

1993 TRANSITION OFFICE PROFILES



OFFICE PROFILES

TRANSITION 93

OFFICE PROFILES

TABLE OF CONTENTS

SECTION 1 - OFFICE OF THE ADMINISTRATOR	PAGE
Organization	1 - 1
Functions	1 - 1
Synopsis of Major Issues	1 - 2
Resources	1 - 4
Workforce Demographics	1 - 8
Executive Support Office	1 - 10
Executive Secretariat	1 - 11
Office of Administrative Law Judges	1 - 12
Office of Small and Disadvantaged Business Utilization	1 - 13
Office of Civil Rights	1 - 14
Office of Congressional and Legislative Affairs	1 - 15
Office of Regional Operations and State/Local Relations	1 - 16
Office of Communications, Education and Public Affairs	1 - 17
Office of Cooperative Environmental Management	1 - 18
Science Advisory Board	1 - 19
Environmental Appeals Board	1 - 20
Pollution Prevention Policy Staff	1 - 21
Assistants to the Administrator/Deputy Administrator	1 - 22
Delegations of Authority	1 - 24
Organizational History	1 - 27

**SECTION 2 - OFFICE OF ADMINISTRATION AND RESOURCES
MANAGEMENT**

Organization	2 - 1
Leadership	2 - 2
Functions	2 - 3
Legislative Authority	2 - 3
Synopsis of Major Issues	2 - 3
Resources	2 - 6
Workforce Demographics	2 - 10
Office of Environmental Equity	2 - 12
Office of Administration	2 - 13
Office of Human Resources Management	2 - 15
Office of Information Resources Management	2 - 18
Office of the Comptroller	2 - 20
Office of Acquisition Management	2 - 22
Office of Grants and Debarment	2 - 24
Office of Management and Administration - Cincinnati	2 - 25
Office of Management and Administration - Research Triangle Park	2 - 27
Delegations of Authority	2 - 29
Organizational History	2 - 31

SECTION 3 - OFFICE OF ENFORCEMENT

Organization	3 - 1
Leadership	3 - 2
Functions	3 - 2
Legislative Authorities	3 - 3
Synopsis of Major Issues	3 - 3
Resources	3 - 6
Workforce Demographics	3 - 10
Office of Civil Enforcement	3 - 12
Office of Criminal Enforcement	3 - 14
National Enforcement Investigations Center	3 - 16
Office of Federal Facilities Enforcement	3 - 18
Office of Federal Activities	3 - 20
Delegations of Authority	3 - 22
Organizational History	3 - 28

SECTION 4 - OFFICE OF THE GENERAL COUNSEL

Organization	4 - 1
Functions	4 - 1
Leadership	4 - 2
Synopsis of Major Issues	4 - 3
Resources	4 - 4
Workforce Demographics	4 - 8
Associate General Counsels	4 - 10
Delegations of Authority	4 - 12
Organizational History	4 - 15

SECTION 5 - OFFICE OF POLICY, PLANNING AND EVALUATION

Organization	5 - 1
Functions	5 - 1
Leadership	5 - 2
Synopsis of Major Issues	5 - 2
Resources	5 - 4
Workforce Demographics	5 - 8
Office of Regulatory Management and Evaluation	5 - 10
Office of Policy Analysis	5 - 12
Office of Strategic Planning and Environmental Data	5 - 14
Delegations of Authority	5 - 16
Organizational History	5 - 17

SECTION 6 - OFFICE OF INTERNATIONAL ACTIVITIES

Organization	6 - 1
Functions	6 - 1
Leadership	6 - 2
Legislative Authorities	6 - 2
Synopsis of Major Issues	6 - 3
Resources	6 - 4
Workforce Demographics	6 - 8
Division Directors	6 - 10
Delegations of Authority	6 - 11
Organizational History	6 - 12

SECTION 7 - OFFICE OF THE INSPECTOR GENERAL

Organization	7 - 1
Functions	7 - 1
Leadership	7 - 2
Legislative Authority	7 - 2
Synopsis of Major Issues	7 - 3
Resources	7 - 5
Workforce Demographics	7 - 9
Office of Audit	7 - 11
Office of Investigations	7 - 14
Office of Management	7 - 16
Delegations of Authority	7 - 18
Organizational History	7 - 19

SECTION 8 - OFFICE OF WATER

Organization	8 - 1
Leadership	8 - 2
Functions	8 - 2
Legislative Authorities	8 - 3
Synopsis of Major Issues	8 - 5
Resources	8 - 8
Workforce Demographics	8 - 12
Office of Ground Water and Drinking Water	8 - 14
Office of Wastewater Enforcement and Compliance	8 - 16
Office of Wetlands, Oceans and Watersheds	8 - 18
Office of Science and Technology	8 - 20
Delegations of Authority	8 - 22
Organizational History	8 - 26

SECTION 9 - OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

Organization	9 - 1
Leadership	9 - 2
Functions	9 - 2
Legislative Authorities	9 - 3
Synopsis of Major Issues	9 - 4
Resources	9 - 7
Workforce Demographics	9 - 11
Technology Innovation Office	9 - 13
Superfund Revitalization Office	9 - 14
Chemical Emergency Preparedness and Prevention Office	9 - 15
Office of Waste Programs Enforcement	9 - 16
Office of Emergency and Remedial Response	9 - 18
Office of Solid Waste	9 - 20
Office of Underground Storage Tanks	9 - 22
Delegations of Authority	9 - 23
Organizational History	9 - 25

SECTION 10 - OFFICE OF AIR AND RADIATION

Organization	10 - 1
Leadership	10 - 2
Functions	10 - 2
Legislative Authorities	10 - 3
Synopsis of Major Issues	10 - 3
Resources	10 - 6
Workforce Demographics	10 - 10

Section 10 - Office of Air and Radiation (continued)

Office of Air Quality Planning and Standards	10 - 12
Office of Atmospheric Programs	10 - 14
Office of Mobile Sources	10 - 16
Office of Radiation and Indoor Air	10 - 18
Delegations of Authority	10 - 20
Organizational History	10 - 25

SECTION 11 - OFFICE OF PESTICIDES AND TOXIC SUBSTANCES

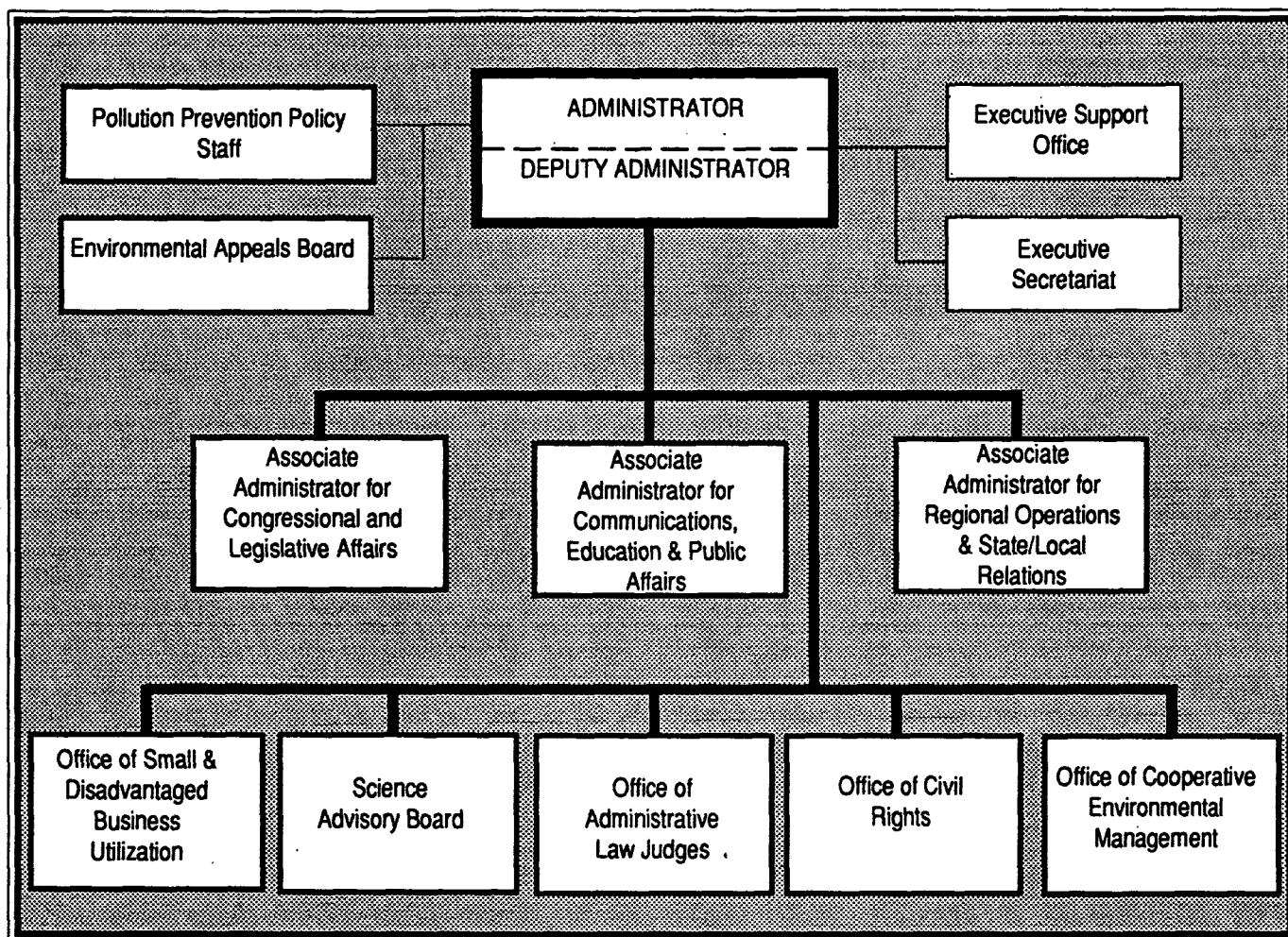
Organization	11 - 1
Functions	11 - 1
Leadership	11 - 2
Legislative Authorities	11 - 2
Synopsis of Major Issues	11 - 4
Resources	11 - 7
Workforce Demographics	11 - 11
Office of Pesticide Programs	11 - 13
Office of Pollution Prevention and Toxics	11 - 15
Office of Compliance Monitoring	11 - 17
Delegations of Authority	11 - 19
Organizational History	11 - 23

SECTION 12 - OFFICE OF RESEARCH AND DEVELOPMENT

Organization	12 - 1
Leadership	12 - 2
Functions	12 - 2
Synopsis of Major Issues	12 - 3
Resources	12 - 5
Workforce Demographics	12 - 9
Office of Exploratory Research	12 - 11
Office of Technology Transfer and Regulatory Support	12 - 12
Office of Health Research	12 - 13
Office of Environmental Processes and Effects Research	12 - 14
Office of Environmental Engineering and Technology Demonstration	12 - 15
Office of Health and Environmental Assessment	12 - 16
Office of Modeling, Monitoring Systems and Quality Assurance	12 - 17
Delegations of Authority	12 - 18
Organizational History	12 - 20

Section 1

OFFICE OF THE ADMINISTRATOR



FUNCTIONS

The Administrator is responsible to the President for the supervision and direction of the programs and activities of the Agency.

SYNOPSIS OF MAJOR ISSUES

EPA'S IMAGE

The public's view of EPA is mixed. On the one hand, the public consistently rates EPA in the top third of all Federal agencies in terms of overall approval, indicating that Americans support its general direction and mission. On the other hand, the same sample said that of all the regulatory activities, they had the lowest confidence in environmental protection, suggesting public doubt about EPA's performance. At the same time, a large percentage of individuals claimed that they didn't know enough about EPA's record to form a judgment about its performance. The continuing challenge for EPA is to both educate the public about the environment, and to give citizens enough information about EPA to form a foundation on which to judge the Agency and its policies.

FREEDOM OF INFORMATION ACT REQUESTS

The Agency receives the fourth largest volume of Freedom of Information Act requests in the Federal government. The growing workload has severely challenged the Agency's ability to respond to requests in a timely manner since most requests require extensive search time and complex coordination. Based on historical analysis, EPA expects the rate of requests to grow at a rate of 10% annually over the next two years as a result of increased litigation and commercial use.

ENVIRONMENTAL EDUCATION

Interest in the new environmental education grants has been overwhelming. In FY-92 the Agency received more than 3000 proposals requesting over \$100 million. Competition was strenuous and only 7% of the proposals could be supported by the \$2.4 million available. This year, competition is expected to be equally strenuous, with \$2.9 million available for allocation.

STATE/LOCAL RELATIONSHIP

Although an effective relationship between EPA and state/local governments is essential for environmental protection in this country, it strikes at the core of the controversy over the different concepts of "Federalism." The Agency, primarily through the Office of Regional Operations and State/Local Relations, is engaged in several efforts to improve the working relationship with its co-regulators. The relationship is both substantive (rule development and enforcement) as well as communicative (public education and constituent needs). The new Administration will need to review and build upon the mechanisms that EPA uses to strengthen this important relationship. Efforts to strengthen this critical relationship will become increasingly more important as the gap grows between currently available Federal, state, and local resources, and the investments needed to both maintain existing standards and meet new environmental requirements. In 1988 that gap was \$115 billion and it is projected to increase to \$200 billion by 2000. EPA and state/local governments need to work closely together to address and overcome this problem.

COMPOSITION OF THE WORKFORCE

Minorities, women, and disabled persons are not well represented in Senior Executive level and management positions (GM 13-15) in the Agency. Little progress has been made at these levels, and continued attention is needed to redress the current deficiencies. The Offices of Civil Rights and Human Resources Management have recently formed a partnership to ensure that personnel planning, procedures and processes are fully supportive of the Agency's civil rights and workforce diversity goals.

SMALL AND DISADVANTAGED BUSINESS PROGRAM

EPA needs to increase the number of qualified women and minority contracts and minority academic institutions participating in direct procurements, grants, cooperative agreements, and other business opportunities.

CONTROVERSIAL RISK ASSESSMENTS (SCIENCE ADVISORY BOARD)

The Science Advisory Board will review a radon study required by the Chaffee-Lautenberg amendment which deals with risks from radon and costs of radon removal. This issue is controversial because the proposed regulations for radon in water would require systems to remove radon from drinking water at a concentration in water which produces an indoor radon concentration which is very small compared to the 4 pCi/L action level for radon in homes. Many water suppliers find the costs very high and some public health experts wonder whether there is a way to optimize protection instead.

The Science Advisory Board will review the Agency's Dioxin Risk Reassessment in April, 1993. Dioxin has been, and continues to be, a highly controversial subject. The reassessment has engendered a high level of public interest and involvement.

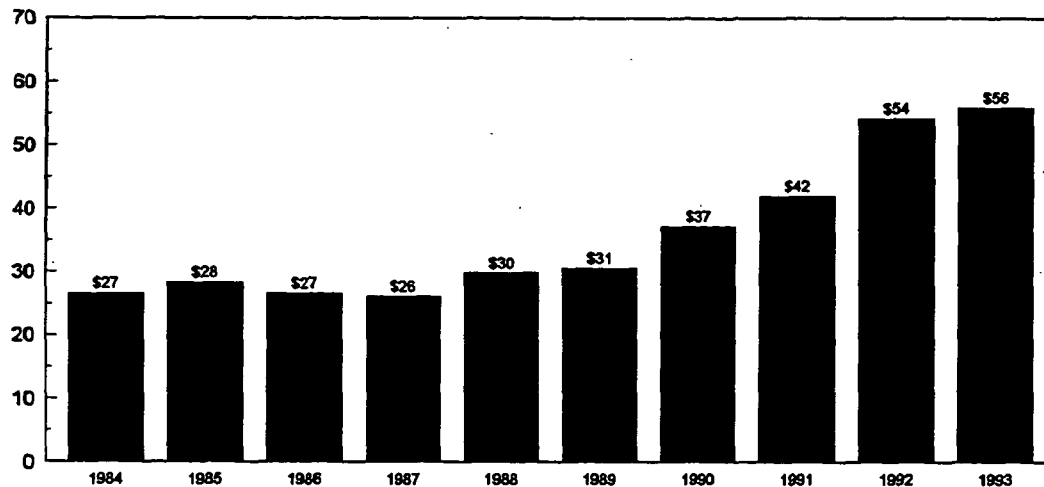
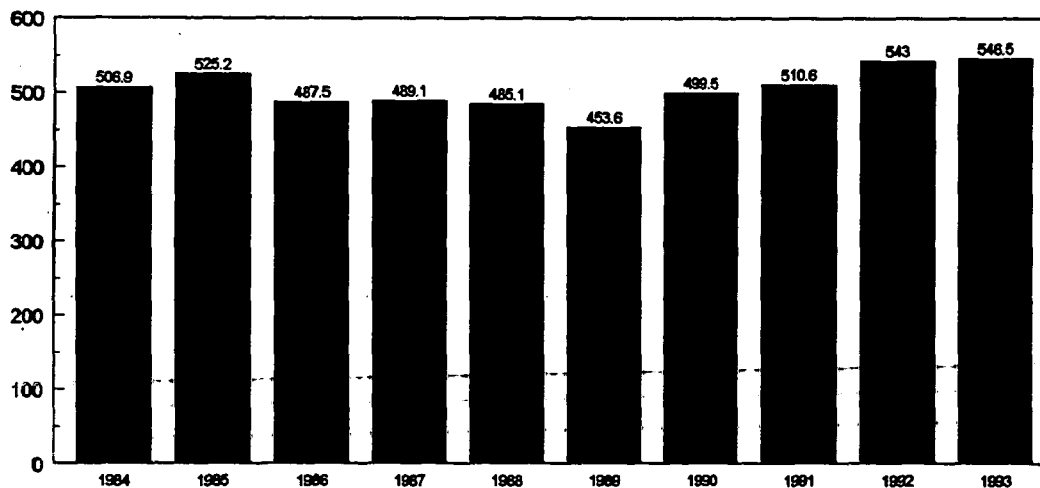
The Science Advisory Board will review the Agency's revised Cancer Guidelines in the Spring or Summer of 1993. These Guidelines dictate how the Agency (as well as many other entities) assess chemical agents for potential carcinogenicity, and thus have enormous impacts on public health and costs of associated environmental controls and preventive measures.

The Science Advisory Board will review the RCRA Groundwater Corrective Action Regulatory Impact Analysis in March, 1993. The regulatory analysis will have great impact on the future levels of remediation required at hazardous waste sites, and thus on the level of costs imposed on the regulated community. It will be of considerable interest to environmental and industry groups across the nation.

RESOURCES

TRENDS - FY 1984 to FY 1993

(1984 to 1992 Operating Plans, 1993 President's Budget)

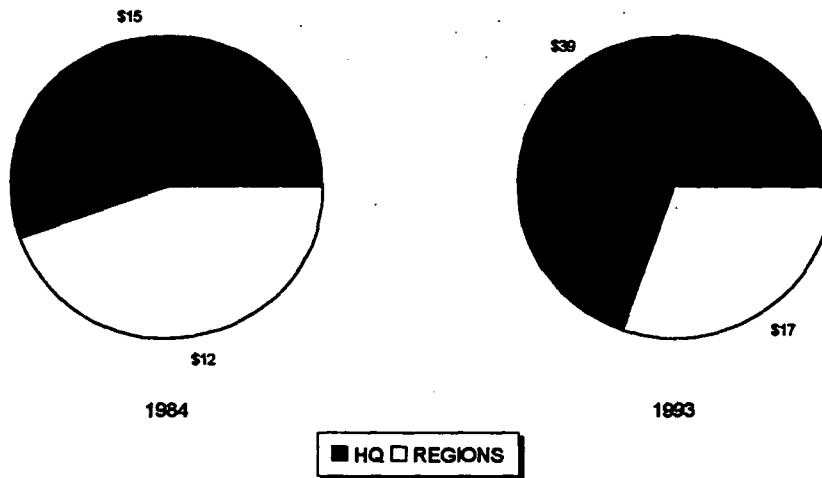
Dollars in Millions**Workyears**

- In FY 1989, the Office of International Activities was moved out of OA and established as a separate Office. The FY 1992 growth is the result of added responsibilities: implementation of the Pollution Prevention Act and the National Environmental Education Act, and the initiation of a Small Communities Program.

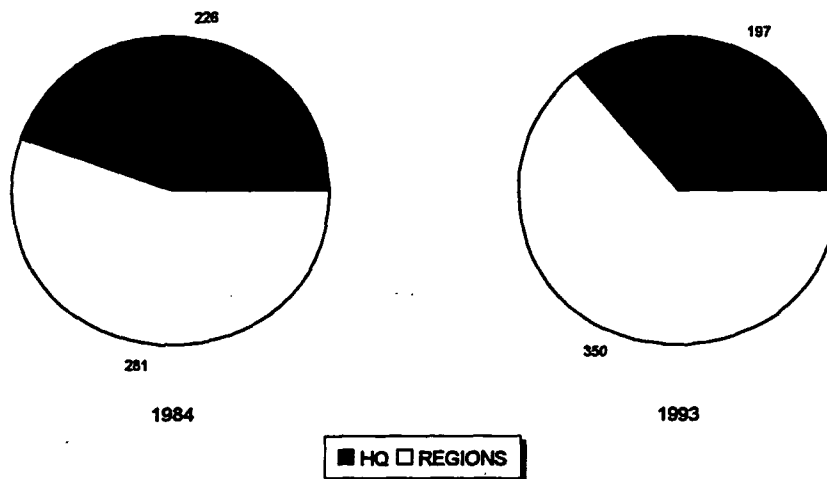
REGIONAL vs. HEADQUARTERS RESOURCES

(1984 Operating Plans vs. 1993 President's Budget)

Dollars in Millions



Workyears

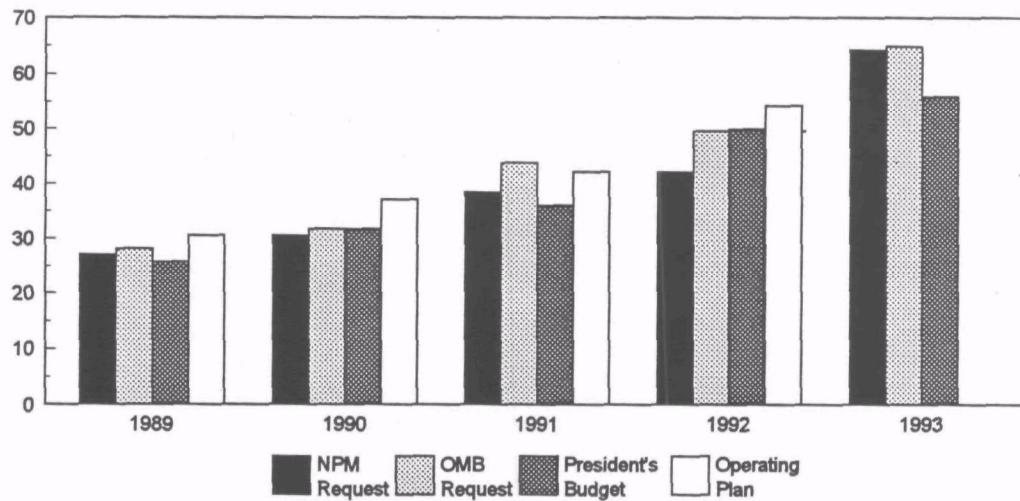


- The increase in operating program resources supports the implementation of the National Environmental Education Act and the Small Communities Program.

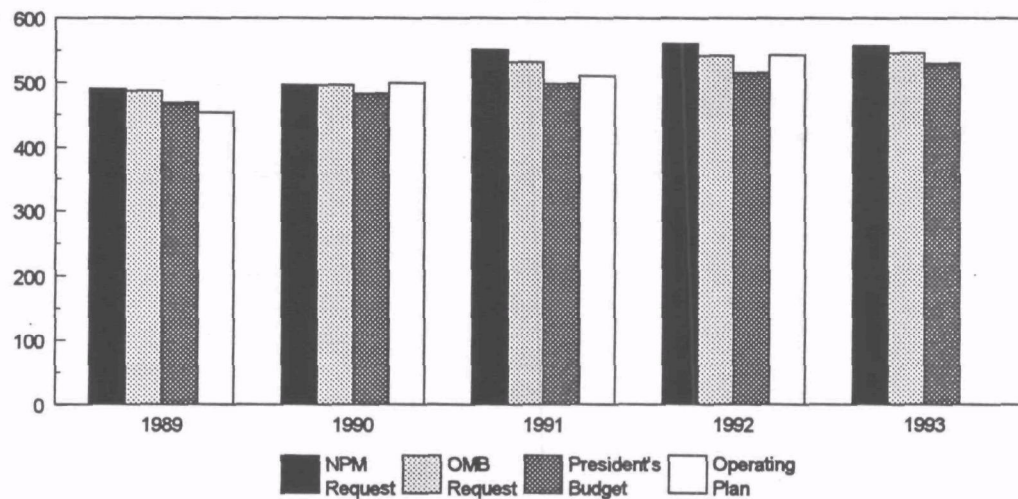
BUDGET PROCESS

(From Initial Request to Final Operating Plan)

Dollars in Millions



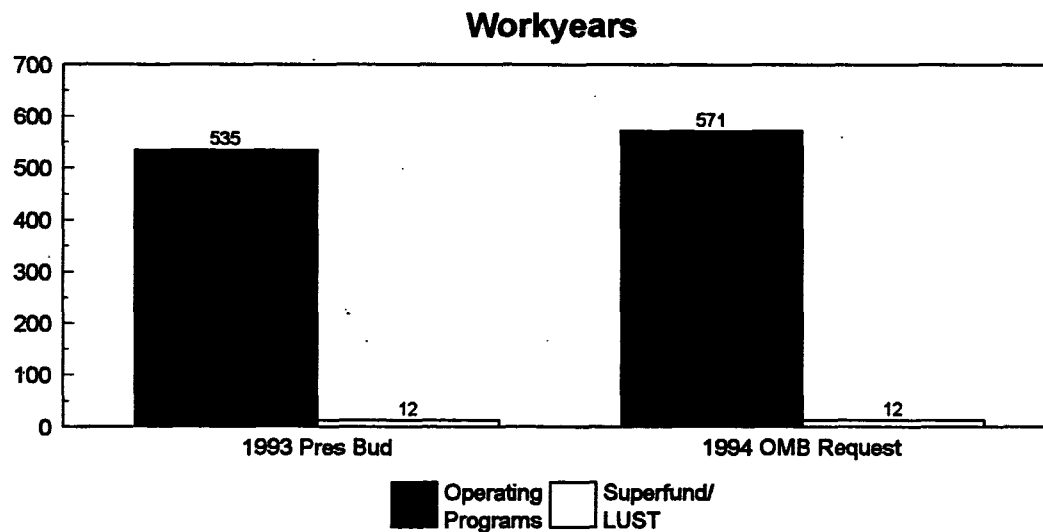
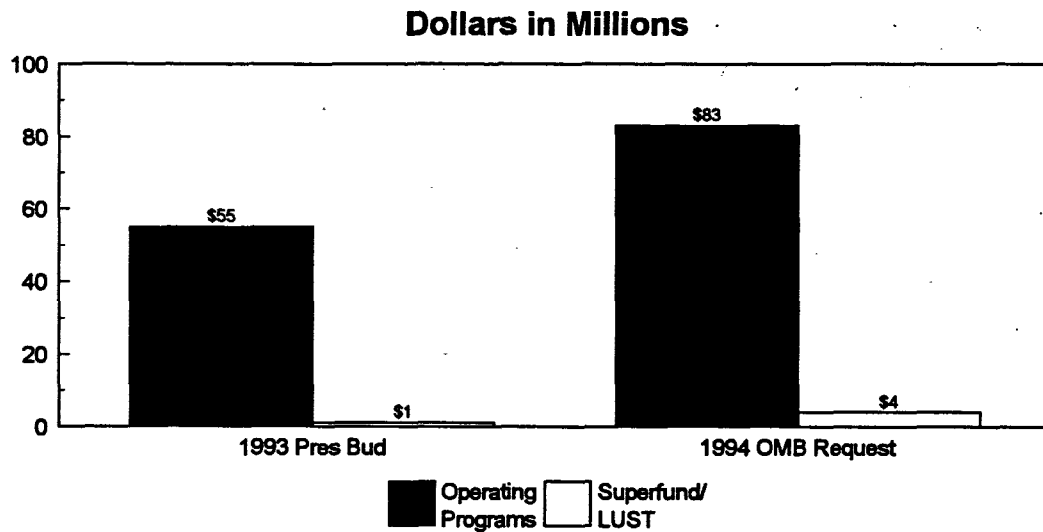
Workyears



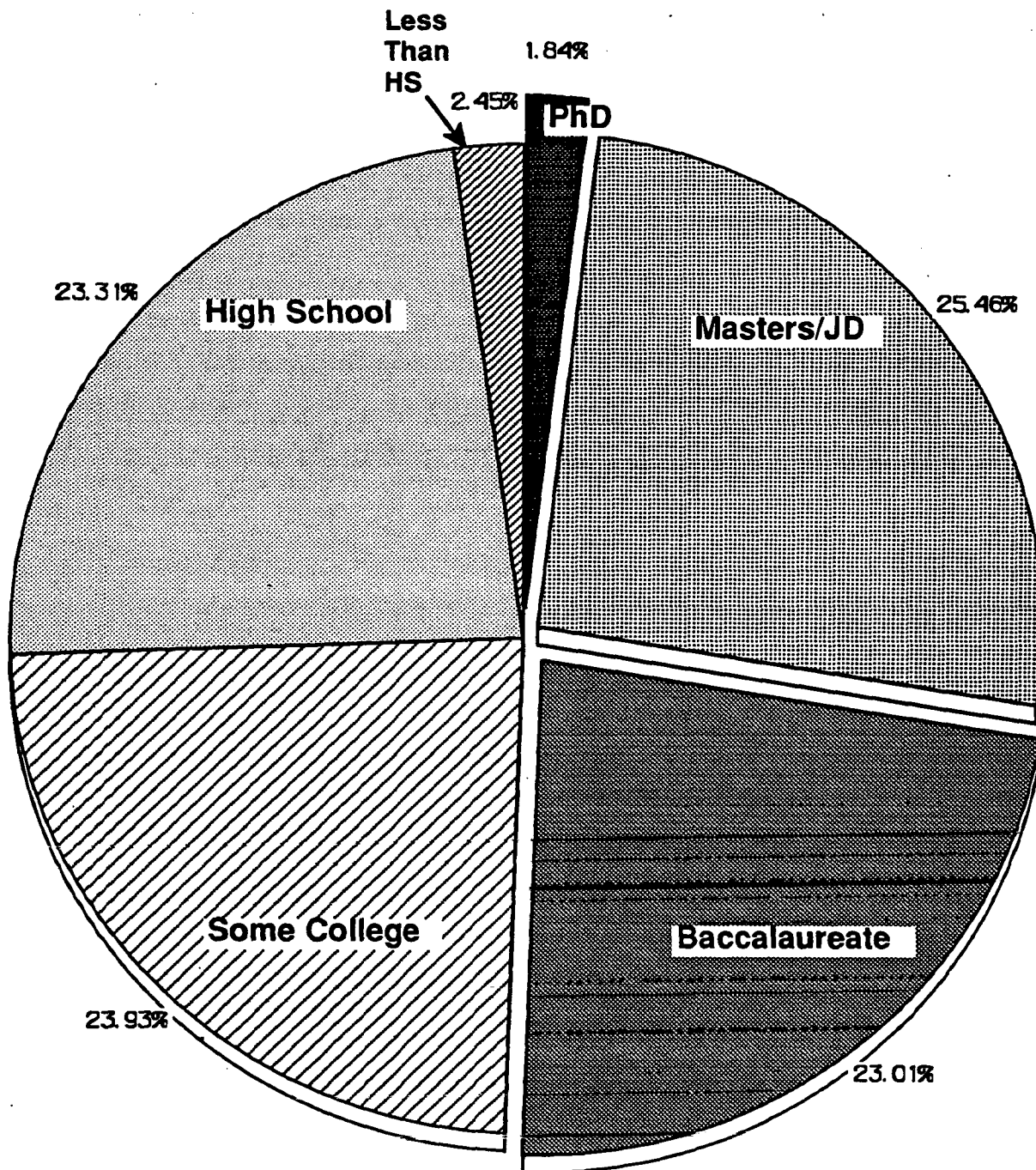
- The increase in the OMB request over the NPM request reflects resources for special projects.
- The increase in 1992 was primarily to support the environmental education program, and the establishment of a pollution prevention office.

ADDITIONAL RESOURCES REQUESTED FOR 1994

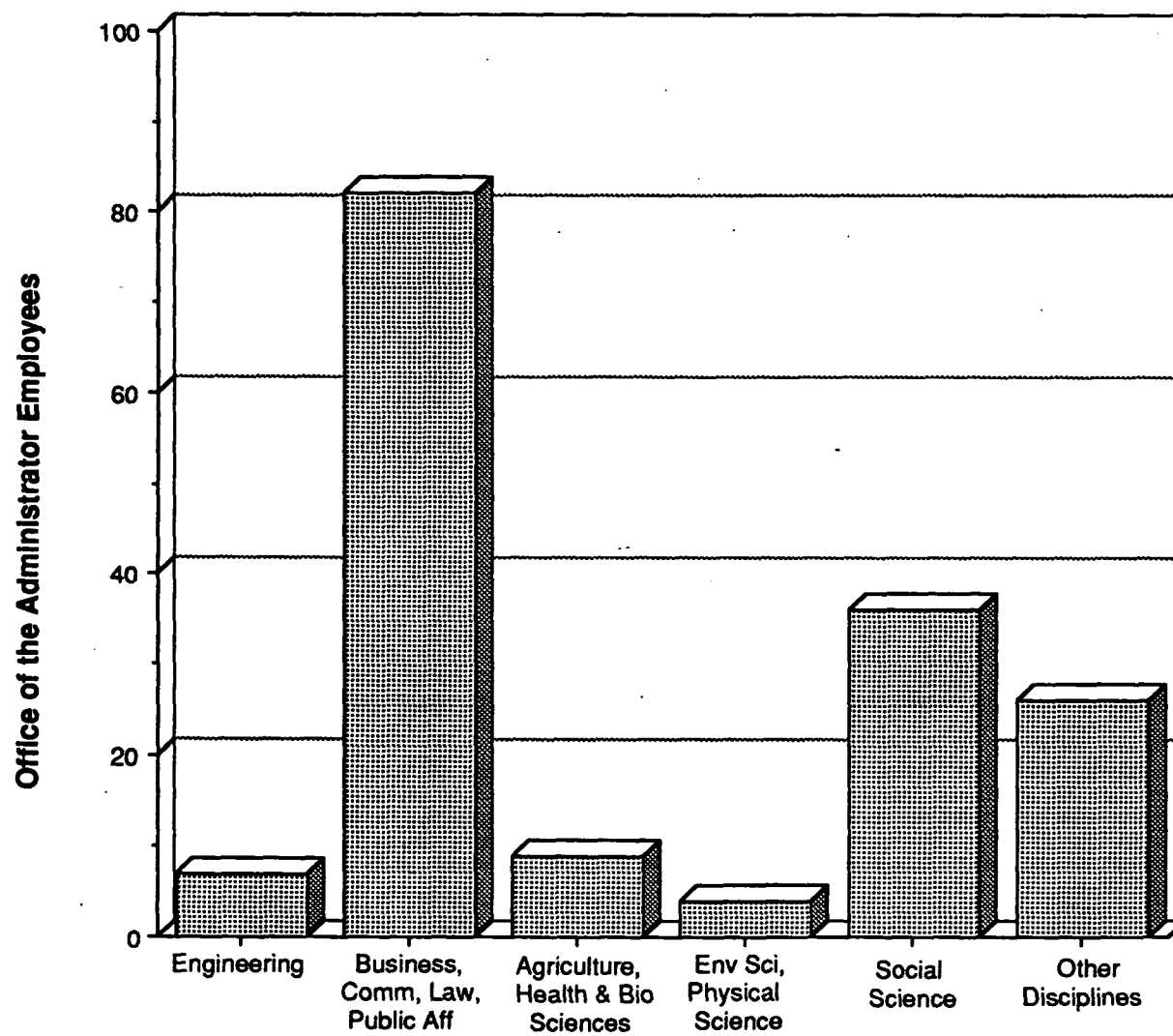
(FY 1994 OMB Request vs. 1993 President's Budget)

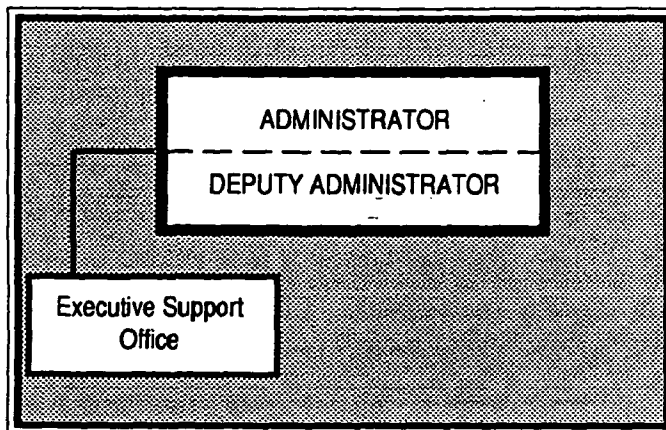


- The FY 1994 OMB request represents increased resources for the Environmental Services Divisions, Regional Administrators' priorities, expansion of the environmental education program, environmental equity, NAFTA, Total Quality Management, and additional administrative functions.

WORKFORCE DEMOGRAPHICS**EDUCATION LEVELS**

ACADEMIC DISCIPLINES FOR COLLEGE GRADUATES

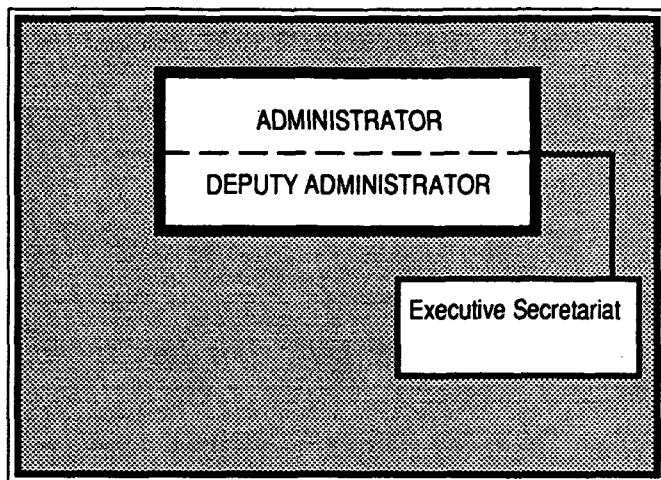


EXECUTIVE SUPPORT OFFICE**LEADERSHIP****Diane N. Bazzle, Director
Executive Support Office**

Diane Bazzle has served as Director for the past ten years. Before joining the Office of Executive Support, she was a Supervisory Personnel Management Specialist with the Personnel Management Division, Office of Administration and Resources Management. She began her government career as a Management Intern. Diane received her B.A. from the University of Connecticut and has done graduate study at George Washington University.

FUNCTIONS

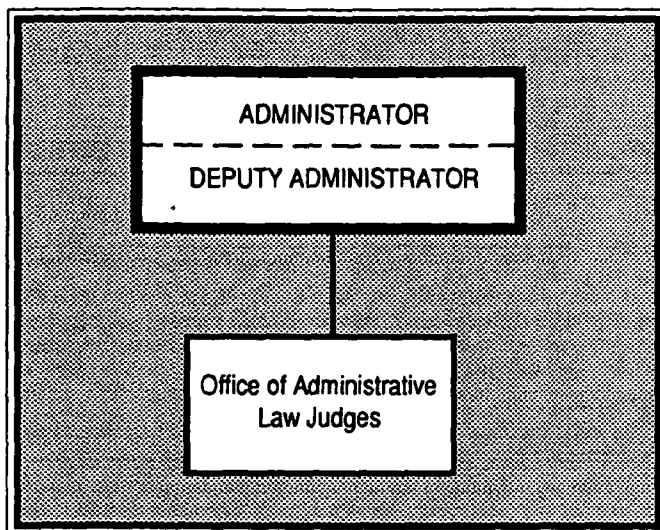
- Provides the Administrator, the Deputy Administrator, their Assistants and Special Assistants, the Associate Administrators, and the Administrator's Headquarters staff offices with administrative, financial management, ADP, and budget support.

EXECUTIVE SECRETARIAT**LEADERSHIP****Richard Cantor, Director
Executive Secretariat**

Dick Cantor became Director of the Executive Secretariat in May, 1992 after serving as Deputy Associate Administrator for Regional Operations and State/Local Relations. He came to EPA in 1991 from the Department of Transportation where he was an Attorney-advisor in the Office of the Chief Counsel, Federal Transit Administration. Prior to entering government service, Dick served as Executive Director and General Counsel of a national trade association, and worked two years on Capitol Hill. He holds a B.A. from Tulane University, and a J.D. from Northeastern University.

FUNCTIONS

- ☐ Responsible to the Administrator's Chief of Staff for the Administrator's and Deputy Administrator's correspondence, both executive and Congressional. The Director position has historically been filled by a non-career official.
- ☐ Responsible for the Freedom of Information Program.

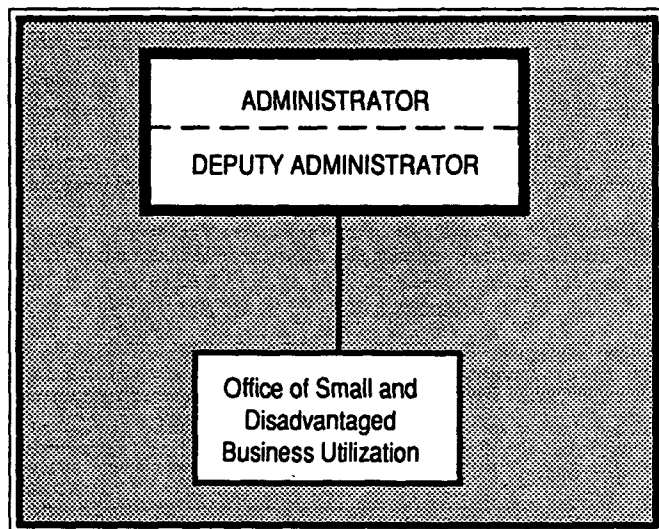
**OFFICE OF ADMINISTRATIVE
LAW JUDGES****LEADERSHIP****Henry B. Frazier, III
Chief Judge**

Judge Frazier was appointed Chief Judge in 1990 after having served as an Administrative Law Judge since 1987. He was appointed by the President in 1979 as a member of the Federal Labor Relations Authority. Prior to that, Judge Frazier had served as Executive Director of the Federal Labor Relations Council, and as Deputy for Civilian Personnel Policy and Civilian Rights for the Assistant Secretary of Army for Manpower. He holds a B.A. from the University of Virginia, a J.D. from George Washington University, and two LL.M. degrees from Georgetown University.

FUNCTIONS

- Presides over cases and conducts formal hearings which arise from complaints filed by the various regional offices and Headquarters program offices. The complaints allege violations of the various environmental statutes which the Agency enforces. Decisions by the ALJs may be appealed to the Environmental Appeals Board.

OFFICE OF SMALL AND DISADVANTAGED BUSINESS UTILIZATION



LEADERSHIP

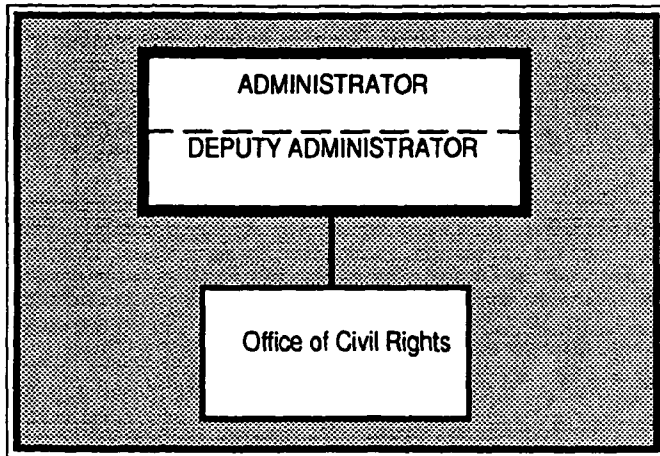
Leon Hampton
Director, Office of Small and Disadvantaged
Business Utilization

Leon Hampton has served as Director since May, 1992. Prior to becoming Director, Leon was a Program Advisor to the Director, Office of Civil Rights for three years. He served for over ten years at the Department of Commerce, Minority Business Development Agency, and the Small Business Administration. Leon holds a B.A. from Western Kentucky University and a J.D. from Washington College of Law, The American University.

FUNCTIONS

The Office of Small and Disadvantaged Business Utilization has responsibility for developing policies and carrying out programs set forth under the Small Business Act.

- ☐ Establishes policy, guidance, and assistance to small and disadvantaged, minority and women-owned businesses and other socio-economic groups.
- ☐ Develops, in collaboration with the Office of Administration and Resources Management, programs to stimulate and improve the involvement of small business, minority business, etc. in the EPA procurement process.
- ☐ Serves as the Agency's liaison with the small business community subject to EPA regulations.

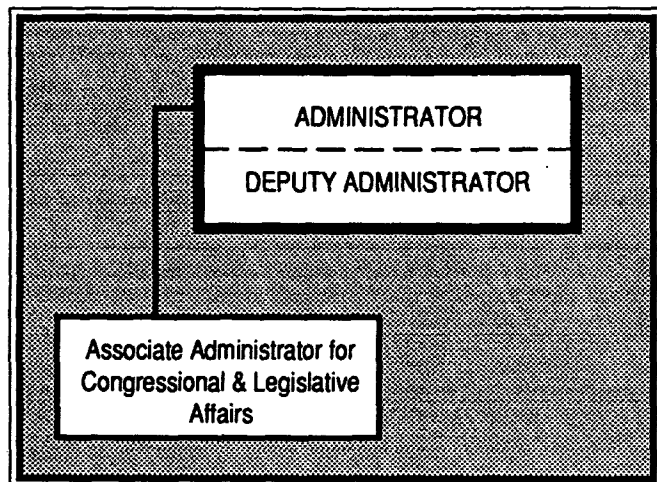
OFFICE OF CIVIL RIGHTS**LEADERSHIP****Dan J. Rondeau**
Director

Dan Rondeau became the Director in August, 1992. He was formerly Director, Office of Equal Employment Opportunity and Deputy Director, Equal Opportunity, U.S. Public Health Service. Dan holds a M.S. degree in Legal Studies from Antioch University and a Master's in Public Administration from The American University.

FUNCTIONS

The Office of Civil Rights serves as the principal adviser to the Administrator with respect to EPA's internal and external equal opportunity and civil rights program and assesses the impact of Agency programs on minorities and women.

- ☐ Manages the Agency's discrimination complaints program.
- ☐ Ensures compliance with appropriate civil rights statutes and regulations prohibiting discrimination in Federally assisted programs.
- ☐ Plans, develops, and monitors implementation of the Agency's Affirmative Action Plan.
- ☐ Ensures the implementation of the Agency's special emphasis programs.

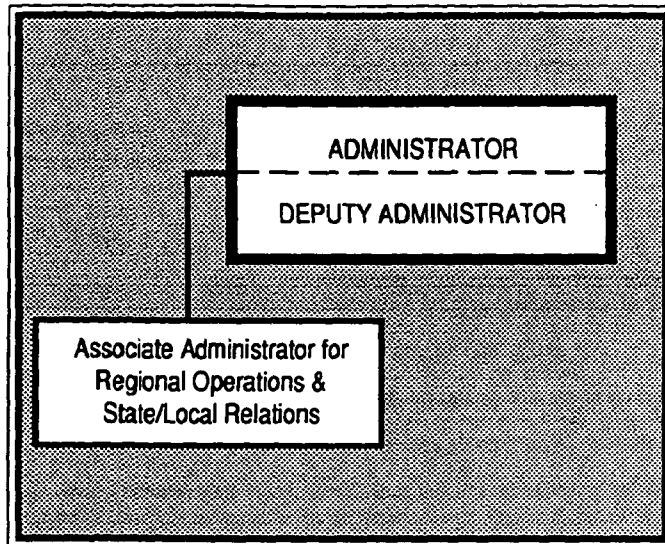
**OFFICE OF CONGRESSIONAL &
LEGISLATIVE AFFAIRS****LEADERSHIP****Patrick H. Quinn****Associate Administrator**

Pat Quinn has served as Associate Administrator since June, 1989. Prior to that time, he was Director, Office of Congressional Liaison. Pat also served as Executive Assistant to the Deputy Administrator for two years, and as Special Assistant, Office of the Deputy Secretary, Department of Agriculture, for over a year. Pat received his B.A. from the University of Virginia.

FUNCTIONS

The Office of Congressional and Legislative Affairs advises the Administrator on all Congressional and legislative activities. The Associate Administrator position has historically been filled by a non-career official.

- ☐ Develops the Administrator's legislative agenda; legislative proposals and the strategy to implement them.
- ☐ Serves as EPA's principal point of contact for Congress; daily contact with the Hill provides an effective coordination point for Agency officials.
- ☐ Serves as the Agency's liaison with the Administration, through OMB, on EPA's position regarding legislative initiatives or policies of other Executive Branch departments and Agencies.
- ☐ Coordinates Agency testimony and policy statements regarding legislation pending before Congress. Manages clearance process for such documents with OMB.
- ☐ Provides legislative research services through its Legislative Reference Library.

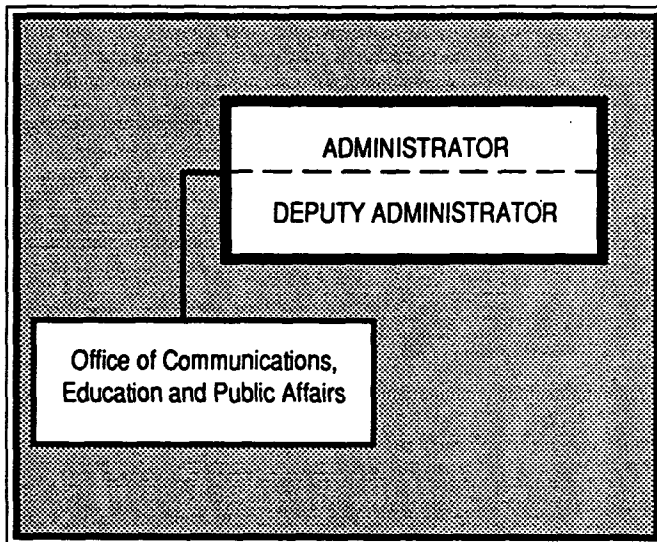
**OFFICE OF REGIONAL OPERATIONS &
STATE/LOCAL RELATIONS****LEADERSHIP****Laurie D. Goodman****Associate Administrator**

Laurie Goodman has served as Associate Administrator since December, 1991. Prior to that she was with the U.S. Senate for more than four years, where she served as Deputy to the Chief of Staff and Legislative Assistant in the Office of Senator Alan K. Simpson (R-WY). Laurie received her Petroleum Land Management degree from the University of Oklahoma in 1983. She has had further studies at The American University and the University of Haifa in Israel.

FUNCTIONS

The Office of Regional Operations and State/Local Relations serves as the principal advisor to the Administrator on all regional operations and on intergovernmental relations. The Associate Administrator position has historically been filled by a non-career official.

- ☐ Provides a Headquarters focus for ensuring the involvement of the regions in all aspects of the Agency's work.
- ☐ Acts as ombudsman to resolve regional problems on behalf of the Administrator.
- ☐ Serves as the Headquarters office representing the regional Environmental Services Divisions.
- ☐ Recommends and coordinates the personal involvement of the Administrator and/or the Deputy Administrator in relations with state/tribal/county/local officials.

**OFFICE OF COMMUNICATIONS,
EDUCATION & PUBLIC AFFAIRS****LEADERSHIP****Carl S. Gagliardi****Acting Associate Administrator**

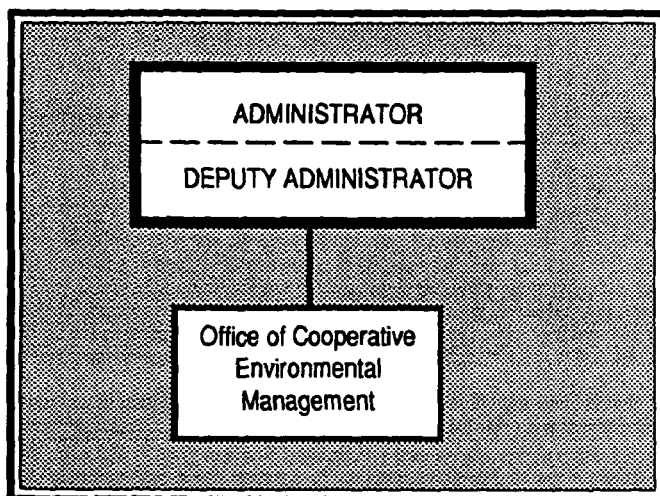
Carl Gagliardi has been Acting Associate Administrator since September, 1992. Before that Carl served as Deputy Associate Administrator since August, 1990. His previous EPA experience includes Director of the Communications Strategy Staff, Press Officer, and Acting Deputy Director of the Press Division. Carl also worked with the Department of Interior for two years.

FUNCTIONS

The Office of Communications, Education, and Public Affairs serves as the principal advisor to the Administrator on all Agency communications, education and public affairs activities. The Associate Administrator position has historically been filled by a non-career official.

- ☐ Ensures that communications planning occurs on all Agency major issues through coordination with all offices.
- ☐ Coordinates Federal efforts on environmental education, including activities required by the National Environmental Education Act of 1990.
- ☐ Manages the Agency's relationships with the news media.
- ☐ Ensures that outreach activities are undertaken to involve organizations and private citizens on key issues.

OFFICE OF COOPERATIVE ENVIRONMENTAL MANAGEMENT



LEADERSHIP

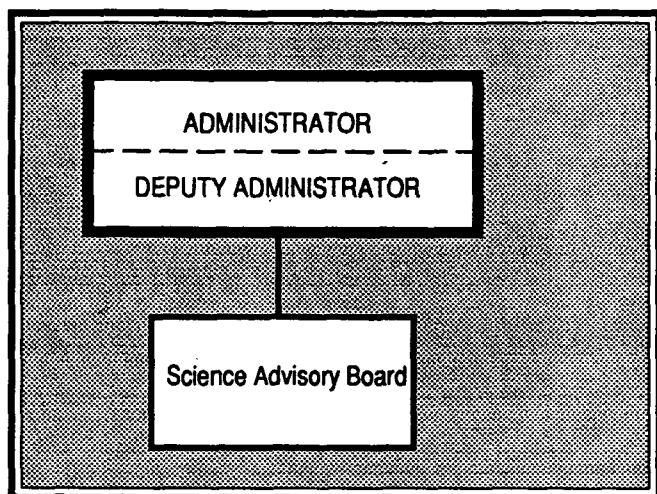
Abby J. Pirnie

Director, Office of Coop. Env. Management

Abby Pirnie has been the Director since August, 1991. Before that she was Director of the Program Systems Division and the Information Management and Services Division in the Office of Information Resources Management. She previously served as a Special Assistant and as Chief of the Environmental Results Branch in the Office of Policy, Planning and Evaluation, and in the Office of Enforcement and the Office of Water. Abby received a B.A. and a M.A. in Education from Smith College. She also earned an M.B.A. from the University of Santa Clara in 1976.

FUNCTIONS

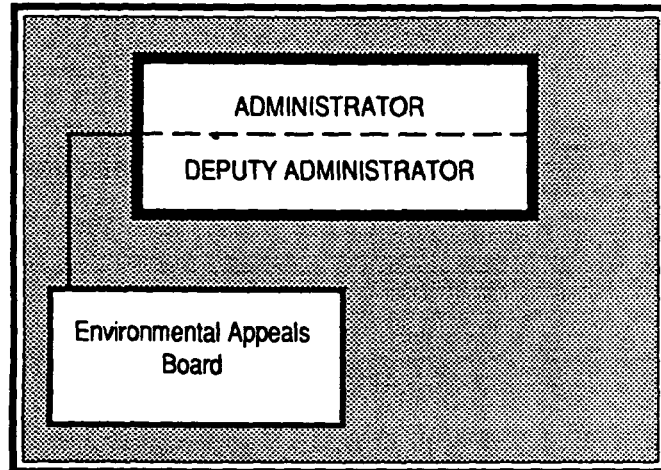
- ☐ Serves as the Agency's focal point for development and coordination of cooperative environmental management programs and technology transfer activities across Agency programs with states and local governments, business and industry, and academia. In conjunction with the Office of International Activities, performs these functions with other governments and international agencies.
- ☐ Manages and supports the National Advisory Council for Environmental Policy and Technology.

SCIENCE ADVISORY BOARD**LEADERSHIP****Donald G. Barnes****Director, Science Advisory Board**

Formerly Science Advisor to the Assistant Administrator for Pesticides and Toxic Substances for ten years, Don Barnes was appointed Director of the Science Advisory Board staff in March, 1988. Before joining EPA, Don was an Associate Professor of Chemistry and Physics at St. Andrews Presbyterian College, North Carolina. He was awarded his Ph.D. in Physical Chemistry from Florida State University.

FUNCTIONS

- ☐ Supports the Science Advisory Board in its advisory role to the Administrator on the scientific, technical, and economic underpinnings of EPA positions.
- ☐ Provides an interface between EPA and the Board.
- ☐ Provides an interface between the public and the Board.

ENVIRONMENTAL APPEALS BOARD**LEADERSHIP****Ronald L. McCallum, Judge**

Ronald McCallum is a charter member of the Environmental Appeals Board which was established in March, 1992. From 1984 to 1992 he served as the Agency's Chief Judicial Officer. Prior to that McCallum was Judicial Officer beginning in 1978. From 1974 to 1978 he served in the Office of General Counsel as attorney-advisor and as Senior Trial Attorney. McCallum is a graduate of Indiana University, where he received his A.B., M.B.A., and J.D. degrees.

Edward E. Reich, Judge

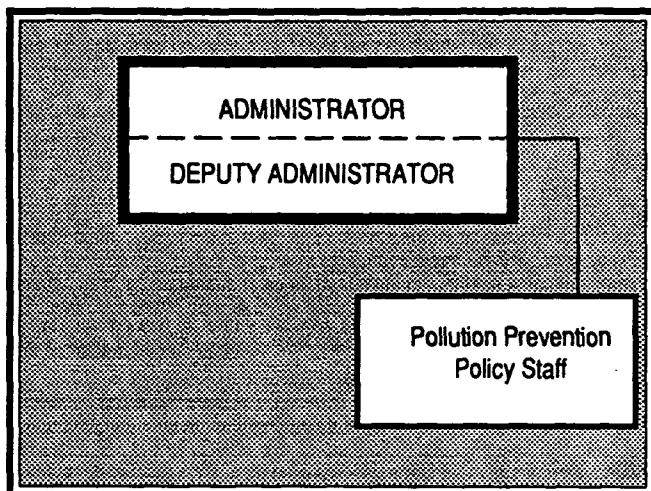
Ed Reich has served as Judge since March, 1992. Previously he served as Legal Advisor to the Administrator and as the Acting Assistant Administrator and Deputy Assistant Administrator in the Office of Enforcement. Ed has been involved in the implementation of environmental laws with EPA and the Department of Health, Education, and Welfare since 1968. He received his J.D. from Georgetown University Law Center.

Nancy Firestone, Judge

Nancy Firestone previously served as Associate Deputy Administrator from 1989 to 1992. Prior to that she was the Deputy Chief of the Environmental Enforcement Section, U.S. Department of Justice. She is an alumnus of Washington University, St. Louis and the University of Missouri--Kansas City Law School, and is an Adjunct Professor at Georgetown University.

FUNCTIONS

- ☐ Serves as the Agency's administrative appellate authority in the consideration and resolution of appeals or other requests for a decision by the Administrator in adjudicatory matters required by statute to be made by the Administrator.

**POLLUTION PREVENTION POLICY
STAFF****LEADERSHIP****Eric V. Schaeffer, Director
Pollution Prevention Policy Staff**

Prior to his assignment as Director, Eric Schaeffer served as the Deputy Administrator's Special Assistant for pollution prevention. Before joining EPA he was an environmental attorney with Morgan, Lewis and Bockius for three years, and a legislative aide and staff director in Congress for nine years. Eric received his B.A. degree in Political Science and History from Vanderbilt University and his J.D. from Georgetown University Law Center.

FUNCTIONS

- ☐ Responsible for guiding, directing, and mediating all pollution prevention activities throughout the Agency, working closely with the Pollution Prevention Division under the direction of the Office of Prevention, Pesticides, and Toxic Substances.

ASSISTANTS TO THE ADMINISTRATOR/DEPUTY ADMINISTRATOR

The following is a list of Assistants who report to the Administrator and Deputy Administrator and their areas of responsibility.

I. ADMINISTRATOR**Personal Staff:**

Gordon Binder	Chief of Staff
Sally Cole	Deputy Chief of Staff
Yvonne Countee	Staff Assistant - Travel Coordinator
Pamela Herring	Staff Assistant
Denise Schwartz	Chief Scheduler
Diana Widener	Confidential Assistant
Betty Wonkovich	Executive Assistant to the Chief of Staff

II. DEPUTY ADMINISTRATOR

Helga Butler	Executive Officer (Acting)
Linda Hilwig	Staff Assistant
Tracy Mehan II	Associate Deputy Administrator
Gladys Stroman	Staff Assistant
Bonnie Washington	Staff Assistant

III. SCHEDULING, TRAVEL, AND SPEECHES

This group is responsible for communications, scheduling, coordinating invitations, travel, meetings, briefings, and related preparations under the Chief of Staff's direction.

Jared Burden	Speech Writer
Dave Cohen	Special Assistant for Communications
Yvonne Countee	Staff Assistant (Travel Coordinator for the Administrator)
Bill Dewitt	Staff Assistant (Briefing books for the Administrator)
Ted Garmey	Speech Writer
Mark Goldman	Staff Assistant (Briefing books for the Deputy Administrator)
Linda Hilwig	Scheduler (for the Deputy Administrator)
Denise Schwartz	Chief Scheduler (for the Administrator)
Tom Super	Speech Writer

IV. PROGRAM SPECIAL ASSISTANTS

Special Assistants on detail from the program offices, are responsible for tracking and reviewing assigned activities and material requiring signature, coordinating briefings, staying in regular contact with program offices, preparing brief issue alerts, participating on the Administrator's and Deputy Administrator's special work groups, and providing advice to the Administrator and Deputy, as requested.

V. OTHER SPECIAL ASSIGNMENTS

John Baker	Agricultural Advisor (consultant)
Zee Homoki	Special Assistant to the Administrator & White House personnel Liaison
William F. Raub	Science Advisor to the Administrator

DELEGATIONS HELD BY THE OFFICE OF THE ADMINISTRATOR

DEPUTY ADMINISTRATOR

GENERAL, ADMINISTRATIVE AND MISCELLANEOUS

1-1 General Delegation

EXECUTIVE SUPPORT OFFICE

GENERAL, ADMINISTRATIVE AND MISCELLANEOUS

1-18 Agency Seal

ADMINISTRATIVE LAW JUDGES

GENERAL, ADMINISTRATIVE AND MISCELLANEOUS

1-37 Hearings

1-39 Adjudication of Discrimination Complaints Filed by EPA Employees or Applicants for Employment

EMERGENCY PLANNING & COMMUNITY RIGHT-TO-KNOW ACT

22-3-C Administrative Hearings: 40 CFR Part 22

CLEAN AIR ACT

7-33 Subpoenas and Administration of Oaths

OFFICE OF CIVIL RIGHTS

GENERAL, ADMINISTRATIVE AND MISCELLANEOUS

1-39 Adjudication of Discrimination Complaints Filed by EPA Employees or Applicants for Employment

ENVIRONMENTAL APPEALS BOARD**GENERAL, ADMINISTRATIVE AND MISCELLANEOUS**

- 1-38 Administrative Proceedings
- 1-40 Final Decisions on Formal Complaints of Discrimination Filed by EPA Employees or Applicants for Employment, and Final Decisions on Liquidated Damages Under the Contract Work Hours and Safety Standards Act

CLEAN WATER ACT

- 2-51 Class I Administrative Penalty Actions

MARINE PROTECTION, RESEARCH, AND SANCTUARIES ACT

- 3-1-C Administrative Enforcement: Issuance of Consent Orders and Final Orders

FEDERAL INSECTICIDE, FUNGICIDE AND RODENTICIDE ACT

- 5-15-B Administrative Enforcement: Issuance of Consent Orders and Final Orders
- 7-33 Subpoenas and Administration of Oaths
- 7-41-C Noncompliance Penalty: Issuance of Consent Orders and Final Orders

CLEAN AIR ACT

- 8-9-C Administrative Enforcement: Issuance of Consent Orders and Final Orders

SOLID WASTE DISPOSAL ACT

- 8-27 Administrative Enforcement: Issuance of Consent Orders and Final Orders (Subtitle I)
- 8-44 Administrative Enforcement: Issuance of Consent Orders and Final Orders (Subtitle J)

SAFE DRINKING WATER ACT

- 9-33-C Appeals of Part B Administrative Penalty Orders

TOXIC SUBSTANCES CONTROL ACT

- 12-2-C Administrative Enforcement: Issuance of Consent Orders and Final Orders

THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION AND LIABILITY ACT

- 14-33 Administrative Enforcement: Issuance of Final Orders

EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT

- 22-3-C Administrative Hearings: 40 CFR Part 22

ORGANOTIN ANTIFOULING PAINT CONTROL ACT

- 25-5 Administrative Enforcement: Issuance of Consent Orders and Final Orders
-

**OFFICE OF REGIONAL OPERATIONS
AND STATE/LOCAL RELATIONS**

CLEAN AIR ACT

7-35 Air Pollution Control Manpower Training Assistance

**OFFICE OF COMMUNICATIONS,
EDUCATION AND PUBLIC AFFAIRS**

GENERAL, ADMINISTRATIVE AND MISCELLANEOUS

1-74 Environmental Education Grants and Cooperative Agreements Under Section 5 and Section 6 of the National Environmental Education Act of 1990

1-75 Grants and Cooperative Agreements for Studies, Investigations, and Surveys Related to Environmental Education and Public Affairs

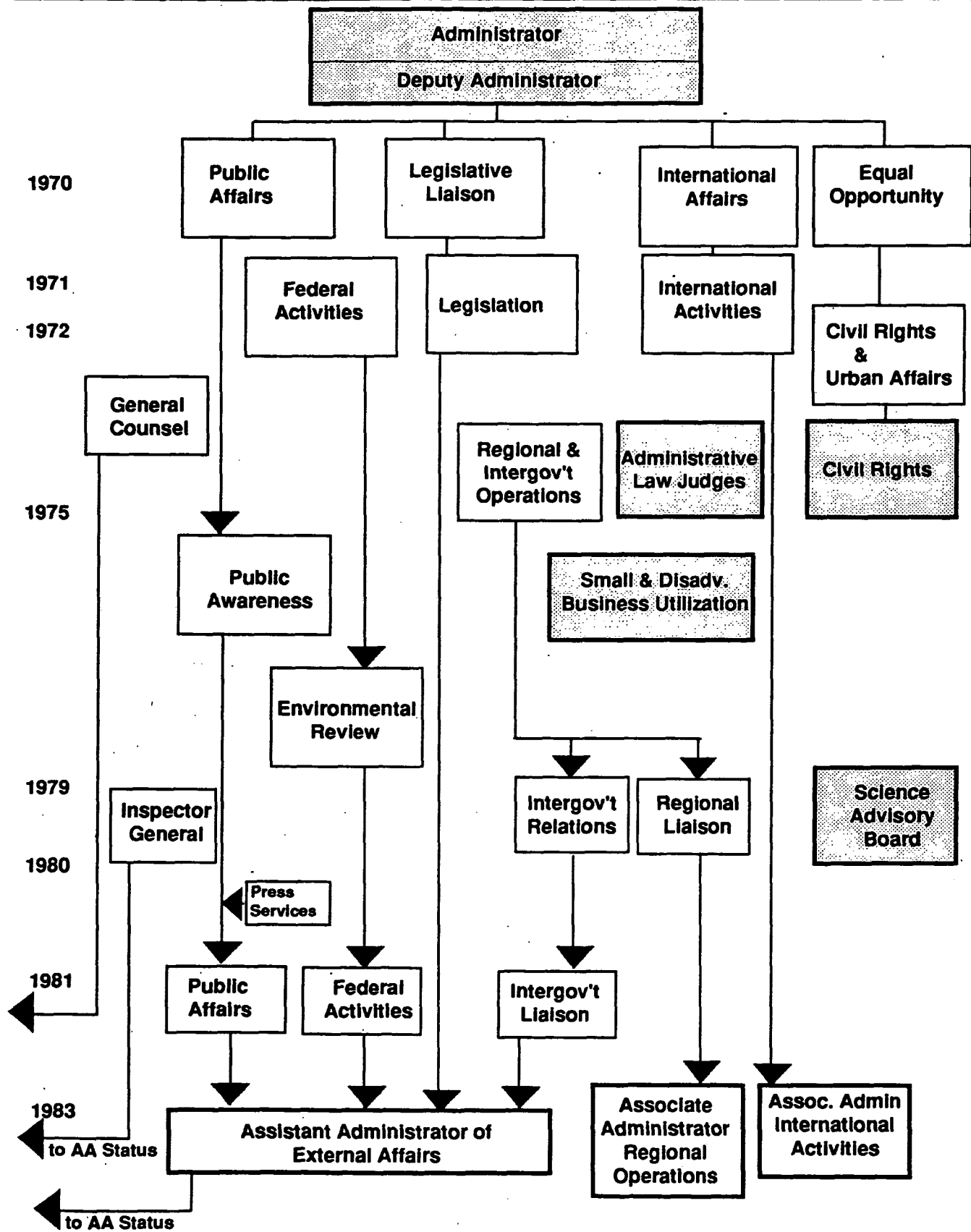
1-79 Funding for the National Environmental Education and Training Foundation

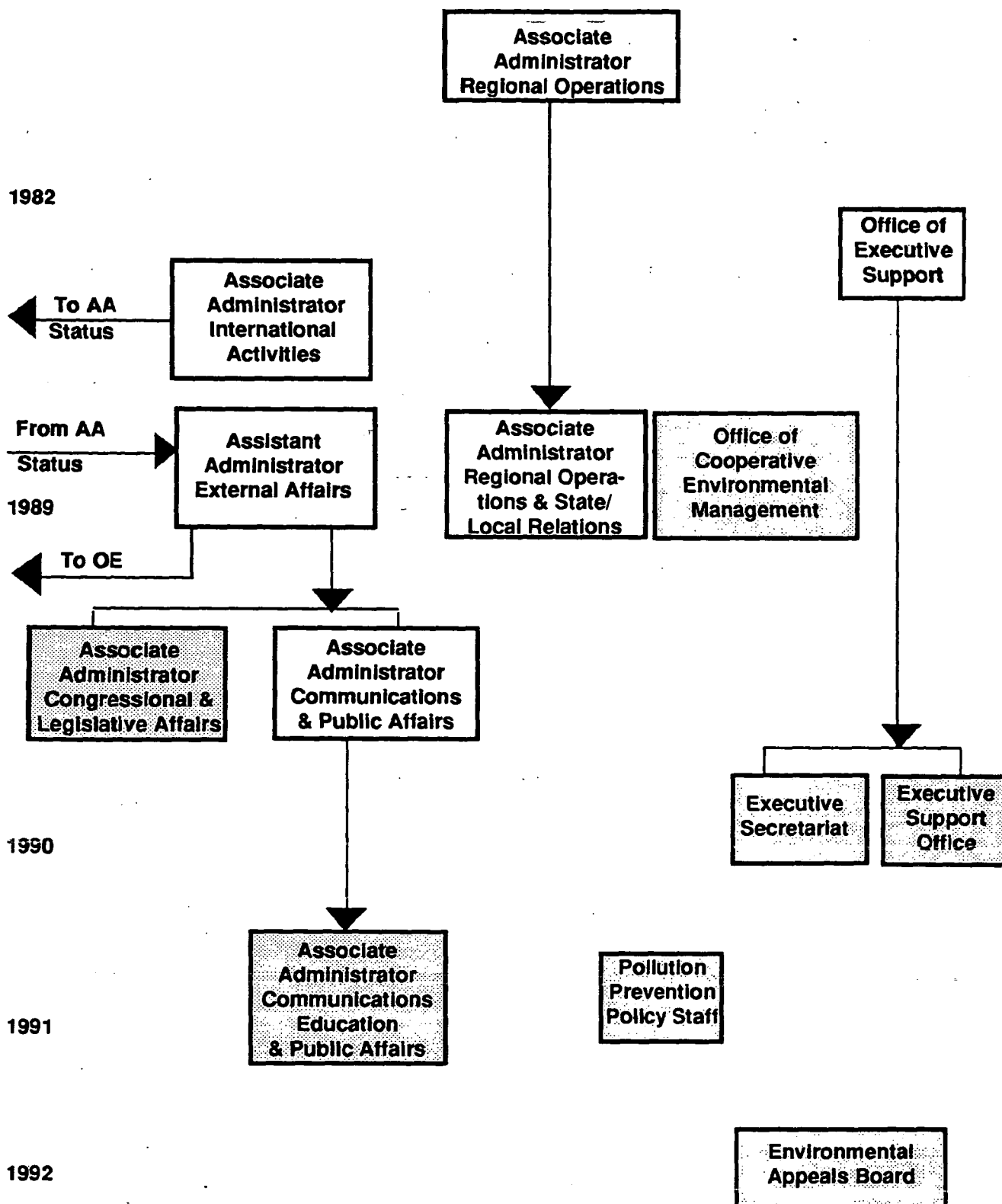
SOLID WASTE DISPOSAL ACT

8-18-B Solid Waste Management Training Assistance

SAFE DRINKING WATER ACT

9-10 Making Available Information and Agency Facilities and Providing Training Assistance

ORGANIZATIONAL HISTORY

ORGANIZATIONAL HISTORY

INITIAL ORGANIZATION

EPA was created through an Executive reorganization plan designed to consolidate a number of Federal environmental activities into a single agency. In 1970, EPA's first Administrator, William Ruckelshaus, published an organizational order providing for the designation of Assistant Administrators for Planning and Management, Standards and Enforcement and General Counsel, and Research and Monitoring. The five principal categorical programs -air, water, solid wastes, radiation and pesticides were retained individually under the management of commissioners.

FURTHER REORGANIZATION

The organizational history of the Office of the Administrator has always reflected the personal management style of the Administrator. In 1970, the Office of the Administrator included Public Affairs, Legislative Liaison, International Activities, and Equal Opportunity. In 1971, Legislative Liaison changed its name to Legislation emphasizing its role in developing and reviewing legislative proposals. In 1971, there was the addition of a fifth staff office, the Office of Federal Activities. It was designed to oversee environmental impact statements and the implementation of environmental policies in Federal agencies.

In 1972, Equal Opportunity was reorganized functionally to the Office of Civil Rights and Urban Affairs and involved itself in environmental initiatives in the Washington D.C. community. The Office existed for two years before it returned to the standard equal opportunity functions and was retitled Civil Rights in 1974.

The Science Advisory Board was added in 1973 to provide expert and independent advice to the Administrator on a broad spectrum of scientific, technical, and policy matters. The Office of General Counsel joined the Administrator's Office from the Office of Enforcement and General Counsel in 1975 and remained until 1981.

In 1975, the Office of Regional and Intergovernmental Operations was formed, drawing some of its intergovernmental functions from Legislation. The Office of Administrative Law Judges was added, the result of a government-wide management decision, the purpose of which was to ease the workload on the courts from Federal agencies. The Office of Small and Disadvantaged Business Utilization was created in 1977 from functions assigned to Planning and Management and Civil Rights.

In 1978, the Office of Public Affairs signified its new role in educating the public to environmental issues when it retitled itself Public Awareness. Separate from Public Awareness existed Press Services which provided the traditional press role for the Administrator. Press Services existed from 1979 to 1981.

In order to provide an increased independence for the two operations, the Office of Regional and Intergovernmental Operations split into Intergovernmental Relations and Regional Liaison in 1979. In 1980, the Office of Inspector General was added. The Inspector General Act of 1978 required over twelve Departments and Agencies, including EPA, to establish independent Inspectors General (IG) to investigate mismanagement. The IG left the Office of Administrator in 1983 to be on a par organizationally with the Assistant Administrators.

In 1981, several name changes occurred: Public Awareness reverted to Public Affairs, recombined with Press Services, and returned to the standard Public Affairs function. The legislation function moved to another AAship, Office of Planning and Resource Management, and the Office of Legislation was retitled Congressional Liaison. Intergovernmental Relations was retitled Intergovernmental Liaison, and Regional Liaison was abolished, with its duties transferred to a Special Assistant to the Administrator. The Office of General Counsel was transferred to Legal Counsel and Enforcement as part of a major reorganization of the Agency's enforcement function.

In 1982, the budget and administrative support functions throughout the Office of the Administrator were consolidated in a staff office, the Office of Executive Support. In 1984, the Freedom of Information and correspondence functions were added to this office. Also in 1982, the legislative function was moved back to the Office of the Administrator for a brief time before it was moved to the Office of General Counsel.

A reorganization in 1983 brought about the first streamlining of the Administrator's Office. All external functions: Public Affairs, Federal Activities, Congressional Liaison, Intergovernmental Liaison, and Legislation from the General Counsel were combined under a new Assistant Administrator for External Affairs. The regional and international functions were elevated to Associate Administrator status.

In 1989, the Associate Administratorship for International Activities was elevated to an Assistant Administratorship to reflect the growing prominence of international environmental protection.

To accommodate the Assistant Administratorship for International Activities, the Office of External Affairs relinquished its Presidentially Appointed/Senate confirmed Assistant Administratorship. The office was split into three Associate Administratorships: Congressional and Legislative Affairs; Communications and Public Affairs; and the Intergovernmental Staff joined the Office of Regional Operations to create the Office of Regional Operations and State/Local Relations. Federal Activities moved from the Office of the Administrator to the Office of Enforcement.

The Office of Cooperative Environmental Management was created in 1989 as a staff office to support the National Advisory Council on Environment and Technology Transfer, now known as the National Advisory Council on Environmental Policy and Technology.

To increase the prominence of the Administrator's correspondence function, the Congressional and executive correspondence and Freedom of Information staffs split from the Office of Executive Support to create the Executive Secretariat.

As a result of passage of the National Environmental Education Act, the environmental education function was added to the Office of Communications and Public Affairs in 1991 to create the Office of Communications, Education, and Public Affairs.

Also in 1991, the pollution prevention function moved from the Office of Policy, Planning, and Evaluation to the Office of Prevention, Pesticides, and Toxic Substances. The policy portion of the pollution prevention function was moved to the Immediate Office of the Administrator following a statutory requirement.

In 1992, the Chief Judicial Officer function in the Office of the Administrator was reconfigured as the three member Environmental Appeals Board.

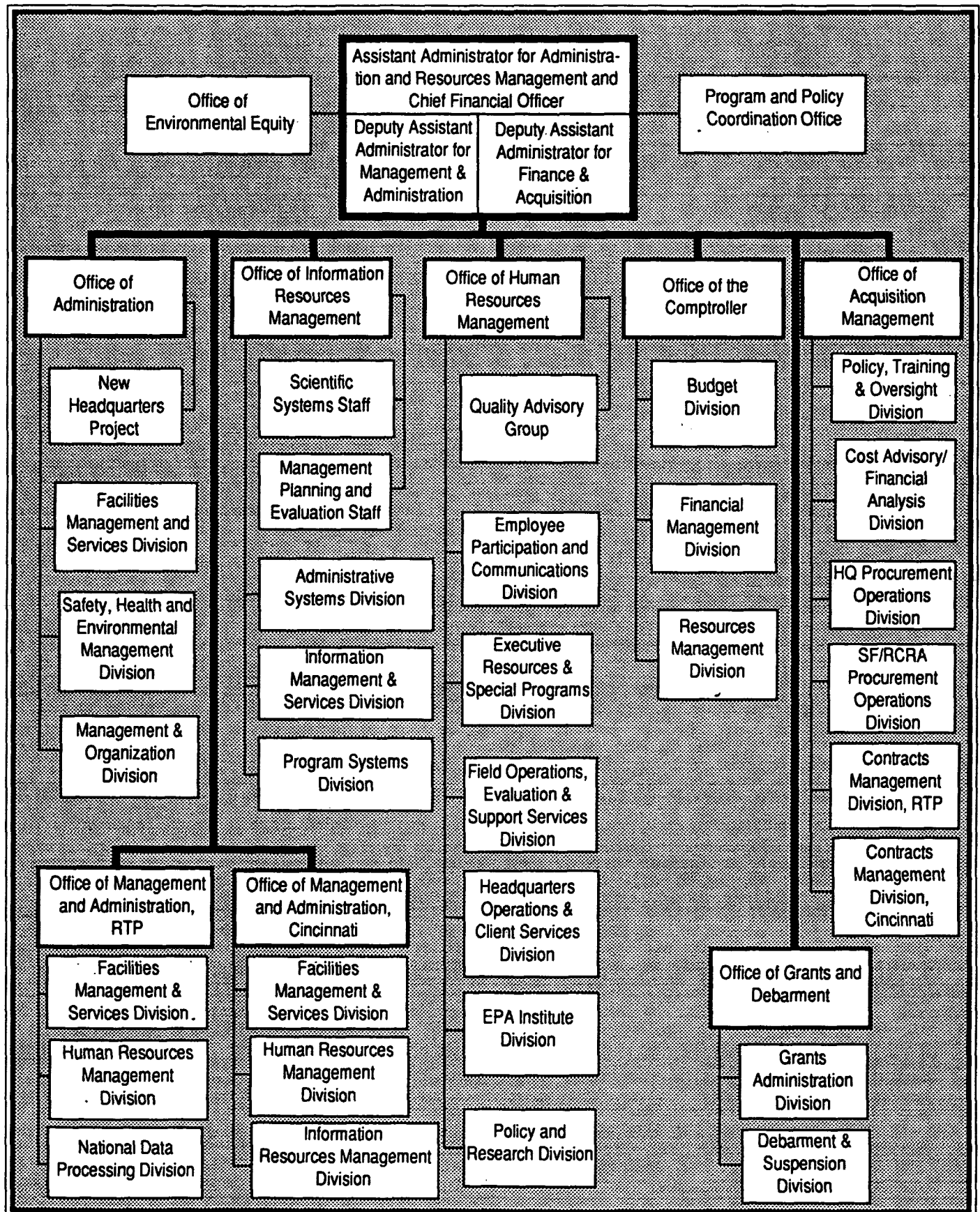
PRESENT ORGANIZATION

The structure of the Office of the Administrator has changed dramatically in the past few years. It now contains three Associate Administrators: Congressional and Legislative Affairs; Communications, Education, and Public Affairs; and Regional Operations and State/Local Relations. There are seven staff offices: Office of Civil Rights, Science Advisory Board, Office of Administrative Law Judges, Office of Small and Disadvantaged Business Utilization, Office of Cooperative Environmental Management, the Executive Support Office, and the Executive Secretariat. The Pollution Prevention Policy Staff and the Environmental Appeals Board are located in the Immediate Office.

ADMINISTRATION & RESOURCES MANAGEMENT

Section 2

OFFICE OF ADMINISTRATION AND RESOURCES MANAGEMENT



LEADERSHIP

Christian R. Holmes**Assistant Administrator**

Chris Holmes has served as the Assistant Administrator and Chief Financial Officer since 1991. Prior to this, he was the National Program Manager for Federal Facilities Enforcement, Principal Deputy Assistant Administrator of the Office of Solid Waste and Emergency Response, and Vice President of the Cooper Companies & Cooper Development Company. He has also served as the Director of the U.S. Trade and Development Program at the Agency for International Development (AID), the Principal Deputy Assistant Secretary of State at the State Department, and Deputy Director in the Office of U.S. Foreign Disaster Assistance in AID. Chris received his B.A. degree from Wesleyan University, and was awarded an Honorary Master of Arts degree from the same University.

Edward J. Hanley**Deputy Assistant Administrator for Management & Administration**

Ed Hanley is currently serving as the Deputy Assistant Administrator for Management and Administration. He became Deputy Assistant Administrator for Administration and Resources Management in 1989, after serving as Director, Office of Information and Resources Management from 1984-89. Ed graduated from Colgate University and began his Federal career at the Post Office Department as a Management Intern, and later worked as Special Assistant to Postmaster General Lawrence F. O'Brien. Ed moved to the private sector in 1968 where he became Vice President of a public policy consulting firm, and later, owner/operator of a rural hardware store. Ed returned to Federal service in 1979 as EPA's Deputy Assistant Administrator for Administration.

Sallyanne Harper**Deputy Assistant Administrator for Finance & Acquisition**

Sallyanne Harper came to EPA in June 1987, after working for seven years in the procurement offices of the U.S. Naval Air Systems Command. She served for 2 years as the Associate Director for Superfund and RCRA Procurement Operations in the Procurement and Contracts Management Division, after which she became the Director of the Financial Management Division. In July 1992, Sallyanne was asked to fill the newly created position of Deputy Assistant Administrator for Finance and Acquisition and Deputy Chief Financial Officer. Sallyanne graduated from LaSalle University with a Bachelor's degree in Psychology, and received her M.B.A. in Finance and Investments from George Washington University.

Frederick C. Garman**Acting Director Program and Policy Coordination Office**

Rick Garman is Acting Director of the newly created Program and Policy Coordination Office. Since 1989, Rick has been the Director of OARM's Program Operations Support Staff. Prior to that position he was Special Assistant to the Assistant Administrator for Research and Development. Rick was also Chief of Budget Planning in the Office of the Comptroller. He began his Federal career at the Bureau of Labor Statistics. Rick earned his Bachelor's degree from George Mason University.

FUNCTIONS

The Office of Administration and Resources Management (OARM) has primary responsibility agencywide for policy and procedures governing administrative management and resource issues.

- ☐ Designs and oversees the budget management process.
- ☐ Develops fiscal policy and procedures and directs Agency financial systems.
- ☐ Develops and conducts personnel policies, procedures, and operations.
- ☐ Conducts management studies and cost-effectiveness reviews.
- ☐ Procures and manages Agency facilities and real estate operations.
- ☐ Sets policy and executes contracts.
- ☐ Develops policy and executes Agency grants and cooperative agreements.
- ☐ Develops and conducts Agency environmental health and safety programs.
- ☐ Develops information resource plans, budgets, systems and service.
- ☐ Provides for telecommunications and information security.
- ☐ Administers the EPA History program.
- ☐ Manages Agency statutory delegations of authority.

LEGISLATIVE AUTHORITY

The Office of Administration and Resources Management (OARM) operates under the Executive Order which created the Agency in 1970. OARM functions in direct support to Agency offices which manage environmental statutes. Each of OARM's offices operate under a host of laws, regulations, and policies which govern administrative management across the Federal government. Major statutory authorities include:

Chief Financial Officer's Act (CFO)

The purpose of this Act is to bring more effective general and financial management practices to the Federal government and to provide for improvement of systems of accounting, financial management and internal controls; to assure the issuance of reliable financial information; to deter fraud, waste, and abuse of government resources; and to provide for complete, reliable, timely and consistent financial information for use by the Executive Branch and the Congress in the financial management and evaluation of Federal programs.

Federal Managers' Financial Integrity Act (FMFLIA)

This Act amends the Accounting and Auditing Act to require ongoing evaluations and reports on the adequacy of the systems of internal accounting and administrative control of each Executive Branch agency.

Omnibus Territories Act

On October 26, 1992 the President signed the General Assistance Program for Indian Tribes under the Omnibus Territories Act. This law provides \$15 million for two years for Federally recognized tribes to develop multi-media environmental programs. The Appropriations Committee has not appropriated funds for this program; however, the Grants Division is expected to participate in the development of the new program and development of regulations.

SYNOPSIS OF MAJOR ISSUES

FY 1993 ENACTED APPROPRIATIONS

The FY 1993 Appropriations Bill made drastic changes to the Agency's requested funding levels and account structure. Congress made large reductions to both the Superfund and Abatement, Control and Compliance appropriations, cutting significantly into the base of the Agency's core environmental programs. Additional mandated changes to EPA's account structure eliminated much of the flexibility that the Agency had to absorb reductions. In the newly established Program and Research Operations (PRO) appropriation (which funds only salaries and travel for the operating programs), the combination of the account restructuring with a funding level that does not fully cover our workyear ceiling poses serious management problems for some offices with high on-board staff levels.

CONTRACTING

EPA has become extremely dependent on contractors to perform a myriad of activities, including information system development, pesticide testing, and Superfund site cleanups. The use of contractors has resulted from the need for access to a wide array of technical expertise, much of which is needed for a limited time period, and from staffing constraints coupled with increasing responsibilities. The Agency is constantly being criticized for its contractor reliance and, in turn, for the inadequate oversight of its contractors. Criticism comes from the EPA Inspector General, the General Accounting Office and numerous Congressional committees. An ever-increasing volume of contracts without a commensurate increase in contracting staff continues to make it difficult for EPA to properly manage its contracts.

AGENCY MATERIAL WEAKNESSES

EPA has declared 8 new material weaknesses under the Federal Managers Financial Integrity Act in its 1992 Assurance Letter to the President. These weaknesses are enforcement data integration, accounts receivable, accounting systems-related financial management problems, contracts management, information resources planning and security, scientific data quality, drinking water primacy, and Superfund cost recovery.

NEW HEADQUARTERS FACILITY

Given the worsening condition and inadequate space at Waterside Mall, EPA urgently needs to acquire a consolidated headquarters for its Washington-based employees (approximately 8,100), now spread out in nine locations. In the spring of 1990, GSA identified EPA as the Federal Office Building (FOB) tenant in the Federal Triangle Project, a complex at the intersection of 14th Street and Pennsylvania Avenue. Subsequently, the principals involved in the housing plan discussions (the White House Chief of Staff, OMB, GSA, the Chairman of the Public Works and Transportation Committee) agreed to split the Federal Office Building between EPA and DOT, with both agencies failing to meet critical overall space needs and achieve long-standing consolidation goals. While EPA continues to work to ensure that EPA space at the Federal Triangle reflects our mission and functional requirements, we are also pressing key decision makers at OMB, GSA, and in Congress to consider restoring EPA as the sole FOB tenant, or provide for the remainder of our needs elsewhere. New opportunities to influence the Federal Triangle tenancy issue will be available to EPA in the next session of Congress. Preliminary prospectus development for approximately 800,000 square feet is underway.

INFORMATION RESOURCES MANAGEMENT

EPA's information resources management (IRM) program has encountered severe criticism and deep budget cuts in FY 1993 after nearly a decade of widespread praise for successful technology procurements, deployment of a modern, highly distributed information processing network, and the use of innovative technologies, such as Geographic Information Systems, to promote public access and data sharing across media lines, with other agencies, levels of government, and the public. The Inspector General, General Accounting Office, and Congress have criticized EPA for mismanaging IRM service contracts, a lack of central planning, and insufficient attention to systems security. More recently, EPA's lack of central IRM budgeting and Congressional budget cuts have severely curtailed all data integration programs. On the positive side, EPA just began operation of its first supercomputer in Bay City, MI.

CABINET LEVEL LEGISLATION

Recent sessions of Congress have actively considered the idea of creating a Department of the Environment, but legislation has so far failed to pass. In 1990, Senators John Glenn and William Roth introduced S.2006, and Representatives John Conyers and Frank Horton introduced H.R.3847. S.2006 failed to reach the floor, although H.R.3847 passed the House. Consequently, elevation was not achieved in the 101st Congress. In the 102nd Congress S.533, introduced by Senator Glenn, passed the Senate. In the House, Representative Sherwood Boehlert introduced H.R.3121 to elevate EPA, but no action was taken. During both the 101st and 102nd Congresses elevation of EPA to Cabinet level status had bipartisan support. The Administration generally supported EPA's elevation, with the specific condition that it be via a "clean" bill. Legislation has been unsuccessful because of controversial issues such as: a requirement that all Federal facilities comply with hazardous waste laws; the degree of independence of a new Bureau of Environmental Statistics, inclusion of "takings" language, issues regarding enforcement and international authorities, and the number of non-career SES employees permitted.

CHIEF FINANCIAL OFFICER

The Chief Financial Officers (CFO) Act of 1990 places new financial management requirements on the Agency, including the preparation of annual audited financial statements, which must contain program performance information for all revolving and trust funds. To meet CFO requirements, we must make significant enhancements to our existing financial management system and operations. Additional funds and staff resources have not been provided to address these needs. As a result, we risk criticism and scrutiny from OMB, GAO and the Congress for failing to meet our CFO mandate. Issues of immediate concern include: the completion of FY 1992 financial statements which are due to OMB on March 31, 1993, under the signature of the Administrator; correcting chronic financial management weaknesses in systems and accounting, portions of which we are declaring as material weaknesses for FY 1993; and, finally, implementing the proposed Superfund cost recovery rule including updating our indirect cost rates to maximize recovery of Federal costs of cleaning up Superfund sites.

ENVIRONMENTAL EQUITY

There is significant concern in some quarters as to whether EPA has demonstrated sufficient institutional and financial commitment to ensuring equity for minority and low income communities. A growing body of evidence suggests that these communities have not been treated fairly by environmental policies and decisions of the past two decades. In response, EPA (1) established an Environmental Equity "cluster" to coordinate EPA science, policy development, and compliance activities to ensure effective consideration of equity concerns; and (2) established the Environmental Equity Office in OARM to direct the Agency's outreach to affected communities. The Office's initial emphasis is on community-based economic/environmental development programs, an information clearinghouse, and financial and technical support to support participation in these efforts by minority academic institutions, communities, and state and local governments. (Also see Environmental Equity issue on page 3-5.)

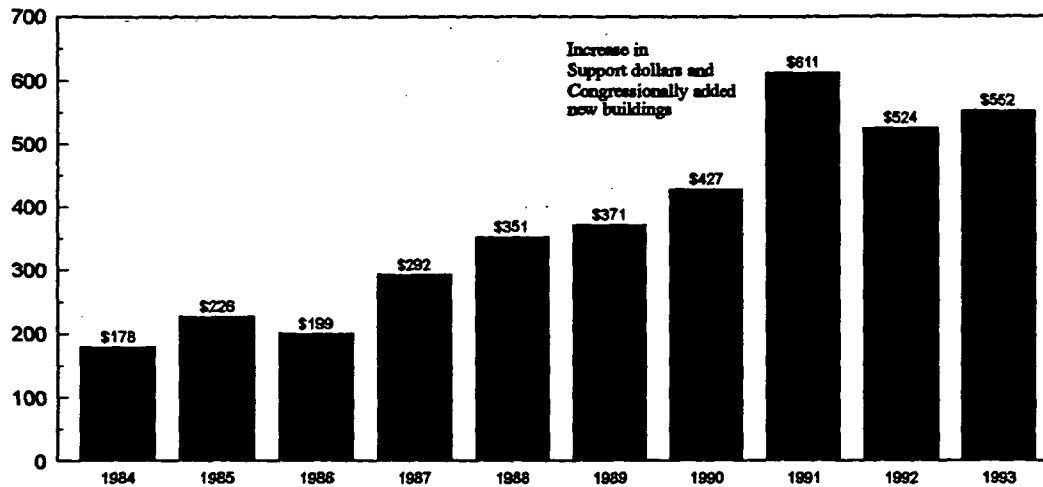
DIVERSITY

EPA is beginning to recognize the importance of a culturally diverse workforce. While EPA has made progress in recruiting a culturally diverse workforce, it is important that these efforts continue in the months and years ahead. Following the recommendations of the 1992 EPA Cultural Diversity Study, the Agency's top leadership must develop a clear strategy and action plan to address the challenges of diversity including measures of accountability for managers, supervisors, and employees.

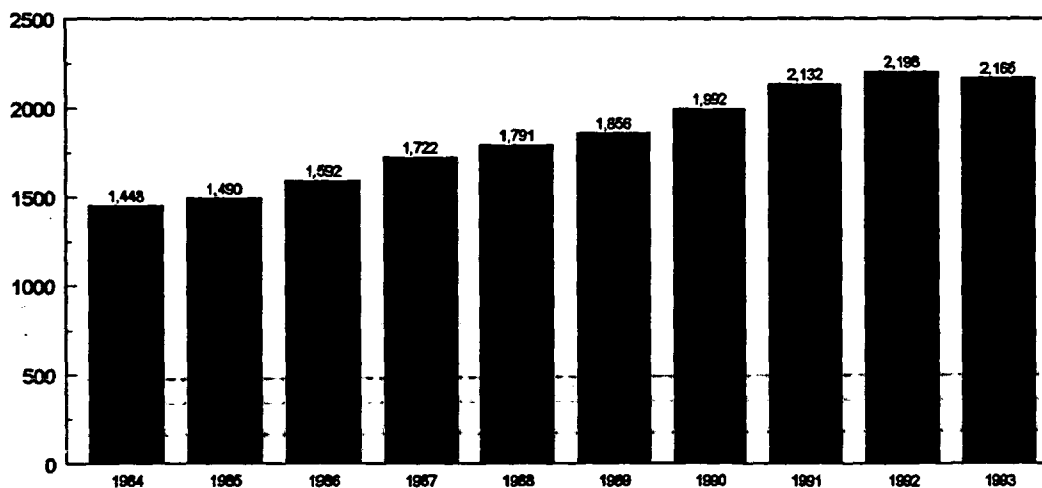
RESOURCES

TRENDS - FY 1984 to FY 1993 (1984 to 1992 Operating Plans, 1993 President's Budget)

Dollars in Millions



Workyears

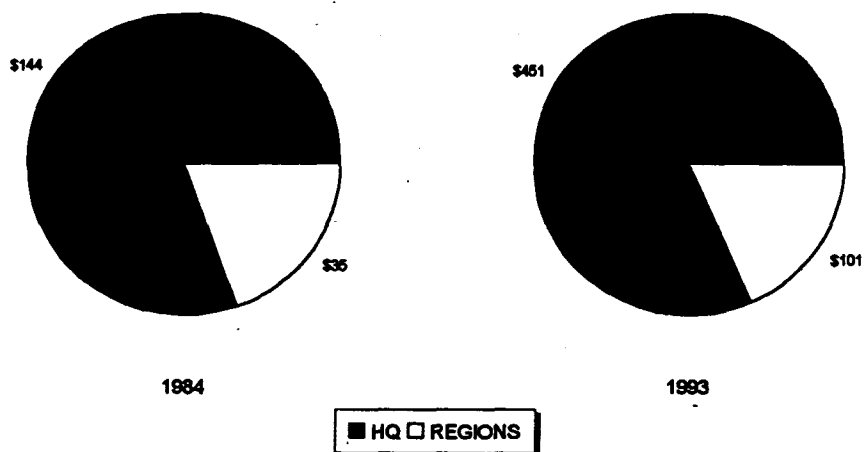


- Dollars have continued to increase to support the Agency's administrative and management infrastructure needs.
- The Agency's support accounts and Buildings and Facilities appropriation are a significant portion of OARM expenditures.
- Steady increases in workyears provide administrative support to a growing Agency, particularly in information resources management and the expanding contracts and grants program.

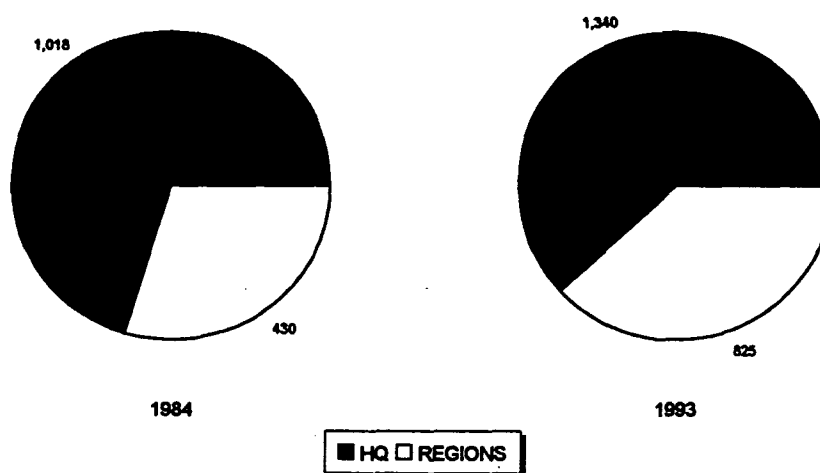
REGIONAL vs. HEADQUARTERS RESOURCES

(1984 Operating Plans vs. 1993 President's Budget)

Dollars in Millions



Workyears

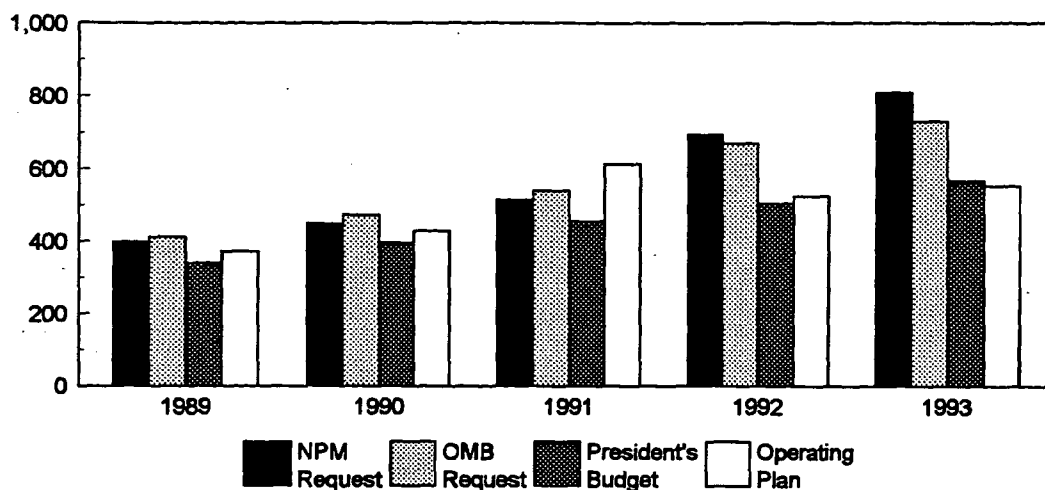


- Headquarters and regional dollars have nearly tripled since FY 1984.
- However, dollar increases in Headquarters are due to Agencywide Support (such as rent and utilities) and the growth in the Buildings and Facilities appropriation which is managed through Headquarters.
- Agencywide regional dollars and workyears have increased significantly reflecting a larger regional role in management.

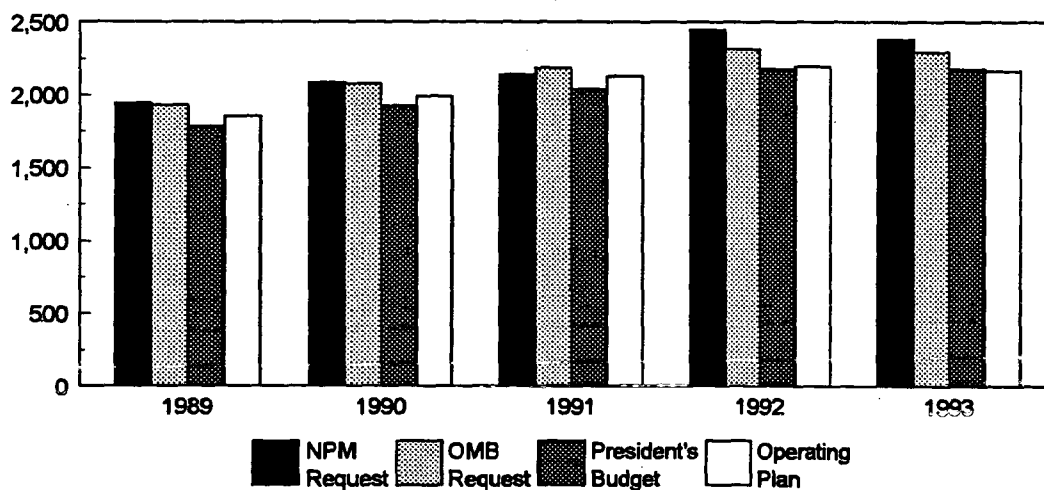
BUDGET PROCESS

(From Initial Request to Final Operating Plan)

Dollars in Millions



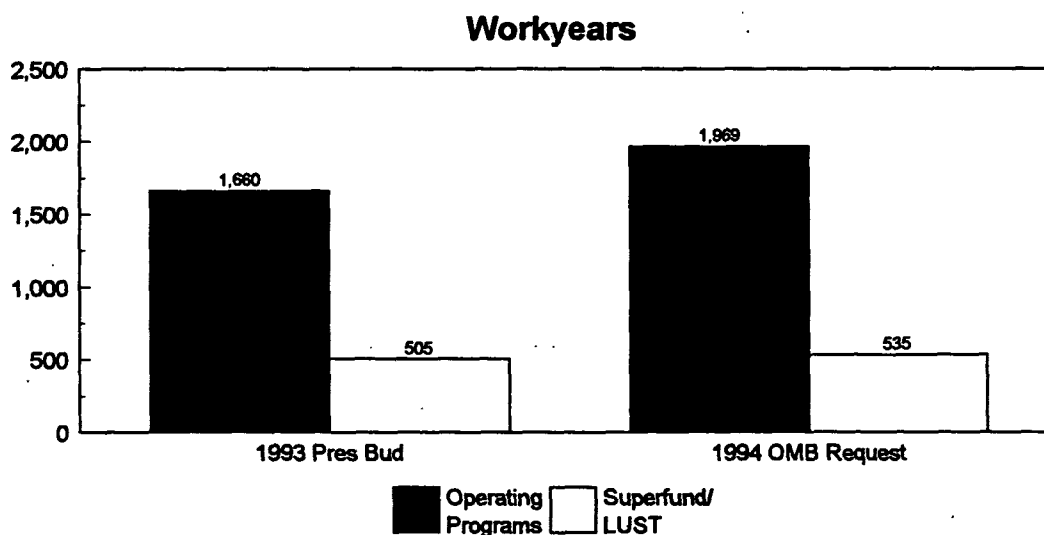
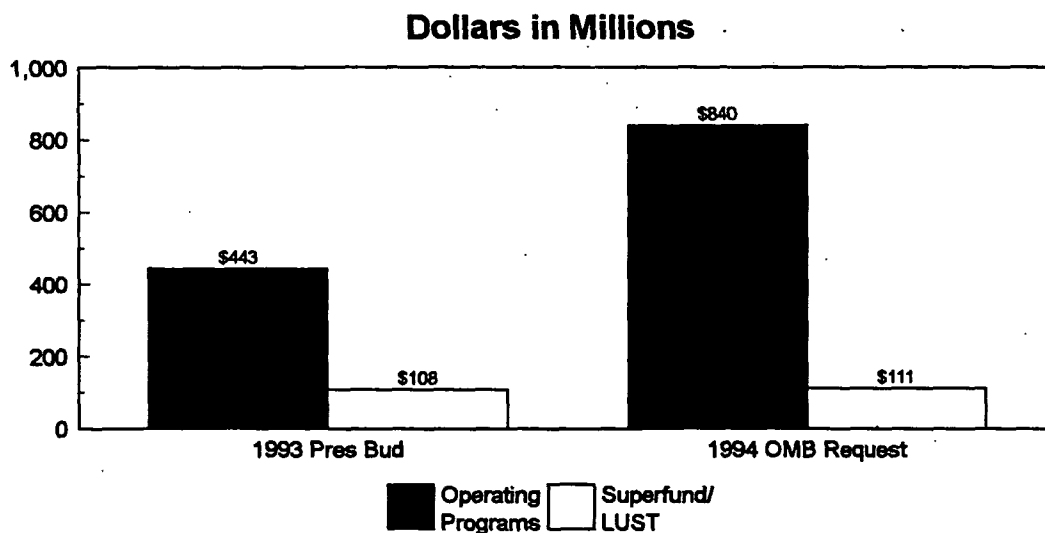
Workyears



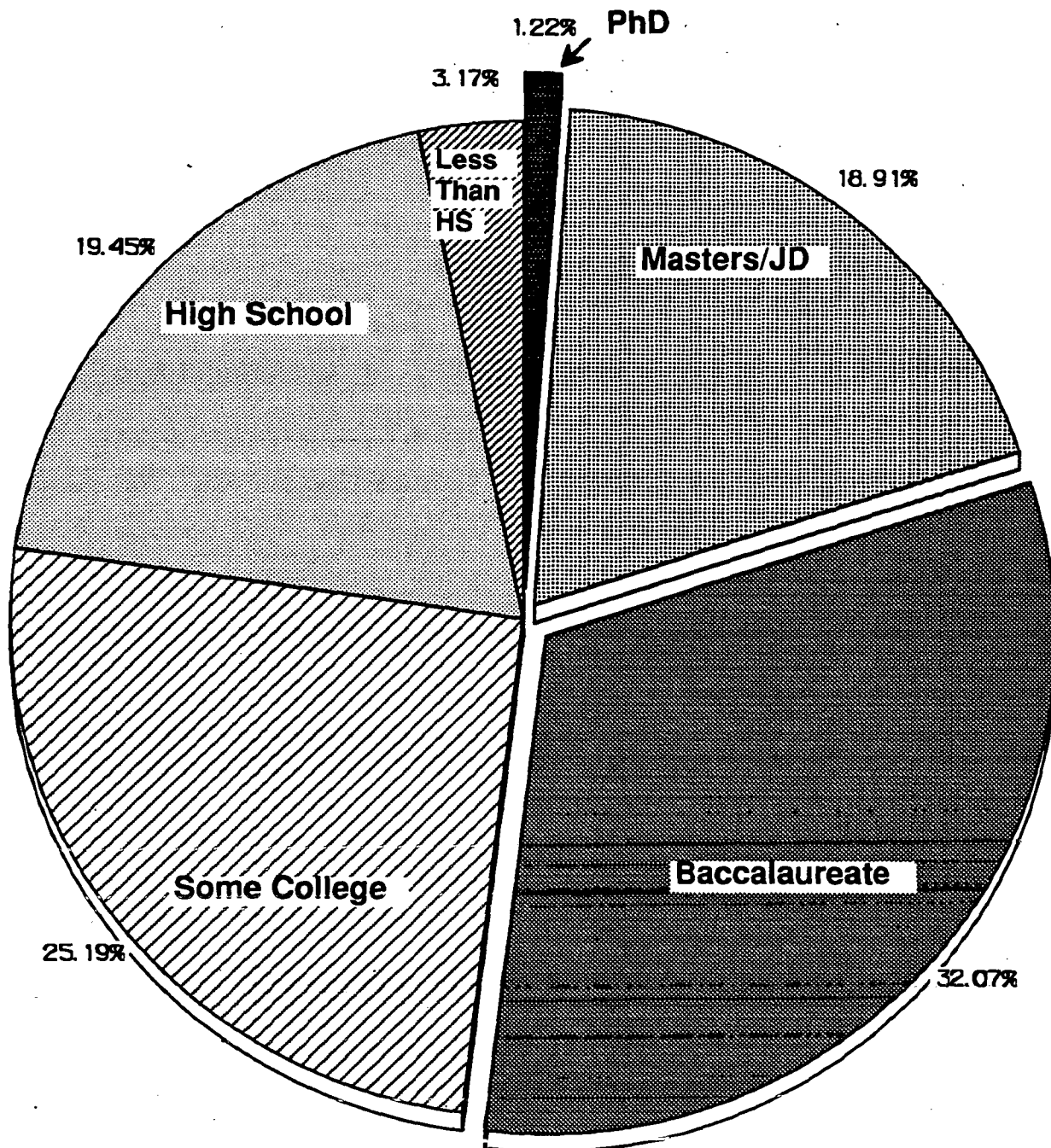
- Increases over the past years reflect costs associated with Agency administration and infrastructure as well as growth in the Agency's collection and sharing of environmental data to support EPA program offices and participating states.
- Rapid growth in Superfund administrative programs occurred until 1991 when Congress stabilized Superfund appropriations.

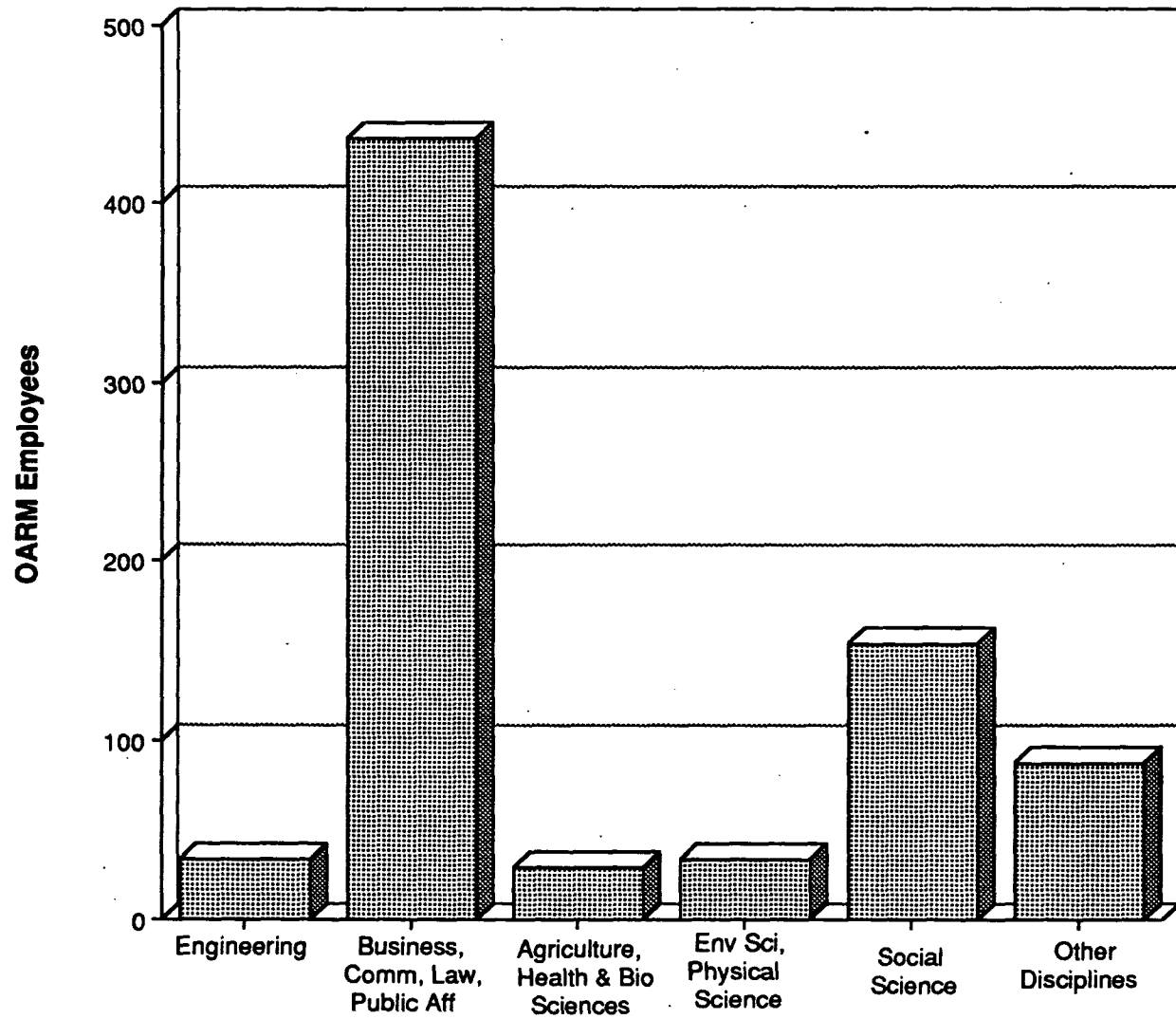
ADDITIONAL RESOURCES REQUESTED FOR 1994

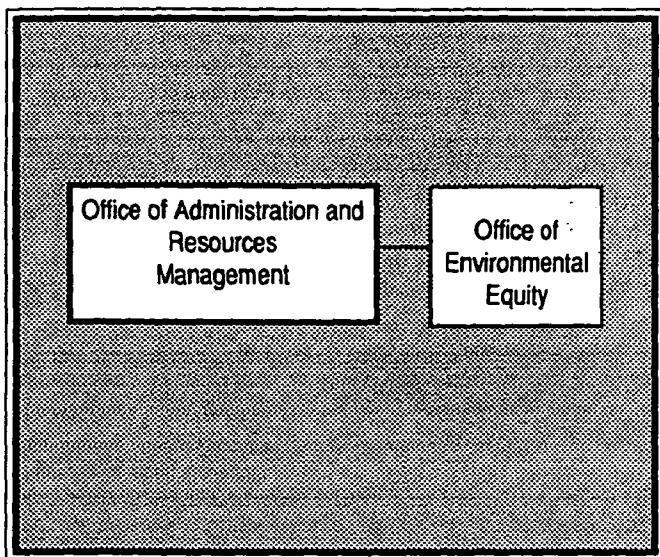
(FY 1994 OMB Request vs. 1993 President's Budget)



- The OMB request includes large increases for construction of the new Headquarters Building, the new Bay City supercomputer facility (Center for Ecology Research and Training), and the new consolidated laboratory in Research Triangle Park (RTP), North Carolina.
- FY 1994 dollar increases support non-discretionary Agency support needs and Agency initiatives in: rent paid to the General Services Administration (GSA), environmental equity, and administrative and scientific data processing systems.
- Workyear increases, in the FY 1994 request, support financial integrity and contract management improvements, environmental envoys, and data management programs.

WORKFORCE DEMOGRAPHICS**EDUCATION LEVELS - OARM**

ACADEMIC DISCIPLINES OF COLLEGE GRADS

OFFICE OF ENVIRONMENTAL EQUITY**LEADERSHIP****Clarice Gaylord
Director**

Clarice Gaylord was named Director of the Office of Environmental Equity on June 1, 1992, after being Deputy Director, Office of Human Resources Management since February, 1989. Clarice had been the Director of the Research Grants Staff in the Office of Research and Development for 5 years. She began her Federal career as a Health Science Administrator with the National Institutes of Health and has held several administrative positions with the National Cancer Institutes and the Division of Research Grants. Clarice has a B.A. degree in Zoology from UCLA and M.S. and Ph.D. degrees in Zoology from Howard University.

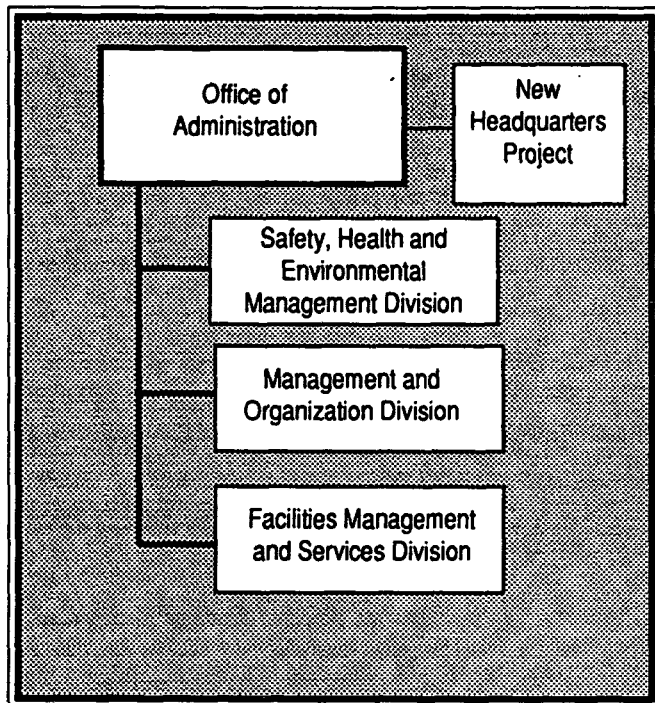
**Robert J. Knox
Deputy Director**

Bob Knox was named Deputy Director of the Office of Environmental Equity in June, 1992 after being the RCRA Ombudsman in the Office of Solid Waste and Emergency Response since May, 1986. Bob is a charter employee of EPA and has held a number of line management positions including Manpower Development Officer, OSWER, Director of Civil Rights, and Director, Office of Small and Disadvantaged Business Utilization. He holds a B.S. degree in Environmental Engineering and a M.S. degree in Management Development from the New Jersey Institute of Technology. He is a visiting Associate Professor at Howard University.

FUNCTIONS

The Office of Environmental Equity supports the EPA Administrator and the Assistant Administrator for Administration and Resources Management on all Agency environmental equity activities.

- ☐ Advises the Administrator and the program offices on environmental risk information developed outside the Agency on the impacts of environmental programs on racial minority and low income populations.
- ☐ Administers the Minority Academic Institutions (MAI) Program.
- ☐ Enhances environmental equity outreach, training and education programs.
- ☐ Provides minority and low-income communities with technical and financial assistance for community/economic development activities to address environmental equity.
- ☐ Serves as a centralized clearinghouse and dissemination point for equity information to EPA staff and the public.
- ☐ Develops environmental equity training for EPA managers and staff.
- ☐ Provides interagency coordination of equity programs.
- ☐ Supports consultation among EPA and outside equity organizations.
- ☐ Supports key research and environmental risk reduction projects.

OFFICE OF ADMINISTRATION**LEADERSHIP****John C. Chamberlin**
Director

John Chamberlin has been the Director of Administration for eight years. For the past eighteen years, he has worked in OARM line management positions including four years as the Deputy Comptroller. Other work experience includes positions in ACTION, Office of Economic Opportunity, IBM, and Stanford University. John served with the Peace Corps in Peru and has been a consultant to the World Bank in Ecuador and Peru. He received a M.B.A. from the University of Pittsburgh.

William Finster
Deputy Director

Bill Finster has been the Deputy Director of Administration for over four years. Prior to this, Bill was the Director of the Facilities Management and Services Division. Previously, he served as Special Assistant and Budget Officer to OARM's Assistant Administrator. Bill's early government work experience was at OMB as a senior management analyst. He received his B.S. from Duquesne University, and did graduate work at the University of San Francisco.

FUNCTIONS

The Office of Administration (OA) provides a host of administrative and management services to all parts of the Agency.

- ☐ Manages Agency real estate, facilities, space, and personal and property security.
- ☐ Directs the selection, design and construction of new Headquarters, regional and laboratory facilities.
- ☐ Provides management analysis and consultation services.
- ☐ Manages organization and management systems, controls, and services.
- ☐ Directs a comprehensive health and safety program for EPA employees and ensures that EPA facilities comply with environmental regulations.
- ☐ Administers the EPA history program.

DIVISION DIRECTORS

**Nelson Hallman, Manager
New Headquarters Project**

Nelson Hallman is the manager of the New Headquarters Project. Nelson has been with the Agency since 1980. His previous assignments include Deputy Director for Facilities Management and Services Division and Chief of Space Planning and Management. Management experience prior to EPA includes over six years with the Office of the Clerk of the House of Representatives and two years with the Dictaphone Corporation. Nelson received his B.A. in Government and Politics at the University of Maryland.

**Julius C. Jimeno, Director
Safety, Health and Environmental Services Division**

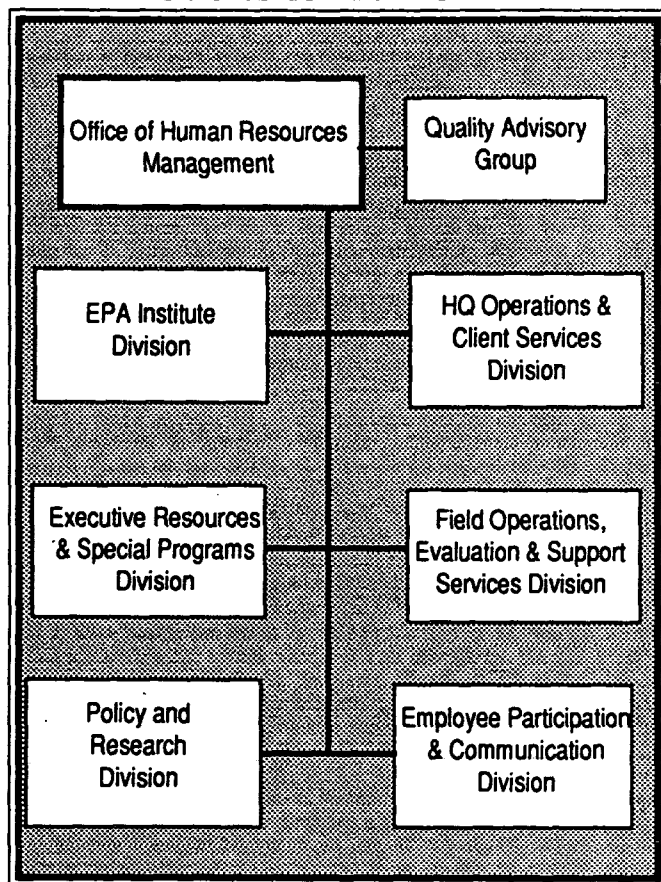
Julius Jimeno came to EPA in 1989 as the Director of Safety, Health, and Environmental Management. Julius began his government career in 1973 at the Occupational Safety and Health Administration where he was a Safety and Health Specialist in the Office of Standards. Prior to joining EPA, he served as the Director of Safety and Health at the U.S. Department of Agriculture. Julius received his M.A. in Occupational Health and Safety at West Virginia University and was also a Senior Executive Fellow at Harvard University.

**Kathy Petruccelli, Director
Management and Organization Division**

After joining EPA in 1978, Kathy Petruccelli held a variety of personnel policy and operations positions, including Assistant Director for Policy and Programs. She moved to the Management and Organization Division in 1987 to become its Director. Prior to joining EPA, Kathy worked in personnel management at the Department of Navy and the United Nations. Her B.A. was awarded from the University of Maryland.

**Richard L. Lemley, Director
Facilities Management and Services Division**

Rich Lemley was named Director of the Facilities Management and Services Division in 1989. He began his career at EPA in 1974 in the Financial Management Division and transferred to the Personnel Management Division in 1975. He progressed in that organization and became Deputy Headquarters Personnel Officer in 1986. Rich also served as Chief of the Facilities Operations Branch from February, 1987 until May, 1988. In 1988 he became Director of the Headquarters Operations and Client Services Division, before moving to his current position. Rich has a B.A. in Political Science from James Madison University.

**OFFICE OF HUMAN
RESOURCES MANAGEMENT****LEADERSHIP****Kenneth F. Dawsey****Director**

Ken Dawsey was named Director in August, 1988. Previously, he held positions as the Deputy Director of OHRM, the Deputy Director of Administration, and the Director of the Office of Personnel and Organization. Ken began his Federal career as a Personnel Intern in the Navy Department, and held several senior personnel and management positions at Justice, Agency for International Development, and Transportation. Ken has a B.A. in Industrial Relations from the University of Maryland and attended American University Law School.

Clarence Hardy**Deputy Director**

Clarence Hardy was named Deputy Director of OHRM in May, 1988 after being Director, Personnel Management Division since October, 1979. Clarence has held various other leadership positions with the Federal Energy Regulatory Commission, Department of Energy, National Bureau of Standards, and the Energy Research and Development Administration. Clarence has a B.A. in Political Science and Economics from North Carolina Central University and a Master's degree in Public Administration from the Maxwell School, Syracuse University.

Richard Bashar**Deputy Director**

Rich Bashar has been the Deputy Director since October, 1992. Prior to this, he served as the Associate Comptroller from 1988 to 1992, after acting in that position since February, 1987. He came to EPA in 1985 as the Chief of the Fiscal Policies and Procedures Branch in the Financial Management Division. Prior to joining EPA, he worked for 15 years in various management and staff positions at Treasury's Financial Management Service. Rich has a B.S. in Business Administration from West Virginia University.

FUNCTIONS

The Office of Human Resources Management (OHRM) is responsible for policies, procedures, program development, and implementation of EPA's human resources program.

- ☐ Establishes Agency policy to implement Federal personnel law and regulations in the areas of recruitment; workforce planning, classification and pay, employee and labor relations, training and development.
- ☐ Provides full range of comprehensive personnel services to Agency managers and employees.
- ☐ Assesses effectiveness of Agency human resources programs.

DIVISION DIRECTORS

Donald W. Sadler, Director**Executive Resources and Special Programs Division**

Don Sadler was named Director in May, 1988. He began his career as a personnel management intern with the Department of Navy in June, 1969. After joining EPA's Personnel Management Division in 1973, he progressed in that organization and became Assistant Director for Headquarters Personnel Operations in October, 1977. He served as Chief, Management Analysis Branch in the Management and Organization Division before joining OHRM as head of the Executive Resources Staff in May, 1987. Don has a B.A. from the University of Connecticut and has done work in Public Administration at George Washington University.

Michael A. Hamlin, Director**Headquarters Operations and Client Services Division**

Prior to becoming Director of the Headquarters Operations and Client Services Division, Mike Hamlin was the Director of the Policy, Research and Development Division. He joined the Federal government in 1979 as a Personnel Management Specialist with the Federal Trade Commission. He transferred to EPA as Agency Training Officer in 1985 and was appointed Personnel Policy Branch Chief in 1987. Mike has a B.S. from Towson State University and an M.A. in Management and Administration from Catholic University.

Hector E. Suarez, Director**Policy and Research Division**

Prior to becoming the Director of the Policy and Research Division, Hector Suarez directed the Human Resources Division in Research Triangle Park. He became a U.S. citizen in 1969 and has been with the Federal government since 1974 when he worked in personnel management at EPA's Las Vegas laboratory. Hector's prior government experience was with the Internal Revenue Service. His educational background is in Behavioral Psychology.

Thorne W. Chambers, Director**Employee Participation and Communications Division**

Thorne Chambers was appointed Director, Employee Participation and Communications Division in May, 1988. He began his career as a Personnel Management Intern in 1971 with the Navy Department. He also served as Director of Labor and Employee Relations for the Naval Surface Weapons System, and worked in the Department of Energy. He joined EPA in April, 1980 and became Assistant Director for Labor and Employee Relations in February, 1984. Thorne earned a B.A. from the University of Maryland and an M.B.A. from William and Mary College.

Renelle P. Rae, Director**EPA Institute Division**

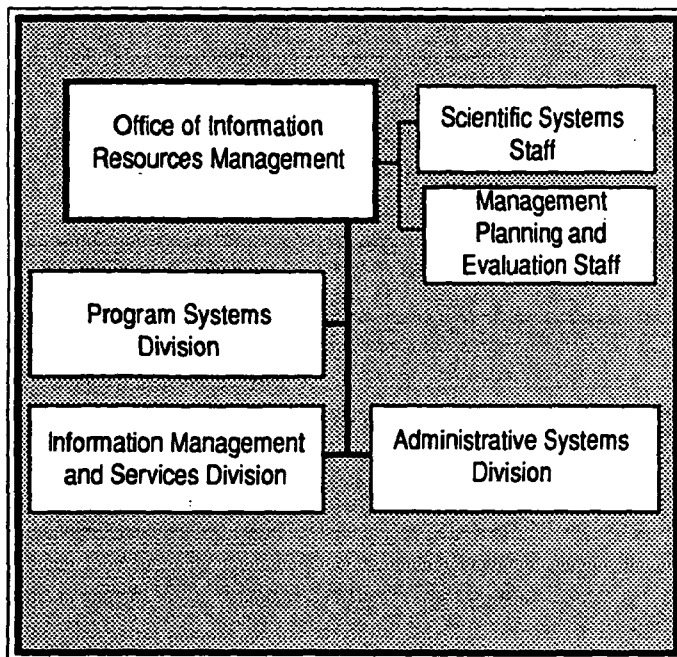
Prior to becoming the Director of the EPA Institute, Renelle Rae was Chief of the Program Development and Training Division in the Office of Enforcement. She began her career with EPA in 1976 as an attorney in the National Enforcement Investigation Center. In 1978, she joined the Region VII Enforcement Division in Kansas City. From 1983 - 1985 she worked as a program analyst for the Office of Policy Planning and Evaluation and the Office of Enforcement. She became Chief of the Compliance Evaluation Division in 1985 and Chief of the Program Development and Training Division in 1988. Renelle has a B.A. from the University of Northern Colorado and a J.D. from the University of Denver.

**Kerry M. Weiss, Director
Quality Advisory Group**

Prior to becoming the Director of the Quality Advisory Group, Kerry Weiss was the Director of the Human Resources Development Division. He began his career at the Bureau of Census in 1974 as a Survey Statistician. He joined EPA in March, 1978 as a Management Analyst in the Management and Organization Division. He progressed to Chief of the Program Management Analysis Branch in that organization and served briefly as Acting Director. He moved to OHRM in March, 1988. Kerry holds a B.S. from North Dakota State University.

**Amy Kearns, Acting Director
Field Operations, Evaluation and Support Services Division**

Amy Kearns has been the Acting Director since September, 1992. Prior to this, she served as Deputy Director. She came to EPA in 1972 with a personnel background from several other agencies, including the Federal Aviation Administration and the General Services Administration. She has progressed through several positions in OHRM, including the Chief, Headquarters Employment Center and Chief, Systems Support Branch.

**OFFICE OF INFORMATION RESOURCES
MANAGEMENT****LEADERSHIP****Paul A. Wohlleben****Acting Director**

Starting his Federal career in 1976, Paul Wohlleben has held various positions at the Treasury Department culminating in a job with the Office of the Secretary before moving to the Office of the Comptroller at EPA in 1986. Paul moved to OIRM in April, 1988 as the Deputy Director of the Administrative Systems Division and then became its Director. He assumed the position of Acting Office Director in December, 1992. Paul received a B.S. from Virginia Technical Institute, a M.B.A. from George Washington University, and attended the George Mason Law School.

Deputy Director

Vacant

FUNCTIONS

The Office of Information Resources Management (OIRM) develops, operates, and oversees Agency information systems and services.

- ☐ Sets policy, guidance and standards to meet EPA's need for information technology and resources.
- ☐ Provides oversight and technical support to ensure compliance with Federal & EPA IRM policies and regulations across the Agency's decentralized IRM community.
- ☐ Provides library, records management and other information services to the Agency and public.
- ☐ Oversees EPA's data sharing programs with states, other agencies, the public, and foreign nations.
- ☐ Provides project officer and administrative support for Agency-wide IRM services contracts.
- ☐ Operates and maintains the Agency's critical administrative systems.
- ☐ Manages EPA environmental data integration initiatives.

DIVISION DIRECTORS

Richard A. Martin, Acting Director**Management Planning and Evaluation Staff**

Rick Martin joined EPA in 1979 as a Presidential Management Intern. He has served in air/noise, Superfund, and water programs as a program analyst and manager of two of the Agency's largest information systems. Rick came to the Program Systems Division in 1988 as a Branch Chief and then Deputy Director two years later. He has been Acting Director of MPES since June, 1992. Rick holds a B.A. from Jacksonville University, an M.P.A. in Environmental Management from Florida Atlantic University, and attended the University of Florida Law School.

David M. Cline**Director, Scientific System Staff**

Mickey Cline is Director of the Scientific Systems Staff. An environmental and electrical engineer by training, he has over 20 years experience in the design and support of mathematical models that describe environmental processes. Mickey directs Agencywide IRM support of research programs in high performance computing, mathematical modeling, environmental data base management, and data standards. He was responsible for the procurement of computer hardware, software, and services totalling over \$500 million for EPA's scientific community.

Stephen Schilling, Director**Program Systems Division**

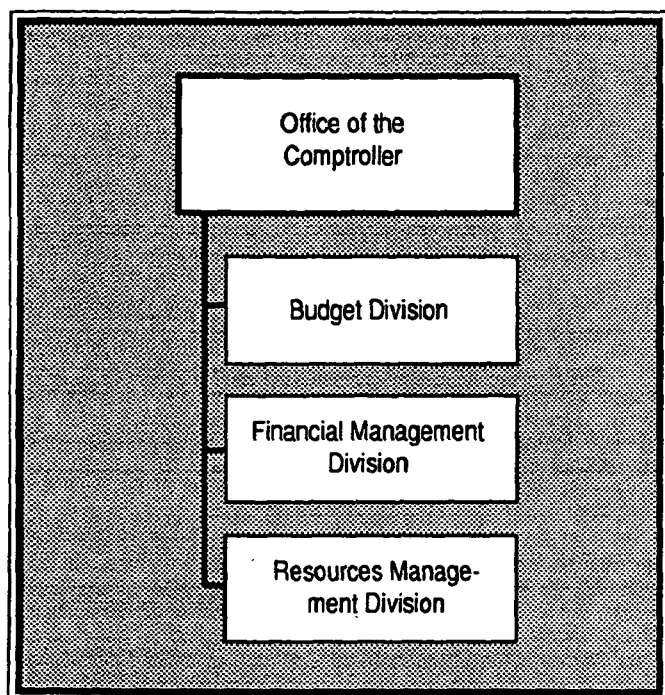
Steve Schilling has 24 years service in the Federal government working in systems analysis and other IRM management positions. Steve has been a Division Director at Health & Human Services, Deputy Director and Branch Chief in EPA, systems analyst and team leader at GSA, OMB, & DOE, a Management Intern at Department of Commerce, and served 4 years as a line officer in the U.S. Navy. Steve holds a B.S. in Biology from the College of William & Mary, an M.S. in ADP Management, George Washington University, and is currently working on a M.S. in Biology at George Mason University.

Daiva A. Balkus, Director**Information Management and Services Division**

Daiva Balkus has been Director of IMSD for three years. Prior to that, she served as Director of the Program Operations Support Staff and Senior Budget Officer for OARM for over four years. She has worked in for the Office of Administration and spent four years in the Comptroller's Office as an analyst and Branch Chief. Daiva joined the Agency in 1979. She holds a B.A. from Bennington College in Vermont.

Sandra W. Martin, Director**Administrative Systems Division**

Sandy Martin came to EPA from the Department of Treasury. She began her tenure in the Financial Management Division where she became Chief of the Financial Systems Branch. In 1989, she was asked to serve as Deputy Director of the Administrative Systems Division. In 1990, she was appointed as Acting Director, and was made permanent Director in 1992.

OFFICE OF THE COMPTROLLER**LEADERSHIP****Alvin M. Pesachowitz
Acting Comptroller**

Al Pesachowitz began his career in public service in 1968 as a Chemical Engineer with the Department of Defense. He joined EPA in 1971 to work on the implementation of the 1970 Clean Air Act. In mid-1973, he joined the Agency's efforts to develop and implement a management-by-objective accountability system. He served as Branch Chief, Associate Director, and Director of the Budget Division. He was promoted to Deputy Director of the Office of Information Resources Management in January, 1989 and was appointed Director in October, 1989. He assumed the position of Acting Comptroller in December, 1992. Al graduated from Rutgers University with a B.A. in Liberal Arts and a B.S. in Chemical Engineering. In 1972, he received his Master's degree in Management from George Washington University.

**David J. O'Connor
Associate Comptroller**

Dave O'Connor was recently appointed Associate Comptroller. He has been with EPA for about 15 years holding positions of increasing responsibility in procurement and contracting. He is well known for his work as Director of the Procurement and Contracts Management Division, a position he held for six years. Dave received his early training in procurement from the Air Force, and holds a B.A. in Economics from Virginia Polytechnic Institute and State University.

FUNCTIONS

The Office of the Comptroller (OC) is responsible for Agencywide resources, budgetary, and financial management functions.

- ☐ Develops and administers EPA's resource and finance systems, including accounting systems, fiscal controls and systems for payroll and disbursements.
- ☐ Formulates, prepares and executes EPA's budget.
- ☐ Calculates allotments and allocations.
- ☐ Establishes policies and programs for implementing key OMB circulars and GAO requirements.

DIVISION DIRECTORS

**Richard Brozen, Director
Budget Division**

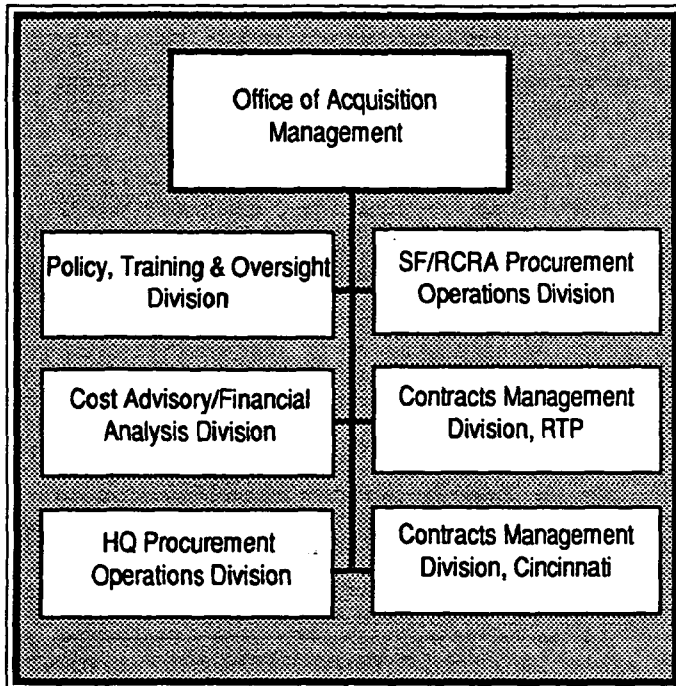
Richard Brozen has been the Director of the Budget Division for 3 years. He arrived in July, 1988 when he accepted the Associate Director's position. Richard came to EPA via the National Archives, where he was Chief Financial Officer for the National Archives Trust Fund Board. He received his Master's in Public Administration from the University of Denver.

**Jack Shipley, Acting Director
Financial Management Division**

Jack Shipley graduated from Central Missouri State University with a major in Accounting and received a Master's degree in Business Administration from the University of Northern Colorado. Jack has held several positions in EPA's resource community including Acting Deputy Director of the Budget Division and Deputy Director of the Financial Management Division. He came to EPA in 1983 from the Department of Energy where he spent four years in financial management; prior to that, he spent five years in financial management in the Department of Army. Jack has been heavily involved in the implementation of the Chief Financial Officers (CFO) Act of 1990 and currently co-chairs the CFO Implementation Task Force with the Assistant Inspector General for Audit.

**John J. Sandy, Director
Resources Management Division**

John Sandy has been the Director since February, 1987, after serving in management positions in the Financial Management Division. Before coming to EPA, John was the Chief Accountant of the Federal Communications Commission and held several management positions during his 17 years at the Civil Aeronautics Board. Prior to joining the Federal government, John worked as a special assistant to the President of an insurance brokerage firm. John has a B.S. in Business from the University of Richmond.

**OFFICE OF ACQUISITION
MANAGEMENT****LEADERSHIP****Michael E. Bower****Acting Director**

Mike Bower has been Acting Director since October, 1992, on temporary assignment from his position as Director of the Contracts Management Division at Research Triangle Park, North Carolina. Prior to coming to EPA he held leadership positions with the U.S. Army Depot System Command and the Sacramento Army Depot, and served as the Director of the Defense Department's Basic Acquisition Course and Small Purchases Course at Ft. Lee, Virginia. Mike began his Federal career as a procurement intern in St. Louis, Missouri. He graduated from Elon College in North Carolina, and attended graduate school at Virginia Polytechnic Institute.

Deputy Director

Vacant

FUNCTIONS

The Office of Acquisition Management develops, conducts, and coordinates the Agency contracts management program.

- ☐ Develops and implements Agencywide procurement policies and regulations.
- ☐ Develops, coordinates, and conducts EPA's contracts management program.
- ☐ Conducts contract planning, placement, management, modification, termination, and settlement.
- ☐ Represents the Agency on all contract issues with Congress, the Office of Management and Budget, the General Accounting Office, other Federal agencies, and industry.

DIVISION DIRECTORS

Diane Balderson, Director**SF/RCRA Procurement Operations Division**

Diane Balderson has served as the Division Director since November, 1992. She came to EPA from the Space and Naval Warfare Systems Command. Previously she held positions in the contracting field in the Defense Fuel Supply Center and the Naval Air Systems Command, and also spent several years in private industry. Diane began her Federal career in 1977 as a procurement agent under a fellowship program at the Defense Fuel Supply Center. She holds a B.A. degree in Psychology from the University of Virginia and a M.S. degree in Contracting from Florida Institute of Technology.

John C. Gherardini III, Director**HQ Procurement Operations Division**

Chuck Gherardini became Division Director under the reorganization in November, 1992. He came to EPA as the Associate Director for ADP Procurement and Contract Support in December, 1991. Previously he served in a variety of positions with the Department of Defense in the contracting field. Chuck holds a B.S. in Political Science and an M.A. in International Relations from Western Illinois University.

Belle N. Davis, Director**Policy, Training & Oversight Division**

Belle Davis was named Director upon the Division's creation in November, 1992, after four years as the Director of its predecessor organization, the Policy and Management Support Staff. Since joining EPA in 1974, she has held a number of staff and management positions in OARM, including in grants debarment, in the immediate office of the Assistant Administrator, and on an intergovernmental assignment to Montgomery County, MD, OMB. Belle began her Federal career in 1968 as a Management Intern at HUD. She holds a B.A. in Government from Tufts University.

Donald L. Hambric, Director**Cost Advisory/Financial Analysis Division**

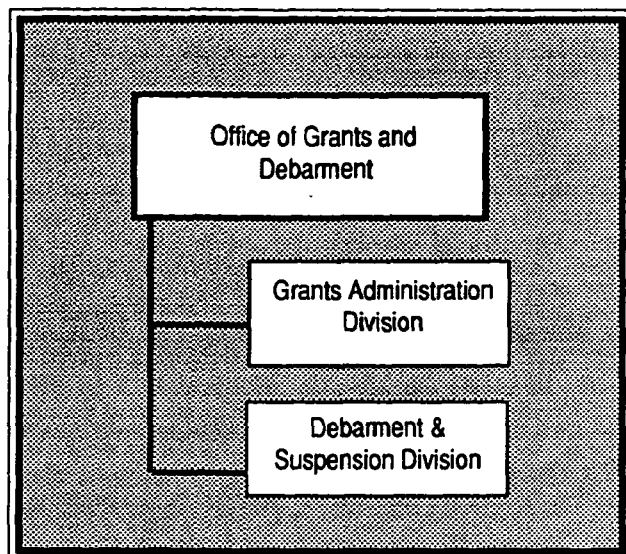
Don Hambric became Director in November, 1992. Don is a charter member of EPA. Previously, he was Chief, Cost Review and Policy Branch in the Procurement and Contracts Management Division. He also served as Chief, Policy and Quality Assurance Branch and Acting Associate Director for ADP Procurement and Contract Support. Don is a Certified Public Accountant and has a B.C.S. and M.C.S. in Business Administration from Benjamin Franklin University.

Donald L. Sutton, Acting Director**Contracts Management Division, RTP**

Don Sutton is currently serving as the Acting Division Director. He came to EPA as the Deputy Director in October, 1991. Previously, he held leadership positions with the U.S. Marine Corps in the contracting field. Don began his civilian career in 1978 as an Army Intern in contracting. He holds a B.A. in History from Georgia Southwestern College and an M.S. in Contracting and Acquisition from Florida Institute of Technology.

Mark J. Kellerman, Director**Contracts Management Division, Cincinnati**

Mark Kellerman joined EPA as Director of the Contracts Management Division in Cincinnati in 1991. Previously he held various leadership positions in the procurement field with the Air Force and at Wright-Patterson Air Force Base. Mark began his career as a Management Intern with the Air Force. He holds a B.S./B.A. degree in Management and an M.B.A. degree, both from Xavier University.

OFFICE OF GRANTS AND DEBARMENT**LEADERSHIP****Harvey G. Pippen Jr.****Director**

Harvey Pippen has been with EPA since 1971. Prior to his current position, he was the Director of the Grants Administration Division for 12 years, after having served as a Branch Chief and then as the Deputy Division Director in the Grants Division. Before his tenure at EPA, Harvey was a senior Staff Associate, President's Council on Executive Organization. Harvey holds a Law degree from the University of Texas.

FUNCTIONS

The Office of Grants and Debarment's primary responsibilities are twofold: to develop and oversee policy for all EPA assistance programs, and to monitor and protect Federal assistance from misuse, fraud and abuse.

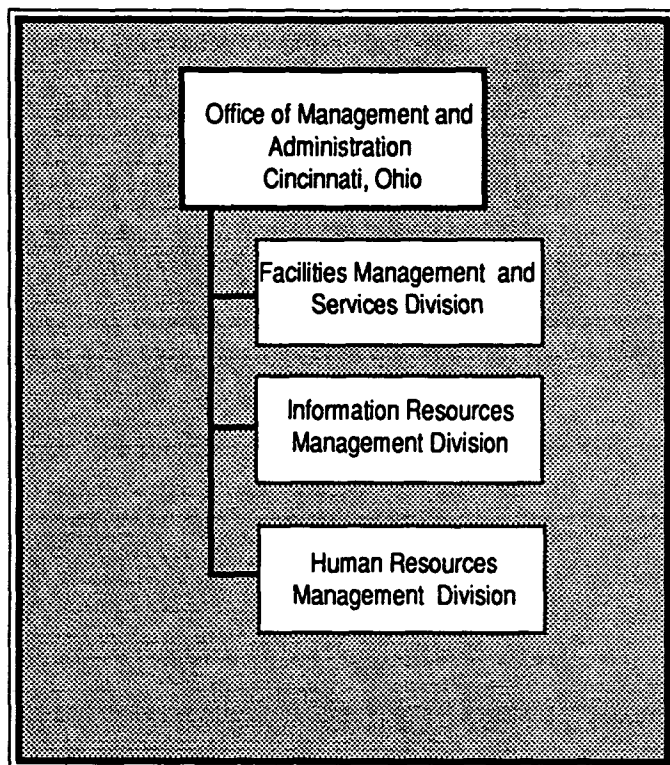
- ☐ Develops policy, guidance and regulation; reviews proposed legislation; and provides oversight and technical advice for EPA grants, cooperative agreements, fellowships, loans and interagency agreements.
- ☐ Conducts investigations, holds hearings, oversees compliance with settlements, and rules on the eligibility for receipt of EPA assistance and/or contract by companies whose integrity has been questioned; and
- ☐ Awards and manages grants, cooperative agreements, loans, and interagency agreements.

DIVISION DIRECTORS**Gary M. Katz, Director****Grants Administration Division**

Gary Katz has been with EPA since its inception, with the exception of five years at OMB from 1978 to 1983. At EPA he has served in a number of senior management positions including Senior Advisor to the Director of Procurement, Deputy Director of Regulatory Management and Evaluation, Director of Finance, Deputy Director of Administration, and Director of Management and Organization. Gary holds a Master's degree in Governmental Administration from the Wharton School, University of Pennsylvania.

Robert Meunier, Director**Suspension and Debarment Division**

Bob Meunier has been with EPA since 1977. Before his current position, Bob held positions in the Grants Administration Division as the Chief of the Compliance Branch, Hearing Officer, and senior compliance specialist. Bob holds a Law degree from George Mason University.

**OFFICE OF MANAGEMENT AND
ADMINISTRATION
CINCINNATI, OHIO****LEADERSHIP****William M. Henderson
Director**

Bill Henderson relocated to Cincinnati in August, 1988 after serving as the Director, Office of Human Resources Management since 1987. His prior EPA experience includes serving as EPA's Associate Comptroller for four years. Bill has over sixteen years of government service at the Office of Management and Budget, Treasury, and Health and Human Services Department. Bill has a B.S. in Accounting and Business Administration from Brescia College.

**William J. Bailey
Deputy Director**

Bill Bailey joined the Environmental Protection Agency in 1975 and served in several positions over the next 17 years. He graduated from Thomas Moore College with a B.A. degree in 1974. Prior to his current position, Bill served as Director of the Contracts Management Division.

FUNCTIONS

The Office of Management and Administration provides administrative support services to all of the EPA programs and activities in Cincinnati, and provides certain Agencywide services and functions.

- ☐ Manages facility operations and maintenance, construction, personal property, safety and security.
- ☐ Provides personnel and human resources support.
- ☐ Provides automated data processing and telecommunications support for the Cincinnati operations, and is the National Disaster Recovery Backup Center for critical Agency ADP/telecommunications systems.
- ☐ Manages EPA's central publications distribution center and the Agency's on-line system for ordering and tracking EPA publications.

DIVISION DIRECTORS

Deborah Ward Beard, Director**Facilities Management and Services Division**

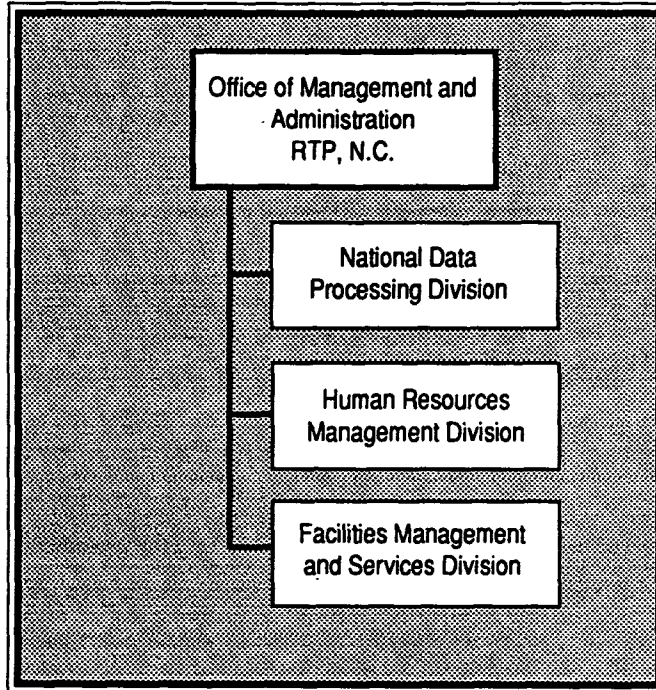
Deborah Beard joined the Agency as Director, Facilities Management and Services Division in 1988. Previously, she served in a variety of administrative positions with state and local governments including Deputy Director of the State Health Department. Her EPA tenure has included a rotation as Acting Director, Contracts Management Division. Deborah received a Bachelor's degree from Ohio State University, a Master's degree in Public Administration from Central Michigan University, and has graduate course work from the University of Cincinnati.

Robert R. Caster, Director**Information Resources Management Division**

Bob Caster joined EPA in 1983. He is a former Assistant Vice President for Information Services at the University of Connecticut and was the Assistant Vice President for Business Affairs and Director of the Southwestern regional computer center at the University of Cincinnati for twenty years. He served as a committee member of the National Research Council and did consulting work for the White House in 1978 and 1979. Bob has a B.S. in Commerce from the University of Cincinnati.

Sandra K. Bowman, Director**Human Resources Management Division**

Sandy Bowman joined EPA as a Personnel Management Specialist in 1975 and progressed to Director of the Division in 1988. Prior to joining EPA, Sandy was employed by the Department of Navy as a Position Classification Specialist. She graduated cum laude from Kent State University in 1969 with majors in Psychology and Sociology.

**OFFICE OF MANAGEMENT AND
ADMINISTRATION
RESEARCH TRIANGLE PARK, NC****LEADERSHIP****Willis E. Greenstreet
Director**

Willis Greenstreet has served as Director since March 1984. He has held several management positions in the Agency and also served as Director of Administration for both the Merit Systems Protection Board and the Office of the Federal Inspector of the Alaska Natural Gas Transportation System. Willis has a B.S. in Speech from Northeastern Missouri State.

**William Laxton
Deputy Director**

Bill rejoined OARM to serve as the Deputy Director of its RTP office in 1992. He previously served in the Office of Air Quality Planning and Standards as the Director of the Technical Support Division. Bill also served as the Deputy Director of the Office of Administration and Resources Management in RTP. He has 13 years of experience in personnel management with several Federal agencies, including 5 years as the Director of Personnel at two of those agencies. He holds a B.A. and an M.A. in Philosophy from Catholic University of America.

FUNCTIONS

The Office of Management and Administration in RTP provides services to all of the programs and activities at RTP, and conducts certain financial and automated data processing services Agencywide.

- ☐ Manages facility operations and maintenance, construction, personal property, safety and security.
 - ☐ Manages Agencywide automated data processing and telecommunications services, including all major service and technology acquisitions. This includes the Washington Information Center, Bay City Supercomputer Center, and the Cincinnati Disaster Recovery Center.
 - ☐ Provides personnel and human resources support.
 - ☐ Provides a full range of financial management support to RTP local programs and Agencywide payment of contract invoices through the Contract Payment System. (This function will transfer to the HQ Finance Management Division in 6 months).
 - ☐ Provides program management and direction to the Center for Environmental Research and Training in Bay City.
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DIVISION DIRECTORS

**Donald W. Fulford, Director
National Data Processing Division**

Don Fulford has directed this Division since 1983. Prior to this appointment, he managed various computer functions for the Agency with an emphasis on hardware operation and operating systems support. He served in Headquarters as Chief of the Planning, Analysis and Research Branch and as Acting Chief of the Computer Systems Development and Evaluation Branch. Don has a M.S. in Math from East Carolina University.

**Randy M. Brady, Director
Human Resources Management Division**

Randy Brady has directed this division since January, 1989. He began his government career in 1977 as an Administrative Intern. He has served as a Personnel/Human Resources Officer with the Soil Conservation Service (USDA); Department of Energy; and Immigration and Naturalization Service. Randy has a B.S. in Political Science from Utah State University.

**Charles Foster, Director
Facilities Management and Services Division**

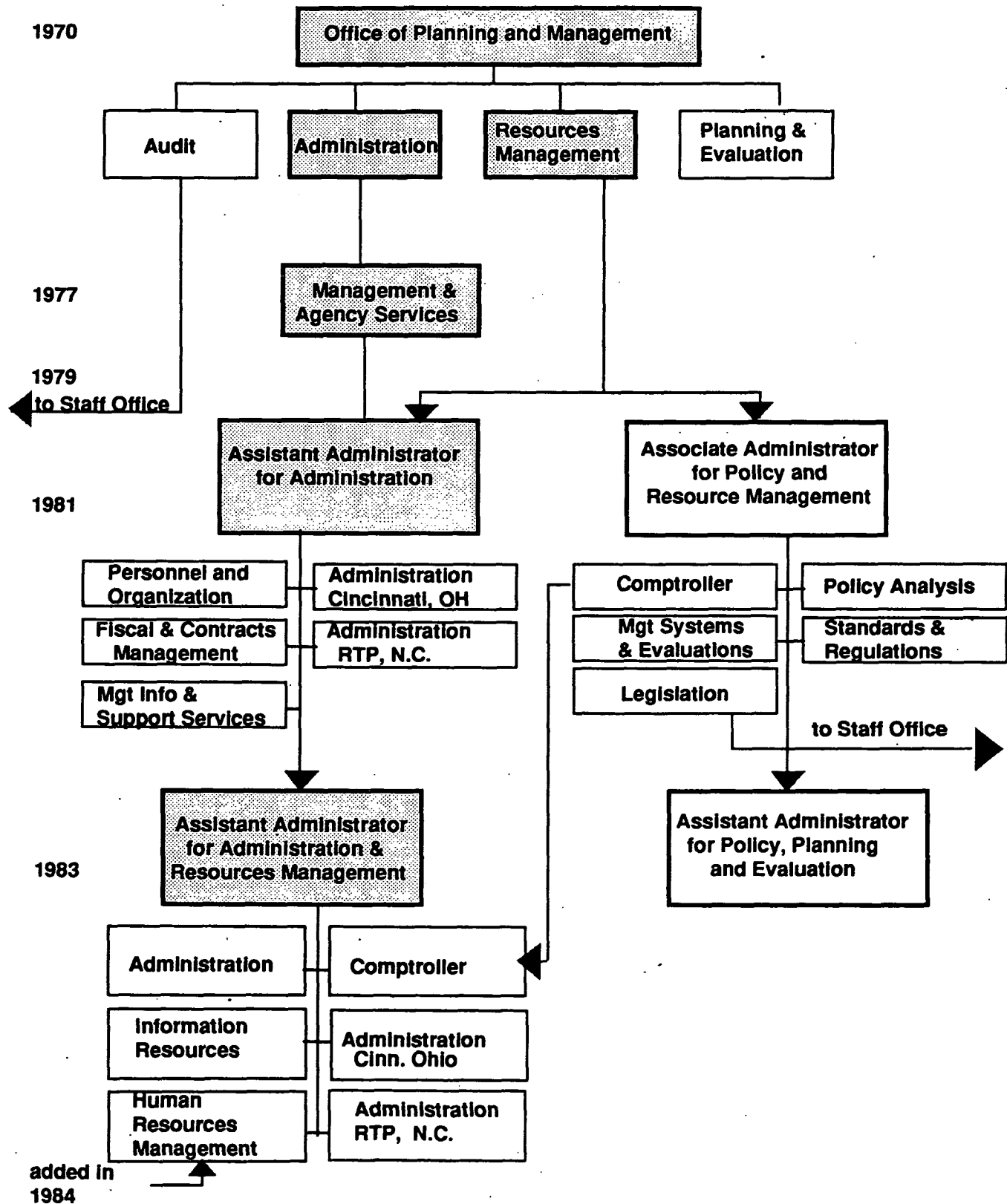
Chuck Foster has directed the Facilities Management and Services Division since 1984. He began his government career as an Army medic, and has worked in procurement for the Department of Defense as well as EPA. He served as Chief of the Procurement Branch before becoming Director of the Facilities Management and Services Division.

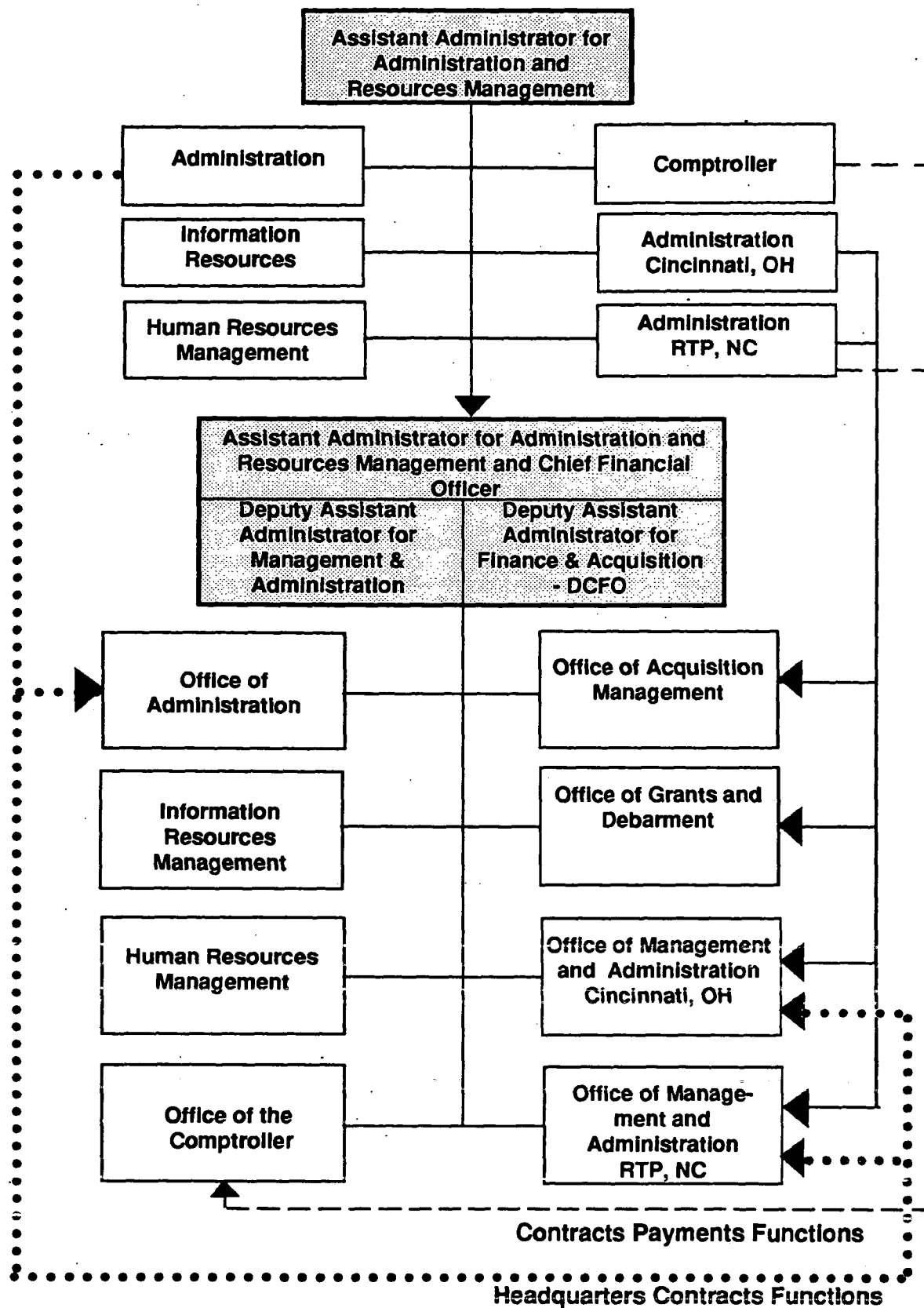
DELEGATIONS HELD BY THE ASSISTANT ADMINISTRATOR

GENERAL, ADMINISTRATIVE AND MISCELLANEOUS

- 1 - 2 Appointment of Designated Agency Procurement Executive
 - 1 - 3 Occupational Health and Safety
 - 1- 4A Personal Property and Government-owned Vehicles
 - 1 - 4B Real Property and Space
 - 1 - 5 Acquisition of Photocopying Equipment
 - 1 - 6 Security
 - 1 - 6C Information Security
 - 1 - 7 Personnel Actions
 - 1 - 8 Schedule C, Grades GS-16 and Above, Administratively Determined, and SES Personnel Actions
 - 1 - 9 Intergovernmental Personnel Act (IPA) Program
 - 1 - 10 ADP
 - 1 - 11 Interagency Agreements
 - 1 - 12 Certification of Grantee Procurement Systems
 - 1 - 13 Appointment of Designated Agency Debarring and Suspending Official
 - 1 - 14 Assistance Agreements
 - 1 - 15 Cash Awards
 - 1 - 16 Agency Chief Financial Officer/Accounting, Budgeting, and Other Financial Management Activities
 - 1- 17A Domestic Travel Authorization
 - 1- 17B International Travel Authorization
 - 1 - 18 Agency Seal
 - 1 - 19 Directives
 - 1 - 20 Annual Leave Forfeiture
-

- 1 - 21 Federal Register
 - 1 - 23 Administration of Oaths
 - 1 - 30 Freedom of Information
 - 1 - 44 Changes in Organizational Structure
 - 1 - 45 Intergovernmental Review Provisions of Executive Order 12372 and 40 CFR Part 29
 - 1 - 46 Records Management
 - 1 - 48 Request for Information from Other Agencies
 - 1 - 49 Assertion of the Deliberative Process Privilege
 - 1 - 50 Grievance Deciding Official
 - 1 - 51 Receptions and Refreshments to Recognize Award Recipients
 - 1 - 52 Waiver of Physicians' Comparability Allowance Payments
 - 1 - 55 FTTA Cooperative Agreements and Licensing Agreements
 - 1 - 58 Advisory and Assistance Services
 - 1 - 59 One-Time Grant to Build Environmental Laboratory Addition Funded Under the B&F Account
 - 1 - 61 State/EPA Data Management Grants and Cooperative Agreements
 - 1 - 65 Depository Accounts for the Paid Informant Program and Citizen Award Authority
 - 1 - 69 Classification of Attorney Positions Within the Offices of General Counsel
 - 1 - 73 One-Time Grant for the Planning and Design of the Christopher Columbus Center for Marine Research and Exploration Funded Under the B&F Account
 - 1 - 76 Assistance Agreements for Public-Private Partnerships
 - 1 - 77 One-Time Grant for a Center for Neural Science to be Constructed and Owned by New York University Funded Under the B&F Account
 - 1 - 79 Funding for the National Environmental Education and Training Foundation
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ORGANIZATIONAL HISTORY



INITIAL ORGANIZATION

EPA was created through an Executive reorganization plan designed to consolidate a number of Federal environmental activities into a single agency. In 1970, EPA's first Administrator, William Ruckelshaus, published an organizational order providing for the five principal categorical programs - air, water, solid wastes, radiation and pesticides to be retained individually under the management of commissioners. The order also designated three Assistant Administrators for Planning and Management Standards and Enforcement and General Counsel, and Research and Monitoring.

The Office of Planning and Management is the organizational root of today's Office of Administration and Resources Management. With inherited staff from the Dept. of Health and Human Services' Environmental Health Service and the Environmental Control Administration, the Office of Planning and Management undertook the development and management of the Agency's goals in policy, resources and administration. This initial management function contained four offices: Administration, Audit, Resources Management, and Planning and Evaluation.

FURTHER REORGANIZATION

The organizational evolution of the Office of Administration and Resources Management and the Office of Policy, Planning and Evaluation are inseparable. In EPA's eighteen year history, these two functions were combined from 1970 to 1981, split from 1981 to 1983, and transferred functions during a reorganization in 1983. The evolution reflects the management preference of the Administrator at the time. A brief overview of this history follows.

In 1971, a permanent organizational structure for EPA was announced. The five principal categorical programs were realigned under two Assistant Administrators and the Assistant Administrators for the three functional areas were retained. At this time, the Office of Planning and Management was officially established at the Assistant Administrator level. Specifically, the Office developed the Agency's first planning and evaluation, budget, personnel and information systems. It managed archives, grant and contracting policy, and administrative support services.

The Planning and Management function stayed virtually intact for ten years with organizational changes limited to a minor name change for the Office of Administration to Office of Management and Agency Services in 1977 and the transferring of audit responsibilities to the Administrator's Office in 1979.

In 1981, EPA underwent an extensive reorganization which affected the functional areas of Planning and Management as well as Enforcement and Compliance. This reorganization significantly altered the structure of the Agency's administrative management functions. The Office of Planning and Management was split into two primary AAships. The new Office of Administration was composed of five offices: Administration, Fiscal and Contracts, Management Information and Support, and Administrative units in RTP and Cincinnati. The new Office of Policy and Resources Management also consisted of five offices: Comptroller, Policy Analysis, Management Systems and Evaluations, Standards and Regulations, and Legislation.

Two years later, in 1983, another reorganization took place. The AAship of Administration inherited the Comptroller function from the AAship of Policy, Planning and Resources Management. The resultant AAship provided a focal point for integrated financial management. The AAship of Policy Planning and Evaluation was streamlined and refocused with the loss of both its Comptroller and Legislative functions, and was retitled the Office of Policy, Planning and Evaluation.

In 1983 the AAship again reorganized. The reorganization contained five components: Office of Administration, Office of Information Resources, Office of the Comptroller, Office of Administration and Resources Management in Cincinnati, and Office of Administration and Resources Management in Research Triangle Park.

In 1984, based on a National Academy of Public Administration recommendation, a sixth office was added: the Office of Human Resources Management.

PRESENT ORGANIZATION

The 1992 reorganization created today's Office of Administration and Resources Management. Organizational components were affected in the following ways:

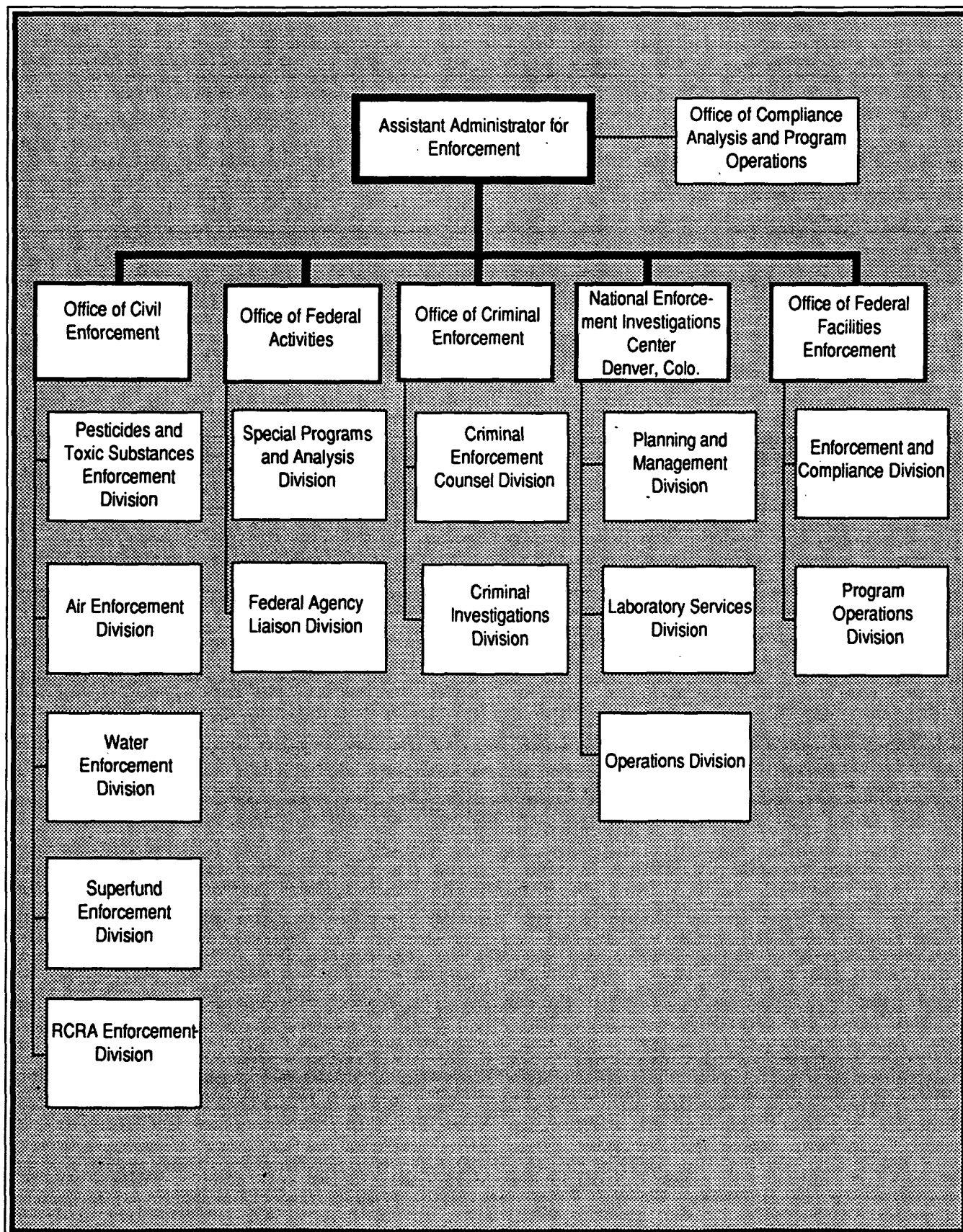
- ☐ Management of OARM was divided between two DAAs: the Deputy Assistant Administrator for Management and Administration and the Deputy Assistant Administrator for Finance and Acquisition. The AA/OARM remained EPA's Chief Financial Officer and the DAA/OFA was designated the Deputy Chief Financial Officer.
 - ☐ The Procurement and Contracts Management Division was elevated to the Office level and named the Office of Acquisition Management.
 - ☐ The Contracts Management Divisions in Research Triangle Park and Cincinnati were realigned as organizational units in the Office of Acquisition Management.
 - ☐ An Office of Grants and Debarment was created. Grants suspension and debarment functions are now managed through separate divisions.
 - ☐ The National Contracts Payment Division in RTP was realigned as part of the HQ Financial Management Division and named the Research Triangle Park Financial Management Center.
 - ☐ The GAO Liaison and audit follow-up functions were transferred from the Office of Policy, Planning, and Evaluation to the Office of the Comptroller/Resources Management Division to consolidate the Agency's audit follow-up functions.
 - ☐ OARM's Program Operations Support Staff's role was expanded to provide broader staff support to the Assistant Administrator/OARM and OARM as a whole, and was named the Program and Policy Coordination Office.
 - ☐ The existence of the Quality Advisory Group as part of OHRM's immediate office was formally documented.
 - ☐ The Federal Recycling Coordinator was formally established in the immediate office of the AA/OARM, the Agency Recycling Coordinator was established in the immediate office of the Facilities Management and Services Division and the collection of recyclables was transferred to the Facilities Operations Branch.
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ENFORCEMENT

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Section 3

OFFICE OF ENFORCEMENT



LEADERSHIP

Herbert H. Tate, Jr.**Assistant Administrator**

Herb Tate has served as Assistant Administrator since September, 1991. Before joining EPA, he worked six years as County Prosecutor for Essex County, New Jersey. Prior to that, he spent three years working in private practice, and four years as an Assistant Prosecutor in the Office of the Essex County Prosecutor. Herb has also worked as an investigator and field representative for the Child Abuse Program of the New Jersey Office of the Public Defender/Public Advocate, and as an Adjunct Professor of Criminal Law at Bloomfield College. Herb is a graduate of Rutgers University School of Law, and a cum laude graduate of Wesleyan University.

Scott Fulton**Deputy Assistant Administrator**

Scott Fulton has served as the Deputy Assistant Administrator since November, 1991. Prior to this, he served as the Director for the Office of Civil Enforcement. Before coming to EPA, Scott held the following positions within the Environmental Enforcement Section of the Department of Justice: Assistant Chief; Senior Attorney; and Trial Attorney. Scott also served as Special Assistant United States Attorney at the D.C. United States Attorneys' Office. He has a B.A. degree in Business Administration from the University of Massachusetts and a J.D. degree from the University of South Carolina.

Thomas (Tad) McCall**Acting Deputy Assistant Administrator for Federal Facilities**

Tad McCall has served as the Acting Deputy Assistant Administrator for Federal Facilities since November, 1991. Prior to this, he was a Special Assistant for environmental issues to the Assistant Secretary of Defense for Legislative Affairs, and served as a Legislative Attorney in the Navy Office of Legislative Affairs. From 1981 to 1984, Tad was an Assistant Legal Advisor to the Deputy Chief of Naval Operations for Plans, Policy, and Operations. He received a B.S. from the University of Oregon, a J.D. from the University of San Diego, and a L.L.M from the University of Washington.

Gerald A. Bryan, Director**Office of Compliance Analysis and Program Operations**

Gerry Bryan has served as Director since the organization was established in 1984. He joined EPA in 1971 from what was then the United States Civil Service Commission. He served in several positions within the Office of Enforcement prior to his present assignment. Gerry has a Bachelor's degree in Business Administration from Drexel University and a Master's degree in Public Administration from George Washington University.

FUNCTIONS

The Office of Enforcement provides a focal point for comprehensive oversight of EPA's total enforcement and compliance effort including:

- ☐ Develops policies and procedures for EPA and state enforcement operations.
 - ☐ Represents the Agency in explaining EPA compliance and enforcement activities to the Congress, Department of Justice, and other Executive agencies and the public.
 - ☐ Manages the agency's docket to ensure that the regions and the Department of Justice actively develop and resolve enforcement cases.
 - ☐ Selects on a national basis those cases which would be most advantageous to the Agency as legal precedents.
 - ☐ Develops and implements legal, investigative, and technical training programs for Federal, state, and local personnel involved in the environmental enforcement effort.
 - ☐ Reviews and comments upon proposed regulations, policies, and procedures for enforcement significance.
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LEGISLATIVE AUTHORITIES

The Office of Enforcement is responsible for compliance monitoring and enforcement activity relating to all environmental statutes, including appropriate implementing regulations, administered by the Agency. Enforcement activity can include administrative, civil, or criminal action.

SYNOPSIS OF MAJOR ISSUES

MULTI-MEDIA ENFORCEMENT

The Agency has been criticized in the past for the perceived lack of a coordinated, cross-media enforcement program. Various efforts to improve focus of the Agency's enforcement program are underway. The Agency must determine the priority to give multi-media enforcement given the perceived costs (e.g., more resource-intensive case development which may lead to fewer enforcement actions overall) and benefits (superior environmental results, greater deterrent impact, and avoidance of pollution transfers from one medium to another). Other issues which should be addressed include defining the role of national enforcement initiatives and regional geographic initiatives in the Agency's mix of enforcement activities, improving the Agency's targeting capabilities, and determining how aggressive the Agency should be in encouraging states to develop their own multi-media enforcement capability.

INTEGRATED DATA FOR ENFORCEMENT ANALYSIS (IDEA) CAPABILITY

In response to the need to integrate the various program-specific compliance data systems, docket, and Toxic Release Inventory (TRI) to support multi-media enforcement screening and targeting, the Office of Enforcement has developed an interactive, integrated data system IDEA (Integrated Data for Enforcement Analysis). Major issues relate to the General Accounting Office's (GAO's) determination that IDEA represents an area of material weakness for the Agency. Further work needs to be done in the following areas: documentation and testing of IDEA; additional training of regional office staff in the use of IDEA; and making better use of the IDEA capability to target violators for enforcement action.

FEDERAL FACILITIES ENFORCEMENT

With the passage of the Federal Facility Compliance Act of 1992, Federal facilities are now fully subject to EPA and state fines and penalties for violations of hazardous waste laws and regulations. Determining and securing additional staff and financial resources to meet these challenges and developing implementation policies and guidance will be major issues for the Federal facilities enforcement program this year, particularly when coupled with EPA's Federal facilities oversight authorities, responsibilities under CERCLA, and military base closure requirements.

ASSESSING ENFORCEMENT PROGRAM EFFECTIVENESS

A major issue facing the Agency's enforcement program is how best to assess and report accomplishments. Historically, the Agency has described its enforcement product in terms of numbers of enforcement actions taken. This approach has been criticized as failing to capture the complete picture of what the Agency is achieving and directing the enforcement program toward lesser rather than the more difficult, resource-intensive actions. To address this concern, OE has been exploring ways to supplement the traditional numbers with environmental measures such as reductions of pollution loadings or emissions, the investment value or cost of supplemental environmental projects for pollution prevention or other relief, and the investment value or cost of injunctive relief (i.e., those efforts necessary to return a violator to compliance and to remediate any pollution consequences of the violation).

INTERNATIONAL ENVIRONMENTAL ENFORCEMENT ACTIVITIES

Enforcement activities have been an integral part of the Agency's international initiatives, with particular emphasis on Eastern Europe and Mexico. The Agency must consider the priority of international enforcement efforts in the overall agenda, especially how to promote enforcement efforts in other nations so that the global environment might be better protected and U.S. goods, which bear the costs of proper environmental controls, are not disadvantaged in competition for foreign markets. This concern is reflected in the development of a three day course, "Principles of Environmental Enforcement," delivered in Eastern Europe; in leading the U.S. effort to place effective enforcement systems and enforcement training on the action agenda ("Agenda 21") at the U.N. Conference in Rio; by participating in the U.S.-Mexico Cooperative Enforcement Work Group, which initiated the first bi-national cluster of enforcement actions (in the border area) and provided for the training of 200 new Mexican environmental inspectors; and by sponsoring two international conferences on environmental enforcement in the last four years. Planned future actions include a third international enforcement conference in Mexico City in 1994, the presentation of three additional Mexican inspector training sessions, broader use of the "Principles" curriculum, and further enforcement cooperation with Mexico and Canada.

NATIONAL ENFORCEMENT TRAINING INSTITUTE (NETI)

An innovative educational institute has been established to provide multi-media, interdisciplinary training to environmental enforcement personnel at the Federal, state, and local levels, as stipulated in the Pollution Prosecution Act of 1990. Major issues which must be addressed include determining the Institute's direction and program priorities, and securing adequate resources to establish the NETI Eastern facility. Further progress will depend upon the commitment of expert trainers by the Agency, the Department of Justice, and other sources, and upon securing adequate resources.

ENFORCEMENT IN THE 1990'S PROJECT AND THE 4-YEAR STRATEGIC PLAN

Planning and implementing the Agency's enforcement efforts for the decade is a priority for the Agency. Major issues now facing the enforcement program are whether to continue to implement the directions outlined in the current 4-Year Strategic Plan for enforcement, and the recommendations contained in the "Enforcement in the 1990's" report, which contained 400 pages of specific, innovative actions. The 1990's Project involved workgroups in six topical areas -- management/communications, state/Federal relations, regulatory development, innovative enforcement tools, compliance incentives/leveraging, and local government roles.

ENVIRONMENTAL LEADERSHIP PROGRAM

The environmental leadership program is a voluntary program being developed by the Agency to recognize and encourage exemplary environmental management practices by members of the regulated community. The major issues relating to this program include: ensuring that program applicants have outstanding compliance records; ensuring that enforcement options are preserved; and dealing with issues regarding disclosure of compliance audit information generated by participants.

PENALTY PRACTICES

The General Accounting Office and EPA's Office of Inspector General continue to voice concerns regarding supporting documentation for the Agency's administrative penalty assessments. Under the Agency's decentralized enforcement structure, oversight of administrative practice is the responsibility of the Headquarters program offices. Improving Headquarters oversight of regional practice in this area will be a major issue in 1993. A related issue is the rigor of penalty practice by states with EPA-delegated programs. The State/Federal Steering Committee on the state/Federal enforcement relationship is examining opportunities for improvements in this area.

ENVIRONMENTAL EQUITY

The environmental equity cluster group is a cross-program effort to deal with environmental impacts affecting racial minority and low-income communities. Major enforcement issues relating to environmental equity include: analyzing a claim by the National Law Journal that EPA's penalty practice reflects a less aggressive enforcement stance with respect to facilities in minority communities; deciding how to ensure that the enforcement program guarantees equal protection to all people; and designing an enforcement initiative focused on facilities affecting high risk urban populations and other disadvantaged populations. (Also see Environmental Equity issue on page 2-5.)

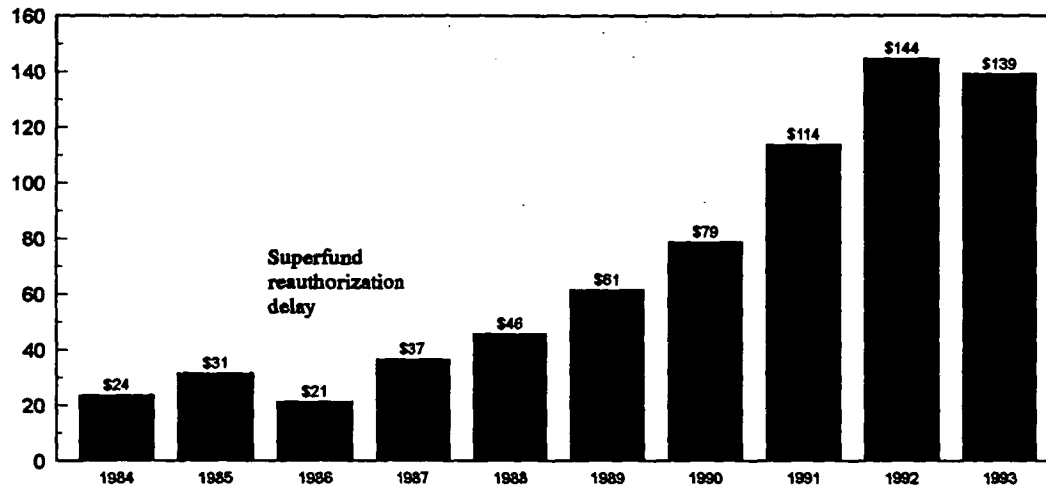
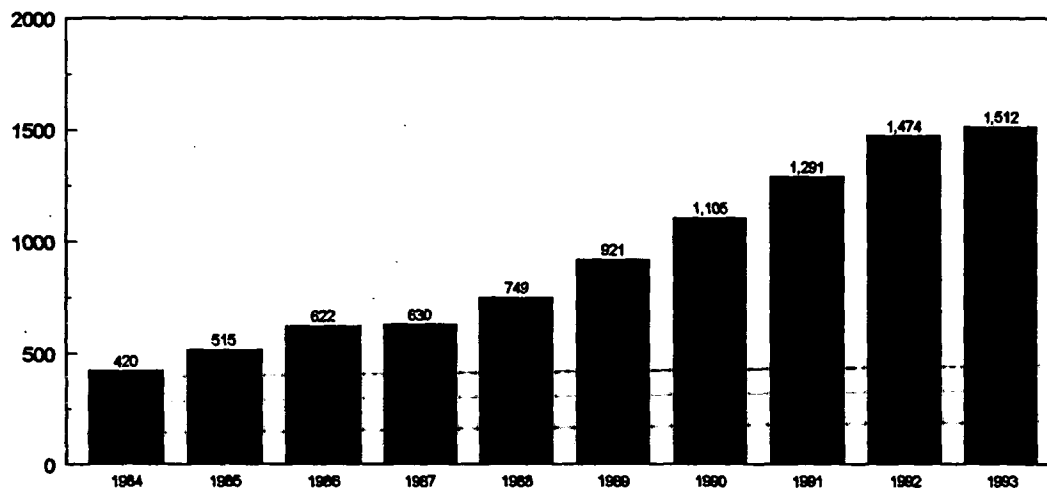
ORGANIZATION OF AGENCY-WIDE ENFORCEMENT FUNCTIONS

During the history of EPA, the Agency has organized its enforcement program in both a centralized organizational configuration (1970's) and a decentralized fashion (1980's). A major issue for the Agency is the optimal configuration for its enforcement operation. Two years ago, Assistant Administrator Strock advocated the recentralization of the enforcement program; however, the Agency decided that the disruption which would have resulted from such a realignment outweighed the anticipated benefits. The General Accounting Office conducted a study on this issue in FY 1992, but did not make a recommendation as to whether the Agency should continue with its current decentralized organizational approach or develop a centralized enforcement program.

RESOURCES

TRENDS - FY 1984 to FY 1993

(1984 to 1992 Operating Plans, 1993 President's Budget)

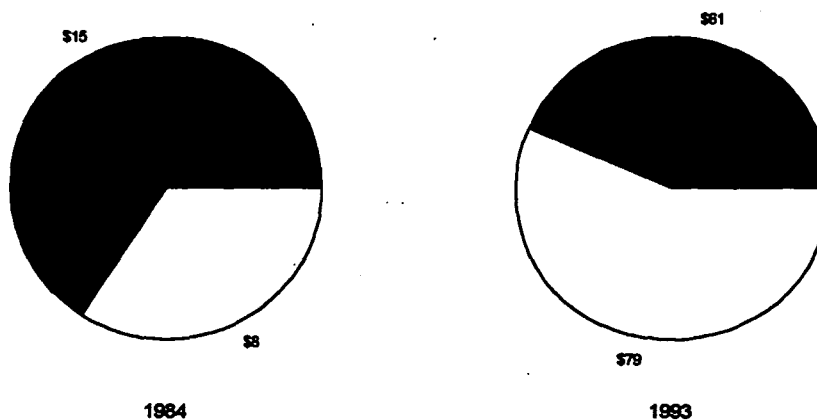
Dollars in Millions**Workyears**

- Resources have increased substantially, reflecting the Agency's emphasis on media specific and multi-media enforcement activities.
- The increase in resources also reflects the high cost of litigating environmental regulations and statutes.
- The increase in workyears reflects the legal enforcement support to address statutory requirements from the Clean Air Act, Pollution Prevention Act, Military Base Closures Act, and Federal facilities clean-up.

REGIONAL vs. HEADQUARTERS RESOURCES

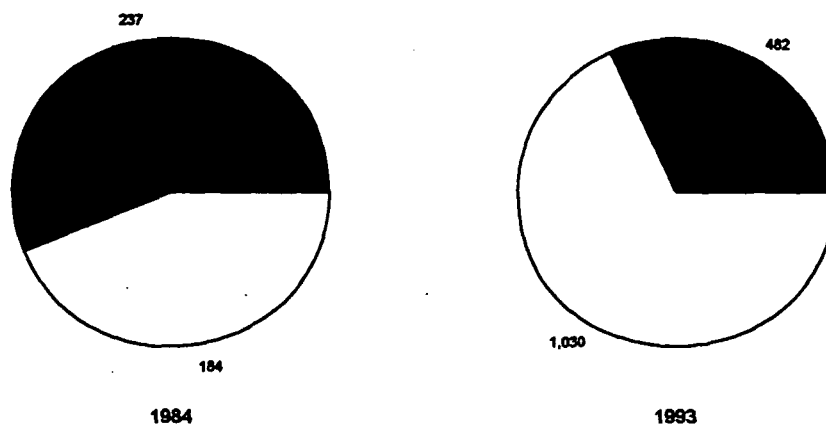
(1984 Operating Plans vs. 1993 President's Budget)

Dollars in Millions



■ HQ □ REGIONS

Workyears



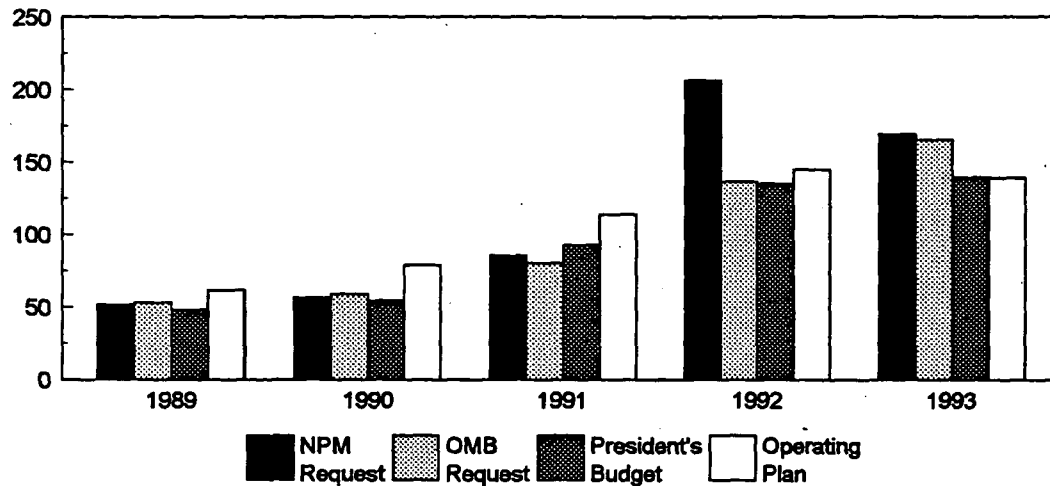
■ HQ □ REGIONS

- Headquarters resources also include the National Enforcement Investigations Center in Denver which supports the criminal enforcement program and Superfund.
- Workyears have increased in the regions reflecting increased delegation of enforcement authority.

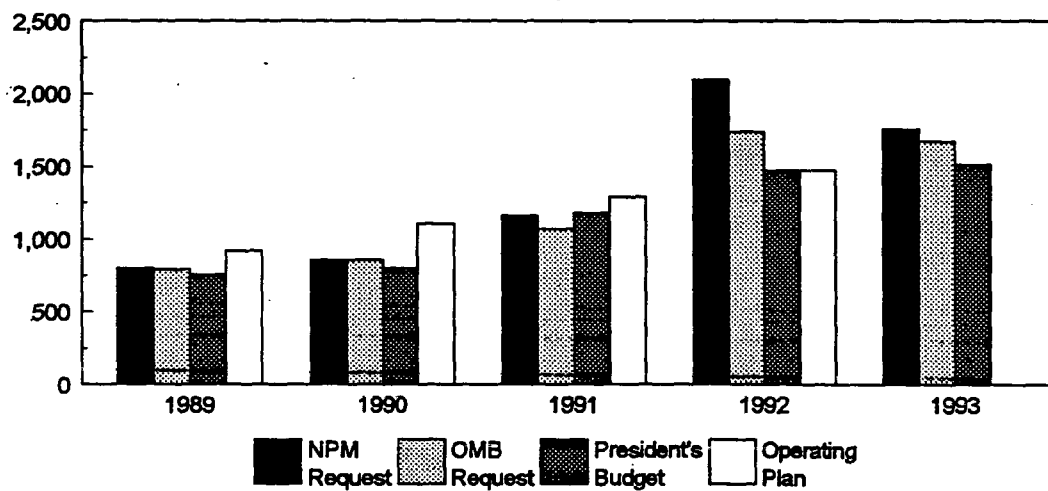
BUDGET PROCESS

(From Initial Request to Final Operating Plan)

Dollars in Millions



Workyears

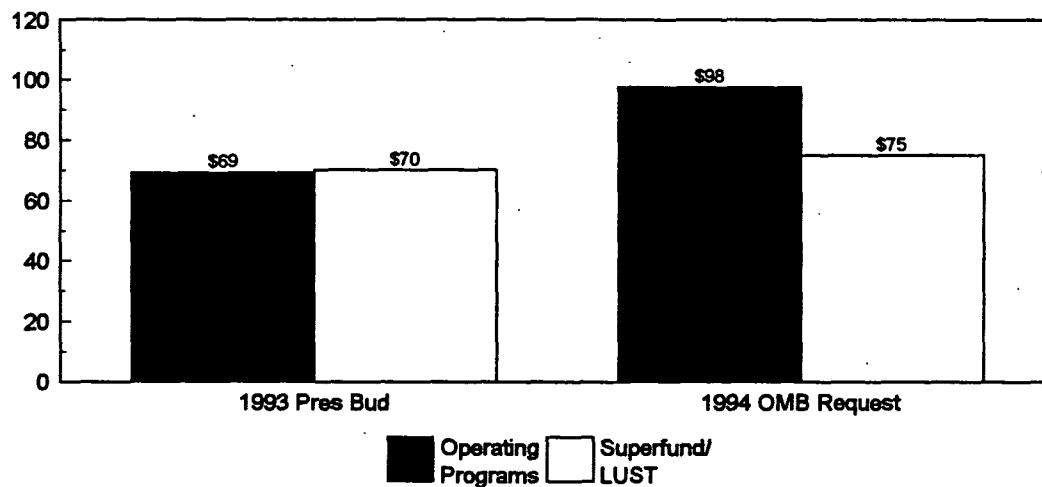


- In recent years workyear requests have not been fully supported by OMB. Growth in 1991 is due to the movement of Superfund Federal facilities activities from OSWER to OE.

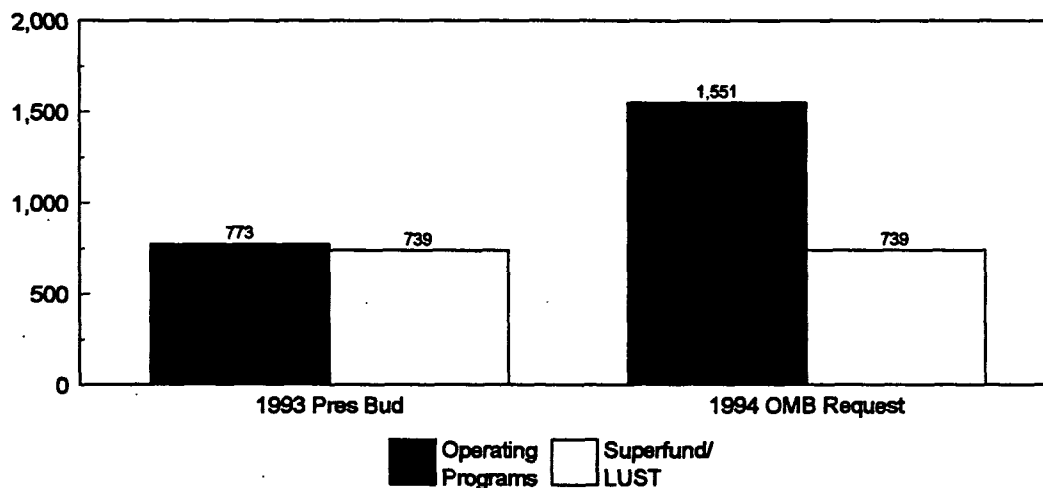
ADDITIONAL RESOURCES REQUESTED FOR 1994

(FY 1994 OMB Request vs. 1993 President's Budget)

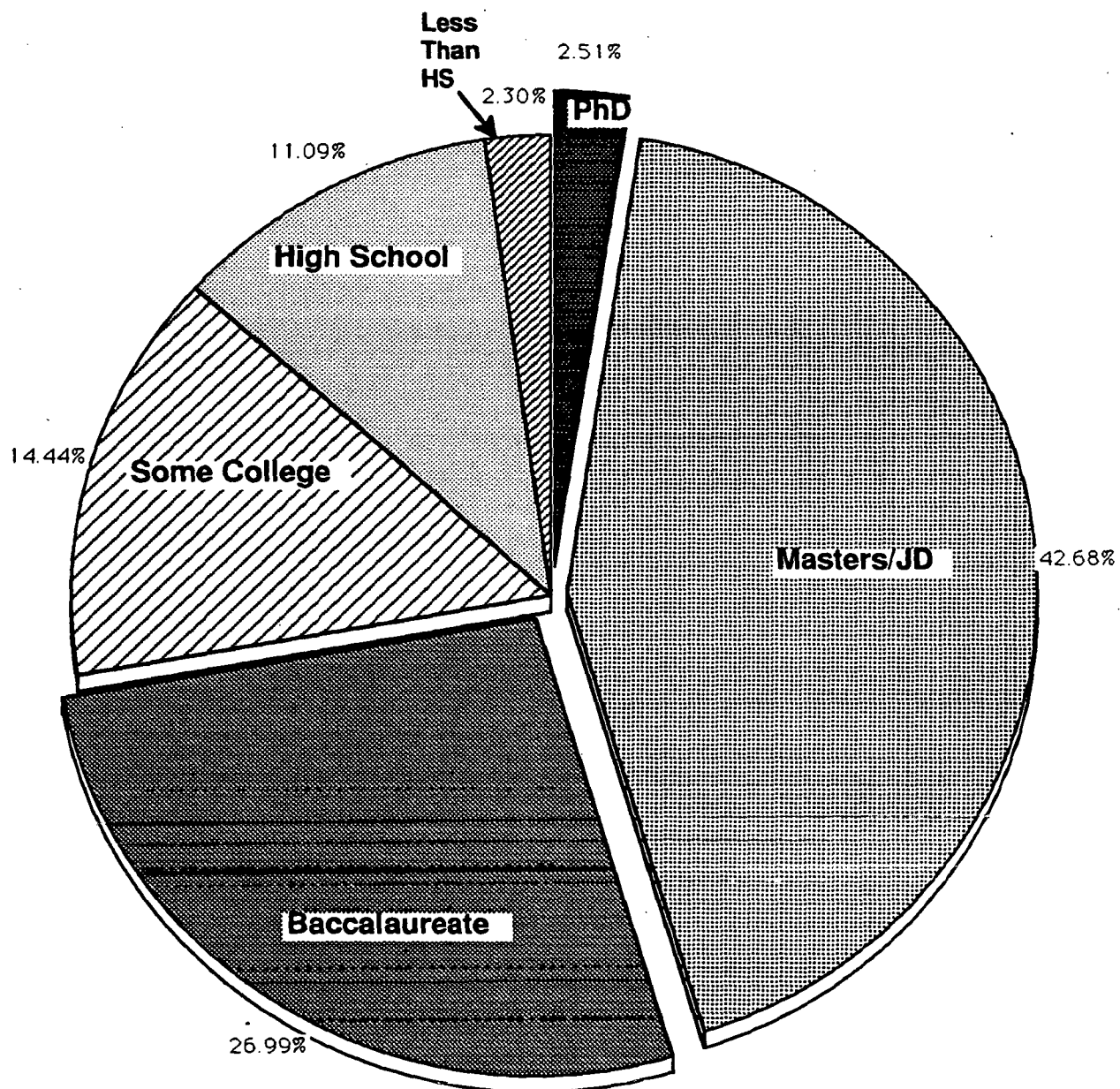
Dollars in Millions

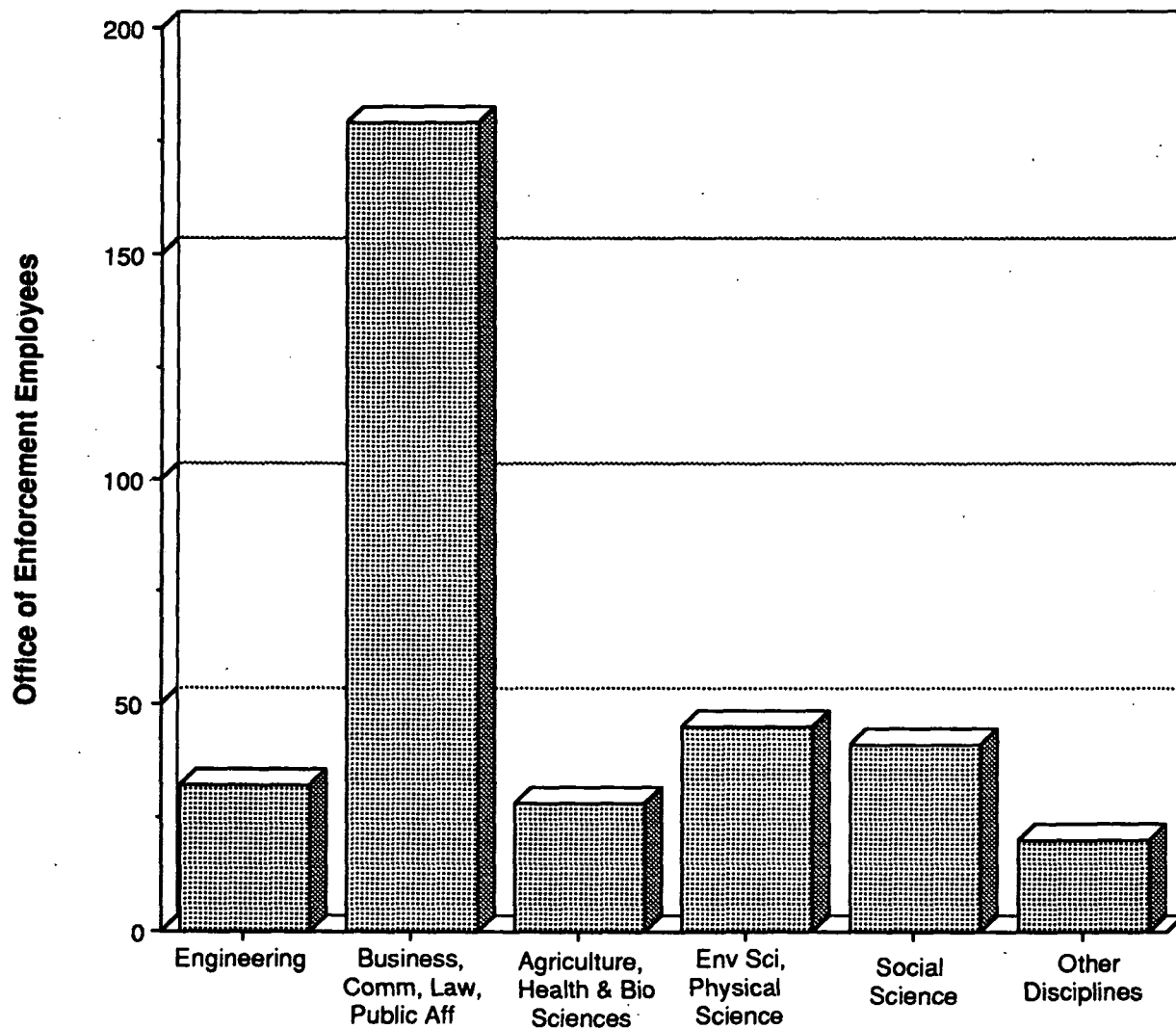


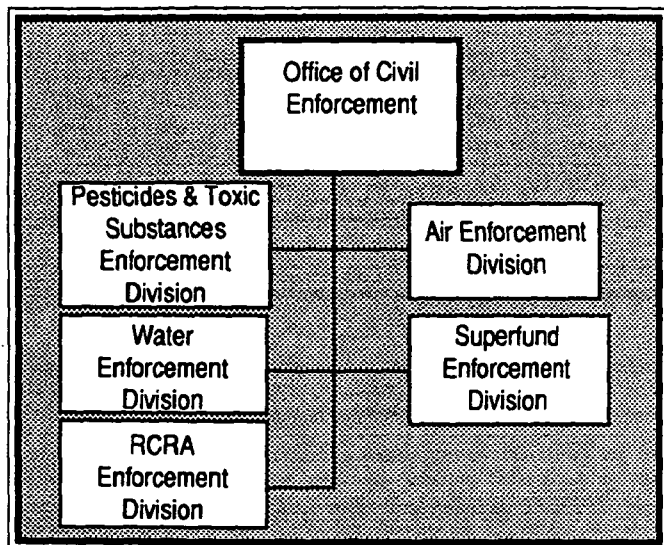
Workyears



- Increases are requested for hiring new criminal and civil investigators as mandated by the Pollution Prosecution Act, legal support for the Oil Pollution Act, Federal facilities and multi-media enforcement initiatives.
- Increases in Superfund workyears will provide remedial oversight, accelerated clean-up, legal support and base closure.
- Workyear increases are requested for Agencywide geographic initiatives, criminal investigations, regional litigation, technical support, and Indian programs.

WORKFORCE DEMOGRAPHICS**EDUCATION LEVELS**

ACADEMIC DISCIPLINES OF COLLEGE GRADS

OFFICE OF CIVIL ENFORCEMENT**LEADERSHIP****Robert Van Heuvelen
Director**

Robert Van Heuvelen has served as Director since November, 1991. He previously served in the Environment Division of the Department of Justice. He served as a trial attorney in the Hazardous Waste and Environmental Enforcement Sections, as well as Assistant Chief, Deputy Chief, and ultimately Acting Chief of the Environment Enforcement Section. Robert's previous Federal employment included: Assistant Counsel to the Senate Environment and Public Works Committee, and Legislative Assistant to Senator Quentin Burdick of North Dakota. Robert received a Bachelor's degree from Macalester College, a Master's degree in Public Policy, and a J.D. degree from George Washington University.

FUNCTIONS

Serves as the principal legal advisor to the Assistant Administrator and media enforcement offices concerning the conduct of all civil enforcement activities.

- ☐ Develops media-specific and multi-media legal enforcement policy and guidance documents and oversees their implementation.
- ☐ Participates in regulatory development and review on matters relating to civil enforcement activities.
- ☐ Reviews referrals and significant settlements for adherence to national policy and sufficiency of results.
- ☐ Participates in the conduct of negotiations, preparation of litigation documents and settlement agreements, and development and presentation of the Government's case.
- ☐ Represents the Agency as principal official on matters relating to civil enforcement.

ENFORCEMENT COUNSELS

Michael S. Alushin, Enforcement Counsel**Air Enforcement Division**

Michael Alushin has been with the Agency since October, 1980, and has been in his present position since May, 1982. Michael was an Assistant Attorney General with the Pennsylvania Department of Environmental Resources from 1972 to 1978, and served as Bureau Director from 1978 to 1980. He received his B.A. degree in Economics from Oberlin College and a J.D. from Harvard Law School.

Frederick F. Stiehl, Enforcement Counsel**Water Enforcement Division**

Frederick Stiehl has been the Director since 1991. Prior to this, he was the Associate Enforcement Counsel for the Pesticides and Toxic Substances Enforcement Division for four years, and the Deputy and Associate Enforcement Counsel for the Hazardous Waste Enforcement Division for four years. Before joining EPA, he was a trial attorney with the District of Columbia Corporation Counsel's office for eight years. Frederick received a B.A. degree in Political Science from Rutgers, and graduated from the Washington College of Law at The American University.

Michael J. Walker, Enforcement Counsel**Pesticides and Toxic Substances Enforcement Division**

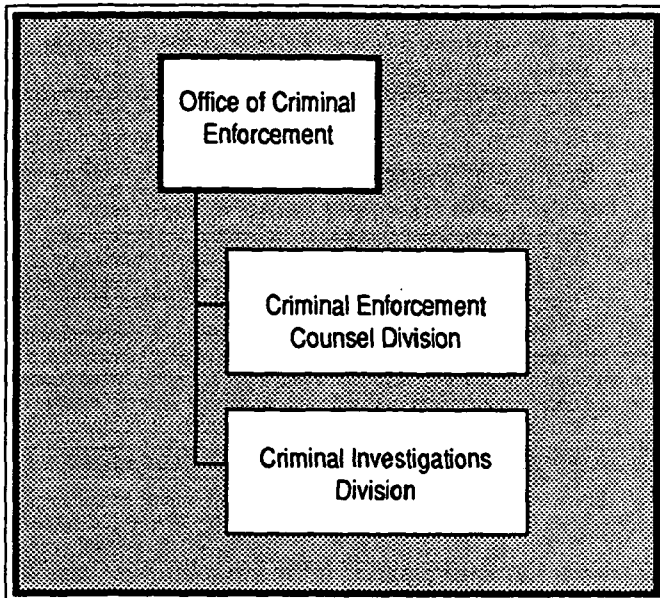
Michael Walker serves as the Enforcement Counsel for the Pesticides and Toxic Substances Enforcement Division. He has been with EPA since 1978, when he joined the Chicago regional office as an enforcement attorney. Michael received a B.A. degree in Biological Aspects of Conservation from the University of Wisconsin, and a J.D. from University of Toledo, College of Law.

William A. White, Superfund Enforcement Counsel**Superfund Enforcement Division**

William White has been with the Agency since January, 1991. Prior to this time, he served in private practice with Dechert Price & Rhodes. William received his undergraduate and Law degrees from the University of Wisconsin.

Kathie A. Stein, Enforcement Counsel**RCRA Enforcement Division**

Kathie Stein has served as Director since January, 1990. During the Spring of 1992, she also served as Acting Regional Counsel for Region III. Prior to joining EPA in 1990, Kathie served as Senior Counsel in the Department of Justice's Lands and Natural Resources Division; Senior Attorney and Director of the Environmental Defense Fund's Information Exchange; Assistant Attorney General in Maryland; Associate with the firm of Feldman, Waldman & Kline; and Associate with the firm of Orrick, Herrington & Sutcliffe. Kathie is a graduate of Georgetown University Law Center, and of Oberlin College, where she received a B.A. degree in Government.

OFFICE OF CRIMINAL ENFORCEMENT**LEADERSHIP****Earl E. Devaney, Director****Office of Criminal Enforcement**

Earl E. Devaney was named Director in October, 1992. He came to EPA from the U.S. Secret Service, where his last assignment was Special Agent-in-Charge of the Fraud Division. In 1987, he served as the Deputy Special Agent-in-Charge of the 1988 Presidential campaign. After the election, he was promoted to Special Agent-in-Charge of the Office of Investigations. Earl received his B.A. degree in Government from Franklin and Marshall College.

FUNCTIONS

Provides guidance to the Assistant Administrator on all legal and policy matters pertaining to criminal enforcement of regulations and statutes.

- ☐ Directs the establishment of national criminal enforcement priorities.
- ☐ Prepares policy guidance and uniform national standards and procedures for criminal enforcement activity.
- ☐ Participates in the development, review, and approval of training programs for EPA's criminal investigators and related personnel.
- ☐ Reviews cases prepared in the area offices of the Criminal Investigations Division.
- ☐ Provides recommendations to the Assistant Administrator on referral of cases to the Department of Justice for litigation.
- ☐ Provides legal support to the field investigators in conjunction with the Regional Counsels.
- ☐ Participates in negotiation and settlement strategies and in providing needed expert witnesses.
- ☐ Provides coordination with the Department of Justice.

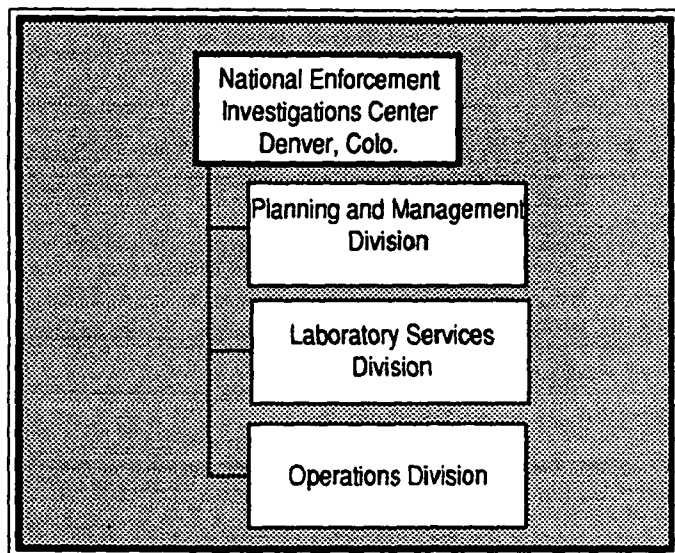
DIVISION DIRECTORS

Dale P. Boll, Director**Criminal Investigations Division**

Dale Boll has been Director since February, 1992. He was a Special Agent with the Secret Service for over 20 years, the last three years of which he was the Assistant Special Agent-in-Charge of the Fraud Division. Dale received a B.A. degree in Law Enforcement and Public Safety from Kent State University.

Kathleen A. Hughes, Acting Director**Criminal Enforcement Counsel Division**

Kathleen Hughes has been the Deputy Criminal Enforcement Counsel since September, 1992, and is currently serving as the Acting Director. Before coming to EPA Headquarters, she worked in Region VI as Chief of the Water Section in the Office of Regional Counsel, and as a Regional Criminal Enforcement Counsel. Before Kathleen came to EPA, she worked as a Senior Trial Attorney for the Equal Employment Opportunity Commission. She received a B.S. degree in Psychology from Memphis State, and a J.D. from Loyola University School of Law.

**NATIONAL ENFORCEMENT
INVESTIGATIONS CENTER**

Deputy Director
Vacant

LEADERSHIP

Frank M. Covington
Director

Before joining NEIC, Frank Covington served as Deputy Regional Administrator in Region V. He has been with the Agency since its creation, serving in a variety of executive positions in Headquarters and Region IX. Frank began his Federal career with the Federal Water Pollution Control Administration, a predecessor of EPA. Before that, he was Director of State Planning in Iowa, and worked in California state and local government. Frank earned his Bachelor's degree from San Francisco State University, and a Master's degree in Business Administration from Golden State University.

FUNCTIONS

Serves as the principal source of expertise involving civil and criminal litigation support for complex investigations and other support having national and/or significant regional impact on EPA and state regulatory programs for air, water, toxics, pesticides, radiation and solid waste pollution control.

- ☐ Plans, develops, and provides evidence and information interpretation for case preparations in all program areas.
- ☐ Provides expertise and guidance to the Office of Enforcement for the development of multimedia enforcement strategies and evidence management; applies enforcement strategies through case preparation activities.
- ☐ Provides national expertise to Headquarters and regional Offices and the Department of Justice in evaluating a broad range of waste disposal and emission problems, monitoring technology, and remedial programs not normally available on regional staffs.
- ☐ Maintains an expert staff and sophisticated technology for conducting complex, special, continuing, and emergency responses to civil and criminal investigations; provides expert testimony on a wide variety of subjects in support of enforcement actions.
- ☐ Serves as a point of coordination with the staffs of other Assistant Administrators for the preparation, assembly, and analysis of scientific and technical data and with Regional Administrators and their staffs in providing support and training for Federal, state and local personnel.

DIVISION DIRECTORS

Gary D. Young, Assistant Director**Laboratory Services Division**

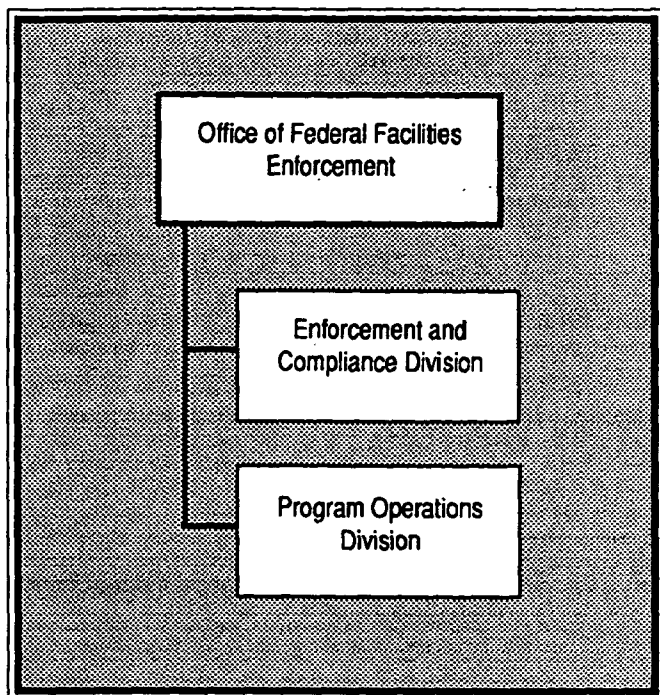
Gary Young is a career Public Health Services Officer, and is currently serving as NEIC's Assistant Director of the Laboratory Services Division. He has occupied a variety of progressively responsible positions since his arrival in December, 1975. Prior to his NEIC tenure, Gary served in a variety of managerial positions in Region X's air pollution control program, and assisted in the creation of the Federal air pollution control presence in that region. Prior to August, 1970, he supervised two air monitoring surveys in the Ohio River valley; managed the Kansas City interstate air pollution abatement activity; and supervised air pollution emission inventory development work within the Federal facilities program. A graduate of the South Dakota School of Mines and Technology with a B.S. degree in Civil Engineering, Gary also received a Master's degree in Environmental Engineering from the University of Florida.

Robert D. Harp, Assistant Director**Operations Division**

Robert Harp has held a variety of staff and supervisory/management positions in NEIC and with the Federal Pollution Control Agency. He began his Federal career as a field engineer with the Federal Aviation Agency in 1961. Robert received a Civil Engineering degree from the University of Washington, and a Master's degree in Civil Engineering from the University of Colorado.

Elizabeth Craig, Assistant Director**Planning and Management Division**

Before she joined the NEIC, Beth Craig worked for a year and a half in the Office of Wetlands, Oceans and Watersheds; served for three years in the AA/OSWER's Immediate Office; and in the Budget Division for two and a half years. She has a Master's degree in Public Administration from George Washington University.

**OFFICE OF FEDERAL FACILITIES
ENFORCEMENT****LEADERSHIP****Gordon Davidson, Director****Office of Federal Facilities Enforcement**

Gordon Davidson has managed environmental compliance and regulatory programs for a major waste management company. He currently teaches hazardous waste management and environmental policy courses at Duke University. Gordon holds a Biology degree from Wittenberg and a Master's in Environmental Management from Duke University.

FUNCTIONS

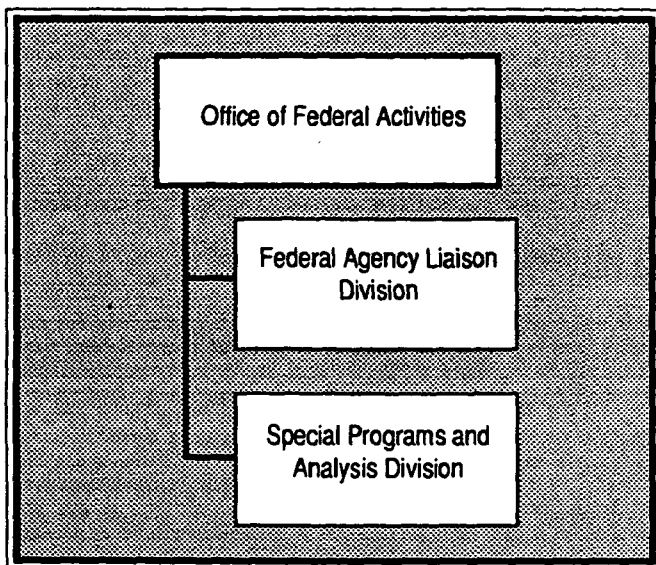
The Office of Federal Facilities Enforcement is responsible for providing direction and leadership in Federal facilities enforcement. The Office serves as the principal EPA spokesperson and center of expertise for the compliance monitoring, enforcement, and operation of environmental programs at Federal facilities.

- ☐ Serves as a liaison to Congress and represents EPA during hearings and other inquiries; coordinates with other EPA offices and individual media programs where interests overlap.
- ☐ Coordinates with other Federal agencies to ensure effective program implementation and oversight.
- ☐ Leads a national management initiative with the Department of Defense and Department of Energy to promote interagency coordination and joint resolution of environmental program issues.
- ☐ Serves as a liaison on cleanup and compliance initiatives with other nations that may include the development of technology transfer programs and assistance in the development of policies and guidance.
- ☐ Represents Federal facility issues and needs during reauthorization of major legislation.

DIVISION DIRECTORS**James E. Woolford, Director
Program Operations Division**

James Woolford has served as Director since April, 1992. Prior to this, he served as Chief, Contracts and Planning Branch in the Office of Waste Programs Enforcement for two years. Prior to that, James served as a Chief of the Regional Planning Section for two years; was a program analyst in the Office of Emergency and Remedial Response; and worked as a consultant for Booz, Allen and Hamilton. James earned a M.A. degree in Political Science from the University of North Carolina and has doctoral studies at Rutgers University. His undergraduate degree, also in Political Science, is from Virginia Polytechnic Institute.

Director
Enforcement and Compliance Division
Vacant

OFFICE OF FEDERAL ACTIVITIES**LEADERSHIP****Richard E. Sanderson**
Director

Dick Sanderson previously served as Associate Administrator, Acting Assistant Administrator, and Deputy Assistant Administrator in EPA's former Office of External Affairs. Prior to EPA, he worked in the Federal Emergency Management Agency, the Department of Housing and Urban Development, the Executive Office of the President, the Philadelphia regional Office of Emergency Preparedness, the Philadelphia regional Office of Economic Opportunity, and the Headquarters Ground Electronic Engineering Installation of the U.S. Air Force. Dick received his Bachelor's degree from Harvard University.

William D. Dickerson
Deputy Director

William Dickerson has served as the Deputy Director since 1988, after having worked for ten years in the Office of Federal Activities in the Office of the Administrator. Prior to his Federal service, William worked for a variety of private sector companies including TPW Systems Inc., North American Aviation Inc., and the Boeing Co. He received a B.S. degree and a M.S. degree in Engineering.

FUNCTIONS

The Office of Federal Activities serves as the principal point of contact and liaison with other Federal agencies and provides consultation and technical assistance to those agencies relating to EPA's areas of expertise and responsibility.

- ☐ Administers the filing and information system for all Federal environmental impact statements under agreement with the Council on Environmental Quality (CEQ).
- ☐ Develops and recommends national programs and internal policies, strategies, and procedures for: preparing environmental impact statements on EPA activities; complying with various statutes, directives, and administration policies on the protection of special environmental areas; and general implementation of the National Environmental Policy Act.
- ☐ Provides a central point of information for the public on environmental impact statements and assessment techniques and methodologies, and works with Federal and international agencies in this area.
- ☐ Oversees development of policies, regulations, and programs related to environmental protection on Indian lands, and responds to tribal and other inquiries regarding policies and programs.
- ☐ Develops or recommends policies, strategies, and procedures for conducting EPA's Federal action review program under Section 309 of the Clean Air Act.

DIVISION DIRECTORS**B. Katherine Biggs, Director****Special Programs and Analysis Division**

Katherine Biggs has been with the Office of Federal Activities since 1989, and is now serving as the Director of the Special Programs and Analysis Division. She began her EPA career in Region VII serving as Environmental Review Branch Chief, and Superfund Remedial Section Chief. She also served as a Geologist in the regional Superfund and Hazardous Materials Branches. Before joining EPA, Katherine was an Environmental Specialist for the hazardous waste and radiation programs in the Iowa Department of Natural Resources. She received the following degrees from Drake University: a B.S. in Education; an M.A. in Physical Science; and an M.A. in Chemistry. She is also a Ph.D. candidate (Geology and Earth Science) at Iowa State University.

Anne Norton Miller, Director**Federal Agency Liaison Division**

In her years with EPA, Anne Miller has been involved with a number of programs at regional and Headquarters levels. She is a graduate of Earlham College with an A.B. in Biology, and a M.S. degree in Microbiology from Ohio State University.

DELEGATIONS HELD BY THE ASSISTANT ADMINISTRATOR

GENERAL, ADMINISTRATIVE AND MISCELLANEOUS

- 1 - 3 Occupational Health and Safety
- 1 - 7 Personnel Actions
- 1 - 9 Intergovernmental Personnel Act (IPA) Program
- 1 - 15 Cash Awards
- 1 - 17A Domestic Travel Authorizations
- 1 - 17B International Travel Authorizations
- 1 - 18 Agency Seal
- 1 - 20 Annual Leave Forfeiture
- 1 - 21 Federal Register
- 1 - 23 Administration of Oaths
- 1 - 30 Freedom of Information
- 1 - 44 Changes in Organizational Structure
- 1 - 45 Intergovernmental Review Provisions of Executive Order 12372 and 40 CFR Part 29
- 1 - 48 Request for Information from Other Federal Agencies
- 1 - 49 Assertion of the Deliberative Process Privilege
- 1 - 51 Receptions and Refreshments to Recognize Award Recipients
- 1 - 55 FTTA Cooperative Agreements and Licensing Agreements
- 1 - 64 Paid Informant Program
- 1 - 68 Consensual Electronic Monitoring
- 1 - 69 Classification of Attorney Positions Within OGC and OE

CLEAN WATER ACT

- 2 - 13 Inspections and Information Gathering
 - 2 - 14A Civil Judicial Enforcement and Administrative Penalty Collective Actions
 - 2 - 14B Criminal Enforcement Actions
 - 2 - 14C Settlement or Concurrence in Settlement of Civil Judicial Actions
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- 2 - 14D Emergency Temporary Restraining Orders
 - 2 - 14E Authority to Arrest for CWA Section 311 Violation
 - 2 - 22 Administrative Compliance Orders and Notices of Violations
 - 2 - 30 Planning and Removing Facilities from the List of Violating Facilities
 - 2 - 51 Class I Administrative Penalty Action
 - 2 - 52B Class II Administrative Penalty: Agency Representation in the Hearings; Initiating Internal Appeals of Adverse Determinations; and Representing Agency in Appeals

MARINE PROTECTION, RESEARCH, AND SANCTUARIES ACT

- 3 - 1A Administrative Enforcement: Issuance of Complaints and Signing of Consent Agreements
- 3 - 1B Administrative Enforcement: Agency Representation in Hearings and Signing of Consent Agreements
- 3 - 11 Ocean Dumping Ban Act of 1988: Negotiation and Oversight of Enforcement and Compliance Agreements
- 3 - 12 Ocean Dumping Ban Act of 1988: Civil and Administrative Enforcement Actions

FEDERAL INSECTICIDE, FUNGICIDE AND RODENTICIDE ACT

- 5 - 9 Inspections and Information Gathering
- 5 - 12 Issuances of Stop Sale, Use or Removal Orders
- 5 - 13 Disposition of Pesticides
- 5 - 14 Administrative Enforcement: Issuance of Complaints and Signing of Consent Agreements
- 5 - 15A Administrative Enforcement: Agency Representation in Hearings and Signing of Consent Agreements
- 5 - 17A Civil Judicial Enforcement Actions
- 5 - 17B Criminal Enforcement Actions
- 5 - 17C Settlement or Concurrence in Settlement of Civil Judicial Actions
- 5 - 17D Emergency Temporary Restraining Orders

CLEAN AIR ACT

- 7 - 6B Administrative Enforcement Actions: Agency Representation in Hearings and Negotiations of Consent Agreements
 - 7 - 8 Inspections and Information Gathering
 - 7 - 22A Civil Judicial Enforcement Actions
 - 7 - 22B Criminal Enforcement Actions
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- 7 - 22C Settlement or Concurrence in Settlement of Civil Judicial Actions
 - 7 - 22D Emergency Temporary Restraining Orders
 - 7 - 29 Placing and Removing Facilities from the List of Violating Facilities
 - 7 - 33 Subpoenas and Administration of Oaths
 - 7 - 37 Administrative Enforcement Actions: New Source Review Orders
 - 7 - 38 Prevention of Significant Deterioration: Administrative Enforcement
 - 7 - 39 Economic Emergency Suspension of State Implementation Plan Requirements: Disapproval of Gubernatorial Orders
 - 7 - 41A Noncompliance Penalty: Assessment and Signing of Consent Agreements
 - 7 - 41B Noncompliance Penalty: Agency Representation in Hearings and Signing of Consent Agreements
 - 7 - 42 Noncompliance Penalty: Assessment in the Absence of State Action
 - 7 - 43 Noncompliance Penalty: Granting of Exemptions
 - 7 - 44 Noncompliance Penalty: De Minimis Exemptions
 - 7 - 45 Noncompliance Penalty: Notice of Noncompliance
 - 7 - 46 Noncompliance Penalty: Review of Actual Expenditures and Adjustment of the Penalty
 - 7 - 49 Emergency Administrative Powers

SOLID WASTE DISPOSAL ACT

- 8 - 8 Inspections and Information Gathering
 - 8 - 9B Administrative Enforcement: Agency Representation in Hearings and Consent Agreements
 - 8 - 10A Civil Judicial Enforcement Actions
 - 8 - 10B Criminal Enforcement Actions
 - 8 - 10C Settlement or Concurrence in Settlement of Civil Judicial Actions
 - 8 - 10D Emergency Temporary Restraining Orders
 - 8 - 16 Employment Shifts and Loss
 - 8 - 20 Monitoring, Testing, Analysis, and Reporting
 - 8 - 24 Inspections and Information Gathering (Subtitle I)
 - 8 - 26 Administrative Enforcement: Agency Representation in Hearings and Signing of Consent Agreements (Subtitle I)
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- 8 - 29 Settlement or Concurrence in Civil Judicial Enforcement Actions (Subtitle I)
 - 8 - 30 Emergency TRO's (Subtitle I)
 - 8 - 32 Administrative Enforcement - Corrective Action Authority: Issuance of Orders and Signing of Consent Agreements
 - 8 - 39 Issuing Subpoenas (Subtitle I)

SAFE DRINKING WATER ACT

- 9 - 12 Inspections and Information Gathering
- 9 - 16A Civil Judicial Enforcement Actions
- 9 - 16B Criminal Enforcement Actions Orders
- 9 - 16C Settlement or Concurrence in Settlement of Civil Judicial Actions
- 9 - 16D Emergency Temporary Restraining Orders
- 9 - 17 Emergency Administrative Powers
- 9 - 33B Administrative Penalty Under Part B: Agency Representation in the Hearings, Negotiating and Signing of Consent Agreements and Appeals
- 9 - 35 Issuance of Administrative Orders Under Section 1423 C

NOISE CONTROL ACT

- 11 - 1 Inspections and Information Gathering
- 11 - 5 Administrative Orders
- 11 - 6A Civil Judicial Enforcement Actions
- 11 - 6B Criminal Enforcement Actions
- 11 - 6C Settlement of concurrence in Settlement of Civil Judicial Actions
- 11 - 6D Emergency TRO's
- 11 - 7 Subpoenas and Oaths

TOXIC SUBSTANCES CONTROL ACT

- 12 - 1 Inspections and Subpoenas
 - 12 - 2A Administrative Enforcement: Issuance of Complaints and Signing of Consent Agreements
 - 12 - 2B Administrative Enforcement: Agency Representation in Hearings and Signing of Consent Agreements
 - 12 - 3A Civil Judicial Enforcement Actions
 - 12 - 3B Criminal Enforcement Actions
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12 - 3C Settlement or Concurrence in Settlement of Civil Judicial Actions

12 - 3D Emergency Temporary Restraining Orders

12 - 3F Imminent Hazard Actions

12 - 16 Petitions for Exemption from PCB Ban Rule

12 - 17 Petitions for Exemption from the CFC Ban Rule

**COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT
(CERCLA)**

14 - 6 Inspections, Sampling, Information Gathering, Subpoenas, and Entry for Response

14 - 8B Studies and Investigations Related to Cost Recovery and Enforcement Decisions; Special Notice

14 - 10B State Legal Assistance

14 - 12 Civil Judicial Enforcement Actions

14 - 13A Criminal Enforcement Actions

14 - 13B Concurrence in Settlement of Civil Judicial Actions

14 - 13C Emergency Temporary Restraining Orders

14 - 15 Guidelines for Use of Imminent Hazard Enforcement and Emergency Response Authorities

14 - 16 Demand Letters

14 - 29 Investigations and Evaluations of Employment

FEDERAL ENERGY ADMINISTRATION ACT OF 1974

16 - 1 Review and Comment on DOE Actions

EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT

22 - 1 Civil Judicial Enforcement Actions

22 - 2 Criminal Judicial Enforcement Actions

22 - 3A Administrative Enforcement Actions

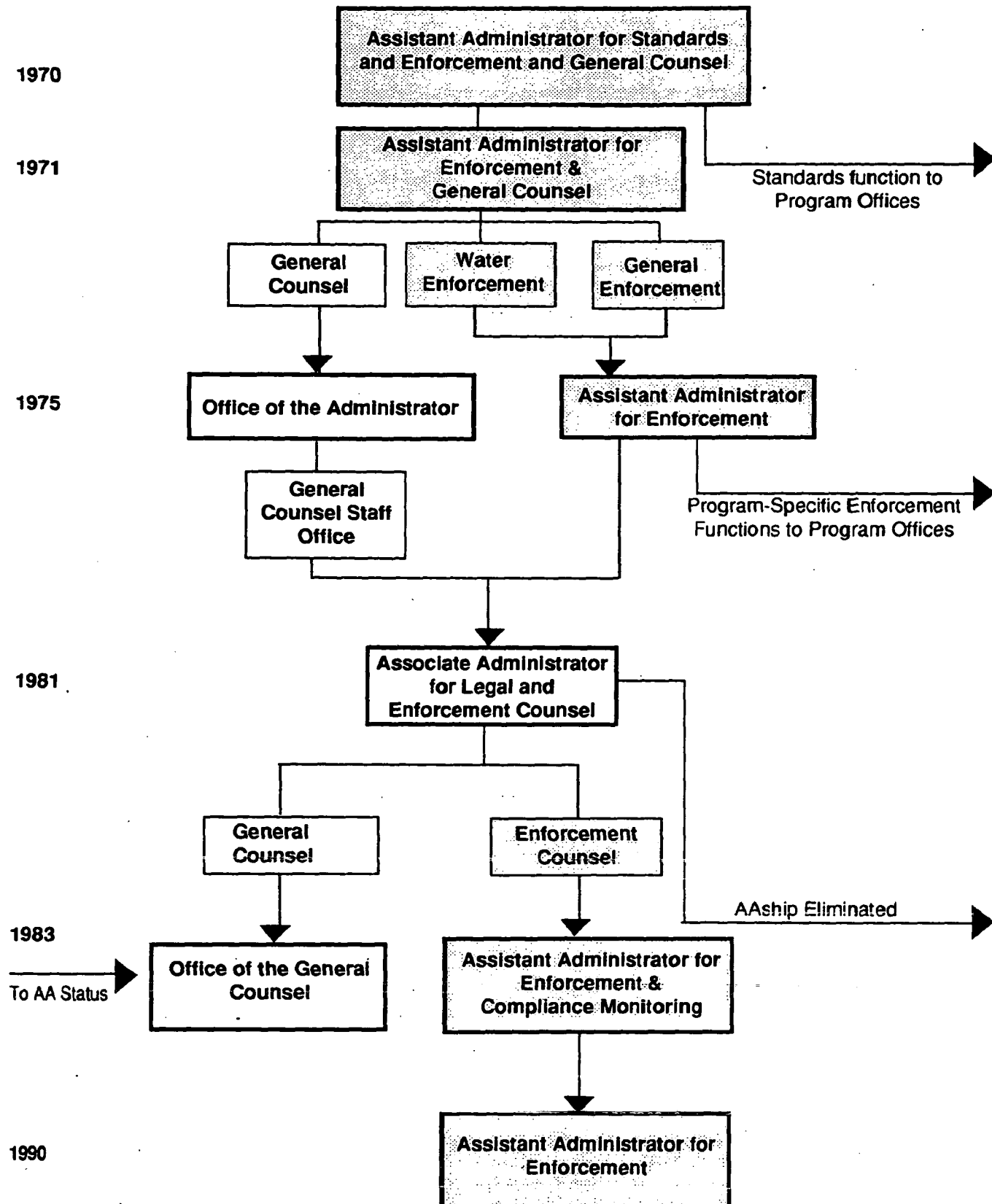
22 - 3B Administrative Enforcement: Agency Representation in Hearings and Negotiations

ORGANOTIN ANTIFOULING PAINT CONTROL ACT OF 1988

- 25 - 4 Administrative Enforcement: Agency Representation in Hearings and Signing of Consent Agreements
- 25 - 6 Civil Judicial Enforcement Actions
- 25 - 7 Criminal Enforcement Actions
- 25 - 7 Criminal Enforcement Actions
- 25 - 8 Settlement of Concurrence in Settlement of Civil Judicial Actions

MEDICAL WASTE TRACKING ACT

- 26 - 1 Designation of Law Enforcement Officers
-

ORGANIZATIONAL HISTORY

INITIAL ORGANIZATION

EPA was created through an Executive reorganization plan designed to consolidate a number of Federal environmental activities into a single agency. In 1970, EPA's first Administrator William Ruckelshaus published an organizational order providing for the designation of Assistant Administrators for Planning and Management, Standards and Enforcement and General Counsel, and Research and Monitoring. The Office of Standards and Enforcement and General Counsel inherited compliance and enforcement components from other Federal agencies. The five principal categorical programs -air, water, solid wastes, radiation and pesticides were retained individually under the management of commissioners.

FURTHER REORGANIZATION

The organizational evolution of the Enforcement and General Counsel functions in EPA are inseparable. In EPA's 18 year history, these two functions were combined from 1970 to 1975, split from 1975 to 1980, combined from 1980 to 1983, and split again. The evolution reflects the management preference of the Administrator at the time. A brief overview of this history follows.

In 1971, the first permanent organizational structure for EPA was announced. The five principal categorical programs were realigned under two Assistant Administrators, and the Assistant Administrators for three functional areas were retained. At this time, the Office of Standards and Enforcement and General Counsel delegated its standard-setting responsibility to the categorical programs. The resultant organization was the Office of Enforcement and General Counsel. This AAship contained three offices: General Enforcement, Water Enforcement and the General Counsel.

In 1975, the Office of General Counsel, including the Offices of Regional Counsel, were transferred from the Office of Enforcement and General Counsel to the Office of the Administrator and established as a separate staff office. The enforcement function retained its AA status and was retitled the Office of Enforcement. The new Enforcement AAship contained three offices: General Enforcement, Water Enforcement and Permits, and Mobile Source and Noise Enforcement.

In 1981, EPA underwent an extensive reorganization which affected the functional areas of Enforcement and General Counsel. The Office of Enforcement was abolished (with a majority of its responsibilities delegated to the program offices) and a new office, the Office of Legal and Enforcement Counsel (OLEC), was established to include the activities of the General Counsel and to oversee the direction of Agencywide enforcement activities.

Later that same year, in an effort to further clarify the roles of the program offices versus that of OLEC, the Administrator determined that all attorneys and their functions should be transferred from the program offices to the Office of Enforcement Counsel within OLEC. Under this organizational configuration, the program offices would conduct inspections, issue permits, and determine technical violations up to the point of adjudication, at which time OLEC would take the technically completed casework to the hearing and/or litigation phase.

Two years later, in 1983, another reorganization separated General Counsel from Enforcement Counsel. The decision cited the need to clarify and separate the very distinct types of legal activities General Counsel and Enforcement perform. The Office of General Counsel would provide senior Agency managers with traditional general counsel services, concentrating on representing the Agency in defensive litigation. Enforcement, on the other hand, was charged with building strong offensive litigation across all media. Both functions were elevated to the Assistant Administrator level, and the Office of Enforcement and Compliance Monitoring was created.

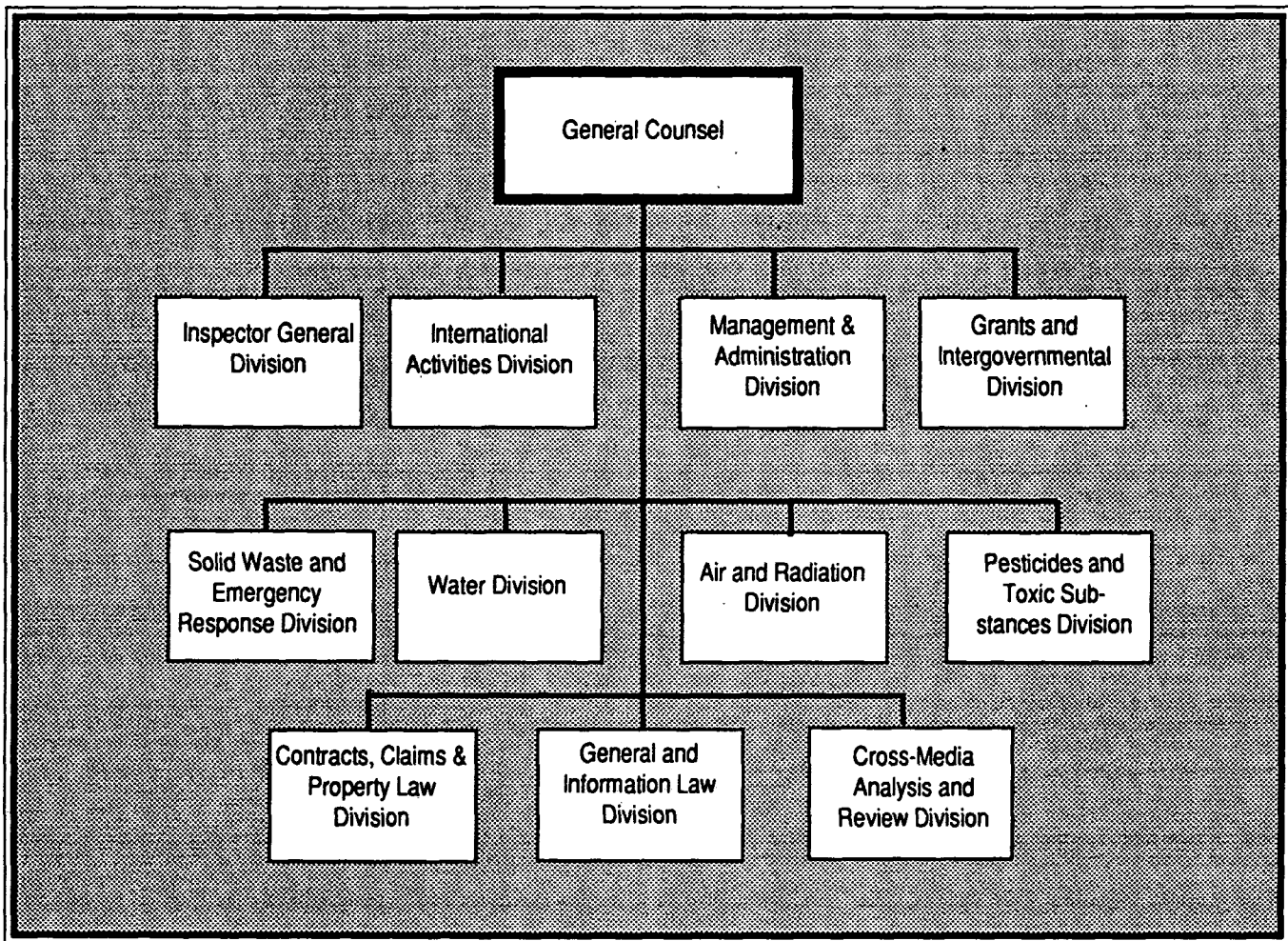
The Office of Enforcement and Compliance Monitoring underwent an internal reorganization in 1986, resulting in the elevation of the Criminal Enforcement Office to the Office of Criminal Enforcement which reports directly to the Assistant Administrator. The staff office of Compliance Analysis and Program Operations was created, and the civil enforcement functions were gathered under the Senior Enforcement Counsel - Civil, which would become the Office of Civil Enforcement.

PRESENT ORGANIZATION

In 1990, the Office of Enforcement and Compliance Monitoring changed its name to the Office of Enforcement, and upgraded the Federal Facilities Compliance Staff to the Office of Federal Facilities Enforcement (OFFE). The Federal Facilities Compliance Staff was merged into the new OFFE.

The current structure under which the Office of Enforcement operates stems directly from the previous reorganizations. It now consists of: the Office of Criminal Enforcement, the Office of Civil Enforcement, the Office of Federal Facilities Enforcement, the Office of Federal Activities, and the National Enforcement Investigations Center, which operates from Denver, Colorado.

OFFICE OF THE GENERAL COUNSEL



FUNCTIONS

- ☐ Serves as primary legal advisor to the Administrator.
- ☐ Provides legal services to all organizational elements of the Agency on all Agency programs.
- ☐ Provides legal opinions, legal counsel, and litigation support.
- ☐ Assists in the formulation and administration of the Agency's policies and programs as legal advisor.

LEADERSHIP

Raymond B. Ludwiszewski
Acting General Counsel

Ray Ludwiszewski was designated Acting General Counsel in August, 1991. Ray has also held the positions of Acting Assistant Administrator for Enforcement and Deputy General Counsel. Prior to joining EPA, Ray worked with a private law firm and with the Department of Justice. While at the Department of Justice, he served as Special Counsel to the Assistant Attorney General for the Environment and Natural Resources Division and as Associate Deputy Attorney General. Ray was a law clerk to Judge Henry J. Friendly after graduating magna cum laude from Harvard Law School, where he served as an editor of the Law Review.

Gerald H. Yamada
Principal Deputy General Counsel

Gerald Yamada has been Deputy General Counsel since November, 1982. He joined OGC in August, 1977, as a mid-level staff attorney and has held the positions of Assistant General Counsel and Associate General Counsel. He was also Acting General Counsel for two extended periods, and Acting Enforcement Counsel for a brief period. Concurrent with his present duties, he has been the ethics officer of EPA since January, 1983. Gerry is a graduate of George Washington University Law School and was with the U.S. Justice Department prior to joining EPA.

Deputy General Counsel for Litigation, Legislation and Regional Operations
Vacant

SYNOPSIS OF MAJOR ISSUES

TAKINGS

Pursuant to Executive Order 12630 on Takings, and the Attorney General's Guidelines for the Evaluation of Risk and Avoidance of Unanticipated Takings, EPA has drafted supplemental Agency guidelines for implementing the Order. The Agency formally transmitted those guidelines, which were developed after extensive input from the Department of Justice, to the Attorney General for approval on June 20, 1991. A subsequent version, incorporating revisions negotiated by EPA and the Department of Justice, was transmitted on June 18, 1992. The Agency is awaiting approval by the Attorney General. The EPA supplemental guidelines identify the General Counsel as the Agency's designated Takings Officer. In the last Congress, certain members attempted, but failed to enact provisions which would require agencies to fund "Takings" from the current operating budget.

NORTH AMERICAN COMMISSION ON THE ENVIRONMENT

OGC has joint responsibility (with OPPE) to negotiate with Canada and Mexico the formation of a trilateral North American Commission on the Environment to serve as a forum for the discussion of North American Free Trade Agreement-related environmental issues as well as other environmental issues of common concern. (Also see Integrating Environmental Protection, Economic Growth, and Export Assistance issue on page 6-3.)

BIOLOGICAL DIVERSITY

OGC has primary responsibility for ensuring the Agency's interest in an ecosystem management approach to environmental protection is represented in U.S. government positions on the conservation of biological diversity, including the Convention on Biological Diversity. OGC, in cooperation with OIA and ORD, is spearheading the Agency's effort to define the proper scope of national and international biological diversity conservation endeavors. These reach beyond the Endangered Species Act to address pollution control and other preventive measures to keep species from becoming endangered by preserving the integrity of ecosystems and habitats.

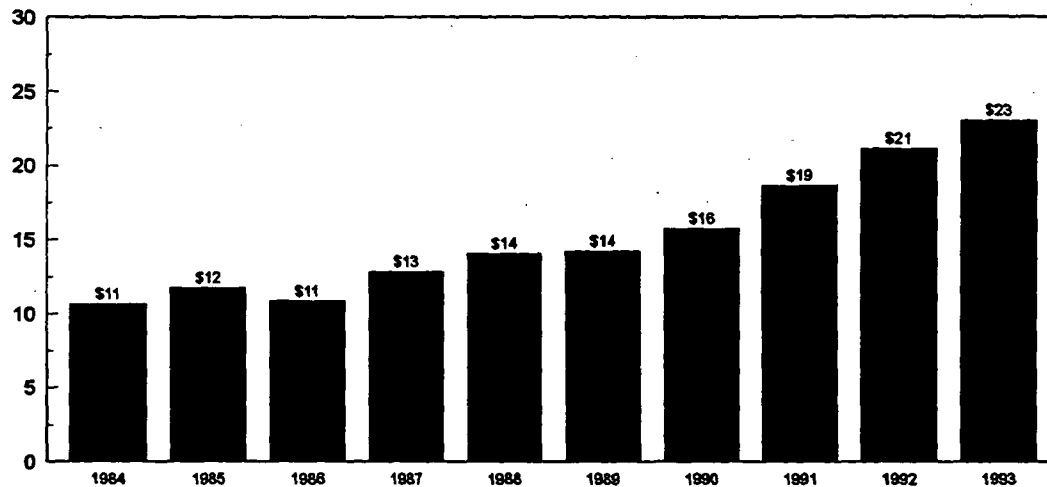
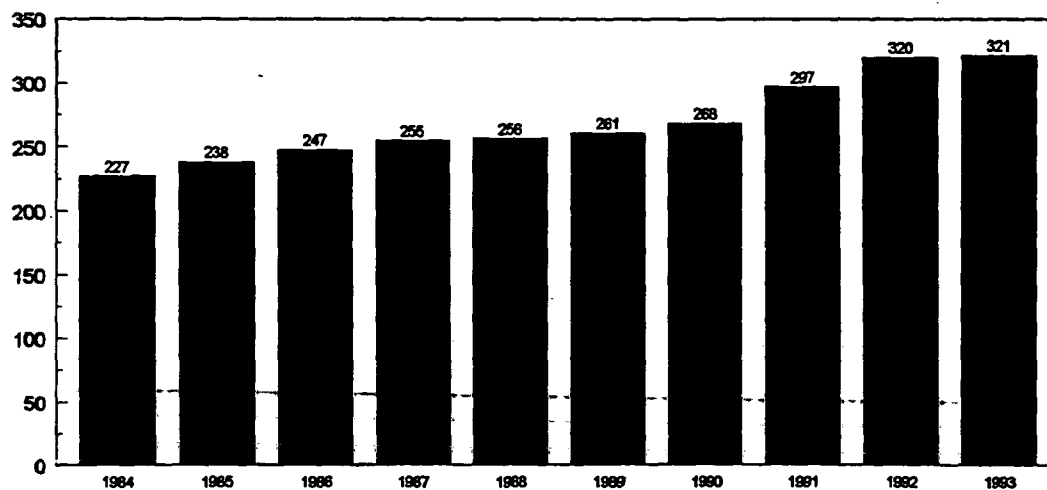
REGULATORY DIOXIN POLICY

The dioxin risk reassessment by ORD is nearing completion and may prompt significant science policy and risk management issues for EPA. Among these may be: 1) the importance of immunotoxic and reproductive toxicity problems, especially how EPA might regulate to protect people from potential effects and 2) the proper regulatory response to the potential finding that the current dioxin exposure experienced in the U.S. may be too high. OGC chairs the dioxin regulatory policy committee which is addressing these issues.

RESOURCES

TRENDS - FY 1984 to FY 1993

(1984 to 1992 Operating Plans, 1993 President's Budget)

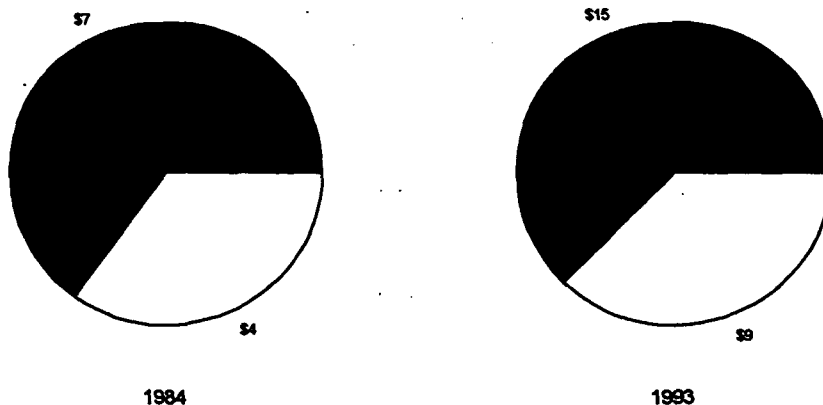
Dollars in Millions**Workyears**

- Since FY 1989, the Agency has invested more funds and workyears to provide legal support for new legislation such as the Clean Air Act.
- Another important investment has been for legal research and database services (LEXIS).

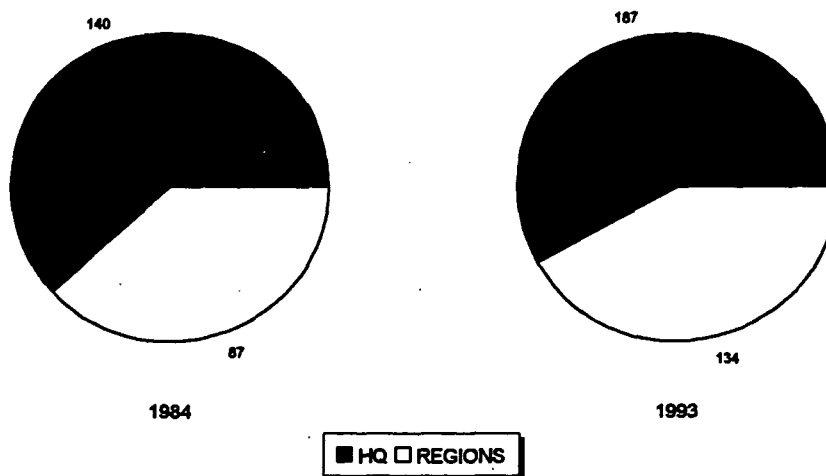
REGIONAL vs. HEADQUARTERS RESOURCES

(1984 Operating Plans vs. 1993 President's Budget)

Dollars in Millions



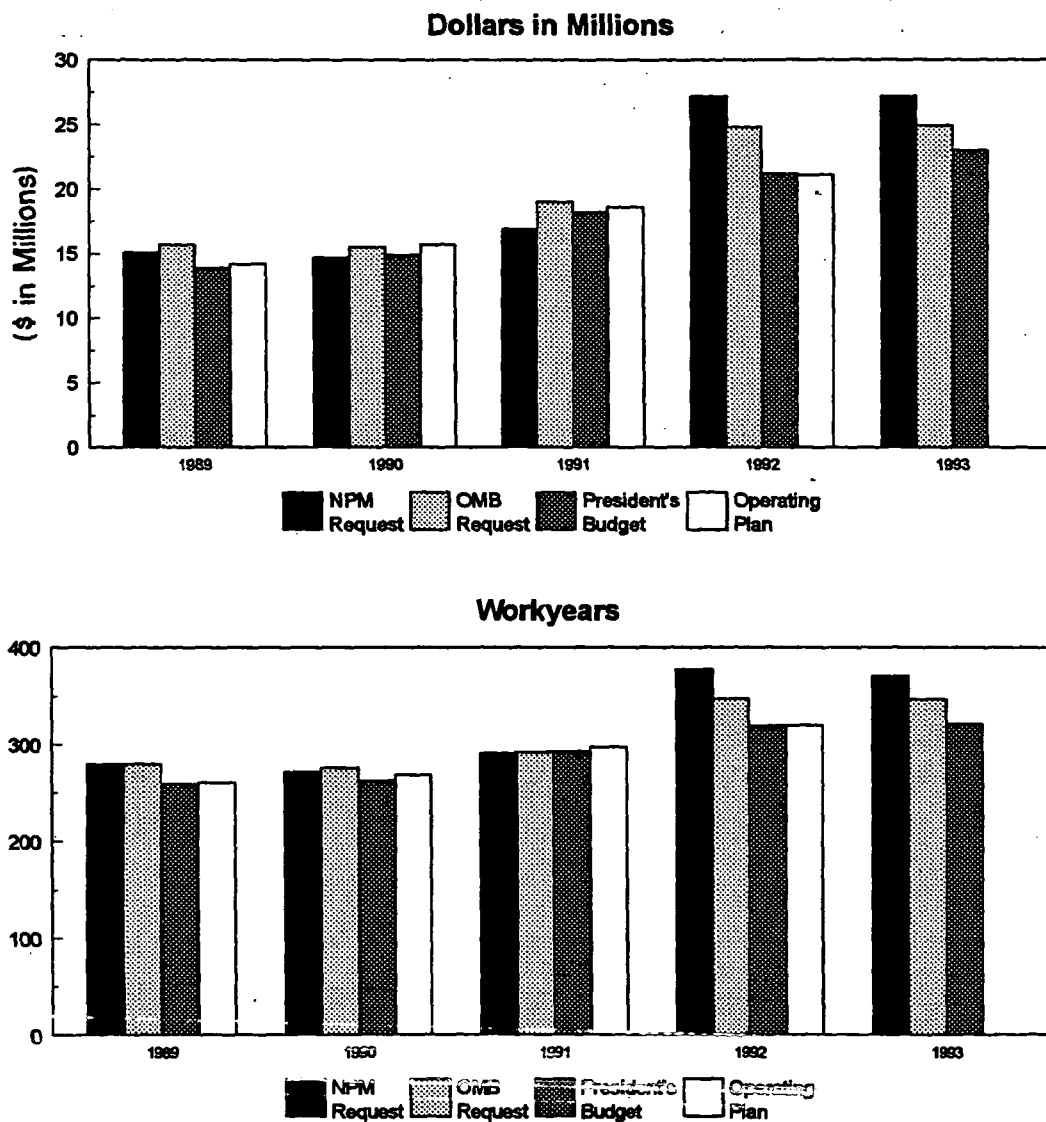
Workyears



- The growth in OGC's operating program is the direct result of increasing Agency responsibilities for the Clean Air Act (CAA), Superfund, Resource Conservation and Recovery Act (RCRA), and other major pieces of environmental legislation.

BUDGET PROCESS

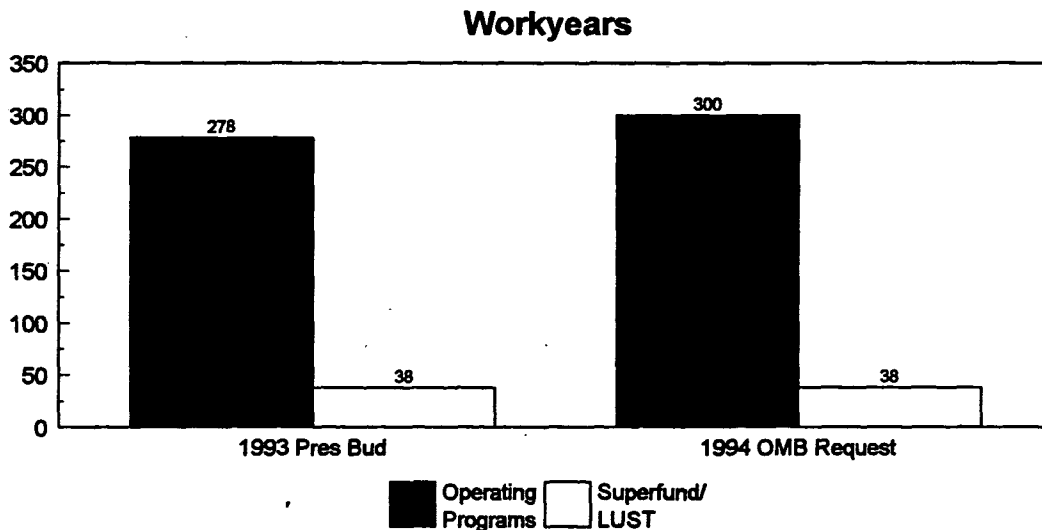
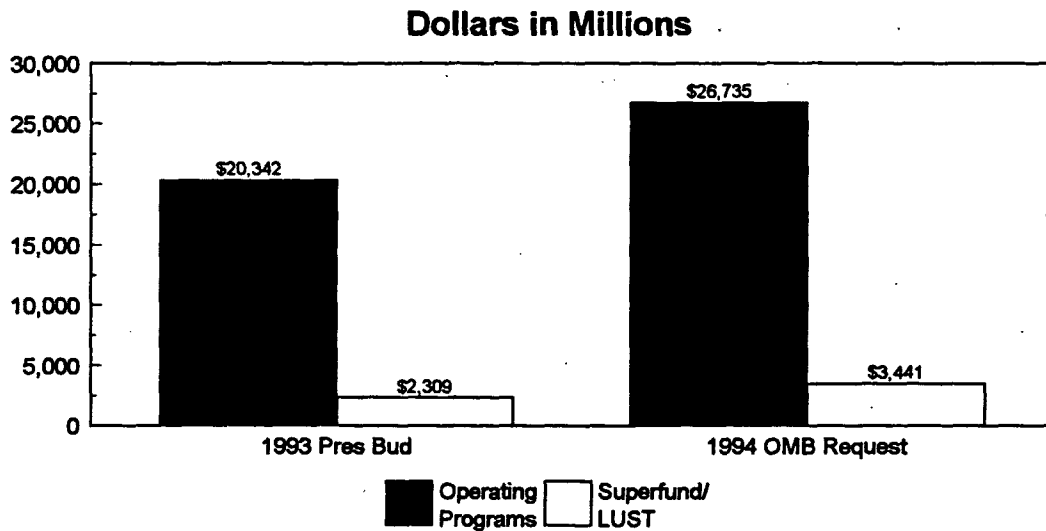
(From Initial Request to Final Operating Plan)



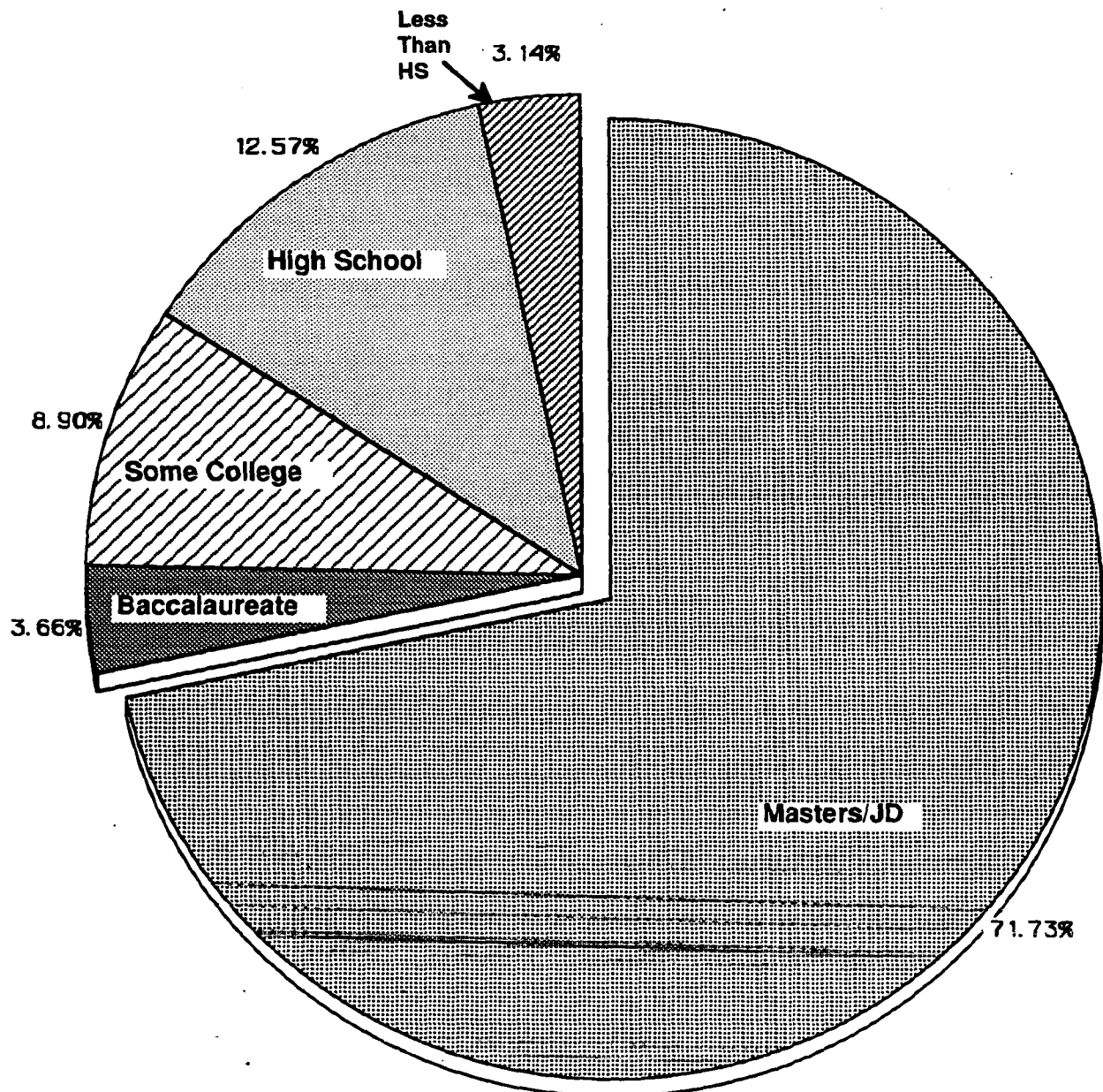
- OGC's requests reflect the growing workload associated with the implementation of the new legislative authorities.

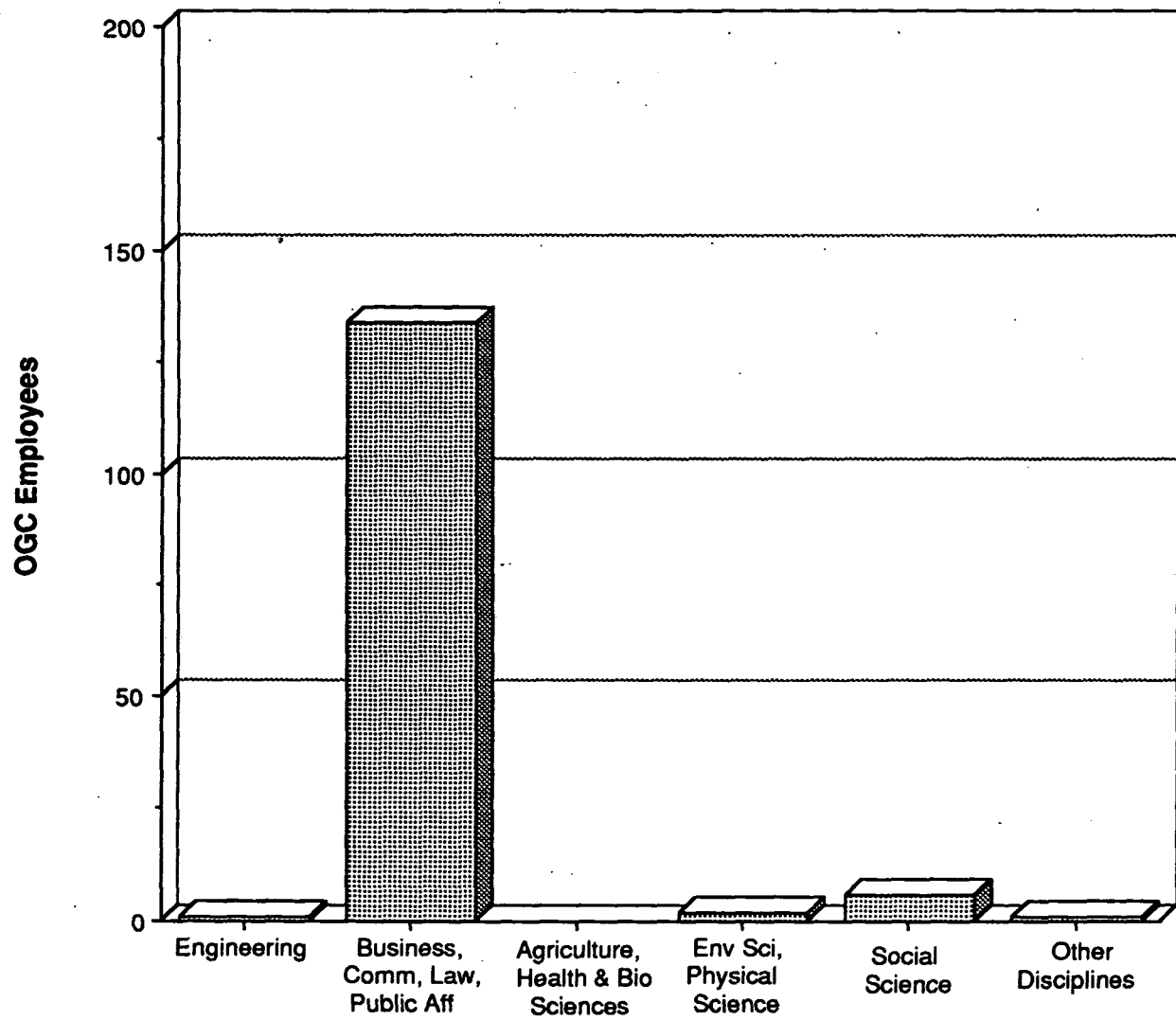
ADDITIONAL RESOURCES REQUESTED FOR 1994

(FY 1994 OMB Request vs. 1993 President's Budget)



- The FY 1994 OMB request represents increased resources primarily to provide legal support for strengthened contract, grant and procurement management, NAFTA and Rio follow-up activities, and to maintain LEXIS (legal database and reference) services.

WORKFORCE DEMOGRAPHICS**EDUCATION LEVELS - OGC**

ACADEMIC DISCIPLINES OF COLLEGE GRADS

ASSOCIATE GENERAL COUNSELS

Lisa K. Friedman**Associate General Counsel, Solid Waste & Emergency Response Division**

Lisa Friedman was appointed to this position in 1983. She joined EPA in 1977 as a staff attorney and became the Assistant General Counsel for the Resource Conservation and Recovery Act in 1980. Before joining EPA, she was an Associate with a private firm. Lisa is a graduate of Harvard Law School.

Alan W. Eckert**Associate General Counsel, Air and Radiation Division**

A graduate of the University of Virginia School of Law, and Duke University, Alan Eckert joined the Federal Water Pollution Control Administration as a legislative attorney in March, 1970, and became a charter member of EPA later that year. In 1972, he joined the Office of General Counsel, where he practiced water pollution control law for eight years as a staff attorney, Assistant General Counsel, and Deputy Associate General Counsel. In 1981, he was appointed Senior Litigator, a position he held until he assumed his present position in April, 1986.

Susan G. Lepow**Associate General Counsel, Water Division**

A graduate of Georgetown University Law Center and the University of Pennsylvania, Susan Lepow joined EPA in 1974 as a legal assistant in the Office of Pesticide Programs. In 1976, she joined the Office of General Counsel in the Pesticides and Toxic Substances Division for four years, and then transferred to the Water Division where she worked as a staff attorney and Assistant General Counsel until assuming her present position in January, 1987.

James C. Nelson**Associate General Counsel, Pesticides and Toxic Substances Division**

Jim Nelson was appointed to the position of Associate General Counsel in December, 1991 after serving as Acting Associate from 1990. He served as Assistant General Counsel, Toxic Substances Branch for 4 years. Jim joined EPA in 1976 as a staff attorney. Prior to joining EPA, he worked as a staff attorney for the Commission on Federal Paperwork. He is a graduate of George Washington University.

Craig B. Annear**Associate General Counsel, Management and Administration Division**

Craig Annear was appointed Associate General Counsel of the Management and Administration Division from his previous position as Associate General Counsel of the Grants, Contracts and General Law Division. He joined EPA in 1983, and served as Associate General Counsel for the Inspector General Division. He has also worked at the Federal Emergency Management Agency, the Department of Housing and Urban Development, and the Federal Trade Commission. He is a graduate of the University of Michigan Law School and Cornell University.

Marla E. Diamond**Associate General Counsel, Inspector General Division**

Marla Diamond was appointed as Associate General Counsel, Inspector General Division, in October, 1988. She has counselled the Office of Inspector General since starting with EPA in October, 1981. Her undergraduate degree in public accounting led her to the General Accounting Office where she worked as an auditor until she graduated from the Columbus School of Law at Catholic University. She spent two years in GAO's Office of General Counsel before coming to EPA. Marla is also a Certified Public Accountant. Marla is currently on leave until June, 1993.

Robert Friedrich**Acting Associate General Counsel, Inspector General Division**

Robert Friedrich has been the Acting Associate General Counsel since November, 1991. He joined EPA as a staff attorney in 1979. Previously, he was an instructor at the University of Wisconsin Law School; and has also held several other positions as an attorney in the private sector. Robert received his B.A. from the University of California, and his J.D. from Columbia Law School.

Howard F. Corcoran**Associate General Counsel, Grants and Intergovernmental Division**

Prior to his appointment as Associate General Counsel, Howard Corcoran served as an Office of General Counsel staff attorney and the Assistant General Counsel for the Grants Law Branch. Howard has been at EPA since 1979. He has a J.D. from Georgetown University, a Master's Degree from the Yale School of Forestry and Environmental Studies, and a B.A. from Harvard College.

Daniel B. McGraw Jr.**Associate General Counsel, International Activities Division**

Daniel McGraw joined EPA as an Associate General Counsel in March, 1992. He previously served as a Professor of Law at the University of Colorado. He practiced law at a private firm and at Neighborhood Legal Services in Washington, D.C. Daniel served as an economist and business consultant in India during the period 1969-1972. He received his J.D. from the University of California, and his A.B. from Harvard.

Charles L. Elkins**Associate General Counsel, Cross-Media Analysis and Review Division**

Prior to his appointment as Associate General Counsel, Chuck Elkins served in several positions at EPA since 1970. He was Acting Assistant Administrator in the Hazardous Materials Control and Air and Radiation programs, and was Director of the Noise Control Program, Office of Toxic Substances, of OAR's Office of Program Development. Chuck was Special Assistant to the first EPA Administrator, and served as a Budget Examiner with the Office of Management and Budget before coming to EPA. Chuck is a graduate of Yale University and Yale Law School.

Associate General Counsel, Contracts, Claims and Property Law Division

Vacant

Associate General Counsel, General and Information Law Division

Vacant

DELEGATIONS HELD BY THE GENERAL COUNSEL

GENERAL, ADMINISTRATIVE AND MISCELLANEOUS

- 1-3 Occupational Health and Safety
 - 1-9 Intergovernmental Personnel Act (IPA) Program
 - 1-17-A Domestic Travel Authorizations
 - 1-17-B International Travel Authorizations
 - 1-18 Agency Seal
 - 1-20 Annual Leave Forfeiture
 - 1-21 Federal Register
 - 1-23 Administration of Oaths
 - 1-25 Tort Claims
 - 1-26 Waiver of Claim for Erroneous Payment of Pay
 - 1-27 Claims of EPA Personnel for Personal Property Damage or Loss
 - 1-28 Claims of EPA
 - 1-29 Receipt, Evaluation, and Compliance with Process of Garnishment Orders for Child Support and/or Alimony
 - 1-30 Freedom of Information
 - 1-31 Freedom of Information: Appeal Determinations and Confidentiality Determinations
 - 1-32-A Freedom of Information (FIFRA)
 - 1-32-B Freedom of Information (FIFRA Section 10(g)(1))
 - 1-33 Privacy Act
 - 1-34 Litigation Representation
 - 1-36 Appeals on Acceleration Depreciation Decisions
 - 1-44 Changes in Organizational Structure
 - 1-48 Request for Information from Other Federal Agencies
 - 1-49 Assertion of the Deliberative Process Privilege
 - 1-51 Receptions and Refreshments to Recognize Award Recipients
 - 1-53 Judicial Review of Agency Actions
 - 1-54 Appointment of Designated Agency Federalism Official
 - 1-55 FTTA Cooperative Agreements and Licensing Agreements
-

1-69 Classification of Attorney Positions Within the Office of General Counsel and Enforcement

1-70 Indemnification of Money Judgments, Verdicts and Claims Against Employees

1-80 Executive Order 12778

CLEAN WATER ACT

2-14-A Civil Judicial Enforcement and Administrative Penalty Collections Actions

2-52-B Class II Administrative Penalty: Agency Representation in the Hearings; Initiating Internal Appeals of Adverse Determinations; and Representing Agency in Appeals

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

5-17-A Civil Judicial Enforcement Actions

CLEAN AIR ACT

7-22-A Civil Judicial Enforcement Actions

7-23 Public Participation in Settlement Agreements

SOLID WASTE DISPOSAL ACT

8-10-A Civil Judicial Enforcement Actions

SAFE DRINKING WATER ACT

9-16-A Civil Judicial Enforcement Actions

9-35 Issuance of Administrative Orders Under Section 1423(c)

NOISE CONTROL ACT

11-6-A Civil Judicial Enforcement Actions

TOXIC SUBSTANCES CONTROL ACT

12-3-A Civil Judicial Enforcement Actions

THE COMPREHENSIVE ENVIRONMENTAL RESPONSE COMPENSATION AND LIABILITY ACT

14-12 Civil Judicial Enforcement Actions

EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT

22-1 Civil Judicial Enforcement Actions

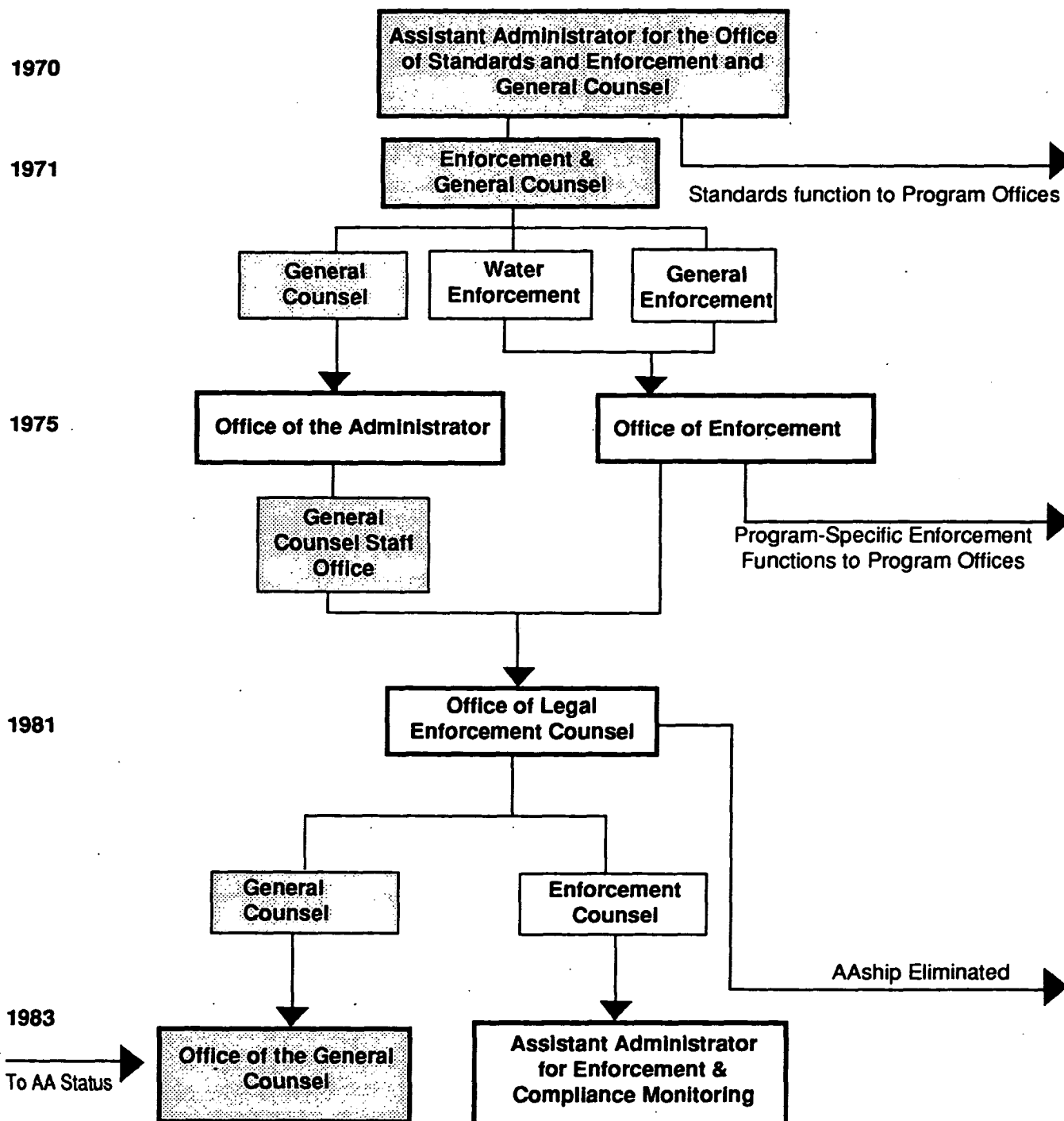
22-2 Criminal Judicial Enforcement Actions

22-7 Trade Secrets

ORGANOTIN ANTIFOULING PAINT CONTROL ACT OF 1988

25-6 Civil Judicial Enforcement Actions

While not a formal delegation of authority, the Office of General Counsel also has responsibilities in connection with Takings concerns arising under the Fifth Amendment of the Constitution under guidance approved by the Department of Justice.

ORGANIZATIONAL HISTORY

INITIAL ORGANIZATION

EPA was created through an Executive reorganization plan designed to consolidate a number of federal environmental activities into a single agency. In 1970, EPA's first Administrator, William Ruckelshaus, published an organizational order providing for the designation of Assistant Administrators for Planning and Management, Standards and Enforcement and General Counsel, and Research and Monitoring. The five principal categorical programs -air, water, solid wastes, radiation and pesticides were retained individually under the management of commissioners.

FURTHER REORGANIZATION

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In 1975, the Office of General Counsel, including the Offices of Regional Counsel, were transferred from the Office of Enforcement and General Counsel to the Office of the Administrator and established as a separate staff office. The enforcement function retained its AA status and was retitled the Office of Enforcement.

In 1981, EPA underwent an extensive reorganization which affected the functional areas of Enforcement and General Counsel as well as Planning and Management. The Office of Enforcement was abolished and a majority of its responsibilities were delegated to the program offices. The Office of Legal Enforcement Counsel (OLEC) was established absorbing the Office of General Counsel from the Administrator's Office. OLEC's scope included all activities of the General Counsel and all Agencywide enforcement activities. The Office of General Counsel retained its separate identity within OLEC.

Later that same year, in an effort to further clarify the roles of the program offices versus that of OLEC, the Administrator determined that all attorneys and their functions should be transferred from the program offices to the Office of Enforcement Counsel within OLEC. Under this organizational configuration, the program offices would conduct inspections, issue permits, determine technical violations up to the point of adjudication, at which time OLEC would take the technically completed casework to the hearing or litigation phase.

Two years later, in 1983, the Agency reversed its decision and separated General Counsel from Enforcement Counsel by eliminating the Associate Administrator's position for OLEC. For the first time, the General Counsel became a Presidential appointee confirmed by the U.S. Senate as an Assistant Administrator. The decision cited the need to clarify and separate the very distinct types of legal activities General Counsel and Enforcement perform. Under this organizational configuration, the Office of General Counsel would provide senior Agency managers with legal advice on specific matters; be the source of general legal policy regarding statutory interpretation, standards and regulations development; assist in the drafting of legislation; and represent the Agency in defensive litigation. The new enforcement office, named the Office of Enforcement and Compliance Monitoring, would provide development of Agencywide policies and operating procedures for civil and criminal enforcement of EPA's standards and regulations; assurance of the quality and consistency of offensive litigation across all media; and legal assistance to program offices with regard to case development, administrative actions, and compliance activities.

Since 1983, the General Counsel and Enforcement Counsel have remained separate organizational entities. Under the prior OLEC organizational structure, the Office of General Counsel had supervisory responsibilities for the Offices of Regional Counsel.

In 1990, the oversight of EPA's Regional Counsels transferred to the Office of Enforcement in recognition of the preponderance of enforcement work performed in the regional offices. The Office was now composed of six divisions: the Water Division, the Solid Waste and Emergency Response Division, the Air and Radiation Division, the Pesticides and Toxic Substances Division, the Inspector General Division, and the Grants, Contracts and General Law Division.

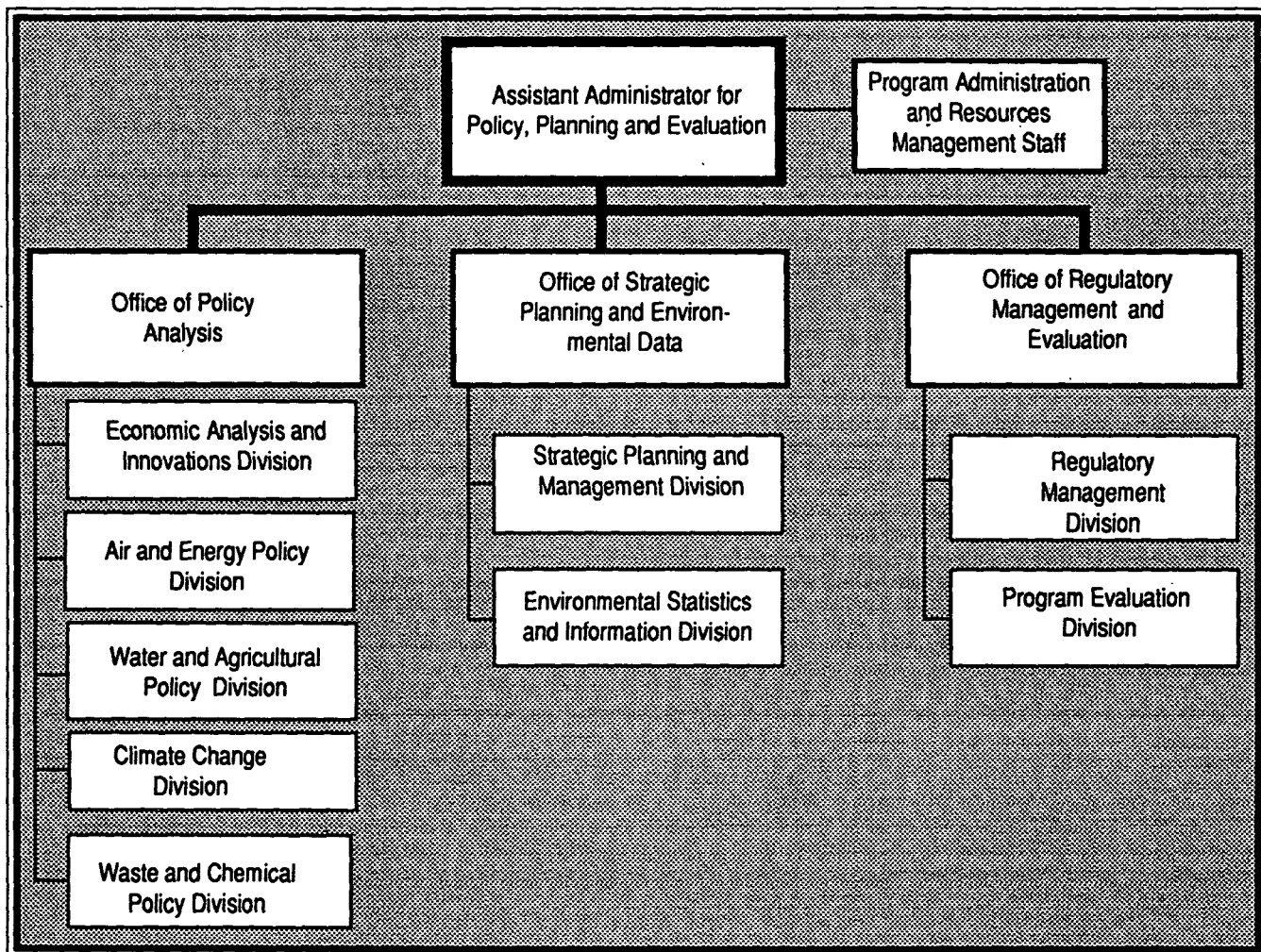
PRESENT ORGANIZATION

In 1991, the International Activities Division and the Cross-Media Analysis and Review Division were added. The Grants, Contracts and General Law Division was split into the Contracts, Information and General Law Division and the Grants, Claims and Intergovernmental Division in 1992. The Management and Administration Division was also created in 1992, primarily consolidating front office functions. This resulted in a ten-division structure.

In November, 1992, OGC reorganized again. The Contracts, Information and General Law Division and the Grants, Claims and Intergovernmental Division became the General and Information Law Division and the Grants and Intergovernmental Law Division. A new division was created: the Contracts, Claims and Property Law Division, headed by an Associate General Counsel.

Section 5

OFFICE OF POLICY, PLANNING AND EVALUATION



FUNCTIONS

The mission of the Office of Policy, Planning and Evaluation (OPPE) is to ensure that EPA's policies and programs are environmentally effective, economically efficient, and able to be implemented. To accomplish this OPPE:

- ☐ Provides policy leadership on inter-governmental issues such as global climate change, energy, agriculture, transportation, international trade and the environment; promotes the use and development of policy analysis tools: comparative risk, social science research, and environmental statistics and indicators.
- ☐ Analyzes the economic and environmental effects of regulations, policies, legislation, and Agency programs; and promotes the use of innovative regulatory approaches such as market-based incentives and pollution prevention.
- ☐ Manages and promotes improvements in the Agency's regulatory development, strategic planning, accountability, and information collection and dissemination systems.
- ☐ Uses human health/ecological risk, economic and statistical analysis to guide EPA programs and resources toward addressing the most urgent or damaging environmental and human health risks from pollution.

LEADERSHIP

Richard D. Morgenstern**Acting Assistant Administrator**

Dick Morgenstern is Acting Assistant Administrator for Policy, Planning and Evaluation. He came to EPA in 1982 as Director of the Office of Policy Analysis. In April, 1991 he became Acting Assistant Administrator. He served previously as Director of the Energy Program at the Urban Institute; as Deputy Assistant Director for Energy, Natural Resources and the Environment at the Congressional Budget Office; and as a tenured Associate Professor of Economics at the City University of New York. He holds an A.B. degree from Oberlin College and a Ph.D. in Economics from the University of Michigan.

Daniel C. Esty**Deputy Assistant Administrator**

Dan Esty became Deputy Assistant Administrator for Policy, Planning and Evaluation in April 1991. He joined EPA in 1989 as a Special Assistant to Administrator William Reilly, and in 1990, he became Deputy Chief of Staff of the Agency. Prior to joining EPA, Dan practiced law with the Washington, D.C. firm of Arnold and Porter. Dan graduated from Harvard College with an A.B. in Economics and received a B.A. in Philosophy, Politics, and Economics from Oxford University, where he was a Rhodes Scholar. He has a J.D. from Yale Law School.

Mary M. Free**Director, Program Administration and Resources Management Staff**

Mary Free is the Director of the Program Administration and Resources Management Staff which is responsible for OPPE's overall internal planning, budgeting, and financial information, as well as for human resources management. She joined EPA thirteen years ago, becoming OPPE's Senior Budget Officer in 1982 and Senior Information Resources Management Official in 1986. As a Peace Corps volunteer prior to her EPA employment, Mary served as a municipal development advisor in Truk, Micronesia. She earned a B.A. in sociology from the University of Chicago.

SYNOPSIS OF MAJOR ISSUES

CLIMATE CHANGE

OPPE is pursuing a portfolio of activities which seek to: further the analytic basis for climate change policy; build state and regional capacity to implement climate programs; support developing countries' climate change efforts; further technology cooperation; and harness private sector potential to reduce greenhouse gas emissions. OPPE is providing critical analysis of mitigation options to support the development of the U.S. National Action Plan; is launching the Country Studies Program, and has studies underway in Poland, Brazil and Mexico; and is initiating a voluntary greenhouse gas reductions program with the Department of Energy. (Also see Global Warming issue on page 10-5.)

IMPLEMENTATION OF THE INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT (ISTEA)

ISTEA requires EPA to examine the complex interactions between transportation and environmental policy and to assist the Department of Transportation in implementing certain provisions of the Act. The Agency's "Transportation Cluster" is an Agency-wide working group charged with the development of an overall ISTEA implementation strategy. The opportunities for environmental gains, particularly with respect to climate change, are enormous. To exploit these opportunities, EPA will have to overcome current barriers to successful implementation of the Act, including resource shortfalls in the regional offices.

TRADE AND THE ENVIRONMENT

OPPE and the Office of International Activities lead EPA's expanding efforts to examine and shape the growing linkages between trade and environmental policy. Efforts to date have focused on: integrating environmental considerations into trade policy-making and trade negotiations (the General Agreement on Tariffs and Trade and the North American Free Trade Agreement); supporting an effort within the Organization for Economic Cooperation and Development to develop an industrialized world consensus on how to integrate trade and environmental policy-making; and analyzing the trade and competitiveness effects of environmental policies.

REGULATORY DEVELOPMENT AND REVIEW

Regulatory development is a significant part of EPA's work; EPA spends approximately 40% of its resources to publish several hundred environmental regulations each year. OPPE is responsible for managing the Agency's regulatory development process, and for coordinating the Office of Management and Budget's review of regulations under Executive Order 12291. Most major rules involve both technical complexity and issues which cut across the Agency's media-oriented organization. To provide the necessary expertise and cross-media perspective, each rule is developed with the assistance of an Agency-wide work group and is reviewed internally by senior managers in all interested offices. This participatory system is currently perceived as overly cumbersome and at times ineffective. OPPE is leading an Agency-wide team to improve the process with the aims of: improving the quality of regulations and their supporting analyses; increasing regional input; enhancing public participation; and improving efficiency and timeliness. Improvements are also needed in the Executive Order review process. The question of how to manage Executive Order review will confront the new Administration immediately.

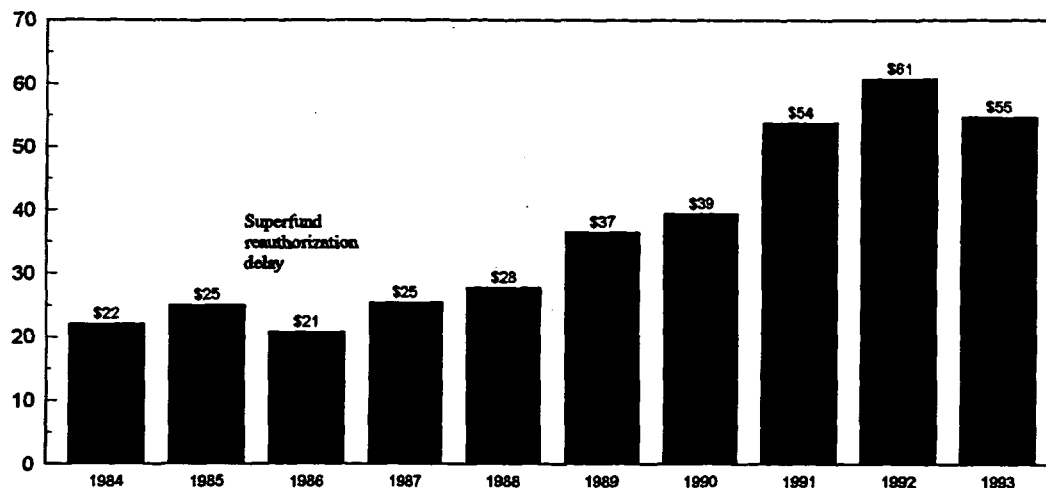
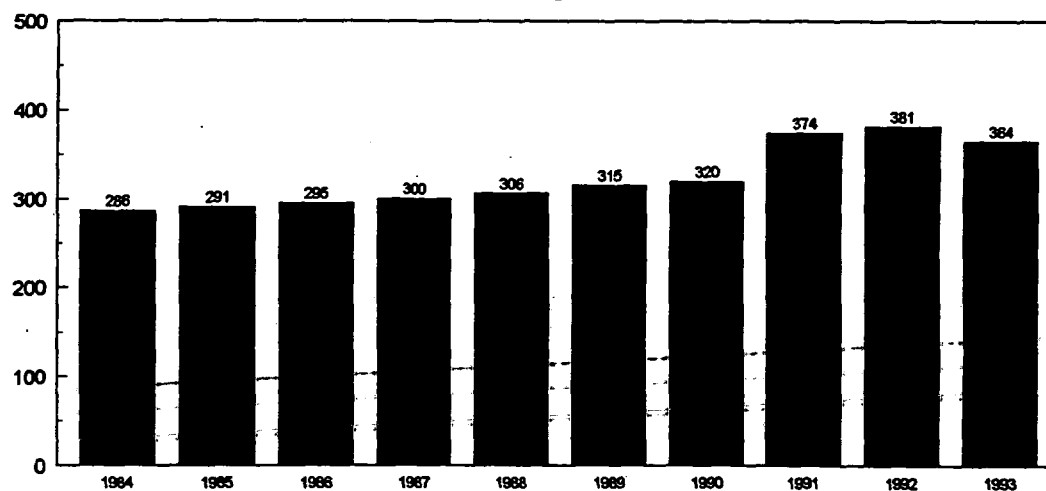
NATIONAL ENVIRONMENTAL GOALS

In the past two years, the recommendations of EPA's Science Advisory Board (SAB) have significantly altered the Agency's approach to protecting the environment. In the coming year, EPA is taking on one of the biggest challenges the SAB put in front of us: engaging in a dialogue with the public about the true nature of risks to human health and the environment, and working toward a national consensus on an environmental agenda. EPA is now embarking on an unprecedented effort to set national environmental goals -- goals that cannot be achieved by EPA alone, and require the help of all levels of government, the business community, and the public. Setting measurable environmental goals will provide direction for EPA's efforts, as well as a focal point around which government agencies, the business community, and the public can coalesce. They can also provide important benchmarks against which to measure the costs and benefits of environmental progress -- and the distribution of those costs and benefits -- to the nation as a whole.

RESOURCES

TRENDS - FY 1984 to FY 1993

(1984 to 1992 Operating Plans, 1993 President's Budget)

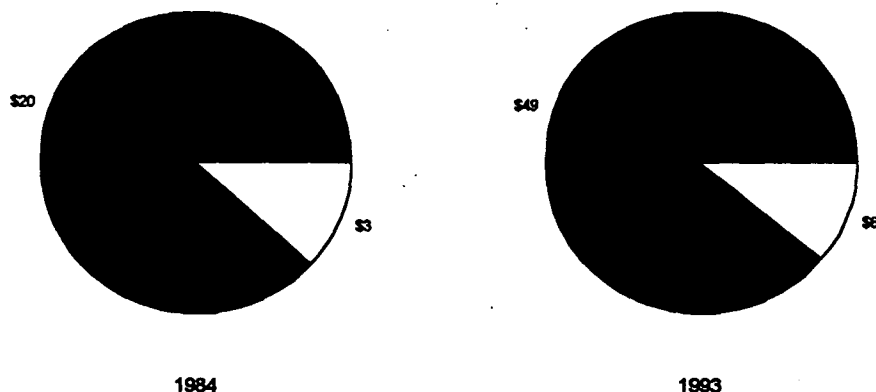
Dollars in Millions**Workyears**

- FY 1989 dollar increase is due to Water Quality Act implementation and global climate change work.
- FY 1991 dollar increase is result of investments in climate change, the Center for Environmental Statistics, and pollution prevention activities.
- FY 92 Congressional add for Climate Change Methane and the National Wood Energy Association were not carried through in FY 93 resulting in a decrease in the Operating Plan.

REGIONAL vs. HEADQUARTERS RESOURCES

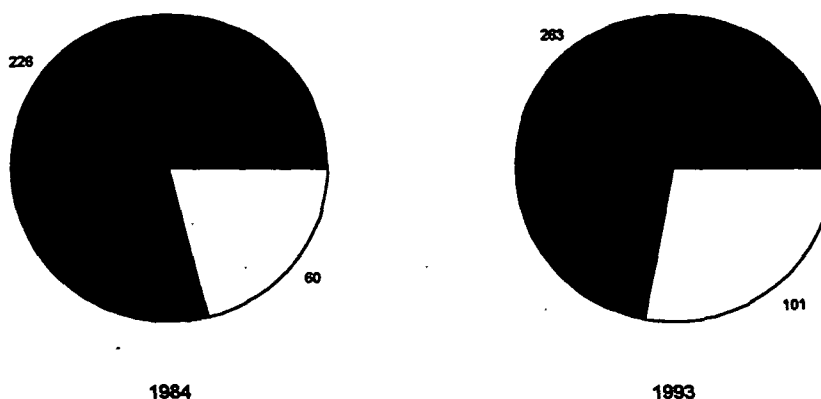
(1984 Operating Plans vs. 1993 President's Budget)

Dollars in Millions



■ HQ □ REGIONS

Workyears



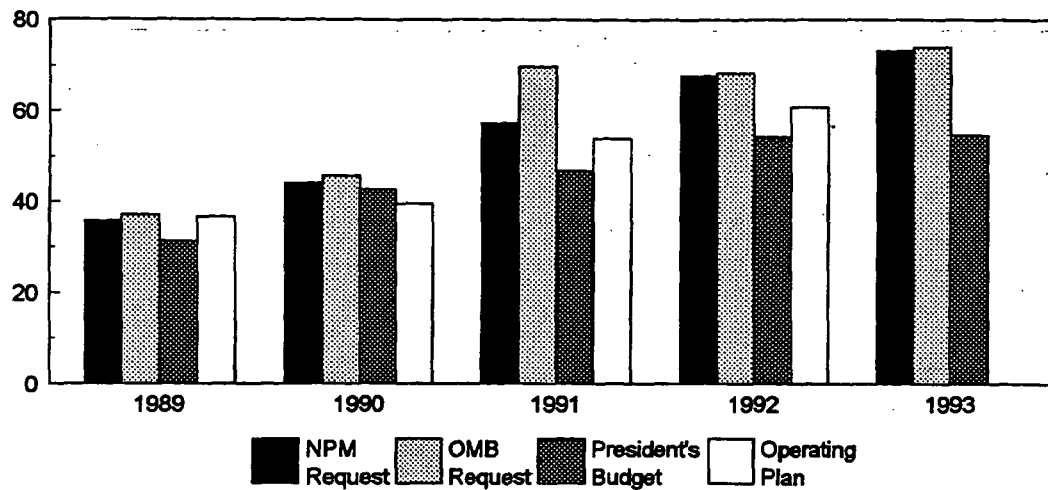
■ HQ □ REGIONS

- Regional resources have grown steadily while Headquarters resources have more than doubled to support increasing demands on centrally managed programs.
- Headquarters FTE experience steady growth, while regional FTE have increased at a higher rate due to an increased planning role played by the regions.

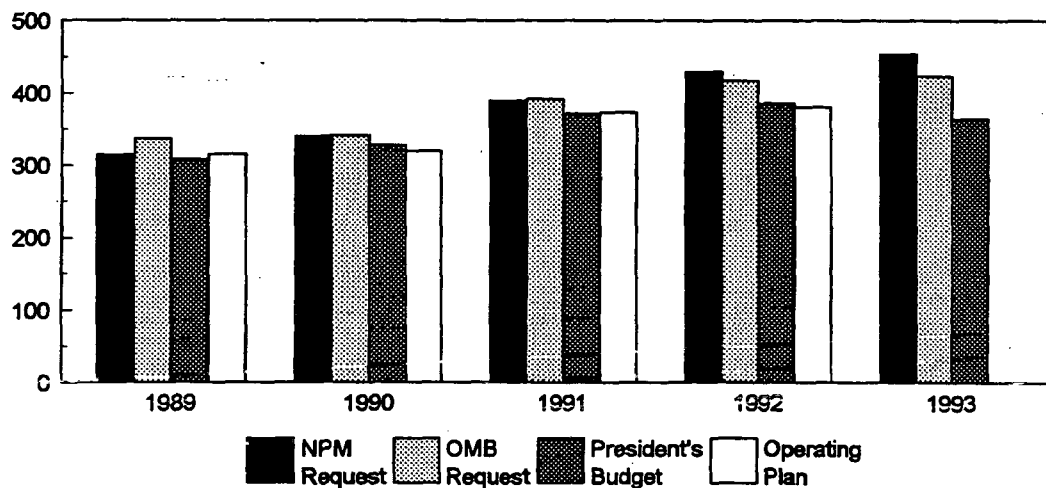
BUDGET PROCESS

(From Initial Request to Final Operating Plan)

Dollars in Millions



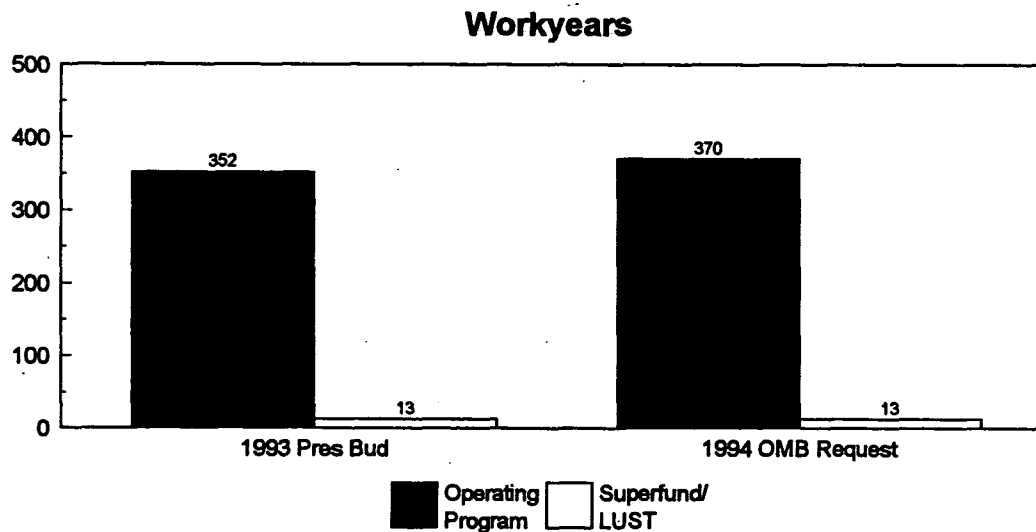
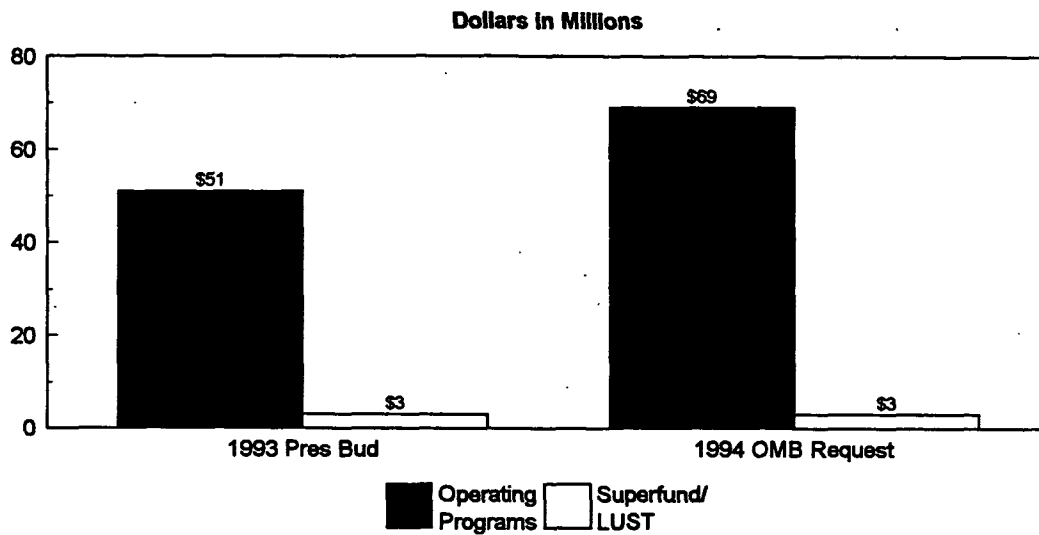
Workyears



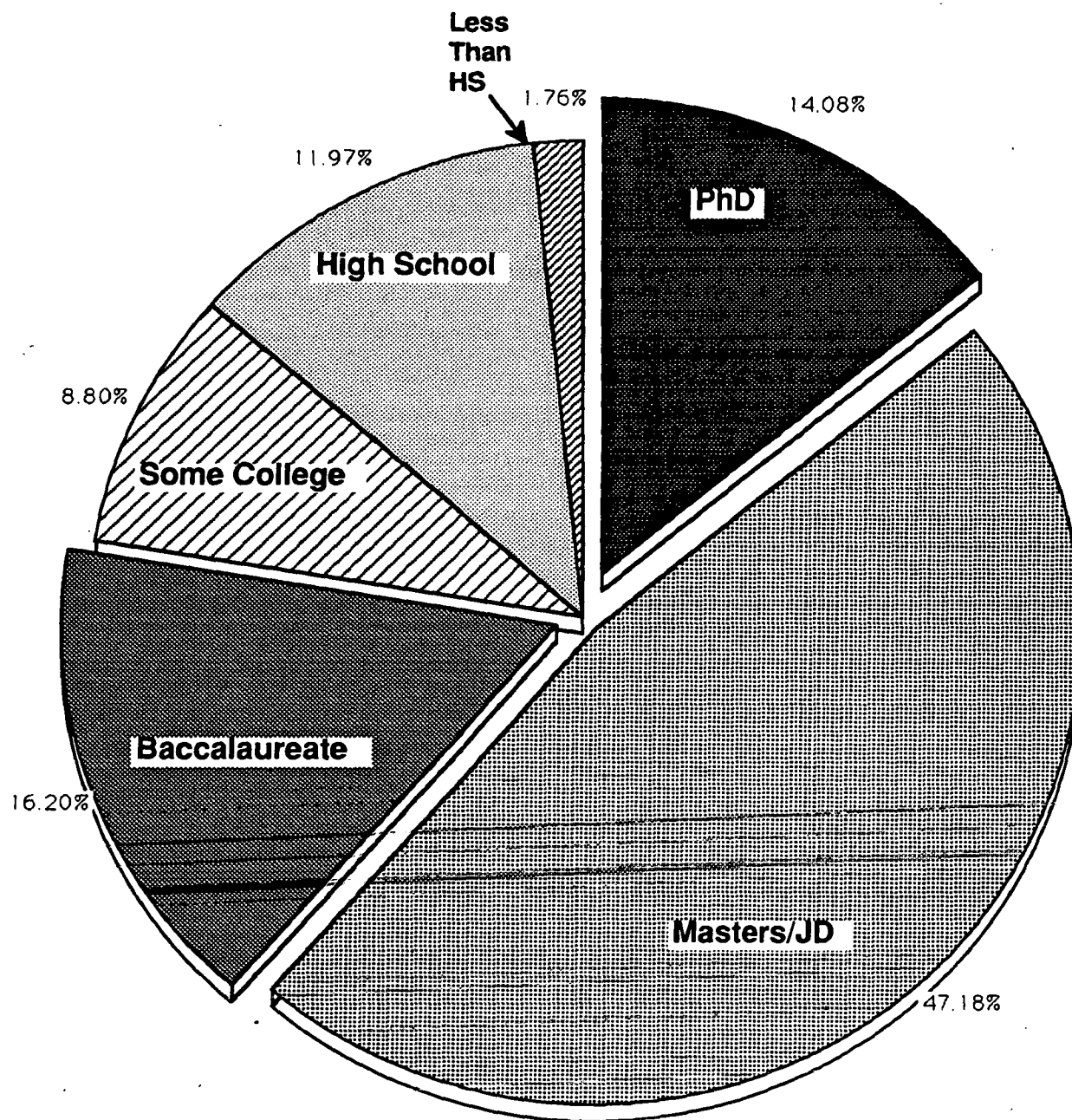
- FY 1989-93 investments supported global climate change, environmental statistics, risk reduction and economic analysis.
- The decrease from the FY 1992 to FY 1993 Operating Plan is due to the FY 92 Congressional Add-ons (i.e. climate change, methane, wood energy) that were not carried through into FY 93.

ADDITIONAL RESOURCES REQUESTED FOR 1994

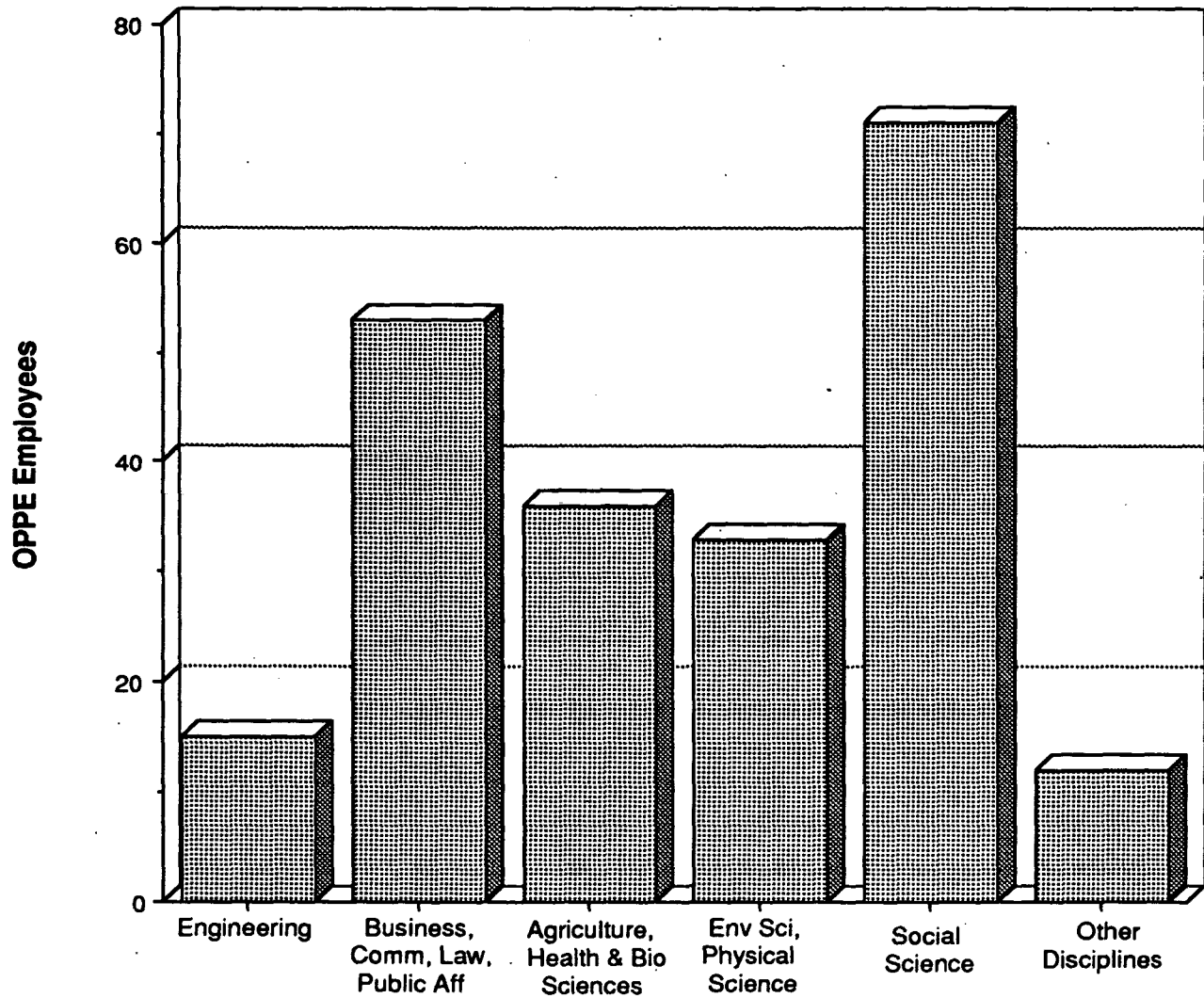
(FY 1994 OMB Request vs. 1993 President's Budget)

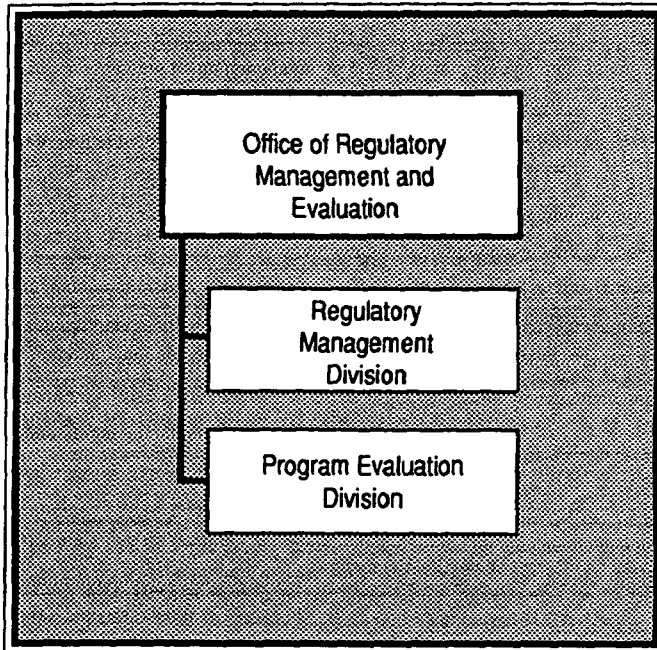


- Increased resources are for UNCED follow-up, environmental equity and economic analysis .
- Trust fund resources remain level recognizing continued Congressional reductions.

WORKFORCE DEMOGRAPHICS**EDUCATION LEVELS - OPPE****Education Levels**

ACADEMIC DISCIPLINES OF COLLEGE GRADS



**OFFICE OF REGULATORY
MANAGEMENT AND EVALUATION****LEADERSHIP****Thomas E. Kelly
Director**

Prior to becoming Office Director, Tom Kelly held Division Director and Branch Chief positions in OPPE's Program Evaluation Division. Prior to joining EPA in 1978, he worked for the U.S. Department of Commerce and for HEW. Tom received his B.A. from Wesleyan University and an M.A. in Sociology from American University.

**Wendy Cleland-Hamnett
Deputy Director**

Wendy has worked at EPA for thirteen years. She was a Special Assistant to the Administrator and Deputy Administrator, focusing on pesticides and toxics, research, science, and risk assessment issues. She has held management and staff positions in the Office of Pesticides and Toxic Substances. Wendy received her B.A. from Earlham College and her J.D. from George Washington University.

FUNCTIONS

- ☐ Directs planning and management of all Agency rule-making and data collection, including liaison between EPA and OMB for Executive Order reviews.
- ☐ Promotes efficient and effective policies through objective, thorough, and analytically sound program evaluations and studies conducted for Agency managers.
- ☐ Promotes the effective use of scientific information to manage risks, identifies policy assumptions used to develop Agency risk assessments, and analyzes the policy implications of alternative scientific approaches.
- ☐ Promotes development, use, and evaluation of effective risk communication methods.
- ☐ Improves the Agency's effectiveness in addressing multi-media problems by managing the cross-media clusters project.

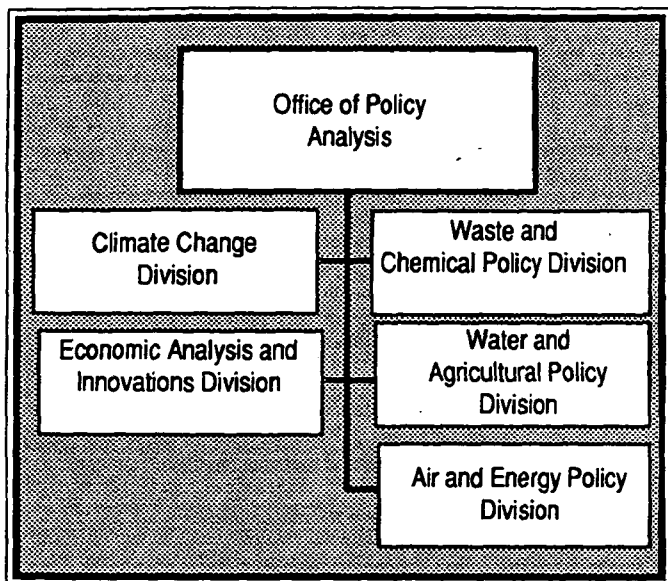
DIVISION DIRECTORS

Paul R. Lapsley, Director**Regulatory Management Division**

Paul Lapsley has served as the Director of the Information and Regulatory Systems Division and the Deputy Director in the Pesticides Program. In his fifteen years with the Agency, he has held staff and management positions in the Offices of Pesticides and Toxic Substances and Air and Radiation. Before joining EPA, he worked with Xerox and Sperry Rand. Paul received his B.S. from the State University of New York and his M.S. in Public Administration from the University of Rochester.

Pamela Stirling, Director**Program Evaluation Division**

A graduate of Connecticut College, Pam Stirling began her work at EPA in 1971. She has been in the Office of Policy, Planning and Evaluation since 1985, serving as the Deputy Director for the Regulatory Integration Division, as Policy Director for the Office of Pollution Prevention, and as Deputy Office Director for the Office of Strategic Planning and Pollution Prevention. She was also the senior Special Assistant to Terry Davies, former Assistant Administrator for OPPE.

OFFICE OF POLICY ANALYSIS**Daniel J. Florino**
Associate Director

Dan Florino's previous positions in EPA's policy office were Senior Policy Advisor to the Assistant Administrator, Director of the Information and Regulatory Systems Division, and Chief of the Regulation Management Branch. Before joining EPA in 1978, he was Assistant Professor of Political Science at Middlebury College. Dan holds a Ph.D. in Political Science from Johns Hopkins University and has written and taught on environmental, regulatory, and public policy issues.

LEADERSHIP**Maryann B. Froehlich**
Acting Director

Maryann Froehlich has served in policy development and policy analysis positions since coming to EPA in 1980. Maryann served as Director of the Waste and Chemical Policy Division from 1989 to 1991, when she became Acting Director of Policy Analysis. Previous positions included Director of the Regulatory Integration Division and Chief of the Waste Policy Branch. Prior to coming to OPPE, Maryann served as Special Assistant to the Administrator and as a policy analyst in OSWER's Superfund office. Before coming to EPA, she worked for the U.S. Coast Guard oil spill response program. Maryann is a graduate of Harvard University's Kennedy School of Government.

FUNCTIONS

- ☐ Provides policy and regulatory impact analyses on major issues.
- ☐ Analyzes the economic and environmental effects of regulations, policies, programs, and legislation.
- ☐ Develops and validates new methods for benefits and cost analyses.
- ☐ Evaluates the combined impacts of EPA's regulations on different sectors of the economy and the implications for international trade and competitiveness.
- ☐ Analyzes climate change policies and develops options for dealing with global warming; supports EPA's participation in international activities, including forestry issues.
- ☐ Works with other Federal agencies to integrate environmental protection measures into energy, agriculture, transportation, land, and water resource policies and programs.
- ☐ Promotes the analysis and use of market incentives in environmental programs.

DIVISION DIRECTORS

Donn J. Viviani, Acting Director
Waste and Chemical Policy Division

Donn Viviani has worked in four EPA programs: Waste, Toxics, Water, and Policy. He has been Acting Director of the Waste and Chemical Policy Division since July, 1991. Previously, he was Chief, Pesticide Policy Branch; Chief, Pesticides and Toxics Branch; Chief, Chemical Integration Branch; and Desk Officer, Hazardous Waste Criteria and Identification. Donn served as Chairman of two bilateral committees: The International Joint Commission's Coordinating Committee and the IJC Water Quality Board's Toxic Substances Committee, and has served as EPA's technical expert/representative on exposure and fate for other international groups. Donn has a Ph.D. in Chemistry from George Washington University and has attended Georgetown University and Stevens Institute of Technology.

Robert M. Wolcott, Director
Water and Agricultural Policy Division

Rob Wolcott is an economist with nearly twenty years experience in research, education, and management, primarily in the fields of environment, energy, and public finance. Rob has served as the Director of the Environmental Resource Economics Division and as Special Assistant for Policy to the Administrator and Deputy Administrator, focusing primarily on air and water quality management. In addition, Rob previously served as Director of the Public Interest Economics Foundation; as an economist in EPA's San Francisco office; and as Director of a major urban development project in Cincinnati, Ohio.

Alex Cristofaro, Director
Air and Energy Policy Division

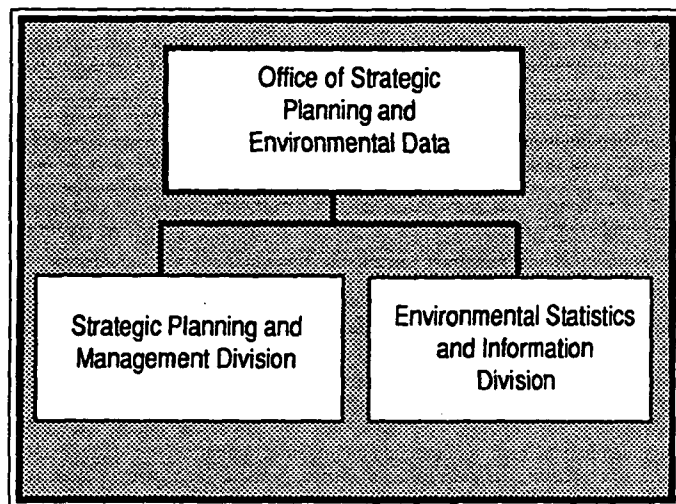
A graduate of Harvard's Kennedy School of Government and Dartmouth College, Alex Cristofaro has been at EPA since 1979, having previously served as Director of the Atmospheric and Economic Analysis Division.

Dennis A. Tirpak, Director
Climate Change Division

Dennis Tirpak has served as the Director of the Global Climate Division since 1985. He is responsible for global forest activities, international energy programs, economic benefit analyses, and state programs. He is a member of the U.S. Climate Change delegation to international climate negotiations and the Intergovernmental Panel on Climate Change. Dennis first joined the Agency in 1971 and held several positions in the Office of Research and Development, including Director of the Office of Exploratory Research and Director of the Acid Rain Precipitation Program. While in the private sector, he managed air pollution programs for Texaco, was a Presidential Executive with Alcola, and an environmental consultant with EG & G Inc. Dennis graduated from Catholic University with a Master's degree in Applied Mechanics.

Albert M. McGartland, Acting Director
Economic Analysis and Innovations Division

Albert McGartland is the Director of the Economic Analysis and Innovations Division. Immediately prior to joining EPA, he was a Vice President at Abt Associates, a public policy consulting firm. He also served as an Assistant Chief of the Natural Resources Branch in the Office of Information and Regulatory Affairs, Office of Management and Budget. In addition, he was the staff economist to Vice President Bush's Task Force on Regulatory Relief where he examined a number of regulatory issues.

OFFICE OF STRATEGIC PLANNING AND ENVIRONMENTAL DATA**Art Koines
Deputy Director**

Art Koines has served as Deputy Director since 1990. Prior to his current appointment, Art held several staff and management positions in OPPE and OSWER dating back to 1981. Before that time he served as an Econometrician at the Department of Commerce, Economic Development Administration. Art is a graduate of Gettysburg College and George Washington University.

LEADERSHIP**Elizabeth S. LaRoe
Acting Director**

Betsy LaRoe is the Acting Director of the Office of Strategic Planning and Environmental Data. Until recently, she served as a Special Assistant to the Administrator and Deputy Administrator for issues related to strategic planning, budgeting, and water programs. Leading up to that assignment, Betsy spent ten years in EPA's water programs. Before coming to EPA she worked at both the state and local levels in Florida. Betsy holds an undergraduate degree from the University of Southern California, and a Master's degree in Public Administration with a major in economics from Louisiana State University.

FUNCTIONS

- ☐ Manages the Agency's strategic quality planning and management activities, including assessing future environmental trends, setting long-term environmental goals, integrating strategic planning and budgeting, and designing and implementing state-of-the-art performance measurement systems to track the Agency's progress.
- ☐ Serves as the Agency's center of excellence in environmental statistics, including: data acquisition, analysis, and integration; interpretation of statistical trends; and design of state-of-the-art visual presentation methods.
- ☐ Defines indicators and environmental statistics for measuring progress against national environmental goals.
- ☐ Supports comparative risk and risk-based strategic planning and management efforts of regional, state, and local environmental programs.
- ☐ Publishes annual environmental progress reports, as well as periodic assessments of the state of the environment.

DIVISION DIRECTORS

Robert S. Currie, Director**Strategic Planning and Management Division**

Bob Currie serves as Director of the Strategic Planning and Management Division. In this role, Bob spearheads the Agency's efforts to bring risk-based priority setting to the forefront of the Agency's planning and management processes. Prior to this position, Bob assisted in the development of risk and risk-reduction methodologies, and directed several pilot projects. Before joining EPA, Bob worked with the Peace Corps where, over ten years, he developed and implemented programs in several countries.

N. Phillip Ross, Director**Environmental Statistics and Information Division**

Phil Ross is the Director of the Environmental Statistics and Information Division. He represents EPA on the OMB Heads of Statistical Agencies, the CEQ's Interagency Committee on Environmental Trends (Co-chair of the Subcommittee on Reporting); past Chair of the American Statistical Association's Section on Environment and Statistics; represented the Agency on the OECD Group on the State of the Environment (Chair of the Group for the last five years); and has represented the Agency on a number of inter-agency committees on environmental statistics and information. Phil has been with EPA since 1979 and has worked as a senior statistician, Chief of the Statistical Policy Branch, and Director, Center for Environmental Statistics Development. Phil has a Ph.D. in statistics from the University of Maryland.

DELEGATIONS HELD BY THE ASSISTANT ADMINISTRATOR

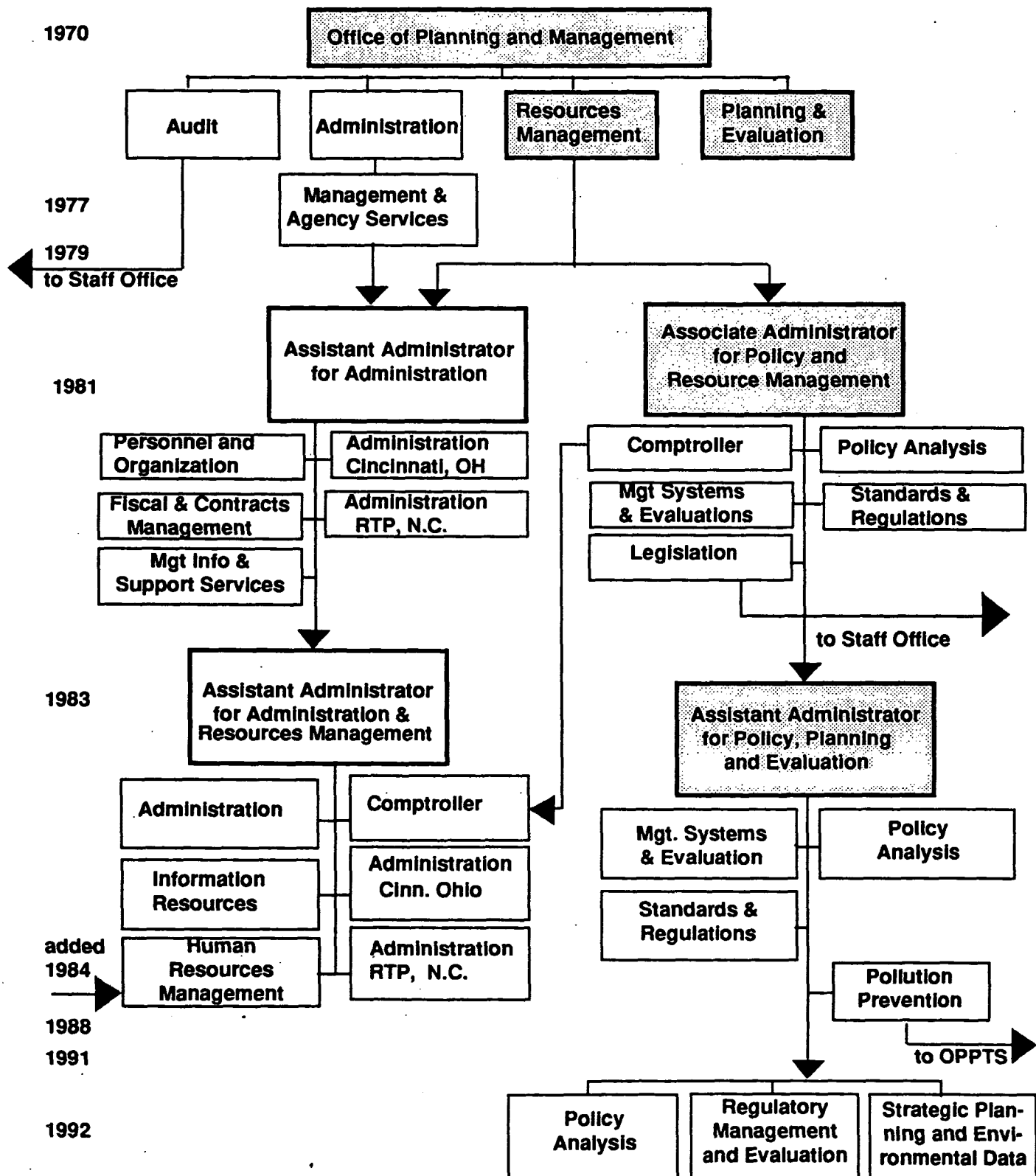
GENERAL, ADMINISTRATIVE AND MISCELLANEOUS

- 1 - 9 Intergovernmental Personnel Act (IPA) Program
- 1 - 15 Cash Awards
- 1-17A Domestic Travel
- 1- 17B International Travel
- 1 - 20 Annual Leave Forfeiture
- 1 - 21 Federal Register
- 1 - 22 Regulation and Paperwork Management
- 1 - 30 Freedom of Information
- 1 - 44 Changes in Organizational Structure
- 1 - 45 Intergovernmental Review Provisions of Executive Order 12372 and 50 CFR 29
- 1 - 47 Grants and Cooperative Agreements for Economic and Social Science Research, Statistical Research, Statistical Studies, and Surveys
- 1 - 48 Request for Information from Other Federal Agencies
- 1 - 49 Assertion of the Deliberative Process Privilege
- 1 - 51 Receptions and Refreshments to Recognize Award Recipients
- 1 - 55 FTTA Cooperative Agreements and Licensing Agreements
- 1 - 60 Assistance Agreements for Pollution Prevention

SOLID WASTE DISPOSAL ACT (SWDA)

- 8 - 41 Assistance Agreements for Source Reduction and Recycling Technical Assistance
-

ORGANIZATIONAL HISTORY



INITIAL ORGANIZATION

EPA was created through an Executive reorganization plan designed to consolidate a number of Federal environmental activities into a single agency. In 1970, EPA's first Administrator, William Ruckelshaus, published an organizational order providing for the five principal categorical programs: air, water, solid waste, radiation and pesticides, to be retained individually under the management of commissioners. The order also designated three Assistant Administrators for Planning and Management, Standards and Enforcement and General Counsel, and Research and Monitoring.

The Office of Planning and Management is the organizational root of today's Office of Policy, Planning and Evaluation. With inherited staff from the Department of Health and Human Service's Environmental Health Service and the Environmental Control Administration, the Office of Planning and Management undertook the development and management of the Agency's goals in policy, resources management, and administration. This initial management function consisted of four offices: Administration, Audit, Resources Management, and Planning and Evaluation.

FURTHER REORGANIZATION

The organizational evolution of the Office of Policy, Planning and Evaluation and the Office of Administration and Resources Management are inseparable. In EPA's eighteen year history, these two functions were combined from 1970 to 1981, split from 1981 to 1983, and transferred functions during a reorganization in 1983. The evolution reflects the management preference of the Administrator at the time. A brief overview of this history follows.

In 1971, a permanent organizational structure for EPA was announced. The five principal categorical programs were realigned under two Assistant Administrators and the Assistant Administrators for the three functional areas were retained. At this time, the Office of Planning and Management was officially established at the Assistant Administrator level. Specifically, the Office developed the Agency's first planning and evaluation, budget, personnel and information systems. It managed archives, grant and contracting policy, and administrative support services.

In 1981, EPA underwent an extensive reorganization which affected the functional areas of Planning and Management as well as Enforcement and Compliance. The Planning and Management function was split, creating the Office of Administration and the Office of Policy and Resources Management. That Office of Policy and Resources Management is the precursor to today's Office of Policy, Planning and Evaluation. It was created from planning, evaluation and resource functions inherited from the Office of Planning and Management. Legislative functions were inherited from the Office of the Administrator. This new Office of Policy and Resources Management was organized with five major components: Comptroller, Policy Analysis, Management Systems and Evaluation, Standards and Regulations, and Legislation.

Two years later, in 1983, another reorganization took place. The AAship for Policy, Planning and Resources Management's legislative function was transferred to a new AAship, the Office of External Affairs. Its resources (or budget) function was transferred to the AAship for Administration (retitled at this time the Office of Administration and Resources Management).

As a result of the 1983 reorganization, the Office of Policy, Planning and Resources Management was streamlined creating the Office of Policy, Planning and Evaluation, consisting of three offices: Management Systems and Evaluation, Policy Analysis, and Standards and Regulations.

In 1988, OPPE reorganized to make room for a Pollution Prevention Office. The creation of the Pollution Prevention Office demonstrated the Agency's leadership role and commitment to source reduction by creating an organization that would promote, coordinate, and integrate a cross-media approach to pollution reduction within and outside the Agency.

The Pollution Prevention Act of 1990 meant yet another restructuring for OPPE. As a result of that legislation, and to bring more emphasis to the program, in 1991, the Pollution Prevention Division was transferred to the Office of Pesticides and Toxic Substances -- later renamed the Office of Prevention, Pesticides, and Toxic Substances. OPPE reorganized in 1992 to restore balance to its organizational structure and to bring together key related activities following the departure of the Pollution Prevention program.

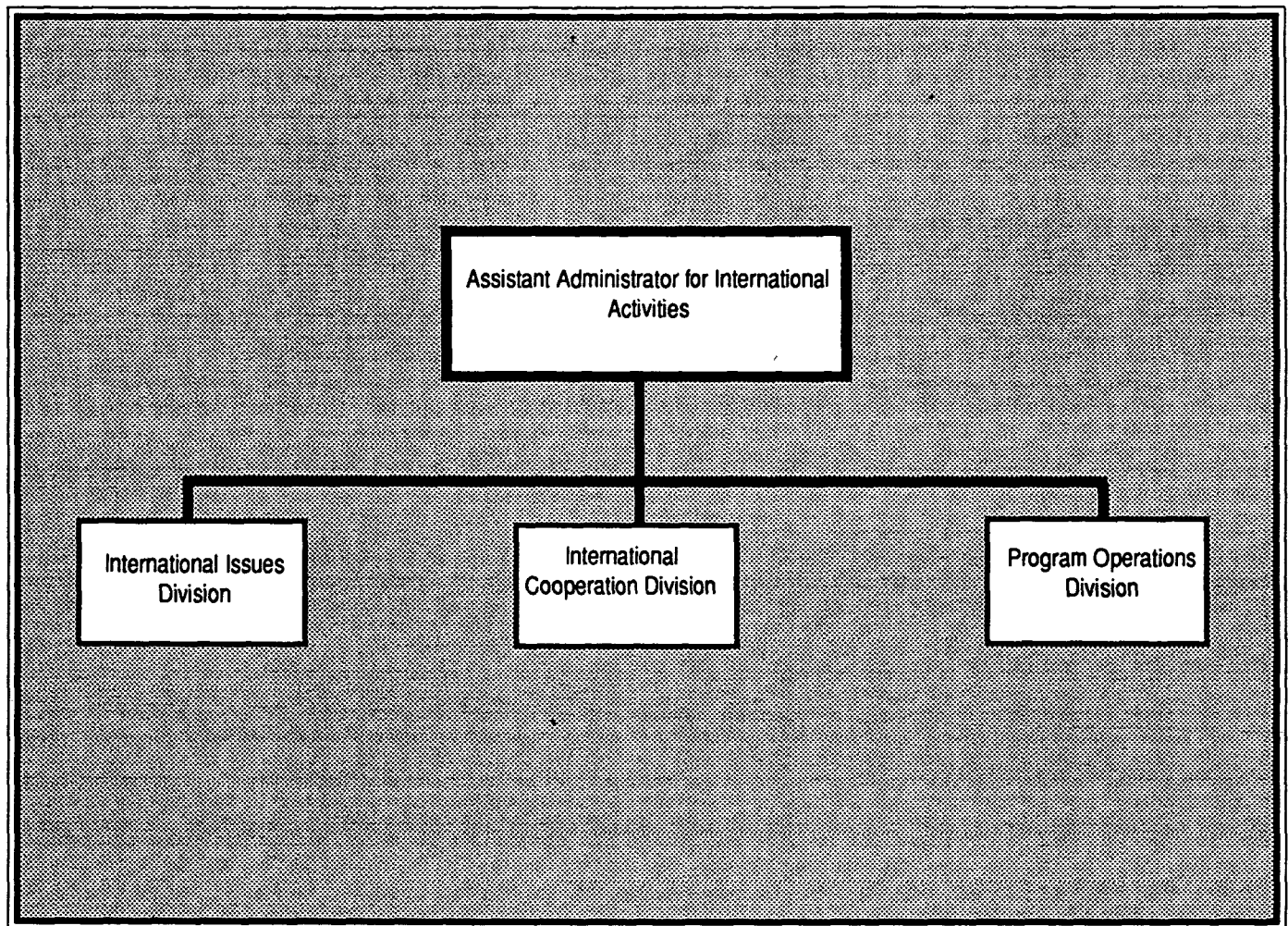
PRESENT ORGANIZATION

The Office of Policy, Planning, and Evaluation retains its 1992 reorganization of three offices: Policy Analysis, Regulatory Management and Evaluation, and Strategic Planning and Environmental Data.

INTERNATIONAL ACTIVITIES

1. *International
Activities*

OFFICE OF INTERNATIONAL ACTIVITIES



FUNCTIONS

- ☐ Develops policies and procedures for the direction of the Agency's international programs and activities, subject to U.S. foreign policy.
- ☐ Participates in negotiating agreements relating to international environmental cooperation with foreign countries and international organizations.
- ☐ Conducts continuing evaluations of the Agency's international activities.
- ☐ Manages environmental technical assistance programs abroad.

LEADERSHIP

Timothy B. Atkeson, Assistant Administrator**Office of International Activities**

Tim Atkeson has been in his current position since 1989. Prior to this, he was a partner in the law firm of Steptoe and Johnson; General Counsel to the Congressional Office of Technology Assessment; General Counsel to the President's Council on Environmental Quality; and General Counsel to the Asian Development Bank, Manila, Philippines. Tim has a B.A. degree from Haverford College, a Master's degree from Oxford University (Rhodes Scholar) and a J.D. from Yale University.

Alan D. Hecht**Principal Deputy Assistant Administrator**

Alan Hecht was appointed to this position in August, 1992, after serving as Deputy Assistant Administrator for three years. Previous to these assignments, Alan was Director, National Climate Program Office at the National Oceanic and Atmospheric Administration, U.S. Department of Commerce; Director, Climate Dynamics Program, National Science Foundation; and Professor of Geology, West Georgia College. He has a B.S. from Brooklyn College and a Ph.D. from Case Western Reserve University.

Theodore E. Russell**Deputy Assistant Administrator**

Ted Russell is a senior Foreign Service Officer on temporary assignment to EPA from the State Department. He previously served as Director, International Cooperation Division. Prior to joining EPA in July, 1991, Ted held a number of positions in the U.S. Foreign Service, including Deputy Chief of Mission in Prague, Czechoslovakia; Deputy Chief of Mission in Copenhagen, Denmark; and Deputy Director for European Regional Political and Economic Affairs. He has a B.A. from Yale University and a Master of Arts in Law and Diplomacy from the Fletcher School.

LEGISLATIVE AUTHORITIES

EPA has broad authority to cooperate with other entities, including: Section 103 of the Clean Air Act, Sec. 104 of the Clean Water Act, and Sec. 17 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), supplemented, as appropriate, in the international arena, by Sec. 102(2)(F) of the National Environmental Policy Act (NEPA). EPA may provide financial assistance for certain types of international activities under such statutes as Sec. 10 of the Toxic Substances Control Act and Sec. 20 of FIFRA, supplemented, as appropriate, by Sec. 102(2)(F) of NEPA. There are various statutes which give EPA authority to render technical assistance on an international basis, (e.g., Sec. 8001 of the Resource Conservation and Recovery Act (RCRA), Sec. 104 of the Clean Water Act, and Sec. 103 of the Clean Air Act, supplemented, as appropriate, by Sec. 102(2)(F) of NEPA).

Among EPA's legal authorities addressing specific environmental problems are: Sec. 815 of Public Law 101-549 (uncodified), Sec. 3017 of RCRA, and Sec. 510 of Public Law 100-4 (uncodified) (U.S.-Mexico Border); Executive Order 12757 and 7 U.S.C. Sec. 1738 (NAFTA); Sec. 603 of Public Law 101-549 (uncodified), Sec. 617 of the Clean Air Act; Sec. 1103(c) of the Global Climate Protection Act; Sec. 102(a)(D) of the Marine Protection, Research, and Sanctuaries Act; and Sec. 502(b) of the Support for Eastern European Democracy Act for Poland and Hungary.

In addition, EPA carries out international activities under Executive agreements, e.g., the 1983 U.S.-Mexico Border Environmental Agreement and the 1989 U.S.-Mexico Agreement on the Environment of Mexico City.

SYNOPSIS OF MAJOR ISSUES

GLOBAL ENVIRONMENTAL LEADERSHIP

Among the most pressing environmental issues confronting the new Administration will be those with global implications: warming of the global atmosphere, depletion of the stratospheric ozone layer, marine pollution, environmental degradation in the Antarctic and the Arctic, and the loss of forests and biological diversity throughout the world. EPA is already playing a leading role in developing and implementing global environmental agreements; strengthening international environmental institutions; and mobilizing international technical and financial resources in support of global environmental objectives.

TECHNICAL ASSISTANCE

EPA plays a critical role in building capacity for sound environmental management and implementation of global accords throughout Eastern Europe, Russia and the Newly Independent States, and the developing world. EPA provides the technical foundation for bilateral and multilateral programs such as the Support for Eastern European Democracy (SEED) Act; the U.S.-Asia Environmental Partnership; the U.S.-Mexico Border Plan; and the UNDP follow-up activities to the Rio Conference and the Capacity 21 initiative. Using cooperative research and development, exchange of technical experts, information dissemination, and training, EPA should continue to support activities in areas such as emergency response, environmental impact assessment, ozone protection, enforcement, and air, water, and waste management. With agreements in place with over twenty countries, EPA constantly receives more requests for technical assistance than it can provide. Emergency response requests are typically responded to in consultation with the State Department. Unforeseen efforts are funded through depleting the Agency operating program accounts, most specifically the travel account.

INTEGRATING ENVIRONMENTAL PROTECTION, ECONOMIC GROWTH, AND EXPORT ASSISTANCE

The development of mutually reinforcing environmental and economic policies and programs is central to the pursuit of sustainable development. EPA is promoting the integration of environmental and economic interests in trade agreements, such as NAFTA and GATT. EPA can play a critical role in enhancing the export of U.S. environmental technologies, goods, and services through its technical assistance programs. By promoting high standards of environmental management and strong enforcement abroad, EPA can create a favorable climate for U.S. industry. In cooperation with the Department of Commerce, AID, and other agencies, EPA is trying to foster a more coherent program of export assistance.

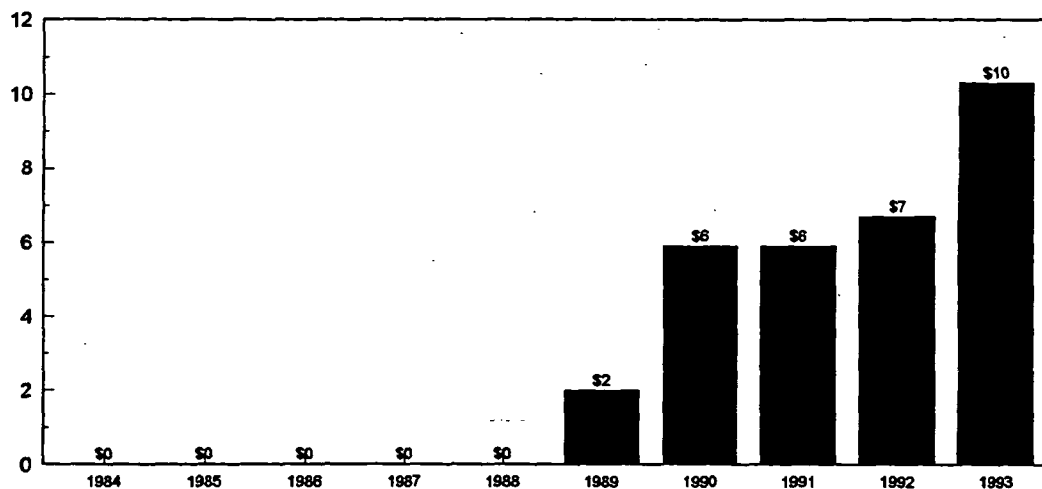
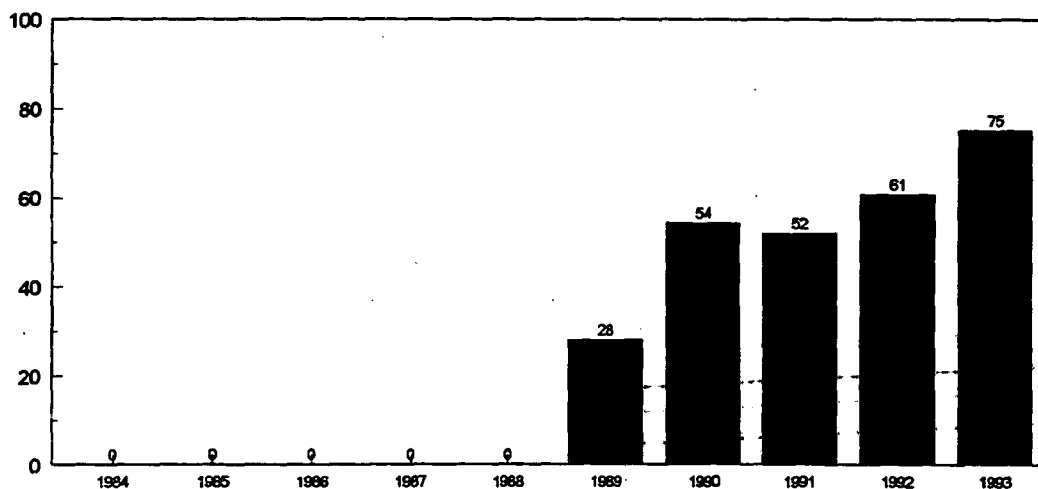
DEMOCRATIC INSTITUTIONS AND THE ENVIRONMENT

Environmental action and awareness have been at the leading edge of the democratic revolutions that have swept over Central and Eastern Europe in the last few years. Many of the original environmental organizations have grown and matured and contain some of the youngest and brightest democratic leaders in their countries. The Agency needs to focus U.S. assistance efforts toward activities that have environmental advantages as well as democratic institutional benefits, such as public access to environmental information and public participation in the decision-making process.

RESOURCES

TRENDS - FY 1984 to FY 1993

(1984 to 1992 Operating Plans, 1993 President's Budget)

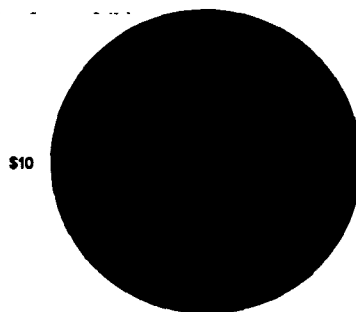
Dollars in Millions**Workyears**

- The Office of International Activities (OIA) was established in 1989 to lead the Agency's international environmental efforts.
- The increase in resources from 1989 to 1993 reflects the Agency's expanded commitments to international environmental issues for Rio follow-up, NAFTA, the Mexican Border, and Eastern European activities.

REGIONAL vs. HEADQUARTERS RESOURCES

(1993 President's Budget)

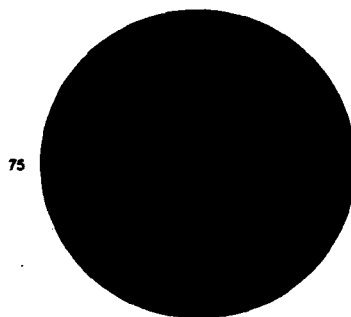
Dollars in Millions



1993

■ HQ □ REGIONS

Workyears



1993

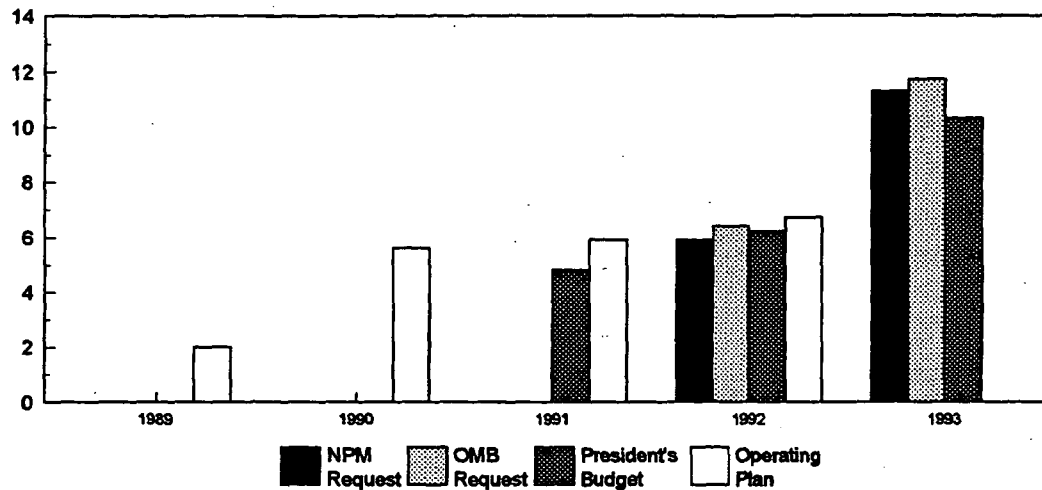
■ HQ □ REGIONS

- All of OIA's resources are managed through Headquarters.

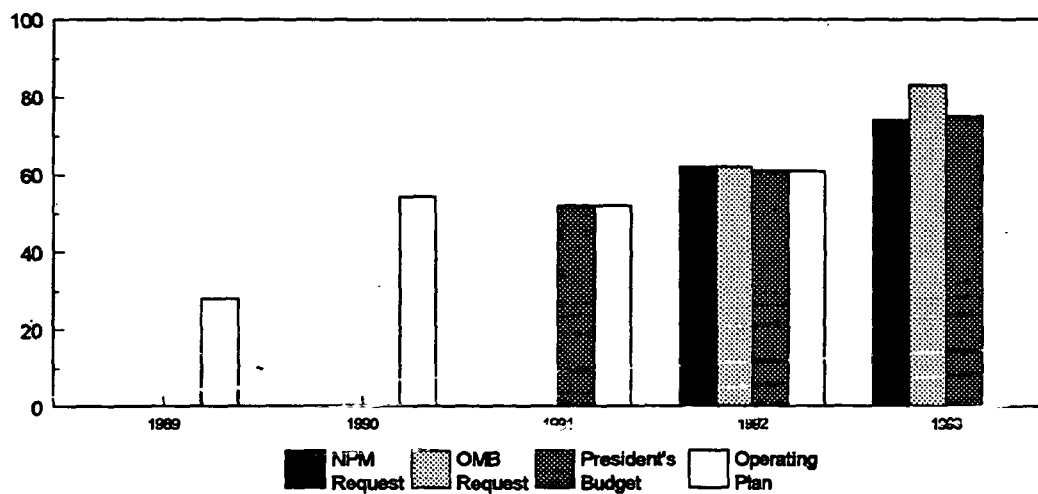
BUDGET PROCESS

(From Initial Request to Final Operating Plan)

Dollars in Millions



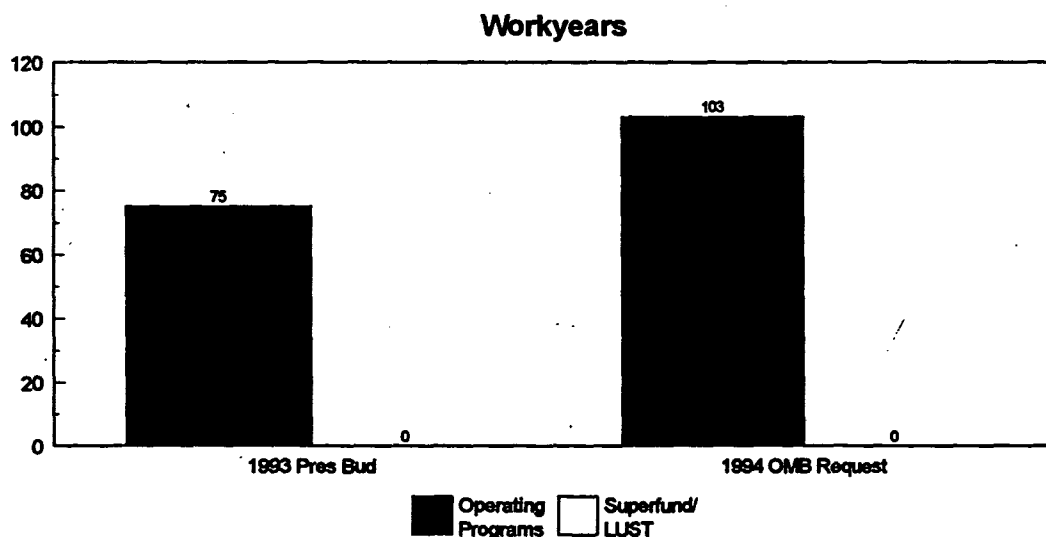
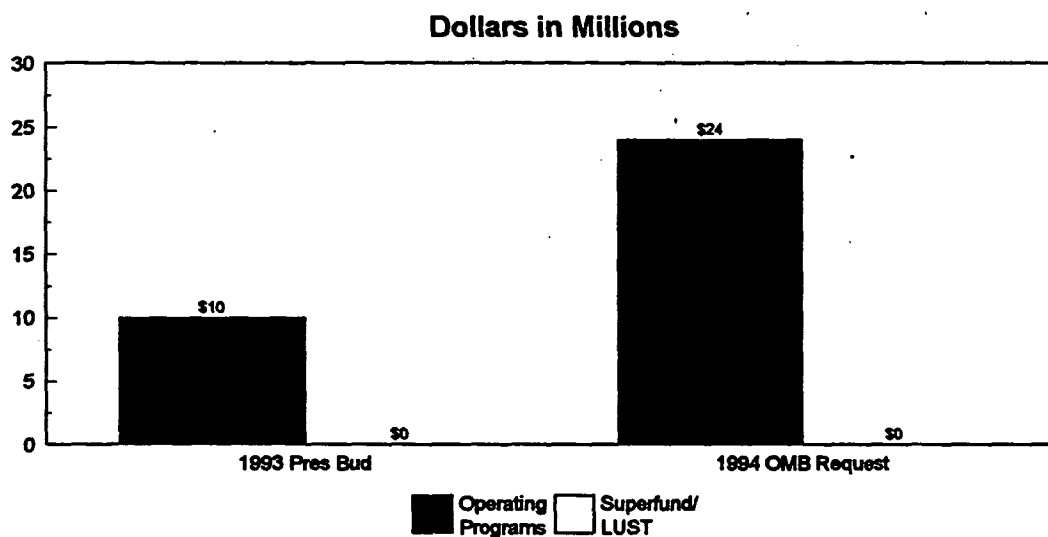
Workyears



- Prior to 1989, the Office of International Activities was located within the Office of the Administrator.
- OIA received additional resources during FY 1992 to fund increased international activities for Rio, NAFTA, and other international priorities.

ADDITIONAL RESOURCES REQUESTED FOR 1994

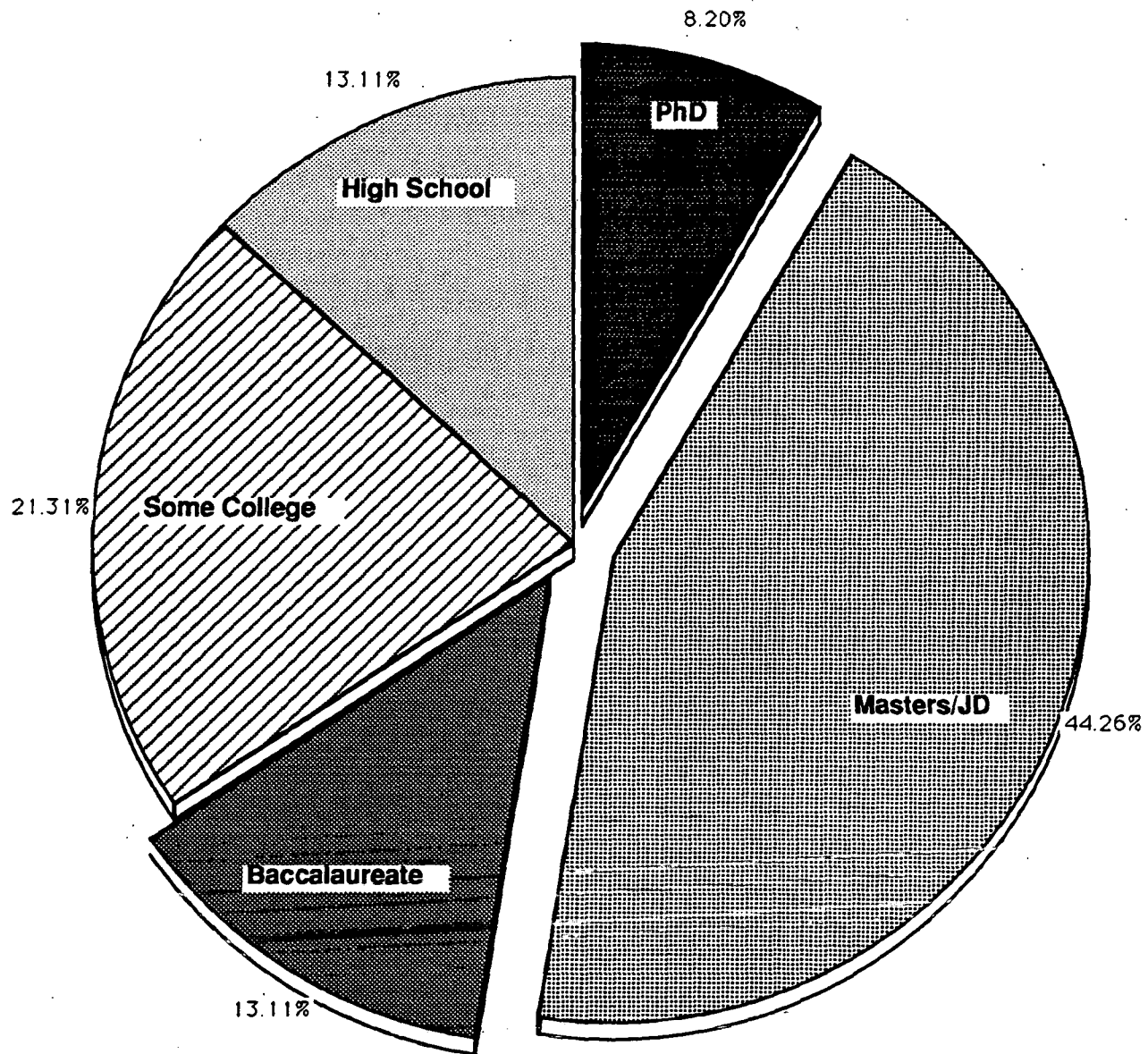
(FY 1994 OMB Request vs. 1993 President's Budget)

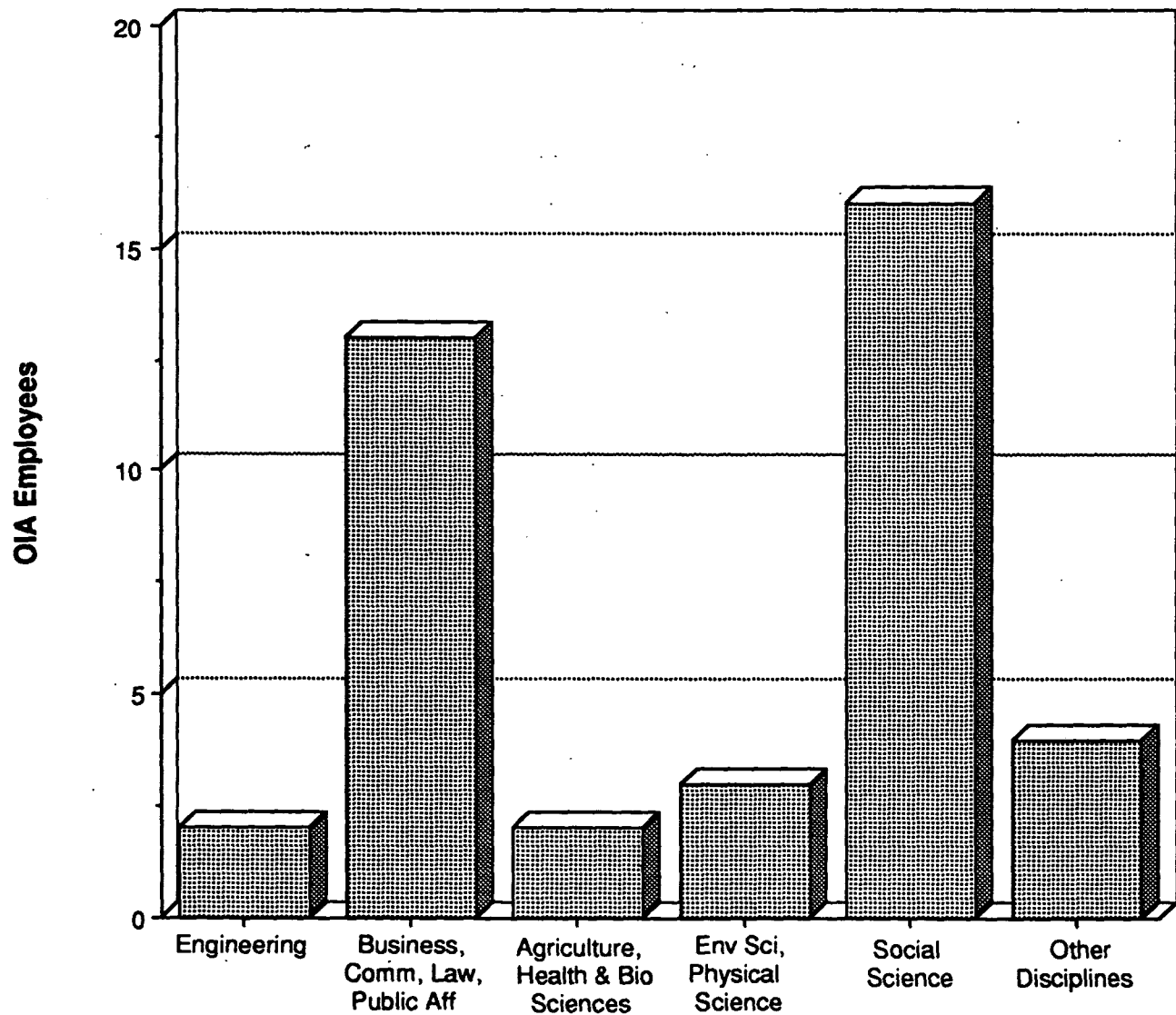


- The increase in the 1994 OMB request is for significant expansion of the Agency's international commitments, particularly for NAFTA, the Rio Conference, and Mexican Border activities.

WORKFORCE DEMOGRAPHICS

EDUCATION LEVELS - OIA



ACADEMIC DISCIPLINES OF COLLEGE GRADS

DIVISION DIRECTORS

Wilson A. Riley, Jr.**Acting Director, International Cooperation Division**

Wilson Riley is a Foreign Service Officer on temporary assignment to EPA from the State Department. He previously served as Chief, Bilateral Branch (Industrialized Countries). Prior to joining EPA, Wilson held a number of positions in the U.S. Foreign Service, including Deputy Director, Office of Diplomatic and Public Initiatives; Assistant Chief, Special Trade Activities Division; Environmental Affairs Officer, Office of Canadian Affairs; Economic Officer, U.S. Embassy, Ottawa, Canada; and Consular Officer positions in Monterrey and Tijuana, Mexico. He has a B.A. from Trinity College and a Master of Public Administration from Harvard University.

Alan B. Sielen**Acting Director, International Issues Division**

In addition to his responsibilities as Acting Director of the International Issues Division, Alan Sielen is Chief of the Multilateral Branch. His previous positions include Director, Functions Staff; and Director, Oceans and Regulatory Division, both in the Office of International Activities. Alan received his A.B. from the University of California, Berkeley and a M.A. from Johns Hopkins University.

Joan Fidler**Director, Program Operations Division**

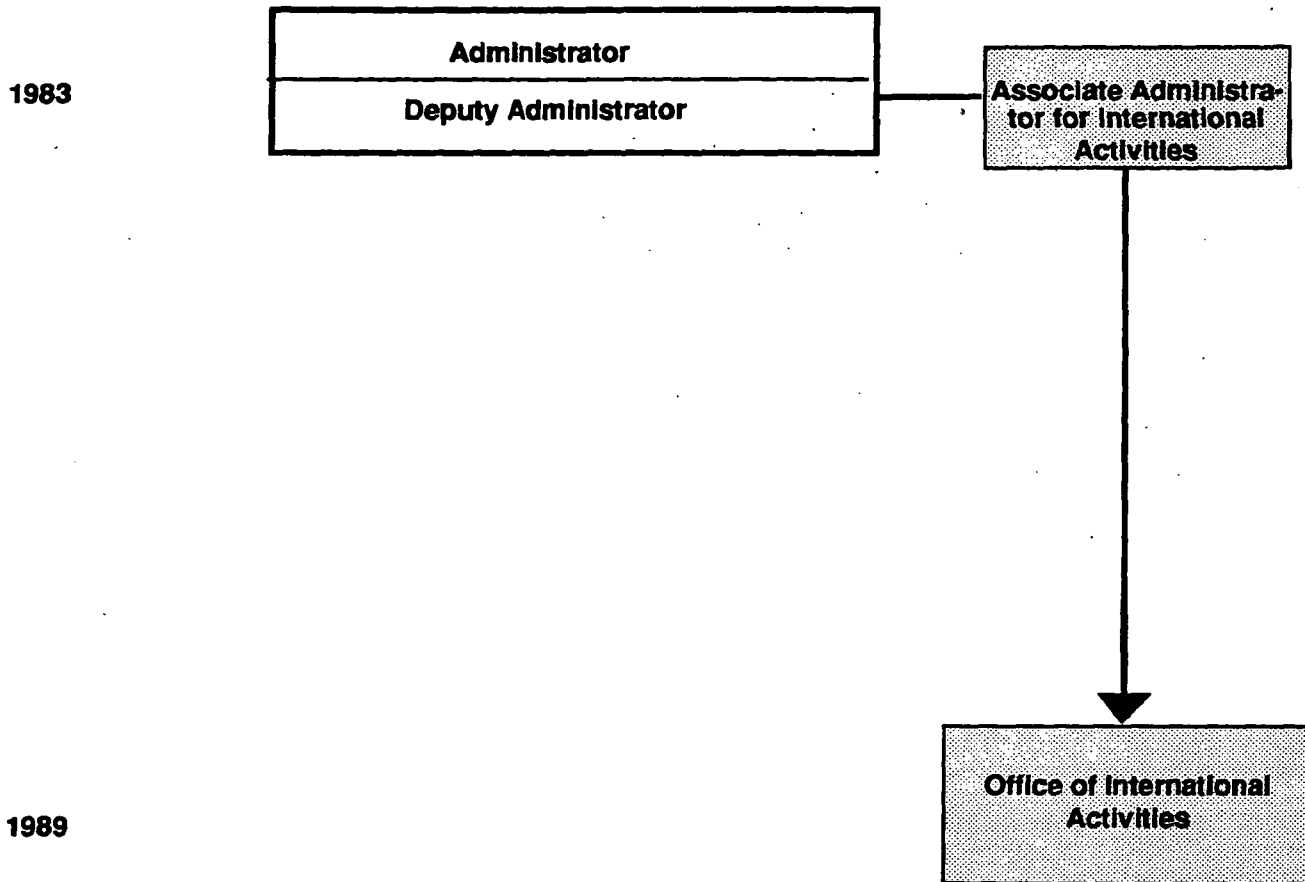
Joan Fidler has been in her current position since 1991. Prior to this, she was Senior Budget Officer for the Office of International Activities, and a Program Analyst for the Office of Information Resources Management in EPA. Her other positions include Director, Management Services Division, International Trade Administration, and Director of Administration, Bureau of Industrial Economics, both with the Department of Commerce; and Director of Accounting Operations, International City Management Association. Joan was selected to and served in the Government of India's Administrative Service. She holds a B.A. from Osmania University, a M.A. from Panjab University, and a Master of Public Administration from The American University.

DELEGATIONS HELD BY THE ASSISTANT ADMINISTRATOR

GENERAL, ADMINISTRATIVE AND MISCELLANEOUS

- 1 - 3 Occupational Health and Safety
 - 1 - 9 Intergovernmental Personnel Act (IPA) Program
 - 1 - 15 Cash Awards
 - 1-17-A Domestic Travel Authorizations
 - 1-17-B International Travel Authorizations
 - 1 - 20 Annual Leave Forfeiture
 - 1 - 21 Federal Register
 - 1 - 30 Freedom of Information
 - 1 - 42 Foreign Residence Requirement Waivers
 - 1 - 43 Original Classification of Information at the "Confidential" Level
 - 1 - 44 Changes in Organizational Structure
 - 1 - 45 Intergovernmental Review of Provisions of Executive Order 12372 and 40 CFR Part 29
 - 1 - 48 Request for Information from Other Federal Agencies
 - 1 - 49 Assertion of the Deliberative Process Privilege
 - 1 - 51 Receptions and Refreshments to Recognize Award Recipients
 - 1 - 55 FTTA Cooperative Agreements and Licensing Agreement
 - 1 - 63 Grants and Cooperative Agreements Relating to International Agreements
-

ORGANIZATIONAL HISTORY

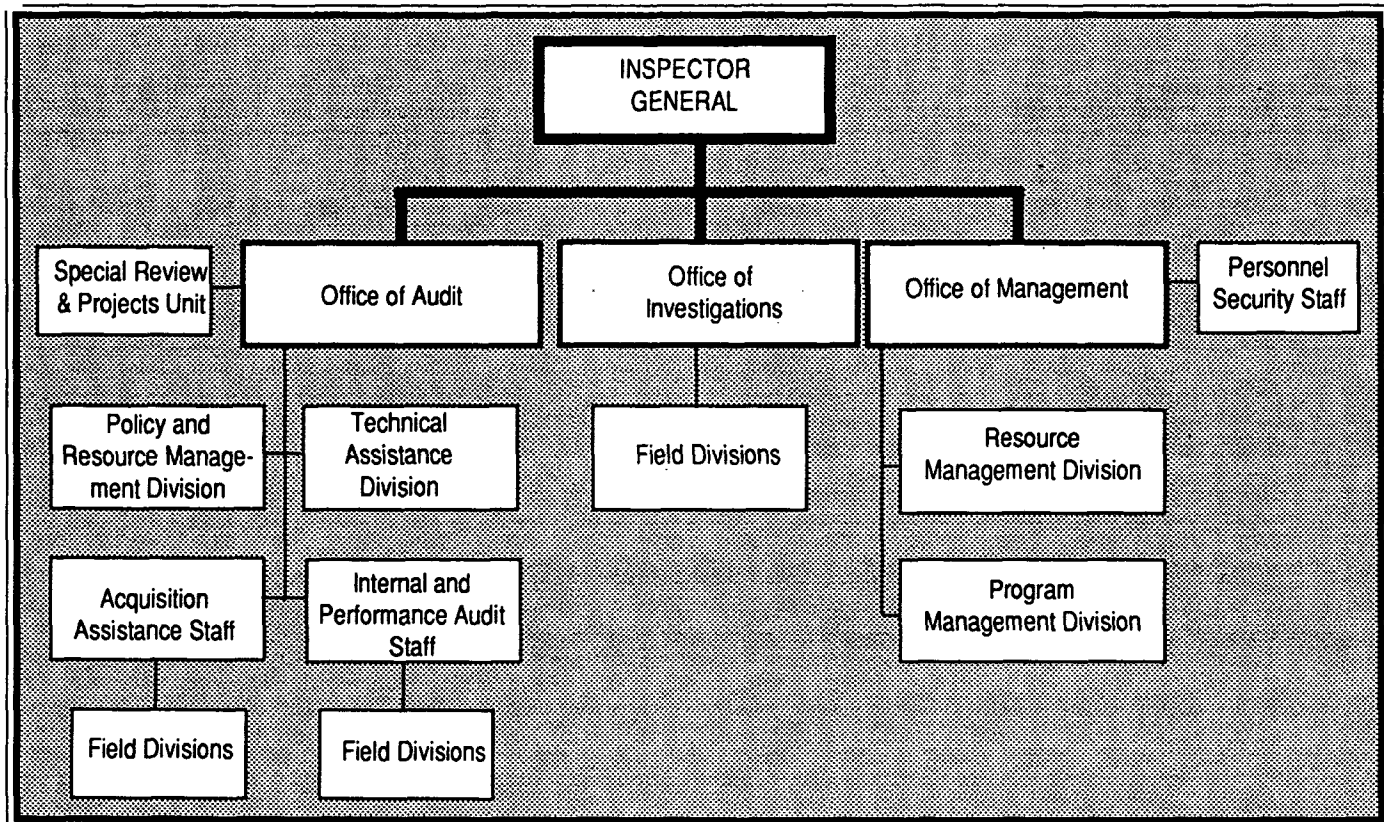
**INITIAL ORGANIZATION**

The Office of International Affairs was established in the Administrator's Office in 1970. In 1971 the name was changed to Office of International Activities, while it still remained in the Administrator's Office. International Activities became an Associate Administratorship in 1983. The Office of International Activities was created in 1989 when it was elevated from an Associate Administratorship in the Office of the Administrator to an Assistant Administratorship, in order to provide both focus and visibility to the growing international mandate of EPA.

PRESENT ORGANIZATION

The Office of International Activities is currently in the process of being reorganized to accommodate its evolution from a coordinating and advisory office to one which increasingly manages programs with major operational significance.

OFFICE OF INSPECTOR GENERAL



FUNCTIONS

The EPA Office of Inspector General (OIG) was established in January, 1980. It is headed by an Inspector General, who is appointed by the President, without regard to political affiliation, and functions through three major Offices, each headed by an Assistant Inspector General: Office of Audit, Office of Investigations, and Office of Management.

- ☐ Provides policy direction for and conducts, coordinates and supervises audits and investigations relating to EPA programs and operations.
- ☐ Reviews EPA financial transactions, program operations, and administrative activities to identify and prevent possible fraud, waste, and abuse in EPA programs and operations.
- ☐ Investigates allegations or evidence of possible criminal and civil violations, reports directly to the Attorney General for possible prosecutive action when there is reasonable belief that criminal laws have been violated, and refers such cases within EPA for possible administrative actions.
- ☐ Reviews existing and proposed legislation and regulations and recommends policies to promote economy, efficiency, and effectiveness in the administration of EPA programs and operations.
- ☐ Keeps the Administrator and Congress informed of problems and deficiencies in the Agency and recommends corrective actions.
- ☐ Implements protective security for the Administrator and directs the Agency's personnel security program.

LEADERSHIP

John C. Martin **Inspector General**

John Martin is a career member of the Senior Executive Service and has served as the Inspector General of EPA since 1983. Before joining EPA, John served as the Assistant Inspector General for Investigations at the U.S. Department of Housing and Urban Development. Prior to that, he was a Special Agent and Special Agent Supervisor with the Federal Bureau of Investigation from 1971 to 1981. Before joining the Federal service, he worked as the Deputy City Manager and Assistant to the City Manager in two eastern cities. He earned his B.S. degree from Kings College, and his M.P.A. degree from the University of Maryland.

Anna Hopkins Virbick **Deputy Inspector General**

Anna Virbick has served as the Deputy Inspector General since 1989, after having served as the Assistant Inspector General for Management. Anna joined EPA in 1983 as Director of the Audit Technical Services Staff. Prior to that, she worked for the HUD Office of Inspector General where she held several managerial positions, the last as Assistant Director for Field Audit Operations. She began her Federal career in 1965 as an auditor with the U.S. General Accounting Office. Anna earned a B.S. degree from West Virginia Wesleyan College, an M.P.A. from The American University, and an M.Ed. from Marymount University.

LEGISLATIVE AUTHORITY

The Inspector General Act of 1978, as amended, provided for the statutory establishment of Inspectors General appointed by the President in 26 Departments and Agencies. The Act consolidated investigative and audit resources in an independent organization headed by Inspectors General. The law provides for the independence of the Inspectors General in initiating and coordinating audits and investigations in their respective agencies. It also requires them to report their findings to Agency management and Congress. Statutory Inspectors General, as in EPA, are nonpartisan professionals, appointed by the President, and can only be removed by the President with notice to Congress.

The Inspector General reports directly to the Administrator, and has the authority to issue subpoenas, obtain access to any Agency materials, select and appoint OIG employees, and enter into contracts for services and support.

SYNOPSIS OF MAJOR ISSUES

The following are major issues and results from recent audits and investigations by the Office of the Inspector General.

CONTRACT MANAGEMENT

EPA relies extensively on contractors to assist in carrying out its mission to clean up past pollution problems, develop national policy, and set the environmental agenda for the future. As a result of our audits and the efforts of others over the past year, EPA senior managers have initiated steps to improve the Agency's management of contracts. In addition to correcting specific contract deficiencies reported by the OIG, EPA established a high level standing committee to conduct a broad-based review of its contracting activities. The committee recommended corrective actions for many of the Agency's basic contract management problems. We will continue to monitor the Agency's implementation of these recommendations over the next several years. Also, the Assistant Administrator for Administration and Resources Management has expended significant effort to improve EPA's contract management activities. There are three areas vital to effective contract management: the procurement process, management of contractors, and audit of contractors' cost claims.

Procurement Process. There is a dangerous tendency in EPA for the perceived urgency of program needs to prevail over good procurement practices, as illustrated by the following examples:

- ☐ EPA awarded \$21 million in scientific support services contracts for its Duluth laboratory without investigating potential conflicts of interest between the contractor and EPA Duluth officials.
- ☐ Due to inefficient contracting practices EPA could pay up to \$8.4 million over decreasing market prices for microcomputer workstations and other ADP equipment and \$2.3 million more than actually incurred by the contractor for operating expenses.

Management of Contractors. In September, 1992, EPA had 790 contracts with obligations of \$3 billion. Under these contracts, EPA had more than 25,000 active work assignments, including modifications, describing the work to be performed by its contractors. Two recent audits showed:

- ☐ A general laissez-faire culture that affected EPA's management of a support contract with a 5-year term and a maximum value of \$347 million resulted in (1) lessened EPA control over critical program activities; (2) the creation of a personal services relationship between the contractor and EPA; (3) the contractor's performance of inherently governmental functions; (4) potential conflict of interest situations; and (5) ineffective and inefficient use of Agency resources.
- ☐ Poor contractor performance and EPA management delayed the cleanup of hazardous waste sites under the Alternative Remedial Contracting Strategy (ARCS) program in Regions 1, 3, and 5.

Audit of Contractors' Cost Claims. There is a substantial backlog of Agency requests for audits of contractors. In September, 1992, EPA had 1,872 contracts with obligations of \$4.9 billion whose performance period had expired, but had not been closed out. As of August 31, 1992, the Agency had about 450 outstanding incurred cost audit requests. Almost 90 percent of EPA's contracting dollars are spent on cost-reimbursable contracts which provide few incentives for contractors to control costs. To provide additional audit coverage, the OIG has several initiatives underway, including assuming cognizance for major EPA contractors, hiring additional financial auditors, and implementing an expanded contract audit strategy.

FINANCIAL MANAGEMENT

The IG has repeatedly reported that EPA's accounting systems do not provide complete, consistent, reliable, and timely data for Agency decision-making. While EPA has devoted considerable time to improving the Agency's overall performance in this area, results are less than anticipated.

INVESTIGATIVE RESULTS

The Inspector General has identified fraud by contractors involving cost mischarging, product substitution, falsification of test results, and cost and pricing data. Our major initiative in the Superfund program directed at fraud in the Contracts Laboratory Program has resulted to date in 29 indictments, 27 convictions, and \$5.9 million in fines and recoveries. Recently, as a result of our investigative efforts, a major Superfund contractor pled guilty to six felony violations and was ordered to pay \$11.6 million in fines and penalties, which is the largest criminal case ever prosecuted under the Superfund statute. Other recent actions, including the indictment and conviction of a company for fraud associated with a \$67.3 million Agency computer supply contract, reflect our emphasis on pursuing fraud against EPA by its contractors and subcontractors. Future investigative work will help to maintain the integrity of EPA employees and programs by investigating fraud involving EPA's contractors, subcontractors, and cooperative agreements.

SCIENTIFIC DATA INTEGRITY

The accuracy and reliability of scientific data have always been crucial to EPA's mission as a regulatory agency because it forms the basis for decisions that affect all major American industries and national policies to prevent hazards and risks to health and safety. However, audits and investigations show that EPA is not always getting the research for which it pays, nor is such research always accurate or objective.

INFORMATION RESOURCES MANAGEMENT

Information management is critical to the success of all program activities. Despite extensive criticism over the last 12 years, EPA's program is still hampered by many problems including: 1) significant cost overruns and delays in developing and implementing information systems; 2) material data quality deficiencies; 3) development of duplicate information systems; 4) failure to economically manage mainframe storage devices; 5) exposure of the Agency's most sensitive information systems to access by unauthorized users; and 6) lack of Agency assurance that automated data program support services contracts are being implemented effectively, efficiently, and at the lowest cost to the Government.

ENFORCEMENT

While EPA management has worked diligently to improve EPA's enforcement program, additional efforts and attention are still needed. During fiscal 1991 and 1992, IG audits of EPA's water, pesticide, Resource Conservation and Recovery Act, and Superfund programs disclosed continuing instances of ineffective Federal and state enforcement. EPA and the states did not take appropriate action against unpermitted discharges. In other cases, EPA and the states did not enforce consent agreements. Finally, EPA was not making effective use of civil and administrative penalties which punish the violators and deter future violations.

CONSTRUCTION GRANTS

EPA's wastewater treatment construction grant program is the largest single program the Agency administers. Currently, there are more than 2,900 active construction grants representing more than \$20 billion of unaudited Federal funds at various state and local agencies across the country. EPA provides grants to municipal agencies to assist in financing the construction of wastewater treatment plants. During the last two years, the IG has issued more than 275 reports which questioned more than \$510 million of claims related to ineligible costs, unsupported costs, and unnecessary/unreasonable costs. Costs questioned as unnecessary/unreasonable were related to: 1) claims for equipment not needed or facilities never built; and 2) engineering problems preventing timely completion or proper operation of the plant. During fiscal year 1991, our office questioned almost \$45 for every \$1 we expended for such audits. Agency officials sustained nearly 80 percent of the questionable ineligible costs and indicated they would recover or make better use of some \$112 million of Federal funds.

SUPERFUND PROGRAM

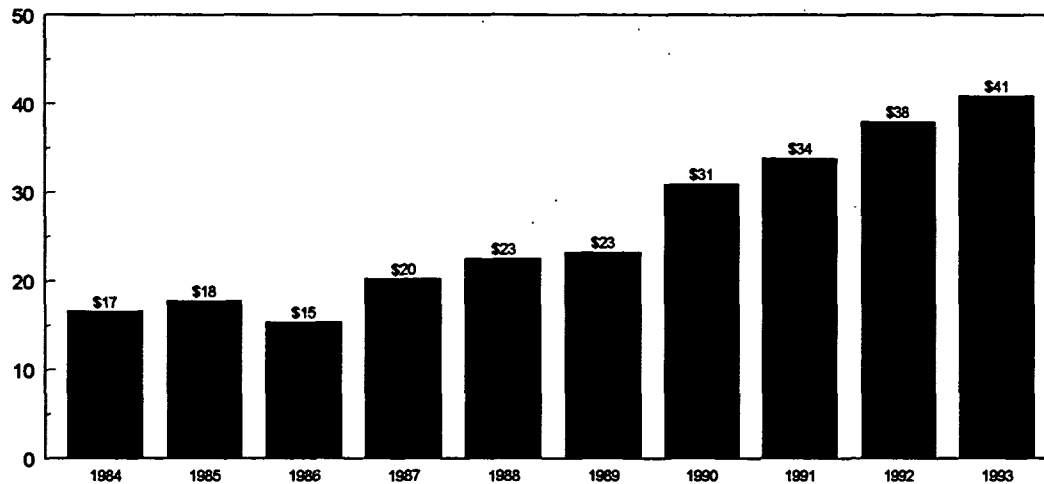
Over the six years since passage of the Superfund Amendments and Reauthorization Act of 1986 (SARA), the Superfund program has responded to continuing concern over the speed and effectiveness of cleanups with a series of new initiatives. The latest major new initiative, begun in the Spring of 1992, is the Superfund Accelerated Cleanup Model. EPA has paid more than \$1 billion a year to contractors to work in all phases of the program. IG audits have repeatedly found that the Agency's management of Superfund needed improvement, particularly in: 1) management of procurement and contracts administration; 2) enforcement against potentially responsible parties; 3) investigation of contamination and selection of remedies; and 4) responsiveness of EPA to address threats to public health and environment in a timely and appropriate manner.

RESOURCES

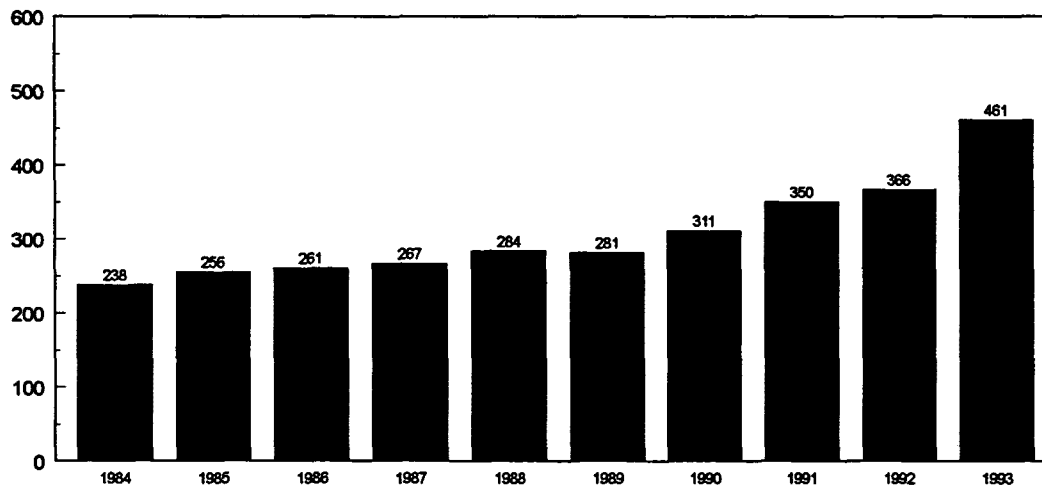
TRENDS - FY 1984 to FY 1993

(1984 to 1992 Operating Plans, 1993 President's Budget)

Dollars in Millions



Workyears

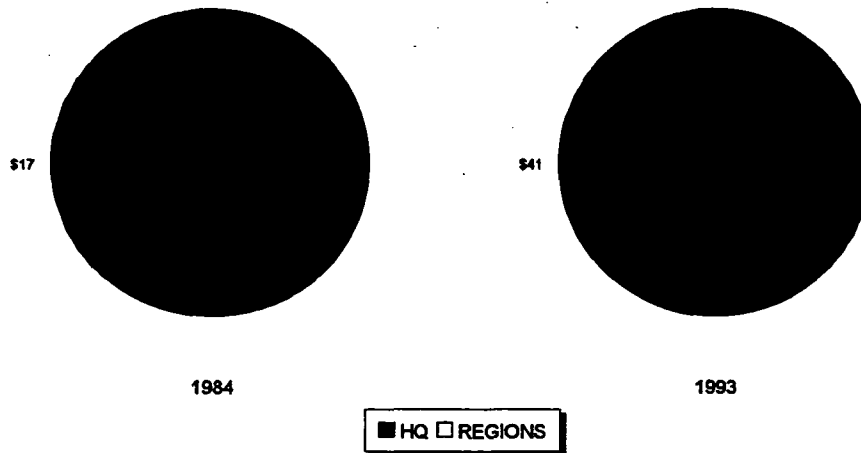


- Increased Agency emphasis on accountability led to investment in new workyears and dollars for OIG.
 - The Law Enforcement Pay Reform Act of 1990 dramatically raised the cost of OIG's workforce.
-

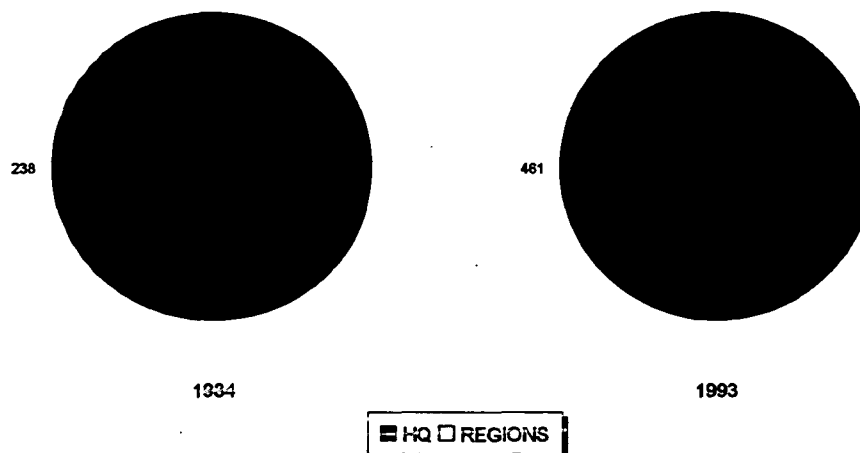
REGIONAL vs. HEADQUARTERS RESOURCES

(1984 Operating Plans vs. 1993 President's Budget)

Dollars in Millions



Workyears

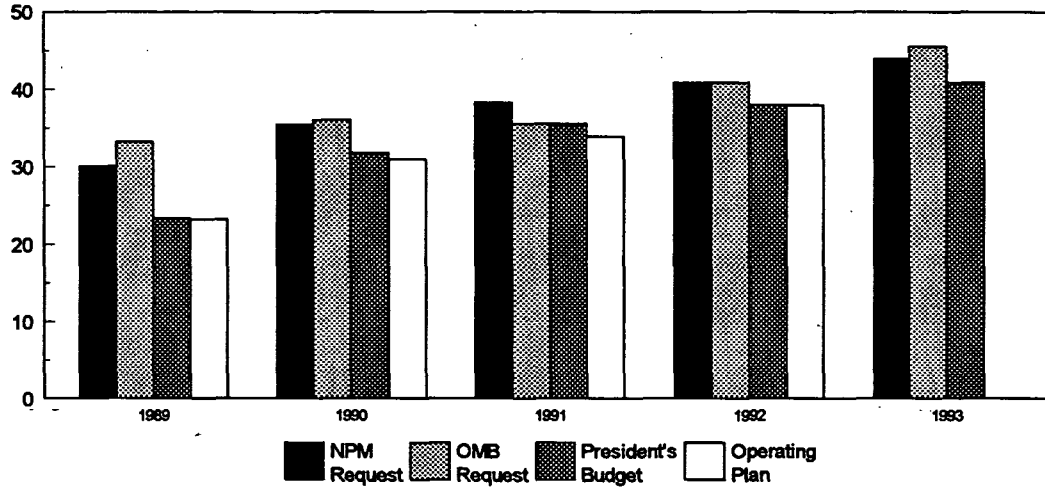


- All of OIG's resources are managed through Headquarters.

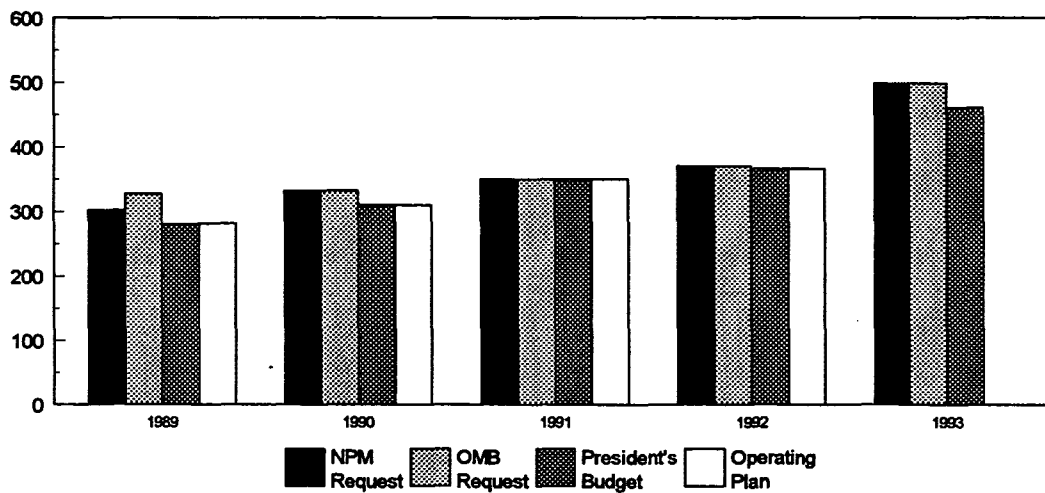
BUDGET PROCESS

(From Initial Request to Final Operating Plan)

Dollars in Millions



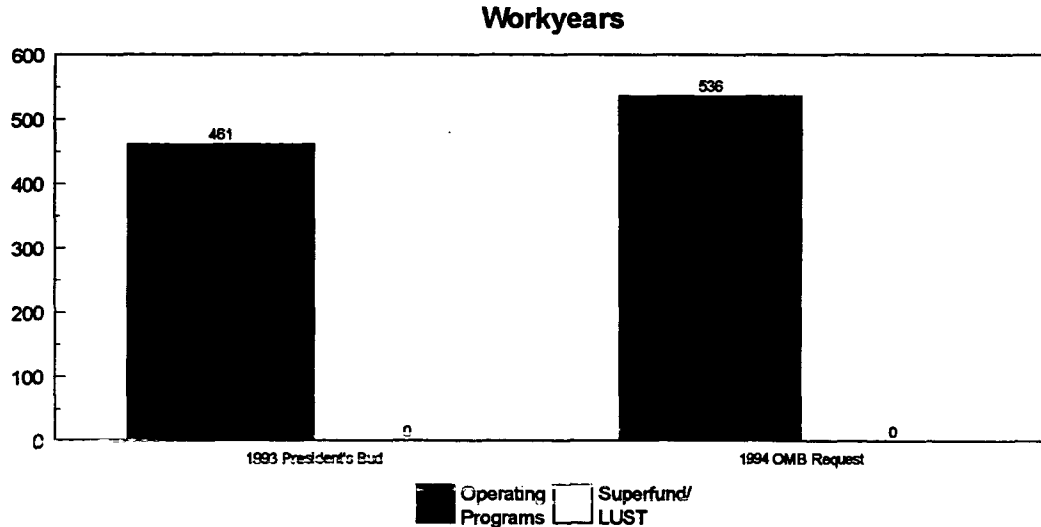
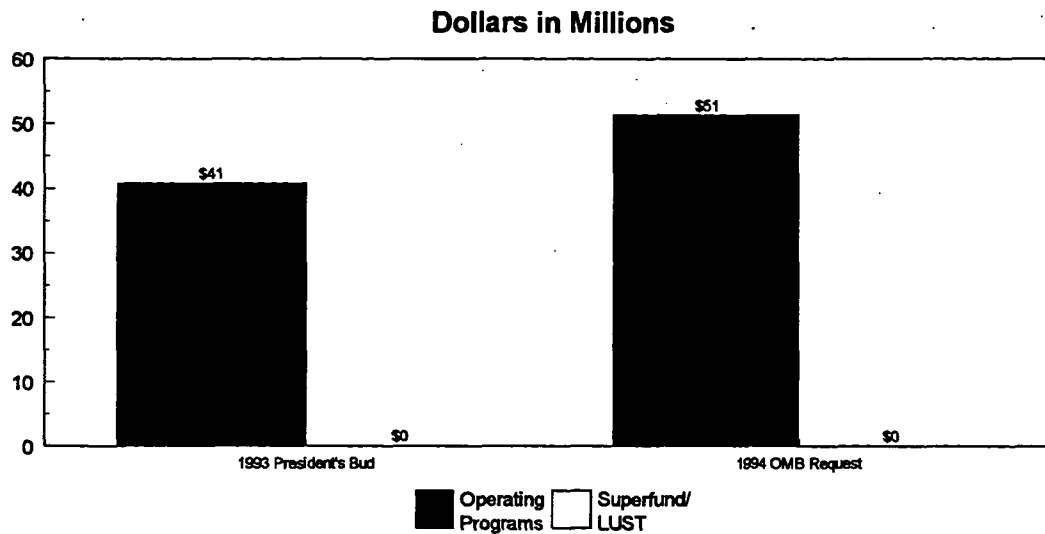
Workyears



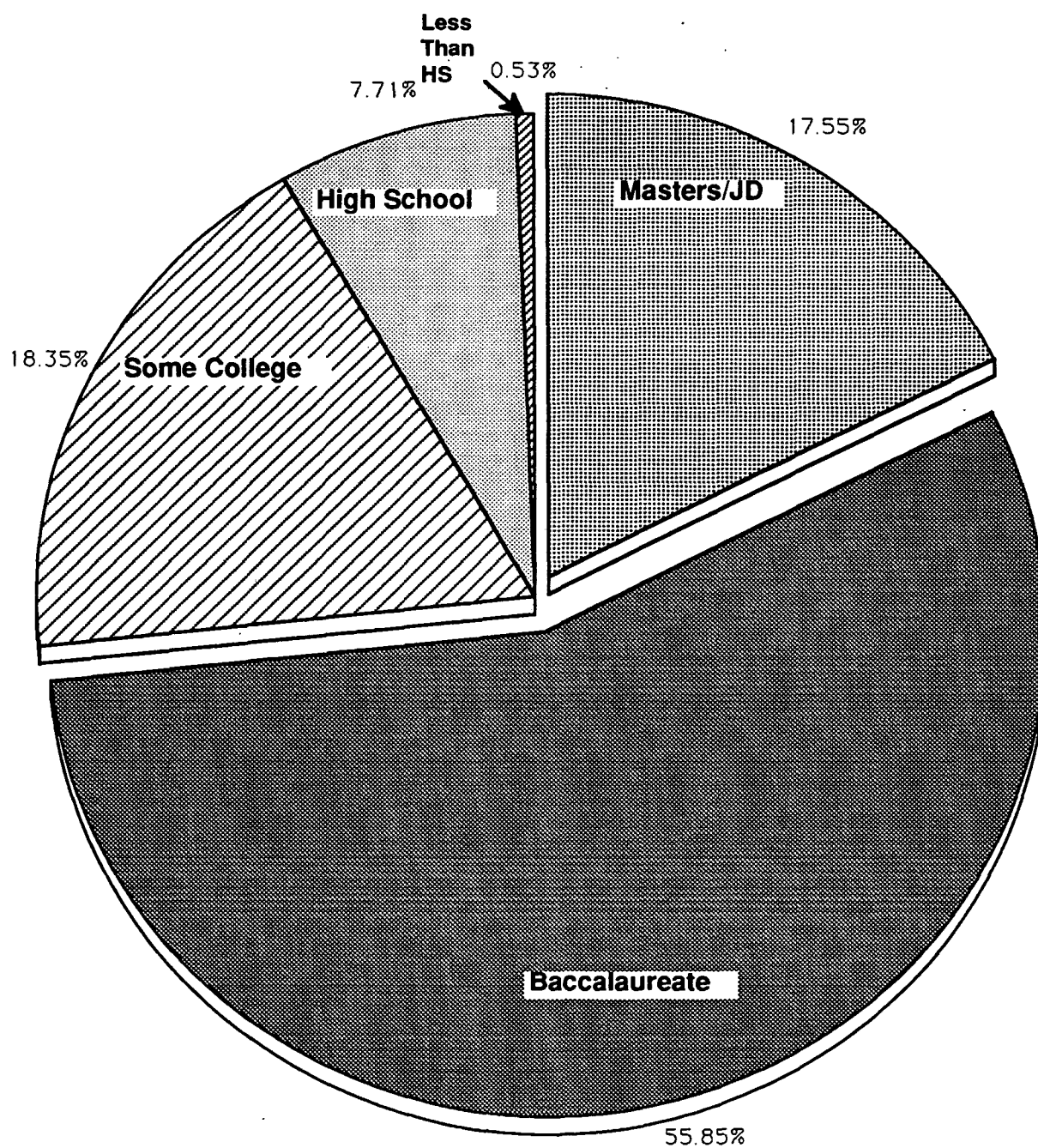
- Agency has generally endorsed OIG's increased request for staff and funds. OMB and Congress have reduced OIG's budget commensurate with reductions in the rest of the Agency's budget.

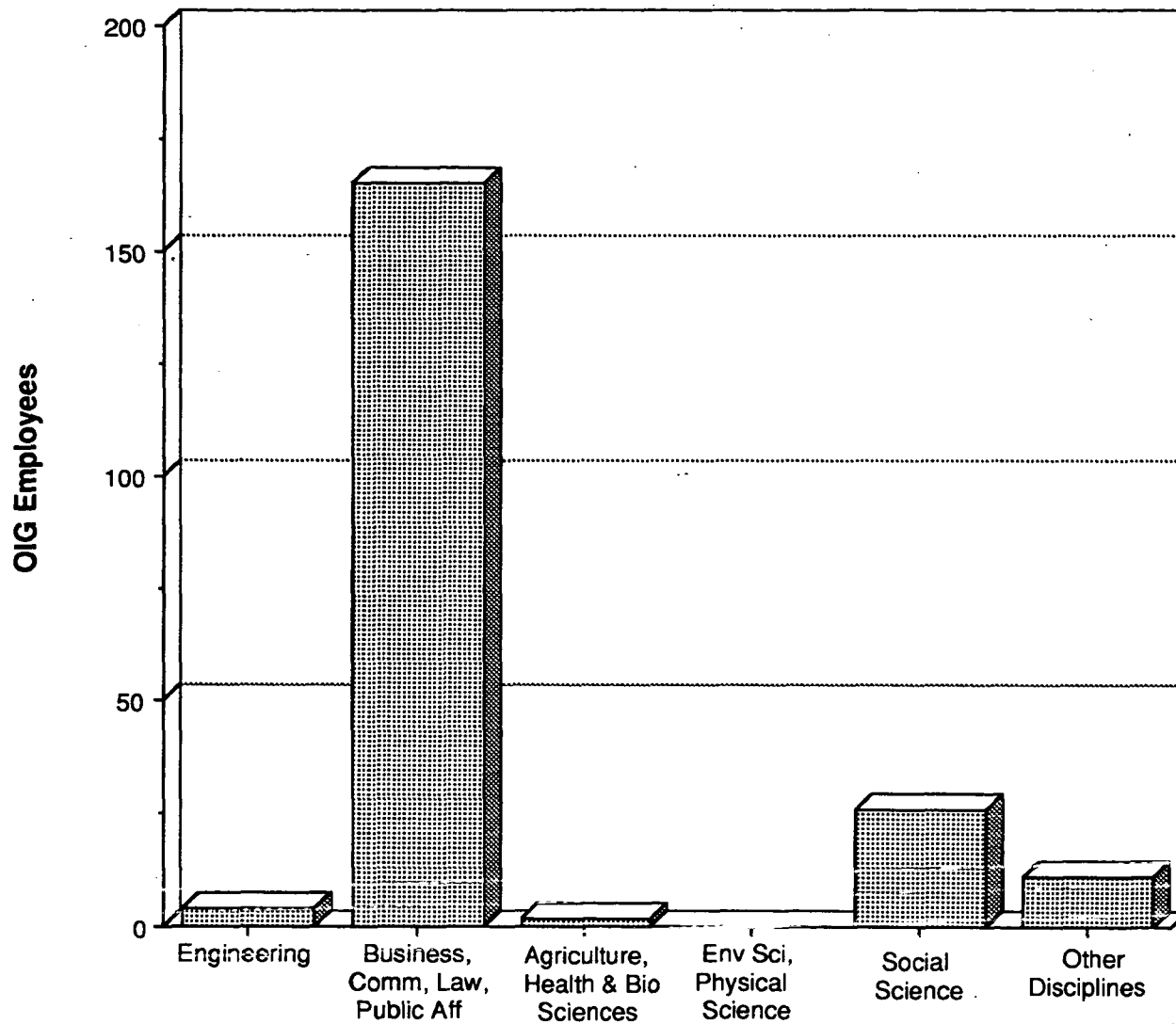
ADDITIONAL RESOURCES REQUESTED FOR 1994

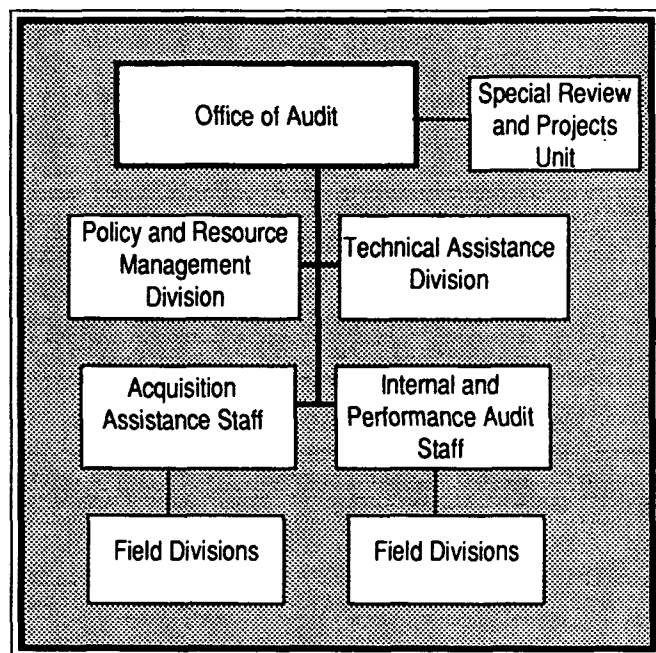
(FY 1994 OMB Request vs. 1993 President's Budget)



- OIG is investing heavily in strengthening its ability to monitor the Agency's handling of contractors. This includes tighter scrutiny of Superfund ARCS contracts.
- The OIG Appropriation is considered an operating program. However, the appropriation does receive funding from the Hazardous Substance Response Trust Fund to support Superfund work.

WORKFORCE DEMOGRAPHICS**EDUCATION LEVELS - OIG**

ACADEMIC DISCIPLINES OF COLLEGE GRADS

OFFICE OF AUDIT**LEADERSHIP****Kenneth A. Konz**
Assistant Inspector General

Ken Konz has served as the Assistant Inspector General for Audit since January, 1990. Prior to his appointment, he served as the Deputy Assistant for the Office of Audit, and has worked in an audit capacity in EPA since the Agency was formed. He was Director of EPA's Eastern Audit Division, and was on special assignment as Special Assistant to the Commissioner of the New Jersey Department of Environmental Protection. Ken received a B.S. from the University of Denver.

James O. Rauch
Deputy Assistant Inspector General

Prior to becoming the Deputy Assistant Inspector General, Jim Rauch served as Director of Technical Assistance and Director of Audit Operations. He started at EPA as an Auditor in 1973. Jim began his Federal service in 1967 as an officer in the U.S. Air Force. He is a graduate of the University of Arkansas and received an M.B.A. at George Mason University. Jim is a Certified Public Accountant.

FUNCTIONS

- ☐ Plans and conducts internal audits and reviews to:
 - ☐ Improve the economy, efficiency, and effectiveness of Agency programs and operations.
 - ☐ Detect and prevent instances of fraud, waste, or abuse.
 - ☐ Evaluate the adequacy of internal controls.
 - ☐ Verify compliance with applicable laws and regulations.
- ☐ Performs financial and compliance audits and reviews of organizations receiving grants and contracts from EPA. At present, most attention is given to wastewater construction grants and contracts with commercial businesses. These audits serve to ensure that EPA:
 - ☐ Actually received the goods or services ordered and that the grantee/contractor actually complied with the terms of their payment.
 - ☐ Was charged for only those amounts properly allowable.
 - ☐ Performs the required financial statement audit of EPA and revolving funds.

DIVISION DIRECTORS

HEADQUARTERS

Elissa R. Karpf, Director Audit Operations

Lisa Karpf has been the Director since September, 1989, responsible for supervising the financial and performance audit activities of the OIG. Prior to this, she was the Chief, Performance Audit Unit, responsible for monitoring and overseeing all performance audits performed by the OIG. Lisa also worked in the Mid-Atlantic and Internal Audit Divisions. She received a B.B.A. from Temple University. The position of Director, Audit Operations is transitional until the new reorganization becomes fully effective.

Kenneth D. Hockman Director, Policy and Resources Management Division

Ken Hockman has been the Director, Planning and Resources Management Division since November, 1990. Prior to that, he served five years as the Divisional Inspector General for Audit for the Internal Audit Division. He joined EPA's Office of Inspector General in 1984 as Chief, Field Operations Division, Audit Operations Staff after serving fourteen years as an Auditor with the General Accounting Office. Ken earned his B.B.A. from Roanoke College and M.P.A. from the University of Northern Colorado.

Gordon C. Milbourn III, Director Technical Assistance Division

Gordon Milbourn has been with EPA since 1987, serving in various audit capacities in both Headquarters and the field. Prior to joining EPA, he worked for the IRS Internal Audit Division and the Naval Audit Service. Gordon received a B.S. from the University of Virginia, and has done graduate work at the Defense Systems Management College and Virginia Polytechnic Institute and State University. He is a Certified Internal Auditor and a member of the Institute of Internal Auditors.

Acquisition Assistance Staff Vacant

Internal and Performance Audit Staff Vacant

FIELD DIVISIONS

Paul D. McKechnie, Divisional Inspector General Eastern Audit Division - Boston, Massachusetts

Paul D. McKechnie was selected as the Divisional Inspector General for the Eastern Audit Division in November, 1985. He joined EPA in 1984 as an Audit Manager. Paul began Federal service in 1968 as an Auditor with the Naval Audit Service. In 1971, he joined the Department of HUD where he held numerous positions both as Audit Supervisor and Special Projects Officer to the Inspector General. He graduated from Bentley College with a B.S. in Accounting.

Truman R. Beeler, Divisional Inspector General Western Audit Division - San Francisco, California

Ron Beeler has served as Divisional Inspector General for Audits for the Western Audit Division since its formation in 1971. Previously, he served with the U.S. Army Audit Agency, Defense Contract Audit Agency, and the Department of Health and Human Service's Inspector General's Office. Ron received a B.A. degree in Accounting from San Francisco State University. He is both a Certified Public Accountant and a Certified Internal Auditor.

Anthony C. Carrollo, Divisional Inspector General
Northern Audit Division - Chicago, Illinois

Tony Carrollo has served as the Divisional Inspector General for the Northern Audit Division since August, 1982. He served as the Regional Audit Manager for the U.S. Bureau of Alcohol, Tobacco and Firearms in Chicago and the Assistant Regional Audit Manager for the U.S. Department of Transportation in Baltimore. Tony began his Federal career with the Federal Highway Administration in 1969. He has a B.S. degree from Rockhurst College, and a M.P.A. from the University of Baltimore. Tony is a Certified Information Systems Auditor and a Certified Fraud Examiner.

Nikki L. Tinsley, Divisional Inspector General
Central Audit Division - Kansas City, Kansas

Nikki Tinsley has served as the Divisional Inspector General since the Central Audit Division was created in October, 1990. Prior to her appointment, she was an Audit Manager with the U.S. Minerals Management Service and an evaluator with the General Accounting Office. She is a graduate of Virginia Commonwealth University, and has an M.S. in Management from the University of Northern Colorado. Nikki is a Certified Public Accountant.

Edward Gekosky, Divisional Inspector General
Headquarters Audit Division - Washington, D.C.

Ed Gekosky was the Director of Planning and Resource Management, and Chief of the Special Review Unit prior to his current position. He joined EPA as a Desk Officer in 1983. He has worked for the HUD OIG, in financial management at the U.S. Food and Nutrition Service, and as Tax Auditor for the Internal Revenue Service. He is a Certified Public Accountant and a Certified Internal Auditor. He is a Rutgers Liberal Arts graduate, attended various schools for Accounting, and has a M.B.A. from Monmouth College.

P. Ronald Gandolfo, Divisional Inspector General
Mid-Atlantic Division - Philadelphia, Pennsylvania

Ron Gandolfo has served as the Divisional Inspector General since November, 1980. Prior to 1980, he served as a Supervisory Auditor, an Internal Auditor in private industry, and an Audit Manager with the U.S. Air Force Audit Agency. Ron received a B.S. from Syracuse University and a M.B.A. from Michigan State University. He is a Certified Internal Auditor.

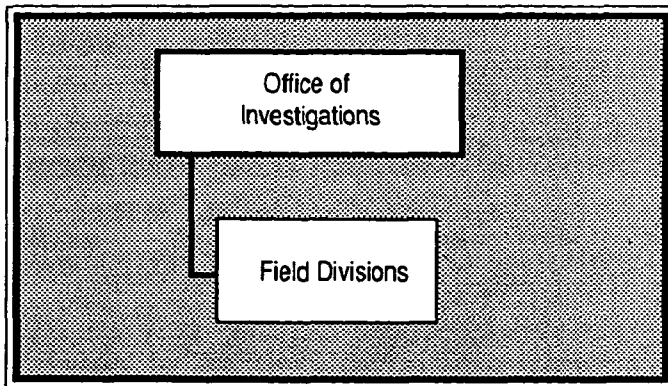
Mary M. Boyer, Divisional Inspector General
Southern Audit Division - Atlanta, Georgia

Peggy Boyer became the Divisional Inspector General for the Southern Audit Division in March, 1989. She began her government career in 1973, working as an Auditor and a manager for the Department of Defense OIG and its predecessor organizations since she began her government career in 1973. Peggy graduated from Southern Illinois University with a B.S. in Business Accounting.

Melissa M. Heist, Divisional Inspector General
Financial Audit Division - Washington, D.C.

Melissa Heist became the Divisional Inspector General in September, 1992. Before her appointment, she served five years as an audit manager in the EPA OIG Headquarters Audit Division. Melissa began her Federal career in 1979 working for the Departments of Defense and Health and Human Services IG offices. She has a B.S./B.A. degree from Geneva College and is a Certified Public Accountant.

OFFICE OF INVESTIGATIONS



LEADERSHIP

Daniel S. Sweeney

Assistant Inspector General for Investigations

Prior to his present position, Dan Sweeney was the Deputy Assistant Inspector General for Investigations. Dan has held senior-level IG positions in the Department of Transportation. He began his Federal career in 1965 as a Special Agent with the Office of Naval Intelligence. Dan received a B.A. degree from Boston College and an M.A. in Public Administration from The American University.

Michael J. Fitzsimmons

Deputy Assistant Inspector General for Investigations

Prior to his present position, Mike Fitzsimmons served as a Desk Officer and Senior Desk Officer in the Office of Investigations. Before joining EPA in October, 1987, Mike served as a Criminal Investigator with the IRS Criminal Investigation Division. While with the IRS, Mike held the positions of Analyst on the staff of the Assistant Commissioner (Criminal Investigation); Resident Lead Instructor in charge of Special Agent Investigative Training, Glynco, Georgia; and Senior Special Agent, Boston District. He graduated from Salem State College with a B.S. in Business Administration.

FUNCTIONS

- ☐ Operates a nationwide criminal investigations program through its seven field offices which focuses on fraud in the Agency's programs and operations.
- ☐ Issues policy, procedures, and technical guidance to ensure investigations are conducted in accordance with existing laws and regulations.
- ☐ Maintains liaison with U.S. Attorneys in the Department of Justice and other Federal, state, and local investigative agencies.

DIVISION DIRECTORS

James F. Johnson, Divisional Inspector General

Southern Division - Atlanta, Georgia

Jim Johnson has served in his present position since May, 1984. He came to EPA from the U.S. Department of Housing and Urban Development where he started his career in 1972 as a trainee investigator and progressed to the position of Acting Deputy Assistant Inspector General for Investigation. He graduated from East Tennessee State University with a degree in Business Finance and Accounting and attended graduate school in the School of Public Affairs at The American University.

Robert M. Byrnes, Divisional Inspector General

Eastern Investigations Division - New York, New York

Prior to his present position, Robert Byrnes served as a Special Agent with the Office of Investigations. Before joining EPA in October, 1983, he served as a Special Agent with the Department of Health, Education and Welfare and the Department of Education. Robert received a B.A. degree from Manhattan College and Masters degrees in Criminal Justice and Public Administration from the John Jay College of Criminal Justice.

H. Brooks Griffin, Divisional Inspector General**Western Division - San Francisco, California**

Prior to his present position, Brooks Griffin served for six years as Senior Investigator for the Nuclear Regulatory Commission's Office of Investigations in Arlington, Texas. He began his Federal career in 1971 as a Special Agent with the U.S. Treasury's Bureau of Alcohol, Tobacco, and Firearms in Dallas, Texas, where he served for twelve years. Brooks received a B.S. degree from Stephen F. Austin State University.

Francis C. Kiley, Divisional Inspector General**Washington Field Office - Washington, D.C.**

Frank Kiley was appointed to his present position in October, 1987. For four years prior to that, he was a Desk Officer in the IG Headquarters office. Before joining EPA in October, 1983, Frank spent seven years as a Special Agent with the Department of Labor. Before entering Federal service, Frank worked in the private practice of law. He received a J.D. from the University of Connecticut and a B.A. summa cum laude from Saint Leo College. He is a member of the Connecticut and District of Columbia bars and a Judge Advocate in the U.S. Army Reserves.

Allen Fallin, Divisional Inspector General**Northern Investigations Division - Chicago, Illinois**

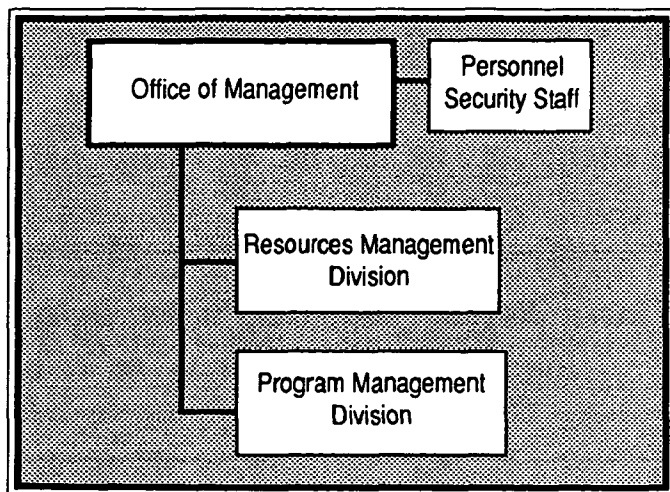
Prior to his present position Allen Fallin served as a Desk Officer in the Office of Investigations. Before joining EPA in April, 1990, he served as a Criminal Investigator with the IRS Criminal Investigation Division where he began his career in Federal law enforcement in 1978. In 1986, Allen served on the staff of the Assistant Regional Commissioner, New York Office before moving on to CID Headquarters, where he served on the staff of the Assistant Commissioner. He graduated from the City University of New York with a B.S. in Accounting.

Emmett D. Dashiell Jr., Divisional Inspector General**Procurement Fraud Division - Washington, D.C.**

Emmett Dashiell began his Federal career in 1973 as a Revenue Agent (Auditor) with the IRS, Examination Division, Boston, MA. His law enforcement career began in 1979 as a Criminal Investigator with the IRS, Criminal Investigative Service. Emmett joined EPA in 1992 as a Desk Officer. He graduated with honors from Northeastern University, with a B.S. in Accounting and holds a M.S. degree in Taxation from Bentley College.

Martin M. Squitieri, Divisional Inspector General**Mid-Atlantic Division - Philadelphia, Pennsylvania**

Prior to his present position, Marty Squitieri was a Senior Special Agent in the Philadelphia Field Office. Before joining EPA in May, 1985 he was a Team Leader with the Department of Labor, IG. He has also been employed as a Senior Special Agent with GSA and a Special Agent with IRS. Marty graduated from St. John's University with a B.S. in Accounting and has been a Criminal Investigator since August, 1973. Marty is a Certified Public Accountant registered in the State of New Jersey.

OFFICE OF MANAGEMENT**LEADERSHIP****John C. Jones**
Assistant Inspector General

John Jones joined EPA's Office of Audit in 1976. He served in various capacities in that organization until 1982 when he moved to the newly established Office of Management. Prior to assuming his current position, he was Director of the OIG's Technical Assessment and Fraud Prevention Division. John came to EPA from the Department of the Army, where he worked in financial management and internal review. He had previously been an auditor with the Commonwealth of Virginia. He earned a B.S. degree in Accounting from Virginia Union University, and is a Certified Public Accountant.

FUNCTIONS

- ☐ Develops and manages the OIG independent budget appropriation.
- ☐ Coordinates and performs the OIG's comprehensive Quality Assurance Program to ensure that all OIG work is conducted in accordance with internal directives and in strict adherence to applicable professional standards.
- ☐ Arranges for and monitors personnel security background reviews of EPA employees.
- ☐ Plans and manages all independent human resources, development, and administrative functions.
- ☐ Operates the OIG 24 hour, toll-free, Hotline for the receipt of complaints concerning possible waste or abuse of EPA resources.
- ☐ Coordinates suspension and debarment actions referred from OIG audits and investigations against dishonest or poor performing persons and firms doing business with EPA.
- ☐ Promotes employee awareness to methods of detecting, preventing, and reporting possible abuses of EPA resources.
- ☐ Coordinates and develops semi-annual reports to Congress and the Administrator.

DIVISION DIRECTORS

Michael J. Binder**Director, Resource Management Division**

Michael Binder joined the EPA, OIG in 1982, and has served in his present position since 1989. He began his Federal career in 1973 as an Auditor with the General Accounting Office, and has worked with the Department of Commerce as a Strategic Planning and Evaluation Specialist, and with the HUD, OIG. He has a B.A. and a M.B.A. degree in Finance and Economics from George Washington University. Michael is a Certified Internal Auditor, a Certified Fraud Examiner, and is on the faculty of several institutions of higher learning.

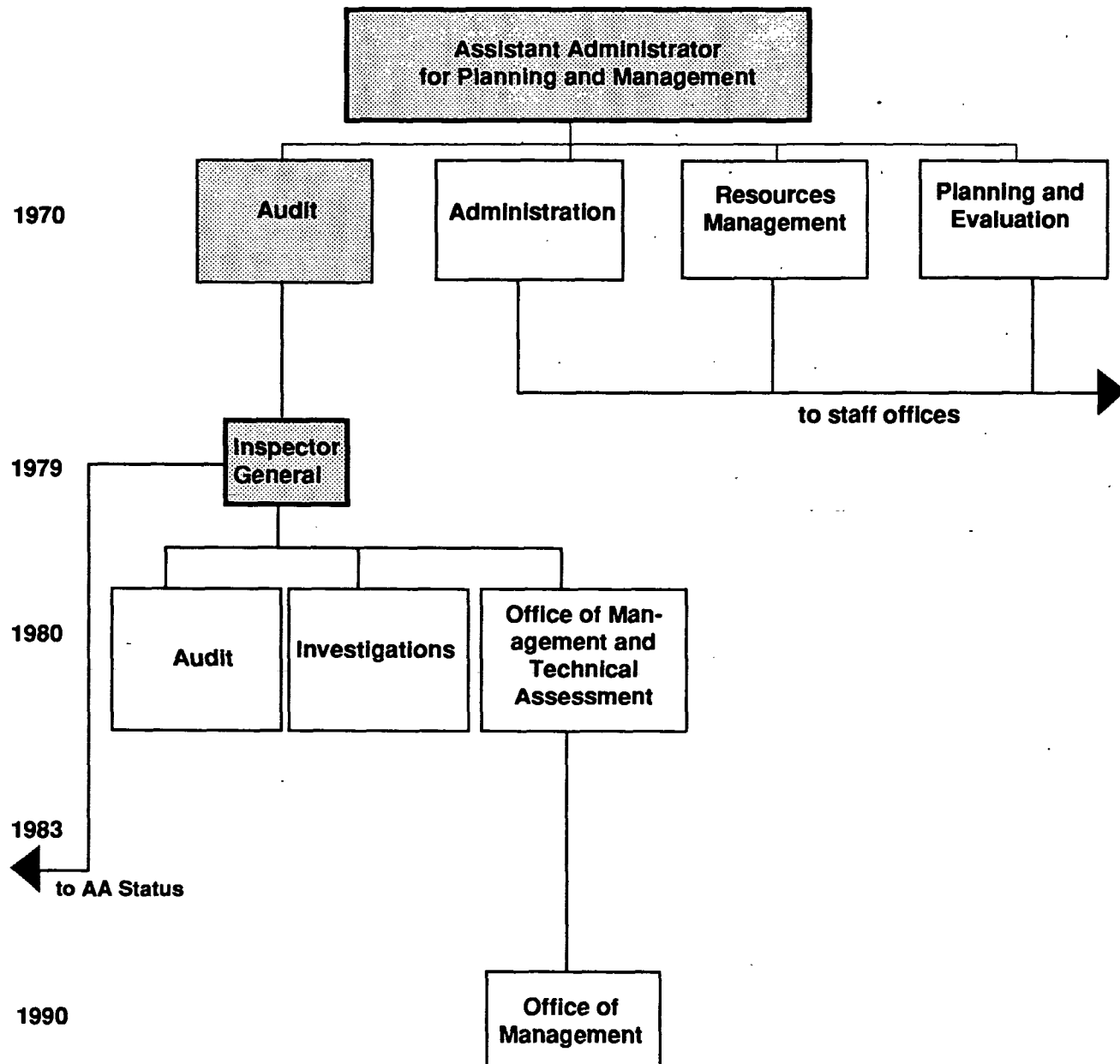
John T. Walsh**Director, Program Management Division**

Prior to his current position, John Walsh held various management positions with the Office of Audit, including Chief, Financial and Compliance Audit Unit, with responsibilities for policies and procedures for auditing grants and contracts. He started his Federal career with the General Accounting Office where he spent eight years. John has a Bachelor's degree from the University of Scranton and a Master's degree from George Washington University.

DELEGATIONS HELD BY THE INSPECTOR GENERAL

GENERAL, ADMINISTRATIVE, AND MISCELLANEOUS

- 1-4-A Personal Property and Government-Owned Vehicles
 - 1-6-B Personnel Security
 - 1-9 Intergovernmental Personnel Act (IPA) Program
 - 1-17-B International Travel Authorizations
 - 1-17-C Domestic and International Travel Authorizations for the Office of the Inspector General
 - 1-18 Agency Seal
 - 1-20 Annual Leave Forfeiture
 - 1-21 Federal Register
 - 1-23 Administration of Oaths
 - 1-30 Freedom of Information
 - 1-44 Changes in Organizational Structure
 - 1-49 Assertion of the Deliberative Process Privilege
 - 1-55 FTTA Cooperative Agreements and Licensing Agreements
-

ORGANIZATIONAL HISTORY

INITIAL ORGANIZATION

EPA was created through an executive reorganization plan designed to consolidate a number of Federal environmental activities into a single agency. The Agency designated an Assistant Administrator for Planning and Management in 1970 and all audit activities were conducted from that vantage point.

FURTHER REORGANIZATION

The Inspector General Act of 1978 provided for the establishment of Offices of the Inspector General which consolidated existing investigative and audit resources in independent organizations headed by an Inspector General.

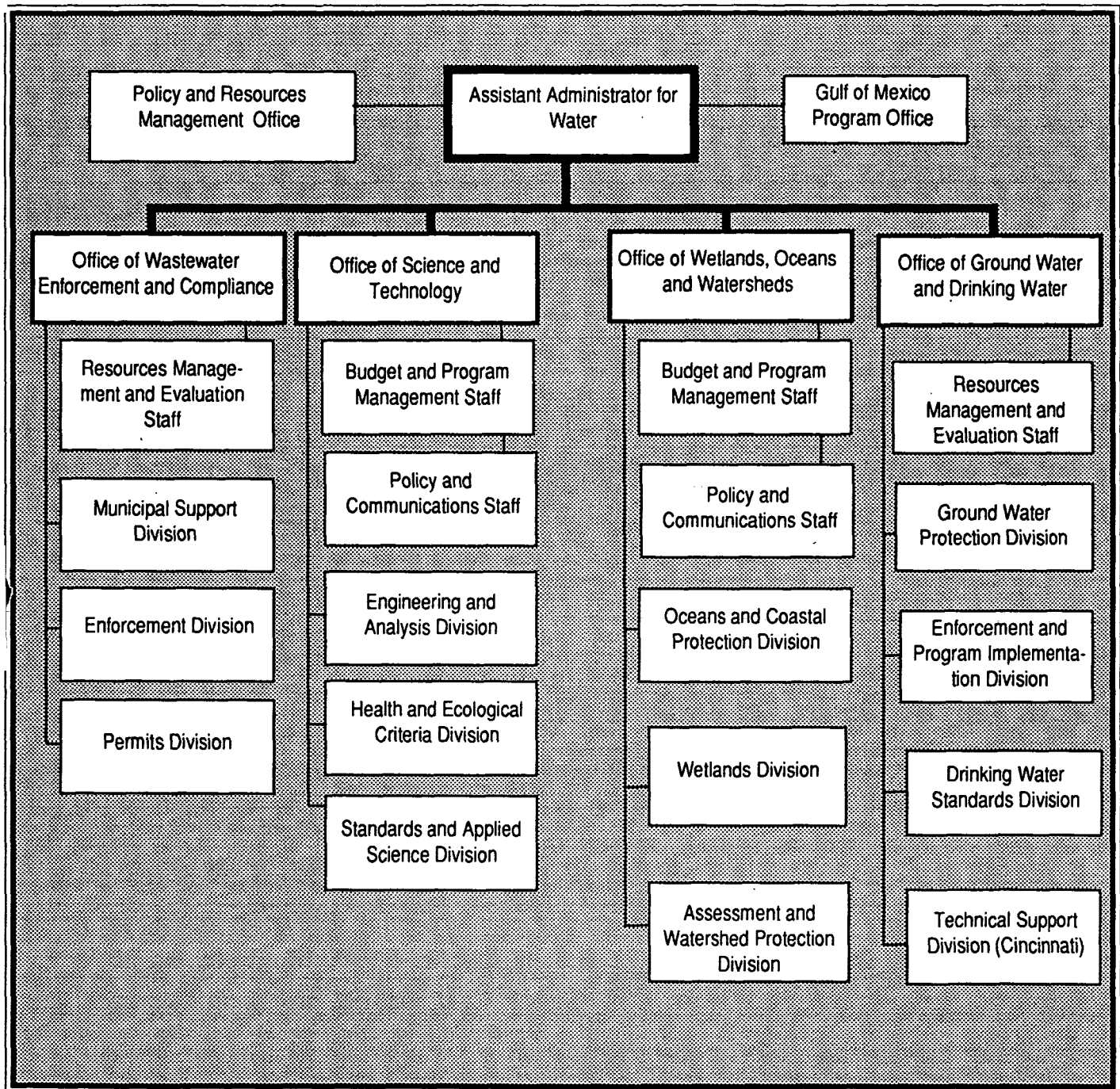
EPA established its Office of Inspector General in 1980. In 1983 it was given Assistant Administrator status; and in 1990 the name of the Office of Management and Technical Assessment became the Office of Management, but office functions and responsibilities remained the same.

PRESENT ORGANIZATION

Today EPA's Inspector General functions through three major offices: Office of Audit, Office of Investigations, and Office of Management. Nationally, there are eight divisional Inspectors General for Audit and seven divisional Inspectors General for Investigations who report to the Headquarters Office. The Inspector General operates under a separate appropriation and provides the Agency with funds for support services such as facilities and telecommunications. Also, by agreement, the Agency provides the OIG with common processing services for personnel and recruitment actions. In addition, the Office of Inspector General receives legal advice from the Inspector General Division of the EPA Office of General Counsel.

WATER

OFFICE OF WATER



LEADERSHIP

LaJuana S. Wilcher**Assistant Administrator**

LaJuana Wilcher has been the Assistant Administrator since October, 1989. Prior to her appointment she was a partner in a law firm specializing in environmental issues. Before entering the private sector in 1986, she served as Special Assistant to the General Counsel and Assistant to the Deputy Administrator at EPA, and as Special Assistant to the General Counsel at the Department of Agriculture. She began her Federal environmental career with the U.S. National Park Service in the 1970s. LaJuana graduated with a B.S. in Biology from Western Kentucky University and received her Law degree from Salmon P. Chase College of Law at Northern Kentucky University.

Martha G. Prothro**Deputy Assistant Administrator**

Martha Prothro has been Deputy Assistant Administrator since April, 1991. Prior to that she was Director of the Office of Water Regulations and Standards and Director of the Permits Division in the Office of Water. From 1973-1981 Martha worked in the Office of Enforcement as a Staff Attorney, Section Chief, Branch Chief and Division Director. Before joining EPA, Martha worked as a social worker/counselor in District of Columbia manpower and welfare programs. She has a B.A. from the University of North Carolina and a J.D. from George Washington University.

Alan M. Fox**Associate Assistant Administrator**

Alan Fox was appointed Associate Assistant Administrator in December, 1991, after serving as the Special Assistant to the Assistant Administrator for Water since September, 1989. Prior to his EPA appointment, Alan served as Executive Assistant to the Mayor of Cleveland since 1985. He has a B.A. degree in Political Science from Case Western Reserve University.

Maureen O'Neill, Acting Director**Policy and Resources Management Office**

Maureen O'Neill became Acting Director in August, 1992. Prior to that, she was Assistant Secretary in the Office of Water Resources, Louisiana Department of Environmental Quality; and Director of Planning for the Sewage and Water Board in New Orleans. Maureen received her Master's degree in Urban and Regional Planning from the University of New Orleans and her Bachelor's degree in Sociology from Loyola University of the South.

Jonathan Z. Cannon, Director**Gulf of Mexico Program Office**

Jon Cannon became Director in September, 1992. Immediately prior to that, he worked at a private law firm. He served at EPA from August, 1986 to November, 1989 as Deputy General Counsel for Litigation and Regional Operations, Office of General Counsel; Deputy Assistant Administrator, Office of Enforcement and Compliance Monitoring; and Deputy Assistant Administrator and Acting Assistant Administrator for Solid Waste and Emergency Response. Jon holds a B.A. degree from Williams College and a Law degree from the University of Pennsylvania.

FUNCTIONS

- ☐ Provides Agencywide policy, guidance and direction for the Agency's drinking water, municipal wastewater, water quality, groundwater, wetlands, and marine and estuarine protection programs.
 - ☐ Manages enforcement, compliance, and permitting activities for drinking water and water programs.
 - ☐ Develops and implements programs for education, technical assistance and technology transfer.
-

LEGISLATIVE AUTHORITIES

FEDERAL WATER POLLUTION CONTROL ACT (CLEAN WATER ACT)

The Clean Water Act is the principal law governing pollution in the Nation's waterways. The objective of the Act is to restore and maintain the chemical, physical, and biological integrity of the Nation's waters. Two goals are established: zero discharge of pollutants and, as an interim goal and where possible, water quality that is both "fishable" and "swimmable."

The Act authorizes Federal financial assistance for municipal sewage treatment plant construction. Under Title II, \$59 billion has been authorized for the Federal construction grants program since 1972; funding ceased with the authorization for FY 1990. Title VI, provided in the 1987 Amendments, is the successor to the construction grants program and authorizes \$8 billion in grants to capitalize state water pollution control revolving funds. Monies used for wastewater treatment facilities will be repaid to a state, to be recycled for future wastewater treatment projects.

The Act sets a technology-based floor for point sources and requires ambient water quality standards that place rigorous demands on industries and municipalities to achieve ever higher levels of pollution abatement. States are required to establish water quality standards based on EPA guidance. Nationwide technology-based standards are established by EPA for certain categories of industries with requirements tailored to the availability and economic feasibility of control technology. Municipal treatment plants must meet national secondary treatment standards.

All point source discharges into the nation's waters are deemed unlawful unless specifically authorized by a permit. The National Pollutant Discharge Elimination System (NPDES) permits specify the types and amounts of pollutants that may be discharged. Point source discharges into municipal sewer systems are regulated under the National Pretreatment Program which requires cities to regulate these discharges based on national standards, general prohibitions, and local conditions. All point source dischargers are subject to enforcement for violations.

The Act also establishes a program to regulate discharges of dredged and fill material into the nation's waters, including wetlands. The Corps of Engineers is the Federal permitting agency, and EPA has significant permit review and other authorities.

In addition, the Act establishes a timetable for the promulgation of toxic contaminant criteria for sewage sludge use and disposal, and requires NPDES permits to include requirements for sludge use and disposal unless permitted under a comparable program.

Nonpoint sources of pollution are addressed through state Management Programs authorized under the Act. Upon EPA approval of their Management Programs, states are eligible for EPA grants to assist them in implementation of their programs.

The Great Lakes Critical Programs Act of 1990 amended the Clean Water Act and strengthened existing efforts to protect the Great Lakes by requiring EPA to issue water quality guidance specifying water quality standards, antidegradation policies, and implementation procedures that the Great Lakes states must adopt; by specifying requirements for remedial action plans and a lakewide management plan for Lake Michigan; by requiring projects to address remediation of contaminated sediments; and by requiring EPA and the Corps of Engineers to develop management plans for confined disposal sites.

SAFE DRINKING WATER ACT

Under the Safe Drinking Water Act, EPA establishes national standards for public drinking water systems from both surface and groundwater sources. These standards provide maximum contaminant levels for pollutants in drinking water. The law also includes minimum monitoring. States are primarily responsible for enforcing the standards, with financial assistance from EPA.

The Act also authorizes EPA to protect underground sources of drinking water from endangerment of contamination from the disposal of wastes by injection into deep wells.

The Administrator has emergency powers to issue orders and commence civil actions if a contaminant, likely to enter public drinking water supply systems, poses a substantial threat to public health, or state or local officials have not taken adequate action. EPA is also authorized to make grants to states to carry out public water supply supervision programs.

The 1986 amendments to the Safe Drinking Water Act created two new groundwater provisions. The wellhead protection program is designed to protect wells that supply public water systems. The sole source aquifer demonstration program promotes the adoption of special protective measures for critical areas within an aquifer that has been designated as a sole source for a community's or region's water supply.

The Lead Contamination Control Act of 1988 amended the Safe Drinking Water Act. It requires the identification of water coolers that are not lead-free, the repair or removal of water coolers with lead-lined tanks, and a ban on the manufacture and sale of water coolers that are not lead-free. It also authorized funding for lead screening programs for children.

MARINE PROTECTION, RESEARCH AND SANCTUARIES ACT (MPRSA) (OCEAN DUMPING)

The purpose of the MPRSA is to regulate the transportation and intentional dumping of materials into the oceans, to authorize related research, and to establish marine sanctuaries. It also implements the provisions of the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matters (London Dumping Convention), a global agreement for regulating ocean dumping. Four Federal agencies have responsibilities under the Ocean Dumping Act: EPA, U.S. Army Corps of Engineers, National Oceanic and Atmospheric Administration, and the Coast Guard. EPA has primary responsibility for regulating ocean disposal of all substances except dredged spoils, which are regulated under the authority of the Corps of Engineers with EPA concurrence.

The Ocean Dumping Ban Act of 1988 amended the MPRSA and phased out the ocean dumping of all materials except dredged materials and fish wastes by December 31, 1991, established user fees and penalties to cover Federal costs for implementing the Act, and required monitoring of two previous disposal sites.

OTHER RELATED LEGISLATION

The Coastal Zone Act Reauthorization Amendments (CZARA) of 1990 strengthened nonpoint source control efforts in coastal zone states. CZARA requires each state with an approved coastal zone management program to develop a coastal nonpoint pollution control program which implements management measures in conformity with guidance developed by EPA in consultation with NOAA. EPA was to publish final guidance by May, 1992 and the coastal states are to have approval of their coastal nonpoint pollution programs within 30 months of EPA's publication of the guidance.

The Marine Plastic Pollution Research and Control Act of 1987 is aimed at controlling plastic wastes in the marine environment. It directs EPA and NOAA to conduct studies related to plastic pollution and to initiate a public outreach program regarding the harmful effects of plastic pollution.

The Shore Protection Act of 1988 is aimed at preventing trash and other unsightly and potentially harmful debris from being deposited in U.S. coastal waters due to sloppy waste handling procedures. It prohibits vessels from transporting waste without a permit and a display number, and requires owners and operators of waste sources, vessels transporting wastes, and waste reception facilities to minimize the amount of waste deposited into coastal waters during vessel loading and unloading and vessel transport. EPA administers the Act with the Coast Guard and is responsible for developing regulations regarding waste handling practices.

SYNOPSIS OF MAJOR ISSUES

FUNDING INCLUDING STATE AND LOCAL CAPACITY

Demands on EPA, state, and local water quality programs are increasing to address infrastructure needs for water supply, sewers, and wastewater treatment; to deal with remediation of contaminated sediments and restoration of aquatic habitats, including wetlands; and to implement the ongoing regulatory program. While Congressionally targeted funds have increased in certain areas, major issues remain regarding the future of construction grants, the state revolving loan fund, imposition of permit or effluent fees, product excise taxes related to water pollution potential, possible market trading of discharge rights, possible establishment of new Federal mechanisms to fund water projects, sewer and water user fees, and privatization of some facilities. These issues could arise as part of any new infrastructure funding initiative or during Clean Water Act reauthorization.

TOXICS

Toxics discharged to surface waters pose significant risks in some geographic areas to human health and the environment, especially in contaminated sediments and fish. Addressing these problems will require integrated strategies for such matters as contaminated sediment and the safety of fish for human consumption, state implementation of water quality standards for toxics, and work with other Federal and state agencies to focus their programs in similar ways. The Clean Water Act of 1987 provided new authority to address these problems but some environmental groups are seeking more specific statutory provisions and criticize EPA's implementation pace.

GROUND WATER PROTECTION

The Office of Water leads EPA's effort to develop a comprehensive approach to assuring protection of groundwater quality. This requires coordination of numerous programs and agencies at the state and Federal level. Comprehensive state groundwater protection program guidance has been in development for several years. Final guidance is planned for a December, 1992 release but may be delayed. The fragile coalition of affected state and other Federal agencies will be looking for early signals on whether the approach is endorsed by the new Administration.

WETLANDS PROTECTION

Numerous decisions will be required to improve protection of wetlands, including possible revisions to regulatory programs under section 404 of the Clean Water Act and possible amendments to the law. Key issues are likely to include the identification and delineation of wetlands, tailoring regulatory policies to reflect differing wetland values, and developing appropriate requirements for mitigating damages that occur from permitted activities. Working with states to strengthen their role in wetlands protection, increasing the public's understanding of the role that wetlands play, and enforcement of the section 404 regulatory program will be important.

WATERSHED PROTECTION, GREAT WATERBODIES, AND GEOGRAPHIC TARGETING

Watershed-based management can assure more efficient controls to meet water quality goals now that most dischargers have met minimum control requirements. This approach involves targeting the highest priority areas or problems based on risk, involving the local stakeholders, and developing more integrated solutions and management strategies. The merit of watershed-based management has been demonstrated by the Chesapeake Bay Program, the Great Lakes Program, and the National Estuary Program, and on a smaller scale in watersheds throughout the country. However, the program must work hard to ensure implementation of the plans being developed on a local watershed basis. Appropriations for specific geographic areas have been added by Congress with increasing frequency, sometimes at the expense of national environmental programs. Authorization committees are examining Clean Water Act amendments to foster the watershed approach.

NONPOINT SOURCE/WET WEATHER

The 1987 CWA amendments and the 1990 amendments to the Coastal Zone Management Act included provisions for nonpoint source management, the most widespread remaining source of water quality impairment. Agriculture, the major contributor, is both politically and practically difficult to address, given the number of sources and the traditional lack of regulation of this sector. EPA guidance on nonpoint source management in the coastal zone may be issued before the end of the year but will be very controversial in some quarters since it must be enforced through State programs. The Agency must (by October, 1993) also address the thousands of small point source storm water discharges which are not covered under current regulations. A draft enforcement and permitting approach for combined sewer overflows, (significant sources of water quality problems in some local areas) is expected to be issued in December, 1992. Since controls will be very expensive, some affected cities will seek significant changes. Environmental groups may press for Clean Water Act amendments on nonpoint source, storm water, and combined sewer overflow issues.

PERMITTING ISSUES

The National Pollutant Discharge Elimination System (NPDES) has successfully regulated most industrial and municipal sewage treatment discharges. However, the program faces enormous challenges without resource increases as it begins to implement the storm water control program and a new municipal sewage sludge use and disposal permitting program. Increasing attention is also being placed on "minor" permits which remain to be issued or reissued.

SAFE DRINKING WATER ACT REAUTHORIZATION AND IMPLEMENTATION

EPA, the states, and many drinking water systems (particularly small systems) are facing enormous difficulties in implementing the current mandates of the Safe Drinking Water Act due to fiscal constraints and a concern that some drinking water rules are costly without a commensurate risk reduction. The National Governors' Association and other groups have made reauthorization of the Safe Drinking Water Act a high priority for the new Congress, primarily because of the problems of small systems, and concerns over the ability of states to implement the program. Congress considered a rollback of rules, limiting the list of contaminants to be regulated, as an amendment to EPA's 1993 appropriation. The rollback did not pass, but Congress required EPA to study benefits and costs and provide a report to Congress in July, 1993 with recommendations for reauthorization. At the same time, implementation of the current program is problematic.

GREAT LAKES WATER QUALITY INITIATIVE

EPA is required by a 1990 amendment to the Clean Water Act to issue water quality guidance for the Great Lakes system that will result in more uniform and generally more stringent water quality standards to address the special problems of the Great Lakes. Since the Agency has been sued for failing to issue the guidance by the statutory deadlines, support will be needed for commitments of time and resources to complete this and related efforts.

BOSTON HARBOR

The wastewater treatment facilities discharging to Boston Harbor are among the last few facilities in the nation which have not yet achieved the mandated secondary treatment level. Boston Harbor has been a longstanding example of the adverse impacts of municipal discharges on water quality. Water quality is generally poor due to the discharge of about 500 million gallons of partially treated sewage daily. Discharges after storms worsen the situation because of the area's combined sewer systems. The Massachusetts Water Resources Authority (MWRA) is now constructing treatment plants capable of treating normal and storm event discharges. The cost of this program is estimated by MWRA at \$4.2 billion. Most of this cost will be absorbed by MWRA ratepayers; average household rates in 1992 were \$465, a 30% increase over 1991. The MRWA estimates that by 1998 the average household will pay \$1,195 annually for water and sewer service in their service area. Through FY 1992, Congress appropriated \$180 million in grant funding for this project, with another \$100 million appropriated in FY 1993. Between 1974 and 1990, Boston received \$130 million in Title II Construction Grants. In addition, the Massachusetts State Revolving Loan Fund provided a \$73.1 million loan in December, 1991. Continued pressure to provide additional Federal funding for this project is likely.

SAN FRANCISCO BAY - DELTA

On September 3, 1991, EPA Region 9 disapproved California's water quality standards for salinity and temperature on the Bay - Delta because of loss of designated uses for aquatic life and wildlife. In response, the State promised to adopt water quality standards sufficient to satisfy Clean Water Act concerns by December, 1992. The State has yet to complete the promised action. Region 9 has contemplated recommending EPA promulgation of appropriate criteria if the State process fails to achieve its commitments. Such a promulgation could include requirements for minimum flows in the Sacramento River system, which could necessitate diversions from other water uses in the State.

MICHIGAN WETLANDS

Michigan is the only state that has assumed the Section 404 permit program. It assumed the program in the early '80's. In the past year, for the first time, the State has attempted to exert political pressure on EPA Headquarters to make specific permit decisions in two cases. In the first case, Homestead (a proposed golf course near Traverse City, Michigan), EPA Headquarters reversed Region V's position and allowed the State to issue a Section 404 permit. This case is currently in litigation. In the second case, Woodland Meadows, the Governor of Michigan is currently encouraging EPA to remove an objection to a permit to fill 90 acres for a proposed landfill. This permit is being identified in the press as a "jobs versus the environment" issue because the proposed mitigation site for the landfill is owned by McLough Steel, a company that is reported to be on the verge of bankruptcy. Environmental groups are watching this case closely.

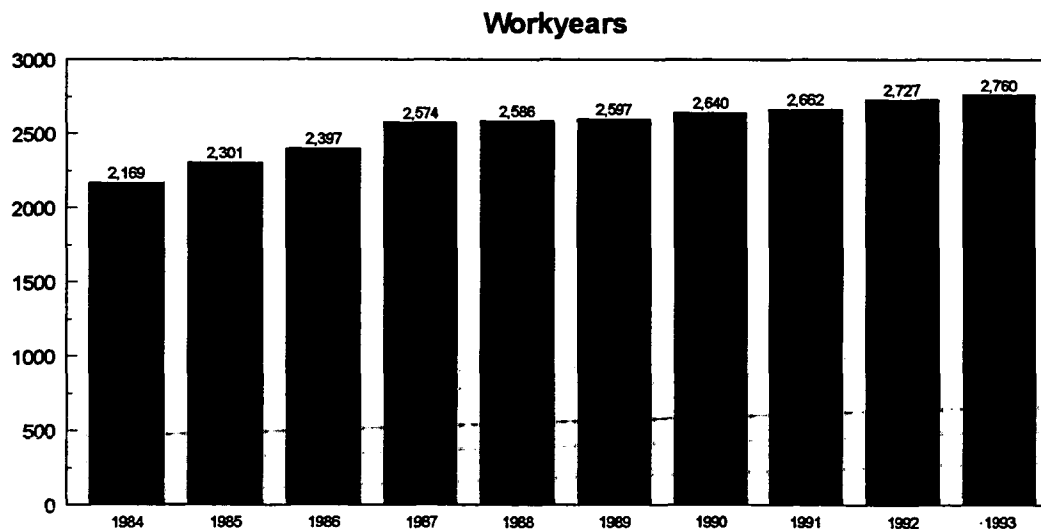
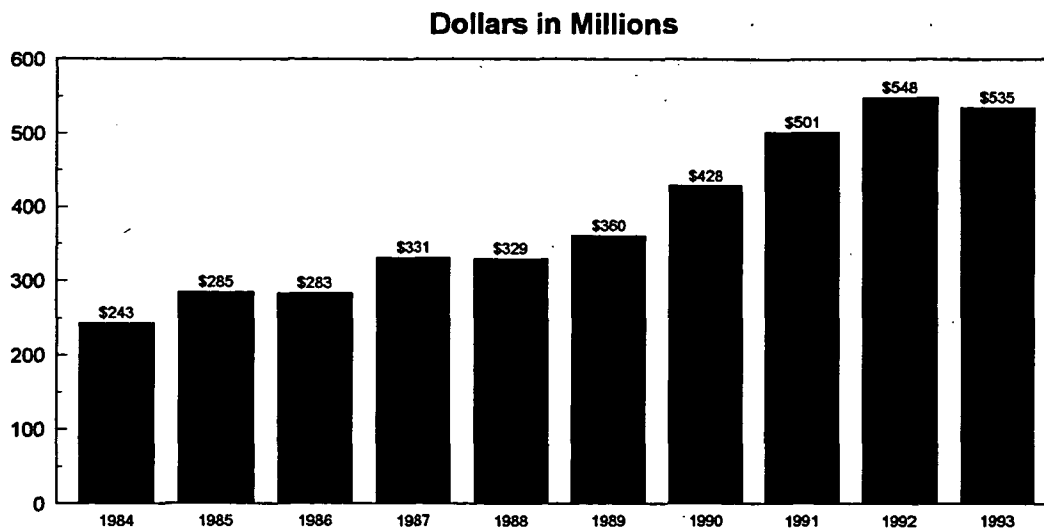
SEARS ISLAND MARINE TERMINAL

As proposed, the Maine Department of Transportation, Sears Island project involves the construction of a marine terminal and support facilities on Sears Island, Maine. As currently proposed, the project would directly destroy over 30 acres of wetlands and 38 acres of intertidal and subtidal habitat; approximately 66 acres of dredging of marine habitat would occur. EPA Region 1 has historically commented in opposition to this extremely controversial project. Additionally, past NEPA documentation was the subject of litigation which resulted in a directive to prepare supplemental documentation. As a result, a supplemental Environmental Impact Statement is currently being prepared. When the statement is released for formal review and comment in March, 1993, EPA HQ will work with Region 1 to ensure EPA review and comments reflect national policy. The Maine Congressional delegation is pressing hard to see the project proceed.

RESOURCES

TRENDS - FY 1984 to FY 1993

(1984 to 1992 Operating Plans, 1993 President's Budget)

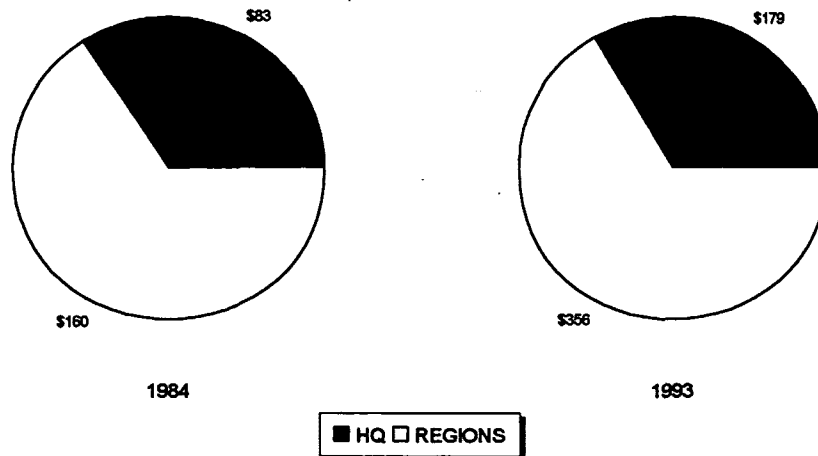


- Resources and workyears in regional water programs have increased from FY 1984 to FY 1992. These increases reflect some of the resources and workyears needed to address the reauthorization of both the Safe Drinking Water ACT (SDWA) and the Clean Water Act (CWA) (excluding construction grants).
 - The decrease in dollars in the FY 1993 President's Budget reflects Congressional special projects (add-ons) not carried forward from FY 1992. Generally, OW has received more add-ons than any other EPA program, but an increasing share of Congressional earmarks are funded at the expense of national water quality programs.
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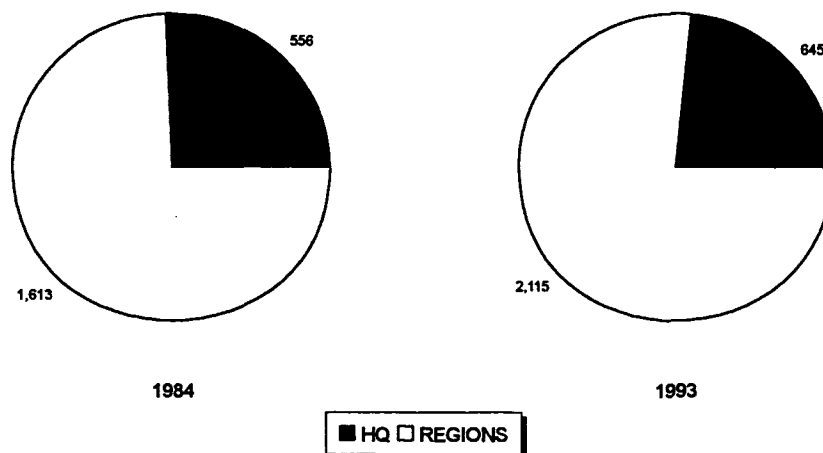
REGIONAL vs. HEADQUARTERS RESOURCES

(1984 Operating Plans vs. 1993 President's Budget)

Dollars in Millions



Workyears

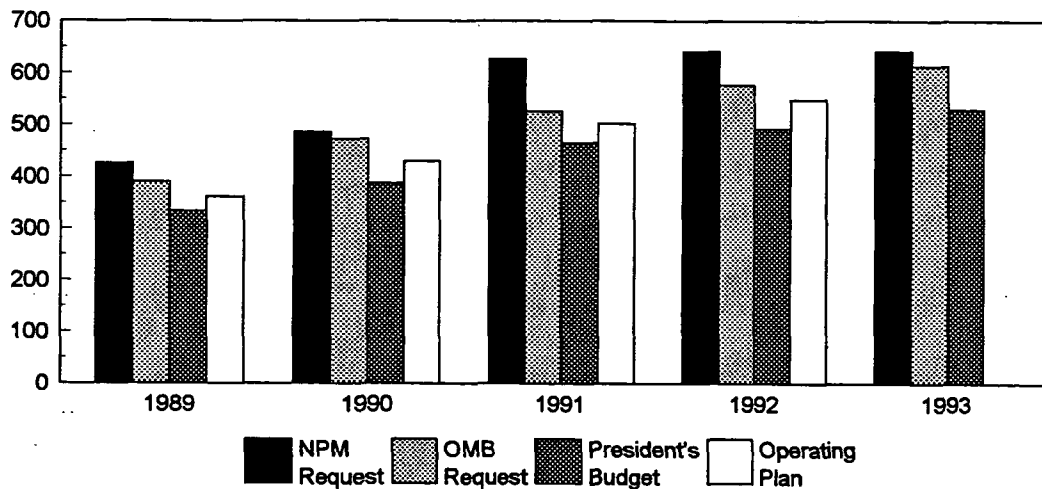


- The dollar distribution between Headquarters and regions has been relatively consistent. The regions receive approximately twice the number of dollars allocated to Headquarters per year.
- Regional workyears have grown at twice the rate of Headquarters workyears, indicating the shifting emphasis from regulation development toward program implementation.

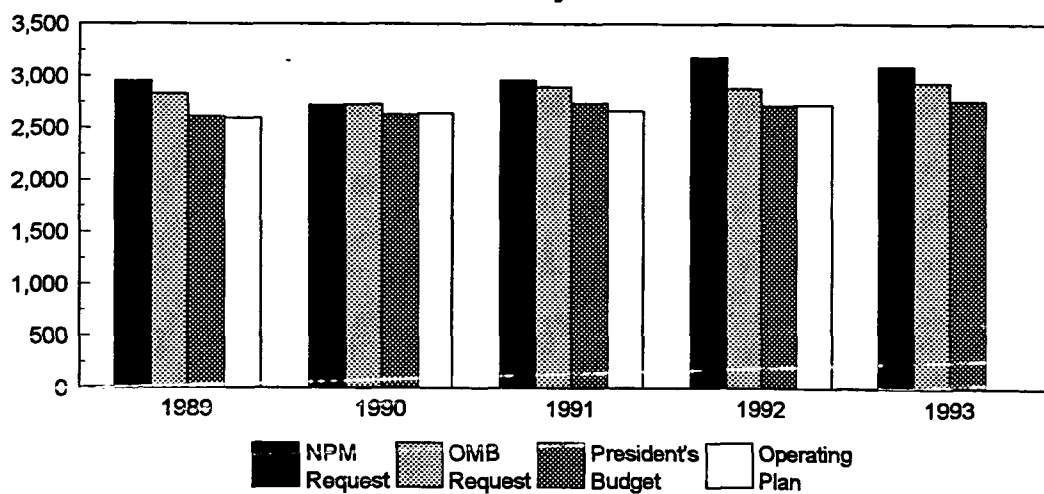
BUDGET PROCESS

(From Initial Request to Final Operating Plan)

Dollars in Millions



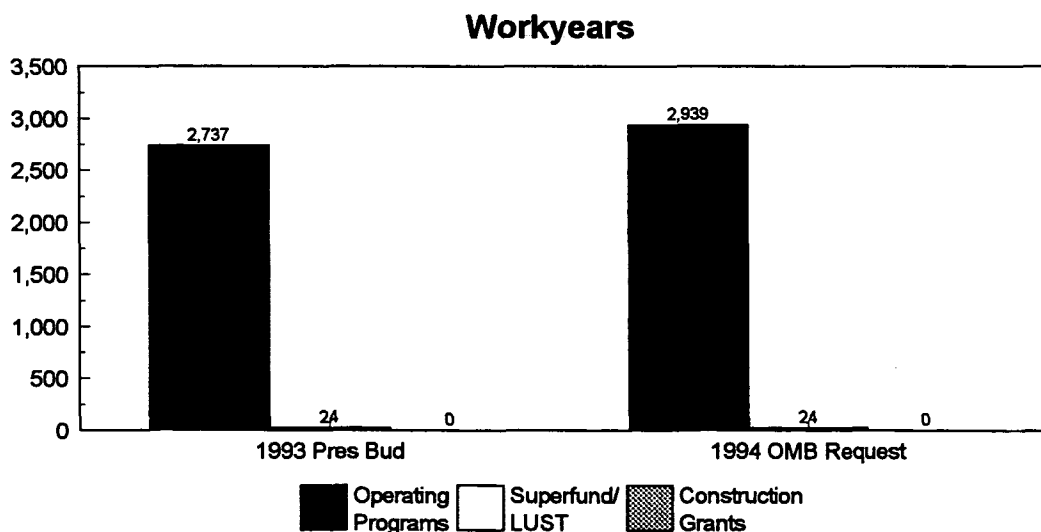
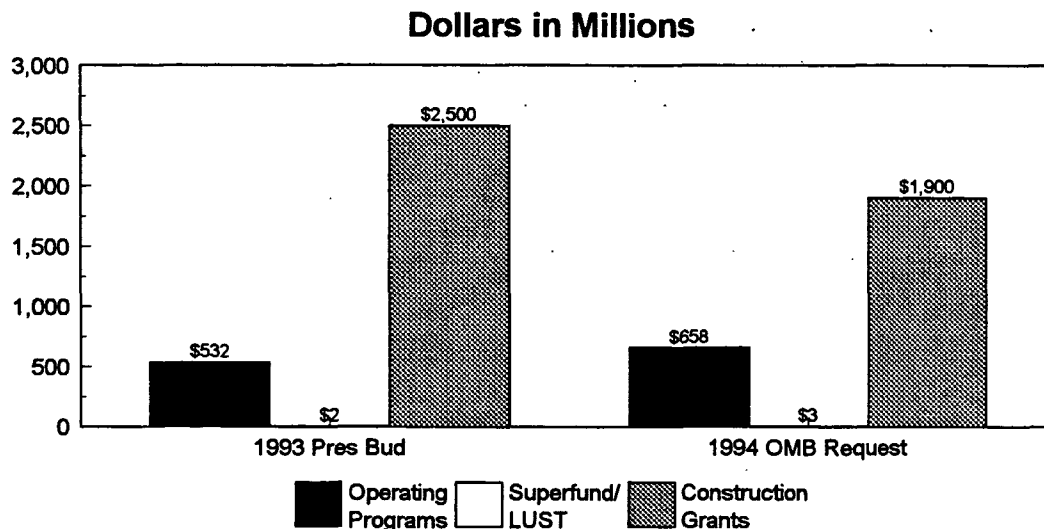
Workyears



- Between FY 1989 and FY 1992 the dollar increases from the President's Budget to the Operating Plan indicate additional Congressional special projects (some of which received new funding).

ADDITIONAL RESOURCES REQUESTED FOR 1994

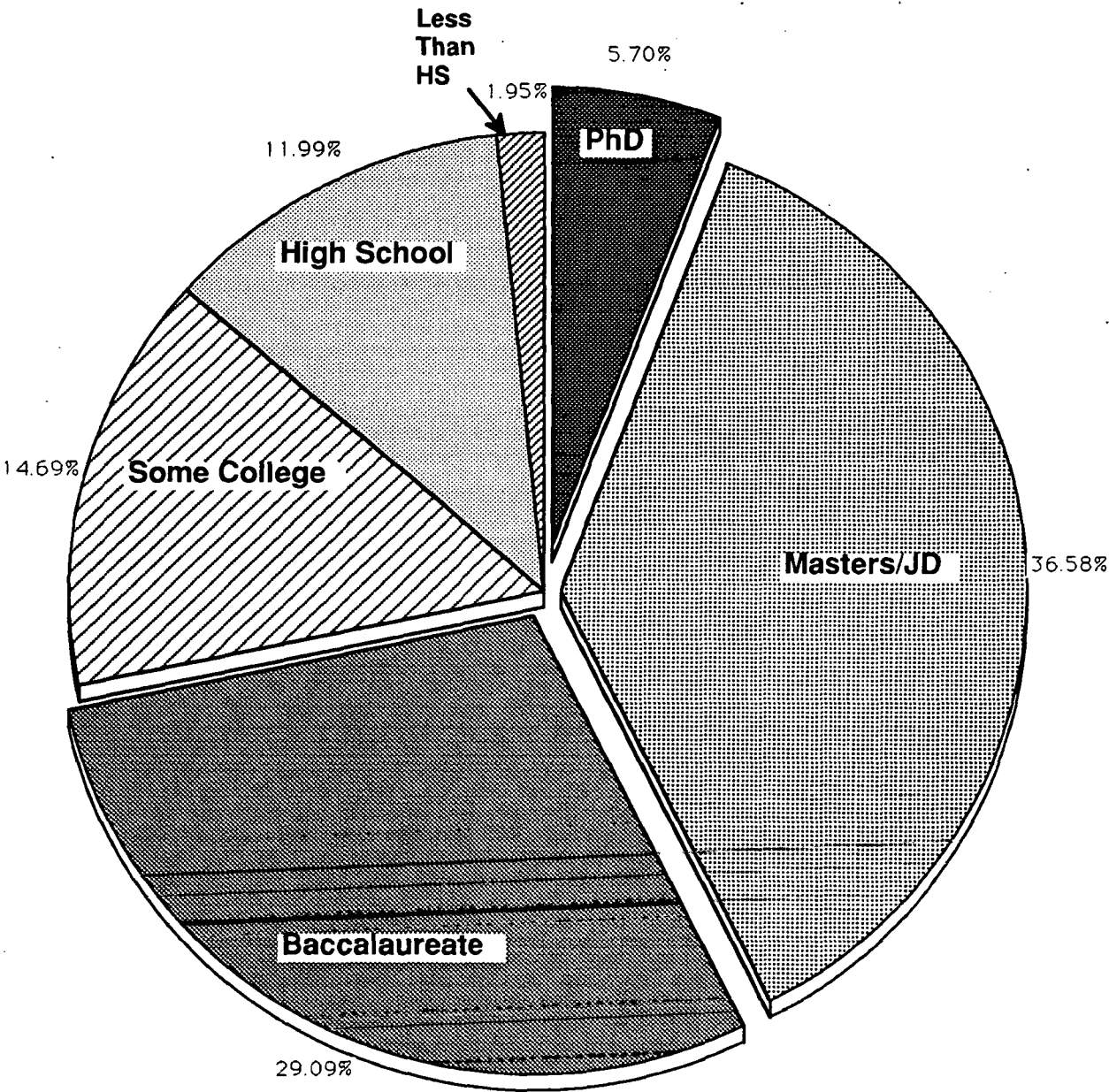
(FY 1994 OMB Request vs. 1993 President's Budget)

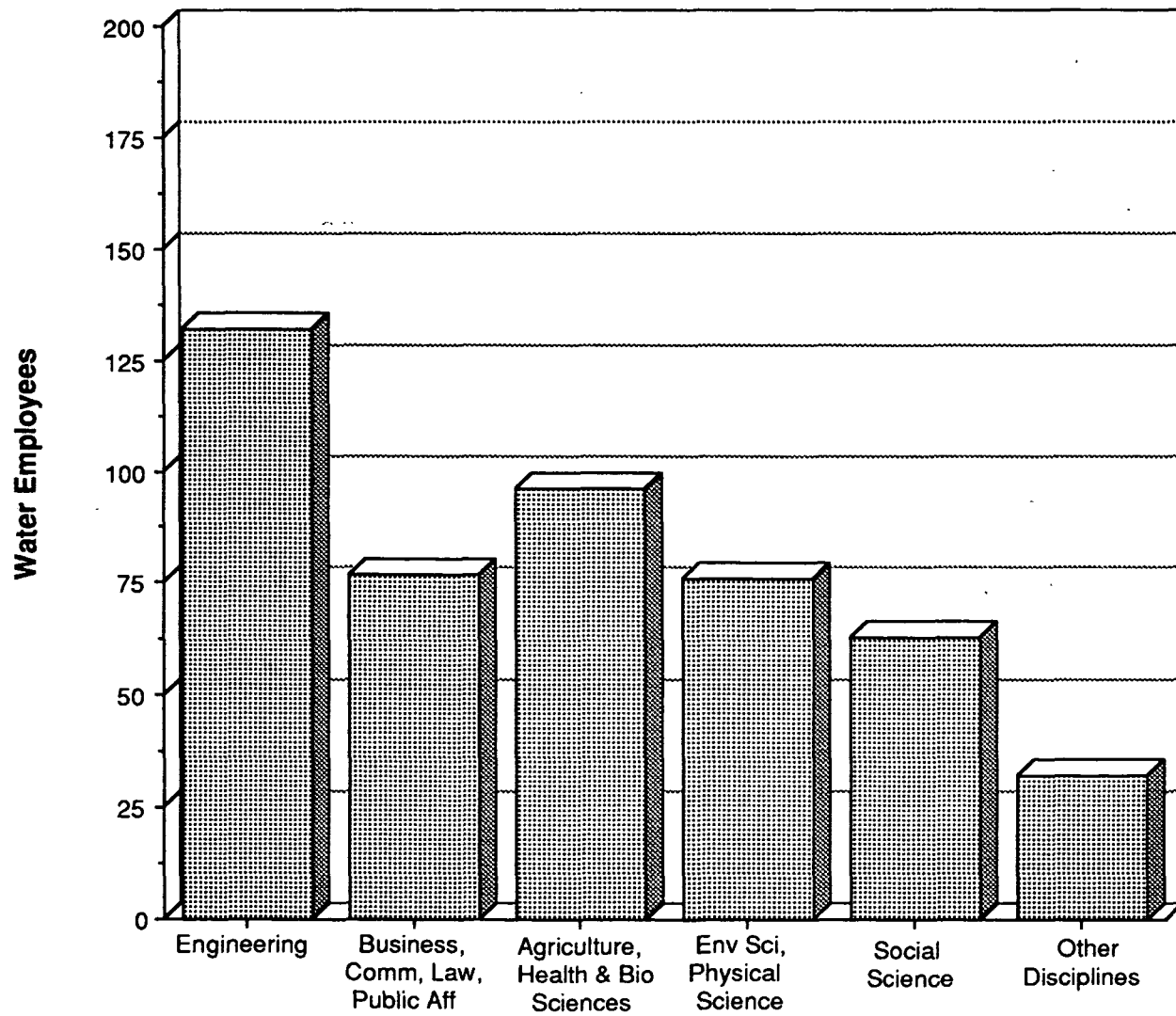


- The increase in the Operating Programs reflects the emphasis on state capacity issues for the Drinking Water Program and wet weather runoff concerns for the Water Quality Program. OW is targeting some of these increases for geographic initiatives such as urban environment, wetlands, Chesapeake Bay, and non-point source activities.
- The decrease in the FY 1994 Construction Grants' OMB Request illustrates the near capitalization (full allocation) of the State Revolving Fund Program. The authorization for this program ends in 1994.
- The workyear increase provides greater technical assistance for state/local implementation.

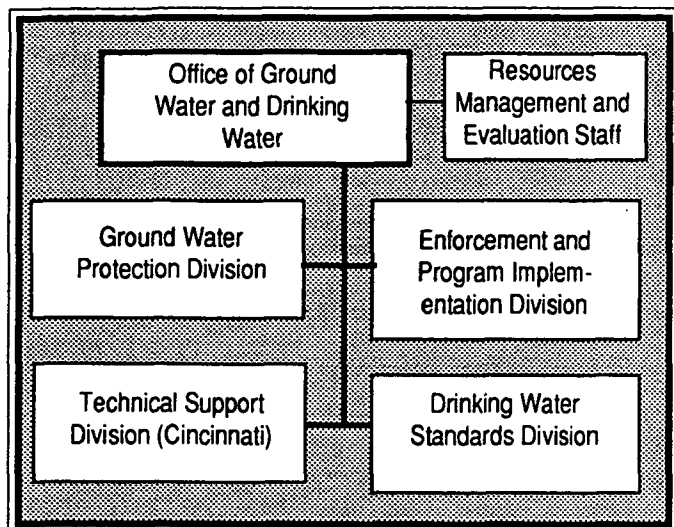
WORKFORCE DEMOGRAPHICS

EDUCATIONAL LEVELS - OW



ACADEMIC DISCIPLINES OF COLLEGE GRADS

OFFICE OF GROUND WATER AND DRINKING WATER



LEADERSHIP

James R. Elder Director

Jim Elder has been Office Director since 1991. Previously, Jim was the Deputy Director and Director of the Office of Water Enforcement and Permits; the Acting Deputy Regional Administrator of Region X; the Deputy Director of the Office of International Activities; and worked for the Potomac Electric Power Company under the President's Executive Exchange Program. He was also Director of the Management Division of Region III and was a Management Analyst for Headquarters and the Office of Management and Budget. Jim has a B.A. degree from Johns Hopkins University.

Peter L. Cook Deputy Director

Peter Cook became Deputy Director in 1988 after having served as Deputy Director of the Office of Waste Programs Enforcement. Before this, he was the Deputy Federal Inspector for the Office of Federal Inspector, which supervised the construction of the Alaska Natural Gas Transportation System. Peter has also served in a number of capacities in the Office of Federal Activities at EPA, the last one as Assistant Director. Peter received a B.S. in Electrical Engineering from Clarkson College of Technology and a M.B.A. from The American University.

FUNCTIONS

- ☐ Serves as national program manager for the Safe Drinking Water Act including public water supplies, underground injection control, wellhead protection, and sole source aquifer programs.
- ☐ Develops a national program of public information; develops plans and policy for response to water supply emergencies.
- ☐ Coordinates water supply activities with other Federal agencies as necessary.
- ☐ Manages the development and implementation of delegation oversight procedures and evaluates regional water supply and underground injection programs.
- ☐ Conducts a variety of analytic studies on policy issues relating to program priorities and objectives, resources and legislation.
- ☐ Conducts economic analyses of proposed regulations and treatment techniques.
- ☐ Analyzes Federal and state legislation directly or indirectly related to ground water and/or drinking water protection.
- ☐ Performs broad strategic planning for the drinking water program which considers the public health and welfare costs.
- ☐ Oversees implementation of the Agency's ground water protection principles and works to integrate groundwater protection policies into various EPA programs.

DIVISION DIRECTORS

Robert J. Blanco, Director**Enforcement and Program Implementation Division**

Bob Blanco is the Director of the Enforcement and Program Implementation Division. He has been with EPA since 1971. Before joining the drinking water program in October, 1988, he worked for 14 years with EPA Region III's surface water quality and drinking water programs; and in June, 1985, he became the Director of the Municipal Facilities Division at Headquarters. Prior to his EPA experience, Bob worked at the local government level and in private consulting. He earned his Bachelor of Engineering and Masters of Science degrees at New York University.

James M. Conlon, Director**Drinking Water Standards Division**

Mike Conlon has degrees from Illinois College and the University of Oklahoma. He served with two states, one regional office and three Headquarters programs. Mike was Director of the Air and Hazardous Materials Division in Chicago from 1971 through early 1976; Deputy Director of the pesticides program from 1976 through 1985; and has been with the Office of Water since then as the Director for the Office of Water Regulations and Standards and the Director of the Drinking Water Standards Division.

Ramona E. Trovato, Director**Ground Water Protection Division**

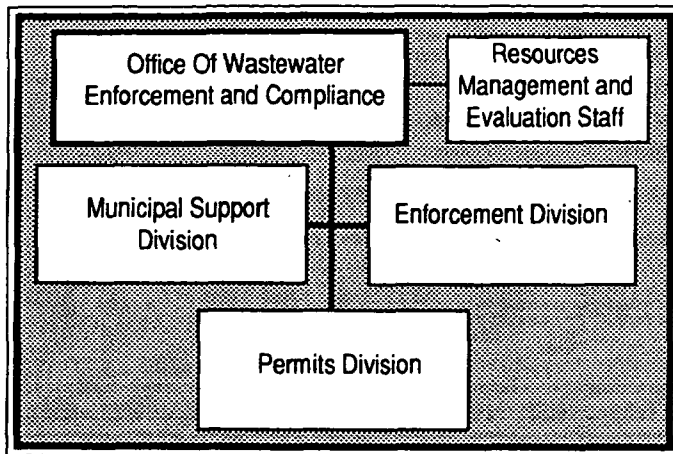
Ramona Trovato has been with EPA for 18 years. As the Director of the Ground Water Protection Division, she is responsible for implementing the Comprehensive Ground Water Protection Programs, the Wellhead Protection Program, the Underground Injection Control Program, and the Sole Source Aquifer Program. Ramona has also served as a liaison between EPA headquarters officials and the regional offices; and has worked in the Region III lab as a chemist and manager of the inorganic chemistry lab.

Alan A. Stevens, Director**Technical Support Division (Cincinnati, OH)**

Alan Stevens serves as Director of the Technical Support Division at the Andrew Breidenbach Environmental Research Center in Cincinnati, Ohio. He served previously as Chief of the Organics Control Branch in the Drinking Water Research Division of the Risk Reduction Engineering Laboratory, Office of Research and Development. Prior to working at EPA, Alan worked as a research chemist in the U.S. Public Health Service, Shellfish Sanitation Program. He holds a B.S. in Chemistry from University of California, and a M.S. from San Jose State University.

OFFICE OF WASTEWATER ENFORCEMENT AND COMPLIANCE

LEADERSHIP



Michael B. Cook Director

Mike Cook has been Director of the Office of Wastewater Enforcement and Compliance since April 1991. Previously, he was Director of the Office of Drinking Water; served as Deputy Director of the Office of Solid Waste; and managed the emergency response program. Mike joined EPA in 1973. He was educated at Swarthmore College, Princeton University, and Oxford University, which he attended on a Rhodes Scholarship.

John P. Lehman Deputy Director

Jack Lehman has been Deputy Director since February, 1987, having formerly been Director, Hazardous Waste Management Division in the Office of Solid Waste. Jack also directed the resource recovery demonstration program and was a program manager in the Office of Research and Development's program management office. Before he joined EPA, Jack was Vice President of a San Francisco-based engineering firm. He has a B.S. in Engineering Physics and a M.S. in Nuclear Engineering from the University of California.

FUNCTIONS

- ☐ Administers the National Pollutant Discharge Elimination System (NPDES) permit programs including point source wastewater discharges, industrial pretreatment, storm water, combined sewer overflow, and sludge management.
- ☐ Operates compliance and administrative enforcement programs under the CWA and enforcement responsibilities under Section 311 of the Marine Protection, Research, and Sanctuaries Act.
- ☐ Manages the construction grants and State Revolving Fund programs which provide financial assistance to states and communities for construction of municipal treatment works and other activities.
- ☐ Manages the development and implementation of delegation oversight procedures and evaluates Regional/State NPDES and construction grants programs.
- ☐ Provides technical assistance and outreach to states and communities on treatment technologies and operation and maintenance of municipal treatment works.
- ☐ Manages CWA sections 106 and 104(b)(3) grant programs which support state water quality management and demonstration projects.
- ☐ Develops national strategies, program and policy recommendations, regulations and guidance for permitting, municipal water pollution control, pretreatment, and compliance programs.
- ☐ Manages a national outreach program to assist small communities to meet wastewater treatment needs.

DIVISION DIRECTORS

**Richard Kozlowski, Director
Enforcement Division**

Rich Kozlowski has been Director of the Enforcement Division since May, 1989. Prior to this, Rich served as Director of the Field Operations and Support Division in the Office of Mobile Sources. Rich also worked in the Mobile Source Enforcement Division. In 1975, he took a leave of absence from the government and participated in the Presidential Executive Exchange Program as an Assistant Director of Environmental Control for Hoffman-LaRaoche. Rich holds a B.E.S. degree in Engineering from Johns Hopkins University and a J.D. degree from Catholic University, and is a member of the Bar for the State of Maryland.

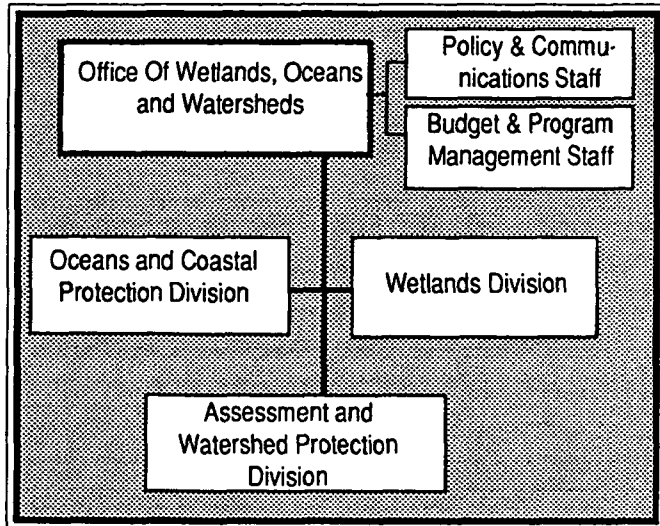
**Michael J. Quigley, Director
Municipal Support Division**

Mike Quigley became Director of the Municipal Support Division in April, 1991, having previously served as Director of the Office of Municipal Control. Mike has served in a variety of positions managing the construction grants, State Revolving Funds, and other municipal assistance programs since the early 1970's. He previously served as a Program Analyst in the Office of the Comptroller and at the National Aeronautics and Space Administration. Mike has a B.A. in Economics from Trinity College, a J.D. in Law from Georgetown University, a M.P.A. from Harvard University, and is a member of the Virginia Bar Association.

**Cynthia C. Dougherty, Director
Permits Division**

Cynthia Dougherty has been with EPA since 1974 and has served as Director of the Permits Division since 1988. Prior to her appointment, she served as Deputy Director of the Office of Marine and Estuarine Protection. Cynthia also served as Director, Resources Management and Administration Office, Office of Water, and in similar positions in the Office of Enforcement and in the Office of Planning and Management. Prior to joining EPA, she served as a budget analyst with ACTION and the General Services Administration. Cynthia has a B.S. degree from Duke University.

OFFICE OF WETLANDS, OCEANS AND WATERSHEDS



LEADERSHIP

Robert H. Wayland III **Director**

Bob Wayland has been Director since its establishment in 1991. He previously served in executive positions as Deputy Assistant Administrator for the Office of Water and Deputy Assistant Administrator for OPPE. Since joining EPA in 1973, Bob has served in positions in the Office of Congressional Affairs, the Office of Enforcement, OSWER, and as Special Assistant to the Administrator. Before joining EPA, Bob worked for Congressman Charles Teague of California.

David G. Davis **Deputy Director**

Dave Davis has been Deputy Director since April, 1991 when the office was established. Prior to that, he was Director of the Office of Wetlands Protection. Dave began his career at EPA in 1974 and has held positions at all levels of management up through Office Director, focusing primarily on wetlands protection, environmental impact assessment, water quality management, and economic and policy analysis. Dave holds a B.S. and a M.S. degree in Microbiology and Biochemistry from the University of Illinois and an M.B.A. from the Harvard Business School. He served as a U.S. Air Force officer attaining the rank of Captain.

FUNCTIONS

- ☐ Serves as national program manager and develops policies, strategies, regulations, and guidance as needed for the control of dredged and fill material, nonpoint source pollution, watershed protection, and ocean dumping and site designations.
- ☐ Leads and supports water quality monitoring and assessment programs, and designs and manages related automated information systems.
- ☐ Supports and implements state and Federal nonpoint source control programs under section 319 of the CWA and the Coastal Zone Management Act and provides technical guidance.
- ☐ Manages the clean lakes, national estuary, and near coastal waters programs and provides management and institutional assistance.
- ☐ Oversees the regulatory, scientific, and technical aspects of marine and coastal pollution problems and solutions, including permitting of marine discharge waivers, coastal discharges, and ocean dumping; managing the Ocean Survey Vessel Peter W. Anderson; coordinating marine regulatory programs within EPA; and representing EPA on committees of the London Dumping Convention.

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- ❑ Develops national watershed-based policies and programs including maintaining lists of impaired waterbodies targeted for priority cleanup, conducting outreach programs, and supporting technology transfer and research needs.
 - ❑ Develops and implements programs to assist state, tribal, and local governments in protecting wetlands; to provide public education and outreach on wetland protection; and to improve the scientific basis for wetland decision-making.
 - ❑ Assists and evaluates regional nonpoint sources, ocean discharge, estuary protection, wetlands protection, and surface water monitoring and assessment programs.

DIVISION DIRECTORS

Geoffrey H. Grubbs, Director

Assessment and Watershed Protection Division

Geoff Grubbs has been Director since 1987, after holding a variety of management and technical positions in the Agency's water, air, and enforcement programs since joining EPA in 1972. His experience also includes three years as a management consultant for international and domestic clients. Geoff received a B.S.E. from Princeton University.

Marian Mlay, Director

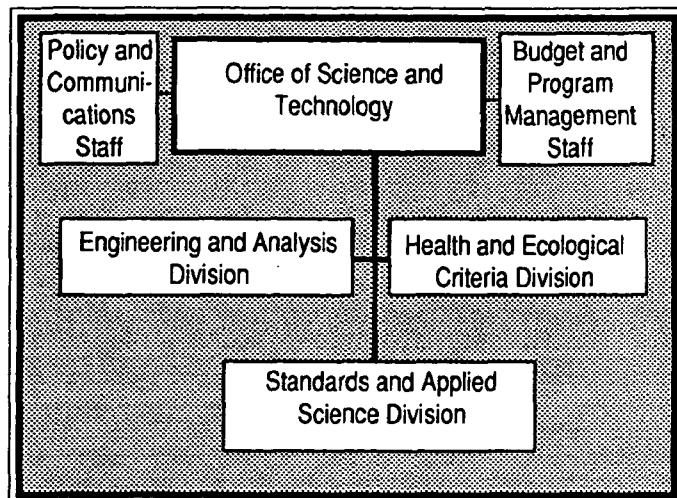
Oceans and Coastal Protection Division

Marian Mlay has been Director since April, 1991. Prior to this position, she was the Director of Groundwater Protection, and the Deputy Director of the Office of Drinking Water. She came to EPA in 1978 from the Department of Health and Human Services where she served in such posts as Deputy Director for Policy Management and Planning for the Public Health Service, and Deputy Regional Director in Chicago. Marian holds an A.B. from the University of Pittsburgh, a J.D. from The American University, and was a fellow in Public Affairs at the Woodrow Wilson School of Public Affairs at Princeton University. She is also a member of the D.C. Bar.

John W. Meagher, Director

Wetlands Division

John Meagher joined the wetlands program as Division Director in 1981. He joined EPA in New York in 1973 and worked in the municipal wastewater and environmental impact statement programs before joining the wetlands program. He received his Civil and Environmental Engineering degrees from Manhattan College.

**OFFICE OF SCIENCE AND
TECHNOLOGY****LEADERSHIP****Tudor T. Davies
Director**

Tudor Davies has been Director since April, 1991. He previously served as Director of the Office of Marine and Estuarine Protection. He has also served as Policy Chief and Acting Deputy Assistant Administrator for the Office of Water; Director of the Environmental Research Laboratory in Narragansett, Rhode Island; Director of the Chesapeake Bay Program; Deputy Director of the Gulf Breeze, Environmental Research Laboratory; and Director of the large lakes research program. Tudor received his Bachelor's degree and Ph.D. in Geology from the University of Wales in Great Britain.

**James A. Hanlon
Deputy Director**

Jim Hanlon has been Deputy Director since April, 1991. Previously he served as the Director of the Municipal Construction Division and served as Senior Engineer Advisor to the Assistant Administrator for Water. He also spent 12 years in the Region V Water Division, beginning as a staff engineer before moving into management. Jim earned his Bachelor of Science degree in Civil Engineering from the University of Illinois and an M.B.A. from the University of Chicago. He is a registered professional engineer.

FUNCTIONS

- ☐ Develops scientifically defensible criteria, guidelines, regulations, and advisories that provide the regulatory framework for protecting the nation's surface and drinking waters and for achieving technology-based pollution prevention requirements.
- ☐ Develops human health and ecological risk methodologies, criteria documents, guidance, and policies for water quality, sediment, biological, and wildlife criteria.
- ☐ Develops methodologies, technical regulations, and guidelines governing use and disposal of municipal sewage sludge.
- ☐ Directs the national program for adoption of surface water quality standards.
- ☐ Develops and coordinates an Agencywide approach for preventing and remediating contaminated sediment and dealing with problems of contaminated fish.
- ☐ Develops national effluent guidelines and standards for industrial discharges to surface waters and publicly owned municipal wastewater treatment plants.
- ☐ Conducts economic and statistical studies and analyses in support of water pollution control programs.
- ☐ Coordinates Office of Water involvement with the Water Research Committee in the Office of Research and Development.

DIVISION DIRECTORS

Thomas P. O'Farrell, Director**Engineering and Analysis Division**

Tom O'Farrell has served as Director since April, 1991. His prior experience includes Director and Deputy Director, Industrial Technology Division; Special Assistant to the Director of the Office of Water Regulations and Standards; Branch Chief of the Consumer Commodities Branch; and Engineer with the Public Health Service. Tom joined EPA in 1975 as a Sanitary Engineer in the construction grants program and served in a variety of related positions. He holds a B.S. degree in Engineering and a M.S. degree in Civil Engineering from the University of Missouri.

Margaret J. Stasikowski, Director**Health and Ecological Criteria Division**

Margaret Stasikowski has been the Director since April, 1991. Previously she served as Director of the Criteria and Standards Division; Special Assistant, National Institute for Occupational Safety and Health Division of Safety Research in Morgantown, VA; Deputy Director, TSCA Assistance Office; Section Chief, Operations Office, Ann Arbor, Michigan; and Physical Science Administrator, Cincinnati. Margaret holds three Bachelor of Science degrees (Physical Science, Russian, Psychology) from Ohio State University and a Master's degree from the University of Cincinnati.

William R. Diamond, Director**Standards and Applied Science Division**

Bill Diamond has served as Division Director since April, 1991. He has served as Director, Criteria and Standards Division; Director, Sewage Sludge Task Force; Water Quality Act Implementation Coordinator; Attorney, Office of the General Counsel; and Special Counsel to the Massachusetts Office of Environmental Affairs. Bill holds a Bachelor's degree from Dartmouth College and a J.D. from Boston College.

DELEGATIONS HELD BY THE ASSISTANT ADMINISTRATOR**GENERAL, ADMINISTRATIVE AND MISCELLANEOUS**

- 1 - 9 Intergovernmental Personnel Act (IPA) Program
- 1 - 15 Cash Awards
- 1-17-A Domestic Travel Authorizations
- 1-17-B International Travel Authorizations
- 1 - 20 Annual Leave Forfeiture
- 1 - 48 Request for Information from Other Agencies
- 1 - 49 Assertion of the Deliberative Process Privilege
- 1 - 51 Receptions and Refreshments to Recognize Award Recipients
- 1 - 57 Approval and Submittal of Informational Reports to Congress

CLEAN WATER ACT

- 2 - 2 Operator Training Grants
 - 2 - 7 Section 301(m) Variances
 - 2 - 8 Approval of Section 104(b)(3) Grants/Cooperative Agreements to Improve Water Quality and Pretreatment Enforcement
 - 2 - 13 Inspections and Information Gathering
 - 2-14-A Civil Judicial Enforcement and Administrative Penalty Collections Actions
 - 2-14-C Settlement or Concurrence in Settlement of Civil Judicial Enforcement Actions
 - 2-14-D Emergency TRO's
 - 2-15-B Administrative Determinations Regarding the Obtaining of Penalties for Spills
 - 2 - 22 Administrative Compliance Orders and Notices of Violations
 - 2 - 25 Section 301(g) Permit Variances
 - 2 - 26 FDF Permit Variances
 - 2 - 32 Clean Lakes - Lake Restoration
 - 2 - 33 Alternate Test Procedures
 - 2 - 35 Exclusion of Certain Pollutants and Point Sources from Regulation
 - 2 - 36 FDF Variance Status Report
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- 2 - 38 Water Pollution Control - General Training
 - 2 - 39 Water Pollution Control - Professional Training Assistance
 - 2 - 40 Water Pollution Control Fellowships
 - 2 - 41 Water Pollution Control Technical Training Assistance
 - 2 - 42 National Estuary Program Assistance
 - 2 - 43 Section 404 Dredge and Fill Permitting
 - 2 - 44 Decisions on Eligibility for Secondary Treatment Variances
 - 2 - 48 Estuarine Management Grants and Cooperative Agreements
 - 2 - 49 Section 301(j)(2) Stays for National Pollutant Discharge Elimination System (NPDES) Permits
 - 2-51 Class I Administrative Penalty Action
 - 2-52-A Class II Administrative Penalty: Initiation of Actions; Public Notice; Consultation with State; Negotiation and Signing Consent Agreements; and Assessing Penalties
 - 2-52-B Class II Administrative Penalty: Agency Representation in the Hearings; Initiating Internal Appeals of Adverse Determinations; and Representing Agency in Appeals
 - 2 - 60 Provisions of Technical Assistance
 - 2 - 63 Collection and Dissemination of Information on NPS Management Practices and Implementation Methods
 - 2 - 64 Transmission of Annual and Final Reports to Congress
 - 2 - 68 Guidance on Identification of Waters and Individual Control Strategies
 - 2 - 70 Publication of Plan for Review and Revision of Effluent Guidelines
 - 2 - 72 Estuary Management Conferences
 - 2 - 73 Assistance Agreements for Ground Water Quality Protection
 - 2 - 75 Marine CSO Grants
 - 2 - 78 Determination of Treatment of Indian Tribes as States
 - 2 - 79 Section 307(e) Compliance Deadline Extension
 - 2 - 81 Water Quality Guidance for the Great Lakes
 - 2 - 84 NPDES Related State Program Grants
-

MARINE PROTECTION, RESEARCH, AND SANCTUARIES ACT

- 3 - 1-A Administrative Enforcement: Issuance of Complaints and Signing of Consent Agreements
- 3 - 1-B Administrative Enforcement: Agency Representation in Hearings and Signing of Consent Agreements
- 3 - 3 Designation of Ocean Dumping Sites and Critical Areas
- 3 - 4 Research and Emergency Ocean Dumping Permits, Other than Incineration-at-Sea Permits
- 3 - 6 Research and Special Incineration-at-Sea Permits
- 3 - 8 Ocean Dumping Ban Act of 1988: Eligibility of Activities to Receive Funding From EPA Share of Ocean Dumping Fees
- 3 - 11 Ocean Dumping Ban Act of 1988: Negotiation and Oversight of Enforcement and Compliance Agreements
- 3 - 13 Ocean Dumping Ban Act of 1988: Monitoring Program Development and Implementation of Monitoring

SOLID WASTE DISPOSAL ACT

- 8 - 8 Inspections and Information Gathering
- 8 - 20 Monitoring, Testing, Analysis and Reporting

SAFE DRINKING WATER ACT

- 9 - 10 Making Available Information and Agency
 - 9 - 2 Withdrawal of Sec.1425 Program Approval from the State of Illinois Under Part C
 - 9 - 4 Determination of State Primary Enforcement Responsibility: Public Water Systems
 - 9 - 5 Conduct Annual Review and Determine Compliance/Non-Compliance with the Requirements for Primary Enforcement Responsibility
 - 9 - 6 Reports by States
 - 9 - 8 Review and Issuance of Variances
 - 9 - 9 Receipt and Issuance of Exemptions
 - 9 - 10 Making Available Information and Agency Facilities and Providing Training Assistance
 - 9 - 11 To issue Public Water System Supervision Grants
 - 9 - 12 Inspections and Information Gathering
 - 9 - 13 Designation of Sole Source Aquifers
 - 9 - 15 Safe Drinking Water Occupational Training Assistance
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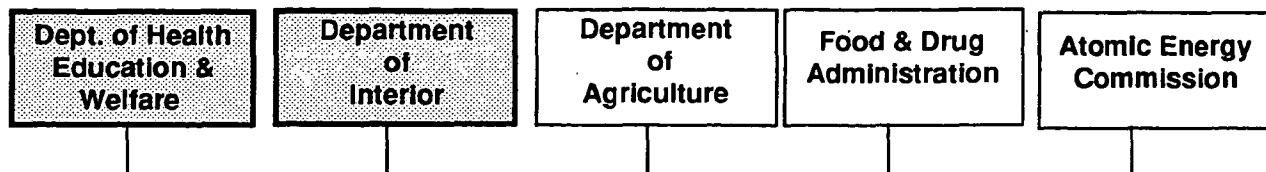
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- 9 - 17 Emergency Administrative Powers
 - 9 - 20 Underground Water Source Protection Grant Authority for Allotment and Reallotment
 - 9 - 25 Approval of Alternative Mechanical Integrity Test Procedures
 - 9 - 30 Approval of Injection Well Plugging and Abandonment Plan and Prescribing Aquifer Cleanup and Monitoring
 - 9 - 31 Authority to Allot and Reallot Grant Funds for the Public Water System Supervision Program
 - 9 - 32 Administrative Penalty Under Part B: Proposed and Final Orders and Agency Representation in Hearings
 - 9-33-A Administrative Penalty Under Part B: Penalty Assessments, Issuing Complaints, and Negotiating and Signing Consent Agreements

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION AND LIABILITY ACT

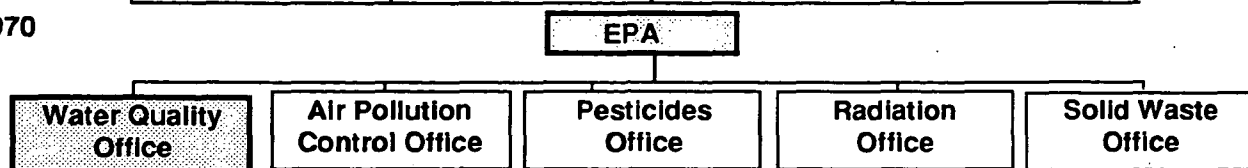
- 14 - 38 EPA Role in Department of Defense Environmental Restoration Program

REGULATORY FLEXIBILITY ACT

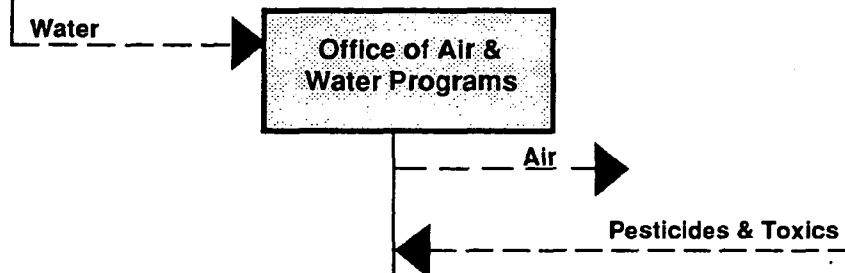
- 15 - 1 Certification Under the Regulatory Flexibility Act
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ORGANIZATIONAL HISTORY**Pre- EPA**

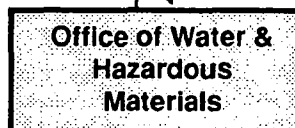
1970



1972



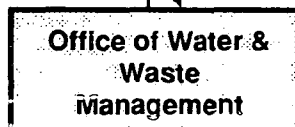
1974



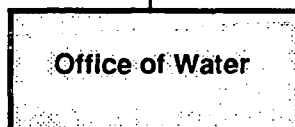
1976



1979



1981



INITIAL ORGANIZATION

EPA was created through an Executive reorganization plan designed to consolidate a number of Federal environmental activities into a single agency. The organizational roots for the Office of Water were the Department of Interior (water pollution control program) and Department of Health Education and Welfare (drinking water program).

In 1970, EPA's first Administrator, William Ruckelshaus, published an organizational order in which the five principal programs: water, air, radiation, pesticides and solid waste were retained under the management of commissioners. This was done to assure continuity of program operations and to allow time to consider the eventual organizational structure. EPA, at this time, also established a presence in the newly organized Federal regional structure which divided the country into ten regions.

FURTHER REORGANIZATION

The first few years of the Agency were marked by a plethora of environmental laws and regulations which catalyzed a realignment of the Agency's structure in 1972 and again in 1974. EPA set up its first permanent organizational structure in 1971, designating three functional Assistant Administrators for Research and Monitoring, Planning and Management, and Standards and Enforcement and General Counsel; and dividing the five principal programs between two Assistant Administrators; one for Categorical programs; the other for Media Programs. In 1972, Media programs, which contained all the air and water functions, were reorganized under an Assistant Administrator for Air and Water Programs.

In 1974, the water program, redirected by the Clean Water Act, was split from the air program and combined with pesticides and toxics functions. The water program resided within the Water and Hazardous Materials AAship until 1979. With the passage of the Resource Conservation and Recovery Act of 1976 the water function split from the Water and Hazardous Materials AAship and combined with the solid waste program to form the Office of Water and Waste Management.

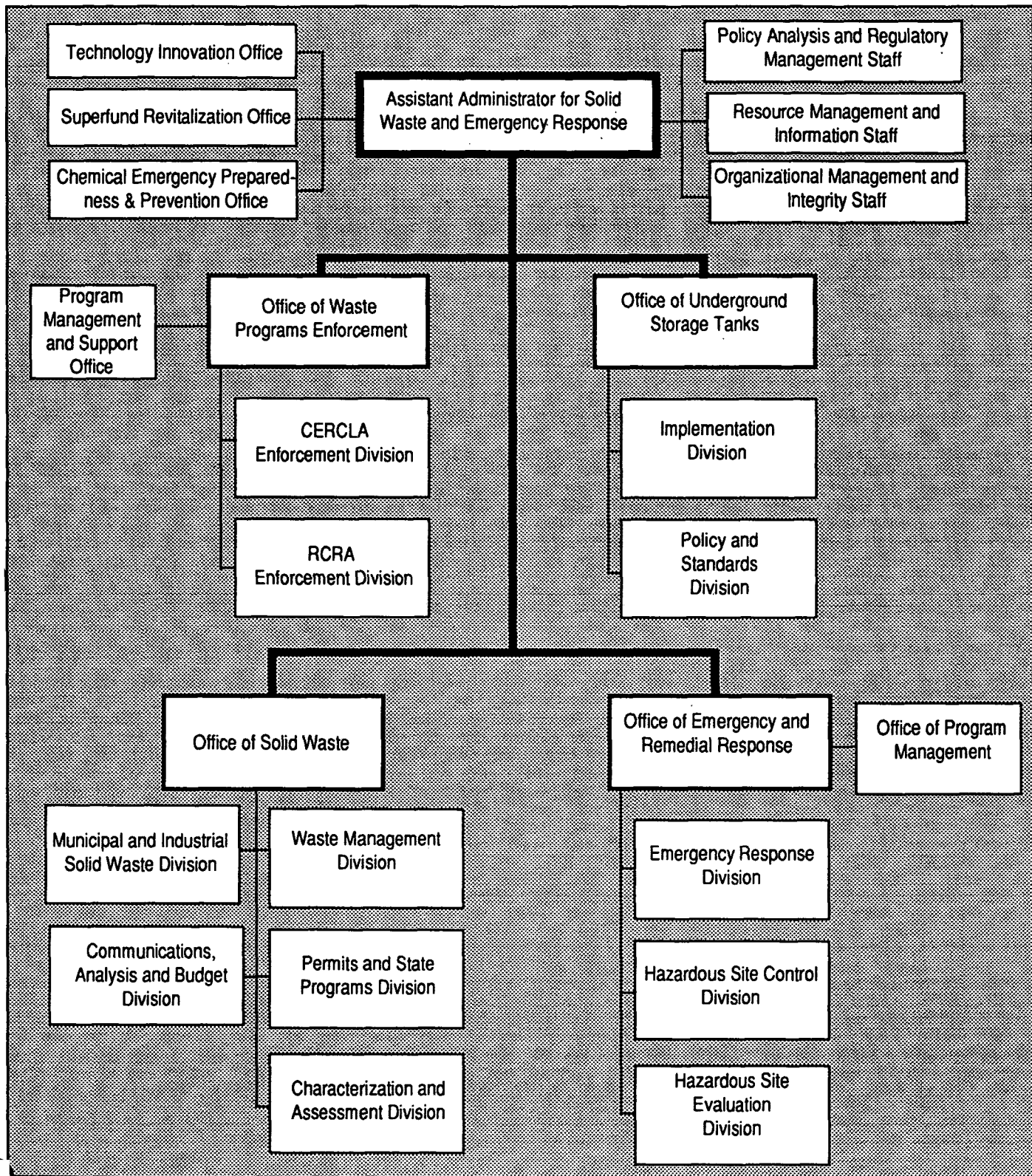
PRESENT ORGANIZATION

The Office of Water became an AAship focusing on water programs in 1981 due more to the passage of CERCLA (Superfund) than any increased water responsibility. The Superfund legislation required the clean up program to be headed by an Assistant Administrator, and it functionally made sense to combine the RCRA solid waste program with the CERCLA clean up program. The 1981 Office of Water AAship contained four principal offices: Office of Drinking Water, Office of Water Regulations and Standards, Office of Enforcement and Permits, and Office of Water Program Operations (renamed Municipal Pollution Control). In 1984, two new offices were added to the AAship: the Office of Marine and Estuarine Protection and the Office of Groundwater Protection. A new Wetlands Protection Office was added in 1986, bringing the total to seven separate offices within the Water AAship.

In 1991, the Office of Water underwent a major reorganization designed to: streamline the structure from seven principal offices to four; integrate and balance program functions; consolidate and strengthen their science and technical support; provide a focus on ecological risks; and improve EPA's ability to target geographic areas and ecosystems. The current OW structure includes four offices: Office of Science and Technology; Office of Wetlands, Oceans, and Watersheds; Office of Ground Water and Drinking Water; and the Office of Wastewater Enforcement and Compliance.

**SOLID WASTE &
EMERGENCY RESPONSE**

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE



LEADERSHIP

Don R. Clay, Assistant Administrator Office of Solid Waste and Emergency Response

Don Clay has been the Assistant Administrator for Solid Waste and Emergency Response since November, 1989. Don is the national program manager for hazardous waste management and cleanup, management of municipal and solid waste, underground storage tanks, and response to uncontrolled hazardous waste sites and spills, including oil spills. From 1986 to 1989 Don served as the Acting Assistant Administrator and Deputy Assistant Administrator for EPA's Office of Air and Radiation. Prior to that, Don served as Director of the Office of Toxic Substances for five years, where he was responsible for implementing the Toxic Substances Control Act. He served as Acting Assistant Administrator for the Office of Pesticides and Toxic Substances in 1983. He is a registered professional engineer and holds two degrees in Chemical Engineering from Ohio State University.

Richard Guimond Deputy Assistant Administrator

Rich Guimond has been the Deputy Assistant Administrator for Solid Waste and Emergency Response since April, 1991. In 1989, Rich, who is a Commissioned Officer in the U.S. Public Health Service, was appointed Assistant Surgeon General, with the rank of Rear Admiral. Rich has served in a variety of different capacities since joining EPA in 1971. From 1971 to 1978 and 1982 to 1990, he worked in the Office of Radiation Programs, where he became Office Director in 1988. Rich also worked in the Office of Toxic Substances from 1978 to 1982 in several management positions. Rich is a graduate of the University of Notre Dame, earned a Master's of Engineering from Rensselaer Polytechnic Institute, and holds a Master's of Science in Environmental Health from Harvard University.

C. Bowdoin Train Deputy Assistant Administrator

Since April 29, 1991, Bowdoin Train has held the position of Deputy Assistant Administrator of the Office of Solid Waste and Emergency Response. During his tenure as DAA, he has concentrated on RCRA implementation, Oil Pollution Act implementation, and RCRA and Superfund Reauthorization. Prior to joining EPA, Bowdy practiced law for eight years with a private firm. He is a graduate of the Georgetown University Law Center, and received his undergraduate degree in Economics and Environmental Studies from Trinity College.

FUNCTIONS

- ☐ Provides oversight of national programs dealing with existing hazardous waste sites and the environmental emergencies they cause.
 - ☐ Manages solid and hazardous wastes to prevent pollution or minimize future sites.
 - ☐ Manages programs to respond to hazards from underground storage tanks.
 - ☐ Promotes state, local, and international readiness to meet and mitigate the effects of chemical emergencies, including oil spills.
 - ☐ Develops, administers, and enforces regulations or rules to achieve objectives.
 - ☐ Serves as a liaison with Congress to seek statutory changes to waste laws as necessary, and explain and defend policies, specific actions, and budget proposals.
 - ☐ Responsible for outreach to industry, environmental, consumer, and public interest groups.
-

LEGISLATIVE AUTHORITIES

RESOURCE CONSERVATION AND RECOVERY ACT (RCRA)

In 1965, Congress passed the Solid Waste Disposal Act, the first Federal law to require safeguards and encourage environmentally sound methods for disposal of household, municipal, commercial, and industrial refuse. Congress amended this law in 1970 by enacting the Resource Recovery Act, and again in 1976 by enacting the Resource Conservation and Recovery Act (RCRA). The primary goals of RCRA are to: protect human health and the environment from the potential hazards of waste disposal; conserve energy and natural resources; reduce the amount of waste generated, including hazardous waste; and ensure that wastes are managed in an environmentally sound manner.

The 1984 Hazardous and Solid Waste Amendments (HSWA) significantly expand the scope of RCRA. HSWA was created in large part in response to strong citizen concerns that existing methods of hazardous waste disposal, particularly land disposal, were not safe.

RCRA is divided into several subtitles. These subtitles set forth a framework for EPA's comprehensive waste management programs; establish a system for controlling hazardous waste from generation until ultimate disposal; establish a system for controlling solid (primarily nonhazardous) waste; and regulate toxic substances and petroleum products stored in underground tanks.

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT (CERCLA)

Congress enacted the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund, in 1980. This law provided broad Federal authority and resources to respond directly to releases or threatened releases of hazardous substances that could endanger human health or the environment. CERCLA established a \$1.6 billion Hazardous Substance Trust Fund to pay for remediation of abandoned or uncontrolled hazardous waste sites. The law also authorized enforcement action and cost recovery from parties responsible for a release.

In 1986, Congress passed the Superfund Amendments and Reauthorization Act (SARA). This law reauthorized the Superfund program for five years, and more than quintupled the size of the Trust Fund to \$8.5 billion. SARA strengthened and expanded the remedial program and focused on the need for emergency preparedness and community right-to-know. SARA also established a \$500 million Trust Fund, supported by a gasoline tax, to address leaks from underground storage tanks. SARA was scheduled for reauthorization in October, 1991; however, Congress extended the SARA authorities for three years, until 1994.

Provisions in Title III of SARA address the Preparedness and Community Right-to-Know program. There are four major elements of this program: 1) designating State Emergency Response Commissions and Local Emergency Planning Committees that are responsible for developing local contingency plans; 2) requiring immediate notification by chemical handlers when there has been a release of a hazardous chemical; 3) requiring handlers to provide information to the local committee and to the public on the chemicals they produce, use, or store; and, 4) requiring chemical handlers to report any emissions of hazardous chemicals to EPA annually.

OIL POLLUTION ACT (OPA)

In 1990, Congress enacted the Oil Pollution Act (OPA). The OPA is a comprehensive environmental statute that expands oil spill prevention, preparedness, and response capabilities of the Federal government and industry. Responsibilities to implement the OPA are shared by EPA and the Department of Transportation.

The OPA established a new liability and compensation regime, including the one billion dollar Oil Spill Liability Trust Fund, for oil pollution incidents. In addition to setting specific liability limits, the law expands both the scope of damages for which oil dischargers may be liable and Federal enforcement authorities.

The OPA requires that owners and operators of certain vessels and facilities prepare response plans for worst case spills. The law also requires revisions to the National Oil and Hazardous Substances Pollution Contingency Plan (NCP) to expand Federal removal authority, add responsibilities for Federal on-scene-coordinators, and broaden coordination and preparedness planning requirements.

SYNOPSIS OF MAJOR ISSUES

REAUTHORIZATION OF THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION AND LIABILITY ACT (CERCLA)

Congressional hearings are expected to begin on CERCLA reauthorization in the Spring of 1993. Reauthorization is expected to be controversial, involving many groups representing various special interests. In particular, legislation is possible in 1993 on municipal liability issues (the extent of liability under CERCLA for the disposal of municipal solid waste). Other significant reauthorization issues include CERCLA's joint and several liability and enforcement provisions, the role of states in the Superfund process, the selection of remedies at Superfund sites, and the standards to which sites are cleaned.

FACILITY OIL SPILL RESPONSE PLANS

The Oil Pollution Act requires that certain oil storage and handling facilities submit an oil spill response plan to EPA by February 18, 1993, or stop handling, storing or transporting oil. Congress and the petroleum industry are very concerned about the impending deadline which could impact several thousand facilities. EPA's proposed regulation, which will include criteria that define how these oil storage and handling facilities will be selected, is currently undergoing OMB review.

CONTRACTOR INDEMNIFICATION UNDER CERCLA

Under CERCLA, EPA may provide indemnification protection to Superfund contractors cleaning up Superfund waste sites. Although CERCLA requires that limits be established, EPA's practice under current guidelines is to provide unlimited protection. Recently EPA issued procurements for Superfund cleanup contractors without offering indemnification in order to test whether EPA can obtain adequate competition for contracts without offering indemnification. Revised guidelines are also pending at OMB which will set indemnification limits for old or extant contracts and for new contracts where indemnification is offered. Hazardous waste contractors (primarily members of the Hazardous Waste Action Coalition) may continue to lobby EPA to provide indemnification. Additionally, the Departments of Defense and Energy have proposed their own policies on contractor indemnification. The resolution of these issues within the Federal government is likely to be controversial.

CLEANING UP AMERICA: HAZARDOUS SUBSTANCES REMEDIATION

Over the last decade, major efforts to remediate contaminated sites were mounted at the Federal, state and local level. Efforts under Superfund, RCRA, and Underground Tank programs, along with a large number of state initiatives, are underway. But experience with these programs has led to significant debate over the feasibility, cost, and speed of cleaning up such sites. This multi-faceted issue centers around speeding cleanup to reduce risks at all sites versus final remedy and restoration at a smaller number of sites. Addressing the issue brings into play groundwater protection, land use, the capabilities of today's remediation technologies, and societal costs of these programs. EPA is being looked to to lead these debates and take actions to speed cleanup.

RESOURCE CONSERVATION AND RECOVERY ACT (RCRA) -- LAND DISPOSAL RESTRICTIONS COURT DECISION

RCRA regulations provide that certain hazardous wastes not be disposed of on land unless they have first been treated by methods which substantially reduce toxicity and minimize short and long-term threats to human health and the environment. In response to recent challenges to these land disposal restrictions, the District of Columbia Circuit Court of Appeals issued a major decision in September, 1992, vacating certain land disposal treatment standards established under RCRA, and remanding others for reconsideration. EPA has requested that the Court stay the effective date of its decision by 90 days in order to allow the Agency time to clarify requirements and avoid a major disruption in the nation's hazardous waste management system. EPA is currently considering various regulatory alternatives to address the issues raised by the Court.

RCRA "MIXTURE" AND "DERIVED FROM" RULES

Under the RCRA "mixture" and "derived-from" rules, certain wastes mixed with hazardous wastes or derived from hazardous wastes must be managed as hazardous wastes whether or not they pose a risk to human health or the environment. Most parties recognize that this approach results in unnecessarily stringent requirements for certain low risk wastes. EPA is working with states, industry and the environmental community to respond to litigation and a statutory mandate to revise these regulations. This effort is known as the Hazardous Waste Identification Rule. EPA plans to work with the states, and to hold a series of public meetings starting in December, 1992 to develop options for amending the rules. We plan to present options to EPA management in the Spring of 1993; issue a new proposal in the Fall of 1993, and the final rule by the Fall of 1994.

NATIONAL ENVIRONMENTAL EMERGENCIES (CHEMICAL RELEASES)

In the event of a significant accidental release of chemicals or oil, there is a system authorized under the Clean Water Act and CERCLA for galvanizing Agency, interagency, and Emergency Operations Center support. EPA chairs the National Response Team, the fifteen agencies having responsibilities for environmental emergency response, preparedness, and mitigation. In the event that there is a major chemical accident, there could be intense Congressional and public pressure for the new Administration to create the long overdue Chemical Safety and Hazard Investigation Board required by the Clean Air Act. The Board is to investigate accidents and make recommendations for regulations. The Bush Administration issued an intent to nominate members to the Board, but no names were submitted to the Congress.

CLEAN AIR STATUTORY DEADLINES--ACCIDENTAL RELEASES

The Clean Air Act Amendments of 1990 required a Presidential review of Federal chemical accident prevention, mitigation, and response authorities to clarify and coordinate Federal agency responsibilities and make recommendations to Congress for needed statutory changes by November 15, 1992. A report, currently under Executive Branch review, sets the stage for significant regulatory streamlining in the complex, confusing, duplicative, and costly hazardous materials safety system. A proposed second phase of this study could offer opportunities for achieving significant program efficiencies. The CAA also calls for EPA to promulgate rules to define the regulated universe (list of chemicals and thresholds) by November 15, 1992 and to outline prevention requirements by November 15, 1993. While OMB has approved the release of the proposed list rule, it has not yet released the prevention requirements. Industry, which is implementing related OSHA rules, wants the rules issued so that they may structure complementary programs; states also need them to structure their programs for approval by the Agency.

SITE-SPECIFIC CLEANUP, ENFORCEMENT AND PERMITTING ISSUES

Under CERCLA and RCRA, controversial site-specific cases frequently arise. Three very visible cases are illustrative:

Kennecott Corporation Negotiations: In March, 1992, EPA, the Utah Department of Environmental Quality, and Kennecott Corporation entered into an Agreement in Principle for Kennecott's comprehensive cleanup of contamination at its copper mining operations. This is a pilot project under a Superfund program initiative to speed cleanups. The Agreement provides that as long as Kennecott is fulfilling its obligations, EPA and the State of Utah will defer actions to include Kennecott's facilities on the Superfund National Priorities List (NPL). Although EPA does not consider the agreement to be a "voluntary cleanup," groups outside EPA consider it a potential model because of the deferred listing provision. The ongoing consent decree negotiations are being closely followed by other parties with Superfund responsibilities.

Waste Technologies Industry Incinerator Permit: Incinerators, like other types of hazardous waste disposal facilities, are always of concern to the communities in which they are located. As an example, citizens of East Liverpool, Ohio, together with environmental groups, have been fighting Waste Technologies Industries' attempt to construct and operate an incinerator. They have used a hunger strike, civil disobedience, and legal challenges to the permitting process. Opponents to the facility have disputed EPA's issuance of the original permit in 1983, as well as the Agency's more recent granting of several permit modifications. Under RCRA, all incineration facilities (except those at Superfund sites) must meet rigorous permit and inspection conditions designed to ensure the safe destruction of wastes and the protection of people in the community and the environment. At this time, Waste Technologies Industry has completed construction, and should soon begin conducting a trial burn. Citizen opposition remains high.

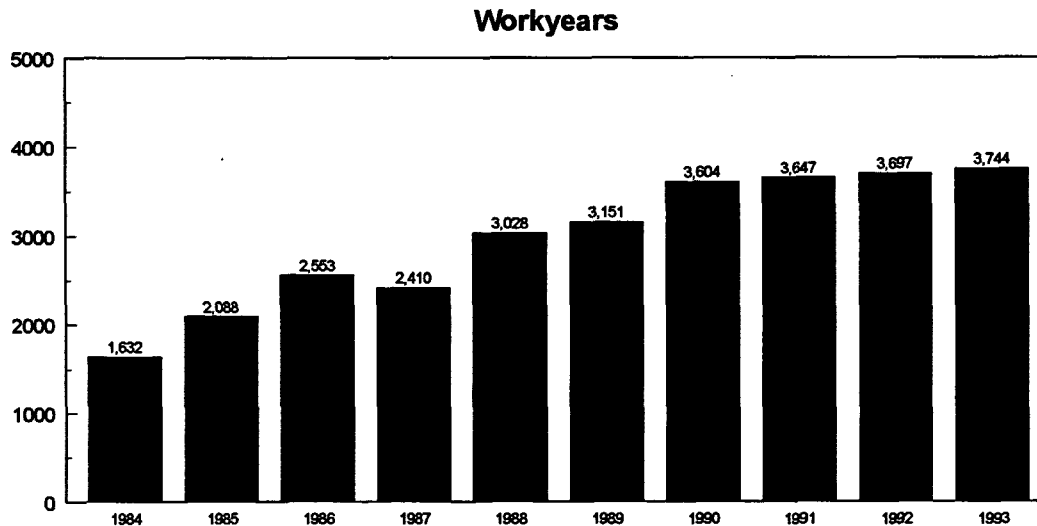
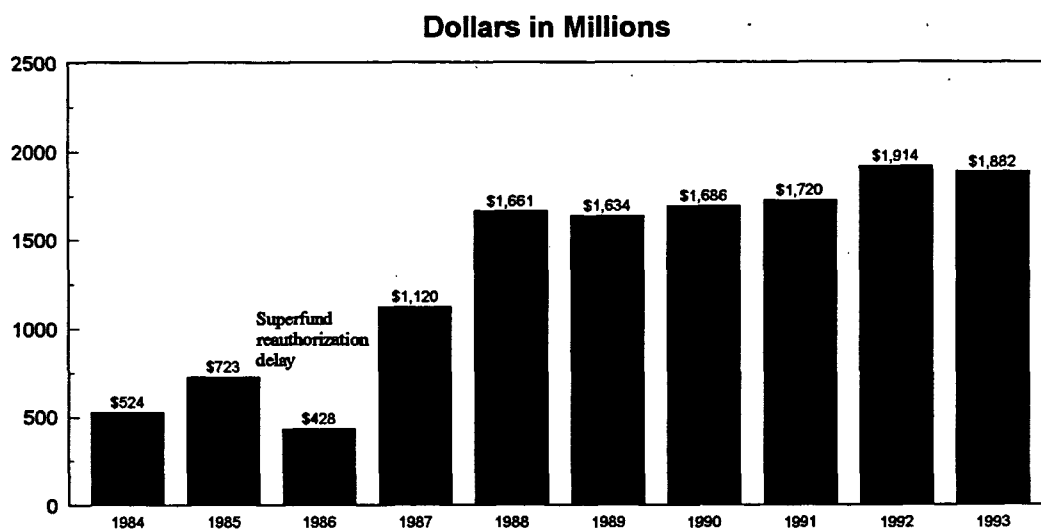
United States v. Marine Shale Processors, Inc: On June 14, 1990, the United States filed a multi-media civil judicial enforcement action against Marine Shale Processors, Inc. of St. Mary Parish, Louisiana pursuant to the Resource Conservation and Recovery Act and the Clean Water Act. Marine Shale is the largest burner of hazardous waste in the country. The United States alleges that Marine Shale is a "sham" recycler that has been improperly operating without a RCRA permit and is violating RCRA by placing hazardous waste on the ground at its Louisiana facility that exceed EPA's treatment standards. Marine Shale claims not to operate an incinerator but to run an exempt recycling operation which burns hazardous waste in order to recover the fuel value in the waste and produce a product (basically incinerator ash), which it markets as "aggregate" or fill material.

Capacity Assurance Plans: In order to receive funding for Superfund cleanups, states must ensure they have treatment and disposal capacity to manage the hazardous waste they generate for the next 20 years. States prepare "capacity assurance plans" to demonstrate how they will assure capacity for this period. The first plans were submitted to EPA in 1989. They sparked arguments between states over which ones were doing their "fair share" to treat and dispose of hazardous waste from other states. As a result, EPA is revising the process, with state involvement to provide for more equitable sharing of the burden of hazardous waste disposal. New capacity assurance plans will be due in late 1993. States that cannot demonstrate adequate capacity will be forced to choose between siting unpopular hazardous waste management facilities or losing their Superfund money.

RESOURCES

TRENDS - FY 1984 to FY 1993

(1984 to 1992 Operating Plans, 1993 President's Budget)

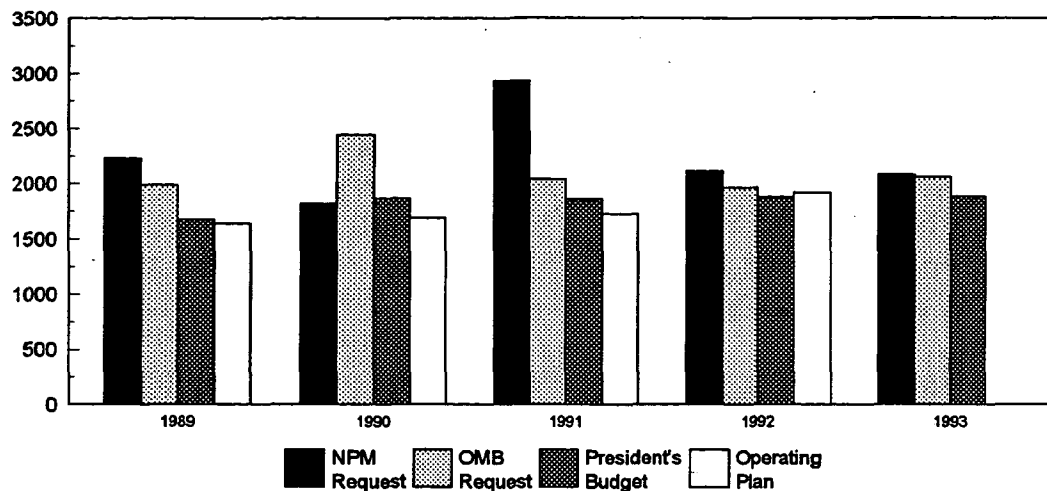


- In the late 1980s, resources increased to support the Superfund and the Leaking Underground Storage Tank (LUST) programs. These resources have leveled off in the last few years.
 - The FY 1986 dollar decrease was due to the delay in Superfund reauthorization. Current authorization of Superfund expires in FY 1994.
 - Steady increases in workyears have been for the Superfund program, although this leveled off after 1991.
 - In 1993 OSWER supported geographic initiatives, including the Gulf of Mexico, and Oil Pollution Act initiatives.
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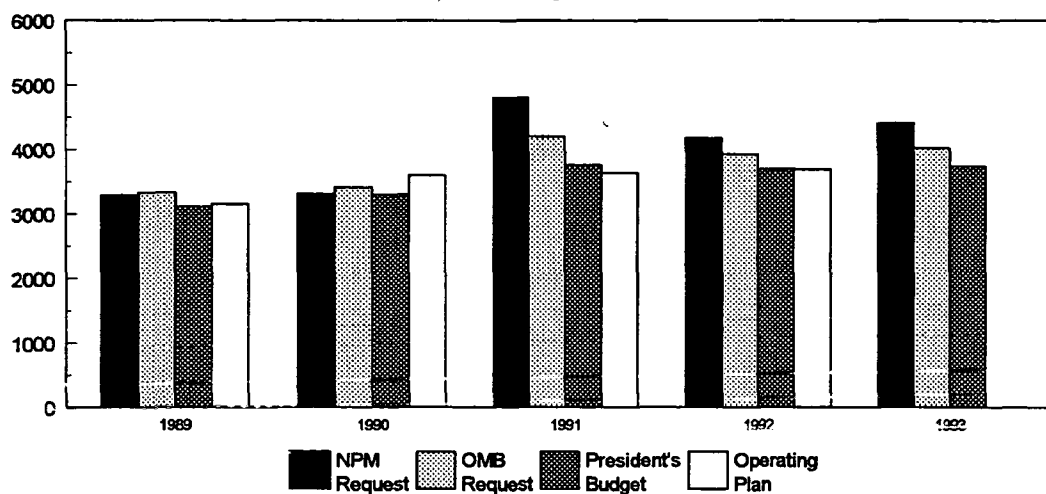
BUDGET PROCESS

(From Initial Request to Final Operating Plan)

Dollars in Millions



Workyears

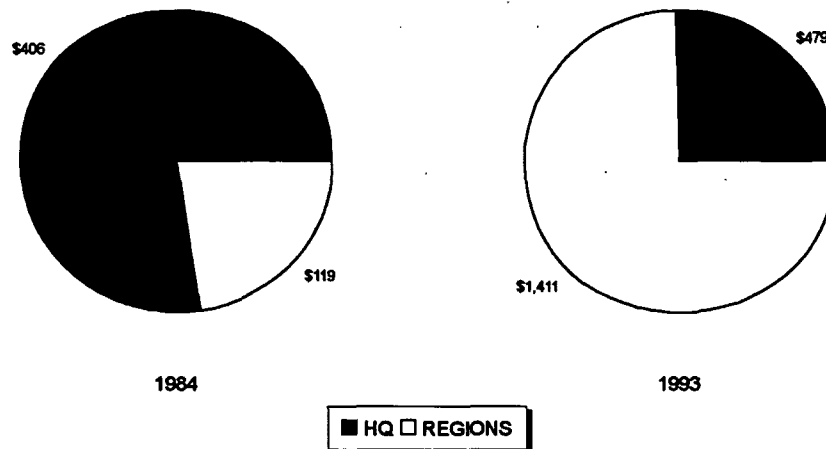


- The RCRA hazardous waste program has experienced steady growth, especially in enforcement and state grants.
- Superfund and LUST operating plans have been relatively stable since 1990.
- Resources for the oil spills program have increased since 1992 to fund mandates required by the Oil Pollution Act of 1990.

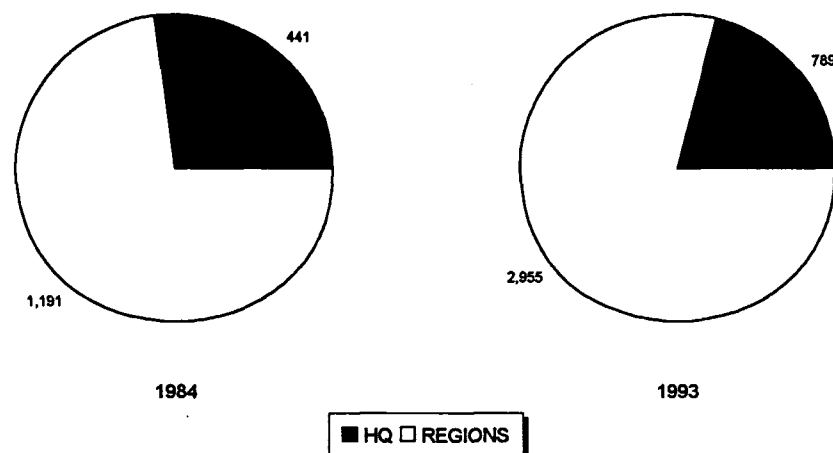
REGIONAL vs. HEADQUARTERS RESOURCES

(1984 Operating Plans vs. 1993 President's Budget)

Dollars in Millions



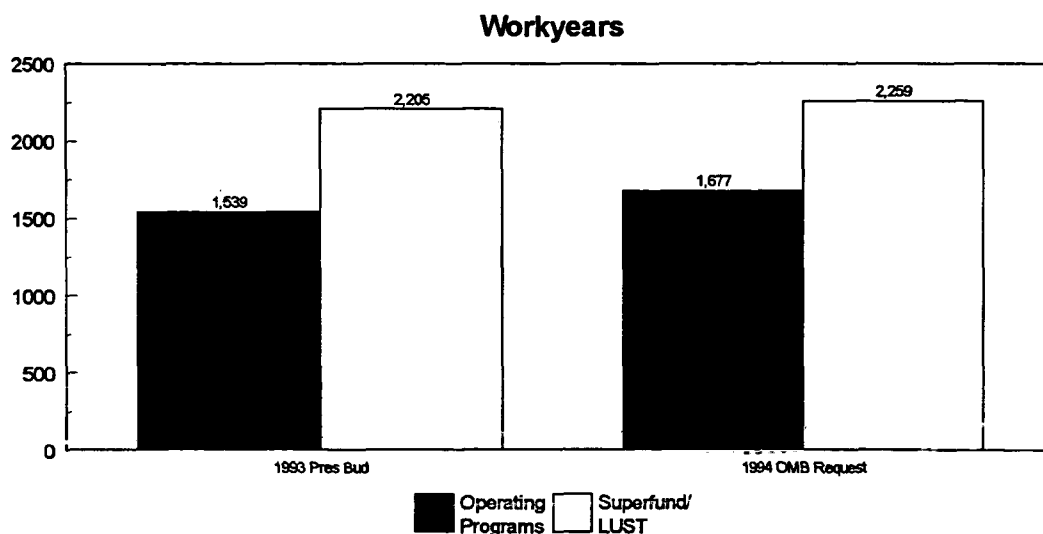
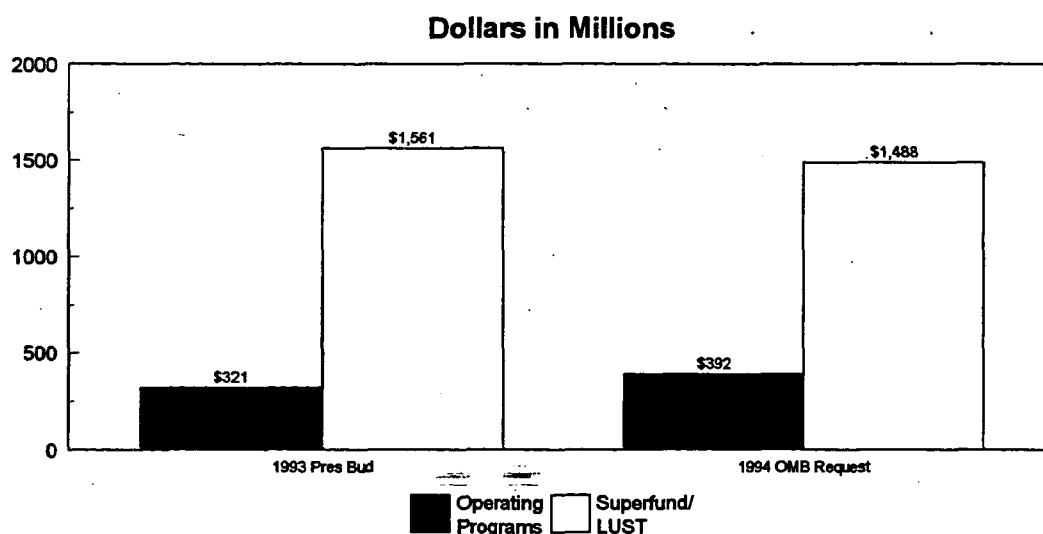
Workyears



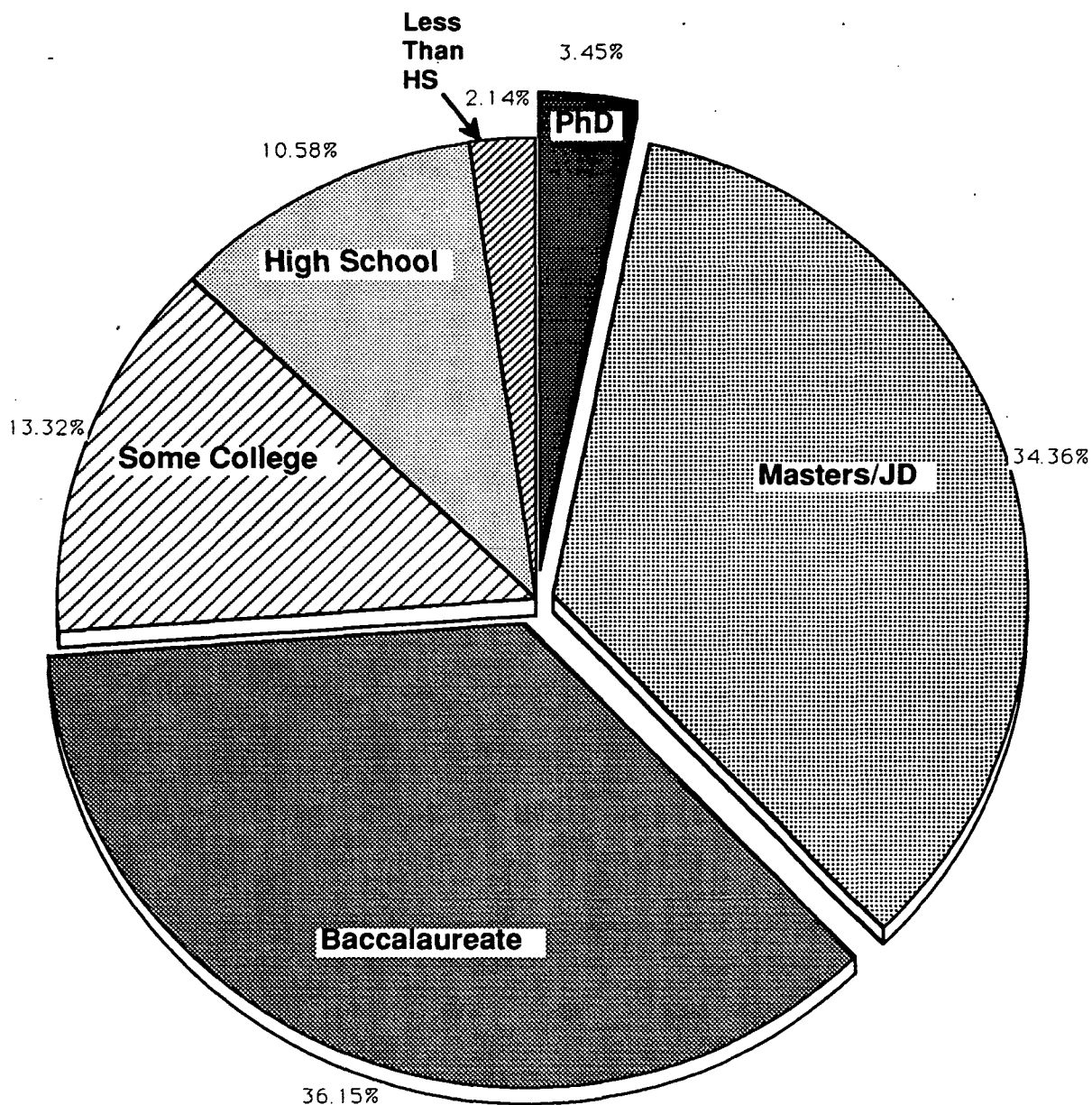
- The resource increase in the regions reflects delegation of Superfund site activities to the regions.
- Workyear growth was mostly in the Superfund program. Regions have been delegated much of the program authority.
- The hazardous waste program experienced growth due to the 1984 amendments to RCRA. Program implementation is at the regional and state levels.

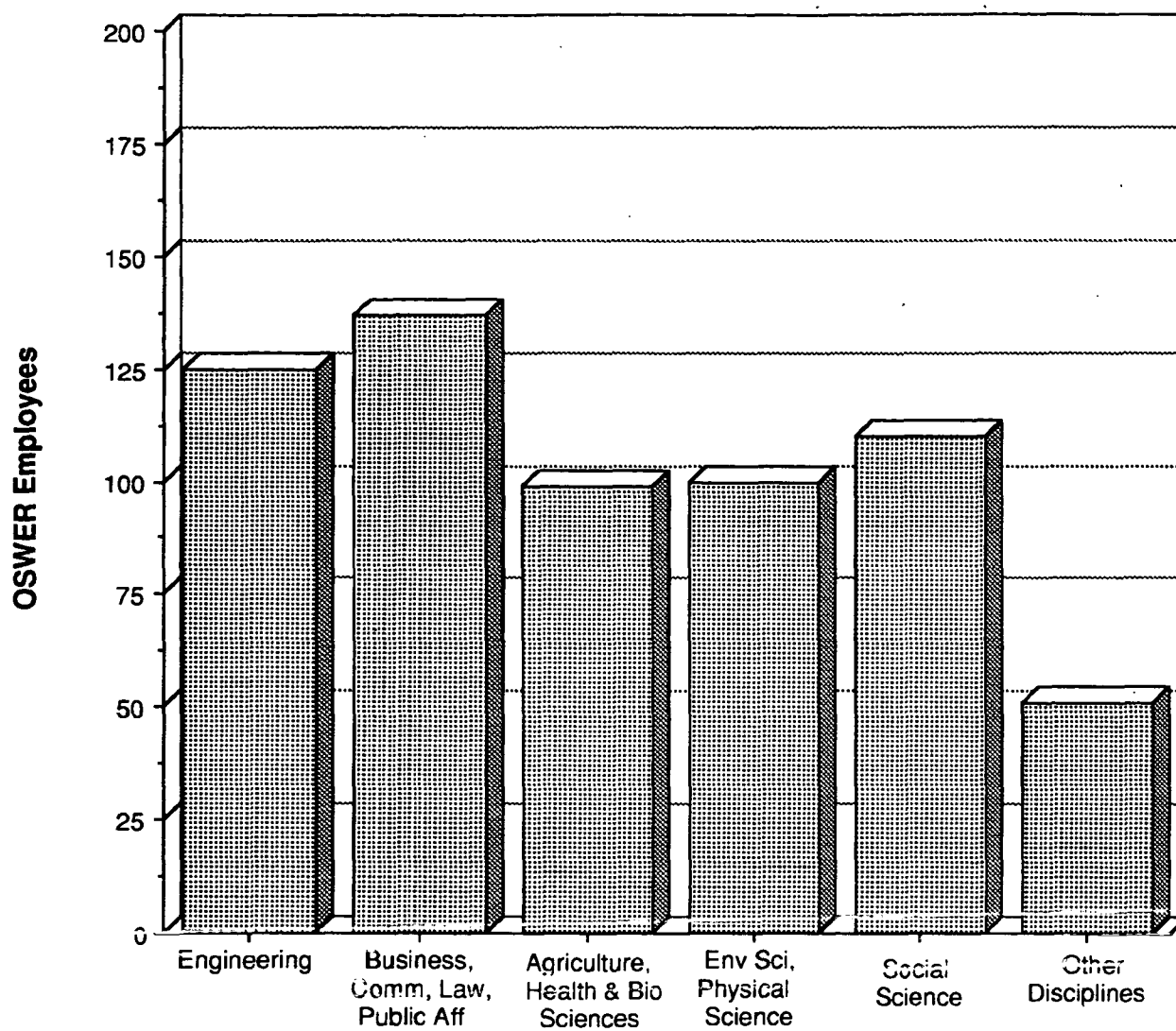
ADDITIONAL RESOURCES REQUESTED FOR 1994

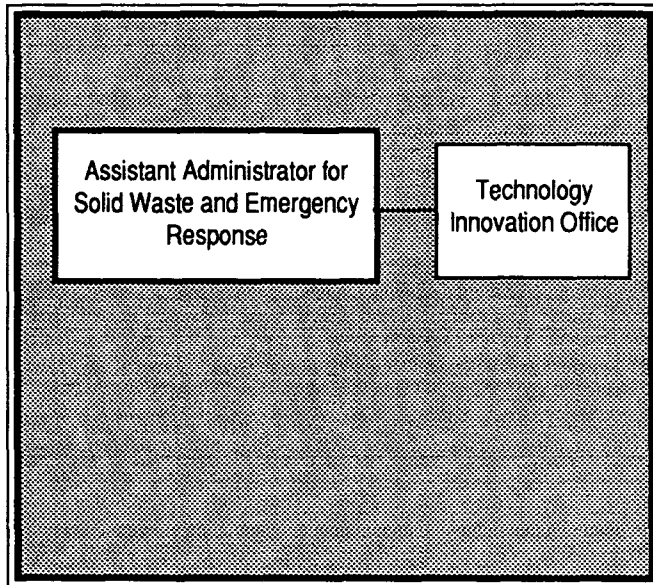
(FY 1994 OMB Request vs. 1993 President's Budget)



- Operating Program increases fund RCRA reform initiatives and the Agency's statutory mandates and geographic themes. The Underground Storage Tank Program requests increases for state grants. The Emergency Planning and Community Right-to-Know Program proposes increases for international preparedness and Clean Air Act activities.
- The 1994 Superfund request is less than previous requests, acknowledging the previous Congressional enacted levels.
- Leaking Underground Storage Tank (LUST) resources have remained steady. Four additional workyears were requested for 1994.

WORKFORCE DEMOGRAPHICS**EDUCATION LEVELS - OSWER**

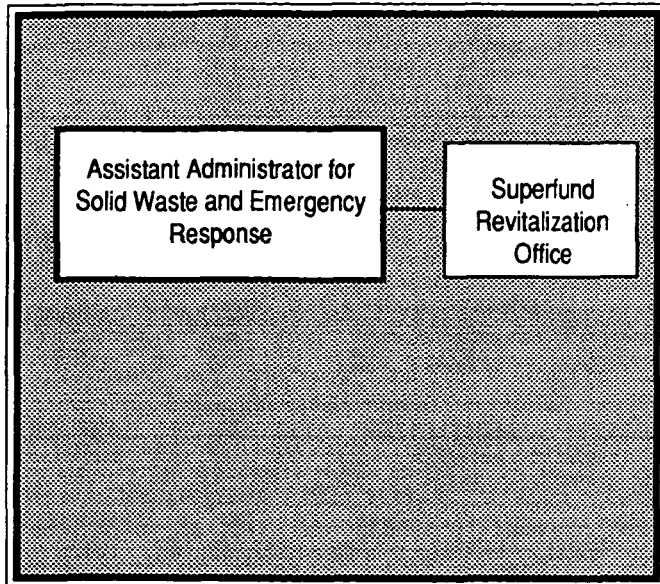
ACADEMIC DISCIPLINES OF COLLEGE GRADS

TECHNOLOGY INNOVATION OFFICE**LEADERSHIP****Walter W. Kovalick, Jr.
Director**

Walt Kovalick came to the Technology Innovation Office from a position as the Deputy Director of the Superfund program. Prior to that, he worked in the Office of Toxic Substances on cross-program and cross-agency regulation of chemicals, the hazardous waste regulatory program, and the early clean air programs both in headquarters and in Regions IV and V. He has served as an EPA representative and consultant on chemical, hazardous waste, and technology issues to several countries and international organizations. Walt received a Bachelor's degree in Industrial Engineering from Northwestern University, a Master's in Business Administration from Harvard Business School, and a Doctorate in Public Administration and Policy from Virginia Tech.

FUNCTIONS

- ☐ Advocates the use of new technologies for site cleanup of Superfund, RCRA corrective action, and underground storage tank sites.
- ☐ Deals with information, institutional, and regulatory barriers to the use of these technologies.
- ☐ Collaborates with technology vendors and users, consulting engineers, and other Federal Agencies.
- ☐ Develops new electronic communication systems as needed and provides for necessary training.

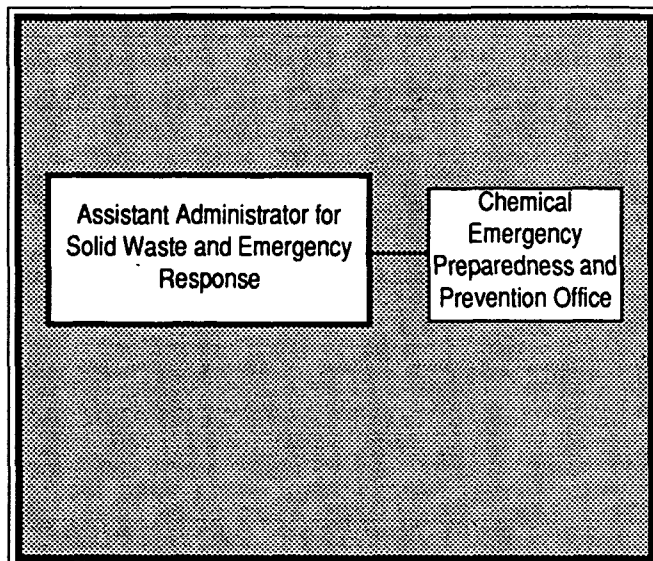
**SUPERFUND REVITALIZATION
OFFICE****LEADERSHIP****Timothy Fields, Jr.
Director**

Tim Fields was appointed to be Director of the Superfund Revitalization Office in February, 1992. Prior to this, he was Deputy Director of the Office of Emergency and Remedial Response for two and one-half years, after serving as the Director of the Emergency Response Division for over four years. Tim has been employed by EPA in a variety of positions for more than 21 years. He has a B.S. degree in Industrial Engineering from Virginia Polytechnic Institute and State University (Virginia Tech), and an M.S. degree in Operations Research from George Washington University.

FUNCTIONS

- ☐ Provides leadership to the development of new and innovative programs to revitalize Superfund.
- ☐ Integrates efforts of Fund and enforcement-lead activities under Superfund.
- ☐ Oversees responses to controversial issues by Fund and enforcement program areas.
- ☐ Evaluates program successes and determines the need for changing direction in the Superfund program.

CHEMICAL EMERGENCY PREPAREDNESS AND PREVENTION OFFICE



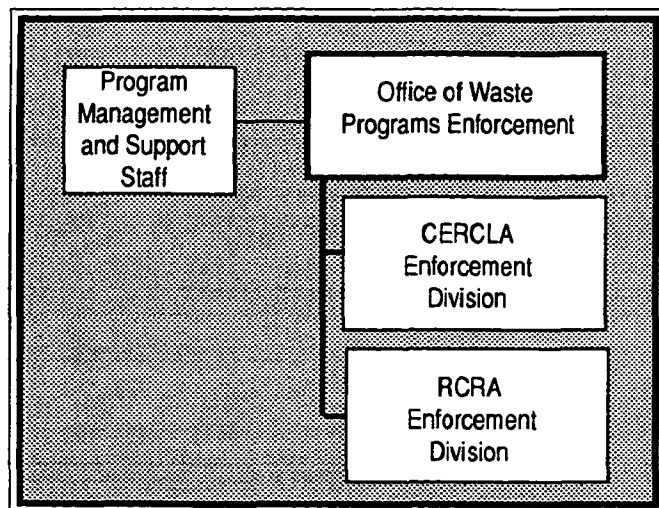
LEADERSHIP

Jim Makris **Director**

Jim Makris is the Emergency Coordinator and the Chairman of the National Incident Coordination Team, which coordinates EPA's activities during a national or international environmental incident. He directed EPA's effort in the *Exxon Valdez* oil spill, the Arabian Gulf oil spill and the Kuwaiti oil field fires. Jim is also Chairman of the National Response Team, which is an organization of 15 Federal agencies responsible for coordinating Federal planning, preparedness, and response actions. He held various positions in emergency management at the Department of Housing and Urban Development, the Federal Disaster Assistance Administration, and the Federal Emergency Management Agency before joining EPA in 1984. Jim received a degree in Business from the University of New Hampshire and a Law degree from George Washington University.

FUNCTIONS

- ☐ Develops, manages, and implements EPA's chemical emergency preparedness and prevention programs.
 - ☐ Prepares community right-to-know regulations, guidance materials, technical assistance, training, and other activities as authorized by CERCLA and SARA.
 - ☐ Provides the secretariat for, and policy, administrative support and coordination to, the national and regional response teams.
 - ☐ Manages the National Incident Coordination Team for nationally significant emergencies.
-

**OFFICE OF WASTE PROGRAMS
ENFORCEMENT****LEADERSHIP****Bruce M. Diamond
Director**

Bruce Diamond has served as Director since August, 1988. He joined EPA in 1974, and until 1983 held a variety of positions in the Office of General Counsel. Immediately prior to his current position, he served for over three years as Regional Counsel in Region III (Philadelphia). Bruce was an Associate Professor of Law at Rutgers University Law School from 1983-1984. He received a B.A. in Biology from the University of Pennsylvania and a J.D. from the University of Michigan Law School.

**Elaine G. Stanley
Deputy Director**

Elaine Stanley was named Deputy Director in July, 1988, and has served in a variety of management and staff positions in the Office of Solid Waste and Emergency Response. She has served as the Director of the RCRA Enforcement Division, Special Assistant to the Director of the Office of Emergency and Remedial Response, and Special Assistant to the Assistant Administrator for Solid Waste and Emergency Response. Prior to joining EPA, Elaine worked for the State of Minnesota and the Twin Cities Metropolitan Council. She received her B.A. from Goucher College and her M.A. in Regional Planning from the University of North Carolina.

FUNCTIONS

- ☐ Develops guidance, policy, and direction for a national program of technical compliance and enforcement under CERCLA and RCRA by regional and state offices.
- ☐ Serves as the national technical expert for all matters relating to RCRA and CERCLA compliance and enforcement.
- ☐ Assists the regions in resolving disputes with Federal facilities over compliance and response matters.

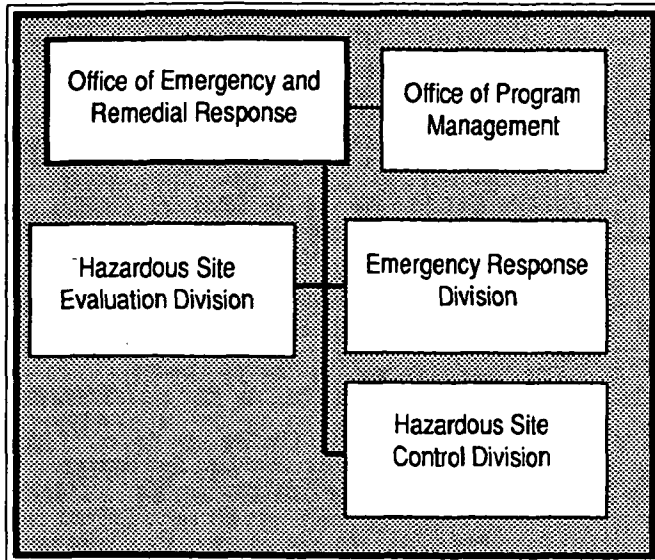
DIVISION DIRECTORS

**Sally S. Mansbach, Director
CERCLA Enforcement Division**

Sally Mansbach has been the Director of the CERCLA Enforcement Division since 1991. She came to the Agency in 1985, from the Department of Labor as the Senior Budget Officer and resources management analyst in the Office of Enforcement and Compliance Monitoring. She moved to the Office of Solid Waste and Emergency Response in 1988 as the Deputy Director of the CERCLA Enforcement Division. Sally has a B.A. from Goucher College and a Master's degree from the Kennedy School of Government, Harvard University.

**Susan E. Bromm, Acting Director
RCRA Enforcement Division**

Susan Bromm has been with the Office of Solid Waste and Emergency Response in various positions involving development, implementation, and enforcement of regulations under the Resource Conservation and Recovery Act (RCRA) since November, 1980. Previously, she was the Deputy Director of the Permits and State Programs Division. Susan has a B.S. from the State University of New York and a J.D. from the Georgetown University Law Center.

**OFFICE OF EMERGENCY AND
REMEDIAL RESPONSE****LEADERSHIP****Henry L. Longest II
Director**

Henry Longest joined the hazardous waste cleanup program in 1985 after having served as Acting Assistant Administrator in the Office of Water. Having joined EPA in 1970, Henry's experience includes administration of EPA's major water programs dealing with wastewater treatment plant construction grants, water quality standards, permits, drinking water, and oceans. Prior to his Headquarters assignment, Henry served as Water Planning and Standards Branch Chief in Philadelphia; Water Division Director in Chicago; and Acting Deputy Regional Administrator in Dallas. He has also worked for the E. I. Du Pont Company as a construction engineer and with the U.S. Army Corps of Engineers as a hydraulic engineer in the field of water resources. Following graduation from the University of Maryland, Henry served a tour of duty in the U.S. Air Force.

**Stephen D. Luftig
Acting Deputy Director**

Steve Luftig joined OERR in 1990, after having served several years as the Superfund Division Director in the New York regional office. He began his EPA career in 1972, with Region II. His experience there includes positions in wastewater management, policy planning, program evaluation, and hazardous waste cleanup. His educational background includes a Master's degree in Civil (sanitary) Engineering from New York University and a B.S. degree in Chemical Engineering from the City College of New York. Steve has also worked for the Allied-Signal Corporation and Exxon, Inc. as an environmental and chemical engineer.

FUNCTIONS

- ☐ Develops national policies for the control of abandoned hazardous waste sites.
- ☐ Develops national policies for response to, and prevention of, oil and hazardous substance spills.
- ☐ Provides direction, guidance, and support to the Environmental Response Team located in Edison, New Jersey.
- ☐ Directs and monitors the performance, progress, and fiscal status of the regional offices implementing the cleanup of abandoned hazardous waste sites.

DIVISION DIRECTORS

**Deborah Y. Dietrich, Acting Director
Emergency Response Division**

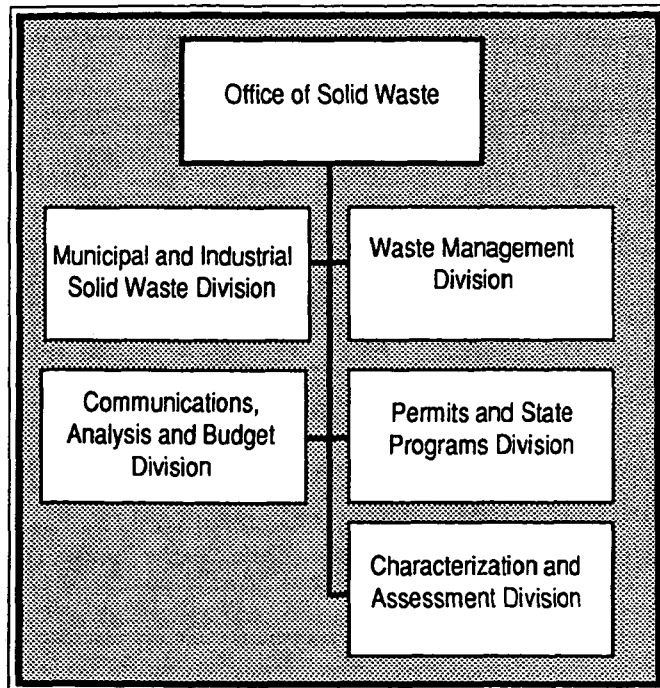
Debbie Dietrich joined the program in 1986 after a ten-year career at the Department of Energy. At Energy, Debbie began her career as a budget intern and held a variety of positions in the management and budget fields. Since joining EPA, she has held several positions in the Superfund program, including Chief of Financial and Administrative Management, Director of the Contract Operations, Review and Assessment Staff, and Deputy Director of the Emergency Response Division. Debbie has a B.S. degree in Business Administration from the University of Maryland.

**Gerald M. Clifford, Director
Hazardous Site Control Division**

Jerry Clifford became the Director of the Hazardous Site Control Division in January, 1992, after fifteen years of service in Region IX. He has spent the last seven years in the Superfund program; most recently directing all aspects of Superfund for the region. Jerry's experience spans hazardous and toxic waste enforcement, leaking underground storage tanks, mobile source emission inspection programs, and the air quality implementation program. Jerry began his EPA career in 1977, following graduate studies at the University of Florida.

**Larry G. Reed, Director
Hazardous Site Evaluation Division**

Larry Reed joined the Superfund program in 1987 and has been acting/permanent Division Director since 1989. He started with EPA as a management intern in 1973. His previous experience includes planning and evaluation, research and development, TSCA, and water enforcement. He also served as Deputy Division Director for Planning and Management in the Chicago regional office. He received a B.A. degree from Youngstown State University and a M.P.A. degree from Harvard University.

OFFICE OF SOLID WASTE**LEADERSHIP****Sylvia K. Lowrance
Director**

Sylvia Lowrance has been the Director since April, 1988. Prior to that, she served as Director of the Characterization and Assessment Division. During the last ten years, she has managed policy and technical guidance development for the national RCRA enforcement program; served as a senior advisor on the RCRA and CERCLA enforcement programs; and managed policy development for the Superfund program. Sylvia also has experience working in the Office of Water. Prior to joining the Agency, she worked in government relations for a number of associations. Sylvia holds a B.A. from the University of Michigan and a J.D. from Catholic University of America. She also serves as a professional teacher of law at George Washington University.

**Jeffery D. Denit
Deputy Director**

Jeff Denit has been Deputy Director since November, 1985. Since coming to EPA in 1970, he has served in the Office of Research and Development as well as the Office of Water, where he was Director of the Industrial Technology Division. Jeff received both a B.S. and a M.S. from Clemson University in Agricultural Economics, and a second M.S. in Sanitary Engineering from the University of North Carolina.

FUNCTIONS

- ☐ Develops and implements a national program for "cradle-to-grave" management of hazardous and solid wastes.
- ☐ Establishes and evaluates Agencywide hazardous and solid waste program policy and research requirements.
- ☐ Develops policy, regulations, and guidance for the permitting of hazardous waste storage, treatment, and disposal facilities.
- ☐ Develops and implements a RCRA state authorization program.
- ☐ Develops regulations which define hazardous wastes, list waste streams, and characterize hazardous wastes.

DIVISION DIRECTORS

David Bussard, Director**Characterization and Assessment Division**

David Bussard has held this position since September, 1988, after serving as Deputy Director. He previously served as a Special Assistant to the Director of the Office of Solid Waste, and held positions in the Office of Toxic Substances and the Office of Policy, Planning and Evaluation. David received a B.S. in Biochemistry from Harvard, where he also graduated from the Kennedy School of Government. Prior to coming to EPA, David worked at Harvard and MIT for two years on policy research projects in education, labor, economics, and regulatory policy.

Devereaux Barnes, Director**Permits and State Programs Division**

Dev Barnes joined the Office of Solid Waste in April, 1988. Formerly the Director of the Industrial Technology Division in the Office of Water, he has been with EPA since 1974. Before joining EPA, Dev worked in the chemical industry. He has a B.S. and M.S. in Chemical Engineering and is a registered professional engineer in the State of Maryland.

Bruce Weddle, Director**Municipal and Industrial Solid Waste Division**

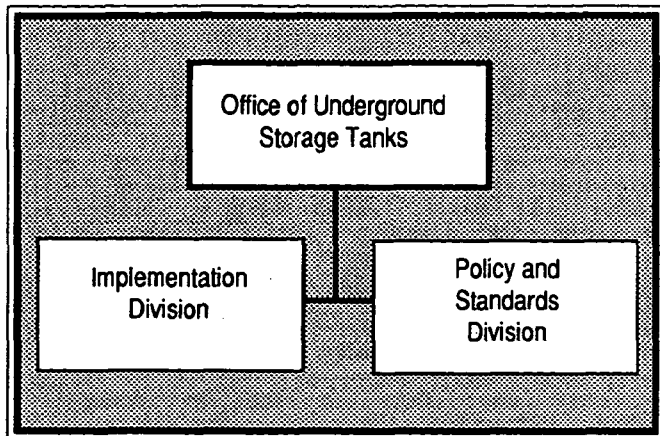
Bruce Weddle has held this position since the program was formed in September, 1988 to bring together all of the Office of Solid Waste's activities related to municipal waste. Bruce joined the Office of Solid Waste in 1970, serving as Director of Permits and State Programs Division and in other management positions. He has a B.S. from Clarkson University, and a M.B.A. from Xavier University. Before coming to EPA, Bruce was an engineer with the Allis-Chalmers Manufacturing Company.

Mathew A. Strauss, Director**Waste Management Division**

Mathew Strauss, a career Public Health Service officer, has been in this position since October, 1991. Matt has worked in the Office of Solid Waste since June, 1974, in various management positions. He has a B.S. in Civil Engineering from the University of Maryland.

Loretta A. Marzetti, Director**Communications, Analysis & Budget Division**

Loretta Marzetti has directed this division since it was formed in October, 1990. She is currently responsible for economic analyses for regulation development, strategic planning, and policy analysis. She joined the Agency in 1982 as a senior analyst in the Office of Policy, Planning and Evaluation and was responsible for the oversight of the Agency's hazardous waste management programs. She has also been the Program Director for the RCRA information system. Loretta received a B.A. from Catholic University.

OFFICE OF UNDERGROUND STORAGE TANKS**LEADERSHIP****David W. Ziegele
Director**

David Ziegele was named Acting Director of the Office of Underground Storage Tanks in January, 1991 and was appointed permanent Director in October, 1991. He served from 1981 to 1990 in the Program Evaluation Division in the Office of Policy, Planning and Evaluation, and was Director of that division from 1987 until 1990. He worked in program management and volunteer support at Peace Corps Headquarters, and served for two years as a Peace Corps construction manager in Togo, West Africa. David received a B.A. degree from the University of Iowa and a Master's degree in Public Administration from the University of Southern California.

**Lisa C. Lund
Deputy Director**

Lisa Lund became Deputy Director of the Office of Underground Storage Tanks in January, 1992. Before joining EPA, Lisa was the Underground Storage Tank (UST) Program Manager for the Arizona Department of Environmental Quality. Prior to working there, she held various positions in the private sector, where she was responsible for research and development work for analytical chemistry laboratories and manufacturing companies. Lisa earned a Bachelor's degree in Environmental Microbiology from the University of Tennessee.

FUNCTIONS

- ☐ Regulates underground storage tanks that contain petroleum and hazardous substances.
- ☐ Plans, implements, and oversees the use of the Leaking Underground Storage Tank Trust Fund established by the Superfund Amendments and Reauthorization Act to address leaking underground storage tanks.

DIVISION DIRECTORS**Dana S. Tulis, Acting Director
Implementation Division**

Dana Tulis joined the Office of Underground Storage Tanks in August, 1987. Before coming to EPA she worked for ICF Inc. Dana has a B.A. degree in Biology/Psychology from Colby College and an M.A. degree in Environmental Science Engineering from Duke University.

**Sammy K. Ng, Acting Director
Policy and Standards Division**

Sammy Ng joined the Office of Underground Storage Tanks in 1985 after working in the Office of Toxic Substances and the Office of Water. Before coming to EPA, he worked as a microbiologist for the Dow Corning Corporation in Midland, Michigan. Sammy has a B.A. degree in Bacteriology from the University of California at Berkeley, an M.A. degree in Microbiology from Indiana University, and an M.B.A. degree from Stanford University.

DELEGATIONS HELD BY THE ASSISTANT ADMINISTRATOR

GENERAL, ADMINISTRATIVE AND MISCELLANEOUS

- 1 - 3 Occupational Health and Safety
- 1 - 9 Intergovernmental Personnel Act (IPA) Program
- 1 - 11 Interagency Agreements
- 1 - 15 Cash Awards
- 1 - 17A Domestic Travel Authorizations
- 1 - 17B International Travel Authorizations
- 1 - 20 Annual Leave Forfeiture
- 1 - 21 Federal Register
- 1 - 45 Intergovernmental Review Provisions of Executive Order 12372 and 40 CFR Part 29
- 1 - 49 Assertion of the Deliberative Process Privilege
- 1 - 51 Receptions and Refreshments to Recognize Award Recipients

CLEAN WATER ACT

- 2 - 15A Determinations of Imminent and Substantial Endangerment
- 2 - 28 Product Placement on NCP Schedule
- 2 - 29 Spill Prevention Control and Countermeasure Plan

SOLID WASTE DISPOSAL ACT

- 8 - 4 Petitions for Equivalent Testing Methods
 - 8 - 15 Distribution of Federal Financial Assistance Within States
 - 8 - 16 Employment Shifts and Loss
 - 8 - 17 Solid Waste Management Technical Training Assistance
 - 8 - 18B Solid Waste Management Training Assistance
 - 8 - 19 Actions on De-Listing Petitions to Exclude a Waste Produced at a Particular Facility
 - 8 - 20 Monitoring, Testing, Analysis and Reporting
 - 8 - 24 Inspections and Information Gathering
 - 8 - 25 Administrative Enforcement: Issuance of Complaints and Signing of Consent Agreements
 - 8 - 31 Determination That There Is Or Has Been a Release
-

- 8 - 32 Administrative Enforcement: Corrective Action Authority: Issuance of Orders and Signing of Consent Agreements
- 8 - 33 Selection and Performance of Federal Corrective Actions at Leaking Storage Tanks
- 8 - 34 Reimbursement - Studies of Underground Storage Tanks
- 8 - 36 Codification of Approved State Programs
- 8 - 37 Requiring Corrective Actions for Releases of Petroleum From Underground Storage Tanks
- 8 - 40 Actions on Case-by-Case Extension Petitions

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION AND LIABILITY ACT

- 14 - 2A Removal Actions Initially Expected to Cost Over \$2M and Continued Removal Actions After Obligations of \$2M (Pursuant to Emergency Waiver)
- 14 - 2B Removal Actions Initially Expected to Cost Over \$2M and Continued Removal Actions After Obligations of \$2M (Pursuant to the Consistency Waiver)
- 14 - 5 Selection of Remedial Actions
- 14- 17A National Priorities List: Federal Register Submission of Proposed and Final Additions and Deletions
- 14- 17B National Priorities List: Restoring Sites, Petitions to Assess, Evaluations of Serious Threats and Redetermining Priority
- 14 - 29 Investigations and Evaluations of Employment Shifts and Loss
- 14 - 34 Waiver of Permit Requirements in the State of Illinois

EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT

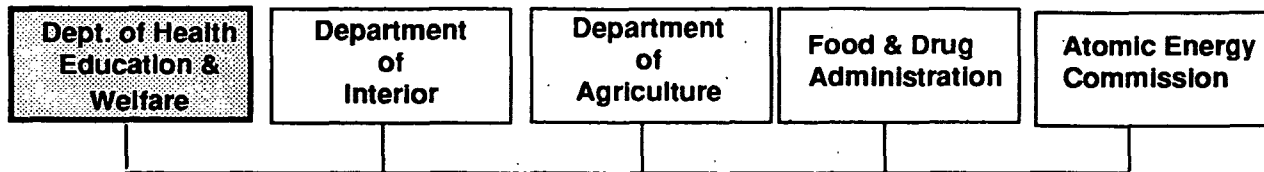
- 22 - 4 Notification by States of Facilities Subject to Planning Requirements
- 22 - 7 Trade Secrets
- 22-3-A Administrative Enforcement Actions

TOXIC SUBSTANCES CONTROL ACT

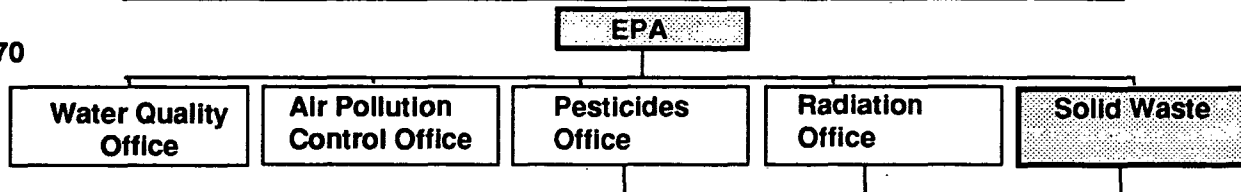
- 12-25 Chemical Emergency Planning and Preparedness, Prevention, and Right-to-Know Programs: Assistance to Indian Tribes
 - 12-26 Chemical Emergency Planning and Preparedness, Prevention, and Right-to-Know Programs: Assistance to States
-

ORGANIZATIONAL HISTORY

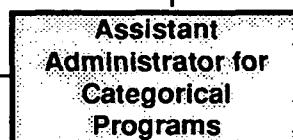
Pre-EPA



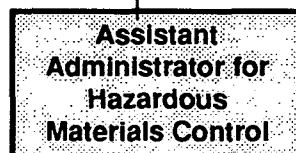
1970



1972

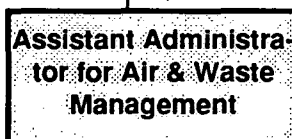


1973



← Noise, Radiation & Solid Waste

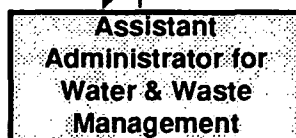
1974



→ Air, Noise, Radiation

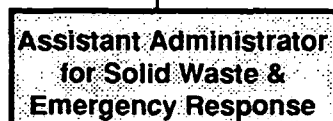
1976
RCRA

← Water



1979

← Water



← Superfund

1981
CERCLA
Superfund

1985

← Underground Storage Tanks

INITIAL ORGANIZATION

EPA was created through an Executive reorganization plan designed to consolidate a number of Federal environmental activities into a single agency. EPA inherited its solid waste program from the Department of Health, Education and Welfare's Bureau of Solid Waste Management.

In 1970, EPA's first Administrator, William Ruckelshaus, published an organizational order in which the five principal programs: solid waste, pesticides, water, air and radiation were retained under the management of commissioners. This was done to assure continuity of program operations and to allow time to consider the eventual organizational structure. Also at this time, EPA established a presence in the newly organized Federal structure which divided the country into 10 regions.

FURTHER REORGANIZATION

In 1971, EPA set up its permanent organizational structure replacing its five commissioners with two Assistant Administrators: one for Air and Water Programs, the other for Categorical Programs. The solid waste program was combined with the radiation and pesticides programs under an Assistant Administrator for Categorical Programs.

In the early years, the solid waste program continued to be aligned with the Categorical AAship. In 1973, this AAship made an effort to clarify its function with a more descriptive name and retitled itself the Office of Hazardous Materials Control. The 1970's for EPA were characterized by heavy legislative and regulatory activity. In order to balance the workload, a major realignment of functions took place between the two AAships in 1974. EPA retained the two program AAship structure, but programs for solid waste and air were combined under an Air and Waste Management AAship.

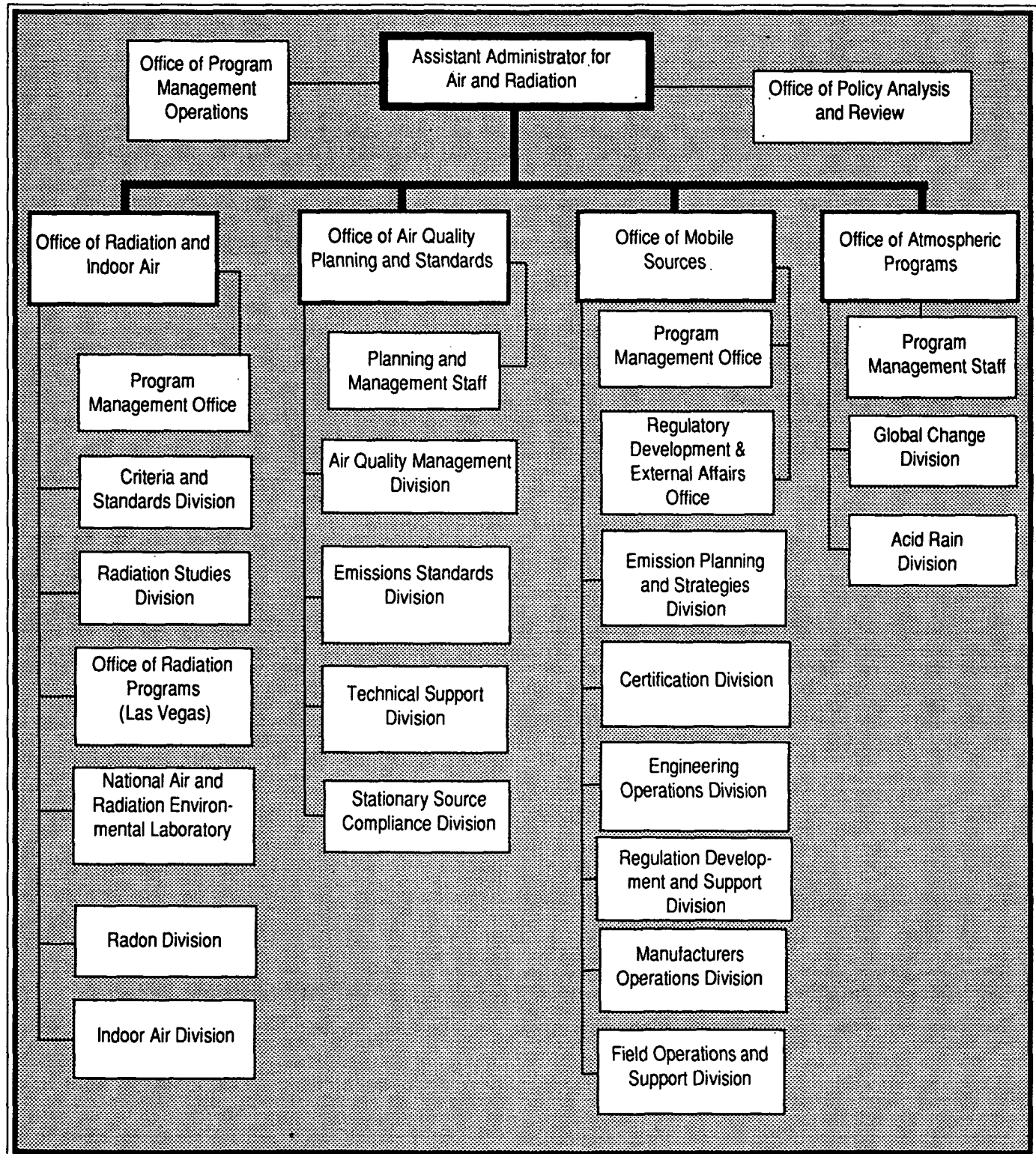
The 1976 passage of the Resource Conservation and Recovery Act directed EPA to carry out its first large-scale waste program. EPA responded with an organizational change that transferred the solid waste program from the Air and Waste Management AAship to the other AAship, Water and Hazardous Materials. In 1979, the Office of Water and Hazardous Materials emphasized RCRA's impact on the organization by retitling itself the Office of Water and Waste Management.

PRESENT ORGANIZATION

In 1980, the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA or "Superfund"), mandated the establishment of an Assistant Administrator to operate the program. In 1981, EPA combined the Superfund and RCRA programs into a new AAship, the Office of Solid Waste and Emergency Response. OSWER consisted of three offices: the Office of Solid Waste in charge of RCRA activities; the Office of Remedial Response in charge of Superfund activities; and the Office of Waste Program Enforcement responsible for enforcement activities related to both programs.

The RCRA reauthorization led to the establishment of a new office in 1985, the Office of Underground Storage Tanks. In 1986 OSWER established the Chemical Emergency Preparedness and Prevention Office to carry out Emergency Preparedness and Community Right-to-Know functions. In 1990, this was joined by the Technology Innovation Office which was also established in the immediate office of the Assistant Administrator. In 1992, a third staff office was added, the Superfund Revitalization Office, creating the organizational structure within which the Office of Solid Waste and Emergency Response currently operates.

OFFICE OF AIR AND RADIATION



LEADERSHIP

William G. Rosenberg**Assistant Administrator, Office of Air and Radiation**

Bill Rosenberg has served as Assistant Administrator of the Office of Air and Radiation since May, 1989. Before coming to EPA, he served for two years as Assistant Administrator for Energy Resource Development at the Federal Energy Administration. Prior to working for EPA, he spent a combined total of 19 years with a company engaged in income-producing real estate, a real-estate development and syndication firm, and a Detroit law firm. He holds a Law degree and an M.B.A. from Columbia University, and is an alumnus of Syracuse University.

Michael H. Shapiro**Deputy Assistant Administrator**

Michael H. Shapiro has served as Deputy Assistant Administrator of the Office of Air and Radiation since 1989. During the previous nine years, he held a number of positions in the Office of Pesticides and Toxic Substances, including Division Director and Acting Deputy Director of the Office of Toxic Substances, and Acting Deputy Assistant Administrator. Before joining the Agency, Mike was on the faculty of the John F. Kennedy School of Government, Harvard University; he also served as a consultant for a research and engineering company. He received his Ph.D. in Environmental Engineering from Harvard University and has an undergraduate degree in Mechanical Engineering from Lehigh University.

Thomas C. Kiernan, Deputy Assistant Administrator**Office of Air and Radiation**

Thomas C. Kiernan has served as Deputy Assistant Administrator since January, 1992. Previously, he served as the Assistant Administrator's Chief of Staff. Before coming to the Agency, he worked for the Oregon Department of Environmental Quality and Arthur Anderson and Company. He earned a B.A. from Dartmouth College in Environmental Computer Modeling and an M.B.A. from Stanford Graduate School of Business.

Jerry Kurtzweg, Director**Office of Program Management Operations**

Jerry Kurtzweg has worked in the Office of Program Management Operations since 1980, first as the Budget and Planning Staff Director, and becoming Office Director in 1984. Prior to that, he worked as Director of the Land Use Policy Branch, and as a Section Chief in the air program in Seattle, Washington. Jerry obtained his Master's degree in Planning from the University of Washington.

Robert D. Brenner, Director**Office of Policy Analysis and Review**

Rob is the Director of OAR's Office of Policy Analysis and Review and serves on the Agency's Steering Committee. His previous positions at EPA include staff director of the Agency's effort to reauthorize the Clean Air Act, and senior policy analyst on electric utility issues. Before coming to EPA in 1979, Rob worked at Princeton University's Center for International Studies. He holds Bachelor's and Master's degrees in Economics and Public Policy from Princeton's Woodrow Wilson School of Public and International Affairs.

FUNCTIONS

- ☐ Develops environmental and pollution sources standards.
 - ☐ Enforces environmental and pollution sources standards.
 - ☐ Manages mobile source air pollution control program.
 - ☐ Provides air quality planning and standards setting.
 - ☐ Develops voluntary programs to reduce exposure to radon and other indoor air pollutants.
 - ☐ Manages a program to reduce exposure to radiation through standards and guidelines.
-

LEGISLATIVE AUTHORITIES

CLEAN AIR ACT

The major objectives of the Clean Air Act are to protect and enhance air quality, to promote public health and welfare, and to establish a national research development program for the prevention and control of air pollution. The Act provides emission standards for industry and for hazardous pollutants as well as National Ambient Air Quality Standards. It establishes a mobile source air pollution control program and provides for the prevention of significant deterioration of air quality in areas which have clean air.

ATOMIC ENERGY ACT

The Atomic Energy Act of 1954 establishes standards for land disposal of high-level radioactive waste and low-level natural and accelerator-produced radioactive waste. In addition, it directs the Agency to issue guidance on exposure to radiation, including radiation protection for occupational exposure of workers to ionizing radiation.

SUPERFUND AMENDMENTS AND REAUTHORIZATION ACT OF 1986 (SARA)

SARA directs the Agency to reduce the level of indoor radon exposure, assess the significance of the radon problem, and analyze the health risks associated with radon. SARA also directs the Agency to develop measurement and mitigation techniques, identify high-risk lands, and ensure that quality services are provided to the public for measurements and radon reductions.

NOISE CONTROL ACT

The Noise Control Act of 1972 provides for research to determine the effects of noise and ways to promote noise control, and establishes noise emission standards for products distributed in commerce and transportation vehicles. It requires labeling regulations for products which emit noise capable of affecting public health. In 1982 Congress ceased to provide funds for activities under this Act.

WASTE ISOLATION PILOT PLANT, LAND WITHDRAWAL ACT

The Land Withdrawal Act was enacted in October, 1992, and authorizes EPA to oversee the Department of Energy radioactive waste disposal at the Waste Isolation Pilot Plant site in New Mexico.

SYNOPSIS OF MAJOR ISSUES

CLEAN AIR ACT IMPLEMENTATION

In the two years since the Clean Air Act Amendments of 1990 became law, EPA has issued over 100 proposed and final rules, guidance, and other major regulatory actions. Despite this enormous growth in regulatory activity, EPA has been sued by outside parties for failing to meet several statutory requirements. These lawsuits mean that the air pollution control program is increasingly driven by court-ordered deadlines.

OZONE AND CARBON MONOXIDE NONATTAINMENT

Ninety-seven areas of the country do not meet national air quality standards for ozone (smog) and forty-one areas do not meet air quality standards for carbon monoxide. Despite the Clean Air Act's new requirements to address these problems, several uncertainties must be addressed over the next two years, including: the appropriate role of NO_x controls, given a recent study by the National Academy of Sciences; and initiation of a review of new health data and possible impacts on ozone standard.

OPERATING PERMITS

A major reform in the 1990 Amendments was the addition of new operating permit programs to be established by states. Several key issues regarding this program must be addressed in the next few months including 1) the outcome of litigation regarding several aspects of the final rule; 2) lack of state legislation needed to initiate programs by November, 1993 deadline; and 3) uncertainties regarding the relationship of permit programs with other provisions of the Act.

NEW SOURCE REVIEW PROGRAM

EPA's policy for determining the "best available control technology" for new sources in or near unpolluted areas, such as national parks, continues to be controversial. A final decision on the BACT policy will be required early in 1993.

NATIONAL AMBIENT AIR QUALITY STANDARD FOR SULFUR DIOXIDE

EPA has been sued to review the national ambient air quality standard for sulfur dioxide. This review, which is required under the Clean Air Act, will be extremely controversial, especially for utilities that are already required to implement control programs for acid rain.

AIR TOXICS

The Clean Air Act Amendments of 1990 completely revamped the national program for air toxics control, shifting the initial emphasis from a risk-based approach to a technology approach. However, there are a number of outstanding and unresolved issues that must be addressed for air toxics, including: 1) the extent to which risk analysis should be conducted before issuing technology standards; 2) the resource and regulatory implications of the program being driven by lawsuit deadlines (states required to act in absence of EPA rules); and 3) the regulatory impact of a series of legislatively-mandated studies to be completed in November, 1993 on Great Lakes, urban air toxics, and consumer products.

STRATOSPHERIC OZONE PROTECTION

Continuing scientific analyses support the fact that ozone depletion is a major international environmental risk. EPA is developing a rule to accelerate the phase-out of ozone depleting substances to 1996 and working to strengthen international support for effective action to address this problem. EPA may experience some controversy around the availability and acceptability of substitutes for certain ozone depleting compounds.

REAUTHORIZATION OF RADON LEGISLATION

Both the House and Senate passed radon legislation in 1992; however, the bills did not make it to conference. Both Houses are expected to act on legislation to reauthorize the Indoor Radon Abatement Act of 1988 early in the next Congressional session. Hearings are expected in early 1993.

REFORMULATED GASOLINE

The Clean Air Act requires reformulated gasoline to be sold in the nine worst ozone nonattainment areas beginning in 1995 and allows other nonattainment areas to opt-in to the program. The initial proposal under this program was negotiated among interested parties and later amended to enhance the role of ethanol. The model to be used for later stages of the program will be proposed soon. This complex model will be reviewed closely by constituents of all levels, including environmental groups, the agricultural community, and other interested parties.

CALIFORNIA LOW EMISSION VEHICLE (LEV) STANDARDS

California has applied for a waiver for its 1994 light-duty vehicle standard. While the waiver is working its way through the approval process, issues involving the emissions credits available from EPA to California and other states that choose to adopt the California standards must also be resolved. While this specific action applies to California, it is also of national significance because a number of states are considering whether to "opt in" to the California standard in place of the Federal program.

FEDERAL IMPLEMENTATION PLANS

Unless the court grants a stay, EPA must propose a Federal implementation plan (FIP) for Sacramento by December 31. Depending on the Supreme Court, additional FIP proposals may be required during 1993. Given the short period of time given to develop the FIP and our lack of authority to implement control measures compared to that of state and local agencies, the Agency could be required to propose measures, such as early retirement of motor vehicles and off-road equipment, that would be viewed as overly severe.

RADIOACTIVE WASTE

EPA issued environmental standards for the management and disposal of spent nuclear fuel, high-level, and transuranic (DOE-produced) radioactive wastes in 1985. However, in 1987, the U.S. Court of Appeals remanded a significant portion (Subpart B) of the High-Level Waste Rule. Under the new Waste Isolation Pilot Plant (WIPP) legislation, EPA now has only 10 months, until April, 1993, to re-promulgate the High Level Waste standard. The recent legislation also gives EPA a significant oversight role over DOE waste disposal activities.

INDOOR AIR

Indoor air pollutants rank among the highest risk to human health. The Indoor Air Pollution Program evaluates risks, works with other agencies, and provides technical assistance to states and other groups to reduce the health effects of indoor air pollution. The recent Environmental Tobacco Smoke Study (i.e., "Risk Assessment"), which shows the impact of tobacco smoke on health, will be controversial and will require additional implementation strategies. The policy guide regarding smoking in the workplace needs interagency vetting.

GLOBAL WARMING

The U. S. Senate ratified and the President formally approved the Framework Convention on Climate Change on November, 1992. More recently, an interagency committee prepared a draft Action Plan to fulfill the President's commitment to promote a prompt start to the convention. The new Administration will have to revise the U. S. Action Plan for submission to the Conference of the Parties under the Convention.

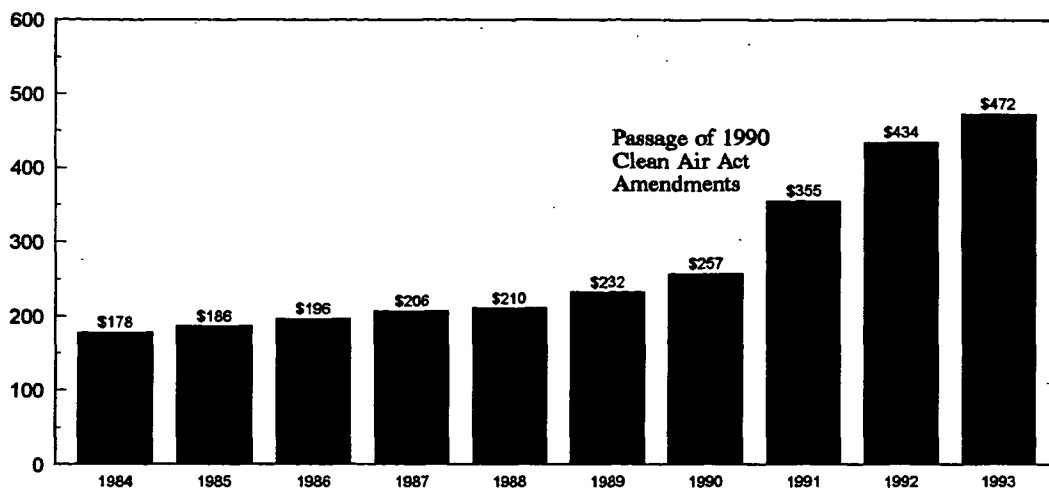
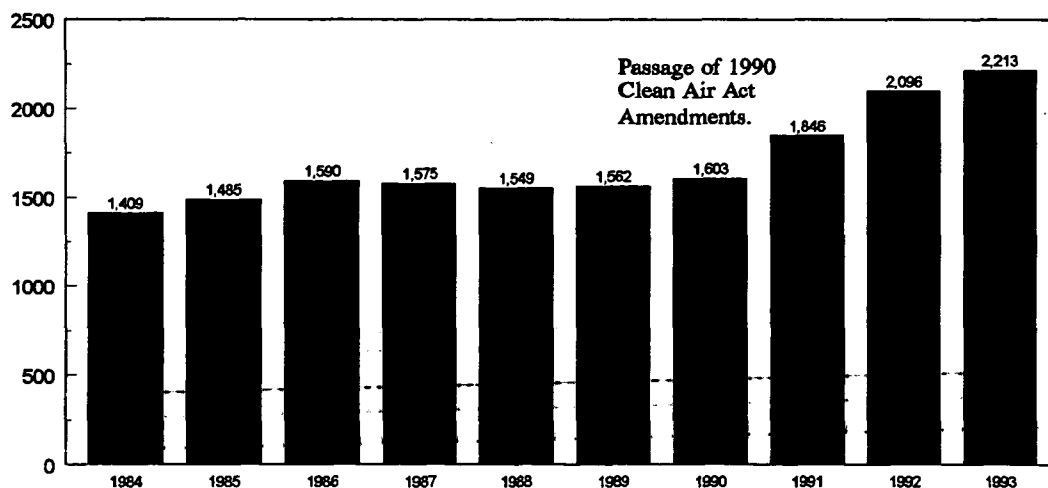
OXYGENATED FUEL IN ALASKA

Oxygenated fuel was required on November, 1992 in CO nonattainment areas, including Fairbanks and Anchorage, Alaska. Due to the cost of shipping gasoline additives, oxygenated fuel is significantly more expensive in Alaska than it is in the lower 48 states. Concerned citizens and now legislators in Alaska have questioned the effectiveness of oxygenated fuel to reduce CO in arctic conditions and are raising concerns about its health effects.

RESOURCES

TRENDS - FY 1984 to FY 1993

(1984 to 1992 Operating Plans, 1993 President's Budget)

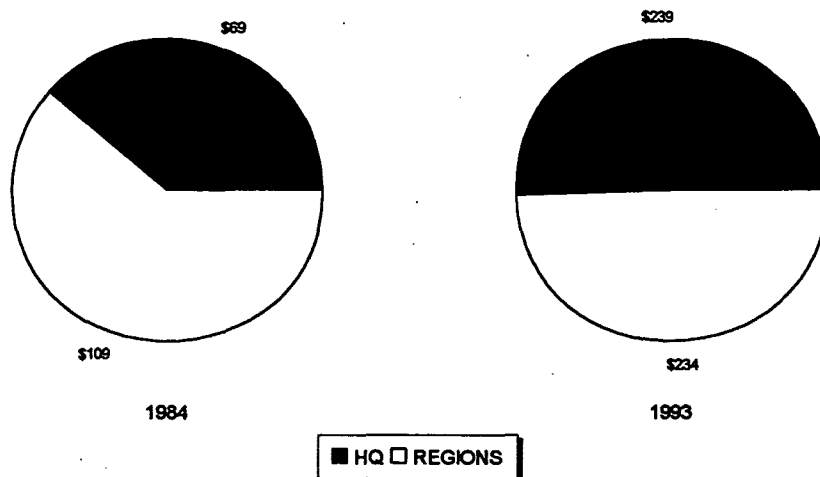
Dollars in Millions**Workyears**

- The 1990 Clean Air Act Amendments (CAA) required a rapid increase in resources beginning in FY 1991. Resources were used to write regulations for the new acid rain emissions allowances trading program, state operating permits standards, air toxics standards, increased state grants, etc.
- OAR has also built two new major programs in the last five years: 1) Global Climate Change and Stratospheric Ozone (53 workyears and \$32 million) and; 2) Indoor Air and Radon (120 workyears and \$32 million).

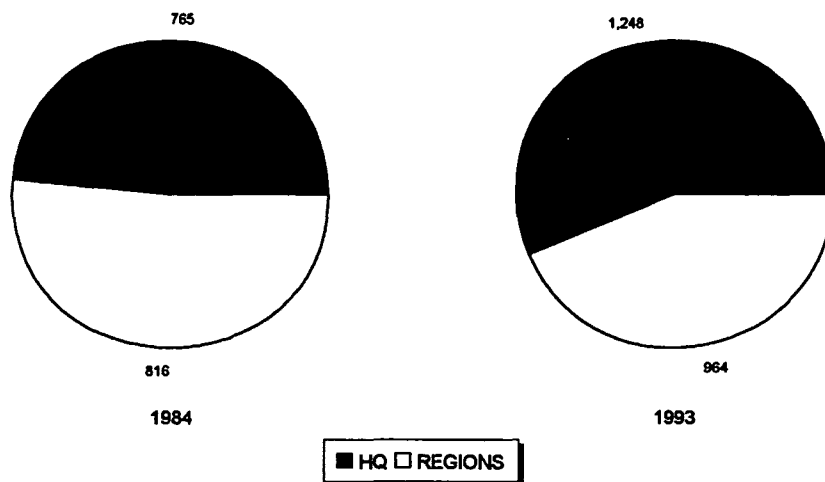
REGIONAL vs. HEADQUARTERS RESOURCES

(1984 Operating Plans vs. 1993 President's Budget)

Dollars in Millions



Workyears

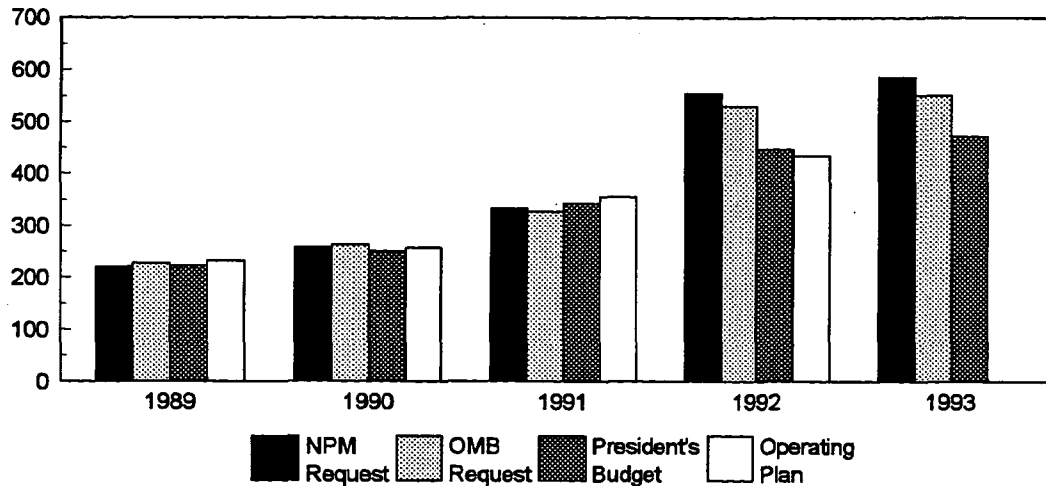


- Budget increases funded Clean Air Act (CAA) implementation, radon, global climate change, and stratospheric ozone.
- The initial investment for the Clean Air Act (CAA) implementation was primarily in Headquarters. These Headquarters resources are required to write the regulations and guidance needed to establish the new CAA programs. As OAR moves more heavily into implementing these new CAA programs, the resource demand will shift to the Regions.

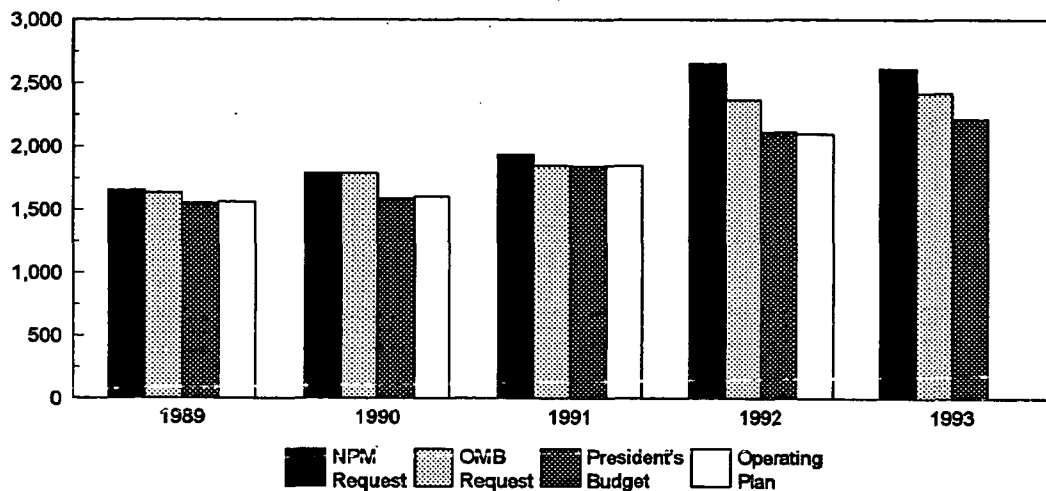
BUDGET PROCESS

(From Initial Request to Final Operating Plan)

Dollars in Millions



Workyears

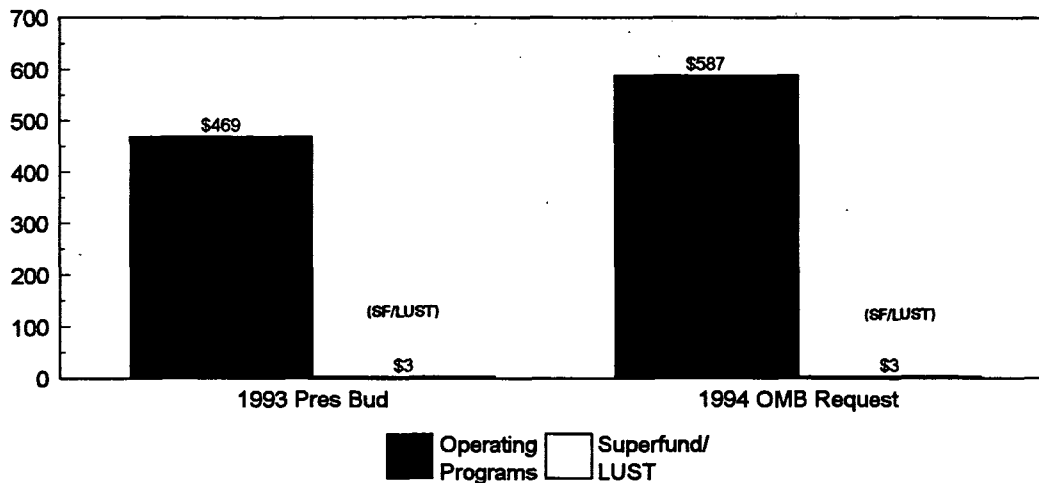


- Generally, the NPM request is greater than the OMB request, which in turn is greater than the President's Budget and Congressional Operating Plan.
- However, this did not hold true for OAR in 1989, 1990, and 1991. In 1989 and 1990 the Administrator directed OAR to invest additional resources for radon and indoor air. In 1991, the Clean Air Act (CAA) was passed in the midst of the budget cycle and the Agency revised its request to reflect the needs of the Act.

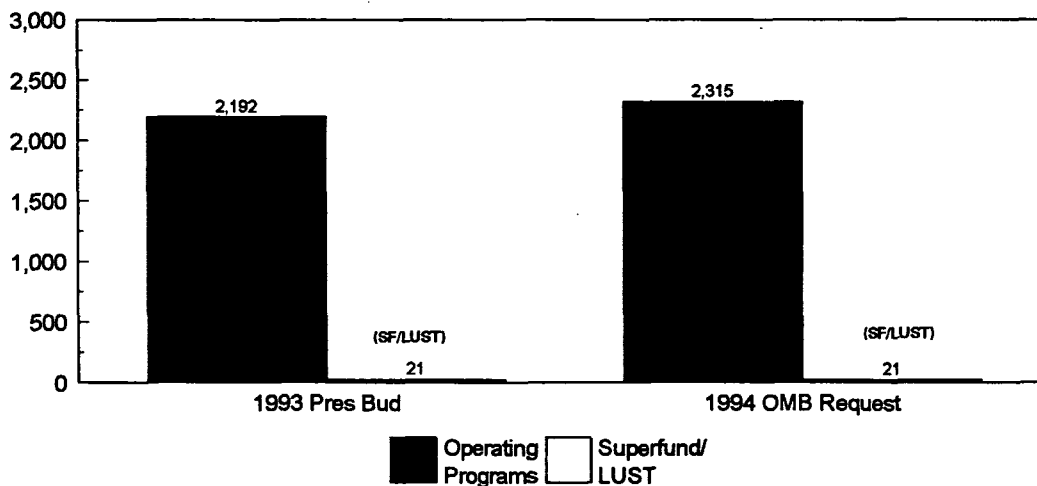
ADDITIONAL RESOURCES REQUESTED FOR 1994

(FY 1994 OMB Request vs. 1993 President's Budget)

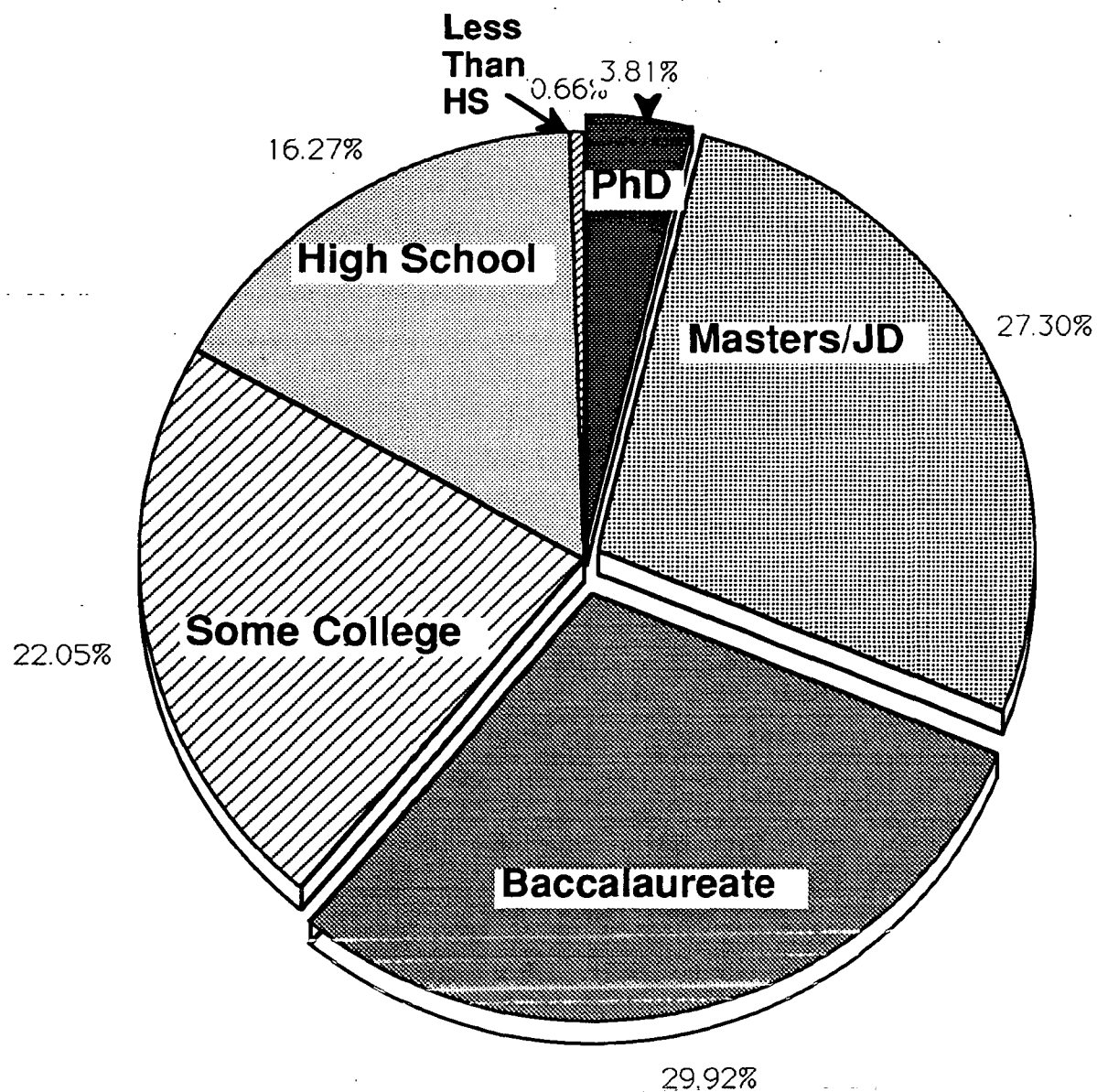
Dollars in Millions

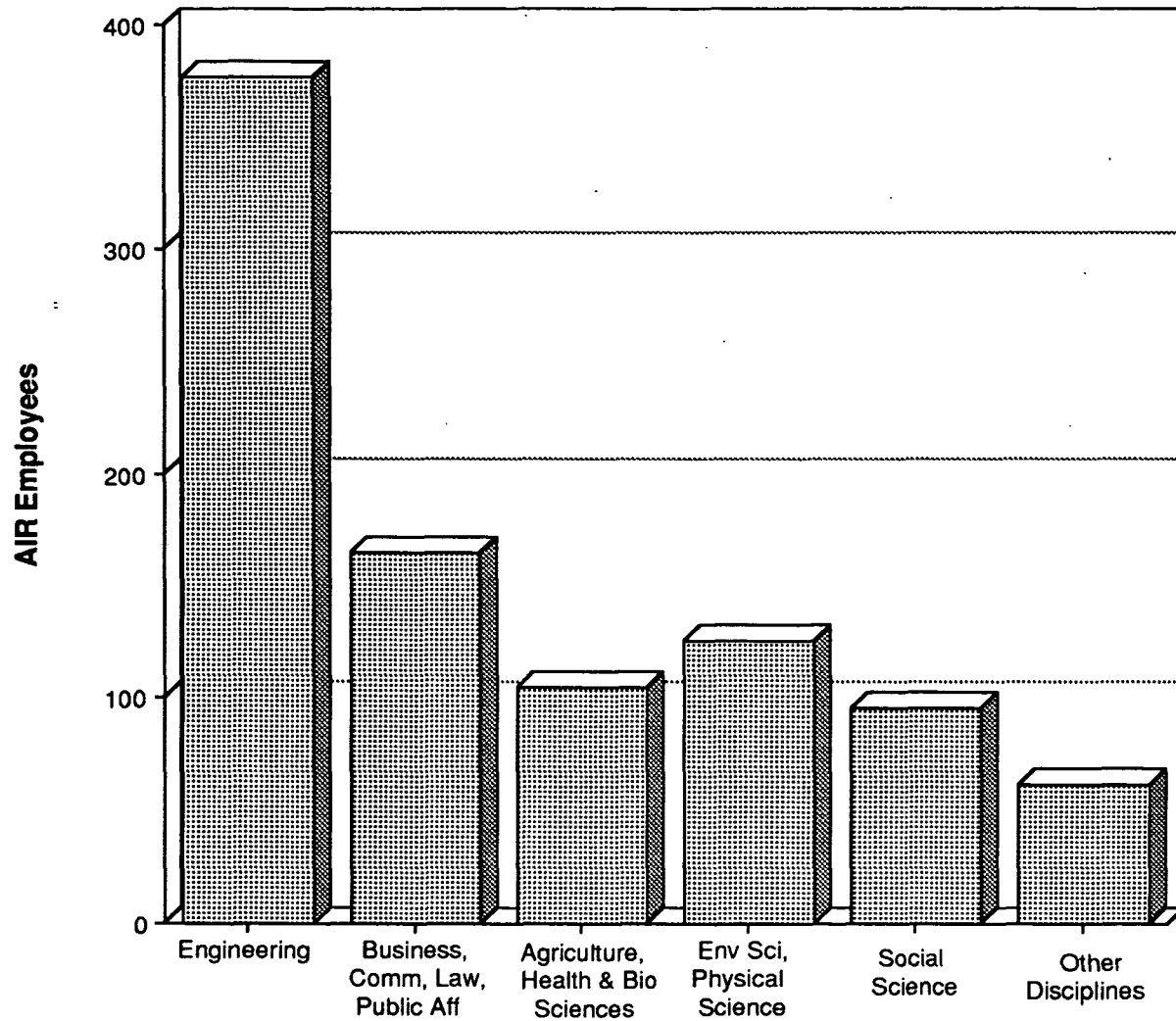


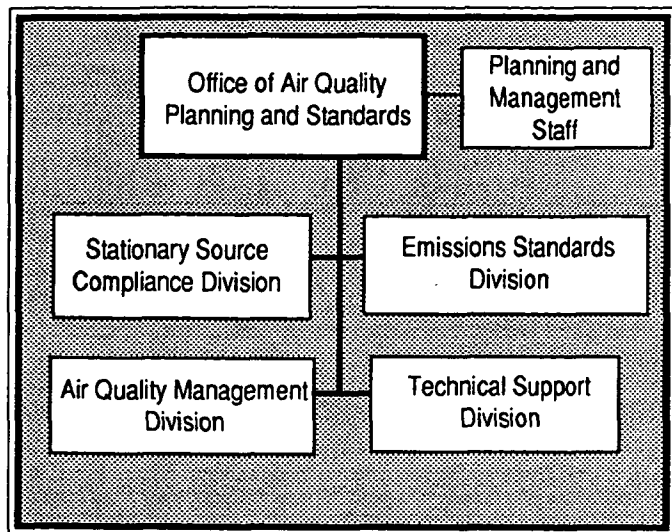
Workyears



- In 1994 OAR is requesting increases to build Green Programs which encourage industry and private citizens to develop and adopt more efficient methods of using energy, in order to reduce the nation's output of greenhouse gases.
- OAR is also requesting additional funds for the Montreal Protocol, urban environment initiatives, and is requesting additional resources (and reprogramming from its Headquarters's base) to fund Regional Clean Air Act implementation.

WORKFORCE DEMOGRAPHICS**EDUCATIONAL LEVELS - OAR**

ACADEMIC DISCIPLINES OF COLLEGE GRADUATES

**OFFICE OF AIR QUALITY
PLANNING AND STANDARDS****LEADERSHIP****John S. Seitz
Director**

Prior to his appointment as Director of the Office of Air Quality Planning and Standards, John Seitz was the Director of the Stationary Source Compliance Division. Before this, he was Deputy Director of the Office of Compliance Monitoring in the Office of Pesticides and Toxic Substances. His twenty-two years with EPA include experience in enforcement programs under the Toxic Substances Control Act, Resource Conservation and Recovery Act, and the Federal Insecticide, Fungicide and Rodenticide Act. He has both regional and Headquarters experience. John received his B.S. in Ecology from the University of Delaware.

**Lydia N. Wegman
Deputy Director**

Lydia Wegman has been Deputy Director since 1991, following a series of senior positions in EPA. Most recently she was the Senior Legal and Policy Advisor to the Assistant Administrator, Office of Air and Radiation. She was a Special Assistant to the Director, Office of Mobile Sources, and spent four years in the Office of General Counsel as Attorney-Advisor and then Acting Assistant General Counsel. Lydia received her B.A. in History from Yale and her Law degree from Columbia Law School.

FUNCTIONS

- ☐ Develops national standards for air quality, and emission standards for new stationary sources and hazardous pollutants.
- ☐ Develops national programs, technical policies, regulations, guidelines, criteria for air pollution control and enforcement.
- ☐ Assesses the national air pollution control program and the success in achieving air quality goals.
- ☐ Evaluates regional programs with respect to state implementation plans and strategies, technical assistance, enforcement, and resource requirements and allocations for air related programs.
- ☐ Develops and maintains a national air programs data system, including air quality emissions and other technical data.

DIVISION DIRECTORS

John Calcagni, Director**Air Quality Management Division**

John Calcagni was named Director of the Air Quality Management Division in November, 1987. His fifteen year EPA career includes serving as Chief, Economic Analysis Branch and Chief, Plans Analysis Section. John has also had regional experience in Boston and Chicago where he assisted states in the development of ozone control strategies. Prior to coming to EPA, John worked with private consulting firms involved in the development of air pollution control programs. John earned an M.B.A. from Duke University. He has a B.S. in Chemistry from the Massachusetts Institute of Technology.

Bruce C. Jordan, Jr., Director**Emission Standards Division**

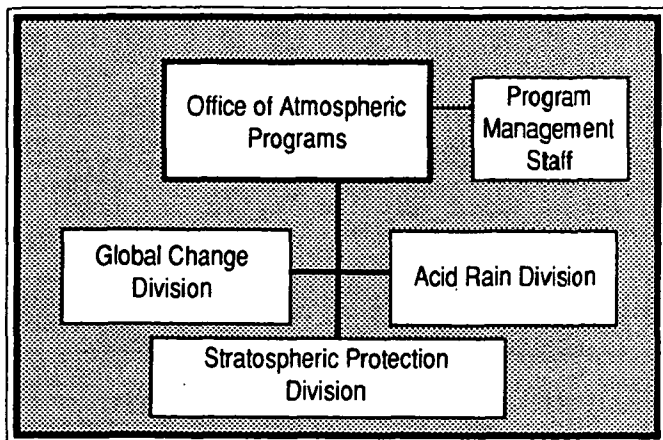
Bruce Jordan joined the Office of Air Quality Planning and Standards in 1974, and served as Special Assistant to the Director, Chief of the Economic Analysis Branch, and Chief of the Ambient Standards Branch, prior to becoming Director of the Emission Standards Division. He received his B.S. and M.S. in Aerospace Engineering from North Carolina State University.

Robert Kellam, Acting Director**Technical Support Division**

Robert Kellam was appointed Acting Director in November, 1992. Prior to that, he served as the Chief of the Pollutant Assessment Branch of the Office of Air Quality Planning and Standards. Robert has been with the Agency since 1976, working before that at the National Institute of Environmental Health Sciences in Research Triangle Park. He holds a Bachelor's degree in Biological Sciences from Yale University and a Master's in Business Administration from Duke University.

John B. Rasnic, Director**Stationary Source Compliance Division**

John Rasnic became the Director of the Stationary Source Compliance Division in 1991 after an extensive career in environmental enforcement and compliance, including almost 21 years with EPA. John has served as staff and manager at all levels of the air pollution control program, including local, state, regional, and Headquarters. He received a B.S. from East Tennessee State University.

**OFFICE OF ATMOSPHERIC
PROGRAMS****LEADERSHIP****Eileen B. Claussen
Director**

Prior to her appointment as the Director of the Office of Atmospheric Programs, Eileen Claussen served as the Director of the Characterization and Assessment Division of the Office of Solid Waste. During her twenty years of service with EPA, Eileen has been responsible for resolving a variety of complex policy and regulatory issues involving both national and international environmental concerns. Eileen received a B.A. from George Washington University and an M.A. from the University of Virginia.

FUNCTIONS

- ☐ Provides policy analyses and regulatory development regarding the impact that chlorofluorocarbons have on stratospheric ozone depletion.
- ☐ Develops policy on EPA's international stratospheric ozone activities.
- ☐ Develops policy and coordinates the acid rain program.
- ☐ Provides policy guidance to the Agency for the Bilateral Advisory and Consultative Group which is responsible for improving U.S./Canadian relations on acid rain issues.
- ☐ Plays critical advisory role in the Clean Coal Technology Program run by the Department of Energy.
- ☐ Develops voluntary programs as a means to reduce global warming.
- ☐ Demonstrates the pollution prevention benefits of energy efficiency.
- ☐ Identifies, develops, and promotes profitable options for reducing methane emissions.

DIVISION DIRECTORS

John S. Hoffman, Director
Global Change Division

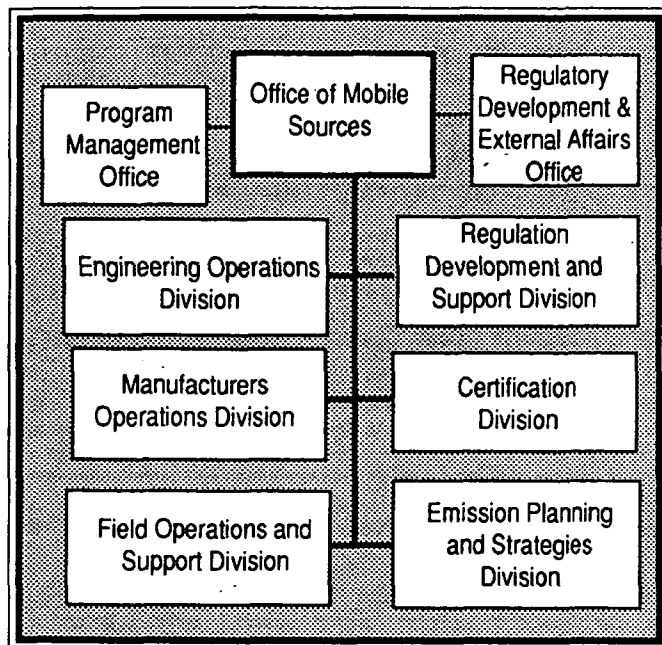
Formerly a Project Manager for EPA's Emissions Reduction, Credit, Banking and Trading Project, and Director, Strategic Studies Staff, John Hoffman became the Global Change Division Director in 1991. Prior to his government service, he managed a private company as a consultant on planning, cost-benefit analysis, modeling, and management information systems. John has a B.A. from the University of Pennsylvania and a Master's from the Massachusetts Institute of Technology.

Brian J. McLean, Director
Acid Rain Division

Brian McLean has served as Director, Acid Rain Division since August, 1991. Prior to this position, he served as Chief of the Emerging Programs Staff. His experience includes twenty years of service with EPA, including both regional and Headquarters assignments. Brian received his B.S. from Lafayette College, his M.S. from Rutgers University, and his Ph.D. from the University of Pennsylvania.

Stephen R. Seidel, Acting Director
Stratospheric Protection Division

Steve Seidel has been directing EPA's stratospheric ozone activities, including the Montreal Protocol and Clean Air Act implementation, for seven years. He has worked on a number of regulatory reform issues, global warming, and stratospheric protection since his career with EPA began in 1980. Prior to joining EPA, Steve worked for management and policy consulting firms. He received his B.A. from Columbia University, and his Master's and J.D. from Rutgers.

OFFICE OF MOBILE SOURCES**LEADERSHIP****Richard D. Wilson****Director**

Formerly the Director of the Office of Air, Noise, and Radiation Enforcement, and the Director, Stationary Source Enforcement Division, Dick Wilson has been Director of the Office of Mobile Sources since 1982. Prior to joining EPA in 1970, he was employed by the National Air Pollution Control Administration. He received a B.S. from Lafayette College and a M.B.A. from the Wharton School of the University of Pennsylvania.

Charles L. Grey, Jr.**Deputy Director for Regulatory Programs**

Formerly the Director of the Emission Control Technology Division, Charles Grey has been Director of Regulatory Programs and Technology at the National Vehicle and Fuel Emissions Laboratory since February, 1992. Prior to joining EPA in 1970, he was employed by ESSO Exploration and Production Research Company, and Gulf General Atomic. He received a B.S. from the University of Mississippi and an M.S. from the University of Michigan.

FUNCTIONS

The Office of Mobile Sources (OMS) is responsible for the control of air pollution resulting from motor vehicles and fuels, and determining motor vehicle fuel economy.

- ☐ Measures and characterizes emissions from mobile sources and related fuels.
- ☐ Develops programs for the control of emissions from mobile sources.
- ☐ Designs and implements enforcement programs involving inspection, surveillance, and testing of new and in-use vehicles.
- ☐ Fosters the development and audits performance of state motor vehicle emissions inspection and maintenance programs.
- ☐ Reviews and recommends action on applications for fuel additive waiver requests; registers fuels and fuel additives.
- ☐ Determines fuel economy of cars and light duty trucks as part of the new vehicle certification process and approves fuel economy data for use in fuel economy labels and the annual fuel economy guide.

DIVISION DIRECTORS

Mary T. Smith, Director**Field Operations and Support Division**

Mary Smith joined EPA in 1979 in the Manufacturers Operations Division where she served as a Section and Branch Chief before becoming Division Director in 1990. She received a B.S. from SUNY at Albany and a J.D. from George Washington University.

Richard D. Lawrence, Director**Engineering Operations Division**

Since joining the National Vehicle and Fuel Emissions Laboratory in Ann Arbor, Michigan, in 1973, Dick Lawrence has been a project engineer on regulations, a project manager for special projects, and a manager of evaluation and development testing. He served as Chief of the Testing Programs Branch before becoming Division Director in 1983. Prior to joining EPA, Dick worked at Airsearch Manufacturing Co. as a test technician on spacecraft and aircraft cabin pressure control systems and at the Bureau of Mines as tester of engines and vehicles emissions. Dick received his B.S. from California State Polytechnic College and his M.S. from Pennsylvania State University. He is a registered professional engineer.

Robert E. Maxwell, Director**Certification Division**

Formerly a project manager within the Emissions Control Technology Division, and later the Chief of the Standards Development and Support Branch, Bob Maxwell became Certification Division Director in 1980. Prior to joining EPA in 1972, he served in the U.S. Air Force Space and Missile Systems Organization, where he was a rocket propulsion engineer. He earned his B.S. at University of Pittsburgh and his M.S. at the University of Michigan.

Charles N. Freed, Director**Manufacturers Operations Division**

Chuck Freed joined EPA in 1972 in the Manufacturers Operations Division and became Division Director in 1979. He acted as Deputy Assistant Administrator of OAR for one year, and previously served as Deputy Director, Office of Air Quality Planning and Standards, for seven months. Before coming to EPA, he was employed by Israel Steel Mills, Bethlehem Steel Co., and the Naval Research Laboratory. Chuck received a B.S. from Pennsylvania State University, an M.S. from Technion, Israel Institute of Technology, and a J.D. from George Washington University.

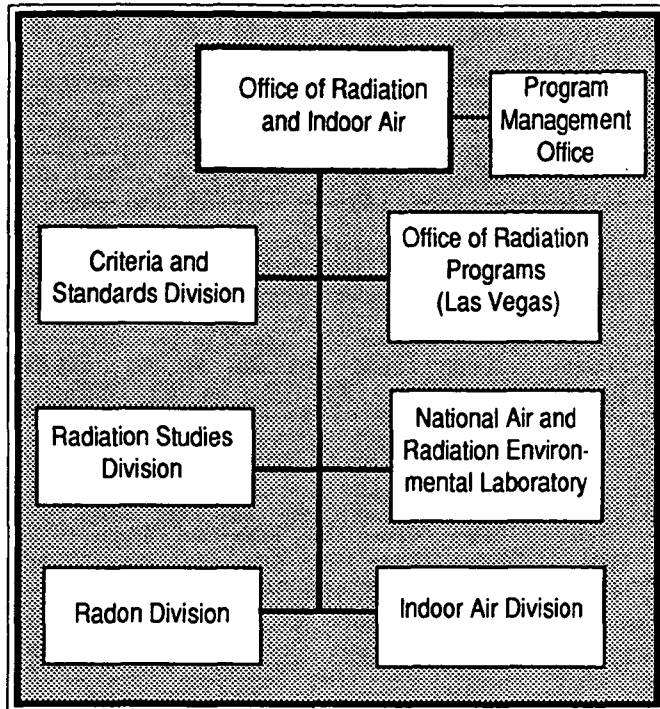
Phillip A. Lorang, Director**Emission Planning and Strategies Division**

Phil Lorang joined EPA in 1977. He worked as Branch Chief of the Technical Support Staff in the Emission Control and Technology Division and became Director of the Emission Planning and Strategies Division in April of 1992. He earned his Bachelor's and Master's degrees from Massachusetts Institute of Technology in Mechanical Engineering and Policy.

Chester J. France, Director**Regulation Development and Support Division**

Chet France began working for EPA in 1973 and has served as a project manager and as Chief of the Standards Development and Support Branch in the Office of Mobile Sources. He has been in his current position since April, 1992. Before joining EPA, he worked for the General Tire and Rubber Co. Chet received a B.M.E. from Cleveland State University, an M.S.M.E. from the University of Michigan, and an M.B.A. from the University of Michigan.

OFFICE OF RADIATION AND INDOOR AIR



LEADERSHIP

Margo T. Oge **Director**

Margo Oge has served at EPA for twelve years, most recently as the Director of the Radon Division. Prior to that, she served as Deputy Director of the Economics and Technology Division for the Office of Toxic Substances. Margo has extensive experience in policy and regulatory development, having worked for Senator Chafee of Rhode Island under the Legislative Fellows Program. Margo received a B.S. from Lowell Technological Institute and a M.S. from Lowell University.

Eugene Durman **Deputy Director**

Prior to becoming Deputy Director, Gene Durman served as Special Assistant to the Administrator and Deputy Administrator on air and radiation issues, and worked in OPPE as Chief of the Air Economics Branch. Gene also was a Senior Research Associate with the Urban Institute, and Research Director at the Center for the Study of Welfare Policy. Gene earned his B.A. from Yale University, his M.A. from the University of Chicago, and his M.B.A. from Virginia Tech.

FUNCTIONS

- ☐ Develops radiation protection criteria, standards, and policies.
- ☐ Manages emerging issues.
- ☐ Measures and controls radiation exposure.
- ☐ Evaluates radiation impacts on the general public and the environment.
- ☐ Directs a national surveillance program for measuring radiation levels in the environment.
- ☐ Conducts radiation research programs.
- ☐ Provides technical assistance to other Federal agencies and states through EPA's Regional offices.
- ☐ Serves as the liaison with other organizations involved in radiation activities.
- ☐ Implements the voluntary Radon Action Program.
- ☐ Directs Agency activities for indoor air.

DIVISION DIRECTORS

J. William Gunter, Director
Criteria and Standards Division

Bill Gunter has been the Director since 1987. Since joining EPA in 1974, he has held several positions, working on permits and regulation of air emissions of radionuclides under the Clean Air Act. From 1984-87, he was the Chief of the Environmental Studies and Statistics Branch where he provided support on Superfund radiation problems and played a major role in the Federal response to the Chernobyl nuclear accident. Bill received a B.S. from Auburn University and an M.S. from the University of Alabama.

Jed Harrison, Director
Las Vegas Facility

Before being named Director of the Las Vegas Facility in 1992, Jed Harrison was the Chief of Radon's Mitigation, Prevention, and Quality Assurance Branch. Jed started his career in EPA in 1986 as an Environmental Protection Specialist in Radon's Policy and Public Information Branch. Prior to coming to EPA, he worked for Lawrence Berkeley Laboratory. He earned a B.S. degree in Plant Science and Art at California State University.

Stephen D. Page, Acting Director
Radon Division

Prior to becoming the Acting Director of the Radon Division, Steve Page was the Chief of the Policy and Public Information Branch. Steve has been with the Federal government for 15 years, seven of them with EPA. Before coming to EPA, he worked in the Office of the Secretary at the Department of Health and Human Services, the White House, and the California state government. He earned a B.A. in Political Science from Marietta College and an M.P.A. from the University of Southern California.

Robert B. Axelrad, Director
Indoor Air Division

Currently manager of EPA's emerging Indoor Air Pollution program, Bob Axelrad was a Section Chief in the solid waste program for many years and Project Director at the Izaak Walton League. Bob has a B.A. in Political Science from Pennsylvania State University.

Sam Windham, Director
National Air and Radiation Environmental Laboratory

Before becoming Director of the National Air and Radiation Environmental Laboratory in Montgomery, Alabama in 1991, Sam Windham worked as Chief of the Environmental Studies, Nuclear Facilities Research, and Medical and Industrial Health Physics Branches. Sam previously worked in the Department of Nuclear Medicine at the National Institutes of Health. Appointed Commissioned Officer in the U.S. Public Health Service in 1967, Sam attended Auburn University for his B.S. and M.S. degrees in Radiological Health and Pharmacology.

Martin P. Halper, Director
Radiation Studies Division

Marty Halper has served as Director since 1989. He has worked at EPA more than 21 years. Previously, he worked in the Office of Toxic Substances as the Director of the Exposure Evaluation Division. He has served in the Office of Water, as Chief of the Water Quality Analysis Branch of the Monitoring and Data Support Division, and Senior Technical Advisor in the Effluent Guidelines Division. He started his EPA career in Region II's Water Enforcement Division. Marty received his B.S. in Chemical Engineering from New York University.

DELEGATIONS HELD BY THE ASSISTANT ADMINISTRATOR

GENERAL, ADMINISTRATIVE AND MISCELLANEOUS

- 1 - 9 Intergovernmental Personnel Act (IPA) Program
- 1 - 15 Cash Awards
- 1 - 17A Domestic Travel Authorization
- 1 - 17B International Travel Authorization
- 1 - 20 Annual Leave Forfeiture
- 1 - 49 Assertion of the Deliberative Process Privilege
- 1 - 51 Receptions and Refreshments to Recognize Award Recipients

CLEAN AIR ACT

- 7 - 1 State and Interstate Program and Planning Grants
 - 7 - 2 Approval of State New Source Performance Standard Plans
 - 7 - 3 New Hazardous Source Review
 - 7 - 4 Hazardous Emissions Source Waivers
 - 7 - 5 Enforcement of Hazardous Emission Standards
 - 7 - 6A Administrative Enforcement Actions: Issuance of Consent Orders and Final Orders
 - 7 - 6B Administrative Enforcement Actions: Agency Representation in Hearings and Negotiations of Consent Agreements
 - 7 - 6C Administrative Enforcement Actions: Issuance of Consent Orders and Final Orders
 - 7 - 7 Enforcement of Residential Wood Heater New Source Performance Standard
 - 7 - 8 Inspections and Information Gathering
 - 7 - 9 Approval of State Procedures
 - 7 - 10 Approval/Disapproval of State Implementation Plans
 - 7 - 11 Grants and Cooperative Agreements for Investigations, Demonstrations, Surveys, and Studies
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- 7 - 12 Exemption from Tampering Restrictions and for Introduction into Commerce of Uncertified Vehicles
 - 7 - 13 Exemption from Tampering Restrictions
 - 7 - 14 Specification of Approval of Changes to Testing and Monitoring Methods and Procedures
 - 7 - 15 Applicability Determinations of Construction and Modification
 - 7 - 16 Motor Vehicle Manufacturers Inspectors
 - 7 - 17 Motor Vehicle Manufacturers Requirements
 - 7 - 18 Reclassification of Ozone and Carbon Monoxide Non-attainment Areas
 - 7 - 19 Mitigation, Remittances or Settlement of Penalties Associated with Violations of Section 211 of the Clean Air Act
 - 7 - 20 State Designation of Areas as Attainment, Non-attainment, or Unclassifiable, for National Ambient Air Quality Standards for Lead
 - 7 - 21 Notification of the Governor of a State that the Designation of an Area Should be Revised
 - 7- 22A Civil Judicial Enforcement Actions
 - 7- 22B Criminal Enforcement Actions
 - 7- 22C Settlement or Concurrence in Settlement of Civil Judicial Enforcement Actions
 - 7- 22D Emergency TRO's
 - 7 - 23 Public Participation in Settlement Agreements
 - 7 - 24 Implementation Procedures for Preconstruction Review
 - 7 - 25 Delegation of Authority for Preconstruction Review
 - 7 - 26 Registration of Fuels and Fuel Additives
 - 7 - 27 Revisions to State Implementation Plans
 - 7 - 28 Modifications to the Attainment and Maintenance Requirements of 40 CFR 51
 - 7 - 29 Placing and Removing Facilities from the List of Violating Facilities
 - 7 - 30 Selective Enforcement Auditing Procedures
 - 7 - 31 Recall Remedial Plans
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- 7 - 32 Enforcement of Fuels and Fuel Additives Regulations
 - 7 - 33 Subpoenas and Administration of Oaths
 - 7 - 34 Enforcement and Fuel Additives Regulations
 - 7 - 35 Air Pollution Control Manpower Training Assistance
 - 7 - 36 Air Pollution Control Fellowships
 - 7 - 37 Administrative Enforcement Actions: New Source Review Orders
 - 7 - 38 Prevention of Significant Deterioration: Administrative Enforcement
 - 7 - 39 Economic Emergency Suspension of State Implementation Plan Requirements: Disapproval of Gubernatorial Orders
 - 7 - 40 Authority to Notify States of Intent to Modify State Submittals on Designations and Classification of Areas
 - 7- 41A Noncompliance Penalty: Assessment and Signing of Consent Agreements
 - 7- 41B Noncompliance Penalty: Agency Representation in Hearings and Signing of Consent Agreements
 - 7- 41C Noncompliance Penalty: Issuance of Consent Orders and Final Orders
 - 7 - 42 Noncompliance Penalty: Assessment in the Absence of State Action
 - 7 - 43 Noncompliance Penalty: Granting of Exemptions
 - 7 - 44 Noncompliance Penalty: DeMinimis Exemptions
 - 7 - 45 Noncompliance Penalty: Notice of Noncompliance
 - 7 - 46 Noncompliance Penalty: Review of Actual Expenditure and Adjustment of Penalties
 - 7 - 47 Noncompliance Penalty: Independent Calculation
 - 7 - 48 Noncompliance Penalty: Delegation of Authority to States
 - 7 - 49 Emergency Administrative Powers
 - 7 - 50 Emissions Recall Determinations
 - 7 - 51 Selective Enforcement Audit Failures
 - 7 - 52 Waiver of Federal Preemption
 - 7 - 53 Importation of Motor Vehicles and Motor Vehicles' Engines
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- 7 - 54 Application for Certification
 - 7 - 55 Consultation and Concurrence with Enforcement Actions by the Department of Transportation Under Section 232 of the Clean Air Act
 - 7 - 56 Primary Nonferrous Smelter Orders
 - 7 - 57 Section 309 Review Process
 - 7 - 58 Announcement of PM-10 Area Designations
 - 7 - 59 Announcement of the Classification of PM-10 Areas Designated Non-attainment
 - 7 - 60 Approve Voluntary Agreements Under the Clean Air Act
 - 7 - 61 Distribution of the Montreal Protocol Facilitation Fund
 - 7 - 62 Finding of Failure to Submit a Required State Implementation Plan or Any Other Required Submission of the Act
 - 7 - 63 Processing and Approval of Applications by Independent Power Producers for Written Guarantees of Allowances
 - 7 - 64 Authority to Review and Revise Emission Factors and Issue Reports
 - 7 - 65 Citizen Suit Penalty Fund Expenditures
 - 7 - 66 Servicing of Motor Vehicle Air Conditioners

Noise Control Act

- 11 - 1 Inspections and Information Gathering
 - 11 - 2 Testing by Agency
 - 11 - 3 Product Exemptions
 - 11 - 4 New Products and Labeling Regulations
 - 11 - 5 Administrative Orders
 - 11-6A Civil Judicial Enforcement Actions
 - 11-6C Settlement or Concurrence in Settlement of Civil Judicial Enforcement Actions
 - 11-6D Emergency TRO's
 - 11 - 7 Subpoenas and Oaths
 - 11 - 8 Low-Noise-Emission Product Certification Process
 - 11 - 9 Post Certification Testing
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Indoor Radon Abatement Act (Title III - Toxic Substances Control Act)

27 - 1 Regional Radon Training Centers

27 - 2 Radon in Buildings Study

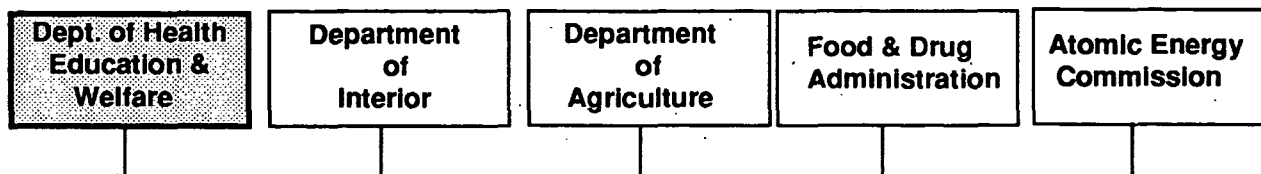
27 - 3 Grants Assistance to States for Radon Programs

27 - 4 Indian Radon Pilot Programs

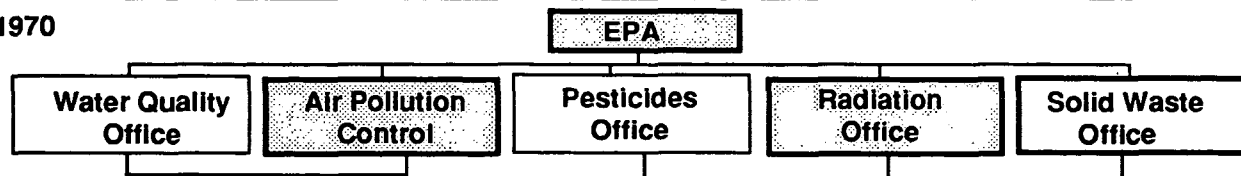
27 - 5 Information Collection from States Under Assistance for Radon Programs

ORGANIZATIONAL HISTORY

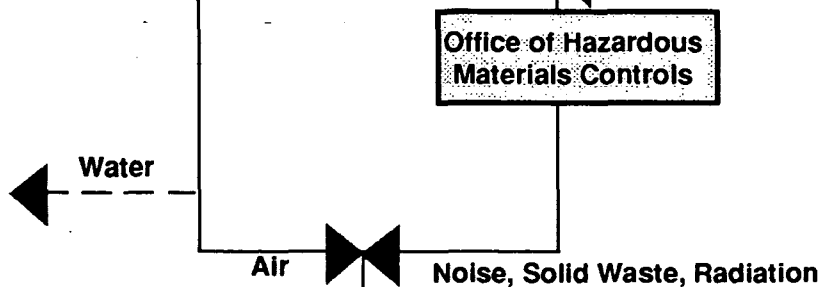
Pre- EPA



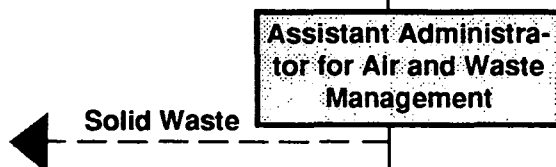
1970

1972
Noise Act

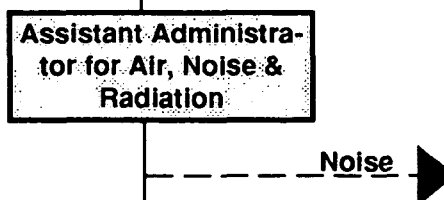
1973



1974



1979



1983



INITIAL ORGANIZATION

EPA was created through an Executive reorganization plan designed to consolidate a number of Federal environmental activities into a single agency. EPA's air pollution program draws its organizational roots from the National Air Pollution Control Administration, transferred from the Department of Health, Education and Welfare (HEW). The radiation program inherited the Bureau of Radiological Health from HEW and the Division of Radiation Protection Standards from the Atomic Energy Commission. In addition, EPA absorbed the Federal Radiation Council.

In 1970, EPA's first Administrator published an organizational order in which the five principal programs - air, radiation, solid waste, water and pesticides - were retained under the management of commissioners. This was done to assure the continuity of program operations and to allow time to consider the eventual organizational structure. Also at this time EPA established a presence in the newly organized Federal structure which divided the nation into 10 regions.

FURTHER REORGANIZATION

In 1971, EPA set up its permanent organizational structure replacing its five commissioners with two Assistant Administrators: one for Air and Water Programs, the other for Categorical Programs. The responsibilities laid out in the Clean Air Act of 1970 were assigned to the Assistant Administrator for Air and Water. Radiation responsibilities were assigned to the Assistant Administrator for Categorical Programs.

The radiation and air functions were combined in a 1974 realignment which resulted in an Office of Air and Waste Management. This AAship contained air, radiation, and solid waste functions along with a new noise program mandated by Congress in 1972.

Solid Waste management was split from the AAship in 1977 with the passage of the Resource Conservation and Recovery Act. In 1970, the Office of Air and Waste Management was renamed the Office of Air, Noise and Radiation, reflecting its functions.

In 1982, the Office of Air, Noise and Radiation abolished its enforcement office and transferred that function to EPA's central enforcement office, the Office of Enforcement and Compliance Monitoring. At the same time, the noise program was abolished because Congress ceased funding for it.

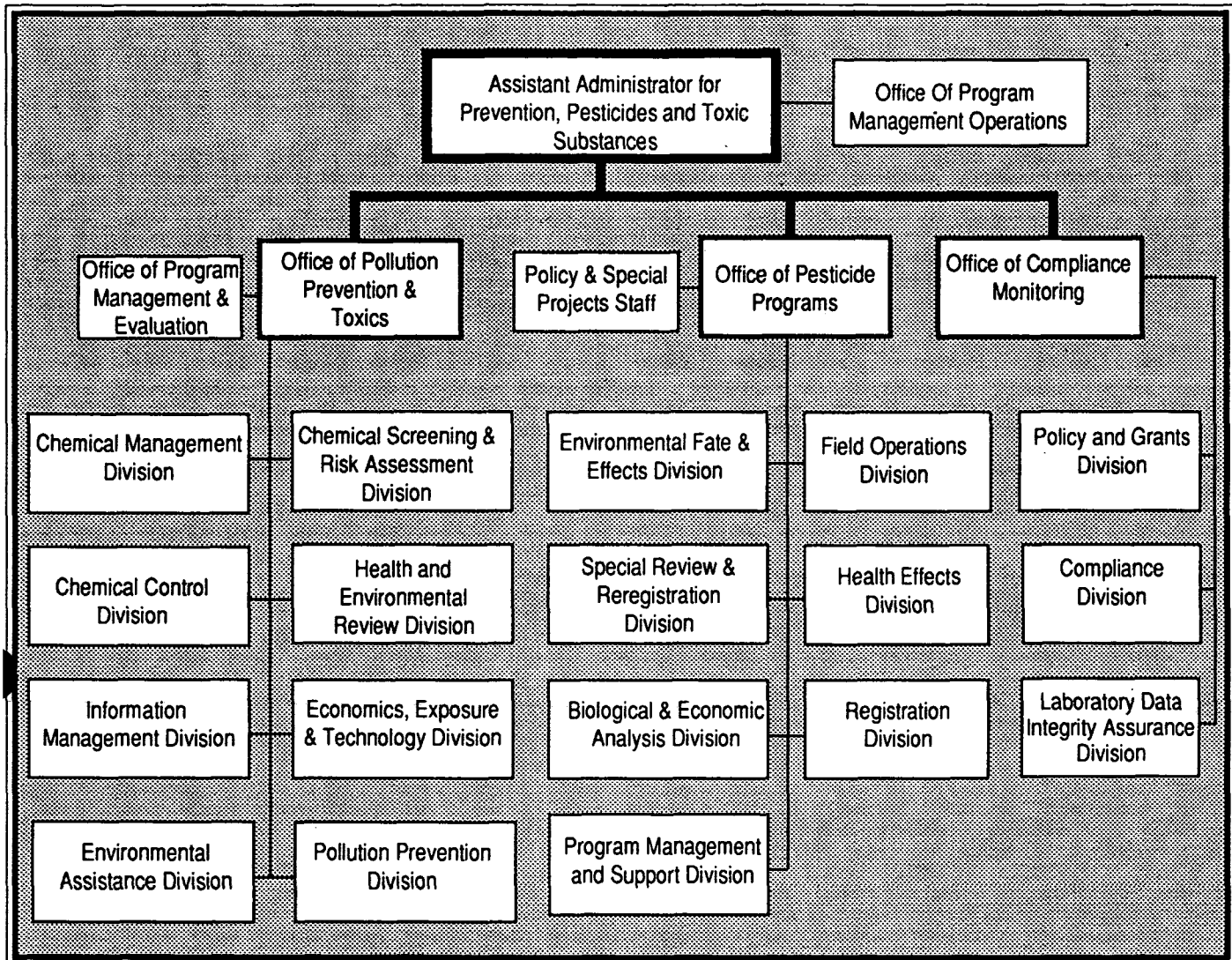
PRESENT ORGANIZATION

In 1983, the Office of Air, Noise and Radiation was renamed the Office of Air and Radiation, a title it retains today. With the phase-out of the noise program, the program contained three offices: the Office of Air Quality Planning and Standards, the Office of Mobile Sources and the Office of Radiation Programs.

In 1988 a fourth office was added. The Office of Atmospheric and Indoor Air Programs was created to handle the emerging issues of indoor air pollution, acid rain, and ozone depletion. In 1992, the Indoor Air Division moved from this office to the Office of Radiation Programs. Thus the four offices under the Office of Air and Radiation became: the Office of Air Quality Planning and Standards, the Office of Mobile Sources, the Office of Atmospheric Programs, and the Office of Radiation and Indoor Air Programs, later shortened to the Office of Radiation and Indoor Air.

**PREVENTION, PESTICIDES &
TOXIC SUBSTANCES**

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES



FUNCTIONS

- ☐ Promotes coordination among Agency programs engaged in pollution prevention, pesticides, and toxic substances activities.
- ☐ Establishes Agency priorities and strategies for program implementation related to pollution prevention, pesticides, and toxic substances.
- ☐ Provides guidance on risk assessment and control activities related to the impact of toxics on human health and the environment.

LEADERSHIP

Linda J. Fisher, Assistant Administrator Office of Prevention, Pesticides and Toxic Substances

Linda Fisher has served as Assistant Administrator since August 1989. Prior to this, she served as Assistant Administrator for Policy, Planning and Evaluation. Fisher first joined the Agency in July 1983 as Special Assistant to the Assistant Administrator for Solid Waste and Emergency Response. From 1985 to 1988, she served as Chief of Staff for Administrator Lee M. Thomas. From 1974-1980 she worked as a legislative assistant to Ohio Congressmen Clarence J. Brown and Ralph Regula. She also served as associate staff member to the House Appropriations Committee. Linda received her Master's degree in Business Administration from George Washington University and her Juris Doctor degree from Ohio State University's College of Law.

Victor J. Kimm Deputy Assistant Administrator

Vic Kimm joined EPA in 1972. An engineer by training, he chaired the EPA Agency-wide Steering Committee which reviews standards and regulations; served as Deputy Director of the Office of Policy, Planning and Evaluation; was the Director of the Office of Drinking Water for 10 years; and served as Deputy Assistant Administrator for the Office of Pesticides and Toxic Substances for the last seven years. Prior to joining EPA, he worked for the Economic Development Administration and participated in development projects in Latin America. Vic has an M.S. in Sanitary Engineering from New York University and studied Economics and Public Policy at Princeton as a National Institute of Public Affairs Fellow.

Marylouise M. Uhlig, Director Program Management Operations

Marylou came to EPA in 1974 and has held a number of positions: Chief, Executive Development and Career Systems; Executive Officer for Administrator Douglas Costle; and Director of Program Management in OSWER. She has also worked for the Department of the Navy, the Defense Mapping Agency, and the Department of Labor principally in the area of human resources, regional liaison and communications. Marylou holds a B.A. from Penn State, and a M.A. in Public Administration from Central Michigan University.

LEGISLATIVE AUTHORITIES

THE POLLUTION PREVENTION ACT (PPA)

The Pollution Prevention Act was passed as part of the Omnibus Budget Reconciliation Act of 1991. It establishes a pollution prevention hierarchy as national policy, declaring that: pollution should be prevented or reduced at the source wherever feasible; pollution that cannot be prevented should be recycled whenever feasible; pollution that cannot be prevented or recycled should be treated in an environmentally safe manner whenever feasible; and disposal or other release into the environment should be employed only as a last resort and should be conducted in an environmentally safe manner. The Act authorizes grants for states to establish technical assistance programs for businesses, and EPA is instructed to establish a Source Reduction Clearinghouse to disseminate information related to the Act. It also imposes stricter reporting requirements on industry.

THE TOXIC SUBSTANCES CONTROL ACT (TSCA)

The Toxic Substances Control Act (1976) authorizes EPA to obtain information from industry on the production, use, health effects, and other matters concerning chemical substances and mixtures. If warranted after considering the costs, risks, and benefits of a substance, EPA may regulate its manufacture, processing, distribution in commerce, use, and disposal. Pesticides, tobacco, nuclear material, firearms and ammunition, food, food additives, drugs, and cosmetics are exempted from the Act; these products are currently handled under other laws.

SUPERFUND AMENDMENTS AND REAUTHORIZATION ACT OF 1986 (SARA) TITLE III: EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW SECTION 313: TOXIC CHEMICAL RELEASE REPORTING

SARA requires EPA to establish an inventory of toxic chemical emissions from certain facilities. Facilities subject to this reporting requirement are required to complete a toxic chemical release form for specified chemicals, annually on July 1, reflecting releases during the preceding calendar year. The purpose of this reporting requirement is to inform the public and government officials about releases of toxic chemicals into the environment.

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT (FIFRA)

FIFRA encompasses the regulation of pesticides used in the United States and mandates a risk/benefit balancing approach to regulation. When enacted in 1947, FIFRA was administered by the U.S. Department of Agriculture and was intended to protect consumers against fraudulent pesticide products. In 1970, EPA assumed responsibility for FIFRA, which was amended in 1972 to shift its emphasis to health and environmental protection. FIFRA authorizes EPA to register pesticides and to specify the terms and conditions of their use, and remove unreasonably hazardous pesticides from the marketplace. The most recent amendments to FIFRA were passed in October, 1988. EPA is also authorized to evaluate several types of special registration submissions such as Experimental Use Permits and Special Local Needs Permits. In addition, FIFRA permits EPA to issue temporary exemptions to state or Federal agencies combatting emergency conditions.

ASBESTOS HAZARD EMERGENCY RESPONSE ACT (AHERA)

The Asbestos Hazard Emergency Response Act was signed into law on October 22, 1986. The law requires EPA to develop regulations which provide a comprehensive framework for addressing asbestos problems in public and private elementary and secondary schools. Congress amended AHERA in 1988 to allow a reasonable timeframe for responding to the many requirements.

ASBESTOS SCHOOL HAZARD ABATEMENT ACT (ASHAA)

The Asbestos School Hazard Abatement Act of 1984 established a program within EPA to provide financial assistance for abatement of asbestos hazards in the nation's schools. Financial assistance is awarded on a school-by-school basis to local educational agencies to carry out projects to reduce the risk of inhaling asbestos fibers to school children or employees. The goal of the Act's loan and grant program is to provide financial assistance to localities where asbestos problems present the greatest risk and have a demonstrated financial need. The 1993 program is the largest in the history of the program - an expected award of over \$75 million in loans and grants. At the same time, the portion of the program dedicated to administrative support has been reduced from the FY92 level of \$2.4 million to \$1 million.

FEDERAL FOOD, DRUG, AND COSMETIC ACT (FFDCA)

Under this Act, EPA sets tolerances, or maximum legal limits, for pesticide residues on food commodities marketed in the U.S. Tolerances apply to imported commodities as well as domestically produced food and animal feed. The purpose of the tolerance program is to ensure that U.S. consumers are not exposed to unsafe food-pesticide residue levels. Before a pesticide can be registered under the separate Federal Insecticide, Fungicide and Rodenticide Act for use on a food or feed crop, EPA must either establish a tolerance, or grant an exemption from the tolerance requirement.

ORGANOTIN ANTIFOULING PAINT CONTROL ACT OF 1988 (OAPCA)

The Organotin Antifouling Paint Control Act of 1988 (OAPCA) seeks to lower the risks posed to non-target marine organisms from the use of organotin-based antifoulant paints. Organotin antifoulant paints are registered under FIFRA for use in retarding fouling (barnacles, etc.) on marine vessels. In addition to organotin paint release rates, boat length restrictions, and other restrictions on organotin use, OAPCA requires the Agency to monitor organotin levels in waters, sediment, and marine organism tissues in representative U.S. waters for a period of ten years. Pursuant to FIFRA, EPA is requiring organotin antifoulant paint registrants to conduct a ten year study of organotin levels in marine waters, sediment, and organism tissues.

LEAD PROVISIONS OF TITLE X OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1992

Under Title X of the Housing Act, the Agency has numerous specific mandates, including the following: within 18 months, promulgate regulations that set standards for lead-based paint hazards, lead-contaminated dust and lead-contaminated soil; within 2 years, jointly promulgate rules with HUD requiring disclosure of lead-based paint hazards in housing constructed before 1978 that is offered for sale or lease; within 18 months, promulgate guidelines for renovating and remodeling residential and commercial buildings that contain lead-based paint.

SYNOPSIS OF MAJOR ISSUES

PESTICIDES**THE DELANEY PARADOX AND THE NINTH CIRCUIT COURT OF APPEALS DECISION**

In July 1992, the United States Court of Appeals for the Ninth Circuit rejected an EPA order allowing food additive regulations for four pesticides that the Agency found posed a negligible risk of cancer. The Court based its decision on the Delaney clause of the Federal Food, Drug and Cosmetic Act, which, read literally, prohibits the establishment of food additive tolerances if the Agency finds that the pesticide at any level causes cancer in humans or animals. The paradox is that FIFRA and the most relevant provisions of FFDCA set an overall risk/benefit standard for pesticide decisions, while the Delaney clause of FFDCA, interpreted literally, sets a "zero risk" standard, creating an urgent need for Congress to act to replace the outdated inconsistent standard. Because the Court's decision could hinder the Agency's ability to make decisions which will best ensure the overall safety and affordability of the food supply, DOJ is currently reviewing the Court's opinion and considering further legal options, such as an appeal to the Supreme Court. OPP is currently developing an implementation plan in the event that the Circuit Court ruling is upheld.

PESTICIDES IN THE DIETS OF INFANTS AND CHILDREN

In making food safety evaluations on pesticides, EPA takes into consideration the eating patterns of children: the amount of food they eat relative to their body weight and the kinds of foods they eat. To learn more about whether children might be more sensitive than adults to the effects of pesticides in the diet, EPA commissioned the National Academy of Sciences to study the effects of pesticides in the diets of infants and children and to report their findings. The report is expected in March, 1993 and may include recommendations as to whether and how the Agency might better account for childhood differences in pesticide exposure and risk. It may well be the subject of major media attention.

REREGISTRATION OF PESTICIDES UNDER THE FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT (FIFRA)

1988 statutory amendments require EPA to "reregister" older pesticides by 1997. Registrants are developing and submitting large amounts of data to support their pesticides, based on EPA's identification of data gaps. EPA has begun to make decisions on pesticides with complete data sets -- issuing 27 decisions through FY 1992 out of 413 cases supported by registrants. Based on projected study submissions and other factors, EPA has projected that only about 88% of the decisions can be made by the 1997 deadline, if full optimum funding were available, with the percent declining to under 50% if a projected \$20-30 million shortfall in resources is not offset by additional fees or appropriations. These schedules and funding shortfall are being reevaluated to factor in FY 1993/1994 budget decisions.

PESTICIDES IN GROUNDWATER

Pesticides in groundwater is one of the most complex issues facing the Agency. Groundwater provides about 45% of the total water use in the U.S., as well as drinking water for nearly half of the total U.S. population. This valuable natural resource can be vulnerable to contamination by pesticides from normal agricultural use, as well as from leaks, spills, or disposal of pesticides. In May, 1991, EPA issued a proposed rule defining criteria for restricting pesticides that may contaminate groundwater; in October, 1991, EPA also issued a final Pesticides and Groundwater Strategy. In 1993, EPA will finalize the Restricted Use rule, and propose another rule requiring that a small number of pesticides be managed under individual State Management Plans, as envisioned in the 1991 strategy. The groundwater management strategy was published by the Agency after extensive public debate.

LEGISLATION

The pesticides statute requires thorough consideration of both pesticide risks and benefits in formal adjudicatory hearings, which slows the decision-making process. The Bush Administration proposed a comprehensive food safety legislative initiative in October, 1989 to streamline EPA's ability to cancel and suspend hazardous pesticides, strengthen enforcement programs, and impose a "negligible" risk standard for carcinogens in lieu of the current Delaney "zero risk" standard for carcinogens concentrating on processed foods. Congress has considered omnibus food safety bills over the past several years which contain elements of this initiative. Legislative language to address other concerns, such as minor uses, safety of food exports, and preemption of local regulation, are also under consideration. Industry concern over the impact of a recent court case blocking EPA's implementation of a "negligible risk" interpretation of the Delaney clause could serve as a stimulus for new legislation.

REGISTRANT FEES IN SUPPORT OF PESTICIDE REREGISTRATION

The current fee structure includes a one-time reregistration fee which is paid on an active-ingredient basis (these fees have already been paid), and a maintenance fee which is paid on a product basis. One active ingredient can be in numerous products. The current fee schedule, in combination with the current level of appropriated funds, will not fully support the costs of reregistration (anticipated shortfall over the course of reregistration: \$20 - 30 million). The Office of Pesticide Programs has evaluated numerous changes in the fee structure to close the projected deficit, which is under revision due to changes in FY 93 funding.

PREVENTION AND TOXICS

EXPANSION OF THE TOXICS RELEASE INVENTORY

The Toxics Release Inventory (TRI) is a powerful information tool. It contains multi-media release and pollution prevention data for over 320 toxic chemicals made, processed and used by U.S. manufacturing facilities. Public interest groups and members of Congress have shown considerable interest in expanding the scope and coverage of the TRI. Several "Community Right-to-Know-More" bills have been introduced within the past year to expand both the list of chemicals, as well as the industries covered. During the same timeframe, industry has petitioned the Agency to delist a number of chemicals and to expand the small business exemption. EPA has convened two high priority workgroups to consider these issues. The Agency plans to move forward with proposals that address the issues of list expansion, as well as the small business exemption in 1993.

LEAD

Lead has been described as the most serious environmental hazard for children in the U.S. It also disproportionately affects minority groups. In October 1992, Congress passed, and the President signed The Affordable Housing Act. Title X addresses the risks associated with lead-based paints in residential structures. The new legislation requires numerous EPA research activities and rulemakings under statutory deadlines to be coordinated with other Federal agencies. Under the lead program, EPA will define lead hazards in homes by designating hazardous levels of lead in paint, dust, and soil; work with the private sector, states, and localities to build an infrastructure of qualified workers to provide lead paint abatement for residences; and work with the states to develop and authorize state programs for implementation of Title X. OPPTS has a lead hotline in place to provide information to consumers on lead hazards and risk reduction actions which can be taken.

BIOTECHNOLOGY

Powerful new techniques have been developed to manipulate genetic material. This has sparked significant public and scientific debate regarding potential risk, while commercial interests are concerned that Federal regulation may severely constrain this emerging industry. EPA and the Office of Management and Budget are currently discussing final drafts of a proposed biotechnology rule under the Toxic Substances Control Act to publish a policy to address plant pesticides -- naturally-occurring toxins produced by plants. We have received applications for large-scale testing of plant pesticides in anticipation of commercialization in the next few years.

TSCA SECTION 8e COMPLIANCE AUDIT PROGRAM AND RESEARCH FUND

Section 8(e) of TSCA requires chemical manufacturers, processors, or distributors of a chemical in commerce to report to EPA information indicating potential substantial risk to health or the environment. In 1991, EPA announced a one-time voluntary program to achieve the goal of obtaining any outstanding 8(e) information that should have been submitted and encourage companies to voluntarily audit their files for reportable data, with stipulated penalties at a maximum of 1 million dollars per company. This program is expected to generate a large amount (\$10-20 million) of stipulated penalties. EPA has received a proposal from industry to allow compliance audit program participants to contribute a percentage of their penalties to a research fund to be managed by a third party to enhance our understanding of the health and environmental significance of chemicals. This proposal has substantial merit but raises a number of complex legal, policy, and enforcement questions. It will also require consultation with Congressional authorization and appropriation committees. EPA will need to decide on its approach to this issue early in 1993.

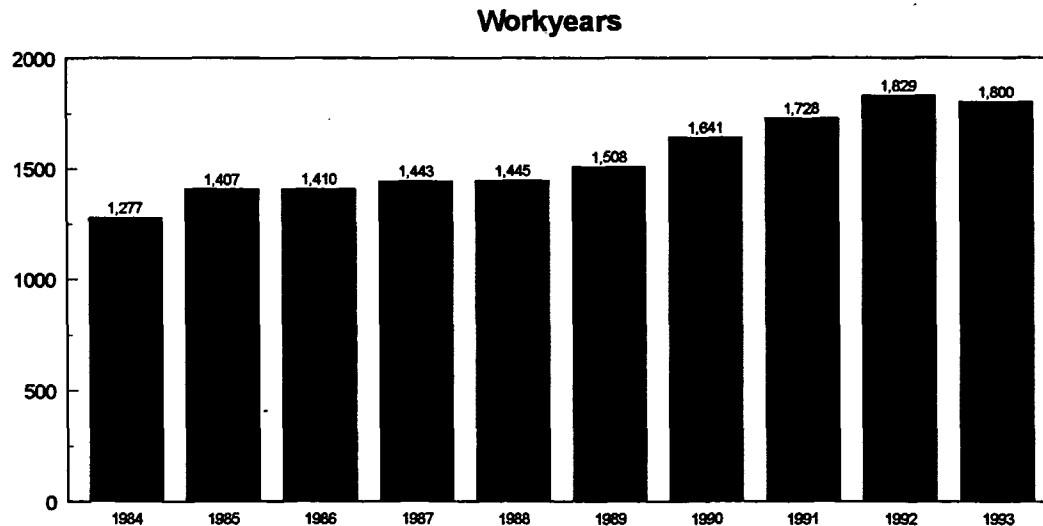
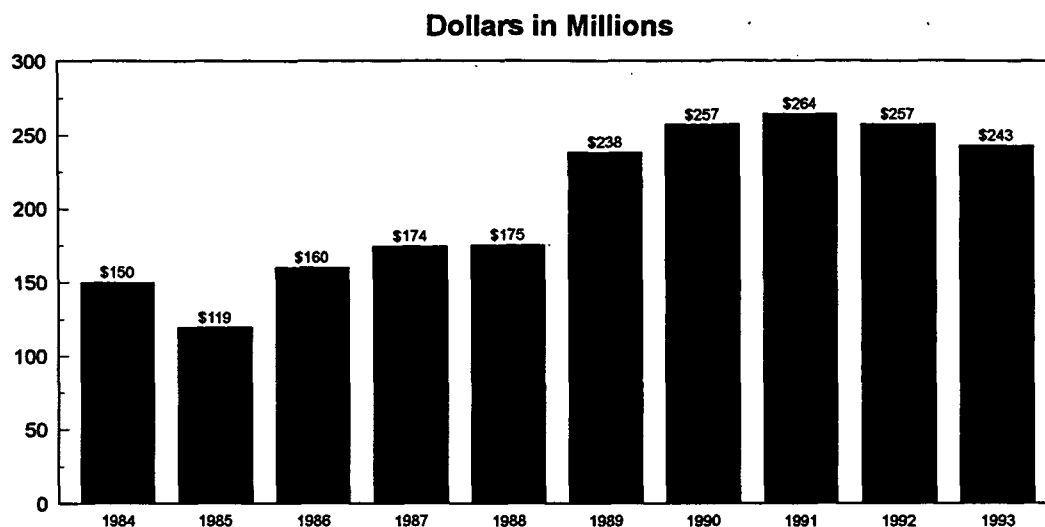
ENVIRONMENTAL ECO-LABELING

The European Community, Canada, Germany, Japan, and many other foreign countries have instituted, or are planning to institute, national eco-labeling programs that award seals to products that minimize environmental damage across their life-cycle. Within the U.S., two private labeling programs are operating and the State of California is considering a program. EPA is under some pressure to minimize consumer confusion by providing a forum for stakeholders to discuss harmonizing program elements such as methodology, public process, verification, communications, and consistency with international efforts. An initial scoping meeting has been held and participants are awaiting an EPA decision concerning next steps, expected in the second quarter of FY 1993.

RESOURCES

TRENDS - FY 1984 to FY 1993

(1984 to 1992 Operating Plans, 1993 President's Budget)

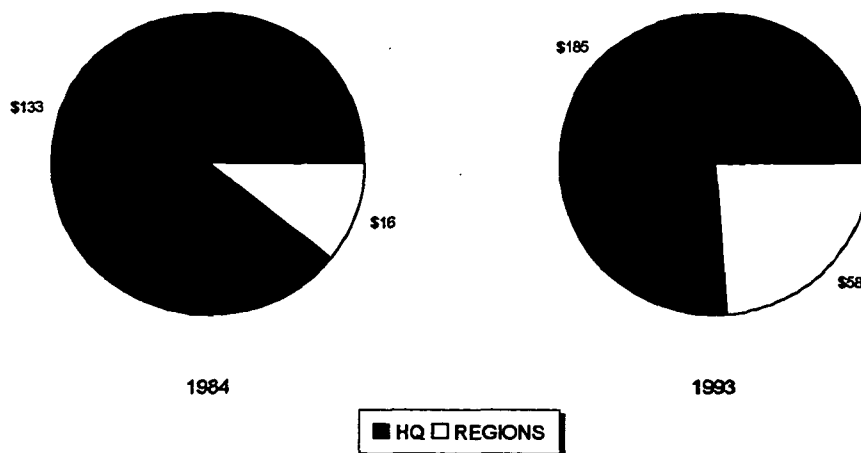


- Increases from 1988 to 1991 were due primarily to the 1988 amendments to the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) which accelerated the pesticides reregistration process and substantially revised programs for pesticides storage and disposal.
 - The 1992 Operating Plan shifted the Pollution Prevention Division from the Office of Policy, Planning and Evaluation (OPPE) to OPPTS.
 - Funding levels drop between 1992 and 1993 because the Agency did not request funds for the Asbestos Loan and Grant program in 1993.
-

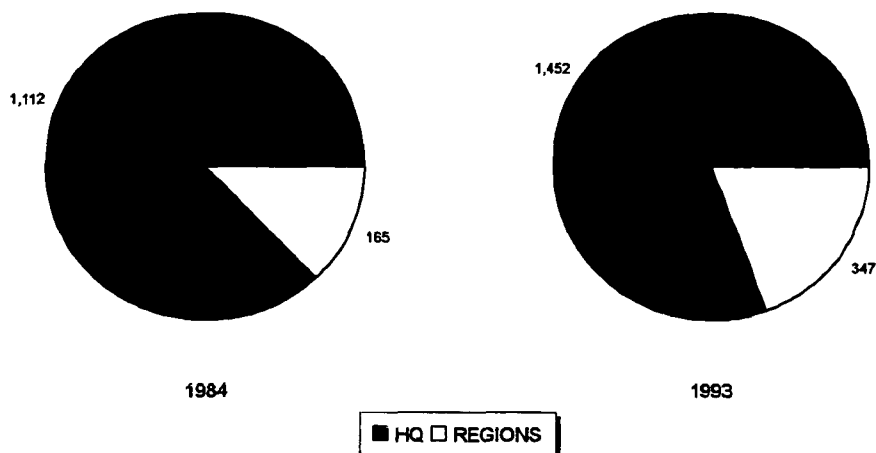
REGIONAL vs. HEADQUARTERS RESOURCES

(1984 Operating Plans vs. 1993 President's Budget)

Dollars in Millions



Workyears

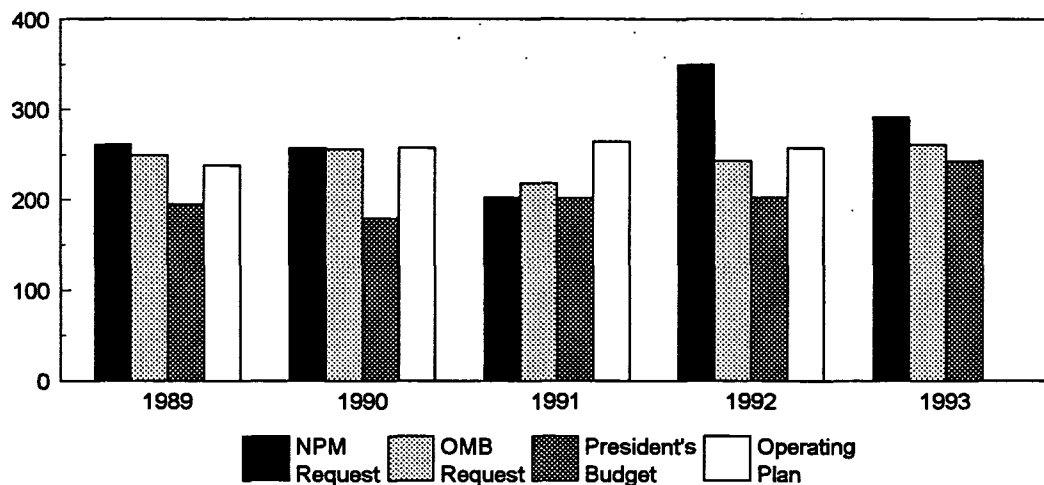


- Workyear increases are partially attributable to the dramatic increase in the number of pesticide registrant submissions mandated by the 1988 amendments to FIFRA, and the addition of the Pollution Prevention Division to OPPTS.
- Regional workyears more than double due primarily to increased pesticides enforcement and certification training for pesticide applicators.

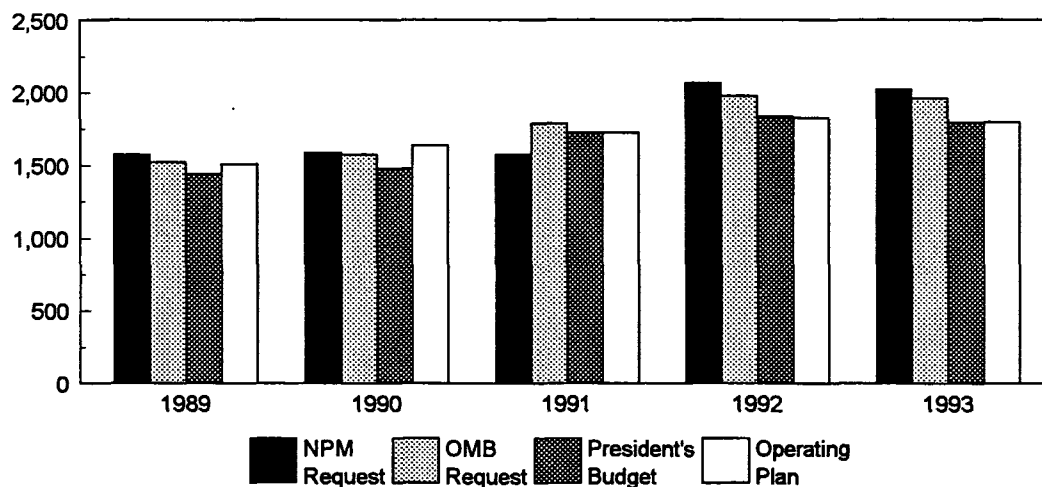
BUDGET PROCESS

(From Initial Request to Final Operating Plan)

Dollars in Millions



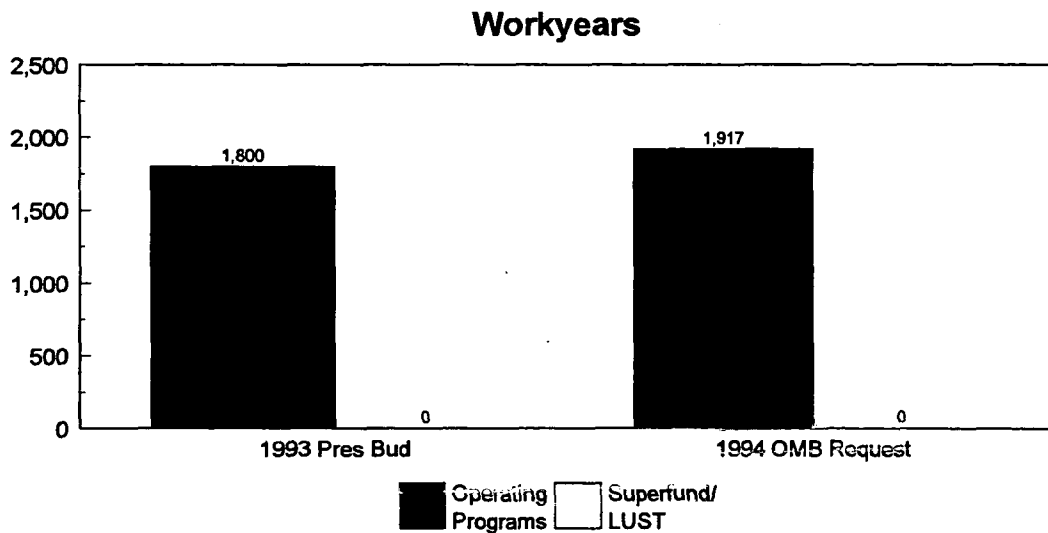
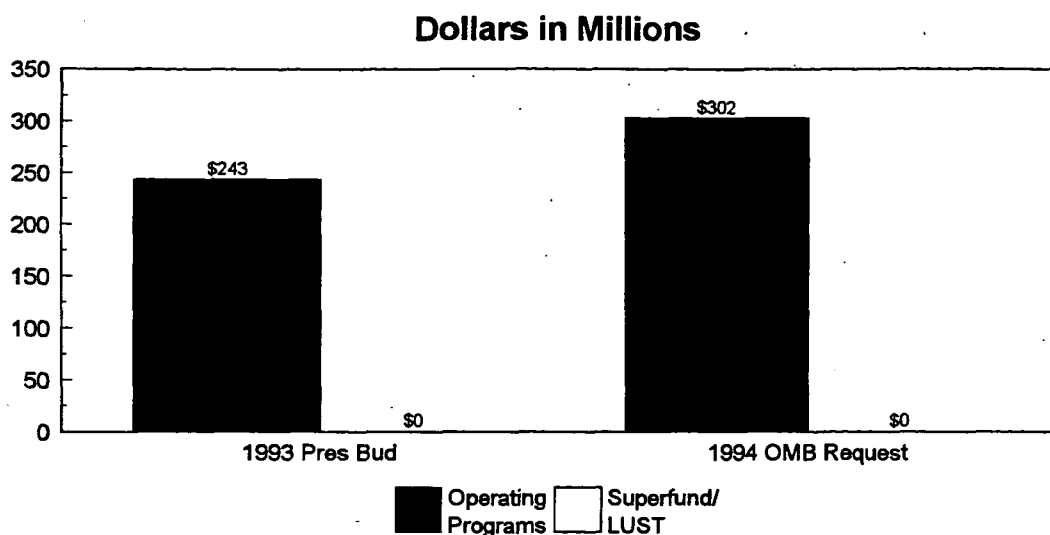
Workyears



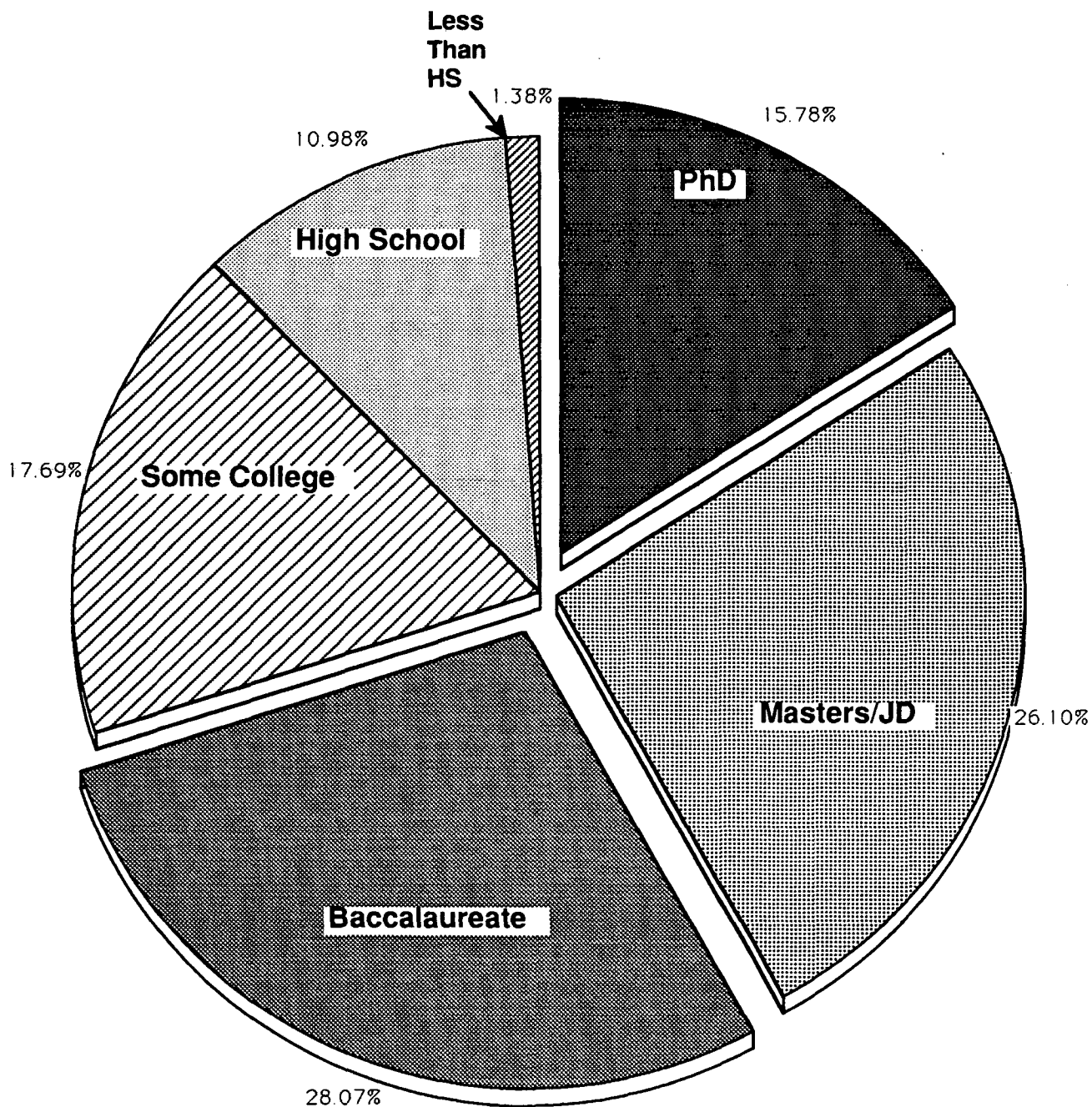
- Operating Plans include large Congressional add-ons for asbestos loans and grants.
- Over the past several years, Congress has provided significant add-ons for the lead program.
- The 1993 President's Budget decrease in workyears reflects an Agency decision not to support enforcement from FIFRA fee revenues.

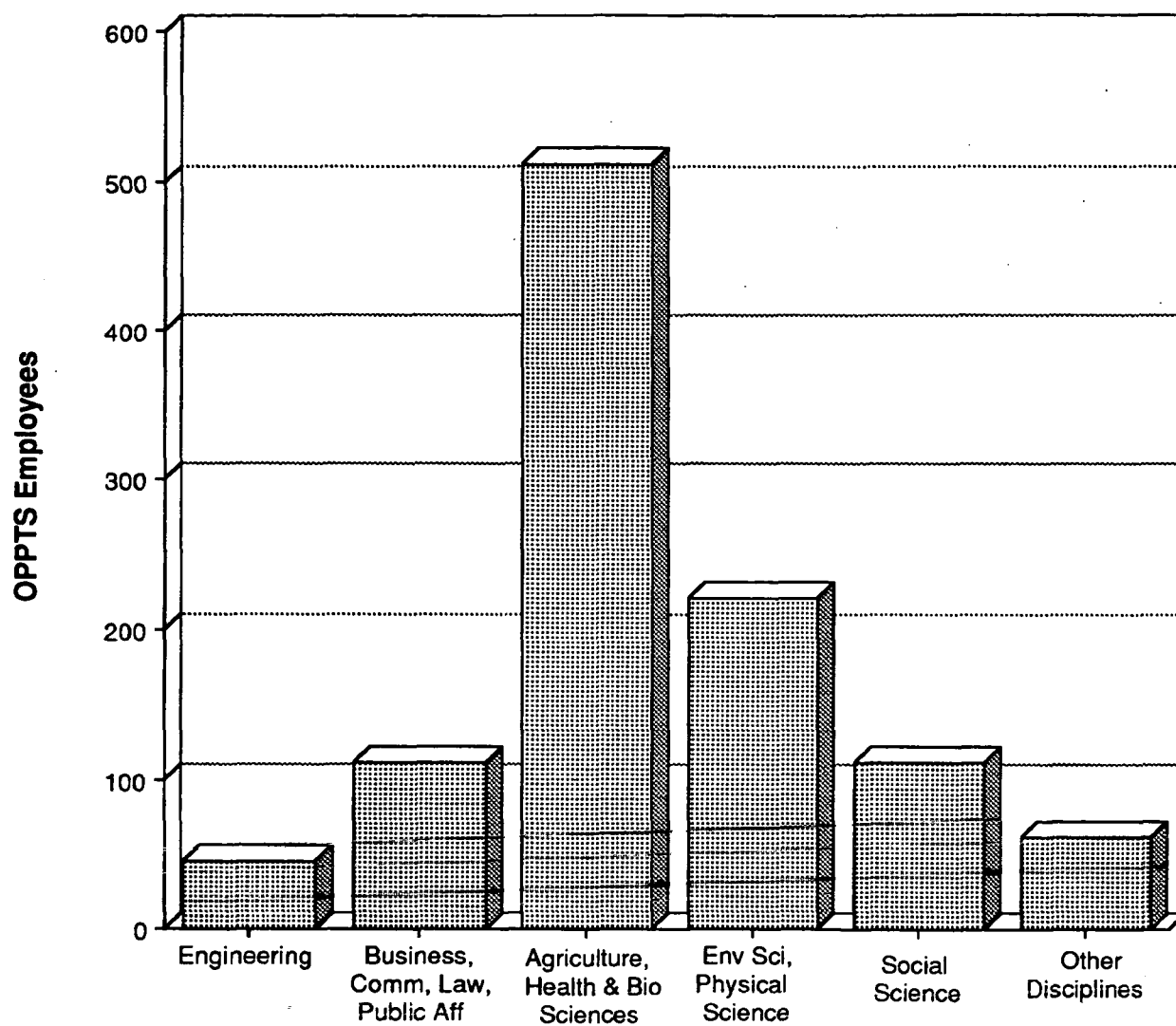
ADDITIONAL RESOURCES REQUESTED FOR 1994

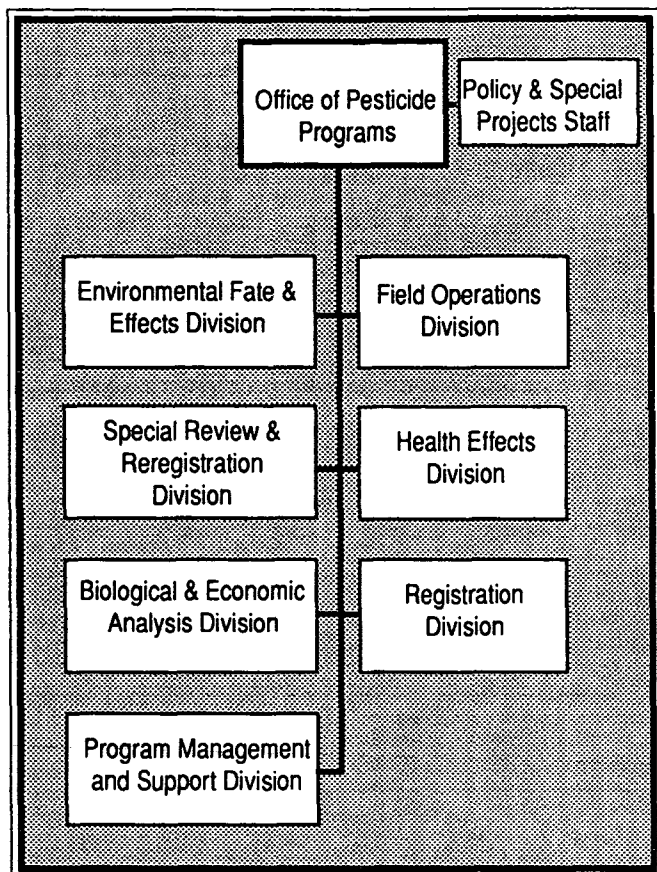
(FY 1994 OMB Request vs. 1993 President's Budget)



- OMB request includes large increases for implementing lead strategy, pollution prevention strategies, food safety and FIFRA.
- Regional initiatives will target small communities through technical and financial assistance.
- Workyear increases are targeted at groundwater protection, pesticides enforcement, and tolerance setting for biological and antimicrobial pest control agents.

WORKFORCE DEMOGRAPHICS**EDUCATION LEVELS - OPPTS**

ACADEMIC DISCIPLINES OF COLLEGE GRADS

OFFICE OF PESTICIDE PROGRAMS**LEADERSHIP****Douglas D. Campt
Director**

Doug Campt has been the Office Director since June, 1986. Before this position, he was the Director of the Registration Division for over ten years. Prior to coming to EPA, Doug worked for the U.S. Department of Agriculture in the New York State area office. He received a B.S. degree from North Carolina College (now North Carolina Central University), and did graduate study at Howard University.

**Susan H. Wayland
Deputy Director**

Susan Wayland became the Deputy Director in June, 1984. Before this position, she was Chief of the Policy and Special Projects Staff. She began her Federal service in 1968 with the Department of Agriculture and joined EPA in 1972. Susan received a B.A. from the College of William and Mary.

FUNCTIONS

- ☐ Registers and reregisters pesticides based on a review of scientific data adequate to find that their use will not cause unreasonable adverse effects on people or the environment.
- ☐ Establishes maximum legal levels (tolerances) for pesticide residues in food or animal feed.
- ☐ Evaluates the risks and benefits of pesticide use and imposes conditions and restrictions on their marketing and use, and conducts Special Reviews of registered pesticide uses which are suspected of posing unreasonable risks to human health or the environment.
- ☐ Develops strategic plans for the control of potential pesticide contamination on a national scale.

DIVISION DIRECTORS**Anne Barton, Director
Environmental Fate and Effects Division**

Anne Barton became the Director in 1988 after serving as the Deputy Director of the Hazard Evaluation Division. She has been in the Office of Pesticide Programs for over eight years and was the first Chief of the Science Integration Staff. Anne has also worked in other EPA programs, the Food and Drug Administration, and the Department of Health and Human Services. She received a B.S. from the College of William and Mary, and a M.S. from the School of Public Health, University of North Carolina.

Penelope Fenner-Crisp, Director
Health Effects Division

Penny Fenner-Crisp became the Director of the Health Effects Division in 1989. Prior to that she was the Director of the Health and Environmental Review Division in the Office of Toxic Substances and a senior Toxicologist in the Office of Drinking Water. Before coming to EPA in 1978, Penny was an Adjunct Instructor in Neurobiology and a Research Associate in the Pharmacology Department at Georgetown University. Her M.A. and Ph.D. degrees in Pharmacology were received from the University of Texas.

Allen L. Jennings, Director
Biological and Economic Analysis Division

Allen Jennings has been the Director since February, 1987. He came to EPA in 1971 and has worked in the Office of Water, the Office of Policy, Planning and Evaluation, as Director of the Chemicals and Statistical Policy Division, and as Deputy Director of the Office of Standards and Regulations. He received a B.S. from Western Illinois University, and a Ph.D. in Biochemistry from the University of Arkansas.

Daniel Barolo, Director
Special Review and Reregistration Division

Dan Barolo has been Director since November, 1991. Dan was Director of the Division of Water, New York State Department of Environmental Conservation for ten years prior to joining EPA. He was also Associate Director of the Air Pollution Control Program, New York State Department of Environmental Conservation for fourteen years. Dan has a Bachelor of Engineering and a Master of Science in Sanitary Engineering from Vanderbilt University.

Allan Abramson, Director
Program Management and Support Division

Allan Abramson came to OPP in 1986 as Special Assistant to the Office Director, and was appointed Division Director in October, 1988. He began his career at EPA in 1971, in San Francisco, where he held several positions. In 1979, he moved to Kansas City, where he was Director of the Water Division, Special Assistant to the Regional Administrator, and Director, Division of Environment, Kansas Department of Health and Environment. Allan received a Master's from Golden Gate University, and a Ph.D. from the University of Chicago.

Stephen L. Johnson, Director
Field Operations Division

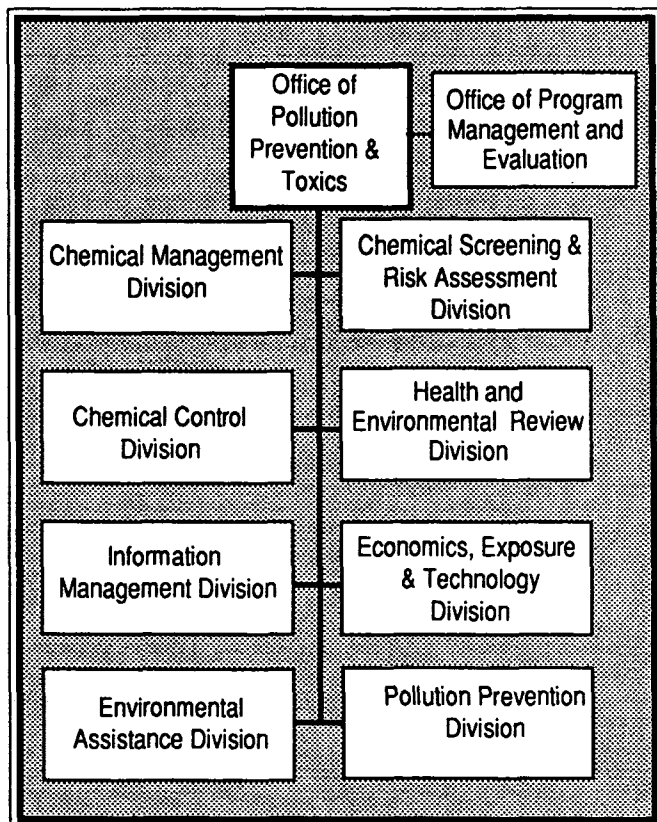
Steve Johnson has been Director since 1988. Prior to that, he was Deputy Director of the Hazard Evaluation Division. Steve has also been Executive Secretary of the FIFRA Scientific Advisory Panel. He received a B.A. in Biology from Taylor University and a M.S. in Pathology from George Washington University.

Lawrence E. Culleen, Acting Director
Registration Division

Larry Culleen has been the Acting Director since October, 1992. Prior to that, he was Chief of the New Chemicals Branch in the Office of Pollution Prevention and Toxics. Larry has been with EPA for ten years. He has an undergraduate degree and law degree from George Washington University.

Anne Lindsay
Policy and Special Projects Staff

Anne Lindsay has worked for EPA since 1975. Recently, she served five years as the Director of the Registration Division. Prior to that, she worked as the Chief of the Policy and Special Projects Office. Anne has a B.A. degree from the University of Chicago and a Master's degree from the University of Oregon.

OFFICE OF POLLUTION PREVENTION & TOXICS**LEADERSHIP****Mark Greenwood
Director**

Mark Greenwood has been the Office Director since December, 1990. Mark joined the Office of General Counsel in September, 1978 and worked on a variety of Clean Water Act and solid waste matters. In 1983 he became the first Assistant General Counsel for RCRA; followed by the Assistant General Counsel for Superfund; and finally the Associate General Counsel for Pesticides and Toxic Substances. Mark is a graduate of the University of Michigan Law School. He also received a graduate degree in Public Policy studies from the University of Michigan.

**Joseph Carra
Deputy Director**

Joe Carra has been the Deputy Director since April, 1990. He previously worked as Director of Permits and State Programs Division in the Office of Solid Waste; Director, Waste Management Division; and Chief, Design and Development Branch in the Office of Toxic Substances. Joe also worked at the Department of Labor in the area of occupational health and was an engineer in private industry. Joe holds a Bachelor's degree in Engineering from Stevens Institute of Technology, a Master's degree from New York University in Engineering and Statistics, and has done Doctoral work in Biostatistics at the University of Pittsburgh.

FUNCTIONS

- ☐ Provides operational guidance, coordinates, reviews and evaluates the Toxic Substances Control Act, asbestos, and chemical release inventory activities at EPA Headquarters and regional offices.
- ☐ Coordinates communication with industry, environmental groups, and other interested parties on matters related to the implementation of regulatory activities in the Office of Prevention and Toxic Substances.
- ☐ Identifies research and monitoring requirements for toxic substances.
- ☐ Has lead responsibility for implementing the Pollution Prevention Act.

DIVISION DIRECTORS**Charles M. Auer, Director
Chemical Control Division**

Charlie Auer became the Director in October, 1992. Charlie has held technical and managerial positions in OPPT as Division Director, Deputy Director, Branch Chief, and staff scientist (chemist). He has extensive experience in new and existing chemicals, hazard and risk assessment, testing, information gathering, and chemical control issues. Charlie received a B.S. in Biochemistry from the University of Maryland and did graduate studies in Toxicology at Massachusetts Institute of Technology.

Joseph Cotruvo, Director
Chemical Screening & Risk Assessment Division

Joe Cotruvo became the Director in October, 1992. Formerly, Joe was Director of the Criteria and Standards Division in the Office of Drinking Water where he was responsible for the development of standards and guidelines for drinking water quality under the Safe Drinking Water Act. Joe's Ph.D. is in Physical Organic Chemistry and he has post-doctoral studies in Heterocyclic Chemistry and in Law.

Joseph Merenda, Director
Health & Environmental Review Division

Joe Merenda became the Director in October, 1992. Prior to his current position, he managed the Exposure Evaluation Division for three years and the Existing Chemical Assessment Division for 11 years. Joe also held several positions in EPA's Mobile Source Air Pollution Program in Ann Arbor, Michigan and Washington, D.C. Joe holds a M.S. degree in Chemical Engineering from Stanford University, and a B.S. degree in the same field from The Cooper Union.

John Melone, Director
Chemical Management Division

John Melone became the Director in October, 1992. Since joining EPA in 1977, he has served as Director of the Statistical Policy Staff; Director of the Hazard Evaluation Division in the Office of Pesticide Programs; and most recently, as Director of the Chemical Control Division. John has a Master's degree in Operations Research from George Washington University School of Engineering and also holds a graduate degree in National Policy and Naval Operations from the U.S. Naval War College in Newport, Rhode Island.

Mary Ellen Weber, Director
Economics, Exposure and Technology Division

Mary Ellen Weber became the Director in November, 1990. Prior to joining EPA, she was co-founder and President of Web-Wolf Data Systems, Inc.; Director of the Office of Regulatory Analysis at OSHA; Senior Economist at International Research & Technology Corporation; a Country Economist (Central American Division) at the World Bank; and an Assistant Professor at Smith College. Mary Ellen has a B.A. in Economics from Dominican College, a Ph.D. in Economics from the University of Utah, and has done post graduate work at Stanford University, the University of Chile, and the National University of Mexico.

Linda Travers, Director
Information Management Division

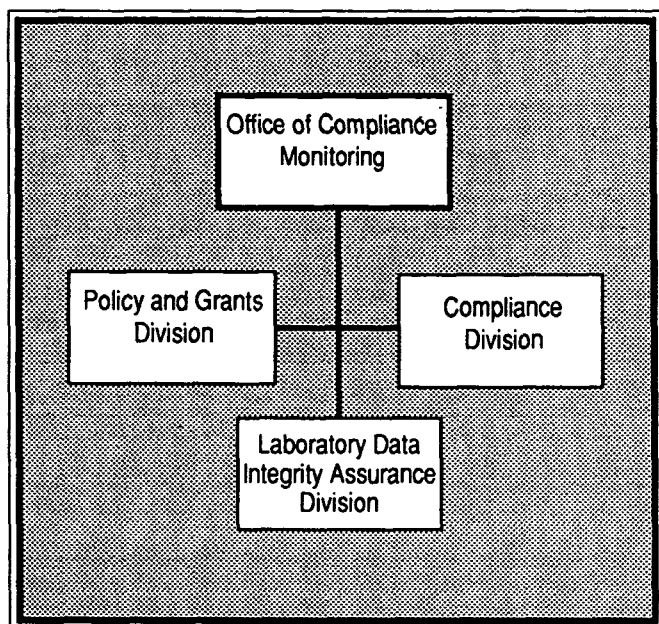
Linda Travers has been the Director since March, 1986. Linda has been with OPPT since 1976, serving as the Chief, Management Operations Branch and working with the Assistant Administrator for OPPTS. From 1965 to 1976, she held various management positions in the Department of Health and Human Services and EPA. She has worked in the Office of Solid Waste, the Office of Air Pollution, and the Office of Public Affairs. Linda received her M.P.A. degree from The American University.

Susan Hazen, Director
Environmental Assistance Division

Prior to becoming Director in 1992, Susan Hazen served as Director of the Special Projects Office. She has been with the Agency since 1979 and has served in numerous positions in the Office of Pollution Prevention and Toxics. She has served as Special Assistant to the Director, and as the Deputy Director of both the Existing Chemical Assessment Division and the Economics and Technology Division. Prior to working at EPA, Susan worked at the University of Toronto's Institute for Environmental Studies as well as MIT's Center for Policy Alternatives. She holds degrees in Child Psychology and Early Childhood Education from Marymount University.

Dave Kling, Acting Director
Pollution Prevention Division

Dave Kling became the Acting Director in November, 1992. He previously held positions as Deputy Director and Acting Director of the Environmental Assistance Division. After working as a private consultant for EPA, Dave became Chief of Technical and Regulation Assistance, and later manager of the Asbestos Action Program. He was previously Special Assistant to the Federal Inspector of the U.S. for the Alaska Natural Gas Transportation System. Dave received his B.A. degree in Journalism, a Master's degree in Administration, and is now completing his Ph.D. in Government at the Johns Hopkins University.

OFFICE OF COMPLIANCE MONITORING**LEADERSHIP****Michael Stahl
Director**

Michael Stahl became Director in April, 1991. Prior to this appointment, he served for three years managing the asbestos-in-buildings program, coordinating toxics programs with EPA regional offices and state agencies, and enhancing public participation in toxics programs. He worked in EPA's Asbestos Action Program for three years, becoming its Director in 1986. Michael began his EPA service in 1983 as a Special Assistant to the Director of the Office of Administration. He had previously served as Special Assistant to the Executive Director of the Consumer Product Safety Commission. Michael graduated from the University of Missouri with a Master's degree in Public Administration, after working for three years in the Missouri Senate as an Assistant to the Majority Floor Leader.

**Connie Musgrove
Deputy Director**

Connie Musgrove joined EPA in 1979 as a Special Assistant to the Director, Office of Toxic Substances. She served on a special agriculture assignment to the House Appropriations Committee Survey and Investigations Staff, and as Study Director for the National Academy of Science's Board on Agriculture. In 1986, she rejoined EPA as the Director of the Pesticide Applicator Certification and Training Program. Connie also spent eight years with the Congressional Research Service specializing in pesticides, toxic substances, and other environmental legislation. She is a graduate of the University of California.

FUNCTIONS

- ☐ Plans, directs, and coordinates EPA's compliance programs for the Toxic Substances Control Act (TSCA), the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), and Section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA).
- ☐ Provides guidance and direction to EPA regional offices and states regarding implementation of compliance policies and programs under TSCA, FIFRA, and EPCRA.
- ☐ Conducts or coordinates investigations in response to tips and complaints or special enforcement initiatives.
- ☐ Inspects labs to determine compliance with Good Laboratory Practices regulations, and audits studies submitted to EPA for pre-market approval and registration of pesticides and toxic substances.

DIVISION DIRECTORS

Michael F. Wood, Director**Compliance Division**

Michael Wood entered EPA in 1977 with a B.A. degree in Agronomy from the University of Massachusetts. He has served the toxics and pesticides compliance/enforcement program in the capacity of staffer, Branch Chief and Division Director.

John J. Neylan III, Director**Policy and Grants Division**

John Neylan has served EPA and its predecessor agencies since 1966. He has served in various supervisory and management positions in pesticides and toxic substances enforcement. John has a B.S. in Entomology/Applied Ecology from the University of Delaware.

David Dull, Director**Laboratory Data Integrity Assurance Division**

David Dull began his career at EPA in 1978 at its Chicago regional office, where he served as a staff lawyer in the Enforcement Division. He moved in 1980 to become a staff lawyer in the Office of Toxic Substances. Since 1981, he has held a succession of managerial positions in the Office of Pesticides and Toxic Substances and in the Office of Air and Radiation. He became Director of EPA's Good Laboratory Practices program in March, 1989. David has a Ph.D. in Organic Chemistry from Stanford University and a Law degree from Wayne State University.

DELEGATIONS HELD BY THE ASSISTANT ADMINISTRATOR

GENERAL, ADMINISTRATIVE, AND MISCELLANEOUS

- 1 - 3 Occupational Health and Safety
- 1 - 7 Personnel Actions
- 1 - 9 Intergovernmental Personnel Act (IPA) Program
- 1 - 15 Cash Awards
- 1-17-A Domestic Travel Authorizations
- 1-17-B International Travel Authorizations
- 1 - 20 Annual Leave Forfeiture
- 1 - 21 Federal Register
- 1 - 30 Freedom of Information
- 1-32-A Freedom of Information (FIFRA)
- 1-32-B Freedom of Information [FIFRA Section 10(g)(1)]
- 1 - 44 Changes in Organizational Structure
- 1 - 45 Intergovernmental Review of Provisions of Executive Order 12372 and 40 CFR Part 29
- 1 - 48 Request for Information from Other Federal Agencies
- 1 - 49 Assertion of the Deliberative Process Privilege
- 1 - 51 Receptions and Refreshments to Recognize Award Recipients
- 1 - 55 FTTA Cooperative Agreements and Licensing Agreements

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

- 5-1-A New Chemical Registration
 - 5-1-B Change to Existing Registration
 - 5-1-C Reregistration
 - 5 - 3 Issuance of Experimental Use Permits
 - 5 - 4 Use of Pesticides Under Experimental Use Permits
 - 5 - 5 Revocation of Experimental Use Permits
 - 5 - 6 State Programs for Experimental Use Permits
 - 5 - 7 Cancellation and Suspension
-

- 5 - 8 Registration of Establishments
- 5 - 9 Inspections and Information Gathering
- 5 - 10 Annual Report to Congress
- 5 - 11 Information Collection Under FIFRA Section 6(g)
- 5 - 12 Issuance of Stop Sale, Use or Removal Orders
- 5 - 13 Disposition of Pesticides
- 5 - 14 Administrative Enforcement: Issuance of Complaints and Signing of Consent Agreements
- 5 - 16 Indemnity Payments
- 5 - 18 Publication of Judgments
- 5 - 19 Importation Activities
- 5 - 20 Notification of State Department
- 5 - 21 Consultation with Secretary of Treasury
- 5 - 22 Emergency Exemptions
- 5 - 24 Soliciting Views
- 5 - 25 Administering Oaths
- 5 - 26 Cooperation with Other Agencies
- 5 - 27 State Cooperative Agreements (Personnel & Facilities)
- 5 - 29 Contracting for Application Training with Federal Agencies
- 5 - 31 Cooperative State Extension Services

FEDERAL FOOD, DRUG AND COSMETIC ACT

- 6 - 1 Prescribing Tolerances for Poisons
- 6 - 2 Prescribing Tolerances for Pesticides
- 6 - 3 Food Additives

SOLID WASTE DISPOSAL ACT

- 8 - 24 Inspections and Information Gathering (Subtitle I)
- 8 - 34 Reimbursement -- Studies of Underground Storage Tanks

TOXIC SUBSTANCES CONTROL ACT

- 12 - 1 Inspections and Subpoenas
 - 12-2-A Administrative Enforcement: Issuance of Complaints and Signing of Consent Agreements
-

12-2-D Administrative Enforcement: Signing Penalty Remittance Agreements & Remittance Orders

12-3-E Imminent Hazard Determinations

12 - 4 Section 8(d) Health and Safety Data Reporting Rules

12 - 5 Request to Simulate In-Service Use for Purposes of Reclassification

12 - 6 Issuance of Monthly Premanufacture Notice Summary

12 - 7 Exemptions from Premarket Notification Requirement

12 - 8 Extension of Premanufacture Notice Period

12 - 9 State/Tribal Cooperative Agreements (Toxic Substances Control Projects)

12 - 10 Regulations Pending the Development of Information

12 - 11 Section 8(a) Information Gathering Rules

12 - 12 Section 5(a) Significant New Use Rules

12 - 13 Notices of Receipt of Test Data Under Section 4

12 - 14 Notices of Receipt of ITC Reports

12 - 15 Granting of Exemptions from Test Rules

12 - 16 Petitions for Exemption fro PCB Ban Rule

12 - 17 Petitions for Exemption from the CFC Ban Rule

12 - 18 Reporting of Allegation Records

12 - 19 Test Rule Decisions

12 - 20 State Asbestos Pilot Projects

12 - 21 Approval of PCB Disposal Applications

12 - 22 Toxic Substances Control Projects

12 - 23 Toxic Release Inventory Data Capabilities Program: Assistance to States

12 - 24 Toxic Release Inventory Data Capabilities Program: Assistance to Indian Tribes

12 - 27 Response to Section 21 Petitions

COMPREHENSIVE ENVIRONMENTAL RESPONSE COMPENSATION AND LIABILITY ACT

14 - 35 List of Hazardous Substances and Toxicological Profiles

REGULATORY FLEXIBILITY ACT

15 - 1 Certification Under the Regulatory Flexibility Act

ASBESTOS SCHOOL HAZARD ABATEMENT ACT

19 - 1 Asbestos Hazards Abatement School Assistance Program

SUPERFUND AMENDMENTS AND REAUTHORIZATION ACT -- TITLE III

22-3-A Administrative Enforcement Actions

22 - 5 Receipt of Petitions to List/Delist Chemicals and Responses to Petitions

22 - 6 Receipt of Toxic Chemical Release Forms and National Toxic Chemical Inventory

22 - 7 Trade Secrets

ASBESTOS HAZARD EMERGENCY RESPONSE ACT

23 - 1 Asbestos Inspection and Management Plan Assistance Program

23 - 2 EPA Interim Asbestos Bulk Sample Analysis Quality Assurance Program

23 - 3 Approvals of Asbestos Training Courses and State Accreditation Programs

ORGANOTIN ANTI-FOULING PAINT CONTROL ACT OF 1988

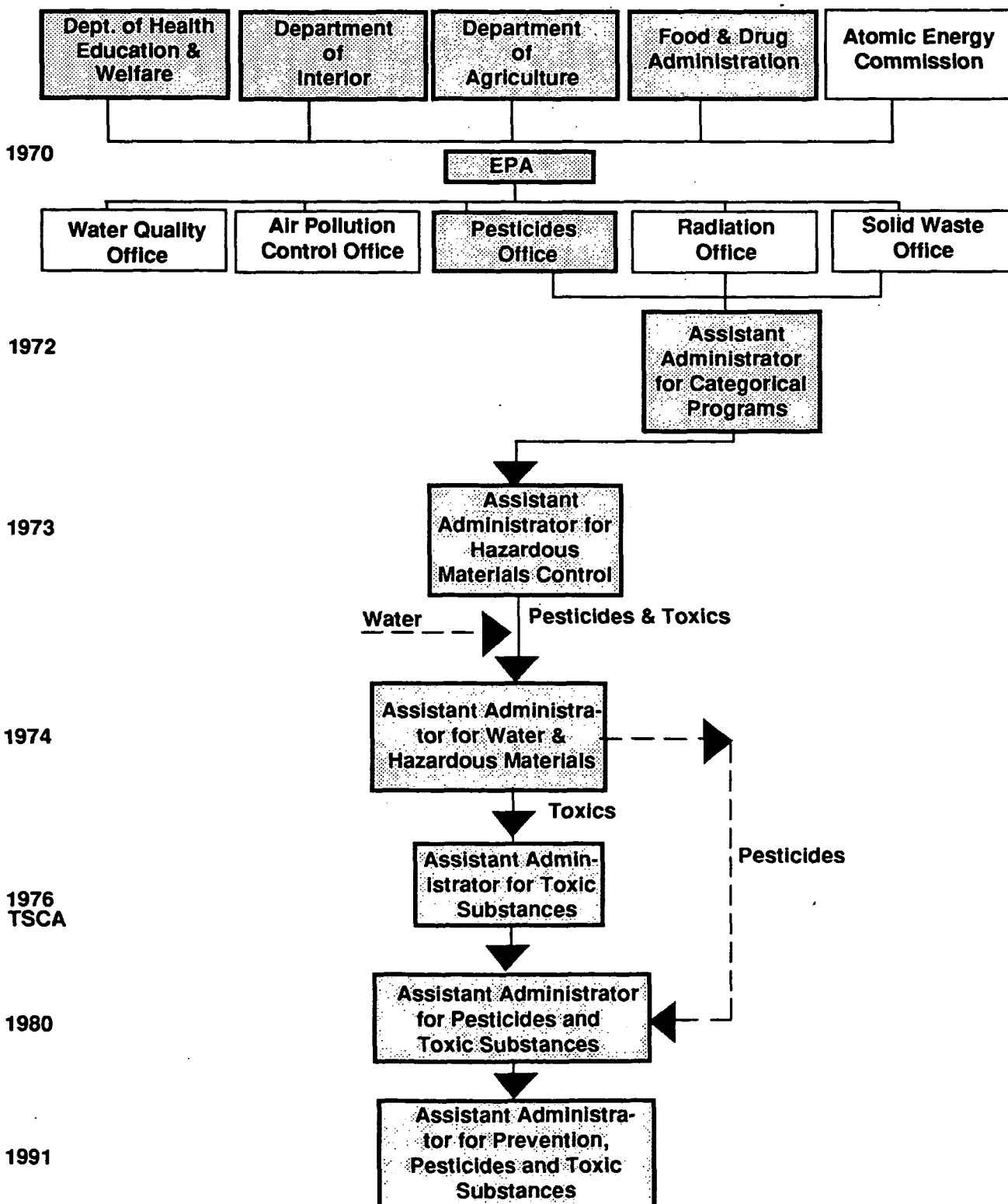
25 - 1 Certification of Paints

25 - 2 Sale and Use of Existing Stocks

25 - 3 Administrative Enforcement: Issuance of Complaints and Signing of Consent Agreements

POLLUTION PREVENTION ACT

28 - 1 Assistance Agreements for Pollution Prevention

ORGANIZATIONAL HISTORY**Pre-EPA**

INITIAL ORGANIZATION

EPA was created through an Executive reorganization plan designed to consolidate a number of Federal environmental activities into a single agency. EPA inherited portions of pesticides programs from the Departments of Health, Education and Welfare (now Health and Human Services), Interior, Agriculture and the Food and Drug Administration.

In 1970, EPA's first Administrator, William Ruckelshaus, published an organizational order in which the five principal programs: pesticides, water, air, radiation, and solid waste were retained under the management of commissioners. This was done to assure continuity of program operations and to allow time to consider the eventual organizational structure. Also at this time, EPA established a presence in the newly organized Federal regional structure which divided the country into 10 regions.

FURTHER REORGANIZATION

In 1971, EPA set up its permanent organizational structure replacing the commissioners with two Assistant Administrators: one for Air and Water programs, the other for Categorical programs. The pesticides program was combined with the radiation and solid waste programs, and reported directly to the Assistant Administrator for Categorical Programs.

A number of factors affected EPA's organizational structure in the early to mid 1970s. The times were characterized by heavy activity on the legislative front as well as promulgation of over 1500 rules and regulations. Influencing factors on organizational development included amendments to the Clean Air Act (1972); environmental impact statements required by the National Environmental Policy Act; the Resource Recovery Act (1970); the Federal environmental pesticides control environment; guidelines for limited control of radiation (1972); safety standards for farmworkers (1974); regulation of land use (1972); and revised water pollution legislation (1972).

In early years, the pesticide and toxics program continued to be aligned with the Categorical AAship. In 1973, this AAship made an effort to clarify its functions with a more descriptive name and retitled itself the Office of Hazardous Materials Control. In 1974, the Agency underwent another realignment and the pesticides and toxics program was combined with the water program under the Assistant Administrator for Water and Hazardous Materials. In 1976 the Toxic Substances Control Act was passed. As a result, the Office of Toxic Substances, a staff office reporting to the AA for Water and Hazardous Materials, was elevated to Assistant Administrator status. The AAship included four Offices: Chemical Control, Program Integration, Testing and Evaluation, and Pesticide Programs.

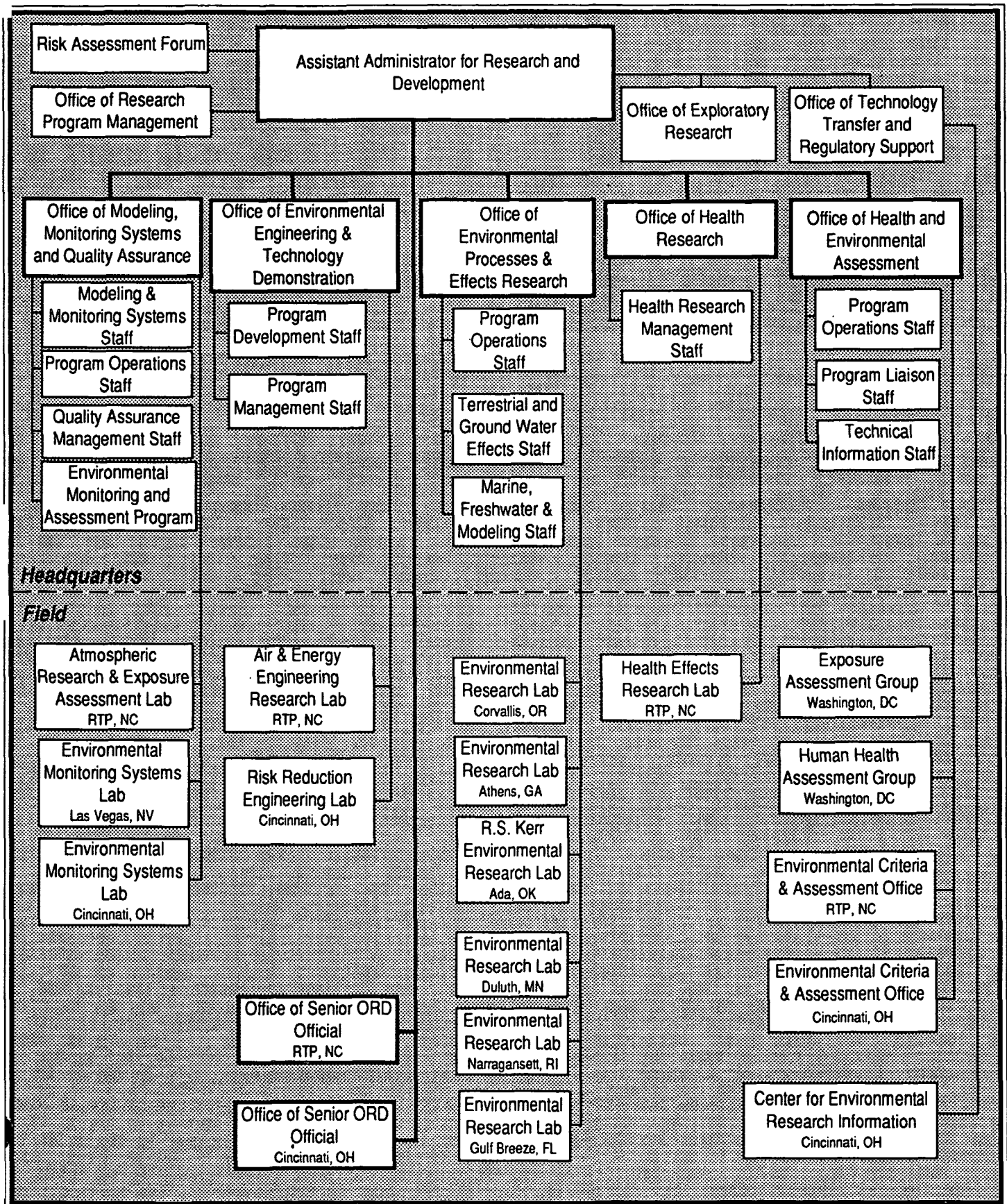
PRESENT ORGANIZATION

In 1980, the Toxics AAship reorganized internally with one result being the renaming of the AAship to the Office of Pesticides and Toxic Substances (OPTS). The reorganization served several purposes. The first was to eliminate administrative problems experienced under the matrix organization. Other reasons were to emphasize toxic integration by consolidating the TSCA functions under a single Office, the new Office of Toxic Substances, and to develop a coherent long-term TSCA regulatory strategy. To accomplish these purposes, two new staff offices were established, one for toxics integration (implementation) and the other for regulatory strategy. In addition to the two staff offices reporting directly to the AA, the resultant organization contained two program offices (Toxic Substances and Pesticides). In 1984, OPTS added a new Office of Compliance to enhance enforcement capability.

In 1991, OPTS became the Office of Prevention, Pesticides, and Toxic Substances as it took on the lead responsibility for implementing the Pollution Prevention Act of 1990. Under this reorganization, the Office of Toxic Substances was renamed the Office of Pollution Prevention and Toxics and added the Pollution Prevention Division (from the Office of Policy, Planning and Evaluation) to its other divisions. This reorganization was in response to Section 4(a) of the Pollution Prevention Act which required EPA to place the pollution prevention function in an office independent of any single media office. The pollution prevention function was placed in OPTS because the program activities carried out by OPTS are generally multi-media in nature.

RESEARCH & DEVELOPMENT

OFFICE OF RESEARCH AND DEVELOPMENT



LEADERSHIP

Erich Bretthauer
Assistant Administrator

Erich Bretthauer, a career officer in the U.S. Public Health Service, previously served as the Acting Deputy Assistant Administrator for Research and Development. Prior to that, he was the Director of the Environmental Monitoring Systems Laboratory in Las Vegas, Nevada, and served in Washington as the Director of the Office of Processes and Effects Research. Erich received a B.S. degree and a M.S. degree in Chemistry from the University of Nevada.

Deputy Assistant Administrator for Research and Development
Vacant**Clarence E. Mahan, Director**
Office of Research Program Management

Clarence Mahan has been the Director since April, 1986, after serving for three years as the Associate Comptroller. Before that, he spent a year as the Director, Office of Fiscal and Contracts Management. He held several positions with the Army, Air Force, and Department of Energy. Clarence received an M.B.A. degree from Syracuse University, a M.A. from The American University, and a Bachelor's from the University of Maryland.

Dorothy Patton, Executive Director
Risk Assessment Forum

Dorothy Patton has been the Executive Director of the Risk Assessment Forum since 1985. From 1976 to 1985, she was an attorney in the Office of General Counsel. Before coming to EPA, Dorothy was an Assistant Professor of Biology in the City University of New York. She received her J.D. degree from Columbia University School of Law, her Ph.D. in Developmental Biology from the University of Chicago, and a Bachelor's degree in Chemistry from the University of Wisconsin.

FUNCTIONS

The Office of Research and Development was established by combining the research components of fifteen separate agencies and forty-two separate field installations into a single organizational unit. Today ORD consists of eight offices and fifteen field laboratories. ORD works to fulfill research aspects of the Agency's mission.

- ☐ Serves as the principal science and technology office of the Agency.
 - ☐ Provides scientific basis for determining human health and environmental protection criteria.
 - ☐ Establishes technological basis for developing environmental control standards.
 - ☐ Provides cost-effective pollution control technology alternatives.
 - ☐ Develops measurement methods and Agencywide quality assurance programs to provide accurate and reliable environmental data.
-

SYNOPSIS OF MAJOR ISSUES

DIOXIN

ORD is scheduled to complete a scientific reassessment of the health and effects of dioxin in early 1993, which was undertaken in response to emerging scientific data on its health and environmental effects. The dioxin reassessment is critical to development of regulatory action levels and environmental standards, which have potentially significant ramifications on the types and costs of many environmental programs. There is intense interest in this project -- both scientifically and in terms of impacts on programmatic decisions.

TROPOSPHERIC OZONE

ORD has taken a strong leadership role in an EPA Senior Policy Group that is evaluating whether the Agency's ambient ozone control strategy is properly directed, based on recent scientific findings. A draft research strategy and an analysis of policy options will be discussed in early 1993. Given the huge, multi-billion dollar impacts for the ozone strategy and the National Academy of Science's conclusion about the inadequacy of current research programs, ORD should continue to play a strong role in the policy and subsequent follow-up related to research.

ENVIRONMENTAL MONITORING AND ASSESSMENT PROGRAM (EMAP)

This national-scale research and monitoring program was initiated in 1989 to document status and trends in the condition of the nation's ecological resources on regional scales. EMAP data and assessments will strengthen the scientific foundation for future environment management and policy decisions. To achieve its unique objectives, this comprehensive program will require considerable long-term management attention and commitment. Critical areas include expanding collaboration with participating Federal agencies, increased emphasis on the development of ecological indicators and environmental statistics methodology, continuing interaction with the academic community concerning innovations in the monitoring and assessment sciences, and broadening linkages with other EPA programs.

IMPLEMENTATION OF THE "CREDIBLE SCIENCE" REPORT

In 1990, Administrator Reilly convened an external panel to develop practical recommendations for the Agency concerning:

- ☐ How best to provide the Administrator with up-to-date, objective, scientific information
- ☐ How to ensure that the knowledge base necessary to achieve EPA's mission is available
- ☐ How to ensure that research and scientific needs of programs and regions are met
- ☐ How to enhance the stature of science within EPA and among EPA's many constituencies

In March, 1991, the Panel published a report, "Safeguarding the Future: Credible Science, Credible Decisions," with eleven major recommendations. The Agency is actively pursuing implementation including: instituting a formal EPA peer review policy; forming a new Council of Science Advisors to promote consistency among EPA programs; and implementing an issue-based planning process for research. Success of these and other reforms requires leadership by the new Administrator in demonstrating a commitment to elevating the role of science at EPA. The Agency has recently appointed William F. Raub as the Administrator's Science Advisor.

BROWNSVILLE BIRTH DEFECTS

ORD is continuing an effort to develop a study and action plan to address the health and environmental issues in the Brownsville, Texas / Matamoros, Mexico area focusing on birth defects. This is a politically sensitive issue, especially as it relates to the environmental issues surrounding NAFTA.

IMPROVING RISK ASSESSMENT

The methods and role of risk assessment as a tool in environmental decision making is controversial. ORD's risk assessment research, and its databases, technical assistance, and risk assessment guidelines provide crucial information for EPA programs and regions in development of consistent and scientifically defensible regulations and enforcement actions. EPA leads an ad hoc working group established under the Federal Coordinating Council for Science, Engineering and Technology (FCCSET) to conduct a government-wide evaluation of risk assessment practices. Through FCCSET and other mechanisms, we play a lead role in Federal guidance on risk assessment and promote harmonization of risk assessment across the Federal government. In 1993 and 1994, ORD will be issuing guidelines for neurotoxic, reproductive, and immunotoxic risk assessment, revising EPA's cancer risk assessment guidelines, and holding a series of public meetings and workshops on ORD's newly developed "Framework for Ecological Risk Assessment". These efforts are provoking intense interest from scientists within EPA and outside the Agency.

ACQUISITION MANAGEMENT IN ORD

Eighty percent of funds provided to ORD are awarded to outside parties through procurement contracts, grants, cooperative agreements, and interagency transfer. Procurement issues have been the focus of Congressional hearings, Office of Inspector General investigations and reports, and concerted management action. Assistance awards are now under intensive review by the Inspector General. Major management and procedural reforms have been initiated; however, serious and sustained management attention and staff investment will be required to assure the integrity of ORD extramural activities.

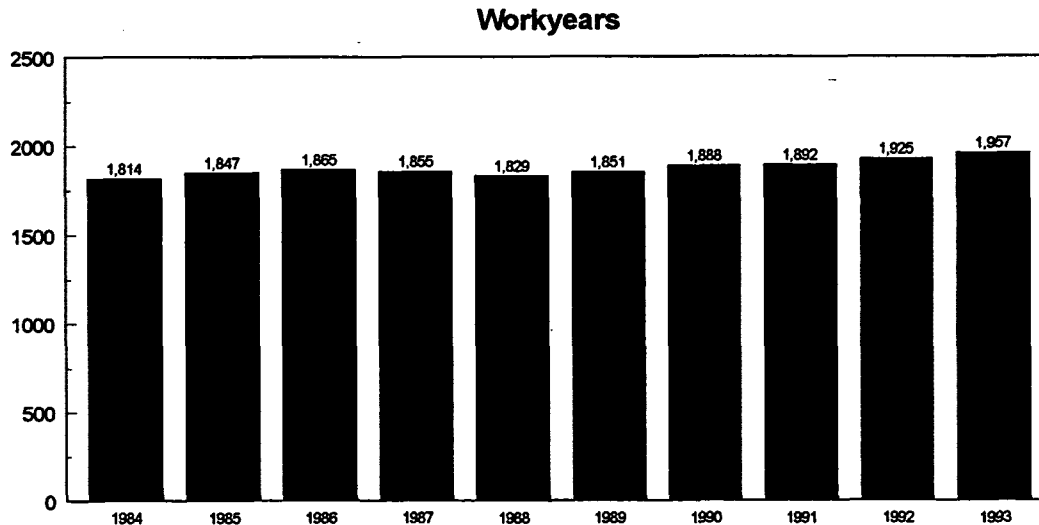
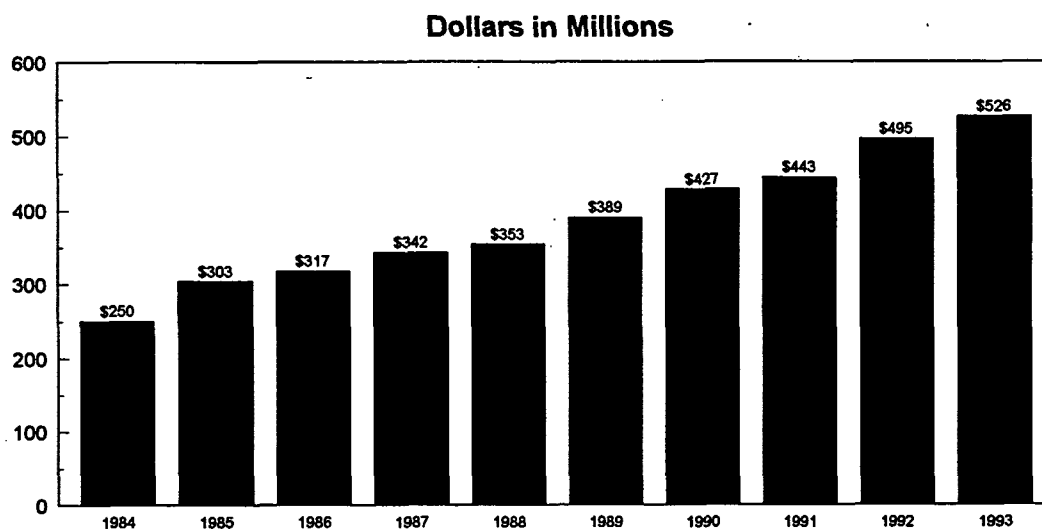
CATANO

Community leaders and citizens in the Catano area of Puerto Rico are concerned that poor environmental quality is adversely affecting their health. According to the Puerto Rico Medical Association, this area experiences high rates of cancers of all types as well as incidences of pediatric asthma higher than anywhere else in the world. In response to these concerns, EPA Region 2 has designed a comprehensive multi-media environmental quality study of the municipality of Catano, along with large areas of the municipality of San Juan. Issues cover air, water, solid and hazardous wastes, and enforcement. The study is expected to cost approximately \$3 million; current activities involve exploring funding mechanisms and setting priorities for research. Region II is also working with the Agency for Toxic Substances and Disease Registry to establish an asthma registry. Public and press interest in this issue remains extremely high.

RESOURCES

TRENDS - FY 1984 to FY 1993

(1984 to 1992 Operating Plans, 1993 President's Budget)

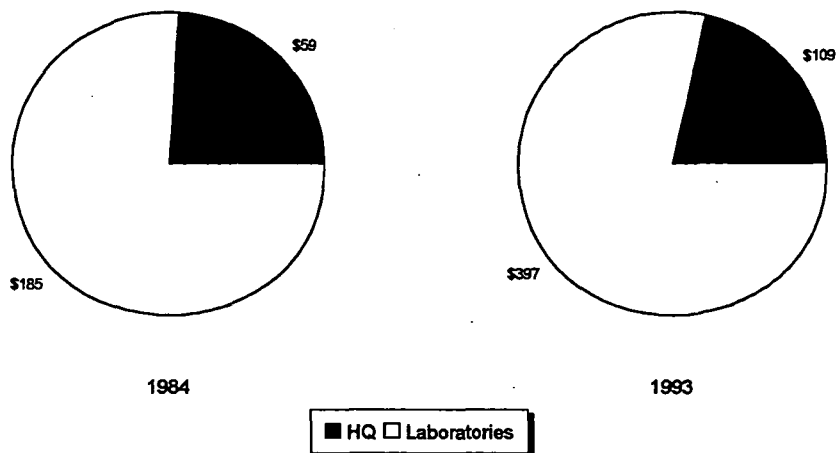


- Resources have increased steadily reflecting expanded research for Superfund and the Clean Air Act of 1990 (CAA).
 - Workyears have remained relatively stable in the past ten years
-

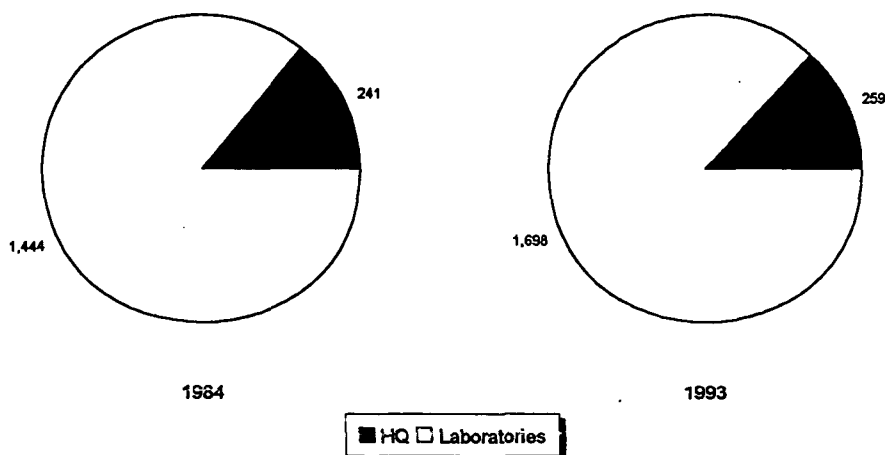
REGIONAL vs. HEADQUARTERS RESOURCES

(1984 Operating Plans vs. 1993 President's Budget)

Dollars in Millions



Workyears

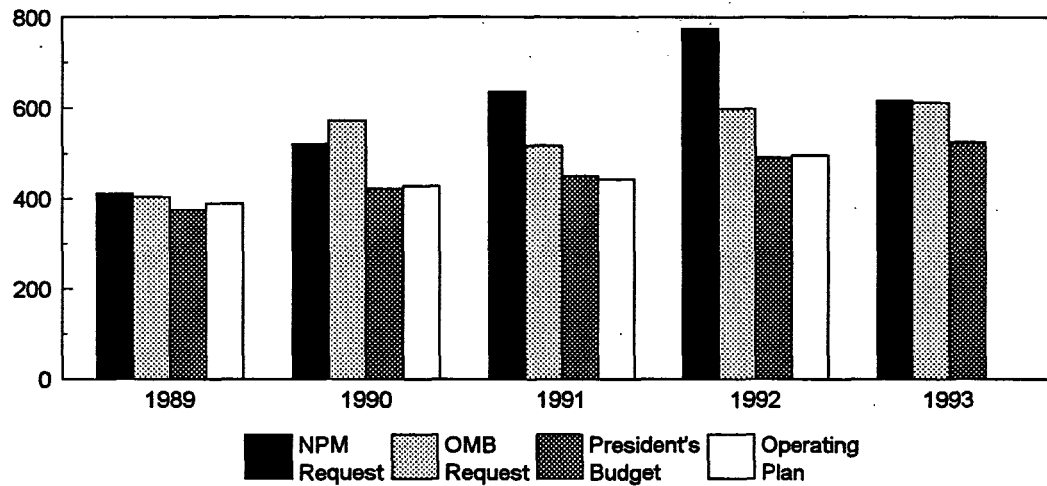


- Resources are divided between Headquarters in Washington and laboratories located in 12 locations throughout the country. The laboratory resources are classified as field resources.
- Approximately 80% of ORD's resources are for the field laboratories.
- However, all ORD resources are accounted for through Headquarters accounts.

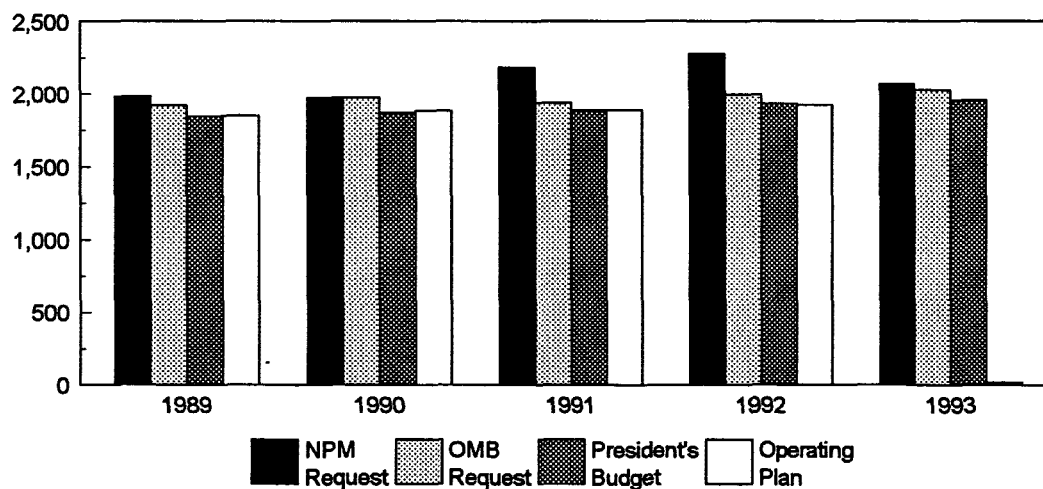
BUDGET PROCESS

(From Initial Request to Final Operating Plan)

Dollars in Millions



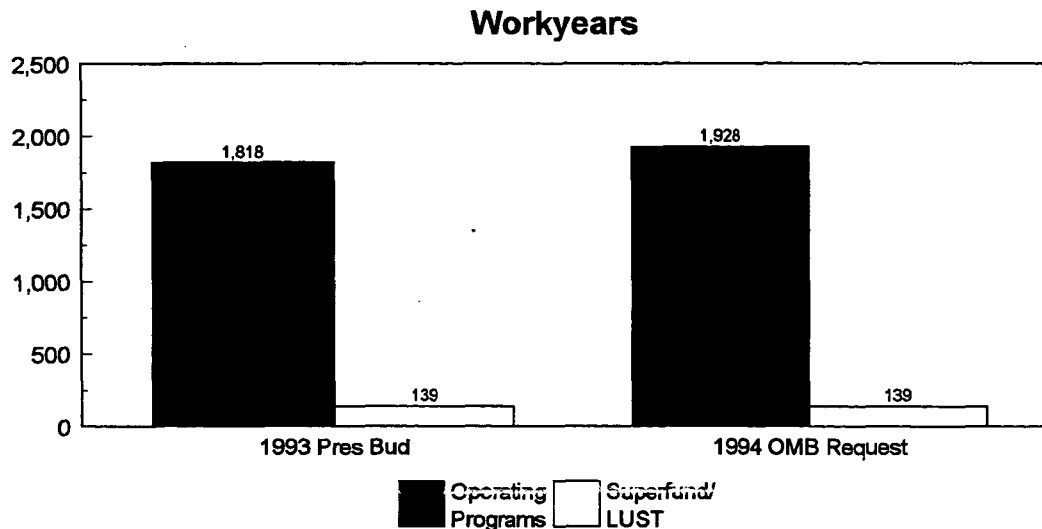
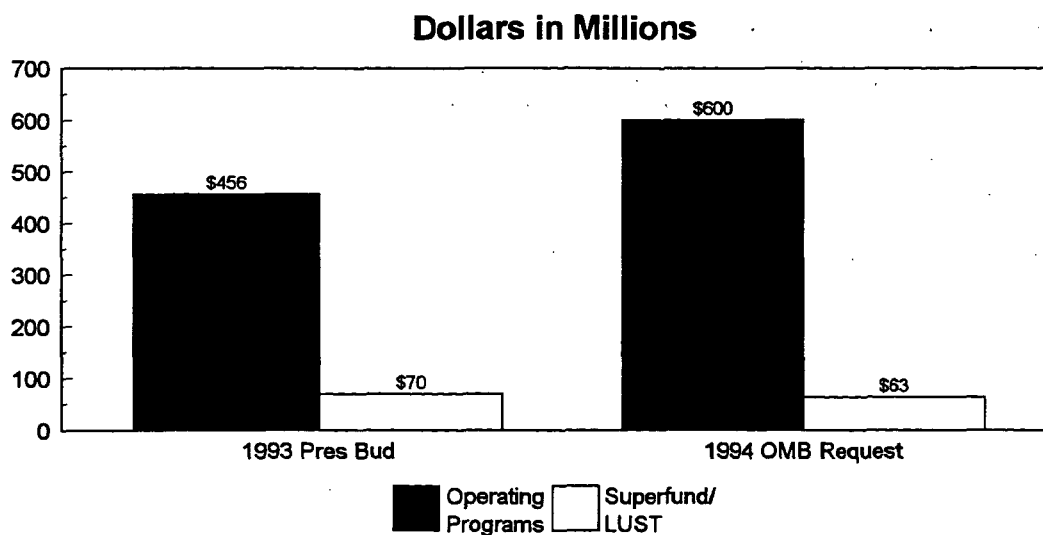
Workyears



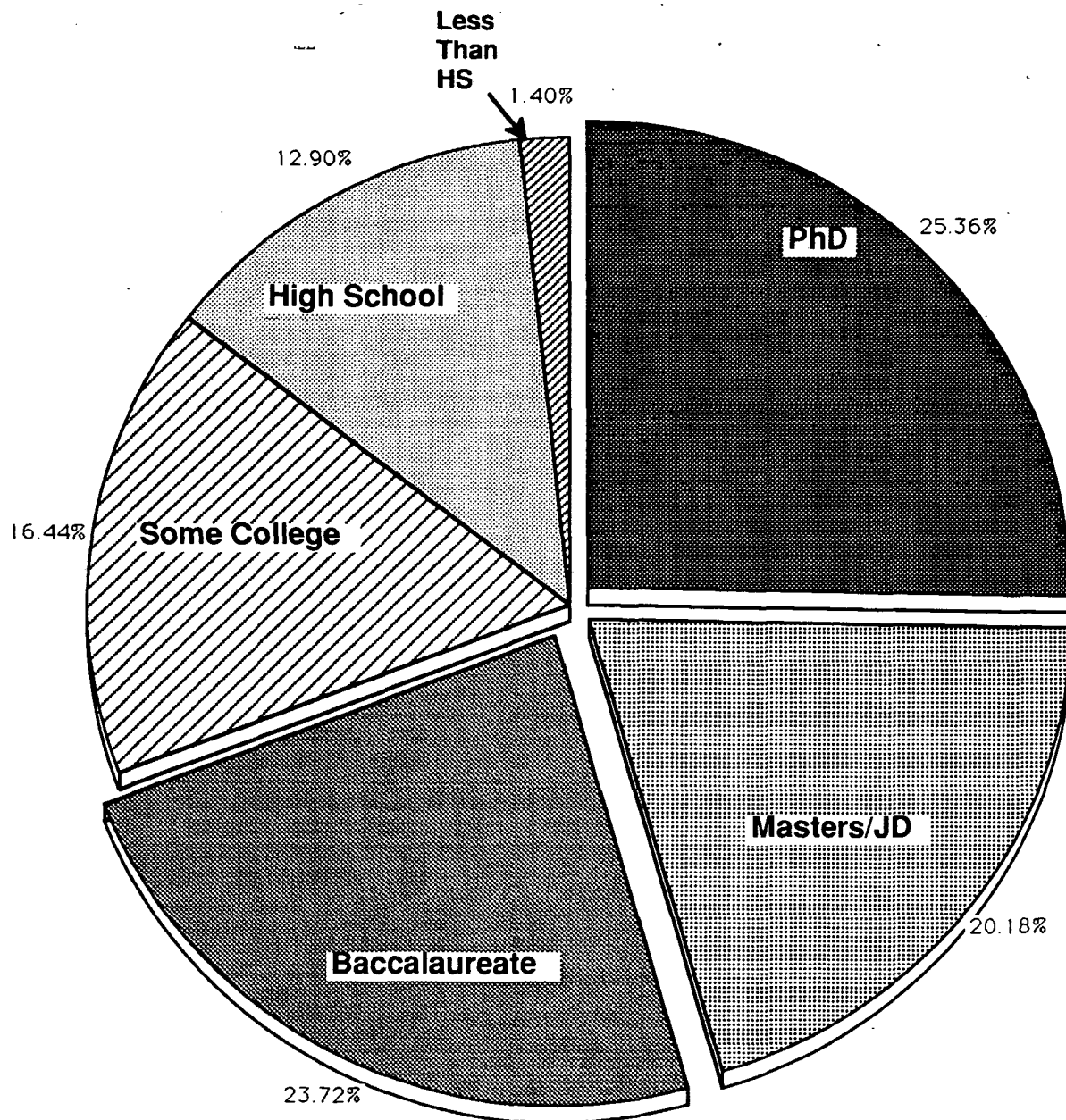
- For FY 1990 through FY 1993 resources requested by EPA from OMB for the Office of Research and Development (ORD) significantly exceeded amounts presented to the Congress in the President's Budget.
- Since FY 1989 Research and Development (R&D) funds have grown at a steady rate. Workyears have remained relatively constant.

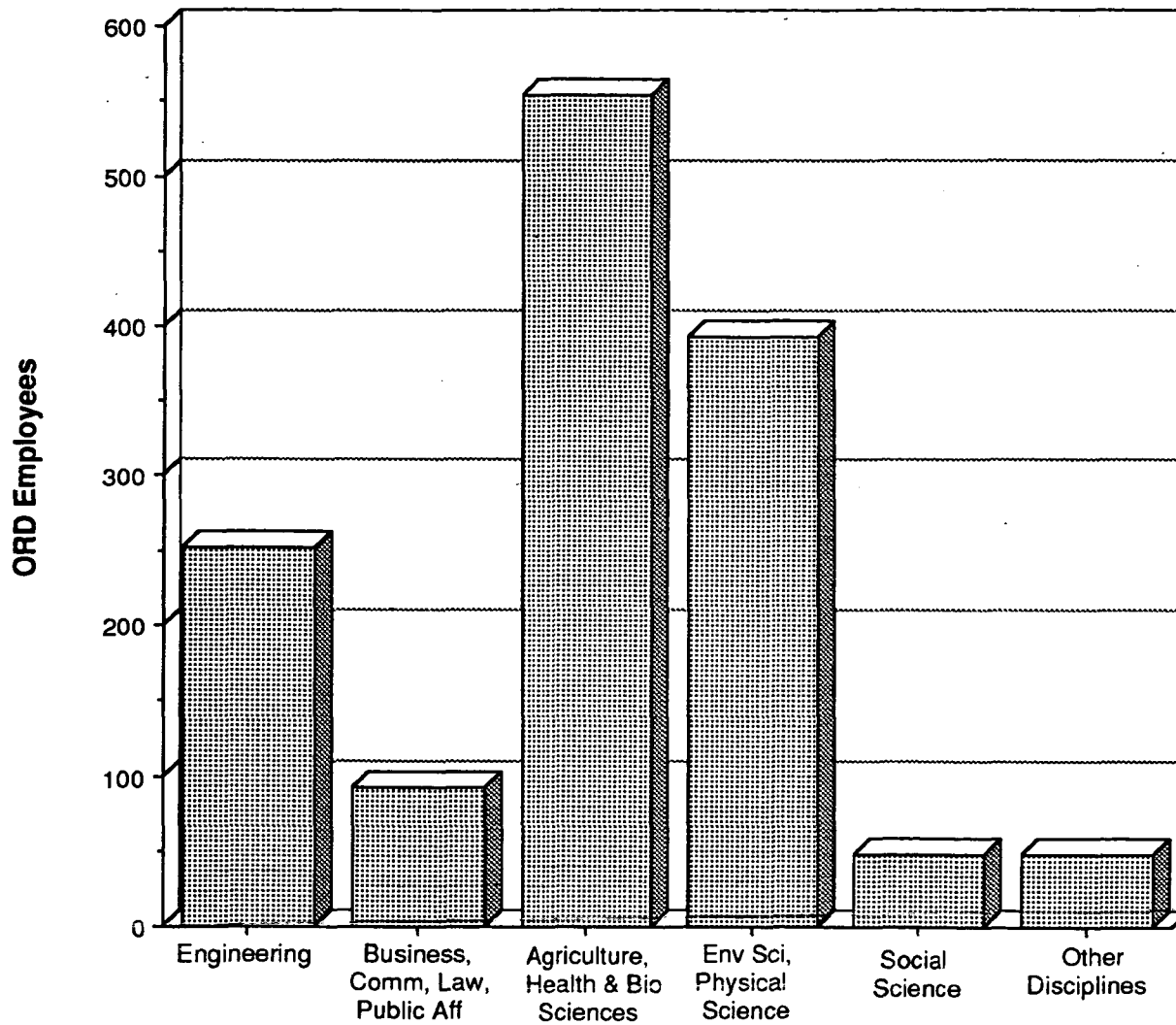
ADDITIONAL RESOURCES REQUESTED FOR 1994

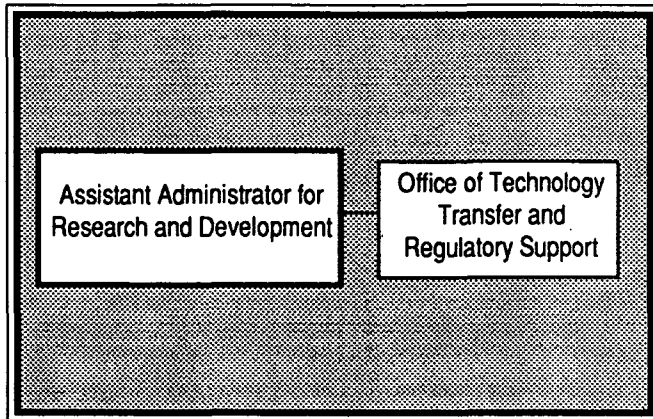
(FY 1994 OMB Request vs. 1993 President's Budget)



- FY 1994 increases for operating programs are designed to strengthen EPA's scientific and technical capabilities. Significant increases are requested for the Ecological Monitoring and Assessment Program (EMAP), health and ecological risk programs, and scientific infrastructure.
- ORD is also requesting resources to support Rio follow-up and North American Free Trade Agreement (NAFTA) activities.
- For FY 1994, Superfund research decreases reflecting a shift to clean-up activities. Leaking Underground Storage Tank (LUST) research programs remain stable.

WORKFORCE DEMOGRAPHICS**EDUCATION LEVELS - ORD**

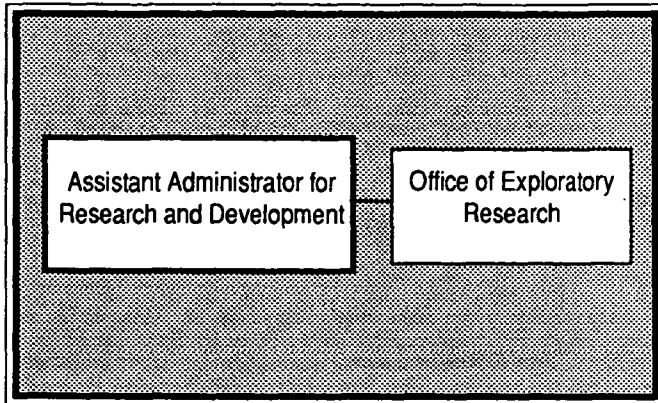
ACADEMIC DISCIPLINES OF COLLEGE GRADS

OFFICE OF EXPLORATORY RESEARCH**LEADERSHIP****Robert E. Menzer, Acting Director
Office of Exploratory Research**

Robert Menzer was named Director of the Environmental Research Laboratory at Gulf Breeze in November, 1989. Since then, he has also served as Acting Director for the Office of Exploratory Research in Washington, D.C. Prior to joining the Federal government, he served as Professor and Director of the graduate program in Marine-Estuarine-Environmental Sciences and Director of the Water Resources Research Center at the University of Maryland.

FUNCTIONS

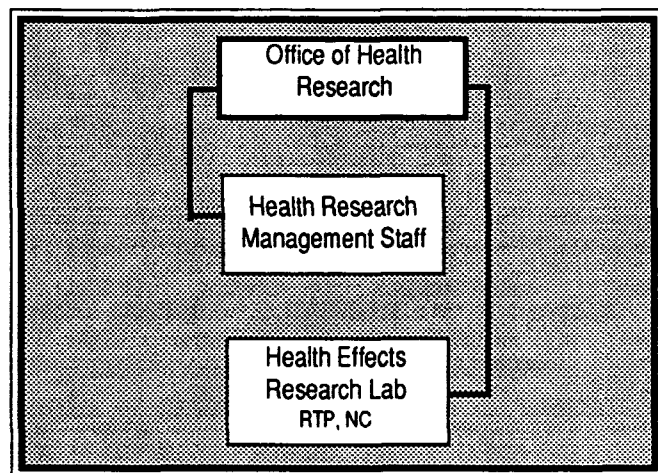
- ☐ Supports the academic environmental research community.
 - ☐ Supports anticipatory research on environmental problems.
 - ☐ Fosters education and training of current and future environmental scientists and engineers.
 - ☐ Encourages mature workers to pursue new careers in support of environmental goals.
-

**OFFICE OF TECHNOLOGY TRANSFER
AND REGULATORY SUPPORT****LEADERSHIP****Peter W. Preuss, Director
Office of Technology Transfer and Regulatory
Support**

Peter Preuss has been the Director since the creation of the Office in 1988. From 1985 to 1988, he was the Director of the Office of Health and Environmental Assessment. Peter began his career with the Boyce-Thompson Institute for Plant Research. He received a Ph.D. and a M.S. in Plant Physiology and Biochemistry from Columbia University and a B.S. from Brooklyn College.

FUNCTIONS

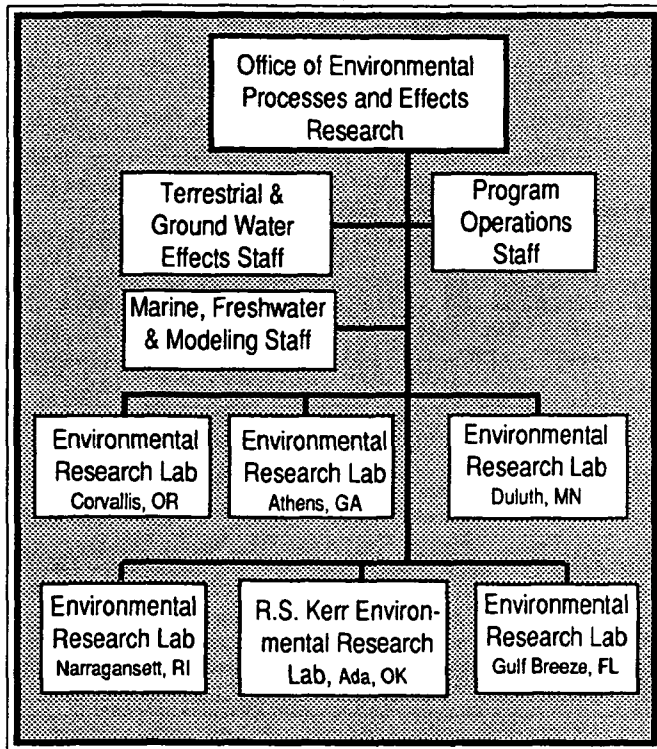
- ☐ Analyzes and integrates scientific and technological information in the development of regulations.
- ☐ Manages the delivery of ORD products and services through an organized program of technology transfer and technical information exchange.
- ☐ Promotes EPA regional interests in Agency research activities.

OFFICE OF HEALTH RESEARCH**LEADERSHIP****Ken Sexton
Director**

Ken Sexton has served as the Director since joining the Agency in 1987. Previously, he was Director of the Indoor Air Quality Program for the State of California, and the Director of Scientific Review at the Health Effects Institute in Boston, MA. Ken received a B.S. from the U.S. Air Force Academy, a M.S. degree in Environmental Engineering from Washington State University, and a M.S. in Sociology from Texas Tech University. He also holds a Ph.D. in Environmental Health Sciences from Harvard University.

FUNCTIONS

- ☐ Conducts research using oral, dermal, and inhalation routes of exposure; in vitro, animal toxicology; human clinical, and epidemiological approaches; and toxicological disciplines, dosimetry and microbiology.
- ☐ Develops health research policy, priorities and program plans.
- ☐ Documents adverse effects to humans from environmental exposure to pollutants.
- ☐ Develops interagency programs which effectively use pollutants.
- ☐ Offers technical assistance to the regions and program offices.

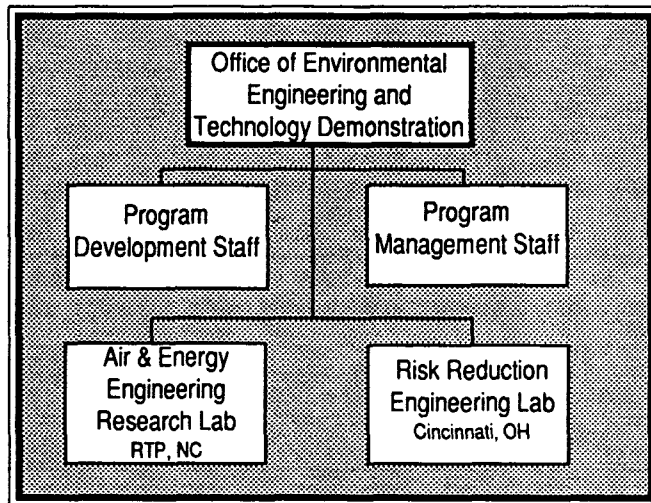
**OFFICE OF ENVIRONMENTAL
PROCESSES AND EFFECTS RESEARCH****LEADERSHIP****Courtney Riordan
Director**

Courtney Riordan has served as the Director since 1988. His prior experience with EPA includes Director, Office of Acid Deposition, Environmental Monitoring and Quality Assurance; Acting Assistant Administrator, Office of Research and Development; and Associate Director, Office of Air, Land, and Water Use. Courtney received a B.S. from Northeastern University in Boston, a Ph.D. in Regional Planning and Systems Analysis from Cornell University, and a J.D. from George Washington University.

FUNCTIONS

- ☐ Conducts research and assessment on the effects of pollutants and other human stresses on inland ecological systems.
- ☐ Develops the scientific basis for EPA to create environmental policies concerning the use of freshwater resources.
- ☐ Develops and analyzes scientific data on the impact of hazardous materials released in marine and estuarine environments.
- ☐ Provides the scientific basis for environmental criteria, waste disposal practices, environmental analysis/impacts, assessments, and marine and estuarine risk assessments.

OFFICE OF ENVIRONMENTAL ENGINEERING AND TECHNOLOGY DEMONSTRATION



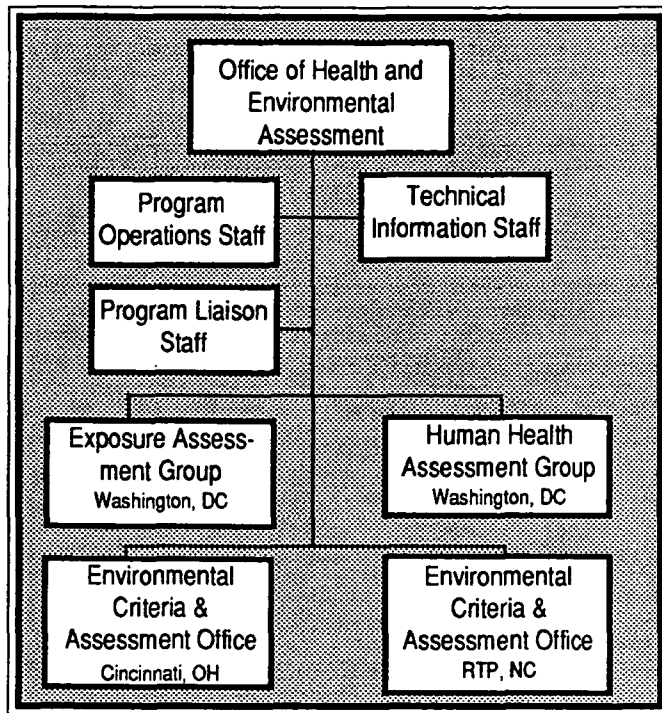
LEADERSHIP

Alfred W. Lindsey Director

Fred Lindsey has served as Director since 1988, after having served as Deputy Director. He was previously involved with developing and implementing various RCRA regulatory programs in the Office of Solid Waste where he became Deputy Director of the Technology Division. Before becoming a government employee, Fred was employed in areas involving pollution control, process engineering, and research positions in the pulp and paper industry. He received his B.S. from North Carolina State University and has done graduate work at Drexel University and George Washington University in Environmental Engineering.

FUNCTIONS

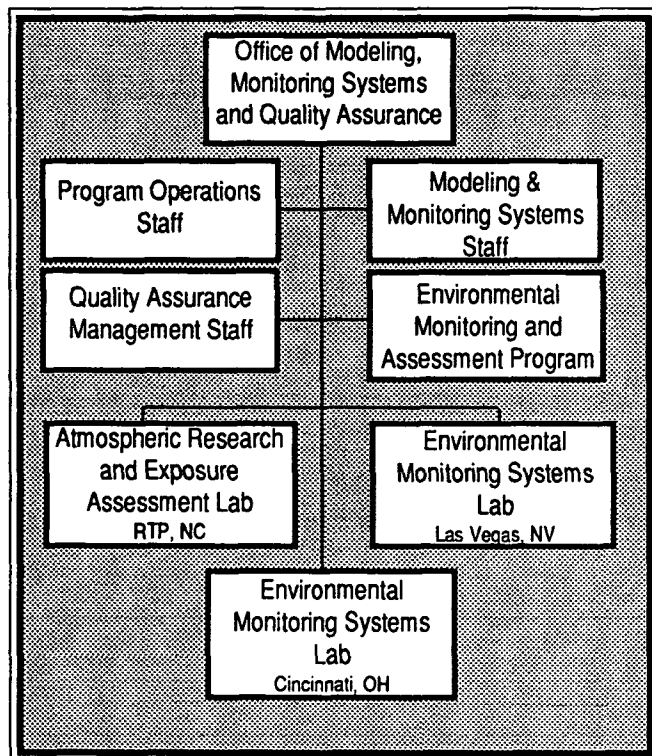
- ☐ Develops control techniques for impacts associated with extracting, processing, converting, and transporting energy, minerals and other resources, and for impacts of industrial processing and manufacturing facilities.
- ☐ Develops and demonstrates methods for controlling impacts of public sector activities including publicly-owned wastewater and solid waste facilities.
- ☐ Develops control and management technology regarding hazardous waste generation, storage, treatment and disposal.
- ☐ Provides innovative technologies for response actions under Superfund and technologies for controlling emergency oil spills and hazardous waste spills.
- ☐ Characterizes, reduces and mitigates indoor air pollutants including radon and acid rain precursors.

**OFFICE OF HEALTH AND
ENVIRONMENTAL ASSESSMENT****LEADERSHIP****William H. Farland
Director**

Bill Farland has served as the Director since 1988. Since joining the Agency in 1979, he served as the Deputy Director of the Health and Environmental Review Division, Office of Toxic Substances, and the Director of the Carcinogen Assessment Group, ORD. He received a Ph.D. and Master's degree from the University of California, and a B.S. in Biology from Loyola University.

FUNCTIONS

- ☐ Prepares human health risk assessments that serve as the scientific basis for regulatory and enforcement decisions within the Agency.
- ☐ Promotes Agencywide coordination and consistency of risk assessments through the preparation of guidelines, and by providing expert advice, reviews, and data analyses.
- ☐ Documents adverse effects to humans from environmental exposure to pollutants.
- ☐ Plans and conducts research to reduce uncertainties in risk assessment.

**OFFICE OF MODELING,
MONITORING SYSTEMS
AND QUALITY ASSURANCE****LEADERSHIP****H. Matthew Bills****Acting Director**

Matt Bills has been the Acting Director since January, 1991, serving seven years as the Deputy Director prior to that. Matt joined the Agency in 1971 as the Director of Data and Information Research. Before that, he was the Manager of systems and project support for AIL Information Systems, a division of Cutler-Hamner, Inc., and served a tour with the CIA. Matt did his undergraduate work at William Jewell College and the University of Kansas. He holds a J.D. degree from the University of Missouri.

FUNCTIONS

- ☐ Characterizes the sources and pathways of pollutants.
- ☐ Determines the status and trends in pollutant concentrations and ecosystem conditions.
- ☐ Quantifies the exposure of humans and ecosystems to pollutants and provides exposure assessments.
- ☐ Develops and validates models to estimate the atmospheric sources, transport, rate, and concentrations of pollutants.
- ☐ Develops measurement techniques, analytical tools, and quality control protocols to characterize, monitor, and assess pollutant exposure and ecosystem conditions.
- ☐ Manages the Agencywide quality assurance program.

DELEGATIONS HELD BY THE ASSISTANT ADMINISTRATOR**GENERAL, ADMINISTRATIVE AND MISCELLANEOUS**

- 1 - 9 Intergovernmental Personnel Act (IPA) Program
- 1 - 15 Cash Awards
- 1 - 17A Domestic Travel Authorization
- 1 - 17B International Travel Authorization
- 1 - 20 Annual Leave Forfeiture
- 1 - 21 Federal Register
- 1 - 41 Mandatory Quality Assurance Program
- 1 - 45 Intergovernmental Review Provisions of Executive Order 12372 and CFR 40 Part 29
- 1 - 49 Assertion of the Deliberative Process Privilege
- 1 - 51 Receptions and Refreshments to Recognize Award Recipients

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

- 5 - 23 Research

CLEAN AIR ACT

- 7 - 35 Air Pollution Control Manpower Training Assistance

SOLID WASTE DISPOSAL ACT (SWDA)

- 8 - 17 Solid Waste Management Technical Training Assistance
- 8 - 18B Solid Waste Management Training Assistance

SAFE DRINKING WATER ACT

- 9 - 15 Safe Drinking Water Occupational Training Assistance
-

NOISE CONTROL ACT

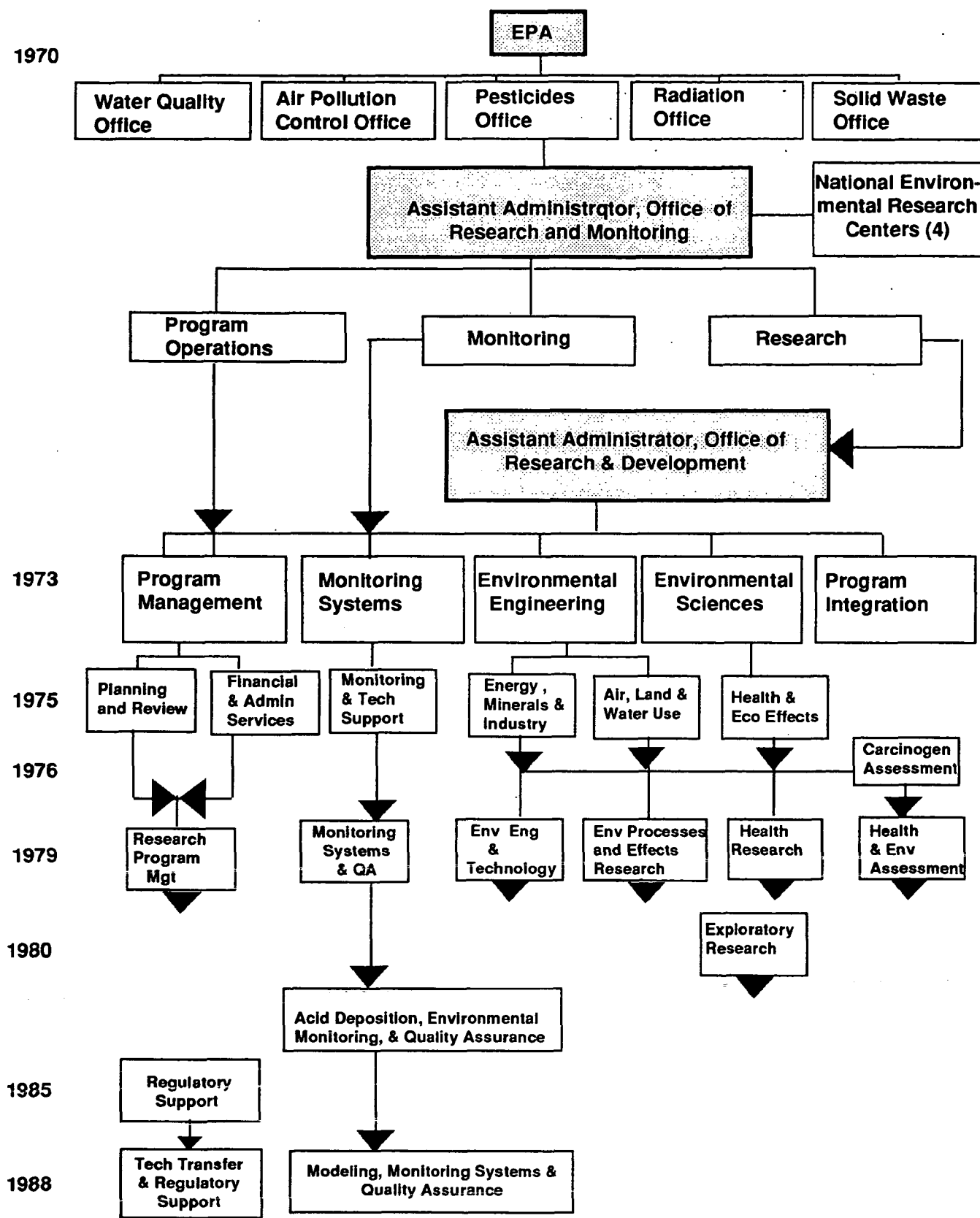
11 - 10 Noise Control Program Grants and Cooperative Agreements

**THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION & LIABILITY ACT
(CERCLA)**

14- 18B CERCLA - Hazardous Substance Research

14 - 38 CERCLA - EPA's Role in Department of Defense Restoration Act

ORGANIZATIONAL HISTORY



INITIAL ORGANIZATION

EPA was created through an Executive reorganization plan designed to consolidate a number of Federal environmental activities into a single agency. In 1970, EPA's first Administrator, William Ruckelshaus, published an organizational order providing for the designation of three Assistant Administrators for Planning and Management, Standards and Enforcement and General Counsel, and Research and Monitoring. The five principal categorical programs: air, water, solid wastes, radiation and pesticides, were retained individually under the management of commissioners.

The original structure of the Office of Research and Monitoring, precursor to today's ORD, was based in part on a research design prepared by the White House Office of Science and Technology. The initial organization was established by combining the research components of 15 separate agencies and 42 separate field installations. The resultant AAship consisted of three offices: Program Operations, Monitoring, and Research. Four National Environmental Research Centers (NERCs) were created to carry out actual in-house research and reported directly to the Assistant Administrator.

FURTHER REORGANIZATION

In 1971, EPA's first permanent organizational structure was announced, and the Office of Research and Monitoring was officially established.

A 1973 internal ORD reorganization resulted in retitling the office as the Office of Research and Development and expanded its offices from three to five. The reorganization was based on the theory that research should be aligned with disciplines. The research function was split into Environmental Sciences which explored the discipline of cause and effects of pollution; and Environmental Engineering which researched control technologies. Like its name, the Program Integration Office was created to integrate the program's research needs with ongoing research disciplines.

Further media accountability was structured by late 1975, when fifteen labs replaced the National Environmental Research Centers. The labs reported through their respective offices instead of directly to the AA. ORD's organizational structure continued to reflect this trend when, in 1975, the AAship reorganized to meet the increasing need for media-related research to set standards mandated by legislation. Environmental Engineering split into two parts: Energy, Minerals and Industry to research industrial pollution; and Air, Water and Land Use to research non-industrial pollution. Environmental Sciences underwent a name change to Health and Ecological Effects reflecting EPA's growing emphasis on public health.

In 1976, the Carcinogen Assessment Group was created to communicate ORD's research on carcinogens to the outside research and academic communities. In 1979, ORD reorganized again, this time turning from the media approach back to the discipline approach. The emphasis on health related research continued to grow with an Office dedicated purely to that area. The next years, 1979 and 1980, saw the addition of an Exploratory Research Office which was created following Congressional mandate that a percentage of the Agency's research be carried out in universities. The Monitoring Office, whose purpose had always been to develop new monitoring technologies, assumed the function of quality assurance for ORD research.

The 1980's have seen two changes in the major organizational framework. First, the Office of Regulatory Support, created in 1985 to more closely align research with program regulatory needs, evolved in 1988 to the Office of Technology Transfer and Regulatory Support. The technology transfer initiative is aimed at sharing EPA research and knowledge with the Federal, state, local and private communities. Second, the monitoring and quality assurance function was combined with the modeling function into an Office of Modeling, Monitoring Systems and Quality Assurance.

PRESENT ORGANIZATION

The Office of Research and Development today consists of three staff offices: Research Program Management, Exploratory Research, and Technology Transfer and Regulatory Support, and five program offices: Health Research; Environmental Processes and Effects Research; Environmental Engineering and Technology; Health and Environmental Assessment; and Modeling, Monitoring and Quality Assurance. In addition, the Agency's Risk Assessment Forum is administered in ORD.
