



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

1200 Sixth Avenue, Suite 155
Seattle, WA 98101

OFFICE OF THE REGIONAL
ADMINISTRATOR

November 24, 2021

MEMORANDUM

SUBJECT: Response to Office of Inspector General Final Report No. 21-E-0254 “Pandemic Highlights Need for Additional Tribal Drinking Water Assistance and Oversight in EPA Regions 9 and 10,” dated September 27, 2021

FROM: Michelle Pirzadeh
Acting Regional Administrator

TO: Office of Inspector General

Thank you for the final report, and for the productive engagement on the *tribal drinking water program* that is significant to EPA Region 10. We appreciate your team’s thoughtful inquiry and discussion. We also appreciate that you incorporated Region 10’s July 6, 2021 response memorandum, in its entirety, as Appendix F to the final report. The purpose of this memorandum is to establish resolution on recommendations 6, 7, 9 and 10. Recommendation number 8 is already resolved as you have indicated in the final report.

RESPONSE TO FINAL REPORT RECOMMENDATIONS

The final report included five recommendations to the Region 10 Administrator.

Recommendation Number 6: “Implement a strategy to provide outreach, training, guidance, and technical and financial assistance to tribal drinking water systems to improve their resilience using the tools developed and grants distributed by the EPA in accordance with the America’s Water Infrastructure Act of 2018.”

Final Report (Page 12): “In response to Recommendation no. 6, Region 10 stated that it would develop a plan to be implemented by September 30, 2022. Region 10, however, did not commit to developing a strategy to provide outreach, training, guidance, and technical and financial assistance to tribal drinking water systems to improve their resilience. Therefore, Recommendation 6 is unresolved.”

Region 10’s Proposed Resolution: By September 30, 2022, EPA Region 10 intends to develop and implement a strategy that includes outreach, training, guidance, and technical and financial assistance for the benefit of tribal drinking water systems with the purpose of improving their resilience.

Recommendation Number 7: “Develop and implement a strategy to help the direct implementation of the tribal drinking water program, including resumption of sanitary surveys and inspections in a manner that considers the coronavirus restrictions of each tribe.”

Final Report (Page 13): “Region 10 partially agreed with the draft Recommendation 7 but suggested alternative language to clarify the tribes’ individual pandemic restrictions. While Region 10 agreed to develop and implement a strategy to prioritize completion of sanitary surveys and inspections necessary for the protection of public health by September 30, 2022, we need to provide Region 10 with an opportunity to respond to the revised final report recommendation. Therefore, Recommendation 7 is unresolved.”

Region 10’s Proposed Resolution: Region 10 appreciates the OIG’s revision to recommendation number 7, and the opportunity to review the final language, as indicated. Your revision is responsive to the concern we outlined during review of the draft report. Based on the R10 response provided here, EPA R10 agrees that this recommendation’s language is resolved.

Recommendation Number 8: “Develop and implement a plan to prioritize and address the recommendations identified in the 2019 program and file reviews for Region 10.”

Final Report (Page 12): “In response to Recommendation 8, Region 10 committed to developing a plan to prioritize and implement file review recommendations by March 2022. Recommendation 8 is resolved with corrective actions pending.”

Region 10’s Proposed Resolution: Resolved as noted in the final report. Region 10 has nothing to add.

Recommendation Number 9: “Incorporate lessons learned from the coronavirus pandemic to improve Region 10’s existing plans for continuity of operations, with an emphasis on data management and network connectivity.”

Final Report (Page 12): “In response to Recommendation 9, Region 10 committed to evaluate and conduct lessons-learned exercises by September 2022, but it did not commit to incorporating the lessons learned into its existing continuity of operations plans. Therefore, Recommendation 9 is unresolved.”

Region 10’s Proposed Resolution: Region 10 agrees to implement the lessons learned, and more specifically to incorporate data management and the ability to ensure the continuity of drinking water program activities, including but not limited to data management and network connectivity. Region 10 agrees to incorporate these lessons into our existing plans for continuity of operations, by September 2022.

Recommendation Number 10: “Develop a workforce analysis to address staff workload and the skills needed for the direct implementation of the tribal drinking water program.”

Final Report (Page 13): “Region 10 stated that it would complete a workforce analysis by September 30, 2023. This critical analysis should be done more quickly to address the immediate needs of the tribal drinking water program. To resolve the recommendation, Region 10 should offer a target date for corrective action that is within a year of this report’s issuance date. Recommendation 10 is unresolved.”

Region 10’s Discussion: The two-year timeframe associated with our initial response was a reflection that the completion of the workforce analysis by the drinking water program’s managers from the Region - instead of EPA headquarters - involves a resource cost in the form

of management and staff time that will necessarily be taken away from services and activities associated with drinking water regulation and oversight of the *tribal drinking water program*. Given that the EPA Region 10 has limited staff, we initially felt that it was important that we not commit to a timeframe that would adversely affect the primary responsibilities of the drinking program. Additionally, while our managers are confident that Region 10 can conduct the workforce analysis in a manner that makes it useful to the EPA, Region 10, and more broadly, the workforce analysis is not part of the management and professional work normally done by the *tribal drinking water program* and its management. The Region 10 managers discussed this concern with the OIG team on October 28, 2021, and after the discussion, Region 10 is prepared to shorten the timeframe.

Region 10's Proposed Resolution: Region 10 proposes to complete a workforce analysis to address staff workload and the skills needed for direct implementation of the tribal drinking water program by September 30, 2022.