



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

OFFICE OF WATER

MEMORANDUM

SUBJECT: Certification Memorandum for Office of Inspector General Report No. 20-E-0246, *EPA's 2018 BEACH Act Report to Congress Does Not Fully Meet Statutory Requirements*,
August 13, 2020

FROM: Radhika Fox
Assistant Administrator

For

TO: Sean W. O'Donnell
Inspector General

This memorandum certifies that all corrective actions specified in the subject Office of Inspector General (OIG) report have been completed. On March 31, 2023, staff from the Office of Water's (OW) Office of Science and Technology (OST), Office of Inspector General (OIG), and the Office of the Chief Financial Officer (OCFO) met and concluded in an agreement that the following activities and supporting documentation provide the foundation for closure of this audit.

Recommendation 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.*

EPA developed and implemented a strategy for the Quadrennial Reports to Congress on Implementing the Beaches Environmental Assessment and Coastal Health Act of 2000. This strategy includes a list of steps, consistent with the OIG recommendations, that 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) Plain Writing Act of 2010 expectations, and c) EPA internal control principles. (Exhibit 1). Prior to developing the Strategy, EPA staff solicited feedback from Senate Environment and Public Works staff regarding the agency's approach for developing the 2022 BEACH Act Report to Congress. Senate staff confirmed that they liked the agency's approach for the Report (See Exhibit 2 and Exhibit 3). EPA used the steps and process outlined in the Strategy to complete the 2022 BEACH Act Report to Congress. The Strategy will continue to be used to guide staff in the creation and submittal of future BEACH Act Reports to Congress. After implementing the Strategy and completing the 2022 Report, EPA staff solicited feedback from Senate Environment

and Public Works (EPW) staff regarding the Agency's 2022 Report. Senate staff Christophe Tulou informed EPA that EPW was "*comfortable and appreciative of the content and formatting*" (Exhibit 4).

Recommendation 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.*

EPA developed and submitted a 2022 Report to Congress entitled: *Implementing the BEACH Act of 2000: 2022 Report to Congress*, EPA 823-R-22-0043, (Exhibits 5, 6 and 7). As recommended by OIG, Section 4 of the Report discusses EPA's evaluation of federal, state, territorial, tribal, and local efforts to implement the BEACH Act. Section 4.2.1 (Monitoring and Notification Reporting Data) of the Report is the portion of EPA's evaluation, based in part, on EPA's annual reviews of BEACH Act grants, of the data submitted as requirements of those grants, and EPA's annual swimming season reports (data trends from 2017 to 2021). This section also includes information on beach monitoring and notification programs from 2018 through 2021. Sections 4.2.3 and 4.3 of the Report are the portions of EPA's evaluation based on additional relevant resources, including: federal and state websites, interviews with federal agencies, and with EPA Regional Beach Program Coordinators who in turn collected information from state and tribal grantees. (See the Report, Exhibit 5).

Per EPA Manual 2750, Audit Management Procedures, Part II, Section B.1.c, electronic documents relevant to these actions are retained in the official file, and EPA officials have verified completion of the required corrective actions.

If you have any questions, please contact me or have your staff contact Cameo Smoot, OW's Audit Follow-up Coordinator, at smoot.cameo@epa.gov or Sara Hisel-McCoy, Director of OST's Standards and Health Protection Division, at 202-566-1649.

Exhibits

1. *Strategy for Successful Completion of Quadrennial Report to Congress on Implementing the Beaches Environmental Assessment and Coastal Health Act of 2000*
2. Email exchange between Christophe Tulou (Senate Environment and Public Works Committee staff) and EPA Office of Congressional and Intergovernmental Affairs (OCIR) Staff Denis Borum, December 2021
3. Email exchange between John Kane (Senate Environment and Public Works Committee staff) and EPA OCIR Staff Denis Borum, November 2021
4. Email exchange between Christophe Tulou (Senate Environment and Public Works Committee staff) and EPA OCIR staff Laura Gentile, December 2022
5. *Implementing the BEACH Act of 2000: 2022 Report to Congress*, EPA 823-R-22-0043
6. Transmittal Memo to the Speaker of the U.S. House of Representatives
7. Transmittal Memo to the President of the U.S. Senate

cc: Meshell Jones-Peeler, OCFO
Sue Perkins, OCFO
Deborah Nagle, OW
Sara Hisel McCoy, OW
Erica Weyer, OW
Macara Lousberg, OW
Janita Aguirre, OW
Cameo Smoot, OW
Kathryn Hess, OIG
Michel Davis, OIG