



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

January 3, 2022

OFFICE OF  
AIR AND RADIATION

**MEMORANDUM**

**SUBJECT:** EPA Response #3 to OIG Report titled: "EPA Delayed Risk Communication and Issued Instructions Hindering Region 5's Ability to Address Ethylene Oxide Emissions" - Project No. OA&E-FY19-0091, April 15, 2021

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**TO:** Patrick Gilbride  
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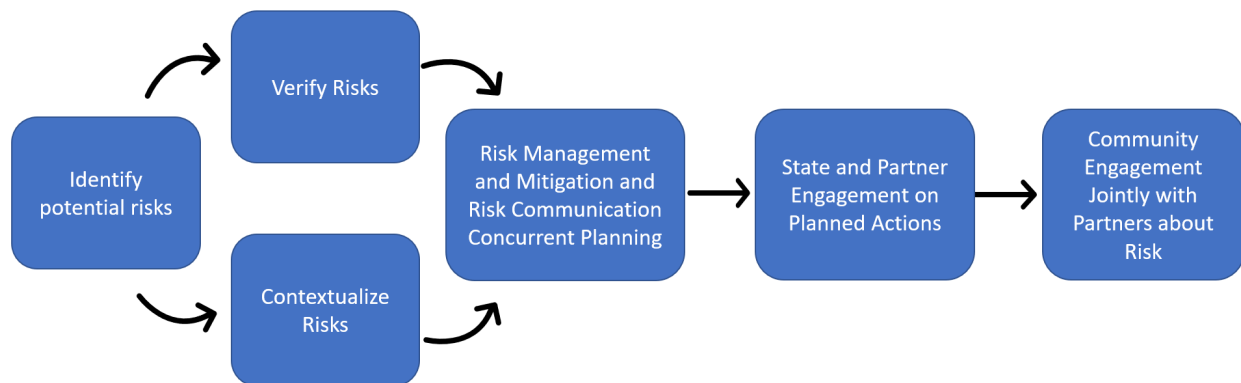
Thank you for the opportunity to respond to the Office of the Inspector General's (OIG) April 15, 2021, report titled *EPA Delayed Risk Communications and Issued Instructions Hindering Region 5's Ability to Address Ethylene Oxide Emissions* (hereinafter "Report"). On March 5, 2021, OAR provided a response that contained proposed corrective actions to address Recommendations 1 and 2 in the draft Report (February 4, 2021). In the April 15, 2021 final version of the report posted to the web, OIG expressed concern with the proposed corrective actions for Recommendations 1 and 2. OAR provided a revised response on October 26, 2021 which was partially approved by OIG on November 29, 2021. After a December 8, 2021 follow up discussion with OIG, OAR is providing the following additional information to add more specifics in response to the OIG's outstanding concerns for Recommendation 1.

**Recommendation 1:** Develop standard operating procedures describing how the Office of Air and Radiation will work with EPA Regional Offices to communicate preliminary air toxics risk information, including elevated risks found in the National Air Toxics Assessment, to the public so that communities are promptly informed of potential health concerns.

**Proposed Corrective Actions:** It should be noted that determining precisely when a risk is officially identified as being of concern and when preliminary data needs to be communicated broadly are complicated questions that require improvements in internal and external communication, coordination, and collaboration. To help deal with these questions, the Office of

Air Quality Planning and Standards' *Strategy for the Air Toxics Program* lays out several mechanisms including: 1) strategic engagement of staff and management with each other, EPA offices (e.g., Regional Offices, OTAQ, ORD, OCSPP), EPA regulatory partners, and stakeholders to understand, obtain, and exchange information; and 2) strategic engagement of staff and managers with regard to other sources of information, such as current scientific literature, routine and novel assessments, regular work activities, and policy and political interests. These types of engagement activities provide the foundation for early identification of potential new and emerging issues.

Assigning static roles and responsibilities for risk communication inhibits the Agency's ability craft the most effective approach based on the information available. It also, in many cases, can inhibit the Agency from meeting the needs of prospective stakeholders. The Agency has, however, included more information about the process that will be followed and is offering products to assist practitioners and to meet the concerns of OIG. The Agency will also commit to ensuring that risk information is communicated to the public in a timely manner. The diagram below shows the multi-step process leading up to prompt communication of air toxics risk information to affected communities.



We also wish to note the importance of increased and continued coordination with the cross-agency risk communication effort to implement a framework based on a process of Strategy, Action, and Learning, supported Tools (i.e., SALT Framework) to improve risk communication about air toxics generally and specifically in an environment of scientific uncertainty as is often the case when communicating about preliminary data. This includes increased opportunities for our staff to learn and practice risk communication foundational skills.

We are committed to making two significant modifications to the *Strategy for the Air Toxics Program*:

1. Air Toxics Partnership Practice Document: This standard operating procedure, which will be added as a supplement to the *Strategy for the Air Toxics Program*, will focus on leveraging regional and risk communication expertise in engaging partners about air toxics risk. This document will serve as a guide to assist potential risk communicators in thinking strategically about how to engage with states and communities on complex risk

issues and will include pointers on navigating scientific uncertainties in communication with communities. Topics in this document will include identification of key internal and external partners, available regulatory authorities and resources, and primary steps in and roles with respect to engagement.

2. The Agency will add the following standard operating procedures regarding roles and responsibilities to the document:

*EPA cannot proactively predict which agency or partner should lead a particular risk communication effort. There are, however, certain roles in risk communication we can anticipate needing to fill. While EPA Regions or states may have the roles of providing risk information to the public, OAR will be responsible for ensuring that the information is communicated to the public in a timely manner. Additionally, when a risk of concern to a specific community or communities is identified, OAQPS will raise that to the attention of EPA Regional Offices. Together, experts in OAQPS and the affected Regions – in coordination with state, tribal or local air agencies, as appropriate -- will determine which agency(ies) or partner(s) would be the appropriate lead in communicating that risk to a community/communities.*

*For issues that involve multiple communities across the country, OAQPS can expect to provide basic materials on the air toxic at issue and the health risks associated with long-term exposure to that pollutant. OAQPS and/or the Agency's Senior Advisor for Risk Communication also will provide guidance and support for EPA Regions as they develop risk communication plans to ensure that roles, responsibilities, and support provided are aligned with the Agency approach to risk communication. The Agency approach to risk communication acknowledges the need for coordination and alignment while recognizing that approaches must be adapted to reflect specific situations.*

*Because of the variables that can be involved in air toxics issues –how widespread risk is, the values of communities potentially affected --there is no one-size fits all risk communication plan. EPA Regions are the key contact point for state, local and tribal air agencies, and generally have the lead on reaching out to those agencies to discuss a particular situation involving risk and in determining which agency or organization would be best positioned to lead a risk communication effort. Regions may bring OAQPS into these discussions as appropriate.*

**Target Completion Date:** Third Quarter FY 2022

If you have any questions regarding this response, please contact JoLynn Collins, OAQPS/OAR Audit Liaison, at (919) 541-0528.

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