



U.S. ENVIRONMENTAL PROTECTION AGENCY

OFFICE OF INSPECTOR GENERAL

CHEMICAL SAFETY

EPA Needs to Improve Outreach and Communication About the National Pesticide Information Center's Role and Services

Report No. 15-P-0046

January 7, 2015



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Report Contributors:

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Abbreviations

EPA	U.S. Environmental Protection Agency
FIFRA	Federal Insecticide, Fungicide, and Rodenticide Act
NPIC	National Pesticide Information Center
OIG	Office of Inspector General
OSU	Oregon State University
SFIREG	State-Federal Insecticide, Fungicide, and Rodenticide Act Issues Research and Evaluation Group
SLA	State Lead Agency

Cover photo: Pesticide application. (EPA photo)

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At a Glance

Why We Did This Review

We conducted this review of the National Pesticide Information Center (NPIC) to determine how effective NPIC is at reporting pesticide enforcement and compliance incidents to the appropriate State Lead Agencies (SLAs). NPIC is funded by a cooperative agreement currently between Oregon State University and the U.S. Environmental Protection Agency (EPA). We initiated this review based on issues raised by SLAs at a 2013 public meeting on various pesticide issues.

According to the EPA, NPIC provides objective, science-based information about pesticides to enable people to make informed decisions about pesticides and their use.

This report addresses the following EPA goal or cross-agency strategy:

- *Ensuring the safety of chemicals and preventing pollution.*

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The full report is at:
www.epa.gov/oig/reports/2015/20150107-15-P-0046.pdf.

EPA Needs to Improve Outreach and Communication About the National Pesticide Information Center's Role and Services

What We Found

NPIC's role is not well understood by some SLAs, which has led to confusion and dissatisfaction with NPIC services. NPIC is designed to respond to public inquiries about pesticides through a toll-free telephone service, an extensive website and through outreach and training; to provide objective, science-based information about pesticides and pesticide-related topics to enable the public to make informed decisions about pesticides and their use. NPIC's responsibilities do not include reporting to SLAs specific pesticide enforcement and compliance incidents that may violate pesticide laws. We believe this confusion stems from a lack of outreach and communication to SLAs regarding NPIC's role. The cooperative agreement with the EPA does not require NPIC to engage in proactive outreach or communication regarding its role and services with SLAs.

Improved communication to state agencies regarding NPIC's role and services will improve NPIC's value and ability to provide reliable information to the public and states.

Additionally, some SLAs expressed concern that NPIC staff are not contacting SLAs to make sure that state contact information on the NPIC website is up-to-date and accurate. Improved NPIC communication of its role and services and more contact with SLAs will improve understanding of NPIC's value and enhance its ability to provide reliable information.

Recommendations

We recommend that the EPA send notices annually to inform all SLAs of NPIC's role and services and clearly state that NPIC is not a pesticide compliance or enforcement program. We also recommend that the agency amend its cooperative agreement to require the grantee to consult annually with each SLA to verify contact information on the NPIC website, as well as to communicate NPIC roles and services to SLAs. The EPA agreed with our recommendations and has proposed acceptable corrective actions. All recommendations are resolved.



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

THE INSPECTOR GENERAL

January 7, 2015

MEMORANDUM

SUBJECT: EPA Needs to Improve Outreach and Communication About the National Pesticide Information Center's Role and Services
Report No. 15-P-0046

FROM: Arthur A. Elkins Jr. 

TO: Jim Jones, Assistant Administrator
Office of Chemical Safety and Pollution Prevention

This is our report on the subject evaluation conducted by the Office of Inspector General (OIG) of the U.S. Environmental Protection Agency (EPA). This report contains findings that describe problems the OIG has identified and corrective actions the OIG recommends. This report represents the opinion of the OIG and does not necessarily represent the final EPA position. Final determinations on matters in this report will be made by EPA managers in accordance with established audit resolution procedures.

The EPA office having primary responsibility for the issues evaluated in this report is the Office of Chemical Safety and Pollution Prevention's Office of Pesticide Programs.

Action Required

You are not required to provide a written response to this final report because you provided agreed-to corrective actions and planned completion dates for the report recommendations. The OIG may make periodic inquiries on your progress in implementing these corrective actions. Should you choose to provide a final response, we will post your response on the OIG's public website, along with our memorandum commenting on your response. You should provide your response as an Adobe PDF file that complies with the accessibility requirements of Section 508 of the Rehabilitation Act of 1973, as amended.

We will post this report to our website at <http://www.epa.gov/oig>.

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Purpose

We conducted this review of the National Pesticide Information Center (NPIC) to determine how effective NPIC is at reporting enforcement and compliance incidents to the appropriate State Lead Agencies (SLAs). In an April 2013 meeting of state pesticide representatives, several expressed concern to EPA staff that NPIC was not referring pesticide enforcement or compliance incidents to SLAs.¹

Background

FIFRA Implementation: EPA and SLAs

The EPA and states work together, under the authority of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), to regulate the registration and use of pesticides. The EPA's primary role is to oversee the formulation and production of pesticides through the pesticide registration process. In general, states have primary authority for compliance monitoring and enforcement against pesticides used in violation of labeling requirements.² Usually a state's department of agriculture has the primary responsibility, but this responsibility can be a state's environmental agency or other agency.

SLAs investigate complaints involving potential violations of state pesticide regulations and laws. One SLA we interviewed said they are required by statute to respond through personal contact to all complaints involving alleged human exposure to pesticides within one working day of receiving the complaint.

NPIC

FIFRA requires the EPA to monitor incidental exposure to humans, animals and the environment, and to identify (and quantify) pesticide pollution, long-term trends and sources of contamination and their relationship to human and environmental effects.³ NPIC is one tool the EPA uses to fulfill this mandate. NPIC is funded by a cooperative agreement between Oregon State University (OSU) and the EPA. NPIC's funding serves two purposes:

- Provide a "one-stop-shop" to individuals seeking factual and impartial information on a diverse range of pesticide topics.

¹ The meeting was for the State-Federal Insecticide, Fungicide, and Rodenticide Act Issues Research and Evaluation Group (SFIREG),

² States have primary enforcement responsibility for pesticide use violations under FIFRA, 7 U.S.C. § 136w-1.

³ FIFRA, 7 U.S.C. § 136r.

- Share data with EPA by providing pesticide use information, helping improve pesticide risk assessments, and defining the public’s awareness and concerns about pesticides.

The goal of NPIC is “to promote a better understanding into the world of pesticides which will foster a reduction in pesticide exposures and poisonings and also add to an overall healthier environment.”

The pesticide information service began in 1978 as the Pesticide Hazard Assessment Project at the Texas Tech University Health Sciences Center. Originally the program was established to assist healthcare professionals in the management of pesticide poisonings and not to serve the public. The telephone service was later extended to include the general public and expanded to provide information on a variety of other pesticide topics. Following a competitive renewal process for the cooperative agreement, NPIC was moved to OSU in 1995 and remains the grantee.

The EPA provides approximately \$1 million per year to fund NPIC. NPIC functions nationally through a toll-free telephone number, its website and email correspondence.⁴ A project coordinator and program director oversee five call center staff members.

Responsible Office

The EPA office having primary responsibility for the issues evaluated in this report is the Office of Chemical Safety and Pollution Prevention’s Office of Pesticide Programs.

Scope and Methodology

We conducted our performance audit from April 2014 to October 2014 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient and appropriate evidence. Further, this evidence must provide a reasonable basis for our findings and conclusions. The evidence obtained during the performance audit provides a reasonable basis for our findings and conclusions based upon our objective.

The scope of this evaluation includes the NPIC program operated by OSU, the EPA staff responsible for overseeing and assessing the implementation of that program and members of the State-Federal Insecticide, Fungicide, and Rodenticide Act Issues Research and Evaluation Group (SFIREG). These stakeholders were concerned about enforcement and compliance incidents not

⁴ Mostly through telephone calls, but occasionally through email or postal mail, NPIC staff answer any questions a caller may have about pesticides. These inquiries range from, “If I use this product, will it harm my children or pet?” to “I think my dog ate some rat poison, what should I do?”

being reported to the SLAs. We reviewed FIFRA and identified the statutory basis for the program. We reviewed the EPA's 2005, 2009 and 2013 Request for Application documents, which outlined the requirements of the cooperative agreement. We also reviewed the 2009 and 2013 NPIC proposal submitted by OSU. Finally, we reviewed the 2014-2018 Award Document, outlining the five year award provided to OSU to operate NPIC.

We interviewed staff from the EPA's Office of Pesticide Programs, the EPA's Office of Grants and Debarment, representatives from SFIREG and current NPIC staff. We also interviewed representatives of SLAs from Vermont, New Jersey, Pennsylvania, Florida and California. We reviewed the NPIC standard operating procedures to identify the procedures NPIC uses to address potential enforcement incidents.

Results of Review

Under the cooperative agreement with the EPA, NPIC's role does not include reporting to SLAs specific pesticide enforcement and compliance incidents that may violate pesticide laws. However, NPIC's role is not well understood, and that has led to confusion and dissatisfaction with NPIC services by some SLAs. We believe this confusion stems from the lack of outreach and communication regarding NPIC's role. There is no requirement in the cooperative agreement for NPIC to engage in proactive outreach or communication with SLAs so that its role and services can be better understood. Additionally, some SLAs expressed concern that NPIC staff are not contacting SLAs to make sure that state contact information on the NPIC website is accurate. Assistance from the EPA in communicating NPIC's role can improve understanding of its value and enhance its ability to provide reliable information to SLAs.

NPIC Is Not an Enforcement or Compliance Resource

NPIC's mission under the cooperative agreement is to operate a call center that provides information to medical professionals, veterinarians and the public on pesticide-related issues such as pesticide product usage, pesticide identification and pesticide health effects. Each call is logged, and information discussed during the call and the pesticide in question is documented in a database. According to NPIC staff, fewer than 2 percent of callers are contacting NPIC to report an incident. NPIC defines "incidents" broadly to include any unintended exposure to a pesticide, any exposure with an adverse effect, any potential misapplication of a pesticide, and any pesticide spill. For nearly all other calls, callers are looking for general pesticide information such as the pesticide application process and exposure effects to pesticides used in homes.

NPIC does not determine whether an incident detailed by a caller constitutes a violation of state or federal law. This is not an NPIC requirement under its agreement with the EPA. The NPIC director told Office of Inspector General

(OIG) staff that pesticide laws differ from state to state and NPIC does not have the authority or the resources to make violation determinations for each incident reported by callers. Additionally, NPIC does not collect personally identifiable information⁵ from callers. Several SLAs informed OIG staff that personally identifiable information is necessary for SLAs to follow up on pesticide enforcement/compliance incidents.

According to NPIC and EPA staff, NPIC was designed to provide services that are similar to poison control centers and those of the Centers for Disease Control and Prevention. The NPIC director stated that NPIC conducts “passive surveillance.” In this way, NPIC, like poison control centers and the Centers for Disease Control and Prevention, receives calls, responds to questions from the public and documents incidents for research/analysis purposes, but does not contact enforcement officials regarding incidents that may potentially violate laws and regulations.

NPIC’s Role Is Not Effectively Communicated to SLAs

Under the agreement with the EPA, NPIC is not required to proactively communicate its role to SLAs. Therefore, communication with SLAs has not been extensive.⁶ As a result, there is some confusion within the SLA community about NPIC’s role and the services it is supposed to provide for SLAs. Two SLAs stated that NPIC should report enforcement and compliance incidents to SLAs directly so that SLAs can properly conduct follow-up. NPIC’s standard operating procedures state that when it receives an enforcement or compliance-related call, its staff is to provide the SLA contact information if such information is requested. NPIC does not directly contact the SLAs or encourage callers to contact the SLAs in any way. According to the NPIC Director, taking the role of “enforcement support” would precipitate a “chilling effect” on calls to NPIC.

Additionally, NPIC’s cooperative agreement funding was reduced in 2014. According to the NPIC Director, the lack of funding has made it more difficult to conduct effective outreach to SLAs and other organizations. The director stated that when possible, NPIC staff shares basic information about the program at conferences and events they attend.

In April 2013, confusion about the role of NPIC was discussed at a SFIREG meeting. The EPA Project Officer stated that the role of NPIC was to receive calls, while SLA representatives expressed an interest and expectation that part of NPIC’s role was to contact the SLAs if alleged violations were reported. Following the April 2013 meeting, a workgroup was created to address concerns SLAs had with NPIC. One of the workgroup agreements currently in development

⁵ Personally identifiable information (PII) refers to information that can be used to distinguish or trace an individual’s identity.

⁶ According to the EPA, OSU has worked with multiple individual SLAs over time, but not formally with a representative group until recent SFIREG meetings.

is to establish a standard operating procedure that directs NPIC staff, if requested by the caller, to connect them directly to SLA contacts. NPIC staff also worked with SLAs to make changes to the NPIC website to increase emphasis on the SLA’s role in pesticide enforcement and compliance incidents.

Terms Used by NPIC and SLAs have Different Meanings

NPIC and SLAs use the same terms to describe pesticide exposure (“incident” and “incident data”) and the sharing of such information (“referral”). However, these terms have different meanings to NPIC and the SLAs, leading to misunderstandings between the organizations.

Table 1: Three important terms applied differently by NPIC and states

Terms	NPIC definition	State/SLA definition
Incident	Any unintended pesticide exposure, a pesticide exposure with an adverse effect, a spill, and/or a misapplication of a pesticide.	Any alleged violation of state pesticide use laws and regulations adopted under FIFRA.
Incident Data	The type of incident (exposure route, misapplication, spill, etc.), the type of exposed entity (person, animal, building, etc.) and the location of the incident (inside home, outside home, etc.).	Any reported information about an alleged violation of state pesticide use laws and regulations adopted under FIFRA.
Referral	Provide contact information to callers to refer them to other organizations for (1) questions not addressed by the NPIC service, (2) for emergencies related to human or animal poisonings, or (3) when another group is the best source of information for the inquirer’s question or concern. Sharing of SLA contact information with callers (if requested) when the subject of the call is enforcement/compliance related.	Any complaint or other information alleging or indicating a significant violation of the pesticide use provisions of FIFRA.

Source: OIG analysis of SLA interview data.

As shown in Table 1, the differences in the definitions of these terms have an impact on: (1) the types of exposures SLAs expect NPIC to report to them, (2) the type of data SLAs think NPIC is collecting, and (3) the overall role that NPIC should play in enforcement and compliance.

NPIC Website Contains SLA Contact Errors

NPIC does not have a formal feedback system exclusive to ensure that state contact information and internet links are accurately represented on the NPIC website to SLAs.⁷ During our evaluation, some SLA officials informed us that state contact information presented on the NPIC website is incorrect or needs updating. We briefly surveyed the five states interviewed for this project to determine the extent to which states were consulted prior to their information being posted on the NPIC website. The results are below in Table 2.

Table 2: Results of SLA survey

Question	States saying "Yes"	States saying "No"
Does NPIC consult you or your staff about the information presented on its website about your state?		California Florida New Jersey Pennsylvania Vermont
Are there sufficient processes in place to allow you to provide feedback about your state's information presented on the NPIC website?	California Vermont	Florida New Jersey Pennsylvania
As of today, is the contact information on the NPIC website for your agency correct?	Vermont New Jersey	California Florida Pennsylvania

Source: OIG analysis of SLA follow-up interview data.

As shown in Table 2, none of the five states we interviewed were contacted by NPIC regarding what information should be placed on the NPIC website for each state. Importantly, three of the five states reported that their information on the NPIC website was inaccurate. Errors included wrong phone numbers; outdated web links; incorrect identification of agency leadership; and, in one case, the wrong link to the state's third party pesticide registration provider. Further, three of the five states we interviewed believed that some form of feedback process should be in place for the states to consult with NPIC about the information presented on its website.

Conclusion

Under terms of the agreement with the EPA, NPIC is not an enforcement and compliance resource, yet some SLAs expect NPIC to support their need for enforcement-related incident data. Confusion about NPIC's role and services has led to unrealized expectations for NPIC services and how its data can be used. Some NPIC website content is incorrect and does not link viewers to appropriate state resources, and some of the states we interviewed want NPIC to be more responsive to state requests regarding NPIC website content. To assist states and

⁷ http://npic.orst.edu/reg/state_agencies.html

SLAs in meeting their delegated FIFRA enforcement responsibilities, and to prevent misunderstandings regarding NPIC's role in that important activity, improved communication is needed regarding NPIC's role and services.

Agency Actions Prompted by OIG Work

At the annual meeting of SLAs (May 12, 2014), the EPA provided a fact sheet describing NPIC's role and services, and the fact sheet stated that NPIC is not a pesticide compliance or enforcement program. Additionally, on October 29, 2014, NPIC's website was modified and updated to provide more information on regulatory authority and access.

Recommendations

We recommend that the Assistant Administrator for Chemical Safety and Pollution Prevention:

1. Send annual notices to all SLAs, informing them of NPIC's role and services and clearly state that NPIC is not a pesticide compliance or enforcement program.
2. Amend its current cooperative agreement to require NPIC to consult annually with each SLA to verify the accuracy of SLA information links provided on the NPIC website, as well as communicate its roles and definitions for "incidents," "incident data" and "referrals."

Agency Comments and OIG Evaluation

The agency agreed with our recommendations, and provided corrective actions and estimated completion dates that meet the intent of the recommendations. Recommendation 1 is closed because the agency implemented the action prior to issuing this final report. Based on the agency's written response, recommendation 2 is open with corrective actions ongoing. No further response to this report is required. The agency's response is in Appendix A. The agency also provided technical comments on the draft report, which we have incorporated into our report as appropriate.

Status of Recommendations and Potential Monetary Benefits

RECOMMENDATIONS						POTENTIAL MONETARY BENEFITS (in \$000s)	
Rec. No.	Page No.	Subject	Status ¹	Action Official	Planned Completion Date	Claimed Amount	Agreed-To Amount
1	7	Send annual notices to all SLAs, informing them of NPIC's role and services and clearly state that NPIC is not a pesticide compliance or enforcement program.	C	Assistant Administrator for Chemical Safety and Pollution Prevention			
2	7	Amend its current cooperative agreement to require NPIC to consult annually with each SLA to verify the accuracy of SLA information links provided on the NPIC website, as well as communicate its roles and definitions for "incidents," "incident data" and "referrals."	O	Assistant Administrator for Chemical Safety and Pollution Prevention	9/30/15		

¹ O = Recommendation is open with agreed-to corrective actions pending.

C = Recommendation is closed with all agreed-to actions completed.

U = Recommendation is unresolved with resolution efforts in progress.

Agency Response to Draft Report

November 24, 2014

MEMORANDUM

SUBJECT: Response to Office of Inspector General's Draft Report No. OPE-FY14-0035: "EPA's National Pesticide Information Center Needs to Improve Outreach and Communication About its Role and Services."

FROM: James J. Jones, Assistant Administrator
Office of Chemical Safety and Pollution Prevention

TO: Arthur A. Elkins, Jr.
Inspector General

The Office of Chemical Safety and Pollution Prevention (OCSPP) appreciates the OIG's review of the National Pesticide Information Center's (NPIC) effectiveness in reporting pesticide enforcement and compliance incidents to the appropriate State Lead Agencies (SLAs).

This memorandum provides our response to the issues and recommendations raised in the OIG's October 28, 2014 Draft Report. In summary, OCSPP agrees with the two recommendations in the Draft Report, and this response provides specifics about our planned corrective actions.

Background:

The National Pesticide Information Center (NPIC) is a cooperative agreement program between Oregon State University and EPA. NPIC is committed to making science-based information about pesticides and pesticide-related topics available to the public and professionals to enable them to make informed decisions about pesticides and their use. Similar to other public health surveillance programs, NPIC is not intended to be an enforcement tool or hotline for pesticide use violations. NPIC's primary purpose is to provide information and education to the general public.

OIG's Recommendations and OCSPP Responses

1. **OIG Recommendation:** Send annual notices to all State Lead Agencies (SLAs), informing them of NPIC's role and services and clearly [stating] that NPIC is not a pesticide compliance or enforcement program.
 - **OCSPP Response:** At the annual spring meeting of SLAs (May 2014), EPA provided a fact sheet describing NPIC's role and services, and clearly stating that NPIC is not a pesticide compliance or enforcement program. EPA will continue this practice at future SLA annual meetings.

2. **OIG Recommendation:** Amend [the] current cooperative agreement to require NPIC to consult annually with each SLA to verify the accuracy of SLA information links provided on the NPIC website, as well as communicate its roles and definitions for “incidents,” “incident data,” and “referrals.”
 - **OCSPP Response:** OCSPP agrees with the intention underlying the recommendation, but believes the actions can be achieved more efficiently through the mechanism of EPA’s annual grant guidance. Through the annual grant guidance, EPA will require that the SLAs ensure the accuracy of their phone contact numbers and web addresses by updating that information at least every other year. In turn, NPIC will maintain contact information for each SLA, including contacts for topics such as pesticide registration, applicator certification, compliance assistance, and enforcement.

To help clarify the definitions for “incidents,” “incident data,” and “referrals,” as part of the new EPA/NPIC cooperative agreement, NPIC will deliver a live webinar on January 22, 2015. This webinar will help to promote the availability of incident data to SLAs and state departments of health. EPA will continue to encourage SLAs to contact NPIC to discuss collaboration, request data reports, and to take advantage of the outreach and education capabilities posted on the NPIC website.

In addition, on October 29, 2014, NPIC’s website was modified and updated to provide more information on regulatory authority and access.

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