



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

MAY 18 2012

THE INSPECTOR GENERAL

MEMORANDUM

SUBJECT: Response to Corrective Action Plan for OIG Report No. 12-P-0249,
"EPA Should Strengthen Records Management on Clean Water Act Section 404
Permit Notification Reviews for Surface Coal Mining," February 2, 2012

TO: Nancy K. Stoner
Acting Assistant Administrator for Water

Thank you for your May 3, 2012, response to the subject report and the description of actions taken by your office to implement our recommendations. We accept your corrective action plan for all of the recommendations in the subject report. The attachment provides the status of our evaluation of each of the Office of Water's corrective actions to address our recommendations, and we noted the status as "closed" for all recommendations.

If you or your staff have any questions, please contact Patrick Gilbride, Director of Risk and Program Performance, at (303) 312-6969.

Arthur A. Elkins, Jr.

Attachment

cc: Gregory Peck, Chief of Staff, Office of Water
Marilyn Ramos, Audit Liaison, Office of Water

OIG Recommendation	Agency Action(s) Taken, Ongoing, or Planned	OIG Analysis	Status
1. Coordinate with the appropriate headquarters and regional personnel to identify DARTER as an official recordkeeping system and to identify the basic information entered in DARTER (such as pre-application coordination, public notice review, and post-permit review) as official records documenting EPA's role in CWA Section 404 permit notification reviews.	DARTER is now an official record-keeping system. The Office of Water's Records Management Program has clarified that DARTER is a data and workflow tracking system that contains records, or copies of records, relating to EPA's permit application review actions and coordination. The headquarters program office maintains DARTER and all entries into DARTER are covered under Records Schedule 514. This recommendation was complete as of May 2, 2012.	We accept OW's corrective action plan and milestone date.	Closed
2. Coordinate with the regions to develop a full implementation plan for DARTER identifying when DARTER will incorporate additional permit actions (e.g., nationwide permits, jurisdictional determinations).	In January 2010, the Office of Water's Wetlands Division and all Regional Offices agreed to an expected level of data entry in DARTER to include public notices and significant coordination events for standard permits – the permitting vehicle the Corps typically uses. Currently, DARTER Version 1.12 (released 02/10/12) has the ability to track any coordination events or relevant files for all types of 404 project reviews, including general permits, mitigation projects, or draft jurisdictional determinations. While Regional staff can choose to add this information, these elements are not required under the current DARTER user agreement with the Regions. Because these activities constitute only a small part of the EPA actions under Section 404, they were not considered the most essential data elements to track in the early stages of DARTER implementation. The Office of Water is focusing in FY 2012 on ensuring that all Regions complete the basic DARTER data entry as agreed to in January 2010. The Office of Water will develop an implementation plan for improving entries by May 31, 2013 based on an evaluation of significant actions not yet being comprehensively tracked, Regional data needs, and available resources.	We accept OW's corrective action plan and milestone date.	Closed
3. Work with Region 5 to reconcile any data duplication between DARTER and Region 5's Coal Tracker system.	After consultation with Region 5 users and developers of Coal Tracker, the only duplication between it and DARTER is basic project identifier information such as project name and location. The Office of Water and Region 5 agreed that the existing systems are sufficient, the duplication is very small, and no further action is needed at this time. This recommendation was complete as of May 2, 2012, and the Office of Water and Region 5 will monitor any further development of DARTER and Coal Tracker to avoid duplication.	We accept OW's corrective action plan and milestone date.	Closed
4. Revise Records Schedules 205 and 514 as appropriate to clarify usage/applicability and retention requirements for CWA Section 404 reviews for both headquarters and regional staff.	By September 30, 2012, the Office of Water, in coordination with the Regions, will adopt a national records management plan and make any necessary recommendations to the Records Management program for changes to existing records schedules to remove duplicate or misleading descriptions.	We accept OW's corrective action plan and milestone date.	Closed