



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

OFFICE OF
INSPECTOR GENERAL

November 17, 2022

MEMORANDUM

SUBJECT: Notification of Audit:
Compliance with the Public Notification Requirements Under Section 2106 of the Water Infrastructure Improvements for the Nation Act
Project No. OA-FY23-0034

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

TO: Radhika Fox, Assistant Administrator
Office of Water

The Office of Inspector General for the U.S. Environmental Protection Agency plans to begin fieldwork to determine compliance with the public notification requirements under the Water Infrastructure Improvements for the Nation Act, Pub. L. 114-322, section 2106. The audit is being initiated based on a request from Senator Gary C. Peters, chairman of the Committee on Homeland Security and Government Affairs. This audit addresses the following fiscal year 2022 [top management challenge](#) for the Agency: enforcing environmental laws and regulations.

The OIG's objective is to determine whether the EPA complied with the public notification requirements under section 2106 of the WIIN Act. These requirements have been incorporated into Safe Drinking Water Act § 1414(c), codified in 42 U.S.C. § 300g-3(c). According to the requirements, the public must be promptly notified when elevated lead levels in drinking water have the potential to cause serious adverse health effects as a result of short-term exposure. The audit will assess compliance by the public water systems, primacy agencies, and EPA Office of Water and the ten regions. The OIG plans to conduct work at the Office of Water and selected EPA regions. We also plan to contact selected primacy agencies to obtain documentation to verify compliance. Applicable generally accepted government auditing standards will be used in conducting our audit. The anticipated benefit of this audit is improved effectiveness of the EPA's safe drinking water program. We aim to achieve this by determining whether the Agency, state primacy agencies, and public water systems quickly inform customers about elevated lead levels in their drinking water and how to minimize the potential negative health effects of lead exposure.

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.

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. Anyone with knowledge of potential fraud, waste, abuse, misconduct, or mismanagement related to this audit should contact the OIG Hotline at (888) 546-8740 or via an electronic form on the “OIG Hotline” [webpage](#).

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