending and scheduled for completion by June 2022. No further action is requested of the administrator at this time. |
| Associated top management challenge and description | <i>Maintaining operations during pandemic and natural disaster responses.</i> The EPA did not identify the homeland security and emergency response equipment needed to respond to a nationally significant incident. The EPA also did not fully use its agencywide equipment system to track the availability of such EPA-owned equipment. In addition, the EPA’s special teams need to address the status of unused or broken homeland security and emergency response equipment. While the EPA has successfully responded to past incidents, there is a risk that—until it identifies a list of equipment it needs to meet its responsibilities during an incident—the Agency may not have the correct equipment to respond to future incidents. Also, while the EPA spends \$554,310 annually on the Agency Asset Management System, it is not using the system to manage and track the EPA’s equipment. Instead, the EPA spent \$2,365,938 to track the equipment outside of the Agency Asset Management System, making it difficult for the EPA to have an accurate inventory of homeland security and emergency response equipment. |

Recommendations Containing Administrative or Business Benefits

If implemented, ten of our 14 high-priority open or unresolved recommendations would benefit the EPA’s administrative and business processes and functions. These ten high-priority recommendations were issued across two reports and are detailed in the tables below. These recommendations would also help the EPA mitigate two of its top management challenges: integrating and leading environmental justice and complying with key internal control requirements.

Title VI Funding and Preventing Discrimination

| Report | |
|---|--|
| Number | 20-E-0333 |
| Date issued | September 28, 2020 |
| Title | <i>Improved EPA Oversight of Funding Recipients’ Title VI Programs Could Prevent Discrimination</i> |
| High-priority recommendations | |
| Responsible offices | Office of the Administrator and Office of General Counsel |
| High-priority recommendations issued within report | <ol style="list-style-type: none"> 1. Develop and implement a plan to coordinate relevant Agency program, regional, and administrative offices with the External Civil Rights Compliance Office to develop guidance on permitting and cumulative impacts related to Title VI. 2. Develop and implement a plan to complete systematic compliance reviews to determine full compliance with the Title VI program. 3. Develop metrics to assess the effectiveness of the Cooperative Federalism pilot and other technical assistance efforts, such as the procedural safeguards checklist. Revise these tools and programs as needed based on the metrics. 4. Verify that EPA funding applicants address potential noncompliance with Title VI with a written agreement before the funds are awarded. 5. Determine how to use existing or new data to identify and target funding recipients for proactive compliance reviews, and develop or update policy, guidance, and standard operating procedures for collecting and using those data. 6. Develop and deliver training for the deputy civil rights officials and EPA regional staff that focuses on their respective roles and responsibilities within the EPA’s Title VI program. |
| Status of high-priority recommendations | <i>Unresolved.</i> The Agency did not concur with any of these recommendations, which triggered the audit resolution process. The Office of General Counsel issued a memorandum on November 27, 2020, in response to Recommendations 2–6, which were addressed to the general counsel, and included comments regarding Recommendation 1, which was addressed to the associate deputy administrator. In a February 9, 2021 memorandum, we communicated that all six recommendations remain unresolved with no management decision reached. |
| Associated top management challenge and description | <i>Integrating and leading environmental justice.</i> Title VI of the Civil Rights Act of 1964 provides that “no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” The EPA’s External Civil Rights Compliance Office had not fully implemented an oversight system to identify and correct weaknesses in EPA funding recipients’ Title VI programs. By addressing these issues, the External Civil Rights Compliance Office could improve the implementation of Title VI by collecting additional data from recipient programs, enabling it to target vulnerable programs to assess and assure Title VI compliance. Without better program oversight to assure compliant Title VI programs, the primary option for a community seeking relief from discriminatory practices would be to file a Title VI complaint with the EPA. |

Unresolved Travel Recommendations Impairing Internal Control Environment

| Report | |
|---|---|
| Number | 19-P-0155 |
| Date issued | May 16, 2019 |
| Title | <i>Actions Needed to Strengthen Controls over the EPA Administrator's and Associated Staff's Travel</i> |
| High-priority recommendations | |
| Responsible offices | Office of the Chief Financial Officer |
| High-priority recommendations issued within report | <ol style="list-style-type: none"> 1. Evaluate and determine whether the increased airfare costs estimated at \$123,942 related to former Administrator Pruitt's use of first/business class travel without sufficient justification and proper approval, for the period March 1, 2017, through December 31, 2017, should be recovered and, if so, from which responsible official or officials, and direct recovery of the funds. 2. For the period January 1, 2018, through his resignation in July 2018, evaluate and determine whether any costs related to former Administrator Pruitt's use of first/business-class travel without sufficient justification and proper approval should be recovered and, if so, from which responsible official or officials, and direct recovery of the funds. 12. Implement controls to verify that the use of first/business-class travel complies with the requirements of the Federal Travel Regulation and EPA policy in Resource Management Directive System 2550B prior to approval of the travel authorization. 14. Identify and review all business-class travel claimed for the staff and Protective Service Detail agents who accompanied the former administrator on travel from March 2017 through his resignation in July 2018 for proper approval. Where policy was not followed, recover any excess costs claimed for the use of business class. |
| Status of high-priority recommendations | <i>Unresolved.</i> In response to Recommendations 1 and 2, the Office of the Chief Financial Officer communicated that costs would not be recovered but did not provide any justification for that decision. This decision does not promote ethical conduct or trust in government; does not create an effective control environment; and does not adhere to the Federal Records Act, which requires agencies to provide documentation for its decisions. In response to Recommendation 12, the Office of the Chief Financial Officer communicated that there is a requirement to comply with those regulations but did not provide a control to ensure compliance. The Office of the Chief Financial Officer did not provide any response to Recommendation 14. Until these recommendations are resolved, the EPA will face scrutiny for having an ineffective control environment. |
| Associated top management challenge and description | <i>Complying with key internal control requirements.</i> We received several congressional requests and hotline complaints alleging that then Administrator Scott Pruitt abused his travel privileges. We found that the administrator and some staff had not complied with all applicable provisions of the Federal Travel Regulations and EPA policy. The resulting message to EPA staff and others was that the rules do not apply to senior leaders. |

SECTION 4: Open Recommendations by Region and Program Office

We analyzed the 111 open recommendations that the EPA has not implemented as of March 31, 2021, by the region and program office responsible for completing the associated corrective actions. Table 4 details, in descending order, the number of open recommendations for each region or program office, as applicable. Appendix C provides a full breakdown of the associated reports with these open recommendations by responsible region and program office.

Table 4: Number of open by responsible office

| Responsible office | Number of associated open recommendations** |
|--|---|
| Office of Mission Support* | 19 open recommendations across 5 reports |
| Office of Air and Radiation | 16 open recommendations across 7 reports |
| Office of Enforcement and Compliance Assurance | 12 open recommendations across 6 reports |
| Office of the Chief Financial Officer | 9 open recommendations across 4 reports |
| Office of Chemical Safety and Pollution Prevention | 9 open recommendations across 7 reports |
| Office of Research and Development | 8 open recommendations across 2 reports |
| Office of Land and Emergency Management | 7 open recommendations across 4 reports |
| Office of Water | 7 open recommendations across 3 reports |
| Office of International and Tribal Affairs | 5 open recommendations in 1 report |
| Office of the Administrator | 5 open recommendations across 4 reports |
| Region 6 | 3 open recommendations across 2 reports |
| Region 8 | 3 open recommendations in 1 report |
| Regions 6 and 9 | 2 open recommendations in 1 report |
| Region 10 | 2 open recommendations in 1 report |
| Region 1 | 1 open recommendation |
| Region 4 | 1 open recommendation |
| Region 9 | 1 open recommendation |
| Office of General Counsel | 1 open recommendation |

Source: OIG Report No. [EPA-350-R-21-001](#), *Semiannual Report to Congress: October 1, 2020 to March 31, 2021*. (EPA OIG table)

* The Office of Mission Support combines two offices: The Office of Administration and Resource Management and the Office of Environmental Information. These two offices address administrative and business functions, such as personnel, contracting, grants, and information technology.

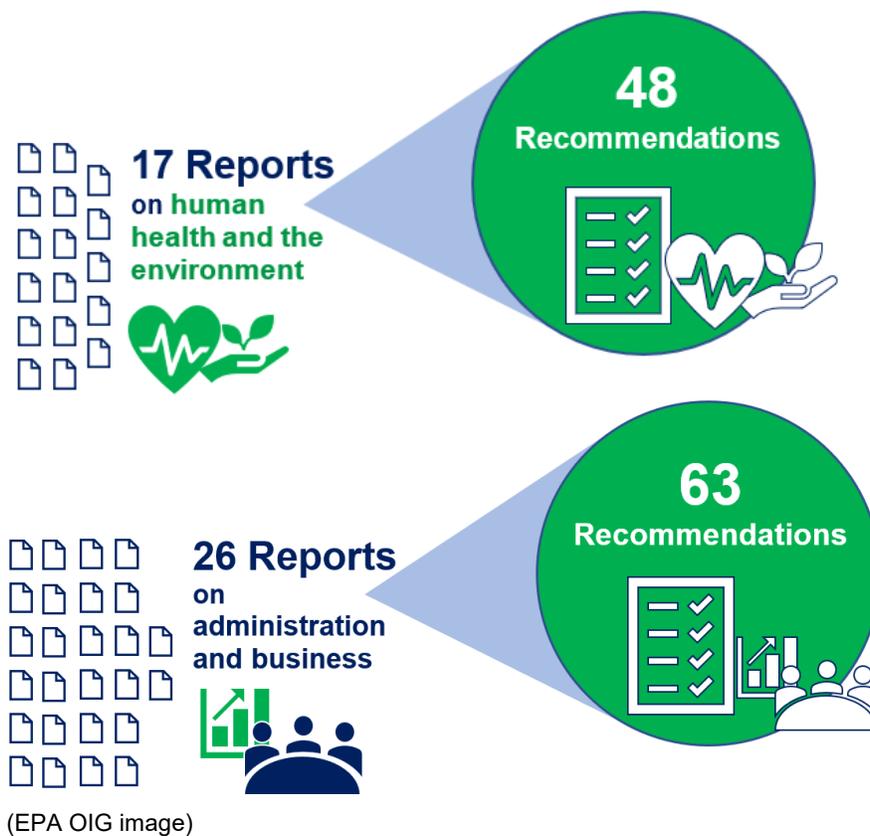
** Some of the open recommendations were issued to multiple offices or regions within the same report.

SECTION 5: Open Recommendations by Benefit Type

We analyzed the benefits that the Agency would gain by completing the associated corrective actions for the 111 recommendations remaining open as of March 31, 2021. Our recommendations to the EPA address two main types of benefits:

- *Human health and environmental benefits.* These benefits provide for better health and environmental outcomes.
- *Administrative and business benefits.* The EPA’s administrative and business processes—which cover personnel, contracting, grants, and information technology functions—facilitate the human health and environmental mission.

The figure below provides an overview of the number of open recommendations that would produce each type of benefit for the Agency. Appendix B details the benefits to be gained by each report with open recommendation.



SECTION 6: Corrective Actions Taking Three Years or More to Implement

Of the 111 open recommendations as of March 31, 2021, 27 recommendations issued across 16 EPA reports remain open after three years or are not scheduled to be implemented three years after issuance. Prompt implementation of corrective actions is necessary to ensure that their benefits, both monetary and environmental, are realized. Delayed implementation, by contrast, increases the likelihood that the Agency will face heightened vulnerability to fraud, waste, and abuse or will risk not meeting its goals in the most effective and efficient manner.

Office of Management and Budget Circular No. A-50 requires each executive agency to establish an audit follow-up system and states that agencies shall assign a high priority to resolving and implementing corrective actions for audit recommendations. It also states that corrective actions should proceed as rapidly as possible; however, no time frame is established. EPA Manual 2750 requires the EPA to timely, efficiently, and effectively resolve OIG findings and recommendations.

It is the Agency's responsibility to implement agreed-to recommendations. EPA Manual 2750 states that recommendations are considered late and past due if the corrective actions agreed upon by the Agency and the OIG are not completed within one year of the associated estimated completion dates. The OIG prefers that corrective actions be completed within a year or less; however, the Agency states that some corrective actions are complicated and must take longer. EPA Manual 2750 requires timely and efficient resolutions to implement corrective actions for the most effective impact and potency possible. Any corrective actions taking an unreasonable amount of time in the OIG's view are highly discouraged and will be addressed and reported as appropriate.

Table 5 provides an overview of the program offices and regions responsible for the 27 open recommendations that remain open after three years or are not scheduled to be implemented three years after issuance. Appendix D details which reports contain these open recommendations.

Table 5: Recommendations open three years or longer by responsible office

| Responsible office | Recommendations open three or more years |
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| Office of Land and Emergency Management | 5 recommendations across 2 reports* |
| Office of Water | 5 recommendations across 3 reports |
| Office of Air and Radiation | 5 recommendations across 3 report |
| Office of Enforcement and Compliance Assurance | 4 recommendations in 1 report* |
| Office of Chemical Safety and Pollution Prevention | 2 recommendations across 2 reports |
| Regions 6 & 9 | 2 recommendations in 1 report* |
| Office of Mission Support | 1 recommendation |
| Region 6 | 1 recommendation |
| Region 9 | 1 recommendation |
| Region 10 | 1 recommendation |

Source: OIG Report No. [EPA-350-R-21-001](#), *Semiannual Report to Congress: October 1, 2020 to March 31, 2021*. (EPA OIG table)

* Some of the open recommendations were issued to multiple offices or regions within the same report.

Unresolved Recommendations

EPA Failed to Develop Required Cost and Benefit Analyses and to Assess Air Quality Impacts on Children’s Health for Proposed Glider Repeal Rule Allowing Used Engines in Heavy-Duty Trucks

| Report details | |
|---------------------------|---|
| Number | 20-P-0047 |
| Date issued | December 5, 2019 |
| Summary of findings | <p>The EPA did not comply with requirements of Executive Orders 12866 and 13045 when developing and issuing the proposed Glider Repeal Rule. Additionally, the EPA did not follow its principal rulemaking guidance—the Action Development Process—in developing the proposed Glider Repeal Rule, nor did it meet Federal Records Act requirements.</p> <p>Executive Order 12866 directs that significant regulatory actions be submitted to the Office of Management and Budget’s Office of Information and Regulatory Affairs for review. Any substantive changes recommended by the Office of Information and Regulatory Affairs to the regulatory action must be publicly identified. A regulatory action deemed “economically significant” under Executive Order 12866 triggers an assessment of (1) the anticipated costs and benefits and (2) any reasonable alternatives. Executive Order 13045 applies to “economically significant” regulatory actions that “concern an environmental health or safety risk that an agency has reason to believe may disproportionately affect children.” This order requires an evaluation of the environmental health risks to children and an explanation of why the planned regulation is preferable to alternatives.</p> <p>According to EPA managers and officials, then-Administrator Pruitt directed that the Glider Repeal Rule be promulgated as quickly as possible. The proposed repeal rule would relieve industry of compliance requirements of the Phase 2 rule, which set emissions standards and production limits for gliders beginning January 1, 2018. EPA officials were aware that available information indicated the proposed Glider Repeal Rule was “economically significant;” however, then-Administrator Pruitt directed the Office of Air and Radiation to develop the proposed rule without conducting the analyses required by the executive orders. The lack of analyses caused the public to not be informed of the proposed rule’s benefits, costs, potential alternatives, and impacts on children’s health during the public comment period. As of December 5, 2019, the proposed Glider Repeal Rule was listed on the EPA’s Fall 2019 Regulatory Agenda as “economically significant.”</p> |
| Unresolved recommendation | |
| Responsible office | Office of Air and Radiation |
| Recommendation | 3. Document the decisions made during the glider repeal rulemaking process, including substantive decisions reached orally, to comply with applicable record-keeping and docketing requirements, including those found in the Federal Records Act, the EPA’s Interim Records Management Policy, and the EPA’s Action Development Process guidance. |
| Resolution progress | Negotiations have not progressed, as the EPA and the OIG cannot agree on corrective actions to satisfy the recommendation. |
| Impact | The EPA’s actions regarding the proposed Glider Repeal Rule lacked transparency and deprived the public of required information. |

EPA Needs to Improve Oversight of How States Implement Air Emissions Regulations for Municipal Solid Waste Landfills

| Report details | |
|---------------------|---|
| Number | 20-P-0236 |
| Date issued | July 30, 2020 |
| Summary of findings | We identified 12 active municipal solid waste landfills in the two states we audited, Georgia and Texas, that could be operating without the required Title V permits. The Georgia and Texas state agencies |

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| | <p>responsible for issuing Title V permits to municipal solid waste landfills did not always obtain the data needed to verify whether the landfills required a Title V permit and whether landfill emissions exceeded allowable levels. In four instances, the regulatory requirements were misinterpreted.</p> <p>The EPA did not identify deficiencies in how Georgia and Texas implemented Clean Air Act regulations to control air emissions from municipal solid waste landfills. For example, to oversee state implementation of the 1996 regulations to address emissions from existing municipal solid waste landfills, EPA Regions 4 and 6 should—but did not—verify whether Georgia and Texas submitted (1) complete state plans requesting approval to implement these regulations and (2) the required annual progress reports. EPA review of these documents is necessary to provide assurance that states have an adequate plan for and are effectively implementing and enforcing municipal solid waste landfill emissions regulations in accordance with federal requirements.</p> <p>Without effective state implementation and EPA oversight of Clean Air Act regulations for municipal solid waste landfills, these landfills could operate for years without required emissions controls. As a result, municipal solid waste landfills could emit more air pollutants than allowed under a Title V permit, and state efforts to meet the EPA’s air quality standards for ozone and fine particulate matter could be hindered. The EPA revised its Clean Air Act regulations for municipal solid waste landfills in 2016 and requested that states submit new plans for existing municipal solid waste landfills. Implementation of the revised regulations provides the EPA with an opportunity to verify that the new plans are complete, annual progress reports are submitted, and proper oversight is conducted.</p> |
| Unresolved recommendations | |
| Responsible office | Office of Air and Radiation |
| Recommendations | <ol style="list-style-type: none"> 4. Develop and implement a process for the periodic review of municipal solid waste landfill design capacity information and Title V permit lists to identify municipal solid waste landfills with design capacities over the applicable threshold that have not applied for a Title V permit. 5. Update guidance to clarify the requirements for municipal solid waste landfills to submit initial design capacity reports, including how to: <ol style="list-style-type: none"> a. Address closed municipal solid waste landfill areas and the soil used in municipal solid waste landfill daily and final covers when calculating design capacity. b. Determine whether a municipal solid waste landfill is subject to Title V permit and nonmethane organic compound emissions reporting requirements. 6. Develop and implement a process to confirm that state plans approved for delegation of the 2016 municipal solid waste landfill Emission Guidelines contain all required program elements and provisions for submitting annual progress reports. |
| Resolution progress | <p>In a September 28, 2020 memorandum,* the Office of Air and Radiation provided the following response to the unresolved recommendations:</p> <ul style="list-style-type: none"> • It is limited in the corrective actions it can take in response to Recommendation 4 and proposed additional corrective actions with a planned completion date of fiscal year 2023, quarter 1. • It agreed with the intent of Recommendation 5 but proposed an alternative corrective action with a planned completion date of fiscal year 2021, quarter 3. • It agreed with the intent of Recommendation 6 but provided an alternative corrective action related to annual progress reports, with a planned completion date of fiscal year 2021, quarter 3. <p>In the OIG’s December 14, 2020 response to the Office of Air and Radiation’s memorandum,* the inspector general stated that the OIG did not agree with the proposed corrective actions.</p> <p><i>* All correspondence related to the report recommendations are listed on the report’s homepage.</i></p> |
| Impact | Effective EPA oversight of state implementation of landfill air emissions requirements helps achieve air quality, public health, and environmental goals set by the Clean Air Act. |

EPA Needs to Improve Its Emergency Planning to Better Address Air Quality Concerns During Future Disasters

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| Report details | |
| Number | 20-P-0062 |
| Date issued | December 16, 2019 |
| Summary of findings | Most air toxic emission incidents during Hurricane Harvey occurred within a five-day period of the storm’s landfall. Most of these emissions were due to industrial facilities shutting down and restarting operations in response to the storm and storage tank failures. However, state, local, and EPA mobile |

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| | <p>air monitoring activities were not initiated in time to assess the impact of these emissions. Additionally, once started, monitoring efforts did not always generate data considered suitable for making health-based assessments, in part because there was no guidance outlining how to monitor air quality following an emergency.</p> <p>The air monitoring data collected did not indicate that the levels of individual air toxics after Hurricane Harvey exceeded the health-based thresholds established by the State of Texas and the EPA. However, these thresholds do not consider the cumulative impact of exposure to multiple air pollutants at one time. Further, the EPA's thresholds are based on short-term exposure to a single air pollutant and do not consider lifetime exposures. Consequently, the thresholds may not be sufficiently protective of residents in communities that neighbor industrial facilities and experience repeated or ongoing exposures to air toxics.</p> <p>We did not identify instances of inaccurate communication from the EPA to the public regarding air quality after Hurricane Harvey. However, public communication of air monitoring results was limited. As a result, communities were unaware of the Agency's activities and data collection efforts. This lack of awareness can diminish public trust and confidence in the EPA.</p> |
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| Unresolved recommendations | |
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| Responsible office | Office of Land and Emergency Management |
| Recommendations | <ol style="list-style-type: none"> 1. Develop general guidance to help state and local agencies and external stakeholders develop air monitoring plans for emergency situations in heavily industrialized areas so that usable data are collected in targeted areas of concern. 2. Develop, in coordination with the associate administrator for Public Affairs, a plan for providing public access to air monitoring data collected during an emergency response. 3. Coordinate with the Office of Research and Development and the Office of Air Quality Planning and Standards within the Office of Air to assess the availability and use of remote and portable monitoring methods to monitor air toxics when stationary monitoring methods are not available. |
| Resolution progress | In its September 6, 2019 response to our draft report, which we included as Appendix A in the issued report, the Office of Land and Emergency Management offered alternatives to Recommendations 1, 2, and 3. The OIG agreed with these alternative recommendations and revised its final report accordingly. However, the recommendations remain unresolved as of March 31, 2021, pending receipt of corrective action plans and proposed completion dates. |
| Impact | Developing EPA guidance for collecting and communicating air quality data could improve public confidence in the Agency during future disaster responses. |

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| Responsible office | Region 6 |
| Recommendation | 4. Develop and implement, in coordination with the states, a plan to inform residents in fence line and nearby communities about adverse health risks resulting from multiple facility startups and shutdowns during emergencies and to limit these residents' exposure to air toxics. |
| Resolution progress | In response to the Agency's September 6, 2019 response to our draft report, which we included as an appendix in the issued report, and after discussions with the Agency, the OIG revised and combined two draft report recommendations into the final Recommendation 4. Recommendation 4, however, remains unresolved as of March 31, 2021, pending receipt of a corrective action plan and proposed completion date from the EPA. |
| Impact | Developing EPA guidance for collecting and communicating air quality data could improve public confidence in the Agency during future disaster responses. |

EPA Needs to Improve Management and Monitoring of Time-Off Awards

| Report details | |
|----------------------------|---|
| Number | 20-P-0065 |
| Date issued | December 30, 2019 |
| Summary of findings | The EPA successfully implemented interim policies and procedures for reviewing and approving monetary awards that total more than \$5,000 in a fiscal year for any one employee. However, the Agency does not follow U.S. Office of Personnel Management guidance for valuing time-off awards. Specifically, the EPA does not assess a value for time-off awards as part of its awards program. The Agency, therefore, cannot determine whether its time-off awards are consistently assessed, approved at the appropriate level when combined with monetary awards, and commensurate with employee achievements. |

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| | We also found that the Agency does not monitor time-off awards as a resource. From calendar years 2015 through 2017, the Agency awarded 355,511 hours—a total of over 170 full-time positions—in time-off awards. However, these awards are not managed or monitored in regard to Agency productivity or workload management. A large number of time-off hours awarded results in lost productivity, which can adversely impact the Agency’s mission. |
| Unresolved recommendations | |
| Responsible office | Office of Mission Support |
| Recommendations | <ol style="list-style-type: none"> 1. Revise EPA Manual 3130 A2, <i>Recognition Policy and Procedures Manual</i>, to establish a methodology for determining the equivalent value for time-off awards. 2. Update the EPA’s 2016 <i>Interim Policy Change to the Monetary Awards Approval Process</i> and incorporate the policy into EPA Manual 3130 A2 to require that the combined value of all awards (both monetary and time-off) be used to determine if the award is commensurate with the employee’s achievements and has the appropriate level of review and approval. 3. Establish internal control procedures to manage time-off awards as part of EPA resource management. |
| Resolution progress | <p>The Office of Mission Support responded to the final report in an August 7, 2020 memorandum,* which included proposed corrective actions. Based on the information and supporting documentation provided, the OIG determined that the three recommendations remain unresolved. The OIG issued a memorandum on August 27, 2020, that explained why the proposed corrective actions did not meet the intent of the recommendations.</p> <p>* All correspondence related to the report recommendations are listed on the report’s homepage.</p> |
| Impact | The EPA’s time-off awards program needs to be held to the same standard as the Agency’s monetary awards program, both in execution and resource management. |

EPA’s 2018 BEACH Act Report to Congress Does Not Fully Meet Statutory Requirements

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| Report details | |
| Number | 20-E-0246 |
| Date issued | August 13, 2020 |
| Summary of findings | <p>In a predecessor report (Report No. 18-P-0071) published in January 2018, we found that the EPA had not reported to Congress on the progress of the Beaches Environmental Assessment and Coastal Health Act of 2000, also known as the BEACH Act, as statutorily required. We recommended that the EPA submit the mandated reports to Congress. As part of its corrective actions in response to our January 2018 report recommendations, the EPA issued a BEACH Act report to Congress in July 2018.</p> <p>In the course of this follow-up evaluation, we found that the EPA’s 2018 report to Congress does not fully meet the reporting requirements of the BEACH Act and the Plain Writing Act of 2010. The report also does not adhere to federal internal control principles. Specifically:</p> <ul style="list-style-type: none"> • The report does not evaluate federal and local efforts to implement the BEACH Act. • Although the report lists recommendations for additional water quality criteria and improved monitoring methodologies, communication of these recommendations could be improved by using plain language principles, which would help readers more easily understand the recommendations. • The report recommendations do not specify who needs to take action or what the barriers to implementation are. <p>In addition, we concluded that the EPA’s Office of Water staff did not reach out to congressional staff members to inquire about what information Congress needs from the Agency to make informed decisions regarding the BEACH Act program. By issuing a report that did not fully meet the requirements of the BEACH and Plain Writing acts, the EPA missed the opportunity to provide Congress with the information needed for effective decision-making.</p> |
| Unresolved recommendations | |
| Responsible office | Office of Water |
| Recommendations | <ol style="list-style-type: none"> 1. Develop and adopt a written strategy that lays out steps the EPA will take to verify that future reports to Congress fully meet (a) the reporting requirements in the Beaches Environmental Assessment and Coastal Health Act of 2000, (b) expectations that federal agencies comply with the Plain Writing Act of 2010, and (c) federal internal control principles. |

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| | <p>2. Develop and submit a report to Congress in 2022 that includes an evaluation of federal, state, and local efforts to implement the Beaches Environmental Assessment and Coastal Health Act of 2000, based on the EPA's annual reviews of Beaches Environmental Assessment and Coastal Health Act grants, information reported in the swimming season reports, and additional relevant resources.</p> |
| <p>Resolution progress</p> | <p>In its June 5, 2020 response to our draft report, which we include as an appendix in the issued report, the Office of Water disagreed, in part, with the report's findings and recommendations and requested that the OIG withdraw the report. The OIG chose to issue the report as planned, determining that Recommendations 1 and 2 were unresolved and explaining in the issued report why the Agency's proposed corrective actions did not meet the intent of the recommendations.</p> <p>On August 13, 2020, the Office of Water sent a memorandum to the inspector general maintaining its position that the OIG should withdraw its report.* The Agency resubmitted its comments from its June 5, 2020 response to the draft report. The OIG has declined to withdraw the report.</p> <p><i>* All correspondence related to the report recommendations are listed on the report's homepage.</i></p> |
| <p>Impact</p> | <p>EPA issuance of informative BEACH Act reports would allow Congress to make informed program decisions, improve program oversight, and enhance transparency.</p> |

Open and Unresolved Recommendations by Top EPA Management Challenge and Benefit Type

| Top EPA management challenge | Report with associated open and/or unresolved recommendations | | Action office | Number of open/unresolved recommendations* | Benefit type | Potential impact |
|---|---|--|--|--|-----------------------------|---|
| | Report no. | Report title | | | | |
| Maintaining operations during pandemic and natural disaster responses | 20-P-0062 | EPA Needs to Improve its Emergency Planning to Better Address Air Quality Concerns During Future Disasters | Office of the Administrator | 1 | Administrative and business | Developing EPA guidance for collecting and communicating air quality data could improve public confidence in the Agency during future disaster responses. |
| | | | Office of Land and Emergency Management | 3 (U) | | |
| | | | Region 6 | 1 (U) | | |
| | 20-E-0332 | EPA Has Sufficiently Managed Emergency Responses During the Pandemic but Needs to Procure More Supplies and Clarify Guidance | Office of Land and Emergency Management | 2 | Administrative and business | On-scene coordinators may not be safe deploying during the pandemic without sufficient personal protective equipment and clear guidance. |
| Subtotal | 2 reports | | | 3 open and 4 unresolved recommendations | | |
| Complying with key internal control requirements | 20-P-0337 | Data Used for Annual Toxics Release Inventory National Analysis Are 99 Percent Complete, but EPA Could Improve Certain Data Controls | Office of Chemical Safety and Pollution Prevention | 2 | Administrative and business | The EPA's efforts to follow up with late reporters prior to "freezing" the data contributed to more complete data. |
| | 14-P-0109 | Internal Controls Needed to Control Costs of Emergency and Rapid Response Services Contracts, as Exemplified in Region 6 | Region 6 | 1 | Administrative and business | Improper application of general and administrative rates resulted in higher costs to the government. |
| | 19-P-0283 | Follow-Up Audit: EPA Took Steps to Improve Records Management | Office of General Counsel | 1 | Administrative and business | The EPA's Freedom of Information Act guidance needs updating to comply with federal requirements. |
| | 20-E-0295 | Management Alert: EPA Region 5 Needs to Implement Effective Internal Controls to Strengthen Its Records Management Program | Office of Mission Support | 1 | Administrative and business | Federal law requires agency heads to establish and maintain a records program that includes safeguards against the removal or loss of agency records. |
| | 18-P-0240 | EPA Needs a Comprehensive Vision and Strategy for Citizen Science that Aligns with Its Strategic Objectives on Public Participation | Office of Research and Development | 1 | Administrative and business | Without uniform guidance and direction, the EPA will be unable to fully use citizen science data that could contribute to the Agency's mission. |
| | Office of the Administrator | | 2 | | | |

| Top EPA management challenge | Report with associated open and/or unresolved recommendations | | Action office | Number of open/unresolved recommendations* | Benefit type | Potential impact |
|------------------------------|---|---|--|--|--------------------------------|--|
| | Report no. | Report title | | | | |
| | 20-P-0200 | EPA Needs to Address Internal Control Deficiencies in the Agencywide Quality System | Office of Mission Support | 11 | Administrative and business | After five years and \$1.3 million toward the development of an agencywide tracking system, the Office of Mission Support does not know the status of the agencywide Quality System. |
| | 19-P-0207 | EPA Effectively Screens Air Emissions Data from Continuous Monitoring Systems but Could Enhance Verification of System Performance | Office of Air and Radiation | 1 | Administrative and business | Data from continuous emissions monitoring systems are used to determine whether sources, such as power plants, comply with emissions limits designed to improve air quality and achieve environmental and public health goals. |
| | 19-P-0168 | EPA Demonstrates Effective Controls for Its On-Road Heavy-Duty Vehicle Compliance Program; Further Improvements Could Be Made | Office of Air and Radiation | 4 | Administrative and business | The EPA's heavy-duty vehicle compliance program has controls to effectively detect and prevent noncompliance—a precursor to potential fraud. |
| | 18-P-0181 | EPA Did Not Identify Volkswagen Emissions Cheating; Enhanced Controls Now Provide Reasonable Assurance of Fraud Detection | Office of Air and Radiation | 1 | Administrative and business | After uncovering Volkswagen's emissions fraud, the EPA's light-duty vehicle compliance program added controls to effectively detect and prevent noncompliance—a precursor to potential fraud. |
| | 20-P-0134 | EPA May Have Overpaid for Its \$13 Million Time and Attendance System by Not Following Information Technology Investment Requirements | Office of the Chief Financial Officer | 2 | Administrative and business | By not performing cost and alternative analyses, the EPA missed the opportunity to save taxpayer funds. |
| | 20-P-0203 | EPA's Safer Choice Program Would Benefit from Formal Goals and Additional Oversight | Office of Chemical Safety and Pollution Prevention | 1 | Administrative and business | Enhancements in the Safer Choice audit process will ensure that consumers and businesses are purchasing products that are safer for people and the environment. |
| | 17-P-0053 | Additional Measures Can Be Taken to Prevent Deaths and Serious Injuries from Residential Fumigations | Office of Chemical Safety and Pollution Prevention | 1 | Human health and environmental | The EPA can better prevent deaths and serious injuries caused during residential fumigations by amending sulfuryl fluoride labels and monitoring compliance. |
| | 19-P-0302 | EPA Not Effectively Implementing the Lead-Based Paint Renovation, Repair and Painting Rule | Office of Enforcement and Compliance Assurance | 2 | Human health and environmental | Effective oversight and enforcement are needed to further reduce lead exposures from renovation, repair, and painting activities. |

| Top EPA management challenge | Report with associated open and/or unresolved recommendations | | Action office | Number of open/unresolved recommendations* | Benefit type | Potential impact |
|------------------------------|---|--|--|--|--------------------------------|---|
| | Report no. | Report title | | | | |
| | 20-P-0083 | Management Controls Needed to Verify and Report Border 2020 Program Accomplishments | Office of International and Tribal Affairs | 5 | Administrative and business | Border 2020 Program successes in improving environmental conditions and public health cannot be fully known or documented without stronger management controls. |
| | 12-P-0253 | EPA Needs to Further Improve How It Manages Its Oil Pollution Prevention Program | Office of Land and Emergency Management | 1 | Human health and environmental | The EPA cannot identify trends in compliance that would help with program management decisions. Addressing these limitations will improve the EPA's management of the Clean Water Act Section 311 program. |
| | 18-P-0059 | Self-Insurance for Companies with Multiple Cleanup Liabilities Presents Financial and Environmental Risks for EPA and the Public | Office of Enforcement and Compliance Assurance | 4 | Human health and environmental | The EPA's ability to oversee self-insurance instruments is impaired, leaving the Agency and taxpayers vulnerable to billions of dollars in financial risk and the public vulnerable to environmental risk. Unlike the EPA, some federal agencies do not accept corporate self-insurance. |
| | | | Office of Land and Emergency Management | 2 | | |
| | 13-P-0178 | Improvements Needed in EPA Training and Oversight for Risk Management Program Inspections | Office of Land and Emergency Management | 2 | Administrative and business | If inspectors are not meeting minimum training requirements, the EPA lacks assurance that its inspectors are conducting quality inspections that help to ensure facilities follow program requirements. |
| | 20-P-0173 | Further Efforts Needed to Uphold Scientific Integrity Policy at EPA | Office of the Administrator | 1 | Human health and environmental | Improving implementation of the Scientific Integrity Policy will enable the EPA to more effectively carry out its mission to protect human health and the environment. |
| | | | Office of Research and Development | 7 | | |
| | 08-P-0196 | Making Better Use of Stringfellow Superfund Special Accounts | Region 9 | 1 | Administrative and business | By fiscal year 2010, Region 9 could reclassify, or transfer to the Trust Fund, up to \$47.8 million in special account funds for the Stringfellow Superfund site. Region 9 has demonstrated the appropriateness of reclassifying funds from the Stringfellow special accounts by previously reclassifying approximately \$10 million. |

| Top EPA management challenge | Report with associated open and/or unresolved recommendations | | Action office | Number of open/unresolved recommendations* | Benefit type | Potential impact |
|---|---|---|---------------------------------------|---|--------------------------------|--|
| | Report no. | Report title | | | | |
| | 10-P-0224 | EPA Should Revise Outdated or Inconsistent EPA-State Clean Water Act Memoranda of Agreement | Office of Water | 1 | Administrative and business | The current state of the memorandums of agreement means that the EPA cannot assure it has effective management control over state programs, which would assure the public that Clean Water Act objectives are being achieved. To ensure transparency and accountability, the EPA should maintain a publicly available repository of memorandums of agreement, making these documents available to all states, EPA regions, and the public. |
| | 20-P-0146 | EPA's Processing Times for New Source Air Permits in Indian Country Have Improved, but Many Still Exceed Regulatory Time Frames | Office of Air and Radiation | 5 | Administrative and business | Delays in processing tribal-New Source Review permits could impact construction projects and increase the risk that existing facilities awaiting a permit could be emitting more pollution than would be allowed if they were operating under an approved permit. |
| | 20-P-0245 | EPA Needs to Strengthen Controls Over Required Documentation and Tracking of Intergovernmental Personnel Act Assignments | Office of Mission Support | 3 | Administrative and business | The Agency lacks controls to verify that documents are submitted and maintained as required, as well as a reliable system to track employees on Intergovernmental Personnel Act assignments. |
| | 20-P-0065 | EPA Needs to Improve Management and Monitoring of Time-Off Awards | Office of Mission Support | 3 (U) | Administrative and business | The EPA's time-off awards program needs to be held to the same standard as the Agency's monetary awards program, both in execution and resource management. |
| | 19-P-0155 | Actions Needed to Strengthen Controls over the EPA Administrator's and Associated Staff's Travel | Office of the Chief Financial Officer | 4 (U) | Administrative and business | Actions need to be taken to strengthen controls over administrator travel to help prevent the potential for fraud, waste, and abuse. |
| | Office of Chief of Staff | | 2 (U) | | | |
| Subtotal | 24 reports | | | 63 open and 9 unresolved recommendations | | |
| Overseeing states, territories, and tribes responsible for implementing EPA programs | 20-P-0335 | Regions 1 and 5 Need to Require Tribes to Submit More Detailed Work Plans for Grants | Region 1 | 1 | Administrative and business | Inadequate work plans in Regions 1 and 5 put tribal grants at risk for unsupported costs. |
| | 18-P-0233 | EPA Needs to Finish Prioritization and Resource Allocation Methodologies for Abandoned Uranium Mine Sites on or Near Navajo Lands | Regions 6 and 9 | 2 | Human health and environmental | Site prioritization will aid EPA -initiated actions where there is imminent danger at numerous sites in the same area. |

| Top EPA management challenge | Report with associated open and/or unresolved recommendations | | Action office | Number of open/unresolved recommendations* | Benefit type | Potential impact |
|------------------------------|---|--|--|--|---|--|
| | Report no. | Report title | | | | |
| | 19-P-0251 | More Effective EPA Oversight Is Needed for Particulate Matter Emissions Compliance Testing | Office of Air and Radiation | 2 | Human health and environmental | Effective EPA oversight of stack testing improves data quality for compliance determinations and other uses. |
| | | | Office of Enforcement and Compliance Assurance | 1 | | |
| | | | Region 10 | 2 | | |
| | 19-P-0318 | EPA Must Improve Oversight of Notice to the Public on Drinking Water Risks to Better Protect Human Health | Office of Water | 2 | Human health and environmental | Without reliable information about drinking water, consumers cannot make informed health decisions and the EPA cannot provide effective oversight. |
| | | | Office of Enforcement and Compliance Assurance | 1 | | |
| | 20-P-0236 | EPA Needs to Improve Oversight of How States Implement Air Emissions Regulations for Municipal Solid Waste Landfills | Region 4 | 1 | Human health and environmental | Effective EPA oversight of state implementation of landfill air emissions requirements helps achieve air quality, public health, and environmental goals set by the Clean Air Act. |
| | | | Region 6 | 2 | | |
| | | | Office of Enforcement and Compliance Assurance | 1 | | |
| | | | Office of Air and Radiation | 3 (U) | | |
| | 19-P-0275 | EPA Needs to Determine Strategies and Level of Support for Overseeing State Managed Pollinator Protection Plans | Office of Chemical Safety and Pollution Prevention | 1 | Human health and environmental | Honeybee pollination adds more than \$15 billion in value to U.S. agricultural crops each year. However, the number of managed honeybee colonies in the United States has declined from 5.7 million colonies in the 1940s to 2.7 million colonies in 2015. |
| | 20-P-0012 | Tribal Pesticide Enforcement Comes Close to Achieving EPA goals, but "Circuit Rider" Inspector Guidance Needed | Office of Enforcement and Compliance Assurance | 3 | Human health and environmental | Improvements in the "circuit rider" program can enable the EPA to better detect and prevent pesticides misuse and unnecessary risks to human health and the environment in Indian country. |
| | Subtotal | 7 reports | | | 19 open and 3 unresolved recommendations | |

| Top EPA management challenge | Report with associated open and/or unresolved recommendations | | Action office | Number of open/unresolved recommendations* | Benefit type | Potential impact |
|---|---|---|--|--|--------------------------------|--|
| | Report no. | Report title | | | | |
| Improving workforce/workload analyses to accomplish EPA's mission efficiently and effectively | 20-P-0247 | Lack of Planning Risks EPA's Ability to Meet Toxic Substances Control Act Deadlines | Office of Chemical Safety and Pollution Prevention | 2 | Administrative and business | The EPA did not meet a significant Toxic Substances Control Act deadline on June 19, 2020, and the Agency is at risk of missing future deadlines due to a lack of staff and resource planning. |
| | 20-P-0120 | EPA Needs to Improve Its Risk Management and Incident Response Information Security Functions | Office of Mission Support | 2 | Administrative and business | Further implementation of risk management activities and incident response tools are needed to combat cybersecurity threats intended to steal and destroy confidential and sensitive information. |
| Subtotal | 2 reports | | | 4 open recommendations | | |
| Enhancing information technology security to combat cyberthreats | 20-E-0309 | EPA Needs to Improve Processes for Securing Region 8's Local Area Network | Office of the Chief Financial Officer | 1 | Administrative and business | Exploitation of vulnerabilities may result in the loss of confidentiality, integrity, and availability of personally identifiable information and scientific data. |
| | | | Office of Mission Support | 2 | | |
| | 19-P-0195 | Pesticide Registration Fee, Vulnerability Mitigation and Database Security Controls for EPA's FIFRA and PRIA Systems Need Improvement | Office of Chemical Safety and Pollution Prevention | 1 | Administrative and business | |
| Subtotal | 2 reports | | | 4 open recommendations | | |
| Communicating risks to allow the public to make informed decisions about its health and the environment | 18-P-0080 | EPA Needs to Evaluate the Impact of the Revised Agricultural Worker Protection Standard on Pesticide Exposure Incidents | Office of Chemical Safety and Pollution Prevention | 1 | Human health and environmental | Over two million agricultural workers and pesticide handlers are protected by the Worker Protection Standard. Revisions to the standard are intended to reduce exposure to pesticides and provide enhanced protection to agricultural workers, pesticide handlers, and their families. |
| | 19-P-0002 | EPA Unable to Assess the Impact of Hundreds of Unregulated Pollutants in Land-Applied Biosolids on Human Health and the Environment | Office of Water | 4 | Human health and environmental | The EPA identified 352 pollutants in biosolids but cannot yet consider these pollutants for further regulation due to either a lack of data or risk assessment tools. Pollutants found in biosolids can include pharmaceuticals, steroids, and flame retardants. |

| Top EPA management challenge | Report with associated open and/or unresolved recommendations | | Action office | Number of open/unresolved recommendations* | Benefit type | Potential impact |
|---|---|--|---------------------------------------|--|--------------------------------|--|
| | Report no. | Report title | | | | |
| | 20-N-0030 | Management Alert: Unapproved Use of Slag at Anaconda Co. Smelter Superfund Site | Region 8 | 3 | Human health and environmental | Slag from the Anaconda Co. Smelter Superfund Site is being used or sold as a souvenir despite that not being an approved use according to the Record of Decision for the site. As a result of slag being used or sold as a souvenir, the public may be at risk of exposure to contamination. |
| | 20-N-0128 | Management Alert: Prompt Action Needed to Inform Residents Living Near Ethylene Oxide-Emitting Facilities About Health Concerns and Actions to Address Those Concerns | Office of the Administrator | 1 | Human health and environmental | The EPA needs to inform residents who live near facilities with significant ethylene oxide emissions about their elevated estimated cancer risks so they can manage their health risks. |
| | 20-P-0047 | EPA Failed to Develop Required Cost and Benefit Analyses and to Assess Air Quality Impacts on Children's Health for Proposed Glider Repeal Rule Allowing Used Engines in Heavy-Duty Trucks | Office of Air and Radiation | 1 / 1 (U) | Human health and environmental | The EPA's actions regarding the proposed Glider Repeal Rule lacked transparency and deprived the public of required information. |
| Subtotal | 5 reports | | | 10 open and 1 unresolved recommendation | | |
| Fulfilling mandated reporting requirements | 20-P-0167 | EPA Complied with Improper Payments Legislation, but Internal Controls Need Substantial Improvement to Ensure More Accurate Reporting | Office of the Chief Financial Officer | 1 | Administrative and business | Improvement to processes for preventing and detecting improper payments will result in better use of funds for environmental and supporting programs. |
| | 16-P-0275 | EPA Has Not Met Certain Statutory Requirements to Identify Environmental Impacts of Renewable Fuel Standard | Office of Air and Radiation | 2 | Human health and environmental | The EPA, Congress, and other stakeholders lack key information on biofuel impacts needed to make science-based decisions about the Renewable Fuel Standard. |
| | 20-F-0033 | EPA's Fiscal Years 2019 and 2018 (Restated) Consolidated Financial Statements | Office of the Chief Financial Officer | 5 | Administrative and business | Failure to properly record accounting transactions and exercise due diligence in the preparation of the Agency's financial statements compromises the accuracy of the financial statements and the reliance on them to be free of material misstatement. |

| Top EPA management challenge | Report with associated open and/or unresolved recommendations | | Action office | Number of open/unresolved recommendations* | Benefit type | Potential impact |
|--|---|--|-----------------------------|--|-----------------------------|---|
| | Report no. | Report title | | | | |
| | 20-E-0246 | EPA's 2018 BEACH Act Report to Congress Does Not Fully Meet Statutory Requirements | Office of Water | 2 (U) | Administrative and business | EPA issuance of informative BEACH Act reports would allow Congress to make informed program decisions, improve program oversight, and enhance transparency. |
| Subtotal | 4 reports | | | 8 open and 2 unresolved recommendations | | |
| Integrating and leading environmental justice across the Agency and government ** | 20-E-0333 | Improved EPA Oversight of funding Recipients' Title VI Programs Could Prevent Discrimination | Office of General Counsel | 5 (U) | Administrative and business | Despite elimination of the case backlog, additional improvements in the EPA's oversight of Title VI funding recipients could prevent discrimination. |
| | | | Office of the Administrator | 1 (U) | | |
| Subtotal | 1 report | | | 6 unresolved recommendations | | |

* "U" denotes an unresolved recommendation.

** The OIG introduced "Integrating and leading environmental justice" as a top EPA management challenge in 2020 in OIG Report No. 20-N-0231, *EPA's FYs 2020–2021 Top Management Challenges*. There were no reports identified in the OIG's *Semiannual Report to Congress: October 1, 2020 to March 31, 2021* that had open recommendations related to this management challenge.

Open Recommendations by Program Office and Region

| Responsible office | Report with open recommendation | | Number of open recommendations |
|--|---------------------------------|--|--------------------------------|
| | Report no. | Report title | |
| Office of the Administrator | 20-P-0062 | EPA Needs to Improve its Emergency Planning to Better Address Air Quality Concerns During Future Disasters | 1 |
| | 20-P-0173 | Further Efforts Needed to Uphold Scientific Integrity Policy at EPA | 1 |
| | 20-N-0128 | Management Alert: Prompt Action Needed to Inform Residents Living Near Ethylene Oxide-Emitting Facilities About Health Concerns and Actions to Address Those Concerns | 1 |
| | 18-P-0240 | EPA Needs a Comprehensive Vision and Strategy for Citizen Science that Aligns with Its Strategic Objectives on Public Participation | 2 |
| Subtotal | 4 reports | | 5 open recommendations |
| Office of Air and Radiation | 20-P-0146 | EPA's Processing Times for New Source Air Permits in Indian Country Have Improved, but Many Still Exceed Regulatory Time Frames | 5 |
| | 19-P-0251 | More Effective EPA Oversight Is Needed for Particulate Matter Emissions Compliance Testing | 2 |
| | 20-P-0047 | EPA Failed to Develop Required Cost and Benefit Analyses and to Assess Air Quality Impacts on Children's Health for Proposed Glider Repeal Rule Allowing Used Engines in Heavy-Duty Trucks | 1 |
| | 19-P-0207 | EPA Effectively Screens Air Emissions Data from Continuous Monitoring Systems but Could Enhance Verification of System Performance | 1 |
| | 19-P-0168 | EPA Demonstrates Effective Controls for Its On-Road Heavy-Duty Vehicle Compliance Program; Further Improvements Could Be Made | 4 |
| | 18-P-0181 | EPA Did Not Identify Volkswagen Emissions Cheating; Enhanced Controls Now Provide Reasonable Assurance of Fraud Detection | 1 |
| | 16-P-0275 | EPA Has Not Met Certain Statutory Requirements to Identify Environmental Impacts of Renewable Fuel Standard | 2 |
| Subtotal | 7 reports | | 16 open recommendations |
| Office of the Chief Financial Officer | 20-E-0309 | EPA Needs to Improve Processes for Securing Region 8's Local Area Network | 1 |
| | 20-P-0167 | EPA Complied with Improper Payments Legislation, but Internal Controls Need Substantial Improvement to Ensure More Accurate Reporting | 1 |
| | 20-P-0134 | EPA May Have Overpaid for Its \$13 Million Time and Attendance System by Not Following Information Technology Investment Requirements | 2 |
| | 20-F-0033 | EPA's Fiscal Years 2019 and 2018 (Restated) Consolidated Financial Statements | 5 |
| Subtotal | 4 reports | | 9 open recommendations |
| Office of Chemical Safety and Pollution Prevention | 19-P-0195 | Pesticide Registration Fee, Vulnerability Mitigation and Database Security Controls for EPA's FIFRA and PRIA Systems Need Improvement | 1 |
| | 20-P-0337 | Data Used for Annual Toxics Release Inventory National Analysis Are 99 Percent Complete, but EPA Could Improve Certain Data Controls | 2 |
| | 20-P-0247 | Lack of Planning Risks EPA's Ability to Meet Toxic Substances Control Act Deadlines | 2 |
| | 20-P-0203 | EPA's Safer Choice Program Would Benefit from Formal Goals and Additional Oversight | 1 |

| Responsible office | Report with open recommendation | | Number of open recommendations |
|---|---------------------------------|---|--------------------------------|
| | Report no. | Report title | |
| | 19-P-0275 | EPA Needs to Determine Strategies and Level of Support for Overseeing State Managed Pollinator Protection Plans | 1 |
| | 18-P-0080 | EPA Needs to Evaluate the Impact of the Revised Agricultural Worker Protection Standard on Pesticide Exposure Incidents | 1 |
| | 17-P-0053 | Additional Measures Can Be Taken to Prevent Deaths and Serious Injuries from Residential Fumigations | 1 |
| Subtotal | 7 reports | | 9 open recommendations |
| Office of Enforcement and Compliance Assurance | 19-P-0318 | EPA Must Improve Oversight of Notice to the Public on Drinking Water Risks to Better Protect Human Health | 1 |
| | 18-P-0059 | Self-Insurance for Companies with Multiple Cleanup Liabilities Presents Financial and Environmental Risks for EPA and the Public | 4 |
| | 20-P-0012 | Tribal Pesticide Enforcement Comes Close to Achieving EPA Goals, but "Circuit Rider" Inspector Guidance Needed | 3 |
| | 19-P-0302 | EPA Not Effectively Implementing the Lead-Based Paint Renovation, Repair and Painting Rule | 2 |
| | 20-P-0236 | EPA Needs to Improve Oversight of How States Implement Air Emissions Regulations for Municipal Solid Waste Landfills | 1 |
| | 19-P-0251 | More Effective EPA Oversight Is Needed for Particulate Matter Emissions Compliance Testing | 1 |
| Subtotal | 6 reports | | 12 open recommendations |
| Office of General Counsel | 19-P-0283 | Follow-Up Audit: EPA Took Steps to Improve Records Management | 1 |
| Subtotal | 1 report | | 1 open recommendation |
| Office of International and Tribal Affairs | 20-P-0083 | Management Controls Needed to Verify and Report Border 2020 Program Accomplishments | 5 |
| Subtotal | 1 report | | 5 open recommendations |
| Office of Land and Emergency Management | 20-E-0332 | EPA Has Sufficiently Managed Emergency Responses During the Pandemic but Needs to Procure More Supplies and Clarify Guidance | 2 |
| | 12-P-0253 | EPA Needs to Further Improve How It Manages Its Oil Pollution Prevention Program | 1 |
| | 18-P-0059 | Self-Insurance for Companies with Multiple Cleanup Liabilities Presents Financial and Environmental Risks for EPA and the Public | 2 |
| | 13-P-0178 | Improvements Needed in EPA Training and Oversight for Risk Management Program Inspections | 2 |
| Subtotal | 4 reports | | 7 open recommendations |
| Office of Mission Support | 20-E-0309 | EPA Needs to Improve Processes for Securing Region 8's Local Area Network | 2 |
| | 20-E-0295 | Management Alert: EPA Region 5 Needs to Implement Effective Internal Controls to Strengthen Its Records Management Program | 1 |
| | 20-P-0245 | EPA Needs to Strengthen Controls Over Required Documentation and Tracking of Intergovernmental Personnel Act Assignments | 3 |
| | 20-P-0200 | EPA Needs to Address Internal Control Deficiencies in the Agencywide Quality System | 11 |
| | 20-P-0120 | EPA Needs to Improve Its Risk Management and Incident Response Information Security Functions | 2 |
| Subtotal | 5 reports | | 19 open recommendations |
| Office of Research and Development | 20-P-0173 | Further Efforts Needed to Uphold Scientific Integrity Policy at EPA | 7 |
| | 18-P-0240 | EPA Needs a Comprehensive Vision and Strategy for Citizen Science that Aligns with Its Strategic Objectives on Public Participation | 1 |
| Subtotal | 2 reports | | 8 open recommendations |
| Office of Water | 19-P-0318 | EPA Must Improve Oversight of Notice to the Public on Drinking Water Risks to Better Protect Human Health | 2 |
| | 10-P-0224 | EPA Should Revise Outdated or Inconsistent EPA-State Clean Water Act Memoranda of Agreement | 1 |

| Responsible office | Report with open recommendation | | Number of open recommendations |
|--------------------------|---------------------------------|---|--------------------------------|
| | Report no. | Report title | |
| | 19-P-0002 | EPA Unable to Assess the Impact of Hundreds of Unregulated Pollutants in Land-Applied Biosolids on Human Health and the Environment | 4 |
| Subtotal | 3 reports | | 7 open recommendations |
| Region 1 | 20-P-0335 | Regions 1 and 5 Need to Require Tribes to Submit More Detailed Work Plans for Grants | 1 |
| Subtotal | 1 report | | 1 open recommendation |
| Region 4 | 20-P-0236 | EPA Needs to Improve Oversight of How States Implement Air Emissions Regulations for Municipal Solid Waste Landfills | 1 |
| Subtotal | 1 report | | 1 open recommendation |
| Region 6 | 14-P-0109 | Internal Controls Needed to Control Costs of Emergency and Rapid Response Services Contracts, as Exemplified in Region 6 | 1 |
| | 20-P-0236 | EPA Needs to Improve Oversight of How States Implement Air Emissions Regulations for Municipal Solid Waste Landfills | 2 |
| Subtotal | 2 reports | | 3 open recommendations |
| Region 8 | 20-N-0030 | Management Alert: Unapproved Use of Slag at Anaconda Co. Smelter Superfund Site | 3 |
| Subtotal | 1 report | | 3 open recommendations |
| Region 9 | 08-P-0196 | Making Better Use of Stringfellow Superfund Special Accounts | 1 |
| Subtotal | 1 report | | 1 open recommendation |
| Regions 6 & 9 | 18-P-0233 | EPA Needs to Finish Prioritization and Resource Allocation Methodologies for Abandoned Uranium Mine Sites on or Near Navajo Lands | 2 |
| Subtotal | 1 report | | 2 open recommendations |
| Region 10 | 19-P-0251 | More Effective EPA Oversight Is Needed for Particulate Matter Emissions Compliance Testing | 2 |
| Subtotal | 1 report | | 2 open recommendations |

Corrective Actions Taking Three Years or More to Implement

EPA Needs to Address Internal Control Deficiencies in the Agencywide Quality System

| Report details | |
|---|---|
| Number | 20-P-0200 |
| Date issued | June 22, 2020 |
| Summary of findings | <p>The Office of Mission Support did not fully implement internal controls for the mandatory agencywide Quality System and did not review policies, procedures, and guidance within required time frames. For example, reviews of two quality policies were 15 years overdue. In addition, the Office of Mission Support did not:</p> <ul style="list-style-type: none"> • Conduct required annual reviews for five years. • Perform regular assessments of program and regional quality systems. • Assess staff and resource needs since 2008. • Perform a programmatic risk assessment. • Develop a strategic plan. • Implement a tracking system. • Provide agencywide training. <p>Office of Mission Support leaders and staff identified four factors that led to control deficiencies: (1) Quality System leaders have varying priorities; (2) Quality System staff have a backlog of work; (3) variations in the length, details, and format of annual reviews make them difficult to analyze and compare; and (4) the Quality System lacks resources. The EPA and the public rely upon the quality of the Agency's data, which help the Agency make reliable, cost-effective, and defensible decisions. Additionally, the EPA uses its Quality System to manage the quality of its environmental data generation, collection, and use. The Quality System covers activities such as determining hazardous or toxic wastes in the environment and establishing health risk levels, supporting enforcement monitoring efforts, and mapping human health risk data. Poor data quality negatively impacts the EPA's effectiveness in monitoring programs that directly impact public health and could also subject the EPA to significant financial and legal risks.</p> |
| Recommendation open three or more years | |
| Responsible office | Office of Mission Support |
| Recommendation | 13. Complete Quality System Assessments for organizations that are outside of the required three-year assessment time frame. |
| Planned completion date | <ul style="list-style-type: none"> • Upon issuance: June 30, 2025 (<i>five years after issuance</i>) • Revised: n/a |
| Impact | After five years and \$1.3 million toward the development of an agencywide tracking system, the Office of Mission Support does not know the status of the Quality System. |

More Effective EPA Oversight Is Needed for Particulate Matter Emissions Compliance Testing

| Report details | |
|---------------------|---|
| Number | 19-P-0251 |
| Date issued | July 30, 2019 |
| Summary of findings | <p>Our audit of 30 stack test reports from state and local agencies in Washington State found numerous examples of nonadherence to EPA test methods and inadequate supporting documentation to assess data quality. These problems were not identified by the state and local regulatory agencies responsible for implementing Clean Air Act permitting programs in Washington State. We also found that some state and local agencies rarely observe stack tests to verify that EPA methods are properly followed. Several agencies told us that they needed additional training and tools from the EPA to help them conduct oversight of stack testing and reporting.</p> |

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|--|--|
| | Some stack testing problems that we identified could impact the reliability of stack test results and the resulting determination of whether a facility complies with its permit limits. Effective reviews of stack test reports to identify any errors in the implementation of stack test methods are particularly important when a facility's emissions are near or at the permit limit. Errors in such instances have a higher likelihood of affecting the reliability of the final compliance determination. While state and local agencies have been delegated responsibility for implementing Clean Air Act programs in Washington State, EPA Region 10 maintains responsibility and accountability for program compliance with federal statutes and regulations. Although we only reviewed stack test reports from Washington State in Region 10, EPA managers and staff responsible for overseeing the Clean Air Act program at the national level told us that they had observed similar problems in other states and EPA regions. |
| Recommendation open three or more years | |
| Responsible office | Region 10 |
| Recommendation | 6. Develop and implement controls to assess delegated agencies' stack testing oversight activities. |
| Planned completion date | <ul style="list-style-type: none"> • Upon issuance: March 31, 2022 • Revised: December 31, 2022 (<i>more than three years after issuance</i>) |
| Impact | Effective oversight of stack testing improves data quality for compliance determinations and other uses. |

EPA Has Not Met Certain Statutory Requirements to Identify Environmental Impacts of Renewable Fuel Standard

| | |
|---|---|
| Report details | |
| Number | 16-P-0275 |
| Date issued | August 18, 2016 |
| Summary of findings | <p>The Office of Research and Development did not comply with the requirement to provide a report every three years to Congress on the impacts of biofuels. In addition, the Office of Air and Radiation did not fulfill the anti-backsliding requirements for Renewable Fuel Standards, including analyzing and addressing any negative air quality impacts of the Renewable Fuel Standards. In 2010, the EPA completed a comprehensive life-cycle analysis to determine greenhouse gas reduction thresholds for Renewable Fuel Standards. Although not required to do so, the EPA committed to updating this analysis as life-cycle science evolves but did not develop a process to initiate an update.</p> <p>The Renewable Fuel Standards reporting requirement provides for an objective analysis on the environmental impacts and unintended consequences of U.S. biofuel policy. This analysis is important given conflicting scientific opinions about biofuel impacts, potential impacts outside of the EPA's regulatory control, and divergent Renewable Fuel Standards interests. Because the EPA does not identify whether Renewable Fuel Standards impact air quality, as required, it cannot take required measures to mitigate impacts.</p> <p>Information about Renewable Fuel Standards is needed to fully inform the EPA, Congress, and other stakeholders of the environmental impacts of U.S. biofuel policy. In June 2016, Congress held a hearing on Renewable Fuel Standards implementation. Members expressed bipartisan interest in receiving more information from the EPA on the environmental impacts of Renewable Fuel Standards to help assess whether the law's original intent is being achieved and at what cost.</p> |
| Recommendations open three or more years | |
| Responsible office | Office of Air and Radiation |
| Recommendations | <ol style="list-style-type: none"> 2. Complete the anti-backsliding study on the air quality impacts of the Renewable Fuel Standard as required by the Energy Independence and Security Act. 3. Determine whether additional action is needed to mitigate any adverse air quality impacts of the Renewable Fuel Standard as required by the Energy Independence and Security Act. |
| Planned completion dates | <p>For both recommendations:</p> <ul style="list-style-type: none"> • Upon issuance: September 30, 2024 (<i>more than eight years after issuance</i>) • Revised: n/a |
| Impact | The EPA, Congress, and other stakeholders lack key information on biofuel impacts needed to make science-based decisions about the Renewable Fuel Standards. |

EPA Effectively Screens Air Emissions Data from Continuous Monitoring Systems but Could Enhance Verification of System Performance

| Report details | |
|---|---|
| Number | 19-P-0207 |
| Date issued | June 27, 2019 |
| Summary of findings | <p>The EPA's automated screening of facility-reported Continuous Emissions Monitoring System data worked as intended and was effective in verifying the quality of the reported data. However, we found a small number of inaccuracies and inconsistencies in the reported data. While these instances had no impact on whether the data met quality assurance requirements, the inaccurate data could have a negative impact on data users by providing inaccurate or misleading information. The EPA can prevent these problems by adding specific screening checks to its existing reporting software.</p> <p>Although the EPA's automated screening process was effective, the validity of the reported data can only be fully established when that process is supplemented with on-site field audits to verify that Continuous Emissions Monitoring System monitoring requirements were met. However, we found that the EPA and state agencies conducted a limited number of these audits. Out of over 1,000 facilities subject to Acid Rain Program and/or Cross-State Air Pollution Rule requirements, the EPA conducted field audits at only 16 facilities from 2016 through June 2018. In addition, nine of the ten state agencies we contacted were not conducting field audits. In response to our work, the EPA initiated a process to develop a streamlined Continuous Emissions Monitoring System field audit approach that state and local agencies can use when conducting other on-site visits at facilities.</p> |
| Recommendation open three or more years | |
| Responsible office | Office of Air and Radiation |
| Recommendation | 1. Develop and implement electronic checks in the EPA's Emissions Collection and Monitoring Plan System or through an alternative mechanism to retroactively evaluate emissions and quality assurance data in instances where monitoring plan changes are submitted after the emissions and quality assurance data have already been accepted by the EPA. |
| Planned completion date | <ul style="list-style-type: none"> Upon issuance: March 31, 2025 (more than five years after issuance) Revised: n/a |
| Impact | Data from the Continuous Emissions Monitoring System are used to determine whether sources, such as power plants, comply with emissions limits designed to improve air quality and achieve environmental and public health goals. |

EPA Demonstrates Effective Controls for Its On-Road Heavy-Duty Vehicle Compliance Program; Further Improvements Could Be Made

| Report details | |
|---------------------|---|
| Number | 19-P-0168 |
| Date issued | June 3, 2019 |
| Summary of findings | <p>The EPA demonstrated that its internal controls are effective at detecting and preventing noncompliance in the on-road heavy-duty vehicle sector. Past instances of noncompliance have resulted in excess emissions of pollutants, which have significant and quantifiable negative impacts on human health and the environment. The on-road heavy-duty sector is the fastest growing transportation sector in the United States based on fuel use and is a significant source of air pollution. Despite having fewer on-road vehicles than the light-duty sector, the heavy-duty sector accounted for 35 percent more fine particulate matter emissions in calendar year 2014 than the light-duty sector. Furthermore, the majority of emissions from the on-road heavy-duty sector come from diesel engines, which—unlike gasoline engines—typically operate more efficiently under conditions that produce higher emission levels of regulated pollutants like nitrogen oxides and carbon monoxide. Manufacturers may therefore be inclined to configure their diesel engines to operate at higher emission levels.</p> <p>Although we found that the Agency demonstrated that its existing internal controls are effective, we identified specific risks to the EPA's goal of achieving public health and environmental benefits through its heavy-duty vehicle compliance program. We also identified areas where existing controls could be strengthened. These improvements will help the EPA better address risks, assure compliance with mobile source regulations, and protect human health and the environment.</p> |

| Recommendations open three or more years | |
|--|--|
| Responsible office | Office of Air and Radiation |
| Recommendations | <ol style="list-style-type: none"> 1. Define performance measures to assess the performance of the EPA's on-road heavy-duty vehicle and engine compliance program. 4. Evaluate the following issues, which may require regulatory or programmatic action, as part of (1) the on-road heavy-duty vehicle and engine emission control program risk assessment and (2) the EPA's annual regulatory agenda development process: <ol style="list-style-type: none"> a. Regulatory definition of on-road heavy-duty engine useful life may not reflect actual useful life. b. Not-to-Exceed standard may not reflect real-world operating conditions, especially for certain applications. c. In-use testing requirements for heavy-duty spark-ignition engines may be needed. d. A particle number standard may more accurately control particulate matter emissions that impact human health. |
| Planned completion dates | For both recommendations: <ul style="list-style-type: none"> • Upon issuance: September 30, 2022 (<i>more than three years after issuance</i>) • Revised: n/a |
| Impact | Improvements to the EPA's heavy-duty vehicle compliance program will help the EPA better address risks, assure compliance with mobile source regulations, and protect human health and the environment. |

Additional Measures Can Be Taken to Prevent Deaths and Serious Injuries from Residential Fumigations

| Report details | |
|---------------------|--|
| Number | 17-P-0053 |
| Date issued | December 12, 2016 |
| Summary of findings | <p>Since 2002, at least 11 deaths and two serious injuries occurred during residential fumigations in the two U.S. states with the most fumigation treatments: California and Florida. Compliance with existing pesticide-use requirements did not always prevent adverse impacts. Multiple factors contributed to these adverse impacts, including:</p> <ul style="list-style-type: none"> • No requirement to secure tenting around structures undergoing fumigation. • Ineffective devices used to detect pesticide levels inside of structures. • Failure to attend mandatory training for residential pesticide applicators who conduct fumigations. <p>In addition, we identified the following program control measures that the EPA could undertake to reduce the risk of future deaths and serious injuries:</p> <ul style="list-style-type: none"> • Designate residential fumigation as a priority area for enforcement, with special emphasis placed on locations such as Puerto Rico, which has a high demand for residential fumigations but lacks information to effectively oversee such fumigations. • Require site-specific residential fumigation management plans. Such plans can prevent accidents, identify appropriate emergency procedures, and demonstrate compliance with requirements. • Complete work on the comprehensive national pesticide incident database to monitor residential fumigation risks. The EPA has an ongoing pesticide incident database initiative to collect data, but there is no scheduled completion date. |

| Recommendation open three or more years | |
|---|--|
| Responsible office | Office of Chemical Safety and Pollution Prevention |
| Recommendation | 3. Conduct an assessment of clearance devices to validate their effectiveness in detecting required clearance levels, as part of the Office of Pesticide Program's ongoing reevaluation of structural fumigants. |
| Planned completion date | <ul style="list-style-type: none"> • Upon issuance: November 30, 2017 • Revised: August 31, 2021 (<i>more than four years after issuance</i>) |
| Impact | The EPA can better prevent deaths and serious injuries caused during residential fumigations by amending sulfuryl fluoride labels and monitoring compliance. |

EPA Needs to Evaluate the Impact of the Revised Agricultural Worker Protection Standard on Pesticide Exposure Incidents

| Report details | |
|---|---|
| Number | 18-P-0080 |
| Date issued | February 15, 2018 |
| Summary of findings | <p>The EPA had policies and procedures in place to implement the revised Agricultural Worker Protection Standard, and the Agency provided training to regional staff, state inspectors, and program leads. However, management controls to implement the revised Worker Protection Standard were not fully adequate as of January 2, 2017, when compliance with most of the revised rule was required. Specifically, essential training and implementation materials were not available by January 2, 2017, and two key documents—the <i>WPS Inspection Manual</i> and the <i>How to Comply</i> manual—were not available when the EPA conducted the majority of its training and outreach activities for states and tribes in 2016.</p> <p>As a result, many state officials said they did not have the time, tools, or resources to successfully implement the revised Worker Protection Standard by the January 2, 2017 compliance date. The EPA granted a state agricultural association’s petition to delay the compliance date until the necessary training resources and educational materials were made available to state agencies responsible for implementing the Worker Protection Standard. However, in a December 21, 2017 <i>Federal Register</i> notice, the EPA rescinded its plan to delay compliance dates.</p> <p>In addition, the EPA did not have the ability to collect agricultural pesticide exposure incident data to measure the impact of the revised Worker Protection Standard rule among target populations. The Agency instead relied on information assessed during pesticide reevaluations and from voluntary reporting databases. The EPA said that it is working to improve its Incident Data System but that the improvements will not enable the collection of additional occupational exposure data.</p> |
| Recommendation open three or more years | |
| Responsible office | Office of Chemical Safety and Pollution Prevention |
| Recommendation | 1. In coordination with the Office of Enforcement and Compliance Assurance, develop and implement a methodology to evaluate the impact of the revised Agricultural Worker Protection Standard on pesticide exposure incidents among target populations. |
| Planned completion date | <ul style="list-style-type: none"> Upon issuance: Unresolved Revised: December 31, 2022 (<i>more than four years after issuance</i>) |
| Impact | Over two million agricultural workers and pesticide handlers are protected by the Worker Protection Standard. Revisions to the standard are intended to reduce exposure to pesticides and provide enhanced protection to agricultural workers, pesticide handlers and their families. |

Self-Insurance for Companies with Multiple Cleanup Liabilities Presents Financial and Environmental Risks for EPA and the Public

| Report details | |
|---------------------|---|
| Number | 18-P-0059 |
| Date issued | December 22, 2017 |
| Summary of findings | <p>The EPA does not include and verify all self-insured environmental cleanup liabilities when evaluating requests for and reviewing corporate self-insurance. The EPA faces significant challenges to validating forms of self-insurance, including:</p> <ul style="list-style-type: none"> <i>Regulatory constraints.</i> Most Resource Conservation and Recovery Act regulations and Superfund guidance we reviewed do not require full disclosure of all environmental liabilities, and the EPA lacks the information needed to independently validate all forms of self-insured liabilities. EPA guidance also does not require regional staff to check whether a company has multiple liabilities in other regions when validating a self-insurance instrument. <i>Data and technical gaps.</i> The EPA lacks a data system with the capability to track multiple environmental liabilities and the resources and technical ability to validate self-insurance for companies with multiple environmental liabilities. Survey responses from all ten EPA regions showed that 70 percent of respondents believe insufficient staff training and expertise are moderate or extreme barriers to the efficient management and review of financial assurance instruments. |

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|---|--|
| | In addition, we found a lack of compliance with physical safeguards for hard-copy financial assurance instruments. The inability to validate a company's self-insurance is a high-risk issue for the EPA. If self-insurance is not valid, a company may default on its obligation to pay for cleanup or closure activities, in some cases necessitating a government response. This threatens the effectiveness of cleanup programs, as the EPA—and, ultimately, the taxpayers—could be left with billions of dollars in cleanup costs. If a cleanup is not performed by the facility as required, it can result in longer human and environmental exposures to unsafe substances. The EPA could mitigate the risks by requiring full disclosure of all self-insured environmental liabilities, or it could seek regulatory or statutory changes. |
| Recommendations open three or more years | |
| Responsible office | Office of Enforcement and Compliance Assurance |
| Recommendations | <p>5. Develop or update existing standard operating procedures to outline the Office of Land and Emergency Management and Office of Enforcement and Compliance Assurance roles and responsibilities for overseeing the validity of Resource Conservation and Recovery Act and Superfund financial assurance instruments, where needed.</p> <p>6. Develop and include procedures for checking with other regions for facilities/sites with multiple self-insured liabilities in the standard operating procedures created for Recommendation 5.</p> <p>7. Develop and include instructions on the steps to take when an invalid financial assurance instrument (expired, insufficient in dollar amount, or not provided) is identified in the standard operating procedures created for Recommendation 5 and collect information on the causes of invalid financial assurance.</p> <p>8. Train staff on the procedures and instructions developed for Recommendation 5 through 7.</p> |
| Planned completion dates | <ul style="list-style-type: none"> • Recommendations 5, 6, and 7: <ul style="list-style-type: none"> ○ Upon issuance: June 30, 2020 ○ Revised: September 30, 2021 (<i>more than three years after issuance</i>) • Recommendation 8: <ul style="list-style-type: none"> ○ Upon issuance: September 30, 2020 ○ Revised: September 30, 2021 (<i>more than three years after issuance</i>) |
| Impact | The EPA's ability to oversee self-insurance instruments is impaired, leaving the Agency and taxpayers vulnerable to billions of dollars in financial risk and the public vulnerable to environmental risk. Unlike the EPA, some federal agencies do not accept corporate self-insurance. |
| Responsible office | Office of Land and Emergency Management |
| Recommendations | <p>3. Update standard operating procedures and data systems to accommodate the changes implemented for risk management actions.</p> <p>4. Train staff on the implemented risk management actions.</p> |
| Planned completion dates | <ul style="list-style-type: none"> • Recommendation 3: <ul style="list-style-type: none"> ○ Upon issuance: September 30, 2021 (<i>more than three years after issuance</i>) ○ Revised: n/a • Recommendation 4: <ul style="list-style-type: none"> ○ Upon issuance: December 31, 2021 (<i>more than four years after issuance</i>) ○ Revised: n/a |
| Impact | The EPA's ability to oversee self-insurance instruments is impaired, leaving the Agency and taxpayers vulnerable to billions of dollars in financial risk and the public vulnerable to environmental risk. Unlike the EPA, some federal agencies do not accept corporate self-insurance. |

EPA Needs to Further Improve How It Manages Its Oil Pollution Prevention Program

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| Report details | |
| Number | 12-P-0253 |
| Date issued | February 6, 2012 |
| Summary of findings | Although the EPA has taken steps to improve its oil pollution prevention program, the Agency remains largely unaware of the identity and compliance status of the vast majority of facilities regulated under the Clean Water Act Section 311. Effective program management requires the EPA to know the identity and nature of the facilities it is responsible for regulating. The EPA has taken a number of steps to improve the quality and consistency of Spill Prevention, Control, Countermeasure Plans and Facility Response Plans. The EPA has also improved its ability to track individual Clean Water Act Section 311 violations and violators in a new national database. However, the EPA still does not have knowledge of most facilities it is responsible for regulating. In addition, Agency data systems cannot exchange data |

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| | with each other, and they lack consistent and sufficient codes to categorize deficiencies and noncompliance. These data system limitations prevent the EPA from capturing the full details of a known violator's history or identifying trends in compliance and enforcement. As a result, the EPA cannot assess the success of steps it has taken to improve the quality and consistency of Spill Prevention, Control, Countermeasure Plans; Facility Response Plans; or the oil pollution prevention program as a whole. Therefore, the Agency is unable to assess the degree to which its actions will help prevent future oil spills or mitigate their associated impacts. |
| Recommendations open three or more years | |
| Responsible office | Office of Land and Emergency Management |
| Recommendation | 1. Improve oversight of facilities regulated by the EPA's oil pollution prevention program by: <ul style="list-style-type: none"> d. Producing a biennial public assessment of the quality and consistency of Spill Prevention, Control, Countermeasure Plans and Facility Response Plans based on inspected facilities. |
| Planned completion date | <ul style="list-style-type: none"> • Upon issuance: Unresolved. • Revised: June 30, 2020; October 2, 2020; April 30, 2021 (<i>more than nine years after issuance</i>) |
| Impact | The EPA lacks reasonable assurance that oversight efforts for the Clean Water Act Section 311 program effectively prevent and improve the response to future oil spills or mitigate associated impacts. |

Improvements Needed in EPA Training and Oversight for Risk Management Program Inspections

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| Report details | |
| Number | 13-P-0178 |
| Date issued | March 21, 2013 |
| Summary of findings | <p>The EPA's management controls for ensuring inspector training and inspection quality provide limited assurance of the effectiveness of its Risk Management Program inspections. Proper training helps inspectors conduct quality inspections. However, 15 of the 45 Risk Management Program inspectors nationwide received inspector credentials without documentation indicating that they met minimum training requirements. Further, six of the program's 12 supervisors did not meet minimum training requirements. The EPA's management controls did not detect or prevent the cases of missed or undocumented training. Control weaknesses included limitations in training tracking systems and a lack of procedures to ensure that supervisors met their training requirements. Also, contracts and cooperative agreements for inspection services did not include training requirements.</p> <p>The EPA can strengthen its Risk Management Program inspection guidance and oversight to increase assurance that inspectors conduct effective inspections. EPA guidance did not establish minimum guidelines for the scope of inspections. Further, the EPA did not have a process to monitor the quality of inspections. Generally, inspection reports did not explain the extent to which the inspectors reviewed specific elements of a covered process to determine compliance. Also, our observations of two inspections indicated that procedures to verify the facilities' Risk Management Program activities were limited.</p> |
| Recommendations open three or more years | |
| Responsible office | Office of Land and Emergency Management |
| Recommendations | <ol style="list-style-type: none"> 7. 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 detailed examples of minimum reporting. 8. 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 completion dates | <ul style="list-style-type: none"> • Recommendation 7: <ul style="list-style-type: none"> ○ Upon issuance: July 31, 2014 ○ Revised: February 25, 2019; June 30, 2022 (<i>more than nine years after issuance</i>) • Recommendation 8: <ul style="list-style-type: none"> ○ Upon issuance: September 30, 2014 ○ Revised: February 28, 2020; June 30, 2023 (<i>more than ten years after issuance</i>) |
| Impact | An effective inspection program that includes properly trained personnel, guidance, and oversight helps ensure compliance with program regulations, thus decreasing the risk of airborne releases of chemicals that could harm the public. |

EPA Unable to Assess the Impact of Hundreds of Unregulated Pollutants in Land-Applied Biosolids on Human Health and the Environment

| Report details | |
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| Number | 19-P-0002 |
| Date issued | November 15, 2018 |
| Summary of findings | <p>The EPA's controls over the land application of sewage sludge, also referred to as biosolids, were incomplete or had weaknesses and may not fully protect human health and the environment. The EPA consistently monitored biosolids for nine regulated pollutants. However, it lacked the data or risk assessment tools needed to make a determination on the safety of 352 pollutants found in biosolids. The EPA identified these pollutants in a variety of studies from 1989 through 2015. Our analysis determined that the 352 pollutants include 61 designated as acutely hazardous, hazardous, or priority pollutants in other programs.</p> <p>The Clean Water Act requires the EPA to review biosolids regulations at least every two years to identify additional toxic pollutants and promulgate regulations for such pollutants. Existing controls based on the Clean Water Act and the EPA's Biosolids Rule include testing for nine pollutants, all of which are heavy metals; researching for additional pollutants that may need regulation; reducing pathogens and the attractiveness of biosolids to potential disease-carrying organisms; and conducting compliance monitoring activities. The EPA's risk communication regarding biosolids should also be transparent.</p> <p>The EPA has reduced staff and resources in the biosolids program over time, creating barriers to addressing control weaknesses identified in the program. Past audits showed that the EPA needed more information to fully examine the health effects and ecological impacts of land-applied biosolids. Although the EPA could obtain additional data to complete biosolids risk assessments, it is not required to do so. Without such data, the Agency cannot determine whether biosolids pollutants with incomplete risk assessments are safe. The EPA's website, public documents, and biosolids labels do not explain the full spectrum of pollutants in biosolids and the uncertainty regarding their safety. Consequently, the biosolids program is at risk of not achieving its goal to protect public health and the environment.</p> |
| Recommendations open three or more years | |
| Responsible office | Office of Water |
| Recommendations | <ol style="list-style-type: none"> Complete development of the probabilistic risk assessment tool and screening tool for biosolids land application scenarios. Develop and implement a plan to obtain the additional data needed to complete risk assessments and finalize safety determinations on the 352 identified pollutants in biosolids and promulgate regulations as needed. |
| Planned completion date | <ul style="list-style-type: none"> Recommendation 3: <ul style="list-style-type: none"> Upon issuance: December 31, 2021 (<i>more than three years after issuance</i>) Revised: n/a Recommendation 4: <ul style="list-style-type: none"> Upon issuance: December 31, 2022 (<i>more than four years after issuance</i>) Revised: n/a |
| Impact | The EPA identified 352 pollutants in biosolids but cannot yet consider these pollutants for further regulation due to either a lack of data or risk assessment tools. Pollutants found in biosolids can include pharmaceuticals, steroids, and flame retardants. |

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

| Report details | |
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| Number | 10-P-0224 |
| Date issued | September 14, 2010 |
| Summary of findings | National Pollutant Discharge Elimination System memorandums of agreement between the EPA and states do not ensure that the Agency has management control and effective oversight over a national program administered by states. EPA headquarters does not hold EPA regional or state offices accountable for updating their memorandums of agreement when necessary and relies on other planning and management mechanisms to exercise control over state programs. However, memorandums of agreement are critical because they are the common denominator for state- |

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| | authorized programs and should represent a common baseline. Memorandums of agreement that are outdated or that are not adhered to reduce the EPA's ability to maintain a uniform program across states that meets the goals of Clean Water Act Sections 101 and 402. An effective national program must maintain consistent management control and oversight of state programs. |
| Recommendations open three or more years | |
| Responsible office | Office of Water |
| Recommendation | 2-2. Develop a systematic approach to identify which states have outdated or inconsistent memorandums of agreements; renegotiate and update those memorandums of agreements using the memorandum of agreements template; and secure the active involvement and final, documented concurrence of headquarters to ensure national consistency. |
| Planned completion date | <ul style="list-style-type: none"> • Upon issuance: September 28, 2018 • Revised: September 30, 2020; September 30, 2022 (<i>more than 12 years after issuance</i>) |
| Impact | The current state of the memorandums of agreement means that the EPA cannot confirm it has effective management control over state programs, which would assure the public that Clean Water Act objectives are being achieved. |

EPA Must Improve Oversight of Notice to the Public on Drinking Water Risks to Better Protect Human Health

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| Report details | |
| Number | 19-P-0318 |
| Date issued | September 25, 2019 |
| Summary of findings | <p>Primacy agencies have the responsibility to oversee whether public water systems meet federal requirements, including notifying consumers of certain situations regarding their drinking water. We found that some primacy agencies do not consistently fulfill their responsibility to enforce drinking water public notice requirements. Specifically, some primacy agencies do not consistently record violations, nor do they track the need for and issuance of public notices. In addition, the EPA's protocol for assessing primacy agency oversight does not fully cover all public notice requirements. As a result, not all primacy agencies know whether public water systems under their supervision appropriately notify consumers about drinking water problems, and the EPA and primacy agencies do not hold all public water systems to the same compliance standards.</p> <p>The EPA does not have complete and nationally consistent information about public water systems' compliance with public notice requirements because primacy agencies do not use consistent methods to identify problems with public notice or record violations in the national drinking water database. As a result, the EPA cannot fully monitor compliance and oversee the implementation of this important part of the drinking water program. Additionally, the EPA's public notice guidance documents to primacy agencies and public water systems are inconsistent with regulations and out of date. Consequently, primacy agencies lack accurate guidance on their oversight responsibilities. Public water systems also lack guidance about current, relevant tools to provide effective public notices and may miss opportunities to efficiently inform consumers about drinking water problems.</p> |
| Recommendations open three or more years | |
| Responsible office | Office of Water |
| Recommendations | <ol style="list-style-type: none"> 5. Update and revise the 2010 Revised State Implementation Guidance for the Public Notification Rule to include: <ol style="list-style-type: none"> a. Public notice delivery methods that are consistent with regulations. b. Information on modern methods for delivery of public notice. 6. Update and revise the 2010 <i>Public Notification Handbooks</i> to include: <ol style="list-style-type: none"> a. Public notice delivery methods that are consistent with regulations. b. Information on modern methods for delivery of public notice. c. Public notice requirements for the latest drinking water regulations. d. Procedures for public water systems to achieve compliance after violating a public notice regulation. e. Up-to-date references to compliance assistance tools. f. Additional resources for providing public notice in languages other than English. |

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| Planned completion dates | <ul style="list-style-type: none"> • Recommendation 5: <ul style="list-style-type: none"> ○ Upon issuance: September 30, 2020 ○ Revised: September 30, 2022 (<i>more than three years after issuance</i>) • Recommendation 6: <ul style="list-style-type: none"> ○ Upon issuance: September 30, 2020 ○ Revised: September 30, 2022 (<i>more than three years after issuance</i>) |
| Impact | Without reliable information about drinking water, consumers cannot make informed health decisions, and the EPA cannot provide effective oversight. |

Internal Controls Needed to Control Costs of Emergency and Rapid Response Services Contracts as Exemplified in Region 6

| Report details | |
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| Number | 14-P-0109 |
| Date issued | February 4, 2014 |
| Summary of findings | <p>Region 6 manages field activities under the Emergency and Rapid Response Services contracts. However, when we reviewed files and invoices submitted under the contracts' task orders, we found that infrequent internal control reviews and inadequate staffing levels hamper Region 6's ability to prevent and detect many contract management shortcomings. For example, Region 6 was not:</p> <ul style="list-style-type: none"> • Performing required annual invoice reviews. • Monitoring contractor adjustment vouchers. • Receiving prime contractor negotiated team subcontract agreements on time. • Correctly coding task orders in the EPA Acquisition System. • Performing adequate internal control reviews. <p>Without adequate staffing levels, Region 6 is unable to conduct internal control reviews. Such reviews are a tool for ensuring that products comply with regulations and are consistently of high quality. Without internal control reviews, crucial aspects of the acquisition cycle cannot be assessed, and management cannot determine and properly address weaknesses and vulnerabilities. We identified two conditions that resulted in higher costs to the government. One prime contractor was applying a general and administrative indirect rate to its subcontractors' other direct costs, which went against the prime contractor's proposal and indirect cost rate letter. Also, both prime contractors were receiving additional profit because the fixed labor rates negotiated between the EPA and the prime contractors were based solely on the prime's labor rates.</p> |
| Recommendation open three or more years | |
| Responsible office | Region 6 |
| Recommendation | 3. Direct contracting officers to require that the contractor adjust all its billings to reflect the application of the correct rate to team subcontract other direct costs. |
| Planned completion date | <ul style="list-style-type: none"> • Upon issuance: September 30, 2024 (<i>more than ten years after issuance</i>) • Revised: n/a |
| Impact | Improper application of general and administrative rates resulted in higher costs to the government. |

EPA Needs to Finish Prioritization and Resource Allocation Methodologies for Abandoned Uranium Mine Sites on or Near Navajo Lands

| Report details | |
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| Number | 18-P-0233 |
| Date issued | August 22, 2018 |
| Summary of findings | The EPA had not completed the necessary removal site evaluations and engineering evaluations and cost analyses. Additionally, the EPA had not fully developed and implemented prioritization and resource allocation methodologies for the Tronox abandoned uranium mine sites on or near Navajo Nation lands. |

| Recommendations open three or more years | |
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| Responsible office | Region 6 and 9 |
| Recommendations | <ol style="list-style-type: none"> 1. Complete the necessary removal site evaluations and engineering evaluations/cost analyses. 2. Fully develop and implement prioritization and resource allocation methodologies for the Tronox abandoned uranium mine sites on or near Navajo Nation lands. |
| Planned completion date | <ul style="list-style-type: none"> • Recommendation 1: <ul style="list-style-type: none"> ○ Upon issuance: December 31, 2020 ○ Revised: December 31, 2021 (<i>more than three years after issuance</i>) • Recommendation 2: <ul style="list-style-type: none"> ○ Upon issuance: December 31, 2021 ○ Revised: May 31, 2022 (<i>more than three years after issuance</i>) |
| Impact | Site prioritization will aid EPA-initiated actions where there is imminent danger at numerous sites in the same area. |

Making Better Use of Stringfellow Superfund Special Accounts

| Report details | |
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| Number | 08-P-0196 |
| Date issued | July 9, 2008 |
| Summary of findings | 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 (California) is unable to pay. That leaves up to \$47.8 million that can be transferred to the EPA Hazardous Substance Superfund Trust Fund. |
| Recommendation open three or more years | |
| Responsible office | Region 9 |
| Open recommendation | 2. Reclassify or transfer to the Trust Fund, as appropriate, \$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 Fiscal Year 2010, when the record of decision is signed and the final settlement is achieved. |
| Planned completion date | <ul style="list-style-type: none"> • Upon issuance: December 31, 2012 • Revised: September 30, 2023 (<i>more than 15 years after issuance</i>) |
| Impact | The EPA could reallocate some portion of its other Trust Fund dollars to other priority sites or needs. Alternatively, if funds are transferred to the Trust Fund, there are numerous Superfund requirements and priorities elsewhere in the United States that could be addressed by putting these approximately \$27.8 million dollars of idle funds to better use. |