



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

OFFICE OF
INSPECTOR GENERAL

February 18, 2022

MEMORANDUM

SUBJECT: Notification of Audit:
EPA's Response to Drinking Water Lead Contamination in Benton Harbor, Michigan.
Project No. OA-FY22-0068

FROM: Michael D. Davis, Director *Michael D. Davis*
Environmental Investment and Infrastructure
Office of Audit

TO: Radhika Fox, Assistant Administrator
Office of Water

Debra Shore, Regional Administrator
Region 5

The Office of Inspector General for the U.S. Environmental Protection Agency plans to begin fieldwork on this audit. This audit is being conducted to analyze the EPA's actions regarding drinking water lead contamination in Benton Harbor, Michigan. This audit addresses the following fiscal year 2022 [top management challenge\(s\)](#) for the Agency: integrating and leading environmental justice.

The OIG's objective is to determine the extent to which the EPA followed its 2016 elevation policy memorandum, titled "Policy on Elevation of Critical Public Health Issues," in responding to evidence of drinking water lead contamination in the community water system for the City of Benton Harbor, Michigan. We plan to conduct work in Region 5 and in the Office of Water. Applicable generally accepted government auditing standards will be used in conducting our audit. The anticipated benefits of this audit are to determine if the EPA can improve the speed at which public health protections are delivered to communities facing imminent and substantial public health risks.

We will contact you to arrange a mutually agreeable time to discuss our objectives. We would also be particularly interested in any areas of concern that you may have. We will answer any of your questions about the audit process, reporting procedures, methods used to gather and analyze data, and what we should expect of each other during the audit. Throughout the audit, we will provide updates on a regular basis.

To expedite our audit, please provide the following information at or before the entrance conference:

- All implementing guidance, training, and other instructions to regional staff regarding the administrator's elevation policy.

- All complaints received via the Drinking Water Hotline or any other method regarding Benton Harbor and any internal and external correspondence about and resolution of those complaints.

We respectfully note that the OIG is authorized by the Inspector General Act of 1978, as amended, to have timely access to personnel and all materials necessary to complete its objectives. Similarly, EPA Manual 6500, *Functions and Activities of the Office of Inspector General* (1994), requires that each EPA employee cooperate with and fully disclose information to the OIG. Also, Administrator Michael S. Regan, in an April 28, 2021 email message to EPA employees, conveyed his “expectation that EPA personnel provide OIG timely access to records or other information” and observed that “full cooperation with the OIG is in the best interest of the public we serve.” We will request that you immediately resolve the situation if an Agency employee or contractor refuses to provide requested materials to the OIG or otherwise fails to cooperate with the OIG. We may report unresolved access matters to the administrator and include the incident in the *Semiannual Report to Congress*.

We will post this memorandum on our public website at www.epa.gov/oig.

cc: Janet McCabe, Deputy Administrator
Dan Utech, Chief of Staff, Office of the Administrator
Wesley J. Carpenter, Deputy Chief of Staff, Office of the Administrator
Lawrence Starfield, Acting Assistant Administrator, Office of Enforcement and Compliance Assurance
Andrew LeBlanc, Agency Follow-Up Coordinator
José Kercado, Backup Agency Follow-Up Coordinator
Gwendolyn Spriggs, Follow-Up Coordinator, Office of Enforcement and Compliance Assurance
Tiffany Crawford, Audit Follow-Up Coordinator, Office of Water
Farah Martinez, Audit Follow-Up Coordinator, Region 5
Lindsay Hamilton, Associate Administrator for Public Affairs
Lance McCluney, Director, Office of Administrative and Executive Services, Office of the Administrator
Regional Audit Follow-Up Coordinators, Regions 1–10
Sean W. O’Donnell, Inspector General
Charles J. Sheehan, Deputy Inspector General
Edward S. Shields, Associate Deputy Inspector General
Benjamin May, Counsel to the Inspector General
Stephanie Wright, Assistant Inspector General for Management
Kellie J. Walker, Acting Deputy Chief of Staff, Office of Inspector General
Katherine Trimble, Assistant Inspector General for Audit
Paul H. Bergstrand, Assistant Inspector General for Special Review and Evaluation
Marc Perez, Acting Assistant Inspector General for Investigations
Jee Kim, Deputy Assistant Inspector General for Management
Tom Collick, Deputy Counsel to the Inspector General
Laura B. Nicolosi, Principal Deputy Assistant Inspector General for Audit
Erin Barnes-Weaver, Deputy Assistant Inspector General for Evaluation
Susan Barvenik, Associate Deputy Counsel to the Inspector General
James Hatfield, Associate Deputy Assistant Inspector General for Audit
Jennifer Kaplan, Deputy Assistant Inspector General for Congressional and Public Affairs
Jeffrey Lagda, Congressional and Media Liaison, Office of Inspector General
Lori Hoffman, Congressional and Media Liaison, Office of Inspector General