



U.S. ENVIRONMENTAL PROTECTION AGENCY

OFFICE OF INSPECTOR GENERAL

Compendium of Unimplemented Recommendations as of September 30, 2013

Report No. 14-N-0016

November 15, 2013



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Abbreviations

CAA	Clean Air Act
CFR	Code of Federal Regulations
CHP	Contractor-held property
CSB	U.S. Chemical Safety and Hazard Investigation Board
CTS	Customer Technology Solutions
CWA	Clean Water Act
ECHO	Enforcement Compliance and History Online
EMP	Emergency Management Portal
EPA	U.S. Environmental Protection Agency
FAR	Federal Acquisition Regulation
FY	Fiscal Year
HPV	High Priority Violation
MATS	Management Audit Tracking System
NCP	National Contingency Plan
NPDES	National Pollutant Discharge Elimination System
OA	Office of the Administrator
OAM	Office of Acquisition Management
OAR	Office of Air and Radiation
OARM	Office of Administration and Resources Management
OCFO	Office of the Chief Financial Officer
OCSP	Office of Chemical Safety and Pollution Prevention
OECA	Office of Enforcement and Compliance Assurance
OEI	Office of Environmental Information
OEM	Office of Emergency Management
OIG	Office of Inspector General
OMB	Office of Management and Budget
ORD	Office of Research and Development
OSWER	Office of Solid Waste and Emergency Response
OW	Office of Water
TRIM	Total Records and Information Management

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

THE INSPECTOR GENERAL

November 15, 2013

MEMORANDUM

SUBJECT: Compendium of Unimplemented Recommendations as of September 30, 2013
Report No. 14-N-0016

FROM: Arthur A. Elkins Jr.

A handwritten signature in black ink, appearing to read "Arthur A. Elkins Jr.", is written over the printed name.

TO: Administrator
Deputy Administrator
Assistant Administrators
General Counsel
Chief Financial Officer
Associate Administrators
Regional Administrators

Attached is the semiannual *Compendium of Unimplemented Recommendations as of September 30, 2013*, prepared by the Office of Inspector General (OIG) of the U.S. Environmental Protection Agency (EPA). By statute, the OIG serves as the Inspector General for the U.S. Chemical Safety and Hazard Investigation Board (CSB) as well as the EPA. As such, this report includes information pertaining to the EPA and the CSB. This Compendium fulfills the requirement of the Inspector General Act of 1978, as amended, to prepare semiannual reports summarizing the activities of the OIG that include an identification of each significant recommendation described in previous semiannual reports on which corrective action has not been completed. The information included in part 1 of the report identifies those significant recommendations with corrective actions that have not been implemented 1 year or more past the agreed-to completion date and are past due. The information in part 2 identifies those recommendations with corrective actions that have not been completed less than 1 year past the agreed-to date or have agreed-to dates that are in the future. Corrective actions are being reported as past due if they have not been completed within 1 year of the original agreed-to date or the extended plan date established by September 30, 2011.

This Compendium is issued in conjunction with the *Semiannual Report to Congress April 1, 2013–September 30, 2013*, and as a separate report to the EPA's leadership. As part of the OIG's results-oriented culture, we perform follow-up assessments to determine whether planned actions by the EPA in response to OIG recommendations were taken. Follow-up is done in collaboration with the EPA's Office of the Chief Financial Officer and the EPA's audit follow-up coordinators. The goal is to improve overall audit management by increasing the EPA's managers' awareness of outstanding agreed-to commitments for action on OIG report recommendations. Implementing these recommendations will correct weaknesses, reduce vulnerabilities to risk, and leverage opportunities for improved performance.

The significance of audit follow-up, as described by the Office of Management and Budget (OMB) Circular A-50, is enhanced by the public's expectation for greater transparency and a heightened interest by Congress in realizing potential opportunities for improvement in the federal government. The OIG's previous Compendium reports appear to be increasing agency awareness of and action on unimplemented OIG recommendations.

The OIG identified the unimplemented recommendations listed in this Compendium based on their significance, material impact, and status in the EPA's Management Audit Tracking System, as well as others identified through OIG review. Omission of an unimplemented recommendation from this report does not lessen its value or the importance of completing the corrective action, and still warrants the full attention of the EPA.

According to OMB Circular A-50, audit follow-up is a shared responsibility between the agencies and the OIG. We will continue to identify unimplemented recommendations for attention and action, as well as remove the previously reported unimplemented recommendations when appropriate information of completion is provided. We hope that you find this tool useful in identifying ways to further improve agency operations.

If you or your staff have any questions, please contact Crystal Barrett at (202) 566-2060 or barrett.crystal@epa.gov, or Aracely Nuñez-Mattocks at (202) 566-0840 or nunez-mattocks.aracely@epa.gov.



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

THE INSPECTOR GENERAL

November 15, 2013

The Honorable Rafael Moure-Eraso, Ph.D.
Chairperson and Chief Executive Officer
U.S. Chemical Safety and Hazard Investigation Board
2175 K Street, NW, Suite 400
Washington, D.C. 20037-1809

Dear Dr. Moure-Eraso:

Enclosed is the semiannual *Compendium of Unimplemented Recommendations as of September 30, 2013*, prepared by the Office of Inspector General (OIG) of the U.S. Environmental Protection Agency (EPA). By statute, the OIG serves as the Inspector General for the U.S. Chemical Safety and Hazard Investigation Board (CSB) as well as the EPA. As such, this report includes information pertaining to the EPA and the CSB. This Compendium fulfills the requirement of the Inspector General Act of 1978, as amended, to prepare semiannual reports summarizing the activities of the OIG that include an identification of each significant recommendation described in previous semiannual reports on which corrective action has not been completed. The information included in part 3 of the report identifies those significant CSB recommendations with corrective actions that have not been implemented 1 year or more past the agreed-to completion date and are past due. The information in part 4 identifies those CSB recommendations with corrective actions that have not been completed less than 1 year past the agreed-to date or have agreed-to dates that are in the future. Corrective actions are being reported as past due if they have not been completed within 1 year of the original agreed-to completion date.

This Compendium is issued in conjunction with the *Semiannual Report to Congress April 1, 2013–September 30, 2013*, and as a separate report to the CSB's leadership. As part of the OIG's results-oriented culture, we perform follow-up assessments to determine whether planned actions by the CSB in response to OIG recommendations were taken. Follow-up is done in collaboration with the CSB managing director. The goal is to improve overall audit management by increasing the CSB managers' awareness of outstanding agreed-to commitments for action on OIG report recommendations. Implementing these recommendations will correct weaknesses, reduce vulnerabilities to risk, and leverage opportunities for improved performance.

The significance of audit follow-up, as described by the Office of Management and Budget (OMB) Circular A-50, is enhanced by the public's expectation for greater transparency and a heightened interest by Congress in realizing potential opportunities for improvement in the federal government. This Compendium report should help increase the CSB's awareness of and action on unimplemented OIG recommendations.

The OIG identified the unimplemented recommendations listed in this Compendium based on their significance, material impact, and status as reported on the spreadsheet received from the CSB on September 27, 2013, as well as others identified through OIG review. Omission of an unimplemented recommendation from this report does not lessen its value or the importance of completing the corrective action, and still warrants the full attention of the CSB.

According to OMB Circular A-50, audit follow-up is a shared responsibility between the CSB and the OIG. We will continue to identify unimplemented recommendations for attention and action, as well as remove the previously reported unimplemented recommendations when appropriate information of completion is provided. We hope that you find this tool useful in identifying ways to further improve the CSB's operations.

If you or your staff have any questions, please contact Crystal Barrett at (202) 566-2060 or barrett.crystal@epa.gov, or Aracely Nuñez-Mattocks at (202) 566-0840 or nunez-mattocks.aracely@epa.gov.

Sincerely,

A handwritten signature in cursive script, appearing to read "Arthur A. Elkins Jr.", written in black ink.

Arthur A. Elkins Jr.

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Introduction

Purpose

Section 5(a) of the Inspector General Act of 1978, as amended (5 U.S.C. App. 3), requires each Inspector General to issue semiannual reports to Congress and include “an identification of each significant recommendation described in previous semiannual reports on which corrective action has not been completed.” The Office of Inspector General (OIG) prepares the Compendium of Unimplemented Recommendations to satisfy this requirement. The Compendium highlights for the U.S. Environmental Protection Agency (EPA) and the U.S. Chemical Safety and Hazard Investigation Board (CSB) management those significant recommendations that are unimplemented 1 year or more past the date agreed upon by the EPA or the CSB and the OIG. It also provides a listing of all of the other significant recommendations with corrective actions that are less than 1 year past the agreed-to completion date or have completion dates that are in the future. This Compendium is being issued in conjunction with the OIG Semiannual Report to Congress for the reporting period April 1, 2013, through September 30, 2013. The Compendium helps agency management stay informed about the EPA’s or the CSB’s outstanding commitments, and its progress in taking agreed-upon corrective actions on OIG recommendations to improve programs and operations.

Background

Recommendations are issued by the EPA’s OIG to improve the economy, efficiency, effectiveness, or integrity of the EPA’s and the CSB’s programs and operations. Office of Management and Budget (OMB) Circular A-50, *Audit Followup*, dated September 29, 1982, affirms that corrective action taken by management on resolved findings and recommendations is essential for improving the effectiveness and efficiency of government operations. It also states that audit follow-up is a shared responsibility of agency management officials and auditors.

OMB Circular A-50 requires each agency to ensure that systems are in place for the prompt and proper resolution and implementation of audit recommendations. EPA Manual 2750, based in part on OMB Circular A-50, details the EPA’s audit management procedures. The Chief Financial Officer is the EPA audit follow-up official who has responsibility for ensuring agencywide audit resolution and implementation of corrective actions by action officials. The EPA uses the Management Audit Tracking System (MATS) to track information on the agency’s implementation of OIG recommendations. The Office of the Chief Financial Officer (OCFO) maintains and operates MATS. Report data, such as the title, issue date and recommendations, are downloaded into MATS from the Inspector General Enterprise Management System.

The Office of the Administrator, Office of General Counsel, OCFO, and each Assistant Administrator and Regional Administrator designate an audit follow-up coordinator for their respective office. Audit follow-up coordinators are responsible for quality assurance and analysis of data in the tracking system. When all corrective actions in response to recommendations in an audit report are completed and certified, the agency may inactivate that report’s MATS file, and it is no longer tracked by the audit follow-up coordinator. The agency self certifies that

corrective actions are completed. Section 5(b)(4) of the Inspector General Act of 1978, as amended (5 U.S.C. App. 3), also requires the agency to report audit reports for which final corrective action has not been taken 1 year or more after the agency's management decision (agreement with the OIG on planned corrective actions).

The CSB's managing director tracks information on the CSB's implementation of the OIG's recommendations in a spreadsheet. The CSB updates and provides the spreadsheet to the OIG on a semiannual basis. When all corrective actions for recommendations in a report have been completed, the CSB removes it from the spreadsheet.

Scope and Methodology

The work performed in this review does not constitute an audit conducted in accordance with generally accepted government auditing standards issued by the Comptroller General of the United States. Although MATS and the spreadsheet provided by the CSB were our primary sources for identifying unimplemented recommendations, we did perform additional steps to search for unimplemented recommendations that may not have been identified in MATS or the spreadsheet. We analyzed the MATS data in the system as of October 23, 2013. We did not verify the accuracy of the information reported in MATS.

We reviewed selected audit and evaluation reports issued to the EPA by the OIG from October 1, 2000, through March 31, 2013, to identify significant unimplemented recommendations for inclusion in the Compendium. However, we did not identify any significant unimplemented recommendations from fiscal years (FYs) 2002, 2003 and 2004. We reviewed reports issued to the CSB by the OIG from October 1, 2010, to March 31, 2013. We did not review recommendations from reports without an OIG agreement on the agency's proposed corrective actions. A list of the reports without a management decision can be found in Appendix 2 of the Semiannual Report to Congress.

We limited the consideration of unimplemented recommendations to those we believe were significant because they could have a material impact on the economy, efficiency, effectiveness or integrity of the EPA's and the CSB's programs and operations. For this purpose, we define significant recommendations in the following terms:

- **Economy:** Opportunity to save, prevent loss or recover at least \$500,000 in monetary costs or value.
- **Efficiency:** Improvement in the process, capacity, accessibility or delivery of program objectives and the elimination of unnecessary or unproductive actions or expenses.
- **Effectiveness:** Improvement in the quality of, or reduction in the risk to, public health and the environment.
- **Integrity:** Improvement in operational accountability, enforcement of and compliance with laws and regulations, and security of resources for public confidence.

The Compendium consists of four sections: (1) unimplemented recommendations for the EPA with past due completion dates; (2) unimplemented recommendations for the EPA with future planned completion dates; (3) unimplemented recommendations for the CSB with past due

completion dates; and (4) unimplemented recommendations for the CSB with future planned completion dates. The OIG considers a recommendation past due if the associated corrective action was not completed within 1 year of the original agreed-to date or the extended date the EPA established by September 30, 2011.

The EPA offices that have unimplemented recommendations with past due dates listed in this Compendium are:

- Office of the Administrator (OA)
- Office of Administration and Resources Management (OARM)
- Office of Air and Radiation (OAR)
- Office of the Chief Financial Officer (OCFO)
- Office of Chemical Safety and Pollution Prevention (OCSPP)
- Office of Enforcement and Compliance Assurance (OECA)
- Office of Research and Development (ORD)
- Office of Solid Waste and Emergency Response (OSWER)
- Region 2
- Region 9

The EPA offices that have unimplemented recommendations with future planned completion dates in this Compendium are:

- Office of the Administrator (OA)
- Office of Administration and Resources Management (OARM)
- Office of Air and Radiation (OAR)
- Office of the Chief Financial Officer (OCFO)
- Office of Chemical Safety and Pollution Prevention (OCSPP)
- Office of Enforcement and Compliance Assurance (OECA)
- Office of Environmental Information (OEI)
- Office of Research and Development (ORD)
- Office of Solid Waste and Emergency Response (OSWER)
- Office of Water (OW)
- Region 7
- Region 8
- Region 9
- Region 10

We anticipate that the EPA will provide updates in MATS on the status of each unimplemented recommendation to include a description of progress and an explanation of the delay in completing an agreed-to action.

Part One: Unimplemented EPA Recommendations With Past Due Completion Dates

Action Office: OARM
Report Title: EPA Should Improve Controls for Managing Contractor-Held Property
Report No.: 12-P-0388
Date Issued: 04/03/2012

Report Summary

The EPA does not have effective oversight of contractor-held property (CHP), did not accurately report CHP in its FY 2010 financial statements, and did not fully implement corrective actions from an Office of Inspector General 2006 audit report. The EPA does not have effective oversight of CHP in terms of property administration, policies and procedures over the CHP management program, and modifications to contracts with CHP. Further, the EPA incorrectly recorded CHP and reported property in the wrong funding appropriation. As a result, the EPA overstated CHP by \$34.6 million in the FY 2010 financial statements. The EPA did not fully implement corrective actions to address recommendations from our FY 2006 report, *EPA Needs to Strengthen Oversight of Government Furnished Property*. The EPA provided corrective actions, but only implemented one of two recommendations. Without accurate CHP records and proper property administration at contractor sites, the agency has no safeguards over property and could inaccurately report CHP in the financial statements. In FY 2011, the EPA addressed the accuracy of CHP and adjusted its FY 2011 financial statements for the overstatements.

Unimplemented Recommendations

Recommendation 1: We recommend that the Assistant Administrator for Administration and Resources Management quantify the universe of CHP and assign more resources to the property administration function or contract the function to ensure proper oversight and management of CHP.

Recommendation 3: We recommend that the Assistant Administrator for Administration and Resources Management develop and implement policies and procedures for the property staff that:

- a. Address how the EPA should maintain documentation to support acquisition values reported by contractors on annual property reports.
- b. Require project management officers to have knowledge of CHP in their accountable areas to ensure it is identified properly in the Fixed Assets Subsystem.
- c. Define CHP responsibilities in locations where contractors and the EPA's staff are co-located.
- d. Explain the required exchange between property and contract staffs to ensure the EPA's records property accurately in the financial statements.

Status: OARM's Office of Acquisition Management (OAM) has implemented a balanced scorecard performance measurement and management program where CHP administration will be highlighted under additional narratives beyond the quarterly assessment and management certification. This includes a self-assessment review on CHP and adding CHP as an area of increased review under the self-assessment and peer review components of the Quality Assurance Program. OAM is currently developing required performance goals against which procurement quality may be measured and tracked. It is intended that this initiative will aid in the development of approaches to create process improvements, and training as needed, based upon Quality Assurance Program review results. Corrective actions are now expected to be completed by November 30, 2013, to align with the completion of the development for required performance goals. OARM agreed to initiate the corrective actions by September 30, 2011. (These corrective actions apply to both recommendations 1 (corrective action 5) and 3 (corrective action 11).)

Recommendation 6: We recommend that the Assistant Administrator for Administration and Resources Management revise or update the milestone dates and the corrective action plan in MATS for the 2006 audit report and reference any corrective actions, and submit changes to the OIG for tracking.

Status: OARM agreed to update the corrective actions from the 2006 audit in MATS. The original agreed-to completion date was May 31, 2012.

Action Office: OA
Report Title: Early Warning Report: Use of Unapproved Asbestos Demolition Methods May Threaten Public Health
Report No.: 12-P-0125
Date Issued: 12/14/2011

Report Summary

Our preliminary research indicates that unapproved methods are currently being used or considered at multiple asbestos sites. The Hanford Superfund Site, near Richland, Washington, is one location where the use of Alternative Asbestos Control Method-like methods has been allowed by the EPA under conditions that are less restrictive than those required by the Asbestos National Emission Standards for Hazardous Air Pollutants. The EPA is also considering other unapproved methods for demolition at a gaseous diffusion plant in Paducah, Kentucky. The use of unapproved methods is counter to the EPA's regulations. The current and proposed use of unapproved methods may jeopardize the health and safety of the public.

Unimplemented Recommendations

Recommendation 5: We recommend that the EPA identify the workers that were present during the Alternative Asbestos Control Method demolition experiments and notify them according to Occupational Safety and Health Administration regulations.

Status: The Deputy Administrator assembled a team from OCSPP and OAR to review the documents with information regarding workers who were present. OA received the report from the Occupational Safety and Health Administration and it asked ORD's National Risk Management Research Lab to draft a letter notifying Alternative Asbestos Control Method participants regarding their exposure to asbestos. OA expected the review to be done by November 23, 2012. Once it is complete, OA will brief the Deputy Administrator and then send the notifications. The original agreed-to completion date was March 15, 2012.¹

¹ Subsequent to the close of our review period, October 22, 2013, OA notified us that this action was completed prior to September 30, 2013. However, this was not reflected in MATS prior to October 22, 2013.

Action Office: OECA
Report Title: EPA Must Improve Oversight of State Enforcement
Report No.: 12-P-0113
Date Issued: 12/09/2011

Report Summary

The EPA does not administer a consistent national enforcement program. Despite efforts by OECA and the EPA regions to improve state enforcement performance, state enforcement programs frequently do not meet national goals and states do not always take necessary enforcement actions. State enforcement programs are underperforming: the EPA data indicate that noncompliance is high and the level of enforcement is low. The EPA does not consistently hold states accountable for meeting enforcement standards, has not set clear and consistent national benchmarks, and does not act effectively to curtail weak and inconsistent enforcement by states.

OECA has made efforts to improve state performance and oversight consistency, but the EPA does not manage or allocate enforcement resources nationally to allow it to intervene in states where practices result in significantly unequal enforcement. As a result, state performance remains inconsistent across the country, providing unequal environmental benefits to the public and an unlevel playing field for regulated industries. By establishing stronger organizational structures, the EPA can directly implement a national enforcement strategy that ensures all citizens have, and industries adhere to, a baseline level of environmental protection. The EPA could make more effective use of its \$372 million in regional enforcement full-time equivalents by directing a single national workforce instead of 10 inconsistent regional enforcement programs.

Unimplemented Recommendation

Recommendation 4: We recommend that the Assistant Administrator for Enforcement and Compliance Assurance establish a clear and credible escalation policy for the EPA's intervention in states that provides steps that EPA will take when states do not act to ensure that the Clean Air Act (CAA), Clean Water Act (CWA), and Resource Conservation and Recovery Act are enforced.

Status: OECA is developing an escalation strategy to address state enforcement performance issues. The original agreed-to completion date was September 30, 2012.

Action Office: OARM
Report Title: Audit of EPA's Fiscal 2011 and 2010 Consolidated Financial Statements
Report No: 12-1-0073
Date Issued: 11/15/2011

Report Summary

We performed this audit to determine whether the EPA's consolidated financial statements were fairly stated in all material respects; the EPA's internal controls over financial reporting were in place; and the EPA management complied with applicable laws and regulations. We noted the following significant deficiencies:

- Regions and headquarters did not timely provide accounts receivable supporting documentation.
- The EPA did not timely bill other federal agencies for reimbursable costs.
- The EPA did not properly close general ledger accounts in its canceling Treasury symbols.
- The EPA double counted contractor-held property.
- The EPA's headquarters could not account for 1,284 personal property items.
- The EPA needs to better secure marketable securities.
- The EPA recorded earned revenue without recognizing corresponding expenses.
- The EPA is withholding payments related to the Deepwater Horizon oil spill.

We also noted a noncompliance issue involving the EPA's Oil Spill Response Account in relation to the Deepwater Horizon oil spill response. The EPA violated the Antideficiency Act in November 2010 because it made expenditures in excess of funds available.

Unimplemented Recommendation

Recommendation 9: We recommend that the Assistant Administrator for Administration and Resources Management develop and implement policies and procedures to address responsibility for the removal of the EPA property from the agency financial system when the EPA property is transferred to contractors.

Status: OARM will revise the Property Management Manual to contain clarification of the roles and responsibilities for the removal of the EPA property from the agency financial system when the EPA property is transferred to contractors by December 31, 2013. The original agreed-to completion date was June 30, 2012.

Action Office: Region 9
Report Title: Agreed-Upon Procedures Applied to EPA Grants Awarded to Summit Lake Paiute Tribe, Sparks, Nevada
Report No.: 12-2-0072
Date Issued: 11/10/2011

Report Summary

Although our transaction tests showed that labor costs claimed by the Summit Lake Paiute Tribe under the EPA grants were generally supported by timesheets, the following timekeeping issues warrant attention:

- The timekeeping process for the Indian Environmental General Assistance Program grants did not comply with Code of Federal Regulations (CFR) requirements in 2 CFR Part 225.
- A third party did not consistently verify the chairman's consent to use his signature stamp for timesheet approval.
- The tribe charged indirect labor costs as direct costs, contrary to its accounting policy.
- The tribe did not have policies and procedures for leave allocation.

As a result of the above issues, we questioned labor costs of \$96,615.

We found that the tribe was addressing some of the issues raised in the 2008 and 2009 single audits. However, additional work remains to be done on issues relating to deferred revenues and updating policies and procedures.

Unimplemented Recommendation

Recommendation 2: We recommend that the Regional Administrator, EPA Region 9, require the tribe to implement internal controls to ensure that:

- a. Employees document all hours worked in accordance with 2 CFR Part 225 requirements.
- b. The chairman's consent to use his signature stamp for timesheet approval is independently verified.
- c. Leave allocation complies with 2 CFR Part 225 requirements.

Status: The tribe established a current timesheet that documents all hours worked and implemented a new procedure on the use of the chairman's signature stamp. The tribe plans to use the Micro-Information Processing payroll computerized system for a labor allocation feature that will comply with 2 CFR Part 225 requirements. As of September 18, 2013, the tribe's financial officer and consultant had developed a process in which leave will post to the right program/grant. It is still in the finalizing stage. The original agreed-to completion date was July 31, 2012.

Action Office: OA
Report Title: EPA Progress on the 2007 Methamphetamine Remediation Research Act
Report No.: 11-P-0708
Date Issued: 09/27/2011

Report Summary

The EPA has met some, but not all, of its requirements under the Meth Act. While the EPA did publish an initial set of guidelines, *Voluntary Guidelines for Methamphetamine Laboratory Cleanup*, in August 2009, it has not yet developed plans to periodically update the guidelines as required. The EPA developed a draft multiyear research plan, but has delayed its implementation. The EPA also has no plans to convene the technology transfer conference within the required timeframe. Finally, although the EPA satisfied the requirement to conduct a study of residual effects by performing a literature review of the health impacts of chemicals remaining in meth labs, it did not transmit the required report to Congress.

According to EPA staff, the EPA has not been able to fully implement the Meth Act requirements because EPA's authorized Meth Act funding of \$3.5 million was never appropriated. As a result, the EPA's work to meet the Meth Act's requirements has been funded by resources redirected from other programs. From 2008 through January 2011, the EPA's estimated total expenditures to address the Meth Act requirements, including personnel and contract costs, were more than \$1.1 million.

The EPA has no controls in place to track legislative requirements agencywide. The EPA relies on its program offices to do so, but these program offices also do not have controls in place to track all legislative requirements.

Unimplemented Recommendation

Recommendation 3: We recommend that the Associate Administrator for Congressional and Intergovernmental Relations and the Associate Administrator for Policy develop internal controls to ensure that legislative requirements are identified and tracked, and that their status is reported to Congress as required.

Status: The EPA continues to work on developing a system to track Reports to Congress. The Office of Congressional and Intergovernmental Relations is reviewing all bills passed, and for any bill that has a report requirement, is providing a written notification from the Deputy Assistant Administrator to the lead program office, with copies to the Office of Policy and any other office that would have input on the preparation of the report. The notification also reminds the lead program to enter each report into the Action Development Process Tracker database, from which data will flow into the new Report Congress view in the Scout database. The EPA's migration to Office 365 has delayed the last step of entering the report due dates into the EPA's tracking system. This is due in part to the Office of Policy's limited information technology resources being used to manage and facilitate the migration to Office 365. The EPA's goal is for the data to be entered into a single view in the Scout database. It anticipates completing the actions by November 13, 2013. The original agreed-to completion date was September 30, 2012.

Action Office: OARM
Report Title: EPA's Contract Oversight and Controls Over Personal Computers Need Improvement
Report No: 11-P-0705
Date Issued: 09/26/2011

Report Summary

The EPA paid the Customer Technology Solutions (CTS) contractor a total of \$489,734 over an 11-month period for 3,343 seats—a standard seat includes a leased computer with accessories and technical support—not ordered by the agency during the period. In addition, EPA did not accept the contractor's monthly asset management performance self-rating for over a year because of its nonperformance in properly accounting for and tracking assets. As a result, the EPA should take action to reduce the minimum number of seats requirement in the CTS contract. If the EPA does not make changes to the CTS contract, the EPA may pay as much as \$1.4 million more through September 2012 for personal computer standard seats that it did not order, for a total potential payment of \$1.9 million for seats not ordered.

Because the EPA did not safeguard and track personal computers to ensure proper replacement and disposal in accordance with property regulations, it cannot account for 638 personal computers valued at over \$1 million. The EPA did not know the status of these personal computers, some of which may have been replaced under the CTS contract. *EPA's Personal Property Policy and Procedures Manual* outlines requirements for property staff to ensure the effective accountability, utilization and disposal of personal property. The EPA should improve controls for updating data in the fixed assets database, and should retain property acquisition documentation in accordance with retention requirements. In addition, the agency should have a separation of duties in its property staff positions and consider assigning permanent property positions.

Unimplemented Recommendation

Recommendation 2: We recommend the Assistant Administrator for Administration and Resources Management update the property manual to require the separation of duties in property staff positions and consider assigning permanent property positions throughout the agency to ensure that there are safeguards over the EPA's assets.

Status: OARM made the requested revisions to the property manual. The draft manual is under agency review. It anticipates the manual will be signed by senior management before December 31, 2013. The original agreed-to completion date was February 29, 2012.

Action Office: OARM
Report Title: EPA Should Improve Timeliness for Resolving Audits Under Appeal
Report No.: 11-P-0687
Date Issued: 09/21/2011

Report Summary

The EPA's efforts to resolve over \$55 million for audits under appeal in Regions 2 and 5 are not efficient, effective or timely. During our audit, we found that:

- Inadequate communications between audit follow-up coordinators and the EPA personnel responsible for resolving audits under appeal have resulted in inaccurate information in MATS.
- Policies and procedures for addressing audits under appeal are not complete and relevant; many of the policies for resolving audits under appeal are inconsistent.
- The EPA does not adhere to its policies for timely resolution of audits under appeal; as of September 2010, 17 of 30 audits under appeal had been in resolution for 10 to 21 years.

EPA Manual 2750 and the CFR, through 40 CFR 31.70, require that appeals be fully and fairly considered and resolved in the earliest practicable timeframe, at the lowest level possible. Because appeals are not being resolved timely, at least \$17.3 million is not available to the government. These funds could potentially be used to protect public health and the environment.

Unimplemented Recommendation

Recommendation 2: We recommend that the Assistant Administrator for Administration and Resources Management ensure that the in-process revisions to the agency's *Assistance Administration Manual* include:

- a. An update to the Office of Grants and Debarment "Closeout Policies Topics" webpage, adding EPA Order 5700.6A2 and labeling the *Closeout Policy for Grants and Cooperative Agreements* as "rescinded," "superseded," or "expired"
- b. A reference to the procedures in *EPA Manual 2750* that are outlined in recommendation 1
- c. Uniform procedures for resolving recipient disputes arising from the agency's assistance agreement audit determinations.

Status: The Office of Grants and Debarment will issue an Assistance Administration Manual chapter incorporating the uniform procedures for resolving recipient disputes arising from the agency's assistance agreement audit determinations and will post the chapter, including the link to the revised Manual 2750, on its Intranet page. The office has transitioned from using the Assistance Administration Manual and has replaced it with the Assistance Agreement Almanac that went live on its Intranet site on June 25, 2013. The Almanac references the new audit appeals rule in Section 4.7.3 and hyperlinks to the 2750 Audit Management Procedures Manual. The audit appeals rule will be issued in first quarter of FY 2014. The original agreed-to completion date was June 30, 2012.

Action Office: OCFO
Report Title: EPA Needs Workload Data to Better Justify Future Workforce Levels
Report No.: 11-P-0630
Date Issued: 09/14/2011

Report Summary

The EPA has not collected comprehensive workload data or conducted workload analysis in about 20 years. The EPA does not require program offices to collect and maintain workload data, and the programs do not have databases or cost accounting systems in place to collect data on time spent on specific mission-related outputs. Federal guidance and standards emphasize the importance of planning work to determine staffing needs. OMB guidance states that agencies should identify their workloads to help determine the proper workforce size, and federal accounting standards require that agencies establish cost accounting systems to allow them to determine resources consumed for work performed. Without sufficient workload data, program offices are limited in their ability to analyze their workloads and justify resource needs, and the EPA's Office of Budget must base budget decisions primarily on subjective justifications at a time when budgets continue to tighten and data-driven decisions are needed.

Organizations of varying sizes and missions have used workload models for years to justify resource needs. During our audit, we identified some basic concepts of workload modeling from which the EPA could benefit. The EPA would need to tailor such concepts to its own mission, structure and culture.

Unimplemented Recommendations

Recommendation 1: We recommend that the Chief Financial Officer conduct a pilot project requiring EPA organizations to collect and analyze workload data on key project activities.

Status: OCFO is working closely with EPA's air and water programs and their lead regions to refine and expand on FY 2011 pilot projects. OCFO is working to determine the specifics of how the EPA organizations should collect and analyze workload data on key project activities. OCFO created a workload analysis model for air and water permitting programs and is conducting analyses of grant and Superfund cost recovery. Action is delayed due to travel funding constraints and the government shutdown. OCFO's plans to complete the actions by December 31, 2013. The original agreed-to completion date was September 30, 2012.

Recommendation 2: We recommend that the Chief Financial Officer use information learned from the pilot and the ongoing contracted workload study to issue guidance to the EPA's program offices on:

- a. How to collect and analyze workload data.
- b. The benefits of workload analysis.
- c. How this information should be used to prepare budget requests.

Status: OCFO is revising Resource Management Directive 2520, Administrative Control of Appropriated Funds, to incorporate workload planning guidance. Due to continued

staff turnover and other work priorities, the update to Resource Management Directive 2520 is expected to be completed by March 31, 2014. The original agreed-to completion date was September 30, 2012.

Action Office: OARM
Report Title: EPA Has Not Fully Implemented a National Emergency Equipment Tracking System
Report No.: 11-P-0616
Date Issued: 09/13/2011

Report Summary

Although the EPA spent \$2.8 million as of October 2010 to develop and implement an Emergency Management Portal (EMP) emergency equipment tracking module, the EPA has not fully implemented the module, and the module suffers from operational issues. Our review of allegations in a Hotline complaint found that:

- The EPA does not fully use the EMP equipment tracking module because no EPA office with overall authority has mandated its use.
- The EPA has made no formal effort to assess functionality and cost effectiveness due to its decision to perform such assessments only after fully implementing the EMP equipment module.
- The EMP equipment module is cumbersome and slow, and may not be the most efficient and effective emergency equipment tracking alternative.

The EPA has guidance and policies that require the agency to develop and implement a plan for a national equipment tracking system. Both the OMB and EPA require performance measurement of such systems. However, the EPA has not fulfilled this requirement. In addition to the \$2.8 million it has already spent, the EPA plans to spend another \$5.5 million over the next 15 years on the EMP equipment module's maintenance. Further, the regions that are using the module continue to maintain their own tracking systems, resulting in wasted resources. Because the EPA has not fully implemented the EMP equipment module and the module is cumbersome and slow, the EPA's ability to protect public health and the environment in the event of a nationally significant incident may be impaired.

Unimplemented Recommendation

Recommendation 3: We recommend that the Deputy Administrator mandate that regions and response teams employ the national tracking system the EPA decides to use for emergency response equipment.

Status: The new system has been developed but it is not yet fully implemented. OARM has been actively working toward acquiring an agency asset management system to achieve the federal government "industry" standard since June 2010. A commercial off-the-shelf software package with asset management functionality was purchased in February 2012, with the intention of hosting it on the local Office of Administration Services Information System. As a result of shifting priorities and reduced funding, the corrective action completion date committed to in the previous audit response is no longer achievable. OARM continues to be fully committed to implementing the developed property system, but will not achieve deployment of the system until January 31, 2015. The original agreed to completion date was May 31, 2012.

Action Office: OSWER
Report Title: Revisions Needed to National Contingency Plan Based on Deepwater Horizon Oil Spill
Report No.: 11-P-0534
Date Issued: 08/25/2011

Report Summary

We received two Hotline complaints on the use of dispersants in response to the Deepwater Horizon oil spill in the Gulf of Mexico. We reviewed the steps EPA took to analyze the dispersant Corexit for inclusion on the National Contingency Plan (NCP) Product Schedule. We also determined the EPA's role in the decision to use Corexit in the response. The OIG Office of Counsel addressed a perjury allegation in one complaint.

We found that the EPA and the manufacturer of Corexit completed required steps to include Corexit products on the NCP Product Schedule. However, the EPA has not updated the Product Schedule since 1994 to include the most appropriate efficacy testing protocol. Subpart J of the NCP identifies requirements a manufacturer must meet to include a product on the Product Schedule, including efficacy results using the Swirling Flask Test. The EPA has considered revising Subpart J to change efficacy testing procedures to the more reproducible Baffled Flask Test. However, the EPA had not finalized the rulemaking before the Deepwater Horizon oil spill occurred because of competing priorities and changes in management. If the EPA had updated Subpart J, more reliable efficacy data may have been available during the oil spill.

Responders to the Deepwater Horizon oil spill could have used other dispersants, but not within the applicable window of time designated by Addendum 2 to a directive issued by the EPA and the Coast Guard. The EPA's involvement in the response included issuing Joint Directives to BP, making operational decisions, and conducting additional dispersant testing. The EPA involved senior officials in the response because (a) the agency was not prepared for the unprecedented volume and duration of dispersant use and subsea application, and (b) additional clarity was needed on roles and responsibilities in responding to a Spill of National Significance. The involvement of senior EPA officials created confusion as to who at the EPA led response efforts for dispersant use.

The OIG Office of Counsel did not find evidence supporting the perjury allegation.

We noted that EPA took proactive actions to make health and environmental data available on the agency's website throughout the spill response. Also, EPA demonstrated proactive efforts to improve emergency response plans.

Unimplemented Recommendations

Recommendation 1: We recommend that the Assistant Administrator for Solid Waste and Emergency Response develop appropriate NCP Subpart J testing revisions, including proceeding with plans in place before the Deepwater Horizon oil spill, to incorporate the most appropriate efficacy testing protocol. Develop an action plan with milestones for these and any other necessary revisions and take steps to propose NCP Subpart J revisions.

Status: The EPA is proposing regulatory revisions to the NCP's Subpart J testing requirements. The Subpart J rule is currently awaiting transmittal to OMB. The proposed rule incorporating NCP testing requirements is expected to appear in the *Federal Register*. The original agreed-to completion date was August 30, 2012.

Recommendation 3: We recommend that the Assistant Administrator for Solid Waste and Emergency Response modify the NCP Product Schedule and contingency plans to include additional information (such as testing on crude oil, subsurface dispersants application, volume and duration limits, etc.) learned from the Deepwater Horizon oil spill response and use such information to revise and update Area and Regional Contingency Plans.

Status: The EPA is proposing regulatory revisions to the Subpart J requirements for the NCP Product Schedule and contingency planning elements. The revisions will address chemical agent tests (such as dispersants) using crude oil; subsurface use of dispersants; and quantity, location and duration of chemical agent use criteria. The Subpart J rule is currently awaiting transmittal to OMB. The proposed rule incorporating NCP testing requirements is expected to appear in the *Federal Register*. The original agreed-to completion date was August 30, 2012.

Recommendation 6: We recommend that the Assistant Administrator for Solid Waste and Emergency Response review and analyze NCP Subpart J toxicity testing protocols to ensure that emergency responders have the information necessary for appropriate subsurface dispersant use for future oil spills.

Status: This issue is currently being addressed as part of the action to revise the requirements for Subpart J toxicity testing and criteria for listing dispersants on the NCP Product Schedule. When revisions to the Product Schedule requirements are complete, the Office of Emergency Management (OEM) will work on revisions to the Selection Guide and Technical Notebooks, which are made available to emergency responders, to ensure the necessary information is available for subsurface dispersant use on future oil spills. The Subpart J rule is currently awaiting transmittal to OMB. The proposed rule incorporating NCP testing requirements is expected to appear in the *Federal Register*. The original agreed-to completion date was August 30, 2012.

Recommendation 7: We recommend that the Assistant Administrator for Solid Waste and Emergency Response, as part of the action to review NCP Subpart J requirements, address the need to capture and maintain dispersant manufacturer production capacities, equipment requirements, and other necessary information to better prepare for future oil spills. Make this information widely available to the response community.

Status: OEM is in the process of developing amendments to the requirements in Subpart J of the NCP associated with the testing, listing and use of chemical agents, including dispersants, on oil spills on the waters of the United States. The proposed rulemaking containing the amendments has cleared Options Selection and is in the workgroup package development state under the agency's Action Develop Process, in compliance with the Administrative Procedures Act.

One set of elements under development in the package is proposed regulatory language that would require product manufacturers to include information on their production capabilities and equipment requirements, with their submittal to the EPA to have their product listed on the Product Schedule under Subpart J of the NCP.

OEM is also examining options on the frequency of updating this information and mechanisms for making it readily available to the response community. The preferred regulatory approach and options for collection and dissemination of the information, as recommended by the OIG, will be clearly described in the proposed regulatory text and preamble. OEM will seek public comment on the approach and options and will welcome well-supported alternatives. The Subpart J rule is currently awaiting transmittal to OMB. The proposed rule incorporating NCP testing requirements is expected to appear in the *Federal Register*. The original agreed-to completion date was August 30, 2012.

Action Office: ORD
Report Title: Office of Research and Development Should Increase Awareness of Scientific Integrity Policies
Report No.: 11-P-0386
Date Issued: 07/22/2011

Report Summary

We conducted this review to determine the process the EPA uses to address scientific/research misconduct. Specifically, we sought to determine whether the EPA's ORD has controls to address scientific integrity and research misconduct, and whether those controls are effective. We found that ORD has internal controls that include policies, procedures, training and peer review. However, ORD should improve how it evaluates the effectiveness of its policies and procedures for scientific integrity and research misconduct. Currently, ORD does not test its policies and procedures because ORD asserts that few reported instances of misconduct means that it generally does not occur. However, few identified instances of research misconduct could signal that staff lacks awareness of key criteria and reporting requirements necessary to identify and report misconduct.

Unimplemented Recommendation

Recommendation 3: We recommend that the Assistant Administrator for Research and Development continue working with the unions to update and implement the Principles of Scientific Integrity E-Training. Changes to the course should include:

- a. Making the e-training mandatory for all ORD staff.
- b. Ensuring that the updated course contains real-life examples.
- c. Creating a system for linking to current contact information for reporting instances of scientific integrity and research misconduct.

Status: The EPA's Scientific Integrity Committee is continuing efforts with unions to standardize, update and implement the Principles of Scientific Integrity E-training. ORD is working with the Office of the Science Advisor and the unions to name members of a joint work group to design, develop and deliver an agencywide training course. The original agreed-to completion date was September 30, 2012.²

² Subsequent to the close of our review period, October 22, 2013, ORD notified us that this action was completed prior to September 30, 2013. However, this was not reflected in MATS prior to October 22, 2013.

Action Office: OECA
Report Title: Agency-Wide Application of Region 7 NPDES Program Process Improvements Could Increase EPA Efficiency
Report No.: 11-P-0315
Date Issued: 06/06/2011

Report Summary

Although Region 7 National Pollutant Discharge Elimination System (NPDES) Kaizen event participants continued to follow up on the commitments and action items identified, no single authority was responsible for tracking the process improvement outcomes. Also, the EPA did not have a process to develop and track quantifiable results and outcomes from the event. Further, the EPA encountered barriers involving scope, performance measures, implementation and accountability when planning the Kaizen event. While the states and the EPA collaborated to create guidance for Kaizen events, such as the lean starter kit and primer, the EPA did not, nor was it required to, use them to assure that barriers were overcome in the execution of the Region 7 event.

The Administrator's January 2010 memorandum, "Our Top Priorities," as well as the EPA's other recent and state initiatives, discusses the need to improve internal operations and/or conduct more Kaizen events with the states to more efficiently protect the environment and public health. The Region 7 Kaizen event for the NPDES program identified three process improvements (resolution of technical issues and communication, permitting and enforcement oversight reviews of states, and annual strategic planning) and one implementation action (data collection and reporting) that can potentially be implemented in other regions. Agencywide permitting process changes could result in better communication; time and cost savings in the states; and avoidance of duplicate inspections, reviews and data reporting. Using lessons learned from the Region 7 Kaizen event can increase the potential benefits achieved in future process improvement efforts.

Unimplemented Recommendation

Recommendation 1: We recommend that the Deputy Administrator direct the Office of Water and the Office of Enforcement and Compliance Assurance to identify Region 7 process improvements that can be applied elsewhere, considering the cost and benefit of implementation. These actions include:

- a. Earlier resolution of technical issues and communication;
- b. Combining permitting and enforcement oversight reviews of the states;
- c. Implementing coordinated and integrated strategic planning nationwide for the NPDES program, including consideration of the new approaches under the CWA of 1972 action plan; and
- d. Fully implementing burden reduction initiatives identified during the event.

Status: OECA published the proposed NPDES electronic reporting rule in the *Federal Register* on July 30, 2013. A 90-day public comment period began with the publication of the rule. During this time period, OECA has been engaging in outreach presentations and

webinars for interested parties. Should there be significant comments on the rule, OECA is committed to issuing a supplemental notice, which will require additional OMB review and a subsequent public comment period. Should a supplemental rule be required, OECA anticipates the final rule would be published in May 2015. The original agreed-to completion date was September 30, 2012.

Action Office: OAR
Report Title: EPA Needs to Better Document Project Delays for Recovery Act Diesel Emissions Reduction Act Grants
Report No: 11-R-0179
Date Issued: 03/28/2011

Report Summary

While the Diesel Emission Reduction Act project officers were aware of Recovery Act grant project delays, they did not always document delays in the EPA's grants management system or, in some cases, take action to reduce the impact of project delays. To prompt quicker action from recipients on Recovery Act grants, the EPA had stated to OMB in March 2009 that all grants would have an initial project period through September 30, 2010. The EPA's goal was to have 40 percent of the Recovery Act grant funds expended by September 30, 2010, which was met. However, as of June 30, 2010, 49 grants, with a value of \$101,437,442, had less than 10 percent of the funds expended. Eighty-five percent of the grantees did not finish projects by the completion date, and the EPA granted no-cost time extensions for all those grantees. In granting the extensions, 3 of 15 grants we reviewed did not contain new timeframes for completing the projects. The EPA guidance requires timeframes to be established, and timeframes can be used to assess progress and reduce the impact of project delays.

Even though grant recipients reported project delays to the EPA in progress reports, in 10 of 15 cases reviewed, project officers did not document these delays in programmatic baseline monitoring reports. Diesel Emission Reduction Act staff believed the delays were outside the control of the recipients and that no-cost time extensions were the appropriate corrective action. However, the EPA did not take sufficient action in some cases by establishing new milestone dates and instituting corrective actions when approving grant extensions. Delayed projects may result in recipients not completing projects within specified timeframes and delayed achievement of Recovery Act objectives.

Unimplemented Recommendations

Recommendation 3: We recommend that the Assistant Administrator for Air and Radiation ensure that project officers continuously document delays in baseline and advanced monitoring reports for Recovery Act EPA Diesel Emissions Reduction Program grants. Update milestones and institute corrective action plans when delays occur.

Status: Once the baseline monitoring programmatic report has been revised by OARM, OAR will train project officers and grant specialists to use the form correctly to document delays. OAR will work with the regions to update milestones when delays occur; plans for corrective action will be used when avoidable delays occur. OAR is continuing to perform baseline and advance monitoring for Recovery Act EPA Diesel Emissions Reduction Program grants and documenting those activities in project officer files and grants databases. As necessary, OAR is initiating corrective action plans through consultation and coordination between the Office of Grants and Debarment, the Office of General Counsel and OAR's regional partners. The anticipated completion date for these actions is September 30, 2014. The original agreed-to completion date was December 31, 2011.

Recommendation 5: We recommend that the Assistant Administrator for Air and Radiation ensure that project officers, using the information in the recipient monitoring database, regularly provide reports to management on progress of projects, and status of corrective action plans until the Recovery Act grants are completed.

Status: OAR will oversee the monitoring database and the status of corrective action plans. OAR will regularly collect information on the status of Recovery Act grants, including the status of baseline monitoring and progress toward completion of projects. This information will be provided to management on a regular basis until the Recovery Act grants are completed. The anticipated completion date for these actions is September 30, 2014. The original agreed-to completion date was December 31, 2011.

Action Office: OSWER
Report Title: EPA Needs an Agency-Wide Plan to Provide Tribal Solid Waste Management Capacity Assistance
Report No.: 11-P-0171
Date Issued: 03/21/2011

Report Summary

This evaluation found that the EPA could not determine whether its efforts are assisting tribal governments in developing the capacity to manage solid waste or reduce the risks of open dumps in Indian country. The EPA's performance measures do not assess whether the agency's efforts are effective in building solid waste management capacity in Indian country. The EPA also lacks internal data controls to track the status of open dumps.

Further, the EPA does not have an agencywide plan that defines the roles and responsibilities of the EPA program offices and regions. The EPA also lacks internal controls that hold these offices accountable for providing consistent solid waste management assistance to tribes. The lack of a single, agencywide plan results in poor coordination and limited oversight, and may lead to an ineffective use of resources. As a result, the EPA cannot (1) ensure that consistent solid waste management assistance is provided, (2) accurately determine the risks of open dumps, or (3) determine whether efforts are effective nationwide.

Unimplemented Recommendations

Recommendation 1: We recommend that the Deputy Administrator develop and implement an agencywide plan for providing consistent and effective tribal solid waste management capacity assistance that is within the scope of the EPA's authority and responsibility.

Recommendation 2: We recommend that the Deputy Administrator require the agency-specific plan include:

- a. Descriptions of the roles and responsibilities for the EPA program offices and the EPA regions conducting solid waste management capacity assistance activities in Indian country;
- b. Identification of the agency resources required for providing solid waste management assistance activities;
- c. Performance measures, including both output and outcome measures, to track whether its assistance is consistent and effective in developing solid waste management capacity and reducing risks from open dumps in Indian country;
- d. Internal controls to ensure consistent data collection and consistent provision of waste management capacity assistance to tribal clients nationwide;
- e. A process to ensure coordination between the EPA program offices and regions; and
- f. A timeline specifying when the activities and outcomes outlined in the plan are expected to be accomplished.

Status: OSWER is in the process of finalizing the agencywide plan and is now incorporating recent policy decisions made. It expects the plan to be finalized by

November 15, 2013. The original agreed-to completion date was April 30, 2012.
(The corrective action applies to recommendations 1 and 2.)

Action Office: OARM
Report Title: EPA Needs Better Agency-Wide Controls Over Staff Resources
Report No.: 11-P-0136
Date Issued: 02/22/2011

Report Summary

The EPA does not enforce a coherent program of position management to assure the efficient and effective use of its workforce. While some organizational elements have independently established programs to control their resources, there is no agencywide effort to ensure that personnel are put to the best use. Prior to April 2010, the EPA had the *Position Management and Control Manual*, which required an agencywide program. However this manual was not enforced and in April 2010 it was cancelled without replacement. According to the cancellation memorandum, the manual was eliminated because OARM officials believed the EPA had other mechanisms in place to appropriately manage and control its positions. However, the other mechanisms do not provide similar effects, controls, or documentation. Without an agencywide position management program, the EPA leadership lacks reasonable assurance that it is using personnel in an effective and efficient manner to achieve mission results.

Unimplemented Recommendation

Recommendation 1: We recommend that the Assistant Administrator for Administration and Resources Management establish an agencywide workforce program that includes controls to ensure regular reviews of positions for efficiency, effectiveness, and mission accomplishment.

Status: OARM will submit the directive for final approval by September 30, 2013. The original agreed-to completion date was September 15, 2012. Also, OARM will issue the position management directive by September 30, 2013. The original agreed-to completion date was September 30, 2012.

Action Office: OCFO
Report Title: EPA Needs to Strengthen Internal Controls for Determining Workforce Levels
Report No.: 11-P-0031
Date Issued: 12/20/2010

Report Summary

The EPA's policies and procedures do not include a process for determining employment levels based on workload as prescribed by the OMB. Further, the EPA does not determine the number of positions needed per mission-critical occupation using workforce analysis as required by the Office of Personnel Management. These conditions occurred because the EPA has not developed a workload assessment methodology and has not developed policies and procedures that require identifying and reporting on the number of positions needed per mission-critical occupation. As a result, the EPA cannot demonstrate that it has the right number of resources to accomplish its mission. The Government Accountability Office and the EPA OIG have reported instances in which personnel resources were not adequately considered and, consequently, offices encountered delays or did not meet mission requirements.

The Office of Personnel Management noted that EPA's Human Capital Management Report shows evidence that EPA's work is guided by human capital goals and objectives. However, EPA's Office of Human Resources does not require that workforce planning results link to EPA's strategic and performance goals. This condition occurred because the Office of Human Resources has not clearly defined the reporting requirements needed. As a result, there is no assurance that EPA's workforce levels are sufficient to meet the workload of the agency.

Unimplemented Recommendations

Recommendation 2-1: We recommend that the Chief Financial Officer amend the Resource Management Directive 2520 and the annual planning and budget memoranda to require using workload analysis to help determine employment levels needed to accomplish agency goals.

Status: OCFO is working to amend Resource Management Directive 2520 to fully describe workload-planning needs. The revision of the directive has been delayed by OCFO to March 14, 2014 due to continued staff turnover and increased workload managing sequestered finances. The original agreed-to completion date was September 30, 2012.

Recommendation 2-2: We recommend that the Chief Financial Officer require the agency to complete a workload analysis for all critical functions to coincide with developing the strategic plan.

Status: OCFO continues to update the OIG on the progress and scope changes of the workload analysis. The last update was August 23, 2013. The original agreed-to completion date was September 30, 2012.

Action Office: OECA
Report Title: ECHO Data Quality Audit—Phase II Results: EPA Could Achieve Data Quality Rate with Additional Improvements
Report No.: 10-P-0230
Date Issued: 09/22/2010

Report Summary

We sought to assess the quality of key data elements reported through the Enforcement Compliance and History Online (ECHO) website. KPMG, LLP, performed the review. The EPA mandates that data elements reported to the public through the ECHO Website have a 95 percent accuracy rate. KPMG found a 91.5 percent data accuracy rate for key data elements entered into two primary ECHO source systems: the legacy Permit Compliance System and the newer Integrated Compliance Information System – NPDES. Although the 91.5 percent data quality rate is close to the EPA’s goal, the EPA and the state environmental offices could take additional steps to increase the quality of data reported through the ECHO website.

Unimplemented Recommendation

Recommendation 5: We recommend that the Director, Office of Compliance, within the Office of Enforcement and Compliance Assurance, complete new rules that require states to report minor facility data.

Status: OECA agreed to publish the final NPDES electronic reporting rule. OECA published the proposed NPDES electronic reporting rule in the *Federal Register* on July 30, 2013. A 90-day public comment period began with the publication of rule. During this time period, OECA has been engaging in outreach presentations and webinars for interested parties. Should there be significant comments on the rule, OECA is committed to issuing a supplemental notice, which will require additional OMB review and a subsequent public comment period. Should a supplemental rule be required, OECA anticipates the final rule would be published in May 2015. The original agreed-to completion date was September 30, 2012.

Action Office: OAR
Report Title: Key Activities in EPA's Integrated Urban Air Toxics Strategy Remain Unimplemented
Report No.: 10-P-0154
Date Issued: 06/23/2010

Report Summary

This report evaluated the public health risk from exposure to air toxics which is a concern in many urban areas. Accordingly, we conducted this evaluation to assess how the EPA tracks progress toward the goals of its 1999 Integrated Urban Air Toxics Strategy. The CAA Amendments of 1990 required the EPA to develop this strategy to reduce public health risks from air toxics emissions in urban areas.

We found that the EPA has not implemented key requirements of CAA Section 112(k), including developing emission standards for all area (smaller) source categories and submitting a second report to Congress (due in 2002) identifying urban areas that continue to experience significant public health risks from air toxics exposures. In addition, 10 years after issuing the 1999 Integrated Urban Air Toxics Strategy, the EPA has still not implemented key activities outlined in the Strategy. For example, the EPA has not established baseline risk data to measure progress in reducing air toxics risks. As a result, the EPA has not tracked progress in meeting the strategy's goals.

Further, although the EPA determined in 2001 that a risk-based program is necessary to meet the goals of the strategy, the EPA has not yet determined whether it has the statutory authority to require state and local agencies to implement such a program. Many state and local agencies do not have their own risk-based programs, and about half of the states and several local agencies have laws preventing them from implementing environmental regulations stricter than the EPA's regulations. Without the establishment of a minimum, federally required risk-based program, we do not believe that all state and local agencies will implement programs to adequately address the health risks from urban air toxics.

The EPA's last risk assessment, based on 2002 data, estimated that 1 in every 28,000 people could develop cancer from air toxics exposure, and that 2 million Americans live in areas with lifetime cancer risks from air toxics in excess of 1 in 10,000. Given the length of time since the Integrated Urban Air Toxics Strategy was developed and the problems the EPA has encountered in its implementation, the EPA should reassess and update its approach to addressing urban air toxics.

Unimplemented Recommendations

Recommendation 2-1: We recommend that the Assistant Administrator for Air and Radiation develop and submit the required second Urban Air Toxics Report to Congress by the end of FY 2010. This report should:

- a. Disclose the current status and progress made in meeting Section 112(k) of the Clean Air Act;

- b. Identify the urban areas that continue to experience high or unacceptable health risks from cancer and noncancer effects, and how the EPA plans to reduce risks in these areas;
- c. Address the major factors that have hindered implementation of the Integrated Urban Air Toxics Strategy, and how the EPA plans to address these factors;
- d. Provide details on how the agency intends to meet the CAA Section 112(k) requirement that at least 10 percent of Section 112 funds to go to state or local agencies to support strategies to address air toxics emissions from area sources; and
- e. Disclose air toxics requirements that the agency is unable to meet through its current authorities.

Status: OAR has developed the Urban Air Toxics report and is circulating it for review. The review is expected to be completed by December 31, 2013. The original agreed-to completion date was December 15, 2011.

Recommendation 2-2: We recommend that the Assistant Administrator for Air and Radiation determine how the agency will measure progress in meeting the goals of the strategy. If the Assistant Administrator determines that the development and maintenance of a 1990 or similar baseline is not cost effective, the EPA should develop and inform Congress of the agency's alternative measures for assessing its progress in meeting the intent of the statutory goals.

Status: OAR has developed the Urban Air Toxics report which also addresses this recommendation. The report is circulating it for review. Review is expected to be completed by December 31, 2013. The original agreed-to completion date was September 15, 2011.

Action Office: OCSPP
Report Title: EPA Needs a Coordinated Plan to Oversee Its Toxic Substances Control Act Responsibilities
Report No.: 10-P-0066
Date Issued: 02/17/2010

Report Summary

The EPA does not have integrated procedures and measures in place to ensure that new chemicals entering commerce do not pose an unreasonable risk to human health and the environment. We found that the EPA's New Chemicals Program had limitations in three processes intended to identify and mitigate new risks – assessment, oversight and transparency. The program is limited by an absence of test data and a reliance on modeling because the Toxic Substances Control Act does not require upfront testing as part of a Premanufacture Notice submission. Premanufacture Notice submitters are required to submit health and safety data in their possession and a description of data known to or reasonably ascertainable by the submitter at the time of its submission. Nonetheless, the majority of Premanufacture Notice submissions do not include chemical toxicity or environmental fate data. Oversight of regulatory actions designed to reduce known risks is a low priority, and the resources allocated by the EPA is not commensurate with the scope of monitoring and oversight work. In addition, the EPA's procedures for handling confidential business information requests are predisposed to protect industry information rather than to provide public access to health and safety studies.

The EPA's Office of Pollution Prevention and Toxics and OECA's respective performance measures for managing risks from new chemicals do not accurately reflect program performance in preventing risk, nor do they assure compliance. In cases where full information does not exist or analyses are limited, the Office of Pollution Prevention and Toxics reports the new chemicals as not having risk, while the limitations in the measure are not disclosed. OECA's performance measure is not outcome based; rather, the measure tracks program activities.

Unimplemented Recommendation

Recommendation 2-5: We recommend that the Assistant Administrator for Chemical Safety and Pollution Prevention develop a more detailed Toxic Substances Control Act confidential business information classification guide that provides criteria for approving confidential business information coverage and establishes a time limit for all confidential business information requests to allow for eventual public access to health and safety data for chemicals.

Status: OCSPP will propose regulation(s) to establish sunset provisions for confidential business information claims. On January 15, 2013, OCSPP informed the OIG of the delay in completing this corrective action due to further senior management discussions leading to a decision to develop a more complex and comprehensive rule. OCSPP expects the publication of the proposed rule by January 31, 2015. The original agreed-to completion date was January 31, 2012.

Action Office: OCFO
Report Title: Audit of EPA's Fiscal 2009 and 2008 (Restated) Consolidated Financial Statements
Report No.: 10-1-0029
Date Issued: 11/16/2009

Report Summary

We rendered an unqualified opinion on the EPA's consolidated financial statements for FYs 2009 and 2008 (restated), meaning that they were fairly presented and free of material misstatement. The OIG noted the following three material weaknesses:

- The EPA understated accounts receivable for FY 2008.
- The EPA understated unearned revenue.
- Improvement is needed in billing costs and reconciling unearned revenue for Superfund state contract costs.

We also noted the following eight significant deficiencies:

- The EPA misstated uncollectible debt and other related accounts.
- The EPA needs to improve billing and accounting for accounts receivable.
- Headquarters property items were not inventoried.
- The EPA should improve its financial statement preparation process.
- Unneeded funds were not deobligated timely.
- Improvement is needed in managing data system user accounts.
- Las Vegas Finance Center needs improved physical access controls.
- CTS equipment needs improved planning.

We noted one noncompliance issue, involving the EPA's need to continue efforts to reconcile intra-governmental transactions.

Unimplemented Recommendations

Recommendation 27: We recommend that the Office of the Chief Financial Officer ensure that all new financial management systems (including the Integrated Financial Management System replacement system) and those undergoing upgrades include a system requirement that the fielded system include an automated control to enforce separation of duties.

Status: The Office of Financial Management's Financial Policy and Planning staff and Office of Technology Solutions (with Applications Management Staff) planned to take action to develop and implement a procedure, linked to OEI's System Life Cycle Management procedures, that ensures all new financial management systems and those undergoing upgrades include a system requirement for the fielded system to include an automated control to enforce separation of duties. OCFO has made significant strides to complete corrective actions associated with the segregation of duties issue noted during the FY 2009 financial statement audit. The agency has implemented a segregation of duties policy, and detective system controls do exist. However, the EPA has not

implemented automated separation of duties controls throughout the entire Compass financial management system to enforce separation of duties. OCFO has not provided a new planned completion date to implement these automated controls across the entire Compass financial management system. The original agreed-to completion date was September 30, 2010.

Recommendation 32: We recommend that the Office of the Chief Financial Officer ensure that all new financial management systems (including the Integrated Financial Management System replacement system) and those undergoing upgrades include a system requirement that the fielded systems have an automated control in place to provide a failsafe that links to the Human Resources data to identify and disable terminated/transferred personnel in the system in a timely manner.

Status: OCFO has not implemented any corrective actions in response to this recommendation. OCFO has indicated that no further actions have been taken due to reevaluation of the business case for a new human resources system. The original agreed-to completion date was September 30, 2010.

Action Office: OECA
Report Title: EPA Oversight and Policy for High Priority Violations of Clean Air Act Need Improvement
Report No.: 10-P-0007
Date Issued: 10/14/2009

Report Summary

High Priority Violations (HPVs) were not being addressed in a timely manner because regions and states did not follow the HPV policy, the EPA headquarters did not oversee regional and state HPV performance, and regions did not oversee state HPV performance. According to EPA data, about 30 percent of state-led HPVs and about 46 percent of EPA-led HPVs were unaddressed after 270 days. This can result in significant environmental and public health impacts.

Regions are not ensuring that sources receive notices of violation within 60 days. None of the regions reviewed held meetings with their states after HPVs had been unaddressed for 150 days to discuss case strategy. Several states addressed HPVs with informal rather than formal enforcement actions. EPA headquarters did not use the “Watch List” and trend reports to assess performance of regions and states in addressing HPVs. The regions did not ensure that state-led HPVs are addressed in a timely manner by taking over delinquent state HPV cases. Regions also did not always ensure that states entered accurate data into the Air Facility System database. Although EPA noted some of these deficiencies, it has not developed a plan to correct them.

The EPA regions reviewed generally conducted status meetings with states to discuss HPVs. Also, the EPA implemented the State Review Framework as a means to better evaluate the performance of its CAA compliance and enforcement programs.

Unimplemented Recommendation

Recommendation 2: We recommend that the Assistant Administrator for Enforcement and Compliance Assurance revise the HPV policy to (1) require specific oversight steps and remedies for HPVs that are unaddressed after 270 days, including taking over selected state HPV cases that have not been addressed in a timely manner, especially cases in states that have no administrative process; and (2) include a section detailing the roles and responsibilities of the EPA headquarters and regions, the states, and local agencies.

Status: OECA is working with a number of state partners and completed work on a revised policy on August 30, 2013. However, the agency believes it is important and appropriate to provide all states the opportunity to comment on the policy and to suggest changes before formal issuance of the policy. The EPA plans to formally issue the revised policy in March 2014. Once the HPV Policy revision is final, OECA will work with regions and states on an HPV management report that adapts to the new policy and that will serve as the tool for the EPA and states to use to manage the HPV process. The HPV management report will be provided no later than June 30, 2014. The original agreed-to completion date was September 1, 2012.

Action Office: OARM
Report Title: Review of Hotline Complaint on Employee Granted Full-Time Work-at-Home Privilege
Report No.: 10-P-0002
Date Issued: 10/07/2009

Report Summary

We found an unauthorized, full-time work-at-home arrangement that has existed for 9 years and allows a National Enforcement Training Institute employee to work from home in Ohio instead of an office in Washington, D.C. The employee and position were originally located in the Washington area and the employee later moved as the result of a spouse transfer. In our opinion, the National Enforcement Training Institute's actions are for the benefit of a single employee as opposed to being primarily in the interest of the government, and this action was not equitably provided within the institute. The EPA has no established or consistent policy, procedure or criteria for granting full-time work-at-home privilege, and appears to be preferentially available to only a few employees. Neither OARM nor the National Enforcement Training Institute has any written documentation showing the government interest in or appropriateness of making this arrangement, or that senior OARM officials approved this action.

Office of Human Resources personnel (Associate Deputy Director of Program Management and Communications and the agency telework coordinator) stated that the EPA became aware of similar arrangements due to research it performed for an unrelated court case. OARM raised concerns about equity in such arrangements, and believes this must be brought under control. To date, OARM has not corrected this situation.

Unimplemented Recommendations

Recommendation 1: We recommend that the Deputy Administrator assign responsibility for authorizing all non-OARM geographically separate duty station changes to the Assistant Administrator for OARM.

Recommendation 2a: We recommend that the Assistant Administrator for Administration and Resources Management establish and implement agency policy for all of the EPA's employees, clearly articulating the process and procedures for changing an employee's duty station to a location geographically separate from the position of record. This policy should include eligibility criteria for positions and personnel, records management requirements, periodic review and reauthorization, verification of correct pay rate (locality and grade), and specific approvals required from initial submission to final approval to ensure equity. The policy should require the Assistant Administrator for OARM to be the final decision authority for all geographically separate duty station locations authorizations except those duty station location changes initiated within OARM.

Status: OARM has been working to address the official worksite designation issue for situations where employees are assigned to geographically separate locations. As OARM anticipated, it has taken time to build the considerable cross program and regional support that it believes is needed to effectively implement the final policy. OARM informed the

OIG that it continues to aggressively coordinate across the agency's program and regional offices to develop and finalize the telework policy that formalizes procedures for changing an employee's duty station to a location geographically separate from the position of record. OARM expects to complete the final telework policy by July 1, 2014. The policy will include a directive clearance review process and the agency negotiation process with the unions. The agency continues to be in the negotiation process with the unions. The original agreed-to completion date was June 20, 2011. (The corrective actions apply to recommendations 1 and 2a.)

Action Office: OARM
Report Title: EPA Plans for Managing Counter Terrorism/ Emergency Response Equipment and Protecting Critical Assets Not Fully Implemented
Report No.: 09-P-0087
Date Issued: 01/27/2009

Report Summary

On April 26, 2006, we issued an audit report, *EPA Needs to Better Implement Plan for Protecting Critical Infrastructure and Key Resources Used to Respond to Terrorist Attacks and Disasters*. It contained findings and recommendations for improving the implementation of the initiatives in the EPA's Critical Infrastructure and Key Resources Protection Plan and managing its Counter Terrorism/Emergency Response equipment. A follow-up audit was warranted, given the nature and importance of the prior report recommendations. We conducted this audit to determine whether the EPA effectively implemented corrective actions to address findings and recommendations in our previous report. The EPA has progressed in implementing the Counter Terrorism/Emergency Response initiatives, but is behind schedule in implementing the Radiation Ambient Monitoring System. The EPA has not fully implemented a national equipment tracking system. Not having a functional national system to track and manage equipment may impair the EPA's ability to protect public health and the environment in the event of another terrorist attack or other nationally significant incident.

Unimplemented Recommendation

Recommendation 4-1(b): We recommend that the Assistant Administrators for Solid Waste and Emergency Response and for Air and Radiation, in conjunction with the OCFO, review the information in MATS for the prior audit and ensure it is accurate, current, and complete for the remaining corrective actions to upgrade facility and hardware to analytical lab in Las Vegas, Nevada.

Status: In the EPA's April 23, 2009, response to the final OIG audit report, OARM was designated as the action official for the implementation of this recommendation. OARM agreed to construct a new lab in Las Vegas. OARM has since reorganized its laboratory structure and rather than constructing a new facility in Las Vegas, it is in the process of relocating OAR's laboratory functions performed by the Radiation and Indoor Environment Laboratory in Las Vegas to Montgomery, Alabama. The Facilities Management and Services Division within OARM's Office of Administration has the responsibility for the completion of this action. OARM's planned milestone date for the relocation of the lab is April 30, 2015. The original agreed-to completion date was June 30, 2011.

Action Office: Region 2
Report Title: Environmental Justice Concerns and Communication Problems Complicated Cleaning Up Ringwood Mines/Landfill Site
Report No.: 2007-P-00016
Date Issued: 04/02/2007

Report Summary

We did not find evidence to indicate that the EPA's actions or decisionmaking to investigate or remediate environmental conditions at the Ringwood Mines/Landfill site were affected by the area's racial, cultural or socioeconomic status. However, residents living near the site continue to believe they were unfairly treated because of their racial makeup and socioeconomic status. Several residents believe their health was adversely affected by exposure to site contamination. Ringwood residents said that multiple cleanups at the site beginning in 1987, and a lack of effective communication with EPA Region 2, contributed to this perception. Additionally, residents believe that EPA is pursuing the current activity because of outside pressures. Region 2 plans to address environmental justice concerns by cleaning up the site.

Problems with communications and relationships impeded effective cooperation between EPA and residents. Although Region 2 has increased its community relations efforts at the site, the new community relations plan being prepared must address these impediments.

Unimplemented Recommendation

Recommendation 2-1: We recommend that the Regional Administrator, Region 2, address the Ringwood community's perception of unfair treatment and concerns regarding completely cleaning up the site by directing his staff to ensure that the new record of decision includes a detailed comparison of current and prior site investigations and cleanups.

Status: Region 2 presented its remedy for the Ringwood site to the National Remedy Review Board on June 25, 2013. Region 2 allowed for time to address possible concerns from the National Remedy Review Board review and issued to the public EPA's proposed plan for the site on September 30, 2013. In anticipation of substantial public comment on the proposed plan, Region 2 expects to issue the Record of Decision for the site by June 30, 2014. The original agreed-to completion date was June 30, 2012.

Action Office: OSWER
Report Title: EPA Needs to Plan and Complete a Toxicity Assessment for the Libby Asbestos Cleanup
Report No.: 2007-P-00002
Date Issued: 12/05/2006

Report Summary

In our limited review, we identified the following significant issues that we believe are critical to a successful cleanup in Libby, Montana.

- The EPA has not completed a toxicity assessment of amphibole asbestos necessary to determine the safe level for human exposure; therefore, the EPA cannot be sure that the Libby cleanup sufficiently reduces the risk that humans may become ill or, if ill already, get worse.
- The EPA's public information documents *Living with Vermiculite* and *Asbestos in Your Home* are inconsistent about safety concerns.

Unimplemented Recommendation

Recommendation 1: We recommend that the EPA fund and execute a comprehensive amphibole asbestos toxicity assessment to determine (1) the effectiveness of the Libby removal actions, and (2) to determine whether more actions are necessary. The toxicity assessment should include the effects of asbestos exposure on children. The EPA Science Advisory Board should review the toxicity assessment and report to the OA and the Libby Community Advisory Group whether the proposed toxicity assessment can sufficiently protect human health.

Status: The EPA's plan for the Libby Superfund site includes a human health risk assessment which will address all areas of the Libby site (e.g., residential, commercial and recreational areas, etc.). This human health risk assessment requires two components: (1) a toxicological assessment of Libby Amphibole Asbestos being led by ORD in collaboration with Region 8, and (2) a site-specific exposure assessment being conducted by Region 8. Substantial progress has been made on both components. The draft toxicological review for Libby Amphibole Asbestos was released to the public by the EPA in August 2011. The EPA's Science Advisory Board provided their expert peer review of the draft Integrated Risk Information System Toxicological Review for Libby Amphibole Asbestos to the EPA Administrator on January 30, 2013. The EPA is currently revising the draft toxicological review based on comments from the EPA Science Advisory Board. In addition to document revisions, EPA is conducting further analyses. Depending on the scope of the revisions, there may be a need for further public comment/peer review. Thus, the schedule for completion remains highly uncertain. Laboratory toxicity studies for the Libby Amphibole Asbestos are being conducted by EPA's National Health and Environmental Effects Research Laboratory. Work is complete and results published for four of seven studies. Laboratory work continues for the remaining studies, which are fully funded and expected to be complete in 2014. A final report summarizing the laboratory toxicity research is anticipated to be completed by September 30, 2015. The original agreed-to completion date was September 30, 2012.

Action Office: OCFO
Report Title: EPA Can Better Manage Superfund Resources
Report No.: 2006-P-00013
Date Issued: 02/28/2006

Report Summary

We provide answers to congressional questions about the EPA's Superfund program expenditures. We also identify numerous opportunities for the EPA to more effectively manage its existing Superfund resources and its program, and direct more resources to cleanup. The EPA needs to overcome challenges in accounting for Superfund resources, understanding the program's resource needs, and decentralized management of the Superfund program.

Several obstacles have prevented the EPA from efficiently and effectively managing the Superfund program for performance and adequately accounting for Superfund resources. The EPA has been unable to allocate and manage Superfund resources for cleanup as efficiently and effectively as possible because of the way the agency accounts for program resources, manages by functions, supplements the program with other funds, relies on an outdated workload model, and maintains unliquidated Superfund obligations and funds in special accounts. Closely aligning offices that support the Superfund program and that produce program performance and cost data have been limited because the EPA disperses the responsibility for allocating and managing program resources.

Unimplemented Recommendation

Recommendation 2-3: We recommend that the EPA should agree to define costs in a manner that supports management decision making and improve their accounting of such resources to maximize achieving program goals.

Status: OCFO will update the Funds Control Manual to describe the use of the Superfund Cost Recovery Package Imaging and On-Line System in tracking all Superfund site cleanup-related costs. As of September 30, 2012, the updated Funds Control Manual was in the review process. After the agency review is completed, the manual will be sent to OMB for final approval. The anticipated completion date is March 31, 2014. The original agreed-to completion date was October 31, 2011.

Action Office: OECA
Report Title: Limited Knowledge of the Universe of Regulated Entities Impedes EPA's Ability to Demonstrate Changes in Regulatory Compliance
Report No.: 2005-P-00024
Date Issued: 09/19/2005

Report Summary

We found that OECA has limited knowledge of the diverse regulated universe for which it maintains responsibility. OECA has not updated its universe table since generating it in 2001, even though some universe figures for reviewed program areas have changed substantially. The EPA has used the 2001 table as a source for describing the size of its regulated universe in public documents. Various data quality issues impact OECA's ability to adequately identify the size of its regulated universe and associated compliance information. OECA concentrates most of its regulatory activities on large entities and knows little about the identities or cumulative impact of small entities. OECA cannot effectively use universe figures to assist with its regulatory activities. OECA does not develop programmatic compliance information, adequately report on the size of the universe for which it maintains responsibility, or rely on universe figures to assist with planning.

OECA's limited universe knowledge prevents it from determining overall compliance levels in five of the six regulatory program areas we reviewed. This hinders OECA's ability to generate valid programmatic compliance information and effectively determine program success. In addition, OECA lacks adequate transparency in publicly reporting some currently available compliance information.

Unimplemented Recommendation

Recommendation 2-4: We recommend that the Assistant Administrator for Enforcement and Compliance Assurance develop an objective of having the most up-to-date and reliable data on all entities that fall under its regulatory responsibility. OECA should adopt the goals of requiring states to track, record, and report data for entities over which the states have regulatory responsibility. To achieve this goal, OECA should develop a multi-state, multi-program pilot program of collecting data that states track, record, verify, and report.

Status: OECA published the proposed NPDES electronic reporting rule in the *Federal Register* on July 30, 2013. A 90-day public comment period began with the publication of rule. During this time period, OECA has been engaging in outreach presentations and webinars for interested parties. Should there be significant comments on the rule, OECA is committed to issuing a supplemental notice, which will require additional OMB review and a subsequent public comment period. Should a supplemental rule be required, OECA anticipates the final rule would be published in May 2015. The original completion date for the corrective action was September 30, 2012.

Action Office: OAR
Report Title: Substantial Changes Needed in Implementation and Oversight of Title V Permits If Program Goals Are To Be Fully Realized
Report No: 2005-P-00010
Date Issued: 03/09/2005

Report Summary

Our analysis identified concerns with five key aspects of Title V permits, including (1) permit clarity, (2) statements of basis, (3) monitoring provisions, (4) annual compliance certifications, and (5) practical enforceability. Collectively, these problems can hamper the ability of the EPA, state and local regulators, and the public to understand what requirements sources are subject to, how they will be measured, and ultimately to hold sources accountable for meeting applicable air quality requirements. Factors such as extensive use of incorporation by reference; failure to fully cite applicable regulations; complex permit format; and lack of detail in source requirements for testing, monitoring and reporting had a negative impact on permit clarity. Also, the practical enforceability of some permits was limited by vague permit language and insufficient monitoring provisions. Further the EPA's guidance is needed in each of these Title V permitting program elements.

The EPA's oversight and guidance of Title V activities have resulted in some improvements in Title V programs; however, areas of further improvement remain. Many Title V programs have improved as a result of the EPA's issuing formal notices of deficiency, and through the EPA's efforts to obtain commitment letters from selected state and local permitting authorities. However, some of the EPA regions have been slow in issuing program evaluation reports for permitting authorities within their respective regions, and have not responded to public petitions against Title V permits in a timely manner. For example, of the 31 state and local agency Title V evaluations completed, the EPA regions have only reported on 14 agencies. Several stakeholders expressed a need for an increase in the EPA's guidance and oversight.

Unimplemented Recommendations

Recommendation 2-1: We recommend that the Assistant Administrator for Air and Radiation develop and issue guidance or rulemaking on annual compliance certification content, which requires responsible officials to certify compliance with all applicable terms and conditions of the permit, as appropriate.

Status: Based on recommendations from the CAA Advisory Committee Task Force on Title V Implementation, the Office of Air Quality Planning and Standards has begun developing a guidance document that will include, among other topics, guidance on compliance certifications. The guidance document is delayed because of the limited resources being focused on Title V Permit Petitions, New Source Review rulemaking, and Greenhouse Gas-related rulemaking. OAR plans to have the actions completed by December 31, 2013. The original agreed-to completion date was August 30, 2011.

Recommendation 2-3: We recommend that the Assistant Administrator for Air and Radiation develop nationwide guidance or rulemaking, as appropriate, on the contents of statements of basis, which includes discussions of monitoring, operational requirements, regulatory applicability determinations, explanations of any conditions from previously issued permits that are not being transferred to the Title V permit, discussions of streamlining requirements, and other factual information, where advisable, including a listing of prior Title V permits issued to the same applicant at the plant, attainment status, and construction, permitting, and compliance history of the plant.

Status: OAR will work with the regions to disseminate information about the positions the EPA has taken on statements of basis in response to citizen program and permit petitions. OAR will also develop a plan for identifying and sharing with permitting agencies those statements of basis that represent “best practices.” This effort will be included in guidance documentation for recommendation 2-1. The guidance document is delayed because of the limited resources being focused on Title V Permit Petitions, New Source Review rulemaking, and Greenhouse Gas-related rulemaking. OAR plans to have the actions completed by December 31, 2013. The original agreed-to completion date was August 30, 2011.

Action Office: OECA
Report Title: State Enforcement of Clean Water Act Discharges Can Be More Effective
Report No.: 2001-P-00013
Date Issued: 08/14/2001

Report Summary

The objective of the audit was to determine whether state enforcement of CWA discharge programs protect human health and the environment. This audit resulted from concerns over the effectiveness of state enforcement programs. The OIG believes that state enforcement programs could be much more effective in deterring noncompliance with discharge permits and, ultimately, improving the quality of the nation's water. EPA and the states have been successful in reducing point source pollution since the CWA passed in 1972. However, despite tremendous progress, nearly 40 percent of the nation's assessed waters are not meeting the standards states have set for them. The state enforcement strategies we evaluated needed to be modified to better address environmental risks, including contaminated runoff. Contaminated runoff, including agricultural and urban runoff, was widely accepted as causing the majority of the nation's remaining water quality problems. Although many sources of contaminated runoff were regulated, some were not. OECA had set national enforcement priorities for urban and agricultural runoff, including storm water dischargers, sewer overflows, and concentrated animal feeding operations. However, its core program and monitoring systems have emphasized major industrial facilities and larger sewage treatment plants.

Unimplemented Recommendations

Recommendation 3-1: We recommend that the Assistant Administrator for Enforcement and Compliance Assurance make modernizing the Permit Compliance System a high priority. Further, ensure that future systems: (a) require electronic submission and evaluation of self-monitoring reports for all dischargers, including minor facilities and storm water; and (b) track storm water permits, inspections, compliance rates, and enforcement actions.

Recommendation 3-2: We recommend that the Assistant Administrator for Enforcement and Compliance Assurance accelerate the development of the Interim Data Exchange Format for the Permit Compliance System. Also, before proceeding further into design and development, work with the Office of Water to ensure there is an up-to-date policy statement for water system criteria.

Status: OECA published the proposed NPDES electronic reporting rule in the *Federal Register* on July 30, 2013. A 90-day public comment period began with the publication of rule. During this time period, OECA has been engaging in outreach presentations and webinars for interested parties. Should there be significant comments on the rule, OECA is committed to issuing a supplemental notice, which will require additional OMB review and a subsequent public comment period. Should a supplemental rule be required, OECA anticipates the final rule would be published in May 2015. The original completion date for these corrective actions was September 30, 2012. (The corrective action applies to recommendations 3-1 and 3-2.)

Part Two: Unimplemented EPA Recommendations With Future Planned Completion Dates

Action Office: OARM and OSWER

Report Title: EPA Should Increase Fixed-Price Contracting for Remedial Actions

Report No.: 13-P-0208

Date Issued: 03/28/2013

Recommendations

Recommendation 1: We recommend that the Assistant Administrator for the Office of Administration and Resources Management:

- a. Require that written acquisition plans for future cost-reimbursement Remedial Action Contract contracts be approved by the Head of the Contracting Activity.

Planned Corrective Actions: OARM and OSWER plan to have a policy outlining the governance structure for Acquisition Plan review and approval, including establishment of a Contract Review Board.

Agreed-to Completion Date: December 31, 2013

- b. For current cost reimbursement Remedial Action Contract contracts, at the end of the base period, require written acquisition plans be prepared and approved by the Head of the Contracting Activity

Planned Corrective Action: Once the governance structure is in place, strategy development with regard to existing contract off-ramps and transitions to any new vehicles is anticipated to commence.

Agreed-to Completion Date: March 31, 2014

Recommendation 2: We recommend the Assistant Administrators for both the Office of Administration and Resources Management and the Office of Solid Waste and Emergency Response develop performance measures for each region for the use of fixed-price contracts and task orders for remedial actions. The performance measures should be implemented in a way that holds the regions accountable (both the Superfund program staff and contracting staff) for decreasing the use of high risk contracts and task orders.

Planned Corrective Actions: OARM and OSWER plan to award Superfund Multiple Award Contracts on September 30, 2014. Metrics for evaluating and tracking Remedial Action Contract requirements in terms of competition, contract type, etc. will be developed as part of the implementation of the Remedial Action Contract, and collection of data will commence.

Agreed-to Completion Date: September 30, 2014

Recommendation 3: We recommend the Assistant Administrators for both the Office of Administration and Resources Management and the Office of Solid Waste and Emergency Response, as part of the implementation of the Contracts 2010 Strategy, provide training to both Superfund program and contracting staff on how and when less risky contracts and task orders should be used in the Superfund remedial program.

Planned Corrective Action: OARM and OSWER will provide training to both Superfund program and contracting staff. The training will include how to document the analysis leading up to the contract type selection.

Agreed-to Completion Date: November 30, 2013

Recommendation 4: We recommend the Assistant Administrators for both the Office of Administration and Resources Management and the Office of Solid Waste and Emergency Response determine whether staffing changes are needed in each region to ensure that staff have the skills to manage the increased use of fixed-price contracts and task orders, and develop a plan for addressing the staffing needs.

Planned Corrective Action: OARM and OSWER anticipate any resource alignment or requirements resulting from the Centers of Expertise and Remedial Action Contract will be identified by September 30, 2014. How any alignment or requirement needs will be implemented is subject to budget and other resource constraints.

Agreed-to Completion Date: September 30, 2014

Action Office: Region 7

Report Title: Review of Hotline Complaint Regarding Residential Soil Contamination in Cherryvale, Kansas

Report No.: 13-P-0207

Date Issued: 03/28/2013

Recommendations

Recommendation 1: We recommend that the Regional Administrator, Region 7, review all site records, including logbooks, to determine whether all imminent and substantial endangerment to public health at the National Zinc Company site was identified and addressed. To support the region's determination:

- a. Revise or prepare an addendum to the Removal Action Summary Report. Provide any logbook pages, field sheets, site sketches, corrections, and any other missing documentation needed to provide a complete and accurate account of all properties identified, addressed and excavated during the removal action.
- b. Fully document and timely communicate any actions taken in response to issues identified in this report to the public.

Planned Corrective Actions: Region 7 agreed to update the Comprehensive Environmental, Response, Compensation and Liability Act site file by adding the log books and property tables, and preparing an addendum to the Removal Action Summary Report. In updating the file, should additional actions at the site be deemed necessary, Region 7 will fully document and timely communicate any issues with the public.

Agreed-to Completion Date: December 31, 2013

Recommendation 2: We recommend that the Regional Administrator, Region 7, as needed, work with the Kansas Department of Health and Environment to ensure appropriate action is taken to respond to any imminent and substantial endangerment to public health at the National Zinc Company site.

Planned Corrective Actions: Region 7 agreed to update the site file, as noted in recommendation 1, should additional actions at the site be deemed necessary. Region 7 will work with the Kansas Department of Health and Environment. In accordance with the National Contingency Plan, Region 7 will continue to coordinate with its state counterparts.

Agreed-to Completion Date: December 31, 2013

Recommendation 3: We recommend that the Regional Administrator, Region 7, document the costs to develop and implement the actions in recommendations 1 and 2.

Planned Corrective Action: Region 7 agreed to document costs incurred in responding to recommendations 1 and 2.

Agreed-to Completion Date: December 31, 2013

Action Office: Region 10
Report Title: Audit of American Recovery and Reinvestment Act-Funded Cooperative Agreement 2S-96099601 Awarded to the Idaho Department of Environmental Quality
Report No.: 13-R-0206
Date Issued: 03/28/2013

Recommendations

Recommendation 3: We recommend that the Regional Administrator, Region 10, require Idaho Department of Environmental Quality to ensure that current and future contractors are covered by accident and catastrophic loss insurance as required by Title 40 CFR 35.6590 (b).

Recommendation 4: We recommend that the Regional Administrator, Region 10, require Idaho Department of Environmental Quality to update its policies and procedures to ensure that they address:

- a. Bid proposal certification of independent price determination language as required by 40 CFR 35.6550(b) (3).
- b. 10 year record retention period as required by 40 CFR 35.6705.
- c. Accident and catastrophic loss insurance as required by 40 CFR 35.6590 (b).

Planned Corrective Actions: Region 10 agreed to pursue a cooperative agreement-specific waiver from requirement under 40 CFR Part 35.6590(b). Once approved, it will provide a copy of the waiver to the OIG and Idaho Department of Environmental Quality. Region 10 will instruct the Idaho Department of Environmental Quality in writing to not require their contractors to acquire accident and catastrophic loss insurance, pending the waiver determination.

Agreed-to Completion Date: January 1, 2014

Action Office: OA
Report Title: The EPA Needs to Improve Management of Its School Environmental Health Efforts
Report No.: 13-P-0201
Date Issued: 03/27/2013

Recommendations

Recommendation 1: To improve management of the EPA's school environmental health efforts, the Deputy Administrator should fulfill the requirement of Energy Independence and Security Act to report to Congress all activities carried out under the Healthy High-Performance Schools subtitle.

Planned Corrective Action: The agency will work to expedite internal review of report to Congress and submit report to OMB.

Agreed-to Completion Date: March 31, 2013 (corrective action will be considered past due as of March 31, 2014)³

Recommendation 2: The Director of the Office of Children's Health Protection should develop implementation guidelines and management controls that specify how:

- a. The Office of Children's Health Protection will manage the adoption and implementation of the newly developed Clean Green and Healthy Schools Vision, Goals, Objectives and Activities document, and the Clean Green and Healthy Schools Regional FY 2013 Developmental Measures document.
- b. The Office of Children's Health Protection will continue to craft realistic measures during FY 2013-2014.

Planned Corrective Action a: The Office of Children's Health Protection will develop an implementation plan to manage the adoption of the visions, goals and objectives and Clean Green and Healthy Schools Regional FY 2013 developmental measures.

Agreed-to Completion Date: June 30, 2013 (corrective action will be considered past due as of June 30, 2014)

Planned Corrective Action b: The Office of Children's Health Protection schools coordinator will continue to work with regional school coordinators to implement adoption of realistic measures for FY 2014.

Agreed-to Completion Date: September 30, 2013 (corrective action will be considered past due as of September 30, 2014)

³ Subsequent to the close of our review period, October 22, 2013, OA notified us that all actions associated with report 13-P-0201 were completed prior to September 30, 2013. However, this was not reflected in MATS prior to October 22, 2013.

Recommendation 3: The Director of the Office of Children’s Health Protection should develop regional implementation guidelines and planning requirements for the Clean Green and Healthy Schools initiative. These guidelines should:

- a. Include requirements for each region to develop an implementation plan that is consistent with the measures, strategies, and expected outcomes identified in the Clean Green and Healthy Schools Regional FY 2013 Developmental Measures document.
- b. Specify how Clean Green and Healthy Schools initiative staff will coordinate better with internal EPA and external partners, taking into account recent changes in program status and funding.
- c. Specify how Clean Green and Healthy Schools initiative staff will collect data, determine the programmatic success of the initiative, and modify the program to meet customer needs.

Planned Corrective Action a: The Office of Children’s Health Protection will require regions to develop implementation plans.

Agreed-to Completion Date: September 30, 2013 (corrective action will be considered past due as of September 30, 2014)

Planned Corrective Action b: The Office of Children’s Health Protection will partner with OAR to use the recently formed School Health and Indoor Environments Leadership Development schools stakeholder network group to engage internal and external partners.

Agreed-to Completion Date: September 30, 2013 (corrective action will be considered past due as of September 30, 2014)

Planned Corrective Action c: The Office of Children’s Health Protection will document a basic data collection plan (process may vary by region).

Agreed-to Completion Date: March 31, 2013 (corrective action will be considered past due as of March 31, 2014)

Recommendation 4: The Director of the Office of Children’s Health Protection should develop assessment criteria and conduct regular reviews of the EPA’s overall school environmental health programs to determine whether the EPA is providing sufficient regulatory and voluntary program services to address the risks to children’s health in schools.

Planned Corrective Action a: The Office of Children’s Health Protection will assess EPA’s school environmental health programs through the existing cross cutting fundamental strategy review process (twice per year).

Agreed-to Completion Date: September 30, 2013 (corrective action will be considered past due as of September 30, 2014)

Planned Corrective Action b: The Office of Children's Health Protection will assess EPA's school environmental health programs through the Office of Children's Health Protection strategic plan (with regional measures) review process (end of the year).

Agreed-to Completion Date: December 31, 2013

Action Office: OARM
Report Title: Improvements Needed in EPA's Smartcard Program to Ensure Consistent Physical Access Procedures and Cost Reasonableness
Report No.: 13-P-0200
Date Issued: 03/27/2013

Recommendations

Recommendation 3: We recommend that the Deputy Administrator establish one entity responsible for implementing and overseeing the agency's smartcard program, including physical and logical access.

Planned Corrective Action: OARM agreed that under direction of the Deputy Administrator, relevant stakeholders will convene to determine the entity responsible for implementing and overseeing the program.

Agreed-to Completion Date: June 30, 2013 (corrective action will be considered past due as of June 30, 2014)

Recommendation 5: We recommend that the Assistant Administrator for Administration and Resources Management enforce applicable guidelines pertaining to independent government cost estimates, including:

- a. Preparing independent government cost estimates for all procurement actions in excess of the Federal Acquisition Regulation (FAR) threshold.
- b. Adopting an official independent government cost estimate format that shall include the name and signature of the preparer, the date prepared, and the signature of the approving official.
- c. Establishing a process that Security Management Division can use to conduct and document cost analyses of prior upgrades to ensure that future project costs are reasonable.
- d. Establishing a requirement that Security Management Division staff involved with preparing and reviewing independent government cost estimates certify that they have read OAM's Independent Government Cost Estimates Manual and understand the guidance.

Planned Corrective Actions: OARM agreed to review current policy to provide more details and specific guidance on the circumstances under which an independent government cost estimate is required, including at what threshold, as well as the content and level of detail and documentation required, to ensure clarity and consistency of independent government cost estimates, and also to ensure they serve as meaningful tools in the acquisition process. In addition, OARM is developing a paperless acquisition program to receive procurement documentation exclusively in electronic format through the EPA's Acquisition System.

Agreed-to Completion Date: September 30, 2013 (corrective actions will be considered past due as of September 30, 2014)⁴

⁴ On August 29, 2013, OARM notified the OIG that it is moving forward with the audit resolution process. Progress on the agreed-to action is on hold.

Action Office: OARM and OSWER
Report Title: Improvements Needed in EPA Training and Oversight for Risk Management Program Inspections
Report No.: 13-P-0178
Date Issued: 03/21/2013

Recommendations

Recommendation 5: We recommend that the Assistant Administrator for Administration and Resources Management direct EPA Regions 2, 4, 7 and 10 to amend their contracts for inspection support to include provisions requiring contractor inspectors to meet EPA Order 3500.1 training requirements.

Planned Corrective Action: OARM will collaborate with the regions to ensure the contracts are modified.

Agreed-to Completion Date: October 31, 2013

Recommendation 7: We recommend that the Assistant Administrator for Solid Waste and Emergency Response coordinate with the Assistant Administrator for Enforcement and Compliance Assurance to revise inspection guidance to recommend minimum inspection scope for the various types of facilities covered under the program and provide more detailed examples of minimum reporting.

Planned Corrective Action: OSWER will publish final guidance which specifies minimum inspection scope and examples for various types of inspections to assist regions in focusing their limited resources on the most significant issues at facilities.

Agreed-to Completion Date: July 31, 2014

Recommendation 8: We recommend that the Assistant Administrator for Solid Waste and Emergency Response coordinate with the Assistant Administrator for Enforcement and Compliance Assurance to develop and implement an inspection monitoring and oversight program to better manage and assess the quality of program inspections, reports, supervisory oversight, and compliance with inspection guidance.

Planned Corrective Action: OSWER and OECA are working with the regions to identify key components of a repository of inspections reports in order to better ensure and assess the quality of Risk Management Program inspections. This repository system will be developed by the end of FY 2014.

Agreed-to Completion Date: September 30, 2014

Action Office: OSWER
Report Title: Results and Benefits Information Is Needed to Support Impacts of EPA's Superfund Removal Program
Report No.: 13-P-0176
Date Issued: 03/11/2013

Recommendations

Recommendation 1: We recommend that Assistant Administrator for Solid Waste and Emergency Response define environmental results and benefits of the removal program, and communicate these results and outcomes with existing removal goal outcomes.

Planned Corrective Actions: OSWER will continue: (1) to report the top 10 contaminants of concern each fiscal year, and will begin reporting on total volume for removals beginning FY 2013; (2) to highlight program accomplishments in OSWER publications, including the annual OSWER Accomplishments Report; (3) to work with the regions and special teams to build a repository of removal success stories, which will be used to communicate program benefits on the EPA website and other channels; and (4) looking into delineating different types of removal completions to communicate impacts.

Agreed-to Completion Date: September 30, 2014 (corrective actions will be considered past due as of September 30, 2015)

Recommendation 2: We recommend that Assistant Administrator for Solid Waste and Emergency Response implement system controls to: (a) ensure required Comprehensive Environmental Response, Compensation, and Liability Information System data are entered and completed; and (b) synchronize data between the Pollution Reports and the Comprehensive Environmental Response, Compensation, and Liability Information System.

Planned Corrective Action: OSWER will notify the regions of any discrepancies in the Comprehensive Environmental Response, Compensation, and Liability Information System and synchronize data fields in the final Pollution Report to fields in the Superfund Enterprise Management System. The Superfund Enterprise Management System will replace the Comprehensive Environmental Response, Compensation, and Liability Information System in FY 2014.

Agreed-to Completion Date: September 30, 2013 (corrective action will be considered past due as of September 30, 2014)

Action Office: OCFO and OW
Report Title: Corrective Action Plan Needed in Order to Fully Comply With the Improper Payments Elimination and Recovery Act
Report No.: 13-P-0175
Date Issued: 03/11/2013

Recommendations

Recommendation 2: We recommend that Assistant Administrator, Office of Water, require staff to use the Program Evaluation Reports, in addition to the transaction testing worksheets, to identify improper payments.

Planned Corrective Action: OW staff will use the Program Evaluation Reports, in addition to the transaction testing worksheets, to identify improper payments reflected in the final Agency Financial Report.

Agreed-to Completion Date: November 15, 2013

Recommendation 3: We recommend that Assistant Administrator, Office of Water, submit State Revolving Fund improper payment totals to OCFO earlier in the reporting cycle to allow OCFO the opportunity to perform quality checks on the data.

Planned Corrective Action: OW will provide OCFO with the improper payments information it needs to report in the final Agency Financial Report earlier in the reporting cycle.

Agreed-to Completion Date: September 1, 2013 (corrective action will be considered past due as of September 1, 2014)

Recommendation 6: We recommend that the Chief Financial Officer include any payment that does not account for credit for an applicable discount as an improper payment in the EPA's FY 2013 Agency Financial Report.

Planned Corrective Action: OCFO will include improper payments as defined in their updated standard operating procedures for improper payments.

Agreed-to Completion Date: November 15, 2013

Action Office: OCSPP and OCFO
Report Title: EPA is Not Recovering All Its Costs of the Lead-Based Paint Fees Program
Report No.: 13-P-0163
Date Issued: 02/20/2013

Recommendations

Recommendation 1: We recommend that Assistant Administrator for Chemical Safety and Pollution Prevention update the March 20, 2009, fees rule to reflect the amount of fees necessary for the program to recover the costs of implementing and enforcing the program.

Planned Corrective Action: OCSPP will update the 2009 Fees Rule following completion of at least one 5-year cycle of the Renovation, Repair and Painting accreditation and certification program, if warranted, based on findings from at least two consecutive biennial reviews that the Lead Program costs continue to exceed the amount fees collected. If necessary, this will be conducted in conjunction with other regulatory changes in the lead program, e.g., rules underway to address renovation activities in other buildings.

Agreed-to Completion Date: January 31, 2017

Recommendation 2: We recommend that Assistant Administrator for Chemical Safety and Pollution Prevention modify its lead-based paint program cost analysis procedures to apply indirect cost rates to all applicable direct costs in order to obtain the full costs of the program. (The CFO will develop the indirect cost rates.)

Planned Corrective Action: Upon clarification of applicable indirect cost rates by OCFO, OCSPP will modify cost analysis procedures as appropriate.

Agreed-to Completion Date: October 30, 2013

Recommendation 3: We recommend that the Chief Financial Officer conduct biennial cost reviews of the lead-based paint program fee collections and the full cost of operating the program to determine whether EPA is recovering its costs.

Planned Corrective Action: In accordance with OMB Circular A-25, User Charges and the Chief Financial Officer's Act of 1990, the OCFO will conduct a review of the Lead-Based paint fee collections and the full cost of operating the program to determine whether the EPA is recovering its costs. This will be performed in accordance with the next biennial cost review scheduled for FY 2013.

Agreed-to Completion Date: November 15, 2013

Action Office: OARM
Report Title: EPA Can Further Reduce Space in Under-Utilized Facilities
Report No.: 13-P-0162
Date Issued: 02/20/2013

Recommendations

Recommendation 1: We recommend that Assistant Administrator for Administration and Resources Management assess utilization of General Services Administration-owned and leased facilities and relocate staff as warranted to reduce under-utilized space.

Planned Corrective Action: The agency has an aggressive space consolidation plan that, with adequate funding, will reduce leased space by approximately 20 percent by 2022.

Agreed-to Completion Date: December 31, 2022

Recommendation 2: We recommend that Assistant Administrator for Administration and Resources Management develop space guidelines for support spaces and assess the number and size of support spaces needed at the time of a new or renewal lease.

Planned Corrective Action: The agency has guidance per the July 2004 Space Acquisition and Planning Guidelines that describe the approximate size and frequency of special spaces typically found at the EPA facilities. OARM will revise the October 2011 draft New Mobile Work Space Design Guidelines to include support space guidance that will be used for new and renewal leases.

Agreed-to Completion Date: December 31, 2013

Recommendation 3: We recommend that Assistant Administrator for Administration and Resources Management require the Office of Acquisition Management, in conjunction with the Office of Administration, to develop and enforce a policy that requires contracting staff ensure approval for on-site contractor personnel is obtained from the responsible office and documented in the contract file.

Planned Corrective Action: OAM and the Office of Administration will collaborate to develop the needed policy and determine a method of enforcement once implemented.

Agreed-to Completion Date: September 30, 2013 (corrective actions will be considered past due as of September 30, 2014)

Recommendation 4: We recommend that Assistant Administrator for Administration and Resources Management require that personnel information be consistently tracked and updated in EPA's designated real property management system on an annual basis or more often if needed.

Planned Corrective Action: OARM is developing a process whereby facility managers will be required to update personnel data in the designated real asset management system.

Facilities Management and Services Division staff will provide oversight to ensure updates are provided.

Agreed-to Completion Date: December 31, 2013

Recommendation 5: We recommend that Assistant Administrator for Administration and Resources Management require Facilities Management and Services Division to update usable square feet information whenever a change in office space is made.

Planned Corrective Action: OARM has an internal policy to update the usable square feet of any agency facility once the EPA assumes or releases occupancy of space. Facility managers will update the usable square feet, which will be audited by Facilities Management Services Division staff.

Agreed-to Completion Date: December 31, 2013

Action Office: ORD and OAR
Report Title: EPA Needs to Improve Air Emissions Data for the Oil and Natural Gas Production Sector
Report No.: 13-P-0161
Date Issued: 02/20/2013

Recommendations

Recommendation 1: We recommend that the Assistant Administrator for Air and Radiation and the Assistant Administrator for Research and Development develop and implement a joint comprehensive cross-office strategy for improving data for the oil and gas production sector. The strategy should:

- a. Identify gaps and limitations in (1) existing oil and gas air emissions data, (2) emission factors, and (3) measurement techniques, including direct and remote measurement methods.
- b. Prioritize what data limitations are most significant and develop specific action plans for how the EPA will address these gaps and limitations.

Planned Corrective Action 1: ORD and OAR agreed to establish an ORD/OAR cross-office team and begin developing a strategy for improving oil and gas sector emissions data, emissions factors and measurement techniques that will build on work already underway or completed. The strategy document will summarily describe the gaps/limitations identified in ongoing agency research planning activities; consider opportunities for incorporating other existing data sources in the public and private sectors; prioritize the data gaps over the strategy time frame; propose actions in summary manner to address data gaps/limitations, beginning with those considered as highest priority; and inform the EPA's Air, Climate and Energy research plan as the framework for needed research.

Agreed-to Completion Date: December 31, 2013

Planned Corrective Action 2: ORD and OAR agreed to conduct a cross-office review of the draft oil and gas sector emissions data improvement strategy.

Agreed-to Completion Date: December 31, 2013

Planned Corrective Action 3: ORD and OAR agreed to revise the draft strategy based upon the cross-office review and submit the final draft for review and approval by both OAR and ORD.

Agreed-to Completion Date: March 31, 2014

Planned Corrective Action 4: ORD and OAR agreed to begin implementation of the approved, final oil and gas sector emissions data improvement strategy in a coordinated cross-office effort.

Agreed-to Completion Date: June 30, 2014

Recommendation 2: We recommend that the Assistant Administrator for Air and Radiation prioritize and update existing oil and gas production emission factors that are in greatest need of improvement and develop emission factors for key oil and gas production processes that do not currently have emission factors.

Planned Corrective Action 1: OAR agreed to finalize the revised emissions factors development procedures for data collected from traditional test methods.

Agreed-to Completion Date: September 30, 2014

Planned Corrective Action 2: OAR agreed to revise Web Factor and Information Retrieval System to include the emissions factors development procedures for data collected using traditional test methods.

Agreed-to Completion Date: December 31, 2014

Planned Corrective Action 3: OAR agreed to revise the Electronic Reporting Tool to accommodate those non-traditional measurement techniques identified in the cross-office strategy. The Electronic Reporting Tool will be fully developed by the 4th quarter of FY 2017.

Agreed-to Completion Date: September 30, 2018

Planned Corrective Action 4: OAR agreed to set forth procedures for developing emissions factors based on data collected with non-traditional measurement techniques and incorporate those procedures into Web Factor and Information Retrieval System.

Agreed-to Completion Date: September 30, 2019

Recommendation 3: We recommend that the Assistant Administrator for Air and Radiation ensure that the data in National Emissions Inventory are complete by:

- a. Monitoring the states' submission of oil and gas emissions data for point sources and nonpoint sources pursuant to the requirements of the Air Emissions Reporting Requirements and assisting states in complying with the rule.
- b. Completing the development of a method for calculating default nonpoint emission estimates to enter into the National Emissions Inventory when states do not submit nonpoint data for oil and gas production.
- c. Developing default calculation guidance for states to use to estimate oil and gas nonpoint source emissions.

Planned Corrective Action 1: OAR agreed to use the oil and gas tool for estimating nonpoint emissions from oil and gas production to ensure the 2011 National Emissions Inventory version 1 has a complete estimate for the oil and gas sector for both criteria air pollutants and hazardous air pollutants.

Agreed-to Completion Date: December 31, 2013

Planned Corrective Action 2: OAR agreed to publicly release and solicit comments for the final draft tool for estimating nonpoint emissions from oil and gas production.

Agreed-to Completion Date: December 31, 2013

Planned Corrective Action 3: OAR agreed to incorporate public comments and release the final tool for estimating nonpoint emissions from oil and gas production.

Agreed-to Completion Date: June 30, 2014

Planned Corrective Action 4: OAR agreed to release a final user's guide for the final tool for estimating nonpoint emissions from oil and gas production.

Agreed-to Completion Date: June 30, 2014

Planned Corrective Action 5: OAR agreed to release a final draft user's guide that will also serve as calculation guidance for the oil and gas emissions tool.

Agreed-to Completion Date: December 31, 2013

Planned Corrective Action 6: OAR agreed to incorporate public comments and release a final user's guide for the final oil and gas emissions tool.

Agreed-to Completion Date: June 30, 2014

Action Office: OSWER
Report Title: EPA Could Improve Contingency Planning for Oil and Hazardous Substance Response
Report No.: 13-P-0152
Date Issued: 02/15/2013

Recommendations

Recommendation 2: We recommend that the Assistant Administrator for Solid Waste and Emergency Response require regions to keep critical planning information up to date using the most effective method available and avoid unnecessary duplication.

Planned Corrective Action: OSWER's OEM will issue guidance and work with the regions on its timely implementation.

Agreed-to Completion Date: September 30, 2016

Recommendation 3: We recommend that the Assistant Administrator for Solid Waste and Emergency Response have the Director of OEM work through the office's National Response Team capacity to develop a process to regularly incorporate lessons learned from national exercises into contingency plan reviews and updates.

Planned Corrective Action: The National Response Team will continue to incorporate lessons learned from exercises and real world events into its purview.

Agreed-to Completion Date: April 30, 2013 (corrective action will be considered past due as of April 30, 2014)

Recommendation 4: We recommended that the Assistant Administrator for Solid Waste and Emergency Response assess the resources, including on-scene coordinators, necessary to develop and maintain contingency plans. Use the results of this analysis to develop a workforce plan to distribute contingency planning resources.

Planned Corrective Action: Building on the existing workgroup process, OSWER will continue evaluation of on-scene coordinator resources based on needs and responsibilities of the regions to develop the plan to redistribute regional on-scene coordinator allocations.

Agreed-to Completion Date: September 30, 2013 (corrective action will be considered past due as of September 30, 2014)

Action Office: OCFO and OECA
Report Title: Audit of EPA's Fiscal 2012 and 2011 Consolidated Financial Statements
Report No.: 13-1-0054
Date Issued: 11/15/2012

Recommendations

Recommendation 1: We recommend that the Chief Financial Officer perform a thorough review of all posting models to ensure the proper accounts are impacted.

Planned Corrective Action: OCFO will continue to track and communicate status of posting model issues through the availability of the Lotus Notes Tracking System and through email. If the Office of Financial Management requires additional discussion with Finance Centers, it will organize accordingly.

Agreed-to Completion Date: September 30, 2013 (corrective action will be considered past due as of September 30, 2014)

Recommendation 6: We recommend that the Chief Financial Officer update EPA's policy for recognizing year-end accruals to require reconciliations of accruals and accrual reversals.

Planned Corrective Action: OCFO will update Policy Announcement Number 95-11, "Policies and Procedures for Recognizing Year-End Accounts Payable and Related Accruals."

Agreed-to Completion Date: March 31, 2013 (corrective action will be considered past due as of March 31, 2014)

Recommendation 8: We recommend the Assistant Administrator for Enforcement and Compliance Assurance forward judicial documents to the financial center.

Planned Corrective Action: OECA will work with the Cincinnati Finance Center to assess the timely transmission of civil judicial orders requiring payment of certain sums to Cincinnati Finance Center on a quarterly basis, and will meet with Department of Justice management as needed.

Agreed-to Completion Date: March 31, 2014

Recommendation 16: We recommend that the Chief Financial Officer develop procedures to reconcile capitalized property in the agency's financial system with Maximo.

Planned Corrective Action: The Office of Financial Management will develop procedures for reconciling capitalized property.

Agreed-to Completion Date: March 31, 2013 (corrective action will be considered past due as of March 31, 2014)

Action Office: OCFO and OARM
Report Title: Improvements Needed in Estimating and Leveraging Cost Savings Across EPA
Report No.: 13-P-0028
Date Issued: 10/22/2012

Recommendations

Recommendation 1: We recommend that the Chief Financial Officer develop an agencywide policy that defines what the agency considers cost savings, efficiencies, and avoidances.

Planned Corrective Actions: OCFO agreed to develop high level guidance/policy that will establish support for all savings and efficiency efforts and highlights recent successes. This document will define types of savings and efficiency efforts broadly, provide high level framework for costs savings, cost efficiencies and cost avoidances; establish expectations of new efforts; and utilize existing process that can be used for idea generation and development.

Agreed-to Completion Date: December 31, 2015

Recommendation 2: We recommend that the Chief Financial Officer develop an agencywide procedure for estimating savings, efficiencies, and cost avoidances to include requiring program offices and regions to consult with internal financial managers to obtain complete and up-to-date cost data.

Planned Corrective Actions: OCFO agreed to develop high level procedures for estimating savings. It will outline the types of consideration that should be reviewed when preparing estimates for potential savings, with examples of how to prepare calculations, and establish trial periods and interim measures when savings cannot be calculated.

Agreed-to Completion Date: December 31, 2015

Recommendation 3: We recommend that the Assistant Administrator for Administration and Resources Management develop a policy on estimating savings and cost avoidances relating to contracts based on similar prior contract data that will show the actions not taken or improved operations as opposed to using the independent government cost estimates.

Planned Corrective Actions: OARM agreed to work with the OCFO to support the development of agencywide policy/guidance for identifying and calculating savings, and will implement that policy in OAM, as appropriate. OAM also agreed that if the OMB develops governmentwide policies/processes for identifying and calculating savings, OAM will adopt that guidance, as well.

Agreed-to Completion Date: December 31, 2015

Action Office: OEI
Report Title: Results of Technical Network Vulnerability Assessment: EPA's National Vehicle and Fuel Emissions Laboratory
Report No.: 12-P-0900
Date Issued: 09/27/2012

Recommendation

Recommendation 3: We recommend that the senior information official within the Office of Air and Radiation and the Office of Environmental Information perform a technical vulnerability assessment test of assigned networked resources within 60 days to confirm completion of remediation activities.

Planned Corrective Action: OEI will perform a technical vulnerability assessment test of assigned networked resources.

Agreed-to Completion Date: December 28, 2012 (corrective action will be considered past due as of December 28, 2013)

Action Office: OEI
Report Title: Improvements Needed in EPA's Network Security Monitoring Program
Report No.: 12-P-0899
Date Issued: 09/27/2012

Recommendations

Recommendation 1: We recommend that the Assistant Administrator for Environmental Information develop and implement a strategy with milestone dates to incorporate the EPA's headquarters program offices within the Security Incident and Event Management environment.

Planned Corrective Actions: The Technology and Information Security Staff of the Office of Technology Operations and Planning will refine the project plan to reflect a thorough strategy for incorporating program offices into the Security Incident and Event Management environment. This strategy will include milestone dates for all program offices not already in Security Incident and Event Management.

Agreed-to Completion Date: December 31, 2013

Recommendation 4: We recommend that the Assistant Administrator for Environmental Information finalize the Security Incident and Event Management tool's "Enterprise Reference Guide."

Planned Corrective Actions: The Enterprise Reference Guide will be reviewed to determine gaps between its guidance and the current status of the Security Incident and Event Management project. The Enterprise Reference Guide will be updated and finalized, and referenced in other Technology and Information Security Staff/Computer Security Incident Response Capability Center operating procedures if necessary.

Agreed-to Completion Date: March 29, 2013 (corrective actions will be considered past due as of March 29, 2014)

Action Office: OEI
Report Title: EPA's Office of Environmental Information Should Improve Ariel Rios and Potomac Yard Computer Room Security Controls
Report No.: 12-P-0879
Date Issued: 09/26/2012

Recommendations

Recommendation 2: We recommend that the Director, Office of Technology Operations and Planning, Office of Environmental Information, acquire and implement an uninterruptible power supply that will automatically perform an orderly shutdown of information technology assets without manual intervention in the event of a long-term loss of power.

Planned Corrective Actions: As part of the federal government's data consolidation initiative, OCFO will close the Ariel Rios computer room and have the servers migrated to the Potomac Yard facility. Efforts are underway with General Services Administration to install a backup generator at the Potomac Yard facility. The generator will provide 24/7 backup power to the computer room and, in the event of a prolonged power outage, sufficient notification would enable an orderly shutdown of information technology assets.

Agreed-to Completion Date: March 30, 2013 (corrective action will be considered past due as of March 30, 2014)

Recommendation 3: We recommend that the Director, Office of Technology Operations and Planning, Office of Environmental Information, move the server racks so that they are not directly under sprinkler heads or water pipes, or, if that is not possible, install leak shields on or above the server racks directly under sprinkler heads or water pipes.

Planned Corrective Actions: OEI will contact OARM to discuss the feasibility of taking the recommended action. OARM is responsible for the installation of the sprinklers.

Agreed-to Completion Date: July 19, 2013 (corrective action will be considered past due as of July 19, 2014)

Recommendation 4: We recommend that the Director, Office of Technology Operations and Planning, Office of Environmental Information, install a master shutoff valve for the water pipes that flow through the computer room.

Planned Corrective Actions: OEI will contact OARM to discuss the feasibility of taking the recommended action. OARM is responsible for alterations to the facility, water pipes and shut off valves.

Agreed-to Completion Date: July 1, 2013 (corrective action will be considered past due as of July 1, 2014)

Recommendation 5: We recommend that the Director, Office of Technology Operations and Planning, Office of Environmental Information, develop and implement policies and procedures

that address limiting water damages to information technology assets in the computer room that include:

- a. 24 hours/day, 7 days/week monitoring.
- b. Timely actions to be taken in the event of water leak in the computer room.

Planned Corrective Actions: While monitoring of environmental variable information such as water, fire, temperature, humidity, power and smoke is part of the current standard procedures, OEI will develop and implement formal procedures that address limiting water damage to information technology assets in the computer room.

Agreed-to Completion Date: February 8, 2014

Action Office: OARM and OEI
Report Title: EPA Should Improve Management Practices and Security Controls for Its Network Directory Service System and Related Servers
Report No.: 12-P-0836
Date Issued: 09/20/2012

Recommendations

Note: The narrative of the recommendations and planned corrective actions for this report are not being included in the Compendium due to the sensitive nature of the report's security findings.

Recommendation 8: This recommendation was made to the Assistant Administrator for Administration and Resources Management.

Agreed-to Completion Date: September 30, 2013 (corrective action will be considered past due as of September 30, 2014)

Recommendation 9: This recommendation was made to the Assistant Administrator for Administration and Resources Management.

Agreed-to Completion Date: April 1, 2015

Recommendation 16: This recommendation was made to the Assistant Administrator for Environmental Information and Chief Information Officer.

Agreed-to Completion Date: November 30, 2013

Action Office: OAR
Report Title: EPA Could Improve the SmartWay Transport Partnership Program by Implementing a Direct Data Verification Process
Report No.: 12-P-0747
Date Issued: 08/30/2012

Recommendation

Recommendation 1: We recommend that the Assistant Administrator for Air and Radiation develop and implement direct verification or other measures to verify the accuracy of a sample of the self-reported, industry data for the SmartWay Transport Partnership.

Planned Corrective Actions: OAR is implementing the following five-step action plan:

1. Identified a cross-section of SmartWay shippers, carriers and logistics partners that have demonstrated program compliance with a credible quality process or certification program, such as information security officer certification, Six-Sigma designation or similar quality assurance system. OAR staff interviewed each candidate and selected the most appropriate candidates. This activity has been completed.
2. Conduct site visits on a sample of SmartWay partners, which includes first-hand observation and recording of the processes and safeguards employed to collect, handle, check, manage, track and preserve the data reported in their SmartWay partner submissions. OAR conducted site visits for 13 SmartWay partners, and held discussions and interviews with key staff involved in data collection and review to clarify how their data management and quality assurance measures ensure partner data validity. This activity has been completed.
3. Assess and synthesize the results of these interviews and site visits into a comprehensive and consistent set of best practices available for all SmartWay partners to use in their data collection, management and quality assurance procedures. OAR anticipated that the first draft of this guidance document would be available by December 2012.
4. Review draft document internally and externally by subject matter experts. OAR anticipates that the review process for the best practices guidance document will be completed by May 2013. Additionally, existing SmartWay partner tool guides and technical guidance documents will also be updated to reflect the best practices identified during the site visits and to further clarify program requirements for data integrity. OAR anticipates that the updated partner tool guidance and technical guidance documents will be finalized on or before March 31, 2013.
5. Publish the best practices guidance document, and conduct partner outreach and training. OAR will publish the guidance document on the SmartWay website by August 2013. From September through December 2013, OAR will conduct a series of training, communications and outreach activities to ensure that all SmartWay partners are aware of and have access to this information, and fully understand the program's expectations for partner data integrity.

Agreed-to Completion Date: December 31, 2013

Action Office: OCSPP
Report Title: Review of Hotline Complaint Concerning Cost and Benefit Estimates for EPA's Lead-Based Paint Rule
Report No.: 12-P-0600
Date Issued: 07/25/2012

Recommendation

Recommendation 1: We recommend that the Assistant Administrator for Chemical Safety and Pollution Prevention, consistent with a retrospective and flexible regulatory culture, reexamine the estimated costs and benefits of the 2008 Lead Rule and the 2010 amendment to determine whether the rule should be modified, streamlined, expanded, or repealed.

Planned Corrective Action 1: OCSPP will create an information gathering workplan. It will submit an Information Collection Request to OMB for clearance.

Agreed-to Completion Date: March 31, 2013 (corrective action will be considered past due as of March 31, 2014)

Planned Corrective Action 2: After OMB clearance on the Information Collection Request is received, OCSPP will conduct information gathering and analysis.

Agreed-to Completion Date: September 30, 2014

Planned Corrective Action 3: OCSPP will draft the information and analysis submitted to OMB for interagency review as part of the Action Development Process.

Agreed-to Completion Date: March 31, 2015

Planned Corrective Action 4: OCSPP will publish the work practice and cost information as part of the proposed rule.

Agreed-to Completion Date: September 30, 2015

Action Office: OSWER
Report Title: EPA Inaction in Identifying Hazardous Waste Pharmaceuticals May Result in Unsafe Disposal
Report No.: 12-P-0508
Date Issued: 05/25/2012

Recommendation

Recommendation 3: We recommend the Assistant Administrator for Solid Waste and Emergency Response develop a nationally consistent outreach and compliance assistance plan to help states address challenges that health care facilities, and others as needed, have in complying with Resource Conservation and Recovery Act regulations for managing hazardous waste pharmaceuticals.

Planned Corrective Actions: OSWER will develop nationally consistent outreach and compliance assistance to help in complying with the Resource Conservation and Recovery Act regulations for managing hazardous waste pharmaceuticals. It will propose a rule designed to facilitate proper management of hazardous waste pharmaceuticals in the health care industry.

Agreed-to Completion Date: August 31, 2013 (corrective action will be considered past due as of August 31, 2014)

Action Office: OW
Report Title: Alleged Misuse of Tribal Clean Water Act Section 106 Funds in EPA Region 8
Report No.: 12-P-0453
Date Issued: 05/04/2012

Recommendation

Recommendation 1: We recommend that the Assistant Administrator for Water develop guidance for CWA Section 106 associated program support costs. Guidance should incorporate specific requirements to use state and tribal assistance grants for associated program support, and a process to obtain approval from recipients for associated program support costs funded with Section 106 program funds. Alternatively, formally adopt OAR's guidance on associated program support costs.

Planned Corrective Actions: OW will conduct a review of regional use of the associated program support cost authority for assisting tribal programs and may, as appropriate, develop new guidance or formally adopt existing guidance currently applicable to other programs.

Agreed-to Completion Date: November 30, 2013

Action Office: OEI
Report Title: Office of Environmental Information Should Strengthen Controls Over Mobile Devices
Report No.: 12-P-0427
Date Issued: 04/25/2012

Recommendation

Recommendation 3: We recommend that the Assistant Administrator for Environmental Information and Chief Information Officer finalize agencywide draft domestic and international mobile device procedures and develop other agencywide procedures as necessary that consider standard operating procedures that encompass the areas listed in recommendation 1.

Planned Corrective Action: OEI will finalize the domestic draft Mobile Device and Wireless Procedure.

Agreed-to Completion Date: December 31, 2012 (corrective action will be considered past due as of December 31, 2013)

Action Office: OAR
Report Title: Weaknesses in EPA's Management of the Radiation Network System Demand Attention
Report No.: 12-P-0417
Date Issued: 04/19/2012

Recommendation

Recommendation 8: We recommend that the Assistant Administrator for Air and Radiation track the installation of the radiation network monitors against the revised schedule and use the contract requirements in recommendations 4 and 5 to hold the contractor accountable.

Planned Corrective Action: All radiation network monitors have been delivered and installations are being conducted as sites are prepared. The contracting officer representative is working with the contracting officer to negotiate consideration for late deliveries.

Agreed-to Completion Date: September 30, 2013 (corrective action will be considered past due as of September 30, 2014)

Action Office: OARM
Report Title: EPA Should Improve Controls for Managing Contractor-Held Property
Report No.: 12-P-0388
Date Issued: 04/03/2012

Recommendations

Recommendation 3: We recommend that the Assistant Administrator for Administration and Resources Management develop and implement policies and procedures for the property staff that:

- a. Address how the EPA should maintain documentation to support acquisition values reported by contractors on annual property reports.
- b. Require project management officers to have knowledge of CHP in their accountable areas to ensure it is identified properly in Fixed Assets Subsystem.
- c. Define CHP responsibilities in locations where contractors and the EPA's staff are co-located.
- d. Explain the required exchange between property and contract staffs to ensure the EPA records property accurately in the financial statements.

Planned Corrective Action 9: In addition to the property guidelines and manual being modified, OAM and the contract property coordinator are working to jointly update the Contracts Management Manual to include any new or revised property policy and procedures to be followed by the acquisition community. The EPA's Acquisition Regulation will also be reviewed for potential updating. While the EPA's Acquisition Regulation 1552.245-70 does require the contractor to conform to the requirements in FAR 52.245-1, the only reporting requirement is for the annual summary report which does not contain enough information to result in meaningful agency reporting. A complete update of the EPA's acquisition policy is a part of the OAM balanced scorecard performance measurement and management program.

Agreed-to Completion Date: September 30, 2013 (corrective action will be considered past due as of September 30, 2014)

Planned Corrective Action 10: New training specific to the acquisition community will be provided once the policy/procedures have been updated. This will be mandatory training for contracting officers and will include information on the detailed property record that is required to be included on a contract.

Agreed-to Completion Date: October 31, 2013

Recommendation 4: We recommend that the Assistant Administrator for Administration and Resources Management train property staff and contracting officers on current and any new responsibilities over contracts with government property to ensure consistent application of and adherence to EPA's administration of its property management program.

Planned Corrective Action: New training specific to the acquisition community will be provided once the policy/procedures have been updated. This will be mandatory training for contracting officers.

Agreed-to Completion Date: October 31, 2013

Recommendation 6: We recommend that the Assistant Administrator for Administration and Resources Management revise or update the milestone dates and the corrective action plan in MATS for the 2006 audit report and reference any corrective actions, and submit changes to the OIG for tracking.

Planned Corrective Action 2: OARM agreed to update the policy and procedures regarding government-furnished property management.

Agreed-to Completion Date: September 30, 2013 (corrective action will be considered past due as of September 30, 2014)

Planned Corrective Action 5: OARM is updating the Contracts Management Manual to include any new or revised property policy and procedures to be followed by the acquisition community. The EPA's Acquisition Regulation will also be reviewed for potential updating. While the EPA's Acquisition Regulation 1552.245-70 does require the contractor to conform to the requirements in FAR 52.245-1, the only reporting requirement is for the annual summary report which does not contain enough information to result in meaningful agency reporting. A complete update of the EPA's acquisition policy is a part of the OAM balanced scorecard performance measurement and management program.

Agreed-to Completion Date: September 30, 2013 (corrective action will be considered past due as of September 30, 2014)

Planned Corrective Action 7: OARM will conduct mandatory training for contracting officers and additional training for contracting officer's representative on what information is required to be provided when adding property to a contract and is anticipated to significantly improve the agency's property management process. As part of the training, best practices and/or standard operating procedures for documenting property on contracts will be included to standardize reporting property and make CHP information more accessible to the contract property coordinator.

Agreed-to Completion Date: October 31, 2013

Action Office: OSWER
Report Title: Controls Over State Underground Storage Tank Inspection Programs in EPA Regions Generally Effective
Report No.: 12-P-0289
Date Issued: 02/15/2012

Recommendation

Recommendation 1: We recommend that the Assistant Administrator for Solid Waste and Emergency Response require the EPA and states to enter into memoranda of agreements that reflect program changes from the 2005 Energy Policy Act and address oversight of municipalities conducting inspections.

Planned Corrective Actions: The regulations will be finalized and OSWER will share the specific date on which the memoranda of agreements will be in place.

Agreed-to Completion Date: August 1, 2013 (corrective actions will be considered past due as of August 1, 2014)

Action Office: OSWER
Report Title: EPA Needs to Further Improve How It Manages Its Oil Pollution Prevention Program
Report No.: 12-P-0253
Date Issued: 02/06/2012

Recommendation

Recommendation 1: We recommend that the Assistant Administrator for Solid Waste and Emergency Response, in consultation with the Assistant Administrator for Enforcement and Compliance Assurance, improve oversight of facilities regulated by the EPA's oil pollution prevention program by:

- a. Producing a biennial public assessment of the quality and consistency of Spill Prevention, Control, and Countermeasure Plans and Facility Response Plans based on inspected facilities.
- b. Developing procedures for updating and issuing new guidance to ensure the regulated community has access to the most current guidance.
- c. Implementing a risk-based strategy toward inspections that identifies unknown Spill Prevention, Control, and Countermeasure and Facility Response Plan facilities, and directs inspection resources toward facilities where the potential for spills poses the greatest risks to human health and the environment.
- d. Consistently interpreting regulations and the EPA's authority to enforce regulations.

Planned Corrective Action 4(b): A summary of findings will be developed by OSWER. These findings will help to identify areas where additional guidance and outreach are needed to improve the quality and consistency of Spill Prevention, Control, and Countermeasure Plans.

Agreed-to Completion Date: October 31, 2013

Planned Corrective Action 4(c): The model developed by OSWER for the Spill Prevention, Control, and Countermeasure program will be used to develop a review protocol for Facility Response Plans to examine the Facility Response Plan inspections conducted during the FY 2013 inspection cycle.

Agreed-to Completion Date: September 30, 2013 (corrective actions will be considered past due as of September 30, 2014)

Planned Corrective Action 4(d): A summary of findings will be developed by OSWER. These findings will help to identify areas where additional guidance and external outreach are needed to improve the quality and consistency of Facility Response Plans.

Agreed-to Completion Date: October 31, 2014

Action Office: Region 10
Report Title: Region 10 Technical and Computer Room Security Vulnerabilities Increase
Risk to EPA's Network
Report No.: 12-P-0220
Date Issued: 01/20/2012

Recommendations

Note: The narrative of the recommendations and planned corrective actions for this report are not being included in the Compendium due to the sensitive nature of the report's security findings.

Recommendation 4: This recommendation was made to the senior information official, Region 10.

Agreed-to Completion Date: September 30, 2013 (corrective action will be considered past due as of September 30, 2014)

Recommendation 7: This recommendation was made to the senior information official, Region 10.

Agreed-to Completion Date: September 30, 2013 (corrective action will be considered past due as of September, 2014)

Action Office: OECA
Report Title: EPA Must Improve Oversight of State Enforcement
Report No.: 12-P-0113
Date Issued: 12/09/2011

Recommendations

Recommendation 1: We recommend that the Deputy Administrator give OECA authority for all nationwide enforcement resources and workforce allocation.

Planned Corrective Actions: OECA will gather and analyze information on regional and program state oversight practices and make recommendations to the Deputy Administrator on their adequacy and needed improvements.

Agreed-to Completion Date: October 31, 2012 (corrective action will be considered past due as of October 31, 2013)

Recommendation 3: We recommend that the Assistant Administrator for Enforcement and Compliance Assurance establish clear and consistent national enforcement benchmarks throughout CAA, CWA and the Resource Conservation and Recovery Act guidance and policies so that EPA's enforcement expectations are clear and consistent for state governments and the regulated community.

Planned Corrective Action: OECA will ensure national performance expectations are clearly identified and ensure these documents are readily accessible on the EPA's Online Tracking Information System and the EPA's public website.

Agreed-to Completion Date: January 30, 2013 (corrective action will be considered past due as of January 30, 2014)⁵

⁵ Subsequent to the close of our review period, October 22, 2013, OECA notified us that this action was completed prior to September 30, 2013. However, this was not reflected in MATS prior to October 22, 2013.

Action Office: Region 9
Report Title: Region 9 Technical and Computer Room Security Vulnerabilities Increase Risk to EPA's Network
Report No.: 11-P-0725
Date Issued: 09/30/2011

Recommendations

Note: The narrative of the recommendations and planned corrective actions for this report are not being included in the Compendium due to the sensitive nature of the report's security findings.

Recommendation 4: This recommendation was made to the senior information official, Region 9.

Agreed-to Completion Date: March 31, 2014

Recommendation 6: This recommendation was made to the senior information official, Region 9.

Agreed-to Completion Date: March 31, 2014

Recommendation 8: This recommendation was made to the senior information official, Region 9.

Agreed-to Completion Date: March 31, 2014

Recommendation 10: This recommendation was made to the senior information official, Region 9.

Agreed-to Completion Date: March 31, 2014

Action Office: OAR
Report Title: EPA Should Update Its Fees Rule to Recover More Motor Vehicle and Engine Compliance Program Costs
Report No.: 11-P-0701
Date Issued: 09/23/2011

Recommendation

Recommendation 1: We recommend that the Assistant Administrator for Air and Radiation update the 2004 fees rule to increase the amount of the Motor Vehicle and Engine Compliance Program costs it can recover.

Planned Corrective Action: OAR will begin planning for a new fees rule as part of the 2013 program prioritization and budget processes, and initiate formal work on rule making early in calendar year 2014.

Agreed-to Completion Date: December 31, 2017

Action Office: OSWER
Report Title: Revisions Needed to National Contingency Plan Based on Deepwater Horizon Oil Spill
Report No.: 11-P-0534
Date Issued: 08/25/2011

Recommendation

Recommendation 5: We recommend that the Assistant Administrator for Solid Waste and Emergency Response develop guidance and training for a Spill of National Significance that clarifies roles and responsibilities for high-level agency officials. Review this response and the NCP and work with federal partners to address lessons learned and include detail on how to respond to a Spill of National Significance.

Planned Corrective Action 2: The EPA updated its Incident Management for executives training as a result of lessons learned from the Deepwater Horizon spill. The training has been presented in one region and additional training will be given.

Agreed-to Completion Date: October 31, 2013

Planned Corrective Action 3: As a result of this training, the agency will develop policy guidance on this issue.

Agreed-to Completion Date: October 31, 2013

Action Office: Region 8
Report Title: An Overall Strategy Can Improve Communication Efforts at Asbestos Superfund Site in Libby, Montana
Report No.: 11-P-0430
Date Issued: 08/03/2011

Recommendations

Recommendation 2: We recommend that the EPA Regional Administrator, Region 8, revise the Libby community engagement plan to serve as the overall communication strategy by including:

- a. Key messages that address specific public concerns and site activities.
- b. Timelines for community involvement activities and outreach products.
- c. Measures for successful communication.
- d. Mechanisms for identifying community concerns and collecting feedback.

Planned Corrective Action: Region 8 will seek public comment on the next major revision to the community involvement plan.

Agreed-to Completion Date: December 31, 2015

Recommendation 3: We recommend that the EPA Regional Administrator, Region 8, implement a process for ongoing evaluation of Region 8's communication strategy and incorporate results into community involvement planning.

Planned Corrective Action: Region 8 will conduct a customer satisfaction survey after OSWER's Information Collection Request to OMB is approved. The region will arrange with the manager of the Community Involvement and Public Initiatives Branch to notify Region 8 when the approval is received.

Agreed-to Completion Date: November 30, 2013

Action Office: ORD
Report Title: Office of Research and Development Needs to Improve Its Method of Measuring Administrative Savings
Report No.: 11-P-0333
Date Issued: 07/14/2011

Recommendation

Recommendation 1: We recommend that the Assistant Administrator for Research and Development establish a more timely and accurate system to measure its effective use of resources and to allow ORD to better manage its initiatives to reduce administrative costs.

Planned Corrective Actions: ORD agreed to tag federal administrative personnel, senior environmental employees, and on-site contractors in its ORD Management Information System and reconcile this data with personnel rosters on a monthly basis. ORD senior management had its initial meeting in 2011 and will continue to meet twice a year to review current status and outline plans to attain organizational administrative staffing targets.

Agreed-to Completion Date: December 15, 2015

Action Office: OEI
Report Title: EPA Has Taken Steps to Address Cyber Threats but Key Actions Remain Incomplete
Report No.: 11-P-0277
Date Issued: 06/23/2011

Recommendation

Recommendation 3: We recommend that the Assistant Administrator for Environmental Information and Chief Information Officer update the Enterprise Transition Plan Information Management segment to define actions the agency plans to take to achieve its security target architecture.

Planned Corrective Actions: OEI planned to take five steps to define actions to achieve the security target architecture in the EPA's Modernization Blueprint. OEI has completed steps a-c and the following steps are remaining:

- d. Develop implementation plans to close gaps.

Agreed-to Completion Date: July 1, 2013 (corrective actions will be considered past due as of July 1, 2014)

- e. Execute implementation plans.

Agreed-to Completion Date: September 15, 2013 (corrective actions will be considered past due as of September 15, 2014)

Action Office: OCFO
Report Title: EPA Needs to Strengthen Its Management Controls Over Its Travel Authorization Process
Report No.: 11-P-0223
Date Issued: 05/10/2011

Recommendations

Recommendation 2: We recommend that the that the Chief Financial Officer request that the General Services Administration change GovTrip to prevent self-authorization of travel and include audit trails to determine who made changes to routing lists.

Planned Corrective Actions: The current contract with GovTrip expires on November 12, 2013. However, the EPA will most likely transition to a new service provider prior to this deadline. A routing audit trail is one of the requirements under E-Gov Travel Service 2 contract. At this time, OCFO sees updating GovTrip with the addition of a routing list as cost prohibitive.

Agreed-to Completion Date: November 12, 2013

Recommendation 4: We recommend that the that the Chief Financial Officer develop scripts to determine whether travelers are in compliance with policy for managing routing lists, run the scripts monthly, and investigate exceptions.

Planned Corrective Actions: The routing list audit table in the Electronic Travel Systems product will allow OCFO to run a list of changes that occurred during the reporting period. OCFO would then be able to compare the list to the requests received for the same period and investigate exceptions. In the meantime, OCFO has developed a report that provides a list of vouchers where the traveler's name and the authorizer are the same. The Cincinnati Financial Management Center will run this report monthly and require additional documentation from any exceptions it produces.

Agreed-to Completion Date: November 12, 2013

Action Office: OSWER
Report Title: EPA Promoted the Use of Coal Ash Products With Incomplete Risk Information
Report No.: 11-P-0173
Date Issued: 03/23/2011

Recommendation

Recommendation 1: We recommend that the Assistant Administrator for Solid Waste and Emergency Response define and implement risk evaluation practices to determine the safety of the coal combustion residual beneficial uses the EPA promotes.

Planned Corrective Actions: OSWER will develop a conceptual model for evaluating risks from unencapsulated uses.

Agreed-to Completion Date: March 30, 2014

Action Office: OAR
Report Title: ENERGY STAR Label Needs to Assure Superior Energy Conservation Performance
Report No.: 11-P-0010
Date Issued: 10/28/2010

Recommendation

Recommendation 2: We recommend that the Assistant Administrator for Air and Radiation develop a set of goals and valid and reliable measures that can accurately inform shareholders and the public of the benefits of the program.

Planned Corrective Actions: Consistent with recommendations made through a recent peer review of the model used to document ENERGY STAR products benefits, the EPA is in the process of enhancing its approach to accounting for program savings. An important aspect of this is better articulation of program goals and documentation of a market model for key product areas. (A market model is similar to program logic but adapted to the unique aspects of market transformation programs.) OAR will complete the Phase II Reassessment of baselines for core products and finalize new goals and measures.

Agreed-to Completion Date: December 31, 2012 (corrective actions will be considered past due as of December 31, 2013)

Action Office: OECA and OW
Report Title: EPA Should Revise Outdated or Inconsistent EPA-State Clean Water Act Memoranda of Agreement
Report No.: 10-P-0224
Date Issued: 09/14/2010

Recommendation

Recommendation 2-2: We recommend that the Deputy Administrator develop a systematic approach to identify which states have outdated or inconsistent memoranda of agreement; renegotiate and update those memoranda of agreement using the memorandum of agreement template; and secure the active involvement and final, documented concurrence of headquarters to ensure national consistency.

Planned Corrective Action: Using the tracking system, OECA and OW agreed to verify that memoranda of agreement identified during the first 4-year round of integrated permitting and enforcement reviews are updated.

Agreed-to Completion Date: September 30, 2017

Action Office: OARM, OCFO and OEI
Report Title: EPA Revised Hiring Process Needs Additional Improvements
Report No.: 10-P-0177
Date Issued: 08/09/2010

Recommendations

Recommendation 2-1: We recommend that the Assistant Administrator for Administration and Resources Management, the Chief Financial Officer, and the Assistant Administrator for Environmental Information determine the scope of services to be provided under a human resources line-of-business provider contract. Among the services considered should be an automated workflow process, a tracking system with responsive in-process metrics that will be provided to the EPA, and a system to develop and catalog position descriptions.

Recommendation 2-2: We recommend that the Assistant Administrator for Administration and Resources Management, the Chief Financial Officer, and the Assistant Administrator for Environmental Information, based on the above considerations, select a line-of-business provider and develop a plan to migrate to the selected provider.

Planned Corrective Actions: OARM, OCFO and OEI agreed to develop the scope of services to be provided under a human resources line-of-business provider contract, and present this business case to Office of Personnel Management. They will make a decision on the proposed human resources line-of-business provider. In addition, they will tentatively plan to deploy the system and train the user community, contingent upon a decision and a mutually approved project schedule with the selected human resources line-of business provider. (These corrective actions apply to recommendations 2-1 and 2-2.)

Agreed-to Completion Date: September 30, 2013 (corrective actions will be considered past due as of September 30, 2014).

Action Office: OCSPP
Report Title: EPA Needs a Coordinated Plan to Oversee Its Toxic Substances Control Act Responsibilities
Report No.: 10-P-0066
Date Issued: 02/17/2010

Recommendation

Recommendation 2-4: We recommend that the Assistant Administrator for Chemical Safety and Pollution Prevention establish criteria and procedures outlining what chemicals or classes of chemicals will undergo risk assessments for low-level and cumulative exposure. Periodically update and revise risk assessment tools and models with latest research and technology developments.

Planned Corrective Action 2: OCSPP agreed to initiate cumulative assessments of eight phthalates and the EPA intends to lay the groundwork to consider initiating rulemaking under Toxic Substances Control Act section 6(a) to regulate the eight phthalates. In preparation for the rulemaking, the EPA intends, in cooperation with the U.S. Consumer Product Safety Commission and the U.S. Food and Drug Administration, to continue to work to fully assess the use, exposure and substitutes for these chemicals. In its further review, the EPA plans to consider the future results of the cumulative assessment that will be developed by the Consumer Product Safety Commission. Further specific actions for the EPA will be determined based on the results of Consumer Product Safety Commission's and Food and Drug Administration's work. Further specific actions for the EPA, such as the establishment of criteria and procedures for how OCSPP will, in the future, identify classes of chemicals to undergo assessments for low-level and cumulative exposure assessments, will be determined based on the results of Consumer Product Safety Commission's and Food and Drug Administration's work.

Agreed-to Completion Date: December 31, 2012 (corrective action will be considered past due as of December 31, 2013)

Planned Corrective Action 3: OCSPP is an active participant in an agencywide introspective analysis of risk assessment practices that brings agency risk assessors and risk managers together to work toward advancing human health risk assessment focusing on selected recommendations presented in the National Research Council reports: *Science and Decisions: Advancing Risk Assessment*; *Phthalates and Cumulative Risk: The Tasks Ahead*; and *Toxicity Testing in the 21st Century: A Vision and A Strategy*. The EPA plans to issue agency guidance for the conduct of cumulative exposure assessments and OCSPP's implementation is dependent on the agency issuing the guidance.

Agreed-to Completion Date: February 28, 2013 (corrective action will be considered past due as of February 28, 2014)

Action Office: OSWER
Report Title: Lack of Final Guidance on Vapor Intrusion Impedes Efforts to Address Indoor Air Risks
Report No.: 10-P-0042
Date Issued: 12/14/2009

Recommendations

Recommendation 2: We recommend the Assistant Administrator for Solid Waste and Emergency Response issue final vapor intrusion guidance(s) that incorporates information on:

- a. Updated toxicity values.
- b. A recommendation(s) to use multiple lines of evidence in evaluating and making decisions about risks from vapor intrusion.
- c. How risks from petroleum hydrocarbon vapors should be addressed.
- d. How the guidance applies to Superfund Five-Year Reviews.
- e. When or whether preemptive mitigation is appropriate.
- f. Operations and maintenance, the termination of the systems, and when institutional controls and deed restrictions are appropriate.

Planned Corrective Actions: OSWER will issue final guidance(s) on vapor intrusion to seek public comment prior to initiating OMB-led interagency review.

Agreed-to Completion Date: November 30, 2012 (corrective actions will be considered past due as of November 30, 2013)

Recommendation 3: We recommend the Assistant Administrator for Solid Waste and Emergency Response train EPA and state staff and managers and other parties on the newly updated, revised and finalized guidance document(s).

Planned Corrective Actions: OSWER will develop training materials and train the EPA and state staff and managers on the finalized guidance document(s).

Agreed-to Completion Date: May 31, 2013 (corrective actions will be considered past due as of May 31, 2014)

Action Office: OECA
Report Title: EPA Oversight and Policy for High Priority Violations of Clean Air Act Need Improvement
Report No.: 10-P-0007
Date Issued: 10/14/2009

Recommendations

Recommendation 1: We recommend that the Assistant Administrator for Enforcement and Compliance Assurance direct the EPA regions to comply with the High Priority Violation policy, and monitor and report on regions' compliance.

Recommendation 3: We recommend that the Assistant Administrator for Enforcement and Compliance Assurance implement proper management controls over HPV by (1) following the watch list standard operating procedures, including generating trend reports and conducting national annual reviews; and (2) ensuring that Air Facility System data is accurate by documenting data inaccuracies and their disposition in regular meeting notes.

Planned Corrective Action: OECA will issue the HPV Identification Report. (This corrective action applies to recommendations 1 and 3.)

Agreed-to Completion Date: October 1, 2012 (corrective action will be considered past due as of October 1, 2013)

Action Office: OARM
Report Title: Review of Hotline Complaint on Employee Granted Full-Time Work-at-Home Privilege
Report No.: 10-P-0002
Date Issued: 10/07/2009

Recommendation

Recommendation 2b: We recommend that the Assistant Administrator for Administration and Resources Management identify and review all existing arrangements of full-time work-at-duty-station separate from the position of record, including the situation that was the subject of this review, and bring each of these arrangements into compliance with implemented the EPA's policy.

Planned Corrective Action 1: The EPA headquarters program and regional offices plan to review the current arrangements (6 months from approval date of policy).

Agreed-to Completion Date: June 30, 2013 (corrective action will be considered past due as of June 30, 2014)

Planned Corrective Action 2: Bring any arrangements into alignment with the policy by obtaining approval through the new policy's request process or terminate the existing arrangement. (Note: the 6 months to review current arrangements is included within the 1-year for final resolution.)

Agreed-to Completion Date: December 31, 2013

Action Office: OW
Report Title: EPA Needs to Accelerate Adoption of Numeric Nutrient Water Quality Standards
Report No.: 09-P-0223
Date Issued: 08/26/2009

Recommendations

Recommendation 2-3: We recommend that the Assistant Administrator for Water establish the EPA and state accountability for meeting milestones for adopting numeric nutrient water quality standards for those waters in the rest of the nation that require them. The EPA should do this by:

- a. Requiring states to develop milestones based on resources available.
- b. Reviewing those milestones and approving them as appropriate.

Recommendation 2-4: We recommend that the Assistant Administrator for Water establish metrics to gauge the actual progress made by the states in adopting numeric nutrient water quality standards.

Recommendation 2-5: We recommend that the Assistant Administrator for Water ensure that the regions annually validate the Water Quality Standards Action Tracking Application data.

Planned Corrective Actions: OW will publish and make available on the EPA's nutrient criteria website a state status review report showing a cross walk between milestones and program activity measures. Once completed, OW will continue to do this every 2 years. (This corrective action applies to recommendations 2-3, 2-4 and 2-5.)

Agreed-to Completion Date: December 31, 2012 (corrective actions will be considered past due as of December 31, 2013) and every 2 years thereafter

Action Office: OAR
Report Title: EPA Does Not Provide Oversight of Radon Testing Accuracy and Reliability
Report No.: 09-P-0151
Date Issued: 05/12/2009

Recommendation

Recommendation 1: We recommend that the Assistant Administrator for Air and Radiation disclose to the public that while radon testing is recommended by the agency and the U.S. Surgeon General, EPA cannot provide assurance that commercially available radon testing devices or radon testing laboratories are accurate and reliable.

Planned Corrective Action 1: OAR will conduct a study of device accuracy under an approved Quality Assurance Project Plan.

Agreed-to Completion Date: March 31, 2014

Planned Corrective Action 2: OAR will publish the study results and make them available to the public and to the radon community in general.

Agreed-to Completion Date: June 30, 2014

Planned Corrective Action 3: OAR will update the radon website to show results of the study.

Agreed-to Completion Date: June 30, 2014

Action Office: Region 9
Report Title: Making Better Use of Stringfellow Superfund Special Accounts
Report No.: 08-P-0196
Date Issued: 07/09/2008

Recommendation

Recommendation 2: We recommend that the Region 9 Administrator reclassify or transfer to the Trust Fund, as appropriate, up to \$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 FY 2010, when the record of decision is signed and the final settlement is achieved.

Planned Corrective Actions: Region 9 will reclassify or transfer to the EPA Hazardous Substance Superfund Trust Fund, as appropriate, up to \$27.8 million of the Stringfellow special accounts in annual reviews, and at other milestones, when the record of decision is signed and the final settlement is achieved.

Agreed-to Completion Date: December 31, 2012 (corrective actions will be considered past due as of December 31, 2013)

Action Office: OSWER
Report Title: EPA Needs to Plan and Complete a Toxicity Assessment for the Libby Asbestos Cleanup
Report No.: 2007-P-00002
Date Issued: 12/05/2006

Recommendation

Recommendation 1: We recommend that the EPA fund and execute a comprehensive amphibole asbestos toxicity assessment to determine (1) the effectiveness of the Libby removal actions, and (2) to determine whether more actions are necessary. The toxicity assessment should include the effects of asbestos exposure on children. The EPA Science Advisory Board should review the toxicity assessment and report to the OA and the Libby Community Advisory Group whether the proposed toxicity assessment can sufficiently protect human health.

Planned Corrective Action: OSWER will complete the National Health and Environmental Effects Research Laboratory animal toxicity studies.

Agreed-to Completion Date: September 30, 2015

Action Office: OECA
Report Title: State Enforcement of Clean Water Act Discharges Can Be More Effective
Report No.: 2001-P-00013
Date Issued: 08/14/2001

Recommendation

Recommendation 3-4: We recommended that the Assistant Administrator for Enforcement and Compliance Assurance continue to report the Permit Compliance System as an agency-level weakness until the modernization project is implemented and the system data is reasonably accurate and complete.

Planned Corrective Action: OECA will continue to report the Permit Compliance System as an agency-level weakness until the modernization project is implemented and the system data is accurate and complete.

Agreed-to Completion Date: December 31, 2013

Part Three: Unimplemented CSB Recommendations With Past Due Completion Dates

Report Title: Evaluation of U.S. Chemical Safety and Hazard Investigation Board's Compliance with the Federal Information Security Management Act (Fiscal Year 2011)
Report No.: 12-P-0363
Date Issued: 03/21/2012

Report Summary

KPMG, LLP noted that CSB has an information security program in place that appears to be functioning as designed. KPMG, LLP also noted that CSB takes information security weaknesses seriously, as three of the four prior-year recommendations were resolved. However, KPMG, LLP identified areas in which CSB could improve upon its vulnerability scanning and patch management process, and inventory of information technology assets.

In addition to reviewing CSB's information security practices, KPMG, LLP conducted a security assessment of key CSB system and network devices. This assessment disclosed several challenges CSB faces in securing its main information technology system. KPMG, LLP found unpatched network devices, which elevated CSB's risk of system and data compromise by unauthorized users. KPMG, LLP provided detailed results of its assessment to CSB officials. KPMG, LLP also identified 199 excess information technology devices, of a total of 408, which could allow for misuse or loss of information technology devices or data.

Unimplemented Recommendation

Recommendation 2: We recommend that the Chairman, U.S. Chemical Safety and Hazard Investigation Board, develop and implement standard baseline configurations for the network devices.

Status: The CSB installed or completed the installation of the four missing patches identified in the scan and will continue to actively review and patch network devices. The CSB did not document the standard baseline configuration. The original agreed-to completion date was July 31, 2012.

Report Title: U.S. Chemical Safety and Hazard Investigation Board Did Not Take Effective Corrective Actions on Prior Audit Recommendations
Report No.: 11-P-0115
Date Issued: 02/15/2011

Report Summary

The CSB did not take timely corrective actions to address a total of 34 audit recommendations from three OIGs and from the Government Accountability Office. In four instances, it took CSB 4 years beyond the agreed-upon corrective actions date (or report date) to implement corrective actions. The CSB's actions to address 13 recommendations were not completely effective and require additional corrective actions, while seven additional recommendations are not yet completed.

The CSB has not established and implemented a management control program to evaluate and report on the effectiveness of controls related to its program operations. The CSB's control environment and control activities do not ensure accountability. Specifically, the CSB's office directors are not accountable for achieving individual and program initiatives leading to chemical accident prevention. Effective control activities, including board orders, have not been developed and implemented. In addition, without a clearly defined statutory mandate, the CSB will face difficulties in developing outcome-related goals for measuring its impact on chemical accident prevention. Without effective controls, the CSB is not timely in carrying out initiatives to achieve the board's goal of chemical accident prevention.

On September 16, 2010, the CSB announced an internal reorganization, appointing a managing director who will oversee all aspects of the CSB operations. A managing director who ensures accountability should provide for more timely and effective resolution of audit recommendations.

Unimplemented Recommendations

Recommendation 1: We recommend that the Chairman, U.S. Chemical Safety and Hazard Investigation Board, develop and implement a management control plan that documents and addresses the five internal control standards in accordance with OMB Circular A-123 and Government Accountability Office's *Standards for Internal Controls in the Federal Government*. The plan should include an effective monitoring system to track corrective actions to address and implement audit recommendations. The plan is to include:

- a. A database to track all prior audit recommendations, planned milestone completion dates, and corrective actions taken.
- b. Procedures for conducting periodic internal control reviews and properly documenting those reviews, including verifying and ensuring that audit recommendations are resolved promptly.

Status: The CSB agreed to develop a management control plan as an initiative in its FY 2011 action. The CSB is developing a management control plan with references to appropriate OMB circulars. The plan will direct periodic review of all board orders. The

CSB expects to complete the plan by December 31, 2013. The agreed-to completion date for this corrective action was February 28, 2011.

Recommendation 2: We recommend that the Chairman, U.S. Chemical Safety and Hazard Investigation Board, develop and publish a regulation requiring persons to report chemical accidents, as required by the CAA.

Status: The CSB agreed to issue a proposed rule on accident reporting as an initiative in its FY 2011 action plan. After further considering this issue, the CSB believes that it receives adequate incident notifications through constant media and Internet searches, as well as existing federal sources such as the National Response Center. The CSB's ability to consider rulemaking and program development in this area has been further impacted by congressional budget cuts and sequestration, which effectively prevent any hiring that would be needed for a regulatory reporting program. The CSB has developed two written questionnaires that are being sent to companies that have incidents, on a discretionary basis. The CSB does not have any further action planned. The agreed-to completion date for this corrective action was September 30, 2011.

Recommendation 3: We recommend that the Chairman, U.S. Chemical Safety and Hazard Investigation Board, follow up with Congress on the CSB's request for clarification of its statutory mandate. Upon receipt of the response, develop a plan to describe and address the investigative gap, address prior audit recommendations, and request the necessary resources to meet the CSB's statutory mandate.

Status: The CSB agreed to transmit a formal package of suggested legislative improvements to the CSB's congressional authorizing committee as an initiative in its FY 2011 action plan. The package will include suggested language to clarify the statutory mandate to investigate. The CSB noted that it is not in a position to guarantee a congressional response as indicated in our recommendation. The CSB now believes this recommendation should be closed since the CSB raised the statutory issue with Congress by letter in November 2009. In addition, the letter from then-Chairman Bresland stated, "Pending any further direction from Congress, the CSB will continue to adhere to its interpretation of its statutory authority and mandate." In the event that Congress opts to consider reauthorization of the CSB, the CSB will remind Congress of this wording concern of the OIG. The CSB does not have any further action planned. The agreed-to completion date for this corrective action was April 30, 2011.

Recommendation 5: We recommend that the Chairman, U.S. Chemical Safety and Hazard Investigation Board, develop and implement a system for periodic reviews of board orders to ensure they remain updated (i.e., effective date of the policy and scheduled review date) and include the requirement for such a system in the management control plan.

Status: The CSB agreed to develop a system for periodic reviews of board orders and include the requirement for such a review in the management control plan. As indicated in recommendation 1, CSB expects to complete the plan by December 31, 2013. The agreed-to completion date for this corrective action was February 28, 2011.

Recommendation 6: We recommend that the Chairman, U.S. Chemical Safety and Hazard Investigation Board, take corrective actions that will satisfy prior audit recommendations by updating and formalizing board orders that are essential to facilitate and manage effective and efficient control activities. Specifically, update:

- a. Board Order 036, “Incident Selection Process,” to reflect current changes, such as its data sources, changes due to technology improvements, and the incident selection process decision-making flowchart, to improve the incident screening and deployment decision-making process. In addition, formalize the Incident Screeners Guide (appendix A, audit recommendation 17, 18, 19, 20, and 31).
- b. Board Order 040, “Investigation Protocol,” to govern employees retaining memberships in societies or organizations to which the CSB issues recommendations (appendix A, audit recommendation 21).
- c. Board Order 027, “Roles, Responsibilities, and Standards of Conduct in Procurement Activities,” to reflect current procurement practices and processes to ensure consistency in the procurement process (appendix A, audit recommendation 7).
- d. Board Order 022, “Recommendation Program,” to include new practices adopted for following up on safety recommendations, to include a quality review program to ensure timely follow-up on closed safety recommendations (appendix A, audit recommendations 12 and 15).
- e. Board Order 028, “Executive Administrative Functions of the Board,” to document the role and responsibility of the managing director position.

Status: The CSB indicated its intention to satisfy prior audit recommendations by updating and formalizing board orders that are essential to facilitate and manage effective and efficient control activities. Specifically, for each of the sub-recommendations:

- a. The CSB has completed the corrective actions.
- b. The CSB has completed the corrective actions.
- c. For those board orders that refer to positions that no longer exist (e.g., chief operating officer), the CSB general counsel has concluded that the delegated position authority references the equivalent position (e.g., managing director). In those instances in which no equivalent position exists, authority is reposed in the next higher ranking official with decision-making authority. In those rare instances in which no equivalent position can be determined, the administrative authority will revert to the chair or the board, as appropriate. The agreed-to completion date was March 31, 2011.
- d. The CSB agreed to consider including a quality review program to ensure timely follow-up on safety recommendations in Board Order 022. The CSB will also update the Recommendations Office “Standards of Practice” document and expects that the board order will contain general guidance and the Standards of Practice will include detailed procedures. The CSB staff proposed a revision of Board Order 22 to address this issue, but the board has not been able to agree on approval. The CSB will adopt pertinent changes through a management directive. The CSB plans to complete these actions by September 30, 2014. The agreed-to completion date was September 30, 2011.

- e. The CSB agreed to review Board Order 028, and update it as appropriate to reflect the role and responsibility of the managing director position by September 20, 2011. The CSB determined, as of February 14, 2012, after review of Board Order 028, that it is not appropriate to document the role and the responsibilities of the managing director in this board order. The purpose of the board order is to establish the manner in which the board exercises its executive and administrative functions through the position of the chairperson. The managing director is a staff position for which roles and responsibilities is no longer applicable. The OIG, however, still considers the recommendation to be open.

Part Four: Unimplemented CSB Recommendations With Future Planned Completion Dates

Report Title: Audit Follow-Up Process Needed for the U.S. Chemical Safety and Hazard Investigation Board
Report No.: 13-P-0128
Date Issued: 02/01/2013

Recommendation

Recommendation 1: We recommend that the Chairperson, U.S. Chemical Safety and Hazard Investigation Board, develop and implement a follow-up system as required by OMB Circulars A-50 and A-123 that includes establishing a policy that identifies an audit follow-up official, roles and responsibilities, required documentation, and reporting requirements, to allow for prompt resolution of recommendations and implementation of agreed-to corrective actions.

Planned Corrective Action: The CSB agreed to create agency audit follow-up procedures.

Agreed-to Completion Date: April 30, 2013 (corrective action will be considered past due as of April 30, 2014)

Report Title: U.S. Chemical Safety and Hazard Investigation Board Should Improve Its Recommendations Process to Further Its Goal of Chemical Accident Prevention
Report No.: 12-P-0724
Date Issued: 08/22/2012

Recommendations

Recommendation 1: We recommend that the Chairperson, U.S. Chemical Safety and Hazard Investigation Board, update board orders to ensure that the CSB achieves its mission of chemical accident prevention through improved recommendations processes, to include:

- a. Board Order 022, *CSB Recommendation Program*,
 - i. To establish and implement data quality reviews to verify the accuracy, completeness, and reliability of recommendations data entered in TRIM (Total Records and Information Management), such as error checks and inclusion of required supporting documentation.
 - ii. To require that the Office of Recommendations director periodically analyze and assess the recommendations process to identify potential process improvements.
- b. Board Order 001, *Board Quorum and Voting*, to establish and implement guidelines that define the length of time notation items can be calendared before a vote must be taken.
- c. Board Order 040, *Investigation Protocol*, to clearly outline roles and responsibilities of the Office of Investigations with respect to the recommendations process, including a requirement that Office of Recommendations staff participate in accident investigations, and identification of the office responsible for identifying potential recommendation recipients.

Planned Corrective Action for 1.a: The CSB submitted the revised Board Order 22 to the board for consideration and it was calendared by one of the members on November 1, 2012. The CSB will adopt pertinent changes through a management directive.

Agreed-to Completion Date: May 31, 2013 (corrective action will be considered past due as of May 31, 2014)

Planned Corrective Action for 1.b: The CSB disagrees with this recommendation and no further action is planned.

Agreed-to Completion Date: Unavailable

Planned Corrective Action for 1.c: Due to the CSB's workload to complete several investigations by the beginning of the second quarter of FY 2013, it was not able to meet the previous December 31, 2012, deadline to complete the sections of Board Order 040 related to the OIG's recommendations. The staff task force completed the section on

causal analysis and it has been approved by the board. The task force from the Offices of Investigations, Recommendations, and Administration met on January 22, 2013, to create chapter work plans for Product Development and Review and Recommendations. The CSB will revise Board Order 40.

Agreed-to Completion Date: September 30, 2013 (corrective action will be considered past due as of September 30, 2014)

Report Title: Evaluation of U.S. Chemical Safety and Hazard Investigation Board's Compliance with the Federal Information Security Management Act (Fiscal Year 2011)
Report No.: 12-P-0363
Date Issued: 03/21/2012

Recommendation

Recommendation 1: We recommend that the Chairman, U.S. Chemical Safety and Hazard Investigation Board, review and implement patches as required for network devices.

Planned Corrective Action: The CSB installed or completed the installation of the four missing patches identified in the scan and will continue to actively review and patch network devices.

Agreed-to Completion Date: Ongoing

EPA OIG Reports With Unimplemented Recommendations by Program Office as of September 30, 2013

Recommendations With Past Due Completion Dates

OA

- 12-P-0125** Early Warning Report: Use of Unapproved Asbestos Demolition Methods May Threaten Public Health (**Recommendation 5**)
- 11-P-0708** EPA Progress on the 2007 Methamphetamine Remediation Research Act (**Recommendation 3**)

OAR

- 11-R-0179** EPA Needs to Better Document Project Delays for Recovery Act Diesel Emissions Reduction Act Grants (**Recommendations 3 and 5**)
- 10-P-0154** Key Activities in EPA's Integrated Urban Air Toxics Strategy Remain Unimplemented (**Recommendations 2-1 and 2-2**)
- 2005-P-00010** Substantial Changes Needed in Implementation and Oversight of Title V Permits If Program Goals Are To Be Fully Realized (**Recommendations 2-1 and 2-3**)

OARM

- 12-P-0388** EPA Should Improve Controls for Managing Contractor-Held Property (**Recommendations 1, 3, and 6**)
- 12-1-0073** Audit of EPA's Fiscal 2011 and 2010 Consolidated Financial Statements (**Recommendation 9**)
- 11-P-0705** EPA's Contract Oversight and Controls Over Personal Computers Need Improvement (**Recommendation 2**)
- 11-P-0687** EPA Should Improve Timeliness for Resolving Audits Under Appeal (**Recommendation 2**)
- 11-P-0616** EPA Has Not Fully Implemented a National Emergency Equipment Tracking System (**Recommendation 3**)
- 11-P-0136** EPA Needs Better Agency-Wide Controls Over Staff Resources (**Recommendation 1**)
- 10-P-0002** Review of Hotline Complaint on Employee Granted Full-Time Work-at-Home Privilege (**Recommendations 1 and 2a**)
- 09-P-0087** EPA Plans for Managing Counter Terrorism/Emergency Response Equipment and Protecting Critical Assets Not Fully Implemented (**Recommendation 4-1(b)**)

OCFO

- 11-P-0630 EPA Needs Workload Data to Better Justify Future Workforce Levels
(**Recommendations 1 and 2**)
- 11-P-0031 EPA Needs to Strengthen Internal Controls for Determining Workforce Levels
(**Recommendations 2-1 and 2-2**)
- 10-1-0029 Audit of EPA's Fiscal 2009 and 2008 (Restated) Consolidated Financial Statements
(**Recommendations 27 and 32**)
- 2006-P-00013 EPA Can Better Manage Superfund Resources (**Recommendation 2-3**)

OCSPP

- 10-P-0066 EPA Needs a Coordinated Plan to Oversee Its Toxic Substances Control Act Responsibilities
(**Recommendation 2-5**)

OECA

- 12-P-0113 EPA Must Improve Oversight of State Enforcement (**Recommendation 4**)
- 11-P-0315 Agency-Wide Application of Region 7 NPDES Program Process Improvements Could Increase EPA Efficiency (**Recommendation 1**)
- 10-P-0230 ECHO Data Quality Audit—Phase II Results: EPA Could Achieve Data Quality Rate with Additional Improvements (**Recommendation 5**)
- 10-P-0007 EPA Oversight and Policy for High Priority Violations of Clean Air Act Need Improvement
(**Recommendation 2**)
- 2005-P-00024 Limited Knowledge of the Universe of Regulated Entities Impedes EPA's Ability to Demonstrate Changes in Regulatory Compliance (**Recommendation 2-4**)
- 2001-P-00013 State Enforcement of Clean Water Act Discharges Can Be More Effective
(**Recommendations 3-1 and 3-2**)

ORD

- 11-P-0386 Office of Research and Development Should Increase Awareness of Scientific Integrity Policies
(**Recommendation 3**)

OSWER

- 11-P-0534 Revisions Needed to National Contingency Plan Based on Deepwater Horizon Oil Spill
(**Recommendations 1, 3, 6 and 7**)
- 11-P-0171 EPA Needs an Agency-Wide Plan to Provide Tribal Solid Waste Management Capacity Assistance (**Recommendations 1 and 2**)
- 2007-P-00002 EPA Needs to Plan and Complete a Toxicity Assessment for the Libby Asbestos Cleanup
(**Recommendation 1**)

Region 2

2007-P-00016 Environmental Justice Concerns and Communication Problems Complicated Cleaning Up Ringwood Mines/Landfill Site (**Recommendation 2-1**)

Region 9

12-2-0072 Agreed-Upon Procedures Applied to EPA Grants Awarded To Summit Lake Paiute Tribe, Sparks, Nevada (**Recommendation 2**)

Recommendations With Future Planned Completion Dates

OA

13-P-0201 The EPA Needs to Improve Management of Its School Environmental Health Efforts (**Recommendations 1, 2, 3 and 4**)

OAR

13-P-0161 EPA Needs to Improve Air Emissions Data for the Oil and Natural Gas Production Sector (**Recommendations 1, 2, and 3**)

12-P-0747 EPA Could Improve the SmartWay Transport Partnership Program by Implementing a Direct Data Verification Process (**Recommendation 1**)

12-P-0417 Weaknesses in EPA's Management of the Radiation Network System Demand Attention (**Recommendation 8**)

11-P-0701 EPA Should Update Its Fees Rule to Recover More Motor Vehicle and Engine Compliance Program Costs (**Recommendation 1**)

11-P-0010 Energy Star Label Needs to Assure Superior Energy Conservation Performance (**Recommendation 2**)

09-P-0151 EPA Does Not Provide Oversight of Radon Testing Accuracy and Reliability (**Recommendation 1**)

OARM

13-P-0208 EPA Should Increase Fixed-Price Contracting for Remedial Actions (**Recommendations 1, 2, 3 and 4**)

13-P-0200 Improvements Needed in EPA's Smartcard Program to Ensure Consistent Physical Access Procedures and Cost Reasonableness (**Recommendations 3 and 5**)

13-P-0178 Improvements Needed in EPA Training and Oversight for Risk Management Program Inspections (**Recommendation 5**)

13-P-0162 EPA Can Further Reduce Space in Under-Utilized Facilities (**Recommendations 1, 2, 3, 4 and 5**)

- 13-P-0028 Improvements Needed in Estimating and Leveraging Cost Savings Across EPA
(Recommendation 3)
- 12-P-0836 EPA Should Improve Management Practices and Security Controls for Its Network Directory
Service System and Related Servers **(Recommendations 8 and 9)**
- 12-P-0388 EPA Should Improve Controls for Managing Contractor-Held Property **(Recommendations 3, 4
and 6)**
- 10-P-0177 EPA Revised Hiring Process Needs Additional Improvements **(Recommendations 2-1 and 2-2)**
- 10-P-0002 Review of Hotline Complaint on Employee Granted Full-Time Work-at-Home Privilege
(Recommendation 2b)

OCFO

- 13-P-0175 Corrective Action Plan Needed in Order to Fully Comply With the Improper Payments
Elimination and Recovery Act **(Recommendation 6)**
- 13-P-0163 EPA is Not Recovering All Its Costs of the Lead-Based Paint Fees Program
(Recommendation 3)
- 13-1-0054 Audit of EPA's Fiscal 2012 and 2011 Consolidated Financial Statements
(Recommendations 1, 6 and 16)
- 13-P-0028 Improvements Needed in Estimating and Leveraging Cost Savings Across EPA
(Recommendations 1 and 2)
- 11-P-0223 EPA Needs to Strengthen Its Management Controls Over Its Travel Authorization Process
(Recommendations 2 and 4)
- 10-P-0177 EPA Revised Hiring Process Needs Additional Improvements **(Recommendations 2-1 and 2-2)**

OCSP

- 13-P-0163 EPA is Not Recovering All Its Costs of the Lead-Based Paint Fees Program
(Recommendations 1 and 2)
- 12-P-0600 Review of Hotline Complaint Concerning Cost and Benefit Estimates for EPA's Lead-Based Paint
Rule **(Recommendation 1)**
- 10-P-0066 EPA Needs a Coordinated Plan to Oversee Its Toxic Substances Control Act Responsibilities
(Recommendation 2-4)

OECA

- 13-1-0054 Audit of EPA's Fiscal 2012 and 2011 Consolidated Financial Statements
(Recommendation 8)
- 12-P-0113 EPA Must Improve Oversight of State Enforcement **(Recommendations 1 and 3)**
- 10-P-0224 EPA Should Revise Outdated or Inconsistent EPA-State Clean Water Act Memoranda of
Agreement **(Recommendation 2-2)**

- 10-P-0007 EPA Oversight and Policy for High Priority Violations of Clean Air Act Need Improvement
(Recommendations 1 and 3)
- 2001-P-00013 State Enforcement of Clean Water Act Discharges Can Be More Effective
(Recommendation 3-4)

OEI

- 12-P-0900 Results of Technical Network Vulnerability Assessment: EPA's National Vehicle and Fuel Emissions Laboratory **(Recommendation 3)**
- 12-P-0899 Improvements Needed in EPA's Network Security Monitoring Program
(Recommendations 1 and 4)
- 12-P-0879 EPA's Office of Environmental Information Should Improve Ariel Rios and Potomac Yard Computer Room Security Controls **(Recommendations 2, 3, 4 and 5)**
- 12-P-0836 EPA Should Improve Management Practices and Security Controls for Its Network Directory Service System and Related Servers **(Recommendation 16)**
- 12-P-0427 Office of Environmental Information Should Strengthen Controls Over Mobile Devices
(Recommendation 3)
- 11-P-0277 EPA Has Taken Steps to Address Cyber Threats but Key Actions Remain Incomplete
(Recommendation 3)
- 10-P-0177 EPA Revised Hiring Process Needs Additional Improvements **(Recommendations 2-1 and 2-2)**

ORD

- 13-P-0161 EPA Needs to Improve Air Emissions Data for the Oil and Natural Gas Production Sector
(Recommendation 1)
- 11-P-0333 Office of Research and Development Needs to Improve Its Method of Measuring Administrative Savings **(Recommendation 1)**

OSWER

- 13-P-0208 EPA Should Increase Fixed-Price Contracting for Remedial Actions
(Recommendations 1, 2, 3 and 4)
- 13-P-0178 Improvements Needed in EPA Training and Oversight for Risk Management Program Inspections
(Recommendations 7 and 8)
- 13-P-0176 Results and Benefits Information Is Needed to Support Impacts of EPA's Superfund Removal Program **(Recommendations 1 and 2)**
- 13-P-0152 EPA Could Improve Contingency Planning for Oil and Hazardous Substance Response
(Recommendations 2, 3 and 4)
- 12-P-0508 EPA Inaction in Identifying Hazardous Waste Pharmaceuticals May Result in Unsafe Disposal
(Recommendation 3)

- 12-P-0289 Controls Over State Underground Storage Tank Inspection Programs in EPA Regions Generally Effective (**Recommendation 1**)
- 12-P-0253 EPA Needs to Further Improve How It Manages Its Oil Pollution Prevention Program (**Recommendation 1**)
- 11-P-0534 Revisions Needed to National Contingency Plan Based on Deepwater Horizon Oil Spill (**Recommendation 5**)
- 11-P-0173 EPA Promoted the Use of Coal Ash Products With Incomplete Risk Information (**Recommendation 1**)
- 10-P-0042 Lack of Final Guidance on Vapor Intrusion Impedes Efforts to Address Indoor Air Risks (**Recommendations 2 and 3**)
- 2007-P-00002 EPA Needs to Plan and Complete a Toxicity Assessment for the Libby Asbestos Cleanup (**Recommendation 1**)

OW

- 13-P-0175 Corrective Action Plan Needed in Order to Fully Comply With the Improper Payments Elimination and Recovery Act (**Recommendations 2 and 3**)
- 12-P-0453 Alleged Misuse of Tribal Clean Water Act Section 106 Funds in EPA Region 8 (**Recommendation 1**)
- 10-P-0224 EPA Should Revise Outdated or Inconsistent EPA-State Clean Water Act Memoranda of Agreement (**Recommendation 2-2**)
- 09-P-0223 EPA Needs to Accelerate Adoption of Numeric Nutrient Water Quality Standards (**Recommendations 2-3, 2-4 and 2-5**)

Region 7

- 13-P-0207 Review of Hotline Complaint Regarding Residential Soil Contamination in Cherryvale, Kansas (**Recommendations 1, 2 and 3**)

Region 8

- 11-P-0430 An Overall Strategy Can Improve Communication Efforts at Asbestos Superfund Site in Libby, Montana (**Recommendations 2 and 3**)

Region 9

- 11-P-0725 Region 9 Technical and Computer Room Security Vulnerabilities Increase Risk to EPA's Network (**Recommendations 4, 6, 8 and 10**)
- 08-P-0196 Making Better Use of Stringfellow Superfund Special Accounts (**Recommendation 2**)

Region 10

- 13-R-0206** Audit of American Recovery and Reinvestment Act-Funded Cooperative Agreement 2S-96099601
Awarded to the Idaho Department of Environmental Quality (**Recommendations 3 and 4**)
- 12-P-0220** Region 10 Technical and Computer Security Vulnerabilities Increase Risk to EPA's Network
(**Recommendations 4 and 7**)

***Unimplemented Recommendations:
Current EPA Compendium
(Past Due Recommendations)
Compared to 04/30/13 Compendium***

Continuing Unimplemented Recommendations

- 12-P-0388** EPA Should Improve Controls for Managing Contractor-Held Property (OARM, Recommendations 1 and 3)
- 12-P-0125** Early Warning Report: Use of Unapproved Asbestos Demolition Methods May Threaten Public Health (OA, Recommendation 5)
- 11-P-0705** EPA's Contract Oversight and Controls Over Personal Computers Need Improvement (OARM, Recommendation 2)
- 11-P-0315** Agency-Wide Application of Region 7 NPDES Program Process Improvements Could Increase EPA Efficiency (OECA, Recommendation 1)
- 11-R-0179** EPA Needs to Better Document Project Delays for Recovery Act Diesel Emissions Reduction Act Grants (OAR, Recommendations 3 and 5)
- 11-P-0031** EPA Needs to Strengthen Internal Controls for Determining Workforce Levels (OCFO, Recommendation 2-2)
- 10-P-0066** EPA Needs a Coordinated Plan to Oversee Its Toxic Substances Control Act Responsibilities (OCSP, Recommendation 2-5)
- 10-1-0029** Audit of EPA's Fiscal 2009 and 2008 (Restated) Consolidated Financial Statements (OCFO, Recommendations 27 and 32)
- 10-P-0002** Review of Hotline Complaint on Employee Granted Full-Time Work-at-Home Privileges (OARM, Recommendations 1 and 2a)
- 09-P-0087** EPA Plans for Managing Counter Terrorism/Emergency Response Equipment and Protecting Critical Assets Not Fully Implemented (OARM, Recommendation 4-1(b))
- 2006-P-00013** EPA Can Manage Superfund Resources (OCFO, Recommendation 2-3)
- 2005-P-00010** Substantial Changes Needed in Implementation and Oversight of Title V Permits If Program Goals Are To Be Fully Realized (OAR, Recommendations 2-1 and 2-3)

New Unimplemented Recommendations

- 12-P-0388 EPA Should Improve Controls for Managing Contractor-Held Property
(OARM, Recommendation 6)
- 12-P-0113 EPA Must Improve Oversight of State Enforcement (OECA, Recommendation 4)
- 12-1-0073 Audit of EPA's Fiscal 2011 and 2010 Consolidated Financial Statements
(OARM, Recommendation 9)
- 12-2-0072 Agreed-Upon Procedures Applied to EPA Grants Awarded To Summit Lake Paiute Tribe,
Sparks, Nevada (Region 9, Recommendation 2)
- 11-P-0708 EPA Progress on the 2007 Methamphetamine Remediation Research Act
(OA, Recommendation 3)
- 11-P-0687 EPA Should Improve Timeliness for Resolving Audits Under Appeal
(OARM, Recommendation 2)
- 11-P-0630 EPA Needs Workload Data to Better Justify Future Workforce Levels
(OCFO, Recommendations 1 and 2)
- 11-P-0616 EPA Has Not Fully Implemented a National Emergency Equipment Tracking System
(OARM, Recommendation 3)
- 11-P-0534 Revisions Needed to National Contingency Plan Based on Deepwater Horizon Oil Spill
(OSWER, Recommendations 1, 3, 6 and 7)
- 11-P-0386 Office of Research and Development Should Increase Awareness of Scientific Integrity Policies
(ORD, Recommendation 3)
- 11-P-0171 EPA Needs an Agency-Wide Plan to Provide Tribal Solid Waste Management Capacity
Assistance (OSWER, Recommendations 1 and 2)
- 11-P-0136 EPA Needs Better Agency-Wide Controls Over Staff Resources (OARM, Recommendation 1)
- 11-P-0031 EPA Needs to Strengthen Internal Controls for Determining Workforce Levels
(OCFO, Recommendation 2-1)
- 10-P-0230 ECHO Data Quality Audit—Phase II Results: EPA Could Achieve Data Quality Rate with
Additional Improvements (OECA, Recommendation 5)
- 10-P-0154 Key Activities in EPA's Integrated Urban Air Toxics Strategy Remain Unimplemented
(OAR, Recommendations 2-1 and 2-2)
- 10-P-0007 EPA Oversight and Policy for High Priority Violations of Clean Air Act Need Improvement
(OECA, Recommendation 2)
- 2007-P-00016 Environmental Justice Concerns and Communication Problems Complicated Cleaning Up
Ringwood Mines/Landfill Site (Region 2, Recommendation 2-1)
- 2007-P-00002 EPA Needs to Plan and Complete a Toxicity Assessment for the Libby Asbestos Cleanup
(OSWER, Recommendation 1)

- 2005-P-00024** Limited Knowledge of the Universe of Regulated Entities Impedes EPA’s Ability to Demonstrate Changes in Regulatory Compliance (**OECA, Recommendation 2-4**)
- 2001-P-00013** State Enforcement of Clean Water Act Discharges Can Be More Effective (**OECA, Recommendations 3-1 and 3-2**)

Removed Unimplemented Recommendations

Note: Removal of an unimplemented recommendation does not imply that it was verified as implemented but rather that it was reported as being completed.

- 12-P-0125** Early Warning Report: Use of Unapproved Asbestos Demolition Methods May Threaten Public Health (**OA, Recommendation 6**)
- 12-P-0320** Policies Needed for Proper Use and Management of Cost-Reimbursement Contracts Based on Duncan Hunter Act (**OARM, Recommendation 1**)
- 12-1-0073** Audit of EPA’s Fiscal 2011 and 2010 Consolidated Financial Statements (**OARM, Recommendations 11 and 12**)
- 11-P-0001** EPA Lacks Internal Controls to Prevent Misuse of Emergency Drinking Water Facilities (**OW, Recommendations 2-1, 2-2, 2-3, and 2-4**)
- 10-P-0177** EPA Revised Hiring Process Needs Additional Improvements (**OARM, Recommendation 3-2**)