

# Compendium of Open and Unresolved Recommendations: Data as of May 31, 2023

July 27, 2023 | Report No. 23-N-0025



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<b>Abbreviations:</b>	C.F.R.	Code of Federal Regulations
	CWA	Clean Water Act
	EDSP	Endocrine Disruptor Screening Program
	EPA	U.S. Environmental Protection Agency
	FIFRA	Federal Insecticide, Fungicide, and Rodenticide Act
	MDEQ	Michigan Department of Environmental Quality
	NEIC	National Enforcement Investigations Center
	NPDES	National Pollutant Discharge Elimination System
	OIG	Office of Inspector General
	PRIA	Pesticide Registration Improvement Act
	RCRA	Resource Conservation and Recovery Act
	RFS	Renewable Fuel Standard
	RTR	Residual Risk and Technology Review
	TSDf	Treatment, Storage and Disposal Facility
	U.S.C.	United States Code
	WPS	Worker Protection Standard

**Cover Images:** A truck passing the Longview Power Plant near Morgantown, West Virginia. (EPA image)

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# At a Glance

## Compendium of Open and Unresolved Recommendations: Data as of May 31, 2023

### Why We Published This Compendium

The Inspector General Act of 1978, as amended, requires each inspector general to prepare semiannual reports for Congress. As part of that reporting, the inspector general must identify all recommendations from the prior reporting period for which corrective actions have not been completed by the agency, as well as any management decisions with respect to audit, inspection, or evaluation reports issued during that prior reporting period.

The U.S. Environmental Protection Agency Office of Inspector General is publishing this *Compendium* to analyze the open recommendations listed in the semiannual report covering our work from October 1, 2022, through March 31, 2023, and the recommendations that remained unresolved through May 31, 2023. We produce the *Compendium* annually.

**Open recommendations**, also called resolved recommendations, are those on which the EPA and the OIG agree, but the agreed-upon corrective actions have not yet been completed, regardless of whether their expected due dates are in the past or the future.

**Unresolved recommendations** are those that the EPA disagrees with; has not provided a formal, complete, written response to; or has proposed corrective actions for that the Agency and the OIG have not agreed upon.

Address inquiries to our public affairs office at (202) 566-2391 or [OIG.PublicAffairs@epa.gov](mailto:OIG.PublicAffairs@epa.gov).

[List of OIG reports.](#)

### What We Found

This *Compendium* focuses on 91 recommendations identified as open in Report No. [EPA-350-R-23-001](#), *Semiannual Report to Congress: October 1, 2022–March 31, 2023*, issued May 2023, and 22 recommendations that remained unresolved through May 31, 2023. Our analysis recognizes changes in the statuses of recommendations that occurred after the issuance of the semiannual report but not later than May 31, including the implementation of corrective actions for seven of the 98 open recommendations in that report.

The 113 recommendations we address in this *Compendium* represent \$74.6 million in potential monetary benefits. In this *Compendium*, we also discuss the following:

- A breakdown of the 22 unresolved recommendations.
- The relationship of the open and unresolved recommendations to the EPA's fiscal year 2023 top management challenges, which we identify in the our [EPA's Fiscal Year 2023 Top Management Challenges](#) report, issued October 28, 2022.
- Fifteen open or unresolved recommendations that the OIG deemed high priority.
- A breakdown of the 91 open recommendations by program office and region. Seven of these open recommendations previously were reported by the Agency as closed, but upon further review, we disagreed with the Agency's assessment and reopened them.
- Sixty-seven open recommendations that are designed to improve human health and the environment, and 24 open recommendations that are designed to improve administrative and business operations.
- Fifty-two open recommendations that are at least three years old or that have corrective actions scheduled to be completed more than three years after the associated report's issuance.

**Implementing corrective actions on the open and unresolved recommendations contained in this *Compendium* could have potential monetary benefits of \$74.6 million.**




**OFFICE OF INSPECTOR GENERAL**  
U.S. ENVIRONMENTAL PROTECTION AGENCY

July 27, 2023

**MEMORANDUM**

**SUBJECT:** Compendium of Open and Unresolved Recommendations: Data as of May 31, 2023  
Report No. 23-N-0025

**FROM:** Sean W. O'Donnell, Inspector General 

**TO:** Michael S. Regan, Administrator  
Janet McCabe, Deputy Administrator

The U.S. Environmental Protection Agency Office of Inspector General presents the *Compendium of Open and Unresolved Recommendations: Data as of May 31, 2023*, which details 91 open recommendations issued in reports published as of September 30, 2022, and 22 recommendations that remained unresolved through May 31, 2023.

The Inspector General Act of 1978, as amended, requires each inspector general to prepare semiannual reports for Congress, which must include “an identification of each significant recommendation described in previous semi-annual reports on which corrective action has not been completed.” This *Compendium* provides further analysis of open recommendations identified in Report No. [EPA-350-R-23-001](#), *Semiannual Report to Congress: October 1, 2022–March 31, 2023*, issued May 2023.

Section 1 outlines how open and unresolved recommendations relate to the Agency’s key management challenges, which we detail in [The EPA’s Fiscal Year 2023 Top Management Challenges](#), issued October 28, 2022. Section 2 identifies the high-priority open or unresolved recommendations. Section 3 focuses on unresolved recommendations. Section 4 details open recommendations by program and regional office, as well as the (1) human health and environmental benefits and (2) administrative and business operation benefits of the open recommendations, including those recommendations that the Agency previously closed but the OIG reopened. Section 5 lists the open recommendations that are at least three years old, as well as the open recommendations with proposed corrective actions not scheduled to be completed within three years of the associated report’s issuance.

We will post this report to our website at [www.epa.gov/oig](http://www.epa.gov/oig).

cc: Assistant Administrators  
General Counsel  
Chief Financial Officer  
Associate Administrators  
Regional Administrators  
Agency Follow-Up Coordinators

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## INTRODUCTION

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### Purpose

The purpose of this *Compendium* is to keep Agency management and Congress informed about the U.S. Environmental Protection Agency's outstanding commitments to act on Office of Inspector General recommendations, as well as about the Agency's progress in completing corrective actions that will help improve its programs and operations. This *Compendium* provides a summary and analysis of the EPA's open and unresolved recommendations.

As of May 31, 2023, the EPA had not implemented corrective actions for 91 open OIG recommendations issued as of September 30, 2022, while 22 more recommendations remained unresolved.<sup>1</sup> The full text of the open recommendations and any associated monetary benefits can be viewed in Appendix 3 of Report No. [EPA-350-R-23-001](#), *Semiannual Report to Congress: October 1, 2022–March 31, 2023*, issued May 2023. While that appendix lists a total of 98 open recommendations, the EPA closed seven of them between April 1 and May 31, 2023. We have omitted these seven from this *Compendium*.

Implementing corrective actions to ensure that the Agency adopts robust internal controls to protect government assets has become particularly important given the EPA's supplemental appropriations under the Infrastructure Investment and Jobs Act and the Inflation Reduction Act. These two Acts, when combined, provide the EPA with more than \$100 billion in additional funding over a period of five years. As with previous supplemental spending legislation, there is a risk that the influx of funds may be mismanaged, that funding requirements will not be complied with, or that programmatic goals will not be met. If the Agency does not timely address its outstanding recommendations, its IJIA- and IRA-funded programs could be more susceptible to fraud, waste, abuse, or mismanagement.

**Open recommendations**, or resolved recommendations, are those that the EPA and the OIG agree on but for which the agreed-to corrective actions have not been completed. This includes those with corrective actions past due or due in the future. An open recommendation can have one or more corrective actions that the Agency has agreed to complete.

**Unresolved recommendations** are those that the EPA disagrees with; has not provided a formal, complete, written response to; or has proposed corrective actions for which it and the OIG have not agreed upon.

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<sup>1</sup> The OIG also provides oversight to the U.S. Chemical Safety and Hazard Investigation Board, which had only one open recommendation as of March 31, 2023, that can be viewed in Appendix 3 of Report No. [EPA-350-R-23-001](#), *Semiannual Report to Congress: October 1, 2022–March 31, 2023* (May 2023).

## Background

The OIG provides independent oversight of the EPA and the U.S. Chemical Safety and Hazard Investigation Board in accordance with the Inspector General Act of 1978, as amended, 5 U.S.C. §§ 401–424. Our mission is to detect and prevent fraud, waste, and abuse, and to promote economy, efficiency, and effectiveness, in the EPA’s programs and operations. To that end, we conduct audits, evaluations, and investigations that result in written reports with evidence-based recommendations for improving EPA programs and operations and for addressing wrongdoing and mismanagement.

For each report, we work with the EPA and the CSB to reach agreement on corrective actions responding to our recommendations. Timely resolution and completion of corrective actions are critical for reducing costs, managing risks, improving processes, and realizing other monetary benefits of improved efficiency and effectiveness. This also ensures integrity and accountability in the use of public funds.

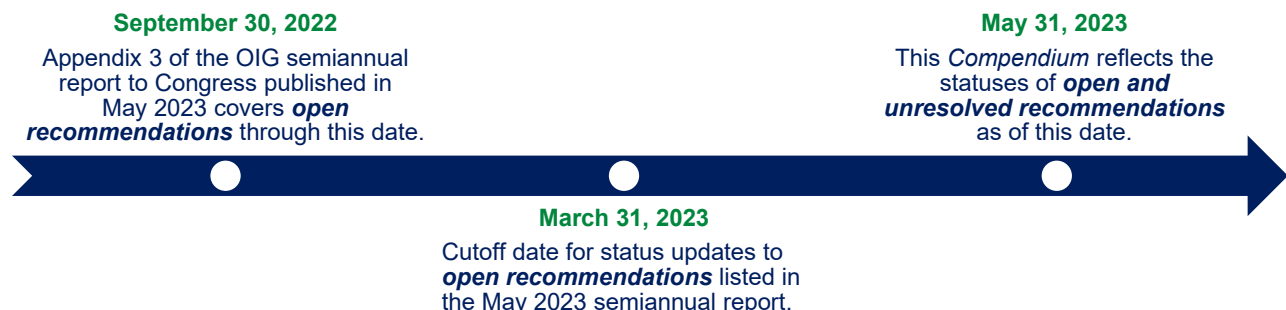
We track the status of recommendations to ensure that management takes the corrective actions that were agreed-upon during the reporting process. We encourage the responsible offices to complete corrective actions in one year or less, but the Agency may determine that a corrective action will take longer. We highly discourage corrective actions taking what we view as an unreasonable amount of time to implement, and we will address and report such instances, as appropriate.

The IG Act requires each inspector general to prepare semiannual reports to Congress that identify all recommendations from prior reporting periods for which an agency has not completed corrective actions and any management decisions with respect to audit, inspection, or evaluation reports issued during a prior reporting period. The IG Act also requires that, for audit, inspection, and evaluation reports issued during the reporting period, the semiannual report identify the dollar value of recommendations where funds could be put to better use. This *Compendium* supplements the OIG’s semiannual report to provide additional information regarding open and unresolved recommendations.

## Methodology

For this *Compendium*, we compiled recommendations that were reported as open in Appendix 3 of Report No. [EPA-350-R-23-001](#), *Semiannual Report to Congress: October 1, 2022–March 31, 2023*, issued May 2023. We originally issued those recommendations to the EPA in audit reports from 2008 through September 30, 2022. As of May 31, 2023, 91 of those recommendations remained open. Additionally, we compiled 22 recommendations that remained unresolved as of May 31, 2023, and 15 high-priority open or unresolved recommendations that had been issued as of that date. Figure 1 illustrates the time-based criteria for the data used in this *Compendium*.

**Figure 1: Time-based criteria for open and unresolved recommendations in this *Compendium***



Source: Methodology used by the OIG in compiling this compendium. (EPA OIG image)

## SECTION 1: Implementing Open and Unresolved Recommendations Would Help Mitigate the EPA’s Top Management Challenges

Implementing corrective actions for many of the EPA’s open and unresolved recommendations would help the EPA mitigate what the OIG has identified as the Agency’s eight most significant management challenges. We detail these management challenges in our [EPA’s Fiscal Year 2023 Top Management Challenges](#) report, issued October 28, 2022.

Identifying these key challenges each year is an essential component of the OIG’s mission. These challenges are the most likely areas in which the EPA will face difficulties fulfilling its mission of protecting human health and the environment. We plan our oversight work to help the Agency mitigate these specific challenges. We have aligned the open and unresolved recommendations in this *Compendium* to challenges identified for fiscal year 2023, regardless of whether we previously aligned them to an earlier fiscal year’s top management challenge or to none at the time they were originally issued or resolved.



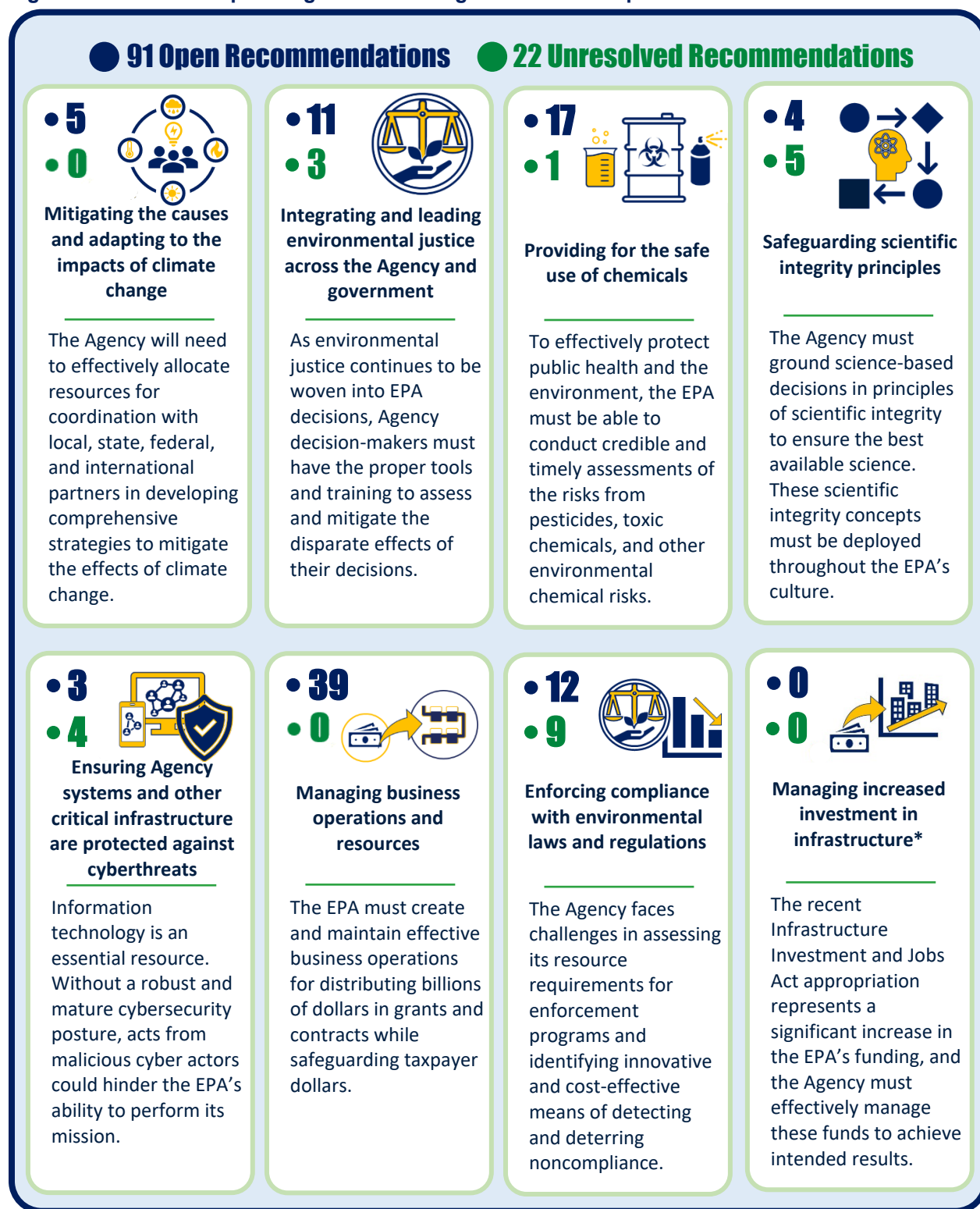
Source: Report covers of our top management challenge reports for fiscal years 2023, 2022, and 2020–2021. (EPA OIG images)

As detailed in Figure 2, implementing corrective actions for the 91 recommendations that were reported in our last semiannual report to Congress and that remained open as of May 31, 2023, would help the EPA mitigate seven of the its eight top management challenges for fiscal year 2023. If addressed, the 22 unresolved recommendations detailed in this *Compendium* would alleviate five of the eight top management challenges. We have not yet made recommendations concerning the eighth challenge, *management of increased investment in infrastructure*, but we have issued four lessons-learned reports of prior findings to aid the EPA in implementing IJJA-funded programs.

[Appendix A](#) details the OIG reports with open and unresolved recommendations, including the relevant management challenge, responsible EPA office, number of recommendations, and type of benefit to the Agency from implementing corrective actions.



Figure 2: The EPA's top management challenges and related open and unresolved recommendations



Source: OIG analysis of open recommendations issued before September 30, 2022, and unresolved recommendations issued as of May 31, 2023. (EPA OIG table)

\*The OIG has not yet issued a report with recommendations concerning IIJA funding, but we are currently conducting and planning audits, evaluations, and investigations of related programs.

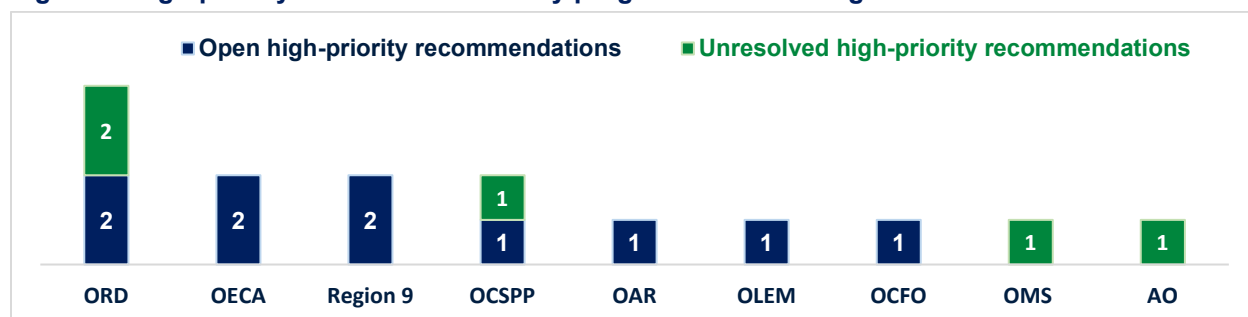
## SECTION 2: Overview of High-Priority Open and Unresolved Recommendations

High-priority recommendations assist the Agency in focusing on those areas that are most critical to achieving its mission. Implementing corrective actions for high-priority recommendations ensures that the necessary internal controls are in place to prevent fraud, waste, abuse, and mismanagement.

We have identified 15 open or unresolved recommendations that we have deemed a high priority because they offer significant contributions to either the EPA’s mission of improving human health and the environment or its administrative or business processes, or because they identify significant potential funds to be put to better use.

Among these 15 recommendations are six that were not reported in Appendix 3 of our May 2023 semiannual report to Congress either because they were not resolved at that time or because we issued them after the period the appendix covered. Of those, one is an unresolved recommendation issued in a previous semiannual period, while five are open or unresolved recommendations issued in fiscal year 2023. As detailed in Figure 3, these 15 high-priority recommendations pertain to nine EPA program offices or regions.

**Figure 3: High-priority recommendations by program office and region**



Note: ORD = Office of Research and Development, OECA = Office of Enforcement and Compliance Assurance, OCSPP = Office of Chemical Safety and Pollution Prevention, OAR = Office of Air and Radiation, OLEM = Office of Land and Emergency Management, OCFO = Office of the Chief Financial Officer, OMS = Office of Mission Support, AO = Office of the Administrator.

Source: OIG analysis of open and unresolved recommendations issued as of May 31, 2023. (EPA OIG table)

Thirteen of the 15 high-priority recommendations would benefit human health or the environment. Implementing corrective actions for these 13 recommendations would help the EPA address five fiscal year 2023 top management challenges:

- *Safeguarding scientific integrity principles.*
- *Enforcing compliance with environmental laws and regulations.*
- *Providing for the safe use of chemicals.*
- *Integrating and leading environmental justice across the Agency and government.*
- *Managing business operations and resources.*

The remaining two recommendations would benefit the Agency’s administrative and business operations processes and would help the EPA address its top management challenge of *managing business operations and resources*.

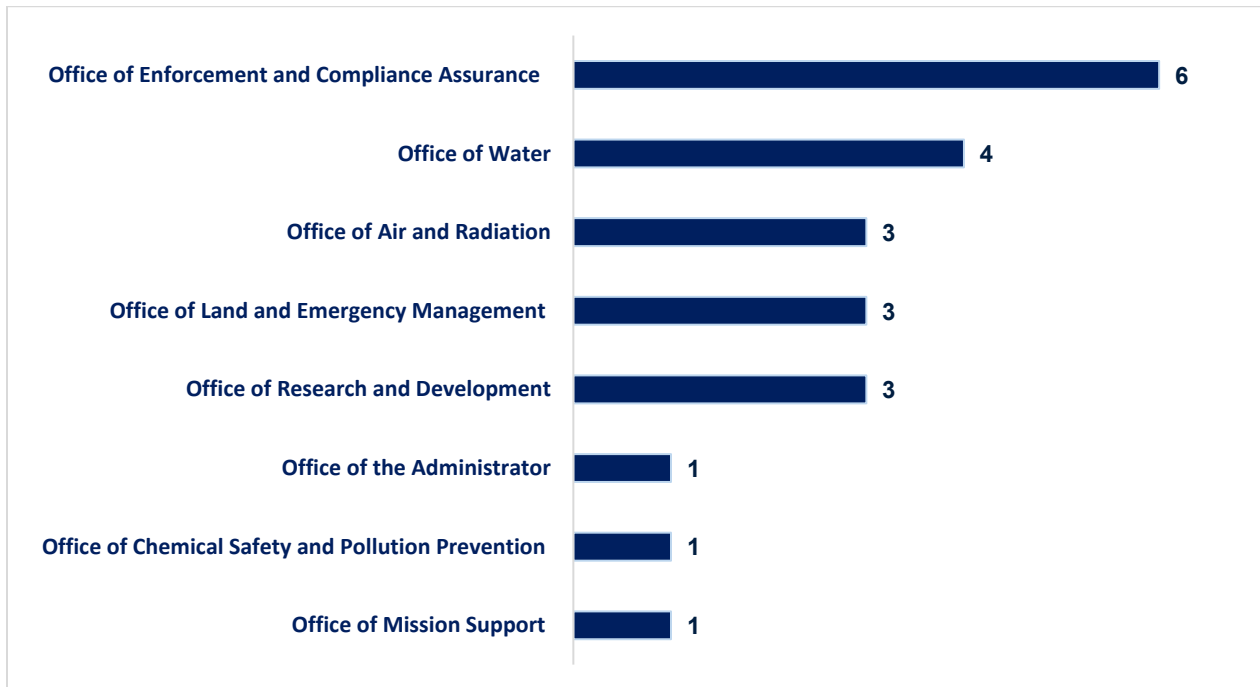
[Appendix B](#) identifies the high-priority recommendations, specifies the management challenge to which they are aligned, and classifies them by the benefits to be gained from their implementation.

## SECTION 3: Overview of Unresolved Recommendations

Twenty-two OIG recommendations to the EPA remained unresolved as of May 31, 2023. A recommendation is **unresolved** when the EPA disagrees; does not provide a formal, complete, written response; or has proposed corrective actions that the Agency and the OIG have not agreed upon. The importance of resolving recommendations is reflected in Office of Management and Budget [Circular No. A-50's](#) requirement that the EPA work with the OIG to resolve recommendations. It is the Agency's responsibility to implement corrective actions associated with OIG recommendations.

Figure 4 provides an overview of the 22 unresolved OIG recommendations as of May 31, 2023, delineated by the EPA office or region responsible for implementing the associated corrective actions. [Appendix C](#) lists the unresolved recommendations by OIG report, including summaries of OIG and EPA positions, the responsible office, and progress made toward resolution.

**Figure 4: Unresolved recommendations by responsible office**



Source: OIG analysis of recommendations data as of May 31, 2023. (EPA OIG figure)

## SECTION 4: Overview of Open Recommendations

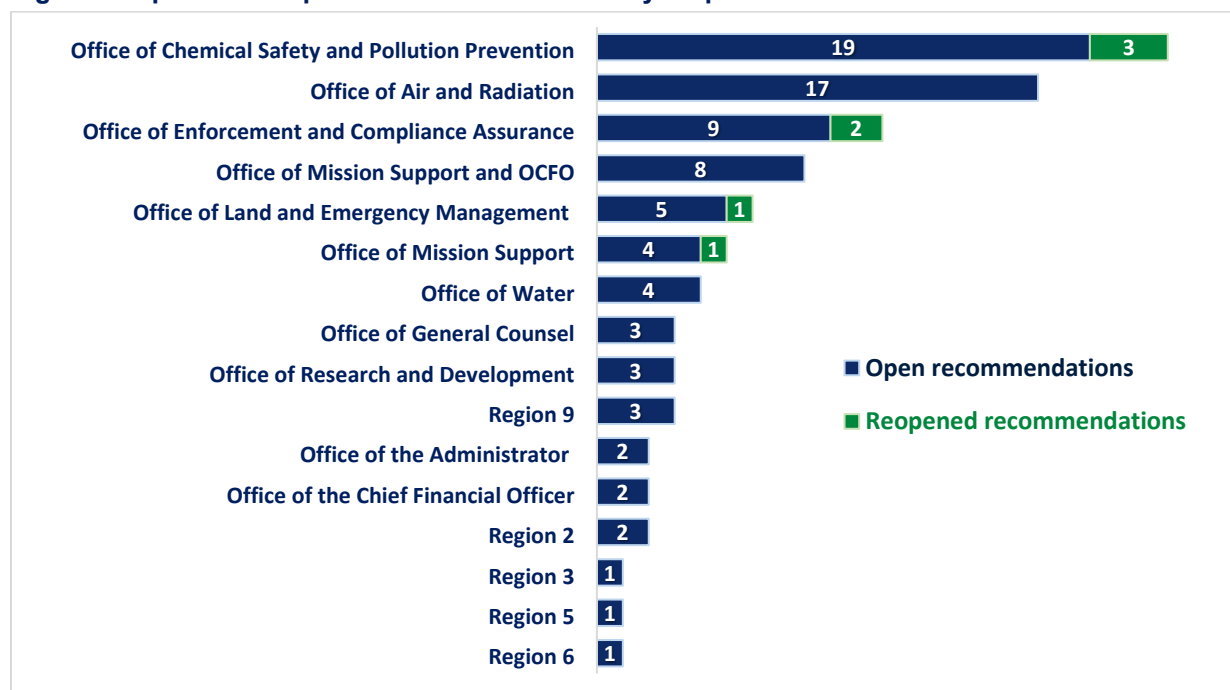
A total of 91 recommendations that we issued to the EPA through September 2022 remained open as of May 31, 2023. That means the Agency had not implemented the associated corrective actions. Of these 91 open recommendations, seven (8 percent) had previously been closed, with corrective actions reported as completed by the Agency. However, upon review of the EPA’s corrective actions, the OIG reopened these seven recommendations. A recommendation is reopened when the Agency reports completing the necessary corrective actions but the OIG does not agree that the actions taken meet the intent of the recommendation.

We analyzed the benefits to the Agency from completing corrective actions in [Appendix A](#). The benefits fell into the following two main categories:

- Human health and environmental benefits:** 67 open recommendations. These benefits provide for better health and environmental outcomes and include actions taken to clean up or remediate sites, reduce exposure to contaminants, improve conditions for vulnerable communities, improve indoor air quality, and reduce carbon dioxide emissions.
- Administrative and business operation benefits:** 24 open recommendations. The EPA’s administrative and business operations processes—which cover personnel, contracting, grants, and information technology functions—facilitate the EPA’s mission to protect human health and the environment.

Figure 5 displays the EPA program offices and regions that are responsible for addressing the 91 open recommendations, including the four offices responsible for the seven reopened recommendations. [Appendix D](#) provides a breakdown of the associated reports by responsible region and program office.

**Figure 5: Open and reopened recommendations by responsible office**



Note: OCFO = Office of the Chief Financial Officer.

Source: OIG analysis of open recommendations listed in Appendix 3 of Report No. [EPA-350-R-23-001](#), *Semiannual Report to Congress: October 1, 2022–March 31, 2023* (May 2023). (EPA OIG image)

## SECTION 5: Corrective Actions Taking Three Years or More to Implement

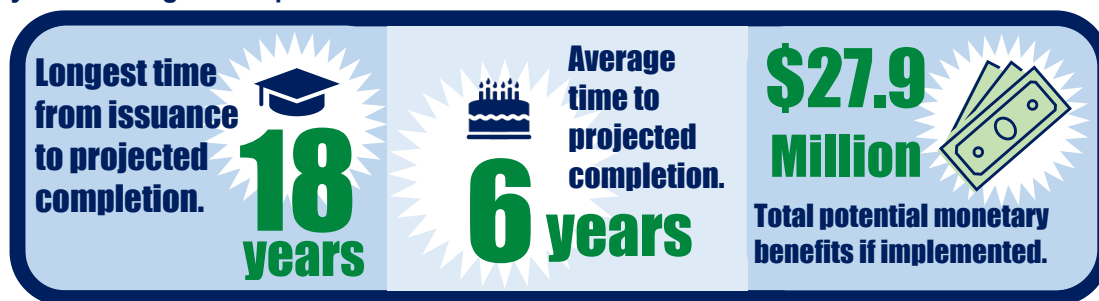
Of the 91 recommendations still open as of May 31, 2023, 52 remained open after three years or were not scheduled to be implemented within three years of the associated report's issuance. Prompt implementation of corrective actions is necessary to ensure that the Agency realizes their benefits, both monetary and environmental. Delayed implementation, by contrast, potentially leaves the Agency more vulnerable to fraud, waste, and abuse and unable to meet its goals in the most effective and efficient manner.

Office of Management and Budget [Circular No. A-50](#) requires each executive agency to establish an audit follow-up system. The circular states that agencies shall assign a high priority to resolving and implementing corrective actions for audit recommendations. It also states that corrective actions should proceed as rapidly as possible. However, it does not establish a time frame for implementation of corrective actions. EPA Manual 2750, *Audit Management Procedures*, requires timely and efficient resolutions to implement corrective actions for the greatest possible impact and potency. It states that recommendations are considered overdue when the Agency has not completed corrective actions agreed upon with the OIG within one year of their original estimated completion dates.

The Agency is responsible for timely implementation of agreed-to corrective actions, and the OIG encourages responsible offices to do so within one year. However, the Agency may determine that a corrective action will take longer than one year. We highly discourage taking what we view as an unreasonable amount of time to implement corrective actions, and we will address and report such circumstances as appropriate.

Figure 6 provides an overview of the 52 recommendations with planned corrective actions scheduled to take three years or longer to implement. [Appendix E](#) provides details of the reports containing these 52 open recommendations.

**Figure 6: Overview of the 52 recommendations with corrective actions taking three years or longer to implement**



Source: OIG analysis of open recommendations listed in Report No. [EPA-350-R-23-001](#), *Semiannual Report to Congress: October 1, 2022–March 31, 2023* (May 2023). (EPA OIG image)



## ***Open and Unresolved Recommendations Listed by Fiscal Year 2023 EPA Top Management Challenge and Benefit Type***

This appendix details the 49 reports that contain the EPA’s 91 open and 22 unresolved recommendations, as of May 31, 2023. Organized by top management challenge, the tables in this appendix identify the responsible EPA office, the number of recommendations, the type of benefit to the Agency from implementing the corrective actions, and the impact of the report’s findings.

**Table A-1: Summary of open and unresolved recommendations and associated reports by EPA top management challenge**

Top EPA management challenge	Number of reports	Number of open and unresolved recommendations	Corresponding table
<i>Mitigating the causes and adapting to the impacts of climate change</i>	2	5 open	Table A-2
<i>Integrating and leading environmental justice across the Agency and government</i>	8	11 open and 3 unresolved	Table A-3
<i>Providing for the safe use of chemicals</i>	5	17 open and 1 unresolved	Table A-4
<i>Safeguarding scientific integrity principles</i>	3	4 open and 5 unresolved	Table A-5
<i>Ensuring Agency systems and other critical infrastructure are protected against cyberthreats</i>	4	3 open and 4 unresolved	Table A-6
<i>Managing business operations and resources</i>	20	39 open	Table A-7
<i>Enforcing compliance with environmental laws and regulations</i>	7	12 open and 9 unresolved	Table A-8
<i>Managing increased investment in infrastructure</i>	0	0	Not applicable*

\*The OIG is conducting audits, evaluations, and investigations of offices and programs receiving IIJA appropriations, but had not published related reports with any open or unresolved recommendations as of May 31, 2023. Our *Infrastructure Investment and Jobs Act Oversight Plan—Year Two [report](#)*, issued April 27, 2023, details our planned and ongoing oversight work related to the IIJA.

**Table A-2: Open and unresolved recommendations associated with the EPA top management challenge of *mitigating the causes and adapting to the impacts of climate change***

Report No.	Report title	Action office	Number of open and unresolved (U) recommendations	Benefit type	Impact
<a href="#">22-E-0017</a>	<i>EPA’s Title V Program Needs to Address Ongoing Fee Issues and Improve Oversight</i>	Office of Air and Radiation	3	Human health and environmental issues	Lack of consistent oversight and persistent Title V fee challenges may undermine Title V program implementation.
<a href="#">16-P-0275</a>	<i>EPA Has Not Met Certain Statutory Requirements to Identify Environmental Impacts of Renewable Fuel Standard</i>	Office of Air and Radiation	2	Human health and environmental issues	The EPA, Congress, and other stakeholders lack key information on biofuel impacts needed to make science-based decisions about the Renewable Fuel Standard, or RFS.

**Table A-3: Open and unresolved recommendations associated with the EPA top management challenge of integrating and leading environmental justice across the Agency and government**

Report No.	Report title	Action office	Number of open and unresolved (U) recommendations	Benefit type	Impact
<a href="#">22-P-0046</a>	<i>The EPA Needs to Fully Address the OIG's 2018 Flint Water Crisis Report Recommendations by Improving Controls, Training, and Risk Assessments</i>	Office of Enforcement and Compliance Assurance	1	Human health and environmental issues	Without complete oversight of the drinking water program, the public's health is still at risk from lead in drinking water.
<a href="#">22-E-0026</a>	<i>The EPA Needs to Develop a Strategy to Complete Overdue Residual Risk and Technology Reviews and to Meet the Statutory Deadlines for Upcoming Reviews</i>	Office of Air and Radiation	1	Human health and environmental issues	As of November 1, 2021, the EPA had 93 overdue residual risk and technology reviews, or RTRs, or technology reviews, almost half of which were overdue by more than five years. These reviews are used to establish limits for air toxics emissions and to protect public health.
<a href="#">21-P-0129</a>	<i>EPA Should Conduct New Residual Risk and Technology Reviews for Chloroprene- and Ethylene Oxide-Emitting Source Categories to Protect Human Health</i>	Office of Air and Radiation	3	Human health and environmental issues	The EPA should conduct new RTRs for chloroprene- and ethylene oxide-emitting source categories to address elevated individual lifetime cancer risks impacting over 464,000 people, as found in a modeling tool, and to achieve environmental justice.
<a href="#">20-E-0333</a>	<i>Improved EPA Oversight of Funding Recipients' Title VI Programs Could Prevent Discrimination</i>	Office of General Counsel	3	Human health and environmental issues	Despite elimination of the case backlog, additional improvements in the EPA's oversight of Title VI funding recipients could prevent discrimination.
<a href="#">20-N-0128</a>	<i>Management Alert: Prompt Action Needed to Inform Residents Living Near Ethylene Oxide-Emitting Facilities About Health Concerns and Actions to Address Those Concerns</i>	Office of the Administrator	1	Human health and environmental issues	The EPA needs to inform residents who live near facilities with significant ethylene oxide emissions about their elevated estimated cancer risks so they can manage their health risks.
<a href="#">20-P-0062</a>	<i>EPA Needs to Improve Its Emergency Planning to Better Address Air Quality Concerns During Future Disasters</i>	Office of Land and Emergency Management	3 (U)	Human health and environmental issues	Developing EPA guidance for collecting and communicating air quality data could improve public confidence in the Agency during future disaster responses.
<a href="#">18-P-0240</a>	<i>EPA Needs a Comprehensive Vision and Strategy for Citizen Science that Aligns with Its Strategic Objectives on Public Participation</i>	Office of the Administrator	1	Human health and environmental issues	Without uniform guidance and direction, the EPA will be unable to fully use citizen science data that could contribute to the Agency's mission.
<a href="#">18-P-0221</a>	<i>Management Weaknesses Delayed Response to Flint Water Crisis</i>	Office of Enforcement and Compliance Assurance	1 The EPA previously closed this recommendation, but the OIG reopened it.	Human health and environmental issues	The EPA should strengthen its oversight of state drinking water programs to improve the efficiency and effectiveness of the Agency's response to drinking water contamination emergencies.

**Table A-4: Open and unresolved recommendations associated with the EPA top management challenge of providing for the safe use of chemicals**

Report No.	Report title	Action office	Number of open and unresolved (U) recommendations	Benefit type	Impact
<a href="#">22-E-0053</a>	<i>The EPA Needs to Improve the Transparency of Its Cancer-Assessment Process for Pesticides</i>	Office of Chemical Safety and Pollution Prevention	7 1 (U)	Human health and environmental issues	Deficiencies and a lack of transparency in the 1,3-Dichloropropene pesticide cancer assessment process has undermined scientific credibility and public confidence.
<a href="#">21-E-0264</a>	<i>EPA Needs an Agencywide Strategic Action Plan to Address Harmful Algal Blooms</i>	Office of Water	1	Human health and environmental issues	Scientists predict that harmful algal bloom occurrences in recreational waters and drinking water sources will increase as excess nutrients continue to flow into water bodies, temperatures warm, and extreme weather events occur due to climate change.
<a href="#">21-E-0186</a>	<i>EPA's Endocrine Disruptor Screening Program Has Made Limited Progress in Assessing Pesticides</i>	Office of Chemical Safety and Pollution Prevention	7	Human health and environmental issues	Without the required testing and an effective system of internal controls, the EPA cannot make measurable progress toward complying with statutory requirements or safeguarding human health and the environment against risks from endocrine-disrupting chemicals.
<a href="#">18-P-0080</a>	<i>EPA Needs to Evaluate the Impact of the Revised Agricultural Worker Protection Standard on Pesticide Exposure Incidents</i>	Office of Chemical Safety and Pollution Prevention	1	Human health and environmental issues	Over 2 million agricultural workers and pesticide handlers are protected by the Agricultural Worker Protection Standard, or WPS. Revisions to the standard are intended to reduce exposure to pesticides and provide enhanced protection to agricultural workers, pesticide handlers, and their families.
<a href="#">17-P-0053</a>	<i>Additional Measures Can Be Taken to Prevent Deaths and Serious Injuries from Residential Fumigations</i>	Office of Chemical Safety and Pollution Prevention	1	Human health and environmental issues	The EPA can better prevent deaths and serious injuries caused during residential fumigations by amending sulfuryl fluoride labels and monitoring compliance.

**Table A-5: Open and unresolved recommendations associated with the EPA top management challenge of safeguarding scientific integrity principles**

Report No.	Report title	Action office	Number of open and unresolved (U) recommendations	Benefit type	Impact
<a href="#">23-E-0013</a>	<i>The EPA's January 2021 PFBS Toxicity Assessment Did Not Uphold the Agency's Commitments to Scientific Integrity and Information Quality</i>	Office of Research and Development  Office of Mission Support  Office of the Administrator	3 (U)  1 (U)  1 (U)	Human health and environmental issues	Without the required testing and an effective system of internal controls, the EPA cannot make measurable progress toward complying with statutory requirements or safeguarding human health and the environment against risks from endocrine-disrupting chemicals.
<a href="#">21-E-0146</a>	<i>EPA Deviated from Typical Procedures in Its 2018 Dicamba Pesticide Registration Decision</i>	Office of Chemical Safety and Pollution Prevention	1	Human health and environmental issues	The EPA needs to document and follow established procedures to ensure scientifically sound decisions regarding pesticides. The EPA's actions on the dicamba registrations left the decision legally vulnerable, resulting in the Ninth Circuit Court of Appeals vacating the 2018 registrations for violating the Federal Insecticide, Fungicide, and Rodenticide Act, or FIFRA, by substantially understating some risks and failing to acknowledge others entirely.
<a href="#">20-P-0173</a>	<i>Further Efforts Needed to Uphold Scientific Integrity Policy at EPA</i>	Office of Research and Development	3	Human health and environmental issues	Improving implementation of the <i>Scientific Integrity Policy</i> will enable the EPA to more effectively carry out its mission to protect human health and the environment.

**Table A-6: Open and unresolved recommendations associated with the EPA top management challenge of ensuring Agency systems and other critical infrastructure are protected against cyberthreats**

Report No.	Report title	Action office	Number of open and unresolved (U) recommendations	Benefit type	Impact
<a href="#">23-P-0003</a>	<i>The EPA Met 2018 Water Security Requirements but Needs to Improve Oversight to Support Water System Compliance</i>	Office of Water	4 (U)	Administrative and business operations	If water systems do not complete risk and resilience assessments or emergency response plans, they are more vulnerable to cyberattacks and other malevolent acts. The 19 percent of water systems that did not certify completion of these assessments and plans serve 40 million people.
<a href="#">22-P-0010</a>	<i>EPA Generally Adheres to Information Technology Audit Follow-Up Processes, but Management Oversight Should Be Improved</i>	Office of Chemical Safety and Pollution Prevention	1	Administrative and business operations	The EPA's goal to provide its workforce and the public with accurate information is undermined when the Agency does not correct deficiencies in a timely manner, which weakens the integrity of its systems and data.
<a href="#">21-E-0124</a>	<i>EPA Needs to Improve Processes for Updating Guidance, Monitoring Corrective Actions, and Managing Remote Access for External Users</i>	Office of Mission Support	1	Administrative and business operations	Deficiencies in the EPA's information technology internal controls could be used to exploit weaknesses in Agency applications and hinder the EPA's ability to prevent, detect, and respond to emerging cyberthreats.
<a href="#">19-P-0207</a>	<i>EPA Effectively Screens Air Emissions Data from Continuous Monitoring Systems but Could Enhance Verification of System Performance</i>	Office of Air and Radiation	1	Human health and environmental issues	Data from the Continuous Emissions Monitoring System are used to determine whether sources, such as power plants, comply with emissions limits designed to improve air quality and achieve environmental and public health goals.



**Table A-7: Open and unresolved recommendations associated with the EPA top management challenge of managing business operations and resources**

Report No.	Report title	Action office	Number of open and unresolved (U) recommendations	Benefit type	Impact
<a href="#">22-P-0050</a>	<i>The EPA Was Not Compliant with the Payment Integrity Information Act for Fiscal Year 2021</i>	Office of the Chief Financial Officer	1	Administrative and business operations	The EPA needs to implement appropriate control measures to better identify and reduce the risk of improper payments.
<a href="#">22-P-0033</a>	<i>Brownfields Program-Income Monitoring Deficiencies Persist Because the EPA Did Not Complete All Certified Corrective Actions</i>	Office of Land and Emergency Management	4	Administrative and business operations	The Office of Brownfields and Land Revitalization did not complete all certified corrective actions and still lacks current and accurate information needed to monitor an estimated \$46.6 million of program income.
<a href="#">22-P-0019</a>	<i>EPA Needs to Complete Implementation of Religious Compensatory Time Training for Supervisors and Employees</i>	Office of Mission Support	1	Administrative and business operations	Providing training on religious compensatory time to all EPA supervisors and employees would decrease the potential for employee misuse, as well as the Agency's monetary liability.
<a href="#">22-P-0018</a>	<i>EPA Should Consistently Track Coronavirus Pandemic-Related Grant Flexibilities and Implement Plan for Electronic Grant File Storage</i>	Office of Mission Support	1	Administrative and business operations	The EPA risks mismanaging over \$20 billion in cumulative grant funds by inconsistently tracking grants that were modified during the coronavirus pandemic and lacking an electronic data storage plan.
<a href="#">22-F-0007</a>	<i>EPA's Fiscal Years 2021 and 2020 (Restated) Consolidated Financial Statements</i>	Office of Enforcement and Compliance Assurance	1	Administrative and business operations	We found the EPA's financial statements to be fairly presented and free of material misstatement. However, the Agency needs to address deficiencies to strengthen its accounting and financial statement preparation processes.
<a href="#">22-P-0001</a>	<i>EPA's Fiscal Year 2020 Fourth-Quarter Compliance with the Digital Accountability and Transparency Act of 2014</i>	Office of Mission Support	1	Administrative and business operations	The Digital Accountability and Transparency Act requires the EPA to report accurate financial and award data on USAspending.gov.
<a href="#">21-E-0254</a>	<i>Pandemic Highlights Need for Additional Tribal Drinking Water Assistance and Oversight in EPA Regions 9 and 10</i>	Region 9	2	Human health and environmental issues	The coronavirus pandemic negatively impacted the oversight and assistance that Regions 9 and 10 provide to the tribal drinking water systems under their purview, as well as the capacity of these systems to provide safe drinking water.
<a href="#">21-P-0131</a>	<i>Staffing Constraints, Safety and Health Concerns at EPA's National Enforcement Investigations Center May Compromise Ability to Achieve Mission</i>	Office of Enforcement and Compliance Assurance	2	Human health and environmental issues	Safety, health, and attrition issues may compromise the National Enforcement Investigations Center's, or NEIC's, ability to support the EPA's civil and criminal enforcement efforts.

Report No.	Report title	Action office	Number of open and unresolved (U) recommendations	Benefit type	Impact
<a href="#">21-P-0130</a>	<i>EPA Helps States Reduce Trash, Including Plastic, in U.S. Waterways but Needs to Identify Obstacles and Develop Strategies for Further Progress</i>	Office of Water	2	Human health and environmental issues	The EPA and states can reduce the volume of trash, including plastics, in U.S. waterways by evaluating barriers to implementing the Clean Water Act, or CWA, and developing strategies to overcome those barriers.
<a href="#">21-P-0114</a>	<i>EPA Does Not Consistently Monitor Hazardous Waste Units Closed with Waste in Place or Track and Report on Facilities That Fall Under the Two Responsible Programs</i>	Office of Enforcement and Compliance Assurance	1	Human health and environmental issues	The EPA's inspection frequency of treatment, storage, and disposal facilities, or TSDFs, with Resource Conservation and Recovery Act, or RCRA, units closed with waste in place does not meet the EPA's statutory requirement or policy.
		Office of Land and Emergency Management	1		
<a href="#">21-P-0042</a>	<i>EPA Needs to Substantially Improve Oversight of Its Military Leave Processes to Prevent Improper Payments</i>	Office of Mission Support and Office of the Chief Financial Officer	8	Administrative and business operations	The EPA paid 124 reservists about \$1.4 million in military leave pay from January 2017 through June 2019. We identified potential improper payments of \$129,000 related to 104 of the 1,628 payroll transactions that we audited.
		Office of the Chief Financial Officer	1		
<a href="#">21-P-0032</a>	<i>Region 2's Hurricanes Irma and Maria Response Efforts in Puerto Rico and U.S. Virgin Islands Show the Need for Improved Planning, Communications, and Assistance for Small Drinking Water Systems</i>	Region 2	2	Human health and environmental issues	Enhancements to water system capacity and emergency preparation for island response could better protect the health of communities impacted by hurricanes and other disasters.
<a href="#">20-P-0146</a>	<i>EPA's Processing Times for New Source Air Permits in Indian Country Have Improved, but Many Still Exceed Regulatory Time Frames</i>	Office of Air and Radiation	2	Human health and environmental issues	Delays in processing tribal New Source Review permits could impact construction projects and increase the risk that existing facilities awaiting a permit could be emitting more pollution than would be allowed if they were operating under an approved permit.

Report No.	Report title	Action office	Number of open and unresolved (U) recommendations	Benefit type	Impact
<a href="#">19-P-0195</a>	<i>Pesticide Registration Fee, Vulnerability Mitigation and Database Security Controls for EPA's FIFRA and PRIA Systems Need Improvement</i>	Office of Chemical Safety and Pollution Prevention	1	Administrative and business operations	Proper vulnerability testing, fee registration, and database controls are essential to the security of the EPA's FIFRA and Pesticide Registration Improvement Act, or PRIA, systems.
<a href="#">17-P-0368</a>	<i>Improved Management of the Brownfields Revolving Loan Fund Program Is Required to Maximize Cleanups</i>	Office of Land and Emergency Management	1 The EPA previously closed this recommendation, but the OIG reopened it.	Administrative and business operations	For ten of the 20 closed Brownfields revolving loan fund cooperative agreements that we reviewed, approximately \$10.9 million available to clean up brownfields is not being used as intended.
<a href="#">16-P-0333</a>	<i>Enhanced Controls Needed to Prevent Further Abuse of Religious Compensatory Time</i>	Office of Mission Support	1 The EPA previously closed this recommendation, but the OIG reopened it.	Administrative and business operations	Inadequate controls for Religious Compensatory Time resulted in payouts to employees of \$73,514 and may result in additional payouts of up to \$81,927.
<a href="#">14-P-0109</a>	<i>Internal Controls Needed to Control Costs of Emergency and Rapid Response Services Contracts, as Exemplified in Region 6</i>	Region 6	1	Administrative and business operations	Improper application of general and administrative rates resulted in higher costs to the government.
<a href="#">11-P-0215</a>	<i>EPA's Endocrine Disruptor Screening Program Should Establish Management Controls to Ensure More Timely Results</i>	Office of Chemical Safety and Pollution Prevention	3 The EPA previously closed these recommendations, but the OIG reopened them.	Human health and environmental issues	The Endocrine Disruptor Screening Program, or EDSP, will not be able to establish an effective screening and testing program without establishing program control and accountability. As a result, achieving the goal of protecting human health and the environment from endocrine disruptors will continue to be delayed.
<a href="#">10-P-0224</a>	<i>EPA Should Revise Outdated or Inconsistent EPA-State Clean Water Memoranda of Agreement</i>	Office of Water	1	Human health and environmental issues	The state of the memorandums of agreement means that the EPA cannot ensure that it has effective management control over state programs that assures the public that CWA objectives are being achieved.
<a href="#">08-P-0196</a>	<i>Making Better Use of Stringfellow Superfund Special Accounts</i>	Region 9	1	Human health and environmental issues	The EPA could reallocate some portion of its other Trust Fund dollars to other priority sites or needs. Alternatively, if funds are transferred to the Trust Fund, there are numerous Superfund requirements and priorities elsewhere in the United States that could be addressed by putting the approximately \$27.8 million of idle funds to better use.

**Table A-8: Open and unresolved recommendations associated with the top EPA management challenge of enforcing compliance with environmental laws and regulations**

Report No.	Report title	Action office	Number of open and unresolved (U) recommendations	Benefit type	Impact
<a href="#">23-E-0012</a>	<i>The EPA's Residential Wood Heater Program Does Not Provide Reasonable Assurance that Heaters Are Properly Tested and Certified Before Reaching Consumers</i>	Office of Enforcement and Compliance Assurance	3 (U)	Human health and environmental issues	The EPA's ineffective residential wood heater program puts human health and the environment at risk for exposure to dangerous fine-particulate-matter pollution by allowing sales of wood heaters that may not meet emission standards.
		Office of Air and Radiation	3 (U)		
<a href="#">22-E-0051</a>	<i>Additional Internal Controls Would Improve the EPA's System for Electronic Disclosure of Environmental Violations</i>	Office of Enforcement and Compliance Assurance	3	Human health and environmental issues	Without additional internal controls, the EPA cannot ensure that it effectively screens regulated entities' self-disclosures of environmental violations to identify and mitigate significant concerns, such as criminal conduct and potential imminent hazards. If not mitigated, these significant concerns could pose threats to human health and the environment.
<a href="#">22-E-0047</a>	<i>The EPA Continues to Fail to Meet Inspection Requirements for Hazardous Waste Treatment, Storage, and Disposal Facilities</i>	Office of Enforcement and Compliance Assurance	1	Human health and environmental issues	This follow-up evaluation was conducted to assess whether inspection rates of TSDFs have changed since our earlier 2016 report on the same topic: <a href="#">OIG Report No. 16-P-0104, EPA Has Not Met Statutory Requirements for Hazardous Waste Treatment, Storage and Disposal Facility Inspections, but Inspection Rates Are High</a> , issued March 11, 2016.
<a href="#">21-P-0175</a>	<i>EPA Should Conduct More Oversight of Synthetic-Minor-Source Permitting to Assure Permits Adhere to EPA Guidance</i>	Office of Air and Radiation	5	Human health and environmental issues	Without clear and enforceable limitations in synthetic-minor-source permits, facilities may emit excess pollution that would otherwise subject them to the more stringent requirements of the Clean Air Act major-source permitting programs.
<a href="#">21-P-0132</a>	<i>Resource Constraints, Leadership Decisions, and Workforce Culture Led to a Decline in Federal Enforcement</i>	Office of Enforcement and Compliance Assurance	3 (U)	Human health and environmental issues	A decline in the EPA's enforcement activities may expose the public and the environment to undetected harmful pollutants.
<a href="#">21-P-0122</a>	<i>Improved Review Processes Could Advance EPA Regions 3 and 5 Oversight of State-Issued National Pollutant Discharge Elimination System Permits</i>	Region 3	1	Human health and environmental issues	Improved EPA oversight could ensure that state National Pollutant Discharge Elimination System, or NPDES, programs are protecting human health and the environment.
		Region 5	1		

Report No.	Report title	Action office	Number of open and unresolved (U) recommendations	Benefit type	Impact
<a href="#">16-P-0104</a>	<i>EPA Has Not Met Statutory Requirements for Hazardous Waste Treatment, Storage and Disposal Facility Inspections, but Inspection Rates Are High</i>	Office of Enforcement and Compliance Assurance	1 The EPA previously closed this recommendation, but the OIG reopened it.	Human health and environmental issues	Missed TSDF inspections violate the RCRA legal requirement and can increase the risk of exposure to hazardous substances.



## Fifteen High-Priority Open or Unresolved Recommendations

This appendix details the 15 open or unresolved high-priority recommendations as of May 31, 2023. The appendix contains two subsections that specify the benefits to be gained from the Agency's implementation of associated corrective actions.

### Recommendations with Human Health or Environmental Benefits

#### ***By Developing a Plan to Define and Provide Appropriate Oversight, Region 9 Can Ensure Transparency on the Decontamination and Closure of the Red Hill Facility (1 recommendation)***

<b>Report number</b>	<a href="#">23-E-0015</a>
<b>Date issued</b>	April 25, 2023
<b>Report title</b>	<i>EPA Region 9 Must Continue Oversight Throughout the Decontamination and Closure of the Red Hill Facility</i>
<b>Responsible office</b>	Region 9
<b>High-priority recommendations issued within report</b>	<p>2. Collaborate with the Hawaii Department of Health and the Navy, as appropriate, to clearly communicate risk and remediation information to the public.</p> <p>a) Corrective Action 2.1 - Require Navy/DLA to host quarterly public updates on defueling, closure, completion of the implementation of the Drinking Water Long Term Monitoring Plan, and environmental investigation and remediation work with participation from EPA and Hawaii Department of Health pursuant to proposed 2023 Consent Order.</p> <p>b) Corrective Action 2.2 – Develop a web-based application to make Red Hill groundwater monitoring well data more easily available to the public.</p> <p>c) Corrective Action 2.3 – With input from Hawaii Department of Health, develop a Community Involvement Plan, which will include a section on improving public communication through website updates and FAQs.</p> <p>d) Corrective Action 2.4 – Collaborate with Hawaii Department of Health to host a three-part webinar series to share information with the public on what agencies are doing to address impacts to human health and the environment from Red Hill releases. The first webinar was completed January 12, 2023, and is posted on EPA's Red Hill website.</p> <p><b>Associated top management challenge:</b> <i>enforcing compliance with environmental laws and regulations.</i></p>
<b>Status of high-priority recommendations</b>	<p><i>Open</i></p> <p>Recommendation 2:</p> <ul style="list-style-type: none"> <li>Planned completion date for Corrective Action 2.1: June 1, 2023</li> <li>Planned completion date for Corrective Action 2.2: August 1, 2023</li> <li>Planned completion date for Corrective Action 2.3: December 1, 2023</li> <li>Planned completion date for Corrective Action 2.4: December 1, 2023</li> </ul>
<b>Report impact statement</b>	Decontamination and closure of the Red Hill facility requires transparency and accountability to protect the Oahu aquifer—the primary drinking water source on the island.

## ***The EPA Did Not Follow the Typical Intra-Agency Review and Clearance Process of the January 2021 PFBS Toxicity Assessment (4 recommendations)***

<b>Report number</b>	<a href="#">23-E-0013</a>
<b>Date issued</b>	March 7, 2023
<b>Report title</b>	<i>The EPA's January 2021 PFBS Toxicity Assessment Did Not Uphold the Agency's Commitments to Scientific Integrity and Information Quality</i>
<b>Responsible office</b>	Office of Research and Development, Office of Mission Support, and Office of the Administrator
<b>High-priority recommendations issued within report</b>	<ol style="list-style-type: none"> <li>1. Develop or update existing policies, procedures, or guidance to specify whether and under which applicable circumstances comments expressing scientific disagreement can be provided for a scientific product that has undergone all peer reviews and required developmental steps set forth in applicable actions or project plans.</li> <li>3. Update EPA policies and procedures on environmental information quality to require additional quality assurance reviews for EPA products that undergo major changes to scientific results or conclusions after quality assurance reviews have been completed.</li> <li>4. Develop or update existing policies, procedures, or guidance to require policymakers and decision officials to uphold transparency through timely, formal communication of decisions and the scientific bases to change results or conclusions of a scientific product to originating authors in the absence of peer review.</li> <li>5. Update the EPA's <i>Scientific Integrity Policy</i> to require that the OIG be immediately notified of scientific integrity concerns, including advice queries and allegations, that relate to political interference or that assert risks to human health or the environment.</li> </ol> <p><b>Associated top management challenge:</b> <i>safeguarding scientific integrity principles.</i></p>
<b>Status of high-priority recommendations</b>	<p><i>Unresolved</i></p> <p>Recommendation 1:</p> <ul style="list-style-type: none"> <li>• Planned completion date: Unresolved</li> </ul> <p>Recommendation 3:</p> <ul style="list-style-type: none"> <li>• Planned completion date: Unresolved</li> </ul> <p>Recommendation 4:</p> <ul style="list-style-type: none"> <li>• Planned completion date: Unresolved</li> </ul> <p>Recommendation 5:</p> <ul style="list-style-type: none"> <li>• Planned completion date: Unresolved</li> </ul>
<b>Report impact statement</b>	Without the required testing and an effective system of internal controls, the EPA cannot make measurable progress toward complying with statutory requirements or safeguarding human health and the environment against risks from endocrine-disrupting chemicals.

***The EPA’s Decision to Not Adhere to Standard Operating Procedures Undermines Public Confidence in Transparency to Prevent Unreasonable Impacts on Human Health (1 recommendation)***

<b>Report number</b>	<a href="#">22-E-0053</a>
<b>Date issued</b>	July 20, 2022
<b>Report title</b>	<i>The EPA Needs to Improve the Transparency of Its Cancer-Assessment Process for Pesticides</i>
<b>Responsible office</b>	Office of Chemical Safety and Pollution Prevention
<b>High-priority recommendations issued within report</b>	8. Conduct an external peer review on the 1,3-Dichloropropene cancer-risk assessment. <b>Associated top management challenge:</b> <i>providing for the safe use of chemicals.</i>
<b>Status of high-priority recommendations</b>	<i>Unresolved</i> Recommendation 8: <ul style="list-style-type: none"> <li>Planned Completion date: Unresolved</li> </ul>
<b>Report impact statement</b>	Deficiencies and a lack of transparency in the 1,3-Dichloropropene pesticide cancer-assessment process has undermined scientific credibility and public confidence.

***Testing and Controls Are Necessary for the EPA to Make Measurable Progress to Safeguard Against the Risk of Endocrine-Disrupting Chemicals (1 recommendation)***

<b>Report number</b>	<a href="#">21-E-0186</a>
<b>Date issued</b>	July 28, 2021
<b>Report title</b>	<i>EPA’s Endocrine Disruptor Screening Program Has Made Limited Progress in Assessing Pesticides</i>
<b>Responsible office</b>	Office of Chemical Safety and Pollution Prevention
<b>High-priority recommendations issued within report</b>	1. Issue Tier 1 test orders for each List 2 chemical or publish an explanation for public comment on why Tier 1 data are no longer needed to characterize a List 2 chemical’s endocrine-disruption activity. <b>Associated top management challenge:</b> <i>providing for the safe use of chemicals.</i>
<b>Status of high-priority recommendations</b>	<i>Open</i> Recommendation 1: <ul style="list-style-type: none"> <li>Planned completion date: September 30, 2025</li> </ul>
<b>Report impact statement</b>	Without the required testing and an effective system of internal controls, the EPA cannot make measurable progress toward complying with statutory requirements or safeguarding human health and the environment against risks from endocrine-disrupting chemicals.

**Limited Oversight of Permits May Allow Facilities to Emit Excess Pollution that Would Otherwise Be Subject to Stringent Clean Air Act Requirements (1 recommendation)**

<b>Report number</b>	<a href="#">21-P-0175</a>
<b>Date issued</b>	July 8, 2021
<b>Report title</b>	<i>EPA Should Conduct More Oversight of Synthetic-Minor-Source Permitting to Assure Permits Adhere to EPA Guidance</i>
<b>Responsible office</b>	Office of Air and Radiation
<b>High-priority recommendations issued within report</b>	<p>5. Identify all state, local, and tribal agencies in which Clean Air Act permit program implementation fails to adhere to the public participation requirements for synthetic-minor-source permit issuance and take appropriate steps to assure the identified states adhere to the public participation requirements.</p> <p><b>Associated top management challenge:</b> <i>enforcing compliance with environmental laws and regulations.</i></p>
<b>Status of high-priority recommendations</b>	<p><i>Open</i></p> <p>Recommendation 5:</p> <ul style="list-style-type: none"> <li>Planned completion date: December 31, 2023</li> </ul>
<b>Report impact statement</b>	Without clear and enforceable limitations in synthetic-minor-source permits, facilities may emit excess pollution that would otherwise subject them to more stringent requirements of the Clean Air Act major-source permitting programs.

**The EPA Lacks Internal Controls to Address Inspection Frequency Deficiencies, Leading to Inconsistent Data (1 recommendation)**

<b>Report number</b>	<a href="#">21-P-0114</a>
<b>Date issued</b>	March 29, 2021
<b>Report title</b>	<i>EPA Does Not Consistently Monitor Hazardous Waste Units Closed with Waste in Place or Track and Report on Facilities That Fall Under the Two Responsible Programs</i>
<b>Responsible office</b>	Office of Enforcement and Compliance Assurance
<b>High-priority recommendations issued within report</b>	<p>2. In collaboration with the Office of Land and Emergency Management, establish mechanisms to ensure that all inspections are completed within the required time frame of two years for operating treatment, storage, or disposal facilities or the policy time frame of three years for nonoperating treatment, storage, or disposal facilities.</p> <p><b>Associated top management challenge:</b> <i>managing business operations and resources.</i></p>
<b>Status of high-priority recommendations</b>	<p><i>Open</i></p> <p>Recommendation 2:</p> <ul style="list-style-type: none"> <li>Planned completion date: Unresolved</li> <li>Revised completion date: March 29, 2024</li> </ul>
<b>Report impact statement</b>	The EPA's inspection frequency of TSDFs with RCRA units closed with waste in place does not meet the EPA's statutory requirement or policy.

**Improving Implementation of the Scientific Integrity Policy Will Enable the EPA to More Effectively Carry Out Its Mission to Protect Human Health and the Environment (2 recommendations)**

<b>Report number</b>	<a href="#">20-P-0173</a>
<b>Date issued</b>	May 20, 2020
<b>Report title</b>	<i>Further Efforts Needed to Uphold Scientific Integrity Policy at EPA</i>
<b>Responsible office</b>	Office of Research and Development/EPA Science Advisor
<b>High-priority recommendations issued within report</b>	<p>7. With the assistance of the Scientific Integrity Committee, finalize and release the procedures for addressing and resolving allegations of a violation of the <i>Scientific Integrity Policy</i>, and incorporate the procedures into scientific integrity outreach and training materials.</p> <p>8. With the assistance of the Scientific Integrity Committee, develop and implement a process specifically to address and resolve allegations of <i>Scientific Integrity Policy</i> violations involving high-profile issues or senior officials, and specify when this process should be used.</p> <p><b>Associated top management challenge:</b> <i>safeguarding scientific integrity principles.</i></p>
<b>Status of high-priority recommendations</b>	<p><i>Open</i></p> <p>Recommendation 7:</p> <ul style="list-style-type: none"> <li>Planned completion date: September 30, 2020</li> <li>Revised completion dates: April 30, 2022; June 30, 2022; March 31, 2023; and June 30, 2024</li> </ul> <p>Recommendation 8:</p> <ul style="list-style-type: none"> <li>Planned completion date: June 30, 2021</li> <li>Revised completion date: June 30, 2022; March 31, 2023; and June 30, 2024</li> </ul>
<b>Report impact statement</b>	Improving implementation of the <i>Scientific Integrity Policy</i> will enable the EPA to more effectively carry out its mission to protect human health and the environment.

**Flint, Michigan’s Residents Were Exposed to Lead in Drinking Water Partially Because of the EPA’s Delayed Response (1 recommendation)**

<b>Report number</b>	<a href="#">18-P-0221</a>
<b>Date issued</b>	July 19, 2018
<b>Report title</b>	<i>Management Weaknesses Delayed Response to Flint Water Crisis</i>
<b>Responsible office</b>	Office of Enforcement and Compliance Assurance
<b>High-priority recommendations issued within report</b>	<p>8. Create a system that tracks citizen complaints and gathers information on emerging issues. The system should assess the risk associated with the complaints, including efficient and effective resolution.</p> <p><b>Associated top management challenge:</b> <i>integrating and leading environmental justice across the Agency and government.</i></p>
<b>Status of high-priority recommendations</b>	<p><i>Reopened by OIG</i></p> <p>Recommendation 8:</p> <ul style="list-style-type: none"> <li>Planned completion date: July 7, 2021</li> <li>Revised completion date: April 28, 2023, and October 27, 2023</li> </ul>
<b>Report impact statement</b>	The EPA should strengthen its oversight of state drinking water programs to improve the efficiency and effectiveness of the Agency’s response to drinking water contamination emergencies.

**Since 2008, the EPA Has Been Unable to Complete the Corrective Action to Reclassify or Transfer \$27.8 Million of the Stringfellow Superfund Special Accounts (1 recommendation)**

<b>Report number</b>	<a href="#">08-P-0196</a>
<b>Date issued</b>	July 9, 2008
<b>Report title</b>	<i>Making Better Use of Stringfellow Superfund Special Accounts</i>
<b>Responsible office</b>	Region 9
<b>High-priority recommendations issued within report</b>	<p>2. Reclassify or transfer to the Trust Fund, as appropriate, \$27.8 million (plus any earned interest less oversight costs) of the Stringfellow special accounts in annual reviews, and at other milestones including the end of Fiscal Year 2010, when the record of decision is signed, and the final settlement is achieved.</p> <p><b>Associated top management challenge:</b> <i>managing business operations and resources.</i></p>
<b>Status of high-priority recommendations</b>	<p><i>Open</i></p> <p>Recommendation 2:</p> <ul style="list-style-type: none"> <li>• Upon issuance: December 31, 2012</li> <li>• Revised: September 30, 2023, and September 30, 2026</li> </ul>
<b>Report impact statement</b>	The EPA could reallocate some portion of its other Trust Fund dollars to other priority sites or needs. Alternatively, if funds are transferred to the Trust Fund, there are numerous Superfund requirements and priorities elsewhere in the United States that could be addressed by putting the approximately \$27.8 million of idle funds to better use.

**Recommendations with Administrative or Business Operation Benefits**

**The EPA Did Not Adequately Conclude Whether Its Programs with Annual Outlays Greater than \$10 Million Were Likely to Make Improper Payments (1 recommendation)**

<b>Report number</b>	<a href="#">22-P-0050</a>
<b>Date issued</b>	June 27, 2022
<b>Report title</b>	<i>The EPA Was Not Compliant with the Payment Integrity Information Act for Fiscal Year 2021</i>
<b>Responsible office</b>	Office of the Chief Financial Officer
<b>High-priority recommendations issued within report</b>	<p>2. Conduct an off-cycle risk assessment, applying the <i>Standard Operating Procedure Grants Improper Payment Review</i>, dated September 2021, and include the risk assessments in the Agency's <i>Fiscal Year 2023 Agency Financial Report</i>, ensuring that the risk assessments contain:</p> <ol style="list-style-type: none"> <li>An assessment of all programs and activities with outlays greater than \$10 million.</li> <li>An identification of which programs and activities with annual outlays exceeding the statutory threshold are included in each risk assessment.</li> <li>A mechanism for identifying, accounting for, estimating, and reporting improper and unknown payments and for detailing efforts taken to prevent and reduce such payments.</li> </ol> <p><b>Associated top management challenge:</b> <i>managing business operations and resources.</i></p>
<b>Status of high-priority recommendations</b>	<p><i>Open</i></p> <p>Recommendation 2:</p> <ul style="list-style-type: none"> <li>• Upon issuance: Unresolved</li> <li>• Revised: November 15, 2023</li> </ul>
<b>Report impact statement</b>	The EPA needs to implement appropriate control measures to better identify and reduce the risk of its improper payments.

***The EPA Continues to Lack Current, Accurate, and Complete Data Necessary for Effective Post Closeout Monitoring of Brownfields Program Income (1 recommendation)***

<b>Report number</b>	<a href="#">22-P-0033</a>
<b>Date issued</b>	March 31, 2022
<b>Report title</b>	<i>Brownfields Program-Income Monitoring Deficiencies Persist Because the EPA Did Not Complete All Certified Corrective Actions</i>
<b>Responsible office</b>	Office of Land and Emergency Management
<b>High-priority recommendations issued within report</b>	6. Assess whether any of the \$46.6 million of program income under closeout agreements should be returned to the government. <b>Associated top management challenge:</b> <i>managing business operations and resources.</i>
<b>Status of high-priority recommendations</b>	<i>Open</i> Recommendation 6: <ul style="list-style-type: none"> <li>Planned completion date: Unresolved</li> <li>Revised completion date: September 30, 2024</li> </ul>
<b>Report impact statement</b>	The Office of Brownfields and Land Revitalization did not complete all certified corrective actions and still lacks current and accurate information needed to monitor an estimated \$46.6 million of program income.



## Twenty-Two Unresolved Recommendations

This appendix details 22 unresolved recommendations as of May 31, 2023, including summaries of OIG findings, the responsible office, and resolution progress towards agreement. These 22 unresolved recommendations were issued across six reports.

### ***The EPA’s January 2021 PFBS Toxicity Assessment Did Not Uphold the Agency’s Commitments to Scientific Integrity and Information Quality (5 recommendations)***

<b>Report number</b>	<a href="#">23-E-0013</a>
<b>Date issued</b>	March 7, 2023
<b>Summary of findings</b>	The EPA did not follow the typical intra-agency review and clearance process during the development and publication of the January 2021 perfluorobutane sulfonic acid, or PFBS, toxicity assessment. During final clearance, a political appointee directed that a last-minute review be conducted of the uncertainty factors used to calculate toxicity values, resulting in a scientific disagreement that caused delay, confusion, and significant changes to the near-final, peer-reviewed work product. These changes included replacing single toxicity values with unprecedented toxicity ranges. Users of the PFBS toxicity assessment—for example, regulated entities cleaning up PFBS contamination—could have selected a less stringent value within this range, which may have been less costly but also less protective of human health. While EPA staff expressed scientific integrity concerns about the last-minute review and risks to public health, the EPA lacked policies and procedures to address these concerns. Without updates to policies and procedures, the Agency cannot fulfill its commitment to scientific integrity and information quality.
<b>Responsible office</b>	Office of Research and Development
<b>Unresolved Recommendations</b>	<ol style="list-style-type: none"> <li>1. Develop or update existing policies, procedures, or guidance to specify whether and under which applicable circumstances comments expressing scientific disagreement can be provided for a scientific product that has undergone all peer reviews and required developmental steps set forth in applicable actions or project plans.</li> <li>2. Develop or update existing policies, procedures, or technical documents to specify whether reference dose ranges are acceptable in toxicity assessments. If acceptable, specify circumstances under which reference dose ranges may be applied.</li> <li>3. Update EPA policies and procedures on environmental information quality to require additional quality assurance reviews for EPA products that undergo major changes to scientific results or conclusions after quality assurance reviews have been completed.</li> <li>4. Develop or update existing policies, procedures, or guidance to require policymakers and decision officials to uphold transparency through timely, formal communication of decisions and the scientific bases to change results or conclusions of a scientific product to originating authors in the absence of peer review.</li> <li>5. Update the EPA’s <i>Scientific Integrity Policy</i> to require that the OIG be immediately notified of scientific integrity concerns, including advice queries and allegations, that relate to political interference or that assert risks to human health or the environment.</li> </ol> <p><b>Associated top management challenge:</b> <i>safeguarding scientific integrity principles.</i></p>
<b>Resolution progress</b>	The Agency provided a response to the final report on May 5, 2023, disagreeing with the report recommendations. OIG staff contacted the responsible offices to schedule a meeting to discuss the report and its recommendations before the Agency provided its response, but the Agency declined to meet with them. On May 30, 2023, the OIG issued a memorandum highlighting the need to work through the resolution process on these important issues.
<b>Report impact statement</b>	Without the required testing and an effective system of internal controls, the EPA cannot make measurable progress toward complying with statutory requirements or safeguarding human health and the environment against risks from endocrine-disrupting chemicals.

## ***The EPA’s Residential Wood Heater Program Does Not Provide Reasonable Assurance that Heaters Are Properly Tested and Certified Before Reaching Consumers (6 recommendations)***

<b>Report number</b>	<a href="#">23-E-0012</a>
<b>Date issued</b>	February 28, 2023
<b>Summary of findings</b>	<p>The EPA’s residential wood heater program does not provide reasonable assurance that wood heaters are properly tested and certified before reaching consumers. The EPA’s 2015 New Source Performance Standards for residential wood heaters is flawed, and the EPA has approved methods that lack clarity and allow too much flexibility. As a result, certification tests may not be accurate, do not reflect real-world conditions, and may result in some wood heaters being certified for sale that emit too much particulate-matter pollution. In fact, data from an EPA-approved testing lab indicate that some certified wood heaters do not meet emission standards. Although the EPA withdrew some flawed certification test methods, wood heaters certified based on those withdrawn test methods remain available for sale.</p> <p>Additionally, the EPA lacks internal controls to ensure that certification test reports are valid and that certification tests are conducted appropriately. As a result, test reports contained deficiencies that should have been found during the certification process. Effective internal controls would include policies, procedures, and guidance; standardized certification test report formats; and systematic compliance audit tests. State regulators told us that they cannot rely on the EPA’s certifications of wood heaters and, therefore, develop their own standards and lists of approved wood heaters for sale.</p> <p>The EPA operates and supports changeout programs intended to replace older, dirtier wood heaters with newer, cleaner models. The EPA distributed approximately \$82 million in grants for residential wood heater changeout programs from fiscal years 2015 through 2021. However, if the replacement models do not meet emission standards because of the reasons described above, millions of federal, state, and local dollars could be wasted.</p>
<b>Responsible office</b>	Office of Enforcement and Compliance Assurance and Office of Air and Radiation
<b>Unresolved Recommendations</b>	<ol style="list-style-type: none"> <li>1. Develop internal controls for the residential wood heater program to improve the certification process and oversight, including but not limited to: <ol style="list-style-type: none"> <li>a. Issuing a standardized certification test report template.</li> <li>b. Developing policies and procedures that detail how to conduct in-depth reviews of certification test reports.</li> <li>c. Periodically observing certification testing.</li> <li>d. Developing and implementing guidance for conducting systematic compliance audit tests.</li> </ol> </li> <li>2. In consultation with the Office of Air and Radiation, define roles and responsibilities within and between the Office of Enforcement and Compliance Assurance and the Office of Air and Radiation for the residential wood heater program, so that sufficient subject-matter expertise and resources are leveraged to ensure that certification test reports are substantively reviewed.</li> <li>3. Develop and implement a plan to demonstrate whether residential wood heaters certified using the test methods based on ASTM E3053 comply with the New Source Performance Standards for residential wood heaters.</li> <li>4. Incorporate the EPA’s certification test report expectations set forth in the April 2022 corrective action list into the 2023 revisions to the New Source Performance Standards for residential wood heaters.</li> <li>5. Develop and adopt an EPA cord wood test method that is supported by data to provide the public reasonable assurance that certified appliances meet emission standards.</li> <li>6. Establish mechanisms to promote independence between emissions testing labs and third-party certifiers.</li> </ol> <p><b>Associated top management challenge:</b> <i>enforcing compliance with environmental laws and regulations.</i></p>
<b>Resolution progress</b>	The Agency provided a response to the final report on April 28, 2023. As of the date of this <i>Compendium</i> , the OIG was developing a response. Resolution efforts are ongoing.

<b>Report impact statement</b>	The EPA's ineffective residential wood heater program puts human health and the environment at risk for exposure to dangerous fine-particulate-matter pollution by allowing sales of wood heaters that may not meet emission standards.
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### ***The EPA Met 2018 Water Security Requirements but Needs to Improve Oversight to Support Water System Compliance (4 recommendations)***

<b>Report number</b>	<a href="#">23-P-0003</a>
<b>Date issued</b>	November 21, 2022
<b>Summary of findings</b>	<p>The EPA met the requirements of section 2013 of the America's Water Infrastructure Act of 2018 to consult with stakeholders and develop malevolent acts baseline information by August 2019. The EPA updated its baseline information 18 months later in response to an increase in the frequency of cyberattacks. However, the deadlines imposed by the Act for medium and large water systems to complete their risk and resilience assessments had passed, and the systems were not required to update their assessments.</p> <p>Approximately 19 percent of water systems did not certify that they had completed their risk and resilience assessments by the statutory deadlines. These noncompliant water systems may not be aware of their vulnerability to malevolent acts that could result in loss of service or unsafe drinking water. Furthermore, 95 percent of the noncompliant water systems were small water systems, and noncompliant small water systems more likely served disadvantaged communities than compliant systems.</p> <p>The EPA did not provide adequate oversight to ensure the compliance of water systems—particularly small water systems—with the requirements of the America's Water Infrastructure Act. Specifically, the EPA did not maintain accurate contact information for water systems, publish guidance regarding enforcement actions against noncompliant water systems, provide sufficient assistance to support small water system compliance, or review the quality of the risk and resilience assessments and emergency response plans. Water systems may therefore fail to meet the Act's requirements and may not understand their vulnerability to malevolent acts.</p>
<b>Responsible office</b>	Office of Water
<b>Unresolved Recommendations</b>	<ol style="list-style-type: none"> <li>1. In consultation with the assistant administrator for Enforcement and Compliance Assurance, as appropriate, update and implement a plan for supporting community water systems so that all water systems comply with all certification requirements included in section 2013 of the America's Water Infrastructure Act, for past and future deadlines related to risk and resilience assessments and emergency response plans.</li> <li>2. In consultation with the assistant administrator for Enforcement and Compliance Assurance, as appropriate, update processes related to the EPA's implementation of section 2013 of the America's Water Infrastructure Act, including processes to monitor community water system compliance with section 2013 and record noncompliance and contact information in the EPA's Safe Drinking Water Information System database. These processes should be documented in the EPA's <i>Water Supply Guidance Manual</i>.</li> <li>3. In consultation with the assistant administrator for Enforcement and Compliance Assurance, as appropriate, review a sample of risk and resilience assessments and emergency response plans completed by community water systems under section 2013 of the America's Water Infrastructure Act to determine improvements, particularly in cybersecurity, that can be made as the water systems complete the Act's ongoing certification requirements.</li> <li>4. In consultation with the assistant administrator for Enforcement and Compliance Assurance, as appropriate, develop formal guidance for community water systems that clearly describes the America's Water Infrastructure Act section 2013 requirements, including certification deadlines, enforcement steps, and the improvements identified as a result of Recommendation 3. Incorporate this guidance into the EPA's <i>Water Supply Guidance Manual</i>.</li> </ol> <p><b>Associated top management challenge:</b> <i>ensuring Agency systems and other critical infrastructure are protected against cyberthreats.</i></p>
<b>Resolution progress</b>	In its February 15, 2023 response to the final report, the Agency proposed planned corrective actions and estimated completion dates for the four unresolved recommendations. In its May 5, 2023

	response, the OIG wrote that planned corrective actions were only partly responsive to the recommendations. As a result, the recommendations remain unresolved.
<b>Report impact statement</b>	If water systems do not complete risk and resilience assessments or emergency response plans, they are more vulnerable to cyberattacks and other malevolent acts. The 19 percent of water systems that did not certify completion of these assessments and plans serve 40 million people.

***The EPA Needs to Improve the Transparency of Its Cancer-Assessment Process for Pesticides (1 recommendation)***

<b>Report number</b>	<a href="#">22-E-0053</a>
<b>Date issued</b>	July 20, 2022
<b>Summary of findings</b>	The EPA did not adhere to standard operating procedures and requirements for the 1,3-Dichloropropene pesticide cancer-assessment process, which undermines public confidence in and the transparency of the Agency's scientific approaches to prevent unreasonable impacts on human health. Specifically, the EPA used two scientific approaches, kinetically derived maximum dose and weight-of-evidence, in its cancer-assessment process for 1,3-Dichloropropene, even though it did not have guidance outlining how to use those approaches. The EPA also did not adhere to docketing and transparency requirements to provide the public and stakeholders with information that may have influenced the EPA's cancer-assessment decision. Further, the EPA did not follow its literature-search procedures and neglected to document its review of all health effects data that may have impacted the results of the 1,3-Dichloropropene draft human health risk assessment, which is informed by the cancer assessment. The EPA's Cancer Risk Assessment Committee did not adhere to the EPA's <i>Peer Review Handbook</i> and the Office of Management and Budget's guidance on peer review in the areas of composition, independence, and expertise. These deficiencies undermined the scientific credibility of the 1,3-Dichloropropene cancer assessment, which led to questioning by multiple stakeholders. An external peer review would have improved the credibility of the cancer assessment.
<b>Responsible office</b>	Office of Chemical Safety and Pollution Prevention
<b>Unresolved Recommendations</b>	8. Conduct an external peer review on the 1,3-Dichloropropene cancer-risk assessment. <b>Associated top management challenge:</b> <i>providing for the safe use of chemicals.</i>
<b>Resolution progress</b>	The Agency provided a response to the final report on September 15, 2022, which outlined the Agency's planned corrective actions and estimated milestone dates for three unresolved recommendations. As stated in our October 13, 2022 memorandum, based on the information and supporting documentation provided, we agreed that the proposed corrective actions met the intent of two recommendations. However, we did not agree with the planned corrective action for Recommendation 8, and we consider this recommendation unresolved.
<b>Report impact statement</b>	Deficiencies and a lack of transparency in the 1,3-Dichloropropene pesticide cancer assessment process has undermined scientific credibility and public confidence.

**Resource Constraints, Leadership Decisions, and Workforce Culture Led to a Decline in Federal Enforcement (3 recommendations)**

<b>Report number</b>	<a href="#">21-P-0132</a>
<b>Date issued</b>	May 13, 2021
<b>Summary of findings</b>	<p>EPA-led compliance monitoring activities, enforcement actions, monetary enforcement results, and environmental benefits generally declined from fiscal year 2007 through 2018 nationwide. This downward trend also occurred at the regional level and on a statute-by-statute basis. While annual enforcement measures, such as penalty dollars assessed or commitments to clean up pollution, declined, the results varied year-to-year based on the conclusion of large cases.</p> <p>The decline in enforcement resources was a primary driver behind the observed declining enforcement trends, resulting in fewer compliance monitoring activities and concluded enforcement actions. EPA leadership also made strategic decisions that affected enforcement trends, such as focusing limited resources on the most serious cases and, in 2017, emphasizing deference to state enforcement programs and compliance assistance. From 2006 through 2018, growth in the domestic economy and new laws increased the size and level of activity in key sectors that the EPA regulated, but the EPA’s capacity to meet that need decreased.</p> <p>The EPA’s annual enforcement reports do not provide context for understanding the EPA’s enforcement accomplishments and the impact these enforcement activities have on human health and the environment. For example, the EPA does not measure or report data for compliance-assistance activities, informal enforcement actions, and noncompliance rates. The EPA could also provide additional information that would provide context about the scope of activities captured by its enforcement measures, such as the type of inspections conducted and the types and toxicity of pollutants removed from the environment.</p>
<b>Responsible office</b>	Office of Enforcement and Compliance Assurance
<b>Unresolved Recommendations</b>	<ol style="list-style-type: none"> <li>1. Assess the needs of the Agency’s enforcement program by completing a workforce analysis to determine the level of staffing necessary to achieve and maintain a strong enforcement presence in the field that protects human health and the environment.</li> <li>2. Integrate the results of the workforce analysis into the Office of Enforcement and Compliance Assurance’s annual and strategic planning processes.</li> <li>5. Establish additional measures for Agency-led compliance assistance activities and informal enforcement actions and include these new measures in future annual enforcement results reports with the appropriate context.</li> </ol> <p><b>Associated top management challenge:</b> <i>enforcing compliance with environmental laws and regulations.</i></p>
<b>Resolution progress</b>	The Agency provided a response to the final report on July 12, 2021, which outlined the Agency’s planned corrective actions and estimated milestone dates for the three unresolved recommendations issued in our report. As stated in our August 18, 2021 memorandum, based on the information and supporting documentation provided in the response, the OIG did not agree with the Agency’s planned corrective actions. Resolution efforts are ongoing.
<b>Report impact statement</b>	A decline in the EPA’s enforcement activities may expose the public and the environment to undetected harmful pollutants.

***EPA Needs to Improve Its Emergency Planning to Better Address Air Quality Concerns During Future Disasters (3 recommendations)***

<b>Report number</b>	<a href="#">20-P-0062</a>
<b>Date issued</b>	December 16, 2019
<b>Summary of findings</b>	<p>Most air toxic emission incidents during Hurricane Harvey occurred within a five-day period of the storm's landfall. The majority of these emissions were due to industrial facilities shutting down and restarting operations in response to the storm and storage tank failures. However, state, local, and EPA mobile air monitoring activities were not initiated in time to assess the impact of these emissions. Additionally, once started, monitoring efforts did not always generate data considered suitable for making health-based assessments, in part because there was no guidance outlining how to monitor air quality following an emergency.</p> <p>The air monitoring data collected did not indicate that the levels of individual air toxics after Hurricane Harvey exceeded the health-based thresholds established by the state of Texas and the EPA. However, these thresholds do not consider the cumulative impact of exposure to multiple air pollutants at one time. Further, the EPA's thresholds are based on short-term exposure to a single air pollutant and do not consider lifetime exposures. Consequently, the thresholds may not be sufficiently protective of residents in communities that neighbor industrial facilities and experience repeated or ongoing exposures to air toxics.</p> <p>We did not identify instances of inaccurate communication from the EPA to the public regarding air quality after Hurricane Harvey. However, public communication of air monitoring results was limited. As a result, communities were unaware of the Agency's activities and data collection efforts. This lack of awareness can diminish public trust and confidence in the EPA.</p>
<b>Responsible office</b>	Office of Land and Emergency Management
<b>Unresolved Recommendations</b>	<ol style="list-style-type: none"> <li>1. Develop general guidance to help state and local agencies and external stakeholders develop air monitoring plans for emergency situations in heavily industrialized areas so that usable data are collected in targeted areas of concern.</li> <li>2. Develop, in coordination with the Associate Administrator for Public Affairs, a plan for providing public access to air monitoring data collected during an emergency response.</li> <li>3. Coordinate with the Office of Research and Development and the Office of Air Quality Planning and Standards within the Office of Air to assess the availability and use of remote and portable monitoring methods to monitor air toxics when stationary monitoring methods are not available.</li> </ol> <p><b>Associated top management challenge:</b> <i>integrating and leading environmental justice across the Agency and government.</i></p>
<b>Resolution progress</b>	The Agency provided a formal response to the final report on February 28, 2020. A meeting to discuss the proposed corrective actions with the Agency was held in October 2022, after which the Agency provided all revised deliverables for concurrence. Our assessment is ongoing.
<b>Report impact statement</b>	Developing EPA guidance for collecting and communicating air quality data could improve public confidence in the Agency during future disaster responses.



## Open Recommendations by Program Office and Region

This appendix provides a breakdown, by responsible region and program office, of the 91 recommendations that were open as of May 31, 2023.

**Table D-1: Office of the Administrator (2 recommendations)**

Report no.	Report title	Number of open recommendations
<a href="#">20-N-0128</a>	<i>Management Alert: Prompt Action Needed to Inform Residents Living Near Ethylene Oxide-Emitting Facilities About Health Concerns and Actions to Address Those Concerns</i>	1
<a href="#">18-P-0240</a>	<i>EPA Needs a Comprehensive Vision and Strategy for Citizen Science that Aligns with Its Strategic Objectives on Public Participation</i>	1

**Table D-2: Office of Air and Radiation (17 recommendations)**

Report no.	Report title	Number of open recommendations
<a href="#">22-E-0026</a>	<i>The EPA Needs to Develop a Strategy to Complete Overdue Residual Risk and Technology Reviews and to Meet the Statutory Deadlines for Upcoming Reviews</i>	1
<a href="#">22-E-0017</a>	<i>EPA's Title V Program Needs to Address Ongoing Fee Issues and Improve Oversight</i>	3
<a href="#">21-P-0175</a>	<i>EPA Should Conduct More Oversight of Synthetic-Minor-Source Permitting to Assure Permits Adhere to EPA Guidance</i>	5
<a href="#">21-P-0129</a>	<i>EPA Should Conduct New Residual Risk and Technology Reviews for Chloroprene- and Ethylene Oxide-Emitting Source Categories to Protect Human Health</i>	3
<a href="#">20-P-0146</a>	<i>EPA's Processing Times for New Source Air Permits in Indian Country Have Improved, but Many Still Exceed Regulatory Time Frames</i>	2
<a href="#">19-P-0207</a>	<i>EPA Effectively Screens Air Emissions Data from Continuous Monitoring Systems but Could Enhance Verification of System Performance</i>	1
<a href="#">16-P-0275</a>	<i>EPA Has Not Met Certain Statutory Requirements to Identify Environmental Impacts of Renewable Fuel Standard</i>	2



**Table D-3: Office of Chemical Safety and Pollution Prevention (22 recommendations)**

Report no.	Report title	Number of open recommendations
<a href="#">22-E-0053</a>	<i>The EPA Needs to Improve the Transparency of Its Cancer-Assessment Process for Pesticides</i>	7
<a href="#">22-P-0010</a>	<i>EPA Generally Adheres to Information Technology Audit Follow-Up Processes, but Management Oversight Should Be Improved</i>	1
<a href="#">21-E-0186</a>	<i>EPA's Endocrine Disruptor Screening Program Has Made Limited Progress in Assessing Pesticides</i>	7
<a href="#">21-E-0146</a>	<i>EPA Deviated from Typical Procedures in Its 2018 Dicamba Pesticide Registration Decision</i>	1
<a href="#">19-P-0195</a>	<i>Pesticide Registration Fee, Vulnerability Mitigation and Database Security Controls for EPA's FIFRA and PRIA Systems Need Improvement</i>	1
<a href="#">18-P-0080</a>	<i>EPA Needs to Evaluate the Impact of the Revised Agricultural Worker Protection Standard on Pesticide Exposure Incidents</i>	1
<a href="#">17-P-0053</a>	<i>Additional Measures Can Be Taken to Prevent Deaths and Serious Injuries from Residential Fumigations</i>	1
<a href="#">11-P-0215</a>	<i>EPA's Endocrine Disruptor Screening Program Should Establish Management Controls to Ensure More Timely Results</i>	3

**Table D-4: Office of the Chief Financial Officer (2 recommendations)**

Report no.	Report title	Number of open recommendations
<a href="#">22-P-0050</a>	<i>The EPA Was Not Compliant with the Payment Integrity Information Act for Fiscal Year 2021</i>	1
<a href="#">21-P-0042</a>	<i>EPA Needs to Substantially Improve Oversight of Its Military Leave Processes to Prevent Improper Payments</i>	1

**Table D-5: Office of Enforcement and Compliance Assurance (11 recommendations)**

Report no.	Report title	Number of open recommendations
<a href="#">22-E-0051</a>	<i>Additional Internal Controls Would Improve the EPA's System for Electronic Disclosure of Environmental Violations</i>	3
<a href="#">22-E-0047</a>	<i>The EPA Continues to Fail to Meet Inspection Requirements for Hazardous Waste Treatment, Storage, and Disposal Facilities</i>	1
<a href="#">22-P-0046</a>	<i>The EPA Needs to Fully Address the OIG's 2018 Flint Water Crisis Report Recommendations by Improving Controls, Training, and Risk Assessments</i>	1
<a href="#">22-F-0007</a>	<i>EPA's Fiscal Years 2021 and 2020 (Restated) Consolidated Financial Statements</i>	1
<a href="#">21-P-0131</a>	<i>Staffing Constraints, Safety and Health Concerns at EPA's National Enforcement Investigations Center May Compromise Ability to Achieve Mission</i>	2
<a href="#">21-P-0114</a>	<i>EPA Does Not Consistently Monitor Hazardous Waste Units Closed with Waste in Place or Track and Report on Facilities That Fall Under the Two Responsible Programs</i>	1
<a href="#">18-P-0221</a>	<i>Management Weaknesses Delayed Response to Flint Water Crisis</i>	1
<a href="#">16-P-0104</a>	<i>EPA Has Not Met Statutory Requirements for Hazardous Waste Treatment, Storage and Disposal Facility Inspections, but Inspection Rates Are High</i>	1

**Table D-6: Office of General Counsel (3 recommendations)**

Report no.	Report title	Number of open recommendations
<a href="#">20-E-0333</a>	<i>Improved EPA Oversight of Funding Recipients' Title VI Programs Could Prevent Discrimination</i>	3

**Table D-7: Office of Land and Emergency Management (6 recommendations)**

Report no.	Report title	Number of open recommendations
<a href="#">22-P-0033</a>	<i>Brownfields Program-Income Monitoring Deficiencies Persist Because the EPA Did Not Complete All Certified Corrective Actions</i>	4
<a href="#">21-P-0114</a>	<i>EPA Does Not Consistently Monitor Hazardous Waste Units Closed with Waste in Place or Track and Report on Facilities That Fall Under the Two Responsible Programs</i>	1
<a href="#">17-P-0368</a>	<i>Improved Management of the Brownfields Revolving Loan Fund Program Is Required to Maximize Cleanups</i>	1

**Table D-8: Office of Mission Support (5 recommendations)**

Report no.	Report title	Number of open recommendations
<a href="#">22-P-0019</a>	<i>EPA Needs to Complete Implementation of Religious Compensatory Time Training for Supervisors and Employees</i>	1
<a href="#">22-P-0018</a>	<i>EPA Should Consistently Track Coronavirus Pandemic-Related Grant Flexibilities and Implement Plan for Electronic Grant File Storage</i>	1
<a href="#">22-P-0001</a>	<i>EPA's Fiscal Year 2020 Fourth-Quarter Compliance with the Digital Accountability and Transparency Act of 2014</i>	1
<a href="#">21-E-0124</a>	<i>EPA Needs to Improve Processes for Updating Guidance, Monitoring Corrective Actions, and Managing Remote Access for External Users</i>	1
<a href="#">16-P-0333</a>	<i>Enhanced Controls Needed to Prevent Further Abuse of Religious Compensatory Time</i>	1

**Table D-9: Office of Mission Support and Office of the Chief Financial Officer (8 recommendations)**

Report no.	Report title	Number of open recommendations
<a href="#">21-P-0042</a>	<i>EPA Needs to Substantially Improve Oversight of Its Military Leave Processes to Prevent Improper Payments</i>	8

**Table D-10: Office of Research and Development and Science Advisor (3 recommendations)**

Report no.	Report title	Number of open recommendations
<a href="#">20-P-0173</a>	<i>Further Efforts Needed to Uphold Scientific Integrity Policy at EPA</i>	3

**Table D-11: Office of Water (4 recommendations)**

Report no.	Report title	Number of open recommendations
<a href="#">21-E-0264</a>	<i>EPA Needs an Agencywide Strategic Action Plan to Address Harmful Algal Blooms</i>	1
<a href="#">21-P-0130</a>	<i>EPA Helps States Reduce Trash, Including Plastic, in U.S. Waterways but Needs to Identify Obstacles and Develop Strategies for Further Progress</i>	2
<a href="#">10-P-0224</a>	<i>EPA Should Revise Outdated or Inconsistent EPA-State Clean Water Memoranda of Agreement</i>	1

**Table D-12: Region 2 (2 recommendations)**

Report no.	Report title	Number of open recommendations
<a href="#">21-P-0032</a>	<i>Region 2's Hurricanes Irma and Maria Response Efforts in Puerto Rico and U.S. Virgin Islands Show the Need for Improved Planning, Communications, and Assistance for Small Drinking Water Systems</i>	2

**Table D-13: Region 3 (1 recommendation)**

Report no.	Report title	Number of open recommendations
<a href="#">21-P-0122</a>	<i>Improved Review Processes Could Advance EPA Regions 3 and 5 Oversight of State-Issued National Pollutant Discharge Elimination System Permits</i>	1

**Table D-14: Region 5 (1 recommendation)**

Report no.	Report title	Number of open recommendations
<a href="#">21-P-0122</a>	<i>Improved Review Processes Could Advance EPA Regions 3 and 5 Oversight of State-Issued National Pollutant Discharge Elimination System Permits</i>	1

**Table D-15: Region 6 (1 recommendation)**

Report no.	Report title	Number of open recommendations
<a href="#">14-P-0109</a>	<i>Internal Controls Needed to Control Costs of Emergency and Rapid Response Services Contracts, as Exemplified in Region 6</i>	1

**Table D-16: Region 9 (3 recommendations)**

Report no.	Report title	Number of open recommendations
<a href="#">21-E-0254</a>	<i>Pandemic Highlights Need for Additional Tribal Drinking Water Assistance and Oversight in EPA Regions 9 and 10</i>	2
<a href="#">08-P-0196</a>	<i>Making Better Use of Stringfellow Superfund Special Accounts</i>	1

## ***Fifty-Two Corrective Actions Scheduled to Take Three Years or More to Implement***

This appendix provides details for the 27 reports containing 52 open recommendations, as of May 31, 2023, for which the Agency's corrective actions are scheduled to take three years or longer to implement. The reports are listed in order of projected implementation of corrective actions, from three years to 18 years.

### ***EPA Should Conduct More Oversight of Synthetic-Minor-Source Permitting to Assure Permits Adhere to EPA Guidance (3 recommendations)***

<b>Report number</b>	<a href="#">21-P-0175</a>
<b>Date issued</b>	July 8, 2021
<b>Summary of findings</b>	<p>While the EPA oversees state and local compliance monitoring for synthetic-minor-source permits, the EPA conducts only limited oversight of the permits themselves. The EPA has issued guidance to state and local agencies to develop enforceable permit limitations in synthetic-minor-source permits, but the Agency does not review permits to ensure the agencies meet this guidance.</p> <p>We reviewed 16 natural gas extraction industry synthetic-minor-source permits from Colorado and Oklahoma and found that many of the permit limitations did not adhere to the EPA's guidance. For example, in those permits, we found that 102 of 529 permit limits did not have sufficient information within the permits or their supporting documentation to determine whether the limits were technically accurate. We also found that 26 limits did not specify the method for assessing compliance. In addition, 55 limits did not have sufficient monitoring requirements to determine whether the facility's assumed pollution reduction from pollution control devices was being achieved. This could result in a synthetic-minor facility emitting pollutants at or above major-source levels without being detected.</p> <p>In addition, we found that the EPA had not communicated several key expectations for synthetic minor-source permitting to state and local agencies via guidance. Further, Oklahoma does not allow the public to participate in its permitting process for certain synthetic-minor-source permits, as required by EPA regulations. EPA staff said this may be the case in other states as well.</p>
<b>Responsible office</b>	Office of Air and Radiation
<b>Recommendation open three years or more</b>	<ol style="list-style-type: none"> <li>2. In consultation with the EPA regions, develop and implement an oversight plan to include: <ol style="list-style-type: none"> <li>a) An initial review of a sample of synthetic-minor-source permits in different industries that are issued by state, local, and tribal agencies to assess whether the permits adhere to EPA guidance on practical enforceability, including limits that are technically accurate, have appropriate time periods, and include sufficient monitoring, record-keeping, and reporting requirements.</li> <li>b) A periodic review of a sample of synthetic-minor-source permits to occur, at a minimum, once every five years.</li> <li>c) Procedures to resolve any permitting deficiencies identified during the initial and periodic reviews.</li> </ol> </li> <li>3. Assess recent EPA studies of enclosed combustion device performance and compliance monitoring and other relevant information during the next statutorily required review of 40 C.F.R. Part 60 Subparts OOOO and OOOOa to determine whether revisions are needed to monitoring, record-keeping, and reporting requirements for enclosed combustion devices to assure continuous compliance with associated limits, and revise the regulatory requirements as appropriate.</li> <li>4. Revise the Agency's guidance to communicate its key expectations for synthetic-minor-source permitting to state and local agencies.</li> </ol>

<b>Planned completion date</b>	<p>Recommendation 2:</p> <ul style="list-style-type: none"> <li>Upon issuance: October 31, 2024 (<i>more than three years after report issuance</i>)</li> </ul> <p>Recommendation 3:</p> <ul style="list-style-type: none"> <li>Upon issuance: December 31, 2024 (<i>more than three years after report issuance</i>)</li> </ul> <p>Recommendation 4:</p> <ul style="list-style-type: none"> <li>Upon issuance: October 31, 2024 (<i>more than three years after report issuance</i>)</li> </ul>
<b>Report impact statement</b>	Without clear and enforceable limitations in synthetic-minor-source permits, facilities may emit excess pollution that would otherwise subject them to the more stringent requirements of the Clean Air Act major-source permitting programs.

### ***Staffing Constraints, Safety and Health Concerns at EPA's National Enforcement Investigations Center May Compromise Ability to Achieve Mission (2 recommendations)***

<b>Report number</b>	<a href="#">21-P-0131</a>
<b>Date issued</b>	May 12, 2021
<b>Summary of findings</b>	<p>NEIC addressed internal and external findings and implemented corrective actions related to safety and health, yet concerns persisted. These concerns included uncondacted internal safety and health audits and management reviews, hazardous waste mismanagement, noncompliance with safety procedures, and staff concerns about safety and health at NEIC.</p> <p>NEIC was addressing findings and implementing corrective actions related to its Quality Management System, which is designed to generate scientifically sound and legally defensible information to support environmental enforcement. We found that NEIC should improve tracking issues, such as observations, comments, concerns, and opportunities for improvement identified from audits; management review action items; and customer complaints.</p> <p>NEIC had unresolved action items from Office of Criminal Enforcement, Forensics, and Training's Professional Integrity and Quality Assurance unit's 2017 inspection report related to staffing shortages, trust in management, and hazardous waste management. The Office of Criminal Enforcement, Forensics, and Training did not conduct a follow-up review to examine the effectiveness of the implemented corrective actions. In 2020, as a result of an inspection by the State of Colorado, NEIC was cited for several hazardous waste violations. Further, NEIC's <i>2019 Federal Employee Viewpoint Survey</i> results are 22 percent lower than the EPA's averages for questions related to management and work environment.</p> <p>NEIC has been challenged by high attrition rates among staff and the inability to backfill vacant positions since 2016. If staffing levels continue to fall, NEIC risks a reduction in analytical capabilities and the ability to accomplish its mission.</p>
<b>Responsible office</b>	Office of Enforcement and Compliance Assurance
<b>Recommendation open three years or more</b>	<p>9. Develop and incorporate metrics on the National Enforcement Investigations Center work environment and culture into Office of Criminal Enforcement, Forensics, and Training senior management performance standards, such as results from the annual Federal Employee Viewpoint Survey, periodic culture audits, or other methods to measure progress.</p> <p>10. Develop and incorporate metrics that address work environment and culture into National Enforcement Investigations Center senior management performance standards.</p>
<b>Planned completion date</b>	<p>Recommendation 9:</p> <ul style="list-style-type: none"> <li>Upon issuance: Unresolved</li> <li>Revised: June 28, 2024 (<i>more than three years after report issuance</i>)</li> </ul> <p>Recommendation 10:</p> <ul style="list-style-type: none"> <li>Upon issuance: Unresolved</li> <li>Revised: June 28, 2024 (<i>more than three years after report issuance</i>)</li> </ul>
<b>Report impact statement</b>	Safety, health, and attrition issues may compromise NEIC's ability to support the EPA's civil and criminal enforcement efforts.

***EPA Does Not Consistently Monitor Hazardous Waste Units Closed with Waste in Place or Track and Report on Facilities That Fall Under the Two Responsible Programs (1 recommendation)***

<b>Report number</b>	<a href="#">21-P-0114</a>
<b>Date issued</b>	March 29, 2021
<b>Summary of findings</b>	<p>The EPA did not consistently verify the continued protection of human health and the environment at TSDFs with RCRA units that were closed with hazardous waste in place. Specifically, almost half (339 of 687, or 49.3 percent) of TSDFs with RCRA units closed with waste in place were not inspected at the frequency set by EPA policy.</p> <p>EPA regional oversight of TSDF inspections by authorized states is also inconsistent. Five of the ten EPA regions incorporate inspection commitments in their annual state RCRA grant negotiations to verify that their authorized states are complying with the inspection policy. Two regions have similar processes in place, but their processes do not include all their states, and three regions do not have any process in place to verify compliance. Because of the lack of inspections, a hazardous waste leak from a compromised unit could go undetected for years, with dire human health and environmental consequences. For example, a leak that is not expeditiously detected could contaminate groundwater, resulting in a loss of drinking water supply, high cleanup costs, and human exposure to contaminants.</p> <p>During our analysis of units closed with waste in place, we observed some issues with interactions between the RCRA and Superfund programs. EPA oversight of RCRA units referred to the Superfund program and those deferred back to the RCRA program is incomplete. The lack of procedures and the use of differing facility identification numbers in the two programs have hindered the EPA's tracking of facilities transferred between the two programs. As a result, it is uncertain whether either program is appropriately managing RCRA units and protecting human and environmental health.</p> <p>Fifty-six RCRA Corrective Action facilities that were closed with waste in place are also managed by the Superfund program. Ineffective EPA oversight of these sites resulted in 42 possible conflicting and 126 double-counted accomplishment milestones. Because these milestones are used to communicate site status to the public, communities could be confused or misled as to the cleanup status of the sites.</p>
<b>Responsible office</b>	Office of Enforcement and Compliance Assurance
<b>Recommendation open three years or more</b>	2. In collaboration with the Office of Land and Emergency Management, establish mechanisms to ensure that all inspections are completed within the required time frame of two years for operating treatment, storage, or disposal facilities or the policy time frame of three years for nonoperating treatment, storage, or disposal facilities.
<b>Planned completion date</b>	<p>Recommendation 2:</p> <ul style="list-style-type: none"> <li>• Upon issuance: Unresolved</li> <li>• Revised: March 29, 2024 (<b><i>three years after report issuance</i></b>)</li> </ul>
<b>Report impact statement</b>	The EPA's inspection frequency of TSDFs with RCRA units closed with waste in place does not meet the EPA's statutory requirement or policy.

**Improved Review Processes Could Advance EPA Regions 3 and 5 Oversight of State-Issued National Pollutant Discharge Elimination System Permits (1 recommendation)**

<b>Report number</b>	<a href="#">21-P-0122</a>
<b>Date issued</b>	April 21, 2021
<b>Summary of findings</b>	<p>In Regions 3 and 5, the EPA did not follow all relevant CWA and NPDES regulations and guidelines while reviewing permits.</p> <p>Region 3 did not adequately perform its oversight responsibilities to ensure that NPDES permits issued by the State of West Virginia meet CWA and NPDES regulatory requirements. Specifically, West Virginia reissued 286 NPDES mining permits to reflect revisions made to its water-quality regulations in 2015, but it is unclear whether Region 3 took steps to verify that the CWA's anti-backsliding provisions were met. In addition, Region 3 experienced permit review delays, and states within the region issued permits without addressing the EPA's comments.</p> <p>Region 5 did not address all CWA and NPDES regulations during its review of a draft NPDES permit for a mine and processing facilities to be built by PolyMet Mining Inc. along the St. Louis River in northeastern Minnesota. Despite its concerns about the NPDES permit, Region 5 did not provide written comments to Minnesota, contrary to the region's standard operating procedures and per common EPA practice. In addition, Region 5 repeatedly declined to make a formal determination under CWA § 401(a)(2) regarding whether discharges from the PolyMet NorthMet project may impact the quality of waters within the jurisdiction of the Fond du Lac Band of Lake Superior Chippewa, whose tribal lands are 125 miles downstream from the site of the PolyMet NorthMet project. The tribe was, therefore, unable to avail itself of the NPDES permit objection process set forth in CWA § 401(a)(2).</p>
<b>Responsible office</b>	Region 3
<b>Recommendation open three years or more</b>	<p>2. Review the modified National Pollutant Discharge Elimination System mining permits issued by West Virginia based on the 2019 revisions to its National Pollutant Discharge Elimination System program to determine whether the permits contain effluent limits for ionic pollution and other pollutants that are or may be discharged at a level that causes, has the reasonable potential to cause, or contributes to an excursion above any applicable water quality standard, as required by Clean Water Act regulations. If a permit lacks required effluent limits, take appropriate action to address such deficiencies.</p>
<b>Planned completion date</b>	<p>Recommendation 2:</p> <ul style="list-style-type: none"> <li>• Upon issuance: Unresolved</li> <li>• Revised: December 31, 2022, and January 31, 2025 (<b>more than three years after report issuance</b>)</li> </ul>
<b>Report impact statement</b>	Improved EPA oversight could ensure that state NPDES programs are protecting human health and the environment.



## Improved EPA Oversight of Funding Recipients' Title VI Programs Could Prevent Discrimination (3 recommendations)

<b>Report number</b>	<a href="#">20-E-0333</a>
<b>Date issued</b>	September 28, 2020
<b>Summary of findings</b>	<p>The External Civil Rights Compliance Office has not fully implemented an oversight system to provide reasonable assurance that organizations receiving EPA funding are properly implementing Title VI. As an initial matter, the office does not conduct proactive compliance reviews to determine funding recipients' compliance with Title VI. Instead, only once an investigation has been lodged will the office review the foundational elements of the recipient's nondiscrimination program using a checklist. This checklist documents the existence of a nondiscrimination program but does not necessarily document the successful implementation of Title VI. We used the checklist to conduct a limited review of the nondiscrimination programs in all 50 states and three territories. We found that 81 percent lacked some of the required foundational elements on their websites. Meanwhile, the External Civil Rights Compliance Office does not systematically collect program data from EPA funding recipients, and state personnel told us they need training and guidance to help them address discrimination complaints related to permits and cumulative impacts. Three of the seven states we interviewed indicated that they had not received training from the office.</p> <p>Since the External Civil Rights Compliance Office assumed management of the EPA's Title VI program in December 2016, it has focused its efforts on reducing a significant backlog of discrimination complaints while simultaneously developing policy and guidance documents. It resolved a backlog of 61 cases from fiscal year 2017 through 2019. Improved oversight could prevent future case backlogs at the EPA and help ensure funding recipients comply with Title VI.</p>
<b>Responsible office</b>	Office of General Counsel
<b>Recommendation open three years or more</b>	<ol style="list-style-type: none"> <li>Develop and implement a plan to coordinate relevant Agency program, regional, and administrative offices with the External Civil Rights Compliance Office to develop guidance on permitting and cumulative impacts related to Title VI.</li> <li>Determine how to use existing or new data to identify and target funding recipients for proactive compliance reviews, and develop or update policy, guidance, and standard operating procedures for collecting and using those data.</li> <li>Develop and deliver training for the deputy civil rights officials and EPA regional staff that focuses on their respective roles and responsibilities within the EPA's Title VI program.</li> </ol>
<b>Planned completion date</b>	<p>Recommendation 1:</p> <ul style="list-style-type: none"> <li>Upon issuance: Unresolved</li> <li>Revised: September 30, 2022, and September 30, 2023 (<i>more than three years after report issuance</i>)</li> </ul> <p>Recommendation 5:</p> <ul style="list-style-type: none"> <li>Upon issuance: Unresolved</li> <li>Revised: March 31, 2023, and September 30, 2023 (<i>more than three years after report issuance</i>)</li> </ul> <p>Recommendation 6:</p> <ul style="list-style-type: none"> <li>Upon issuance: Unresolved</li> <li>Revised: March 31, 2022, and September 30, 2023 (<i>more than three years after report issuance</i>)</li> </ul>
<b>Report impact statement</b>	Despite elimination of the case backlog, additional improvements in the EPA's oversight of Title VI funding recipients could prevent discrimination.

**EPA’s Processing Times for New Source Air Permits in Indian Country Have Improved, but Many Still Exceed Regulatory Time Frames (2 recommendations)**

<b>Report number</b>	<a href="#">20-P-0146</a>
<b>Date issued</b>	April 22, 2020
<b>Summary of findings</b>	<p>Of the tribal minor-source New-Source-Review permits that the EPA issued between 2011 and August to October 2018, 62 percent exceeded the applicable regulatory time frame. In addition, more than half of the permits still in process exceeded the applicable time frame. However, since 2011, the average number of days it has taken the EPA to issue two types of minor-source permits has declined. Further, the EPA processed permits for the construction of new facilities faster than it processed permits for existing facilities. Processing permits for new facility construction is more critical since delays could have negative economic impacts on industry and tribal communities.</p> <p>The main causes of permitting delays included time-consuming back-and-forth communication between the applicant and the EPA during the application process, as well as competing and limited resources. In April 2018, staff and managers from EPA headquarters and regions met to identify ways to make the New-Source-Review permitting process more efficient, but as of the date we issued our report, they had not implemented all the recommendations from that meeting. The EPA began tracking processing times in the summer of 2018.</p> <p>In addition, not all EPA regions were accurately documenting the date that applications were deemed complete, which is the basis for computing processing time frames. Without accurate application completion dates, the Agency cannot accurately assess the timeliness of permitting actions. We also found that the EPA does not have a systematic approach to identify non-filers, which are facilities on tribal lands that need a New-Source-Review permit but have not applied for one.</p>
<b>Responsible office</b>	Office of Air and Radiation
<b>Recommendation open three years or more</b>	<ol style="list-style-type: none"> <li>1. Implement a system that is accessible to both the EPA and the applicants to track the processing of all tribal-New-Source-Review permits and key permit dates, including application received, application completed, draft permit issued, public comment period (if applicable), and final permit issuance.</li> <li>2. Establish and implement an oversight process to verify that the regions update the tribal-New-Source-Review permit tracking system on a periodic basis with the correct and required information.</li> </ol>
<b>Planned completion date</b>	<p>Recommendation 1:</p> <ul style="list-style-type: none"> <li>• Upon issuance: September 30, 2021</li> <li>• Revised: September 30, 2022, and September 30, 2023 (<b>more than three years after report issuance</b>)</li> </ul> <p>Recommendation 2:</p> <ul style="list-style-type: none"> <li>• Upon issuance: March 31, 2022</li> <li>• Revised: September 30, 2022, and September 30, 2023 (<b>more than three years after report issuance</b>)</li> </ul>
<b>Report impact statement</b>	Delays in processing tribal New-Source-Review permits could impact construction projects and increase the risk that existing facilities awaiting a permit could be emitting more pollution than would be allowed if they were operating under an approved permit.

***Pesticide Registration Fee, Vulnerability Mitigation and Database Security Controls for EPA’s FIFRA and PRIA Systems Need Improvement (1 recommendation)***

<b>Report number</b>	<a href="#">19-P-0195</a>
<b>Date issued</b>	June 21, 2019
<b>Summary of findings</b>	<p>The EPA has adequate controls over the posting of FIFRA and PRIA financial transactions in the Agency’s accounting system, Compass Financials. However, the EPA’s FIFRA and PRIA systems have internal control deficiencies relating to the fee registration process, system vulnerability mitigation, and database security. We tested controls in these areas to verify their compliance with federal standards and guidance, as well as with EPA policies and procedures. We noted the following conditions:</p> <ul style="list-style-type: none"> <li>• There were inconsistencies and errors related to transactions in the FIFRA and PRIA fee data posted between the Office of Pesticide Programs’ pesticide registration system and Compass Financials.</li> <li>• Twenty of the 29 high-level vulnerabilities identified by the Agency in 2015 and 2016 remained uncorrected after the allotted remediation time frame. In addition, we tested ten of the 20 uncorrected vulnerabilities and found that required plans of action and milestones for remediation were not created for any of them.</li> <li>• The Office of Pesticide Programs needs to improve the security for one of the FIFRA and PRIA databases, including password controls, timely installation of security updates, and restriction of administrative privileges.</li> </ul>
<b>Responsible office</b>	Office of Chemical Safety and Pollution Prevention
<b>Recommendation open three years or more</b>	2. Complete the actions and milestones identified in the Office of Pesticide Programs’ <i>PRIA Maintenance Fee Risk Assessment</i> document and associated plan regarding the fee payment and refund posting processes.
<b>Planned completion date</b>	<p>Recommendation 2</p> <ul style="list-style-type: none"> <li>• Upon issuance: December 31, 2020</li> <li>• Revised: December 31, 2022, June 30, 2023, and January 31, 2024 (<b><i>more than four years after report issuance</i></b>)</li> </ul>
<b>Report impact statement</b>	Proper vulnerability testing, fee registration, and database controls are essential to the security of the EPA’s FIFRA and PRIA systems.

***EPA Needs an Agencywide Strategic Action Plan to Address Harmful Algal Blooms  
(1 recommendation)***

<b>Report number</b>	<a href="#">21-E-0264</a>
<b>Date issued</b>	September 29, 2021
<b>Summary of findings</b>	<p>The EPA does not have an agencywide strategy for addressing harmful algal blooms, despite Congress appointing the EPA administrator as the leader for federal actions focused on reducing, mitigating, and controlling freshwater harmful algal blooms. Federal guidance instructs agencies to establish systems, such as developing strategic plans, that will promote effective government programs. By developing an agencywide harmful-algal-bloom strategy, the EPA can improve in four strategic planning areas: (1) purpose, scope, and methodology; (2) problem definition and risk assessment; (3) organizational roles, responsibilities, and coordination; and (4) integration and implementation. By creating an agencywide strategy that addresses these planning areas, the EPA can reduce harmful algal blooms and their impacts on human health and the environment using the authorities and tools provided by the Clean Water and Safe Drinking Water Acts.</p> <p>We also found that the EPA has not fulfilled its 2015 commitment to Congress to develop additional drinking water health advisories for cyanotoxins associated with some blooms as information became available. In addition, the EPA needs to take further action to develop revised nitrogen and phosphorus numeric water quality criteria recommendations for states to adopt to better control levels of these nutrients in water bodies.</p>
<b>Responsible office</b>	Office of Water
<b>Recommendation open three years or more</b>	4. Assess and evaluate the available information on human health risks from exposure to cyanotoxins in drinking water and recreational waters to determine whether actions under the Safe Drinking Water Act are warranted.
<b>Planned completion date</b>	Recommendation 4: <ul style="list-style-type: none"> <li>• Upon issuance: December 31, 2022</li> <li>• Revised: December 31, 2025 (<b><i>more than four years after report issuance</i></b>)</li> </ul>
<b>Report impact statement</b>	Scientists predict that harmful algal bloom occurrences in recreational waters and drinking water sources will increase as excess nutrients continue to flow into water bodies, temperatures warm, and extreme weather events occur due to climate change.

## EPA's Endocrine Disruptor Screening Program Has Made Limited Progress in Assessing Pesticides (4 recommendations)

<b>Report number</b>	<a href="#">21-E-0186</a>
<b>Date issued</b>	July 28, 2021
<b>Summary of findings</b>	<p>Twenty-four years after the Food Quality Protection Act of 1996 amendments were passed, the Office of Chemical Safety and Pollution Prevention has not implemented section 408(p)(3)(A) of the Federal Food, Drug, and Cosmetic Act to test all pesticide chemicals for endocrine-disruption activity. In addition, the Office of Chemical Safety and Pollution Prevention's Office of Pesticide Programs recommended in 2015 that 17 pesticides needed additional testing for endocrine disruption in wildlife in order to provide the data needed to conduct an ecological risk assessment. However, that recommendation has not been implemented. EDSP testing delays are inconsistent with the Federal Food, Drug, and Cosmetic Act, which directs the EPA to take appropriate action to protect public health if a substance is found to influence the human endocrine system.</p> <p>We also found that the EPA does not have controls in place to effectively implement the EDSP, such as strategic guidance documents or performance measures. Additionally, the EDSP has not conducted annual internal program reviews to monitor or assess progress in fulfilling regulatory requirements. The EDSP has also not effectively communicated with internal and external stakeholders. Moreover, previous Office of Chemical Safety and Pollution Prevention leadership provided acceptable corrective actions to meet the recommendations in a 2011 OIG report regarding the EDSP. However, they failed to implement those corrective actions beyond an initial period of compliance with them. Lastly, some EPA staff indicated that they were instructed to function as if the EDSP was eliminated from the EPA's budget.</p> <p>Because the EDSP has not had effective internal controls in place since 2015, it cannot have reasonable assurance that the program will accomplish its objectives and its resources will be allocated efficiently and effectively. Moreover, an established system of management controls would provide mechanisms for consistent program operations.</p>
<b>Responsible office</b>	Office of Chemical Safety and Pollution Prevention
<b>Recommendation open three years or more</b>	<ol style="list-style-type: none"> <li>Issue Tier 1 test orders for each List 2 chemical or publish an explanation for public comment on why Tier 1 data are no longer needed to characterize a List 2 chemical's endocrine-disruption activity.</li> <li>Determine whether the EPA should incorporate the Endocrine Disruptor Screening Program Tier 1 tests (or approved new approach methodologies) into the pesticide registration process as mandatory data requirements under 40 C.F.R. § 158 for all pesticide use patterns.</li> <li>Issue List 1–Tier 2 test orders for the 18 pesticides in which additional Tier 2 testing was recommended or publish an explanation for public comment on why Tier 2 data are no longer needed to characterize the endocrine-disruption activity for each of these 18 pesticides.</li> <li>Develop performance measures, with reasonable time frames, to document progress toward and achievement of milestones or targets. Specifically, the Endocrine Disruptor Screening Program should consider at least one performance measure that tracks progress in testing pesticides for human endocrine disruptor activity.</li> </ol>
<b>Planned completion date</b>	<p>Recommendation 1:</p> <ul style="list-style-type: none"> <li>Upon issuance: September 30, 2025 (<i>more than four years after report issuance</i>)</li> </ul> <p>Recommendation 2:</p> <ul style="list-style-type: none"> <li>Upon issuance: September 30, 2024 (<i>more than three years after report issuance</i>)</li> </ul> <p>Recommendation 3:</p> <ul style="list-style-type: none"> <li>Upon issuance: September 30, 2024 (<i>more than three years after report issuance</i>)</li> </ul> <p>Recommendation 6:</p> <ul style="list-style-type: none"> <li>Upon issuance: October 1, 2024 (<i>more than three years after report issuance</i>)</li> </ul>
<b>Report impact statement</b>	Without the required testing and an effective system of internal controls, the EPA cannot make measurable progress toward complying with statutory requirements or safeguarding human health and the environment against risks from endocrine-disrupting chemicals.

**EPA Deviated from Typical Procedures in Its 2018 Dicamba Pesticide Registration Decision (1 recommendation)**

<b>Report number</b>	<a href="#">21-E-0146</a>
<b>Date issued</b>	May 24, 2021
<b>Summary of findings</b>	<p>The EPA's <i>Scientific Integrity Policy</i> affirms that the Agency's ability to pursue its mission to protect human health and the environment depends upon the integrity of the science on which the EPA relies. Per the policy, the EPA's scientists and managers are expected to represent the Agency's scientific activities clearly, accurately, honestly, objectively, thoroughly, without political or other interference, and in a timely manner, consistent with their official responsibilities. Additionally, federal and EPA requirements include documenting the formulation and execution of policies and decisions. For pesticide registration decisions, the Office of Chemical Safety and Pollution Prevention's Office of Pesticide Programs must review registrations and document its decisions.</p> <p>We found that the EPA's 2018 decision to extend registrations for three dicamba pesticide products varied from typical operating procedures. Namely, the EPA did not conduct the required internal peer reviews of scientific documents created to support the dicamba decision. While division-level management review is part of the typical operating procedure, interviewees said that senior leaders in the Office of Chemical Safety and Pollution Prevention's immediate office were more involved in the dicamba decision than in other pesticide registration decisions. This led to senior-level changes to or omissions from scientific documents. For instance, these documents excluded some conclusions initially assessed by staff scientists to address stakeholder risks. We also found that staff felt constrained or muted in sharing their concerns on the dicamba registrations. The EPA's actions on the dicamba registrations left the decision legally vulnerable, resulting in the Ninth Circuit Court of Appeals vacating the 2018 registrations for violating FIFRA by substantially understating some risks and failing to acknowledge others entirely.</p>
<b>Responsible office</b>	Office of Chemical Safety and Pollution Prevention
<b>Recommendation open three years or more</b>	<p>3. Annually conduct and document training for all staff and senior managers and policy makers to affirm the office's commitment to the <i>Scientific Integrity Policy</i> and principles and to promote a culture of scientific integrity.</p> <p><b>Note:</b> This recommendation requires the Office of Chemical Safety and Pollution Prevention to conduct and document annual training once a year for five years. The office completed the first year of the corrective action on February 16, 2022. That was the date that the office held its first annual training series on its commitment to the <i>Scientific Integrity Policy</i> and principles and to promote a culture of scientific integrity. The office has completed annual trainings for 2022 and 2023 on time and plans to host annual trainings until 2026 to implement this recommendation.</p>
<b>Planned completion date</b>	<p>Recommendation 3:</p> <ul style="list-style-type: none"> <li>• Upon issuance: March 31, 2022</li> <li>• Revised: March 31, 2026 (<b>more than four years after report issuance</b>)</li> </ul>
<b>Report impact statement</b>	The EPA needs to document and follow established procedures to ensure scientifically sound decisions regarding pesticides. The EPA's actions on the dicamba registrations left the decision legally vulnerable, resulting in the Ninth Circuit Court of Appeals vacating the 2018 registrations for violating FIFRA by substantially understating some risks and failing to acknowledge others entirely.

### Further Efforts Needed to Uphold Scientific Integrity Policy at EPA (3 recommendations)

<b>Report number</b>	<a href="#">20-P-0173</a>
<b>Date issued</b>	May 20, 2020
<b>Summary of findings</b>	<p>The results of our 2018 agencywide survey on scientific integrity—which received 4,320 responses, a 23.5 percent response rate—showed that 3,987 respondents were aware of or had some familiarity with the <i>Scientific Integrity Policy</i>. Among those respondents with a basis to judge, the majority (56 percent; 1,025 of 1,842) were satisfied with the overall implementation of the EPA’s <i>Scientific Integrity Policy</i>. The survey also revealed some concerns with specific aspects of scientific integrity at the EPA, including dissatisfaction with the EPA’s culture of scientific integrity (59 percent; 1,425 of 2,402) and the release of scientific information to the public (57 percent; 1,049 of 1,842).</p> <p>While our 2018 survey results provide only a snapshot in time, comparing them with the EPA’s 2016 scientific integrity survey suggests areas that have improved and areas in need of improvement. Our 2018 survey results demonstrate higher levels of awareness of the <i>Scientific Integrity Policy</i> and how to report a potential scientific integrity violation. However, our survey revealed lower measures of perceived leadership support of scientific integrity and of satisfaction with the review and clearance of scientific documents.</p> <p>Also, while the Scientific Integrity Committee, including the scientific integrity official, have implemented many policy requirements and identified actions to improve scientific integrity at the EPA, we found that procedures to address potential violations were not finalized, mandatory training was not tracked, annual reporting was not timely, and the release of scientific products was not supported by a centralized clearance system. With improvements in these areas, the Scientific Integrity Committee could more consistently implement the <i>Scientific Integrity Policy</i> across the EPA.</p>
<b>Responsible office</b>	Office of Research and Development/Science Advisor
<b>Recommendation open three years or more</b>	<ol style="list-style-type: none"> <li>6. In coordination with the assistant administrator for Mission Support, complete the development and implementation of the electronic clearance system for scientific products across the Agency.</li> <li>7. With the assistance of the Scientific Integrity Committee, finalize and release the procedures for addressing and resolving allegations of a violation of the <i>Scientific Integrity Policy</i>, and incorporate the procedures into scientific integrity outreach and training materials.</li> <li>8. With the assistance of the Scientific Integrity Committee, develop and implement a process specifically to address and resolve allegations of <i>Scientific Integrity Policy</i> violations involving high profile issues or senior officials, and specify when this process should be used.</li> </ol>
<b>Planned completion date</b>	<p>Recommendation 6:</p> <ul style="list-style-type: none"> <li>• Upon issuance: June 30, 2022</li> <li>• Revised: June 30, 2024 (<b>more than four years after report issuance</b>)</li> </ul> <p>Recommendation 7:</p> <ul style="list-style-type: none"> <li>• Upon issuance: September 30, 2020</li> <li>• Revised: April 30, 2022, June 30, 2022, March 31, 2023, and June 30, 2024 (<b>more than four years after report issuance</b>)</li> </ul> <p>Recommendation 8:</p> <ul style="list-style-type: none"> <li>• Upon issuance: June 30, 2021</li> <li>• Revised: June 30, 2022; March 31, 2023; and June 30, 2024 (<b>more than four years after report issuance</b>)</li> </ul>
<b>Report impact statement</b>	Improving implementation of the <i>Scientific Integrity Policy</i> will enable the EPA to more effectively carry out its mission to protect human health and the environment.



## Management Weaknesses Delayed Response to Flint Water Crisis (1 recommendation)

<b>Report number</b>	<a href="#">18-P-0221</a>
<b>Date issued</b>	July 19, 2018
<b>Summary of findings</b>	<p>The circumstances and response to Flint’s drinking water contamination involved implementation and oversight lapses at the EPA; the State of Michigan; the Michigan Department of Environmental Quality, or MDEQ; and the City of Flint. Since January 21, 2016, the EPA has overseen the implementation of its emergency administrative order and amendment, issued in response to the drinking water contamination. EPA Region 5 and EPA headquarters officials have worked with the MDEQ and Flint personnel to help improve the city’s water system. As of May 2018, the State of Michigan and City of Flint have completed some actions and are working on remaining actions.</p> <p><b>Michigan:</b> Under the MDEQ’s supervision, the Flint water system did not adhere to two Lead and Copper Rule requirements: (1) develop and maintain an inventory of lead service lines needed for sampling and (2) maintain corrosion-control treatment after the water source switch in April 2014. The rule requires utilities to minimize consumers’ exposure to lead in drinking water. As the primacy agency, the MDEQ is responsible for enforcing this rule for Michigan water systems. The MDEQ did not issue a notice of violation or take other formal enforcement action regarding either requirement until August 2015. Instead, the MDEQ advised Flint public water system staff to conduct additional tests and to delay corrosion-control treatment installation. The decision to delay corrosion-control treatment prolonged residents’ exposure to lead.</p> <p><b>The EPA:</b> The Agency retains oversight and enforcement authorities to provide assurance that states with primacy comply with Safe Drinking Water Act requirements, such as those in the Lead and Copper Rule. However, Region 5 did not implement management controls that could have facilitated more informed and proactive decision-making when Flint and the MDEQ did not properly implement the Lead and Copper Rule. While Flint residents were being exposed to lead in drinking water, the federal response was delayed, in part, because the EPA did not establish clear roles and responsibilities, risk-assessment procedures, effective communication, and proactive oversight tools.</p>
<b>Responsible office</b>	Office of Enforcement and Compliance Assurance
<b>Recommendation open three years or more</b>	8. Create a system that tracks citizen complaints and gathers information on emerging issues. The system should assess the risk associated with the complaints, including efficient and effective resolution.
<b>Planned completion date</b>	<p>Recommendation 8:</p> <ul style="list-style-type: none"> <li>• Upon issuance: July 7, 2021</li> <li>• Revised: April 28, 2023, and October 27, 2023 (<i>more than five years after report issuance</i>)</li> </ul>
<b>Report impact statement</b>	The EPA should strengthen its oversight of state drinking water programs to improve the efficiency and effectiveness of the Agency’s response to drinking water contamination emergencies.

**Brownfields Program-Income Monitoring Deficiencies Persist Because the EPA Did Not Complete All Certified Corrective Actions (2 recommendations)**

<b>Report number</b>	<a href="#">22-P-0033</a>
<b>Date issued</b>	March 31, 2022
<b>Summary of findings</b>	<p>EPA Regions 1 and 10 effectively completed all corrective actions for their six recommendations in OIG Report No. <a href="#">17-P-0368</a>. Of the 17 recommendations addressed to the Office of Land and Emergency Management, the Office of Brownfields and Land Revitalization did not fully complete the agreed-to corrective actions for five, despite certifying that those actions were completed, and program-income monitoring deficiencies persist. Corrective actions for three of those five recommendations were not completed because the Agency had not determined an appropriate level of program income-tracking and oversight. Corrective actions for the two other recommendations were not completed because the EPA’s guidance did not include program income-tracking and post closeout reporting. Office of Management and Budget and EPA policies require the Agency to take corrective actions promptly.</p> <p>As a result, the EPA continues to lack current, accurate, and complete data necessary for effective post-closeout monitoring of program income. Without such data, the Office of Brownfields and Land Revitalization is unable to determine whether an estimated \$46.6 million of program income under closed cooperative agreements was used timely and for the purposes authorized under the closeout agreements as required by federal regulation or whether actions are needed to address noncompliance with closeout agreement terms and conditions.</p>
<b>Responsible office</b>	Office of Land and Emergency Management
<b>Recommendation open three years or more</b>	<ol style="list-style-type: none"> <li>1. Develop a policy and implement procedures to reduce the balances of available program income and establish a time frame for recipients to use or return the funds to the EPA.</li> <li>5. Expand existing guidance to include a deadline for post-closeout annual report submission.</li> </ol>
<b>Planned completion date</b>	<p>Recommendation 1:</p> <ul style="list-style-type: none"> <li>• Upon issuance: Unresolved</li> <li>• Revised: September 30, 2027 (<i>more than five years after report issuance</i>)</li> </ul> <p>Recommendation 5:</p> <ul style="list-style-type: none"> <li>• Upon issuance: Unresolved</li> <li>• Revised: September 30, 2027 (<i>more than five years after report issuance</i>)</li> </ul>
<b>Report impact statement</b>	The Office of Brownfields and Land Revitalization did not complete all certified corrective actions and still lacks current and accurate information needed to monitor an estimated \$46.6 million of program income.

***EPA Effectively Screens Air Emissions Data from Continuous Monitoring Systems but Could Enhance Verification of System Performance (1 recommendation)***

<b>Report number</b>	<a href="#">19-P-0207</a>
<b>Date issued</b>	June 27, 2019
<b>Summary of findings</b>	<p>The EPA’s automated screening of facility-reported Continuous Emissions Monitoring System data worked as intended and was effective in verifying the quality of the reported data. However, we found a small number of inaccuracies and inconsistencies in the reported data. While these instances had no impact on whether the data met quality assurance requirements, the inaccurate data could have a negative impact on data users by providing inaccurate or misleading information. The EPA can prevent these problems by adding specific screening checks to its existing reporting software.</p> <p>Although the EPA’s automated screening process was effective, the validity of the reported data can only be fully established when that process is supplemented with on-site field audits to verify that the Continuous Emissions Monitoring System monitoring requirements were met. However, we found that the EPA and state agencies conducted a limited number of these audits. Out of over 1,000 facilities subject to Acid Rain Program and/or Cross-State Air Pollution Rule requirements, the EPA conducted field audits at only 16 facilities between 2016 and the end of June 2018. In addition, nine of the ten state agencies we contacted were not conducting field audits. In response to our work, the EPA initiated a process to develop a streamlined Continuous Emissions Monitoring System field audit approach that state and local agencies can use when conducting other on-site visits at facilities.</p>
<b>Responsible office</b>	Office of Air and Radiation
<b>Recommendation open three years or more</b>	<ol style="list-style-type: none"> <li>Develop and implement electronic checks in the EPA’s Emissions Collection and Monitoring Plan System or through an alternative mechanism to retroactively evaluate emissions and quality assurance data in instances where monitoring plan changes are submitted after the emissions and quality assurance data have already been accepted by the EPA.</li> </ol>
<b>Planned completion date</b>	<p>Recommendation 1:</p> <ul style="list-style-type: none"> <li>Upon issuance: March 31, 2025 (<b><i>more than five years after report issuance</i></b>)</li> </ul>
<b>Report impact statement</b>	Data from the Continuous Emissions Monitoring System are used to determine whether sources, such as power plants, comply with emissions limits designed to improve air quality and achieve environmental and public health goals.

***EPA Needs a Comprehensive Vision and Strategy for Citizen Science that Aligns with Its Strategic Objectives on Public Participation (1 recommendation)***

<b>Report number</b>	<a href="#">18-P-0240</a>
<b>Date issued</b>	September 5, 2018
<b>Summary of findings</b>	<p>Although citizen science is carried out throughout the EPA, the Agency has not developed controls necessary to manage citizen science agencywide, including a clear vision and objectives for using results. Absent this, the EPA cannot undertake a systematic effort to analyze the risks and opportunities that citizen science presents.</p> <p>EPA staff identified barriers to effectively using citizen science results—including lack of a comprehensive vision and support or resources from senior management, and lack of understanding and buy-in for citizen science—that exist because EPA leadership has not developed a strategy for citizen science. Citizen science is evolving as advancements in technology provide greater access to the public. Thus, as public involvement grows, it will place pressure on the EPA to understand and determine how to use the data collected and provided to the Agency.</p>
<b>Responsible office</b>	Deputy Administrator (within the Office of the Administrator)
<b>Recommendation open three years or more</b>	2. Through appropriate EPA offices, direct completion of an assessment to identify the data management requirements for using citizen science data and an action plan for addressing those requirements, including those on sharing and using data, data format/standards, and data testing/validation.
<b>Planned completion date</b>	<p>Recommendation 2:</p> <ul style="list-style-type: none"> <li>• Upon issuance: December 31, 2020</li> <li>• Revised: March 31, 2023, and December 31, 2023 (<b><i>more than five years after report issuance</i></b>)</li> </ul>
<b>Report impact statement</b>	Without uniform guidance and direction, the EPA will be unable to fully use citizen science data that could contribute to the Agency's mission.

## ***EPA Needs to Evaluate the Impact of the Revised Agricultural Worker Protection Standard on Pesticide Exposure Incidents (1 recommendation)***

<b>Report number</b>	<a href="#">18-P-0080</a>
<b>Date issued</b>	February 15, 2018
<b>Summary of findings</b>	<p>The EPA had policies and procedures in place to implement the revised Agricultural WPS. Further, the Agency provided training to regional staff, state inspectors, and program leads. However, we found that management controls to implement the revised WPS were not fully adequate as of January 2, 2017, when compliance with most of the revised rule was required.</p> <p>Essential training and implementation materials were not available by January 2, 2017. In addition, two key documents—the <i>WPS Inspection Manual</i> and the <i>How to Comply</i> manual—were not available when the EPA conducted the majority of its training and outreach activities for states and tribes in 2016. As a result, many state officials said they did not have the time, tools, or resources to successfully implement the revised WPS by the January 2, 2017 compliance date. The EPA granted a state agricultural association’s petition to delay the compliance date until the necessary training resources and educational materials were made available to state agencies responsible for implementing the WPS. However, in a December 21, 2017, Federal Register notice, the EPA rescinded its plan to delay compliance dates. The Agency announced that compliance dates in the revised WPS published on November 2, 2015, remain in effect and that the Agency does not intend to extend them. The EPA also announced plans to revise certain WPS requirements.</p> <p>The EPA does not have the ability to collect agricultural pesticide exposure incident data to measure the impact of the revised WPS rule among target populations. The Agency relies on information assessed during pesticide reevaluations and from voluntary reporting databases. The EPA is working on improving its Incident Data System, but the Agency stated that the improvements will not enable the collection of additional occupational exposure data.</p>
<b>Responsible office</b>	Office of Chemical Safety and Pollution Prevention
<b>Recommendation open three years or more</b>	1. In coordination with the Office of Enforcement and Compliance Assurance, develop and implement a methodology to evaluate the impact of the revised Agricultural Worker Protection Standard on pesticide exposure incidents among target populations.
<b>Planned completion date</b>	Recommendation 1: <ul style="list-style-type: none"> <li>• Upon issuance: Unresolved</li> <li>• Revised: December 31, 2022, and December 31, 2023 (<b><i>more than five years after report issuance</i></b>)</li> </ul>
<b>Report impact statement</b>	Over 2 million agricultural workers and pesticide handlers are protected by the WPS. Revisions to the standard are intended to reduce exposure to pesticides and provide enhanced protection to agricultural workers, pesticide handlers, and their families.

**EPA Needs to Substantially Improve Oversight of Its Military Leave Processes to Prevent Improper Payments (9 recommendations)**

<b>Report number</b>	<a href="#">21-P-0042</a>
<b>Date issued</b>	December 28, 2020
<b>Summary of findings</b>	<p>The EPA has not fully complied with federal laws related to military leave, reservist differential, and military offset. This occurred because Agency management did not establish effective internal controls to implement these laws. The EPA instead relied on reservists, their supervisors, and the Agency’s federal payroll provider to comply with federal requirements.</p> <p>The U.S. Government Accountability Office’s <i>Standards for Internal Control in the Federal Government</i> and the Office of Management and Budget’s Circular No. A-123 state that management is responsible for complying with applicable federal laws and regulations, as well as for designing, implementing, and monitoring internal controls to achieve its objectives. When effective and systematic internal controls are in place, compliance with laws and regulations becomes more likely.</p> <p>EPA management’s lack of internal controls to effectively implement federal laws resulted in potential overpayments or underpayments to EPA reservists. Based on the transactions we reviewed, the Agency had a 75 percent error rate for 36 of 48 reservists tested for compliance with military leave requirements. These errors resulted in about \$129,000 in potential improper payments.</p>
<b>Responsible office</b>	Office of Mission Support and Office of the Chief Financial Officer
<b>Recommendation open three years or more</b>	<ol style="list-style-type: none"> <li>1. Adopt and implement policies and procedures on military leave and pay requirements that comply with 5 U.S.C. §§ 5538, 6323, and 5519.</li> <li>2. Provide resources for supervisors, timekeepers, and reservists on their roles and responsibilities related to military leave under the law and Agency policies.</li> <li>3. Establish and implement internal controls that will allow the Agency to monitor compliance with applicable laws, federal guidance, and Agency policies, including periodic internal audits of all military leave, to verify that             <ol style="list-style-type: none"> <li>a) charges by reservists are correct and supported and</li> <li>b) appropriate reservist differential and military offset payroll audit calculations are being requested and performed.</li> </ol> </li> <li>4. Require reservists to correct and supervisors to approve military leave time charging errors in PeoplePlus that have been identified during the audit or as part of the Agency’s actions related to Recommendations 5 and 6.</li> <li>5. Recover the approximately \$11,000 in military pay related to unsupported 5 U.S.C. § 6323(a) military leave charges, unless the Agency can obtain documentation to substantiate the validity of the reservists’ military leave.</li> <li>6. Submit documentation for the reservists’ military leave related to the approximately \$118,000 charged under 5 U.S.C. § 6323(b) to the EPA’s payroll provider to perform payroll audit calculations and recover any military offsets that may be due.</li> <li>7. Identify the population of reservists who took unpaid military leave pursuant to 5 U.S.C. § 5538 and determine whether those reservists are entitled to receive a reservist differential. Based on the results of this determination, take appropriate steps to request that the EPA’s payroll provider perform payroll audit calculations to identify and pay the amounts that may be due to reservists.</li> <li>8. For the time periods outside of the scope of our audit (pre-January 2017 and post-June 2019), identify the population of reservists who charged military leave under 5 U.S.C. § 6323(b) or 6323(c) and determine whether military offset was paid by the reservists. If not, review reservists’ military documentation to determine whether payroll audit calculations are required. If required, request that the EPA’s payroll provider perform payroll audit calculations to identify and recover military offsets that may be due from the reservists under 5 U.S.C. §§ 6323 and 5519.</li> <li>9. Report all amounts of improper payments resulting from paid military leave for inclusion in the annual Agency Financial Report, as required by the Payment Integrity Information Act of 2019.</li> </ol>

<b>Planned completion date</b>	<p>Recommendations 1 and 2:</p> <ul style="list-style-type: none"> <li>• Upon issuance: April 30, 2022</li> <li>• Revised: July 29, 2022; October 1, 2022; and June 30, 2025 (<i>more than four years after report issuance</i>)</li> </ul> <p>Recommendation 3:</p> <ul style="list-style-type: none"> <li>• Upon issuance: June 30, 2022</li> <li>• Revised: July 29, 2022, and June 3, 2027 (<i>more than six years after report issuance</i>)</li> </ul> <p>Recommendation 4:</p> <ul style="list-style-type: none"> <li>• Upon issuance: September 30, 2021</li> <li>• Revised: March 31, 2022; July 29, 2022; and September 3, 2026 (<i>more than five years after report issuance</i>)</li> </ul> <p>Recommendations 5 and 6:</p> <ul style="list-style-type: none"> <li>• Upon issuance: August 31, 2021</li> <li>• Revised: December 15, 2021; December 30, 2022; and August 31, 2026 (<i>more than five years after report issuance</i>)</li> </ul> <p>Recommendation 7:</p> <ul style="list-style-type: none"> <li>• Upon issuance: February 28, 2022</li> <li>• Revised: September 30, 2022, and December 31, 2026 (<i>more than six years after report issuance</i>)</li> </ul> <p>Recommendation 8:</p> <ul style="list-style-type: none"> <li>• Upon issuance: February 28, 2022</li> <li>• Revised: December 30, 2022, and February 28, 2027 (<i>more than six years after report issuance</i>)</li> </ul> <p>Recommendation 9:</p> <ul style="list-style-type: none"> <li>• Upon issuance: December 1, 2021</li> <li>• Revised: December 1, 2022, and December 1, 2024 (<i>more than three years after report issuance</i>)</li> </ul>
<b>Report impact statement</b>	<p>The EPA paid 124 reservists about \$1.4 million in military leave pay from January 2017 through June 2019. We identified potential improper payments of \$129,000 related to 104 of the 1,628 payroll transactions that we audited.</p>



**Improved Management of the Brownfields Revolving Loan Fund Program Is Required to Maximize Cleanups (1 recommendation)**

<b>Report number</b>	<a href="#">17-P-0368</a>
<b>Date issued</b>	August 23, 2017
<b>Summary of findings</b>	<p>Approximately \$10.9 million available to clean up brownfields is not being used as intended. Contaminated brownfield properties are not being cleaned up and redeveloped for ten of the 20 closed Brownfields Revolving Loan Fund cooperative agreements reviewed. The recipients of the cooperative agreements have not re-loaned or spent program income collected after the closeout agreement was signed.</p> <p>The <i>U.S. Environmental Protection Agency's (EPA's) 2008 Revolving Loan Fund Grant Program Administrative Manual</i> states the following: "EPA regions should encourage the recipient to maximize the amount of money loaned out for cleanup purposes at all times. RLF funds should not remain idle."</p> <p>We found confusion among EPA regions and Revolving Loan Fund recipients and dissimilarities in terms and conditions, leading to inconsistencies in program application. Program income was not maximized by depositing funds into an interest-bearing account, and sources of program income were excluded from the terms and conditions of cooperative agreements and closeout agreements. Another source of confusion was knowing when post-closeout program income was used, and when a closeout agreement can be terminated. These issues resulted in inconsistencies that could potentially affect the long-term sustainability of the Brownfields Revolving Loan Fund Program. We also found that the EPA's Office of Brownfields and Land Revitalization's data management system did not meet federal standards. In addition, some regional project officers could not review annual reports for Revolving Loan Fund recipients. We questioned over \$2.7 million from three recipients.</p>
<b>Responsible office</b>	Office of Land and Emergency Management
<b>Recommendation open three years or more</b>	14. Develop and implement a method for the Office of Brownfields and Land Revitalization to track closed cooperative agreements with pre- and post-program income.
<b>Planned completion date</b>	<p>Recommendation 14:</p> <ul style="list-style-type: none"> <li>• Upon issuance: March 19, 2019</li> <li>• Revised: December 31, 2023 (<b>more than six years after report issuance</b>)</li> </ul>
<b>Report impact statement</b>	For ten of the 20 closed Brownfields Revolving Loan Fund cooperative agreements reviewed, approximately \$10.9 million available to clean up brownfields is not being used as intended.

**Enhanced Controls Needed to Prevent Further Abuse of Religious Compensatory Time  
(1 recommendation)**

<b>Report number</b>	<a href="#">16-P-0333</a>
<b>Date issued</b>	September 27, 2016
<b>Summary of findings</b>	<p>Based on our analysis, time-and-attendance records support that the retired employee earned the accumulated Religious Compensatory Time hours. However, we identified concerns with the EPA's internal controls that allowed the excessive accumulation of Religious Compensatory hours by Agency employees, and the Office of Chemical Safety and Pollution Prevention employee received a payout of \$32,469 for unused Religious Compensatory Time upon retirement.</p> <p>EPA policy and procedures on accumulation and use of Religious Compensatory Time meet the requirements of federal laws and regulations but are not specific enough to prevent abuse. The Agency's controls do not enforce the requirement for employees to link the earning of Religious Compensatory Time to specific religious observances. The EPA lacks detailed controls covering the accumulation, use, and monitoring of Religious Compensatory Time, resulting in practices being noncompliant with the intent of federal law and regulations and not being consistent with U.S. Office of Personnel Management best practices.</p> <p>Inadequate controls allowed several Agency employees to maintain significant positive Religious Compensatory Time balances for extended periods of time without intended use plans. Also, significant negative balances were retained without a plan to repay the hours. The Agency has not provided staff with training or established adequate guidance to effectively manage and monitor Religious Compensatory Time. As a result, in addition to the Office of Chemical Safety and Pollution Prevention employee, the EPA paid 13 other employees \$41,045 for unused Religious Compensatory Time upon separation. Further, if no action is taken to reduce additional employees' high balances, future payments totaling up to \$81,927 could be made.</p>
<b>Responsible office</b>	Office of Mission Support
<b>Recommendation open three years or more</b>	3. Develop training on the proper use of Religious Compensatory Time and require all managers approving, and employees using, Religious Compensatory Time to complete the course.
<b>Planned completion date</b>	Recommendation 3: <ul style="list-style-type: none"> <li>• Upon issuance: May 30, 2017</li> <li>• Revised: June 23, 2023 (<b>more than six years after report issuance</b>)</li> </ul>
<b>Report impact statement</b>	Inadequate controls for Religious Compensatory Time resulted in payouts to employees of \$73,514 and may result in additional payouts of up to \$81,927.

## ***Additional Measures Can Be Taken to Prevent Deaths and Serious Injuries from Residential Fumigations (1 recommendation)***

<b>Report number</b>	<a href="#">17-P-0053</a>
<b>Date issued</b>	December 12, 2016
<b>Summary of findings</b>	<p>Since 2002, at least 11 deaths and two serious injuries occurred during residential fumigations in the two U.S. states with the most fumigation treatments—California and Florida. Compliance with current pesticide use requirements does not always prevent adverse impacts.</p> <p>We identified multiple factors that contributed to these adverse impacts, including (1) no requirement to secure tenting around structures undergoing fumigation, (2) ineffective devices used to detect pesticide levels inside of structures, and (3) failure to attend mandatory training for residential pesticide applicators who conduct fumigations.</p> <p>In addition, we identified other program control risks that, if addressed, could reduce the risk of future deaths and serious injuries:</p> <ul style="list-style-type: none"> <li>• The EPA could designate residential fumigation as a priority area for enforcement, with special emphasis placed on locations such as Puerto Rico, which has a high demand for residential fumigations but lacks information to effectively oversee such fumigations. Data on sales and use of sulfuryl fluoride in Puerto Rico are not reported and are unknown.</li> <li>• The EPA could require site-specific residential fumigation management plans. Such plans can prevent accidents, identify appropriate emergency procedures, and demonstrate compliance with requirements.</li> <li>• The EPA could complete work to develop a comprehensive national pesticide incident database to monitor residential fumigation risks. The EPA has an ongoing pesticide incident database initiative to collect data, but there is no scheduled completion date.</li> </ul>
<b>Responsible office</b>	Office of Chemical Safety and Pollution Prevention
<b>Recommendation open three years or more</b>	3. Conduct an assessment of clearance devices to validate their effectiveness in detecting required clearance levels, as part of the Office of Pesticide Programs ongoing reevaluation of structural fumigants.
<b>Planned completion date</b>	<p>Recommendation 3:</p> <ul style="list-style-type: none"> <li>• Upon issuance: November 30, 2017</li> <li>• Revised: August 31, 2021; December 31, 2022; June 30, 2023; and September 30, 2023 <b>(more than six years after report issuance)</b></li> </ul>
<b>Report impact statement</b>	The EPA can better prevent deaths and serious injuries caused during residential fumigations by amending sulfuryl fluoride labels and monitoring compliance.

## ***EPA Should Conduct New Residual Risk and Technology Reviews for Chloroprene- and Ethylene Oxide-Emitting Source Categories to Protect Human Health (3 recommendations)***

<b>Report number</b>	<a href="#">21-P-0129</a>
<b>Date issued</b>	May 6, 2021
<b>Summary of findings</b>	<p>Results from the EPA's modeling and monitoring efforts indicate that people in some areas of the country may be exposed to unacceptable health risks from chloroprene and ethylene oxide emissions. Despite the EPA classifying chloroprene as a likely human carcinogen in 2010 and ethylene oxide as a carcinogen in 2016, the EPA has not conducted new RTRs for most types of industrial sources, referred to as source categories, that emit chloroprene or ethylene oxide. The EPA should take the following steps to ensure its RTR process sufficiently identifies and addresses these emissions:</p> <ul style="list-style-type: none"> <li>• Conduct new residual risk reviews for four major-source categories that emit chloroprene or ethylene oxide using new risk values for these pollutants.</li> <li>• Conduct a residual risk review for the hospital sterilizers area source category using the new risk value for ethylene oxide.</li> <li>• Conduct overdue technology reviews for four source categories.</li> <li>• Develop new National Emission Standards for Hazardous Air Pollutants for chemical plant area sources that emit ethylene oxide.</li> <li>• Develop a process to initiate timely reviews of existing and uncontrolled emission sources when new or updated risk information becomes available.</li> </ul> <p>New RTRs should be conducted because the EPA issued new risk values for chloroprene and ethylene oxide in 2010 and 2016, respectively, to reflect their potent carcinogenicity, as found in newer scientific evidence. The EPA should exercise its discretionary authority to conduct new residual risk reviews under the Clean Air Act whenever new data or information indicates an air pollutant is more toxic than previously determined. Use of such discretionary authority is consistent with the Agency's position, stated in its April 2006 commercial sterilizer RTR rule.</p>
<b>Responsible office</b>	Office of Air and Radiation
<b>Recommendation open three years or more</b>	<ol style="list-style-type: none"> <li>2. Conduct new residual risk reviews for Group I polymers and resins that cover neoprene production, synthetic organic chemical manufacturing industry, polyether polyols production, commercial sterilizers, and hospital sterilizers using the new risk values for chloroprene and ethylene oxide and revise the corresponding National Emission Standards for Hazardous Air Pollutants, as needed.</li> <li>3. Revise National Emission Standards for Hazardous Air Pollutants for chemical manufacturing area sources to regulate ethylene oxide and conduct a residual risk review to ensure that the public is not exposed to unacceptable risks.</li> <li>4. Conduct overdue technology reviews for Group I polymers and resins that cover neoprene production, synthetic organic chemical manufacturing industry, commercial sterilizers, hospital sterilizers, and chemical manufacturing area sources, which are required to be completed at least every eight years by the Clean Air Act.</li> </ol>
<b>Planned completion date</b>	<p>Recommendation 2:</p> <ul style="list-style-type: none"> <li>• Upon issuance: Unresolved</li> <li>• Revised: September 30, 2024 (<b><i>more than three years after report issuance</i></b>)</li> </ul> <p>Recommendation 3:</p> <ul style="list-style-type: none"> <li>• Upon issuance: Unresolved</li> <li>• Revised: September 30, 2028 (<b><i>more than seven years after report issuance</i></b>)</li> </ul> <p>Recommendation 4:</p> <ul style="list-style-type: none"> <li>• Upon issuance: September 30, 2024</li> <li>• Revised: None (<b><i>more than three years after report issuance</i></b>)</li> </ul>
<b>Report impact statement</b>	The EPA should conduct new RTRs for chloroprene- and ethylene oxide-emitting source categories to address elevated individual lifetime cancer risks impacting over 464,000 people, as found in a modeling tool, and to achieve environmental justice.

**EPA Has Not Met Certain Statutory Requirements to Identify Environmental Impacts of Renewable Fuel Standard (2 recommendations)**

<b>Report number</b>	<a href="#">16-P-0275</a>
<b>Date issued</b>	August 18, 2016
<b>Summary of findings</b>	<p>The EPA’s Office of Research and Development has not complied with the requirement to provide a report every three years to Congress on the impacts of biofuels. The EPA provided a report to Congress in 2011 but has not provided subsequent reports as required.</p> <p>In addition, the EPA’s Office of Air and Radiation has not fulfilled the anti-backsliding requirements for RFS, which are to analyze and address any negative air quality impacts of RFS. In 2010, the EPA completed a comprehensive life cycle analysis to determine greenhouse gas reduction thresholds for RFS. Although not required to do so, the EPA committed to update this analysis as life cycle science evolves. However, it does not have a process for initiating an update.</p> <p>The RFS reporting requirement provides for an objective analysis on the environmental impacts and unintended consequences of U.S. biofuel policy. This analysis is important given conflicting scientific opinions about biofuel impacts, potential impacts outside of the EPA’s regulatory control, and divergent RFS interests. The EPA does not have an assessment that meets the requirement to identify whether RFS creates any impacts on air quality and, thus, take required measures to mitigate impacts. This information is needed to fully inform the EPA, Congress, and other stakeholders of the environmental impacts of U.S. biofuel policy. In June 2016, Congress held a hearing on RFS implementation. Members expressed bipartisan interest in receiving more information from the EPA on the environmental impacts. This would help assess whether the law’s original intent is being achieved and at what cost.</p>
<b>Responsible office</b>	Office of Air and Radiation
<b>Recommendation open three years or more</b>	<ol style="list-style-type: none"> <li>2. Complete the anti-backsliding study on the air quality impacts of the Renewable Fuel Standard as required by the Energy Independence and Security Act.</li> <li>3. Determine whether additional action is needed to mitigate any adverse air quality impacts of the Renewable Fuel Standard as required by the Energy Independence and Security Act.</li> </ol>
<b>Planned completion date</b>	<p>Recommendations 2 and 3:</p> <ul style="list-style-type: none"> <li>• Upon issuance: September 30, 2024 (<i>more than eight years after report issuance</i>)</li> <li>• Revised: None</li> </ul>
<b>Report impact statement</b>	The EPA, Congress, and other stakeholders lack key information on biofuel impacts needed to make science-based decisions about the RFS.

***EPA Has Not Met Statutory Requirements for Hazardous Waste Treatment, Storage and Disposal Facility Inspections, but Inspection Rates Are High (1 recommendation)***

<b>Report number</b>	<a href="#">16-P-0104</a>
<b>Date issued</b>	March 11, 2016
<b>Summary of findings</b>	<p>Overall, the EPA had a high inspection completion rate of 91 percent (656 out of 718 TSDFs that we reviewed). However, specific inspection completion rates varied for the three types of TSDFs: 94 percent for private TSDFs, 85 percent for federal TSDFs, and 54 percent for state or local TSDFs. Although the EPA’s overall inspection completion rate is high, the Agency did not fully meet the legal requirement for inspecting 100 percent of operating TSDFs for fiscal year 2014. As noted above, the inspection rate for state and local TSDFs is just over 50 percent.</p> <p>We also found that the EPA recognizes state-conducted inspections of federal TSDFs as meeting the federal inspection requirement. Because this practice was inconsistent with the EPA’s documented compliance monitoring strategy, the Agency updated its strategy in September 2015 to allow this practice.</p> <p>Inspections deter and monitor for noncompliance. TSDF inspections can identify and reduce potential risks to human health and the environment resulting from operations that treat, store, and dispose of hazardous waste. TSDF inspections have identified violations, such as storage of hazardous waste in an unpermitted area and failure to minimize the possibility of the release of hazardous waste.</p> <p>The Office of Enforcement and Compliance Assurance acknowledged that the Agency is not meeting the inspections requirement due to resource limitations from other competing priorities, such as inspector training or state oversight activities. The Office of Enforcement and Compliance Assurance was unable to provide an estimate of the additional resources it would need to meet TSDF inspection requirements.</p>
<b>Responsible office</b>	Office of Enforcement and Compliance Assurance
<b>Recommendation open three years or more</b>	1. Implement management controls to complete the required TSDF inspections.
<b>Planned completion date</b>	<p>Recommendation 1:</p> <ul style="list-style-type: none"> <li>• Upon issuance: March 19, 2019</li> <li>• Revised: March 29, 2024 (<b><i>more than eight years after report issuance</i></b>)</li> </ul>
<b>Report impact statement</b>	Missed TSDF inspections violate the RCRA legal requirement and can increase the risk of exposure to hazardous substances.

**Internal Controls Needed to Control Costs of Emergency and Rapid Response Services Contracts, as Exemplified in Region 6 (1 recommendation)**

<b>Report number</b>	<a href="#">14-P-0109</a>
<b>Date issued</b>	February 4, 2014
<b>Summary of findings</b>	<p>Region 6 manages field activities under the Emergency and Rapid Response Services contracts within the terms of the contract. However, our review of task order files and invoices submitted under those task orders showed that infrequent internal control reviews and inadequate staffing levels hamper Region 6's ability to prevent and detect many contract management shortcomings, such as:</p> <ul style="list-style-type: none"> <li>• Performing required annual invoice reviews.</li> <li>• Monitoring contractor adjustment vouchers.</li> <li>• Receiving prime contractor negotiated team subcontract agreements on time.</li> <li>• Correctly coding task orders in the EPA Acquisition System.</li> <li>• Performing adequate internal control reviews.</li> </ul> <p>Without adequate staffing levels, Region 6 is unable to conduct internal control reviews. Such reviews are a tool for ensuring that products comply with regulations and are consistently of high quality. Without internal control reviews, crucial aspects in the acquisition cycle cannot be assessed, and management cannot determine and properly address weaknesses and vulnerabilities.</p> <p>We identified two conditions that resulted in higher costs to the government. One prime contractor was applying a general and administrative indirect rate to its team subcontractors' other direct costs, which went against the prime contractor's proposal and indirect cost rate letter. Also, both prime contractors were receiving additional profit because the fixed labor rates negotiated between the EPA and the Emergency and Rapid Response Services prime contractors were based solely on the prime's labor rates.</p>
<b>Responsible office</b>	Region 6
<b>Recommendation open three years or more</b>	3. Direct contracting officers to require that the contractor adjust all its billings to reflect the application of the correct rate to team subcontract other direct costs.
<b>Planned completion date</b>	<p>Recommendation 3:</p> <ul style="list-style-type: none"> <li>• Upon issuance: Unresolved</li> <li>• Revised: September 30, 2024 (<i>more than ten years after report issuance</i>)</li> </ul>
<b>Report impact statement</b>	Improper application of general and administrative rates resulted in higher costs to the government.



## EPA's Endocrine Disruptor Screening Program Should Establish Management Controls to Ensure More Timely Results (3 recommendations)

<b>Report number</b>	<a href="#">11-P-0215</a>
<b>Date issued</b>	May 3, 2011
<b>Summary of findings</b>	<p>Fourteen years after passage of the Food Quality Protection Act of 1996 and Safe Drinking Water Act amendments, the EPA's EDSP has not determined whether any chemical is a potential endocrine disruptor. The EDSP has not developed a management plan laying out its goals and priorities, nor has it established outcome performance measures to track program results. The EDSP missed milestones for assay validation and chemical selection established by the 2001 Natural Resources Defense Council settlement agreement. Completed activities exceeded their targets by about 4.5 to 6 years. An EDSP manager told us that the EDSP was unaware of the complexities, resources, and time needed to validate assays until years after the 2001 settlement agreement was signed. However, the EDSP did not substantially revise its milestones for completing assay validation in its status reports to the Natural Resources Defense Council. For example, nine of 11 updates that the EPA provided to the Natural Resources Defense Council for the estrogen receptor binding assay incrementally adjusted the milestones, collectively, by a total of 4.5 years. Concerned about program progress, in 2007, Congress instituted reporting requirements and, in 2009, specified deadlines for certain EDSP activities. As a result, the EPA recently published two EDSP documents for public comment.</p> <p>We acknowledge the difficulties involved in establishing an effective endocrine disruptor screening and testing program. However, in addition to lacking a management plan and outcome measures, the EDSP has not created a final statement of policy, finalized specific procedures to evaluate Tier 1 screening results, or established specific procedures to evaluate Tier 2 testing results. The EDSP needs to develop and implement plans and performance measures to establish management control and accountability. The EDSP had planned to develop a management plan for the program but had not done so at the time of our audit.</p>
<b>Responsible office</b>	Office of Chemical Safety and Pollution Prevention
<b>Recommendation open three years or more</b>	<ol style="list-style-type: none"> <li>4. Develop short-term, intermediate, and long-term outcome performance measures, and additional output performance measures, with appropriate targets and timeframes, to measure the progress and results of the program.</li> <li>5. Develop and publish a comprehensive management plan for EDSP, including estimates of EDSP's budget requirements, priorities, goals, and key activities covering at least a 5-year period.</li> <li>6. Annually review the EDSP program results, progress toward milestones, and achievement of performance measures, including explanations for any missed milestones or targets.</li> </ol>
<b>Planned completion date</b>	<p>Recommendation 4:</p> <ul style="list-style-type: none"> <li>• Upon issuance: September 23, 2013</li> <li>• Revised: October 1, 2024 (<b>more than 13 years after report issuance</b>)</li> </ul> <p>Recommendation 5:</p> <ul style="list-style-type: none"> <li>• Upon issuance: September 23, 2013</li> <li>• Revised: December 31, 2022, and June 30, 2023 (<b>more than 12 years after report issuance</b>)</li> </ul> <p>Recommendation 6:</p> <ul style="list-style-type: none"> <li>• Upon issuance: September 23, 2013</li> <li>• Revised: June 30, 2023 (<b>more than 12 years after report issuance</b>)</li> </ul>
<b>Report impact statement</b>	The EDSP will not be able to establish an effective screening-and-testing program without establishing program control and accountability. As a result, achieving the goal of protecting human health and the environment from endocrine disruptors will continue to be delayed.

***EPA Should Revise Outdated or Inconsistent EPA-State Clean Water Act Memoranda of Agreement (1 recommendation)***

<b>Report number</b>	<a href="#">10-P-0224</a>
<b>Date issued</b>	September 14, 2010
<b>Summary of findings</b>	NPDES memorandums of agreement between the EPA and states do not ensure that the Agency has management control and effective oversight over a national program administered by states. EPA headquarters does not hold EPA regional or state offices accountable for updating their memorandums of agreement when necessary and relies on other planning and management mechanisms to exercise control over state programs. However, memorandums of agreement are critical because they are the common denominator for state-authorized programs and should represent a common baseline. Memorandums of agreement that are outdated or that are not adhered to reduce the EPA's ability to maintain a uniform program across states that meets the goals of CWA sections 101 and 402. An effective national program must maintain consistent management control and oversight of state programs.
<b>Responsible office</b>	Office of Water
<b>Recommendation open three years or more</b>	2-2. Develop a systematic approach to identify which states have outdated or inconsistent memorandums of agreements; renegotiate and update those memorandums of agreements using the memorandum of agreements template; and secure the active involvement and final, documented concurrence of headquarters to ensure national consistency.
<b>Planned completion date</b>	Recommendation 2-2: <ul style="list-style-type: none"> <li>• Upon issuance: September 28, 2018</li> <li>• Revised: September 30, 2020; September 30, 2022; and September 30, 2023 (<b>more than 13 years after report issuance</b>)</li> </ul>
<b>Report impact statement</b>	The current state of the memorandums of agreement means that the EPA cannot confirm it has effective management control over state programs, which would assure the public that Clean Water Act objectives are being achieved.

***Making Better Use of Stringfellow Superfund Special Accounts (1 recommendation)***

<b>Report number</b>	<a href="#">08-P-0196</a>
<b>Date issued</b>	July 9, 2008
<b>Summary of findings</b>	The Stringfellow special accounts had a balance of approximately \$117.8 million as of June 11, 2008. The \$70 million remaining in the accounts are to cover potential EPA cleanup costs if the responsible party—that is, California—is unable to pay. That leaves up to \$47.8 million that can be transferred to the EPA Hazardous Substance Superfund Trust Fund.
<b>Responsible office</b>	Region 9
<b>Recommendation open three years or more</b>	2. Reclassify or transfer to the Trust Fund, as appropriate, \$27.8 million (plus any earned interest less oversight costs) of the Stringfellow special accounts in annual reviews, and at other milestones including the end of fiscal year 2010, when the record of decision is signed, and the final settlement is achieved.
<b>Planned completion date</b>	Recommendation 2: <ul style="list-style-type: none"> <li>• Upon Issuance: December 31, 2012</li> <li>• Revised: September 30, 2023, and September 30, 2026 (<b>more than 18 years after report issuance</b>)</li> </ul>
<b>Report impact statement</b>	The EPA could reallocate some portion of its other Trust Fund dollars to other priority sites or needs. Alternatively, if funds are transferred to the Trust Fund, there are numerous Superfund requirements and priorities elsewhere in the United States that could be addressed by putting the approximately \$27.8 million of idle funds to better use.



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